

more important even than his life or his fortune, are not protected." This is, of course, only a dictum, and does not affect the statement made by Mr. Justice Stephen in his digest of the Law of Evidence (4th edit.), p. 184, that "the question whether clergymen, and particularly whether Roman Catholic priests, can be compelled to disclose confessions made to them professionally, has never been solemnly decided in England, though it is stated by the text writers that they can."—*Law Times*.

A KAFIR LAWSUIT.—A Kafir in the witness box is often a surprise to those who know little or nothing of the traditions of the Kafir race. The ease with which the ordinary native parries the most dexterous cross-examination, the skill with which he extricates himself from the consequences of an unfortunate answer, and, above all, the ready and staggering plausibility of his explanations, have often struck those who come in contact with him in the law courts. He is far superior, as a rule, to the ordinary European, in the witness box. Keen witted and ready, he is yet too cautious ever to answer a question the drift of which he does not clearly foresee, and which when he understands he at once proceeds, if necessary, to forestall by his reply. As a result, the truth of his evidence can only be sifted by a very careful proceeding on the part of the cross-examiner, and by keeping him in the dark as much as possible to the bearing of his answers upon the subject matter of the suit. Whether this dialectic skill is innate in the Kafir, or whether it is the result of long cultivation, it is difficult to say; but as some proof of the former, we subjoin a very interesting extract from a book now unhappily becoming rare—viz., Colonel Maclean's "Handbook of Kafir Laws and Customs, compiled from Notes by Mr. Brownlee, Rev. Dugmore and Mr. Ayliff," which will, we venture to think, throw a great deal of light on the present abilities of the descendants of those whose judicial customs fifty years ago are so graphically described in the following words: "When a Kafir has ascertained that he has sufficient grounds to enter an action against another, his first step is to proceed, with a party of his friends or adherents, armed, to the residence of the person against whom his action lies. On their arrival they sit down together in some conspicuous position, and await quietly the result of their presence. As a law party is readily known by the aspect and deportment of its constituents, its appearance at any kraal is the signal for the mustering of all the adult male residents that are forthcoming. These accordingly assemble and also sit down together within conversing distance of their generally unwelcome visitors. The two parties, perhaps, survey each other in silence for some time. 'Tell us the news,' at length exclaims one of the adherents of the defendant, should their patience fail first. Another pause sometimes ensues, during which the party of the plaintiff discuss in an undertone which of their party shall be 'opening counsel.' This decided, the learned gentleman commences a minute statement of the case, the rest of the party confining themselves to occasional suggestions, which he adopts or rejects at pleasure. Sometimes he is allowed to proceed almost uninterrupted to the close of the statement, the friends of the defendant listening with silent attention, and treasuring up in their memories all the points of