

JUDGES WHO GET ANGRY.

VIEWS OF A VISITOR TO COURTS IN NOVA SCOTIA.

He thinks the Proceedings are Useless when the Gentlemen on the Bench are in Bad Humor—Some of the Ways in which They are Unsettled.

Although I am not personally connected with the legal profession, it is my habit to attend the circuit sittings of the supreme court of our province, when I have an opportunity to do so. I do this partly from curiosity to observe the exposure and retribution of the criminal element, partly to improve my knowledge by observing the practical application of the law to the cases brought before the court, and partly to be entertained, it may be, by the forensic argument and eloquence of an able lawyer, or the sophistical twaddle of a petting lawyer.

I have observed with regret, both in the court house and out of it, that lack of respect for the bench and that want of confidence in the ability and integrity of our judges, so often expressed by the public and by the members of the bar in particular. I have also observed that some of our judges are more to blame for this condition of affairs than either the public or the lawyers. I read with interest the account published in PROGRESS of the so-called "till" between the attorney general of New Brunswick and one of the judges of that province. Of the merits or demerits of that case I know nothing; but that a member of the bar should not be allowed to say under the circumstances, what it is reported the attorney-general stated, without his right to do so being questioned is, to the ordinary public at least, a mystery.

I have witnessed trials where the judge by his manner and rulings has outraged the public sense of decency, fair play and justice, and the lawyer that was unfortunate enough to represent the victims of his lordship's displeasure, dared not open his mouth in protest without being told that he was guilty of "contempt of court." Ridiculous as the fact may be, the more obnoxious a judge is, the more savagely jealous he is of his own fastidious dignity and ever ready to threaten vindictive punishment for contempt of court upon the least refractory dissent, which is often nothing but a coward's argument, and the arbitrary independency of the bench a coward's refuge.

It may be owing to my ignorance or perhaps the perversity of my untutored judgment, but whether so or not, I must say I was anything but favourably impressed by what I witnessed in the conducting of the proceedings at one of the recent circuit sittings of the supreme court of Nova Scotia. I do not refer to the lack of English dignity and gravity, of which our high courts of justice are entirely stripped and denuded, nor to the listless and perfunctory routine of procedure. Neither would I presume to criticise the different barriers as to the ability or want of ability displayed by them in the conduct of their several cases. Indeed it was the barristers in their work alone that enlisted any of my interest. I refer more especially to the ill-natured, unjudicial spirit and temper displayed by the presiding judge. I am fully aware that to criticise one of the occupants of the bench in the discharge of his high functions as representatives of the august majesty of the law, may be called presumption. The judge is hedged around with such dignity and authority and delegated with the prerogative of uncontrolled immunity from all interference with his judicial action—one whose "contempt of court" bludgeon is ever ready to strike with mute terror every recalcitrant tongue and irreverent impertinence. This is all right and even expedient in the normal condition of the judiciary when a judge is supposed to discharge his duties with grave dignity, calm and dispassionate impartiality, intelligent and unbiased integrity. But when a judge, acts the reverse of this and makes himself conspicuous for the want of the spirit, temper and language befitting his judicial position it is his himself that is guilty of contempt of court and of traversing the spirit and the ends of justice. He takes his place on the bench with a grim and frowning visage, a grisly terror to the members of the bar who he often rudely snubs without the least reason, listens to the evidence for the plaintiff or the defendant as the case may be, with the cavillous impudence of a foregone conclusion, and interrupts every minute the argument or examination of the barrister who handles the case, with snappish incivility and snarling insults. His findings and rulings are often more like the results of arbitrary impulse and prejudice than the voice of justice and equity. Such a thing flings to the winds his official dignity, lowers the honor of the judiciary, is painfully offensive to and provokes the contempt of the public and is a positive grievance and injustice to the bar.

It is difficult to understand why the occupant of the bench should be allowed to indulge in ugly temper and offensive language that would not be tolerated among gentlemen in other relations in life. A custom I suppose, but a "custom more honored in the breach, than in the observance."

Although a man may be intellectually credent in the letter of the law, both positive and negative, so as to be able to ruin out whatever he does not like by legal subtleties, yet he is not a lawyer.

and tricks, yet, I maintain that, if that man's nervous system is wrecked and deranged, and the gloomy fancies of dyspepsia and vicious blood are gnawing at his moral vitality, he is not fit to interpose and carry out the practical spirit and moral ends of the law. He is not a competent oracle of calm impartial justice tempered with mercy.

When we bear in mind that the honors of the bench are bestowed by partisan governments, as mercenary rewards to time-serving political jobbers, we need not wonder when we find that all our judges are not infallible, but are too often conspicuous for errors of judgment, inexcusable delay, ignorance and carelessness, partiality and prejudice necessitating endless appeals and the ruinous costs of law suits.

Let us however be thankful that we have some judges that are not only learned in the law, but impartial and conscientious in its exposition and enforcement, as well as calm, patient, dignified and courteous in all their judicial deportment. They are worthy followers of their British prototypes who have been such efficient factors in the production and furtherance of English civilization over the globe. Such judges are worthy of the highest honor that civil society can bestow upon them.

