

CRITICISMS ON THE REPORTERS—FOSS AND HIS "BIOGRAPHIA JURIDICA."

man in his profession. Greenleaf, p. 148, and see also *Hadley v. Clarke*, 8 T. R. 266, and *Russell v. Russell*, 1 Moll. 526.

"The cases reported in the 2nd vol. of Vernon are very inaccurate. They were published after the death of Mr. Vernon, which may perhaps be the reason." Per Turner, L. J., in *Mornington v. Keene*, 4 Jur. N.S. 982, n.

"The cases in Vernon are not considered to be very accurate." Per Lord Cottenham in *Truelock v. Robey*, 11 Jur. 999.

VESEY (JUNIOR) REPORTS. "When he reported Lord Thurlow's Cases, Mr. Vesey was a very young man, afterwards he became an excellent reporter." *Calhoun v. Thompson*, 2 Moll. 287.

WILLES' REPORTS. "These were not published for more than half a century after the decision in *Omichund v. Barker*, 1 Wil. 84. The manuscript was furnished by the Chief Justice's grandson." Greenleaf's *Over-ruled Cases*, p. 531.

A defendant was indicted for keeping a house of ill fame. His defence was that he kept no *house* at all, but only a *boat*, and therefore did not come within the purview of the statute, which made no mention of such structures. He had a flat-boat very comfortably fitted up for the purpose to which he designed to put it, and in which, carrying his cargo of frail goods and damaged virtue, he was wont to navigate up and down the waters of the Mississippi, bringing his wares to any market where at the moment there seemed to be the liveliest demand, and rejoicing in the belief that he had fairly floated out of the reach of the criminal statutes. But the Supreme Court were unable to appreciate the subtle distinction which had seemed so patent even to the unskilled vision of this layman. They risked their reputations upon the decision that a *boat* was a *house*, vouched in poor Mr. Webster with his big dictionary to sustain their views, and punished the defendant summarily.—*Am. Law Review*.

As an illustration of what common law pleading is capable, we may mention that a cause is now pending in which no less than eighty-one pleas have been put upon the record.—*Law Times*.

SELECTIONS.

FOSS AND HIS "BIOGRAPHIA JURIDICA."

We need only refer to former numbers of this Magazine for a just appreciation of the late Mr. Foss's biographical sketches of the Judges of England.* In 1848 Mr. Foss commenced his labours, and in 1857 he had completed six volumes of his work, which in 1865 he brought to a conclusion in three more volumes. These volumes contained something more than memoirs; they traced chronologically the different incidents and changes in the courts of Westminster that occurred from the reign of William the Conqueror to that of her present Majesty, and gave an account under each reign of the judicial personages who then administered the law. The usefulness and importance of the work may be summed up in the words of the reviewer of these volumes.

"To have successfully supplied a chasm in the legal literature of England is no unenviable success. To have executed the task with such a depth and variety of research, with such vigilance, acuteness, judgment, and skill, as to set all future competition at defiance, and produce at once a perfect work in its kind, is assuredly high praise. This high praise, however, and nothing less than this, is fairly due to Mr. Foss. Hitherto Dugdale's *Origines Judiciales* and *Chronica Series* has been the only guide for the inquirer into the personal history of the Bench. But every one who has had occasion to consult that work must be aware of its manifold imperfections; its faults of commission and omission; its inaccuracies, misstatements, blunders, and general untrustworthiness. In the work before us, an almost perfect accuracy and fulness has been achieved by an almost unequalled labour of research. The Year-books and subsequent Reports, the State Trials, the Patent Rolls, the Close Rolls, the Baga de Secretis, the Pells Records, the stores of the State-Paper Office, the Lansdowne MSS., the Harleian MSS., and other MSS. in the British Museum, MSS. in the College of Arms, the Egerton MSS., the Petre Papers, the Paston

* "Law Magazine," Late Series, Numbers 11, 37 and 60.