

LEGAL WIT.

of hanging us upon the *foot* of a contract made *behind our backs!*"

The technical phrases of British law documents form, however, a serious clog in clearness of expression. Many of the commonest terms of the English and Scotch courts must be worse than Greek to laymen. Thus when, in Scotland, a judge wishes to be peremptory in an order, he "ordains the parties to condescend;" when he intends to be mild, he recommends them to "*lose* their pleas." If a man thinks proper to devise his estates for the benefit of the poor, he is considered to *mortify* them. Witnesses are brought into court *upon a diligence*, and before they can be examined they must be *purged*. If a man loses his deceased elder brother's estate, it is called a *conquest*; and there are current such elegant expressions as "blasting you at the horn," "pounding your estate," and "consigning you to the fire;" to which such phrases as "villians in gross," "seized in fee," and "docking an entail" are mere trifles. Of the last term, by the way, there is a good story. A physician, reproaching a lawyer with what Mr. Bentham would have called the "uncognoscibility" of law technicalities, said:

"Now, for example, I could never comprehend what you meant by *docking an entail*."

"My dear doctor," replied the barrister, "I don't wonder at that; but I will explain; it is what your profession never consented to—*suffering a recovery*."

Besides club gatherings, it was and still is customary in the principal circuits in England to hold at certain intervals a court for the trial of all breaches of professional etiquette. The court is held at the circuit table after the cloth is cleared, and the junior member of the circuit presides as recorder; the others, not being prosecutors or culprits, acting as jury. The trial takes place on presentment made by any member of the circuit. If the accused is found guilty he is fined, and the penalty is paid into the wine fund of the mess. Some of the presentments are absurd enough; but all tend to maintain good humor among the rival barristers. An eminent advocate, who has a namesake an eminent comedian, was lately presented on circuit for having inserted the following outrageous puff of himself in a newspaper; "Mr. ——— delighted us exceedingly on Monday. We do not remember to have seen so much genuine wit displayed ["on the stage" was here erased] without the slightest coarseness. He is the smartest individual in his line whose performances we have ever witnessed." A fine of a half a crown was forthwith imposed on this vainglorious paragraph writer. The papers announce the execution of one John Smith, who had been convicted of murder. On whatever circuit there is a Mr. John Smith, he is immediately found guilty of being hanged, and fined for so heinous an offence. When Lord Abinger was at the bar he presented Mr. Richardson, a great pleader, afterward raised to the bench, for "being the

most eminent special pleader of the day!" So grave an offence demanded severe punishment, and Mr. R. was accordingly amerced in a dozen of wine. Mr. Sergeant Hill was very absent-minded, and this made him the target of many a practical joke on his circuit. He once argued a point of law for some time at *nisi prius*, and, intending to hand his papers to the judge, gravely drew forth a plated candlestick from his bag and presented it to the bench. Some one, it appeared, had substituted a "traveller's" bag for the sergeant's own. Hill was much delighted when, as not unfrequently occurred, he got the better of his persecutors. So pleased was he on one occasion, at a party given by the sheriff of Northamptonshire, that, on returning, he, by mistake, gave a shilling to his excellent host, and, to the amazement of all his friends, shook hands in the most friendly way with the servant at the door.

Chief among the wits was Jekyll, a man who had a retort ready for all comers. At a public dinner the bottle had passed freely, and Jekyll, who was slightly elevated, having just emptied his, called to the servant, "Here, take away that *marine*." A general of marines sitting near the lawyer felt his dignity touched, and said, "I don't understand what you mean, sir, by likening an empty bottle to a marine?" "My dear general," replied Jekyll, "I mean a good fellow who has done his duty, and who is ready to do it again."

To a Welsh judge, famous as well for his neglect of personal cleanliness as for his insatiable desire for place, he said, "My dear sir, as you have asked the ministry for every thing else, why have you never asked them for a piece of soap and a nail brush?" Kenyon, before mentioned, was somewhat noted for parsimony. Some one told Jekyll that he had been down in Lord Kenyon's kitchen, and saw his spits shining as bright as if they had never been used. "Why do you mention his spits?" retorted the humorist; "you must know that nothing turns upon that." A rascally little attorney named Else addressed him: "Sir, I hear that you have called me a pettifogging scoundrel: have you done so?" "Sir," was the reply, with a look of contempt, "I never said you were a pettifogger or a scoundrel; but I said you were *little Else*." Garrow was examining an old spinster for the purpose of proving the tender of a certain sum of money having been made, but found some difficulty making out his case; Jekyll, who was watching the proceedings, wrote the following and threw it over to his professional brother:

"Garrow, submit; that tough old jade
Will never prove a *tender maid*!"

—*Albany Law Journal*.

Sergeant Cockle, in a suit for the rights of a fishery, asked a witness: "Dost thou love fish?"

"Ay," replied he, with a grin, "but not with *Cockle* sauce."