

MULTIPLICITY OF AMERICAN REPORTS.

The consequence of this state of the law is, that it is very difficult for any one to know whether he is entitled to have his luggage carried free of charge, and yet if he carries as personal luggage articles which do not come within that term he cannot recover anything from the railway company for their loss. It must also be remembered that now that railway travelling is so very common many people, and perhaps the majority of travellers, always carry much that can scarcely be deemed personal luggage. Books, presents, articles belonging to third persons; things that are required in professions and trades, as the papers of merchants, agents, lawyers, and artists; the guns and fishing-tackle of sportsmen, the tools of artisans, &c., &c. Such things are of necessity frequently carried, and yet it is by no means easy even for a lawyer to say off-hand whether they are or are not personal luggage.

It seems to us that a great improvement might be made by adopting the system of giving a fixed sum per pound for any luggage which is lost irrespective of its nature or of its actual value.

If any traveller wished to carry luggage of a value greater than the amount of compensation fixed for cases of loss he might declare the nature and value of the luggage and pay for its carriage, and then be entitled, in case of loss, to recover more than the ordinary compensation. A plan of this sort would put an end to all difficulties about personal and ordinary luggage.

This system is not an untried one. It is adopted on many of the Continental lines, and we believe it works very well. It is reasonable that railway companies should not be liable to be called upon to pay large sums for the loss of luggage of the value of which they were ignorant when they received it, but if the amount of their liability is fixed it matters not to them what is the nature of the luggage carried, except perhaps that they may wish to prevent persons from carrying merchandise as personal luggage. It is, however, impossible to prevent passengers from sometimes carrying merchandise with them as their own luggage, and we think the amount so carried would not be sensibly affected by the alteration that we suggest. The real advantage of the continental plan is that by adopting it the rights of the passenger and the railway company respectively can at once be ascertained without having recourse to litigation.—*Solicitors' Journal*.

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We have adverted generally to the very great embarrassment to the practitioner arising from the already great multiplicity of the American Reports—State and national. We reproduce from the *Western Jurist* an article written with great care, which gives with particularity and detail, a forcible statement

of the extent and gravity of the growing evil. We do not think the scheme outlined by our contemporary perfectly feasible, nor, if it were, that it would be more than a palliative. The vice is a radical one of principle, not of method. The difficulty is not that Courts numerous beyond precedent elsewhere, and diverse in character beyond the experience of any other people, should be reported, as they often are, with prolixity, but that these Courts themselves should go on multiplying with a fecundity equal to any productive force in nature. The great difficulty, and one that will ultimately have to be met, is the diversity of the Judicial systems of the several States. The dream of an entire uniformity in the administration of justice in the United States is not only not chimerical, but is an absolute necessity in the future. Who can contemplate the intricacies which grew up in the British jurisprudence, in an inactive age and amongst a stable people, without a shudder at the interminable involution and complexity of the American jurisprudence, if the present system prevails, fifty years hence? The labyrinths in which the bewildered Theseus wandered in classic story were nothing to the meshes which would have to be unraveled by any one who would aim to take a comprehensive survey of the judicial systems of the several States, and their involved relations with the national Courts. To suppose that we are to have no remedy for this possible state of things is to affront the common sense of mankind. We have no doubt that it is demonstrable by any one that will take the trouble to work out the ratio, that if States increase in numbers as heretofore, and Courts are organized with the same regard to locality that all the rescripts and decretals of all the ages of the Roman empire, east and west, and the whole weight of the British decisions superadded, are not a circumstance to the amorphous mass we shall have accumulated by the year nineteen hundred and twenty.

There is no question but that, while the progress of civilization is simplifying, and making more cunning the instruments with which mankind accomplish what before was done clumsily and with travail, the tools with which the American and the British lawyer work are becoming infinitely more cumbersome and unwieldy. This is abnormal. The intricacy and complexity of the affairs of modern life are already sufficiently great without adding to the difficulty by a vicious system. Napoleon prided himself more upon having systematized and codified the laws of France than upon his victories. And his beneficent work was but a bagatelle compared to that of him who shall unite to clearness of intellect the force and energy of character which shall enable him to perform a similar work for the United States. The difficulties are prodigious. State lines would seem to present an insuperable barrier. Under our present system coercion is out of the question. But force is