

choose to call them, began to consider, whether the principles and methods of courts of equity were necessarily so antagonistic to those of the courts of law, that they could not be combined and administered in the same forum and as part of the same system of legal procedure.

They said, if A has the legal title to a tract of land, and sues B to recover possession of it, and B has a valid equitable right to the land and to its possession, why must B submit to let A recover judgment for its possession in a court of law, and then file a bill in chancery to obtain from A the legal title, and for a perpetual injunction against A's judgment? Why, since the same judge, sitting in the same court, must try both the action at law and the suit in chancery, shall he not do it in one suit, thereby saving both time and money to the litigants? The answer to these questions, based as it was on the want of flexibility in the forms of action at common law, led to an enquiry into the value of those forms, which came to be very much disturbed. And no wonder this was so. Actions at law were divided into actions of tort and actions of contract. These again were subdivided into specific forms, and however good or well-founded a plaintiff's right of action might be, he was defeated if he had mistaken the form in which he had brought it. If it was detinue when it should have been debt, or trespass when it should have been trespass on the case, he was beaten, though his right to recover the sum, or thing claimed, was made clear during the progress of the suit. And so if he had brought an action at law, the subject-matter of which was only cognizable in equity, he was when this was ascertained, at whatever stage of the litigation, and however clear his right to relief, turned out of court with costs, and compelled to bring another suit or abandon the assertion of his right.

[To be concluded in next issue.]

GENERAL NOTES.

A MAHOMETAN IN COURT.—A Toronto report states that on the 7th instant, a Mahometan appeared before the Police Court. It is said to be the first instance on record. The man, who is a Circassian, goes by the English name of Henry Jackson. He appeared against Na-

thaniel Hammond, a hotel-keeper, for, as he alleged, obtaining from him under false pretences \$150 in cash and two stoves. The case was adjourned in order that a book of the Koran might be procured whereon to swear the complainant.

GREAT LAWYERS AT DRILL.—Ellenborough and Eldon were both turned out of the awkward squad of Lincoln's Inn corps for awkwardness. The former's attempt at this military training gave him an opportunity to utter a memorable jest. When the drill serjeant reprimanded the company for not preserving a straiter front, the great judge replied, "we are not accustomed to keeping military step, *as this indenture witnesseth.*"

A FEMALE ATTORNEY IN DIFFICULTIES.—Mrs. Belva Lockwood has succeeded in obtaining admission to the Washington bar, but finds this is not a passport to other legal fraternities. A short time ago she entered the Court of Judge Magruder, of the Seventh Judicial Circuit of Maryland, and there attempted to act as an attorney. But the court would not permit her to do so, and lectured her after this manner: "God," said the judge, "has set a bound for woman. She was created after and is a part of man. The sexes are like the sun and moon moving in their different orbits. The greatest seas have bounds, and the eternal hills and rocks that are set above them cannot be removed." When the court finally adjourned Mrs. Lockwood attempted to address the ladies and gentlemen who were present, but a bailiff prevented her from making any speech in the court room.

HORSEMONGER LANE GAOL, which has just been closed under the Prisons Act recently passed, was built in 1798, and is famous as the place of confinement not only of criminals and debtors, but of political and other offenders also. It was here that in 1803 Colonel Despard, with six of his companions, suffered death for conspiring to "overturn the Constitution and destroy King George III and the rest of the Royal Family." Here too Leigh Hunt spent two years of his imprisonment, and more recently Colonel Valentine Baker and the Rev. Arthur Tooth have been accommodated within its walls.