JURYMEN.

Summer Carnival for Halifax.

HALIFAX, Dec. 5.—It looks as if the "Halifax summer carnival, 1896," would be made an accomplished fact. A score of men, enthusiastically in favor of the project, have taken hold of it, and are actively at work making preparations. Halifax people think that no place in America has more natural advantages for such an affair than this city. Its pleasant situation between the harbor and the north-west arm, but above all the fact of its being a garrison town and naval station, make it comparatively easy to hold such a "Carnival" as that proposed. The men who have taken hold of the carnival on this occasion are practical and enterprising—two necessary qualifications, and they are persevering. They see the mistakes that have been made in the past and they have the good sense to avoid them now. The chances are that four days of the first week in August next will show old Halifax off in gayer colors than she ever before presented.

SMOKING HORSES.

A Way Which Some Indians Have of Helping Friends in Distress. A curious method of obtaining horses is practised by some of the Indian tribes. It is called on the plains "smoking horses." If a tribe decides to send out a war party the first thing to be thought of is whether there are enough horses at hand to mount the warriors. If, as is often the case, the horses of the tribe have been stolen by other Indians, they decide to "smoke" enough horses for present needs, and to steal a supply from their enemies at the first opportunity.

When this decision is reached a runner is despatched to the nearest friendly tribe with the message that on a certain day they will be visited by a number of young men, forming a war party from his tribe, who require horses. On the appointed day the warriors appear, stripped to the waist. They march silently to the village of their friends, seat themselves in a circle, light their pipes, and begin to smoke, at the same time making their wishes known in a sort of droning chant.

Presently there is seen far out on the plain a band of horsemen riding gayly caparisoned steeds fully equipped for war. These horsemen dash up to the village and wheel about the band of beggars sitting on the ground in circles which constantly grow smaller, until at last they are as close as they can get to the smokers without riding over them. Then each man selects the man to whom he intends to present his pony, and as he rides around, singing and yelling, he lashes the bare back of the man he has selected with the heavy rawhide whip until the blood is seen to trickle down. If one of the smokers should flinch under the blows, he would not get his horse, but would be sent home on foot and in disgrace.

At last, when the horsemen think their friends have been made to pay enough in suffering for their ponies, each dismounts, places the bridle in the hand of the smoker he has selected, and at the same time hands him the whip, saying: "Here, beggar, is a pony for you to ride, for which I have left my mark." After all the ponies have been presented the "beggars" are invited to a grand feast, during which they are treated with every consideration by their hosts, who also load them with food sufficient for their homeward journey. The braves depart with full stomachs and smarting backs, but happy in the possession of their ponies and in anticipation of the time when their friends shall be in distress and shall come to smoke horses with them.—Philadelphia Times.

Two Busy Queens.

The Queen of Italy is now studying the Hebrew language and literature with diligence, and is making great progress. Lately, when in Venice, she received in audience Rabbi Casso Porto, with whom she conversed in the ancient language of the Jews. The Queen of Portugal is at present devoting all her spare time to the study of medicine, which science she is working at in a very thorough manner, in the hope that her example will be followed by the somewhat indolent Portuguese ladies, and that they will be spurred on to take an interest in the great questions and movements of the day.

DEVIL'S TRACKS IN MAINE.

Curious Footprints Seen on the Summit of a Mountain of Granite.

"During a trip for land-locked salmon last summer to the mountain-enclosed head of Sebec Lake," said a New York visitor to Maine, "fishing was slow one day, and my guide suggested that we vary the monotony by climbing to the top of Granite Mountain, whence a fine view might be obtained. This mountain is simply one vast granite rock, miles in area, rising abruptly from the lake and Wilson stream, and is overtopped at its back by Ragged Mountain. It is wooded at the base, with a thin growth of small trees and bushes on its face where soil had found lodgement.

"A climb of thirty minutes, up a path whitened and worn by the feet of generations of blueberry pickers, brought us to the broad, rounded summit. Two long depressions divided the top into three rounded ridges. On the second of these ridges my guide paused to examine something at his feet.

"No mistaking it!" he exclaimed. "It's one of his tracks, for certain."

"He beckoned to me. I came up to where he was, and he pointed to an oblong depression in the smooth face of the ledge. It was about the size and shape of the imprint which a moccasin foot would make in treading upon soft loam.

"Let's see if we can't find some more of 'em, so as to locate the way he went," said the guide, and searched ahead in the direction in which the seeming footprint pointed. "Yes, here's another—and another still. We've got his trail located. Let's follow it up a bit."

"I went along with him and became much interested in this novel sort of trailing. In places the tracks were quite lost, or so light as to be hardly distinguishable. In other places the impressions were as deep as deep as would be made by the foot of a heavy man stepping in soft mud. For considerable distances the tracks would disappear where there was a growth of heavy moss, huckleberry bushes, or small poplars, to reappear on the bare rock beyond them. In general the trail could be described as the tracks of a long-striding man; they were widely separated, but in places enough of them appeared in succession to give warrant to this inference.

