"A man knows a thing," observes Dr. Johnson, "when he knows it in terms, or knows just where he can find it." A knowledge of how to use a library, of course, comes only with experience.

A certain degree of familiarity with a large collection of books is, indeed, almost indispensable to a great lawyer. But before this work is to be done, it is well if the busy practitioner has acquired the habit of looking at a point in his own original way, with little or no aid from somebody's previous labors. He will have taken an important step toward the development of his reasoning powers, which, if he be master of broad elementary principles, will tend to make him something more than what is sometimes contemptuously termed "a mere case lawyer." It is interesting to note that those who have succeeded best before our Supreme Courts are, in very many instances, men whose early days were passed in the rigid school of country practice, where books were scarce and knotty law points numerous; and where, thrown upon their own resources, these lawyers framed their arguments upon their own ingenious reasoning, with but little assistance from text-books or adjudicated cases.—*Albany Law Journal.*

Chief Justice Holt once, during the revolution, committed to jail one of the fortune-telling imposters then called French prophets; next day a disciple of this man called at the judge's house and demanded to see him, astonishing the servant by ordering to say that he "must see him, because he came from the Almighty." This extraordinary message being delivered, Holt desired the man to be shown in, and asked him his business.

"I come from the Lord, who bade me desire thee to grant a *nolle prosequi* for John Aikins, his servant, whom thou hast thrown into prison!"

"Thou art a false prophet and a lying knave!" returned the chief justice, "if the Lord had sent thee it would have been to the attorney-general, for the Lord knoweth it is not in my power to grant a *nolle prosequi*."

Curran once got out of a serious scrape by an execrable pun. He had incurred a rich Irish farmer's displeasure by a severe cross-examination in court; and some days afterward, being out for hunting, his horse and the chase carried him into a potato field owned by this man. Seeing him there, the man came up and said: "Oh! sure you're Counsellor Curran, the great lawyer. Now, then, Mr. Lawyer, can you tell me by what law you are trespassing upon my grounds?"

"By what law, Mr. Maloney?" replied Curran "Why, by the *lex tally-ho-nis*, to be sure."

The pun so delighted Mr. Malony that he let its author off for the trespass.

CANADA REPORTS.

COMMON LAW CHAMBERS.

(Reported by Henry O'Brien, Esq., *Barrister-at-Law.)*

In re Elizabeth Cooper and Jane R. Cooper.

Coroner's inquest.

A coroner's inquest held on Sunday is invalid.

[Chambers, July 30, 1870.—Galt, J.]

Writs of *habeas corpus* and *certiorari* were granted by Morrison, J., on 23rd July, 1870, to bring up Elizabeth Cooper and Jane R. Cooper, who were committed on a warrant charging them with the murder of a child and concealment of birth.

The writs being returned, and notice having been duly given to the Attorney General of Ontario,

John Paterson moved for the discharge of the prisoners, on the ground that they were in custody of the gaoler on a warrant of commitment made on Sunday, the 22nd May, 1870, by John P. Kay, one of the coroners for the County of Bruce, pursuant to an inquisition indented on that day. The depositions, as appeared by the return to the *certiorari*, were also taken on that day. He cited *Dakins' Case*, 2 Saund. 291 *a*; Lewin on Coroners, p. 279; Boys on Coroners, p. 167.

No one appeared for the Attorney General.

Galt, J.—The inquest and inquisition, being judicial acts done on Sunday, appear to me to be void. As, therefore, there is nothing to support the warrant, the prisoners must be discharged.

Prisoners discharged.

Florey v. Royal Canadian Bank.

Costs—Election by plaintiff to reduce verdict.

When a plaintiff, after argument of a rule *nisi* to enter nonsuit or for a new trial on the ground of excessive damages, elects to reduce his verdict, instead of submitting to a new trial, with costs to abide the event, he is not entitled to the costs of opposing the rule *nisi*.

[Chambers, Aug. 26, 1870—*Wilson, J.*]

A summons was obtained to review the Master's taxation of the plaintiff's bill of costs on the following facts:

There was a verdict for plaintiff for $870. The defendants obtained a rule *nisi* to enter nonsuit for new trial on the ground, amongst others, of excessive damages. Upon this rule the court gave the plaintiff leave to elect to reduce the verdict from $870 to $494, in which case rule to be discharged; otherwise there was to be a new trial with costs to abide the event. If the plaintiff should recover more than $494 then plaintiff should get his costs; if not, there were to be no costs to either party

The plaintiff consented to reduce his verdict to $494, and a rule was made that, "plaintiff consenting to reduce the verdict to $494, the rule *nisi* is discharged, and the verdict reduced accordingly," &c.

The Master held that plaintiff was entitled to no costs of opposing the rule *nisi*.