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Caselaw and England's economic performance during the Industrial Revolution: Data and evidence

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Abstract

We generate and analyze data pertinent to examining whether developments in caselaw were consequential for England's economic performance during the Industrial Revolution. Applying topic modeling to a corpus of 67,455 reports on English court cases, we construct annual time series of caselaw developments between 1765 and 1865. We then add a real per-capita GDP series to our caselaw series and estimate a structural VAR featuring a linear time trend. Our evidence shows that caselaw developments were an important determinant of economic fluctuations. Caselaw shocks jointly account for more of the variability in per-capita GDP around its long-term trend than do shocks directly to per-capita GDP. The response of per-capita GDP to caselaw innovations critically depends on the legal domain. Developments in caselaw on intellectual property, organizations, debt and finance, and inheritance boosted economic performance while developments in property and ecclesiastical caselaw had negative effects on per-capita GDP. Our analysis uncovers a 'bleak-law era' when the legal system misallocated attention between output-promoting and output-hindering areas of law.

Keywords: caselaw, England, per-capita output, Industrial Revolution, topic modeling, time series

JEL Classifications: N13, N43, K10, K30, P48, O17

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1. Introduction

England's Industrial Revolution was an epoch-defining event. Accordingly, a voluminous body of research has attempted to ascertain which factors facilitated this industrialization. Among the many factors that might have been important, the role of law has been much debated. However, empirical analysis of law's role has been scarce, particularly the effect of developments in the defining feature of the English legal tradition, caselaw.¹

Interestingly, despite the considerable amount of development in caselaw that took place in the 18th and 19th centuries and the recognition of the importance of legal institutions as drivers of economic change, many scholars have expressed skepticism about the English courts and law as facilitators of industrialization. Max Weber, for example, was openly puzzled by England's advanced economic performance, given his view of the unsystematic character of the common law.² Similarly, modern-day legal-historical analyses suggest many reasons why one might question the potency of caselaw development as a catalyst of economic progress during the Industrial Revolution.³ Although contract law was developing rapidly, so was its complexity. The legal process for administration of bankruptcy was haphazard and uncertain. The evolution of legal rules on business corporations, as well as on debt and finance, was distinctly slow. The law governing rights to water, a key industrial resource, was opaque. The emerging law of intellectual property was cumbersome and often perceived as hostile to those seeking protection. At the same time, case-processing delays and the rising cost of access to justice led to much public discontent and calls for reform of the legal system. Thus, whether caselaw developments fostered, or even hindered, economic performance during England's industrialization remains an open question.

From the empirical standpoint, assessing the contribution of caselaw development to economic performance is challenging for two key reasons. First, unlike legislation, caselaw does not naturally lend itself to conventional data analysis given that it is a product of myriad legal cases.⁴ Indeed, there currently exists no readily usable dataset informative of the nature and character of caselaw development in different legal domains during the time of England's industrialization.

¹ Because we focus on the English legal system, our analysis does not cover Britain as a whole. In 1707, England (which was previously united with Wales) and Scotland were united in a single political entity, the Kingdom of Great Britain. Scotland retained its own legal system. Our data cover only England.

² When debating the comparative success of capitalism in different countries, Weber, for example, remarked that, in England, "...the degree of legal rationality is essentially lower than...that of continental Europe". Moreover, "[n]o country...has produced more bitter complaints and satires about the legal profession than England" (Roth and Wittich, 1968: 890-892).

³ See, e.g., Harris (2000, 2004), Jones (1979), Batzel (1983), Getzler (2004), Mokyr (2008), Baker (2019), and Hodgson (2023: Ch. 4). Mathias (2001: 35) similarly expresses skepticism about the influence of law and argues that "...other, non-legal, criteria were the prime determinant of change". Chapter 1, Part 1.B in Cornish et al. (2019) provides an up-to-date overview of and references to the literature addressing the contribution of law to economic growth during industrialization. In summarizing the current state of knowledge about the role of courts and law as stimulants of England's economic rise, Cornish et al. (2019: 10) state that "...the most one can say about this is that the case is unproven...".

⁴ Harris (2004), for example, was early in commenting that caselaw and courts have received "less attention from economic historians than statutory regulation because cliometricians do not possess sufficiently good theories and methodologies to deal with it." His assessment remains valid today.

Second, the relationship between legal and economic development could be bidirectional. The possible endogeneity of law presents difficulties for the empirical analysis of the influence of caselaw development on economic performance.

In this paper, we generate the data and offer an empirical approach that explicitly addresses these two challenges. We thereby provide the first empirical assessment of the economic role of caselaw for England's economic performance during the Industrial Revolution. Our empirical results uncover the comparative influence of developments in all the major areas of caselaw that emanated from the English courts.

Our approach is summarized as follows. We first construct a dataset that characterizes disaggregated caselaw development during the 100 years of industrialization. Our dataset is derived from 67,455 reports on court cases heard in England's high courts between 1765 and 1865. Upon thorough pre-processing of this corpus consisting of nearly 142 million words, we estimate a 105-topic structural topic model (STM). We carefully interpret and name each of the estimated topics. We thus produce an unsupervised, machine-learning digest of the core issues addressed by the English legal system during industrialization.

To ensure tractability of our subsequent analysis, we aggregate the 105 topics into 13 readily inferred broader themes: procedure and reasoning, public governance, real and personal property, contract, debt and finance, inheritance, families, markets, organizations, intellectual property, torts, ecclesiastical, and criminal. We then make use of the STM estimates of the prevalences of these 13 themes in each case report and knowledge of the year of each reported case to generate annual time series of per-capita attention to each of the themes. As we argue below, the resulting measures of attention can be interpreted as reflecting the amount of legal development in the pertinent areas of law in a given year.

In the last step, we augment the dataset of 13 caselaw time series with annual data on English real per-capita GDP. We then estimate a structural vector autoregression (VAR). In macroeconomics, VARs are used extensively to characterize the dynamics of multiple time series and conduct inference in settings that are fraught with endogeneity but lack natural experiments of the kind usually exploited by empirical microeconomists (see Stock and Watson, 2001; Kilian and Lütkepohl, 2017). As such, VARs have often been used in economic history to examine the interaction among socioeconomic variables.⁵

The disentangling of the effects of various areas of caselaw requires the imposition of identification assumptions. We rely on restrictions that we justify as eminently plausible within the English legal-institutional context. As we emphasize in Section 4.2, this approach to finding the effects of interest follows the most commonly adopted strategy in the use of VAR in applied macroeconomics. But it also rests on strong assumptions. Thus, our analysis should be understood

⁵ See, for example, Eckstein et al. (1984), Stuermer (2018), Jalil (2015), Møller and Sharp (2014), Bailey and Chambers (1998), Quinn and Roberds (2019), Sabate et al. (2006), Diekmann and Westermann (2012), Ben Zeev et al. (2017), Crafts and Mills (2009), and El-Shagi and Zhang (2020). Grajzl and Murrell (2023a, 2023b) apply structural VAR to study pre-industrial legal history using data similar to that employed in the present paper.

as taking just a first step in the generation of systematic empirical insight into the role of caselaw development during England's industrialization.

We show that there is extensive co-movement between detrended real per-capita GDP and the 13 elements of caselaw. For example, in the long run, shocks to the various caselaw domains together account for more variation in real per-capita GDP around its trend than do the shocks in real per-capita GDP itself. This is evidence that, during industrialization, caselaw developments affected real per-capita GDP. Placebo tests demonstrate that the results do not reflect irrelevant features imparted to the data by topic-modeling nor are they simply a product of issues usually associated with multiple-comparisons.

How exactly did caselaw development impact economic performance? Our analysis shows that there is no straightforward answer to this fundamental question. The answer critically depends on the legal domain under consideration. Innovations in caselaw on debt and finance, inheritance, organizations, and intellectual property raise real per-capita GDP. But increases in attention to caselaw on real and personal property and ecclesiastical issues reduce real per-capita GDP. Shocks to the remaining caselaw themes exert no discernible effect. As a whole, therefore, our empirical analysis paints a highly nuanced picture of the role of caselaw during industrialization.

Finally, our analysis uncovers an episode when caselaw development stymied economic progress. Our estimates show that between 1810 and 1840, there was a relative absence of attention to areas of law that generally spurred economic performance and excessive attention to areas of law that hindered economic performance. Following Dickens, who placed the critique of English law and courts at the fore in *Bleak House*, we name this period the 'bleak-law era'. Our analysis thereby brings empirical evidence and quantitative precision to the many legal-historical and literary accounts that have expressed concerns about the effects of the English legal system during the early 19th-century.

The remainder of the paper is organized as follows. In Section 2 we provide brief notes on essential elements of the legal-historical background. In Section 3 we detail the steps we took in pre-processing the corpus, justifying, estimating and interpreting the topic model, and using the topic-model estimates to construct the time-series data on caselaw development. Section 4 explains our VAR approach. We present and discuss our results in Section 5. The concluding section summarizes our key results, discusses the limitations of our analysis, and suggests avenues for further research.

2. Background: English caselaw and courts during industrialization

We provide a brief overview of the key aspects of early English law, abstracting from the nuance warranted by the complexity of legal history. Our goal is merely to offer those core facts that form the basis of our empirical arguments, aiming our presentation at readers unfamiliar with

the pertinent legal-historical details. We highlight those historical features and developments that are most relevant to the activity of the courts from which caselaw emanated.⁶

2.1. The courts

English caselaw evolved via reports on cases heard in common-law and equity courts. From inception until a major reform in the late 19th century, the common law relied on an elaborate system of writs, a strict and rigid scheme of procedural rules that prescribed the ways in which a complaint could be brought to court. The central common-law courts were the King's (or Queen's) Bench, the Court of the Common Pleas, and the Court of the Exchequer. To facilitate access to justice, the judges held assize sessions around the country. Cases presenting particularly difficult legal issues in the assizes were sometimes reserved for later hearing in the central courts. Equity, as administered by the Chancery, constituted a separate, complementary area of law. Unlike common law, it used an inquisitorial procedure, did not have juries, relied on less strict pleading rules, and provided relief in the form of alternative remedies such as decrees and injunctions.

An emphasis on precedent, the cornerstone of common-law legal reasoning, arose during the 15th and 16th centuries. Widespread adoption of precedent-based thought, however, was not immediate. Even in the mid-18th century, the idea of precedent-based reasoning was still met with mixed professional reaction. The modern-day notion of a binding precedent (*stare decisis*) solidified only sometime in the late 18th and early 19th centuries. As the reporting of Chancery cases became more voluminous and consistent during the 17th century, equity deliberations, too, became firmly grounded in precedent-based reasoning.

During the late 18th and early 19th centuries, the courts found themselves under much criticism for inefficiency. As caseloads generally rose, Chancery, in particular, had become plagued by backlogs and delays, even though the role of equity had initially lain in softening the common-law's insistence on rigid procedure and adherence to strict rules. In addition, with court officials dependent on fees, conflicts of interest, even corruption, abounded. Simplifications of common-law procedure were implemented in the mid-19th century. Around the same time, reforms strove to alleviate the pressure of Chancery's workload. The 1873 Judicature Act eventually consolidated the individual superior courts, thus creating Britain's modern-day court system.

2.2. Substantive law

Expansion in governmental powers occupied a considerable amount of the legal system's attention. For example, compulsory purchase promoted the building of roads, canals, and railways, but the associated land valuation issues were the domain of the courts. Decentralization raised legal issues pertaining to public finances and appointments to public offices. The poor laws, which included rules on geographic settlement, led to tensions between parishes, culminating in legal

⁶ The information presented in this section is based on a variety of sources, the most important of which include Cornish et al. (2019), Baker (2019), and Harris (2000). Elements of the presentation draw on an analogous section in Grajzl and Murrell (2022).

disputes over the funding of poverty relief. Further afield, the courts found themselves having to address matters of colonial governance.

By the time of industrial revolution, the law of real property had been substantially settled. But the industrial economy saw increased demand for raw inputs (coal, water, wood), raising legal questions pertaining to nonpossessory property rights. Mortgages became powerful financial instruments.

The late 18th and the 19th century witnessed a burst of theorizing about contract law. The attention of the courts gradually shifted away from the prior practice of remedying aspects of unfairness in a given bargain toward requiring fulfillment of the agreed-upon terms. The common law held a rigid view of when an obligation could be broken, showing little sympathy for parties who failed to make explicit written provision for contingencies that could prevent them from completing their side of the bargain. By being able to place a greater emphasis on non-written elements of a contract, equity was better positioned to consider special circumstances and identify unconscionable bargains. Common law thus focused on damages. Equity, in contrast, resolved contractual disputes by rescinding or rectifying agreements and granting injunctions.

Use of trade credit and debt was very common. The era of industrialization saw a repeal of usury laws, abolishment of imprisonment for debt, and a growing use of secured credit. The expanding economy saw the birth, but also the demise, of many businesses. The resolution of insolvency was thus a pivotal legal issue. Early 19th-century bankruptcy proceedings were carried out by commissioners appointed by the Lord Chancellor and available only to traders with large debts. The process was chaotic and invited unscrupulousness. Actions of creditors, commissioners, and others were thus regularly challenged in court. Administrative reforms were implemented after 1830.

The default inheritance rule was primogeniture, but devising and bequeathing to descendants via wills had by the beginning of the 18th century become almost universal among those with property. The courts therefore had to wrestle with many technical legal problems associated with the use of wills, for example, on the acceptable means of drafting or modifying a will, the interpretation of the testator's intent, and the execution and administration of estates. Legal rules on these matters had the potential to directly impact the supply of capital in the industrializing economy.

Much legal attention focused on families. A central legal device that bound the family and ensured the preservation of large estates was the strict settlement, a complex set of legal arrangements and practices pertaining to marriage, wills, and property conveyancing. The law on marriage and its dissolution was still heavily influenced by religious considerations and courts could not legally terminate a marriage. Divorce by judicial decree became a possibility only in the second half of the 19th century.

Commerce was expanding rapidly, and with it a developing a body of commercial law. Courts were generally favorable to incorporating mercantile customs. Marine insurance arose from the

demand of merchants to mitigate the risks arising from overseas trade. The courts extended many of the legal principles of marine insurance into other insurance contexts. Railways and canals facilitated the growth of and access to markets, but also raised many legal issues pertaining to the pricing of the provided services. During the industrial era, judges at first viewed many private collusive arrangements as no more than enforceable contracts. The courts later did begin to rule against guild rules, for example. But the judiciary still did not view the law as a tool for competition policy.

The industrial era saw the development of law on business and non-business organizations. The number of unincorporated joint stock companies was on the rise in the early 18th century. The 1720 Bubble Act forbade the raising of transferrable stock in the absence of an explicit charter or statute. This Act, however, was not consistently enforced and was eventually repealed in 1825. Incorporation via registration became a possibility in 1844. The modern limited liability company was born in 1855. In the domain of non-business organizations, the need for interpretation of municipal corporate charters ensured a steady flow of adjudication. Private charities played an important role in the domain of poverty alleviation and education. A much-debated legal issue that occupied the courts was the proper use of charitable endowments.

Law relevant to creative activities became increasingly important. Early in the 18th century, copyright was governed by a statute that afforded book authors a fourteen-year protection. Later, a legal controversy arose as to whether literary copyright existed at common law independent of statute law. The courts generally acted as if it did. But in 1774 a ruling established that a published book is public property, and hence that any protection had to be supplied by Parliament. Much of subsequent development in copyright law therefore rested on legislation, whose operational effect was inevitably decided in the courts. The late 18th century and the 19th also saw the emergence of a modern patent system. Until the mid-19th century, the acquisition of a patent involved a cumbersome administrative process. The courts were tasked with the goal of clarifying the rules on what constituted a patentable invention. Suits for patent infringement were common. The patent-granting process was simplified only in 1852. Thereafter, the intensity of patenting activity notably increased.

The era of industrialization witnessed new developments in tort law. The society had to find ways to address pollution, public health issues, and an overall increase in the range and magnitude of risks. The nascent law of liability for non-contractual, non-criminal harms necessitated many refinements. For example, as the courts settled on the doctrine of negligence as an approach to ex-post compensation for harm, they faced the challenge of clarifying the notion of duty of care. Pollution had earlier been addressed via the common law of nuisance. However, as it became clear that the courts lacked adequate expertise and could only respond after a harmful act, the corresponding issues became the domain of legislation and regulation.

Ecclesiastical courts had lost much of their jurisdiction already by the end of the 17th century. Nevertheless, a set of ecclesiastical matters still required adjudication in the central courts. The late 18th century, for example, was a time of great discontent with tithes, which were levied as a

fixed proportion of gross output, without any consideration of production costs. Tithes thereby disincentivized capital investment. However, litigation involving tithes was often extraordinarily expensive and the resolution process painstakingly slow.

As in the pre-industrial era, criminal cases were adjudicated largely in lower-level courts, which were not regularly reported upon. Reports only appeared in the English Reports (Renton, 1900-1932), the source of our data (see Section 3), when the central courts agreed to hear cases that featured especially thorny legal issues, such as those addressing mental states in the context of a homicide. At the same time, in spite of the growing complexity of criminal law, the judiciary resisted codification in that legal domain.

3. Generating data on caselaw development

3.1. Data source: the English Reports

Our raw text data comes from a digitized version of the English Reports (Renton, 1900-1932; henceforth ER), which comprises reports of cases argued and deliberated upon in the superior English courts of law between the early 13th century and the mid-19th century. Over the centuries, reporters aimed to record deliberations on cases that highlighted new or unsettled aspects of law (see Grajzl and Murrell, 2021a: Appendix A). Consequently, the content of the ER should not be viewed as capturing the complete caselaw record nor are the cases included in the ER a random sample. However, there is no doubt that the vast majority of cases that changed caselaw are included in the ER.

Therefore, the ER provides an unmatched record of court cases from the late Middle Ages to 1865. Notably, even though the highest-level courts were all in London, the ER includes the important cases that began outside London: the system of *nisi prius* and assizes ensured that the disputes requiring especially nuanced legal consideration were eventually heard by central-court judges (see, e.g., Baker, 2019). As such, the ER has long been used by lawyers as the basis for legal precedent and education. No comprehensive study of English legal history could be conducted without resorting to the ER. No alternative corpus of commensurate breadth and depth has been assembled. And no other corpus exists that could satisfactorily supplement the content of the ER.

We follow the same pre-processing steps as those described in detail in Grajzl and Murrell (2021, Appendix B; henceforth GM), who focused on the pre-1765 period. The new dataset produced for this paper covers 1765-1865. We standardized the orthography of the English, translated any Latin that appeared in the reports, and dropped the small number of reports that included a significant proportion of words that could not be matched to entries in modern English dictionaries. Finally, we assigned values of metadata variables to each report—year of the case, reporter name, adjudicating court, and number of words.

These pre-processing steps resulted in a dataset of 67,455 reports on cases heard between 1765 and 1865. The year 1765 marks the (very) approximate onset of the industrial revolution. That year also marks the start of an era when, in comparison with the earlier, pre-industrial epoch, law

reporting becomes more regular and much closer in style to that evidenced in modern reports (Veeder, 1901; Winfield, 1925; Baker, 2019). The year 1865 is the last year for which the ER collection still features more than 100 reports. The whole basis of law reporting in England was changed in that year. Soon thereafter, in the early 1870s, England completely reorganized its system of higher-level courts.

----- [Figure 1 about here] -----

Figure 1 shows the distribution over time of the reports that we use. The resulting corpus consists of nearly 142 million character strings. Upon importing the resulting corpus into R, we further processed the text of the reports in order to prepare the dataset for analysis. Using R's `textProcessor` and `prepDocuments` functions, we converted all words to lower case, applied the Porter stemming algorithm, and removed standard English stop words (natural language words with little meaning, such as 'and', 'the', 'a', 'an'), numbers, words with fewer than three characters, words included in only one document, and punctuation.

3.2. Choosing a machine-learning approach

Our goal in investigating the ER corpus is to ascertain the essential emphases (sets of legal ideas) in the corpus and, subsequently, quantify the temporal evolution of those emphases. As we argue in Section 3.7 below, the resultant data will reflect important aspects of caselaw development.

To this end, we need to first choose an appropriate method for the analysis of our corpus. We analyze the resulting corpus using topic modeling (see, e.g., Blei et al., 2012), an unsupervised machine-learning method that is arguably the most well-known machine learning technique for the analysis of texts.

In topic modeling, the central unit of analysis is a document (for us, a case report), a distinct body of text. Purely because of pragmatic reasons—current limits on computational power—each document is simplified into a word frequency distribution, or a 'bag of words', meaning that word order is discarded. This is admittedly a crude assumption, but nevertheless "the most common text representation" and, due to its parsimony, the first step for many methods of text analysis (Grimmer et al., 2022: 48).

Topic model algorithms then leverage patterns in the co-occurrence of word-frequencies across documents to identify the important emphases in a corpus. These are the topics. Importantly, the topic-model estimates do not rely on word counts alone: they also reflect covariances between word use across documents. Thus, despite the bag-of-words conceptualization of text, semantics is still reflected, at least partially, in the estimates (Reich et al., 2015).

One can view topic-modeling as producing a machine-learning digest of the texts, with each chapter of the digest—a topic—reflecting one aspect of the information contained in the corpus. Notably, the topics are not the outcome of fitting reports into preexisting categories but instead the product of estimation. Therefore, rather than reflecting any preexisting interpretation of a corpus,

topic modeling offers a route to discovery, a purely data-driven, macroscopic, quantitative representation of the underlying texts. As such, topic modeling has become increasingly popular as a technique for analysis of legal texts (Frankenreiter and Livermore, 2020).

The most obvious conceptual alternative to topic-modeling, given the goals of our analysis, would have been to use a preexisting classification of cases by legal scholars. Our guess is that only a small proportion of ER cases have been classified, but there are techniques that can use a set of already-classified documents to classify the rest based on textual similarities and suchlike. However, even apart from practicability, such an approach would have been of limited use for current exercise.⁷

First, not all ideas within the ER can be found in conventional legal classifications schemes. Some of the central ideas in the ER pertain to modes of legal reasoning (e.g., emphasis on precedent); others cut across multiple legal subjects (e.g., determination of damages); and some even pertain to the style of reporting (see, e.g., Grajzl and Murrell, 2021a, 2021b).

Second, no pre-defined subject and case categorization would be devoid of subjective interpretations brought forth by the creators of the corresponding content. Given their ex post nature, case classifications produced by legal practitioners and scholars are quite likely influenced by the observed impact of the cases to be classified, rendering subject classifications endogenous to economic performance, our outcome of interest.

3.3. Estimating a structural topic model

We estimate a structural topic model (STM; Roberts et al., 2014, 2016). STM extends the earlier Latent Dirichlet Allocation (LDA) model (Blei et al., 2003) along two key dimensions. First, STM integrates document-level metadata, such as case year, directly into topic estimation. Second, STM allows for the correlation of topic prevalences even conditional on metadata. These features improve topic identification and interpretability by explicitly allowing for the possibility that topical emphases differ across documents depending on the author and circumstances (see Roberts et al., 2014). Thus, in addition to the year of the reported case, we use report-level metadata on reporter name and identity of the adjudicating court when estimating our topic model.

Estimation of an STM requires choosing the number of topics to be estimated. There exists no universally agreed-upon methodology for making this decision (Roberts et al., 2014, 2019). Given the size of our corpus, we first estimated a series of STM models by varying the number of topics between 10 and 200. We then examined standard measures of goodness-of-fit such as held-out likelihood and size of residuals (Wallach et al., 2009; Taddy, 2012; Roberts et al., 2019). The model with 105 topics fit the data well compared to models with different numbers of topics.

⁷ Two issues of practicability come to mind. First, it is not clear that existing classifications cover enough cases to implement such a procedure. Second, the most widely used clustering models assign each document to a single cluster, while topic modeling apportion each document among all categories, that is, topics. As mixed-membership models, topic models therefore have much greater human interpretability than their clustering alternatives (see Grimmer et al., 2022: Ch. 13).

We also compared the 105-topic model with models featuring fewer and more topics using scores for average semantic coherence (a measure of the internal consistency of the topics) and exclusivity (a measure of the extent to which topics in the model are distinguishable from each other). None of the alternative models dominated the 105-topic model on these two criteria. Moreover, increasing the number of topics above 105 produced only modest gains in average topic exclusivity while resulting in non-trivial reductions in average semantic coherence. The decision to use a 105-topic model was buttressed when we used our own intuitive judgment that reflected the ease of interpreting topics and distinguishing between them to compare the output of that model with the output of models with a different number of topics.

Finally, we experimented with the Lee and Mimno (2014) algorithm that selects the number of estimated topics.⁸ We ran the algorithm for 15 different seeds. The average number of suggested topics was 93 and the maximum number of topics suggested by the algorithm was 101. Based on all of the above criteria, the choice of 105 topics ensures tractability and interpretability, without imposing unwarranted parsimony.

3.4. Interpreting the estimated topics

Upon estimating the 105-topic STM, we interpreted and named the estimated topics. For each estimated topic, we examined the word stems (e.g., 'liabil') most highly associated with the topic; see Appendix A. In addition, we studied the reports identified by the STM estimates as featuring a given topic most prominently, sometimes as many as the top 100 reports. Our interpretation and naming of the estimated topics therefore also incorporated an element of conventional text analysis.

Appendix B describes the content and justifies the assigned names for each of the 105 estimated topics. Here, we illustrate the process of interpreting and naming the estimated topics using one example. Topic 80 is characterized by the keyword-stems: 'partnership', 'partner', 'copartnership', 'trade', 'busi', 'firm', 'share', 'profit', 'dissolut', 'account', 'capit', 'joint', 'debt', 'transact', 'articl', 'asset'. The case reports emphasizing this topic are on disputes that arise in the operation of a partnership, for example upon dissolution or in the event of death or retirement of a partner. One report states: "A. and B. entered into partnership, and during the partnership were entitled to the capital stock in equal moieties. The partnership deed provided, that if B. died first his estate was to receive from A. his one-half share in the business, but it made no corresponding provision for the event (which happened) of A.'s dying first. Held, nevertheless, that the representatives of A. (who died first) were entitled to half the capital stock." We name this topic Business Partnerships.

We were able to readily identify the idea or ideas underlying each and every of the 105 estimated topics, a verification of the quality of the pre-processing of the corpus, the appropriate choice of the number of topics, and the applicability of STM in this context. Predictably, many of our topics (henceforth, always capitalized) reflect specific legal concepts and instruments (e.g.,

⁸ Roberts et al. (2019) suggest that this procedure provides a non-statistical perspective on the number of topics.

Copyright, Surety Bonds, Bankruptcy, Estate Tail, Codicils, Compulsory Purchase). But our estimates also uncover and distinguish topics on closely related but nevertheless distinct ideas (e.g., Strict Settlement, Marriage Settlement) as well as on contextual variations of particular legal concepts and ideas (e.g., Affreightment Contracts, Carriage Contracts, Employment Contracts; Appeals from India, Appeals from Scotland). Moreover, some of the estimated topics capture aspects of legal analysis that arise in a variety of substantive domains (e.g., Apportioning Obligations & Claims, Establishing Identity) or even reflect specific modes of legal reasoning (e.g., Analogical Reasoning, Rule-Based Reasoning). Thus, the topics from the STM-based digest of the corpus do not always coincide with the chapter headings from a conventional legal-history textbook, an observation that highlights the value of topic modeling, illustrates the breadth of our estimates, and suggests the limits of using existing legal classifications. Finally, the Residual Topic absorbs non-substantive elements of case reporting, thereby sharpening the estimation of the remaining topics (see DiMaggio et al., 2013: 582).

The most prevalent topic in the reports is Analogical Reasoning, a style of legal thought directed at ascertaining how a particular case under consideration relates to another preexisting case or judicial views or doctrines. Additional topics with high levels of prevalence include Rules for Court Proceedings, a major procedural topic; Weighing Facts & Law and Clarifying Cause of Action, both legal-reasoning topics; and Determining the Debt Owed, which encompasses a variety of scenarios requiring the proof of existence of a debt or establishing the exact amount owed.

3.5. Grouping topics into broader themes

The 104 estimated topics (we drop from subsequent analysis the 105th, Residual Topic) constitute a machine-learning digest of a century of caselaw and legal thought during a pivotal era in world history. However, the collection of 104 topics still does not allow for a tractable quantitative overview of the corpus and, as such, is not directly amenable to conventional empirical analysis. We therefore group the 104 topics of interest into 13 broader themes as shown Table 1.

----- [Table 1 about here] -----

Several important remarks about our assignment of topics to themes are appropriate. First, in implementing the grouping, we did not pre-commit to a fixed number of themes. Instead, we allowed the themes, and thus their total number, to emerge naturally through an iterative process of allocating topics to themes. In this approach, we strove to create themes that are, on the one hand, sufficiently broad to achieve the desired goal of further reduction in dimensionality of the data and, at the same time, sufficiently narrow to clearly resonate with major substantive domains of English caselaw, thereby facilitating the interpretation and communication of results.

Second, we assigned topics to themes manually, based on our own knowledge of the topics.⁹ Given that each of the estimated topics belongs to a readily interpretable set of ideas and concepts,

⁹ Gennaro and Ash (2022) similarly rely on their own judgment to construct broader themes (categories) from the estimated topics.

following our own judgment when assigning was both feasible and practical. At this stage, application of a further automated approach (e.g., factor analysis or clustering) was unwarranted.¹⁰ This fits with our general philosophy of using machine-learning where necessary (creating a 67,455-by-105 document-topic proportions matrix) and using judgment and existing knowledge where possible (aggregating 104 substantive topics into fewer themes).

Third, we assigned each topic to one theme only, using the criterion of the most natural fit. This resulted in very easy classification of the overwhelming majority of topics. However, law is a seamless web and thus a small set of topics could in principle be grouped under more than one theme. For example, as in traditional legal-historical narratives (e.g., Baker, 2019; Cornish et al., 2019), we placed Mortgages under real and personal property. But we recognize that the topic also has relevance to debt and finance; in a like manner, some topics grouped under debt and finance and real and personal property could be pertinent to contract. Given our macroscopic lens and the small number of topics that might straddle the boundaries of themes, our central qualitative findings should not greatly depend on the chosen classification. Note also that our definitions of themes should not be considered as binding for any future users of our data. Depending on the specific application, researchers might wish to construct alternative groupings of topics or even use only a subset of the estimated topics.

Finally, our themes differ considerably with regard to the number of included topics (see Table 1). Procedure and reasoning, in particular, comprises a disproportionately large number of topics. This was intentional: in aggregating topics to produce themes, we purposefully conceived the procedure and reasoning theme broadly, to facilitate our focus on the role of the narrower substantive, economy-related areas of caselaw (e.g., on organizations or intellectual property). At the same time, we could not exclude the procedure and reasoning theme from the analysis because of the possibility of feedback effects: developments in substantive areas of law could have indirect effects by influencing developments in procedure and reasoning, which subsequently affect other substantive areas of law. This perspective therefore hews to the conceptualization of law as a set of intimately interconnected ideas.

3.6. Constructing the time series of attention to themes

Having defined the themes, we next construct the caselaw variables used in our analysis: the annual time series of per-capita attention of the ER to each of the themes. To this end, we draw on the STM estimates of the proportion of each case report devoted to each of the estimated topics (elements of the 67,455-by-105 document-topic proportions matrix), the year of each reported case (metadata), and our grouping of the estimated topics into 13 themes (see Section 3.5). Our unit of analysis (the level at which we observe the data) therefore shifts from a case report to a year. In this subsection, we explain the elements of the construction of these time series. In the following

¹⁰ Similarly, estimation of a STM featuring a smaller number of topics from the outset would have yielded inferior results, given that the standard model-fit metrics in our context clearly show that, for purpose of identifying sufficiently exclusive and coherent topics, the estimated number of topics must be adequately large.

subsection, we provide a broader, substantive interpretation of the series, viewing them as macro measures that reflect the temporal intensity of legal development.

For each theme m in Table 1, we first compute the average attention to that theme in year t as:

$$\Theta_{mt} = \frac{\sum_{r \in R_t} w_{rt} \sum_{i \in M_m} \theta_{irt}}{\sum_{r \in R_t} w_{rt}}, \quad (1)$$

where θ_{irt} is the STM estimate of the proportion of case report r in year t that is attributable to topic i , w_{rt} is the number of words in report r in year t , R_t is the set of all reports in year t , and M_m is the set of topics that comprise theme m . That is, for each case report, we sum the proportions of the topics included in a given theme, obtaining report-level theme proportions, $\sum_{i \in M_m} \theta_{irt}$. Then, for each year, we calculate a weighted average of the theme proportions in the reports from that year, using as weights the number of words in a report.

The weighting of report-level theme proportions with report-level word counts in (1) addresses the fact that reports are of widely varying lengths. All else equal, longer reports naturally describe more complex cases, which will require more in-depth deliberation (i.e. attention) to lay out the pertinent legal ideas subsumed in the applicable theme. Thus, use of an unweighted average of the proportions of theme m in the reports for a particular year would be inappropriate: that approach would discount the greater importance of longer reports, thereby underestimating the legal system's true attention to the pertinent legal ideas.

We next obtain the per-capita attention to theme m in year t as:

$$y_{mt} = \ln \left(\frac{\Theta_{mt} \sum_{r \in R_t} w_{rt}}{Pop_t} \right). \quad (2)$$

Specifically, we multiply the average attention to the pertinent theme in the given year, Θ_{mt} , by the size of the ER corpus in that year as measured by the total word count of the reports on cases heard in the relevant year. The resulting product, $\Theta_{mt} \sum_{r \in R_t} w_{rt}$, measures the overall attention of the ER corpus to theme m in year t .

The size of the ER corpus in a given year, however, in part reflects the sheer size of England's population, which was expanding especially rapidly from the second part of the 18th century onwards (Broadberry et al., 2015: 204). Even in the absence of genuine legal development, increases in population size will tend to give rise to more legal disputes, more reporters, more printing, more demand for reports and thus a larger ER corpus. This is exactly analogous to the fact that changes in population will lead to increases in GDP without any increase in GDP per capita. In the presence of an expanding population, the total attention of the ER corpus to specific legal ideas would thus overestimate the extent of actual legal advancement in the applicable domain.¹¹ To address this issue, we divide the overall attention of the entire ER corpus to theme

¹¹ It could of course be the case that the increases in the size of the ER corpus over time were due to an expansion in the number of substantive elements of the law that had to be considered with a rising population: because law is non-rival, there are increasing returns to scale. However, a quick glance at Figure 1, showing a more than five-fold increase

m in year t by England's total population count for that year, Pop_t , expressed in millions.¹² This is fully consistent with our treatment of real GDP, which we express in per-capita terms (see below). Finally, to moderate the influence of outliers, we take the natural logarithm of the resulting ratio.

----- [Table 2 about here] -----

We thereby generate 13 yearly time series, one per theme, for the time period between 1765 and 1865. Figures 2(a)-2(m) display the resulting series. Table 2 contains descriptive statistics, with the unit of observation now England in a given year.

3.7. Interpreting attention as intensity of legal development

The series shown in Figures 2(a)-2(m) measure the per-capita attention of the courts to the pertinent areas of law in every year from 1765 to 1865. The series, however, may also be interpreted as measuring the intensity of (per-capita) legal development in any given year.

Legal ideas are communicated in words. Words recorded in the ER—the legal profession's central compilation of reports on cases deemed especially worthy of reporting—therefore capture the core advances in English caselaw that emanated from the country's superior courts. Our STM estimates of topics, which leverage the distributions of words in reports, summarize in succinct form the corresponding flow of, and refinements in, legal ideas.

Importantly, legal change materializes not only via cases that were later picked out by modern scholars as landmarks. Rather, legal change in caselaw arises also via reports of the deliberations in very many comparatively uncelebrated cases that reasserted earlier legal principles, or began to expose issues that required judicial attention, or ironed out the remaining legal wrinkles following a precedential ruling. Those cases, included in our analysis and captured by our STM estimates, remain the 'great unread' for the modern reader, but nevertheless form a vital part of English caselaw.

ER's reports did not focus on summarizing the status of law and legal thought at a given time. Lawyers did not dispute matters on which all were agreed; judges did not bore their colleagues with accepted doctrine; reporters could not find a market if they repeated what was in the many legal compendia that were available. The focus of attention was therefore on reporting arguments that could have the potential to change the law and legal thought. Grajzl and Murrell (2021a) embodied these insights into a stylized model of the diffusion of legal ideas, demonstrating that the overall attention paid to any topic or theme in a given year reflects the amount of change in adherence to the corresponding legal ideas in that year. Therefore, although the straightforward interpretation of our time series is that they measure attention, they also measure the intensity of

in the number of reports at a time when population rose three-fold, should convince readers that our adjustment using population implies that our measures still accommodate law's non-rivalry.

¹² Population data are drawn from Broadberry et al. (2015).

development in the pertinent area of law. In the rest of the paper, we therefore use the term 'development of' an area of law as a synonym for 'attention to' that area of law.

