

# Sequiturs and Non

From Page 9

which reads like a disputative dialogue between he and the accused - he said:

*I will prove you the notorious Traitor than even came to the bar.*

*Thou art a monster; thou hast an English face, but a Spanish heart...*

*I will track you out before I have done ...*

*You are the absolutist Traitor that ever was...*

*You (this to the members of the jury) respect not the wickedness and hatred of the man ...*

*... Thou viper: for I thou thee, thou Traitor*

**Raleigh:** *It becometh not a man of quality and virtue, to call me so, but I take comfort in it, it is all you can do*

**Coke:** (probably with a sneer) *I have angered you?*

*Thou has a Spanish heart, and thyself art a spider of hell.*

*There has never lived a viler viper!*

Raleigh was convicted and sentenced to death. He was not executed until 1618. By this time, coincidentally, Coke was the Lord Chief Justice. Execution was sought from him in that capacity, and granted, Coke's performance in the trial was deplorable but was excused, a little reluctantly by Lord Chief Justice Popham, as being: *... out of the zeal of his duty, for the service of King ...*

Coke however, must have been an irascible counsel. In another case, the following exchange took place between him and Francis Bacon, who was the very first Queens Counsel.

**Coke:** *Mr Bacon, if you have tooth against me, pluck it out, for it will do you more hurt than all the teeth in your head will do you good.*

**Bacon:** *Mr Attorney, I respect you; I fear you not, and the less you speak of your own greatness, the more I will think of it.*

**Coke:** *I think scorn to stand upon terms of greatness towards you, who are less than little, - less than the least. [Hence he added some other similar expressions with (according to the reporter) an insolence which cannot be ex-*

*pressed].*

**Bacon:** *Mr Attorney, do not depress me so far; for I have been your better and may be again when it please the Queen.*

But even these were comparatively enlightened days. In the first century AD, Pompey was defending a man in Rome when Clodius, tried to shout him down, with the support of his gang. Then Clodius rose to speak. Cicero (who was present in Court, and an enemy of Clodius) reports:

*Wishing to return the compliment outside gave him such an uproarious reception that he lost command of thoughts, tongue, and countenance.*

After an hour and a half of uproar, Clodius gave up trying to make a speech, and turned to personal abuse.

*"Who's starving the people to death?"* he shouted.

*"Pompey!"* replied his gang.

*"Who wants to go to Alexandria?"*

*"Pompey!"* they shouted again.

Soon they were spitting at their

opponents, and a free-for-all broke out; Cicero beat a prudent retreat.

As will your correspondent.

— Rex Wild QC

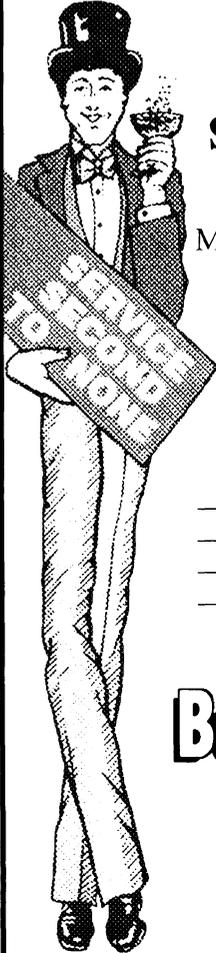
\* I have not provided footnotes to what appears in this article. Any one interested in miscellany of barristerial history might like to read *All Jangle and Riot* (1986m, Professional Books Ltd) by RG Hamilton, an English barrister.

## Statutory Derivative Action

The Attorney-General recently announced that the draft provisions, which will amend the Corporations Law to provide for statutory derivative action, are being released for public comment. Copies of the draft provisions may be obtained on (06) 250 6071.

Comments on the draft provisions should be provided by 8 December 1995 to:

Assistant Secretary  
Companies and Accounting Branch  
Attorney-General's Department  
Canberra ACT 2600



## We get high on servicing properties

A recent survey of our Sales & Property Management activity confirmed your confidence in our second to none **SERVICE**

And for this, we thank you

### We Specialise In Getting High On

|  |               |
|--|---------------|
| — Residential Sales                          | — Land Sales  |
| — Unit Development                           | — Rural Sales |
| — Property Management                        | — Appraisals  |
| — Commercial & Industrial Sales & Management | — Auctions    |
|  | — Leasing     |

MEMBER



REINT

# BOSCAINI REAL ESTATE

## 41 2238

71 McMinn Street, Darwin.  
GPO Box 104, Darwin, NT, 0801 Fax 41 2284

BOSCAINI