The Legal News.

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The entire draft of the proposed New York Civil Code, as to the enactment of which an animated controversy has long been in progress, is published as a supplement by the *N. Y. Weekly Mail and Express*. The text comprises 2,018 sections, or 597 less than our own Civil Code. The articles are tersely drawn, and some of the titles appear to be somewhat fuller than the corresponding titles of the Quebec Code. This draft was reported to the legislature twenty years ago, the author being Mr. Field. It was twice adopted by both houses of the legislature, but defeated by executive vetoes. In California, however, it was carried, and has been in force during the past eleven years.

The *Law Times* (London) refers to the method of proving the law of a foreign country to a jury as an anomalous and unsatisfactory piece of practice. In a recent case the defence to an action on a promissory note raised a question of Argentine law, and in the usual course, a gentleman, who had practised law in the Argentine Republic, was called to elucidate this obscure subject. The result, our contemporary observes, "was an aggravated case of *obscurum per obscurius*. The gentleman in question, though doubtless an expert lawyer, was but an imperfect master of the English language, and his knowledge of English legal terms and technicalities appeared to be absolutely *nil*. To make matters worse, he was the only available exponent of the jurisprudence of his native land in London, and plaintiffs and defendant had each competed for such assistance as he could afford their case. It is not too much to say, that by the time this gentleman had been examined and cross-examined for a couple of hours, the jury knew about as much of the laws of the Argentine Republic as of those of Fiji, and but for the parties being able to agree on a translation of portions of the Argentine Code which were put in as supplementary evidence, the verdict would have been given quite as much upon matter of imagination as upon matter of fact. At the best of times, there is something highly irrational in leaving a body of laymen to decide questions of foreign law often of great technicality and intricacy. It would be more just and more expedient to leave these questions to be determined in the usual way by the judge, upon such properly authenticated evidence of the law in question as is always readily accessible."

The *N. Y. Daily Register* suggests that counsel should be careful in entering upon cross-examination. "A vigorous and prolonged cross-examination," it says, "tends to make the jury think that the witness must have said something very damaging in his direct examination to require all this effort to break him down. If he is recollected to have said anything damaging, its importance is magnified by an apparent fear on the part of cross-examining counsel to let it go unqualified; if it is not recollected, or its damaging significance was not appreciated, the more intelligent of the jury set themselves to studying out what it was or imagining something. In either case, if the cross-examiner unluckily puts the question so common in one form or another on cross-examination which allows the witness to reiterate his former answer and clinch it, perhaps, with an addition, the result is to magnify and double the value of the direct examination at the same time manifesting to the jury the importance which counsel attach to the subject on which they are thus discomfited."

TAMPERING WITH JURORS.

In the course of his charge to the Grand Jury, at the opening of the March Term of the Court of Queen's Bench, Crown Side, Montreal (March 2), Mr. Justice Ramsay made the following observations:—

"There is one danger to which you are exposed, and to which I think it necessary, particularly at the present moment to draw your attention, and that is the manœuvres of interested persons to bias your minds. This applies to the petty jurors, who are supposed to be present and to hear the charge, as well as to you; but you have specially pledged