THE

LEGAL NEWS.

VOL. XVII.

SEPTEMBER 15, 1894.

No. 18.

SCENES IN COURT, FROM THE YEAR BOOKS.

"How one would have liked to see one of those ancient Courts under the Plantagenets!" was the remark of Wills, J., at a meeting of the Selden Society,—on an eyre, say at Winchester or Hereford,—the King's Justices, the stout old sheriff with his posse, the bailiffs, the knights, the jurors, the sergeants of the law "ware and wise" in their hoods, the appellees and prisoners, and all the motley crowd of suitors and spectators. they all now? They live forgotten in the dusty folios of the Year Books-those Year Books rich with the spoils of time to the student of our legal history, to the ordinary reader an arid waste of legal technicalities. Yet here and there, diversifying the dreariness, we come upon some little oasis of human interest. a lively wrangle between counsel, a glimpse of national manners. an outbreak of testiness on the part of the judge, it may be a "good round mouth-filling oath," such as Queen Elizabeth in her best vein could swear, according to Mr. Froude. A Scotch young lady, lamenting her brother's addiction to the bad habit of swearing, added apologetically, "but nae doubt swearing is a great set aff to conversation;" and no doubt swearing from the bench is very effective at times. So at least the King's Justices thought. for they swear in the Year Books with the force and freedom of Commodore Trunion. "Do so in G-'s name," "By G-they are not," "Go to the devil" (allez aut grant diable)—this to a bishop—are among the flowers of judicial rhetoric. When Hull, J., flew into a passion at the sight of a bond in restraint of trade, and swore "per Dieu si le plaintiff fuit icy, il irra al prison," (2