

REVIEWS—CORRESPONDENCE.

The reviewer then unfolds his suggestion thus :—

"What the times demand, what the profession requires, is a poetical reporter of the decisions of the Supreme Court. Perhaps the suggestion will be made, that it would be much better to have, at least, one member of the Bench itself a poet; and that the other members could do the necessary and useful work of making the decisions, while the poet could make them beautiful. We admit fully the truth of this suggestion; but let us make haste slowly. We cannot spare, at present, the services of any of the worthy occupants of the Bench; and we fear that they are too old to begin to poetize now. But we can easily have a poetical reporter now; and when the next vacancy occurs upon the Bench, we can bring the requisite pressure to bear upon the appointing power, and secure our *desideratum*.

Let, then, the reporter begin at once to practice his new profession, and give us at least the rescripts, as they come down from the Supreme Court, aptly clothed in the robes of poetry. For instance, take the collected wisdom of the court in the matter of women's right to office, could it not be briefly expressed thus :—

'Woman! thy mission is to please :
Not to be justice of the peace ;
Content with what the laws allow,—
A school-committee woman, thou !'

Opinion of Justices, 106 Mass. 604."

And again he urges that the reports are full of proper materials for reports :—

"Take the long struggle of fallen man and woman, upon the slippery sidewalks of the cities, to obtain reparation for their sufferings. The unsuccessful attempts might properly be put into some elegiac measure; but when, after years of failure, there arose a new reformer, a second Luther, who discovered that ridges of snow were actionable defects for which towns were liable, who succeeded in finding the ridges and in obtaining a verdict for a fall thereon, would not the tale of his success be fitly expressed in light and flowing lyrics, not wholly unmindful, however, of the gravity of the event? We offer, modestly, the following example of how it might be done :—

'In Worcester, when the sun was low,
Trodden in ridges lay the snow ;
Across the walk he tried to go,
But fell, tho' walking carefully.

"Had Luther seen another sight,
Of sidewalk smooth with ice that night.
Without a ridge thereon, he might
Have suffered, without remedy.

"The court this plain distinction draw :
'When ice and snow, by natural law,
Are slippery found before your door,
You fall,—the town's not liable.

"But when by man they're trodden down
In ridges, or an icy crown,
You, falling then, can sue the town,
And get your heavy damages.'

Luther v. Worcester, 97 Mass. 272."

The writer closes by a very "happy thought." We have thought it often on various occasions.

"We should have liked to lay before our readers a merry rhyme, suggested by the case of *Commonwealth v. Vermont R. R. Co.*, 108 Mass. 7, based upon the unexpected extinction of a popcorn boy, by the very railroad train in which he had for many years tortured the helpless passengers. We have done our duty in bringing the subject before the public. There are others equally tempting; but we must stop somewhere."

We lay before our readers at p. 121 *post*, our contribution to legal lyrics.

CORRESPONDENCE.

County Judges as Benchers.

TO THE EDITOR OF THE LAW JOURNAL.

SIR,—It appears from a summary of the proceedings in Convocation in February last, that a resolution was passed, to procure an amendment of the Law, by providing that any member of Convocation who should hereafter be appointed a Judge of a County Court should thereby vacate his seat as a Benchers.

Is any such statutory provision required? According to the ancient usage and custom of the Benchers of the different Inns of Court in England, a County Court Judge has been always held ineligible and disqualified for holding a seat in Convocation, and this has also been the established usage here, there being no precedent of such an appointment.

Does not then a benchers by acceptance