

FLOTSAM AND JETSAM.

He was the very type of man that is wanted in the Court of Appeal. In him were combined the highest judicial qualities required for the due and proper consideration and decision of cases on which the judgment of a Court has already been rendered. He lacked some of the qualities essential to a judge 'of all work.' He lacked none of those which are expected or desired in an appellate judge. He displayed his wisdom alike in declining to be a judge of first instance, and in accepting a seat by the side of his illustrious friend and colleague, Lord Justice James.

Only seven years have elapsed since Mr. Mellish became Lord Justice, and, therefore, his career at the bar is fresh in the recollection of lawyers. Most of us can remember the dexterity with which he instructed the mind of the Court in Banco; how his acute and subtle intellect seized the point of the case, and presented it in the manner most favorable to his client; how he would take the statute book in his hand, and turn the doubtful section this way and that way, exhibiting the various meanings of which it was capable, and proving that his construction was the only possible one which the Court could safely adopt. So also would he deal with the ascertained facts in a special case, casting a flood of legal light on them, and fixing the eyes of the bench on the side which he desired to present. Yet with all this subtlety of brain, this wonderful dialectic skill, this extravagance of casuistic force, Mr. Mellish was always and above all things fair, honest, and clear, and bright as the sun at noonday. He could play the forensic game against any man; but he played it always like a man and a gentleman.

Added to this intellectual strength, displayed alike at the bar and on the bench, was an array of moral qualities, calculated not only to adorn and beautify his professional career, but also to lend lustre to the man himself. The balance of his mind was ever held in equal poise; he was altogether free from selfish pride, from conceit, from weak passion. In his relations with his rivals at the bar, and with those who had to address him as judge, he preserved the same equable, unruffled temper, the same courtesy, the same tranquil and easy manner. When we consider the infirmity of his physical frame, the torture under which he labored from a lifelong disease, we can only wonder that his unconquerable will subdued every force antagonistic to the full play of his great moral and intellectual powers. To him death was rather a release from suffering than an end of worldly happiness. For the bench, the profession, and the public

the same death leaves a void, which we can hardly hope to see filled in our day.—*English Law Journal*.

The death of Brigham Young, it is said, will give occasion to a vast amount of litigation. Not to speak of the difficulties liable to arise out of the peculiar relationship existing between the decedent and the women and their offspring who are called his wives and children, the tenure under which he held a large share of the real estate of which he died possessed, cannot be determined except by an appeal to the tribunals of justice. As the head of the Mormon church, he acquired a large amount of property, which he held in a sort of trust for that organization. It is said that the law in force in Utah does not recognize such an individual as the head of the church, but that the ownership of lands follows the title. It is said that the heirs of the deceased prophet will insist upon the strict construction of the law in this matter, but there may arise a question as to heirship which may puzzle the courts. There is one thing, however, which is certain to result, and that is, business for the Utah lawyers, who, if they cultivate this field well, need not continue the business of vending divorces for use in other States and territories.—*Albany Law Journal*.

THE MIDDLESEX REGISTRY IN ENGLAND.
—Previously to the closing for the holidays on Saturday, May 19th, and on the re-opening on the 28th, the accommodation was so deficient that a solicitor might have had to wait the best part of an hour before reaching the desk of the overworked clerk who attended to the crowd of applicants. On Monday week the string of solicitors and clerks, every one of whom was either in charge of, or expecting the return of, valuable title-deeds, reached into the street. The attendant clerks are certainly all that could be wished for in the way not only of assiduity, but politeness. But they are egregiously and shamefully overworked. Within the memory of even junior members of the profession two of the principals have broken down. As to the search, it is in many cases a farce. No prudent mortgagor or assignee advances or pays money for or upon the security of leasehold property without a manual transfer of the deeds, or a good reason for their non-delivery. Here is another point. By the last section of the Act, "no Member of Parliament shall be capable of being registrar. . . or take any fee or other profit whatsoever. . . out of the said office, or in respect thereof." Who are the registrars? All the certificates of registry are signed by some one as "Dep. Reg." It is said that the enormous funds derived from this overworked and undermanned office are now the monopoly of a partnership of two sinecurists. Who are they? Surely this is a matter on which some active member of Parliament might well bestir himself.—*Fictorial World*.