tagonistic views in matters in question judicially before them, it would be the public impression that there might naturally be some latent sparks of rivalry between law lords.

It may be doubted whether in any case the maintenance of opposing opinions by the members of a court of the last resort is politic, in the interest of jurisprudence. No doubt it sometimes occurs that the expression of difference is excusable, as where a Judge concurs in a decision by the others, not on a ground taken by them, and disputes that ground. Thus, lately, Lord Chelmsford, in *Shaw* v. *Gould*, which was the subject of a recent notice in this journal, on the point whether the forty days residence of a person in Scotland, sufficient to give the Scotch courts jurisdiction over him in ordinary causes, should extend to divorce, held the affirmative, in opposition to Lords Cranworth and Westbury, who grounded their judgment on the negative, but Lord Chelmsford concurred in judgment with them, because he thought there was collusion. It might have been better if, finding a sufficient ground in collusion, he had declined to express an unnecessary opinion on the jurisdiction. But the case which strongly exemplifies the unadvisedness of judicial debate in the Lords is *Routledge* v. *Low*, 18 L. T. Rep. N. S. 874. It was surely a sufficient occupation for the Lords to decide the important point arising on the facts before them, namely, that an alien friend is entitled to copyright in the Queen's dominions, if, while he is resident, though only temporarily, in any part of them, he first publishes in the United Kingdom. The Lord Chancellor, however, proceeded, beyond the bounds of the case to the dictum that, in his opinion, the protection of copyright was given to every author who published in the United Kingdom, wheresoever that author might be resident, or of whatsoever state he might be the subject. The intention of the Act of the 5 & 6 Vict. c. 45, was to obtain a benefit for people of this country by the publication to them of works of learning, of utility, of amusement. The benefit was obtained, in the opinion of the Legislature, by offering a certain amount of protection to the author, thereby inducing him to publish his work. That was, or might be, a benefit to the author, but it was a benefit given not for the sake of the author of the work, but for the sake of those to whom the work was communicated. The aim of the Legislature was to increase the common stock of literature of the country, and if that stock could be increased by the publication for the first time here of a new and valuable work composed by an alien, who never had been in the country, the Lord Chancellor saw nothing in the wording of the Act which prevented, nothing in the policy of the Act which should prevent, and everything in the professed object of the Act, and in its wide and general provisions, which should entitle such a person to the protection of the Act in return and compensation for the addition he had made to the literature of the country. In like manner, Lord Westbury, observing that the word "authors" was used in the statute without limitation or restriction, contended that it must, therefore, include every person who should be an author, unless from the rest of the statute sufficient grounds could be found for giving the term a limited signification. It was proposed to construe the Act as if it had declared in terms that the protection it afforded should extend to such authors only who were natural born subjects or to foreigners who might be within the allegiance of the Queen on the day of publication. But there was no such enactment in express terms, and no part of the Act had been pointed out as requiring that such a construction should be adopted. The Act appeared to have been dictated by a wise and liberal spirit, and in the same spirit it should be interpreted, adhering of course to the settled rules of legal construction. The preamble was, in Lord Westbury's opinion, quite inconsistent with the conclusion that the protection given by the statute was intended to be confined to the works of British authors. On the contrary, it seemed to contain an invitation to men of learning in every country to make the United Kingdom the place of first publication of their works; and an extended term of copyright throughout the British dominions was the reward of their so doing. So interpreted and applied, the Act was auxiliary to the advancement of learning in this country. The real conditions of obtaining its advantages was the first publication by the author of his works in the United Kingdom. Nothing rendered necessary his bodily presence there at the time, and Lord Westbury found it impossible to discover any reason why it should be required, or what it could add to the merits of the first publication.

This view of universal protection to books first published in the United Kingdom was contested by Lords Cranworth and Chelmsford. To Lord Cranworth there seemed to be reasons almost irresistible for thinking that the Act did not extend its benefits beyond persons resident in the Queen's dominions, whether aliens or natural born subjects, who, while resident, published their works in the United Kingdom. Lord Chelmsford doubted whether the opinion of the Lord Chancellor, which we have quoted, was well founded. If any stress was to be laid on the preamble of the statute it did not appear to him to differ very widely from that in the Statute of Anne. One of the objects proposed by the statute of Anne was to encourage "learned men to compose and write useful books." The object of the 5 & 6 Vict. was expressed to be "to afford greater encouragement to the production of literary works of lasting benefit to the world." If, therefore, the Statute of Anne did not confer the privilege of copyright upon an alien publisher residing abroad (which, after the case of *Jefferys* v. *Boosey*, it must be taken not to have done), Lord Chelmsford could not find