

PREFACE

TO THE FIRST EDITION.

THIS Work was undertaken in consequence of the want, experienced in actual practice and expressed generally by the profession, of a collection of Precedents settled in conformity with the recent alterations in the System of Pleading. It was begun only when the lapse of time seemed to render it hopeless that the task would be performed by other hands; and it is now presented to the profession with sincere diffidence, but with a hope that it may serve in some degree to supply the existing want.

The System of Pleading has recently passed through a period of transition, in which it has undergone most extensive and important amendments. These, for the most part, have been the result of the labours of Her Majesty's Commissioners for inquiring into the Process, Practice, and System of Pleading in the Superior Courts of Common Law, and have been framed upon the recommendations contained in their Reports. They have been effected at intervals by the Common Law Procedure Acts of 1852 and 1854, and by the subsidiary Rules of Court made by the Judges. The Commissioners have now closed their labours and issued their final Report, in which they appear to consider that very few points affecting Pleading remain in want of amendment. The period of transition may therefore be considered to have passed; and this branch of the law is now left in a state in which it will probably rest for some years to come.

The effect of the recent alterations in Pleading has not been to destroy the system or to change its essential principles. The changes proposed by the learned Commissioners and effected by the late statutes and rules has been only to prefer substance to form, and to