

A NEW HAMPSHIRE JUDGE'S CHARGE.

In the life of the late Governor Plumer, written by his son, William Plumer, Jr., is the following account of John Dudley, of Raymond, N. H., who was a Judge of our Superior Court from 1785 to 1797 :

This extraordinary man, who was for twelve years judge of the Superior Court, had not only no legal education, but little learning of any kind. But he had a discriminating mind, a retentive memory, a patience which no labor could tire, an integrity proof alike against threats and flattery, and a free elocution, often uncouth, bold, clear and expressive, with a warmth of honest feeling which it is not easy to resist. His ideas of law may be inferred from the conclusion of one of his charges to the jury, which I once heard my father repeat. It was somewhat in this style :

"You have heard, gentlemen of the jury, what has been said in this case by the lawyers, the rascals! but I won't abuse them. It is their business to make a good case for their clients; they are paid for it; and they have done in this case well enough. But you and I, gentlemen, have something else to consider. They talk of law. Why, gentlemen, it is not law that we want, but justice. They would govern us by the common law of England. Trust me, gentlemen, common sense is a much safer guide for us,—the common sense of Raymond, Epping, Exeter and the other towns which have sent us here to try this case between two of our neighbors. A clear head and an honest heart are worth more than all the law of all the lawyers. There was one good thing said at the bar. It was from one Shakspeare, an English player, I believe. No matter. It is good enough almost to be in the Bible. It is this: "Be just and fear not." That, gentlemen, is the law in this case, and law enough in any case. "Be just and fear not." It is our business to do justice between the parties; not by any quirks of the law out of Coke or Blackstone,—books that I never read and never will,—but by common sense and common honesty, as between man and man. That is our business; and the curse of God will be upon us, if we neglect or evade, or turn aside from it. And, now Mr. Sheriff, take out the jury; and you, Mr. Foreman, do not keep us waiting with idle talk, of which there has been too much already, about matters that have nothing to do with the merits of the case. Give us an honest verdict, of which, as plain common sense men, you need not be ashamed."

I have made the judge speak good English, which he did not very often do. "This 'ere plaintiff," and "that 'ere defendant," "them lawyers," and "these 'ere witnesses," were expressions that fell often from his lips; yet, it was observed, that when warmed by his subject, his language, always forcible, became