

FLOTSAM AND JETSAM—RULES OF COURT.

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THE throwing of an egg at Mr. Vice Chancellor Malins has been the subject of many pleasantries. It is said that after the egg was thrown, the usher of the Court was ordered to examine the debris; having done so, he said "It smells quite sweet, my lord." One of the Counsel present thereupon remarked, "The fellow must be mad, there is no precedent for pelting with sound eggs."

Now that St. Patrick's Day has come and gone, the case of *R. v. Slater* may be safely recalled. As reported in 6 C. & P. 334, "Mary Slater was indicted for cutting and wounding Johanna Moriarty. The prisoner was found guilty, but recommended to mercy on the ground that the parties were Irish, and on account of the excitement of the day, it being St. Patrick's Day." Verily, Mary Slater aforesaid must have found the four-leaved shamrock. Another fortunate law-breaker was John Kitley, who, at the Huntingdonshire Assizes last week, was convicted of stealing some clover hay, value 14s. Sir Baliol Brett sentenced him to one month's imprisonment, but after the prisoner was removed from the dock, a jurymen remarked, "That was rather stiff, my lord." "Do you think so, gentlemen?" said the judge. The jury, after consulting, said they did think so. "What sentence would you suggest, gentlemen?" asked his lordship. "Cut it in halves, my lord," said they. "Very well, gentlemen," said the pliant judge, "it was your verdict, and it shall be your sentence. Let the prisoner be brought back." Upon this being done, the judge said to him—"The jury think a month too stiff; take fourteen days." And that sentence was recorded. James Mulligan, however, has been luckier still. He was indicted at Galway Assizes, on Tuesday last, for assault and robbery, but the Crown counsel agreed not to proceed with the prosecution provided the prisoner enlisted if liberated. The recruiting-sergeant was in waiting at the dock door, and immediately on the prisoner making his appearance, formally swore him in, and thus invested with the rank of private he was discharged. "Thou must marry either a she-truand or the halter," was the alternative proposed to "Maitre Pierre Gringuoire," when in an evil hour he had penetrated the terrible *Cour des Miracles*. Bear the bayonet, or the sword of Justice shall

perform its office, was the dilemma presented to poor James Mulligan. And so "Gringuoire" married a Gypsy, and Mulligan follows the drum.—*Irish Law Times*.

RULES OF COURT.

EXCHEQUER COURT OF CANADA.

GENERAL ORDER.

FEBRUARY, 28, 1877.

IT IS ORDERED that the suppliant in any petition of right, and the plaintiff in any other case shall on the first day of the sittings of the Court for the trial of any cause to be tried out of the city of Ottawa, file with the acting Registrar of the said Court a copy of all the pleadings in the causes certified by the Registrar of the Court at Ottawa.

THAT at the time of delivering the said pleadings to the acting Registrar, the suppliant or plaintiff shall pay over to him the sum or fee of \$6, and on each day at the opening of the Court a like sum of \$6 for every day during which the said trial continues.

If the suppliant or plaintiff omits or refuses to pay in such sum, then the defendant may do so, and it shall be taxed or allowed him in the costs of the suit.

If both parties neglect or refuse to pay such sum, then the Judge trying the cause may order that the same be struck out of the list and not further proceeded with at the said sittings, making such order as to the costs incurred at the trial up to that time as he may think fit or he may in his discretion reserve the question of costs or make no order respecting the same.

The acting Registrar shall out of the said money be paid a fee of \$6 per diem for each day actually engaged in Court.

If at the termination of the sittings or at any time thereafter, it is found that a sum has been paid to the acting Registrar on pursuance of this order in excess of that which may have been required to pay the fees of such acting Registrar and other charges payable thereout, then the Court or a Judge may order such excess to be refunded to the party who may have paid the same.

(Signed) WM. B. RICHARDS, C.J.
W. J. RITCHIE, J.
S. H. STRONG, J.
J. T. TASCHEREAU, J.
W. A. HENRY, J.