

INTRODUCTION

IN order that this work may accomplish, to any extent, its very limited object, it is absolutely necessary that it should be understood from what point of view of the study of law it is written, and what is the particular use which it is intended to serve.

For this purpose it is necessary to bear in mind that, until very lately, the only study of law known in England was that preparation for the actual practice of the profession which was procured by attendance in the chambers of a barrister or pleader. The Universities had almost entirely ceased to teach law; and there was nowhere in England any faculty, or body of learned persons, who made it their business to give instruction in law after a systematic method. Nor were there any persons desirous of learning law after that fashion. Forensic skill, skill in the art of drawing up legal documents, and skilfulness in the advice given to clients, were all that was taught, or learnt, by a process of imitation very similar to that by which an apprentice learns a handicraft, or a schoolboy learns a game.

This method of training produced its natural results. The last rays of learning seemed to be dying away from English Law with the old race of conveyancers and pleaders; the only lawyers of eminence who were undisturbed by the hustling activity of the courts. The Chancery lawyers as a rule have retained a higher standard of culture than those of the Common Law Bar; and at both Bars there always were, and still are, to be found many men of eminent attainments in all departments of knowledge. But the law itself is, at present, little influenced by these attainments, and no one would venture to assert that they lie in the direct path of a successful professional career.