

Written for THE JURY.

A Case for "The Jury."

By L. M. Wood, editor *Maple Leaf*.

From the fact that in the vocabulary of the newspaper man there is no such word as *can't* (without apostrophe), I suppose you think he must not refuse to serve on THE JURY. I have been paralyzed by a request from you to "give a humorous contribution for the December issue." As I have a particular dislike for law,—an opinion probably formed from viewing so often the "injustice of justice" in cases tried before our courts, both great and small.—I naturally prefer to abstain from any remarks that might wake up the custodians of liberty who form the somnambulant jury of this province at least. However, I will, with fear and trembling, present the following case for the consideration of your readers, and if they resolve themselves into a grand inquest and decide that it is not a suitable case for THE JURY then they cannot bring a true bill against the writer, and I will try and not run such a risk as this again. Now for the case.

Those who have had the agony of attending court, either in the capacity of juror, witness, defendant, plaintiff, or humble reporter,—in whom is no guile or bad whisky,—will remember having heard the judges at some time or other repeat the now bald-headed words: "Gentlemen of the jury, these are matters for your consideration." Of course they accidentally slip out. Well in a town no bigger than Fredericton, and in the present century of time and Scott act convictions, it became the duty of one of our lawyers to defend a suit in which logs were the subject of dispute. The lawyer was perfectly well aware of the disposition of the judge to go outside of the evidence, and inside of what would prejudice the case, before he wound up his little speech to the jury with the words I recently quoted. Being prepared, the lawyer finished his address to the jury by saying that recent decisions in England had accorded judges in this country the right to make remarks at the close of the case, and as the judges had been in active practice before their elevation to the bench, and being in the habit of arguing only one side of the case—having too much honor to argue both sides—they naturally,



KEEP BACK THE IMMIGRANTS OR WE'LL LOSE THE STUMPAGE REVENUE.

when they heard the closing argument of the lawyer, felt the old blood fire up and considered it a sort of duty to argue the other side before the jury previous to allowing them to take charge of the evidence. The lawyer then said: "Now, gentlemen of the jury, the judge will no doubt, from force of habit, arise as soon as I have closed and proceed to sum up the evidence and place it before you with fitting remarks as to the law in such cases made and provided; and from force of habit, as I said before, will want to start out and argue as if he were an attorney in the case. But when his honor comes to the question of logs I want you, gentlemen of the jury, to either close your ears or go to sleep, as his honor doesn't know the first thing about logs and will simply want to hear himself talk."

The above caustic and very timely remarks actually floored the worthy judge, and when he arose to address the jury he said that it had been too much the practise of the bench to act in the manner so fully and humorously described by the attorney who had just sat down. He would,

therefore, only call the attention of the jury to the facts in the evidence before them, and he had no doubt that they would be able to form a better opinion as to the worth of the testimony than he could, after having listened to the evidence on both sides and the manner in which it was given.

I have dipped my pen in blood (red ink) to write the above, and hope that while many may be disposed to consider it pure fiction, they may at least do me the justice to return a verdict to the effect that it was relevant matter for the consideration of THE JURY,—and may possibly do no injury to the judge may who have occasion to read between the lines of evidence which I have so hastily presented in reply to the request of the foreman of the aforesaid JURY.

Albert, N. B., December, 1886.

**How a Philadelphia Tailor Lost a Blue Suit of Clothes.**

He went into the store of one of the most fashionable tailors in Chestnut street, and arrayed himself in an expensive summer suit. Then he said:

"I must pay you by check, but as you do not know me I will not ask

you to take mine. You are acquainted, of course, with the gentleman who keeps the drug store on the corner? Let us go in there. He is a friend of mine and is preparing a check for me."

In the drug store the stranger called out familiarly to the proprietor, who was behind the screen: "Doctor, is that ready?"

"In a moment," was the reply.

Then said the stranger to the tailor: "I must go across the street and see that it is all right."

In a little while the tailor was handed a bottle.

"What is this?" he asked.

"Your cough mixture."

"I don't want a cough mixture. I want a check."

"I know nothing about a check."

Then it came out that the stranger had ordered at the drug store a cough mixture for his dear friend, Mr.—, the tailor, who was suffering from a severe cold. The doctor knew nothing about his enterprising visitor, and he has not returned to inquire if the tailor is better.

"And how is the ozone?" inquired the old Boston lady in search of summer board.

"Excellent, first-class," said the rather puzzled housekeeper; "we got it from the city regularly every day."

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WM. J. FRASER.