

**THE PRACTICE AND COURTS OF CIVIL AND  
ECCLESIASTICAL LAW, AND THE STATEMENTS  
IN MR. BOUVERIE'S SPEECH ON THE  
SUBJECT, EXAMINED, WITH OBSERVATIONS  
ON THE VALUE OF THE STUDY OF CIVIL AND  
INTERNATIONAL LAW IN THIS COUNTRY**

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The Practice and Courts of Civil and Ecclesiastical Law, and the Statements in Mr. Bouverie's Speech on the Subject, Examined, with Observations on the Value of the Study of Civil and International Law in This Country by Robert Phillimore

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**ROBERT PHILLIMORE**

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THE  
PRACTICE AND COURTS  
OF  
**Civil and Ecclesiastical Law,**  
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MR. BOUVERIE'S SPEECH  
ON THE SUBJECT,

**EXAMINED;**

WITH

OBSERVATIONS ON THE VALUE OF THE STUDY OF CIVIL  
AND INTERNATIONAL LAW IN THIS COUNTRY;

IN

**A LETTER**

TO

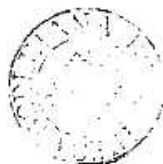
**THE RIGHT HON. W. E. GLADSTONE,**  
MEMBER OF PARLIAMENT FOR THE UNIVERSITY OF OXFORD.

BY

**ROBERT PHILLIMORE,**  
ADVOCATE IN DOCTORS' COMMONS, AND BARRISTER OF THE  
MIDDLE TEMPLE.

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TEMPLE BAR.

MY DEAR GLADSTONE,

THERE would be no impropriety, I think, in addressing the following remarks to any member of parliament, who may, and probably will be, called upon hereafter to legislate upon the important and complicated subject to which they refer. But it appears to me that there is an especial propriety in invoking your particular attention to them—not upon the personal ground of the friendship which has subsisted between us for so many years, though there is no reason why this motive should be without its influence upon me, but because you have filled very high offices and taken a very conspicuous part in the government of the country, because you were a distinguished member of that administration which propounded and carried through one branch of the legislature (the most judicial branch, I may be permitted to say) a measure of wise, vigorous, well-considered

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and practicable reform upon this subject; and also because you are the Representative in Parliament of one of the Universities, and, as such, necessarily interested in whatever affects their privileges, and in whatever concerns the study of, what is usually called, the Civil Law.

Your very sincere Friend,

ROBERT PHILLIMORE.



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## PRELIMINARY REMARKS.

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THE speech recently delivered by Mr. Bouverie in the House of Commons may be fairly presumed to contain the severest bill of indictment which the utmost pains and information could instruct, and the fiercest zeal could prefer, against the Courts of Civil and Ecclesiastical Jurisprudence. It swallows up and embodies all the petitions of persons not permitted to practise in these Courts, of Quakers objecting to pay tithes, Dissenters to pay rates, Clergymen to submit to canonical discipline, and of individual suitors in all Courts, whether testamentary, matrimonial, or maritime, who have been so unfortunate (through, I need not say, the ignorance or corruption of their judges) as to be cast in their suits; all the petitions on these matters which may from time to time have been laid upon the table of parliament, from the first precedent about the time of the abolition of the Episcopate and the breaking out of the Civil War in these realms down to the present day.\*

The speech is made by a gentleman who is a member of the common law bar, and therefore,

\* I have now before me a scurrilous pamphlet, evidently written by the Puritans, entitled the "Last Will and Testament of Doctors' Commons," &c. and of which "all the Scottish Covenanters" are appointed Executors. "Printed in the Year, of Doctors Commons Feare, 1641."