

ment dismissing an appeal. When he came to an end, the junior member of the court, forgetting for the moment, that he was the junior, inadvertently said "I agree." No. 2 then proceeded to give a judgment, coming to the same conclusion as the learned president. There was an audible titter in Court when the junior member, at the conclusion of this second judgment interposed with the remark: "I still agree."

#### HUMOUR IN THE LAW REPORTS.

It was Mark Twain who wrote that humour is out of place in a dictionary. Law reporters from time immemorial, appear to have agreed that it is out of place in their writings. It is as if the Recording Angel of the courts always said to the legal jester who seeks a permanent place in the reports: "*Procul O procul este profani!*" Yet there are certain judges whose decisions are sometimes couched in language which is by no means free from humour. Possibly it is dry and formal—only to be understood of lawyers; but who else ever reads the reports? Let him who would see some examples of the writer's meaning examine the "opinions" of Lord Sumner in the House of Lords. All of them are worth reading as specimens of judicial English at its best; many of them "teem with quiet fun."

For an actual example of judicial humour the curious should refer to the judgment of Lord Macnaghten in *Baudains v. Richardson* L. Rep. (1906) A.C. 169, at p. 171. No "quips and cranks of wit" will be found in these pages; but they have a general aroma of humour altogether characteristic of the Emerald Isle which numbered the late law Lord amongst its most distinguished sons.

W. VALENTINE BALL.

1, Brick Court, Temple.