

sign is not questioned; but, of course, it is exercised with as much fairness as the chief justice is capable of. No justice selects for himself, and seldom indicates a preference, though sometimes it is done, for obvious reasons. The chief justice, in and out of Court, is the organ of the Court, to whom the preparation of *per curiam* opinions, correspondence, etc., is committed. He conducts the proceedings in Court. He appoints the times of consultation, and attends to matters of course. In general he directs the record entries; but, in all matters of importance in relation to the business of the Court, he acts with the advice and concurrence of his associates. * * *

"In the Supreme Court of Ohio, in like manner, the final disposition of causes is always determined upon in consultation before the record is assigned to a judge to write the opinion. The record is not examined by each judge separately, as in the Supreme Court of the United States, but by all the judges together, one reading and the others listening. When five cases (for report) are disposed of the chief justice assigns one to each judge, sometimes consulting the judges as to their preferences. Each judge is assigned an equal number of cases. When there is a division of opinion, the oldest in commission of the majority assigns the case to one of the majority. The chief justice's right to assign cases is recognized where the decision is assented to by him. The chief justice calls the docket, announces the decisions not for report, and all rulings at hearings; determines the order of business, with the advice and consent of his associates, etc. * * *

"In the Supreme Court of New Jersey the disposition of a cause by affirmation, reversal or otherwise, is usually determined upon in consultation before assignment to the judge who is to write the opinion. It is the duty of each judge to make a thorough examination of the record for himself. After consultation, the presiding judge requests a particular judge to prepare the opinion. This is the usual course, but there is no rule upon the subject. * * *

"In the Supreme Judicial Court of Massachusetts the final disposition of causes is likewise determined upon in consultation before the assignments to the judges who are to write the opinions. The record in each case is thor-

oughly examined by all the judges together, with rare exceptions, not amounting to half a dozen cases in a year; and in those cases, by one or more of the judges severally, and afterwards discussed by all the judges together. The chief justice assigns the cases in equal numbers, as far as may be, to his associates, and a larger number to himself. No rule of rotation is observed while the Court is in session. The presiding judge usually speaks for the Court, and directs the order of business, advising with his associates, when necessary, and subject, of course, to be overruled by a majority of the judges present. * * *

* * * The Court consists of a chief justice and six associate justices. A full Court for the determination of questions of law is required by statute to consist of at least four judges, and is usually held by the chief justice and four associate justices. No question of law is finally determined without the concurrence of four judges, and a re-argument in the presence of those who have not already heard the case is ordered when necessary to secure this end.

"In the Supreme Court of Errors of Connecticut the final disposition of causes is likewise determined by the justices in consultation, before they are assigned for the purpose of writing the opinions. The record in each case is examined by the judges separately. It is printed, and each judge has a copy. The presiding judge has authority to assign the cases to his associates for the writing of opinions; but, in practice, cases are assigned in order, commencing with the youngest judge in cases where all of the judges are of the same opinion. If the rule brings the case to a dissenting judge, the next judge in the majority takes it. This is the general rule, but sometimes it is departed from, if a judge objects to give an opinion in a particular case. * * *

"In the Supreme Court of Alabama the consultation usually takes place after the assignment of the cause, and after the judge to whom the cause is assigned has prepared an opinion. The record is generally examined only by the judge to whom it is assigned. He reports to his associates the facts contained therein, so far as material to the questions to be decided. If this statement is not satisfactory, or if there is a difference of opinion, each judge, for himself, examines the record. * * *