However, we must emphasize that our measure of the development of a particular area of caselaw only refers to refinements in that area of law from the perspective of the legal profession (judges, lawyers, and reporters). Given the specific concerns of legal professionals and inherent uncertainties about the effects of legal changes, a refinement in caselaw and the corresponding legal ideas does not necessarily mean better law for economic progress. Legal history offers examples illustrating this critical point. For instance, the 18th century witnessed many elaborations of the caselaw on tithes. But the resulting law, basing tithes on a fixed share of gross output, failed to take into account the costs of production. The law thereby effectively disincentivized investment (Cornish et al., 2019: 145). Similarly, the 18th and 19th centuries featured many elaborations of the common law on contracting, but often with a restrictive view of obligations. Based on the corresponding legal refinements, a buyer was absolved from paying a seller who had failed to deliver precisely what had been promised in the terms of the contract (Cornish et al., 2019: 205). Legal developments of this type were a natural outcome of the legal profession's focus on the clarity of obligations, but they might have aggravated hold-up problems and thus impeded commerce.

Thus, the series depicted in Figure 2 show aggregate, temporal, legal developments in the thirteen themes under consideration. Periods when a series features an increasing trend or a spike are times when the legal system enters or exhibits intense legal development. For example, elevated attention to intellectual property appears in the late 18th century (Figure 2(j)). This can be related to the reverberations of a 1753 decision of the Privy Council that made the courts "the sole arbiters of the validity of grants as well as the adjudicators of patent disputes" (Cornish et al., 2019: 267). As a result, in the late 18th century, the judiciary was particularly active in developing caselaw on the duties of patentees in describing inventions, consistent with the observed pattern in our data. In contrast, episodes when a series trends downward are times of slowdown in legal development in the pertinent area, an indication that the applicable law is becoming relatively settled. For instance, attention to the ecclesiastical theme declines after 1830 (Figure 2(l)). This was after the passage of the 1836 Tithe Commutation Act, which transformed tithes into an annual land-based payment according to a preannounced formula (Cornish et al., 2019: 146). The resulting legal changes substantially decreased the uncertainties involved in the paying of tithes and thus reduced the need for courts to pay attention to these matters.

----- [Figure 2 about here] -----

In conclusion, our caselaw series in Figure 2 do capture the temporal aspects of the intensity of legal development. Of course, by construction, they do not pinpoint the micro-level nuances of legal change of the kind that could only be extracted from detailed study of the arguments in individual court cases.

Notably, with the exception of a small subset of themes in specific subperiods (e.g., intellectual property between 1800 and 1820, ecclesiastical after 1830, criminal after 1840), attention to each

of the areas of law featured in Figure 2 exhibits an upward trend throughout the time period under consideration. Two interpretations are consistent with these upward trends: the era of industrialization featured increasingly active legal refinements; or the growing attention to caselaw was simply a consequence of advances in case reporting.¹³ Importantly, attention also fluctuates considerably from year to year in different ways for each area of law. Conditional on the positive trend in overall attention, therefore, the intensity of attention to caselaw was far from uniform over time and across areas of law. In the ensuing sections we exploit this variation to investigate whether caselaw development affected economic performance, and which legal domains were particularly responsible for any effect.

4. Investigating the role of caselaw for economic performance: empirical approach

4.1. A structural VAR model

To examine the economic consequences of caselaw development, we use vector autoregression (VAR). Given the inherently entangled, bidirectional, and thus endogenous, nature of legal development and economic performance, the use of a VAR approach to study the corresponding dynamics is particularly suitable. As our measure of economic performance between 1765 and 1865 we use the natural logarithm of English real per-capita GDP, constructed by Broadberry et al. (2015).¹⁴ The corresponding time series is shown in Figure 2(n).

We are interested in examining the interaction over time of our caselaw variables and real per-capita GDP, as opposed to investigating equilibrium relationships between these variables. We thus rely on a standard VAR with all variables in levels, an approach that is fully appropriate even when some variables are non-stationary (Kilian and Lütkepohl, 2017). We examine the behavior of the vector $\mathbf{y}_t \equiv (y_{1t}, \dots, y_{13t}, \ln(GDPpc_t))$, the year- t values of attention to each of the 13 areas of caselaw, as defined in expression (2), and logged real per-capita GDP.

Those conditioned by standard microeconometrics will immediately think of unaccounted-for factors. These would be of three broad types: proximate causes of per-capita GDP, secular trends, and exogenous shocks. Our formulation, in fact, comprehends all three.

First, proximate causes, such as physical and human capital accumulation, increase in work days, and expansion of international trade (see, e.g., Hodgson, 2023: Part I), are themselves shaped by caselaw. Thus, to capture the full impact of caselaw development on (real) per-capita GDP, we intentionally omit proximate causes from \mathbf{y}_t . We therefore view caselaw as a fundamental legal-institutional driver of economic performance. This approach follows the literature that has focused on the fundamental causes of comparative economic development (e.g., Hall and Jones, 1999;

¹³ From the second part of the 18th century, case reporting became increasingly standardized, courts started to commission reports, cases started being reported on by professional reporters, and there existed ever-expanding possibilities for report dissemination (Veeder, 1901; Winfield, 1925; Baker 2019: 194-195).

¹⁴ The Broadberry et al. (2015) data on England's real per-capita GDP and population are available in electronic form at <https://www.bankofengland.co.uk/statistics/research-datasets>.

Acemoglu et al., 2005). In our setting, this is fully apposite given the foundational role of caselaw in the English legal system and in social infrastructure more generally.

Second, there are long-term determinants of per-capita GDP that may be correlated with the development of caselaw. Chief among these are long-term advances in scientific and technological knowledge. These can be accommodated by adding a time trend to our framework. This time trend absorbs purely secular drivers of \mathbf{y}_t , thereby effectively detrending all of our series (see, e.g., Kilian and Lütkepohl, 2017: Ch. 19). Our caselaw series might exhibit a trend for a variety of reasons unrelated to general increases in legal development. For example, the overall attention in the ER to different areas of law could have increased solely due to improvements in the organization and dissemination of reporting, as opposed to substantive legal development. In this era, there is also the steady rise in Parliament's legislative activity (see, e.g., Hoppit, 1996; Bogart and Richardson, 2011) which would have automatically necessitated an increase in the attention of the courts to many legal domains.

Third, there are idiosyncratic (exogenous) shocks, unrelated to both past developments in caselaw and secular trends. Examples of such shocks include the passage of significant legislation, the actions of judges and legal practitioners not fitting into the traditional mold, important political events, major industrial inventions, and global economic fluctuations. Idiosyncratic shocks are an integral part of our VAR, which provides estimates of them.

We thus posit the following structural VAR model:

$$\mathbf{A}\mathbf{y}_t = \mathbf{\Gamma}_0 + \sum_{i=1}^2 \mathbf{\Gamma}_i \mathbf{y}_{t-i} + \mathbf{D}t + \mathbf{u}_t. \quad (3)$$

$\mathbf{\Gamma}_0$ is a vector of constants. The $\mathbf{\Gamma}_i$, $i \in \{1,2\}$, are matrices of coefficients that incorporate the feedback effects from past to current values of \mathbf{y}_t . t is a linear time trend, with \mathbf{D} the corresponding vector of coefficients. \mathbf{u}_t is a vector of structural shocks, with $E(\mathbf{u}_t \mathbf{u}_t') = \mathbf{I}_{14}$.

The crucial aspect added to the model by \mathbf{A} is that its coefficients capture how shocks to one variable contemporaneously affect the values of other variables. The presence of \mathbf{A} therefore means that the system could exhibit contemporaneous feedback effects between the variables.

Importantly, our inclusion of the time trend (effectively detrending of the data) implies that our empirical analysis focuses on the role of caselaw development in understanding the variability of per-capita GDP around its long-run trend, as opposed to explaining the overall rise in real income that took place during industrialization. Our goal is simply to explore whether caselaw developments were consequential for England's economic performance, conditional on secular trends.

A model with two lags is admittedly parsimonious. However, (3) can be justified on both institutional and statistical grounds. Long-standing features of English institutions and organizations facilitated a timely flow of information to a broad variety of social classes within the localities. For example, while the central courts were located in Westminster, central-court judges and serjeants-at-law visited localities multiple times a year to conduct hearings in the assize

courts (Baker, 2019: 25). Assize judges provided information on legal developments and guidance to the justices of the peace, who adjudicated lesser cases in the quarter sessions. The justices of the peace interacted frequently with all social classes in the localities by performing a range of administrative functions (Cornish et al., 2019: 37). Moreover, with a well-organized legal profession that was eager to represent clients, those who owned property were kept current on legal developments.¹⁵ But legal news would have also reached the poor, who were subject to the poor laws administered by the localities. For all these reasons, the response in the economy following a caselaw shock could have occurred relatively quickly. Importantly, the choice of two lags is also supported by standard lag-length selection criteria (Kilian and Lütkepohl, 2017).¹⁶

4.2. An approach to identification

The structural model (3) is a simultaneous system, with its parameters not readily estimable. The standard approach is to resort to the reduced-form version of the model:

$$\mathbf{y}_t = \mathbf{B}_0 + \sum_{i=1}^2 \mathbf{B}_i \mathbf{y}_{t-i} + \mathbf{C}t + \mathbf{e}_t, \quad (4)$$

where $\mathbf{B}_0 = \mathbf{A}^{-1}\mathbf{\Gamma}_0$, $\mathbf{B}_i = \mathbf{A}^{-1}\mathbf{\Gamma}_i$, $\mathbf{C} = \mathbf{A}^{-1}\mathbf{D}$, and $\mathbf{e}_t = \mathbf{A}^{-1}\mathbf{u}_t$. Unlike (3), all explanatory variables in (4) are predetermined and thus (4) can be consistently estimated by applying OLS equation-by-equation. The resulting reduced-form estimates, however, do not contain sufficient information to allow estimation of the structural shocks and the response of the system to those shocks. Resolution of this identification problem requires the imposition of further assumptions (see, e.g., Kilian and Lütkepohl, 2017).

In our context, the legal-institutional setting suggests a plausible recursive identification scheme. This scheme entails making assumptions on which structural shocks do not exert a contemporaneous effect on which variables, thereby obtaining an \mathbf{A} (and hence also an \mathbf{A}^{-1}) that is lower-triangular. Intuitively, these assumptions impose an ordering of the variables (elements of \mathbf{y}_t) from the most 'sticky' (the variable contemporaneously impacted only by its own shocks) to the least 'sticky' (the variable contemporaneously affected by all shocks). The resulting identification strategy based on short-run restrictions has been the bedrock of much research in empirical macroeconomics (see, e.g., Ramey, 2016; Kilian and Lütkepohl, 2017; Kilian, 2009; Caldara and Iacoviello, 2022; Baker et al., 2016).

In the present context, our identification strategy is best viewed as reflecting one set of assumptions that can deliver a first-ever set of results about the relevance of caselaw development for economic performance during England's industrialization. Our chosen assumptions on variable ordering are, in our view, the most compelling ones given that we have adopted the framework of

¹⁵ In Dickens's Bleak House, set before the advent of the railway, the Chancery solicitor, Tulkinghorn, had his own private room reserved for when he stayed at Chesney Wold, the Lincolnshire estate of his client, Sir Leicester Dedlock.

¹⁶ Different criteria suggest a different number of lags. The sequential modified likelihood ratio test statistic suggests a model with two lags. The Hannan-Quinn and final prediction error criteria suggest a model with a single lag, while the Schwarz information criterion suggests a model without any lags. The Akaike information criterion recommends a model with four lags, an approach that in our context results in an overfitted model (as manifested in highly irregular estimated impulse-responses).

the standard recursive identification approach driven by the historical context. But it should nevertheless be emphasized that the details of our results depend critically on these assumptions and that there may exist other plausible identification schemes.

We order the 13 law variables and real per-capita GDP as follows: 1) procedure and reasoning, 2) public governance, 3) real and personal property, 4) contract, 5) debt and finance, 6) inheritance, 7) family, 8) markets, 9) organizations, 10) intellectual property, 11) torts, 12) ecclesiastical, 13) criminal, 14) (logged) real per-capita GDP.¹⁷ (Hence, the ordering in Table 2 and in our overview of legal history in Section 2.) In the following paragraphs, we discuss the features of the English legal system and English society that justify this ordering. We focus on those legal-institutional features that would have plausibly ruled out the specific contemporaneous effects implied by the ordering of variables given above.

Courts were meticulous in abiding by rigid processes (see Section 2). Any response of the court system to economic shocks thus necessarily took place with a lag. We therefore place real per-capita GDP at the very end of our ordering (as 14th). At the same time, procedure and intricate legal reasoning were at the very core of adjudication. New developments in a particular substantive legal domain (e.g., contract or torts) would have spurred subsequent changes in procedure and modes of legal reasoning only if legal professionals found such changes absolutely necessary for addressing the underlying disputes. A novelty in one substantive area of law would not be enough to alter the essence of court process and legal reasoning within one year. Accordingly, we place procedure and reasoning at the beginning of our ordering (i.e. 1st).

Among the twelve substantive areas of law under consideration, public governance is unique in its focus on issues involving state affairs. But in the 18th and 19th centuries England's governance also relied heavily on a growing bureaucracy and numerous commissions. Developments in other substantive legal domains would have thus plausibly affected attention to caselaw on public governance only with a lag given the time needed for Parliament or bureaucracy or commissions to react and produce changes in public governance. In contrast, given the expanding reach of the state, developments in caselaw on public governance, perhaps spurred by statutory changes, could have affected developments in real and personal property as well as other areas of caselaw immediately. For example, with legal professionals striving to protect the interests of propertied clients, novel ideas pertaining to Compulsory Purchase or Tax Assessment (see Table 1) would have readily been incorporated in legal conceptualizations of real and personal property. We thus make public governance 2nd in our ordering, above all other substantive-law variables.

¹⁷ The notion of variable ordering as used in this section should be understood purely in the context of the depiction of the particular (recursive) identification scheme that we rely on (see, e.g., Kilian and Lütkepohl, 2017). It should not be interpreted as implying, for example, that innovations in certain areas of caselaw are in our framework somehow necessary for changes in other areas of caselaw, or that a shock to a specific area of caselaw will require a certain number of years to affect per-capita GDP. In particular, the possibility that shocks to any area of caselaw affect per-capita GDP in the very same year is fully consistent with our identification assumptions. Whether such effects are consistent with the data, however, is an empirical question that is addressed by our estimates.

Our ordering of the next eight caselaw variables, from real and personal property to intellectual property, reflects a natural hierarchy of institutions and organizations in a capitalist society. At the heart of our reasoning is the fact that reliance on some institutional and organizational forms (e.g., contracting or markets) inherently presupposes the existence of other institutional and organizational forms (e.g., property). Thus, legal innovations in the former would have led to greater attention to the latter only with a lag: for example, economic agents and their lawyers would have needed time to conceptualize the repercussions for property that followed from innovations in contract.

Real and personal property law, in particular, is an institutional prerequisite for the full gamut of contractual, organizational, and market interactions. Debt and financial relationships presume existence of contracting. A functioning system of inheritance in turn presupposes clearly defined real and personal property, as well as possibilities for inter-generational transfer of such property and the settling of debts. Much of caselaw on families (e.g., Strict Settlement) relied on workable rules for inheritance. Institutional arrangements in all of these domains were in turn a precondition for expanding markets, with the latter providing the requisite institutional background for development of organizations and, finally, intellectual property. Our ordering of the corresponding caselaw variables from real and personal property (as 3rd) to intellectual property as (10th) directly reflects these aspects of the interactions of different types of caselaw.

In the industrial era, much of the development of caselaw on torts arose from novel uses of property and from expanding commerce (see Cornish et al. 2019). Innovations in torts would thus unlikely have had an immediate impact on related but relatively more established areas of law at the core of the legal system. We thus order torts (11th) after markets, organizations, and intellectual property, but before the remaining two substantive areas of law, ecclesiastical (12th) and criminal (13th), both of which pertain to especially narrow issues and thus would have been unlikely to exert a contemporaneous effect on other legal domains. In particular, the high courts normally addressed only a narrow subset of criminal issues, leaving the vast majority of criminal cases to be adjudicated in the assizes or by justices of the peace (see Section 2). It is unlikely that legal ideas pertaining to the criminal theme would have immediately diffused to other legal domains.

We close this section with a remark on expectation effects. When applied to modern-day phenomena, one threat to identification in VAR modeling has been the possibility of such effects (see, e.g., Ramey, 2011; Mertens and Ravn, 2010; Stock and Watson, 2001: 111-112). If certain policy innovations can be anticipated in advance of their implementation, the econometrician may end up using a smaller information set than the relevant decision-makers do, a scenario leading to a misspecified model and biased estimates.

In our setting, it seems implausible to suppose that individuals would be creating caselaw in anticipation of future fluctuations of per-capita GDP around its secular trend. Clients, lawyers, and judges just did not have the relevant timely data, nor did they possess the pertinent data-analysis skills, nor was it a common mindset to form and act upon elaborate forecasts. Indeed, a key feature of the English legal-intellectual culture had always been an emphasis on the historically-

conditioned processes that underpinned and continually refined the law (Grajzl and Murrell, 2016). Accordingly, in their day-to-day interactions, clients were focused on using existing law to further their interests and lawyers were acting on the immediate interests of their clients. Judges were deciding on cases whose facts had already been determined. If a case called for new rules, these were created by looking at the history of the law and the facts of the specific case. These circumstances are adequately captured by the variables already included in our VAR. Expectation effects are therefore not a concern for our analysis.

5. Results and discussion

We focus on the results obtained using three complementary VAR-based tools. Section 5.1 generates information about whether the variability in real per-capita GDP around its trend can be accounted for by different caselaw shocks. This exercise uses a forecast error variance decomposition of (logged) real per-capita GDP. Section 5.2 explores the effect of caselaw shocks on (detrended) real per-capita GDP using impulse-response analyses. These analyses provide insight into which areas of caselaw development were crucial in promoting, or hindering, economic performance. Finally, Section 5.3 examines when specific legal innovations, or their absence, were particularly important as causes of fluctuations in real per-capita GDP around its trend. This examination uses a historical decomposition of the (logged) per-capita GDP.

5.1. *The importance of caselaw shocks for fluctuations in real per-capita GDP*

To what degree can temporal variations in the industrializing economy be explained by caselaw shocks? Which areas of caselaw, if any, were most influential as drivers of economic fluctuations? To cast light on these questions, we use a forecast error variance decomposition of (logged) real per-capita GDP. Intuitively, this procedure examines the part of the total variation in the real per-capita GDP series at some fixed number of periods in the future that is due to shocks occurring between the beginning period and that future time. It then apportions that variation among the shocks to each series, revealing the relative importance of different elements of caselaw development for variations in real per-capita GDP. We focus on the 1, 5, 10, and 20 year horizons, as well as the very long term.¹⁸

At this point, it is important to be precise about our goals in conducting this exercise. Our primary objective is to establish whether caselaw development mattered at all for England's economic performance during the time of industrialization, and if so, which areas of caselaw were especially important. In order to pursue these objectives, we investigate the effect of shocks to caselaw, the (unobserved, but estimated) exogenous element of the VAR model. In our model, these shocks constitute only one element explaining changes in per-capita GDP. In particular, the time trend and GDP's own autoregressive lags alone hold much power in explaining total change

¹⁸ Our estimated VAR is stable (stationary): all 24 roots of its characteristic polynomial fall inside the unit circle (the corresponding moduli range between 0.25 and 0.96). This property is necessary for the validity of the results for the extended horizon (Kilian and Lütkepohl, 2017).

in per-capita GDP.¹⁹ We should especially emphasize that, by virtue of the inclusion of the time trend in the VAR, our analysis is focused on the role of caselaw development for fluctuations in per-capita GDP around its long-term trend, as opposed to long-term secular changes in per-capita GDP (see Section 4.1). Thus we make no claims about the size of the effect of caselaw development on overall economic development: our limited goal is to ascertain whether an effect exists.

The results of the forecast error variance decomposition are summarized in Table 3. The importance of caselaw shocks crucially depends on the time horizon. At the one-year horizon, the overwhelming majority (82 percent) of the forecast error variance of (detrended) real per-capita GDP is explained by shocks directly to real per-capita GDP itself. Thus, over the immediate horizon, it was shocks to real per-capita GDP (e.g., due to unexpected swings in productivity), not caselaw innovations, which drove most of the variability in real per-capita GDP around its trend. This finding is completely intuitive: with wills, contracts, property rights and many other legal arrangements dependent on a settled body of law, caselaw innovations are unlikely to be especially consequential for short-term economic fluctuations.

----- [Table 3 about here] -----

Over the medium and especially longer run, however, caselaw shocks become more important for explaining fluctuations in real per-capita GDP. Caselaw shocks are responsible for 57 percent of the variability in real per-capita GDP that is produced by shocks occurring in a five-year window. The joint explanatory power of caselaw shocks increases with horizon length. In the long run, caselaw shocks together explain more than 71 percent of the variation of real per-capita GDP that is due to shocks in general (as opposed to secular trends).

Table 3 also shows that shocks to different areas of caselaw differ in their importance in explaining the variability of real per-capita GDP around its trend. At the 10-year and longer horizons, shocks to organizations, intellectual property, and inheritance are quantitatively most important. In the long run, shocks to these three caselaw domains jointly account for as much as 45.2 percent of variation in real per-capita GDP that can be explained by shocks in general. This is our first evidence that not all areas of caselaw were alike as drivers of fluctuations in real per-capita GDP. In what follows, we address the issue of the comparative influence of different caselaw innovations.

5.2. The response of real per-capita GDP to specific caselaw shocks

Did caselaw development aid or hinder economic progress during industrialization, and if so, which legal domains helped or hampered? These are fundamental questions of long-standing

¹⁹ The following evidence suggests how important are the elements of overall changes in (real) per-capita GDP that our paper purposefully omits from discussion because we are focused on establishing whether, and which, caselaw mattered for England's economic performance during industrialization. For the per-capita GDP equation in the reduced-form model (4), $R^2=0.979$. In contrast, for a univariate model of per-capita GDP with only a linear time trend and a constant, $R^2=0.888$ and for a univariate autoregressive model of per-capita GDP with two lags, linear time trend, and a constant (but no caselaw variables), $R^2=0.967$.

interest for legal and social historians. However, forecast error variance decompositions of real per-capita GDP are indicative only of an effect. They do not reveal the direction of the response of (detrended) real per-capita GDP to caselaw shocks. Impulse-responses do.

We estimate the response of (logged) real per-capita GDP to legal innovations over a 30-year period. We model a legal innovation as a one-standard-deviation structural shock (i.e., a shock of typical magnitude) that immediately increases attention to a specific area of caselaw. We report one-standard-error bias-corrected confidence bands computed using Kilian's (1998) bootstrap method. Our use of a one-standard-error confidence band for interpreting the impulse-responses follows a broad swath of the literature using VAR in economic history and beyond (see, e.g., Jalil, 2015; Rousseau, 2011; Quinn and Roberds, 2019; Burhop, 2006; Romer and Romer, 2004; Stock and Watson, 2001).

Our estimates are displayed in Figure 3, in the form of cumulative responses of (logged) real per-capita GDP. For legibility, each sub-figure uses its own scale for the response magnitude.

----- [Figure 3 about here] -----

The central finding is that different caselaw domains differ sharply with respect to the estimated impact of their innovations on (detrended) real per-capita GDP. The thirteen domains of caselaw can be grouped into three distinct categories: those exhibiting a positive effect on real per-capita GDP, those with a negative effect, and those with no discernible effect.

The first group comprises caselaw on debt and finance, inheritance, organizations, and intellectual property. For each of these caselaw domains, the implied cumulative effects on economic performance are considerable. Three decades after a typical shock in attention to the pertinent legal domain, the cumulative increase in real per-capita GDP equals 7.0 percent for debt and finance, 12.3 percent for inheritance, 14.6 percent for organizations, and 14.1 percent for intellectual property.²⁰ Of course, this is only evidence that the effect of positive shocks can be large. One cannot aggregate these effects and obtain a total effect on real per-capita GDP during the time period under consideration. The model assumes that shocks have a zero mean. Moreover, given the severe capacity constraints of the English legal system of the era (see, e.g., Baker, 2019: 146, 120), these positive shocks would never have occurred simultaneously.

Legal innovations in real and personal property and ecclesiastical matters hindered economic progress. Three decades after a typical shock-induced increase in attention to real and personal property, the cumulative decrease in real per-capita GDP equals 7.6 percent. The analogous estimate for ecclesiastical caselaw is 7.5 percent.

Innovations in procedure and reasoning, public governance, contract, families, markets, torts, and criminal matters have no detectable effect on real per-capita GDP. In each case, the zero effect is fully contained within the estimated one-standard-error confidence bands.

²⁰ With real per-capita GDP entering our model in logged form, an absolute change in logged real per-capita GDP equal to k amounts to a relative change in real per-capita GDP equal to $(e^k - 1) \cdot 100$ percent.

Did caselaw development aid or hinder economic performance, then? Not surprisingly the answer is mixed, depending upon which area of caselaw one focuses. This mixed picture is consistent with the broad findings of traditional legal-historical research on the role of courts and caselaw during the Industrial Revolution (see Cornish et al., 2019: 6-10).

However, prior contributions have usually focused upon only a subset of legal domains (e.g., intellectual property or business organizations) while predominantly relying on case studies. Prior research has not produced the comprehensive, quantitative picture that we present here.²¹ The thirteen elements of Figure 3 advance the existing literature by providing the very first comprehensive empirical estimates of the comparative impact of different types of caselaw on economic performance during industrialization.

5.3. *A bleak-law era*

Can one identify specific subperiods between 1765 and 1865 when the English economy was either especially aided or particularly hindered by caselaw development? Variance decompositions and impulse-responses only capture average movements for our entire century of data. To home in on specific periods, we use historical decomposition of the (logged) real per-capita GDP series. These allow us to estimate the cumulative effects of current and past caselaw shocks on observed changes in each year's real per-capita GDP, apportioning these effects the 13 caselaw variables.

Figure 4 summarizes the historical decompositions, presenting information on which shocks drove deviations from the model's predicted long-run trend value of real per-capita GDP in which time period. Part (a) covers the whole sample period and shows the contribution of shocks to real per-capita GDP itself (e.g., technological innovations, wars, etc.) relative to the total effect of all shocks (both caselaw and GDP). The key insight from this figure is that the period from 1810 to 1840 provides an important exception to the general pattern that the effects of past and present shocks to real per-capita GDP itself were roughly aligned with the total fluctuations in real per-capita GDP above and below its long-run predicted trend. From 1810 to 1840 real per-capita GDP was below its long-run trend. But this cannot be explained by shocks directly to real per-capita GDP. If anything, past shocks to GDP caused real per-capita GDP to be above trend during that period, but these direct shocks to per-capita GDP were more than outweighed by the effects of shocks to caselaw. Thus, during 1810-1840 the observed dip in real per-capita GDP below its expected trend must be attributed to the cumulative effect of past caselaw shocks.

----- [Figure 4 about here] -----

Which caselaw developments can explain below-trend real per-capita GDP between 1810 and 1840? Figures 4(b) and 4(c) readily suggest the answer. Figure 4(b) plots the cumulative contribution between 1810 and 1840 of shocks to the four caselaw domains identified in the previous subsection as aiding economic performance: debt and finance, inheritance, organizations, and intellectual property. The contributions of shocks in these four areas of caselaw are almost

²¹ Hodgson (2023: Ch. 5, 6) points out the absence of relevant systematic empirical research when deliberating on the role of legal institutions, especially those pertinent to finance, in England's industrial development.

universally negative: during 1810-1840, the courts paid insufficient attention to those areas of caselaw that would have boosted economic growth.

Figure 4(c) traces the cumulative contribution between 1810 and 1840 of shocks to the two legal domains that we previously identified as hindering economic progress: real and personal property and ecclesiastical. The cumulative contribution of shocks to these caselaw variables was also generally negative. From the standpoint of effects on the economy, during 1810-1840 the courts paid excessive attention to these areas of caselaw.

In sum, 1810-1840 was characterized by a judicial system that was overly focused on articulating the wrong areas of law, at least from the perspective of economic performance. Our quantitative analysis thus aligns with narratives that have traditionally portrayed English courts and the judiciary of the first half of the 19th century as stymying economic and social progress. The most well-known of these narratives was from Dickens who placed the law and the courts at the center of his *Bleak House*. We therefore name this period the 'bleak-law era'.

What perspectives does traditional legal history offer on the bleak-law era identified by our estimates? In the late 18th century, the courts, and in particular the Chancery, witnessed a decline in caseloads, a development that resulted in a general slow-down of court activity as the legal professionals "spun out the work they had to maintain income" (Lobban, 2004: 397). The resultant habits and antiquated procedures persisted into the early 19th century when the needs of an expanding commercial society led to a host of new issues appearing before the courts. Yet despite numerous criticisms, the court system was slow to change its behaviors.

At the turn of the century, the social origins of the judiciary were firmly rooted in the land-owning class and the traditional professions, as opposed to the emerging merchant class (Harris, 2000). For example, the ultraconservative, precedent-abiding, and punctilious Lord Eldon, who served as Lord Chancellor between 1807 and 1827, was adamantly opposed to legal innovation (Rubinstein, 1983; Harris, 2000). On the common-law side, Lord Ellenborough, the Chief Justice of the King's Bench between 1802 and 1818, was "almost as reactionary in his outlook as Eldon" (Harris, 2000: 235). In such an environment, the urging of Bentham and his followers for law reform had no impact.²²

The circumstances began to change in the 1830s, though only very gradually, with the ascent of reformist Whigs. The Chancery was taken over by Lord Brougham, a Benthamite, who pledged to improve the legal system (Lobban, 1991, 2000: 186). At the same time, common-law procedure and its archaic system of writs were finally simplified. Nevertheless, the period between 1830 and 1841 was still an era of limited reform (Harris, 2000). Fundamental reform of equity procedure and the courts occurred more broadly in the 1840s and thereafter, as law reforms increasingly became an important part of public discourse (Lobban, 2004, 2000). Our quantitative results are thoroughly consistent with these broad trends in the legal system identified in the traditional legal

²² See Judson (1910), Lieberman (1989: Part IV) and Lobban (1991: Ch. 5-7) for the role of Bentham in this period.

history literature. What this paper adds is a quantitative perspective and precision on which areas of caselaw development mattered most and in which time periods.

5.4. A placebo exercise

As emphasized in Section 3.6, our measures of caselaw development reflect aggregate, temporal elements of legal development in the thirteen areas of law under consideration. One concern about our analysis might be that our estimates capture aspects of the data that adventitiously result from the topic modeling, possibly even noise, rather than really capturing the effects of legal development. Moreover, in offering an assessment of the comparative effects on per-capita output of legal innovations in 13 distinct legal domains, our analysis might be perceived as drawing the types of erroneous inferences that sometimes arise in multiple-comparison settings.

To investigate these issues, we conduct a placebo exercise. We re-estimate our structural VAR four times, each time replacing the (logged) English real per-capita GDP series for the period 1765-1865 with the same series drawn from an earlier epoch—1365-1465, 1465-1565, 1565-1665, or 1665-1765—while maintaining all other assumptions of our main VAR specification. Obviously, these four sets of estimates could not reflect any real effects of legal development: current caselaw innovations cannot affect real per-capita GDP centuries ago.

Figures C1 to C4 in Appendix C summarize the results. Of the 52 accumulated impulse-responses (13 per time period), only four (7.7 percent) show non-zero effects detectable three decades following the shock. One interpretation of this statistic is that the multiple-comparisons problem leads to a 7.7-percent false positive rate. But more importantly, this finding stands in stark contrast with our results featured in Figure 3, in which six out of 13 (46.2 percent) have discernible non-zero effects. In sum, the placebo exercise does not give any reason to doubt our interpretation of the results presented above.

6. Summary, limitations, and further research

We have provided a first-ever comprehensive empirical assessment of the role of caselaw development in England's economic performance during the Industrial Revolution. To this end, we have combined machine-learning methods for analysis of text-as-data and structural VAR analysis. We have thus been able to cast a unique quantitative light on a subject that has long engaged economic, legal, and social historians.

Our investigation yields three key results. First, innovations in caselaw were a significant determinant of fluctuations of real per-capita GDP around its trend. Second, the separate areas of caselaw differ considerably in terms of their effect on economic performance. Innovations in some, such as the newer intellectual property, the evolving debt and finance, and the old inheritance, spurred increases in real per-capita GDP. Innovations in others, for example, real and personal property, led to decreases in real per-capita GDP.

Third, not all sub-periods of the century under consideration were alike in terms of which caselaw shocks occurred. 1810 to 1840 was especially distinctive. During that bleak-law era, the

English legal system exhibited both too little attention to those areas of caselaw that stimulated economic performance and too much attention to caselaw domains that hindered economic performance. Notably, our results suggest that the relatively poor economic performance during 1810-1840 was not a consequence of negative shocks to real per-capita GDP itself. Rather, it was the legal system's misallocation of attention to different areas of caselaw that contributed to poor performance.

The above findings provide truly novel insights into the role of caselaw development during England's industrialization. Yet, at the same time, our analysis has important limitations. We emphasize four.

First, the reports included in the ER reflect the deliberations of only the top English courts. The ER cases certainly constitute those key cases that formed the basis of English legal precedent. But they clearly do not reflect all facets of English legal development. If further machine-readable case records were available, an extension of our analysis would draw on an even more complete record of English court cases.²³

Second, in constructing our measures of caselaw development via topic modeling, we adopted the bag-of-words representation of case reports. Given computational constraints, and our focus on providing a macroscopic view, this approach is appropriate, especially in what is an entirely new area of historical research. Future research, however, could attempt to offer additional insights into the micro-level aspects of English caselaw development using different representations of information embodied in the case reports. Network analysis based on citation patterns, for example, could help identify the most influential cases (see, e.g., Fowler, 2007). Word embeddings could be used to examine the presence of specific, pre-defined sets of legal ideas over time (see, e.g., Gennaro and Ash, 2022). And text-based measures of technological progress (e.g., Kelly et al., 2021) could be constructed to discern those cases and those times that featured legal breakthroughs. The data resulting from each of these efforts could then be used to further investigate the consequences of caselaw development for economic outcomes.

Third, we have focused on the role of caselaw development for explaining fluctuations in per-capita GDP around its trend as the outcome of interest, not on overall change in per-capita GDP. We would hope to see future analyses that explore the effect of caselaw development on secular increases in per-capita GDP rather than movements around trend. Follow-up work could also explore the importance of caselaw development for other outcomes, such as sectoral output or technological progress—mediators in the chain from caselaw development to changes in per-capita GDP.

Fourth, to shed light on the comparative role of developments in different areas of caselaw for fluctuations in per-capita GDP, we relied on a set of tenable but nevertheless contentious set of identifying assumptions. We view these assumptions as constituting a first step in providing

²³ The Anglo-American Legal Tradition (AALT) project (<http://aalt.law.uh.edu/>), for example, could provide a valuable complement to the ER in the future.

systematic, quantitative insight into the role of caselaw development for the economy during the Industrial Revolution. Subsequent research using the VAR framework could explore the sensitivity of our findings to alternative identification schemes, much like the voluminous literature in empirical macroeconomics has investigated the predictions of monetary and fiscal policy models under competing identification assumptions (see, e.g., Christiano et al., 1999; Ramey, 2016).

Lastly, we note that, in addition to offering quantitative insight into the economic importance of developments in caselaw during the Industrial Revolution, we have also generated a new topic-model-based dataset that opens possibilities for research into institutional change.²⁴ Our topic-model estimates could be used, for example, to provide a quantitative macrohistory of English caselaw during industrialization akin to that generated by Grajzl and Murrell (2021a, 2021b) for the pre-industrial era. And, our caselaw time-series data offer an opportunity to explore the dynamic interaction among legal ideas in different caselaw domains. The resulting investigation could offer new insights into the processes of legal evolution and coevolution (see, e.g., Grajzl and Murrell, 2023a).

²⁴ The dataset is available at <http://www.econweb.umd.edu/~murrell/Data/ER2/ER2.html>.

