

## The Legal News.

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The *Law Journal* (London), referring to the decision in *Armstrong v. Mills et al.*, which will be found in the present issue, says:—"After thirty-eight years' criticism, the doctrine of *Thorogood v. Bryan*, 18 Law J. Rep. C. P. 336, which, familiarly illustrated, is that a man on an omnibus has his driver's negligence attributed to him in any collision with another omnibus, has fallen to the ground by the decision of the Court of Appeal, unless, as is not likely, the House of Lords should set it up again. From Baron Parke's *quare* in his copy of 'eighth Common Bench,' which the research of Lord Esher has unearthed, to the decision of the Supreme Court of the United States in *Little v. Hackett*, the doctrine has over and over again been disputed. It is now authoritatively overruled, and the agreement on the subject of English-speaking lawyers will probably be gratifying across the Atlantic, where they led the way."

An interesting move has been made in England in the establishment of a society dealing with the history of English Law. On the 29th January a meeting was held in Lincoln's Inn Hall, at which the following resolution was passed: "That it is desirable that an association be formed in order to encourage the study and to advance the knowledge of the history of English law." Lord Justice Fry said that though most of those present had a great deal to do with English law practically, yet he was not ashamed to own that he himself had much to learn respecting its history in early times, and he was afraid that, if the truth must be spoken, England was in danger of being outstripped in this branch of study by America in the persons of Mr. Bigelow and Judge Holmes, and also by Germany; and he concluded by expressing an opinion that it was quite time that steps were taken to do away with this reproach. Chief Justice Coleridge proposed that the society be called the "Selden Society,"

and the suggestion was adopted. He said that many men who had been engaged for a long period of their lives in the practice of the law were almost without a knowledge of its history. In early life most of them learned what it was necessary to learn for the purposes of practice. If practice came and their time was taken up in reading briefs and discharging their duty, it was impossible for such men to read very widely or to grasp the principles which they knew experimentally rather than scientifically. Anyone who had had, as he himself had had for some years past, to administer a great system like that of the English law, must feel how important it was to know the history and the principles of law—to know the origin of a practice, and to know what was the fountain-head of a principle which was to be applied—because it was only by the knowledge of history that they could be preserved from the misapplication of principles.

The records in the six telephone cases which have just been heard before the U. S. Supreme Court comprise 25,000 pages of printed matter. The argument began January 24, and was concluded February 8. In these suits the claims of the Bell Telephone Company, which thus far have controlled the business, are contested. The decision will be the first that has been rendered by the Supreme Court in this important series of suits.

The question of judicial remuneration is one which perpetually recurs. In some of the great States of the Union the scale is less generous than in Canada. In Illinois, for instance, the judges of the highest court in the State, who receive only five thousand dollars per annum, are obliged six times a year to make a circuit of the places where courts are held, entirely at their own expense. Every day that they are away from home is so much deducted from their salary. And, worst of all, at the end of their service no pension awaits them. In Pennsylvania the salary is larger, but there is no pension on retirement. A bill has been introduced recently to supply this deficiency in the judicial system. The *Bulletin* of Philadelphia says:—