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The decision given by the Supreme Judicial Court of Massachusetts in *Bishop* v. *Weber* (June, 1885), opens up an extensive field of litigation with possibly beneficial results to the stomachs of the public. The Supreme Court holds that a caterer is liable in an action of tort for negligence in furnishing unwholesome food. The plaintiff's action was demurred to, and the Superior Court sustained the demurrer; but this decision has just been reversed by the Supreme Court on appeal. Chief Justice Allen says: "If one who holds himself out to the public as a caterer, skilled in providing and preparing food for entertainments, is employed as such by those who arrange for an entertainment to furnish food and drink for all who may attend it, and, if he undertakes to perform the services accordingly, he stands in such a relation of duty toward a person who lawfully attends the entertainment and partakes of the food furnished by him as to be liable to an action of tort for negligence in furnishing unwholesome food whereby such person is injured. The liability does not rest so much upon an implied contract as upon a violation or neglect of a duty voluntarily assumed. Indeed, where the guests are entertained without pay, it would be hard to establish an implied contract with each individual. The duty, however, arises from the relation of the caterer to the guests." The Chief Justice adds that it is not necessary to aver that the defendant knew of the injurious quality of the food. It is sufficient if it appear that he ought to have known of it and was negligent in furnishing unwholesome food, by reason of which the plaintiff was injured.

We cited lately the provision of the English Evidence Amendment Act, 1869, with reference to the substitution of a declaration in certain cases. This may be supplemented by an extract, sent to a contemporary, from the Public Statutes of Massachusetts. Sec. 17 of chap. 169 of the Public Statutes, provides that "every person not a believer in any religion shall be required to testify truly under the pains and penalties of perjury; and the evidence of such person's disbelief in the existence of God, may be received to affect his credibility as a witness." Sec. 18 of the same chapter provides that "no person of sufficient understanding * * * * shall be excluded from giving evidence as a witness in any proceeding," except husband and wife as to private conversations.

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It is not surprising that in a country where more than one-half of the criminals who do not escape altogether are only reached by lynch law, Mrs. Dudley should find sympathy and protection from a jury. This poor woman, who does not seem to have the excuse of insanity, was only doing openly what the members of Vigilance committees usually do secretly under the cover of masks or other disgtuises, and her act is not a whit more reprehensible.

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The Coleridge libel case (7 L. N. 401) has come to an end. The *Law Journal* observes: "The settlement is a subject of sincere congratulation to all except those who consider themselves cheated out of a sensation. The only remark to be made about it is that it would have been better done if it had been done more quickly. The unlucky position in which things were left at Nisi Prius, with a jury of one opinion and a judge of the contrary opinion, was perhaps responsible for prolonging the conflict. The case is now interesting purely as raising certain abstract questions of law. The course taken by Mr. Justice Manisty at the trial is justified in point of law. As the Master of the Rolls stated, it is based on a practice 'in use for a couple of centuries before the Judicature Act.' Mr. Justice Manisty would, however, in a case involving character, have done better if he had left either party to move for judgment. The remarks made by the Master of the Rolls during the hearing were sufficient to show that in the opinion of the Court of Appeal there was in the terms of the letter and the subsequent conduct evidence of what in law is called malice."