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Table 1: Topics and themes, with expected report-level proportions

<i>Procedure and reasoning</i> (50.32)	<i>Public governance</i> (8.33)	<i>Inheritance</i> (cont'd)
Administering for Others (0.67)	Administration of Local Justice (0.76)	Devises & Bequests to Descendants (1.43)
Admissible Evidence (2.09)	Colonial & Offshore Governance (0.37)	Estate Tail (0.80)
Amending Legal Documents (0.87)	Compulsory Purchase (0.49)	Executable Wills (0.81)
Analogical Reasoning (3.83)	Domicile Law (0.46)	Execution & Administration of Estates (0.99)
Appeals from India (0.21)	Election & Appointment to Public Office (0.68)	Testator Intent (1.12)
Appeals from Scotland (0.20)	Local Public Finances (0.57)	<i>Family</i> (2.78)
Appointing Legal Agents (0.33)	Objections to Voter Registers (0.85)	Marriage & Its Dissolution (0.58)
Apportioning Obligations & Claims (0.55)	Peerage Rights (0.28)	Marriage Settlement (0.92)
Arbitration (0.48)	Poor Relief & Settlement (0.93)	Minors (0.64)
Authorities of Courts (0.62)	Property Seizures by Sheriffs (0.72)	Strict Settlement (0.63)
Bills in Equity (1.98)	Public & Private Pathways (0.52)	<i>Markets</i> (1.81)
Clarifying Cause of Action (2.81)	Tax Assessment (0.85)	Conducting Open Sales (0.72)
Considering Appeals (0.47)	War-Time Maritime Law (0.85)	Marine Insurance (0.62)
Correct Pleas (1.51)	<i>Real and personal property</i> (4.20)	Railways & Canals (0.48)
Court Jurisdiction (1.06)	Manorial Land Tenures (0.66)	<i>Organizations</i> (2.38)
Depositions (0.63)	Mortgages (1.03)	Business Corporations (0.74)
Due Process (0.73)	Nonpossessory & Natural Resource Rights (0.59)	Business Partnerships (0.60)
Equitable Versus Legal Remedies (1.23)	Premises & Buildings (0.73)	Implementing Endowment Intention (0.37)
Equity Appeals (0.69)	Transferring Property (0.94)	Municipal Corporate Charters (0.43)
Equity Practice & Procedure (1.38)	Tree Law & Waste (0.26)	Private Non-Business Organizations (0.24)
Establishing Identity (0.63)	<i>Contract</i> (9.07)	<i>Intellectual property</i> (1.79)
House of Lords Decisions (0.27)	Affreightment Contracts (0.84)	Copyright (1.33)
Initiating & Ending Trials (2.20)	Bills of Exchange (1.10)	Industrial Patents (0.46)
Irregular Judgments (1.37)	Carriage Contracts (0.86)	<i>Torts</i> (1.54)
Justifiable Personal Acts (0.71)	Contract Validity & Performance (1.13)	Accidents on Water (0.69)
Powers of Trustees (0.76)	Employment Contracts (0.64)	Tortious Injuries (0.86)
Precisely Stating Facts (1.76)	Enforceable Written Agreements (0.82)	<i>Ecclesiastical</i> (0.90)
Recoverable Damages (1.77)	Leases (1.20)	Ecclesiastical Affairs (0.38)
Required Procedural Forms (0.57)	Obligations from Correspondence (0.89)	Tithes (0.52)
Reviewing Lower-Court Decisions (0.69)	Promises Under Seal (0.85)	<i>Criminal</i> (3.61)
Rule-Based Reasoning (0.47)	Surety Bonds (0.74)	Actionable Indictments (1.07)
Rules for Counsel (1.19)	<i>Debt and finance</i> (6.81)	Arrest & Bail (1.31)
Rules for Court Proceedings (3.40)	Annuities (0.39)	Sustainable Convictions (1.22)
Rulings on Timing & Calendar (1.95)	Applicability & Calculation of Interest (0.46)	Residual Topic (0.33)
Satisfactory Petitions (0.81)	Bankruptcy (1.30)	
Scope & Execution of Powers (0.65)	Claims from Financial Instruments (0.75)	
Scrutinizing Legal Costs (1.30)	Determining the Debt Owed (2.30)	
Statutory Construction (2.08)	Paying Off Estate Debts & Claims (1.07)	
Use & Abuse of Information (0.84)	Promissory Notes (0.55)	
Veseys on Equity (1.56)	<i>Inheritance</i> (6.12)	
Weighing Facts & Law (2.99)	Codicils (0.98)	

Notes: The table lists the 105 STM-estimated topics (non-italicized) as interpreted by the authors. (Appendices A and B provide the lists of keywords most prominently associated with each topic and detailed justification of each topic name.) The topics have been grouped into 13 themes (italicized) using the process described in Section 3.5. The numbers in parentheses are expected report-level proportions, computed as simple (non-weighted) report-level means of the STM-estimated topic and theme proportions, all expressed in percentages.

Table 2: The time series, descriptive statistics

Variable	Obs.	Mean	S.D.	Min.	Max.
Law					
Procedure and reasoning	101	10.64	0.70	9.11	11.55
Public governance	101	9.09	0.69	7.47	10.15
Real and personal property	101	8.27	0.77	6.44	9.37
Contract	101	9.02	0.78	7.41	10.00
Debt and finance	101	8.66	0.71	6.84	9.62
Inheritance	101	8.76	0.62	6.97	9.72
Families	101	8.05	0.59	6.18	8.90
Markets	101	7.39	0.95	4.56	8.97
Organizations	101	7.83	0.90	5.32	9.40
Intellectual property	101	7.54	0.38	6.44	8.41
Torts	101	6.91	0.98	4.65	8.62
Ecclesiastical	101	7.08	0.89	4.73	8.53
Criminal	101	7.69	0.48	6.30	8.71
(Logged) real per-capita GDP	101	7.80	0.16	7.58	8.18

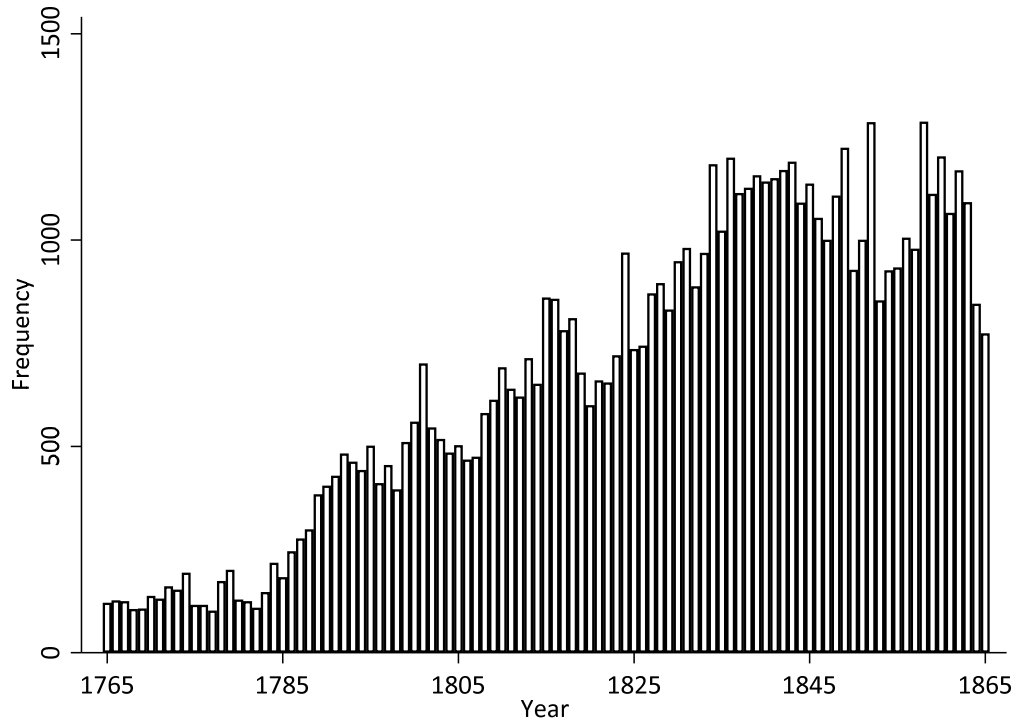
Notes: The table presents the descriptive statistics for the yearly time series on attention to the themes defined in Table 1 and on logged real per-capita GDP. The unit of observation is England in a given year. The law variables are constructed as described in Section 3.6. The data on real per-capita GDP are from Broadberry et al. (2015). The sample period is 1765-1865.

Table 3: Forecast error variance decomposition of (logged) real per-capita GDP

Explained by:	% explained of forecast error variance in logged real p.c. GDP				
	Horizon				
	1	5	10	20	∞
Procedure and reasoning	0.1	2.9	2.1	1.7	1.5
Public governance	0.1	0.9	0.7	0.6	0.6
Real and personal property	4.1	7.5	6.6	6.3	6.1
Contract	2.6	3.4	4.0	4.8	5.3
Debt and finance	0.1	2.8	3.8	4.1	4.1
Inheritance	1.4	12.7	13.2	12.8	12.6
Families	0.0	0.3	0.3	0.3	0.3
Markets	1.4	1.4	1.5	1.3	1.2
Organizations	0.0	7.3	12.7	15.8	17.4
Intellectual property	0.6	10.7	13.0	14.6	15.2
Torts	4.2	1.7	1.2	1.0	0.8
Ecclesiastical	1.0	4.2	4.5	5.0	5.3
Criminal	2.2	1.2	0.9	0.7	0.7
Caselaw total	17.7	57.1	64.4	69.0	71.2
Log real per-capita GDP	82.3	42.9	35.6	31.0	28.8
Forecast S.E.	0.15	0.31	0.37	0.43	0.48

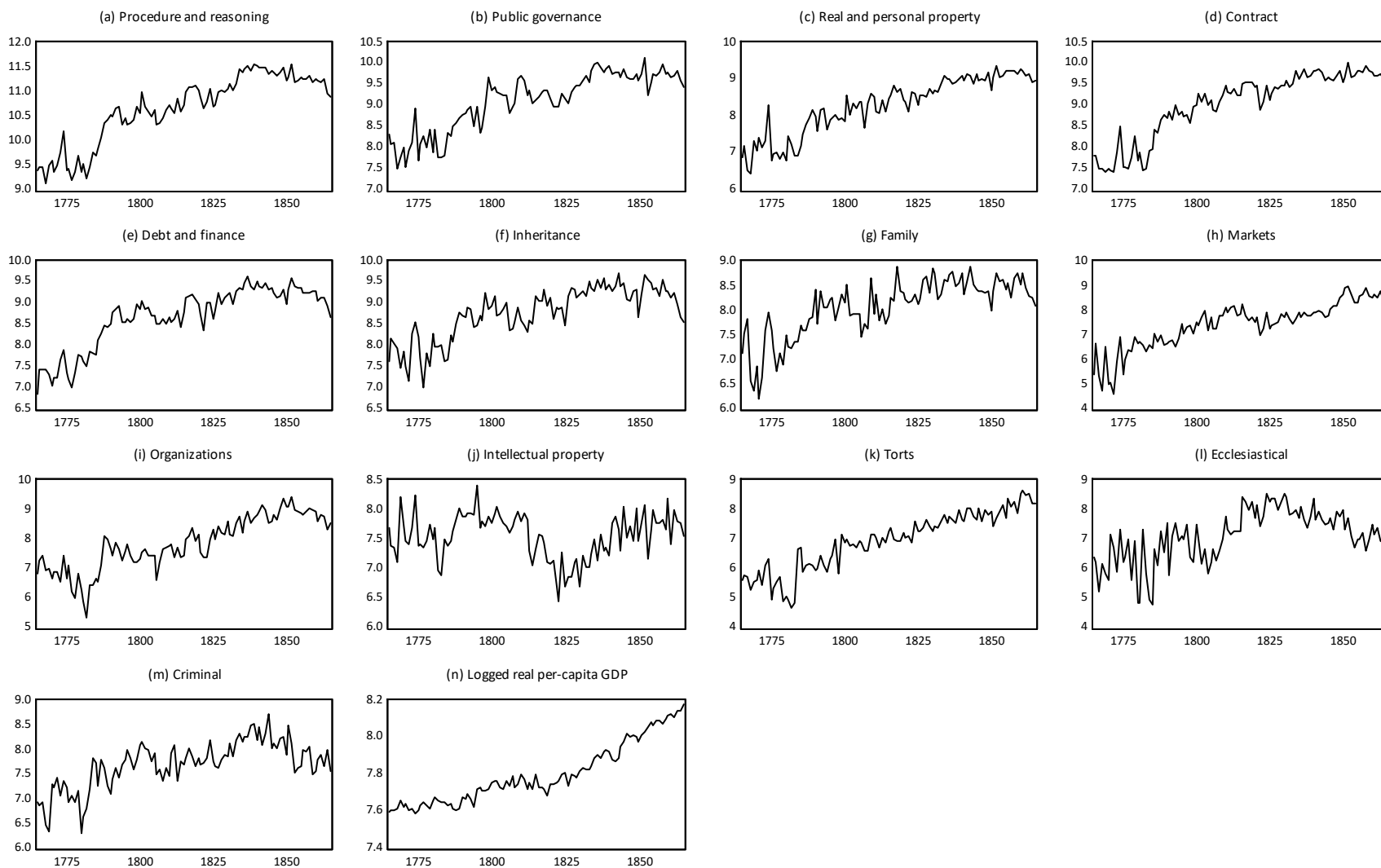
Notes: The table presents the forecast error variance decomposition of logged real per-capita GDP based on the estimates of the structural VAR as laid out in Section 4. ∞ denotes the forecast horizon at which further increments to the horizon no longer change the results at the second decimal place.

Figure 1: The distribution of case reports over time



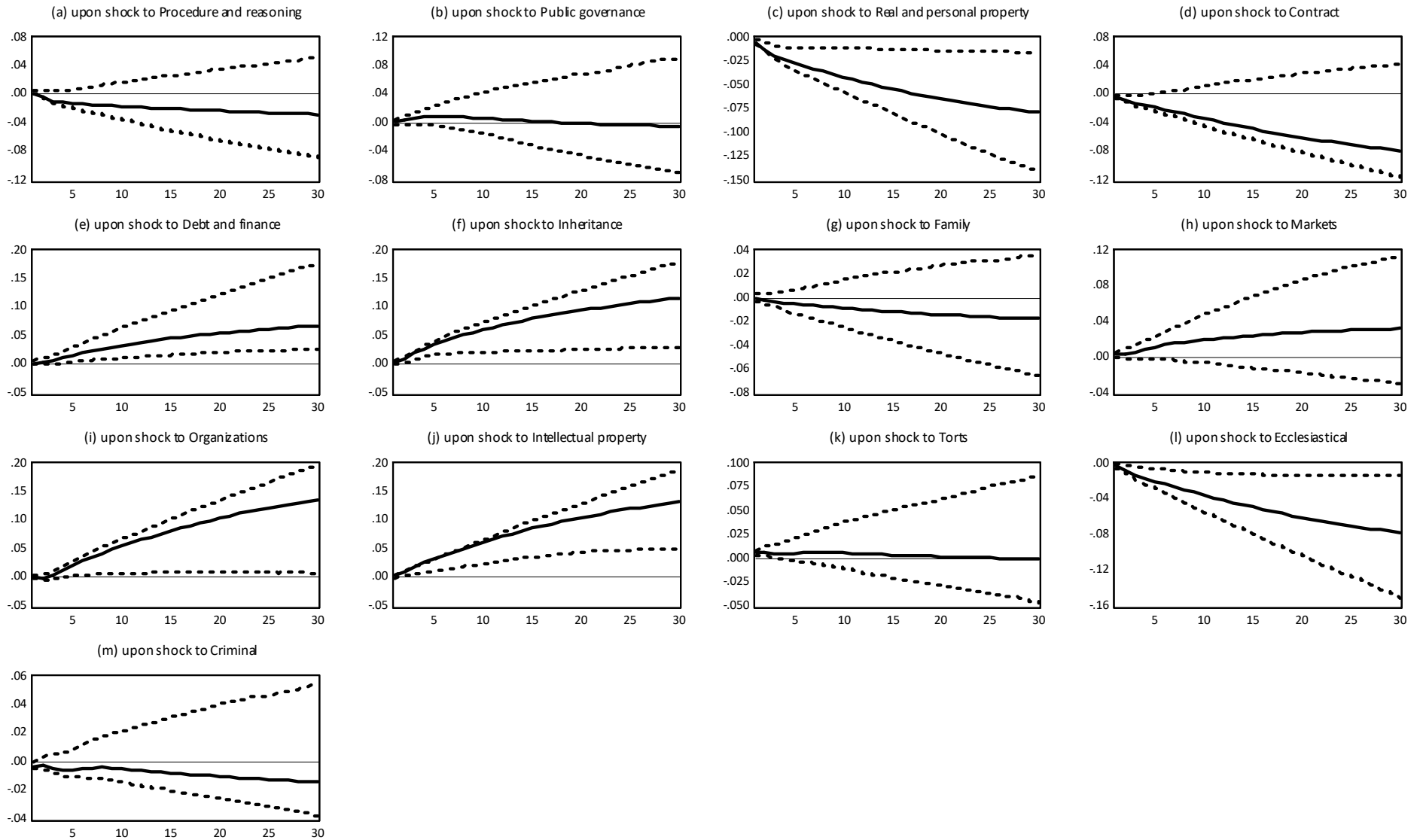
Notes: The figure shows the distribution of the 67,455 reports on cases heard in the English high courts between 1765 and 1865, as included in the English Reports (Renton, 1900-1932).

Figure 2: The time series



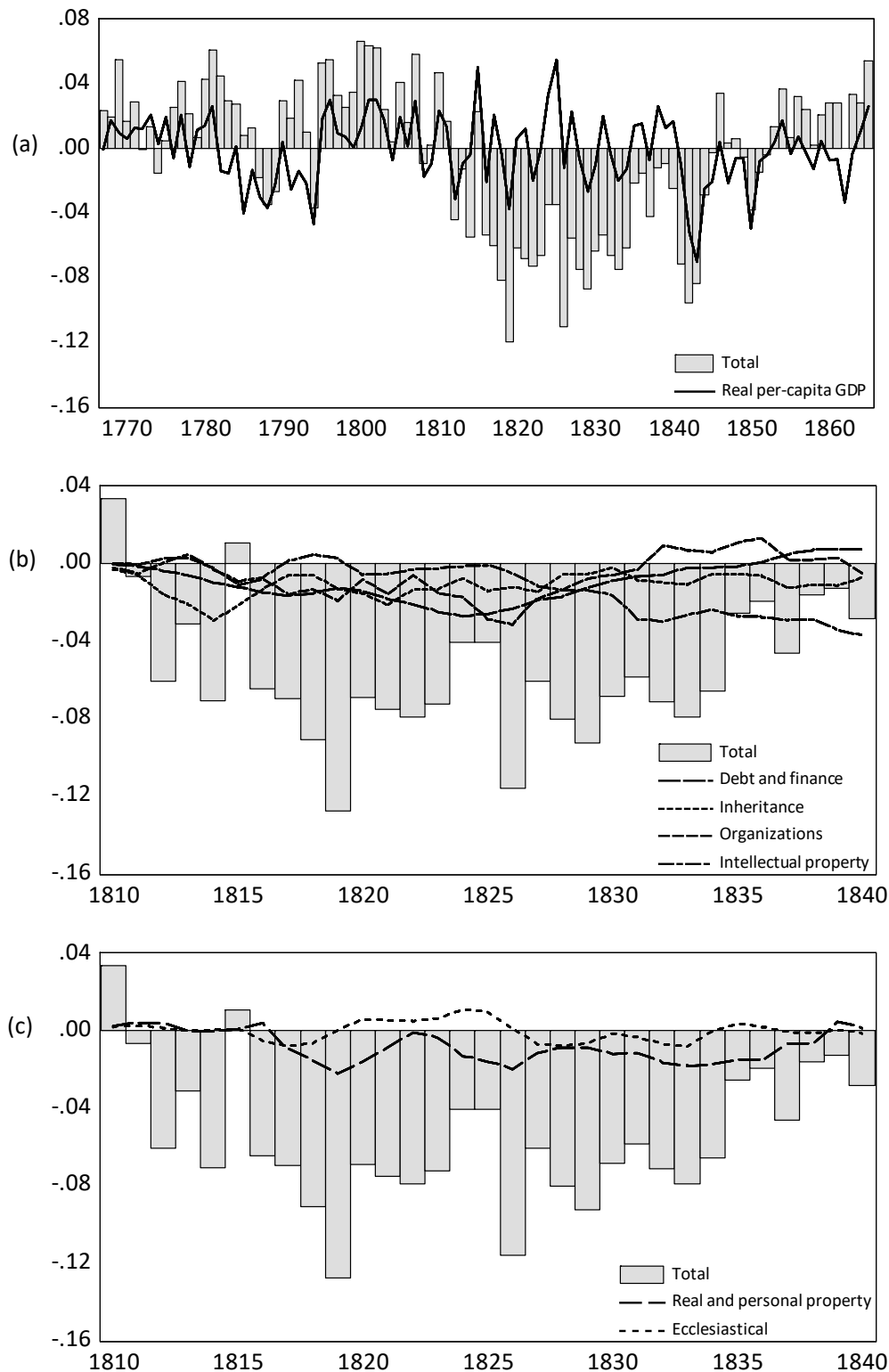
Notes: Parts (a)-(m) show the series of attention to the different themes, as defined in Table 1, constructed as described in Section 3. Part (n) shows Broadberry et al.'s (2015) logged real per-capita GDP for England.

Figure 3: Cumulative responses of (logged) real per-capita GDP to caselaw shocks



Notes: Each part of the figure shows the cumulative response (solid line) of logged real per-capita GDP to a one-unit structural shock in attention to the pertinent caselaw domain. One-standard-deviation confidence intervals (dashed lines) are computed using Kilian's (1998) bootstrap method.

Figure 4: Historical decompositions of (logged) real per-capita GDP



Notes: The three parts of the figure summarize the results on the historical decomposition of the logged real-per capita GDP series, implied by the estimated structural VAR, showing the contribution at each point in time of different cumulative shocks to the total fluctuation of the series from its long-run expected trend. Part (a) shows the contribution of cumulative shocks to per-capita GDP itself during 1765-1865. For the period between 1810 and 1840, parts (b) and (c) show the contributions to the total fluctuation in per-capita GDP of cumulative shocks to areas of caselaw that on average increase (part (b)) or reduce (part (c)) real per-capita GDP during the full 1765-1865 period.

Online Supplementary Appendixes for:

**Caselaw and England's economic performance
during the Industrial Revolution: Data and evidence**

Peter Grajzl and Peter Murrell

Appendix A

This appendix lists the Highest Probability and Score words most closely associated with each of the 105 estimates topics (distributions over vocabulary). Highest Probability words are the words that are most common for a given topic, but are also non-exclusive in that they may be associated with multiple topics. In contrast, Score words are those words that are highly associated with a particular topic relative to their association with other topics (based on the log frequency of a word for a given topic relative to the average log frequency of the word across all topics).

Topic 1: Copyright

Highest Prob: east, case, lord, term, though, mansfield, geo, kenyon, report, publish, book, public, print, ellenborough, rep, holt, anoth, justic, can, king, blackston, author, yet, general, vide, common, buller, dougla, opinion, burrow

Score: copyright, east, espinass, blackston, mansfield, versus, ellenborough, geo, publish, grose, dougla, burrow, lofft, kenyon, cowper, dramat, blanc, print, vide, holt, lord, public, buller, garrow, ashhurst, burr, book, mingay, work, peak

Topic 2: Establishing Identity

Highest Prob: john, thoma, jame, robert, richard, joseph, edward, white, evan, sir, harri, lloyd, matthew, david, stephen, morri, jone, griffith, adam, pierc, holm, alexand, campbel, sander, one, isaac, walter, samuel, franci, chapman

Score: john, thoma, jame, robert, joseph, evan, richard, white, david, holm, lloyd, morri, edward, harri, isaac, matthew, prothero, griffith, stephen, ree, norri, pierc, campbel, chapman, kirbi, jone, nicholson, sir, adam, fraser

Topic 3: Carriage Contracts

Highest Prob: good, deliv, deliveri, carrier, order, send, receiv, parcel, carri, defend, lade, quantiti, take, london, contract, factor, custom, articl, warehous, case, consigne, charg, lie, place, right, weight, tun, person, pay, will

Score: carrier, lade, good, consigne, invoic, deliveri, packag, factor, consignor, warehous, consign, cask, vende, deliv, wharfing, parcel, trover, sack, sugar, tun, wharf, cwt, carriag, quantiti, hogshead, contract, merchandis, sampl, shipment, buyer

Topic 4: Domicile Law

Highest Prob: law, countri, england, foreign, resid, english, domicil, franc, french, subject, abroad, british, properti, scotland, person, accord, ireland, place, will, author, kingdom, state, right, question, alien, must, bear, america, can, govern

Score: domicil, foreign, franc, countri, english, scotland, england, french, resid, law, british, ambassador, abroad, scotch, notari, ireland, portug, alien, loci, code, america, navir, naturalborn, consul, nativ, properti, allegi, lolley, ricordi, englishman

Topic 5: Scrutinizing Legal Costs

Highest Prob: cost, pay, expens, solicitor, allow, tax, shall, charg, suit, incur, parti, court, master, taxat, entitl, caus, client, attorney, amount, proceed, payment, obtain, order, attend, rule, refer, item, deliv, case, direct

Score: cost, taxat, tax, solicitor, expens, client, pay, master, suit, incur, attorney, item, charg, fee, allow, payment, disallow, taxabl, allocatur, disburs, overcharg, prothonotari, vexati, parti, prosecut, caus, review, busi, amount, discret

Topic 6: Implementing Endowment Intention

Highest Prob: chariti, school, colleg, attorneygener, shall, charit, hospit, purpos, master, poor, inform, year, appli, will, object, time, give, fellow, univers, governor, land, use, scholar, rend, make, direct, scheme, fund, statut, may

Score: chariti, school, charit, colleg, hospit, scholar, poor, mortmain, visitor, almshous, schoolmast, master, attorneygener, governor, educ, fellow, rend, boarder, founder, corpor, fund, endow, scheme, scholarship, warden, schoolhous, grammar, bequest, usher, boy

Topic 7: Municipal Corporate Charters

Highest Prob: corpor, borough, mayor, citi, charter, town, burgess, grant, alderman, custom, bodi, london, council, bylaw, within, time, king, freeman, right, common, part, inhabit, shall, make, bailiff, person, member, may, hold, year

Score: corpor, borough, alderman, mayor, charter, burgess, bylaw, council, commonalti, citi, franchis, town, inhabit, warranto, custom, citizen, municip, bailiff, immemori, councilman, patent, freeman, townclerk, prescript, bodi, grant, warden, london, oyster, leet

Topic 8: Veseys on Equity

Highest Prob: upon, ves, vesey, junior, lord, case, can, see, will, court, must, though, chancellor, general, take, decre, jun, bro, may, circumst, pound, far, give, hardwick, eldon, thurlow, atk, bill, execut, whether

Score: vesey, junior, ves, thurlow, decre, chancellor, beam, bro, hardwick, jun, lord, romilli, eldon, atk, supplement, upon, pound, equiti, rosslyn, bernal, note, bill, bea, amb, master, vern, sen, partperform, roll, mitford

Topic 9: Actionable Indictments

Highest Prob: indict, charg, offenc, count, feloni, prosecut, prison, crimin, commit, guilti, convict, king, case, person, prosecutor, punish, murder, assault, upon, crime, juri, find, may, trial, will, one, judg, state, tri, law

Score: indict, offenc, feloni, prison, prosecutor, murder, assault, count, crimin, convict, misdemeanour, manslaughter, crime, perjuri, conspiraci, prosecut, juror, malici, juri, punish, charg, trial, treason, commit, assiz, transport, guilti, poison, queen, imprison

Topic 10: Rules for Counsel

Highest Prob: carrington, pain, defend, attorney, will, case, campbel, serjeant, lord, moodi, verdict, pound, prove, kirwan, give, wit, call, think, put, must, can, robinson, state, stark, appear, park, submit, person, scarlet, take

Score: carrington, kirwan, serjeant, moodi, marshman, pain, attorney, verdict, campbel, assumpsit, scarlet, malkin, wit, pound, stark, garrow, annot, defend, nonsuit, crossexamin, juri, taddi, denman, talfourd, curwood, bomp, ellenborough, pollock, gurney, ryan

Topic 11: Rule-Based Reasoning

Highest Prob: defend, hurlston, norman, martin, will, coltman, plaintiff, rule, pollock, vict, watson, cockburn, exch, bramwel, think, opinion, author, call, may, say, whether, reason, procedur, person, channel, crompton, brother, show, refer, claim

Score: hurlston, norman, coltman, bramwel, vict, pollock, defend, procedur, cockburn, crompton, exch, plaintiff, martin, lush, blackburn, wightman, channel, watson, rule, section, mellor, commonlaw, plea, wile, jur, keat, manisti, phipson, quain, boil

Topic 12: Administering for Others

Highest Prob: brown, chanceri, commiss, lord, case, hall, chancellor, cox, lunat, part, inn, scott, order, make, see, lunaci, committe, reg, issu, lib, twell, lincoln, lordship, thurlow, person, come, fol, lie, dicken, bro

Score: brown, commiss, lunat, chanceri, chancellor, lunaci, twell, cox, hall, committe, thurlow, lord, lib, dicken, reg, inn, fol, byron, scott, inquisit, lincoln, case, ambler, bro, supersede, caney, versus, vide, madock, knott

Topic 13: Minors

Highest Prob: son, father, child, infant, age, mother, year, famili, old, mainten, will, guardian, shall, bear, minor, parent, daughter, person, attain, educ, may, brother, birth, case, death, make, benefit, live, friend, court

Score: father, child, son, infant, mother, age, guardian, famili, parent, educ, daughter, mainten, illegitim, grandfath, hodgen, year, minor, uncl, birth, young, marri, infanc, attain, twentyon, death, grandmoth, bastard, marriag, adult, putat

Topic 14: Promissory Notes

Highest Prob: note, promissori, bank, make, give, ware, see, ant, black, payabl, consider, maker, murray, part, ford, demand, respect, issu, date, valu, ladi, nash, pulteney, gibbon, instrument, hold, may, bath, nicol, hawkin

Score: note, promissori, bank, maker, pulteney, paye, payabl, ware, nicol, murray, black, lediard, ker, nash, syke, gibbon, shuckburgh, ant, ford, timmi, banknot, ladi, reissu, mawbey, stain, bearer, cobden, demand, hammond, hawkin

Topic 15: Scope & Execution of Powers

Highest Prob: power, author, give, exercis, execut, shall, make, may, will, limit, can, direct, discret, general, object, valid, consent, purpos, think, use, effect, requir, reserv, new, contain, claus, manner, express, without, subject

Score: power, exercis, author, execut, discret, revoc, claus, limit, revok, give, valid, empow, done, vest, discretionari, restrict, kater, consent, instrument, reserv, shall, seal, creat, confer, object, new, control, contain, general, direct

Topic 16: Transferring Property

Highest Prob: possess, titl, properti, purchas, convey, right, can, vendor, good, owner, take, claim, make, entitl, purchasemoney, complet, question, lie, show, vest, abstract, legal, time, will, transfer, premis, deposit, object, acquir, may

Score: purchas, titl, vendor, possess, properti, convey, purchasemoney, owner, abstract, deposit, vest, vende, titlede, premis, ownership, transfer, claim, right, complet, equit, good, acquir, advers, valuabl, leasehold, legal, freehold, feesimpl, entitl, lie

Topic 17: Railways & Canals

Highest Prob: compani, railway, line, act, work, canal, london, carri, great, make, station, western, purpos, parliament, engin, use, convey, construct, pass, passeng, take, birmingham, coal, junction, undertak, mile, shall, upon, eastern, will

Score: railway, compani, canal, passeng, engin, junction, station, line, traffic, western, work, truck, carriag, northwestern, railroad, birmingham, midland, wolverhampton, parliament, locomot, luggag, tunnel, toll, ticket, vict, train, london, rail, convey, act

Topic 18: Required Procedural Forms

Highest Prob: meeson, welsbi, alderson, park, crompton, defend, case, will, jervi, rule, parti, show, plea, exch, lord, abing, rosco, appear, author, court, state, hold, make, rolf, must, therefor, dowl, gurney, one, platt

Score: meeson, welsbi, alderson, crompton, rosco, abing, park, plea, jervi, exch, tyre, dowl, defend, assumpsit, platt, rolf, rule, gurney, pollock, held, lyndhurst, indebitatus, vanderplank, geo, bolland, parti, bing, undersheriff, show, plaintiff

Topic 19: Election & Appointment to Public Office

Highest Prob: offic, elect, clerk, person, duti, meet, vote, shall, major, one, act, take, hold, treasur, make, return, deputi, mandamus, duli, assist, public, attend, fee, may, swear, nomin, two, present, will, number

Score: offic, elect, vote, mandamus, clerk, treasur, deputi, councillor, voter, duti, salari, elector, major, candid, assembl, swear, fee, auditor, meet, vacanc, rotulorum, oath, custo, enrol, poll, committe, warranto, public, treasuri, chairman

Topic 20: Executable Wills

Highest Prob: will, deceas, paper, attest, wit, codicil, execut, make, write, instrument, court, ecclesiast, revok, name, two, presenc, revoc, sign, testat, probat, last, testamentari, date, three, one, alter, properti, declar, alleg, intent

Score: codicil, deceas, attest, probat, ecclesiast, haggard, testamentari, testat, curtei, paper, wit, revoc, addam, revok, testatrix, swabey, testament, execut, tristan, handwrit, will, ecc, instrument, propound, mrs, phillimor, prerog, signatur, presenc, executor

Topic 21: Authorities of Courts

Highest Prob: bench, common, queen, upon, hold, show, rule, court, see, lord, earl, maul, denman, patteson, may, coleridg, one, vict, think, author, william, jervi, boil, clear, judgement, make, seem, reason, assum, wightman

Score: bench, queen, common, countycourt, denman, vict, patteson, coleridg, maul, wightman, cresswel, boil, earl, jervi, serjeant, stat, rule, crowder, exch, vult, adv, terwh, keat, jur, cur, campbel, dowl, william, hurl, talfourd

Topic 22: Compulsory Purchase

Highest Prob: land, commission, act, compens, make, shall, part, allot, respect, take, owner, acr, purpos, common, give, enclosur, work, piec, plan, sewer, upon, claus, heredita, boundari, ground, within, sever, question, may, enclos

Score: land, commission, sewer, allot, compens, acr, drain, enclosur, heredita, drainag, act, owner, assess, plan, section, landown, boundari, tenement, damag, map, enclos, proprietor, claus, work, purchas, perch, township, snitterbi, level, parish

Topic 23: Conducting Open Sales

Highest Prob: sale, sell, price, purchas, buy, auction, broker, market, lot, make, vendor, bargain, contract, seller, bid, princip, valu, offer, agent, warranti, particular, condit, can, buyer, public, fair, differ, good, take, deal

Score: sale, sell, purchas, price, auction, broker, vendor, seller, buy, lot, warranti, buyer, bid, market, bargain, bidder, contract, purchasemoney, hop, resal, sampl, resel, vende, agent, advertis, valu, pictur, brokerag, soldnot, deposit

Topic 24: Enforceable Written Agreements

Highest Prob: write, sign, instrument, promis, stamp, statut, memorandum, acknowledg, seal, consider, make, word, suffici, signatur, alter, requir, guarante, parti, paper, parol, fraud, document, hold, upon, object, case, will, give, usuri, deliv

Score: stamp, promis, sign, write, guarante, memorandum, instrument, usuri, signatur, parol, statut, seal, document, acknowledg, unstamp, guaranti, paper, fraud, assumpsit, crawter, word, valor, parchm, consider, subscrib, forbear, jobbin, alter, void, warlter

Topic 25: Rules for Court Proceedings

Highest Prob: order, affidavit, make, motion, applic, court, caus, obtain, shall, may, proceed, practic, amend, rule, move, refus, upon, appear, serv, discharg, case, will, without, take, parti, appli, stay, grant, file, cours

Score: affidavit, motion, order, amend, depon, subpoena, applic, practic, serv, stay, irregular, swear, file, caus, summon, move, obtain, rule, court, copi, injunct, delay, contempt, proceed, refus, make, discharg, grant, clerk, impertin

Topic 26: Mortgages

Highest Prob: mortgag, beavan, mortgage, pound, secur, hare, plaintiff, mortgagor, redempt, first, roll, beav, entitl, take, can, suit, second, make, must, hold, opinion, redeem, charg, think, decre, master, palmer, date, may, romilli

Score: beavan, mortgag, mortgage, mortgagor, hare, pound, redempt, foreclosur, beav, encumbranc, secur, redeem, plaintiff, romilli, bainbrigg, decre, prioriti, encumbr, foreclos, master, roll, langdal, suit, titlede, colyer, reconvey, sim, equiti, selwyn, roupel

Topic 27: Amending Legal Documents

Highest Prob: name, bingham, serjeant, taunton, court, descript, object, vaughan, describ, hold, one, counti, call, shepherd, tindal, varianc, venu, best, broderip, gibb, appear, suffici, bosanquet, set, show, word, chang, two, person, marsh

Score: bingham, taunton, serjeant, broderip, venu, binghamnc, len, name, tedworth, bosanquet, taddi, tindal, vouche, counti, vaughan, pell, gibb, gasele, shepherd, dalla, misnom, christian, bompa, nisi, amend, prothonotari, shatterwel, lulworth, descript, bingh

Topic 28: Marriage Settlement

Highest Prob: wife, husband, marriag, settlement, mrs, marri, properti, separ, make, use, woman, settl, life, shall, mari, ladi, will, upon, consent, entitl, elizabeth, provis, intend, right, sole, covertur, widow, live, death, without

