

It sometimes happens that a mere common law judge is set to hear an appeal upon a point of equity with which his early training has not specially qualified him to deal. In such circumstances he generally remains silent during the argument, and allows his equity brethren to pull the labouring oars. In the recent case of *re Holt* (reported 116 *Law Times Reports* 270), the Master of the Rolls, Lord Justice Warrington, and Lord Justice Scrutton had to construe a will. The following summary which appears at the head of the report, gives some idea of the question to be discussed: "*Tenant for life or tenant in tail male—Equitable life estate—Subsequent gift to male issue of tenant for life in succession—Legal devise—Rule in Shelley's case.*" What should be the attitude of a mere common lawyer when asked to pronounce upon such a case? After his learned brethren had given judgment Lord Justice Scrutton, one of our leading commercial lawyers, delivered himself as follows:

"After listening attentively to the very interesting arguments with which the Court has been favoured, I have come to one clear conclusion, which is that I cannot usefully add anything to the views which have been expressed by my learned brothers. I therefore concur."

AN ARTISTIC CASE WITH A DRAMATIC ENDING.

The more serious business of the Courts has recently been interrupted. A judge was employed for 7 days trying whether a picture was or was not a Romney. It had been sold by a well-known London dealer to an American for £20,000. The purchaser brought suit to recover his money alleging a breach of warranty. No fraud was alleged. The views of the experts differed in an extraordinary way. One morning, however, before the case for the defendant had been fully developed, his learned counsel threw up the sponge. He said that after much diligent search his clients had discovered that the picture was not a Romney; that it was in fact a picture by Ozias Humphrey of the Ladies Horatia and Maria Waldegrave. A sketch was discovered in the library of the Royal Academy which was unquestionably the sketch for the disputed work. It had been sold as a portrait