cultural basis such as the Second System above does to a man.

Langdell was an American lawyer and for many years a Professor in Harvard. Before becoming a Professor he had practised the Law in New York. It was the practical method of Law that he adopted as the basis of his mode of teaching. The lawyer bases his Brief and the Judge his opinion upon a careful study of Statutes and Reports and, of course, not upon Text-Books. It is very seldom that reference is made to Text-Books in Law Courts and that generally written by men who are dead. It is very seldom that a Text-Book is of much account except for guiding a man to the sources of his information. They are more or less like Digests or Indexes, indeed the Text-Book writers make no pretence to do more than summarise the Digests and the Statutes for educational purposes. Langdell saw this and realised the insignificance of the method which I have described above as number one, the method for examination and cramming. He, therefore, held that the teaching of Law should be based upon the methods of the Court, and so he collected Cases upon different branches of the Law and began with the Case. In the method No. 1., above, these Cases were placed in the second rank and the Text-Book in the first. Langdell reversed the process and placed the cases in the first and the Text-Book in the second, indeed the student had to write his own Text-Book from the Cases that he studied and from the Law that the teacher showed him underlay each case. In other words, the first method of teaching Law is deductive, the third method of teaching Law, Langdells, is inductive. What Law is and how it is grown are questions that have to be answered by tracing the main streams of Law through a series of Cases. Law has been over-burdened by Reports. It is for the teacher to select the cases that count in to-days practise. The searching of the original sources is the first thing to be done both by the student and the teacher. You will see from what I have said , both the strength and the weakness of this system. Let me give you an instance in point, which is rather a good instance as the Law involved in the cases has never been accurately determined in any of the Provinces of South Africa. A good deal of writing has been done on the subject of Lobola but it is all literary and is on that account of very little significance so far as Law is concerned. I have been studying this subject for years past and have beside me the beginnings of an essay for publication that has taken me a long time to write because I followed Langdell's method. You will notice I have said it has taken me a long time to write, and this of course is just the trouble about the method of Langdell, a man has to do an enormous amount of research work. First, I have had to read all the/-

Government Reports of Commissions on the subject and summarise them. Most of them were of no account or of no legal significance. Next, I have had to make comparative studies of Lobola amongst various tribes of Africa from the books written by missionaries and others and have had to summarise them. They too have been of very little legal account, seeing that they were more descriptive in their statements than factual in their observations. After this was done according to the Langdell method we had to place Lobola in the Domestic Law ---- --- - ----------of the tribes, and here again the statements given by missionaries and others have been exceedingly imperfect. The fact is one could not get at the bottom of the custom by reading such statements as were made by those who were out for exaltation or for exaggeration. Then came the cases that fortunately have been reported during the past twenty years. Some of the cases have been reported as if they were of very little significance, they were really Digests and had to be taken with caution. However several Cases, sound Cases, have been published in the Law Reports of South Africa, one in particular by Judge Hopley in Rhodesia. He entered very fully into Lobola as carried on in Rhodesia and applying English Law or rather the spirit of English Law gave a decision that accorded with our sense of equity and morality but which later on was upset by Russell the present Chief Justice of Rhodesia. So here we have in Case Law contradictory verdicts over Lobola which shows that legally the custom has not yet been clearly determined, and until it is clearly determinedd no amount of moralising and exortation will alter the working of that custom. The Reports of the Transkeian Administration contain quite a number of cases on Lobola. I have summarised them also. Only one or two principles stand out prominently and these are more administrative than legal. Now, I have been following Langdell's method of endeavouring to trace the Law and its growth through its cases. That is I have been following the method of induction and have found that that method takes a long time for one to understand in its application to legal cases seeing that the uncertainty of decisions has to be recognised even before one formulates a doctrine on Lobola say, or on its development. Until a Statute of definition and application be drawn up and thus the limits of the custom and its value be determined the lawyer can only fall back upon Langdell's method which is the method of Case Law. It is much simpler of course when a teacher approaches Statute Law seeing that he has only to define and extend what has been practically made a logical definition, but in cases like Lobola Langdell's method is the only method that

can be followed by the teacher, who, to save the time of the pupil, might give him results in notes in which he defined the scope say of Lobola. In the case of Statute Law as the Criminal Code of the Transkei and the Natal Code, the first method of teaching, of course, must be followed since there is no necessity to waste time discovering how the Code has come into existence. The cases connected with the Code and its interpretation are all that need be known to the teacher or to the pupil.