Score: husband, wife, marriag, mrs, settlement, marri, covertur, woman, feme, separ, daughter, properti, child, life, ladi, mari, widow, mcan, covert, settlor, pinmoney, surviv, oferral, marit, unmarri, death, sarah, incom, ann, fortun

Topic 29: Precisely Stating Facts

Highest Prob: say, aforesaid, mention, thereof, shall, time, respect, last, wit, therein, upon, make, certain, sever, day, part, manner, also, sum, georg, therebi, premis, behalf, everi, law, duli, accord, name, person, unto

Score: say, aforesaid, wit, thereof, mention, premis, unto, therein, hereinaft, day, herebi, sum, last, hereinaft, hereinbefor, divers, shall, time, georg, counti, duli, respect, virtu, lemag, whereof, whatsoev, behalf, write, assign, sever

Topic 30: Strict Settlement

Highest Prob: estat, life, use, remaind, settlement, sir, convey, will, term, land, tail, tenant, heredita, part, pound, fee, year, john, limit, heir, subject, make, henri, recoveri, rais, georg, premis, shall, son, marriag

Score: estat, tail, settlement, heredita, life, jointur, tenant, marriag, indentur, convey, fee, remaind, heir, settlor, mortgag, land, son, pound, deed, inherit, feesimpl, manor, leas, lifeest, recoveri, moiety, premis, death, revoc, remainderman

Topic 31: Appointing Legal Agents

Highest Prob: appoint, wilson, person, default, receiv, will, one, sequestr, execut, direct, two, shall, may, nomin, make, tucker, object, appointe, write, can, favour, among, virtu, case, duli, lee, good, kemp, bromley, collect

Score: appoint, sequestr, wilson, appointe, default, appointor, arundel, tucker, sanger, bromley, execut, deedpol, vaus, maryon, draper, cheveley, shinton, kemp, receiv, person, nomin, sequest, bentinck, eliot, askham, langford, loftus, hotchpot, credibl, neal

Topic 32: Weighing Facts & Law

Highest Prob: will, can, may, upon, say, make, take, think, must, shall, great, circumst, state, one, reason, give, time, person, consid, much, consider, know, find, now, mean, appear, without, come, whole, whether

Score: will, say, can, great, circumst, upon, think, consider, conduct, reason, may, man, know, matter, practic, mind, much, answer, inform, duti, mean, must, account, import, feel, inquiri, possibl, cours, particular, state

Topic 33: Admissible Evidence

Highest Prob: evid, wit, prove, examin, produc, admiss, proof, fact, show, admit, question, object, give, receiv, call, book, parti, document, make, deposit, read, whether, state, copi, may, entri, answer, can, counsel, person

Score: evid, wit, admiss, examin, prove, document, crossexamin, testimoni, proof, deposit, produc, handwrit, interrogatori, book, copi, entri, swear, paper, parol, inadmiss, presumpt, fact, object, oath, admit, product, read, reject, show, statement

Topic 34: Considering Appeals

Highest Prob: appel, respond, appeal, decre, order, court, upon, hear, pound, caus, make, bligh, judgement, right, dismiss, lordship, may, date, shall, proceed, account, appear, take, parti, cost, also, affirm, revers, set, ground

Score: appel, respond, appeal, decre, bligh, pound, etcetera, dismiss, cost, mew, committe, enrol, mckellar, hon, order, obermul, chanceri, lordship, malon, hear, canada, gerald, judgement, mackmurdo, ireland, rehear, doneg, file, moo, burk

Topic 35: Irregular Judgments

Highest Prob: attorney, rule, barnewal, cresswel, term, judgement, adolphus, show, court, upon, maul, warrant, appear, set, selwyn, may, enter, obtain, asid, therefor, absolut, sign, give, now, parti, must, defend, day, case, bayley

Score: barnewal, adolphus, attorney, cresswel, rule, selwyn, maul, cognovit, littledal, asid, nisi, judgement, curiam, sign, warrant, tenterden, bayley, holroyd, denman, patteson, term, dowl, tidd, scarlet, summon, nonsuit, irregular, obtain, abbott, defend

Topic 36: Leases

Highest Prob: leas, rend, year, tenant, premis, term, demis, coven, lessor, landlord, lesse, possess, grant, hold, renew, reserv, eject, pay, tenanc, shall, let, will, land, assign, part, repair, determin, take, may, make

Score: leas, rend, demis, tenant, lessor, landlord, lesse, coven, premis, reentri, tenanc, year, eject, repair, renew, underleas, assigne, grant, arrear, indentur, distrain, land, term, expir, evict, occup, possess, farm, distress, breach

Topic 37: Depositions

Highest Prob: depon, say, hous, see, mrs, time, person, mind, resid, attend, man, state, come, miss, tell, leav, return, conduct, place, medic, live, life, take, know, believ, insan, visit, give, day, one

Score: depon, mrs, medic, insan, apothecari, surgeon, medicin, physician, miss, diseas, somber, health, depos, bedroom, resid, hous, famili, delus, bed, visit, patient, mind, disord, life, night, morn, interrogatori, delirium, conduct, tell

Topic 38: Applicability & Calculation of Interest

Highest Prob: interest, princip, will, executor, case, upon, make, may, wilkinson, can, hand, thompson, spencer, entitl, accru, becom, due, benefici, reversionari, richardson, carri, benefit, claim, hunter, take, time, dawson, right, liabl, come

Score: interest, executor, princip, reversionari, wilkinson, spencer, accru, cent, comput, hunter, boehm, thompson, webster, dawson, newman, asset, richardson, newton, benefici, death, halfyear, iveson, townsend, glover, chaplin, guy, melland, franklin, salmon, higham

Topic 39: War-Time Maritime Law

Highest Prob: ship, vessel, prize, port, captur, war, enemi, cargo, take, board, british, condemn, shall, properti, admiralti, trade, robinson, command, licenc, order, captor, may, neutral, state, subject, court, majesti, claim, case, blockad

Score: ship, captur, captor, vessel, blockad, cargo, prize, admiralti, port, enemi, squadron, voyag, belliger, condemn, seizur, british, board, neutral, russian, licenc, sail, trade, flag, american, war, captain, contraband, danish, dutch, recaptur

Topic 40: Correct Pleas

Highest Prob: plea, plead, alleg, declar, demurr, issu, replic, aver, state, matter, judgement, good, set, travers, show, general, fact, bad, defend, answer, special, may, form, caus, defenc, mention, record, repli, second, will

Score: plea, replic, demurr, plead, travers, aver, alleg, rejoind, joinder, issu, declar, verif, defenc, veredicto, record, setoff, replead, judgement, assumpsit, defend, matter, estoppel, oyer, amend, bad, denial, issuabl, darrein, special, non

Topic 41: Annuities

Highest Prob: annuiti, life, pay, arrear, pound, grant, payment, secur, consider, year, memori, charg, annuit, upon, grantor, set, sum, rentcharg, state, grante, shall, case, payabl, fox, term, enrol, receiv, part, purchas, give

Score: annuiti, annuit, arrear, life, rentcharg, grantor, memori, pound, grante, payment, secur, colhoun, enrol, mackreth, grant, pay, repurchas, year, ollney, payabl, jodrel, purchas, annual, annum, charg, encumbr, brutton, joy, reversionari, wellesley

Topic 42: Objections to Voter Registers

Highest Prob: notic, give, regist, requir, name, place, object, listen, parti, case, suffici, shall, person, serv, entitl, will, hold, resid, must, appear, copi, barrist, may, revis, insert, form, abod, state, qualif, day

Score: notic, voter, regist, listen, abod, barrist, revis, registr, resp, vote, serv, objector, give, granger, copi, postmast, requir, qualif, claimant, resid, registri, schedul, object, lutw, name, duplic, unregist, borough, place, parti

Topic 43: Court Jurisdiction

Highest Prob: court, jurisdict, proceed, judg, matter, caus, appear, case, parti, suit, appeal, practic, question, upon, within, law, sentenc, may, prohibit, superior, issu, justic, judici, commonlaw, judgement, determin, author, act, give, object

Score: jurisdict, court, judg, appeal, plaint, proceed, proctor, prohibit, contempt, suit, sentenc, summon, superior, commonlaw, monit, practic, matter, process, judici, tribun, exercis, admiralti, inferior, record, caus, registrar, advoc, ecclesiast, justic, suitor

Topic 44: Peerage Rights

Highest Prob: earl, lord, duke, henri, parliament, heir, sir, marqu, claim, grant, ladi, titl, peer, king, edward, right, ireland, honour, charl, hous, baroni, year, baron, late, digniti, peerag, male, patent, creat, crown

Score: baroni, duke, peerag, earl, digniti, patent, heir, earldom, marqu, peer, parliament, male, coheir, pedigree, henri, countess, bligh, trimlestown, dillon, crown, lord, descend, viscount, ladi, ireland, kingsborough, slay, duchi, shrewsburi, attaind

Topic 45: Testator Intent

Highest Prob: will, word, testat, give, properti, intent, devis, mean, gift, use, pass, person, effect, construct, take, life, express, dispos, intend, wife, bequest, estat, bequeath, death, whole, may, claus, hold, disposit, must

Score: testat, devis, bequest, bequeath, testatrix, word, gift, wife, properti, leasehold, residuari, codicil, kin, estat, life, claus, widow, death, intent, will, disposit, freehold, construct, niec, sister, personalti, ves, nephew, furnitur, executor

Topic 46: Satisfactory Petitions

Highest Prob: petit, certif, order, petition, commission, court, present, make, shall, may, certifi, matter, act, registrar, applic, examin, protect, direct, grant, pray, part, adjud, proceed, support, state, file, vict, date, refus, schedul

Score: petit, petition, certif, commission, registrar, order, certifi, adjud, vict, schedul, file, examin, pray, protect, section, matter, court, consolid, dismiss, present, gazett, grant, district, prayer, officii, relief, act, enrol, applic, date

Topic 47: Public & Private Pathways

Highest Prob: road, public, toll, bridg, repair, highway, river, navig, use, pass, place, part, way, carriag, make, turnpik, surveyor, nuisanc, market, gate, counti, wharf, side, erect, foot, canal, say, upon, obstruct, time

Score: road, toll, highway, repair, navig, bridg, turnpik, river, nuisanc, footway, public, canal, wharf, carriag, ferri, surveyor, township, erect, gate, passeng, indict, market, inhabit, conserv, across, footpath, boat, obstruct, quay, tollgat

Topic 48: House of Lords Decisions

Highest Prob: lord, clark, hous, case, finnelli, lordship, learn, chancellor, nobl, judg, etcetera, order, make, friend, one, ireland, declar, justic, come, opinion, brougham, affirm, first, two, now, direct, take, think, except, doubt

Score: finnelli, clark, hous, lord, etcetera, chancellor, lordship, nobl, learn, sadleir, perss, ireland, castlecoot, brougham, judg, friend, chanceri, case, irish, corngreav, woolsack, gore, cottenham, mew, dublin, audley, chartr, journal, justic, bill

Topic 49: Tortious Injuries

Highest Prob: neglig, hors, libel, injuri, duti, damag, foster, person, defend, public, word, finlason, mean, liabl, act, care, guilti, caus, charg, case, respons, publish, will, servant, reason, action, say, injur, malici, plaintiff

Score: libel, finlason, hors, neglig, malici, malic, damag, slander, innuendo, injuri, servant, defamatori, foster, publish, coach, juri, public, duti, action, respons, newspap, carriag, grievanc, scandal, guilti, defend, injur, fals, word, coachman

Topic 50: Marine Insurance

Highest Prob: polici, insur, loss, assur, underwrit, premium, ship, good, effect, voyag, upon, risk, total, will, abandon, sail, lose, may, peril, sea, fire, warranti, recov, can, case, make, time, plaintiff, averag, broker

Score: insur, polici, underwrit, voyag, ship, premium, seaworthi, assur, sail, loss, warranti, convoy, broker, averag, barratri, port, risk, unseaworthi, captur, gottenburgh, fire, damag, compani, peril, uninsur, cent, sea, embargo, adventur, strand

Topic 51: Equity Practice & Procedure

Highest Prob: master, decre, report, direct, roll, lord, order, russel, myln, except, refer, make, sir, cooper, vicechancellor, chancellor, keen, upon, caus, parti, craig, court, phillip, walker, jacob, find, state, maddock, hear, take

Score: master, myln, decre, craig, maddock, vicechancellor, keen, cottonham, chancellor, swanston, report, roll, russel, jacob, tamlyn, cooper, phillip, rehear, walker, appeal, leech, donelli, lord, eldon, direct, sir, order, cottenham, russ, wigram

Topic 52: Surety Bonds

Highest Prob: bind, condit, secur, give, sureti, shall, oblig, princip, upon, liabil, liabl, becom, discharg, breach, may, can, indemn, penalti, execut, indemnifi, enter, take, will, time, void, make, obligor, debt, case, benefit

Score: sureti, bind, condit, secur, obligor, oblige, liabil, breach, penalti, indemn, oblig, indemnifi, obligatori, debt, collector, cosureti, princip, liabl, debtor, suretyship, fidgeon, discharg, sherard, give, specialti, oakeley, execut, default, penal, void

Topic 53: Due Process

Highest Prob: king, writ, crown, return, record, statut, issu, court, appear, may, grant, proceed, can, upon, shall, attorneygener, find, extent, inquisit, case, lord, take, edward, process, majesti, know, come, subject, henri, man

Score: writ, crown, outlawri, inquisit, king, coron, facia, record, distringa, prerog, return, statut, quash, testa, sheriff, prosecutor, majesti, summon, process, issu, panel, venir, attorneygener, quod, pluri, palatin, revenu, inquest, coke, proclam

Topic 54: Determining the Debt Owed

Highest Prob: pay, money, sum, payment, account, due, receiv, amount, pound, debt, advanc, demand, make, balanc, claim, secur, upon, hand, part, appli, shall, whole, respect, receipt, credit, give, discharg, take, lend, may

Score: money, sum, pay, debt, payment, pound, account, due, balanc, advanc, setoff, amount, loan, demand, receiv, instal, repay, credit, secur, indebt, payabl, receipt, borrow, claim, lend, transact, unpay, deposit, item, cash

Topic 55: Bills in Equity

Highest Prob: bill, plaintiff, defend, answer, suit, file, may, simon, demurr, state, account, alleg, parti, pray, discoveri, decre, dismiss, origin, except, relief, case, make, put, can, set, take, matter, object, entitl, supplement

Score: bill, plaintiff, simon, defend, demurr, file, discoveri, suit, decre, answer, interrogatori, vicechancellor, relief, dismiss, supplement, revivor, pray, alleg, account, amend, document, crossbil, interplead, stuart, schedul, prayer, redesdal, ves, multifari, wigram

Topic 56: Ecclesiastical Affairs

Highest Prob: church, bishop, parish, present, right, ecclesiast, churchwarden, dean, advowson, chapel, incumb, law, saint, parishion, patron, benefic, grant, archbishop, canon, rector, vicar, curat, rectori, repair, chapter, dioces, person, make, burial, spiritu

Score: church, churchwarden, ecclesiast, advowson, bishop, parishion, parish, patron, dioces, benefic, rectori, vestri, vicar, rector, vicarag, chapel, prebend, burial, curat, canon, archbishop, induct, pew, prebendari, minist, curtei, curaci, consecr, spiritu, repair

Topic 57: Tree Law & Waste

Highest Prob: wood, cut, timber, wast, tree, tenant, merival, grow, fall, plant, life, underwood, upon, except, part, row, mansionhous, year, may, lord, shall, park, will, foley, ornament, use, without, commit, pole, oak

Score: timber, tree, cut, merival, wast, wood, tenant, underwood, orford, mansionhous, plant, ornament, alford, foley, clinton, coppic, stool, arburi, oak, growth, grow, englefield, life, hedg, repair, ferrand, haward, ash, sprout, sapl

Topic 58: Administration of Local Justice

Highest Prob: justic, counti, warrant, magistr, peac, convict, commit, session, inform, shall, constabl, offenc, order, jurisdic, give, quarter, appear, act, upon, summon, complaint, stat, make, case, gaol, take, imprison, parti, person, may

Score: magistr, convict, counti, peac, session, offenc, constabl, certiorari, justic, gaol, imprison, jurisdic, commit, summon, polic, warrant, stat, recogniz, penalti, quash, inform, quarter, oath, complaint, offend, sect, majesti, gaoler, trespass, petti

Topic 59: Local Public Finances

Highest Prob: elli, rate, blackburn, adolphus, sect, stat, make, board, act, district, assess, local, purpos, parish, vestri, within, may, campbel, vict, lord, coleridg, occupi, part, public, rateabl, denman, poor, respect, expans, hold

Score: elli, adolphus, rate, blackburn, vestri, sect, stat, assess, district, board, rateabl, local, mandamus, vestrymen, parish, vict, ratepay, sewer, denman, poor, poorrat, coleridg, commission, occupi, collector, health, crompton, churchwarden, patteson, campbel

Topic 60: Clarifying Cause of Action

Highest Prob: plaintiff, defend, declar, count, state, first, will, say, upon, certain, second, make, promis, man, alleg, request, granger, reason, consider, time, wit, breach, mention, three, show, good, suffici, afterward, part, although

Score: plaintiff, defend, count, granger, promis, assumpsit, declar, breach, wit, alleg, request, man, undertak, state, aver, first, tender, second, say, indebitatus, consider, tindal, certain, refus, considin, deliv, reason, serjeant, mention, divers

Topic 61: Industrial Patents

Highest Prob: patent, use, invent, manufactur, specif, make, iron, part, machineri, engin, machin, new, describ, articl, will, may, grant, improv, work, one, process, claim, purpos, materi, infring, mark, plaintiff, gas, mean, steam

Score: patent, invent, manufactur, carburet, machin, manganes, oxid, patente, engin, inventor, iron, steam, roller, letterspat, metal, gas, machineri, hydrat, groov, boiler, furnac, improv, apparatus, plataea, specif, process, label, cylind, work, factori

Topic 62: Business Corporations

Highest Prob: compani, share, director, sharehold, shall, call, make, manag, meet, act, person, member, name, committe, transfer, subscrib, proprietor, respect, liabil, regist, may, liabl, hold, secretari, pay, resolut, bank, capit, associ, becom

Score: sharehold, compani, director, share, committe, windingup, contributori, prospectus, scrip, proprietor, subscrib, secretari, regist, capit, member, allot, provision, jointstock, bank, manag, subscript, liabil, transfer, deed, registr, settlement, debentur, officii, resolut, chairman

Topic 63: Reviewing Lower-Court Decisions

Highest Prob: judgement, report, exchequ, court, error, term, chamber, collyer, give, baron, upon, enter, affirm, revers, case, chief, except, bring, argu, record, will, park, opinion, final, shall, law, also, counsel, vacat, argument

Score: exchequ, error, collyer, judgement, report, chamber, court, baron, revers, remembranc, term, record, chief, affirm, vacat, docket, platt, enter, alderson, templ, venir, lew, inner, park, esq, motto, trinit, give, hilari, final

Topic 64: Colonial & Offshore Governance

Highest Prob: india, majesti, govern, island, state, coloni, east, grant, law, council, crown, subject, governor, suprem, royal, england, right, offic, slave, public, king, order, act, plantat, knapp, sir, jamaica, sovereign, saint, secretari

Score: island, coloni, india, council, suprem, majesti, slave, rupe, knapp, jamaica, crown, bombay, governor, plantat, calcutta, regiment, militari, indi, sovereign, madra, sicca, suppliant, colonel, pension, secretari, governorgener, bengal, jersey, treasuri, lieutenantgovernor

Topic 65: Arbitration

Highest Prob: award, arbitr, refer, make, parti, shall, matter, rule, submiss, differ, disput, order, set, upon, caus, determin, umpir, asid, final, object, direct, court, sum, decid, agre, one, may, two, consent, respect

Score: award, arbitr, umpir, submiss, umpirag, matter, refer, parti, refere, asid, rule, arbitra, agreement, cargey, disput, shall, prius, howett, sum, damag, barmast, whealler, revoc, final, make, nisi, setoff, dunley, rotton, barrist

Topic 66: Premises & Buildings

Highest Prob: hous, build, premis, occupi, occup, street, erect, part, use, garden, wall, messag, dwellinghous, ground, remov, light, owner, fixtur, window, adjoin, repair, yard, purpos, tenant, place, new, belong, upon, room, cottag

Score: build, hous, erect, fixtur, premis, window, occupi, occup, dwellinghous, messag, street, nuisanc, brick, wall, cottag, repair, yard, adjoin, floor, tenement, rebuild, warehous, partywal, stabl, garden, tenant, shop, owner, cellar, appurten

Topic 67: Appeals from India

Highest Prob: appeal, indian, court, appel, suit, respond, right, properti, sudder, decre, claim, govern, upon, adopt, possess, law, make, lordship, order, question, collector, present, regul, accord, take, zemindari, alleg, adawlut, judg, two

Score: sudder, indian, zemindari, adawlut, dewanni, appel, zillah, respond, hindoo, zemindar, appeal, rajah, rane, pundit, singh, pergunnah, ameen, talook, narain, raja, khan, lal, chund, jumma, raj, mehal, baboo, decre, hossein, ramanadha

Topic 68: Property Seizures by Sheriffs

Highest Prob: good, sheriff, execut, take, writ, seiz, distress, levi, chattel, issu, judgement, distrain, bailiff, warrant, seizur, return, facia, make, properti, upon, trespass, act, possess, offic, replevin, becom, may, sell, author, case

Score: sheriff, writ, seizur, distrain, facia, execut, distress, replevin, seiz, bailiff, trespass, chattel, good, levi, trover, avowri, poundag, undersheriff, elegit, interplead, sale, made, arrear, issu, debtor, bailiwick, uppom, apprais, sell, landlord

Topic 69: Bankruptcy

Highest Prob: creditor, bankrupt, assigne, debt, bankruptci, insolv, debtor, commiss, act, assign, becom, prove, effect, properti, part, can, time, discharg, may, case, trader, issu, benefit, good, estat, law, take, commit, composit, make

Score: bankrupt, creditor, bankruptci, assigne, debt, debtor, insolv, commiss, trader, composit, fiat, estat, dividend, properti, assign, act, indebt, docket, provision, provabl, sue, vest, asset, fraudul, commit, prove, offic, trade, adjud, solvent

Topic 70: Use & Abuse of Information

Highest Prob: fraud, transact, solicitor, make, know, fact, represent, fraudul, knowledg, act, communic, obtain, attorney, circumst, inform, state, statement, alleg, believ, client, induc, asid, agent, pound, fals, repres, give, employ, set, prepar

Score: solicitor, fraud, transact, represent, fraudul, client, misrepresent, attorney, communic, fals, attwood, conceal, confidenti, pound, knowledg, agent, swinfen, asid, spri, inform, profession, reynel, employ, know, plaintiff, fide, statement, alleg, believ, compromis

Topic 71: Execution & Administration of Estates

Highest Prob: executor, administr, death, person, deceas, die, will, repres, next, asset, intest, kin, testat, grant, take, executrix, probat, entitl, estat, good, court, widow, lifetim, prove, effect, properti, surviv, make, parti, distribut

Score: executor, administr, intest, asset, kin, testat, probat, deceas, death, executrix, die, administratrix, widow, lifetim, hubbert, estat, surviv, repres, legate, prerog, coexecutor, grant, tristan, ecclesiast, decre, administ, distribut, sarah, devastavit, next

Topic 72: Estate Tail

Highest Prob: estat, heir, son, will, issu, devis, limit, take, remaind, life, shall, testat, male, tail, word, bodi, daughter, first, use, give, intent, without, case, law, die, conting, death, fee, person, old

Score: testat, estat, tail, devis, heir, son, male, daughter, life, issu, limit, devisor, remaind, grandson, beget, devise, fee, descend, estatetail, tenant, monypenni, executori, bodi, death, word, conting, chilcott, inherit, nephew, die

Topic 73: Powers of Trustees

Highest Prob: trustee, trust, shall, person, upon, benefit, declar, purpos, money, will, act, direct, vest, properti, survivor, may, appli, assign, execut, receiv, hold, fund, beneficiari, proper, thereof, benefici, time, new, legal, profit

Score: trustee, trust, survivor, beneficiari, cestui, fund, vest, cotrustee, money, properti, surviv, profit, invest, breach, incom, declar, leasehold, surplus, benefit, receipt, benefici, rend, donnithorn, execut, assign, person, act, werninck, annual, shall

Topic 74: Analogical Reasoning

Highest Prob: case, question, can, upon, will, law, must, may, point, lord, opinion, whether, decis, author, say, rule, decid, present, therefor, principl, consid, express, general, differ, argument, refer, distinct, hold, court, one

Score: case, decis, rule, principl, question, law, lord, author, word, argument, decid, doctrin, point, can, opinion, say, express, construct, general, upon, distinct, must, consid, present, judg, whether, lie, cite, differ, will

Topic 75: Rulings on Timing & Calendar

Highest Prob: time, day, year, month, within, shall, first, six, three, saint, period, date, term, continu, four, next, end, two, last, expir, commenc, five, till, januari, march, june, one, make, juli, octob

Score: day, year, month, time, expir, period, six, within, calendar, date, commenc, twenti, continu, saint, five, elaps, till, twelv, septemb, end, next, four, week, octob, seven, limit, januari, august, three, march

Topic 76: Private Non-Business Organizations

Highest Prob: societi, member, church, minist, person, doctrin, shall, rule, chapel, establish, articl, england, time, religi, dissent, protest, use, congreg, declar, cathol, holi, accord, purpos, religion, god, law, institut, roman, form, opinion

Score: societi, church, presbyteri, congreg, minist, cathol, religi, preacher, religion, presbyterian, unitarian, member, preach, hewley, chapel, synod, club, worship, baptism, priest, communion, sacrament, roman, meetinghous, holi, gospel, subscript, disciplin, jew, pastor

Topic 77: Initiating & Ending Trials

Highest Prob: trial, verdict, juri, defend, rule, plaintiff, find, issu, new, judg, caus, tri, upon, leav, give, direct, nonsuit, term, question, whether, learn, enter, move, ground, shall, nisi, assiz, think, evid, show

Score: juri, trial, verdict, nonsuit, plaintiff, assiz, defend, rule, judg, nisi, misdirect, issu, tri, learn, prius, new, move, caus, find, serjeant, sit, evid, record, asid, enter, juror, postea, venir, discharg, leav

Topic 78: Sustainable Convictions

Highest Prob: prison, case, steal, indict, judg, take, prosecutor, convict, feloni, money, forg, fals, person, find, count, intent, guilti, receiv, one, king, juri, properti, charg, will, larceni, forgeri, utter, pretenc, know, defraud

Score: prison, indict, steal, prosecutor, dearsli, larceni, feloni, forg, convict, forgeri, count, fals, juri, burglari, offens, embezzl, prosecutrix, defraud, queen, robberi, judg, assiz, money, geo, moodi, leech, denison, session, crown, ryan

Topic 79: Claims from Financial Instruments

Highest Prob: pound, fund, stock, dividend, per, bank, transfer, cent, sum, invest, name, secur, part, shall, entitl, money, stand, produc, will, upon, pay, annuiti, capit, incom, life, consol, may, time, direct, purchas

Score: dividend, fund, pound, stock, cent, bank, annuiti, invest, transfer, consol, incom, sum, per, capit, accountantgener, secur, purchas, money, accumul, life, annual, consolid, gomond, annum, surplus, reinvest, accru, name, retransf, produc

Topic 80: Business Partnerships

Highest Prob: partner, partnership, busi, trade, carri, firm, account, profit, concern, share, shall, continu, one, person, copartnership, joint, take, name, deal, dissolut, articl, may, make, transact, capit, part, properti, parti, book, manag

Score: partnership, partner, trade, busi, firm, copartnership, share, profit, dissolut, account, copartn, capit, dissolv, joint, goodwil, carri, toulmin, debt, sarki, devayn, transact, articl, adventur, stockintrad, robbery, copland, banker, devay, asset, surviv

Topic 81: Contract Validity & Performance

Highest Prob: contract, agreement, perform, shall, agre, parti, will, enter, term, pay, part, make, stipul, specif, complet, condit, accept, work, accord, plaintiff, consider, may, can, breach, certain, execut, upon, refus, take, defend

Score: contract, agreement, perform, stipul, work, agre, breach, contractor, accept, specif, pay, condit, plaintiff, parti, enter, architect, shall, complet, articl, mutual, bargain, rescind, execut, term, enforc, engag, undertak, nonperform, executori, sleeper

Topic 82: Accidents on Water

Highest Prob: vessel, ship, owner, port, master, pilot, board, collis, sea, savag, crew, light, admiralti, take, case, boat, anchor, dock, harbour, damag, river, bring, place, shore, come, two, navig, steamer, lushington, see

Score: vessel, pilot, salvor, ship, starboard, collis, steamer, anchor, admiralti, port, helm, crew, boat, tug, schooner, navig, board, steamtug, harbour, haggard, river, dock, lushington, smack, sail, pilotag, savag, master, owner, tow

Topic 83: Bills of Exchange

Highest Prob: bill, accept, endors, exchang, draw, pay, upon, drawer, holder, payment, payabl, acceptor, present, due, give, becom, person, order, dishonour, discount, endorse, date, amount, make, consider, may, parti, hand, london, name

Score: bill, acceptor, endors, exchang, drawer, endorse, accept, dishonour, discount, drawe, holder, paye, payabl, banker, payment, negoti, draw, pay, assumpsit, nonaccept, cheesebrough, accommod, protest, livesey, overdu, valu, custom, due, bearer, month

Topic 84: Promises Under Seal

Highest Prob: deed, coven, assign, execut, indentur, shall, part, parti, releas, recit, contain, effect, convey, executor, consider, instrument, make, date, respect, administr, may, agre, upon, heir, intent, void, three, second, oper, intend

Score: deed, coven, indentur, assign, execut, executor, releas, recit, heir, administr, convey, instrument, proviso, covenante, inspector, covenantor, grantor, void, schedul, parti, unto, deedpol, thereinaft, assignor, date, nonass, shall, contain, premis, seal

Topic 85: Equitable Versus Legal Remedies

Highest Prob: court, right, equiti, will, law, claim, case, injunct, can, parti, proceed, legal, may, question, equit, restrain, entitl, interfer, suit, relief, upon, ground, grant, obtain, establish, prevent, remedi, now, enforc, come

Score: injunct, equiti, drewri, equit, claim, right, relief, restrain, court, law, decre, suit, dissolv, interfer, legal, enforc, proceed, remedi, parti, will, grant, ves, interplead, jurisdict, claimant, chanceri, protect, case, eldon, eject

Topic 86: Poor Relief & Settlement

Highest Prob: parish, order, session, remov, pauper, overs, poor, settlement, king, appeal, justic, resid, township, inhabit, saint, case, guardian, churchwarden, union, two, make, counti, quash, court, relief, can, stat, confirm, queen, state

Score: pauper, parish, overs, session, township, churchwarden, poor, quash, settlement, inhabit, guardian, lunat, appeal, workhous, asylum, remov, order, union, stat, queen, irremov, resid, relief, certiorari, tenement, counti, justic, child, apprenticeship, king

Topic 87: Tax Assessment

Highest Prob: valu, charg, rate, duti, amount, sum, pay, respect, per, profit, upon, shall, year, annual, will, properti, payabl, deduct, proport, whole, make, allow, expans, tax, pound, case, rend, entitl, accord, ascertain

Score: valu, rate, profit, annual, tax, assess, duti, charg, payabl, rend, sum, rateabl, deduct, valuat, proport, landtax, annum, pay, estim, incom, cent, per, amount, pound, properti, year, averag, rental, expans, schedul

Topic 88: Nonpossessory & Natural Resource Rights

Highest Prob: right, water, coal, work, land, close, use, grant, mill, enjoy, soil, time, owner, way, may, year, claim, part, collieri, purpos, miner, river, can, flow, common, say, stream, cattl, fish, call

Score: water, reservoir, soil, easement, miner, collieri, stream, watercours, work, coal, surfac, river, land, fisheri, prescript, trespass, drain, right, enjoy, pastur, shaft, owner, excav, sough, seam, pit, user, adjoin, mill, seashor

Topic 89: Apportioning Obligations & Claims

Highest Prob: smith, one, joint, separ, sever, two, part, cook, green, best, samuel, daniel, three, respect, allen, join, simpson, alon, georg, barker, distinct, powel, sole, gregori, field, can, atkinson, barton, moiety, willi

Score: smith, joint, separ, cook, daniel, samuel, green, sever, one, barker, barton, willi, allen, kensington, gregori, armstrong, atkinson, bradley, simpson, best, two, miln, moiety, brandon, warner, barrow, powel, hooper, join, churchil

Topic 90: Arrest & Bail

Highest Prob: arrest, bail, writ, discharg, custodi, defend, court, sheriff, return, attach, process, execut, prison, take, rule, can, puller, issu, bosanquet, detain, case, caus, contempt, imprison, privileg, may, put, debt, upon, bring

Score: bail, arrest, sheriff, writ, prison, capia, puller, habeas, bailbond, contempt, custodi, imprison, process, corpus, garnishe, bosanquet, gaoler, discharg, debt, detain, defend, return, privileg, recogniz, execut, bailabl, gaol, attach, latitat, remand

Topic 91: Statutory Construction

Highest Prob: act, shall, statut, section, person, within, word, enact, provis, mean, geo, make, parliament, construct, provid, vict, legislatur, claus, pass, appli, everi, stat, sect, law, intend, may, upon, penalti, express, except

Score: section, statut, enact, act, vict, legislatur, geo, claus, parliament, sect, stat, provis, penalti, word, shall, repeal, construct, within, person, proviso, prohibit, provid, preamb, constru, limit, pass, mean, excis, majesti, recit

Topic 92: Marriage & Its Dissolution

Highest Prob: marriag, wife, husband, parti, ecclesiast, haggard, adulteri, court, suit, alleg, law, marri, articl, divorc, separ, cohabit, consistori, may, swabey, will, live, sentenc, tristan, can, fact, woman, valid, libel, plead, consent

Score: marriag, adulteri, haggard, husband, ecclesiast, swabey, wife, consistori, cohabit, tristan, divorc, alimoni, libel, cruelti, marri, corespond, westmeath, conjug, addam, matrimoni, ecc, copulan, curtei, condon, connelli, achilli, ciocci, woman, proctor, dalrympl

Topic 93: Paying Off Estate Debts & Claims

Highest Prob: estat, person, real, debt, will, charg, heir, shall, devis, payment, pay, testat, direct, rend, upon, land, subject, devise, freehold, part, sell, money, leasehold, purpos, expens, make, sale, profit, appli, mortgag

Score: estat, debt, testat, devis, heir, devise, rend, real, leasehold, freehold, mortgag, personalti, charg, copyhold, payment, person, sale, funer, asset, land, sell, dower, heredita, profit, pay, speciali, fund, creditor, surplus, descend

Topic 94: Employment Contracts

Highest Prob: servic, employ, master, servant, work, hire, wage, serv, labour, apprentic, year, case, person, week, engag, articl, leav, salari, continu, man, receiv, busi, workman, king, pay, dismiss, may, discharg, perform, return

Score: servic, wage, hire, apprentic, servant, master, employ, work, apprenticeship, salari, serv, workman, labour, week, seaman, remuner, trade, enlist, contract, articl, year, engag, artific, dismiss, busi, militia, desert, sunday, indentur, board

Topic 95: Justifiable Personal Acts

Highest Prob: licenc, trespass, break, person, hous, take, enter, game, door, keep, place, man, open, law, purpos, illeg, one, use, assault, justifi, forc, away, arm, will, room, close, kill, beer, come, night

Score: trespass, licenc, assault, dog, game, theatr, wager, kill, door, retail, break, batteri, hous, policeman, shoot, beer, night, mob, liquor, rabbit, gun, gamekeep, outer, play, illeg, innkeep, dwellinghous, excis, affray, winner

Topic 96: Affreightment Contracts

Highest Prob: ship, cargo, fraught, owner, vessel, voyag, master, port, captain, board, arriv, load, charterparti, charter, proceed, london, sail, lade, shall, repair, good, agent, part, take, lie, may, merchant, liverpool, discharg, will

Score: ship, cargo, fraught, vessel, voyag, charterparti, port, lade, captain, owner, charter, sail, bottomri, freighter, demurrag, master, board, homeward, shipown, load, shipper, unload, repair, consigne, tun, hypothec, odessa, primag, registri, outward

Topic 97: Recoverable Damages

Highest Prob: action, plaintiff, recov, bring, damag, can, sue, case, may, defend, maintain, caus, will, entitl, lie, give, right, commenc, demand, parti, remedi, liabl, upon, hold, sustain, present, suit, therefor, debt, one

Score: action, damag, plaintiff, recov, sue, assumpsit, bring, defend, trespass, debt, tort, maintain, trover, demand, remedi, commenc, nonsuit, suit, caus, detinu, accru, recoveri, liabl, indebitatus, can, injuri, assess, defenc, case, entitl

Topic 98: Tithes

Highest Prob: tith, land, farm, modus, parish, rector, vicar, payment, hay, year, corn, time, occupi, pay, within, claim, set, part, composit, acr, crop, custom, lieu, price, small, exempt, also, entitl, rectori, one

Score: tith, vicar, rector, titheabl, farm, modus, rectori, impropri, agist, parish, terrier, land, mcleland, township, corn, crop, acr, grass, composit, pastur, endow, manur, vicarag, glebe, gollon, occupi, grain, calf, clover, monasteri

Topic 99: Obligations from Correspondence

Highest Prob: letter, agent, messr, write, send, receiv, will, banker, follow, london, account, author, draft, hand, chequ, sir, correspond, bank, give, return, order, inform, credit, date, draw, request, amount, communic, direct, busi

Score: letter, chequ, messr, banker, agent, draft, write, bank, send, remitt, credit, rothschild, london, cash, consign, account, communic, busi, calculata, enclos, receiv, rego, agenc, firm, remit, instruct, receipt, debit, inform, deposit

Topic 100: Manorial Land Tenures

Highest Prob: manor, lord, copyhold, heir, seiz, land, fine, tenant, surrend, fee, will, freehold, hold, custom, tenement, right, estat, admit, court, grant, make, may, can, pass, claim, law, use, entri, customari, case

Score: manor, copyhold, surrend, tenant, heir, tenement, fine, freehold, seiz, land, fee, admitt, custom, feoff, estat, lessor, dower, appurten, surrende, inherit, customari, descent, heredita, tenur, demesn, courtrol, eject, devis, messag, heriot

Topic 101: Equity Appeals

Highest Prob: gex, jone, gordon, small, johnson, macnaghten, lord, vicechancellor, pound, key, giffard, upon, justic, fisher, think, hem, appeal, case, refer, part, knight, question, present, miller, date, hold, will, follow, must, decre

Score: gex, macnaghten, gordon, giffard, vicechancellor, magnaghten, hem, jone, pound, johnson, locust, fisher, key, beav, appeal, small, rolt, decre, chancellor, justic, lord, malin, knight, cranworth, bruce, mac, miller, cairn, jur, sim

Topic 102: Devises & Bequests to Descendants

Highest Prob: child, shall, share, die, daughter, death, issu, life, twentyon, take, attain, deceas, surviv, will, age, one, equal, live, survivor, leav, case, vest, without, sister, gift, event, mari, divid, ann, entitl

Score: child, daughter, share, survivor, grandchild, testat, surviv, death, twentyon, deceas, die, sister, age, niec, life, attain, parent, gift, lifetim, survivorship, sarah, marri, granddaught, nephew, issu, vest, ann, trust, mother, tenant

Topic 103: Codicils

Highest Prob: testat, legaci, will, pound, give, legate, residu, executor, residuari, bequeath, codicil, direct, sum, shall, pay, testatrix, death, bequest, simon, person, gift, specif, make, accumul, entitl, benefit, declar, deceas, two, date

Score: legaci, testat, legate, codicil, residuari, testatrix, bequeath, executor, bequest, pound, residu, simon, death, testamentari, gift, sum, annuiti, daughter, accumul, adempt, deceas, adeem, funer, payabl, give, pay, will, ves, trust, nephew

Topic 104: Appeals from Scotland

Highest Prob: scotland, bligh, dow, lord, session, law, interlocutor, find, court, etcetera, upon, pursuer, scotch, entail, parti, heir, say, robinson, maclean, may, can, ordinari, right, case, question, declar, lordship, grant, judgement, land

Score: interlocutor, scotland, bligh, pursuer, tailzi, etcetera, scotch, grassum, session, maclean, dow, decern, entail, herit, heritor, respond, dispon, edinburgh, appel, heir, infest, mans, glasgow, feus, feu, lifer, foresay, macneil, clyne, dingwal

Topic 105: Residual Topic

Highest Prob: william, young, davi, lewi, morgan, hugh, elder, benjamin, case, charl, upon, harvey, pool, collier, jone, welsh, name, grey, edward, also, appear, sutton, take, part, john, novemb, one, frost, late, brother

Score: young, william, davi, elder, lewi, morgan, benjamin, pool, collier, hugh, welsh, harvey, wightwick, simpkinson, frost, jone, charl, llaethdu, edmond, slade, coley, fetherston, lownd, sutton, carmarthen, abram, stainbank, cuthbert, grey, robart

Appendix B

This appendix briefly describes the content of each estimated topic and, for each topic, justifies the assigned topic name. Recall that topics are distributions over vocabulary and documents (case reports) are mixtures of topics. To assign topic names, for each topic, we examined the Highest Probability and Score words (keywords, in short) that define the topic and studied the top 40 or even top 100 documents (docs, in short) that feature the topic most prominently. In the descriptions of each topic below, we provide quotes from the associated top documents. The quotes are from the versions of the documents that have not had their orthography standardized, have not had Latin translated, and where stemming has not been applied. The keywords are from the versions of the documents used for estimation, when these three operations have been applied. For greater readability, we lightly edited some of the quotes. Footnotes provide a glossary of select terms and concepts.

