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DIARY FOR DECEMBER.

1. Wed..Lord Chr. Hardwicke born 1690.
2. Thur.Sittings of Div. Ct. Chy. Div. H. C. J. begin.
5. Sun...2nd Sunday in Advent.
7. Tues..C. C. York sittings for trials begin.
8. Wed..Sir Wm. Campbell, 6th C. J. of Q. B., 1823.
12. Sun...3rd Sunday in Advent.
14. Tues..C. C. sittings for trials commence, except in York.

TORONTO, DECEMBER 1, 1886.

OUR American cousins of the legal persuasion often poke fun, with or without cause, at some of what might be termed the aristocratic peculiarities of the Old Country. It is on the other hand, in our opinion, not only a democratic peculiarity, but in a legal writer ridiculous affectation, to use such a clumsy title as the following in an article which we see in a contemporary: "Liability of an employer to an employé injured by the negligence of a fellow employé." The use of the old-fashioned words, "master and servant," would be more intelligible, technical and "handy," and hurt no one's feelings. We do not believe that those who, by ennobling service, learn to rule, could possibly be offended by the old fashioned *terme de la ley* which all lawyers understand.

ON the 10th November last Sir James Bacon, at the advanced age of eighty-six, retired from the Bench and bade adieu to the Bar. The occasion was marked by the unusual compliment of all the other judges attending in court to take part in the valedictory proceedings. The Attorney-General, on behalf of the Bar, which was represented by numerous and influential barristers of high standing in the

profession, tendered the aged judge an affecting farewell which was replied to in fitting terms. The career of the ex-Vice-Chancellor (who is the last judge to bear that title, which is now extinct so far as the English judges are concerned), is in some respects remarkable, and illustrates in a striking manner the extraordinary energy and vitality which characterizes so many men who attain high judicial positions in England. Appointed a judge at the age of seventy, when most men are thinking that their life work is at an end, he has for sixteen years discharged the duties of his office with satisfaction to the profession. His reputation as a lawyer was made in Bankruptcy, in which department of jurisprudence he was *facile princeps*. As an equity judge he also distinguished himself. His judgments, however, were not unfrequently reversed on appeal, a fact due, perhaps, to a disposition to strive after what appeared to him the justice of the case, with too little regard at times to the case law on the subject. In one instance which might be mentioned he was curiously led away by the opposite tendency, and gave judgment against what he admitted to be his inclination, by a too rigid adherence to the letter of a statute which he conceived precluded him from doing what he would like to have done, and what the evident merits of the case demanded. We refer to his decision in *Hall-Dare v. Hall-Dare*, 29 Chy. D. 133, which was subsequently reversed in the Court of Appeal.

Since his retirement it has come out that he was accustomed to relieve the monotony of judicial business by drawing likenesses in his note book of counsel, suitors and witnesses as the fancy struck him, and, no