

legible hand, not in court hand. (d) Upon the restoration of the monarchy, this law of the commonwealth was abrogated, and judicial proceedings were again obscured or concealed under a foreign language 'much unknown.' At length, however, common sense having again forced its way, it was, by a British statute, passed in the year 1731; after reciting that great mischief frequently happened, from the proceedings in courts of justice being in an unknown language, those who were impleaded having no knowledge or understanding of what was alleged for or against them in the pleadings of lawyers, who used a character not legible to any but persons practising the law; enacted, that all proceedings whatever, in any courts which concern the administration of justice, should be in the *English* tongue only, and not in the *Latin* or *French*, or any other language; and should be written in such a common, legible hand, as the acts of parliament are engrossed in; and not in a court hand; and in words at length, not abbreviated. (e)

From these legislative enactments, and from the history of the times, it is clearly deducible, that it had always been considered to be a matter of the highest importance, that justice should be openly and publicly administered; and that, as a means of making that publicity, in all respects, most beneficial and available, all books of the law, and all judicial proceedings were directed to be published and conducted in the language of the people of the country. Hence it was, that the Norman conquerors of England, for their own advantage and security, had the laws written and administered in their own language; and that afterwards, when that domination had worn away, or indeed been reversed, in the year 1362, the English was in a great degree, restored as the language of judicial proceedings; and that finally in the year 1731, the use of all foreign languages in the administration of justice in England was totally prohibited.

It is of the greatest importance to all, that justice should be in every sense publicly administered. It is the best security to the rights of the people and to the independency of the judiciary. By placing it in the power of every one to see, hear, and understand how the laws are administered; and by exhibiting before all a practical application of the rules by which the rights and interests

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(d) Scobell, 143, 4 Brod. Brit. Emp. 320; Parke's His. Co. Chan. 134; 1 Westm. Hall, 5.—(e) 4 Geo. 2, c. 26; 6 Geo. 2, c. 14; 3 Blac. Com. 318; Mitf. Plea. 8; Parke's His. Co. Chan. 305.