

actions and disputes between parties. The duty of the judge is to find out what is the rule which people of candor and honor and fairness in the position of the two parties would apply in respect to the matter in hand. That is the common law of England, and there is no other law. It is not only the common law, but if we go to equity it is the same thing. The law of England is not a science; it is a practical application of the rules of right and wrong to the particular case before the Court. And the canon of law is that that rule should be adopted and applied to the case which people of honor and candor and fairness in such a transaction would apply each to the other. Now if that be so, if any supposed rule of law is put forward which would prevent the rule of right being applied, the supposed rule of law must be wrong; and if it ever be alleged that the law will prevent the truth being established and oblige the Court to say that that is not true which is true—if ever any such rule of law is attempted to be put forward, it must be wrong, and I have always said so. Now, what the rules of right and wrong in the particular case are must be determined in each particular case; but nobody can have read the reports of decisions of great judges from the earliest times in England without trying to find in those reports the mode and manner in which those judges have stated the rule of conduct of the Court, and that is what is called authority. But no decision—at least, in my opinion—of any judge as to the rule of law other than in an Act of Parliament can compel any Court now to say that they were prevented from deciding that to be true which was in reality true; there is no such thing in the law as a rule which says that the Court shall determine that to be true which the Court believes and knows to be untrue. Now, those being the rules of conduct which I have laid down for myself, I have tried to carry those rules through. I have been assisted, as you must all know, by judges sitting with me whose aid has been to me inestimable. I have been fortunate enough to retire, as I say, with a mark, an unusual mark, given to me—a mark which I think has never been given to any judge for mere legal conduct since the time of Lord Coke. I have received that mark from the Queen, and that mark can leave nothing for me to wish. I now have received from you this kind greeting, and I have only one painful word, as the Attorney-General has said, to use from beginning to end, and that is to say to all of you, Good-bye.

His lordship then bowed to the Bar, and, having shaken hands with some of the judges, retired amidst hearty hand-clapping on the part of the Bar and others in Court.

“My first client,” said M. Chaix d’Est Auge at the dinner table of a prosperous bourgeois, “was the greatest scoundrel unhung—a bad egg any way you took him. But I got him off. He was the black sheep of a good family, and his conviction would have made a great scandal.” Towards the close of the dinner a pompous, important personage entered, and as the host was about to introduce him to the advocate, he said: “Oh, I need no introduction to M. d’Est Auge. I was his first client.”