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ADDRESS OF HAMPTON L. CARSON.

Mr. President, and Members of the Graduating Class of the Dickinson School of Law, I consider it a privilege to have the opportunity of delivering a Baccalaureate address in a College whose sons have become so distinguished in both public and private life, and whose Dean has handsomely paid the debt which both Lord Coke and Lord Bacon have said every lawyer owes to his profession. It is difficult to select a topic appropriate to such an address, and instead of a technical subject, requiring a technical treatment, I prefer to give you a familiar talk on lines which I hope will prove useful to you as young members of the profession.

You have completed your studies after three years of close attention to legal principles, and in whatever fields you see fit to employ your energies, you will quite naturally find yourselves embarrassed by the lack of practical information or knowledge of those details which are so essential to successful practice. I have thought I might serve as your friend,—sincerely your friend,—if I indicate in a very informal way some line of study which will furnish serious labor during those hours when you are waiting for the employment which sooner or later will come to the industrious and determined man. I have always thought that much of the time which hangs heavily on the hands of the young lawyer while waiting for clients should be used profitably by being used systematically. Your natural impulse will be to throw yourselves almost instantly into practice, and you will chafe with a not unnatural impatience if early opportunity is not given to you to exert your talents and your learning, but remember that those hours which you consider wasted are, after all, but a part of your professional discipline. I know of no calamity which can overtake any young lawyer, which will more seriously impede his real progress in the profession, than getting too early into practice. You are not ready for it. You cannot profitably or wisely advise your clients until you have had some preliminary training in the very line which, in the absence of experience, you are not fully fitted to follow. I think that the most useful schooling and the most useful kind of employment to which any young lawyer can address himself during the first five years is to thoroughly acquaint himself with the Prothonotary's office, or the office of the Clerk of the Courts, or by whatever title it may be known, in whatever field of labor you select. I do not know whether you are all Pennsylvanians, or whether you intend to prac-

tice in this State, but let me assume that the majority of you are Pennsylvanians, and intend to practice here, and the same principle will apply if you select a more distant State, even if you go to the Pacific Coast, and that is that you shall at a very early moment devote at least two hours of every day to self training in the technical work of the offices of the Prothonotary of the Court of Common Pleas, and of the Clerk of the Orphan's Court. Lord Coke, who was the wisest lawyer of his age, and whose wisdom was so abundant that it furnishes a fund for our instruction to-day, said that a good lawyer should be a good Prothonotary. No one ought to be satisfied with having a clerk prepare papers, but he should make himself as familiar with the clerical duties of the Prothonotary's office as though he himself were the Prothonotary's clerk. If you happen to go to one of the large cities,—I am a member of the Philadelphia Bar and naturally have the Prothonotary's office of Philadelphia county in mind; if you happen to go there, you would find such a long line of men pressing for attention at the clerk's desk, that if in the case of a sudden emergency, where upon your diligence and your promptness depended the issue of process in the nature of an attachment to seize property in advance of others representing similar claims, you would find yourselves very much at a loss and at a great disadvantage, if you were not able, asking the clerk for blanks, to fill out those blanks for yourselves with perfect accuracy.

Then you are to make yourselves familiar with the Appearance Docket, which is the general legal ledger of the Prothonotary, which, in a bookkeeping system, would bear the same relation to his business which a general ledger in a mercantile house does to the affairs of a firm. If you open that book you will find stated in regular order, the names of the counsel representing the plaintiff, the names of the counsel representing the defendant, the court in which the case is brought, the term and number of the case, and the character of the case, whether at common law or in equity. You will find in that way an easy index to the proceedings in the case. Make an intelligent selection, taking the very best cases. Run your eyes down the names of counsel until they rest upon names familiar to you as those of leaders of the profession, men who thoroughly understand their business, and who are masters of the technique of practice. Select those. Take a sample case, say, for instance, an action on a promissory note, or an action on a book account, or an action on a mortgage; pass then to one of trespass or pick out an action of replevin or of trover and conversion, and observe how a master practices at the present time, how he institutes his suit, how it is conducted, what papers he files, in what form those papers are filed, and how the other side meets the allegations of the plaintiff. With your own hands carefully transcribe the entries which appear upon the Appearance Docket; then you will have in your own office, for your own study at your leisure, an exact transcript of a public docket. Go then to the original records as filed with the custodian of the records; there you will see the writ which brought the defendant into court. Observe exactly the nature of the return made by the Sheriff, and whether it is within the terms of the Act of Assembly or otherwise. See

