

The English judges were, therefore, merely following the example set them by Roman jurists. No less an authority than Prof. Holdsworth, says:—

The English judges were exhibiting the substance of those qualities which have made Roman law eternal; like the Roman prætor and juriconsult, they were developing from the customary law of small districts the general rules, which could serve not only for a State, but also for an Empire, comprising many nations and languages. (Hist. E.L. II., p. 171).

(*To be Continued.*)

A. RIVES-HALL.

MONTREAL.

JUDICIAL ENNUI.

“A Counsel’s position is one of the utmost difficulty.” Per Brett, M.R., in *Munster v. Lamb*.¹

High on the Bench, in the Court of Appeal,
Stifling the yawns that he fain would reveal.
Wistfully nodding, as though every word
If not quite accepted, at least had been heard,
ROUNDFELLOW, J., from eleven to four,
Is fully convinced that life is a bore.
The counsel appearing, though different in name,
Have facial features most sadly the same.
From pillar to post their argument goes,
And quite a proportion talk through the nose.
Whatever they say, in whisper or roar,
ROUNDFELLOW, J., has heard it before:
Judicial brethren, sitting in Court,
Are seemingly partial to views of this sort —
Dismissing appeals is dreadfully slow—
And adding “with costs both here and below”
May bring to the counsel elation or shame,
But up on the Bench it’s all in the game.

Toronto.

WILFRID HEIGHINGTON.

¹ (1883) L.R. 11 Q.B. 603.