

Kekewich, J. The case was then taken to the House of Lords, where the decision of the Court of Appeal was affirmed, on the 27th of November last, by Lords Herschell, Macnaghten and Davey.

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A curious incident occurred at the Guildhall on the occasion of the Lord Mayor's banquet. The Lord Chancellor and the Lord Chief Justice were among the guests, and the latter was to respond for the judiciary. The chairman, it would appear, made some apologetic remarks to the Lord Chancellor because the task had not been entrusted to him. This, according to the London correspondent of the *Scottish Law Magazine*, excited the ire or the combative instincts of the new Chief Justice, who interposed: "I beg to say that the Sheriff had no cause of complaint. My noble friend, great and distinguished as he is, is, after all, only a fleeting, temporary, political, quasi-judicial person. I claim to be one of the permanent judges of the land." To which the Lord Chancellor replied: "The Lord Chief Justice has said that I am but a fleeting character in the judicial world. However true that may be, I reflect that at least my career has not been so fleeting, but that this is the third Lord Mayor's banquet at which I have been present, and I think that under those circumstances I might well believe you would all desire that it should be left to the Chief Justice to respond for the bench on the first occasion on which he appears in his present office." It was hardly kind on the part of the Chief Justice, in the present position of political affairs, to refer to the fleeting and temporary tenure by which the Lord Chancellor holds his office, and the latter, under the provocation received, does not appear to disadvantage.

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Speaking of temporary and permanent judges suggests the remark that, notwithstanding the undoubtedly arduous nature of the duties of English judges, their tenure of