we know, as a general rule, is confined to New Hampshire, where the change occurred, at an early day, by the embarrassment of one of their ablest Chief Justices, the late Jeremiah Smith, in delivering his first charge to the jury, which proceeded so far as to compel the judge to resume his seat, and to request the jury to do the same, when he continued his charge in a very able and satisfactory manner, never after attempting to address the jury standing, and this precedent thus accidentally introduced, soon became general in that state, and has so continued ever since. It also exists in some portions of Vermont, but not universally."

A note has been appended to the above by Mr. J. T. Mitchell, of Philadelphia, another of the editors of the *Law Register*. Mr. Mitchell says: "We venture to suggest that our learned colleague is in error. It is the universal habit of judges in Pennsylvania to sit while charging the jury, and we have occasionally been present at trials in New York, New Jersey, Ohio, and Illinois, in all of which the judge remained seated, and we think the contrary habit is peculiar and local to the New England Courts, even if it obtain in all of those. We have the authority of a distinguished ex-judge of the Supreme Court of New Jersey for saying, that when he was a junior at the bar, it was the general custom for the judge to rise in addressing the *grand jury*; but even that has fallen into disuse. The only occasion upon which a Pennsylvania judge stands is while pronouncing sentence of death, and we think the undignified novelty of the judge's rising to charge a jury would be resented alike by the bench and bar of that state, as savoring far too much of advocacy rather than judicial serenity."

For the information of readers at a distance, we may add here that the invariable practice in Lower Canada has been, we believe, for the judge to remain seated. The jury are directed by the crier to rise when the judge begins his charge, but it is usual for the judge to direct them to resume their seats, if he is going to occupy much time in addressing them.

The second letter is of such interest that we reproduce the whole: "One cannot remain for months about Westminster Hall and Lincoln's Inn, and in daily attendance upon the Courts of Common Law and Chancery, without learning many things of interest to the American bar, which he would never otherwise learn. But after having received such kindness and hospitality from the English bar and the English judges as cannot fail to inspire feelings of the most profound and grateful respect and affection, one naturally feels great reluctance to speak of the detail of the administration of justice here, lest, inadvertently, some possible breach of the confidence of social life might be committed or suspected.

But, speaking only of those things which are patent and open to all, it must be conceded that the English Courts have many advantages over us in searching out the headsprings and foundations of the law, which must always give the decisions here greater weight. On one occasion this was made very obvious in the trial of a recent suit in equity, on appeal, before the Lord Chancellor and the Lords Justices, sitting as the full Court of Chancery Appeal, in the Lord Chancellor's room. A case was cited which had not been fully reported. It was the case of *The President of the United States v. The Executors of Smithson*, for the obtaining of the Smithsonian fund. The inquiry before the Court at the time was, in what name the United States might properly sue. It was contended, on the one side, and so held in Vice-Chancellor Wood's Court, that they could only sue in the name of some official party or personage, authorized to represent the interests of the Government, and to answer any cross-bill the other party might bring; while, on the part of the Government, it was very naturally insisted that they should be allowed to sue in the name given in the Constitution, and the only name by which they ever had sued in their own Courts. This suit was brought in that name and dismissed in the Vice-Chancellor's Court, because no personal party had been joined. The case alluded to was brought in for the purpose of showing that they had before sued in the English Courts of equity