

departure of every guest at the office of the "Commissär" of his district; or any householder who does not notify to that individual the name, address, and standing of every member of his household on first arrival in the place, and thereafter of every guest who may pass even one night beneath his roof. Further, he must report whenever he changes his residence within the district, and will be required to state, among other things, what rent he pays for the new abode, if hired, or the price he has given, if purchased. This latter information is utilized for the purposes of the income tax commissioners, of whom the police president is the chief member. Even your new housemaid has to announce herself and produce her papers; and if it should be found that the departing one has omitted to report herself before leaving, she will inevitably be followed to her new place by the dreaded "Strafzettel," for these offences come within the category before mentioned of those for

which the police are empowered to impose a fine without going to a magistrate in the first instance, although there is always a right of appeal. Thus you may some morning be presented with one of these unpleasant little documents, and find on inquiry that your servant has been cleaning (that is, banging) the feather-beds out of a window looking on to the street, and that your next-door neighbor, suffering from an inundation of fluff, has called the attention of the "Schultzmänn" to the heinous transgression. Contrasting this kind of thing with the grave political and judicial functions discharged by the same authorities, one is inclined to compare the German police to a Nasmyth hammer, which, capable of tremendous power, is yet adaptable to the most delicate work.

With regard to the number of men employed, it would appear to be based on the principle of one man to each thousand of population.

PECULIARITIES OF MANX LAWS.

BY GEORGE H. WESTLEY.

SOME of the most interesting incidents, in Hall Caine's delightful stories of life in Man, turn upon certain very peculiar laws which exist or once existed in that quaint little island. In the following brief sketch of the Manx statutes, nothing more is attempted than to so interest the student of comparative jurisprudence, that he may be prompted to delve for himself in this mine of instructive and amusing material.

First a word upon the Manx law-makers. The legislature of Man is termed the House of Keys. This institution dates a thousand years back to the time of Orry, a prince of Denmark who invaded the island and became its king about the year 920. The

House of Keys was originally a judicial body, its name being derived from its function of unlocking or interpreting the common statutes; but from this it drifted into the making of the laws and is now the legislature. It consists of twenty-four members elected by the people; but no laws enacted by it are valid until read, in the presence of the inhabitants, from Tynwald Hill. This reading takes place July 5th of each year, and while there is less pomp and circumstance connected with the occasion than in former times, there is still enough to make it one of the most peculiar and archaic legal ceremonies in modern Europe.

There are two judges in the island, called

deemsters. The oath of the deemster is, that he will execute the laws of the island justly and "so indifferently as the backbone doth lie in the midst of the fish," a form said to have been so worded that his daily meal of herring will remind him of the obligation he is under to give impartial judgment.

An appeal from the deemster's decision goes to "the Staff of Government," a court in which the governor of the island is *ex officio* sole judge. The oath of this dignitary is scarcely less quaint than that of the other; it is that he shall "deal as indifferently between party and party as this staff now standeth," referring to an emblem of authority which he holds upright in his hand.

Up to 1417 many of the laws of Man were uncodified. These unwritten statutes were termed Breast Laws. They were imparted unto the deemsters secretly, to be revealed unto the people as might be deemed expedient. In the year mentioned, however, Sir John Stanley, king and lord of Man, embodied these statutes in a written code, to the great satisfaction of the people, who many of them suffered unjustly under the old system.

One of the oddest of the old Manx laws was the following: "If a man steal a horse or an oxe, it is no felony, for the offender cannot hide them, but if he steal a capon or a pigge, he shall be hanged." Another old decree ordains that if a man was proved to have wronged a maid, the deemster was to hand her an axe, a rope, and a ring, that she might deal with the offender in one of three ways, viz., behead him with the axe, hang him with the rope, or marry him with the ring. Tradition has it that the maids were usually lenient.

