

LONDON LETTER.

(By Our Special Correspondent)

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In my last letter I had occasion to point out how exceptionally long a time had elapsed since any new judge had been appointed to the King's Bench Division. In the meantime an unusual number of changes have taken place. The retirement of Lord Atkinson, whose judgments in the Privy Council are so well known in Canada that it would be impertinent on my part to enlarge upon his great judicial reputation, has led to the appointment of Lord Justice Atkin to fill his place as a Lord of Appeal in Ordinary. He in turn is succeeded in the Court of Appeal by Mr. Justice Sankey. It is perhaps Lord Justice Sankey's misfortune that he is chiefly known to the public as the chairman of the Coal Commission. Whatever view may be taken as to the wisdom or otherwise of the proceedings of that commission, they formed a mere incident in the distinguished career of Lord Justice Sankey at the Bar and on the Bench. A far more enduring title to fame, outside strictly forensic affairs, exists in the great share which he took in framing the constitution of the disestablished church in Wales, and in assisting it to surmount the difficulties which confronted it in the first few years of its changed status. Of these things the general public knows next to nothing.

The number of the King's Bench puisne judges having at length fallen below sixteen, a successor to Lord Justice Sankey could be appointed without recourse to Parliament, and, the long delayed resolution for the appointment of two additional judges being at length passed, it became necessary to appoint no less than three judges to that Division in the space of a few days. Mr. J. A. Hawke's appointment was generally anticipated, and equally approved when it became a fact. The prophets were by no means agreed as to the other appointments and almost all have been confounded by the event. This in itself is an exceedingly good thing. The attempt to forecast appointments to the Bench has been a pastime of the Bar for centuries. It is a game which, played in the privacy of the Temple, is quite innocuous and possibly stimulating.

But when this game is sought to be played in the public press the public interest is not served, nor are the private interests of those whom the press names as "favourites." If they are in truth aspirants for judicial honours, the unsought advertisement cannot assist and may prejudice them. If, as is not infrequently the case, they have no desire to become judges, their practises may suffer severely from a rumour which it is exceedingly difficult for them to contradict. If therefore the unprofitableness of prophecy in the present instance should lead to greater restraint on the part of the press, such a result would be most welcome.

But if the appointment of Mr. Charles and Sir Travers Humphreys was not generally foreseen, it has not met with any criticism. Mr. Charles has been a well known and popular common-law leader for a number of years. He also served as chancellor of a number of Dioceses. Sir Travers Humphreys was the senior prosecuting counsel at the Old Bailey and the leading criminal counsel in England.

The long delayed address for the appointment of the additional judges provoked almost no opposition in the House of Commons, but it was the occasion of an outspoken speech by Mr. T. J. O'Connor which profoundly impressed the House and the public whatever impression it may have made on the Government. Mr. O'Connor may be regarded as having rendered articulate for the moment the thoughts of that singularly inarticulate body, the junior Bar. He urged the Government boldly to face the question of the inadequate salaries of the judges both of the High Court and the County Courts, to reflect upon the high average age of the judicial body today, and to inquire how far this may be accounted for by the fact of inadequate remuneration.

In these times when every one clamours for economy—in theory—it needs some courage to proclaim that £5000 a year is inadequate for a servant of the Crown. But when it is realised that the salary was fixed a century ago and that no war-bonus has ever been added, it results that, unless it be increased, Parliament is content that the judges shall be paid a salary which, on real values, is far less than that thought sufficient a hundred years ago. That it does not attract men of eminence in the way it did even twenty-five years ago is known to every practising barrister. Moreover until this question be faced other important reforms, as some people think them, cannot even be considered. It is generally conceded that so

long as Parliament will not face the question of increased salaries, nothing can be done which can be regarded as touching upon the "amenities" of a judgeship. And so those who believe that the shortening of the Long Vacation is the remedy for all ills now reluctantly realise that no reform is practicable unless accompanied by a revision of judicial salaries.

In the case of the County Court judges the case for an increase of salaries is quite unanswerable. The limit of their jurisdiction has been increased out of all knowledge since the salaries were fixed, and the matters over which they have jurisdiction are added to year by year. They have indeed received and continue to receive a bonus which varies with the cost of living, but this bonus and the salary do not bring the remuneration of any of the judges up to £2000 a year.



GOLF CHAMPION ADMITTED TO GEORGIA BAR.—The Georgia bar acquired a distinguished new member in December, and golf gained a brilliant young lawyer, as Robert T. ("Bobby") Jones, Jr., was announced by Judge Virlyn B. Moore as one of seven candidates who successfully stood examination for admission to full legal practice in the state. His handling of the tools of the law seems to have been as deadly accurate as his work with the mashie.

—*Law Notes.*