

the Mark of the township, which though more or less the subject of private occupancy, no family might permanently appropriate. Thirdly there was the waste land or Common Mark, held by the whole community *pro indiviso*. Private proprietary right in the arable land was never admitted. Traditions remain of customs which are still to be observed in Russia and Croatia, of the periodical repartition of lots within the cultivable area, and of the "shifting of the Arable Mark." "As soon as the family lot becomes separate and immovable," says our writer, "the village community is on the way to dissolution."

It was the original intention of the writer in the *Westminster*, as he informs us, to trace the growth of the State out of the village community, exhibiting, in its modern form, the principle of *local contiguity* as a basis for political and social association; a principle which was destined, after passing through many phases, and producing many revolutions, to ultimately supersede the ancient system of blood-relationship as the bond of civilised society. It was, then, his wish to give some account of the growth and history of some of the leading institutions of the Aryan race, of Sovereignty, for instance, tribal, imperial, and territorial, of Nobility, and of Slavery. It is to be hoped that, in a subsequent article, he will find space to complete his scheme. He has, at all events, fully justified his statement that it is impossible fully to understand either the constitutional history, the political system, or the Common Law of England without at least some knowledge of the primitive institutions of the Aryan race.

F. L.

SELECTIONS.

POPULAR KNOWLEDGE OF LAW.

It is often said, and we fear with too much truth, that no people are so ignorant of the laws of their country as the English. The most strange absence of knowledge of elementary legal principles may be met with even among persons of considerable general information, and no one is ashamed to admit a want of acquaintance with special laws, although they may affect the most ordinary human relations. It is an old story how often novelists and playwrights go astray when they bring the law into the working out of their plots. Some one has said that such authors should always keep a legal adviser at hand to save them from the mistakes into which they are so liable to fall. One of our most popular novelists, who is distinguished by the range and accuracy of his knowledge of common things, published a story a few years since in which his hero, an ex-Solicitor-General, commits suicide because, in forgetfulness of a well-known statute, he thought a large property had been left away from his wife which, in fact, descended to her absolutely. Still more recently our interest has been invited to a trial for bigamy in which, in defiance of all principle, the chief witness against the man charged with the offence is the woman with whom his first marriage was said to have been contracted. It is almost an every-day occurrence for newspapers to report the refusal of a magistrate to hear evidence from the first husband or wife, as the case may be, in a charge of bigamy; yet we are favoured with a very clever report of a trial at assizes, in which this objection seems to have occurred to neither Judge nor counsel. When the opportunities of obtaining information are so ample, the lack of it is all the stranger. In no country are the proceedings of the Court chronicled from day to day with such fidelity and completeness as with us, and nowhere, as it would seem, are they so little turned to account.

It is the dream of many that the study of the law will one day become again what it was accounted in bygone genera-