

THE REPORTERS AND TEXT WRITERS.

manner. Some, but few, additions were made to the body of the criminal law between the dates of the two works; but in the main the law continued, as it was, a system strangely antiquated, unsystematic, and meagre, but of reasonable dimensions, and apparently sufficient for practical purposes."—Stephen's General View of the Criminal Law of England, pp. 65, 66.

COMYNS'S DIGEST. COKE'S INSTITUTES. BACON'S ABRIDGMENT. TIDD'S PRACTICE. "Text books of the highest reputation."—Kelly, C. B., in *The Queen v. Risdon*, L. R. 1 C. C. 203.

COMYNS'S DIGEST. "This dictum, wherever it comes from, derives some confirmation from its reception into the Digest of Lord Chief Baron Comyns."—Sir William Scott, in *The Gratitude*, 3 Chr. Rob. 269.

COOKE'S REPORTS "Sir George Cooke's Reports (long out of print and scarce) have always been held in good repute, and frequently cited.

"In 3 Wilson, 184, Serjeant Jephson, citing the case of *Palmer v. Sir J. Edwards*, says, 'See the case at length, for it seems well reported by that very able chief prothonotary of the C. B.'

"We were induced to select Cooke's Reports as the next volume in our series of reprints, by having become possessed of a copy formerly belonging to Mr. Justice Nares, and containing numerous MS. notes. These notes appear to be partly his own, and partly copied from notes made by Chief Justice Eyre. The authenticity of these notes is confirmed by an observation of Nares, J., in the case of *Crossley v. Shaw*, 2 W. Bl. 1088."—Publishers' advertisement to the 3d ed.

CRIPP'S LAW OF THE CHURCH. Cockburn, C. J.: "I have had occasion lately to consult that book, and was much struck with the ability and research displayed in it."—*Griffin v. Dighton*, 5 Best & Smith, 100.

DANE'S ABRIDGMENT. "Mr. Dane may be considered as a lawyer of the old school, who had devoted many years of his life to the study and exposition of the laws of Massachusetts."—Shaw, C. J., in *Commonwealth v. Alger*, 7 Cush. 73.

DYER'S REPORTS. See PLOWDEN'S COMMENTARIES.

EAST'S PLEAS OF THE CROWN. "A work of good authority."—Shaw, C. J., in *Commonwealth v. Webster*, 5 Cush. 306.

ELDON (LORD), AND HIS REPORTERS. "His later reporters were very able men, and if

they had felt themselves at liberty to methodize and condense,—accurately preserving the substance and the spirit of the original,—they would have done much more justice to him, and conferred a much greater benefit on the public; but I have been told that he highly disapproved of any proposal for reporting him on this plan, and that he was best pleased when he saw himself in the transcript of a short-hand writer. None of his biographers have ventured on giving an entire judgment as delivered by him."—Lord Campbell, *Lives of the Chancellors*, vol. x. p. 241, 5th ed.

ELECTION CASES, REPORTS OF. See ELLIOTT ON REGISTRATION.

ELLENBOROUGH (LORD). "Great is the weight of the considered and accurately reported opinions of Lord Ellenborough after argument."—Bramwell, B., in *Osborn v. Gillett*, L. R. 8 Exch. 96.

ELLIOTT ON REGISTRATION. Second edition. When the decisions of committees of the House of Commons on elections, collected in this book, were cited in the course of the argument in *Whithorn v. Thomas*, 7 Man. & Grang. 4, Tindal, C. J., said that, so far as the reasoning in these cases went, it might be proper to cite them, but not as authorities.

FITZHERBERT. The New Natura Brevium, by Sir Anthony Fitzherbert. This work, on the nature of writs, is "of the greatest authority."—*Kettle v. Bromsall*, Willes, 120. It was first printed in French, in 1534, 8vo, and has been frequently reprinted. The last edition was in 1794, two vols. 8vo, in English. The author was a judge of the Court of Common Pleas in the reign of Henry VIII.

FOSTER'S CROWN LAW. "An authority of the highest character."—Shaw, C. J. in *Commonwealth v. Roby*, 12 Pick. 509. "Sir Michael Foster was an eminent judge of the highest court of criminal jurisdiction, many years before our Revolution, when the people of Massachusetts were under English jurisdiction. He was also a most acute, discriminating and exact writer, whose chapter on the law of homicide has been a work of standard authority on that subject for a century."—Shaw, C. J., in *Commonwealth v. York*, 9 Met. 111. "An eminent judge and a learned writer on criminal law."—Wilde, J., 9 Met. 132. Lord Chief Justice DeGrey speaks of him as one "who may be truly called the *magna charta* of liberty of persons, as well as fortunes."—3 Wils. 203, quoted 9 Met. 111.