You will notice that Langdell's system which is based upon the practise of Law has this merit, that a student has to learn nothing about the practise of Law when he begins it. In the case of the other method he has to discard it and fall back upon Langdell's in his practise. Again, the cultural element in Langdell's method is greater than that of the first method mentioned above although neither has the influence over the mind that the second method always produces. Kenny's Cases in Criminal Law might be used as the basis of lectures and not as they are used in the first system as supplementary to the elements of Criminal Law.

It is very funny that those who have been trained in the first method of elements alone have always objected to the second method, cases first and make your own elements, or correct the statements that are made in the Text-Books on the ground that such a method takes time and requires a man to think too much. His inferences may be wrong seeing that they have to be related to other inferences of Law that may not square with them. It is all very well for a man who has a great knowledge of Law to follow this method because he knows how far his inferences are correct, being tested by his own knowledge, but a tyro may go all wrong, most likely he will, both in his inferences and thus in his judgments. There is something in this, there is a great deal in this, and yet Langdell's method has spread throughout the United States of America and now is regarded as the usual system of teaching Law. In connection with this a curious thing arises, that Langdell was the first to employ assistants who had never practised, as he held that the teaching of Law although in method based upon Case Law was to be the teaching of Jurisprudence. The less practise you had the better for Jurisprudence. In other words, he preferred to have men as assistants who knew the philosophy of Law rather than the practise of it. Langdell saw the inadequacy of reading cases only. He saw that the cultural element would be awanting and thus he advocated the treatment

of a Jurisprudence. Of course, a practising lawyer has no time for Jurisprudence any more than certain preachers have for theology, but Langdell was right in urging just the side that was weakest in his method, namely the interpretative side in treatment of Jurisprudence. To come back, the custom of Lobola has not yet reached the interpretative side of Jurisprudence for the Legal side is more or less in a state of uncertainty. The literary side of course is imaginative and chaotic and need not be discussed at all. It will take a few years yet for a man working through the legal aspect to discover the Jurisprudence of the Lobola custom. Any definite opinions about it to-day are only ridiculous so far as Law is concerned. We have not yet had sufficient cases printed to bring out the full significance of the custom from the Law standpoint, and what we have are contradictory in verdicts and in customary interpretation. I think I have said enough of the third method which may be summed up by saying that it begins with a book of cases and finishes with the correcting of Text-Books or the writing of one by the pupil himself.

The Fourth Method.

The first method of teaching Law was the Deductive Method in which the Text-book played the important part, and the Case book a Subordinate part, the Reports practically no part at all. Some parts of Law, such as Jurisprudence, might be effectively taught by this method and also Statute Law if practical Statutes were made the Texts. This is the method of Deduction or the application of recognised principles especially of administration to the actual facts of life.

The second method is really by far and away the best way where the text is made the basis, and is elaborated by interpretation, Digest, Reports and the History of Law. It is really the method by which the lawyer gets a thorough cultural knowledge of Law and not a mere practical knowledge. It is the method of culture.

The third method is the method of induction and is the application of the Heuristic method of teaching to the subject of Law. It begins with the Reports and deduces from them the Principles of Law. These methods deductive, cultural and inductive have all their merits and have each their particular ~~methods~~ merits both as to the expense arising from books and as to the time required for study. As much examination Law is of no service whatever to the practical man it seems a great waste of time to adopt any of these methods to all forms of Law, some would say to any forms of Law, and so another method has come into existence, the lecture method. This is the common method that is used for preparing men for examinations. It is generally used by tutors who anticipate the work of examiners. There is no need for any great expense by the pupil for books, Digests or Reports, all he needs is a note book. On one side he writes a summary of the Text-books from the dictation of his tutor, on the opposite side he writes the necessary cases that explain and expand the remarks of the teacher or adds his own reading. Sometimes it is better for him to read nothing whatever but to get up the outline of cases that have been dictated to him. The teacher takes a subject of Law or a part of it and gives an outline of it for half an hour and then dictates for another half hour what he has said. Or he reads slowly what he has himself written and fills the note book of his pupil with his own notes. Weekly he gives them an essay on a subject that will give them practise in writing answers. It is the method of the Crammer who does all the work and the pupil who learns what the teacher tells him. This method saves time but hardly creates lawyers. We might call it the Examination System. This system has

produced quite a number of Text-books in various branches of Law. Thus, in Roman Law we have several Summaries, Answers to Questions and so on, so too in International Law, indeed in all branches of Law that are commonly taught. These summaries have been got up to help the student and to save his time. I suppose this is the method followed in South Africa where the complaint is that lawyers are not very skillful, although they have got some training in reading Law books.

