

## FLOTSAM AND JETSAM.

of a County Judgeship virtually resign his seat?

When the late Sir James Macaulay became Treasurer of the Society, he—not being aware of the rule or custom—proposed the election of a certain County Judge. After a search for precedents and after considerable discussion, Sir James became satisfied of the disqualification and abandoned his motion.

## AN EX-BENCHER.

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The Baltimore *Sun* says that on the occasion of the visit of Dom Pedro to the Supreme Court chamber in Washington, recently, he was conversing in an audible tone with the Brazilian minister, while Justice Miller was reading an opinion. The marshal of the court rapped and commanded silence, and Justice Miller, not knowing who the offender was, suspended his reading and remarked sternly: "We allow but one to talk here at a time." The emperor was quite discomfited, became silent at once, and as soon as he recovered his equanimity left.

It is stated in *Who's Who* for 1877 that the oldest judge in England is the Right Hon. Sir Fitzroy Kelly, Lord Chief Baron, aged 81; the youngest is Sir Nathaniel Lindley, of the Common Pleas Division, aged 49. The oldest judge in Ireland is Mr. Justice O'Brien, of the Court of Queen's Bench, aged 71; the youngest, the Right Hon. Christopher Palles, LL.D., Lord Chief Baron of the Court of Exchequer, aged 46. The oldest of the Scotch Lords of session is Robert Macfarlane, Lord Ormidale, aged 75; the youngest, Alexander Burns Shand, Lord Shand, aged 48.

A FEW years ago a man was on trial in Waynesboro', Tennessee, on a charge of murder. The evidence for the State was fatally defective, but the prosecuting attorney, an obstinate fellow, irritated by the conduct of defendant's counsel, insisted on argument. Court adjourned until next morning, meanwhile the attorney-general spent a good portion of the night in ransacking the books for "bloody cases," especially those in which the judges had indulged in a vast deal of rhetoric over the hor-

rible nature of the crime of murder. These extracts he read to the jury next morning, quoting freely from the Old Testament as to the proper disposition to be made of the murderer, and closed in a perfect conflagration of adjectives in describing the "indescribable heinousness" of the crime. The court charged briefly, and the jury, after a few moments retirement, returned a verdict of "guilty in the first degree." Of course a new trial was at once granted. Defendant's counsel, however, was naturally curious to know how the jury *could* have found that verdict and asked one of the most intelligent members, "How on earth did you find that verdict? On what evidence did you base it?"

"Oh!" said the jurymen, "thar wa'n't nothing in the *evidence* that *teched* him; but you see, Squire, the *law* was so d—d strong."

In the life, letters and table talk of the painter Haydon, recently published, there is the following curious notice of a contempt of court case: "April 5th, 1832—Dined with Major Campbell, a man who greatly distinguished himself in the Peninsular war. He ran away with a ward in chancery. Lord Eldon, before whom he was brought said, 'it was a shame that men of low family should thus entrap ladies of birth; 'my lord,' retorted Campbell 'my family are ancient and opulent, and were neither coal-heavers, nor coal-heaver's, nephews' in allusion to the chancellor's origin. Eldon committed him on the spot to prison for *thirteen years* for contempt, and refused to accept an apology. On Brougham's accession, Campbell petitioned, and by a special order he was discharged. When Eldon committed him to prison, his wife, who was only a girl of fifteen, went to her mother in Scotland. They allowed him on his word to see her to Gravesend. She cried incessantly, and died soon after from a broken heart. \* \* \* He was at the storming of Ciudad Rodrigo, Burgos, Badajoz, and St. Sebastian. As early remembrances of his campaigns, his loves, his vices, his triumphs, and his disgraces crowded his imagination, his face, heated by wine, shone out, his eye seemed black with fire, his mouth got long with revengeful feelings. He looked like a spirit escaped from Hades wandering till his destiny was over."

On the occasion of his retirement from the chair of Real Property in the Law School of Hartford University, (a posi-