

viz.: the Kentucky Reports. And here let me warn you not to be downcast or disheartened at this stage; nor should you yield to the gloomy apprehension, that because you have found the law against you everywhere else you will find it against you there. By beating the "Bushes" you may expect to scare up much unexpected law.

Of course, if a case is found in your favor there, it generally ends your troubles; for it will be followed by all the courts in the State, except sometimes by the one that rendered it.

There is also a very valuable magazine of unknown learning in those manuscript opinions marked "not to be reported." I have known some desperate cases to be won by the citation, from memory, by our older lawyers, of manuscript opinions, which, however, they always assure us younger members, were "burned up in the appellate clerk's office fire in 1865."

An ingenious member of the bar, it is said, has with great advantage invented the idea of saying to the judge below, that he has, besides reading the opinion, had a more or less confidential talk with the judge who wrote it, in which the judge told him that the opinion was meant to go much further than on its face it seems to go; and our friend sometimes accompanies this with an intimation, that if the judge below, does not regard the additional light thrown upon the opinion by the confidential communication, the chances are he will have occasion to meet the most dreadful of all things to a *nisi prius* judge, a reversal of his opinion on an intimated appeal.

If you find, after a careful exploration of Barbour's Digest, that the Kentucky law also is silent when you invoke it, the next thing left you is to attack that myriad-minded monster, the "United States Digest." Sit yourself down therefore to this work of digestion, in that hopeful spirit in which the sick and hungry Sancho Panza contemplated an "Olla podrida."