Slander against any of the chief officers or the House of Keys was punished by a fine of £10 and the loss of both ears. "In case of theft," ran another old law, "if it amount to the value of sixpence halfpenny,

shall be felony to death to the offender; and under that value to be whipped, or set upon a wooden horse ordained for such offenders."

Still another of the old statutes read thus: "If any person, having occasion to take the law against another, if that he find him within the Court, he may by law take him by the arm and bring him before the Deemsters, and set his Foot upon him, and take the Law of him, although he never summoned him."

Among the ancient institutions of the island was one known as "setting quests," consisting of four of the lord proprietor's tenants. A setting quest was chosen from every parish in the island, and their duty was to find suitable tenants for any of the lord's lands which might fall vacant. The tenant thus chosen was obliged to take the land, and if he failed to pay the rent, the setting quest was liable, for having chosen an impecunious person.

Servants who should hire with two masters had to serve the first, while the second took his wages, and if the offense was repeated he was to be whipped in the stocks. Another old statute provided that if there was a scarcity of servants to work the lord's lands, the latter, through a "jury of servants," might compel the tenant who paid the smaller rent to work for him who paid the larger.

The deemsters and coroners of the island enjoyed at one time a curious privilege known as "yarding"; that is, compelling the service of persons of either sex at a trifling wage fixed by law. An officer, called a sumner, was sent to lay a straw on the shoulder of the person required, saying, "You are hereby yarded for the service of the lord of Man in the house of his deemster," or coroner, as the case might be. Persons refusing to comply with this summons were committed to prison and kept on small fare until they submitted, when the expense incurred by their refusal was deducted from their wages.

It is said of the arms of Man (three legs armored and spurred, joined at the thigh, and bent at the knee) that one leg spurns Ireland, another kicks at Scotland, and the third kneels to England. This insular attitude toward their three neighbors would seem to be borne out in the following two old statutes. The first reads "that all Scots avoid the Land with the next vessel that goeth to Scotland, upon paine of forfeiture of their Goodes and their bodys to Prison." The other "that Irish women loytering and not working be commanded forth of the said Isle with as much convenient speed as may be." These statutes have not yet been repealed.

Prisoners were tried by a jury of twelve, the prisoner having the right to select the requisite number from the jurors impanelled. In old-time trials it was the custom of the bishop to sit with the judges, unless the sentence was to be death, when he withdrew from the court. In such a case, the deesters demanded of the foreman of the jury, in the Manx language, *Vod fir charree soie?* (May the man of the chancel sit?) If the foreman replied that he might not, that was equivalent to a verdict of guilty, and sentence was pronounced as soon as the bishop had retired.

In 1610 certain spiritual laws were made, or rather at that time committed to writing. Most of these related to offenses against morality. Waldron describes one of these laws as follows. "If any person be convicted of uttering a scandalous report and can-

not make good the assertion, instead of being fined or imprisoned, they are sentenced to stand in the Market Place on a sort of scaffold erected for that purpose, with their tongue in a noose of leather, which they call the bridle; and having been thus exposed to the view of the people for some time, on taking off this machine they are obliged to exclaim three times, 'Tongue, thou hast lied!'"

Not less interesting than the preceding are some of the old garrison regulations. One of these ran, "Alsoe that noe soldier hould continually a Lemon within a mile of either of said Houses, upon paine of Forfeiting his Fee." This latter is apt to prove rather puzzling at first, but if one can recall Chaucer's couplet,—

Unto his lemmon, Dalia, he told
That in his heres all his strengthe lay,

the mystery will be solved.

Among their modern statutes may be mentioned that concerning the recovery of debts, which limits the period to three years. The Sunday closing law is very strict in Man, for if anyone is found in the liquor seller's premises on the Sabbath, he is liable to a fine, even though no intoxicating drink has been called for or consumed.

A law of 1881 gave women the franchise, and they now vote at elections, when possessed of the requisite property qualification, which is the ownership of real estate of £4 per annum ratable value. There is also a tenancy qualification, to which however they were not at that time admitted.

