

## Three Leaves from Punch.

### LECTURES ON LETTERS.

WE find in a recent number of that well-known and reliable newspaper, the London PUNCH, an interesting sketch of a new and improved system of teaching the elementary branches of education. It proceeds upon principles somewhat different from those which have generally obtained in the popular methods of instruction. It was prepared by the Editor of the journal referred to, for the Council of Education established a few years since by the English Government, for the express purpose of discussing and promoting improved methods of public teaching. In a note accompanying the work, the author states that, as soon as it was completed, he forwarded it, by

THE PARCELS CONVEYANCE COMPANY,



with a polite note to the Secretary of the Council.

We regret that our limits will not permit us to present to the readers of the New Monthly Magazine a full description of this novel work. We can only give a slight sketch of the manner in which it proposes to teach the Alphabet. The author thinks that, in the systems in general use hitherto, advantage has not been sufficiently taken of the pictorial form, as capable of connecting with the alphabet, not only agreeable associations, but many useful branches of knowledge.



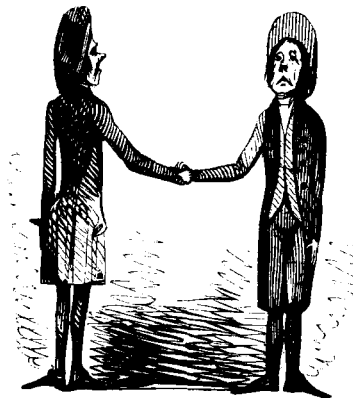
He would begin with the letter **A**, by rendering it attractive to children as a swing, and the

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opportunity might then be taken of leading the conversation to the swing of the pendulum, the laws which govern its oscillations, and the experiments of Maupertius, Clairault, and Lemonnier, upon its variations in different latitudes.



**G**, the child might be told, stands for George, and the pictorial illustrations of St. George and the Dragon (the latter about to swallow its own tail) would enable the teacher to enter upon a disquisition relative to the probable Eastern origin of the legendary stories of the middle ages.



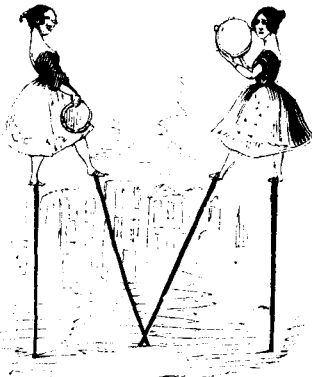
**H** would naturally suggest reminiscences of modern English History. The teacher would give some account of George Fox, the first Quaker, and of the singular customs and opinions of the sect he founded. Thence the child might be led to perceive the evils of schism, and the legitimate, and mischievous consequences of that right of private judgment still claimed by a small, but happily now an influential minority in the established church.



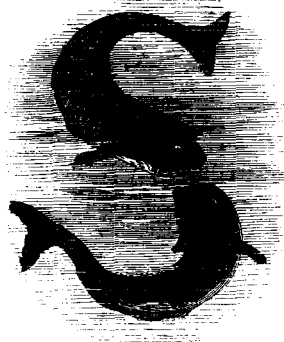
**J** might introduce some profitable remarks upon Natural History, when the difference could be explained between bipeds by nature, and quadrupeds who become bipeds only for selfish ends.



Advantage might be taken of the pictorial illustration of **K** to lay the foundation of an acquaintance both with the science of Pneumatics, and with Captain Reid's theory of the laws affecting the course of storms.



With the letter **M** the child might learn the meaning of what is termed the centre of gravity, so important to be maintained by ladies walking on stilts.



The letter **S**, reminding the teacher of *Pisces—fishes*—one of the signs of the Zodiac, would furnish him with a suitable opportunity for discoursing upon Astronomy. Afterward he might take up the subject of Ichthyology, and speak of the five orders, *the apodal, the jugular, the abdominal, the thoracic, and cartilaginous* species, into which the great family of fishes is divided.

The Editor of this work gives also a general outline of the manner in which this system was received by the Council, when it was first brought to their notice. The President was so highly delighted with it, that he not only promised to give the matter still further consideration, but invited the author to bring forward certain other works for infancy, upon which, it was generally understood, he had been engaged. To this polite invitation the Editor replied that he had been able as yet to complete only two works of this description, namely, the delightful Poem,

HOW DOTH THE LITTLE BUSY BEE,



and the equally interesting and still more tragic history of

COCK ROBBIN.



