several medical witnesses in different parts of the country made a similar objection, the difficulty in each case being eventually got over by the witness being permitted to kiss the open book. Mr. John Patterson, J. P., of Liverpool, has recently addressed a letter to one of the local daily papers, in which he calls attention to the Act of Parliament which is still in force, and which runs as follows: "1 & 2 Vict., ch. 105, 14th Aug. 1838. Be it declared and enacted. That in all cases in which an oath may lawfully be and shall have been administered to any person, either as a juryman, or a witness or a deponent in any proceeding, civil or criminal, in any court of law or equity in the United Kingdom, or on appointment to any office, employment, or on any occasion whatever, such person is bound by the oath administered, provided the same shall have been administered, in such form and with such ceremonies as such person may declare to be binding; and every such person, in case of willful false swearing, may be convicted of the crime of perjury in the same manner as if the oath had been administered in the form and with the ceremonies most commonly adopted." Mr. Patterson contends from this that any Presbyterians may claim to be sworn as their coreligionists in Scotland and Ireland are, with uplifted hand. We have taken some pains to ascertain the law upon this point, and find that not only is this true, but also that any native of Scotland or other country where the oath is administered with uplifted hand may claim to be sworn in a similar manner. And, moreover, any person who declared that that is the method of taking the oath which he considers binding may claim to be sworn, be his or her nationality or religion what it may. All that is required by the court is that an oath shall be taken before it. It will thus be seen that all those witnesses who object to the kissing of the same book can avoid doing so, provided they declare that by holding up the right hand while the words of the oath are repeated they consider themselves duly sworn. Whether this may lead te the universal adoption of the Scotch oath remains to be seen, but there can be no second opinion as to its being preferable to the present mode adopted in England. Even if the risk of infection were remote, the successive handling and kissing the book by a number of witnesses is, to say the least, an uncleanly practice. Should any objection be taken by the court to a wholesale preference for the uplifted hand, perhaps each witness will be permitted to bring his own testament.—*Lancet.*

REFUSAL TO TESTIFY.

On Monday, in the course of the trial of an action before Mr. Justice Field, a witness, who spoke with a very strong American accent, declined to be sworn, until he was paid for having been kept here in England, awaiting this trial for two and a half years. The learned judge asked, "What sum is it you claim?" Witness—"£450, judge." Mr. Justice Field—"Will you give your evidence if the plaintiff's solicitors undertake to pay you such a sum as the court shall determine to be fair and reasonable?" Witness—"I guess that depends on what the court decides." A solicitor's clerk was here called and proved the service. The witness, addressing the clerk in indignant tones, said: "Is that the way you serve *subpœnas* in a British court? Coming up and shoving a bit of blue paper into my face, the contents of which I don't know, and which I have not read. Do you wear no badge to show your authority? Why, Mr. Judge, I didn't know who he was. Didn't know him from a row of beans!" After some discussion, Mr. Justice Field retired to consult another judge. On his return, he said: "This is a most exceptional case; neither my learned brother nor I have ever known the like. For here we have a foreigner—in the sense that he resides without our jurisdiction—refusing to give evidence as agreed, and he evidently has been detained in this country for a long time, at the request of the plaintiffs, and so has been prevented from earning, he states, £15 a month. This is his story, and I have no means of trying such a question, nor do I intend to do so. If I thought for a moment (addressing the jury), gentlemen, that this man was refusing to give his evidence for any contemptuous reasons, I should not hesitate, but would follow the usual course in such cases, and commit him. But I do not