

LAW REPORTERS—PROOF OF TELEGRAPHIC MESSAGES—TRUTH IN THE WITNESS BOX.

next in importance to its elder born correlative self-preservation, and is equally a fundamental law of existence; it is the blessing which tempered with mercy the justice of expulsion from Paradise; it was impressed upon the human creation by a beneficent Providence, to multiply the images of himself, and thus to promote his own glory and the happiness of his creatures; not man alone, but the whole animal and vegetable kingdom are under an imperious necessity to obey its mandates. From the lord of the forest to the monster of the deep; from the subtlety of the serpent to the innocence of the dove, from the celastic embrace of the mountain Kalmia to the descending fructification of the lily of the plain, all nature bows submissively to this primeval law. Even the flowers which perfume the air with their fragrance, and decorate the forests and the fields with their hues, are but curtains to the nuptial bed. The principles of morality, the policy of the nation, the doctrines of the common law, the law of nature and the law of God, unite in condemning as void the condition attempted to be imposed upon his widow."—*Law Magazine*.

PROOF OF TELEGRAPHIC MESSAGES.

An English lawyer has pointed out, in a letter to the *Times*, the difficulty of proving contracts within the Statute of Frauds, where the party sought to be bound has sent his message by telegraph. He states that at the end of six months the originals of telegraphic despatches are destroyed, in accordance with the routine of the department; and that, unless the dispute between sender and receiver has ripened within that time, the plaintiff is pretty sure not to have secured the original memorandum signed by the defendant or his agent, before its destruction at the Post Office. Now, Mr. Lascelles proposes that after the expiration of some such fixed term as the Post Office may deem necessary for the purposes of comparison, &c., the originals shall be forwarded to the persons to whom they are addressed, upon the request of such persons, provided such request be made within a fixed period—say of six months. This seems a valuable suggestion, but we are rather inclined to think that the original of every

telegraphic despatch ought to be forwarded to the party addressed at the earliest date consistent with the arrangements of the Post Office. Of course this plan would entail some additional cost on the Post Office; but the senders should be compelled to fold the messages, and deliver them in open addressed envelopes to the operator. This scheme would be productive of good in three ways. First, an error in the telegraphic message would be corrected by the despatch itself, and in many cases the mischief likely to arise from the error might be averted. Second the receiver of the message and original despatch would always be able to adduce proof to satisfy the Statute of Frauds, assuming the memorandum itself to be sufficient. Third, a more effective stop would be put on false, suppositious, and libellous messages; because the party addressed would at once be put in possession of the manuscript of the actual sender. At the present price of inland messages, we should think that the department ought not to begrudge the public every reasonable help in the transactions of business, even at the risk of some additional expenses in the employment of folders and the extra bulk of the mails.—*Irish Law Times*.

TRUTH IN THE WITNESS BOX.

Not a fortnight ago Mr. Justice Grove in trying a horse cause, found the evidence very contradictory, and thereupon took occasion to observe that "it was lamentable to see that in this country, which used to be a truth-loving country and which formerly prided itself on possessing the virtue of veracity, perjury was scarcely looked upon as a crime." Horse warranty causes, running down cases by land, and collision cases at sea, have always been remarkable for the conflict of evidence adduced on either side; and, at least as to these, there is no reason whatever for supposing that witnesses in this country have ever been remarkable for veracity. But putting aside causes of this class, which, from circumstances well known to practitioners, are to be considered as a distinct class, we do not for a moment admit the fairness of the criticism passed by the learned judge on English witnesses. His Lordship displayed in his invective a misconception