"They've been there, and folks here know 'em, ever since I was a boy," said the guide. "I'd most forgotten 'em, but they all come to mind when I saw that first footprint. I never followed 'em all the way, but it was said they could be traced a mile or more, all the way from the summit opposite Greely Falls, on the Wilson stream, over Granite Mountain, to where it breaks down to the lake. That's a distance of a mile or more. What caused 'em? That's more'n I, or I guess anybody else, knows. Some folks call 'em the Indian's trail, but most say the devil's tracks. That granite rock must have been pretty soft when he went over it, it 'twas a man that made 'em. He?"

"I allowed that he was right and we went back to our fishing. Inspired by the subject I went later in the summer to see the snowshoe sleds (tracks,) a noted local curiosity, near Milo village, about six miles southerly from the foot of Sebec Lake. There, near the roadside, on a bluestone ledge is a line of indentations, such as would be made by a man walking on snow crust on snowshoes about three feet long. These tracks continue for rods to where the earth covers the ledge. So distinctly carried out is the snowshoe idea that in some of the tracks one may see marks like the cross-woven buckskin filling characteristic of the Maine snowshoe.—N. Y. Sun.

Victoria Not Fond of Dress. The Queen's moderation in state dress has been remarkable when contrasted with the display made by other Queens and Empresses. Her jewels and sets of lace have been worn over and over again during her long reign, and must be as good as new.

Indispensable to a Divorce. "It takes more than divorces to make an actress," said the histrionic lady, who had never wedded other than her art. "It does, sure," assented Miss Dottie Twinkleton. "You got to have the husbands before you can get the divorces."

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now. As for the crimson velvet and ermine that she wore at Parliament openings, the pink satin gown in which she inaugurated the '51 exhibition, and dinner and ball dresses described in old court circulars—well, present-day actresses often wear far more expensive draperies on the stage, and many a woman would push such grandly simple royal toilets aside as being too cheap.

WOMEN AND BURGLARS.

Bodily Presence of One and Presence of Mind of the Other.

To scream is a convenient but doubtful expedient, and few enough of us have just the courage to meet the situation as did Mrs. Lorillard. She had come home one night from the opera, kindlyheartedly dismissed her tired maid and began to undo the jewels from her hair when a reflection from her mirror showed her an unmistakable masculine foot, clumsily clad, protruding from beneath the bed.

When all her ornaments had been removed she went across to the bedside, knelt and softly began her prayers, which somehow that night were more hearty and generous than ever before. She prayed for her friends and family, for the needy, and then in a placid voice for any who might be tempted to commit crimes. An uncontrollable sob interrupted her devotions, and a gaunt, hungry-looking red-headed man crawled from hiding, blubbering like a small boy.

He turned out to be an ex-coachman of the family, who had fallen from grace into crime, in which his extraordinary tender sensibilities must sooner or later have brought him to grief and jail. Not only did his late mistress forgive him and bestow on the repentant wretch sufficient to relieve his distress, but made him up with her own hands a comfortable lunch from the ice box and lighted him out the area door, after a severe lecture and receiving his solemn assurance of reformation.

On the whole, though, women are cool and plucky in dealing with burglars, and it was Mrs. James Kerneohan who, all alone one night, in her country house, save for servants on the top floor, caught a glimpse over the transom of her bedroom door of a familiar face.

He watched her as she counted a roll of bills, drawn that day from the bank to pay her household expenses, but she continued to make up her accounts, contriving to affix a mark on every bill, and the whole sum, amounting to several hundred dollars, she put carelessly in her dress-drawer, blew out her light, got into bed, and heard very distinctly when the theft was made. By 11 o'clock the next morning both thief and goods were returned, and in this instance quiet acquiescence had undoubtedly saved the lady's life.—Boston Globe.

THAT ACHING HEAD.

What Causes it and How Overcome.

How often the remark "Oh, my head aches," and there are so many varieties of aches and pains the head is subject to all along the line from the dull and heavy and oppressed feeling over the eyes to the piercing, racking and torturing misery of Sick Headache. The cause is in most cases the same, the overflow of poisonous uric acid is not extracted from the blood, causes high and irregular pulse, headache, mental depression and nausea. Chase's K. & L. Pills tone and restore the kidneys, excrete poisonous matter from the blood, sending it on its way pure and health-giving, curing Headache, and removing all the attending symptoms from its wake. Mrs. G. Bird, Harrison, Ont., while attending the 1894 Fall Exhibition at Toronto, was taken very ill with Sick Headache and dizziness. She was subject to these attacks for years, compelling her to take to her bed. In this case by using Chase's Pills relief was immediately obtained, and the usual days of misery and prostration avoided. Thousands of such cases can be referred to where Chase's Pills have cured Sick Headache and its attendant symptoms. 25 cents a box, of all dealers, or by addressing Edmondson, Bates & Co., 43 Lombard St., Toronto.

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