

Held, also, that the expression "clean farm" does not mean a farm absolutely free from weeds; it should be construed as describing a farm on which there were not weeds in such quantities as to be materially injurious to the crops. In any stricter sense the expression would seem to be one of those exaggerated statements which give no cause of action.

The defendant counterclaimed \$160 for rent due under the season.

Held, that he was entitled to this amount, and that the defence of fraud could not avail against it, for the contract was still in force, and plaintiffs had the use of the land, and the bringing of the action for damages was itself an affirmation of the contract.

Cooper, Q.C., for plaintiffs.

Anderson for defendant.

Flotsam and Jetsam.

THE *Philadelphia Telegraph* is responsible for the following: "Judge Wallace, afterwards Chief Justice of California, examined ex-Speaker Reed for admission to the Bar. It was in 1863, when the Legal Tender Act was much discussed in California, where a gold basis was still maintained. Wallace said: 'Mr. Reed, I understand that you want to be admitted to the Bar. Have you studied law?' 'Yes, sir; I studied law in Maine while teaching.' 'Well,' said Mr. Wallace, 'I have one question to ask: Is the Legal Tender Act constitutional?' 'Yes,' said Reed. 'You shall be admitted to the Bar,' said Wallace. Tom Bodley, a deputy-sheriff, who had legal aspirations, was asked the same question, and he said 'No.' 'We will admit you both,' said Mr. Wallace; 'for anybody who can answer off-hand a question like that ought to practise law in this country.'"

THE advice of Judge Pryor, of New York, to the jurors in a recent case, to read the newspapers, reminds us of an incident in the life of the late Gen. A. C. Niven, when he was defending a man indicted for murder in the adjoining county of Orange, fifteen or twenty years ago. The General reversed the usual practice, and rigorously excluded, by challenge, every man from the jury who had not read the papers containing the full account of the killing, declaring that he wanted only intelligent men on the jury. He won the case and cleared the man. In this county, some four years ago, counsel in a case examined and re-examined jurymen, as they were called, until they succeeded in getting a jury who swore they had neither read nor heard anything about the matter in issue, one member asserting that he took no papers, had never taken any, and didn't want to take any, and that he had never read anything about the case, although it had been published and commented on in every paper in the county. The jury decided the case by beating the side whose lawyer had made the most persistent efforts to get a jury of know-nothings.—*U.S. Ex.*