His invitation-cards of the past season still decorated his looking-glass; and scarce any thing told of the lawyer but the wig-box beside the Venus upon the middle shelf on the book-case, on which the name of P. Sibwright was gilded." Mr. Bangham was a sporting man, who married a rich widow, had no practice, and "went a circuit for those mysterious reasons which make men go circuit."* Mr. Dickens, hammering away at Chancery, makes Mr. Vholes' office scarcely as charming:—

"Three feet of knotty-floored dark passage led to Mr. Vholes' jet-black door, in an angle profoundly dark on the brightest midsummer morning, and encumbered by a black bulk-head of cellarage staircase, against which belated civilians generally strike their brows. Mr. Vholes' chambers are on so small a scale, that one clerk can open the door without getting off his stool, while the other, who elbows him at the same desk, has equal facilities for poking the fire. A smell as of unwholesome sheep, blending with the smell of must and dust, is referable to the nightly (and often daily) consumption of mutton fat in candles, and to the fretting of parchment forms and skins in greasy drawers. The atmosphere is otherwise stale and close. The place was last painted or whitewashed beyond the memory of man; and the two chimneys smoke, and there is a loose outer surface of soot everywhere; and the dull cracked windows in their heavy frames have but one piece of character in them, which is a determination to be always dirty, and always shut unless coerced."†

Perhaps there is something extravagant in this, still there is a good deal of truth; and there is certainly no reason in the nature of things why so many of the profession should permit the place where they are to pass the greater part of their lives to become so hideous to the eye and uncomfortable to the body, unless, indeed, it is a dogma in law, that practice is to increase in the same ratio as dust, and retainers with opaqueness of window-panes.

Bulwer has painted two dark scenes in court in "Eugene Aram" and "Paul Clifford;" Mrs. Edwards, a pretty sunny one in her charming novel of "Archie Lovell." Trials are multifold in sensation novels, so called. They harmonize with the violent contrast of light and shade; and in the literature of crime, whether murder, bigamy, forgery, it would be strange if the aid of justice were not sometimes appealed to. So Miss Braddon, Mrs. Wood, and the rest, often go to the circuit. It is satisfactory to see that the innocent are always acquitted, and that the guilty generally come to grief. There is naturally a great deal of nonsense in fact, and curious, if not wise, rulings of law. "The Missing Bride; or, Miriam the Avenger," by Mrs. Emma D. E. N. Southworth, is a fair example of this class. "The venerable presiding judge is supposed to be unfriendly to the accused." When asked guilty or not guilty, "some of the old haughtiness curled the lip and flashed from the eye of Thursten Willcoxen." The jury are not drawn as usual by the sheriff, but by "idle curiosity," and, of like the judge, arrive "quite unprejudiced." The charge is of course murder: but, also, of course, the murdered party, in this case "the missing bride," appears just at the nick of time, and all goes merry as a marriage bell.

And so we end law in romance. The fallen accused is restored to the bosom of his family, the perjured witness has fallen in a fit, or gone to jail (who cares?); the judge has retired to his venison and port; the jury are discharged; the contestant counsel are jesting and hobnobbing at their inn, and we will close our note-book.—*American Law Review.*

* Pendennis, vol. ii. † Bleak House.

TESTIMONY OF PARTIES IN CRIMINAL PROSECUTIONS.

Mr. Chief Justice Appleton, of Maine, under date of February 22nd, 1865, wrote a letter to *the Hon. D. E. Ware, of Boston*, which appeared in the *Register* of August following, wherein he states that the Legislature of Maine, in 1859, passed an act, by which any respondent in any criminal prosecution for "libel, nuisance, simple assault, and assault and battery," might, by offering himself as a witness, be admitted to testify; and that, in 1863, the law as to admission of testimony was further extended, and it was enacted that, "in the trial of any indictments, complaints and other proceedings against persons charged with the commission of crimes or offences, the person so charged shall, at his own request, and not otherwise, be deemed a competent witness—the credit to be given to his testimony being left solely to the jury, under the instructions of the court."

Chief Justice Appleton also wrote a second letter, bearing date the 24th February, 1866, to John Q. Adams, Esq., Chairman of the Committee on the Judiciary of Massachusetts (*vide Law Register* for October last), wherein he gives his views at length upon the change in criminal evidence, and argues with much legal acumen and plausibility the justice of the new law in his State. The opinion emanating from a gentleman who has made the subject of evidence a specialty for many years, demands at least a candid consideration by the profession, and all who desire the administration of equity and justice.

As the suggestion of the Chief Justice was adopted by the Judiciary Committee, and reported to the House of Representatives in the form of a bill, and which may, from present appearances, become a law of the Commonwealth of Massachusetts, it is desirable that the question be fully discussed and digested; and we therefore deem it not ill-

Note.—*Since the foregoing article was written, our attention has been called to a letter in the "Pall Mall Gazette" of Feb. 11, 1867, dated Lincoln's Inn, and signed "Middle Conveyancer," in which the same view of the law in "Fish v. Holt" is upheld as that which we have taken, though without citation of authorities.—American Law Review.*