ity, 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 from some temple of Bacchus conveniently near the temple of justice, with a satisfied expression of countenance; and it has been likewise noticed that the grand jury are entirely oblivious to the fact that the priest of the first-mentioned temple is without orders, or license, notwithstanding its propinquity to the last-mentioned temple.

Next, the clerk calls the petit jury, and the judge if fresh in office, or not looking for a re-election, imposes fines on those delinquents who fail to appear and answer; but such fines are more for show than for service, and are remitted on very trivial grounds. His honor then announces that he will hear excuses from jurymen, who desire to be relieved from the necessity of attendance. These excuses are as various as those of the guests summoned to the feast in the parable, and comprehend every ailing and disability known to medicine from bronchitis to bowel complaint, from piles to paralysis, from corns to consumption. A juror was once excused for the reason that he had no control over his bowels, and was, therefore, unable to sit for any length of time. Immediately succeeding him a juror asked to be excused on the ground that his wife was momentarily expecting to be confined. His request was, of course, granted—the judge, who was a notorious wag, remarking that the difficulty complained of by the first witness seemed quite prevalent in that locality. Deafness is a standing excuse for sitting, and where satisfactorily established, is allowed to prevail. A doubtful instance once arose in northern New York, where the juror alleging that he could hear only with great difficulty, the judge asked him if he did not hear his charge to the grand jury, just delivered? "Why, yes," was his reply, "I heard it, but I couldn't make head or tail of it!"

If any cause is ready for trial, the clerk calls a jury especially for the purpose. Perhaps there are not names enough in the box. "Summon talesman," says the judge. At this announcement there is an evident fluttering amoung the spectators, and if the cause is understood as likely to be tedious or protracted, as many of them as can escape by incontinent flight, while the sheriff singles out those who voted against him, or those against whom for any other reason he holds a grudge.

After the exercise of a good deal of professional finesse, a jury is secured, and the plaintiff's counsel opens the case. This is an admirable opportunity for the exercise of the imaginative faculties, for the jury, if the case is strikingly and glowingly presented, are apt to have a corresponding idea of it fixed in their minds, and no matter how much the testimony may fail to support it, an immense preponderance of opposing evidence is requisite to efface the impression.

Witnesses are then examined. Their oath is to tell the truth and nothing but the truth; but this means, in answer to the questions of counsel and nothing beyond. And so if the witness is disposed to tell a little truth on his own account, he is checked, and his testimony is termed "irresponsive." Everybody is, of course, aware of the tortures inflicted on witnesses. The popular belief that no man, however truthful and intelligent, can preserve his consistency under the fire of cross-examination is so firmly fixed that no efforts on the part of the profession can remove it. The prevailing difficulty is that no witness is content with simply answering a question, and indeed very few can answer the simplest question at all. Suppose the witness is narrating a conversation, and says that in the course of it defendant called plaintiff a fool, a scamp, and thief. "Will you swear," says Counsellor Sharp, "that he used the word thief?" And the answer will be, "I think he did." "I am quite sure he did," or "I am positive he did;" or any thing else but yes or no, the only possible answer to the question. The witness is willing enough and honest enough, but not reflective enough,; or he is obstinate, and, although he sees the point, is unwilling to admit that he cannot swear positively to the circumstance, because he has no doubt of it. So, after awhile, under the skillful badgering of counsel, he becomes mad and almost desperate, affirms every thing his counsel asks him, negatives every thing else, and thus, rushing like a bull at a gate, beats out his brains against the stubborn subtleties of the law, and then out of court whines about the unfairness of counsel. Counsel are undoubtedly frequently unfair in the examination of witnesses, but their unfairness generally consists in taking advantage of the proneness of human nature to be unfair, or its inability to be candid. One would suppose that lawyers would themselves make good witnesses, but the contrary is the fact; indeed there is but one class of witnesses less endurable, and that is physicians, who cannot divest themselves of the habit of lecturing and the use of technical language.

After the evidence is all in on one side, the opposing party proceeds to contradict, explain, modify, or discredit, and after he has had his "innings," the plaintiff goes at it again, and so on until the case will admit of no farther contradiction, explanation, modification, or discrediting, and then the jury are ready to be argued at. The defendant's counsel presents one view, and then the plaintiff's counsel presents another entirely different, each invariably assuring the twelve that in the course of his professional practice he has never met with so clear a case for his client, and imploring them so to decide that they can