1	Topic 1 (Copyright): Keywords include 'copyright', 'publish', 'print', 'public', 'book', 'work', 'author'. Top docs are on copyright, publishing, and printing. For example: "In an action on the case for pirating a book, it is not sufficient evidence of a general pirating, to shew that there were particular errors and mistakes in the printing of the original work, which were copied verbatim into the pirated edition. The first publisher of a book, even though he has improperly obtained the materials of it, may maintain an action for pirating it. It is not sufficient to support an action for pirating books, that part is found transcribed into another, for it is lawful to use former publications in composing a new work if they are fairly taken, without being made colour for publishing the original work." Or: "The question was, whether a musical composition is within the statute-of the 8th of Ann c. 19, intituled An Act for the Encouragement of Learning, by Vesting the Copies of Printed Books in the Authors, or Purchasers, of such Copies during the Times therein Mentioned?"
2	Topic 2 (Establishing Identity): Keywords consist of first and last names, but also 'one'. 'name' appears in top 40 Highest Prob words. Top docs are cases where establishing the identity of an individual is critical to the case. In one doc: "A testatrix, having nephews named Robert John, John Henry, Samuel and Thomas, appointed 'Robert' her executor, and, after a bequest to 'John Henry,' directed, that if he should not marry, it should be divided between 'Samuel,' 'John' and Mary. Thomas claimed under the gift to 'John' but Held, that he was not entitled, and that John Henry was meant." In another doc: "If, in an indictment on the Black Act, for maliciously shooting at another, the offence be laid to have been committed in the dwelling-house of John Brewer, evidence that the name of the owner of the house was James Brewer is a fatal variance." And in a further doc: "The question arose upon the title of the Plaintiff claiming as heir at law of a lady of the name of Christian Kidney, who died in 1826; and in order to make out his title in that character, it became necessary for the Plaintiff to, shew that John Kidney the Plaintiffs grandfather, and David Kidney the grandfather of Christian Kidney, who were admitted to have been the sons of one Jonathan Kidney of Market Harborough, were born of the same mother."
3	Topic 3 (Carriage Contracts): Keywords include 'carrier', 'carriag', 'good', 'lade' ²⁵ , 'consigne', 'consignor', 'contract', 'invoic', 'deliveri', 'packag', 'factor', 'warehous', 'pay'.

²⁵ Lade, archaic for to load (e.g. a ship).

	<p>Top docs describe contractual arrangements involving the delivery of goods; whether such contracts were lawfully executed or not; whether goods in transit could be stopped (hence trover in many cases); when carriers can be held responsible for accidents; when a delivery contract is binding; whether the carrier is liable for damage. In one doc: "A common carrier between A. and B. employed to carry goods from A. to B. to be forwarded to C. carried them to B. there put them in his warehouse, in which they were destroyed by an accidental fire before he had an opportunity of forwarding them; and held not answerable for the loss..." In another doc: "A. agrees to sell goods to B. who pays a certain sum of money as earnest; the goods are packed in cloths furnished by B. and deposited in a building belonging to A. till B. shall send for them, but A. declares at the same time that they shall not be carried away till he is paid. This is not a delivery to B (a) The question as to the delivery of goods arises in many different ways:- 1. What delivery is sufficient to complete the contract, so as to pass the property to the purchaser." And in a further doc: "A particular parcel of goods in the possession of a warehouseman; is sold at so much per cwt. the weight of the whole being uncertain, to be paid by a bill of exchange. The vendor gives the purchaser an order to the warehouseman to weigh and deliver the goods, which is lodged with the warehouseman: but before the goods are weighed the purchaser becomes insolvent. The vendor has a right to stop them in transitu²⁶."</p>
4	<p>Topic 4 (Domicile Law): Keywords include 'domicil', 'resid', 'law', 'foreign', 'countri', 'english', 'franc', 'portug', 'america', 'ambassador', 'abroad', 'alien', 'naturalborn', 'nativ'. Top docs are about issues of domicile law. For example: "A. a British-born subject, left England many years before her death, resided in Paris for the last 15 years of her life, and died there; assumed for many years an Italian name, and described herself and was described in legal documents as widow of an Italian. There was no evidence of the fact of marriage; and the statements made by the deceased in respect to the marriage were contradictory. She had real property in India, the bulk of her personality in England, and made her will in the English form, disposing of her property, with the exception of four small legacies, amongst English persons. Held, that by the law of nations the deceased was domiciled in France; but that as she had not been naturalized, nor obtained an authorized domicil in and as required by the law of France, she might by the French law make a will in the English form, and that such will was entitled to probate in this country." Or: "An acquired domicil is not lost by mere abandonment, but continues until a subsequent domicil is acquired, which can only be, animo et facto²⁷, unless the party die in itinere²⁸, toward an intended domicil."</p>
5	<p>Topic 5 (Scrutinizing Legal Costs): Keywords include 'cost', 'taxat', 'expens', 'pay', 'solicitor', 'attorney', 'amount', 'expens', 'client', 'incur', 'charg', 'fee', 'allocatur'²⁹. Top docs address the taxation of costs, that is, the process of determining and charging to the losing party the various expenses incurred, including attorney fees. In one doc: "Where less than a sixth part of an attorney's bill is taken off on taxation, it is discretionary with the Court to allow him the costs of taxation; and where a sum amounting very nearly to a sixth part was taken off on taxation, the Court refused to</p>

²⁶ In transit.

²⁷ By act and intention.

²⁸ On the way.

²⁹ Certificate for the allowance of costs.

	do so." In another doc: "A petition was presented for the taxation of a paid bill of costs, alleging specific items of overcharge. The solicitor thereupon offered to repay the amount of such items and the costs." And in a further doc: Moneys specifically, paid by a client to his solicitor for counsel's fees and stamps, as they were required: Held, properly included in the solicitor's bill in calculating the sixth on a taxation."
6	Topic 6 (Implementing Endowment Intention): Keywords include 'chariti', 'school', 'charit', 'colleg', 'hospit', 'scholar', 'educ', 'endow', 'fund', 'scheme', 'bequest', 'founder'. Top docs focus on cases that require the interpretation and implementation of the intention of an endowment. For example: "The testator bequeathed to the Catholic bishop for the time being of the London District, and to the chaplain for the time being of St. James's Catholic Church, the sum of pound 400 three pounds five shillings per cents 'to be applied by them for the establishment of a charity school for poor Catholic children in Reading.' The fund was paid into Court, and the question was whether the gift was void, as being contrary to the spirit of the Statute of Mortmain." Or: "In a Charity Case, an omission in the original Decree, not declaring the nature of the charity, corrected upon farther directions, without a Re-hearing. The nature of a Charity can be changed by an application to objects different from those intended by the founder, only where it is clear, that by a strict adherence to the plan his general object will be destroyed: not upon the notion of advantage to the inhabitants of the place. Therefore, the Foundation being a Free Grammar School at Leeds for teaching grammatically the learned languages, the Court refused to permit the application of part of the funds to procure masters for French, German, and other establishments with a view to commerce."
7	Topic 7 (Municipal Corporate Charters): Keywords include 'corpor', 'borough', 'alderman' ³⁰ , 'mayor', 'charter', 'burgess', 'bylaw', 'council', 'citi', 'town', 'municip'. Top docs are cases involving interpretation and disambiguation of the meaning of municipal corporate charters. For example: "Where a power of creating freemen is shewn to have been once vested in the body at large of a prescriptive corporation, the exercise of it cannot be sustained in a select part of the same corporation continued by charters under other names of incorporation; there being no express grant of such a power to the select body by any such charters, nor even any by-law to that effect, even supposing such a power could be transferred by a by-law from the whole to a part of the same corporation...". Or: "A charter granted by the Crown cannot be partially accepted, unless it should appear to be the intention of the Crown that the grantee should have the option to accept in part and reject in part. A charter vests the right to elect burgesses in the general body of an ancient corporation, and gives a power to make bye-laws to a select body. The general body makes a bye-law delegating the power to elect burgesses to the select body. Held, that this is a good bye-law; for the power given by the charter to the select body to make bye-laws, does not divest the general body of the right to make such laws, which is incident to it at common law."
8	Topic 8 (Veseys on Equity): Keywords include 'vesey', 'junior', 'ves', 'decre', 'chancellor', 'equiti', 'roll', 'court', 'bill'. Top docs are either authored by, or refer to reports by, Vesey Jr. or Vesey Sr. on equity cases. For example: "That new trustees are not to be appointed without the authority of the Court, see Webb v Lord

³⁰ Member of the legislative body of a municipal corporation.

	Shaftesbury, 7 Ves, 487. Buchanan v Hamilton, 5 Ves. 722, 1 Vesey Junior Supplement 232...". Or: "The rules of construction laid down by Lord Mansfield in Goodtitle v Whitby, 1 Burr. 233, according to which, testamentary words are held, in certain cases, to have had reference only to the time at which possession is to be given, and not to imply a condition, which rules were relied on by Lord Alvanley in the principal case, have been repeatedly recognised and acted upon by Sir William Grant; see Hanson v Graham, 6 Ves. 246. Lane v Goudge, 9 Ves. 230. Balmain v Shore, 9 Ves. 507, Blamire v Geldart, 16 Ves. 316."
9	Topic 9 (Actionable Indictments): Keywords include 'indict', 'offenc', 'feloni', 'prison', 'prosecut', 'murder', 'assault', 'count', 'misdemeanour', 'perjuri', 'charg'. Top docs discuss and clarify what constitutes a good, actionable indictment. In one doc: "In an indictment for felony, a principal in the second degree must be charged to have been feloniously present, aiding, &c.... Blackburne appeared for the principal in the first degree, and Sir G. Lewin for the one in the second degree, and objected that the indictment was insufficient, inasmuch as it did not charge that the prisoner was feloniously present, aiding &c. Parke, J. thought the objection good; but the prisoner was acquitted on the facts." In another doc: "An indictment for perjury, which charges that the defendant 'feloniously, corruptly, knowingly, wilfully and maliciously' swore, &c. omitting the word falsely, 'but concluding, and so the defendant' in manner and form aforesaid did commit wilful and corrupt perjury, is bad." And in a further doc: "The prisoner was indicted for having mixed a quantity of sponge (cut into small pieces) with milk, and given it to her husband, with intent to poison him. An objection was taken to the indictment, on the ground that it did not set forth that the sponge was of a deleterious or poisonous nature. The learned Judge was of opinion that the objection was good, and the prisoner was acquitted."
10	Topic 10 (Rules for Counsel): Keywords include names of several prominent counsels and judges, as well as 'serjeant', 'attorney', 'defend', 'crossexamin', 'appear', 'submit'. Top docs are about procedural rules pertaining to counsels in the conduct of trials. In one doc: "A bond was executed by a person who could not write: -Held, that if there was no other plea besides non est factum ³¹ , the defendant's counsel could not ask whether the bond was read over to the defendant before he signed it, nor what was the transaction respecting which it was given." In another doc: "In an indictment against several persons, the counsel for the prosecution has a right, before opening his case, to the acquittal of any defendant he intends to call as a witness." And in a further doc: "Where two defendants appear by different attornies and counsel, and have pleaded separately the general issue and several special pleas verbatim the same, the issues on each set of pleas being exactly the same, the Judge at the trial will only allow one counsel to address the jury for the defendants."
11	Topic 11 (Rule-Based Reasoning): Keywords include names of judges and counsels, but also 'defend', 'plaintiff', 'author', 'rule', 'vict', 'section', 'commonlaw', 'procedure', 'think', 'opinion', 'reason', 'show', 'claim', 'refer', 'plea', 'say', 'whether'. Top docs distinctly emphasize the logic of reasoning through a case in light of existing law. The reports lay out the facts of a case, the contrasting positions of plaintiffs and defendants, clarify the applicable law, and then provide a justification of the judicial

³¹ Plea allowing a signing party to escape having to honor the signed agreement.

	<p>decision. In one doc: "Gray had obtained a rule calling on the defendant to shew cause why the plaintiff should not recover his costs of this action. The affidavit in support of the application stated that the action was brought to recover 6l. 4s. 6d. for work done and conveyance of goods; and was referred by order of a Judge to the certificate of one of the Masters of the Court, under the Common Law Procedure Act, 1854 (17 & 18 Vict c. 125). The Master certified that the sum of 9s. and 6d. was due to the plaintiff; and he recovered judgment for that sum. At the time of the commencement of the action, the plaintiff dwelt at Laundon, in the county of Oxford, and more than twenty miles from the defendant, who then dwelt in Manchester Buildings, Westminster. C. Pollock shewed cause in last Trinity Term (June 2), and argued that the sum of 9s. 6d. was 'recovered' within the meaning of the 13 & 14 Vict c. 6 1, s. 11; and that notwithstanding the 15 & 16 Vict c. 54, s. 4, and the 9 & 10 Vict. C. 95, S. 128, the Court might in its discretion disallow costs where the action was brought for a sum so small that it ought never to have been brought in a superior Court. Gray, in support of the rule. The plaintiff dwelt more than twenty miles from the defendant, so that the case falls expressly within the provisions of the 15 & 16 Vict c. 54, s. 4, and 9 & 10 Vict c. 95, s. 128; and the Court has no discretion in the matter. Per Curiam. Pollock, C. B. Bramwell, B. Channell, B. and Wilde, B.(b) The rule must be absolute." In another doc: "The question was whether, on the 18th of October, 1858, certain goods seized in execution by the sheriff of Hertfordshire, under a writ of fi. fa. directed to the said sheriff for having execution of a judgment recovered by William Johnston against R. H. Martin, were the property of George Richards as against the said William Johnston....WATSON, B. I agree that the rule must be absolute. The law is clear. Martin purchased the goods; but he represented Hord to be the person to whom the goods belonged. Then was there a valid transfer? No: because, though Martin may be estopped, there was no transfer of any kind, no pretence of any transfer from Martin to Hord: therefore the property did not pass at all." And in a further doc: "Slander. The words laid were, 'He has forged his father's name to bills of exchange.' Plea, not guilty. Keane for the plaintiff. Ribton for the defendant. The words proved were in circulation that he was out of the way for forgery. Martin, B. - There is a fatal variance. Keane applied for leave to amend: but Martin, B. declined to allow amendment. The Common Law Procedure Acts, 1852, s. 222, and 1854, s. 96, provide that all such amendments as may be necessary for the purpose of determining, in the existing suit, the real question in controversy between the parties, shall be so made if duly applied for. But, in an action in which there is no real question in controversy between the parties, the action being of a trivial character, it is not obligatory upon the Judge to make the amendment for the mere purpose of costs. Moreover, it has been held, that these sections apply to what is the real question before and at the time of suit; and if it appears that the plaintiff was not truly informed of what the defendant has said, there would, again, be no question in controversy (c). Nonsuit."</p>
12	<p>Topic 12 (Administering for Others): Keywords include 'commiss', 'lunat', 'lunaci', 'chancellor', 'committee', 'inquisit', 'see', 'order', 'make', 'shall', 'come', 'issu'. Top docs are cases where somebody's affairs, due to mental illness, absence, young age, bankruptcy, death etc., were handled by somebody else, often a commission or a trustee. In one doc: "Where there is a commission of lunacy, none but the alleged lunatic, or persons acting on his behalf, can take part in the inquiry without the special,</p>

	<p>permission of the Lord Chancellor." In another doc: "Bill filed by administrator durante minore aetate³². Just before the hearing of the cause, the infant attained the age of 21. In this case (the Lord Chancellor said) there is no way of avoiding the necessity of filing a supplemental bill." And in yet another doc: "This was a petition, that a fund in court belonging to the plaintiff, or the interest of it, might be paid to the plaintiff's wife, for the maintenance of himself and his family, he being in a state of mind, which, though not amounting to lunacy, was of too great imbecility, in consequence of a paralytic stroke, to do legal acts. And, it appearing to be for the benefit of the family, that the interest should be so paid, it was ordered to be paid to her from time to time."</p>
13	<p>Topic 13 (Minors): Keywords include 'father', 'son', 'child', 'infant', 'mother', 'age', 'young', 'guardian', 'mainten', 'illegitim', 'minor', 'twentyon', 'infanc', 'benefit', 'adult'. Top docs are cases involving minors, their guardians and maintenance. For example: "The infant's father was dead, and his mother, who was living apart from her second husband, was, with the infant, whose age was fourteen, in indigent circumstances at New York, and refused to allow him to be brought to this country. The uncle, by petition, asked to be appointed guardian, with an allowance for maintenance, to commence on the infant's arrival in England. The Court appointed the mother and uncle the guardians." Or: "Gift to a widow, she maintaining and educating the testator's son and two daughters thereout, until the son attained twenty-one: Held, that the son, who had married and ceased to reside with his mother, but was still a minor, was not entitled to maintenance."</p>
14	<p>Topic 14 (Promissory Notes): Keywords include 'note', 'promissori', 'bank', 'paye', 'payabl', 'banknot', 'reissu', 'bearer', 'demand', 'hold'. The very top docs are very short and do not refer to promissory notes, but rather make to any notes. The substantive top docs, however, pertain to disputes involving the use of promissory notes. Thus, the assigned name is well-justified. In one doc: "A promissory note payable to A. B generally, is not one payable to bearer on demand, and re-issuable, within the first class of notes described in 55 G. 3, c. 184, Sched part 1, but, a note payable otherwise than to bearer on demand, (not re-issuable,) within class 2, and therefore such a note for 1001. requires a stamp of 3s. 6d. only." In another doc: "The maker of a promissory note by a note at the foot, makes it payable at a particular place, an allegation (after stating the promise to pay, in the usual manner) that the defendant then and there made the note payable at the particular place, does not amount to a misdescription of the note. A promissory note is made payable at G. a presentment at a bankers at G. the maker being absent from G. when the note became due, is sufficient evidence of a presentment to the maker at G. as alleged in the declaration." And in a further doc: "A promissory note for III., payable to A. B. on demand is a promissory note payable to bearer on demand, within the meaning of the 55, G. 3, c. 184, and requires a stamp of two shillings."</p>
15	<p>Topic 15 (Scope & Execution of Powers): Keywords include 'power', 'give', 'exercis', 'execut', 'limit', 'discret', 'use', 'revok', 'empow', 'vest', 'discretionari', 'restrict', 'confer', 'control'. Top docs delineate the scope and execution of legal powers in a variety of contexts, including wills, marriage settlements, trusts, corporations, and of attorney.</p>

³² While a minor.

	<p>In one doc: "The mere intention of a testator to secure an estate to successive devisees can neither authorise a court to introduce, by implication, any provision which the testator has not indicated, nor to exclude any power which he appears to have intended to entrust to the first takers...". In another doc: "The charter and deed of a company gave to a general meeting power to authorize the council to sell or mortgage. The council, in pursuance of a direction of a general meeting, received authority to mortgage. They made a mortgage with a power of sale. Held, that they had no authority to give a power of sale." Or in a yet further doc: "The Question was, whether Powers of Sale and Exchange should be inserted in the Settlement. Mr. Roupell, for the Plaintiff. Mr. Wyatt, for the Defendant. The Lord Chancellor [Eldon] declared his Opinion to be that Powers of selling, exchanging, and investing in new Purchases, are usual in Settlements and therefore Powers of Sale, and Exchange, came within the Meaning of this Clause; and ought to be inserted in the Settlement...".</p>
16	<p>Topic 16 (Transferring Property): Keywords include 'properti', 'transfer', 'purchas', 'convey', 'possess', 'titl', 'acquir', 'right', 'owner', 'ownership', 'purchasemoney', 'claim', 'complet'. Top docs are cases about contractual transfer of property ownership. In one doc: "Prima facie taking possession, after an abstract has been delivered, and not in pursuance of any provision in the contract, is a waiver of the objections appearing on the abstract, and it lies on the purchaser to rebut that presumption. A purchaser had taken possession, by his tenant and not under the contract, after an abstract had been delivered, and he had made no objection to the title till long after, when a suit was threatened, and he had promised payment of part of the purchase-money. Held, that by his conduct and on the correspondence, he had waived all objections to the title arising upon that abstract; but held, secondly, that he had not waived any objection not arising on the abstract." In another doc: "A purchaser is liable to pay interest on his purchase-money from the time when he could prudently take possession; but held, that he could not prudently take possession at the time a good title was shewn, if he had no assurance that a person having a charge on the property would join in the conveyance." And in a further doc: "A perfect abstract of title is one, which shews such a title as enables a purchaser to complete his purchase. Therefore, where A. had contracted to sell lands to B. and B. afterwards contracted to sell them to C. and agreed, amongst other things, to furnish C. with a full and sufficient abstract of title; and before any conveyance by A. to B. A. died: - Held, that B. having before A.'s death delivered to C. an abstract, bringing the title down to the contract by A. to sell to him, had performed his agreement."</p>
17	<p>Topic 17 (Railways & Canals): Keywords include 'railway', 'compani', 'canal', 'act', 'passeng', 'engin', 'junction', 'station', 'line', 'traffic', 'truck'³³, 'railroad', 'toll', 'tunnel', 'ticket', 'parliament', 'toll'. Top docs are about a variety of issues that arise in the context of railways and canals, including passenger and freight traffic, the use of railroad lines and canals, and pricing. For example: "A special verdict having found that the length of the Manchester, Bolton, and Bury Railway, from the station at Salford to its point of junction with the Manchester, Bury, and Rossendale Railway at Clifton, was four miles and no more: - Held, first, that, on the true construction of the above agreements the Lancashire and Yorkshire Railway Company were not entitled to charge the East Lancashire Railway Company that proportion for the whole amount</p>

³³ A railroad vehicle for carrying freight.

	<p>received as tolls, which the whole distance of two miles to be charged on this part bears to the whole distance travelled on the line of the East Lancashire Company alone, but that the rate per mile for the charge was first to be settled by the relative distances actually travelled on each; and when so settled, a distance of two miles was to be paid for at that rate. Secondly, that the agreement was not affected by the subsequent Acts of Parliament, and consequently did not extend beyond the traffic along the Bury and Rossendale Railway alone. Or: "The 8 & 9 Vict c. 42 (1845) enabled canal companies to become carriers on canals, to lease their canals and to take leases of others. Subsequently (1856) a railway company obtained an Act, enabling them to purchase the X. canal and to exercise all its 'rights, powers and privileges.' Held, that after the purchase, the railway company had authority to take a lease of canal Y. under the first Act, this being a 'right, power and privilege' possessed by canal X. and which passed, on its sale, to the railway company."</p>
18	<p>Topic 18 (Required Procedural Forms): Keywords include many judge and reporter names as well as 'will', 'must', 'show', 'case', 'rule', 'parti', 'plea', 'undersheriff', 'defend', 'plaintiff'. Top docs focus on conditions pertaining to procedural form (as opposed to case substance) that need to or do not need to be fulfilled for some court action or decision. In one doc: "This was an action of debt, to which the defendant pleaded that 'he never did owe' the sum demanded, in manner and form, &c. The plaintiff demurred specially, on the ground that the plea did not follow the form prescribed by the rule of Court, H.4 Will. 4. Mansel, in support of the demurrer, was stopped by the Court. Carrington, contra, urged that the rule was directory only; that the terms used were perfectly equivalent to saying that the defendant never was indebted, and that the party was not bound to the express words of the rule. But, per Curiam. It is much better to abide by the rules, and then there can be no argument: if we do not, we shall have an argument in every case as to what is an equivalent." In another doc: "Kelly and J. Henderson, on shewing cause, objected to two of the affidavits, that they did not sufficiently state the addition of the deponents.... PARKE B. It is quite sufficient by a slight transposition of the words. Suppose it were 'A. B. late of &c. esquire, but now of &c. would not that be sufficient? Cause was then shewn on the merits, and the rule was made absolute." Or in a yet further doc: "Where a <i>capias</i>³⁴ was directed to the 'sheriffs of Middlesex', instead of 'sheriff': Held, an irregularity."</p>
19	<p>Topic 19 (Election & Appointment to Public Office): Keywords include 'office', 'elect', 'vote', 'mandamus', 'clerk', 'treasur', 'deputi', 'councillor', 'salari', 'candid', 'warranto'³⁵, 'public'. Top docs are about some, often disputed, aspect of implementation or resolution of local elections and appointments to public office, in boroughs, parishes, vestries, charities, churches etc. For example: "At the first election of councillors for a ward, under stat. 5 & 6 W. 4, c. 76, A. and B. were elected by the smallest numbers. At the election of aldermen immediately following, two of the councillors elected by higher numbers were chosen aldermen. C. and D. were chosen councillors in their places, each by fewer votes than had been given for A. or B. At the time for electing councillors in the following year A. and B. remained in office, and C. was elected councillor in another ward, and was admitted to the office. The candidate for that</p>

³⁴ A writ ordering the arrest of a person.

³⁵ From *quo warranto*, a prerogative writ requiring a person show what authority they have for exercising some right or powers.

	<p>office who had the next largest number of votes disputed the election, on the grounds that C. was, still a councillor of the first ward, inasmuch as he had been chosen to fill an extraordinary vacancy; that this fact was notorious to the burgesses; and, consequently, that the votes given for C. in the second ward were thrown away. A mandamus³⁶ was therefore moved for to swear in the opposing candidate. Held that, assuming the objections to be well founded (on which the Court did not decide), a mandamus could not go, the office being full, and being one for which a quo warranto might be brought." Or: "At a meeting held to appoint a successor to an office in a charity, after a candidate has been elected, and a minute of his election has been entered by the clerk, it is competent for the majority of the electors, before, the meeting is dissolved, to reverse their vote, rescind the minute of election, and postpone the election to a subsequent day, provided in so doing they act bona fide³⁷, and with a view to the welfare of the charity."</p>
20	<p>Topic 20 (Executable Wills): Keywords include 'will', 'deceas', 'paper', 'attest', 'testat', 'execut', 'write', 'instrument', 'name', 'signatur', 'probat', 'sign', 'testamentari', 'handwrit'. Top docs are deliberations on whether a given will was drafted adequately (for example, signed in the appropriate places) so that it can be deemed executable. In one doc: "A testatrix duly executed two inconsistent Wills, hearing the same date, and written on different sides of the same sheet of paper. Evidence was admitted to shew that the deceased signed one of them only as her Will, and signed the other by mistake. The Court granted probate of the paper signed by the testatrix, with the intention that it should operate as her Will, and not of other paper." In another doc: "Where a Will, on the face of it, had been executed in 1858 and subscribed by two legatees named in it as witnesses, and was re-executed in 1860 and attested by different witnesses, and after the death of the testatrix was found with the first attestation clause and the names of the witnesses to it cancelled, but there was no evidence to shew the date of the cancellation, the Court refused to exclude the part cancelled from probate, and directed the probate to go in facsimile." Or in a yet further doc: "Is the paper a will before it is signed by the testator? A party signs his name after the attestation of the witnesses, although in their presence: my present impression is that this is not a compliance with the statute. I shall reject the motion for probate without giving any opinion."</p>
21	<p>Topic 21 (Authorities of Courts): Keywords include 'bench', 'common', 'queen', 'countycourt', 'exch', 'jur', 'rule', 'hold', 'show', 'clear', 'reason', 'may', 'make'. Top docs are about the scope and exercise of court authority, especially with respect to the right to review or adjudicate decisions by other courts or organizations. In one doc: "The superior courts have no jurisdiction, under the 13 & 14 Vict c. 61, s. 14, to hear an appeal from a decision of the county-court upon an interpleader summons....Jervis, C. J. Suppose we made an order for costs, how would you enforce it? We - have no summary jurisdiction over the party.... JERVIS, C. J. Having no jurisdiction in the matter, we do not hear the appeal. Without saying whether or not we have power to award costs in such a case, we will content ourselves with dismissing the appeal, saying nothing about costs." In another doc: "Where the defendant has duly obtained a rule for a special jury, and the jury has been struck and reduced, it is not competent</p>

³⁶ A writ ordering an inferior court or a person to perform a public or statutory duty.

³⁷ Sincerely.

	<p>to the court to direct that the cause be tried by a common jury, on the defendant's failure to summon a special jury." And in yet another doc: "A discharge under the insolvent debtors act does not prevent the party being committed by a county-court judge, upon a judgment-summons, under the 9 & 10 Vict. c. 95, Ss. 98, 99, in respect of an unsatisfied judgment, though inserted in the schedule.....Jervis, C. J. Can we interfere with the judgment of a court of competent authority?.... An application has been made to the court of Queen's Bench, not for a mandamus, but for the discharge of the defendant; but that court refused to interfere, upon the authority of Abley v Dale, ante, vol. xi. p. 378, where this court held, that one who has obtained his discharge under the insolvent debtors act, is still liable, at the discretion of the judge of the county-court, to be committed, under the 99th section of the 9 & 10 Vict c. 95, for disobedience of in order made upon a judgment-summons under section 98, obtained after such discharge."</p>
22	<p>Topic 22 (Compulsory Purchase): Keywords include 'land', 'commission', 'sewer', 'allot', 'compens', 'drain', 'enclosur', 'act', 'owner', 'landown', 'damag', 'purchas', 'plan'. Many top docs are cases that arose as a result of implementation of enclosure acts. The focus is on who has the right to what and how anyone losing land should be compensated; what the appropriate powers of commissioners implementing the allotments are; and what is the proper interpretation of a specific enclosure acts. Other top docs are analogous cases arising from implementation drainage acts and other private acts that entail the taking of private property on the basis of some statute or act. For example: "Where an Inclosure Act gave the commissioners power to award lands in exchange for others in an adjoining parish, and also to award lands to those who bought them of persons entitled to allotments: Held, that they might award lands given in exchange partly for other lands and partly for money, and that the award need not have an ad valorem stamp upon the money consideration." Or: "A company was empowered by statute to take certain lands, making compensation to the owners for the value of the lands, and for damage occasioned by the taking; and it was enacted that such compensation, in case of disagreement, should be assessed by a jury to be summoned by the sheriff on the company's warrant. It was also enacted that, upon such assessment, the satisfaction for damages should be settled and ascertained separately from the value of the lands. A jury was summoned on warrant as above, stating the subject of the inquiry to be, the purchase-money to be paid for lands of T. K. and the compensation to be made to him for damage. The jury returned a general verdict for 15,000l. Neither the proprietor nor the company (unless by the form of the warrant) required a distinct assessment to be made of value and damages. The Court refused to grant a mandamus to the sheriff, at the company's instance, to summon a jury for a new inquiry. It being objected that, for want of a distinct assessment, the ad valorem duty to be put upon the conveyance to the company could not be ascertained, the Court recommended that the finding of the jury should be specially stated in the conveyance, and duty paid as upon a purchase for 15,000l."</p>
23	<p>Topic 23 (Conducting Open Sales): 'sale', 'price', 'auction', 'broker', 'vendor', 'seller', 'bid', 'market', 'bidder', 'purchasemoney', 'agent', 'deposit'. Top docs focus on what constitutes a valid open sale, typically via an auction, and how auctions should be implemented. In one doc: "Where several lots have been purchased by the same person, and the biddings are ordered to be opened as to some of them, which were</p>

	<p>first purchased, the purchaser will be allowed the option of opening the biddings as to the remainder." In another doc: "Estates were put tip to sale, and in the particulars of sale it was stated they were to be sold 'without reserve.' The vendors employed a puffer³⁸, who actually bid at the sale. Held, that a bill for a specific performance would not lie against the purchaser at such sale." In yet another doc: ""If, at a sale by auction under the order of the Court, a purchaser sell his purchase for an additional sum beyond his purchase-money, the Court will order the property to be resold; and, semble³⁹, that, if upon such resale the property does not produce the improved price agreed to be given by the sub-purchaser, he will be responsible to the Court for the difference."</p>
24	<p>Topic 24 (Enforceable Written Agreements): Keywords include 'write', 'stamp', 'promis', 'sign', 'guarante', 'memorandum', 'instrument', 'signatur', 'seal', 'document', 'unstamp', 'paper', 'statut', 'fraud', 'word', 'parchment', 'void'. Top docs are about what constitutes an enforceable written legal instrument such as an agreement, guarantee, a contract, a promissory note or insurance policy. In one doc: "A guarantee in writing to pay for any goods which the vendor delivers to a third person is good within the 4th sect of the Stat of Frauds, as containing a sufficient description of the consideration of the promise, (namely, the delivery of the goods when made) as of the promise itself; both of which are included in the word agreement required by that section to be reduced into writing, &c." In another doc: "A letter from a mother to her son, beginning 'My dear Robert,' and concluding 'Your affectionate mother,' not signed so as to constitute a binding agreement on the part of the mother within the intent of the Statute of Frauds. It is not enough to identify; there must be a signing, either an actual signature of the name, or something intended by the writer to be equivalent to a signature; such as a mark by a marksman, &c." In yet another doc: "An instrument was in the following terms-'I undertake to pay to R. I. the sum of 61. 4s. for a suit of, ordered by D. P.:'-Held, that it was not a promissory note; but good as a guarantee, as the consideration could be collected by necessary inference from the instrument itself."</p>
25	<p>Topic 25 (Rules for Court Proceedings): Keywords include 'court', 'proceed', 'motion', 'order', 'amend', 'depon', 'subpoena', 'applic', 'practic', 'serv', 'stay', 'irregular', 'file', 'obtain', 'grant'. Top docs outline the procedural steps in conducting court practice, such as what it takes for certain motions to succeed. In one doc: "All motions to annul proceedings on the ground of irregularity must be made in the Term when the proceeding was had, or the Court will not receive the application." In another doc: "The Court will not, generally, grant a rule to shew cause, on the last day of term, where it would operate to stay proceedings." And in a further doc: "A material amendment is not sufficient cause to discharge an order nisi to dismiss. - The course is to reply, and then get an order for leave to withdraw and amend. - The facts on which-the application for that order is grounded must be verified by affidavit."</p>
26	<p>Topic 26 (Mortgages): Keywords include 'mortgag', 'mortgage', 'mortgagor', 'redempt', 'foreclosur', 'encumbranc', 'secur', 'redeem', 'titlede', 'reconvey'. Top docs are about complications that arise from mortgages and mortgage-related arrangements. In one doc: "A judgment creditor, ranking after a first mortgagee, but</p>

³⁸ A fake bidder who drives up the price.

