

more "popular and perspicuous" term. He cites the case of *Dale v. Hall*,¹ which appeared to have held the carrier liable though not negligent; but explains that the true reason was not mentioned by the reporter, for there was negligence. Much the same statement of the law of carriers is made by Buller in his *Nisi Prius*.² It would seem, then, that the change in the law which we should ascribe to Lord Holt was one rather in the form of statement than in substance; but the new form naturally led, in the fulness of time, to change in substance.

In the fulness of time came Lord Mansfield, and the change in substance was made. In *Forward v. Pittard*,³ we have squarely presented for the first time a loss of goods by the carrier by pure accident absolutely without negligence,—by an accidental fire for which the carrier was not in any way responsible. Counsel for the plaintiff relied on the language of Lord Holt. Borough, for the defendant, presented a masterly argument, in which the precedents were examined; the gist of his contention was, that a carrier should be held only for his own default. Lord Mansfield, unmoved by this flood of learning, held the carrier liable; and he uttered these portentous words: "A carrier is in the nature of an insurer."

From that time a carrier has been an insurer without the rights of an insurer.—*Joseph H. Beale, in "Harvard Law Review."*

THE NEWLY APPOINTED MASTER OF THE ROLLS.

The Queen has been pleased to approve the appointment of the Right Hon. Lord Justice Lindley to be Master of the Rolls, in the place of Lord Esher, resigned. Sir Nathaniel Lindley is the only son of the late Dr. John Edward Lindley, F. R. S., who was Professor of Botany at University College, London, where the new Master of the Rolls was educated. He is sixty-nine years of age, having been born at Acton Green in 1828. The period of his active connection with the law is only three years short of half a century; he was called to the Bar at the Middle Temple in 1850. It was as an author that he laid the foundations of his success at the Bar. His treatise on "The Law of Partnership," which immediately obtained a large measure of success,

¹ 1 Wils. 281.

² Page 69 (1771),

³ 1 T. R. 27 (1785).