suggestions as to the general nature of their contents.

The reporters were skilful men, selected by government authority, and their reports are in the true sense official. They cover a large period of time, from A.D. 1292 to 1536, and are of course quite various in their style and modes of presenting the cases. They possess some common features worthy of notice.

They d ffer from modern reports in the fact that there is no head note or syllabus of the point decided. The questions considered can only be determined from a perusal of the case. The Indexes are of very slight value. An example is such an entry: "Divers good cases on the point that one thing implies another"; "Justice, and the separate administration of it in separate degrees and forms," etc. One fact quite singular to modern jurists is that there are no written pleadings. All the demurrers and pleas are by word of mouth made on the spot. There is thus a running fire of statement, criticism, and comment between judges and counsel, until finally the marrow of the case is reached, and then the parties are ready for trial on disputed questions of fact, and then a jury is summoned by a writ termed a *Venire*.

Each case in those days was based on a "writ" issuing in the name of the King, and obtained from a royal office, setting forth the nature of the plaintiff's claim and directing the Sheriff to summon the defendant to answer the cause of action. Many of these writs are inserted in the Books, and when sustained are really good forms of action, capable of being used in pleading at the present day. They are uniformly in Latin. It is the form in the writ that is frequently under discussion by the counsel and the court. If that fails, the case goes down, unless it can be helped out some way by an amendment, called the rule of "jeofails" (meaning "I have failed"). In these discussions it is very difficult to tell whether the disputants are counsel or judge, or counsel sitting by and not engaged in the cause. Sometimes everybody seems to "take a hand in." Occasionally a judge will be absent during a part of the time while the case is on, and then, on his coming in, the progress of the cause is interrupted until what has passed has been rehearsed to him, and then he will join in, and perhaps take the lead in the case. Then, perhaps, the Chief Justice will make a side remark to his associates, which the reporter overhears and diligently records, that the plaintiff's case is without merit and wholly unreasonable.

The mode of proceeding is quite free and informal. The members of the bar feel themselves on a level with the judges. Sometimes the *dictum* of an able counsellor is reported as having the authority of the saying of a judge. There are occasionally ejaculations of a semi-profane nature, and several instances of good, round oaths by individual judges, where some crying act of impropriety or injustice is under consideration. There is nothing like servility on the part of the bar. Lawyer and judge, each addresses the other as "Sir." The title "Your Honour," or "Your Lordship," had not then been invented, while "Sir" is in constant use.

Running all through these Books is the plain fact that both counsel and judges are engaged in the administration of justice. Counsel are there to aid the court by fair and honest argument, and not to dazzle and bewilder the judges by sophistries. They, too, are ministers of justice. One striking feature somewhat in contrast with the practice in modern times is the boldness of the judges in announcing that they have changed their opinion, when they have been convinced by the counsel that their first views were wrong, or that a former decision was unsound. The reporter announces the change of views prominently in Latin, and in different type from that used in the body of the page. "*Mutata opinione*" (opinion changed) is the frequent expression. We can but respect the manliness and sincerity of soul of the judges in this direction, and are reminded of what a great and magnanimous judge says in a New York case in describing an ideal judge. He should be "wise enough to know that he is fallible, and therefore ever ready to learn; great and honest enough to discard all mere pride of opinion, and follow truth wherever it may lead, and courageous enough to acknowledge his errors." *Pierce* v. *Delamater*, 1 New York, 18, 19.