

The Legal News.

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Dr. Francis Wharton has been appointed by Secretary Bayard, legal adviser upon questions of international law. This is a good appointment. Dr. Wharton's works on international and criminal law are highly esteemed, and have been translated into German and Spanish. While referring to this appointment we may note that the *Central Law Journal* (St. Louis) speaks strongly of international responsibility for dynamite warfare. It says: "Funds have been publicly collected in this country for years, by O'Donovan Rossa and his gang, for the avowed purpose of attacking England by secret expeditions of this kind. It is idle to say that we perform our duty to a friendly nation when, having every reason to believe that such expeditions are furnished and fitted out in this country, we take no measures to discover and arrest them. It is no answer to England that our laws do not enable our officials to arrest and punish such conspirators. What concern has England with the state of our municipal law? When we allege the defects of our laws as a reason for not performing our duty to a friendly power, that power is entitled to make answer in the thunder of cannon." Our contemporary then refers to the Fenian raids upon Canada, organized upon U. S. territory, and concludes with the remark: "Plainly, we have not discharged our duty in regard to this dynamite business, and unless we wake up to a sense of that duty, we shall forfeit the right to a decent position in the family of civilized nations."

The weight to be given to the evidence of women of doubtful reputation came under consideration in a recent case in the Court of Queen's Bench, Crown Side. Mr. Justice Ramsay, subsequently correcting a distorted report of his remarks which had appeared in an evening newspaper, observed: "What I did say, in substance, was that a woman might have ceased to be virtuous without becoming

a perjurer, and that experience showed this to be the case. I added that all other things being equal, the evidence of a virtuous woman would be preferred to that of a woman who was the reverse. I never said that I would prevent counsel putting questions to a witness to show that she was an inhabitant of a house of ill-fame, for I have no power to prevent counsel exercising the right of discrediting a witness produced by the other party. There is, of course, a decent and an indecent way of performing even a duty, which gentlemanly feeling will at once suggest to a profession of gentlemen, without the intervention of authority. If that intervention becomes necessary another question may arise, which it is unnecessary to discuss at the present moment."

The *American Law Review* is nothing if not critical—that is to say, apart from the immensely valuable fund of information which it possesses concerning the affairs of this Dominion. Some of its superabundant activity, however, might be usefully applied to a revision of the syntax of its own articles. The opening sentence of the article in the last number, on the Responsibility of the Pullman Palace Car Company, by its colossal proportions, is worthy of Mr. Evarts. It contains 138 words. The writer apparently lost himself in the labyrinth, for the subject of the sentence has no predicate. Our readers may be curious to see this monumental exordium, so we produce it, using our smallest type from motives of economy.

"The comparatively recent introduction of sleeping cars upon the great highways of travel, as a means of public conveyance, while it marks a new era in the history of common carriers of passengers, and signalizes the advancement of the age in the attainment of the luxuries of refinement and wealth, yet on account of the unique and peculiar features of the system as it exists, both with reference to the railroads that employ them, and to the traveling public that enjoy their superior comforts and facilities, there have arisen interesting questions of law, touching the responsibility of such companies, for the loss or theft of the goods, luggage and valuables of passengers, upon which there exist among the bench and bar, an undesirable, and it would seem, needless amount of uncertainty, not to say, diversity of legal sentiment."

Further on, in the same article, on page 219, the following is found: "The principles of the Roman law touching the doctrine of