

specialization among attorneys. From the very beginning I think it has always been the case in the United States that we have never observed the distinction between barrister and solicitor; but nevertheless those things find their own level, and gradually lawyers have become more and more specialists with us. You go into the Courts of Chicago where the greatest trial work is performed, and you will find there as a general thing a certain set of lawyers who are carrying out the trial work of the county. We have in Cook County perhaps 6,000 lawyers who are practising there, and a comparatively small number of those are doing the active trial work; some of them at least as much as English barristers do. They are practically in Court all the time. They try a tremendous number of cases every year. They are apt to be those who represent the great transportation companies, insurance companies, etc., and lawyers that often represent the plaintiffs in cases against them.

We are grappling, gentlemen, with two great problems in which we cannot truthfully say we have as yet met with success. But we are trying to solve them. The first one is uniformity of procedure. Of course, in Illinois, as you may know, we still cling to the old common law, largely modified by statute, and I for one cannot say that my faith in the common law has been in the least shaken; but when in 1896 we established the Municipal Court we started in with a totally different procedure. There, instead of the old forms of pleading, we had what we have considered the most simplified pleading possible; a man would simply state a fact or two in what is called the statement of claim, perhaps three or four lines of typewritten matter, and it stood as his pleading. The same with the defence. But that has been modified to a certain extent, because the Supreme Court of Illinois has recently held, and of course what the Supreme Court says is law on matters of pleading, even in the Municipal Court, the pleader on either side must state sufficient facts to make out a case or a defence. Now, we have other modes that are very decidedly different in the two Courts. In the State Court we still have the system of written instructions. The attorneys prepare in advance certain instructions; they must hand them up to the Trial Judge