whether the defendant has appeared. Look at the precise form of the statement of the cause of action; observe whether or not there has been a rule taken, if the case is a proper one for judgment for want of an affidavit of defense; see whether the affidavit, if there be one, has been filed within the proper time; copy the affidavit; see whether the affidavit has been tested by placing on the motion list of the Court a rule for judgment; observe whether the Court has entered such a judgment, and follow the case up to the Supreme Court through all the stages. Thus in course of time you will have in your own hands a form book of your own creation, patterned upon the most approved models and sanctioned by the most eminent names at the Bar. Now go further; take equity cases; select a bill for the adjustment of matters disputed between partners, or a bill for an injunction, or to enforce a trust. Abstract this bill for yourself, read the answer, follow it either in its reference to a Master or, if it is before the Court acting as a referee, seek for the original evidence, and observe exactly how the issue has been supported by evidence, and what result is reached by the Court.

I have often asked young lawyers who have come to me, "Do you think you are fit for practice; what do you know about the Prothonotary's office? You ask me whether I have a place for you in my own office? My first question to you is, what do you know about the Prothonotary's office?" The candid answer is, "I know nothing." "What steps have you taken to inform yourself?" "None." "What have you been doing with your time?" "Sitting in my office and waiting for somebody to come." "Don't you think you have wasted a great deal of useful time?" "Perhaps I have, but I really do not know what else to do." "Has it ever occurred to you that in the City Hall where the Prothonotary's office is open, there is the place where a lawyer can get his best experience? you know that your brothers in the medical profession are eager to obtain places on the hospital staff, and attend clinics; why don't you attend legal clinics?" Perhaps a young man replies: "I have been wandering through the courts, I have listened to trials, I have heard lawyers of eminence speak, I have heard judges charge the jury." I then put the question: "Well, what practical benefit have you derived from that?" The answer is, in nine cases out of ten, "absolutely none." "Why?" "Because I knew nothing about the cases." Now if those young men, before they had gone into the court room, had gone into the Prothonotary's office in advance, and had found out what cases were down in the trial list, and whether they were of moment or not; if they had, in advance of the argument or trial, fitted themselves for an intelligent comprehension of the question that was to be tried or argued, what would they have done? They certainly would have gone to the Appearance Docket, made a copy of the docket entries, ascertained the exact nature of the case, observed how the præcipe was drawn, how the writ was framed, the place of service, what return was made, what steps were taken subsequently by the plaintiff, how the defendant was forced to issue, how the issue was framed, how the case reached the trial list, and how the jury was selected. These things do not happen of themselves, it must be the result of intelligent and serious action. If, after having prepared yourselves

