

Edwards.—“ Me am un etranger, and does know not de laws English—never have see Johnson before dis time, and knows nothing about de cloth,” &c. &c.

Recorder.—“ I am satisfied that you are confederates. The theft was a very artful one, and it is necessary that property should be protected from artful rogues. You are each sentenced to transportation for ten years.”

The trial occupied about half an hour.
Quere.—If Johnson had got into an omnibus, would every passenger in it have been liable to an indictment for larceny?

John Higgins, chandler, aged twenty-five years, was indicted for stealing one mare, valued at twenty pounds, the property of George Rough. The prosecutor swore to his property, and two or three witnesses testified to attempts by the prisoner to sell the animal, and to contradictory accounts given by him of the way he got possession of her. The charge to the jury was substantially a repetition of the foregoing, and their verdict was the same.

Recorder, (after asking the usual question.) “ John Higgins, you might formerly have been capitally sentenced. The offence was evidently premeditated. Property of this kind must be protected. You are therefore sentenced to transportation for ten years.”

This trial occupied about twenty minutes.

These cases are cited, not as exemplifications of a wise administration of justice, but simply as random, and therefore impartial illustrations of the air with which business is transacted. It is very possible that each of the foregoing trials would have resulted in a verdict of guilty had they occurred in Boston or New York, but in either city, it is probable that time would have intervened between the verdict and sentence sufficient to enable the parties to show cause, if they could, why their sentence should be mitigated. But the trials themselves would perhaps have taken half a day each, and had fluent counsel been engaged, might have lasted half a week. We are a people of many words, and love sincerely to hear the sound of our own voices, and to enjoy the surprise of discovering with what ease we can string sentences together, and the reputation of having spoken for six hours or ten hours

at one time and upon a single provocation. In England, however, whether at the bar or in the legislature, it is quite the reverse. The rule seems to be to use as few words as possible, and every one of them to the point.

In respect to elocution and all that comes within the phrase, “ manner of speaking,” the English bar can claim no superiority over our own, if indeed it be not decidedly inferior. An American is surprised to hear so few persons speak what he calls good English. The counsel for the plaintiff addresses the jury with an Irish brogue so thick and rich that you can scarce understand what he is saying; while his antagonist replies in accents which so clearly indicate the “ land o’cakes,” that you can almost see its lakes and mountains. The different local dialects of England are not unrepresented; but Yorkshire responds to Devonshire, and Cornwall to Northumberland, and London to all of them, in the course of a single sitting. The gestures, too, are for the most part inelegant and awkward, the language less fluent and ready, the general air more laborious than we are accustomed to observe in our own advocates of the same relative eminence. It would seem, indeed, that very little attention had been given to the cultivation of a good style of speaking, and the utmost unconsciousness on the subject appears to prevail. So long as what he says bears upon the point, and takes the ear of the court or jury, as the case may be, the advocate seems to deem it of comparatively trifling importance how he says it. On he goes, cutting and slashing away at the Queen’s English, nominative cases seeking in vain for agreeing verbs, parenthesis within parenthesis, broken sentences remorselessly left to gather up their *dissecta membra* as they can, but all the while never forgets a fact or point that makes for his own case, or which can be turned to advantage against his adversary. The argument is never lost sight of. With many of our speakers, on the contrary, it would be difficult to collect the fragmentary morsels of argument which float upon the rushing tide of their mellifluous eloquence, and we often feel inclined to repeat, in reference to their efforts, the criticism of the clown, who had read through the dictionary,—“ the words are