

Some Legal Curiosities.

In an article entitled, "Humors of the Irish Law Courts," I have come across some very amusing stories, all more or less coupled with the names of well-known legal celebrities of the nineteenth century, foremost amongst them being the irrepressible Dan O'Connell, whose enjoyment of a joke was not lessened by its turning sometimes against himself. He delighted in quoting the court usher, who, on being ordered to clear the court, jumped up and shouted, "Now thin, all yez blagaards that isn't lawyers, quit the court."

When Sir Anthony Hart was appointed Lord Chancellor in 1822, a position Lord Plunket would have been well pleased to occupy, O'Connell was asked, "How does Plunket look this morning, Dan?" Glancing at the bench, O'Connell replied in a loud aside, "Oh! very sore at heart."

Speaking one day of a certain person—a public man—Dan said in his presence that this gentleman should not be against the Government, as they had offered him his full value. "Sir," said the gentleman, jumping up indignantly, "they offered me nothing." "Just so," said O'Connell, "that is exactly what I surmised." This, said in Dan's inimitable manner, of course convulsed his audience.

Though the Irish peasant, as a witness, is not so "pawky" as the hardy Scot, or as interminably cautious as the Englishman of the same class, yet he is sometimes sly enough, perhaps innocently so. This was exemplified one day before Judge Burton, a shrivelled-up man of small stature, when a witness was called into the box. The man appeared old, bent and shaky, and apparently not seeing the witness-box entered the passage which led to the bench. "Come back, sir," called out McDonagh, the well-known barrister; "where are you going? Do you think you are a judge?" "Indeed, sir," said the old man, looking up at Judge Burton, "indeed, sir, I believe I am fit for little else."

Of the late Lord Morris, who, before his appointment as Lord of Appeal, served for twenty years as an Irish judge, several humorous incidents are related, amongst them the following:

In an abduction case the letter of the law had been broken, but that was all. Lord Morris, having carefully heard all the evidence, in charging the jury said: "I am compelled to direct you to find a verdict of guilty in this case, but you will easily see that I think it is a trifling thing, which I regard as quite unfit to occupy my time. It is more valuable than yours. At any rate it is much better paid for. Find, therefore, the prisoner guilty of abduction, which rests, mind ye, on four points—the father was not averse, the mother was not opposed, the girl was willing, and the boy was conveyant." The jury then found the prisoner guilty, and he was sentenced to remain in the dock until the court rose! Immediately on this the judge said to the high sheriff who sat with him, "Let us go," and as they left the bench Lord Morris called loudly across the court, "Marry the girl at once, and God bless you both!"

Lord Morris used to tell a good story of his experience of a grand jury of a certain rather disturbed county. "Gentlemen of the grand jury," said I to them, "will you take your accustomed places," and may I never laugh if they didn't all walk into the dock."

Lord Morris had a rich mellifluous brogue which not alone did he not attempt to conceal but he almost revelled in it. When he died many anecdotes of his wit and humor appeared in the newspapers, but no mention of the following story, which

used to be related by one of the doctors named, and who is now dead. Lord Morris was on circuit, and the case at hearing was an action for assault, in which the plaintiff alleged he received very serious and permanent injuries. His medical attendants gave corroborative evidence, using much technical and scientific language. The defence was that the injury, if any, was of the most trifling nature, and this was sworn to by an equal number of doctors. The Lord Chief Justice listened to all this avalanche of talk with a very bored expression, and when the case at length closed, he said, accentuating his brogue, "Well, gentlemen, you have heard the evidence in this very contradictory but trivial case. The medical evidence for the plaintiff alleges alarming injuries, with more alarming names, while the medical evidence for the defence states that the sole damage is a slight bruising of the nasal cartilage and a trifling abrasion of the outer cuticle of the—whatever it was. Well, gentlemen, with all respect to these learned persons, it seems to me to have been simply what they call—in the part of the country that I come from—a puckthawn in the gob; i.e., a puck in the gob."

Of the late William McLaughlin, the writer of the article from which I quote says: Everyone who heard it can recall that powerful, often savage voice which, when declaiming at full pitch, made the very timbers shake, and added to the tremors of the unfortunate witness under his pitiless cross-examination. But Mr. McLaughlin, who was also noted for his extreme ugliness, could sometimes stand a joke at his own expense, and once met his match at the hands of a witness. The case was McGuinness v. the Owners of the Albatross, tried before Mr. (now Lord) Justice Holmes. The vessel named had run down a steam-launch in Lough Foyle. A very collected-looking young Englishman from Stafford, on board the Albatross at the time, was examined for the defence. McLaughlin, in rising to cross-examine, saw he would prove difficult to handle, and cleverly began to bait him—as an angry witness is usually an incautious one. The following duel ensued: "Were you ever in an accident before?" "No." "I'm glad of that." "So am I." (Laughter, which somewhat nettled counsel.) "What was your business?" "I was there on pleasure." "What is your business, sir, when you condescend to work?" sneered McLaughlin. "I'm a china manufacturer." "Oh, you, make cups and basins, and—and that sort of thing." (Counsel shaped them with his hands, amidst much laughter.) "Yes," said the Englishman coolly, when the amusement subsided, looking very hard at counsel, "and mugs." McLaughlin's countenance was observed to relax into a broad Irish grin, and throwing up both hands in a comic gesture of despair, he sank, silenced into his seat.

