

OUR UNPAID MAGISTRACY.

in all the counties of England, of the most sufficient knights, esquires, and gentlemen of the law of the said counties."

From these statutes there appears a proper jealousy of entrusting the decision of legal disputes entirely to the discretion of of unprofessional men, and from the language of the last statute cited, it is evident that at this early period there must have been a considerable number of educated lawyers resident in the counties, from amongst whom it was proposed to select some of the Justices. There are many proofs that soon after the Norman Conquest the study of law became popular amongst the ruling classes of the country. This taste developed itself in a remarkable degree during the Plantagenet period. It is impossible for the Londoner to traverse the innumerable courts and quadrangles associated with the names of ancient Inns, which abound in that great law territory lying between Drury Lane and the Old Bailey, and from the river northwards to Bedford Row and Smithfield, without reflecting that he is amidst the ruins of a great University. The quaint halls of the remaining Inns of Chancery, with their emblazoned windows looking out on trim parterres, the stately gardens of Gray's Inn, and the terraces of the Temple involuntarily remind the Oxford or Cambridge man of his undergraduate days, and the more classic sites upon the banks of the Isis and the Cam. Fortescue, writing in the reign of Henry the Sixth, tells us that there were at least 100 students in each of the ten then existing Inns of Chancery, and in some of them a greater number, and that in the smallest of the Inns of Court there were full 200 students. There must, therefore, have been about 2,000 Students of Law at that time in London. The number seems incredible when we consider the comparatively small population of the country in that age. Macaulay estimates the population of England, in the year 1685, at about five and a half millions, and two hundred years before that date, it must have been much smaller. At the present day, when London alone has a population of nearly four millions, and when, not only this country, but India and our vast Colonies, present wide fields for practice to members of the English bar, there are not more than 2,300 or 2,400 students at the four Inns of Court, and some of these are Irish gentlemen, who only keep four terms, and are called to the Irish Bar by the King's Inns of Dublin. Fortescue's figures are, however, somewhat misleading. According to a Commentary on his "*De Laudibus*," written in the reign of Henry the Eighth, it appears that, under the name of Students, the author included the Inner and Utter Barristers (or "Apprentices") of the

Four Greater Inns. It appears also that the number of students was very much greater in the reign of Henry the Sixth than in that of his father. This increase was due, probably, not so much to a greater demand for barristers, as to a growing recognition of the utility of attorneys, a class of practitioners who, as yet comparatively few in number, had only recently begun to assume an independent existence, and who still pursued their studies along with the junior students of the Bar at the Inns of Chancery. We have a curious proof of the multiplication of attorneys, in the time of Henry the Sixth, in a statute of his reign, which recites that not long previously there were only six or eight attorneys in all Norfolk and Suffolk, "*quò tempore magna tranquillitas regnabat*;" but that they had recently increased to 24, and much strife and litigation was said to be the result.

Nevertheless, after taking everything into account, it remains certain that the proportion of Students of the Bar to the population of the country in early times was considerably greater than at present. It is not too much to say that, in the time of Fortescue, while Oxford and Cambridge were the Universities of the poor, the London Inns of Court and Chancery were the University of the rich. The former were wealthily endowed, and the students were for the most part pensioners; at the latter, the well-to-do youth of the country supported themselves at their own expense, and lived in considerable luxury. Oxford and Cambridge were the training schools for the Church, the London Inns were nurseries for the Bar and the Council. At the Inns of Chancery, at which the student passed a year or two of study before being admitted to one of the four great Inns of Court, the curriculum was by no means confined to Law; it embraced, as we learn from the "*De Laudibus*," sacred and profane history, music, dancing, singing, and other accomplishments. "All vice was discountenanced and banished," says Fortescue, "and everything good and virtuous was taught;" a rather overdrawn eulogium, or else, if we may accept Shakespearean allusions as trustworthy, degeneracy very soon set in. In course of time it became customary for a young man to graduate at Oxford or Cambridge before proceeding to his studies in London. In the time of Elizabeth, this was perhaps the general practice, and thus it happened that the general education afforded by the Inns of Chancery became unnecessary; those ancient institutions gradually broke off all connection with the Inns of Court, and fell wholly into the hands of the lower branches of the legal profession.

It is probable that only a small propor-