

RAILWAY UNPUNCTUALITY.—DOGS IN COURT.

a verdict against one in a civil suit when his antagonist belongs to a higher class? In addition to the case of the poor widow with a town and country house, Baron Deasy mentioned three similar cases which were called before him, but very soon after the jury was sworn the landlords compromised with their tenants rather than go on; and he added that he thought it not improbable that this was on account of the appearance of the jury. It is not surprising that, after hearing this testimony, the Select Committee should have arrived at the conclusion that the qualification of Irish jurors was too low, and that the system required amendment. It is possible that some of the alterations proposed may have a good effect; but in the meantime a vast amount of mischief has been done, and it is to be feared that any attempt thoroughly to reform the system will be keenly resisted.—*Saturday Review*.

RAILWAY UNPUNCTUALITY.

At the Manchester County Court (Mr. J. A. Russell, Q.C., judge) an action was brought by Mr. Becker, teacher of music, to recover a sum of 5s. from the London and North-western Railway Company. The plaintiff, on Friday in Whitsun-week last, left Victoria Station by one of the defendants' trains for Golburn, near Warrington. The train was timed to arrive at Newton Bridge at five minutes to twelve, allowing the plaintiff twenty-seven minutes to catch the train which left that place for Golburn. The train, however, did not arrive at Newton Bridge until twenty-five minutes past twelve o'clock, and the plaintiff, in consequence, was unable to catch his train. The next train leaving for Golburn was not until twenty-five minutes past two o'clock, and as this was too late to enable the plaintiff to keep an engagement, he took a cab to Golburn. For this he had to pay 5s., which he now sought to recover. Mr. Kersley, who appeared for the railway company, put in their regulations, by which they stated that they did not undertake that trains should start and arrive at the specified times in the time-tables. His Honour ruled that these regulations only referred to ordinary risks, and did not apply to the case in question. Special notice

ought to have been given that on that particular day passengers must use the train at their own risk. Passengers had a right to presume that special care would be taken to convey them during that week as at other periods. He desired it to be known that railway companies had no right to voluntarily overload their ordinary trains, and if they did the public had their remedy. A verdict was then entered for the plaintiff for the amount claimed, with costs.—*Law Journal*.

DOGS IN COURT.

The dog has often been called the friend of man, but he might more justly be termed the friend of the lawyers. There has really been an extraordinary amount of litigation about the dog. Some few years ago the head-note to the report of a dog-biting case in a legal contemporary formed the subject of mirth throughout the Temple and Westminster Hall. We will not trouble our readers with a *réchauffé* of *Smith v. The Great Eastern Railway Company*, because we do not wish to enter upon an inquiry as to the gender of the plaintiff, the dog, or the cat in that case, or who it was that was waiting for the train, or whether the porter kicked the plaintiff, the dog, or the cat out of the signal box. Before and since our contemporary thus immortalized himself, the judges in Westminster Hall have been worried and bothered as to the *scienter* in actions brought to recover damages for canine assaults. In *Stokes v. The Cardiff Steam Navigation Company*, 33 Law J. Rep. N. S. 2 Q. B. 310, the dog had previously bitten a person in the presence of some of the servants of the company; but, as none of those persons had the control or care of the dog or of the premises in which the dog was, or of the defendants' premises, the court held that there was no evidence that the defendants knew of the character and disposition of the dog. In *Gladman v. Johnstone*, 36 Law J. Rep. N. S. C. P. 150, it was proved that the wife of the defendant occasionally assisted in her husband's business; that the business was carried on upon the premises where the dog was kept; and that a formal complaint as to the mischievous character of the dog had been made to the