

rule, had an eye single to the discharge of their duties. They have not meant to play the jurist while sworn to do the very different work of judge.

Let me illustrate this in another way. It is laid down by a part of our courts, in the broadest and most general terms, that no man may abate a public nuisance, unless he suffers from it in a manner special to himself, and not simply as one of the public. Were this really the doctrine of those courts, absolute, and not limited by the facts in contemplation when announced, then, if within their jurisdiction I stood on a railroad bridge spanning an immense chasm, and saw on the track an obstruction adequate to throw over a train of cars to the bottom, and saw approaching a train bearing a thousand souls, not one of whom was my wife or my child, and not one of whose lives I had under-written, I should not be permitted to remove the obstruction; but I must stand and see these thousand human beings sent before my eyes to eternity,—to the horror of hell and the sobbings of heaven and earth. No, the judges who have announced this doctrine did it with their thoughts upon different facts, to which, therefore, it must be deemed limited.

Moreover, in reason, the rule for interpreting the enunciations of judges cannot be otherwise. One passing on given facts has necessarily them, not others, in his mind; or, if his thoughts go out to other facts, they are such as he deem illustrative; then, when he speaks, his utterance is simply of what is within him, not of something absent from his contemplations. So that a doctrine laid down by him, in however general terms, must, in the nature of the human mind, be his deduction only from what he sees, not from what he does not see.

All decisions limited upon narrow facts.

The results of all which is, that our books of reports are the judicial conclusions from just so many sets of narrow facts as there are cases in them, each set of facts differing from every other; and they do not embody the ultimate rules which govern the infinity of facts, past, present, and future. So long as the judges do their duty, and conform to their oath of office, the reports of their decisions

cannot be otherwise. To ascertain and state the ultimate rules, and show how they are applied to the infinity of past, present and future facts, is the proper work of jurists. And he who has learned what the jurists, thus viewed, have taught, has learned the law, and qualified himself to practice it; no other person has. I have thus stated the truth squarely and broadly, that its proportions may distinctly appear; while yet I gladly admit that in our reports will be found more or less of what approximates jurist work, and that a man may imperfectly qualify himself for legal practice without reading jurist writings.

There are men who take immense pains to pile upon their memories these judicial deductions from specific facts, to the neglect of the ultimate rules. The human mind can bear a great deal of abuse without being utterly destroyed. Hence, those who do this, are sometimes a long while in arriving at a knowledge of their mistake; they struggle on in fruitless attempts after recognition as great practitioners, until, fortunately coming upon a beam of light, they reform their method; or, what is more common, they die in wonder that God and man do not appreciate them. In some way, he who would make himself a success at the Bar must learn what thus appears to be the law, in distinction from the multitudinous deductions from ever-changing facts.

[To be continued.]

GENERAL NOTES.

EARNED HIS MONEY.—"It will be a hundred dollars in your pocket if the jury brings in a verdict of manslaughter," said the prisoner's counsel to a juror. "All right," said the juror. The verdict of guilty of manslaughter was returned, and the hundred dollars duly paid. "I earned that money, sure," said the juror as he pocketed it. "I had a devil of a time to persuade them to do it. They all wanted to acquit him."

For not the first time by long odds the *World* yesterday reported a judgment handed down against a farmer who had signed a seed wheat agreement that turned out to be a promissory note. Notwithstanding such warnings many times repeated there are farmers who go right along signing documents upon the advice of outsiders. The *Globe* and the *Mail* have lately urged them to sign petitions in favor of commercial union. How many of these may turn up in court as promissory notes time alone can tell, but the scheme is a cunning substitute for the now somewhat threadbare hayfork and seed wheat dodge. Every honest newspaper will caution its farming readers to sign no peddled document without first submitting it to his legal adviser.—*Toronto World*.