

question. If any part of what transpired in *camerd* had been published, that would have been a gross contempt of Court. Under all the circumstances, the apologies tendered by counsel would be accepted and the motions dismissed, but without costs.

THE NEW SYSTEM OF LEGAL EDUCATION.

THE Council of Legal Education have, in their new scheme, made alterations in the system of instruction and examination of those who wish to be called to the bar which we do not hesitate to say are of the greatest importance. The scheme, in fact, forms a new departure in the study of English law, the consequences of which it is difficult to foresee. We do not here desire to consider whether the new system will have the effect of making the instruction of the students more thorough, or whether more will in the future avail themselves of the lectures and classes of the readers and assistant-readers than in the past resorted to the lectures of the professors, though this is a matter of considerable moment. What we wish to point out is that the council have, for the purposes of study and examination for call to the bar, adopted a classification of English law which, so far as we know, has never been adopted before, and which certainly is not the one used for practical purposes by practitioners in the Courts of this country. The subjects of legal instruction are, under the new scheme (see the new 'Consolidated Regulations,' par. 28), divided into three heads—viz. (1) Roman law and jurisprudence and international law, public and private; (2) constitutional law and legal history; (3) English law and equity. The latter subject is divided into five subsections, which are (a) law of persons, including marriage and divorce, infancy, lunacy, and corporations; (b) law of real and personal property and conveyancing, including trusts, mortgages, administration of assets on death, on dissolution of partnerships, on winding up of companies, and in bankruptcy, and practical instructions in the preparation of deeds, wills, and contracts; (c) law of obligations, including contracts, torts, allied subjects (implied or *quasi*-contracts), estoppel,

&c., and commercial law, with especial reference to mercantile documents in daily use, which should be shown and explained; (d) civil procedure, including evidence; (e) criminal law and procedure. It is intended by the council that readers and assistant-readers should be appointed in these subjects and examinations conducted on these lines.

It will be seen that under this classification the body of English law and equity is to be treated of in four main heads; (1) the law of persons, (2) the law of property, (3) the law of obligations, and (4) procedure. This corresponds with the division of Roman law in the Institutes of Gaius and Justinian into (1) *jus personarum*, (2) *jus rerum* (subdivided into (a) *jura in rem*, and (b) *jura in personam*), and (3) *jus actionum*. Now, undoubtedly, for a useful study of any body of law some systematic division of the subject-matter is essential, and the division adopted by the Roman institutional writers was a good one, and useful for an intelligent appreciation of the principles of the *corpus juris*. It has, however, been demonstrated that it was not a strictly logical division nor strictly adhered to by the Roman jurists themselves. (See Austin on 'Jurisprudence,' lectures xl. xli. xliii.) But whatever the merits or demerits of the Roman classification of law may be, it has never, so far as we know, been applied to the practical study of English law, which is not founded on the civil law, and does not naturally fall into the same divisions. English law has been usually studied in what may be called its natural divisions—that is, according to its sources and to the main divisions which obtain in actual practice. These are well known to be—we must apologize for stating them—common law, the law of real and personal property and conveyancing, equity, and ecclesiastical law (including probate and divorce). The leading text-books, not only for students, but also for practical purposes, have been written with reference to this system of classification, which has also been used in examinations for the bar and in examinations for admission as solicitors by the Incorporated Law Society. The Council of Legal Education propose to drop the old classification and introduce a new