³⁹ It seems.

	<p>prior in date to a further charge and to other judgments, held entitled to a foreclosure, although all the other parties insisted on a sale." In another doc: "In a suit for foreclosure, a party interested in the equity of redemption disclaimed and stated, he did not, and never did, claim any interest. The bill being brought to a hearing: Held, that he was not entitled to his costs." Or in yet another doc: "The owner mortgaged first to A. secondly to B. and he then conveyed to C. 'in trust' to sell and Pay A. and a debt due to b. and another due to C. and the residue to the owner. C. who had no notice of B.'s mortgage, afterwards got 1 transfer of A.'s mortgage, and with it the legal estate. Held, that C. was entitled to tack the third charge to the first mortgage, and exclude B."</p>
27	<p>Topic 27 (Amending Legal Documents): Keywords include 'chang', 'amend', 'descript', 'venu', 'name', 'christian', 'counti', 'misnom', 'vouch'. Top docs depict situations where some aspect, typically a name, of court records or a legal document (a deed, fine etc.) was subject to an amendment and whether the court agrees with such an amendment. In one doc: "The Court refused to amend a recovery altering Berks into Bucks. Onslow Serjt. moved to amend a recovery, by substituting Bucks for Berks, which had been engrossed by mistake, the deed to lead the uses describing the property as situated in Bucks." In another doc: "Fine of lands in the parish of F. which is no parish, but is the popular name of a district containing two parishes of F. St. Mary and F. St. Nicholas, amended by substituting these two parishes by name." And in yet another doc: "In the dedimus⁴⁰ the conusors⁴¹ were named Scott, but they signed their names on the acknowledgment as Scoot. Being applied to for a fresh acknowledgment, they refused to give one. The consideration for the fine was 200l. lent by Greenough to Scott and wife. Upon an affidavit of their identity by the conusees agent, and that they had signed their names Scoot by mistake, Cross Serjt. moved that the fine might pass; but the Court Refused."</p>
28	<p>Topic 28 (Marriage Settlement): Keywords include 'husband', 'wife', 'marriag', 'settlement', 'marri', 'covertur', 'feme', 'right', 'properti', 'life', 'widow', 'settlor', 'pinmoney'. Top docs are cases that arise from marriage settlements, that is, arrangements whereby a trust (of land or other assets) was established by the parents of a bride and groom.⁴² In one doc: "In a marriage settlement the husband alone covenanted to settle any property which his wife or he in her right might thereafter acquire. Held, that property which was afterwards given to the wife for her separate use was not affected by the covenant." In another doc: "A married woman who had left her husband and was living separate from him, but not in a state of adultery, held to be entitled to a settlement out of a sum of stock to which her husband had become entitled in her right." And in a further doc: "Where a marriage settlement is prepared, pursuant to the intention of one of the parties, but under a mistake as to the other, it cannot be rectified."</p>
29	<p>Topic 29 (Precisely Stating Facts): Keywords include 'say', 'aforesaid', 'wit', 'thereof', 'mention', 'unto', 'therein', 'hereinaft', 'herebi', 'day', 'sum', 'thereinaft', 'duli', 'whereof'.</p>

⁴⁰ A writ that enables the taking of testimony.

⁴¹ Persons who levied a fine of lands.

⁴² Marriage settlement was intended to ensure the proper use of a dowry to financially support the daughter during her marriage and potential widowhood. The marriage settlement is distinct from the modern notion of antenuptial or postnuptial agreement, focused primarily on the post-divorce division of assets.

	<p>Top docs provide in meticulous detail the facts of the case, as viewed by the reporter or another party (often the counsel). Top docs do not have in common any underlying substantive legal issue. The following is a typical example: "Action upon a warranty of a mare to be sound, when she was lame....And whereas the said Henry afterwards, to wit, on the day and year aforesaid, at Thetford aforesaid, in the county of Norfolk aforesaid, bargained with the said Charles to buy of him the said Charles a certain other mare of the said Charles; and the said Charles then and there, well knowing the said last-mentioned mare to be lame in the pastern of her off or right fore-foot, and to be unsound, by then and there warranting the said last-mentioned mare to be sound, then and there falsly and fraudulently sold the said last-mentioned mare to the said Henry, for a certain other large sum of money, to wit, the sum of other 211. then and' there paid by the said Henry to the said Charles; which said last-mentioned mare was then and there, at the time of the said warranty and sale thereof, lame and unsound in the said pastern of her off or right fore-foot, and hath always from thence hitherto there so remained and continued; and so the said Henry saith, that the said Charles, on the day and year aforesaid, at Thetford aforesaid, in the county aforesaid, falsly and fraudulently deceived him the said Henry."</p>
30	<p>Topic 30 (Strict Settlement): Keywords include 'estat', 'settlement', 'heredita', 'life', 'jointur', 'tenant', 'indentur', 'convey', 'fee', 'remaind', 'tail', 'heir', 'son', 'land', 'feesimpl', 'manor'. Top docs are disputes that arise from strict settlements, that is, arrangements for preserving large landed estates for future generations and to provide for family members. In one doc: "Where money is to be invested in the purchase, of land, there the Court can make no other order, under the 7 G. 4, c. 45, than that, subject to the antecedent uses, the estate shall be settled to the use of such person or persons who would have been entitled to the estate tail, his, her, or their heirs and assigns." In another doc: "Where a father was tenant for life, with remainder to his son in tail, who, on his marriage, by lease and release, conveys his estate to trustees in strict settlement; and some time afterwards joins with his father in making a mortgage of the same estate, and suffers a recovery to the use of the mortgage: held, that the recovery shall notwithstanding enure⁴³ first to the uses of the marriage settlement." And in a further doc: "A Plaintiff, claiming as heiress at law of L, who had devised real estates to various persons in tail, reserving the ultimate reversion to his own right heirs, alleged by her bill, that the several estates tail had determined by failure of issue that no valid recovery had been suffered, or if it had, that the property had been so settled that she was entitled as right heir of L and that so it would appear, if the Defendant would produce the deeds creating the tenant to the praecipe⁴⁴, and leading or declaring the uses of such recovery: a plea, which set forth the substance of the deeds making the tenant to the praecipe, and leading the uses of the recovery (under which uses the Plaintiff had no title), and of the recovery, was held to be a good defence, though not supported by any answer."</p>
31	<p>Topic 31 (Appointing Legal Agents): Keywords include 'appoint', 'appointe', 'appointor', 'direct', 'nomin', 'sequestr', 'default', 'execut', 'receiv', 'person'. Top docs are cases involving appointments to perform a task. In one doc: "In appointing new trustees, the Court is not limited to the number originally nominated." In another doc:</p>

⁴³ Take effect.

⁴⁴ A person who has an estate of freehold in possession and against whom an action was brought by a tenant in tail.

	<p>"...it was generally understood, when a power of appointment amongst children is intrusted to a parent, and he properly exercises his discretionary power according to existing circumstances, mere inequality, however gross, will not vitiate the appointment. But, when the parent acts from mere caprice, or from mistake, and leaves a child, not otherwise provided for, only a nominal share in the subject of appointment, such an execution will not be valid." And in a yet another doc: "One of the Relators, being a Peer, was proposed as the Receiver, to act without Fees. Mr. Hart, for the Relators. Sir Samuel Romilly, for the Defendants, did not oppose the Proposition; but suggested, whether a Peer could with Propriety be appointed a Receiver; as the same Remedies cannot be had against a Peer as against a Commoner. The -Lord Chancellor [Eldon], said, there is an Objection to appointing a Peer Receiver: in many instances a Receiver may be committed."</p>
32	<p>Topic 32 (Weighing Facts & Law): Keywords include 'circumst', 'consider', 'particular', 'conduct', 'reason', 'may', 'will', 'matter', 'answer', 'mean', 'must', 'account', 'feel', 'think', 'inquiri', 'possibl'. Top docs are on a broad range of substantive issues. Each doc provides a detailed explanation of the judge(s) that shows how the judges interpret and reason through a particular case, weighing facts and law, while taking into account the particular circumstances of the case. One doc describes "cases of Spanish ships detained under a charge of resistance to search, but restored with demurrage, and compensation to the crew, for improper treatment received at the hands of the captors". The only question then turns upon the fact; and among the facts necessary to bring the case within the operation of the law, it must be shewn, in the first instance, that the vessel had reasonable grounds to be satisfied of the existence of a war; otherwise there is no such thing as neutral character, nor any foundation for the several duties, which the law of nations imposes on that character. It is, therefore, a very material circumstance in this case that, at the time of sailing, no war was supposed to exist, in the knowledge, or contemplation of those who commanded these vessels." In describing the judges' decision the reporter notes that "These cases arise on the capture of two vessels apparently Spanish, but alleged to be subject to condemnation on account of resistance to the exercise of visitation and search, on the part of the belligerent cruiser. The principle of law on this subject is fully established and admitted on all sides. It is, indeed, a principle which has found its way into most of the maritime codes of civilised countries. It has undergone much discussion lately, and the consequence has been to give additional sanction to the principle, and to establish it more firmly in practice." And then, "The only question then turns upon the fact; and among the facts necessary to bring the case within the operation of the law, it must be shewn, in the first instance, that the vessel had reasonable grounds to be satisfied of the existence of a war; otherwise there is no such thing as neutral character, nor any foundation for the several duties, which the law of nations imposes on that character. It is, therefore, a very material circumstance in this case that, at the time of sailing, no war was supposed to exist, in the knowledge, or contemplation of those who commanded these vessels." In another doc the focus is on "...what is the extent of the maxim caveat emptor, as applied to a case of this sort". Lord Chancellor then argues: "For the sake of certainty in the transactions in the Court, I shall be willing to carry it to a great extent, but not to the extent of saying that it shall apply, where there is a positive representation essentially material to the subject in question, and which,</p>

	<p>at the same time, is false in fact. I must consider any fundamental mistake in the particulars of an estate as furnishing a case in which the purchasor will be entitled to have the mistake set right if recently applied for. When I say, 'if recently applied for,' I know this is a very complex idea. It must depend upon the diligence used by the purchasor in the course of the transaction. He certainly is bound to attend to all matters that are of such a kind as to be open to his observation. When this purchasor, therefore, comes here for relief, he must account for not observing the circumstances of this case sooner. The nature of the deceit, if any, is this."</p>
33	<p>Topic 33 (Admissible Evidence): Keywords include 'evid', 'admiss', 'inadmiss', 'admit', 'examin', 'prove', 'document', 'crossexamin', 'testimoni', 'proof', 'deposit', 'produc', 'handwrit', 'copi'. Top docs focus on debate about admissible evidence in a particular case. For example: "Entries in the books of bankers, merchants, &c. can only be proved by the clerk by whom the entries have been made; nor is other evidence admissible, though such person is abroad. Where a witness to any instrument is abroad, proof of his hand-writing is sufficient proof of the execution of such instrument." In another doc: "Prisoner was indicted for murder. A witness was called to prove comparison of shoes and shoe-marks. Parke, J. asked him if he had looked at the soles of the shoes, and examined them with the footmarks before he put the shoe on the mark. The witness answered in the negative. Parke. J. desired the jury to reject the whole inquiry relating to the identification by shoe-marks."</p>
34	<p>Topic 34 (Considering Appeals): Keywords include 'appel', 'appeal', 'dismiss', 'respond', 'decre', 'cost', 'order', 'hear', 'judgement', 'rehear', 'file'. Top docs are instances of appeal considered by the House of Lords and the Privy Council. Many, but not all, docs feature appeals that are dismissed on non-substantive, procedural grounds. In one doc: "Appeal from the Arches Court of Canterbury dismissed, and the sentence appealed from confirmed with costs, and the cause remitted to the Court below." In another doc: "This was an Appeal from a Decree; of the Court of Appeal of the: Island of the Mauritius bearing date the 30th of April, 1842, in, suit brought by the Respondent for the restitution of conjugal rights by which it was declared that she was the only lawful wife of the Appellant, and restitution of conjugal rights decreed her with alimony and costs....A petition was accordingly presented, and the Appeal allowed which came on to be heard on the 13th of June. The question between the parties, and raised by the Appeal was one of fact only depending on the evidence adduced between the parties. Their Lordships after hearing Counsel for the Appellant, and without calling upon the Respondent dismissed the Appeal with costs." In a yet further doc, Lord Chancellor Lord Lyndhurst argues that "...it was not competent for the Lord Chancellor of Ireland to make such an order, but that the regular course would have been, to have applied to the House, and your Lordships would, in all probability, on such application, have given leave to the party to apply to the Lord Chancellor of Ireland, and then the alteration would have been made by the Lord Chancellor, under the direction of this House. That not having been done, I conceive that that which was done is irregular, and that the appeal should be allowed; it is not at all material in its bearing upon the other case, but the proceeding was irregular, and the appeal should be allowed without costs. Judgment reversed."</p>
35	<p>Topic 35 (Irregular Judgments): Keywords include 'nonsuit', 'irregular', 'rule', 'judgement', 'term', 'attorney', 'show', 'court', 'warrant', 'appear', 'enter', 'obtain', 'asid',</p>

	'give', 'cognovit' ⁴⁵ , 'nisi' ⁴⁶ , 'sign'. Top docs include a multitude of scenarios that gave rise to irregular judgments. In one doc: "The defendant was a prisoner, and the declaration had been delivered in Easter Term, and the plaintiff in this term signed judgment for want of a plea. No rule to plead as of this term had been given. Busby moved to set aside the judgment as irregular, upon the ground, amongst others, that there should have been a rule to plead of the same term in which the judgment was signed." In another doc: "Judgment of non pros ⁴⁷ for not entering the issue, cannot be signed unless there be a rule to enter the issue of the same term in which such judgment is signed." In a yet further doc: "Warrant of attorney and judgment for securing an annuity set aside, because the initials only of the Christian names of the witnesses were inserted in the memorial."
36	Topic 36 (Leases): Keywords include 'leas', 'tenant', 'lessor', 'lessee', 'landlord', 'coven', 'premis', 'reentri', 'tenanc', 'underleas', 'evict', 'occup', 'breach'. Top docs are reports on cases involving leases. In one doc: "Tenant for a term underleased. The sub-lessee held over, and paid rent. The original lease commenced at Christmas and expired at midsummer. Held that the tenancy from year to year commenced at midsummer, not Christmas, and notice to quit must be given accordingly." In another doc: "The mere payment by the tenant to a third person of the rent reserved by his lease does not amount to a disclaimer of the title of the landlord, so as to operate as a forfeiture of the lease." And in a further doc: "A lease contains a proviso for re-entry, in case the rent shall be twenty-one days in arrear, and there shall be no sufficient distress on the premises; the landlord, who distrains before the expiration of the twenty-one days, but continues in possession of the distress upon the premises until after the expiration of twenty-one days, does not thereby waive his right of re-entry."
37	Topic 37 (Depositions): Keywords include 'depon', 'say', 'tell', 'state', 'take', 'give', 'believ', 'medic', 'physician', 'conduct', 'interrogatori'. Top docs highlight witness and expert (e.g. physician) out-of-court testimony, in a variety of contexts. For example: "Prisoner was indicted for manslaughter. The counsel for the prosecution proposed to give in evidence, as a dying declaration, a statement made by the deceased a few days before his death; and, to pave the way for its reception, called the surgeon, and the widow of the deceased, who deposed as follows:- The surgeon said, 'I thought the wound mortal from the first; I thought the deceased became aware of his great danger on the Sunday (the wound was given on the Tuesday previous). I had no conversation with him on the subject of his danger; I never had. I am pretty confident I never had.'" Or in case involving an irregular marriage: "Margaret Robertson depones, 'That she heard her mother ask the respondent. whether the Appellant was, to be married to him or Mr. Jolly? When he answered, that Dr. Macneil believed that he (the, respondent) was the person to whom, his daughter was, to be married; but, that he (the pursuer) knew Mr. Jolly was to be the man, as the defender had entered into a pre-engagement with him.' Mrs. M'Naughton, Margaret Robertson's, sister, swears to the same fact, namely, the respondent statement, 'That Mr. Jolly would be the man, as, he (the pursuer,) knew of his pre-engagement with the defender.' William. Allan gives testimony to the same effect, and depones, 'That, he never heard any report that the

⁴⁵ Defendant's acknowledgment that the plaintiff's demand is just.

⁴⁶ From rule nisi, a rule or order that is to come into force unless a specific condition is met.

⁴⁷ Judgment in favor of the defendant when the plaintiff does not to continue their action.

	pursuer and defender had been married, till the month of March last (1818,) when he heard it from the pursuer himself."
38	Topic 38 (Applicability & Calculation of Interest): Keywords include 'interest', 'entitl', 'claim', 'princip', 'accru', 'cent', 'comput', 'asset'. Top docs focus on the applicability and computation of interest in a particular setting. In one doc: "Where the time fixed by the decree in a foreclosure suit for payment of principal, interest and costs is enlarged, the Court will direct subsequent interest to be computed on the aggregate sum found due for principal, interest and costs." In another doc: "In an action to recover the interest upon monies advanced to the defendant by a banking-house, it is not sufficient to shew that it was the general custom of the house to charge interest calculated upon half-yearly rests, without also shewing that the defendant knew that such was the practice." And in a further doc: "Interest not allowed on a judgment debt in the Master's office, when an action at law had not been brought by the creditor on the judgment."
39	Topic 39 (War-Time Maritime Law): Keywords include 'ship', 'captur', 'captor', 'vessel', 'blockad', 'prize', 'admiralti', 'port', 'enemi', 'belliger', 'condemn', 'seizur', 'war'. Top docs are about resolution of issues pertinent to maritime law in war times. For example: "This was the case of a British ship and cargo, which, in the prosecution of a voyage from Alicant to the port of Bristol, was taken in latitude 41 48' north, and longitude 9 west, by the American private ship of war 'Macedonian,' on the 7th of March 1815, after the ratification of the treaty of peace between the two countries but within the time (30 days) allowed by the treaty for captures in the part of the world in which the seizure took place. On the 31st day of the same month of March, the vessel was retaken by His Majesty's ship of war 'Erne,' in latitude 46 north, and longitude 27 50' west, after the period specified in the treaty of peace for 4V captures had expired. The Court decreed restitution of the ship and cargo to the American captors." Or: "This was a case of a ship taken 16th December 1798, and proceeded against for a breach of the blockade of Amsterdam, having sailed from Petersburg for that port, November 6, 1798. Court. The cases alluded to of the blockade, set up by the Dutch in the wars of the last century, have no immediate application to this case: that was a blockade of the whole coast of their enemy, the present case stands on the question of a blockade of Amsterdam, and not of the coast.... I hold, that a ship and cargo sailing for Amsterdam at that time are liable to condemnation. Condemned. On application of the agent for the cargo, that the Sentence respecting that might stand over for some inquiry, it was allowed."
40	Topic 40 (Correct Pleas): Keywords include 'plea', 'plead', 'replic', 'demurr' ⁴⁸ , 'travers' ⁴⁹ , 'rejoind', 'issu', 'declar', 'verif', 'bad'. Top docs clarify what constitutes correct pleading in a given context. In one doc: "To an action of debt on the common counts, the defendant pleaded, as to part, payment after action brought in the ordinary form. The plaintiff's replication contained no formal commencement of precludi non ⁵⁰ , but was merely a traverse of the payment modo et forma ⁵¹ : - Held bad on special

⁴⁸ From demurrer, an objection that admits the stated facts but contends that those facts do not provide a legal basis to prevail.

⁴⁹ From traverse, a denial of plaintiff's assertions.

⁵⁰ A technical allegation that denies or confesses and avoids the plea.

⁵¹ In manner and form.

	demurrer, as not being in compliance with the-rule of Hil. T., 4 Will. 4, r. 9, which requires such formal commencement." In another doc: " Inconsistent pleas not allowed. In debt on bond, the Court would not suffer non est factum and solvit ad diem ⁵² to be pleaded together, being inconsistent pleas (h)." And in a further doc: "Assumpsit ⁵³ for goods sold and delivered, and on an account stated.... Special demurrer, on the ground that the plea was pleaded with an improper conclusion. Dundas, in support of the demurrer. A plea of payment must conclude with averification."
41	Topic 41 (Annuities): Keywords include 'annuiti', 'annuit', 'life', 'arrear', 'pound', 'grant', 'payment', 'secur', 'year', 'charg', 'sum', 'arrear', 'annual', 'memori'. Top docs focus on disputes about whether an annuity payment applies and, if so, how it should be formally structured and executed. In one doc: "A. granted an annuity to B. secured by bond and warrant of attorney. Two years after he deposited a lease with B. as a further security for the payment of the annuity. B. became bankrupt. Held, that the subsequent security need not be memorialized, and the usual order was made for the sale of the lease, valuation of the annuity, &c." In another doc: "A concession to the grantor of an annuity of a greater facility of redemption, made at a time subsequent to the original grant of the annuity and enrolment of memorial, needs not to be memorialized." And in a further doc: "If it be set forth in the memorial of an annuity, registered under 17 Geo. 3, c. 26, that the consideration was so much in money paid, when the real consideration is part in money and the giving up of a former annuity, the Court will set aside the securities."
42	Topic 42 (Objections to Voter Registers): Keywords include 'notic', 'give', 'regist', 'registri', 'name', 'place', 'object', 'listen', 'parti', 'revis', 'insert'. Top docs are notices of objection about a specific person appearing on a voter list in some locality. For example: "In a notice of objection, the place of abode of the objector was described as 'The Oaks' (without the addition of any parish, township, or other district), 'on the register of voters for the parish of St. W.' In the list of voters for the parish of St. W. the objector's place of abode was described as 'St. W.' and his qualifying property as 'The Oaks:' -Held, that the description was insufficient, and could not be aided by a reference to the list of voters, so as to shew that the place called 'The Oaks' was in the parish of St. W; and that the objection was not removed by the finding of the revising barrister that the place referred to was in fact in the parish of St. W." Or: "At a court held at Gisborough, to revise the lists of voters for the north riding of the county of York, Leonard Sedgwick objected to Robert Clark, whose name was on the list of voters for the township of Redcar. The service of a due notice of objection on the voter being disputed, the notice served on the voter was produced on his behalf, and it was proved that the notice was served on him in due time. The said notice purported to be in the statutory form, and was admitted to be in all respects sufficient."
43	Topic 43 (Court Jurisdiction): Keywords include 'jurisdict', 'court', 'judg', 'appeal', 'plaint', 'proceed', 'prohibit', 'superior', 'commonlaw', 'practic', 'tribun', 'inferior', 'ecclesiast', 'admiralti'. Top docs are about jurisdiction of a specific court vis-à-vis jurisdiction of other courts for disputes that could potentially fall under jurisdiction of

⁵² Pleading that the money was paid when it was due.

⁵³ Action brought to recover damages alleged from the breach of an assumpsit, an implied promise or contract not under seal.

	<p>more than one court. In one doc, the presiding judge noted "...that no appearance, answer, or pleading, will give jurisdiction to a limited court, as to subjects not properly within its cognizance; and that, if there was a want of jurisdiction over the cause, it may be called in question at any time, even after sentence; and a prohibition may be applied for even against the party's own suit." In another doc: "The Vice Admiralty Courts in the West Indies have no jurisdiction over offences committed against revenue laws, out of their respective Islands." And in a further doc: "The Bath Court of Requests has no jurisdiction over a claim made by a voter against an objector, for compensation for loss of time in attending the Revising Barristers' Court on a notice of objection."</p>
44	<p>Topic 44 (Peerage Rights): Keywords include 'peerag', 'peer', 'baroni', 'duke', 'earl', 'digniti', 'patent', 'heir', 'earldom', 'marqui', 'parliament', 'pedigre', 'descend'. Top docs are cases involving peerage rights, often with a focus on proving that somebody is a peer. In one doc: "A summons to parliament, and a sitting under it, is, evidence of a title to a peerage descending to the heirs of the body including females; so likewise is it evidence of a similar title where there have been several summonses, both prior and subsequent to a sitting in parliament, and a sitting in parliament, though no sitting under a summons, has been proved, proof being adduced that during the period of that sitting there were, no writs of summons ill existence." In another doc: "The Committee of Privileges, in claims to vote at the elections of Representative Peers for Ireland, may admit an entry in their Journals as evidence of limitations in a patent of peerage without requiring the production of the patent." And in yet another doc: "It is now established that an attainder, of one coheir to a barony in abeyance does not affect the other coheirs, who do not derive, through the attainted person, and also that if his heir is restored in blood, the Crown, may terminate the abeyance, in him or his descendants."</p>
45	<p>Topic 45 (Testator Intent): Keywords include 'will', 'word', 'testat', 'testatrix', 'mean', 'construct', 'intend', 'intent', 'devis', 'give', 'properti', 'bequeath', 'death'. Top docs focus on disambiguating the testator's intent. In one doc: "A testator bequeathed as follows: - 'As regards my worldly goods, I give and bequeath all my furniture, plate, books and other personalty' to my wife. Held, that the general words were not to be confined to things ejusdem generis, but that they included a share of the produce of real and personal estate, to which the testator was entitled under the will of his father." In another doc, the presiding judge notes: "In questions concerning the intentions of a testator, I profess to decide on the will itself, and not on cases cited. Introductory words are of great importance to shew the intention of a testator. If we enquire in what sense the present testatrix used the words temporal estate and effects, there can be no doubt that she applied them as well to land as to chattels." And in a further doc "...the Court held that the words of inheritance in the last branch of this demise, enlarged the devise of the house end premises at Pitston, into a devise of the fee. Abbott CJ I think that our safest course is to consider the two distinct sections of this will as making two distinct devises; and if that be correct, Mary Westley took an estate for life only in the premises in question. Such a construction could not be put upon the will in Fenny v Eustace, for there the numerical arrangement of the devises shewed plainly that the testator intended to pass the fee."</p>

46	<p>Topic 46 (Satisfactory Petitions): Keywords include 'petit', 'petition', 'commission', 'order', 'certifi', 'schedul', 'file', 'examin', 'court', 'dismiss', 'refus', 'present', 'state', 'grant', 'applic', 'proceed'. Top docs clarify what constitutes a satisfactory petition in a given case. In one doc: "A petition for arrangement under 12 & 13 Vict c. 106, s. 211, dismissed on the application of the petitioning trader with the consent of the creditors, although he had complied with the statutory regulations." In another doc: "Petition to prove a debt in bankruptcy irregular, because the creditor did not go before the Commissioners till after it was presented, and because brought to hearing without stating what passed before them." And in a yet another doc: "The petition of a person not a party to the cause must state his residence, otherwise it cannot be heard."</p>
47	<p>Topic 47 (Public & Private Pathways): Keywords include 'road', 'public', 'toll', 'highway', 'repair', 'navig', 'bridg', 'turnpik', 'river', 'footway', 'canal', 'footpath', 'erect', 'obstruct'. Top docs are cases that pertain to liability for maintenance of public or private infrastructure (bridges, highways, canals), rights to charge a toll for travelling on specific paths, or right to do something along the erected (public or private) infrastructure. In one doc: "A bridge used only on occasion of floods, and lying out of and alongside the road commonly used; held, a public bridge, and the county liable to repair." In another doc: "An Act of Parliament authorized the making a new road between Blackburne and Preston. Before the whole line of the new road was completed, an indictment was preferred against the township of Mellor, for not repairing so much of it as lay within its bounds, and which portion of the road was completed. Hullock, B. held that the township was not liable." And in a yet another doc: "A local turnpike act imposed specific tolls on carriages in proportion to the breadth of their wheels, such tolls being encreased in proportion to the narrowness of the wheels, and being highest where the wheels were of less breadth than six inches: Held, that the carriages subject to such tolls were exempted from the additional toll imposed by the latter part of the 23d. section of the statute 13 G. 3, c. 84 (General Turnpike Act), and that the local act virtually repealed that section."</p>
48	<p>Topic 48 (House of Lords Decisions): Keywords include 'hous', 'lord', 'opinion', 'declar', 'affirm', 'order', 'make', 'direct', 'think', 'doubt', 'case', 'chanceri'. Top docs feature deliberations and decisions in the House of Lords, based on a variety of cases. Many of the cases involve appeals, but the appellate aspect of the cases is not the focus of the topic (neither 'appeal' nor 'appel' appear in the keywords). In one doc: "The House of Lords will not give relief to an Appellant against an order of which he complains, by his petition, unless, he has taken the proper course to obtain relief in the Court below." In another doc: "A cause had been heard in the Court of Chancery in Ireland, and a decree made; the cause was reheard, and the decree affirmed. The party who had failed in the suit petitioned for a second rehearing, and undertook not to appeal from the decision of the Lord Chancellor on such rehearing, but to abide by it. The Lord Chancellor affirmed the original decree, and in the last decree set forth the undertaking in consequence of which he had reheard the cause. The party who had given the undertaking brought an appeal. The Lords, in their discretion, refused to hear it." And in a yet another doc: "What is the correct meaning of the expression, 'thirds of personal estate at common law?'. It has no meaning: - it does not correctly express the interest the widow would take under the Statute of Distributions; and this</p>

	House will not give words a technical meaning which does not properly belong to them."
49	Topic 49 (Tortious Injuries): Keywords include 'neglig', 'injuri', 'injur', 'hors', 'carriag', 'servant', 'coach', 'coachman', 'libel', 'malici', 'defamatori', 'slander', 'innuendo', 'guilti', 'damag', 'juri', 'duti', 'action'. Top docs are cases involving tortious injuries that arise in a broad range of context, from accidents that arise in the context of transportation to defamation. In one doc: "A. borrowed of B. a horse and chaise, and went in it, accompanied by C. on an excursion of pleasure, C. driving. By C.'s mismanagement, the horse and chaise were driven against and injured the plaintiffs horse: -Held, that an action on the case might be maintained for the injury against A. on a declaration charging that he was possessed of and driving the horse and chaise, and that by high negligent driving the injury was occasioned." In another doc: "The author of a libel not excused not justified, but for which the publisher had previously been sued and a verdict given against him for nominal damages: - Held, liable in substantial damages for the injury proved to have been sustained by the plaintiff in consequence of and since the publication." And in a yet another doc: "Declaration alleged that before the publishing of the libel, a carriage, in which one E. S. was riding, was passing on a certain highway, and that plaintiff was there driving another carriage, and that it happened, without any negligence, fault, or furious driving on the part of the plaintiff, that the two carriages came in contact together, whereby the carriage in which E. S. was riding was overturned, and the said E. S. was injured. The declaration, then proceeded to allege that the defendant published a libel of and concerning the plaintiff, and of and concerning the said accident, and that allegation was made in every count of the declaration."
50	Topic 50 (Marine Insurance): Keywords include 'polici', 'insur', 'loss', 'assur', 'underwrit', 'broker', 'premium', 'ship', 'seaworthi', 'unseaworthi', 'sail', 'good', 'voyag', 'risk', 'sea', 'peril', 'strand'. Top docs are about disputes concerning marine insurance, with a typical focus on whether the insurance company is in given circumstances liable for paying for losses or not. In one doc: "Insurance brokers were ordered to effect a policy 'at and from Teneriffe to London.' Held, that they were liable for not inserting in it a liberty 'to touch and stay, at all or any of the Candry Islands,' that being usually inserted in policies from Teneriffe." In another doc: "Policy on fruit from Cadiz to London, with the usual memorandum. In the course of the voyage the fruit was so much damaged by sea-water, that it became rotten, and stank; and on the ship's arrival at an intermediate port, into which she was driven, the government of the place prohibited the landing of the cargo. The ship also being too much damaged to proceed on the voyage, was sold, and the cargo necessarily thrown overboard. Held that the assured were entitled to recover for a total loss." And in a yet another doc: "A policy was effected on living animals, warranted free from mortality and jettison. In the course of the voyage, some of the animals, in consequence of the agitation of the ship in a storm, were killed; and others, from the same cause, received such injury that they died before the termination of the voyage insured: Held, that this was a loss by a peril of the sea, for which the underwriters were liable."
51	Topic 51 (Equity Practice & Procedure): Keywords include: 'master', 'roll', 'lord', 'chancellor', 'vicechancellor', 'decre', 'report', 'appeal', 'direct', 'order', 'refer', 'state'. Top docs focus on and clarify the practice and procedure of equity courts. In one doc:

	<p>"Practice. Petition. Where a petition to confirm a report and a counter petition for a reference back come on to be heard, the latter is to be heard first. In this case, THE VICE-CHANCELLOR ruled that, where a petition to confirm a Master's report, and a counter petition for a reference back to the Master to review his report come on to be heard; the latter, being in the nature of exceptions, is to be heard first." In another doc: "It is contrary to the practice, to advance a foreclosure suit to be heard as a short cause, unless with the consent of the Defendant. Mr. Everett applied, on the authority of Mountford v Cooper..., and Hutchinson v Stephens..., to have a foreclosure suit advanced and heard as a short cause, on his certificate. The Defendant did not consent to the application, nor did his counsel state that this was not a short cause. THE MASTER OF THE ROLLS [Lord Langdale] said, that after the decision of Sir T. Plumer, in Rashleigh v Dayman..., and the long-continued practice in conformity with it, and although he thought that the order then made had been misunderstood, he did not consider himself at liberty to grant the application." And in a further doc: "On an appeal from an order allowing exceptions to a Master's report, those parties only are entitled to be heard who were heard in the Court below...THE LORD CHANCELLOR [Lyndhurst] held that this was to be considered as a mere rehearing of the exceptions to the Master's report, and therefore that the counsel for the Attorney-General, not having been heard below, ought not to be heard now."</p>
52	<p>Topic 52 (Surety Bonds): Keywords include 'sureti', 'bind', 'condit', 'secur', 'suretyship', 'obligor', 'oblig', 'oblige', 'liabil', 'breach', 'penalti', 'indemn', 'debt', 'discharg', 'penal', 'void'. Top docs are cases on the resolution of situations involving surety bonds. In one doc: "Creditor, having among other securities a bond with a Surety, taking a mortgage from the principal debtor, and agreeing to receive, the residue by instalments, secured by warrant, & c. without prejudice to any security he now holds, Injunction granted against suing the Surety." In another doc: "In analogy with the present decision, are the cases which have established, that if a bond surety, for one who becomes a bankrupt, pays the penalty of his obligation, he is entitled to a proportion of the dividends received by the obligee under a commission against the principal debtor; though the debt proved by the obligee may be of different and larger amount than the surety's bond." And in a further doc: "Where sureties are bound by different instruments for equal portions of a debt due from the same principal, and the suretyship of each is a separate and distinct transaction, there is no right of contribution between them."</p>
53	<p>Topic 53 (Due Process): Keywords include 'king', 'writ', 'crown', 'proceed', 'can', 'know', 'outlawri', 'inquisit', 'facia', 'venir'⁵⁴, 'record', 'distringa'⁵⁵, 'prerog', 'return', 'statut', 'quash', 'sheriff', 'prosecutor', 'process', 'inquest'. Top docs focus on the procedural soundness of the crown's or another party's legal action against private individuals, typically with respect to their personal liberty or property rights. Because of a heavy emphasis on procedure and process, writs are featured very prominently in this topic. Many cases pertain to when someone can or cannot be pronounced an outlaw and about the Crown recovering its debts. In one doc: "The sheriffs return upon the writ of exigent⁵⁶, that by the judgment of the coroner the Defendant is outlawed,</p>

⁵⁴ From venire facias, a writ instructing a sheriff to assemble a jury.

