

Before quitting the subject, we should like to say that the opening paragraph of his chapter on "Judges" has now a peculiar significance. He says: "It is a natural result of the laws not being understood by those who make them, that persons of *legislative* (the italics are ours) capacity should be employed in their interpretation and improvement." Mr. Justice Darling was himself an M.P. when he made this naive confession of the nescience of British law-makers; could it be expected, then, that he would come to the Bench clothed cap-a-pie in the mantle of the judicial quality, even as he understands its texture?

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The publication of the fourth edition of Mr. Hunter's excellent work on Roman Law reminds us that the charge of "looking to Rome" can nowadays be applied with quite as much force to English lawyers as to some English churchmen. With the first appearance of Maine's "Ancient Law" the insular prejudice of the average English lawyer against the study of the great Roman system began to abate. He came to recognize that it was not the product of mediæval monks; that Canon law and Roman law were not convertible terms; and, most astounding fact of all, that a very considerable portion of the foundation of the Common law was hewn in the Roman quarries. The writings of Bentham and Austin had prior to this, it is true, stimulated in England the study of the historical and philosophical phases of jurisprudence; but they were hard reading, and sought their constituency in minds of an academic caste. Sir Henry Maine, on the other hand, places the treasures of his learning within the reach of all sorts and conditions of men in the profession. The scholar here finds an explication of the recondite sources of modern law which disarms his criticism, and compels his assent; while the busy man of affairs, who can only employ his spare moments in expanding his knowledge, is led over a broad and pleasant path to the desired goal, without having to flounder wearily through mazes of crabbed text and morasses of laboured foot notes, which unsettle rather than