

ST. JOHN, N. B., SATURDAY, MARCH 7, 1891.

A FEW COURT EPISODES.

INCIDENTS THAT ENLIVEN THE DULL ROUTINE OF LIFE.

Some Funny Questions and Some Funny Answers—The Counsel Compliment Each Other without Stint—And His Honor Takes a Hand in it Now and Then.

If the proper study of mankind is man, it may be doubted whether there is any field offering such facilities for that study as do our courts of law. Here the mask is torn aside, the hidden life is brought to the surface, and the motives which explain men's acts are analyzed and dissected by skillful hands.

Court proceedings are very apt to be dry and prosy, nevertheless, and this is why a funny incident in the course of a

ness has said that I'm objecting to: it's what he's going to say."

Some of the gentlemen of the gown have a weakness for long words. Let the witness be ever so ignorant they will ply him with questions which only a man of literary parts could fathom. In a shipping case tried at Bathurst a French witness named Hache, who spoke English in a most imperfect and uncertain way, was on the stand. Mr. S—, who has a habit of parting his hands when he is speaking as though he were trying to swim through the verbal billows that he raises before him, was the examining counsel. The following is a literal reproduction of the question he asked:

"Now, Mr. Hache, as it were, you profess to be a pilot as it were; now I want

for a certain paper possessed by the opposite counsel, he blandly asked for the paper verbally in court. The opposing counsel, being slightly rusty as to the practice, began fumbling among his papers for the document, at the same time murmuring to himself that he thought the practice was "rather new." "O, no," said Mr. B—, "I don't think it very new." Whereupon his honor, who had been an amused witness of this proceeding, and could no longer contain himself, exclaimed, "Lord of mercy, Mr. B—, wouldn't you say it was so new, that you never heard anything like it before in all your born days?" It is needless to say that Mr. B— did not get the paper.

Probably a case of constructive contempt of court could be made out against the

IN A RAILWAY TRAIN.

HUMAN NATURE IN ALL ITS PURITY THERE.

Married and Single Careless of Observers—False Teeth and Modesty—Some People are Always Eating—The Curiosity of Children.

There is something wonderfully entertaining to the observant mind, in a railway journey that one small cabinet filled with palpitating human nature, holds a greater number of separate and distinct individualities than a church bazaar or a sewing circle, and I think it is even a better place for studying human nature, because people seem to have a way of leaving their masks at home, when they go travelling, and the real man, or woman, is very apt to come

another. The newly made husband and wife embrace each other undisguisedly, evidently feeling that here, at least, the iron rules of conventionality are loosened, and the trammels of social usage cast aside; I am quite sure that loving couples across the isle who are clasped so closely in each others arms would scorn to hug in church or kiss one another in a concert room or on the street, but here somehow it is different. Human nature bubbles up to the surface and does pretty much as it pleases; why, I have seen people calmly and unblushingly remove their false teeth in the train and enjoy their lunch in a state of toothless comfort, highly edifying to the other passengers.

All this delightful social liberty exists while the train is in motion, but once let it

tion to that profession. Unfortunately for her, mamma seemed to possess an impatient temper, and very short and sharp answers met the queries of her intelligent offspring. Scarcely had we moved out of the station when she began:

"Where's the round-house, mamma? I want to see the round-house."

"I want you to keep still," said mamma. Our engine was to be exchanged for a more powerful one, and we were waiting patiently till the latter arrived, and the small maiden kept the time from hanging heavily on our hands.

"Mamma," she continued, "has our engine braked down?"

"If you don't keep still I'll have to beat you," was the response.

"Well, I guess they'll have a pretty



GRANDPA'S BIRTHDAY.

case is welcomed by all present and enjoyed with a peculiar relish. Some of us wonder why we are so prone to be amused at any funny incident, however trifling, it occurs in church. It is the sombre and incongruous character of the surroundings that lend the setting to the incident and bring it out in bold relief. The value of solemnity as a background for his jokes is seldom ignored by a humorist. This is why the successful humorist is apt to be a man of sad and mournful visage. It is a trick of the trade.

It was a Carleton county witness who, in reply to the question "what is your business?" said, "In part agricultural, in part mechanical and in part professional." Being asked for an explanation, he said that he owned a farm, that he was a shoemaker and that he was reckoned to be the best "hoss doctor" in the county.

Lawyer D—, of Northumberland, now deceased, was a man of excellent repute in the profession. He had a certain nervous, irritable manner, however, and when conducting a case was profoundly suspicious of any move being made on the part of the opposing counsel to circumvent him. On one occasion he rose and exclaimed, "Now, your honor, I object." "Well, on what ground do you object, Mr. D—," inquired the judge. "Well, your honor, I object on general grounds." "But you must specify your ground, Mr. D—," "Well, your honor, it isn't what the wit-

a categorical rejoinder; was not the coast line in that vicinity considerably permeated, so to speak, with promontories and indentations?"

"Well, I don't know, I think she were sometime, and sometime she were foggy." Westmorland lawyers as a whole are a boisterous lot, and it is safe to say that our friend H— will never be hung for his sweetness of temper. He has a habit of raising a scene in court at the smallest provocation. On one occasion a dispute occurred between him and Mr. S— as to a matter of evidence. "I say the witness said he had run out the line over twenty years ago." "He said nothing of the kind, Mr. H—," rejoined Mr. S—. "Then if he did not say so I'm not here." To which Mr. S. replied, "Well, you're not all there, Mr. H—."