by preliminary study of this sort for an intelligent comprehension of a trial, you then go into court, you will find that it is not the brilliancy of the argument before the judge or jury that claims your first or last attention. Your attention will be riveted upon the substance and matter of the case. You will have in your hands an exact copy of the plaintiff's statement of cause of action. You will have the defendant's plea, and if any notice has been given of special matters that are to be offered in evidence, you will be familiar with what the defense relies upon. You will then take your seat at the table, and you will notice very carefully exactly how the counsel for the plaintiff opens. My own experience has been that the opening speech is the most important one in nine cases out of ten. At the opening, when the plaintiff's counsel has the first word, he makes the first impression on the minds of the jurors, which up to that time are merely as pieces of blank paper. If, in a concise and orderly manner, you find the leading counsel making an opening so clear, so precise, so exact and so direct that there cannot be any misapprehension on the part of the court or jury as to the nature of the case, you will find that an impression has been made in his favor. It is the story of a wrong, and if well told, sympathy will be enlisted at the outset. One of England's greatest advocates, Sir James Scarlett, never would entrust to the junior counsel the opening of the case, and he always made a rule to understate rather than overstate, in order that when the evidence came out the jury should be surprised at the strength of the evidence and the overwhelming character of it. Whereas, if there was an exaggeration, and the evidence fell short, the jury and the court both would believe that it was the zeal of the advocate, and not the actual facts which had been presented to them, and they could not fail to perceive that the evidence fell far short of what they had been led to think. It is the most natural thing in the world for a young man having a client's case in his hands to get up and state it with all the high coloring and with all the warmth that he can give to it; but that is not the proper time to do it; before the evidence is in be exceedingly careful that you do not state what you cannot prove, and remember that your proof in nine cases out of ten will fall below your expectations. Your client comes to you; he is excited, his blood is warm, and you are also affected by his warmth and excitement, and he tells you that A, B, and C will undoubtedly swear to the necessary facts; then you call A, B, and C, and you find men somewhat languid, and indifferent to the issue, not at all the zealous friends you had thought they would be, or men whose temperaments are so calm that you cannot force them into anything very emphatic; you must drag the truth from them; you must do this, too, by questions that are not leading, or they will be objected to. So the most important lesson you can learn is to study a real master of practice, as to his manner of opening a case, and if you had beforehand an exact knowledge of the cause that he is to support based on your previous study of the record, you then can observe how he addresses himself to the jury, and watch how he puts his questions, how he shapes them.

I am quite free to admit that the active lawyer derives very little practical benefit from the reading of books on evidence; they do not tell him how

to put the questions; you may read volume after volume, page after page, as to what testimony is relevant and what is irrelevant, what witness is competent and what is not, what happens to be within the statute and what happens to be without, but you do not find anywhere any suggestions as to how to put your questions to the witness. I do not know of any more exhausting ordeal for an experienced counsel to undergo than to have a young man in opposition to him. I have gone out of court more fatigued by having a young man against me than if I had had an experienced practitioner, and for the simple reason that a young man does not know how to put questions. He violates the rules unconsciously at almost every stage of the case; consequently the older man is confronted with the difficulty of either being compelled to rise and object every few minutes, which is a positive disadvantage, because the jury will think that he is trying to take advantage of the young fellow, or if he does not object, he must permit questions to be put which are a violation of the rules and which carry evidence absolutely incompetent and improper which will affect the verdict. Now; how are you going to acquire skill in putting questions, unless by watching the leaders as to the manner in which they shape their questions? You must avoid involved questions, you want something simple and straightforward, which call the attention of the witness to the fact you wish to develop without suggesting to him the answer; in other words you must not put yourselves on the witness stand by stating the facts in the question and requiring an answer of "yes" or "no." You must not ask leading questions unless you wish your questions to be continually objected to, and the objections sustained by the court, and in a short time you will be in a sea of trouble tossing about in a helpless and hopeless manner. Now, I do not know any better way of acquiring knowledge on that point where you cannot attend an actual trial, than to take up, after carefully selecting the right sort of a trial, the report of the trial itself, and in doing that you will ignore absolutely the reports of the decisions of the higher courts, the Supreme Court, the Court of Errors and Appeals, with which you have been for three years so familiar. Those are not the courts which are now of primary importance to you. You do not find in the Supreme Court reports any statements as to how to put questions or how to meet objections, and yet that is the practical knowledge that you are in search of. You do not want to read an eloquent speech of a great advocate to the jury, published in misleading form, in a book where attention is paid solely to the rhetorical passages, and no attention is paid to the evidence, which constitutes the marrow of the case. You want a report which is an exact photograph of the case itself from start to finish, which shows exactly what was said just as reported by the stenographer. And if you take a report of this kind and follow it from end to end you will learn more from it in three hours reading than you would in ten hours spent in any other way. The kind of trials I refer to are those which were published at or about the time of some celebrated controversy. You will find them on book stalls or in libraries, and however hard to secure, they are important. For instance I have in my own library the original report of the trial of Eugene Aram, whose story, you know, was made the basis of Bulwer's novel. This cele-

brated scholar was tried, and convicted of murder, although the body of the victim had been buried in a sand pit sixteen years before and where the *corpus delicti* was discovered only by the accidental exposure of a bone. Now, Bulwer has told the story in most attractive shape; he has made it the subject of a most exquisite literary romance, but so far as instruction and value to the lawyer is concerned, it amounts to nothing; but when you hold in your hand the exact account of that trial as printed three days after the verdict was rendered, and you are able to follow not only the indictment, but the opening of the Attorney General, the way in which he questioned the witnesses for the Crown, the opening of the counsel for the defendant, the way in which the rebuttal was conducted, and then the manner in which the counsel summed up the case and the judge's charge to the jury, you then possess, so to speak, an exact stenographic and phonographic report of the case, and you then can judge of the real value of a trial by jury.

