

THE DOMINION AND THE EMPIRE.

not be pronounced upon him?" The poor defendant, frightened by the solemn manner of the justice, said he had nothing to say. "Then," said the justice, "it is the sentence of the court that you pay to the plaintiff, John Dedrich, the sum of \$12.25 and \$2.30 costs, and may God Almighty have mercy on your soul."

A NON-PLUSED JUDGE.—An Irishman sold his farm and bought another in the same neighbourhood, and, in moving, he took the manure from his old farm to enrich his new one, and the purchaser sued him for so doing.

Upon the trial, the judge instructed the jury that, according to the law, "*manure is a part of the real estate*," and that they must, therefore, give a verdict in favour of the plaintiff for the value of the manure.

This so exasperated Pat, that he jumped up and addressed the court in an excited manner, as follows: "Do you say, judge, that manure is a part of the real estate?"

"Certainly," replied the judge, "as much as the soil."

"Now, judge, is not a cow personal property?" "Yes," said the judge.

"And is not hay personal property?" "Yes."

"Well, now, thin, judge, will you please explain to the jury how one piece of personal property can go through another piece of personal property and come out real estate?"

J. YORK SAWYER was one of the early circuit judges of Illinois. He weighed about two hundred and fifty pounds, had a squint eye, was from one of the Eastern States, and prided himself upon his learning and dignity. When Springfield was a small village, he was holding court there in a log house, and had for his jail a log stable. In passing sentence upon a man for horse stealing, he said, "If such things are allowed, we could keep no horses in our stables, no cattle in our yards, no hogs in our pens, no chickens on our roosts," etc., etc.

A tall, lean, lank rail-splitter, who was standing in the crowd of sturdy pioneers, who had gathered in the log court-house to hear the sentence of the court pronounced upon the horse thief cried out at the top of his voice: "Hit him again, old gimlet-eye, he's got no friends here, we'll stand by you."

The judge feeling that his dignity had been offended, exclaimed: "Who said that? who said that?"

The rail-splitter, raising himself head and shoulders above the crowd, said: "This old hoss said it, sire."

Judge Sawyer said: "Mr. Sheriff, take that old hoss, and put him in the stable."

The sheriff obeyed the judge's order, and the poor rail-splitter had to remain in the log jail over night, because he dared, in a rough and honest way, break in and applaud the action of the judge in a matter in which the settlers were very much interested.

This question of the cost of litigation arises collaterally on the consideration of the claim of Mr. Doutre, Q. C., upon the Dominion Government, for services as counsel before the Fisheries Commission, which services he values at \$50 a day, the aggregate being some \$20,000, we believe. The Canada *Loyal News* informs us that "Mr. Doutre deposed that in the test case of *Angers v. Queen Ins. Co.* he received \$500 in fees, although he spent but two days in court. In another case, in which he obtained a \$12,000 verdict he was three days in court, and received \$1,800 in fees besides the taxed costs. In the case of *Grant v. Beaudry*, known as the Orange trial, he was paid \$10 per hour. Mr. F. K. Archambault, of Montreal stated, that in the case of *Wilson v. Citizens' Ins. Co.* the amount claimed in the suit was \$2,000, but he received \$1,000 as a retainer, besides other fees. In the case of *Rolland v. Citizens Ins. Co.*, his retainer was \$2,000. In three *capias* cases which were presented as one, and which lasted about a month, he received \$2,800 altogether. In the criminal case of a woman charged with stealing silks, he received a retainer of \$1,500. This client was merely admitted to bail. To defend a criminal case, which would not occupy more than two days, he had received \$2,000." These amounts seem large, no doubt, but they are by no means unprecedented in this country. There are a number of counsel in the city of New York who command \$250 dollars a day. There would seem to be no reason why a British lawyer should not be paid as much as a British physician, both standing equal in their respective professions; and a British jury recently gave Dr. Phillips a verdict of £16,000 damages for two years' loss of business.—*Albany Law Journal*.

SHYSTERS AND PETTIFOGGERS.

Chief Justice Ryan, of Wisconsin, in his address to the graduating class of the University of Wisconsin, June 22, 1880, thus speaks:—

"Behold the pettifogger, the blackleg of the law! He is, as his name imports, a stirrer-up of small litigation; a wet-nurse of trifling grievances and quarrels. He sometimes emerges from professional obscurity, and is charged with business which is disreputable only through his own tortuous devices. For the vermin can't forego his instincts, even among his betters. He is generally