He thought the teacher could not better follow out Dr. Watts's idea of "improving the shining hour," than by rendering the same lesson of industry available for a full account of the genus *apis*, taking care not to confound in the child's mind the *apis* of entomology with *apis* the bull, worshiped by the ancient Egyptians. With regard to the historical work referred to, it was high time that the juvenile mind should be disabused of a popular error. The facts were, that a man of the name of *Sparrow* had robbed a farm-yard of its poultry, for which offense, after being taken and made to confess his guilt, he was transported. The crime and punishment were suggestive of many useful reflections upon the importance of honesty; but the facts were ludicrously distorted and deprived of all their moral force in the spurious account published by certain booksellers in St. Paul's Church-yard of the same transaction. A question is asked, "Who kill'd Cock Robin?" and the following answer is given:

"I says the Sparrow,  
With my bow and arrow,  
I killed Cock Robin!!!"

In continuing his account of this interview, the Editor introduces the new system of musical notation, which he also brought to the notice of the Council, and which they all agreed would be found exceedingly useful in

ASSISTING A PUPIL UP THE GAMUT.



But into this branch of the subject we can not follow him. In fact, the Editor states that, at this point of his exposition, he was constrained to desist by noticing that several members of the Council had become so deeply impressed with the merits of his pictorial system, that they were illustrating it in their own persons, by throwing themselves into the form of

THE LETTER **V**



## PUNCH ON SPECIAL PLEADING.

### INTRODUCTION.

**B**EFORE administering law between litigating parties, there are two things to be done—in addition to the parties themselves—namely, first to ascertain the subject for decision, and, secondly, to complicate it so as to make it difficult to decide. This is effected by letting the lawyers state in complicated terms the simple cases of their clients, and thus raising from these opposition statements a mass of entanglement which the clients themselves might call nasty crotchets, but which the lawyers term "nice points." In every subject of dispute with two sides to it, there is a right and a wrong, but in the style of putting the contending statements, so as to confuse the right and the wrong together, the science of special pleading consists. This system is of such remote antiquity, that nobody knows the beginning of it, and this accounts for no one being able to appreciate its end. The accumulated chicanery and blundering of several generations, called in forensic language the "wisdom of successive ages," gradually brought special pleading into its present shape, or, rather, into its present endless forms. Its extensive drain on the pockets of the suitors has rendered it always an important branch of legal study, while, when properly understood, it appears an instrument so beautifully calculated for distributive justice, that, when brought to bear upon property, it will often distribute the whole of it among the lawyers, and leave nothing for the litigants themselves.

### CHAPTER I.

#### OF THE PROCEEDINGS IN AN ACTION, FROM ITS COMMENCEMENT TO ITS TERMINATION.

ACTIONS are divided into *Real*, in which there is often much sham; *Personal*, in which the personality is frequently indulged in by Counsel, at the expense of the witnesses; and *Mixed*, in which a great deal of pure nonsense sometimes prevails. The Legislature being at last sensible to the shamness of *Real*, and the pure nonsense of *Mixed* actions, abolished all except four, and for the learning on these subjects, now become obsolete, we must refer to the "books," which have been transferred to the shops of Butter, from the shop of Butterworth.\*

There are three superior Courts of Common Law, one of their great points of superiority being their superior expense, which saves the Common Law from being so common as to be positively vulgar; and its high price gives it one of the qualities of a luxury, rendering it *caviare* to the million, or indeed to any but the *millionaire*. These Courts are the Queen's Bench—a bench which five judges sit upon; the Exchequer, whose sign is a chess or draught-board—some say to show how difficult is the game of law, while others maintain it is merely emblematic of the drafts on the pockets of the suitor; and thirdly, the Common Pleas, which took its title, possi-

\* Butterworth—the Law Publisher in Fleet-street.

bly, from the fact of the lawyers finding the profits such as to make them un-Common-ly Pleas'd.

