

## FROM AN ENGLISH OFFICE WINDOW

### MIDDLE TEMPLAR

#### *Judicial Work*

By an amendment of the Supreme Court of Judicature (Consolidation) Act, 1925, Parliament is increasing the number of divisions in which the Court of Appeal can sit from three to four. This has been rendered necessary by the additional amount of work. Last year the Court had to deal with 655 cases, which was a record number. It is anticipated that the number will be even greater this year. The increase in litigation is largely due to the aftermath of the war, so that the provision of this additional division may be only a temporary measure.

The Lord Chancellor, in giving this information to justify the action of the Government, referred also to the arrears in the Divorce Division. It was estimated that it might be possible to decide fifty thousand cases in the year. The actual number awaiting trial was over fifty-four thousand. The enlarged organization dealing with the preliminary stages sent forward forty-nine thousand petitions, so that an appreciable reduction was made of the arrears.

#### *One Voice*

The legal aspect of *Baxter v. Baxter* (64 Times Law Reports 8), in which a husband's petition for nullity led to the overruling of *Cowen v. Cowen*, no doubt will receive attention from learned commentators in your pages. However, attention may be drawn here to one point. Not only did the four Law Lords concur with the Lord Chancellor in the judgment he delivered, but they refrained from adding any observations of their own. It is sometimes claimed that the Privy Council has the advantage over the House of Lords in that only one opinion can be delivered whether there is complete agreement or not. But it is better still when the tribunal is completely unanimous, especially in a matter of widespread interest to the community. The House of Lords have provided no obiter dicta for quotation by people who disagree with the Lord Chancellor's judgment and are anxious to show that others do so also.

#### *£22,000 for a Bible*

Among the neighbours of the Royal Canadian Air Force when they had their headquarters in Lincoln's Inn Fields was a

leading firm of solicitors, Messrs. Frere, Cholmeley and Co. The Tancred Trust, of which some particulars have been given in these pages (24 Can. Bar Rev. 44), is managed by them. The head of the firm is Mr. Philip Frere, who is a collector of works of art. It has now been revealed that he was the purchaser early in the year of a copy of the famous Gutenberg Bible sold in Sotheby's auction rooms for £22,000. Since the war prices of notable books have varied considerably, though with a definite upward trend for various reasons, including the fact that many people consider them to be an attractive form of investment.

### *Indian Appeals*

More than three centuries ago, when England first took an interest in the welfare of India, provision was made for the administration of justice. In 1726 a charter of George I gave a definite right of appeal to the Privy Council from the three courts thereby established in Madras, Bombay and Bengal. This appellate jurisdiction is now being brought practically to an end in civil matters by legislation passed in India, but not affecting the Dominion of Pakistan. So the Privy Council has heard the last appeal direct from the High Courts in India in civil actions, though there still remains an appeal in criminal matters. There can also be appeals from the Federal Court to the Privy Council. Those who anticipated a complete severance of relations in the administration of justice are agreeably pleased to find that their anticipations have not been fulfilled in the course of events.

### *Court Leet*

The Verderers of the New Forest having revived the ancient Court of Swainmote, the Provost and Fellows of Eton have followed their example by summoning the Court Leet, which has not been held for thirty-four years. The immediate purpose was to establish the rights of the people to the common land within their jurisdiction. Among those who formed the Court were the Provost of Eton, Sir Henry Marten, and the Head Master, Mr. C. A. Elliott. The Court was held in the Hall dating from the fifteenth century and was opened in ancient form by the cry of "Oyez" thrice repeated. The principal business of the Court Leet, consisting of freeholders and tenants, was the choice of a jury to approve the election of a bailiff, who had been appointed temporarily by the College. The choice was confirmed and the bailiff thus became responsible for the proper exercise of the common and lammass rights.

The Court Baron, of which a sitting followed, is distinguished from the Court Leet in that it consists only of freeholders. They also act through a jury, whose function it is to frame rules and regulations for all those who are entitled to exercise common and lammas rights. Although besprinkled with ancient verbiage, the proceedings were of a practical character and justified the revival of the Court.

*Solicitor Headmaster*

Not for the first time the Governors of Rugby School have chosen for their Head Master a man who has had no experience as a teacher. Sir Arthur fforde, who has been selected for the post, is head of Linklaters, the best-known firm of solicitors in the City of London. At Rugby he was head of the school and of the School House. On leaving Trinity College, Oxford, he was admitted as a solicitor and for the past ten years has been a member of the Council of the Law Society. His professional career has been interrupted to some extent during the war by work for the Government in important offices, in the Ministry of Supply and the Treasury.

Sir Will Spens, who is an educational expert with considerable authority, explained, as chairman of the Governors, that valuable though scholastic experience was it was not the primary consideration at the present time. The problems confronting the governing body were economic and social and, above all, the determination of the place to be occupied by the public schools in the national system of education and in the national life. Accordingly the Governing Body sought first for a man of proved administrative capacity, sound judgment in public affairs and wide experience. Their selection of Sir Arthur on these grounds is cordially endorsed by all who have been associated with him in any way. Incidentally the acceptance of the appointment involves a considerable financial sacrifice. There is every reason to believe that his name will take its place in the history of Rugby alongside those of Thomas Arnold and Frederick Temple, who provided the precedents for the appointment.