

Europe and did not intend to return to Toronto; that his family were still in Toronto, but his intention was to keep them there only until he got something to do; that Toronto was never looked upon as a permanent home for the family; and that it was the intention of the family to go to him as soon as he should send for them.

*Held*, that he was neither domiciled nor ordinarily resident within Ontario; and the service was set aside.

*W. M. Douglas* for plaintiffs.

*H. E. Ridley* for defendant, *J. H. Woods*.

Mr. Dalton.]

[Sept. 12.

HOLLISTER v. ANNABLE.

*Discovery—Seduction—Examination of plaintiff's daughter.*

The plaintiff in an action of seduction was examined for discovery by the defendant, but was able to give very little information.

*Held*, nevertheless, that the defendant was not entitled to examine the plaintiff's daughter.

The defendant having made an affidavit denying the seduction and all knowledge of it, an order was made for particulars of specific facts.

*Turner v. Kyle*, 2 C. L. T. 598; 18 C. L. J. 402, explained.

*W. H. Blake* for plaintiff.

*Marsh, Q.C.*, for defendant.

## Flotsam and Jetsam.

INSTRUCTOR (at a law school). What is an accommodation note?

STUDENT. One which the maker doesn't have to pay until he is ready to. (*Actual fact!*)

A NEGRO witness giving evidence in court was asked if he knew the reputation of a neighbor for honesty.

"I don' know nuffin ag'in him, Jedge," was the reply; "but if I war a chickun, I'd roost high when he wuz hangin' round."

A CERTAIN Mr. F—— of the Western Circuit, conducting the defence of a woman charged with causing the death of her child by not giving it proper food, while addressing the

jury, said: "Gentlemen, it appears to be impossible that the prisoner can have committed this crime. A mother guilty of such conduct to her own child! Why, it is repugnant to our better feelings;" and then being carried away by his own eloquence, he proceeded: "Gentlemen, the beasts of the field, *the birds of the air, suckle their young*, and—" But at this point the learned judge interrupted him and said: "Mr. F——, if you establish the latter part of your proposition, your client will be acquitted for a certainty."

A JUDGE in a neighboring State once intervened to prevent a waste of words. He was sitting in Chambers, and seeing, from the piles of papers in the lawyer's hands that the first case was likely to be hardly contested, he asked, "What is the amount in question?"

"Two dollars," said the plaintiff's counsel.

"I'll pay it," said the judge, handing over the money; "call the next case."

He had not the patience of taciturn Sir William Grant, who, after listening for a couple of days to the arguments of counsel as to the construction of an act, quietly observed when they had done: "That act has been repealed."

THE following story is told of the chairman of the Bench of County Magistrates somewhere in the North. The gentleman in question, who was a large landed proprietor, had among his laborers a very useful man, who was somewhat of a favorite of his. This person had taken a fancy to some of his neighbor's fowls, was arrested and sent before his master for trial. Upon the case being called on, the prisoner, in answer to the charge, pleaded "Guilty." The chairman, nevertheless, went on trying the case, just as though the plea had involved a denial of the accusation. Knowing that the chairman was very deaf, a counsel present jumped up, and as *amicus curiæ*, ventured to interpose, and remind his lordship that the prisoner had confessed his guilt. Upon this the presiding genius flew into a tremendous passion, begged the learned counsel to interrupt him, and exclaimed: "Pleaded guilty! I know he did; but you don't know him as well as I do. He's one of the biggest liars in the neighborhood, and I wouldn't believe him on his oath." The trial proceeded; and while the result is not given, the probabilities are that the prisoner was acquitted.