

The Legal News.

VOL. II. JULY 12, 1879. No. 28.

RETIREMENT OF MR. JUSTICE MELLOR.

After a judicial career of seventeen years, Sir John Mellor withdraws from the Court of Queen's Bench, to well-earned repose. His retirement is put upon the ground of his desire to leave the bench before his natural force and vigour are so abated by years as to interfere with the efficient discharge of his judicial duties. The Lord Chief Justice, who has served equally long, and who shared with Sir John Mellor the task of presiding at the famous Tichborne trial, says of him: "A sound lawyer, a sound thinker, and a zealous, honest, faithful public servant, his loss will be regretted by the whole bar of England, and, by his colleagues on the bench, as irreparable." Mr. Justice Mellor is succeeded by Mr. Charles Bowen, one of the junior counsel to the Treasury. Mr. Bowen was not even a Q. C., and his age is only 43. Some surprise was created among the ranks of the Queen's Counsel at the unusual elevation of a member of the junior bar, but it seems to be admitted that Mr. Bowen will make a good Judge. The arduous nature of the duties requires that the occupant of the office shall be in the prime of life, so that the comparative youthfulness of Justice Bowen is an advantage rather than a fault.

THE U. S. JUDICIARY.

Judge Dillon, whose interesting paper on the Inns of Court and Westminster Hall was quoted in the first volume of the LEGAL NEWS, has resigned his position on the bench, in order to take a professorship in the Law School of the Columbia College. In his letter of resignation to the President, he says: "In voluntarily terminating a judicial career of nearly twenty-one years on the State and Federal bench, it seems fitting to add that I take this step, not that I am dissatisfied with the duties of the office, but because I have recently been honored by an election to a place of commanding influence in Columbia College, where the

"labours are lighter, the compensation greater, and which also, in the leisure it affords, as well as the duties it requires, offers opportunities for the study and advancement of the law that may well satisfy the highest professional ambition." The Judiciary of the United States, it is notorious, are ill paid, and it seems that even a lectureship offers greater temptation than the Federal bench.

RULES OF PRACTICE, QUEEN'S BENCH.

The rules of practice relating to the printing and filing of factums in the Court of Queen's Bench have been revised with a view to secure greater uniformity in the style of compiling and printing, and promptitude in filing the cases before the Court. It will be noticed that an index to the printed case is now exacted, and it is also required that the factum shall be filed at least forty-eight hours before the case is called. The following are the rules as announced on the last day of the June term (June 21):

1. The case in appeal shall contain a summary statement of the pleadings and of the questions of fact and of law on which the party filing it relies; also, in an appendix, copies of the depositions of the witnesses produced by such party, giving the date of each deposition; also copies of all admissions obtained by him, and of all questions and answers on *faits et articles* of the adverse party, whenever the same are relied upon.
2. In addition, the appellant's case shall contain a copy of the judgment or judgments appealed from, with their respective dates, and such judgment or judgments shall appear at the beginning of the appellant's case.
3. There shall also be an index of the printed matter sent up by each party, indicating the page of the case on which each document or paper begins.
4. The cases shall be printed on paper of eleven inches by eight inches and a half, the type to be small pica, leaded face, and every tenth line numbered in the margin.
5. The parties may by a consent in writing file a joint case or factum.
6. Such joint case or factum shall state the questions of fact and of law to be determined by the Court, with a reference to such portions of the depositions, admissions, and questions and