

"gold breast-pins" were necessities, or ornaments purely, or ornaments without which the defendant would have lost caste in society. Now, those pins were only necessary or useful to fasten the scarf round the neck of the defendant; but if the scarf was unnecessary, so must be the pins, for the one depended on the other, and Mr. Kelson had proved that his son had gone to college with all necessary wardrobe, so that a scarf did not appear to be necessary. But if a scarf was necessary, it did not follow that a gold pin, still less that two, should be necessary for its use; for if the wearer wanted to fasten it, a common pin would answer the purpose as well as a gold one which cost 14s. 6d. or £1 10s.; and certainly if one was necessary, and not merely ornamental, surely the second could not be required, but must fall under the head of a "mere ornament." And as to the whip and ring, therefore, he might direct the jury to find for the defendant, and as to the two pins, he would leave the decision on the issue of "necessary or not necessary" to the jury, subject to the observations he had addressed to them.

The jury turned round, and after considering some time prayed leave to retire.

PARKE, B.—What is there to retire about? There is nothing to consider if you attend to the law as I have laid it down, and the obligation of your oaths.

Nevertheless the jury found a verdict for the plaintiff—it was a jury of Cambridge tradesmen. Could there be a stronger illustration of the mischief of local juries? The title of this case was *Wells v. Kelson*."

NOTICES OF NEW LAW BOOKS.

English Reports in Law and Equity; edited by EDWARD H. BENNETT and CHAUNCEY SMITH, Counsellors-at-Law, vol. XXVII: *Containing Cases in the House of Lords and Equity Reports, during the year 1854.* Volume XXVIII, *Containing Cases in the House of Lords, the Privy Council, the Common Law, Admiralty and Ecclesiastical Courts, during the years 1854-55.* Boston: Little, Brown and Company, 1855.

The first of these volumes should have been acknowledged in our last number; the second, together with the two next (volumes 29 and 30) to be published, contain the cases in the Courts of Common Law, from Michaelmas Term, 1854 to the close of the Legal year, 1855. The publishers remark that the two latter volumes "will be put to press very shortly, and issued before the close of the year, in order to lay the cases before the profession at the earliest moment, thus bringing them down to the very latest period, and henceforth the volumes will be published as soon as possible after the cases reach us from England.

"After the expiration of the present year, the number of volumes will not exceed four per annum, viz., three of Law, and one of Chancery. The three Law volumes will be published as rapidly as possible during the sitting of the courts. The Chancery volume will be published at the end of the year, embracing the cases for the year before the House of Lords, the Lord Chancellor, and the High Court of Appeals. Volume 31 will contain the Chancery Cases for the period above stated."

THE STUDENT'S PORTFOLIO.

ADVOCATES—METHOD—STUDY. (a)

"Hurry and confusion result from the want of system; and the mind can never be clear when a man's papers and busi-

ness are in disorder. It is recorded of the pensionary De Witt, of the United Provinces, who fell a victim to the fury of the populace in the year 1672, that he did the whole business of the republic, and yet had time left for relaxation and study in the evenings. When he was asked how he could possibly bring this to pass, his answer was, that "nothing was so easy; for that it was only doing one thing at a time, and never putting off anything till to-morrow that could be done to-day." "This steady and undissipated attention to one object," remarks Lord Chesterfield, in relating this anecdote, "is a sure mark of a superior genius." It is of the highest importance, also, that a lawyer should in early professional life, cultivate the habit of accuracy. It is a great advantage over opposing counsel,—a great recommendation in the eyes of intelligent mercantile and business men. A professional note to a merchant carelessly written will often of itself produce an unfavorable impression in his mind; and that impression he may communicate to many others. The importance of a good handwriting cannot be overrated. A plain legible hand every man can write who chooses to take the pains. A good handwriting is a password to the favor of clients, and to the good graces of judges, when papers come to be submitted to them. It would be a good rule, though at first perhaps irksome and inconvenient, never to suffer a letter or paper to pass from your hands with an erasure or interlineation. Make another copy. The time and trouble it may cost at the outset will be repaid in the end by the habit you will thereby acquire of transacting your business with care, neatness, and accuracy.

You cannot be faithful to your clients unless you continue to be a hard student of the learning of your profession. Not merely that you should thoroughly investigate the law applicable to every case which may be intrusted to you; though that, besides its paramount necessity to enable you to meet the responsibility you have assumed to that particular client, will be the subsidiary means of important progress in your professional acquisitions. "Let any person," says Mr. Preston, "study one or two heads of the law fully and minutely, and he will have laid the foundation or acquired the aptitude for comprehending other heads of the law." But, besides this, you should pursue the systematic study of your profession upon some well-matured plan. When admitted to the bar, a young man has but just begun, not finished, his legal education. If he have mastered some of the most general elementary principles, and has acquired a taste for the study, it is as much as can be expected from his clerkship. There are few young men who come to the bar, who cannot find ample time in the first five or seven years of their novitiate, to devote to a complete acquisition of the science they profess, if they truly feel the need of it, and resolve to attain it. The danger is great that from a faulty preparation,—from not being made to see and appreciate the depth, extent, and variety of the knowledge they are to seek, they will mistake the smattering they have acquired for profound attainments. The anxiety of the young lawyer is a natural one at once to get business—as much business as he can. Throwing aside his books, he resorts to the many.

(*) From Judge Sharenood's *Professional Ethics*.

*Preston on Estates, p. 2.