Let me cite a case which took place in the House of Lords, the trial of a Peer by his Peers, the trial of the Earl of Cardigan, who you remember was the man who led the charge of the Light Brigade at the battle of Balaklava, and who rode at the head of the "gallant six hundred" of whom Tennyson has sung. The Earl was indicted for fighting a duel. He had challenged one of his subordinate officers, Captain Harvey Garnett Phipps Tuckett, to meet him on Wimbledon Common. The captain having married a very attractive young woman, the Earl became quite attentive to her, and this led to the quarrel. The Earl being a member of the House of Lords, claimed the privilege of being tried by his Peers, and for the first time in sixty years since the trial of Lord Lovatt, the House of Lords, including Lords Brougham, Lyndhurst, Denman, Wynford and others, met to try a noble Lord. The question was whether the Earl had violated the statute which made duelling a capital offense, provided of course there was intent to kill. The Attorney General of England at that time was Sir John Campbell, author of the lives of the Lord Chancellors, subsequently himself a Lord Chief Justice of England, and still later a Lord Chancellor, and moreover he was the son-in-law of Sir James Scarlett. The opening of the Attorney General indicated absolute assurance that he was going to convict, and everything undoubtedly showed that the Earl had sent the challenge. On a hill which overlooked the common there stood a mill with a platform around the upper portion, from which point of vantage the miller and his son had seen the carriages containing the duelling parties approach. They saw the parties alight, saw the seconds advance, then stoop over something which evidently was a box containing pistols, take out the pistols, examine them, and then pace off the distance; then they saw the principals themselves approach, and take the exact positions designated by the seconds, wheel and fire; one fell. The miller who was himself a constable, seized his long staff of office and immediately approached the field and made arrests. He took the men up to his house, and asked them separately for their cards. One card was handed to him by the wounded man, which contained the name of Phipps Tuckett. The Earl had no card, but said he was the Earl of Cardigan.

The Attorney General, confident that no answer could be made by the

Earl to the facts of the case, after arguing on the meaning of the statute, contented himself by putting in evidence the facts, which I have briefly detailed, and then attempted to offer in evidence the card which Captain Tuckett had handed to the miller. Instantly that most accomplished of English advocates, Sir William Follett, objected. His objection was based on the fact that the card had been handed by Tuckett to the constable in the absence of the Earl, and the Earl of course could not be bound by anything which took place in his absence, particularly if anything was written on the paper. Well, the objection was so unexpected that it irritated Campbell, and he attempted to argue that it was preposterous for his friend to object to that. He said that the Earl had been identified as the man on the ground, that he had been arrested without any attempt to escape, that he had fired in the direction of Tuckett, that Tuckett had fallen, was wounded, and then a few minutes later handed a card to the constable, and there had been no separation of the parties. The cause was presided over by Lord Denman. The Chief Justice waived the objection aside, saying that this was not the exact stage at which the offer should be introduced. Campbell went on and attempted to show exactly who Captain Tuckett was and what relations he maintained to the Earl, and then suddenly closed his case, but just before closing he made a second offer of the card. Follett, believing that there was some good reason why the Attorney General was so anxious to have the card in evidence, said "will you kindly let me see that card, because maybe I will not press the objection?" The card was handed to him; he looked at it and, in an instant, said "I have no objection to the offer of this in evidence." It was received with the words on it Phipps Tuckett. The Attorney General then said "the Crown rests." Follett rose and impressively said "the defence has no evidence to offer, I move for the discharge of the prisoner." "On what grounds?" asked the astonished Campbell. "The indictment charges that the Earl of Cardigan drew a deadly weapon and with intent to kill fired at one Harvey Garnett Phipps Tuckett; on this card which was handed by the wounded man are the words Phipps Tuckett; there is no proof that Harvey Garnett Phipps Tuckett and Phipps Tuckett are the same man."

