

FOREWORD

THE fiftieth anniversary of the first publication of the YALE LAW JOURNAL affords me an opportunity of which I am glad to take advantage of marking once more the close relationship of the two great English speaking nations.

It was a tribute to the robust qualities of our English legal system, based as it is on the Common Law, when the young Republic chose to establish her laws on the same foundation. The varieties of procedure and the new laws which have been enacted to suit the different circumstances of our two nations have not for a moment obscured the principles of the Common Law. The fact that under the stress of war conditions some of the elementary rights of Englishmen have for a time been curtailed with a view to the better defence of the Realm is an example of what free men can and will endure without fear of putting their liberties in jeopardy. When peace is restored we are confident that the traditional rights of our people will be restored in their fullness. Legal forms, which sometimes excite the criticism of laymen, exist to define and secure those rights. Public discussion, on the other hand, is a valuable handmaid of the exposition of the law pronounced by Judges. It serves, moreover, to check any tendency to enact new laws unsuited to the needs of free men.

The YALE LAW JOURNAL has performed these services for fifty years and has won a well merited place of eminence in legal circles. I send my warmest congratulations on its anniversary and my best wishes for its long and continued success.

CALDECOTE †

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