

tled. They have been stated in ruling cases, in text books of recognized authority and of late in cyclopedias with references to the cases in which they have been declared and applied. The profession could well do without reports of any cases which do not in some way modify these statements of legal principles or furnish some substantial new illustration of the way in which they may be applied. It is not easy for the reporters to make the selection, but it can be done by good reporters and is worth the effort. It may seem to be against their interest to shorten their reports, but it is not, for if they do not make the effort, the system will break down with its own weight. Much can be done by the judges to avoid undue increase in the volume of the reports. On this point we may quote the language of a learned judge in New Jersey, in a recent address to the Lawyers' Club of Newark. Speaking of the American courts in general he says:—

“ ‘The opinion of the judges are apt to read like lawyers' briefs or essays. They often read as if the judge had just looked up the law and thought it necessary to cite authorities for the most firmly settled propositions. The English opinions read as if the judge knew the existing state of decisions and assumed that everyone else did, and that it was his business to shew the necessary development from established principles and their application to the particular case. Their opinions are shorter and more directly to the point, based more upon the reason of the thing and rely less upon the multitude of precedents. We encumber our reports with the citations of case after case, repeating the decision of legal principles about which nobody has any doubt, with the risk of misleading counsel by slight variations in the forms of expression, and wasting time by the cumulative citation of cases where one authoritative case that settles the law is quite enough.’

‘There is an increasing tendency to uniformity in the statutes of the various states. A comparison of the recent legislation of all the states will shew that to a very large extent,