to silence those who would insinuate that the influence of the Roman Catholic hierarchy in that quarter is used to the prejudice of the Protestant faith. The last sentence makes one think of the charitable simplicity of the good old bishop in *Les Miserables*, or a keen sally of Sydney Smith.

An able cotemporary in the United States come down in this sledge hammer fashion on the Appellate Courts of that country :—

"Can nothing be done to shorten the opinions delivered by our appellate courts? Do our judges realize that every superfluous sentence, every verbose expression, is a tax upon the time and patience of a thousand busy lawyers, not to speak of the useless increase of expense required to embalm the results of such lucubrations in the immortality of printer's ink and paper? It is a tax not like other taxes levied and paid once for all, but an ever recurring burden? What is the real secret reason for these endless, rambling discussions of inconsequential trifles, when the pith and marrow of the controversy might be disposed of in a few pointed sentences? The legitimate fields of the jurist and the legal essayist are, and should be kept separate and distinct. Is it that our judges are, after all, only half educated in the principles of legal science, or is it that they are actuated by a paltry, selfish vanity, which forgets the interest of the public and of their brethren at the bar in the gratification of an idle dream of judicial eminence? Or can it be (as we have heard it whispered), that this waste of time and ink is, after all, but a sort of pandering on the part of the judges to the supposed expectations of the lawyers engaged in the cause that it should be "exhaustively considered" by the court, *i.e.*, that every idle doubt, or question as to perfectly well established principles of law, which the racked imagination of the brief maker can suggest, shall be resolved and minutely discussed by the court.

Whatever may be the secret of this practice, it cannot be otherwise than discreditable to the bench, whether it proceeds from mental confusion, indolence, vanity, or a demagogical desire to stand well with influential members of the profession. That it is wholly unnecessary, is evidenced by the fact that the best considered and most quoted opinions, not only in the past, but even in certain rare instances of to-day, are briefly and tersely expressed. Of course there are cases which call for a full elaboration, but they are exceedingly rare, as will be found from an examination of the decisions of great jurists like Mansfield, Story, Marshall and Kent, and in later days, Cooley, Gray, and Chief Justice Waite. We believe that as to the State Supreme Courts, the rule will be found to hold good that the best courts, and those most quoted and respected beyond their own State's limits, are those in which the opinions are shortest on an average. It seems to us that, while nobody can assume to dictate to the judges, still, inasmuch as they are not, and in the nature of things can not be, above legitimate and respectful criticism, it would be both proper and advisable for the respective State bar association, in those States where the grievance exists, to discuss the matter with a view of calling the attention of their courts, in a proper and respectful manner, to the necessity of a reform in that direction."

These criticisms are not apparently aimed at the United States Supreme Court, but at the Appellate Courts in the different States. Another cotemporary alluding to the "mental confusion," etc., spoken of above, comes to the rescue in these words :—

"Thoughtful lawyers know this imputation has no warrant outside the mental confusion of him who wrote it. Our appellate judges, State and Federal, are almost all of them overworked. *The have no time to be brief.* To prepare a closely reasoned, clear, compact opinion requires time for rewriting, recasting and pruning down the first rough draft which embodies the conclusions of the court. From Horace till to-day writers and scholars have recognized this truth. The greatest blunderer who ever sat on the Supreme Bench of Missouri, boasted, they say, that he could 'write two opinions before breakfast." They were certainly short and usually wrong. Ignorant judges tend to verbosity; but what appellate judges most need is relief from the enormous pressure under which they work; then they will have time to be brief, clear and pointed, without omitting the limitations and qualifications of statement so necessary for accuracy. Then their decisions will not only be