rangements, not merely in the Supreme Court, but down to the humblest judicatory."

In an article in the *Westminster Review* on the Life and Times of Lord Brougham, it is said that his first professional business in Scotland was defending prisoners free of charge, who were too poor to pay a lawyer. On the first occasion the Judge of Assize was Lord Eskgrove, whom Campbell describes as "a foolish old gentleman, of whom ludicrous stories had been told, and upon whom tricks had been played for nearly half a century." At no time in his life did Brougham care to grapple with a strong judge; but on this, his first appearance in court, he showed the propensity which ever afterwards he exhibited, to take liberties with a weak one. He accordingly perplexed Lord Eskgrove by elaborate arguments, delivered with all his vehemence and force of rhetoric, and with apparent sincerity, on such questions as whether, in an indictment for sheep-stealing, it is necessary to state the sex of the stolen animal; whether a man indicted for stealing a pair of boots can be convicted of stealing a pair of half boots; whether, where a woman made her husband drunk, and he being drunk assaulted her, the woman was not the *causa causans*, or, in the language of Scots law, *art and part*, so as to entitle the husband to the benefit of the maxim "*volenti non fit injuria.*" It was not without difficulty that the prosecuting advocate convinced the not very clear-minded judge of the fallacy of Brougham's arguments, and his lordship gave this utterance to his feelings: "I declare that man Broom or Brougham is the torment of my life." The general election being over, Brougham found it necessary to turn again to the law. He became a pupil of Mr. Tindal, who was afterwards one of his juniors in the Queen's case, and subsequently Chief Justice of Common Pleas. Here he formed the acquaintance of James Parke, afterwards a Baron of the Exchequer, and Lord Wensleydale. Two men more opposite to each other than Brougham and Parke could not be found—Brougham, brilliant and ambitious, but wanting steadiness and discretion; Parke slow, plodding, cautious and persevering. With Brougham, politics, literature and science shared his energies with the law. To Parke, law was "all in all." We have heard that shortly before his death a lady said to him, "I wonder with your great mind, baron, you have never written anything." "Written anything," was the astonished answer, "why, my dear madam, I have written the judgments in the volumes of Meeson and Welsby, and they will remain long after the perishable literature of the present time has passed away."

Lord Justice Bramwell has written a strong letter condemning the Bill pending in Parliament proposing to make masters liable to servants for injuries by fellow-servants in the course of the same employment. We have several times expressed ourselves against this. See 17 Alb. L. J. 358; 19 id. 505. Lord Bramwell says: "I have shown that . . . it is not a natural right that the master should be liable, nor any thing that exists in the nature of things. That it is reasonable a railway company should be liable to a passenger for the negligence of its servants, because it has so contracted; and that it should not be to one of its own servants, because it has not so contracted. We are to start afresh, then, and make a new rule. Why? Why if I have two servants, A. and B., and A. injures B. and B. injures A. by negligence, should I be liable to both when, if each had injured himself, I should not be to either? There can be but one reason for it, viz., that, on the whole, looking at the interest of the public, the master, and the servants, it would be a better state of things than exists at present. Is that so?" This he answers in the negative. As the servant may now contract that the master shall be liable, so under the new law he might contract that he should not be liable, and for say sixpence a day difference of wages, he would so contract. "The great employers of labour will understand the change in the law, and guard against it. The mischief and wrong will be in the case of men, who, not knowing of the change, will go on paying the wages which include the compensation for risk, the premium of insurance, and yet find they have to pay compensation when the risk happens, and that they are insurers though they have not received the premium." His lordship concludes that change would do the workman no good except in this last class of cases. Admitting that it might make the master more careful in selecting servants, he denies that this is a sufficient consideration for the enormous increase of risk. He might add that the master is already liable for carelessness in selection, and there is therefore all the less need of making him an insurer of his servants' care toward one another. Finally, he says—"And even if the law were made obligatory in spite of bargains to the contrary, it would not profit the servant. Because it is certain there is a natural rate of wages, one fixed by what neither master nor man can control, and that if they are practically added to one way, they will be taken from in another. If a manufacturer's wages now are £10,000 in the year, and he is made to pay compensation to the amount of £1,000 a year, his wages will fall to £9,000. He cannot charge more for his produce because he has to pay more; and if he could, his sales would diminish, and injury be done to the workman in loss of work." For our own part, we regard the proposed change as so impolitic, unjust, and unequal, as to verge on folly.