Now, gentlemen, imagine a situation before the Peers of England in which the Attorney General then sixty-three years of age and an advocate of great experience had absolutely failed to secure proof that the name on the card belonged to the man who was identical with the individual whose name was inserted in the indictment. A debate took place and all the great lawyers agreed that it would have been a simple thing for the Attorney General to have identified the two names as belonging to the same man, but he had failed to do it. It would have been easy enough for a witness to have been called who knew Harvey Garnett Phipps Tuckett, and who could have identified him as the person at whom the Earl had fired. The identification would then have been complete, but there was an absolute break-down in the proof because of a failure to think out before-hand what exigencies might arise. I give this as a sample to indicate a lesson which you cannot get from a book on evidence.

Take other cases: you have heard a great deal about the fame of Lord Erskine—the peerless forensic leader of the English Bar; you have heard of his many exploits in his defense of Tom Paine, of Horne Tooke, of Stockdale, who wrote in defense of Warren Hastings when he was charged with mal-administration in India. Many were the successes of this incomparable man, but what one of you has seen in any treatise, or what one has any actual knowledge of the real basis upon which the reputation of Lord Erskine rests? It is not enough for you to pick up a volume of Select Speeches and read his famous apostrophe to the Indian Chief. What you want to know is how did he cross examine his witnesses, or whether he did cross examine them, because, recollect cross examining is not what many men believe it to be, putting questions in a very cross manner. It is exactly the reverse. The most skillfull cross-examiners are those who handle the witness without the witness ever knowing it. If one flies at the throat of a witness he is instantly up in opposition and ready to fight, and the sympathy of the jurors are with the roughly treated witness. Now, how are you going to acquire that art; how can you do it? You can not of course reproduce the voices of the dead; they are gone—but what you want to do is to find out from some source the exact way in which those cases were tried, exactly what those men did, and if you do that, or, if in the absence of books at your command, you study cases in the way I have indicated, by going into the Courts and watching the leaders, you will in time acquire knowledge and skill and judgment.

Gentlemen, I wish to assure you that a case which has to be won by a desperate speech at the end is rarely won. A case that has been successfully and intelligently presented requires very little talk at the end. After the judge has summed up the case and given it to the jury, almost invariably one can predict the verdict beforehand; of course accidents happen, but I say seriously, after a good many years of experience, that the harsh words hurled upon the heads of jurors in my judgment are very much undeserved. If you will take one hundred verdicts you will find that in ninety-five cases the verdicts were right. Of course the counsel who loses the case cannot always see it in that light. Always see what strength your opponent has on his side of the case. Study his strength, and by looking at the case not only from your side but also from your opponent's side, you will find that you will acquire a practical knowledge, which no man can take away from you.

You want to supplement this of course by reading—careful reading. Now you have accustomed yourselves to take up the reports of cases in the Court of last Resort, and if you are familiar with the ordinary Case books, as no doubt you are, you have simply the opinion of the Court, or perhaps a selection made from the opinion of the Court by the compiler. My own criticism upon case books is that they do not give the student all that he ought to have. You have simply the result, you do not know how it was reached; the pleadings and the arguments of counsel are eliminated, and you are asked to assume a statement of facts, which is placed there as a mere intellectual problem. You have worked out the difficult question arising from the fact that A wrote a letter to B, A being in Boston and B being in

the city of Philadelphia, and B having replied by letter posted at a certain time, and because it was mailed the contract has been closed at the time of the posting of the letter. But what were the facts in connection with the matter, and what were the arguments of counsel in order to develop that result? The case book does not tell you, and you do not get down to the marrow of the controversy. What were the steps which led up to and were employed in that judgment of the Court? Now you want to reverse this process. You have been starting out by taking the final results of the last judgment of the court of last resort, now reverse it, go the other way, instead of starting with the result start at the beginning, go back, get the record in the case, see how the lawyers opened the case; instead of going down stairs, go up; follow the case step by step past this object on the bank and past that object on the opposite bank, and you will find your acquaintance with the scenery becomes far more familiar, more real by seeing it in the reverse. Then you can ascertain exactly the reason why the Court reached that conclusion. This is for nightwork.