It should perhaps be said that whatever deficiencies may be laid at the door of Mr. H—, lack of lung power is not one of them. An important motion was about to come before the court at Fredericton when a junior partner of Mr. H— arose and asked the court to stay the argument so that Mr. H— who was then in Ottawa, could be heard. "I think," said one learned judge, "if the window is opened and Mr. H— will raise his voice a trifle, we can hear him all right."

One of the most wily gentlemen of the provincial bar is Mr. B—. Having omitted to give the necessary written notice

man who would assert that gentlemen of the bar ever appear in the court-room under the influence of the ardent. Sometimes, however, things are said in court which seem slightly mysterious to ordinary mortals. For instance, the following question that was asked in the case of X. vs. the New Brunswick railway, tried at Woodstock:

"Then, if I understand you, witness, you say when you reached the track the train was about half way between the cutting and eight o'clock?"

Many instances might be given of the blunders made by lawyers in putting their questions. It was a Charlotte county barrister who propounded the query: "Are you any relation of your father, the plaintiff in this case?" But a York county lawyer is responsible for the following: "You say, witness, that you were born in Stanley. But what I want to know is, where did you come from originally?" What he meant to ask was where the family of the witness came from originally.

Now and then the witness is too many for the examining counsel and when this is the case there is apt to be fun in the court. It was while the Leary Investigation was going on in the house of assembly last winter that Mr. Hanington asked Mr. Murray the question: "Then I suppose this telegram came by inspiration?" To which Murray replied, "No, it came by insulation I should say." An Irishman in an Albert county assault case was asked: "You are supposed to take after your father, I believe, Jerry?" "D—d if I know," said Jerry, "but the last time he tuk after me he left a shpot on me arum as big as yer head."

out in the first-class car. It is less apparent in the parlor car! There the restraints of civilization still hold a moderate sway. It may have a puffed up and haughty mind but I have never yet penetrated the inner circle of second-class car society; when I do, I expect to see still more of human nature in its savage state, and to profit largely by its experience. But till then, the first class car affords me a sufficiently wide field for observation. To begin with, people who travel seem to be always eating! You cannot enter a car at any hour of the day or night, without surprising some individual, or some group, in the act of partaking of a cold collation. *Semper paratus*—for "vittles"—seems to be the motto of the travelling public. Bread and butter, sandwiches, doughnuts, oranges, peanuts and prize candy. All is fish that comes to their net, and they devour their comestibles with a zest which would arouse the bitterest envy in the heart of the weary *bon vivant* to whose jaded palate the choicest creation of his French chef all taste alike.

And then the amount of conversation one overhears! the secrets that are disclosed to the unsympathetic ear of the person in the next seat whom the people most concerned fondly imagine to believe deaf, or asleep, judging by the tone in which they impart their confidences to each other. In fact the occupants of a railway car seem to be for the time a sort of commune who have no secrets from one

stop, and the change in a free and independent Moncton voter's politics, when he is offered a ten dollar note to vote on the other side, is not more rapid than the transformation which sweeps like a blizzard over that car! A silence that can be felt, settles down upon the occupants, as if each one were afraid of the sound of his own voice. The bride jerks her head from the groom's shoulder with a suddenness that nearly knocks her head off, the two young lovers who have been spooning in a corner let go each other's hands with precipitation the false teeth are clapped into place with a snap, and in a few seconds what was once a scene of Bohemian joviality, might have served an artist as a model for a picture of a W. C. T. U. general assembly, from the air of stern propriety which prevailed it. The only class of travellers not affected by these conditions are the children, and to do them justice they are seldom influenced by conventionality, but remain their true selves under all circumstances.

On one of the last railway trips I took, a family of three little daughters and a pretty mother sat directly in front of me. The two elder children were like scores of other little girls the world over, but the youngest, who was about three years old, and very pretty, was cast in an original mould, and, judging by her insatiable curiosity concerning everything around her, she has a great future before her as a journalist, if she will only turn her atten-

hard job fixing it up," continued the unabashed cherub.

Silence! broken at length by a distant rumble, and almost simultaneously by the infant inquirer:

"Mamma, is that the engine coming to take us?"

"I suppose so."

"Are they going to tackle it up to this train?"

"If you don't keep still, Mamie, I'll put you right out of the window on the track there and leave you."

"Well, but mamma, will our engine have to go into the round house to be fixed up now?"

I was beginning to take a deep interest in that child! It seemed to me that one who continued the pursuit of knowledge so unflinchingly, in the face of such discouragement, was deserving of sympathy, and I was about to take the young enthusiast on my knee and pour out stories of golden knowledge for her benefit, when little sister number one came to the rescue with, "Don't try to turn that seat over, Mamie; it will pinch your fingers."

"It won't! you crazy fool, you," responded Mamie, warmly. And my interest in that youngster flickered, and went out, like an expiring candle. She was too well able to take care of herself to require any assistance from me. So I curled up in my corner and slept till I reached my journey's end.