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JOTTINGS AND CUTTINGS.

Retirement of Mr. Appa Rao.—It has been announced that Rao Bahadur D. Appa Rao, the Registrar of our High Court is proceeding on leave for 28 months from 1st December preparatory to retirement. Born in January, 1889, Mr. Appa Rao entered service in 1923 as Junior Law Reporter and was appointed Assistant Registrar, Appellate Side in 1926. Thereafter he held successively the posts of Official Referee, Deputy Registrar, Master and Registrar. He was also for some time on special duty in connection with the reorganisation of the Official Assignee's department. When Mr. Appa Rao was confirmed as Registrar in 1938 he had the distinction of being the first Indian and the first from among the members of the Bar to be appointed to that place in the Madras High Court. Quiet and reserved by temperament, Mr. Appa Rao was always kind and courteous towards the members of the Bar. He could appreciate their difficulties and view their grievances with sympathy. We wish Mr. Appa Rao all happiness in his retirement.

Our New Registrar.—Mr. S. P. Thompson, I.C.S., the incoming Registrar of the High Court is 38 years old and was confirmed as District and Sessions Judge in February last, after having served in that capacity in Ramnad, West Tanjore and Madura Districts for a period of nearly four years. Mr. Thompson is an University man being an Honours Graduate of the Cambridge University. This seems to be the first time when a permanent District Judge is appointed Registrar of the High Court in our province. We trust that the principle underlying the appointment is that the Registrar of the High Court should be a person who has already been in day to day contact with the members of the bar and conversant with their problems and needs. We hope that during his tenure of office as Registrar, the members of the bar will continue to be accorded by Mr. Thompson the same courtesy, sympathy and accommodation which had been extended to them by his predecessor. We should have been glad if the Registrar was always to be chosen from the ranks of the Bar, but surely the next best thing will be to have a

person who has been in active touch with the Bar and has also had judicial experience for a number of years.

Legal Profession and Legal Education.—Sir Lionel Leach took advantage of the opportunity afforded to deliver the convocation address at Annamalainagar to speak about the legal profession. His speech is of more than passing interest to the members of the Bar. It attempts an analysis of problems like overcrowding at the Bar and suggests some remedial measures. Overcrowding in the legal profession is by no means peculiar to our country, but the acuteness of the problem here may be gauged by the fact that there are at present more than 8,500 legal practitioners of various classes and grades in this presidency alone of whom very many are not in a position to earn their livelihood and—in the words of the learned Chief Justice —"never will be", and this number is being reinforced annually at the rate of about 200 members by fresh enrolments. How wastage of much of such talent could be avoided is thus a question which demands an effective and quick solution. The learned Chief Justice points out that suggestions like the closing down of the Law College or regulating admission thereto or stopping of fresh enrolments or restricting the same, far from affording a solution to the problem will only give rise to fresh difficulties.

In considering the matter, we are glad to note that the learned Chief Justice approches the question with an expression of belief in the efficacy of the single agency system as best suited to the Indian temperament and as minimising the costs of litigation considerably without any real loss of efficiency in general. According to him the first step therefore to a better state of affairs is to improve the system of legal education so as to provide for the curative as well as the preventive side of law, by affording instruction not merely in subjects constituting the equipment of a forensic practitioner but also in subjects concerned with the solicitor's side of the profession, such as conveyancing, company law, etc. This has to be achieved not by cutting down part of the present curricula of law studies but by providing for supplementary instruction in such subjects, whether as part of the law course at the Law College or outside it under the auspices of the Bar Council. Such a training if afforded may at the choice of a law student enable him to decide even at the outset what branch of an advocate's work he would like to specialise in, whether he would like to equip himself for a forensic career or for the less obtrusive but equally important and probably more remunerative side of the profession, namely, conveyancing and drafting, which in view of the increasing industrial and commercial activities of the country might come into increasing prominence in the future. Sir Lionel Leach is not in favour of divorcing legal education in the

practitioner's sense from the University but would suggest a full co-operation between the Bar Council and the University in all matters of legal education. This view derives considerable support from the Report of the Legal Education Committee appointed in England by the Lord Chancellor in 1932.