I do not know how much attention is paid at the present day to Kent's Commentaries, but I undertake to say that no young lawyer can spend his time more profitably than by studying carefully the four last chapters in the first volume of Kent. Here you will get suggestions which may be made a useful introduction to still larger work. Study the Statutes. I do not know how far instruction goes in statutes, but I know that while I was in the law school very little attention was paid to statutes; almost all the attention was given to reports. But you must read statutes. You pick up a digest, and by going through it you will find alphabetically arranged an immense number of topics of which you never dreamed. You read and you find out that the Legislature has passed a statute on some most important subject. Now, you can put life into that; you can personify the statute just as you can personify an idea; if you can be made to believe that the statute has a history, that it has life, force and vitality, which makes it a real thing, a rule of action for the government of the affairs of men, you can make your minds glow with a certain interest in a statute, which will rob it of its repellent features, and clothe it with real life. Take a statute which has become historic—the Statute of Frauds, for instance. Now, haven't you asked yourselves time and again why was it in the reign of Charles the Second that such a statute as that against frauds was passed? What condition of affairs existed in society which made it imperative that England in such an indifferent age as that of Charles II should feel called upon to enact the Statute of Frauds? Have you got any real information with regard to the meaning or purpose of that statute, unless you go behind it and ascertain the exact causes of its birth? It must have a history; it did not spring spontaneously from the brain of some lawyer without previous consideration. A statute must represent the demands of society, and not this statute alone. It is the same way with any one of our great statutes—that of Wills, of Mortmain, of Evidence, of Equity Jurisdiction. If you will turn your attention to the time before the passing of the statute you will find there was an opportunity, just as behind every leading case there stood an opportunity, and behind that oppor-

tunity there stood a judge, and behind the judge there is a long line of circumstances, which. developed at the proper time and just at the proper place, produced the decision.

Why was it that Lord Holts's decision in Coggs vs. Bernard, as affecting the law of common carriers, and Lord Mansfield's decision in Carter vs. Boehm in relation to insurance, came at the time they did? Why was it that Chief Justice Marshall's decision in Cohens vs. The State of Virginia, or in Osborne vs. The Bank, or in Gibbons vs. Ogden, or in any of those great judgments which have made his name immortal, came at the time they did? Because, just at the proper opportunity there came the occasion for the delivery of the judgment, which represented certain developments of society, which made it vital and inevitable that the judgment should be pronounced. If Chief Justice Marshall had dropped into his grave at the end of fifteen years of judicial service he would have passed down to posterity, having given but a single judgment of any weight, that of Marbury vs. Madison; but, as the country grew, nearly all of his great judgments were pronounced later. Now, when you think that an anatomist can reconstruct an entire animal from mere fragments of bone, so can you, if you have any real conception of the events which led to the delivery of a great judgment in a great cause, reconstruct the conditions of society. Do not treat a law case as an abstract thing, as though it were a mathematical problem. Do not attempt to make a dead analytical study of it, but learn that the great body of the Common Law, which has life and growth, and which will continue to grow from age to age, has gathered up the results of the wisdom of ages. You must believe that there is a spirit which runs through all the centuries, and which makes those judgments veritable monuments of wisdom for the practical government of men.

How are you going to ascertain the measure of value you can place on the judgment of a Court? You say there are a multitude of judgments, and you do not know the important from the unimportant ones. What book will give you information on the subject? Take Foss' Judicial Dictionary; there, in a single volume, you will find brief biographies of every judge who has sat on the bench in England. After awhile the useful feature of the book will present itself to your minds, and you will be able to estimate the value of the opinions of different judges. You all know the value of an opinion by Mansfield, but are you acquainted with the value of the opinions of less important judges, and are you to attach the same weight to their names that you would to the greatest of common law judges, whose opinions are so familiar to us? Just so with American judges. It is not enough for a man, by diligence among law registers, law magazines and digests, of which there are so many, simply to pick out a common pleas decision, or some decision of the Supreme Court of a Western or Eastern or Northern or Southern State. What you want to know is, what value are you to attach to that decision; is he a great judge, is he a learned judge, is he a wise judge, is he a new judge, is he an inexperienced judge? That is what you want to know. Well, you must read the lives of the judges, and you will find that it takes a long time to make a judge, and that as a judge grows older the

man becomes a wiser, better judge, provided, of course, that he retains his faculties.

