duty of administering laws which in many respects are exceedingly artificial. The condition of a magistrate's mind, when he desires to decide according to the law of nature, and a clerk is urging him to consider an obsolete law in a Burn's of 1845, is something terrible to contemplate.—*Law Times.*

Oxford and Cambridge Universities, for some reason or other, appear to have lost what was once almost a monopoly of judicial appointments. If we examine the recent promotions it will be found that several of the new judges are not university men at all, whilst one of the most distinguished is a member of London University. The new Baron was educated at St. Paul's School. Mr. Justice Archibald is not a graduate of any University. Sir James Hannen was educated abroad. There are now only two university men among the judges of the Queen's Bench—the Chief Justice (Cambridge), and Mr. Justice Blackburn (Cambridge); Mr. Justice Quain graduated at London. The learned judge who has just resigned, Sir William Channell, was not educated at a university; neither was Baron Bramwell, nor the Chief Baron, nor Baron Pigott; whilst Baron Martin graduated at Dublin. Consequently Baron Cleasby, who graduated at Cambridge, is the only representative of the old universities in the Court of Exchequer. The Common Pleas has a majority of university men on the Bench, but one hails from Dublin. The Chief Justice and Mr. Justice Byles were privately educated. Mr. Justice Keating graduated at Dublin, and Justices Brett and Denman are both Cambridge men. Mr. Justice Grove, of this Court, is the only Oxford man on the Common Law Bench.—*Law Times.*

Perhaps the most remarkable instance that we can adduce of the genius, learning and marvellous power of Dr. Lushington is the judgment in the Banda and Kirwee Booty. This was a case of booty of war referred to the Admiralty Court under the provisions of the 3 & 4 Vict., c. 65, s. 22. It will be remembered that it had hitherto been the custom to distribute the booty of war—*id est*, of booty taken by land forces—without reference to any Court, and therefore Dr. Lushington was called upon to adjudicate without the guidance of direct precedents, and indeed without any precedents that were authoritatively binding on the Court. The case was exceptionally important and complicated. The value of the booty was estimated at 70,672,000 rupees. The point in dispute was whether the co-operating forces had a right to a share of the booty, or whether it was the sole property of the forces directly concerned in the capture. The case began on January 8, 1866, and after twenty-six days hearing, the arguments of counsel were brought to a close on February 28. Fifteen parties were represented by thirty-six counsel. On June 30 Dr. Lushington delivered his judgment. This judgment occupies no less than sixty-three closely-printed pages in the *Law Journal Reports* (New Series), vol. 35. The main principle that the judge enunciates is that only the forces directly concerned in the capture are entitled to a share in the booty. The opening remarks upon the jurisdiction of the Court are concise, lucid, and conclusive, and the rest of the judgment would delight a soldier as well as a civilian, and a layman as well as a lawyer. Dr. Lushington surveys the whole plan of the campaign, and no point, however comparatively minute, is neglected if it has any bearing on the issue. At the end of the judgment the learned judge said, "I cannot bring this judgment to a close without observing that I view with regret the disappointment it must occasion to many gallant claimants who have performed so many noble services during this mutiny." Dr. Lushington was through life distinguished for gentlemanly demeanour and winning courtesy. Such a judgment as that in the Banda and Kirwee Booty case would have made and firmly established the reputation of any man. If that alone remained it would entitle Dr. Lushington to rank as one of the greatest jurists who ever sat on the judicial bench. But when we consider that when Dr. Lushington delivered this judgment he was in his eighty-sixth year, we are amazed as well as delighted that a judge at such an advanced age could have done that which would have taxed the powers of any judge in the day of his physical and mental prime.—*Law Journal.*