⁵⁵ From distringas, a writ ordering the sheriff to distrain someone's goods or chattels in order to elicit compliance.

⁵⁶ A writ issued in the process before somebody is ultimately proclaimed an outlaw.

	<p>is not until entered on the roll, a sufficient record of the outlawry." In another doc: "A writ of right⁵⁷ was issued before the expiration of the time limited by the Act 3 & 4 W. 4, c. 27, for bringing Such writs. After that time had expired the return day of the writ was altered, and the writ was resealed. Held, that the writ must be, considered as having been brought after the time limited by the Act; and it was, therefore, superseded." And in a further doc: "Regularly the extent⁵⁸ ought to be tested as of the day when it issues. In this case more than a year has elapsed since the date of the fiat. The rule, vigilantibus non dormientibus subserviunt leges⁵⁹, applies to a case like this, even against the crown. It has more than once been thought by different Judges in this Court, that an extent ought not to be antedated, on the ground that it may affect intervening transactions, and disturb property in the hands of remote vendees (per Wood, B. in Rexv Bruce)."</p>
54	<p>Topic 54 (Determining the Debt Owed): Keywords include 'money', 'sum', 'debt', 'due', 'payment', 'advanc', 'demand', 'account', 'amount', 'pound', 'credit', 'balanc', 'setoff'. Top docs depict a variety of situations requiring the proving of an existence of a debt or establishing the precise amount owed. In one doc: "In debt for goods sold and delivered the particulars of demand stated, that 'the action was brought to recover pound 37, being the balance of the following account,'-proceeding to state various items for goods sold, amounting to pound 108, but giving no credit in express terms for any sums of money received on account. The defendant pleaded nunquam indebitatus⁶⁰, and payment, to the whole declaration, and a set-off as to pound 5, parcel &c. At the trial, the plaintiff proved a verbal admission of the defendant, that pound 37 was due from him to the plaintiff; and the defendant proved a setoff to the amount of pound 5, and contended that the plaintiff was entitled to a verdict for pound 32 only: - Held, that the jury were properly directed to consider whether the balance claimed, and to which the admission applied, meant a balance after giving credit for the amount of the set-off." In another doc: "Where to debt on bond, the defendant pleaded, that pound 1100 was due, and no more, and undertook to discharge himself therefrom by a set-off, and the plaintiff replied, generally; that a larger sum was due, to wit, the sum of pound 1750: Held, that the plaintiff was bound to prove that more than pound 1100 was due." And in a further doc: "Debt on bond, conditioned for the due payment by the chief clerk of a railway company of all monies received by him on account of the Company: It appeared that he had allowed the other clerks to be in arrear, and made up the deficiency on one day by appropriating to it a portion of the monies received on the following day, but had, in fact, paid over a sum equal to the amount received on each day up to the time of his dismissal: - Held, a breach of the condition, and that the plaintiffs were entitled to recover as damages the full amount of the deficiency."</p>
55	<p>Topic 55 (Bills in Equity): Keywords include 'bill', 'plaintiff', 'defend', 'file', 'discoveri', 'suit', 'decre', 'answer', 'interrogatori', 'vicechancellor', 'document', 'crossbil'. Top docs address the issue of how, procedurally, bills in equity are to be filed and processed. In one doc: "THE VICE-CHANCELLOR said that, as a</p>

⁵⁷ A writ for restoring to its owner the property held by someone else.

⁵⁸ A writ to recover debts due to the crown, under which property may be seized.

⁵⁹ The laws serve those who are vigilant, not those who are asleep.

⁶⁰ Not indebted.

	<p>Defendant to an interpleading suit stood, after decree, in the anomalous situation of Plaintiff as well as Defendant, he might file a supplemental bill for the purpose of bringing a new Defendant before the Court, without making the other parties to the original suit parties to it, as a Plaintiff in an ordinary suit might do." In another doc: "Where a Plaintiff takes no exception to the answer to the original bill, he cannot take an exception to the answer to the amended bill, upon a principle which would have applied equally to the answer to the original bill." And in a further doc: "A bill praying discovery, and concluding with the prayer for general relief, is a bill for relief. But if words adapted to a bill for relief, are used in the prayer of process only, it is a bill of discovery."</p>
56	<p>Topic 56 (Ecclesiastical Affairs): Keywords include 'church', 'bishop' 'churchwarden', 'right', 'ecclesiast', 'advowson'⁶¹, 'bishop', 'parishion', 'rectori', 'vestri', 'vicarag', 'chapel', 'burial', 'canon', 'prebendari'. Top docs are cases involving a variety of ecclesiastical matters, including appointments and associated benefits. In one doc: "Where an advowson is in common, so that the patrons are to present by turns, a prerogative presentation of the Crown doth not pass for the turn of the otherwise rightful patron." In another doc: "In a parish where there is both a lay rector and a vicar, the rector has no right to prevent the vicar having access to any part of the parish church by any of its doors." And in a further doc: "As to the rights of the clergy to burial fees under the Burial Acts, 15 & 16 Vict c. 85, and 16 & 17 Vict c. 13. When a district, being part of a parish, has separate overseers of the poor and separately maintains them, such district is, for the purposes of the Burial Acts, to be regarded as a distinct parish."</p>
57	<p>Topic 57 (Tree Law & Waste): Keywords include 'wood', 'cut', 'timber', 'wast'⁶², 'tree', 'tenant', 'underwood', 'plant', 'ornament', 'repair'. Top docs are cases involving tree law and injunctions and restraints concerning waste on someone's property. In one doc: "A tenant for life without impeachment of waste⁶³, not restrained from felling trees fit for the purposes of timber, though young, and not such as would be felled in, a course of husband-like management of the estate." In another doc: "As between tenant for life and remainder-man the thinnings of fir trees under twenty years of age belong to the tenant for life. THE VICE-CHANCELLOR [Sir J. L. Knight Bruce] held that, as between tenant for life and remainder-man, the thinnings of fir trees under twenty years of age belong to the tenant for life." And in a further doc: "Cutting down a tree is sufficient to bring the case within the 9 Geo. I. c. 22, though the tree is not thereby totally destroyed. Dwarf apple and pear trees bearing fruit, are trees within the statute. To bring the case within the 9 Geo. I. the act must be done from malice against the owner."</p>
58	<p>Topic 58 (Administration of Local Justice): Keywords include 'justic', 'counti', 'magistr', 'peac', 'session', 'constabl', 'offenc', 'gaol', 'police', 'jurisdict', 'quarter', 'offend'. Top docs clarify aspects of administration of local justice, including the process of law enforcement and the jurisdiction of local courts. In one doc: "Where a warrant is directed generally to the constable of a particular place, and to several persons by name, they are all principals, and it is in fact directed to that person who has authority</p>

⁶¹ The right to recommend or appoint a member of the clergy for a vacant position.

⁶² From waste, damage to owner's property committed by a tenant.

⁶³ Without restraint from committing waste.

	<p>to act, and the rest are in aid of him. Again, if a warrant be directed to A. and to the constable of a particular place, the latter may act under it, though out of his jurisdiction; for it is to be considered as an authority to act in aid of A." In another doc: "Where a statute gives a justice jurisdiction over an offence, it impliedly gives him power to apprehend any person charged with such offence: Held, therefore, that a magistrate might issue a warrant to apprehend a person charged with an offence under the malicious trespass act, I G. 4, c. 56, especially after the offender had neglected a summons." And in a further doc: "Justices of the peace are bound by stat. 11 & 12 Vict. c. 43, s. 14, to lodge with the clerk of the peace all summary convictions which take place before them, in order that the same may be filed among the records of the Quarter Sessions."</p>
59	<p>Topic 59 (Local Public Finances): Keywords include 'ratepay', 'poor', 'poorrat', 'parish', 'rate', 'rateabl', 'local', 'district', 'board', 'sewer', 'health', 'assess'. Top docs are disputes arising in the context of local public finances, especially with respect to taxation. Examples of substantive issues includes maintenance of highways, poor relief, sewers, and lighting. The following is a typical case: "A local board of health laid out sums of money in permanent improvements, and, for defraying the expence in part, borrowed money on mortgage of the special district rates. The permanent improvements consisted in works for lighting a town within the district, for supplying it with water, and for sewage. A large part of the district, owing to the inclination of the ground and the character of the occupation, derived no direct or immediate benefit from these works. To defray the expences, and to raise the interest and instalments of the debt, The Local Board laid a special district rate on the whole district, under sect. 86 of The Public Health Act, 1848 (11 & 12 Vict. c, 63). - Held, on a case stated upon an appeal against the rate, that the rate was valid. For that it was discretionary with The Local Board, whether they would divide the district under sect. 89; and, they not having done so, the rate under sect. 86 was to be laid on the whole district." Or, in another doc: "By The Metropolis Local Management Act, 18 & 19 Vict. c. 120, s. 161, a lighting rate is to be levied in the metropolitan parishes, on the persons and in respect of the property rateable to the poor-rate in the respective parishes."</p>
60	<p>Topic 60 (Clarifying Cause of Action): Keywords include 'plaintiff', 'defend', 'declar', 'count', 'state', 'alleg', 'request', 'promis', 'breach', 'undertak', 'mention', 'deliv', 'refus', 'reason'. Top docs state the plaintiff's claims and lay out the facts of the case as reasons for seeking legal redress. Often the declaration entails multiple counts and the judges reflect on whether the cause of action was stated adequately. Many cases are about assumpsit, and then judges deliberate on each individual count. In one doc: "The declaration stated, that in consideration Plaintiff, at the request of Defendant, had given Defendant a letter written by O. since deceased, by means of which letter Defendant was enabled to, and did determine controversies, and obtain a large portion of O.'s effects, Defendant promised to give Plaintiff 1000l.: Held, that a sufficient consideration was disclosed to sustain an action on the promise." In another doc: "In an action of assumpsit, the first count was to recover damages for the breach of the warranty of a horse; the second count was in indebitatus assumpsit for money had and received 3 and the particulars of demand stated that the second count was to recover back the price of the horse: - Held that both counts were allowable, as they were not for the same cause of action." In a yet further doc: "The first, third, and last counts of</p>

	<p>the declaration in this case are certainly laid in case, and it will be said that the second discloses a cause of action arising ex contractu⁶⁴, and is therefore improperly joined with the others. But the facts stated in that count raise a duty without any promise, and if that duty has been violated by any wilful act, or by negligence on the part of the defendant, that is a cause of action in tort and not in contract."</p>
61	<p>Topic 61 (Industrial Patents): Keywords include 'patent', 'describ', 'improv', 'infring', 'invent', 'manufactur', 'machin', 'patente', 'engin', 'inventor', 'iron', 'steam', 'roller', 'metal', 'gas', 'machineri', 'boiler', 'furnac', 'improv', 'specif', 'process', 'factori'. Top docs are cases on the validity and infringement of industrial patents. For example: "A patent was taken out for improvements in making buttons.... Held, that the patent was not maintainable, since the invention consisted only in combining two things which were not new, and the use of the toothed ring in forming the flexible shank, though new, was not the object of the invention, but only a mode, among others which were already known, of carrying it into effect." Or: "The infringement of any part of a patent process is actionable, if that part is of itself new and useful, so as that it might be the subject-matter of a patent, and is used by the infringer to effect the object proposed by the patentee.- But the application of a well-known tool to work previously untried materials, or to produce new forms, is not the subject-matter of a patent."</p>
62	<p>Topic 62 (Business Corporations): Keywords include 'compani', 'sharehold', 'share', 'director', 'act', 'contributori', 'member', 'transfer', 'subscrib', 'proprietor', 'committee', 'windingup', 'prospectus', 'scrip', 'capit', 'allot', 'jointstock', 'bank', 'manag', 'liabil', 'deed', 'registr', 'chairman'. Top docs describe a variety of disputes that arise in the context of formation, operation, and dissolution of business corporations. In one doc: "B. applied verbally for shares in a company, and he paid the deposit to the secretary on his undertaking to return it if he did not get the shares in a few days. The shares were allotted to B. two days after, and an entry to that effect was made in one of the company's books, but no letter or notice of allotment or scrip certificates had ever been sent to B. and there was no acceptance or further act on his part. Held, that he was a contributory." In another doc: "The shares of a proprietor in a joint stock company were sold out without his, authority, and not in conformity with the provisions of the deed by which the company was constituted. On a bill filed by the shareholder, alleging that the sale was the fraudulent act of the secretary or the company, and sanctioned by the directors; but, assuming the transaction to be valid as against the transferee, and praying that the loss might be made good out of the assets of the company: demurrer for want of equity allowed, on the ground that the bill stated no case for making the company liable in damages. Held, also, that the transferee of the shares was not a necessary party to the suit." And in a further doc: "Directors who had voted to themselves a number of paid-up shares, held liable to all the calls. The directors of a company voted themselves 2400 'paid-up shares' for their services. The company having been ordered to be wound up, the official manager insisted in having the placed on the list of contributories in respect of these shares and he succeeded, that though the shares were voted to them as 'paid-up shares,' the directors were still liable to pay the calls like the other shareholders."</p>

⁶⁴ From a contract.

63	<p>Topic 63 (Reviewing Lower-Court Decisions): Keywords include 'judgement', 'court', 'give', 'affirm', 'revers', 'case', 'bring', 'argu', 'record', 'opinion', 'final', 'error', 'docket'. Top docs are on instances when the given court corrects an error or deficiency of another court or decision-maker. Often, the case is formally based on the writ of error⁶⁵. In one doc: "A writ of error having been brought on the judgment of the Court of Exchequer in this case..., it now came on for argument. The Court, however, on reading the record, were unanimously of opinion, that an averment of notice to the defendant that the policy had been effected was necessary to make the declaration good, and that the judgment must be affirmed. Judgment affirmed." In another doc: "Judgement of the court below affirmed. This was an appeal from decision of the court of Common Pleas in an action against the defendant for not attending as a witness in a cause in the Divorce court...". And in a further doc: "Where judgment for the Defendant on a special verdict, is reversed in the Exchequer Chamber, that Court on motion will give a final judgment for the Plaintiff."</p>
64	<p>Topic 64 (Colonial & Offshore Governance): Keywords include 'coloni', 'govern', 'state', 'law', 'subject', 'governor', 'offic', 'island', 'majesti', 'slave', 'jamaica', 'india', 'plantat', 'regiment', 'militari', 'sovereign', 'pension', 'secretari', 'governorgener', 'lieutenantgovernor'. Top docs are about issues pertaining to colonial and offshore governance. In one doc: "The Governor of a Colony has not, by virtue of his appointment, the sovereign authority delegated to, him, and an act done, by him on his own authority, unauthorized either by his Commission, or expressedly or impliedly by any instructions, is not equivalent to such an act being done, by the Crown itself and is consequently not, valid". In another doc: "The advice of the Bailiff and Jurats of the Royal Court in the Island of Guernsey is not necessary for the purpose of authorizing the Governor, or Lieutenant Governor to exercise the power of deportation of aliens domiciled in the Island." Or in a yet further doc: "The question at issue by this reference was, whether by the constitution of the Island of Jersey, the Lieutenant-Governor of the Island, Major-General Sir Percy Douglas, Bart. had a right to use his negative voice in respect of an Act of the States of the 26th of July, 1861, by which the selection of a site for a public lunatic asylum was postponed, and a provisional arrangement for the care of pauper lunatics in a private establishment made for the current year."</p>
65	<p>Topic 65 (Arbitration): Keywords include 'arbitr', 'award', 'umpir', 'submiss', 'umpirag', 'matter', 'refer', 'parti', 'refere', 'rule', 'arbitra', 'agreement', 'disput', 'final'. Top docs focus on arbitration. In one doc: "If the bond be that if arbitrators do not make their award by the day named, then to abide the award of an umpire to be chosen by the arbitrators, the time for the arbitrators to appoint an umpire commences when the time for their making their award expires." In another doc: "After the arbitrators had published their award, there was a motion that, pursuant, to the agreement between the parties, the submission might be made a rule of Court. Sir John Leach. There are some old decisions that you cannot do this after the award; but the recent authorities are the other way." And in a further doc: "Submission to the arbitrament of two, and in case they disagreed to the umpirage of a third, so that the arbitrators made their award, n or before a day certain, and the umpire, if they should differ,</p>

⁶⁵ A writ instructing an inferior court to provide the case record to the reviewing court in order to correct a potential error of law.

	before a subsequent day: and the umpire made his award before the time given to arbitrators expired: Held that the umpirage need not state that the arbitrators had disagreed."
66	Topic 66 (Premises & Buildings): Keywords include 'build', 'hous', 'premis', 'occupi', 'street', 'erect', 'garden', 'wall', 'ground', 'light', 'window', 'fixtur', 'dwellinghous', 'cottage', 'yard', 'adjoin', 'floor', 'rebuild', 'warehous', 'tenant', 'owner'. Top docs are cases focus on buildings, dwelling-houses, or some other premises in different contexts, including crime (burglary), trespass, nuisance (somebody erects a building that obstructs the view from the window of somebody else), and renting. In one doc: "The prisoners were tried before Mr. Justice Holroyd at the Lent Assizes, in the year 1824, and convicted of a burglary. A question arose, whether the warehouse in which the robbery was committed was in law part of the prosecutor's dwelling-house, and which question was submitted to the consideration of the Judges." In another doc: "Injunction granted ex parte ⁶⁶ to restrain the owner of a house from making any erections or improvements, so as to darken or obstruct the ancient lights ⁶⁷ or windows of an adjoining house." And in a further doc: "The renting and occupation of a granary, lying over another building, and under the same roof with it, but accessible only by a ladder from the outside, and having no communication with the building below, conferred no settlement under stat. 59 G. 3, C. 5 0....".
67	Topic 67 (Appeals from India): Keywords include 'appeal', 'indian', 'court', 'appel', 'suit', 'right', 'propterti', 'sudder' ⁶⁸ , 'possess', 'order', 'question', 'zemindari' ⁶⁹ , 'adawlut', 'dewanni', 'hindoo', 'rajah'. Top docs are appeals to the Privy Council based on decisions of courts in India. Typical issues pertain to real and sometimes personal property, often with a focus on inheritance. For example: "On Appeal from the Sudder Dewanny Adawlut, Bengal. A grant by a former Raja of Pacheet, of a pergunna, part of the Zemindary or Raj of Pacheet, to a member of his family, held to be a grant for maintenance only, and resumption decreed to the Raja in possession. Semble: Grants made by the predecessor of the Raja in possession, whether in fee or for maintenance, endure only during the lifetime of the grantor, and are not binding on his successor. Whether the Zemindary of Pacheet constitutes an indivisible estate of inheritance, and as such inalienable, Quaere?" Or: "An illegitimate son of a Khatri, one of the three regenerate castes, by a Soodra women, cannot by the Hindoo law of inheritance, succeed to the inheritance of his putative father; but he is entitled to maintenance out of his deceased father's estate."
68	Topic 68 (Property Seizures by Sheriffs): Keywords include 'sheriff', 'writ', 'seizur', 'good', 'distrain', 'facia' ⁷⁰ , 'execut', 'distress', 'replevin' ⁷¹ , 'seiz', 'bailiff', 'trespass', 'chattel', 'levi', 'trover' ⁷² , 'undersheriff', 'elegit' ⁷³ , 'sale'. Top docs are actions against a

⁶⁶ In the interest of one disputing side only.

⁶⁷ Right of a long-time owner of a building with windows to unobstructed passage of light.

⁶⁸ From Sudder Dewanny Adawlut, the Supreme Court of Revenue in British India, governed by Hindu law.

⁶⁹ System of landholding and revenue collection in India.

⁷⁰ From fieri facias (often abbreviated fi. fa.), a writ directed the seizure and sale of goods and chattels to satisfy a judgment against a debtor.

⁷¹ An action to recover wrongfully taken personal property.

⁷² An action to recover damages for wrongfully taken property.

⁷³ Writ of execution by which a defendant's real-property is used for security for debt to the plaintiff until the debt is paid off.

	<p>sheriff concerning whether the seizure and sale of seized goods was implemented legally. For example: "Where goods seized under a writ of fi. fa founded on a judgment fraudulent against creditors, remain in the sheriff's hands, or are capable of being seized by him, he is compellable, under the 13 Eliz c. 5, to sell, or seize and sell, such goods under a subsequent writ founded on a bona fide debt; and if he neglect to do so, having notice of the fraud at the time that he ought to have executed the writ, or if he could then have discovered it by reasonable inquiry, he is responsible for neglecting to seize and sell them; nor is it necessary, in order to render the judgment void quoad⁷⁴ the sheriff, on the ground of fraud, that he himself should have been a party to it. and the fact that the sheriff himself had assigned the goods seized under the prior execution to a bona fide purchaser, innocently and in ignorance of the fraud, does not excuse him from such liability." Or: "Upon a fi. fa. on a judgment against A. who is partner with B. the sheriff is bound to seize the whole of the partnership effects; but he can only sell the moiety belonging to A. the property and possession of the other moiety continuing in B."</p>
69	<p>Topic 69 (Bankruptcy): Keywords include 'bankrupt', 'creditor', 'bankruptci', 'assigne', 'debt', 'debtor', 'insolv', 'commiss', 'asset', 'prove', 'solvent'. Top docs are complications that arise in determination and resolution of bankruptcy. In one doc: "A tradesman's departure from the realm, and the consequent delay which some of his creditors may suffer, is not an act of bankruptcy, without proof, or necessary inference, that the departure was with an intent, at the very time, to delay creditors." In another doc: "Surety paying a debt after the act of bankruptcy, but before the commission taken out against the principal, cannot, prove this debt under the commission, nor can he stand in the place of the creditor, if the debt be paid by the surety before any proof made by the creditor under the commission." And in a further doc: "A sale of the property of a bankrupt, after an act of bankruptcy, but more than two months before the commission issued, is since the 46 G. 3, c. 101, s. 1, a sale by the bankrupt, and not by the assignee: and a creditor of the bankrupt having become a purchaser, was holden (in an action brought by the assignee for the value of the goods) to be entitled to set off against such claim, the debt due to him from the bankrupt; this constituting a mutual credit between the bankrupt and such creditor within the meaning of the 46 G. 3, c. 101, s. 3."</p>
70	<p>Topic 70 (Use & Abuse of Information): Keywords include 'fraud', 'transact', 'solicitor', 'represent', 'fraudul', 'client', 'misrepresent', 'attorney', 'communic', 'fals', 'conceal', 'confidenti', 'knowledg', 'agent', 'inform', 'statement', 'alleg', 'compromise'. Top docs are cases where a party was privy to private information and used it to their benefit. Many cases are about legal-professional privilege. In one doc: "A person, though innocent, cannot avail himself of an advantage obtained by the fraud of another, unless there is some consideration moving from himself. A debtor and his surety persuaded the creditor to accept from the debtor a transfer of a mortgage, which the debtor knew to be imaginary, but which the surety, relying on the debtor's statement, believed to be a good security. Afterwards the creditor, at the request of the surety, who suggested to him that he was secured by the mortgage, released the surety. Some friends of the surety, on the faith of this release, lent him money to enable him to compound with his other creditors, which the creditor, at the time of</p>

⁷⁴ With respect to.

	<p>giving the release, knew that they had refused to do, unless the release was given. Held, affirming the decision of the Vice-Chancellor, that the creditor was entitled to be restored to his rights against the surety." In another doc: "The conduct of [a party] in affecting to grant a lease of certain houses, which he knew was to become the Plaintiff's security, and of which he had previously granted a lease, which he must have known was still valid and effectual, was highly improper. He says that he had forgotten the former demise, and was, therefore, in the full belief that the property was still vested in him. But, even supposing that case made out by the evidence, it is no defence to this suit. It was clearly a misrepresentation on his part that he was in possession of the property, and he must be held to have known that the Plaintiff was lending his money upon an illusory grant." And in a further doc: "An attorney, examined as a witness, must not disclose matters of which he could gain a knowledge only by the confidence reposed in him: the privilege is not that of the attorney, but of the client."</p>
71	<p>Topic 71 (Execution & Administration of Estates): Keywords include 'executor', 'administr', 'intest', 'asset', 'testat', 'probat', 'deceas', 'surviv', 'executrix', 'administratrix', 'estat'. Top docs are cases about appointment and actions of executors or administrators of estates. For example: "Renunciation of Next of Kin solely entitled. In case of an intestacy, where the persons who are sole next of kin and the only persons entitled in distribution renounce their title to administration, the Court will make the grant to a person who would have been next of kin if the sole next of kin had been out of the way, although such person has no interest." Or: "The executors of a deceased executor, though not the personal representatives of the original testator (there being an executor of the original testator still surviving), are compellable to bring in an inventory of the effects of the original testator."</p>
72	<p>Topic 72 (Estate Tail): Keywords include 'testat', 'estat', 'tail', 'devis', 'heir', 'son', 'male', 'daughter', 'life', 'issu', 'remaind', 'grandson', 'fee', 'nephew', 'die', 'tenant'. Top docs are cases involving estate tail, that is, an estate that is limited to certain bodily heirs and excludes others. For example: "Under a devise to A. and to the issue of his body, his, her, or their, heirs, equally to be divided if more than one; and if A. have no issue of his body living at his decease, then over: Held that A. took at least an estate for life, with a contingent remainder in fee to his issue, if any; in which case the remainder over was also contingent, being a contingency with a double aspect; and that whether A. took for life, with such contingent remainders, or whether he took an estate tail, the remainders over were equally destroyed by his having suffered al recovery before he had any issue born." Or: "Where estates tail are devised to more than two persons as tenants in common, and it is manifest that the testator did not intend that any part of the estate should go over, unless there were a failure of issue of all the devisees, there the devisees take cross remainders."</p>
73	<p>Topic 73 (Powers of Trustees): Keywords include 'truste', 'trust', 'person', 'benefit', 'declar', 'act', 'direct', 'vest', 'may', 'appli', 'assign', 'execut', 'survivor', 'beneficiari', 'vest', 'properti', 'fund', 'profit', 'invest', 'breach', 'incom'. Top docs clarify the powers of trustees, for example with regard to appointment of new trustees or execution of specific tasks. In one doc: "Two retiring trustees held not authorized to appoint two new trustees, under a power given to surviving or continuing trustees." In another doc: "A trustee cannot, from mere caprice, retire from the performance of his trust, without</p>

	<p>paying the costs occasioned. But circumstances arising in the administration of a trust which have altered the nature of his duties, justify him in leaving it and entitle him to his costs." And in a further doc: "All the trustees of a settlement, except one, being dead, a deed for appointing new trustees and conveying the trust property to them was executed by the party empowered to appoint the new trustees; but the surviving trustee, on the deed being tendered to him, refused to execute it. A petition was thereupon presented under the 11 Geo. 4 and 1 Will. 4, c. 60, s. 8, praying that a person named in the petition might be appointed in the place of the surviving trustee, to convey the trust property to the new trustees."</p>
<p>74</p>	<p>Topic 74 (Analogical Reasoning): Keywords include 'case', 'decis', 'rule', 'question', 'law', 'point', 'therefor', 'argument', 'principl', 'argument', 'decid', 'doctrin', 'opinion', 'express', 'distinct', 'differ', 'refer', 'cite'. Top docs highlight in great detail the discussions of what caselaw is and whether the particular case under consideration, with regard to points of law or fact, relates to another preexisting case or judicial views or doctrines, and if so how and to what extent. For example, in one doc the reporter notes that the judge "... said he had examined all the cases of ademption, and he could not find a single instance of a person who was held to stand in loco parentis to a child, where that child had its Parents, living, with whom it lived, and by whom it was supported. He could suppose such a case of a parent deserting a child, and where, by possibility, the relation -Might exist; but he could find no such case amongst the authorities. His Honour went on to say, that it was a matter of great importance in this case, that Sir J. Barrington had confirmed his will in every particular by a subsequent codicil. That was apoint upon which great stress was laid in the case of Roome, v Roome, 3 Atk. 181. His Honour said that the law on this subject was expressed in the most simple and beautiful manner by Lord Eldon, who, from his great powers of mind, had compressed it within a very small compass in Trimmer v Bayne, 7 Ves. 515. His Honour here read the words of Lord Eldon in Trimmer v Bayne, 7 Ves. 515, where he lays down the rule as to the ademption of a legacy by a person in loco parentis. His Honour also referred to two passages in Pye v Dubost, 18 Ves. 151, 153 in support of the same doctrine....but in this case he was of opinion, that although it was true the amounts were the same, yet the nature of the provisions were totally different....". In another doc: "The question was whether that part of the share of A. which survived to B. upon the death of A. survived afterwards to C. upon the death of B. or whether B.'s original share only survived. Mr. Madocks insisted, it was an established principle in this court, that a survived share shall not again survive, without express words, or manifest intention for that purpose; and cited Rudge v Barker, Forrest. 124, and the opinions of Lord King and Lord Holt there mentioned, as fully establishing this doctrine." In a yet further doc, the presiding judge argues: "In that case, as in this, the suits were for different objects; one was for administration, the other for distribution; but the fact had been in issue between the same parties, and had been decided between the same parties. It appears, therefore, from Mr. Hargrave's account that in the House of Lords the case of Bouchier v Talyor, which was exactly similar to the present, was decided on that as one of the two grounds taken by the Appellant; and if I am satisfied that Mr. Hargrave's representation of what passed is correct, and I have no reason whatever to do it, I am bound by that decision."</p>

75	<p>Topic 75 (Rulings on Timing & Calendar): Keywords include 'time', 'day', 'year', 'month', 'week', 'within', 'expir', 'period', 'within', 'calendar', 'date', 'commenc', 'elaps'. Top docs stress the timing aspects of rulings. For example: "After the exceptions were over-ruled, the defendant waited a fortnight, and then took out an order for three weeks time to put in a further answer, commencing from the day it was taken out. Hart moved to discharge that order. He insisted that the defendant was only entitled of course to eight days, and, upon motion, might have three weeks, commencing from the allowance of the exceptions, so that the eight days would be reckoned as part of the three weeks. Johnson on the other side. Upon consulting the officers, the rule was found to be that the defendant is entitled to the order for three weeks time, to commence from the expiration of the eight days." Or: "Where a cause is tried at the sittings in Term, a motion may be made for a new trial, at any time within four days after the return of the distringas, although more than four days have elapsed since the trial."</p>
76	<p>Topic 76 (Private Non-Business Organizations): Keywords include 'societi', 'member', 'church', 'establish', 'articl', 'england', 'presbyteri', 'congreg', 'cathol', 'club', 'meetinghous'. Top docs are about a variety of issues concerning the formation and operation of religious and non-religious non-business organizations. In one doc: "A chapel in England was founded between the Restoration and the Revolution, without any deed or document declaring the purposes for which it was to be used, but it appeared that from the foundation the services had always been conducted, in conformity with 'The Directory,' by which the mode of worship in the Church of Scotland is regulated. Held, that the chapel must be treated as appropriated to, the purposes of religious worship according to that Directory, and, therefore, according to the Presbyterian form." In another doc: "In order to entitle a society to exemption from rates by virtue of stat. 6 & 7 Vict. c. 36, s. 1, as being 'instituted for purposes of science, literature, or the fine arts exclusively,' the purposes to which the society is applied at the time when the rate is made must be such as described in the statute: it is not enough that its original purposes should have been such." And in a further doc: "It seems that no society is within the intent and meaning of the Friendly Society Act, 33 Geo. 3, c. 54, so as to require the justices in sessions to allow and confirm their rules, &c. in the manner therein provided for, if it appear that the general objects of such society are not confined to the charitable relief and maintenance of its old, sick, and infirm members, their widows and children."</p>
77	<p>Topic 77 (Initiating & Ending Trials): Keywords include 'juri', 'trial', 'new', 'verdict', 'rule', 'nonsuit', 'plaintiff', assiz, 'defend', 'judg', 'misdirect', 'issu', 'learn', 'move', 'record', 'enter', 'discharg'. Top docs address the procedural rules for initiating and discontinuing trials. In one doc: "If, upon the judge directing the jury to give nominal damages, the Plaintiff elects to be nonsuited, he will not be permitted to have a new trial upon the ground of a misdirection of the judge in that point." In another doc: "If Plaintiff give notice of trial for the Sittings in the term in which issue is joined, and do not proceed to trial accordingly, the Defendant may move for judgment as in case of a nonsuit in the succeeding term." And in a further doc: "Where a legal objection is taken at the trial, and overruled by the Judge, without reserving the point, and the Court are afterwards of opinion that that objection was a good ground of nonsuit, they will grant a new trial only, and will not permit a nonsuit to be entered."</p>

78	<p>Topic 78 (Sustainable Convictions): Keywords include 'prison', 'indict', 'steal', 'prosecutor', 'larceni', 'feloni', 'forg', 'convict', 'guilti', 'count', 'indict', 'charg', 'intent', 'fals', 'juri', 'burglari', 'offenc', 'embezzl', 'defraud', 'robberi'. Top docs are deliberations on whether someone's act constitutes a crime of a specific type, one that the accused is being charged with. In one doc: "The judgment was respited, the prisoner remaining in custody till the opinion of this Court could be taken on the question, whether on these facts the conviction was right....This case was considered on 2nd May, 1857, by Cockburn C. J. Coleridge J. Crowder J. Willes J. and Bramwell B. No counsel appeared for the Crown. Tozer appeared for the prisoner, and contended that the conviction was wrong on two grounds. First, that there was no larcenous taking by the prisoner; and secondly, that the goods charged to have been stolen were the wearing apparel of the wife. Cockburn C. J. - In the cases referred to the prisoner took away the money of the husband; but here he was only assisting in carrying away the necessary wearing apparel of the wife. Tozer referred to Regina v Rosenberg. (a) He was then stopped by the Court. Cockburn C. J. - We all agree that this conviction cannot be sustained. Conviction quashed." In another doc: "The prisoner borrowed a pony from the prosecutor to ride a short distance and 1 Lewin 196, 168 ER p1010 return, but, he did not return, nor did he send the pony. Nine years after, the prosecutor met the prisoner by accident on the Carlisle mail, and took him into custody. Per Holroyd, J - 'If the prisoner obtained the pony with a preconcerted fraudulent design in respect of stealing, it is a felony. If he did not do it with a fraudulent design originally, it is not a felony.' Prisoner was convicted." And in a further doc: "Clandestinely taking away articles to induce the owner (a girl) to fetch them, and thereby to give the prisoner an opportunity to solicit her to commit fornication with him, is not felonious."</p>
79	<p>Topic 79 (Claims from Financial Instruments): Keywords include 'dividend', 'fund', 'pound', 'secur', 'annuiti', 'consol', 'entitl', 'money', 'stock', 'cent', 'bank', 'invest', 'transfer', 'incom', 'sum'. Top docs are cases of resolution of monetary claims concerning a variety of financial instruments, especially stocks, annuities, and consols. In one doc: "For several years prior to 1846 an assurance company declared half-yearly dividends of pound 2, 10s. per cent on their stock, but in that year they declared a half-yearly dividend of pound 12, 10s. per cent. Held, that a tenant for life of their stock was entitled to the whole amount of that dividend." In another doc: "A sum of money, in the 5 per cents, set apart to answer an annuity, was reduced to 3 half per cents, and the dividends having become insufficient to pay the annuity, the Court made a prospective order for the sale, from time to time, of a sufficient part of the capital to meet the accruing payments of the annuity." And in yet another doc: "A testator having directed an annuity to be paid out of his personal estate, a sum of five per cent stock was, in the course of the cause, ordered to be set apart to answer the annuity. This fund having become insufficient for the purpose, by the conversion of the five per cents into four per cents, the deficiency was directed to be supplied out of another fund, to which other persons interested in the residue had been declared to be entitled."</p>
80	<p>Topic 80 (Business Partnerships): Keywords include 'partnership', 'partner', 'trade', 'busi', 'firm', 'copartnership', 'share', 'profit', 'dissolut', 'account', 'copartn', 'capit', 'dissolv', 'joint', 'debt', 'transact', 'articl', 'asset'. Top docs are about disputes that arise</p>