The real and mixed actions not yet abolished, are—1st, the Writ of Right of Dower, and 2d, the Writ of Dower; both relating to widows; but as widows are formidable persons to go to law against, these actions are seldom used. The third is the action of *Quare Impedit*, which would be brought against me by a parson if I kept him out of his living; but as the working parsons find it difficult to get a living, this action is also rare. The fourth is the action of Ejectment, for the recovery of land, which is the only action that can not be brought without some ground.

Of personal actions, the most usual are debt, and a few others; but we will begin by going into debt as slightly as possible. The action of debt is founded on some contract, real or supposed, and when there has been no contract, the law, taking a contracted view of matters, will have a contract implied. Debt, like every other personal action, begins with a summons, in which VICTORIA comes "greeting;" which means, according to JOHNSON, "saluting in kindness," "congratulating," or "paying compliments at a distance;" but, considering the unpleasant nature of a writ at all times, we can not help thinking that the word "greeting" is misapplied. The writ commands you to enter an appearance within eight days, and, by way of assisting you to make an appearance, the writ invests you, as it were, with a new suit.

The action of Covenant lies for breach of covenant, that is to say, a promise under seal; and under wafer it is just as binding, for you are equally compelled to stick to it like wax.

The action of *Detinue* lies where a party seeks to recover what is detained from him; though it does not seem that a gentleman detaining a newspaper more than ten minutes at a coffee-house would be liable to detinue, though the action would be an ungentlemanly one, to say the least of it.

The action of Trespass lies for any injury committed with violence, such as assault and battery, either actual or implied; as, if A, while making pancakes, throws an egg-shell at B, the law will imply battery, though the egg-shell was empty.

The action of Trespass on the Case lies, where a party seeks damages for a wrong to which trespass will not apply—where, in fact, a man has not been assaulted or hurt in his person, but where he has been hurt in that tender part—his pocket. Of this action there are two species, called *assumpsit*, by which the law—at no time very unassuming—assumes that a person, legally liable to do a thing, has promised to do it, however unpromising such person may be; and *trover*, which seeks to recover damages for property which it is supposed the defendant found and converted, so that an action might perhaps be brought in this form, to recover from Popery those who have been found and converted

to the use, or rather lost and converted to the abuses, of the Romish Church.

Having gone slightly into the different forms of actions; having just tapped the reader on the shoulder with a writ in each case, which, by the way, should be personally served on him at home, though the bailiff runs the risk of getting sometimes served out, we shall proceed to trial—perhaps, of the reader's patience—in a subsequent chapter.

## CHAPTER II.

### OF THE DECLARATION.

THE writ being now served, it is next to be returned, and this is sometimes done by giving it back at once to the bailiff or throwing it in his face. Such quick returns as these would bring such very small profit to a plaintiff that they are not allowable, and the writ can only be returned by the sheriff bringing it back, on a certain day, into the superior court. He then gives a short account, in writing, of the manner in which the writ has been executed; but, if the bailiff has been pumped upon—as we find reported in SHOWER—or pelted with oysters, as in SHELLEY's case, or kicked down stairs, as he was in FOOT against the Sheriff, it does not seem that the particulars need be set forth.

If the defendant does not appear within eight days after the writ has come "greeting," as if it would say, "my service to you," the plaintiff may, in most cases, appear for him; and this shows how true it is that appearances are often deceitful and treacherous; for, when a plaintiff appears for a defendant, it is only to have an opportunity of appearing against him at the next step.

The pleadings now commence, which were originally delivered orally by the parties themselves in open Court, when success might depend on length of tongue; but the parties themselves being got rid of, in the modern practice, and the lawyers coming in to represent them, success usually depends on length of purse. The object of pleading, whether oral or written, is to bring the parties to an issue; which means, literally, a way out; but, in practice, the effect of getting plaintiff and defendant to an issue is to let them both regularly in.

