

and contemplative' convent of Dominican nuns seem to have chosen the good part, which the law will not take away from them."

"DULCE EST DESIPERE, &c."

It is strange how "good things" repeat themselves. These, also, would appear to fall under Solomon's aphorism about "nothing new under the sun." Mr. Justice Maule is credited with having had at his fingers' and tongue's end the whole cycle of professional *ana* that periodically re-appears in the published collections. It is told of him, that once upon a circuit his postchaise companion had picked up at a bookstall a collection of anecdotes, supposed to contain an unusual admixture of new material; but the learned Judge undertook to give the point of any story in it, on hearing two lines of it read, and really fulfilled his boast without a single failure.

But the particular "good thing" which has induced this moralizing occurred on this wise: In a case heard at the present Chancery sittings in Toronto, there was put in the witness box a gentleman of high standing in the community, though, like the worthy Zaccheus, little of stature. As he stood in the box, however, after being sworn, with arms stretched along the top, and shoulders and head just visible, he presented to the Chancellor's observant eye, as it first fell upon him, very much the appearance of some awkward fellow squeezed into a sitting position as comfortably as the straitness of the enclosure would allow; whereupon his Lordship admonished the witness to stand up and give his evidence properly. "But I *am* standing up, my lord," said the witness, with such solemnity as truth, spoken under oath, could alone give. An explanation of the true condition of affairs was then made *sotto voce* to the court, and the examination proceeded.

A counterpart to this is the story told of a diminutive barrister, *temp.* Lord Mansfield, named Morgan, who was so addicted to the citation of *Croke's* Reports that he won for himself the soubriquet of "Frog" Morgan,—to which probably his squat figure gave additional point. Before he was much known at the bar, he was beginning to open a case, when Lord Mansfield, in a tone of grave rebuke, addressed him: "Sir, it is usual for counsel, when they address the court, to stand up." "I *am* standing, my lord," screamed "The Frog;" "I have been standing these five minutes."

ACTS OF LAST SESSION.

*An Act to amend an Act passed in the thirty-second year of the reign of Her Majesty, and chaptered twenty-two, respecting County Courts.*

Whereas, &c:

1. That section 3 of the said recited Act is hereby repealed, and the following shall be section 3 of the said Act:

(3.) After the passing of this Act no Junior Judge shall be appointed in or for any county or union of counties in Ontario, except in any county or union of counties where the population shall exceed forty thousand, as shall appear by the official census then last taken.

2. The Junior Judge of the County Court of any county or union of counties is hereby authorized to transact such business in Chambers, in the absence thereof of the Senior Judge, as relates to matters over which the said Courts have jurisdiction, and as may, according to the course and practice thereof, be transacted by the Judges of the said Courts.

3. It shall be lawful for any Judge of a County Court, if requested so to do, and when the interests of justice seem to require it, to sit for a Judge of another County Court either at the sittings or in term, or to hear any case triable under the special or summary jurisdiction of such Judge, and the County Judge while so sitting, shall have all the powers and authority of the Judge of the County Court within whose county or union of counties he shall be so sitting.

*An Act further to amend the Law relating to Property and Trusts.*

Whereas, &c.:

1. In the construction of the will of any person who may die after the 31<sup>st</sup> March, 1872, a general direction that the debts or that all the debts of the testator shall be paid out of his personal estate shall not be deemed to be a declaration of an intention contrary to or other than the rule established by the said Act, unless such contrary or other intention shall be further declared by words expressly or by necessary implication referring to all or some of the testator's debts or debt, charged by way of mortgage on any part of his real estate.

2. In the construction of the said Act and of this Act, the word "mortgage" shall be deemed to extend to any lien for unpaid purchase money, or any charge, incumbrance or obligation of any nature whatever upon any lands or tenements of a testator or intestate.

3. Whereas by an error in the printed copy of the Act passed in the thirty-second year of Her Majesty Queen Victoria, intitled, "An Act to amend the law as to Wills," the word "not" is omitted in the beginning of the fourth line of the third section of the said Act, be it enacted that the said section be and the same is hereby amended so as to read as follows: