

INTEREST UPON INTEREST—JUDGES BY DESCENT.

III. That a contract to pay interest upon interest due at the time is upon sufficient consideration and valid, and may be retrospective in its action, and provide for the payment of interest from a time then past.

IV. That from the time payment of it is demanded, interest bears interest.

V. That if interest is paid upon interest, it cannot be recovered back, although the law would not have compelled the debtor to pay it.—*Albany Law Journal*.

JUDGES BY DESCENT.

The appointment of the Hon. Alfred Thesiger, Q.C., to the vacant judgeship in the Court of Appeal will be received with some surprise by the public and the legal profession. Mr. Thesiger has for some time been favourably known to the world as a rising lawyer of competent ability and great industry, but not as possessing any of the extraordinary qualities which would give him a meteor-like rise. If he possessed any of these qualities there would be nothing remarkable in the case. Mr. Thesiger is only thirty-nine years of age, but the present Lord Cairns when he was made Solicitor-General was a year less. If, however Mr. Thesiger possessed any of the transcendent powers of Mr. Hugh Cairns he would not have been reserved for the present appointment, but would have been chosen Solicitor-General when Sir Hardinge Giffard was appointed. Both were Conservative lawyers of merit, and without a seat in Parliament; and of the two, Mr. Thesiger, from the traditions of his name, was a great deal more likely to obtain a seat than Sir H. Giffard. Moreover, Mr. Thesiger is but barely qualified by professional standing for the office of Judge of appeal. Being raised directly from the bar, and not having served as a judge of first instance, the Act of Parliament requires fifteen years' standing. Mr. Thesiger was called to the bar on June 11, 1862, so that he has been a little more than five months qualified to take his seat.

When Lord Bacon became Lord Chancellor, he is said, in inaugurating the office, to have made use of the following words from the woollack: 'I have a fancy. It falleth out that there are three of us, the King's servants in great places, that are lawyers by descent—Mr. Attorney, son of a judge; Mr. Solicitor, likewise son of a judge; and myself, a Chancellor's son. Now, because the law roots so well in my time, I will water it at the root thus far. As, besides these great ones, I will hear any judge's son before a serjeant.' Lord Bacon's antipathy to the serjeants, to which body he had failed to belong, was the motive for his 'watering the root' in the way thus quaintly expressed. But 'the law roots well' in our time as it did in Bacon's. We have as 'lawyers by descent,' Lord Coleridge, Baron Pollock, and Mr. Justice Denman, to whom Lord Justice Thesiger's name must now be added. It may be added that a successful lawyer is frequently born. 'Lawyers by descent,' however, need not be ashamed of their birthright when they point to Lord Bacon as a conspicuous example of their class—the son of Sir Nicholas Bacon, and in his nursery Queen Elizabeth's 'little keeper.' But it must be remembered that Lord Bacon had little of the paternal 'watering at the root,' as his father died when he still had to make his way in the world. There have been other brilliant examples of illustrious sons of illustrious lawyers. Bacon accounts himself in the passage we have quoted as a Chancellor, the son of a Chancellor, although Sir Nicholas Bacon's designation was more properly Lord Keeper; but we have one undoubted example of two Chancellors in successive generations—the ill-fated Lord Chancellor Charles Yorke was the son of Lord Hardwicke, one of the most distinguished lawyers who sat on the woollack. Charles Yorke was the three days' Lord Chancellor who, at the solicitation of George III., deserted his party and accepted office under the Duke of Grafton; and afterwards, stung by the reproaches of his brother and political friends, put an end to his own life. He was Lord Chancellor, having received the Great Seal, but was not a peer, as, at the time