There are many humorous blunders made by jurymen, which sometimes get fathered upon the men themselves, but the following was the verdict returned by a jury of English rustics, trying a man for murder. They were more confused than enlightened by the judge telling them that upon the same indictment, if not satisfied as to the capital crime having been committed, they could find the prisoner guilty of manslaughter; just as they could on an indictment for child murder find a woman guilty of concealing the birth. After deliberating a long time, the jury found the prisoner guilty of concealing the birth of the deceased!

Probably our own Canadian courts could give many a story of forensic eloquence, as well as of witty rejoinders or biting sarcasms. Some day someone may gather them together for us, as has been done so pleasantly by the writer of the article in the Empire Review, an old number of which has fallen into my hands to-day. H. A. B.



Pray in the Field.

Said Farmer Jones, in a whining tone,
To his good old neighbor Gray,
"I've worn my knees through to the bone,
But it ain't no use to pray."

"Your corn looks just twice as good as mine,
Though you don't pretend to be
A shinin' light in the church to shine,
An' tell salvation's free."

"I've prayed to the Lord a thousand time
For to make that 'ere corn grow;
An' why youn beats it so an' climbs
I'd give a deal to know."

Said Farmer Gray to his neighbor Jones,
In his quiet and easy way,
"When your prayers get mixed with lazy bones
They don't make farmin' pay."

"Your weeds, I notice, are good and tall,
In spite of all your prayers;
You may pray for corn till the heavens fall,
If you don't dig up the tares."

"I mix my prayers with a little toil,
Along in every row;
An' I work this mixture into the soil,
Quite vig'rous with a hoe."

"An' I've discovered, though still in sin,
As sure as you are born,
This kind of compost well worked in,
Makes pretty decent corn."

"So while I'm praying I use my hoe,
An' do my level best
To keep down the weeds along each row
An' the Lord, He does the rest."

"It's well for to pray, both night an' morn,
As every farmer knows;
But the place to pray for thrifty corn
Is right between the rows."

"You must use your hands while prayin', though,
If an answer you would get,
For prayer-worn knees an' a rusty hoe
Never raised a big crop yet."

"An' so I believe, my good old friend,
If you mean to win the day,
From plowing, clean to the harvest's end,
You must hoe as well as pray."

—Selected.

"Farmer Jones," who expected God to do all his work for him, would be hard to find nowadays. If a man could be found who really expected to grow good crops just by praying for them, he might be called a fanatic, but would hardly have a right to the name of farmer. He might pose, like Dowie, as a modern Elijah, but there is little fear of our Canadian farmers copying him or spending their time in devotional idleness.

"Farmer Gray," who prayed between the rows while he was hoeing, might perhaps be found. Probably he doesn't talk much about his praying, heaping it as a secret between his God and himself. When Elijah thought that he was the only true servant of God in Israel, the Lord said unto him: "Yet I have left me seven thousand in Israel, all the knees that have not bowed unto Baal and every mouth which hath not kissed him." Don't be too sure that your neighbors never think of God while they are working in the fields, just because they don't talk about their religious feelings. Many of our farmers may be like Isaac,

who went out "to meditate," or, as it is given in the margin of our Bibles, "to pray in the field."

But there are probably others who think they can raise first-class crops without praying at all. They feel quite confident that they are clever and industrious enough to secure good harvests without asking God's help; at least, if He will only send favorable weather. Clever as they are, they can't control the weather. But although they don't ask God's help, He gives it all the same, and very helpless they would be without it. No man living could draw out the green shoot from the hard and apparently lifeless seed, or make it grow up, head out and ripen. The farmer can only put his seed into the ground to decay, and God does all the rest. Man's part of the work is so insignificant that, instead of asking God to help him in securing a good harvest, it is rather true that he is allowed to help God a little in that great yearly miracle. When our Lord raised Lazarus from the dead, He asked the people near to remove the stone from the door of the tomb. He allowed them to help a little, but their part of the miracle was very unimportant, and they would hardly have dared to say that He had helped them to restore a dead man to life. Yet, really, a farmer does not even do as much as that. He only buries the grain, and God raises it from the dead. What a grand encouragement that is to those who are trying to sow spiritual seed, and feel that their words are very cold and lifeless. Perhaps they think it is useless to try, because they are not eloquent and have very little influence. But if God does nearly all the work of increasing the seed sown in the fields, may we not feel sure that He will also give the increase of the spiritual seed we try so clumsily to sow. Let us copy Isaac and Farmer Gray, and "pray in the field," while at the same time we do all the cultivating we can. It is hardly possible to pray heartily and perseveringly without trying to help God to answer our prayers. I once heard of a child who believed in helping her prayers along by her works. She found out that her brother had set some traps to catch birds, so she prayed that God would keep the birds from getting into the traps. But, not satisfied with leaving God to protect her favorites, she says: "I went and kicked the traps all to pieces." There is no use praying for help, unless we do our part of the work. God is too wise to do our tasks for us, although he is always ready to help when they are too difficult. A child may go to his teacher for assistance in solving a difficult problem, but a wise teacher will hardly take the slate and do all the work for him. That would be really more unkind than refusing to help at all, though the child might not think so at the time.

Although we profess to be Christians, there is a great deal of heathenish dependence on charms, instead of on God, amongst us. Once, when an epidemic of scarlet fever had broken out in a town, the Sunday-school children were told to pray that God would protect them from the disease. One little girl made everybody laugh by saying, "I don't need to pray, for I wear a camphor bag round my neck." Perhaps the camphor might have some effect in keeping disease germs at a distance, but surely it is only ignorant superstition to depend on the virtue of a lucky stone or a chestnut carried in the pocket. Those who have least faith in God's protection are most