

in which, on a former occasion, he successfully contended in support of a proposition which it has now become his duty to refute. But that is all in the day's work. He must needs get round it, or over it, by arguing that the former case can be distinguished; that it has since been over-ruled, or by other means. Sometimes, too, it may transpire that he himself has given an opinion contrary to that which it is now his duty to support. But recently a recognized authority on patent law, who was seeking to establish the validity of a certain patent, was a little startled when his opponent unearthed an opinion in which he had advised that the patent was worthless! "Experience has taught me that I was wrong" was his only way of getting out of a difficulty.

A FORMER OPINION OF LORD WESTBURY.

Even a Judge may sometimes come against things done in his professional youth. An episode in the life of Lord Westbury—who as Attorney-General was known to fame as Sir Richard Bethell—may be mentioned in this connection. Mr. Atlay in the work above referred to (p. 259), after pointing out that the great Lord Chancellor was not always infallible either in his deduction or in his recollection, records the following incident: "I am sorry" said Lord Westbury in delivering judgment against some unfortunate trustees "profoundly sorry for the embarrassment in which these gentlemen now find themselves placed. Had they taken the most ordinary precautions, had they employed a firm of reputable solicitors, had they taken the opinion of a member of the Bar, they would never have been enmeshed in the snares which now hold them." This was a little too much for the learned counsel, whose brief contained an opinion dated some years back and signed "R. Bethell," in which his clients were advised to follow the identical course they had pursued with such disastrous consequences. "My Lord, he said there is a paper here which I am unwilling to read in open Court, but which I would beg to submit to your Lordship: "It is a mystery to me, continued the Chancellor, with unabashed countenance, when he had perused the document, how the gentleman capable of penning such an