

and killed one of the strikers, and this precipitated the attack in question on the next evening, in obedience to the publication of the signal 'Ruhe.' The evidence also showed that some of the policemen were wounded by pistol shots. The evidence against Parsons and Neebe is only somewhat less direct as to active participancy on the night of the murder; that they counselled such an attack, Parsons on the scene, and Neebe at other times and places, there can be no sort of question. In deference to the doubt about Neebe his punishment is fixed at imprisonment for fifteen years." Our contemporary urges that the report of the case should be read, and "then the community will wake up to a realization of what a volcano they have been sleeping on; what a viper this free and hospitable land has taken to its hearth. But we are prepared for the usual chorus of sentimental priests and whining women begging for pardon or mercy for a band of lawless Thugs who would despise them for their softness and cut their throats for their money. The might of Law for Dynamite! say we."

Experimental evidence was curiously illustrated in the case of *Osborne v. City of Detroit*, U. S. Circuit Court, E. D. Michigan, Oct. 25, 1886, (32 Fed. Rep. 36) The action was for injuries occasioned by a defective sidewalk, where the plaintiff claimed to be paralyzed by the fall. It was held not error to permit her medical attendant, who had not been sworn, to demonstrate her loss of feeling to the jury by thrusting a pin into the side plaintiff claimed to be paralyzed. The Court said: "Objection was made to this upon the ground that the doctor was not sworn as to the instrument he was using, nor was the plaintiff sworn to behave naturally while she was being experimented upon. It is argued that both the doctor and plaintiff might have wholly deceived the court and jury without laying themselves open to a charge of perjury, and that plaintiff was not even asked to swear whether the instrument hurt her when it was used on the left side, or did not hurt her when used on the right side; in short, that there was no sworn testi-

mony or evidence in the whole performance, and no practical way of detecting any trickery which might have been practised. We know, however, of no oath which could be administered to the doctor or the witness touching this exhibition. So far as we are aware, the law recognizes no oaths to be administered upon the witness stand except the ordinary oath to tell the truth, or to interpret correctly from one language to another. The pin by which the experiment was performed was exhibited to the jury. There was nothing which tended to show trickery on the part of the doctor in failing to insert the pin as he was requested to do, nor was there any cross-examination attempted from the witness upon this point. Counsel were certainly at liberty to examine the pin and to ascertain whether in fact it was inserted in the flesh, and having failed to exercise this privilege, it is now too late to raise the objection that the exhibition was incompetent. It is certainly competent for the plaintiff to appear before the jury, and if she had lost an arm or a leg by reason of the accident, they could hardly fail to notice it. By parity of reasoning, it would seem that she was at liberty to exhibit her wounds if she chose to do so, as is frequently the case where an ankle has been sprained or broken, a wrist fractured, or any maiming has occurred. I know of no objection to her showing the extent of the paralysis which had supervened by reason of the accident, and evidence that her right side was insensible to pain certainly tended to show this paralyzed condition. In criminal cases it has been doubted whether the defendant could be compelled to make proof of his person, and thus, as it were, make evidence against himself. The authorities upon this subject are collated in 15 Cent. Law J. 2, and are not unequally divided, but we know of no civil case where the injured person has not been permitted to exhibit his wounds to the jury. In *Schroeder v. Railroad Co.*, 47 Iowa, 375, it was held not only that the plaintiff would be permitted, in actions for personal injuries, to exhibit his wounds or injuries to the jury, but that he might be required by the court, upon proper application therefor by the defendant, to submit his