Almost all pleas, except those of the simplest kind, must be signed by a barrister; who does not usually draw the plea, but he merely draws the half guinea for the use of his name. The pleading begins with the Declaration, in which the plaintiff is supposed to state the cause of action; but in which he gives such an exaggerated account of his grievances, that not more than one-tenth of what he states, is to be believed. For example, if A has had his nose slightly pulled by B, the former proceeds to say that "the defendant, with force and arms, and with great force and violence, seized, laid hold of, pulled, plucked, and tore, and with his fists, gave and struck a great many violent blows, and strokes, on and about, divers parts of the plaintiff's nose." If JONES has been given into

custody by SMITH, without sufficient reason; and JONES brings an action for false imprisonment; instead of saying, "he was compelled to go to a station-house," he declares that the defendant, "with force, and arms, seized, laid hold of, and with great violence pulled, and dragged, and gave, and struck a great many violent blows and strokes, and forced, and compelled him—the plaintiff—to go in and along divers public streets and highways, to a police office; whereby the plaintiff was not only greatly hurt, bruised, and wounded, but was also kept."

If Snooks's dog bites Thomson's pet lamb, Snooks declares, "That defendant did willfully and injuriously keep a certain dog, he, the defendant, well knowing that the said dog was and continued to be fierce and mad, and accustomed to attack, bite, injure, hurt, chase, worry, harass, tear, agitate, wound, lacerate, snap at, and kill sheep and lambs, and that the said dog afterward to wit, on the — day of —, and divers other days, did attack (&c., &c., down to) and kill one hundred sheep and one hundred lambs of the plaintiff; whereby the said sheep and the said lambs (it will be remembered there was only one lamb), were greatly terrified, damaged, injured, hurt, deteriorated, frightened, depreciated, floored, flustered, and flabbergasted, to the damage of the plaintiff of £—, and therefore he brings his suit."

The various forms of declaration are so numerous, that they fill a volume of 700 large pages of Chitty, who is quite chatty on this dry subject, so much does he find to say with regard to it. To this able and amusing writer we refer those who are curious to know how a school-master may declare for "work and labor, care, diligence, and attendance of himself, his ushers and teachers, there performed and bestowed in and about the teaching, instructing, boarding, educating, lodging, flogging, enlightening, thrashing, washing, whipping, and otherwise soundly improving divers infants and persons." These, and almost all other conceivable causes of action, are dealt with fully in the pages to which we allude, and all therefore who wish the treat of going to law, are referred to the treatise alluded to.

#### SMITHFIELD CLUB CATTLE SHOW.

(FROM OUR OWN PROTECTIONIST.)

THIS melancholy event came off last week, when prizes were distributed to the breeders of the very leanest stock—a brass band, the horns and ophicleides draped with black crape, playing funeral airs at intervals. The results of free trade were never more shockingly conspicuous than in the shadowy forms of steers and oxen; while there was a pen of a dozen pigs, scarcely one of which was visible to the naked eye. We observed more than one benevolent lady weeping pearls over indefinite things that had vainly struggled to become porkers. There were sheep that were nothing but the innerst bladebones, here and there covered with threads of worsted. The QUEEN and PRINCE

ALBERT, with two of the little Princes, visited the spectacle, contemplating it with becoming gravity. The Prince carried away the prize for a bull that was only visible when placed under a glass of forty Opera power. Occasionally, an acute ear might detect sounds that a liberal mind might interpret as ghost-like bellowsings—spectral bleatings—with now and then an asthmatic attempt at a grunt. The DUKE OF WELLINGTON's battering-ram is not to be seen when looked at in front; but only from either side. It is said to have been fed upon old drum-heads, with occasionally the ribbons of a recruiting sergeant chopped and made into a warm mash. We ought, by the way, to have remarked that the DUKE OF RICHMOND attended, as President, in deep mourning; and bore in his face and manner the profoundest traces of unutterable woe. However, let us proceed to give the list of prizes, all of them so many triumphant proofs of the withering influence of Free-Trade.

#### OXEN OR STEERS.

The DUKE OF RUTLAND carried away the £30 prize for the thinnest steer. It had been fed on waste copies of Protectionist pamphlets with the tune of "The Roast Beef of Old England," played in A flat on a tin trumpet. Some idea may be entertained of the nicety with which the animal had been brought to the lowest point of life, when we state that five minutes after the noble Duke received the prize, the thing died; all the brass band braying "The Roast Beef of Old England" for half-an-hour, in the vain hope of reviving it. The beast was distributed among the Marylebone poor; all of them ordered to appear in spectacles to see, if possible, their proper quantities.