Then, too, you must pursue your reading. You want to keep up your text book reading, but you do not want to overwhelm yourselves with text book work. If you have a specific point to sustain before the Court, remember you will always find disappointment in the ordinary text book. You want to be able to fall back upon fundamental principles; you want to be able to reason on general principles as to what the law is, and hence to what the law should be. Books like Williams on Real Property, Haynes' Outlines of Equity, The Introduction to Adams' Equity, Stephen on Pleading; Smith on Contracts, Anson on Contracts, and Chitty on Pleading,—books of that stamp—are immortal. You cannot make yourselves too familiar with them, and I would go back with all zeal and ardor to Blackstone, because that wonderful book you will find more and more worthy of your consideration and attention everytime you read it. Then read Maine on Ancient Law.

Well, now, gentlemen, when you find that you are jaded with this ever accumulating load of labor, you want to feel that your struggles were paralleled by the experience of other men. You want some voice to penetrate the silence of your chamber with cheering notes, and you turn to the life of some great lawyer, a giant in the profession, and you find his experience was precisely similar to yours. Do not place any confidence in those misleading biographies which always describe a man as getting in a very short time into a lucrative practice and astonishing courts and juries by the extent and range of his information. They are all written after the man has become famous, and you are not told what his experiences really were. Thomas Jefferson, according to one biographer, in the first three years of his practice made as much at the Bar as a man of ten years in active practice at the present time makes in one of the large cities. It is a fable. Usually such statements are entirely groundless, based on no evidence at all. Read Mr. Binney's Eulogium of Chief Justice Tilghman, in the appendix to the 16th volume of Sergeant and Rawle. There you have a perfect portrait of a great judge, and can learn what Chief Justice Tilghman did for the jurisprudence of this State. You also have a statement of the difficulties which he encountered in his long struggle for professional success, and you also learn the exact nature and character of those things which contributed to his success. Read Kennedy's Life of William Wirt, Story's Life and Letters, and the Life of Benjamin Robbins Curtis. Read Townsend's Lives of Twelve Eminent Judges, or Roscoe's Eminent Lawyers. Then go further back and dwell in the cloistered ages, far back in the days of the Knights Templar. You walk down the Strand in London, her busiest street, and there where Temple Bar spanned the narrow highway you look at the very spot where the heads of criminals were exposed on pikes. You turn through the gate on the right and in an instant the roar and bustle of great London ceases, and you enter that calm and impressive sanctuary which for more than six centuries has been dedicated to the profession of the law. You look at the lamb and the horse, displayed there as em-

blems of the Temple—two riders on a horse, the indication of the poverty of the order, and the lamb with the holy banner, the indication of the purity of its principles. Can there be to anyone, even though not a student of law, a better field for contemplation? Yes, even from a literary or historic standpoint. Here is the grave of Goldsmith, and there on the walls and over the arches are the images of the great judges who for six or seven centuries have made the English law what it is. The lexicographer Johnson wrote his dictionary there. There are the very chambers occupied by Blackstone, here is where Dickens trod the scene with Little Nell, here is where the very sparrows hopped over the lawn, for whom Lamb wrote his plea for their preservation. There is the very garden in which were plucked the roses, red and white, emblems of Lancaster and York in the War of the Roses. Many are the marks of this great profession in those halls where generation after generation of lawyers have hurried into shadow in garment and cowl, in wig and robe.

Young men, you must realize that it is justice and the administration of justice, that has made the law the guardian of our liberty. Inspired by these traditions, appreciate the value of your opportunities, and cling with a whole souled devotion to that which is pure, to that which is good, to that which is lofty, to that which is true, and may the blessings of God rest on you and reward you for your labors.