

*Counsel:* You are positive that the bottle contained gin?

*Witness:* Certainly.

*C.:* Then you are an expert on the subject of gin?

*W.:* Well! No, not exactly.

*C.:* But you know the bottle contained gin? *W.:* Positive.

*C.:* What kind? *W.:* Beg pardon!

*C.:* What kind, I said. *W.:* I don't understand you.

*C.:* Now, sir, if you know gin so well, how many kinds of gin are there? *W.:* I don't know, but I know that bottle held gin.

*C.:* Now, sir, remember you are on your oath. Do you know the difference between that brand of gin commonly called "Holland gin" and that other kind of gin called "Oxy gin?"

*W.:* (Hesitatingly)—No.

*C.:* I thought not! Then it might have been oxygen?

*W.:* It might.

*C.:* Of course—Now are you familiar with another kind of gin called "hydro gin?" *W.:* No, I am not.

*C.:* Then the contents of that bottle might have been "hydrogen" for all you knew?

*W.:* It might, but I am sure it was gin.

*C.:* Now, sir, there is still another kind of gin called "Nitro gin," do you know anything about it? *W.:* No, sir.

*C.:* So that although you swear that the bottle contained gin, you cannot tell whether it was oxygen, hydrogen, nitrogen or plain De Kuyper gin? *W.:* I cannot.

*C.:* I thought not, I thank you.

*The Judge:*—This Court has listened with very considerable interest to the cross-examination of the complainant which has perhaps ensnared him into a "gin" not referred to by counsel. It might appear from this examination that the complainant was remarkably ignorant of the distinction between the various kinds of gin particularly enumerated and described by the defendant's counsel. But this Court, while disclaiming any thought of being an expert on the subject of gin, is able to differentiate between that kind of gin which so often furnishes the slings of outrageous fortune, and these other various brands of gin referred to by counsel, nor is this Court unfamiliar, as might be conjectured, with that by-product of oxygen commonly called "hot air." Relying therefore upon the evidence before it, and its own limited knowledge, the Court dismisses the appeal and upholds the conviction. The Court however has no disposition to be unduly severe upon the accused, notwithstanding the cross-examination, and only imposes the ordinary costs.