There is the fifth method used in the teaching of Law to advanced students, that of the Seminar. It is of no use to junior students but is of some use to senior. Its method is to give a student a long subject with a list of books and to ask him to report on the subject after he has spent say six weeks getting through the literature. The essay must take half an hour or three quarters of an hour to ~~write~~ read at one meeting, and at the following meeting it is discussed by all the students of the Seminar and by the professor. This of course is an expensive method seeing that the student may have to purchase the last books of his subject unless they are in the Library. I have ~~bedi~~ beside me an essay, I wrote for a Seminar, of 80 or 100 pages, which cost me in material and otherwise about £8, but I might recover my money if I send it to a Law Journal. It took me six or eight weeks to read through the French material, for my subject was on a branch of French Constitutional Law.

Now, I think you will say that you have had enough on the methods of teaching Law and you will choose the cheapest and easiest which is that of a lecturer. I shall now deal with the best Law books and indicate which ought to be crammed for examination purposes..

Books for a Law Library.

I suppose that you will place in the Library certain books for reference. I do not think that you will do well in providing Text-books for the Library so as to cut down the book expenses of the student. I know the natives will buy no books if they can help it, neither Law books nor any other, and yet the work of a lawyer can only be rightly done in the interests of his client by him keeping himself abreast of the Law of the day. I should, therefore, insist on every Law student having their own copies of the Text-books prescribed and of such Help-books as are necessary. Law books are costly and those who wish to enter that profession should realise that it is a lucrative profession like Medicine, and that they should keep themselves abreast of the

knowledge of the day. You will see what I mean. Every effort will be made on the part of the native student to escape buying the necessary books. He will think that his note books and the reference books are all he needs. When he leaves he ought to carry away with him certain Treatises that are essential for Law in South Africa by compelling his people to give him money for the purchase of books, it will let them realise what they do not realise that to enter a profession is a costly business, and the student to realise that a certificate does not imply that he knows Law. Now, there are certain essential books that must be in your Library. I shall state the books according to the subjects that I understand are to be taught. But first of all let me repeat what I have already said that you would do well to get a copy of Bibliotheca Legum by Stevens and Haynes as well as Stevens' Catalogue of Law books and Wildy's Catalogues of Law books. These should be on the shelves so far as English Law is concerned as they are very valuable. Longmans could get you these Catalogues, or you might get them from Stevens and Sons Limited, 119 and 120 Chancery Lane, or Wildy & Sons, Carey Lane, Lincoln's Inn. Juta's Catalogue, the most recent, should also be on your shelves. Let me begin with Roman Law. The books on Roman Law are exceedingly numerous. The Text-book suggested by the examiners ought to be carefully read through. The great books on Roman Law that should be on the Library shelf are written by Buckland, they are four or five in number, and published by the Cambridge Press. One is called the Text-book of Roman Law, another Roman Law of Slavery, another, Elementary Principles of Roman Private Law, and still another, a short ~~book~~ text-book on Roman Law. These are all expensive. The short Text-book is for students, the other for teachers of Law. A very good book on Roman Law also is Hunters. He has arranged the Law in the form of a Code and thus makes it more easily understood in its details to the one who reads Roman Law for the first time. There are two French books, both invaluable. One of them is very difficult to get now-a-days seeing it is out of print, the other is the standard book of the day. Ortolan's Roman Law. It is a beautiful summary and also contains a summary of Roman History. But the great book of the day on which the English writers depend, such as Buckland in the Elementary Principles of Roman Private Law, is Droit Romain by Girard. There is no book like this, not even in German, so simply written, so accurate and so up to date. Girard also prints the necessary texts and thus brings up to date the German Texts on Roman Law. These books are Library books of reference except the Elementary/-

