

FLOTSAM AND JETSAM.

J. was indicted for battery of L., and sued R. in trespass for the same battery; plea, *son assault demesne*, and issue thereon. T. H., one of those who indicted (found the bill), was of the inquest on the trial of the action of trespass, and gave a verdict for the plaintiff with twenty shillings damages; and T. H. was committed to the custody of the marshal, and fined for two causes, one of which was that he was one of the indictors of the said J., whom now he has acquitted, and did not challenge himself. Lib. Assis. 40 Edw. III. f. 241 A. pl. 10. See Bro. Ab. Challenge 142; 21 Vin. Ab. 256; Triol (B. b) pl. 14; 8 Ad. & El. 834, note.

Lord Cook says that Moses was the first law reporter. Preface to 6 Rep. p. xv.

If a pauper be non-suited, the usual practice is to tax the costs, and for non-payment to order him to be whipped. Bac. Ab. Pauper D. Salkeld reports: "I moved that a pauper might be whipped for non-payment of costs upon a non-suit, and the motion was denied by Holt, C.J., saying 'he had no officer for that purpose, and never knew it done.'" 2 Salk. 506, pl. 1.

Ascough et al. v. Lady Chaplin, Trin. 4 Geo. II. 1730. Cooke 93, 3d ed.; 2 P. Wms. 591; 2 Eq. Cas. Ab. 780; Mosely 391, S. C. A writ *de ventre inspiciendo*, returnable Tres Mich., on the behalf of Edward Ascough, Esq., and Elizabeth, his wife, Anne Chaplin, spinster, Charles Fitzwilliams and Frances, his wife, co-heirs of Sir John Chaplin, Bart., their brother, against dame Elizabeth Chaplin, widow of the said Sir John; the writ was returned that the lady was with child, and a motion made for the safe custody of her until her delivery; it was suggested that the lady's mother was likewise with child, and therefore neither she nor any other woman with child were proper persons to be with her; and the Court agreed that such a clause should be inserted in the writ, and ladies were named on the part of the prosecutors or heirs, to attend the lady during her pregnancy and till her delivery, but they must not name any spinster; and the mother was allowed to visit only.

(To be continued.)

Judge Allan Park was a most ridiculous man, and yet a good lawyer, a good judge, and in his day a most eminent counsel. He was a physiognomist, and was captivated by pleasant looks. In a certain cause in which a boy brought an action for defamation against his schoolmaster, Campbell, his counsel, asked the solicitor if the

boy was good-looking. "Very." "Oh, then, have him in court: we shall get a verdict." And so he did. His eyes were always wandering about, watching and noticing everything and everybody. One day there was a dog in court, making a disturbance, on which he said, "Take away that dog." The officers went to remove another dog, when he interposed, "No, not that dog. I have had my eye on that dog the whole day, and I will say that a better behaved little dog I never saw in a Court of Justice."

The following story is a good example of Lord Plunket's wit. Lord Wellesley's aide-de-camp Keppel wrote a book of his travels, and called it his personal narrative. Lord Wellesley was quizzing it, and said, "Personal narrative? What is a personal narrative? Lord Plunket, what should you say a personal narrative meant?" Plunket answered, "My Lord, you know we lawyers always understand *personal* as contradistinguished from *real*." Parsons was another Irish barrister of that day who was noted for his caustic wit. Lord Norbury on some circuit was on the bench speaking, when an ass outside brayed so loud that nobody could hear. He exclaimed, "Do stop that noise!" Parsons said, "My Lord, there is a great echo here." Somebody said to him one day, "Mr. Parsons, have you heard of my son's robbery?" "No; whom has he robbed?"

A reward of £500 has just been offered for the recovery of the will of the late Lord St. Leonards, which, it appears, cannot be found. It is well known that he made a will; it is believed that even the place of its deposit was a subject of not unfrequent reference by himself, and that codicils have actually been discovered where it was expected the will would be found. There is no reason, however, to suppose that, even if the will is not recovered, the loss will make great difference in the disposition of Lord St. Leonards' estate. There is a strong belief in the neighborhood of Boyle Farm that the missing will of the late Lord St. Leonards, for which the reward is offered, is buried with him. It was seen in his hands a few days before his death; by his express desire, the venerable ex-Chancellor was laid in his coffin in a dressing-gown which he usually wore, and in the pocket of this dressing-gown is supposed to be the will. It is said that steps will speedily be taken to prove the truth or falsehood of this rumour.