prit, as for a dead man. The criminal is then left for execution, and unless mercy exerts its sovereign prerogative, suffers the sentence of this law. The mourning cap expressly indicates his doom.—*Notes and Queries.*

The observations made by Lord Justice James, in the case of *Dean* v. *M'Dowell* (38 L. T. Rp. N. S. 864) are a sad reflection upon the average quality and utility of legal text-books. Counsel engaged in the case were labouring to show that if profits have been made by a partner in violation of his covenant not to engage in any other business, the profits will be decreed to belong to the partnership. In support of this proposition a case decided by Lord Eldon was first quoted. Then came a quotation from Story's Equity Jurisprudence fully supporting the affirmative; then a quotation from Collyer on partnerships to the same effect, and the learned counsel was about to make a further reference to Bissett on Partnership, when the Lord Justice interrupted by remarking, "It is of no use to quote the text writers. They all copy from one another, and give as their only authorities that case which is really no authority for the principle they lay down." However severely these remarks may seem to reflect upon the legal text writers generally, no person who is conversant with law books can doubt that too great justification for the stricture of the learned judge does undoubtedly exist. Fortunately, however, there is observable an improvement in the character of our text-books, and text writers are showing a greater freedom from the trammels of previous writers than was previously the case, and it may be safely said that the number of legal works which indicate both originality and ability is on the increase. Two learned judges now on the bench, to say nothing of other writers, have themselves shown by their treatment, the one of the Law of Partnership, the other by his work on the Contract of Sale, what a legal text-book ought to be.—*Law Times.*

The opinion of the Supreme Judicial Court of Massachusetts has just been filed in the case of *Locke* v. *Lewis*, which presents an interesting phase of the law of partnership. It was an action of replevin for three carriages. It appeared by the evidence that, in September, 1870, a co-partnership previously existing between the plaintiff and I. R. and D. R. in the business of manufacturing carriages at Nashua, in the State of New Hampshire, was dissolved, the plaintiff left the firm, and I. R. and D. R. gave him their promissory note for the balance of his unpaid interest therein, and formed a new firm under the style of I. R. & Son, and continued the business at the same place. In October, 1870, I. R. and D. R. formed a limited partnership, under the laws of New Hampshire, under the name of I. R. & Co., with C. P. and G., in which I. R. and D. R. were general partners, and the other three were special partners. In February, 1871, I. R. and D. R. sold the carriages in question to the plaintiff in payment of their note to him, and he gave up the note to them. The plaintiff testified to the effect that he bought the carriages in good faith; that he thought two of them were the same that the old firm had on hand when he sold out to I. R. and D. R., and that he did not know that the limited partnership existed, or was carrying on business, or that any one but I. R. and D. R. had any interest in the carriages sold to him. The defendant, a deputy sheriff, afterwards attached the carriages on *mesne* process against all the partners in the limited partnership. The report assumes that the carriages were part of the stock in trade of this partnership; and the single question reserved for the decision of the court was the correctness of the ruling under which a verdict was ordered for the defendant, and which was, in substance, that the sale by the two general partners, in payment of their own debts, of goods which were in fact goods of the partnership, but were not known to the *creditor* to be such, was void as against the partnership and its creditors.—*Central Law Journal.*

A Scene in Court.—During the Herne Bay Waterworks petition in the Court of Chancery, London, on Wednesday, a scene occurred between Vice-Chancellor Malins and Mr. Glasse, Q.C., the leading counsel of the court. The Vice-Chancellor having stated that the case had better stand over till the November sittings, Mr. Glasse remarked on the inadequacy of the court to deal with the business. The Vice-Chancellor: That is a very improper remark for you, as the leading counsel of the court, to make. —Mr. Glasse: The public will judge.—The Vice-Chancellor: Your remarks are of an infamous description. I wonder you have the audacity to make them.—Mr. Glasse (who spoke with suppressed excitement): I, standing here, will not condescend to tell your lordship what I think of you.

We suppose that Punch's epigram on "*Heads in Chancery*" is *apropos* of this:

> Says Malins to Glasse,
> "I think you're an ass!"
> Says Glasse back to Malins,
> "I pity your failings!"