Principles of Buckland. I believe that it is Justinians Institutes that is supposed to be read by the Law student.here. Two books of summaries are exceedingly useful. Unfortunately the best is out of print. It gives and exceedingly good outline, much better than that attached generally in the preface of the ordinary Commentary to Justinian. The most recent, however, is quite good, it is Willis and Oliver's Roman Law, in Butterworth's series of Text-books. I think its price is about 10/6. It certainly will save a student summarising Justinian and at the same time will show him what is expected of him in answering questions. Kelke has also a book of summary. Whoever teaches you Roman Law, however, will be able to let you know what are the more recent of these summaries. The first book of summary is Greene 1884, the last book has slipped my memory. It has to be used with care but it is a good book published about 1916 and covering the whole ground. Greene is, however, one of the best if copies could be got of it but it is long gone out of print. The Summary of Roman Law in Poste, Sohm, and Sandars are quite good and would form the basis for a student expanding his own notes. Of course in your Library you will gradually accumulate such books as Mommsen's Corpus Juris Civilis, at least in the three volume edition. It will be of no use to a student. You would also gather together the various Digests that have been translated and Munro's two volumes where a large number have been collected together and translated into English. You might also have various editions of Justinian such as are current at the present time. Moyle's latest edition with translation being the best. The literature on Roman Law is exceedingly plentiful although only part of the Corpus has been translated, the last part being done by Justice Solomon two or three years ago. However, a Law teacher will be able to guide you better than I in the selecting of essential books on Roman Law for the beginnings and continuation of a Law Library. Two books I believe are quite enough for the students who may be referred to others, namely a Text-book like Sandars on Justinian and a summary book like Greene and Willis, otherwise he will waste an enormous amount of time trying to summa[illegible] for himself work that has been done by others. Of course the [illegible] tra[illegible] be in doing the work over again himself and in comparing his [illegible]e already accomplished with that training.would be too [illegible]. It musy be foregone if a man is preparing himself for [illegible]d not for the writing of a book. So much then for Roman [illegible]. There are three Roman Law Dictionaries, a very old

one by Brissonius, one by Dirksen and one in course of publication in Germany. Dirksen is short and like the Law Dictionaries is Latin - Latin. Again there is a Law Latin Grammar which is very useful published by Stevens and containing maxims with principles. It costs about 5/- and is not out of print. These books should be on the Library. The articles in the Classical Dictionaries of Law are practically of no use. What is valuable has been set forth by Roby in hisRoman Criminal Law and also in his Latin Grammar. I think I have said enough both on the literary and on the legal side of Roman Law. I might add that several good books have appeared recently in Switzerland and Italy on the Twelve Tables and on separate phases of Roman Law, but as I have said a teacher of Roman Law will know these books himself and their value. He will also be in touch with English Society for the study of Roman Law in England just as he will be in touch with other societies on International.

Now for the ~~Roman~~ Roman-Dutch Law. Grotius's Roman-Dutch Law in its translation by Maasdorp with its appendix must be on the shelves, and Van der Linden's summary. The latter book should be in the possession of the student as it is really essential for practise. Tennant's Manual will give him a summary also of this Roman-Dutch Law. The new edition on Grotius by Dr. Lee of Oxford is an essential work as it contains a translation of notes dealing with Roman Law at the present time. Van der Kesel is a small book not easily obtained now-a-days but still essential for a Library and Kotk's Van Leeuwen, especially the last edition which costs £5or £6. Of course every lawyer knows Wessels History of Roman-Dutch Law from which he can obtain the names of the best books of the past. I suppose Dr. Lee's introduction to Roman-Dutch Law is one of the Text-books prescribed and that its last edition. Juta's list will give you an idea as to the best books that have been recently published on Roman-Dutch Law. One is continually being used, Morice on English and Roman-Dutch Law. But a teacher of Law will have summarised most of these technical books in his lectures, only if he does not possess them they ought to be on the Library shelves.

N[illegible] the matter of Digests. I suppose that a lawyer would tell you [illegible] Smith would be absolutely necessary for South African Law [illegible]be for English. Both these Digests are expensive. Both [illegible]ain. A lawyer would tell you that Bell's South African [illegible] your shel[illegible]ion form. It