Another step suggested by the learned Chief Justice to make the profession healthier is that the profession must ensure that the high standard of professional conduct that is demanded should be maintained throughout the profession. If the suggestion of the Chief Justice is that we should always strive to keep aloft the high ideals of the profession it would be unexceptionable. If the suggestion however is that the present position requires improvement then we should like to have fuller information. We are under the impression, —to quote a recent writer—that it is a matter for congratulation that "with such large numbers at the Bar, with such varied activities in which he is called upon to take responsible part, and with such opportunities and temptations to misconduct himself, he has not fallen from 'his high estate' with any frequency". It may be noted that during 1934-1939, with the strength of the Advocate Bar ranging from 2712 to 3729 there were only 6 cases where practitioners were found culpable and punished.

The learned Chief Justice has also stressed the necessity for the maintenance of regular accounts by advocates and the keeping of their clients' money entirely separate from their own. The Instructions to the members of the Bar issued by the Bar Council are to the same effect. We should like to suggest that greater publicity should be given to such rules and instructions by the Bar Council providing each advocate with a copy thereof. New entrants to the profession might be given a copy of such rules at the time of their enrolment.

Another interesting suggestion made by the learned Chief Justice is that advocates should form themselves into partnerships in which some of the partners will be persons conducting cases in Court while others would concern themselves with work akin to that done by solicitors. It is not to be a partnership put on a commercial basis but one "where an advocate puts nothing in when he joins it and takes nothing out when he leaves it." Such a partnership will be able to cope with all types of legal work and find place for men of talents.

The learned Chief Justice also indicates the desirability of the Bar being divided into seniors and juniors with a definition of the work which should be left ordinarily to juniors only. Taken along with Sir Maurice Gwyer's statement some time back on payment of fees to junior advocates, it is hoped that this suggestion will be considered by the Bar Council and appropriate principles formulated.

The Chancellor's Pension.—Somebody recently saw fit to ask the Chancellor of the Exchequer, among the Parliamentary flourishes of question time, whether in the interests of economy he proposed to repeal 2 and 3 Will. IV, c. 3. Until the dawn of that salutary time when those who serve the nation in public business (whether as M. P.'s or in some more responsible capacity) do so gratuitously and without any thought of present or future reward there seems little reason why the great office of the Lord Chancellor should be shorn of any more of its emoluments. The Act in question, which secures to the occupant of the Woolsack an annuity of £5,000 after he vacates it, was itself considered to effect a grave diminution in the desirability of that seat. Till then he had revelled in patronage, and the sinecures at his disposal had enabled him to provide handsomely for his descendants by means of those which he did not retain for himself. In all they were worth about £24,000 a year, and their duties could very conveniently be handed over to a deputy.—*S.J., 1940, p. 439.*

The United States President.—In view of the acceptance by Mr. Roosevelt of nomination for a third term as President of the United States—a step unprecedented in the history of the nation—it may be of interest to remind ourselves of the precise relationship of the presidential office to the Legislature and the Judiciary. With regard to legislation, it is required that every Bill, when passed by the House of Representatives and the Senate shall, before it becomes law, be presented to the President. If he approves, he signs it and thereupon it becomes law, but if perchance he disapproves, he may return it with his objections for further consideration. If, however, it is again approved by a two-thirds majority it becomes law notwithstanding the views of the President. With regard to the Judiciary, the Constitution has devolved upon the President the function of the nomination, and, with the advice and consent of the Senate, the appointment, of the judges of the Supreme Court. When the organisation of that great tribunal was settled the interesting question arose regarding the constume of the judges. Should they wear gowns and wigs like their English confreres? Hamilton was in favour of the English wig and gown. Jefferson was against any needless official apparel, but if the gown was to be adopted, he added, " For Heaven's sake discard the monstrous wig which makes the English judges look like rats peeping through bunches of oakum." Burr was also opposed to the " inverted woolsack termed a wig." Eventually, the gown was adopted and the wig discarded. In its history the Supreme Court has had many notable judges, among these being John Marshall, of whom the late Lord Bryce said that he rendered such incomparable services in the office that the Americans have been wont to regard him as a special gift of favouring Providence.—*S.J., 1940, p. 445.*