SELECTIONS.

ADVICE TO LAW STUDENTS.

"Be honest with the court. I have said that you will be subjected to great temptations. In your early causes you will be far more anxious, and more deeply interested to succeed, than your client. To him it may be ten dollars, or fifty, or a hundred or two: with you it is success or failure, the admiration or the contempt of the bystanders, life or death professionally. In this fearful anxiety you will be sorely tried and tempted to conceal your blunders by coloring the facts, and to win your cause no matter how. I say you will be *tempted* to do this but I assume that you will have the manhood and integrity to rise above the temptation. If not, your failure at the bar is certain. A man who has never been tempted may be honest merely; but virtue, in the profession or out of it, is the fruit of temptation suffered, but overcome. Honesty is the best policy, and no man sees this proverb illustrated so frequently, and so vividly, as the lawyer. A trick or a falsehood may win a point or save a cause; but it is certain of discovery, and it will cost its author ten years of honest practice to allay the indignation it will excite in the breast of an honest judge.

"Be always deferential and respectful to the court. Meet their rulings, no matter how adverse or erroneous with the true dignity of professional obedience. But while you are always respectful, be always firm. Courts are composed of judges; judges are men; men who dine out late of nights; they come reluctantly at the summons of the court bell from an unfinished sleep; they are overworked, they are poorly paid and occasionally come to the bench in that impatient and petulant mood which 'sometime hath its hour with every man.' A judge in such a mood will 'whistle your case down the wind' before he has heard the first half of it. Under such circumstances, while you are to be courteous to the court, you must be as firm as a rock The best course for obtaining your rights before an impatient judge, is to acquire the art of clear and concise narration. In motions made, and incidental questions arising in a cause, half are decided erroneously, because the court does not understand the facts, or the state of the record, upon which the decision depends. I think one of the great deficiencies of the profession in daily practice, is the want of this art. To train yourselves in this particular, study the best models of historic composition. Take Kinglake's history of the Crimean war for example, and read the one or two hundred pages in which he describes the charge of the Light Brigade at Balaklava. Notice the innumerable incidents and trifling occurrences, and mark the consummate art with which they are so grouped and arranged as never to obstruct, but always to heighten the effect of the general narrative. The facts of a case before a jury may be very voluminous and very complicated, and there is nothing which so severely taxes the skill of a master as to make every fact available without so burdening the mind of the jury that they will forget the facts altogether. The most trifling and insignificant fact which is yet important enough to be given in evidence, should be brought to the mind of the jury in the argument of the cause; but the facts should be so marshalled with regard to subjects and order of time, that the jury can see the precise bearing of each. In an argument to the jury the facts should be stated by chapter and verse, presented by scene and act, as in Othello, one of the most artistic of Shakspeare's plays, where the least circumstance, even Desdemona's dropping her handkerchief, is made to contribute powerfully to the final and fatal catastrophe.

"Another important matter is the examination of witnesses. I believe that more causes are lost from unskilful examination of witnesses than from all other species of malpractice combined. Always know what your witness is called to prove; direct his mind to that particular object; get through with him as quickly as possible. In cross-examining witnesses, if I were to lay down one, and an invariable rule, it would be not to cross-examine at all. In nine cases out of ten, where a witness testifies against you, your cross-examination will make a bad matter worse. If you believe a witness is honest, and only mistaken, treat him courteously, never touch his pride, nor put him on the defensive. If you believe he is swearing falsely, go down upon him like an avalanche. In ordinary cases never put a question in cross-examination, unless it be to call out some new fact favourable to you; and even then, I think you had better wait and call him as your own witness, and thus win his favor by showing confidence in his integrity; and thus you will frequently get from him very comforting things."—*Extract from an address of Hon. M. H. Carpenter to the Columbian Law College.*

The New Lord Justice of Appeal.—Mr. George Mellish, the new Lord Justice of Appeal in Chancery who received the honour of knighthood on Tuesday, is the son of the late Very Rev. Dr Mellish, Dean of Hereford, and was born in the year 1814. He was educated at Eton and at University College, Oxford, where he took his Bachelor,s degree in 1837, and proceeded M. A. in 1839; he was called to the bar at the Inner Temple in 1848, and for some years went the Northern Circuit. In 1861 he was appointed a Q. C., and he has now been elevated to the bench, in the place of the late Right Hon. Sir George M. Giffard, as Lord Justice of Appeal, and sworn a member of the Privy Council.