

IMPEACHING THE CREDIBILITY OF WITNESSES—THE DOMINION AND THE EMPIRE.

means of knowledge, and his reasons of disbelief.”

In *Macnabb v. Johnson*, 2 F. & F. 293, Erle, C. J., allowed evidence of immorality to be given (as to cohabitation of a person as mistress), as a circumstance tending to impeach the general credit of the plaintiff who had been called as a witness.

The head-note in *Reg. v. Brown*, L. R. I. C. C. R. 70 (1867), expresses the practice thus,—“In order to impeach the character of a witness for veracity, witnesses may be called to prove that his general reputation is such that they would not believe him on oath; but in the case stated for the opinion of the Court, all that appeared was that the defence proposed to call witnesses to prove that they would not believe witnesses for the prosecution on their oaths; and that the Court declined to receive such evidence.”

In *Rex v. Rudge*, Pea. Add. Ca. 232, Lawrence, J., said that the way in which a witness should be discredited was by general evidence of persons, who were acquainted with him, as to their belief of his credibility on his oath.

From these decisions we submit the weight of authority is in favour of this position, that you can, without any preliminaries, at once ask the question (as indeed it is given in Roscoe N. P. Evid., p. 183, 14th ed). “From your knowledge of the witness, do you believe him to be a person whose testimony is worthy of credit?” One can easily see how the present formula has taken shape in course of time, namely,—in the anxiety of counsel to anticipate the exposure of the insufficiency of the witness's opinion if it were based on anything short of common repute, and so, by his own manner of questioning, to place the opinion, if possible, on the foundation of general bad character, and not merely on the spleen

or spite of the individual witness. These authorities also show that the enquiry into character, when entered upon in order to impeach veracity, need not be confined to a man's truth-telling or the reverse, but may embrace the totality of his moral character as it stands among his neighbours.

THE DOMINION AND THE EMPIRE.

“May He, who hath built up this Britannie Empire to a glorious and enviable height, with all her daughter lands about her, stay us in this felicity.”—Milton.

We cannot but congratulate ourselves upon the almost simultaneous production of the three works mentioned below. They seem to indicate a demand for information upon the institutions of our country, which, in a community so young, so free, and with such an extended franchise as our own, it is pre-eminently desirable that every subject should possess. Our days are cast in the early youth of the Canadian national life; the community is plastic to a degree to which it can never be hereafter; and upon ourselves, more than upon later generations, must depend the future of our country.

All who are impressed with this elevating thought must needs welcome warmly and gratefully such a work as that which Mr. Todd has now given to the public. We could, indeed, wish that it were made a necessary book in the curriculum of every university throughout the British Empire. Englishmen could scarcely fail to derive from it increased

Parliamentary Government in the British Colonies. By Alpheus Todd, Librarian of Parliament, Canada; author of “Parliamentary Government in England,” &c. One vol. Little, Brown & Co.

The Powers of Canadian Parliaments. By S. J. Watson, Librarian of the Parliament of Ontario. One vol. C. B. Robinson.

A Manual of Government in Canada. By D. A. O'Sullivan, Esq., M.A., of Osgoode Hall, Barrister-at-Law. One vol. J. C. Stewart & Co.