

It is one of the rules of English legal procedure that an appeal from the decision of a County Court Judge is heard by two or sometimes three judges of the King's Bench Division. From their decision an appeal lies (in certain cases), to the Court of Appeal. An eminent "junior" at the Common Law Bar was acting for the appellant in an appeal from the Divisional Court. Mr. Giffard, Q. C. (as Lord Halsbury there was), was briefed to lead him. Let the story be told as it was told by this "junior" to his pupil the writer of these lines: "We were first in the list in the Court of Appeal. My leader's brief lay unopened on the desk. At the stroke of 10.30 a.m., just when the Lords Justices were taking their seats, Giffard rushed into Court:

"Who are we for?" he said to me, hastily untying his brief. "I haven't read the papers!"

"For the appellant," I replied, somewhat dismayed.

"He urged me to open the appeal, but I declined. His *uox* was better than my best.

"There was no time for further parley before the case was called on.

"Giffard literally rose to the occasion. He said: 'My Lords, in this case I appear with Mr. ——— for the appellant, and with your lordship's permission I would like to reverse the usual order of procedure. I propose to read the judgments delivered in the Court below before stating the facts. I think this will tend to shorten the proceedings.'

"This was to be his method of reading his brief! His legal acumen was such that he was able to make caustic comments upon the judgments as he went on, with the result that almost before he had reached the end of the last judgment he had the Court with him.

"Before he had addressed any independent argument the other side was called on. Eventually the appeal was allowed without a reply being called for."

HIS POWER AS A JUDGE.

It does not always follow that because a man has been a great advocate he will shine as a judge. The power "to hear and de-