#### LONG-WOOLED SHEEP.

The DUKE OF ATHOLL bore off the first prize of £20, for an extraordinary specimen of Highland sheep, that both puzzled and delighted the judges. The sheep had been reared upon Highland thistles, according to the Duke's well-known hospitality; and these thistles so judiciously served, that they had taken the place of the wool, growing through the animal's sides, and coating them all over with their brushy points. The REV. MR. BENNETT was present, and was much delighted with his wool of thistles; he is to be presented with a comforter—the thing will be very popular by Christmas, to be called the Atholl Bosom Friend—woven from the fleece. The web, in place of the vulgar linen shirt, is expected to become very general with the ladies and gentlemen who feed upon the honey hived at St. Barnabas.

#### PIGS.

COLONEL SIETHORP took the prize for the Pig of Lead; so small a pig, that it might creep down the tube of a MORDAN's pencil. MR. DISRAELI sent the shadow of a sow; one of his practical epigrams, showing he had ceased to have even a real squeak for Protection; he also sent a porker that, from its largeness of size—where smallness was the object—was deemed



hopeless of any reward. However, MR. DISRAELI carefully removing a muzzle from the pig's snout, the animal collapsed flat as a crush-hat. The fact is, MR. DISRAELI had, as he afterward averred, seemingly fattened the hog upon a pair of bellows. There are, we have heard, pigs that see the wind; whether MR. DISRAELI's pig is of that sort, the eloquent Protectionist said not. He, however, took a second prize; and next year promises to exhibit a whole litter of the smallest pigs in the world, suckled upon vials of aquafortis.

COWS.

The leap of the Cow that jumped over the Moon was exhibited by the DUKE OF RICHMOND. This Cow had been fed on the printer's ink from the *Standard* newspaper, which sufficiently accounts for the daring altitude of its flight. The Duke was proffered the gold medal, but resolutely refused any such vanity.

In conclusion, we are happy to say that the Exhibition was well attended. The thousands of our countrymen who witnessed the wretched condition of the cattle must have carried away with them the profound conviction, that the days of Free Trade are numbered; and that a speedy return to Protection is called for by the interests of man and brute—from Dukes to steers, from Parliament men to pigs.

#### OUR GOLDEN OPPORTUNITIES.

There is so much precious ore being brought from California, that people are beginning to fear gold may become a drug as well as a metal. Already gold fish are quoted at Hungerford market lower than silver, the recent importations having acted even upon the finny tribe, and those with silver scales have had the balance turned in their favor. In Europe, we go to great expense in watering the road to lay the dust; but the gold dust of California is so valuable, that no watering carts are employed, and when a man comes home from a dusty walk he has only to shake his coat, to shake a good round sum into his pocket. In California the housemaids stipulate for the dust as a perquisite, and the "regular dustman" of the place pays an enormous sum for the privilege of acting as "dust-contractor for the district."

#### UNIVERSAL CONTEMPT OF COURT.

It seems that any person is liable to be committed to prison for his lifetime by the Court of Chancery, as guilty of contempt of Court, for not paying that which he has not to pay, and for not doing other impossibilities. What a number of people might be committed for contempt of the Court of Chancery, if we all expressed our feelings!

#### STARTLING FACT!



Oxford Swell. "DO YOU MAKE MANY OF THESE MONKEY-JACKETS NOW?"  
 Snip. "OH DEAR YES, SIR. THERE ARE MORE MONKEYS IN OXFORD THIS TERM THAN EVER, SIR."

## Early Spring Fashions.



FIG. 1.—MORNING AND EVENING COSTUMES.

**M**ARCH is a fickle month; one day dallying with Zephyrus in the warm sunlight, and promising verdure and flowers, and the next playing bo-peep with Boreas at every corner, and spreading a mantle of frost or snow over the fields where the early blossoms are venturing forth.

"Now Winter lingers in the lap of Spring,"

and the ladies should remember the trite maxim, when preparing to lay aside their heavy garments,

that "one swallow does not make a Summer." A few sunny days, during this month, will allow a change of out-of-door costume, and for these Fashion has already provided; but generally the winter fabrics and forms will be seasonable till near the close of the month. The PROMENADE COSTUMES are the same as in February, and we omit an illustration of them.

In the large plate, the larger figure on the left, shows a beautiful and graceful style of MORNING