

HUMOROUS PHASES OF THE LAW.

ing themselves generally useless and in the way. There is a bald fat man, with spectacles, upon the bench, whose chief occupation seems to be to discomfit one or the other of two thin bald men, with spectacles, at the bar. Directly under the judge's bench sits the clerk, whose principal duties, or rather pleasures, are to make fees, and to construct good citizens out of all sorts of foreign materials in the rough. Close at his elbow, at this moment, sits a prisoner, who with a broad grin on his face is laborously signing his name to a certain paper writing; well may he smile, for it is "his own recognizance" for bail that he is subscribing, and he is doubtless thinking what a "muff" the judge must be to let him off on such easy security. The aged crier, who looks as if he might have come over in the "May-flower," rises and drones forth his mechanical "oyez," in the same whine that has characterized it ever since the blessings of legal forms dawned upon its perishing race. The lawyers, who really act among themselves as if they are a good sort of fellows, and seem unseasonably happy and jovial for persons having so much on their consciences, are talking and laughing, in no wise dismayed by the caution of the crier's formula. They evidently feel under no more restraint than the disrespectful son, whose father excused his sauciness, on the ground that they were so well acquainted that they said almost any thing they pleased to each other. "Silence in court!" says his honor, rapping the bench with the knife with which he has been peeling an apple while he read the morning newspaper; at the same time looking severely in every direction except that from which the disturbance evidently comes. At this signal, the superannuated persons, bearing poles, agitate themselves out of their somnolency, making great pretense of activity in suppressing an imaginary tumult, and shortly go to roost on their poles again. All this time the hum of the great noisy world outside acts like a soporific on the senses.

"Call the grand jury," says the judge. After they are called and sworn to keep all sorts of secrets, including "their own and their fellows" (and here seems to be a reason why women, in any millenium of female sovereignty, can never act as grand jurors), his honor appoints the most corpulent and inactive one as foreman. Then, after a caution from the old crier to the bystanders to "keep silence on pain of fine and imprisonment" (which seems quite unnecessary, because at this juncture the spectators are always in breathless suspense to learn if it is possible for the judge to say any thing new), his honor rises, and the jury also rise, with unmixed awe and respect imprinted on their countenances, and his honor proceeds to charge them, "with horse, foot and dragoons." It is customary to observe in opening, that although they may properly be supposed to be somewhat familiar with their duties (which is not

improbable, considering that the public are thus made acquainted with them three or four times a year), yet it is required of him to make a few general remarks. He then proceeds, at an hour's length, to inform them that they are the conservators of the public peace, and the safeguard of society; that they are selected from the most intelligent and respectable portion of the community to protect their persons and property from the hand of the violent, and to point out the offender to public justice. He then overwhelms them with a sense of their tremendous responsibility, and the solemnity of their position. He then impresses on them the novel theory that no man is so high as to be above, or so low as to be beneath, the reach of the law. He then opens up to them the terrible consequences which would ensue if they should fail to preserve strict secrecy as to their deliberations and proceedings, and gives them a timely caution to be impartial and unprejudiced. He then usually reminds them that their whole duty is pointed out in their oath, which he proceeds to analyze, making each component part the text for a short discourse of say fifteen minutes; but this, as it is merely a repetition of what he has already said, it is unnecessary for us to go through. He then reminds them of the necessity of being utterly devoid of partiality and prejudice. Next he calls their attention to several offences which our legislature have deemed so much more heinous than all others, as to be worthy of specific reprobation, such as vending intoxicating beverages to drunken men, without having paid the state for the privilege; lending money at the rate of interest which the parties think it worth, when it happens to exceed what the state thinks it worth; taking money from a candidate for voting for him when the purchased party would have voted for him in any event, and so forth. These injunctions are undoubtedly most excellent in a moral view, but are never known to produce the slightest practical effect. He then again exhorts them to divest their minds of every thing like partiality or prejudice. And finally he winds up, in a comprehensive, well-rounded and elaborate sentence (usually written beforehand), designed to comprise all that he has said before (with an additional remark about the impropriety of partiality and prejudice), and thus impress it on their minds; and with a bland and soothing reminder of the reliance that the community place upon their unimpeachable and unquestioned and unvarying integrity, intelligence and impartiality, he dismisses them to their secret chamber, under the guidance of one of the paralytics, who descends from his roost for the purpose. The reporters for the press are very busy all this time, and next day the newspapers, with remarkable unanimity, compliment his honor on his able, learned and eloquent "charge to the grand jury." It has been frequently noticed that the said reporters, at or about the same time, are to be seen emerging in a body