

was his tendency, perhaps characteristic of the Hebrew mind, to take a somewhat hard and dry view of a legal principle, overlooking its more delicate shades, and, in the interpretation of statutes or documents, to adhere too strictly to the letter, overlooking the spirit. An eminent lawyer said, 'If all judges had been like Jessel, there might have been no equity.' In that respect many deemed him inferior to Lord Cairns, the greatest judge among his contemporaries, who united to an almost equally wide and accurate knowledge of the law a grasp of principles even more broad and philosophical than Jessel's was. Be this as it may, the judgments of the Master of the Rolls, which fill so many pages of the recent English Law Reports, are among the best that have ever gone to build up the fabric of the English law. Except on two occasions, when he reserved judgment at the request of his colleagues in the Court of Appeal, they were delivered on the spur of the moment, after the conclusion of the arguments, or of so much of the arguments as he allowed counsel to deliver; but they have all the merits of carefully-considered utterances, so clear and direct in their style, so concisely as well as cogently are the authorities discussed and the grounds of decision stated. The bold and sweeping character which often belongs to them makes them more instructive as well as more agreeable reading than the judgments of most modern judges, whose commonest fault is a timidity which tries to escape, by dwelling on the details of the particular case, from the enunciation of a definite general principle. Positive and definite Jessel always was. As he put it himself:-- 'I may be wrong, but I never have any doubts.'

To this picture of Jessel one cannot help discerning a likeness in many respects of some of our own judges. Abilities and achievements so remarkable we are compelled to admire, but it would be unsafe to recommend for imitation, in all respects, the methods in which they were exhibited. A better model of judicial excellence is to be found, according to Mr. Bryce, in Lord Cairns, whom he regards as the greatest judge of the Victorian epoch and perhaps of the nineteenth century, and one of the five or six most brilliant luminaries that have ever adorned the English bench. We quote the following paragraphs:--

"Hugh McCalmont Cairns, afterwards Earl Cairns (born 1819, died 1885), was one of three remarkable Scoto-Irishmen whom the north-east corner of Ulster gave to the United Kingdom in one