

OUR ENGLISH LETTER.

true *modus vivendi*. Work flowed into his chambers, but instead of allowing himself to become the slave of his clients he quietly raised his fees. He, as it were, said: "I am a legal instrument of the highest quality, effective beyond all others; if you require my services you must pay for them in proportion to their value." Thus it came that insignificant work flowed away from his chambers to those of ordinary men, and he was able to devote his almost superhuman intellect to the solution of legal questions of the first importance and the finest delicacy.

As usual during the Assizes, the lay press is full of complaints at the inconvenience and loss which the transaction of provincial business entails upon Metropolitan suitors. If one were to believe the papers, one would come to the conclusion that there was no such thing as business on circuit, and that nothing short of the absolute infatuation of the Bar, combined with the ill-fortune of the judges, kept the assize system going. But the fact is, that the press in general forms its estimate purely upon the criminal statistics, and is deliberately, or else very culpably, forgetful of the fact that such trifles as causes do exist. When these are brought to the notice of editors they are contemptuously described as being of a calibre entirely beneath the notice of a judge, as frivolous disputes between neighbours about landmarks, or as quarrelsome litigations. Yet, as a matter of fact, those who have most experience of circuit freely confess that a judge of assize is for the most part brought face to face with differences of a substantial kind. In the small places, indeed, the amount at stake is frequently not very large; but it is important to the parties, and it is a comparatively new and a remarkably pernicious doctrine, which is now obtaining a certain recognition, that the disputes of rich men are worthy of greater attention than those of

men of moderate means. Moreover, it is absolutely frivolous to say that the majority of London suits are important from any point of view. Not once or twice in the story of the last sittings did it happen that judges, both on the common law and equity side, galloped through their lists in the course of a morning simply because they were constructed of rotten material; but one never sees an absolutely frivolous case on circuit. The remedy is an increase of the judicial staff and not abolition of circuits.

Essays on the science of law reporting have been the amusement of the Bar and *The Times* during the Christmas vacation, and a fierce controversy has been going on respecting the comparative merits of long and short reports. Upon this matter the opinion of a law reporter may have a certain small value, in spite of the theory that artists are the worst critics in the world. His opinion is to the effect that reports are both too long and too short. Arguments are unduly curtailed, and judgments are diffusely expanded. Now, arguments often contain to the full as much pith as judgments, and from an educational point of view are more valuable. Judgments, on the contrary, especially those which are delivered off-hand, abound in repetitions, and sometimes in ill-considered expressions of opinion, which are ruinous when quoted as *obiter dicta* in subsequent cases. The fact is that Mr. Pitman and his followers have spoiled the art of law reporting and destroyed memory simultaneously. The old reports were far better drawn up than the verbose and lengthy productions now in vogue. In the old reports the pearls of principle were conspicuous, in the new every jewel is surrounded by a mass of meaningless dross.

Of the *personel* of the Bar and the Bench there is little to be written. There are no new judges and no new Queen's