	<p>in the context of business partnerships. Many featured disputes revolve around the operation of a partnership in the event of retirement or death of a partner, or upon dissolution of the partnership. In one doc: "Where a partner has a right to appoint a person to succeed, upon his death, to his share of the business, and the person so appointed refuses to accept that share, or to comply with the stipulations of the articles, the partnership is dissolved; but the dissolution is not a dissolution which is wrought by the exclusion of the appointee by the surviving partners." In another doc: "A partnership was carried on for fourteen years between B. and G. under the style of 'B. & Co.' On the dissolution, the assets were divided, but no arrangement was come to as to the style. Held, that the name or style of 'B. & Co.' formed an undivided asset of the partnership which belonged to the partners in common after the dissolution, and that B. was not entitled to prevent G. using the style of 'B. & Co.' in his business." And in a further doc: "If therefore the principle be true, that he who takes the general profits of a partnership must of necessity be made liable to the losses, in order that he may stand in a just situation with regard to the creditors of the house, then this is a case clear of all difficulty. For though, with respect to each other, these persons were not to be considered as partners, yet they have made themselves such with regard to their transactions with the rest of the world."</p>
81	<p>Topic 81 (Contract Validity & Performance): Keywords include 'contract', 'agreement', 'perform', 'stipul', 'work', 'agre', 'breach', 'accept', 'specif', 'pay', 'condit', 'parti', 'enter', 'complet', 'execut', 'undertak', 'nonperform'. Top docs are cases where there is a debate about the meaning of a contract in a given setting with respect to parties' obligations. The reports describe the alleged contract and then interpret whether and to what extent contractual stipulations have been satisfied or if a given arrangement is even a legally valid contract. In one doc: "In an action by the vendee, on an agreement for the purchase of a public-house, with mutual stipulations, and liquidated damages for non-performance: Held, both parties having made default under the agreement that the plaintiff was entitled to recover his deposit.... It appeared in evidence, that the plaintiff was not prepared to pay the purchase-money on the day of the meeting, and it was thereupon contended, by Vaughan Serjt. for the defendant, that as the plaintiff sued on his agreement, that was the foundation of his action, and therefore, before he could recover anything from the defendant, he must shew complete performance, or readiness to perform on his part." In another doc: "Where the evidence of a contract consists partly of letters and partly of conversations, alluding to an agreement to be drawn up, the question is for the jury, whether there was a complete and conclusive agreement intended to be acted upon. A rescission of an agreement requires proof of an actual agreement to rescind.... Was there a complete and conclusive contract? If so, was there an agreement to rescind?" And in a further doc: "On a contract by a builder to do work according to specifications, and to charge for no extras without written orders, the mere oral directions of the employer to do some increased work cannot be given in evidence to sustain a demand for extras in the absence of any evidence of a new contract."</p>
82	<p>Topic 82 (Accidents on Water): Keywords include 'vessel', 'pilot', 'salvor', 'ship', 'collis', 'damag', 'steamer', 'anchor', 'admiralti', 'port', 'crew', 'boat', 'tug', 'schooner', 'navig', 'harbour', 'river', 'dock', 'sail', 'owner', 'tow'. Top docs are cases involving accidents between vessels at sea or on rivers. For example: "A vessel close hauled on</p>

	<p>the port tack, in the open sea, and in daytime, and a steamer towing a large ship, were standing so as to cross each other's bows, the steamer being on the lee-beam of the sailing vessel. Held, that the sailing vessel was to blame for holding her reach, and that the steamer was likewise to blame for taking no measure in time to avoid collision." Or: "A barge going down the river saw the red light of a steamer broad on her port bow, and took no steps; shortly after the steamer's green light suddenly opened, shewing that the steamer had starboarded her helm and was coming direct towards her; the master of the barge instantly shewed a light and ported. Held, that the vessels were not approaching, in the first instance, within the meaning of the Admiralty Rules, and that the barge was not to blame."</p>
83	<p>Topic 83 (Bills of Exchange): Keywords include 'bill', 'exchang', 'acceptor', 'endors', 'drawer', 'endorse', 'accept', 'discount', 'paye', 'payabl', 'negoti', 'nonaccept', 'bearer', 'due', 'present'. Top docs are cases involving bills of exchange, often with regard to their negotiability (i.e. transferability from one person to another with or without endorsement). In one doc: "The acceptor supra protest of a bill of exchange, for the honor of the drawer, is, like the drawer himself, estopped from denying that the bill is a valid bill; and, consequently, it is not competent to him to set up as a defence to an action against him by an indorsee, that the payee is a fictitious person, and that he was ignorant of that fact at the time he accepted the bill." In another doc: "A foreign bill of exchange was drawn on C. and Co. at Liverpool, payable to A. in London, the drawees having refused to accept, it was accepted by B. in London for the honor of the payee, if regularly protested, and refused when due: Held, in an action against the acceptor for honor, that, by the special form of the acceptance, a presentment for payment to the drawee in Liverpool, a refusal by him, and a protest there, were necessary, and, therefore, that the bill was properly presented for payment there on the day it became due." And in a further doc: "If a bill of exchange is accepted payable at a particular place, in an action against the acceptor, this addition to, the acceptance does not require to be noticed in the declaration, being no part of the contract, but merely a memorandum, where payment may be demanded."</p>
84	<p>Topic 84 (Promises Under Seal): Keywords include 'deed', 'coven', 'indentur', 'assign', 'seal', 'execut', 'instrument', 'proviso', 'covenante', 'void', 'date', 'contain', 'recit', 'effect'. Top docs are all cases where there is a dispute about the validity or interpretation of promises under seal, typically expressed in a deed. In one doc: "A deed of composition was expressed to be made between the several persons whose names and seals were subscribed and affixed in the schedule, being creditors, of the first part, the debtor, of the second part, and two sureties of the third part. By this deed (of which the paramount object was declared to be the equal benefit of all the creditors) the parties of the second and third parts covenanted with the parties of the first part and with all the other creditors respectively to pay them respectively a composition of 10s. in the pound, and in consideration of the covenants the covenantees released the debtor. Held, that a non-assenting creditor was no party to this deed and could not sue on the covenants, and that, consequently, he was not, under the 192nd section of the Bankruptcy Act, 1861, bound by the deed." In another doc: "A deed (which by arrangement was to be executed in duplicate, one to be prepared by each party and to be interchanged between them,) was executed by the grantee, but not attested, and was by him sent to the solicitor of the grantors to procure their execution; and they</p>

	<p>accordingly signed, sealed, and delivered it:- Held, that this was a complete delivery, whereby the estate passed and that the above arrangement did not render the deed an escrow until the duplicates were interchanged." And in a yet another doc: "Covenant lies on a deed of composition with creditors, by one of two partners who signs the deed in the name of his firm and sets his seal thereto, for non-payment of an instalment due on a partnership debt; for the other partner not being a party to the deed cannot join in covenant."</p>
85	<p>Topic 85 (Equitable Versus Legal Remedies): Keywords include 'court', 'right', 'injunct', 'equiti', 'equiti', 'entitl', 'remedi', 'grant', 'interfer', 'relief', 'decre', 'interfer', 'legal', 'law', 'proceed', 'jurisdict', 'chanceri', 'protect'. Top docs clarify whether a party is eligible for some type of relief in equity relative to any prior or ongoing decisions on the dispute in common-law courts. In one doc: "The action was brought in 1768, and after great delay, the plaintiff in the action recovered a verdict: After a writ of error, the defendant at law files a bill in this Court, charging loss of papers, and obtains an injunction. After dissolving the injunction, the defendant at law files a new bill, charging that the plaintiff at law- hath recovered more than is really due to him. A party may bring his action for what sum he pleases, without making any allowance, but the defendant hath liberty to set off. The question is, whether this Court ought to interfere in this case. If a party at law hath obtained a verdict, and the party hath any equitable demand in this Court, this Court will grant a ne exeat regno. If the party is abroad, this Court will impound the property. Therefore upon the plaintiff's paying the sum admitted to be due, and so much more, as is the amount of the sum recovered into the Bank, the injunction shall be granted." In another doc: "Where the legal claim is doubtful, and the title to equitable relief depends on the previous establishment of the legal claim, there, although it may be necessary to come back to a Court of Equity in order to obtain access to the fund in question, the plaintiff must first establish his right at law." And in a further doc: "If any infringement of a patent be attempted, after there has been an undisputed enjoyment by the patentee under the grant, for a considerable time; Courts of Equity will deem it a less inconvenience to issue an injunction until the right can be determined at law, than to refuse such preventive interference, merely because it is possible the grant of the Crown may, upon investigation, prove to be invalid."</p>
86	<p>Topic 86 (Poor Relief & Settlement): Keywords include 'pauper', 'parish', 'order', 'remov', 'overs', 'poor', 'settlement', 'resid', 'township', 'inhabit', 'relief', 'workhous', 'asylum', 'union', 'apprenticeship'. Top docs describe disputes between localities (typically parishes) concerning the settlement and financial responsibility for the poor, including mentally ill. For example: "A pauper renting a house in the parish of A. where she received occasional relief, and having relations in B. an adjoining parish, but no settlement in either; after having been sent backwards and forwards from one to the, other, was at last taken by the parish officer of A. into B. by which she was then relieved, and threatened to be sent to prison if she returned again into A.: Held that her residence in B. under such circumstances did not prevent her removal from thence by an order of justices to her place of settlement." Or: "A pauper, having the status of irremovability in L. by virtue of stat. 9 & 10 Vict. c. 66, while she was in W. for a temporary purpose not such as to break the status, became lunatic, and was removed by a justice's order to a lunatic asylum. She was settled in T. - Held that,</p>

	under The Lunatic Asylums Act, 1853 (16 & 17 Vict. c. 97), sect. 102, justices had power to make an order on L. for payment of expences incurred since 29th September 1853 in the examination, removal, maintenance, &c."
87	Topic 87 (Tax Assessment): Keywords include 'valu', 'rate', 'profit', 'annual', 'tax', 'assess', 'duti', 'charg', 'payabl', 'sum', 'rateabl', 'valuat', 'proport', 'landtax', 'pay', 'incom', 'amount', 'properti', 'schedul'. Top docs highlight the assessment of taxes. In a typical case, the focus is on what constitutes taxable income. In one doc: "A testator gave three annuities-the first 'free from income or property tax, or any other deduction the second' free from all deductions the third free from deduction." Held, that all the annuities were free from income tax." In another doc: "A railway Company is not liable to be assessed under Schedule (E.) of the Income Tax Acts in respect of engine-drivers, porters and labourers, whether employed by them at annual salaries or at weekly wages amounting to 100l. a year; but such servants are assessable under Schedule (D.). - Schedule (E.) extends only to offices or employments under corporations which are of a public nature." And in yet further doc: "By Act of Parliament the tithes in a parish were extinguished, and in lieu thereof the rector entitled to a corn-rent. In a rate for the relief of the poor, he was assessed for the full amount of that corn-rent less the parochial rates. The farmers in the parish who paid the corn-rent to the rector, were rated upon the bona fide amount of the rack-rent paid by them to their landlords: Held, that the tenants ought not to be rated for a sum made up of the rack-rent paid to their landlords, and the corn-rent paid to the rector, but that they were properly rated on the amount of the rack-rent only...".
88	Topic 88 (Nonpossessory & Natural Resource Rights): Keywords include 'water', 'reservoir', 'soil', 'easement', 'miner', 'collieri', 'stream', 'watercours', 'surfac', 'river', 'fisheri', 'seashore', 'land', 'trespass', 'right', 'use', 'enjoy', 'claim', 'owner', 'may', 'adjoin'. Top docs are disputes concerning nonpossessory land interests (e.g. easements) and rights to water (e.g. riparian rights) and other natural resources (e.g. fishery), often arising within an industrial context (e.g. for pursuit of mining). In one doc: "A declaration stated that certain lands were in the occupation of a tenant of the plaintiff, the reversion belonging to him, and that the defendant wrongfully dug out of the lands large quantities of stone, sand, and soil; and carried away the same; and made large holes, excavations, and cuttings in and through parts of the lands, and erected large mounds and banks of earth and rubbish in and upon other parts of the lands, so as thereby permanently to alter, damage, injure and spoil the surface of the lands....The defendant does not prescribe for a profit a prendre, but for an easement only, viz. a way for the purpose of working the quarry and carrying away the stone." In another doc: "A riparian proprietor has a right to the natural stream of water flowing through the land in its natural state; and if the water be polluted by a proprietor higher up the stream, so as to occasion damage in law, though not in fact, to the first-mentioned proprietor, it gives him a good cause of action against the upper proprietor., unless the latter have gained a right by long enjoyment or grant." And in a further doc: "Prima facie every subject has a right to take fish found upon the sea-shore between high and low water-mark; but such general right may be abridged by the existence of an exclusive right in some individual. Quaere ⁷⁵ . If there be a prima facie right in the

⁷⁵ Question.

	subject to take fish-shells found on the sea-shore between high and low water mark...".
89	Topic 89 (Apportioning Obligations & Claims): Keywords include last names and 'joint', 'separ', 'sever', 'join'. To docs are cases that involve multiple actors. The focus is on the joint versus separate nature of their claims or obligations, in a variety of settings. In one doc: "The two Defendants, who carried on business in partnership as ship and insurance brokers, and the Plaintiff who carried on business alone as a merchant and commission agent, jointly agreed to supply arms to a foreign Government. In the first contract with that Government, the Defendants were described only by their partnership name, and it was signed on their behalf in that name. The second contract was signed by an agent of the Plaintiff and Defendants, who was described in it as acting on behalf of the Defendants (giving only the name of the firm) and the Plaintiff, and as 'agent of the two houses above named.' Held, reversing the decision of the Court below, that on the form of these contracts in the absence of evidence to the contrary, the adventure must be considered to have been undertaken by the Defendants as one person and the Plaintiff as another person, and not by the three as individuals, and that the Plaintiff was entitled to a moiety of the profits." In another doc: "A joint creditor, being the petitioning creditor in a separate Commission, entitled to receive Dividends, &c. with the separate creditors; not being within the Rule, excluding the other joint creditors." And in a further doc: "Bond by three obligors, whereby they bound themselves 'jointly,' and their heirs, &c. 'respectively,' to pay, which was conditioned to be void, if they or either of them, their or either of their heirs, paid. Held, that it was a joint and several obligation, and, one having died, that his assets were liable."
90	Topic 90 (Arrest & Bail): Keywords include 'arrest', 'bail', 'sheriff', 'writ', 'prison', 'capia', 'habea', 'corpus', 'bailbond', 'bailabl', 'custodi', 'process', 'discharg', 'detain'. Top docs focus on procedures for arrest, custody, and the bail process. In one doc: "A. was arrested at the suit of B. and discharged, the sheriff not knowing that there was also a detainer in his office at the suit of C; on the Sunday following he was arrested at C. 's suit, and discharged by the Court, by virtue of the 29 C. 2, c. 7, s. 6. The arrest on the Sunday was considered as an original taking, and not as a retaking after an escape. After a voluntary escape the sheriff cannot retake a prisoner." In another doc: "Where defendant, a prisoner, after the issuing the writ of hab. corp. for bringing him up to be charged in execution, sues out and obtains the allowance of a writ of error; he cannot be charged in execution, but must be remanded to his former custody." And in a further doc: "If bail above be put in and justified within four days from the ruling the Sheriff to bring in the body, the Court will set aside all proceedings upon the bail-bond commenced previous to the time of justification."
91	Topic 91 (Statutory Construction): Keywords include 'section', 'statut', 'enact', 'act', 'vict', 'legislatur', 'claus', 'parliament', 'sect', 'stat', 'provis', 'word', 'construct', 'within', 'preambl', 'constru', 'mean', 'intend', 'appli', 'express'. Top documents are cases where the issue at stake is the interpretation of a specific statute or legislative act. The following is an extract from a typical case: "The defendant, in the present case, had been convicted as a foreman, on the second section of the new Act, of employing children on a Saturday beyond the time allowed for that day. Alexander now moved for a certiorari to bring the conviction before this Court on account of some alleged

	<p>defects; and be contended, that, as the Act 6 G. 4, C. 63, introduced new provisions and created new liabilities, the language of section 15 was not sufficient to exclude the certiorari, but the general rule must apply, that nothing but express negative words shall take away the jurisdiction of this Court. And he relied on <i>Rex v. Abbot</i> (Doug. 553, n. (1)), where that rule was adhered to in the construction of an Excise act, notwithstanding a general clause of reference to a prior statute in which the certiorari was excluded. The Court, however, was of opinion that the clause of 42 G. 3, c. 73, taking away the certiorari, must be considered as a 'provision' embodied in 6 G. 4, c. 63, by section 15, 'for carrying this Act into execution:' and the writ was therefore Refused." In another doc, the question debated was "the construction of the 46 Geo. 3, whether it is to operate as a total repeal of the 42 Geo. 3, so as that the former provision could not be brought into force again but by a distinct re-enactment; or only for the time limited in the 14th section...". One of the judges argued: "The true construction of the Stat. 46 Geo. 3, taken altogether is, that the first clause shall operate only as a suspending clause upon the 42d. of the King; for the 14th clause says that 'this Act shall commence and take effect' only from the 1st of August 1806 until the 25th of March 1807. Then if this Act mean the whole of the Act, there is an end of the question. And I consider it as relating to the whole Act, and after the time limited by the Act for it to take effect, I consider the question the same as if that Act were no longer to be found in the Statute Book."</p>
92	<p>Topic 92 (Marriage & Its Dissolution): Keywords include 'marriag', 'wife', 'husband', 'separ', 'adulteri', 'ecclesiast', 'cohabit', 'divorc', 'alimoni', 'cruelti', 'marri', 'conjug'. Top docs are cases involving a variety of issues arising in the context of marriage and its dissolution. Typical issues include the restitution of conjugal rights, nullity of marriage, divorce, judicial separation, and support payments. In one doc: "A wife obtained a sentence of divorce by reason of her husband's adultery. Subsequently, in a suit of nullity of marriage promoted by the husband, and brought by letters of request to the Court of Arches, it was in substance pleaded that the husband was resident within the jurisdiction of the commissary, who signed the letters of request, and that, by reason thereof, the wife was subject to the jurisdiction of the Court. Held, that the ordinary presumption, that a wife is legally domiciled where the husband is, fails when there has been a sentence of divorce." In another doc: "The suit commenced with a citation for restitution of conjugal rights on the part of the wife against the husband: the husband pleaded the wife's adultery as a bar to her suit, and prayed a separation; an allegation was now offered on the part of the wife, charging the husband with adultery, and praying a divorce." And in a further doc: "Where a wife is charged in her husband's petition with adultery, and has filed no answer to ft, she is still entitled to have alimony pendente lite allotted to her."</p>
93	<p>Topic 93 (Paying Off Estate Debts & Claims): Keywords include 'estat', 'debt', 'testat', 'devis', 'mortgag', 'personalti', 'payment', 'sale', 'asset', land, 'sell', 'pay', 'fund', 'creditor', 'surplus'. Top docs are cases where the testator has left outstanding debts, or there exist claims based on the assets bequeathed by the testator, and the question is which of the testator's assets, stipulated in the will, should be used to repay the debts or satisfy the claims. In one doc: "A testator bequeathed his personal estate to his wife, 'discharged from the payment of his debts.' He then devised his real estate in Herefordshire in trust to sell and pay 'all his just debts, funeral and testamentary</p>

	<p>expenses,' in exoneration of his personal estate, and he devised his real estates in Norfolk, without any expressed trust, for payment of his debts. The produce of the Herefordshire estate being insufficient to pay the debts, Held, that the Norfolk estates were next liable to pay them in exoneration of the personal estate." In another doc: "Where the special object of a devise of particular lands was the payment of the testator's debts, there such lands are the primary fund for that purpose; Harmood v Oglander, 8 Ves. 125. But though lands may have been devised subject to a general charge for payment of debts, still, lands descended will be previously applicable: Milnes v Slater, 8 Ves. 306: the devised estate will be considered as auxiliary only, unless the descended estate be expressly exonerated." And in a further doc: "A testator gave his real and personal estate to trustees, upon trust, out of the rents and produce, or by sale or other disposition thereof, to raise an annuity for his wife and certain legacies, and to invest the surplus. He directed a sale of his real estate after the death of his wife, and gave his residue to his children. Held, that the personal estate was not primarily charged with the annuity, but that the real and personal estate formed one common fund for its payment."</p>
94	<p>Topic 94 (Employment Contracts): Keywords include 'servic', 'employ', 'wage', 'hire', 'apprentic', 'servant', 'master', 'employ', 'work', 'salari', 'workman', 'labour', 'week', 'seaman', 'remuner', 'trade', 'contract', 'engag', 'dismiss', 'continu', 'militia', 'sunday', 'indentur'. Top docs are disputes about employment contracts. In many instances, the question of the precise nature of the employment is a critical component of a decision on whether somebody has earned settlement rights in a given locality. For example: "Five days before the end of the year a servant absented himself by leave one day from his master's service to look out for another place, and on his return the master on some trivial pretence said he should not stay any longer in his service, and offered him a trifle less than his whole wages; which the servant refused; but was then ready to have accepted his whole wages, though he would rather have staid out his year; and immediately applied to a magistrate to oblige his master either to pay him the whole or to receive him into his service for the remainder of the year; when the magistrate ordered half a crown to be deducted; and the servant thereupon hired himself to another master, before his first year was out; and after the year received from his first master his whole wages: Held that this was a dissolution of the contract before the end of the year by mutual consent, signified on the part of the servant by his entering into another service." Or: "A yearly servant, about a fortnight before his year expires being too ill to work, his master paid him big whole year's wages, when he left the service, and went to an hospital, and never returned into his master's service: Held a dissolution of the contract, and that no settlement was gained by such hiring and service."</p>
95	<p>Topic 95 (Justifiable Personal Acts): Keywords include 'trespass', 'licenc', 'break', 'person', 'enter', 'take', 'shoot', 'assault', 'law', 'purpos', 'justifi', 'forc', 'dog', 'game', 'hous', 'rabbit', 'gamekeep', 'affray', 'gun'. Top docs are close examinations of specific circumstances of a case, followed by the interpretations of whether the facts of the case fit a specific violation of the law. The focus is on what constitutes legally justifiable action, often a violent act, given a certain charge, where it is not immediately clear right away whether the action (e.g. use of force) was justifiable or not. In one doc: "If a person enter a house, with force and violence, the person whose</p>

	<p>house is entered, may justify turning him out (using no more force than is necessary), without a previous request to depart. But if the person enter quietly, a request to depart is necessary, before turning him out." In another doc: "To justify shooting another person's dog, it is not sufficient to shew that the dog was of a ferocious disposition, and was at large. To justify shooting him, he must be actually attacking the party at the time; therefore, where the defendant was passing the plaintiff's house, and the plaintiff's dog ran out, and bit the defendant's gaiter, and on the defendant turning round, and raising his gun, the dog ran away, and he shot the dog as he was running away, it was held that the defendant was not justified in so doing." And in a further doc: "To trespass for breaking and entering the plaintiffs house, and making a noise and disturbance therein, the defendant pleaded a licence, to, which the plaintiff replied de injuria. Held, that the plea was supported by evidence that the plaintiff kept a billiard table in the house at which all persons were usually permitted by him to play at regulated prices, and that the defendant entered the house for the purpose of going to the billiard room, although while in the house he was guilty of a trespass in assaulting the plaintiff."</p>
96	<p>Topic 96 (Affreightment Contracts): Keywords include 'ship', 'cargo', 'fraught', 'vessel', 'voyag', 'charter', 'charterparti', 'shipown', 'owner', 'port', 'lade', 'captain', 'load', 'bottomri'⁷⁶, 'freighter', 'load', 'shipper', 'unload'. Top docs are cases involving contracts between owners of ships and charterers. For example: "Where a ship was chartered on a voyage from London to Dominica and back to London, at a certain rate of freight upon the outward cargo; and after delivering her outward cargo at Dominica, the charterers were to provide her a full cargo homeward at the current freight from Dominica to London, &c.: Held that an insurance by the owner of the ship on the freight, at and from Dominica to London, attached while the ship lay at Dominica delivering her outward cargo, and before any part of the homeward cargo was shipped, during which time she was captured by an enemy; the contract of affreightment by the charter-party being entire, and the risk on the policy having commenced." Or: "Where the charterer of a ship to Jamaica and back covenanted to load her there with a complete cargo of sugar, and to pay freight for the same at the rate of 10s. 6d. per cwt and his agent at Jamaica tendered a complete cargo to the captain, but insisted on his signing bills of lading for it at 10s. per cwt which the captain refused to do. Held, that the charterer was liable for dead freight."</p>
97	<p>Topic 97 (Recoverable Damages): Keywords include 'action', 'damag', 'plaintiff', 'recov', 'sue', 'assumpsit', 'bring', 'maintain', 'entitl', 'trespass', 'debt', 'tort', 'detinu', 'demand'. Top docs highlight what damages a plaintiff can recover in a particular setting. In one doc: "Where A. under a contract to deliver spring wheat had delivered to B. winter wheat, and B. having again sold the same as spring wheat had, in consequence, been compelled, after a suit in Scotland which lasted many years, to pay damages to the vendee, and afterwards B. brought an action of assumpsit against A. for his breach of contract, alleging as special damage, the damages so recovered: Held, that although such special damage had occurred within six years before the commencement of the action by B. against A. yet that the breach of contract, which, in assumpsit; was the gist of the action, having occurred and become known to B. more than six years before that period, A. might properly plead actio non accrevit</p>

⁷⁶ A contract whereby the owner of a ship pledges the ship as collateral for a loan intended to finance the voyage.

	<p>infra sex annos⁷⁷." In another doc: "In an action for false imprisonment and malicious prosecution, the plaintiff having recovered less damages than 51. the judge certified, under the 23 & 24 Vict. c. 126, s. 34, as follows: -I certify that this action was not really brought to try a right besides, the mere right to recover damages, that the trespass was not malicious' (omitting wilful a-ad), 'and that the action was not fit to be brought:' -Held, that the certificate was sufficient." And in a further doc: "An action on the case to recover damages against the lessor of the Plaintiff in a vexatious ejection is not maintainable (a)1 Vide Sinclair v Eldred, 4 Taunt. 7."</p>
98	<p>Topic 98 (Tithes): Keywords include 'tith', 'parish', 'vicar', 'rector', 'titheabl', 'farm', 'modus'⁷⁸, 'rectori', 'terrier'⁷⁹, 'land', 'crop', 'acr', 'endow', 'grain', 'calf'. Top docs feature disputes about tithes, for example, to what the tithes apply, who must pay them, what the exceptions are, and who is entitled to the proceeds. For example: "A modus was claimed for hay. The terriers described the modus to be for all mowing grass, 'except clover and the like.' It was objected that as the article excepted was not known beyond time of memory, a modus containing that exception must be modern. The Court thought that the expression in the terrier was not to be taken as an exception annexed to the modus, but merely as a memorandum that the modus covered natural hay only, and did not extend to modern artificial grasses." Or: "A rector - claiming tithe of seeds against a vicar, endowed of all small tithes except hay, on the ground of a presumption, that as the former has had perception of the tithe of seeds, notwithstanding the terms of the endowment of the latter, who had also had immemorial perception of the tithe of corn of certain lands, ultra his endowment, an ancient exchange must be presumed of vicarial for rectorial tithes - will be held to strict proof of his title to the tithes sought; and he must shew, by satisfactory evidence, that the vicar has granted them back to him, or made the alleged exchange."</p>
99	<p>Topic 99 (Obligations from Correspondence): Keywords include 'letter', 'correspond', 'draft', 'messr', 'agent', 'write', 'send', 'instruct', 'inform', 'date', 'hand'. Top docs are cases where obligations are being inferred on the basis of written correspondence. The following is a typical case: "A Calcutta firm, by a letter dated in January and received in London on the 11th March 1841, directed their London correspondents to hold a sum of money (equal. to a lac of rupees at the current rate of exchange), payable on the 19th November following out of remittances and consignments on the general account at the disposal of a creditor of the Calcutta firm in Liverpool. The Calcutta house at the same time acquainted the Liverpool house of the directions which had been given. The London house informed the Liverpool house that they had received and registered the order; and after stating that they were in advance of the Calcutta house, and declining to accept bills for any part of the amount, said that if remittances should come forward to enable them to meet the wishes of the Calcutta house, they would lose no time in advising the Liverpool house. The London house also, in acknowledging to the Calcutta house the receipt of the order, said that the state of their accounts did not then warrant them in meeting the requisition, but they would meet it if in a position to do so before November. The Calcutta house revoked the order by a letter of January 1842, received by the London house on the 12th March</p>

⁷⁷ The action has not accrued within six years.

⁷⁸ An exemption from the payment of tithes.

⁷⁹ Document detailing lands and inventory owned by a church.

	1842. Held, that the effect of the triple correspondence between the Calcutta house and the London house, the Calcutta house and the Liverpool house and the London house and the Liverpool house, entitled the Liverpool house, as against the London house, to an account in equity of the balance on 12th March 1841, on their general account with the Calcutta house (giving the London house credit, in such account, for all liabilities incurred by them on behalf of the Calcutta house on that day), and of the consignments and remittances of the Calcutta house to the London house in the general account, which can-be to the hands of the latter between the 12th March 1841 and the 12th March 1842."
100	Topic 100 (Manorial Land Tenures): Keywords include 'manor', 'lord', 'copyhold' ⁸⁰ , 'freehold' ⁸¹ , 'land', 'fine', 'tenant', 'fee', 'seiz', 'custom', 'customari', 'right', 'use'. Top docs are cases where the focus of litigation are manorial land tenures, often in the context of existing manorial customs. For example: "Where a customary tenement is freehold, and the lord, being only a tenant for life of the manor, purchases the fee of the customary tenements the seigniority is suspended during the life of the lord, but revives at his death, and the customary tenement descends to his heir. Where the custom of a manor requires a bargain and sale, as well as a surrender and admittance, to pass the customary tenement, the freehold is in the tenant, and not in the lord." Or: "Where a copyholder in fee who had paid a fine on his original admittance, surrendered to the use of himself for life, remainder to his wife for life, remainder over; on which surrender and re-admittance no new fine was paid; and by the custom a remainder-man coming into possession on the death of tenant for life must be admitted and pay a fine: Held, that such a custom is good; and that on the death of tenant for life, the next in remainder not coming in to be admitted and pay her fine, after proclamations made and presentment by the jury, the lord may seize quousque ⁸² the tenant comes in, and maintain ejectment to recover the possession in the mean time."
101	Topic 101 (Equity Appeals): Keywords include 'vicechancellor', 'chancellor', 'lord', 'question', 'present', 'appeal', 'refer', 'case', 'part', 'decre', 'justic', 'decre'. Top docs report on appeals of decisions in equity courts. Many, but not all, appeals are directed to the House of Lords. For example: "Before the Lords Justices.... Leave to a person not a party to the record to present a petition of appeal may be, granted either upon motion or petition ex parte. This was an application by motion Ex parte on behalf of a person not a party to the record, but who claimed a sum of pound 1100 as the representative of a creditor in an administration suit, for leave to present a petition of appeal from the disallowance of his claim by Vice-Chancellor Wood, under the circumstances appearing in <i>Parmiter v Parmiter</i> (1 John. & Hem. 135)." Or: "Before the Lord Chancellor Lord Westbury.... A petition of appeal by a Plaintiff who sued in forma pauperis was allowed to be set down, although signed by one counsel only. In this case, the hearing of the appeal in which is reported above (2 De G. J. & S. 83), the Plaintiff sued in forma pauperis, and desired to appeal from the decision of the Court below. Mr. Harding applied on his behalf to have the petition, of appeal set down

⁸⁰ Real property held as part of a manor, based on a manorial custom.

⁸¹ Real property held for life (life estate) or without limitations (estate in fee).

⁸² Until.

	though signed by one counsel only. THE LORD CHANCELLOR granted the application."
102	Topic 102 (Devises & Bequests to Descendants): Keywords include 'child', 'daughter', 'share', 'survivor', 'grandchild', 'sister', 'niece', 'parent', 'granddaughter', 'issue', 'testat', 'death', 'will', 'take', 'leave', 'vest', 'entitled', 'gift'. Top docs are cases about wills stipulating devises and bequests ⁸³ to descendants. The typical issue at stake is the interpretation of which descendant is entitled to what according to the will. For example: "Devise and bequest to A. and after her decease leaving any child or children her surviving who should attain twenty-one, to pay her share 'to her eldest child, his executors, administrators and assigns,' with a gift over in default of such child. Held, that A.'s eldest child, who died in A.'s life, did not take, but that the second child who survived her mother was entitled." Or: "Bequest to A. B. for life, and after her death, to pay and divide it amongst her children living at her decease, and the issue of such of them as should be then dead leaving issue, such issue to take their parents' share with a gift over if all the children of A. B. should die in her lifetime without leaving issue. Two children died in the life of A. B. leaving children. Held, that grandchildren of A. B. who predeceased their parents did not take but that grandchildren of A. B. who survived their parents, but died in the life of A. B. took vested interests, which passed to their representatives."
103	Topic 103 (Codicils): Keywords include 'legaci', 'testat', 'legate', 'codicil' ⁸⁴ , 'residuari', 'testatrix', 'bequeath', 'executor', 'bequest', 'pound', 'residu', 'death', 'testamentari', 'gift', 'sum', 'adempt' ⁸⁵ , 'adeem'. Top docs are wills where codicils play a crucial role in the interpretation of the will. In one doc: "Testator by his will gave to his son a legacy of pound 3000, and by a codicil a legacy of pound 4000, in addition to the legacy of pound 2000 given by his will. Held, that the son was entitled to the legacy of pound 3000 in addition to the legacy of pound 5000." In another doc: "A testator bequeathed to his nieces pound 500 owing to him from A. B. and he directed that if his estate should not be sufficient to pay his legacies in full, they should (exclusive of that to his nieces) abate proportionably, and if it should be more than sufficient, they should be increased proportionably. The testator received the debt, and by a subsequent codicil, 'in the place of the said intended legacy,' gave his nieces pound 500, to be paid out of his general personal estate. Held, that the second legacies were substitutionary, and subject to the same incidents, and that the nieces were not entitled to have them increased proportionably out of the undisposed of estate." And in a further doc: "If a legatee for life dies before the testator, the remainder has immediate effect; and it makes no difference that a power of appointment is given to the legatee for life. Where by codicil a legacy is substituted for a legacy in a will, it will have the same qualities; but where the legacy is said to be given by a codicil, because a will has failed, this is not substitution but motive."

⁸³ Devise is a testamentary gift of real property. Bequest is a testamentary gift of personal property.

⁸⁴ A document effectuating a change in an existing will.

⁸⁵ From ademption, the revocation of a bequest or a devise because the property stipulated in the will either no longer belongs to the testator at the time of their death or has been substantially altered.

104	<p>Topic 104 (Appeals from Scotland): Keywords include 'scotland', 'interlocutor'⁸⁶, 'lord,' 'case', 'question', 'lordship', 'judgement', 'tailzi'⁸⁷, 'scotch', 'grassum'⁸⁸, 'session', 'edinburgh', 'appel', 'infest'⁸⁹, 'glasgow'. Top docs are reports on appeals to the House of Lords of decisions by Scottish courts. For example: "It is ordered, by the Lords Spiritual and Temporal in Parliament assembled, That the said cause be remitted back to the Court of Session in Scotland, to review generally, the interlocutor complained of in the said appeal; and in reviewing the same, the said Court is to have especial regard to the fact, that this action of declarator is brought by the Executors and Trust-Disponees of the late Duke of Queensberry, as such, against the heir of tailzie, seeking thereby to establish unconditionally all and each of the numerous tacks mentioned in the summons, and granted by the said Duke, in the manner and under the circumstances mentioned in the pleadings, and is not instituted by any of the persons to whom such tacks are granted, nor are any of such persons parties thereto...". Or: "The following words, in the prohibitory clause of a deed of entail, were inserted immediately subsequent to prohibitions against selling and contracting debt, etc., viz. 'or to do any other fact or deed in prejudice of the said taillie, and of the persons above named, and their foresaids.' Held (affirming the judgement of the Court of Session,) that they were sufficient to prevent an alteration of the succession."</p>
105	<p>Topic 105 (Residual Topic): Keywords include many personal names (e.g. 'william', 'davi', 'lewi', 'morgan', 'benjamin', 'charl', 'jone', 'john') or homonyms that often co-occur in the docs featuring many instances of common personal names and that could depict personal names, objects, or adjectives (e.g. 'pool' as a water pool or from Poole; 'young' as last name Young or Younge or as an adjective depicting age). This is a residual topic that does not carry any substantive content. As noted by DiMaggio et al. (2013: 582), topic models "often shunt noisy data into uninterpretable topics in ways that strengthen the coherence of topics that remain".</p>

⁸⁶ Scots law, a court order.

⁸⁷ Scots law, a process implementing a restriction on the inheritance of real property.

⁸⁸ Scots law, a sum paid by a tenant at the grant or renewal of a lease.

⁸⁹ Scots law, to be in possession or transfer heritable real property.

Appendix C

This appendix summarizes the results of the placebo exercise discussed in Section 5.4. We re-estimate our structural VAR four times, each time replacing the (logged) English real per-capita GDP series for the period 1765-1865 with the same series drawn from an earlier epoch. In each instance we maintain all other assumptions of our main VAR specification, including those on the ordering of the variables. The figures below summarize the cumulative responses of the (placebo) measure of (logged) real per-capita GDP to one-standard-deviation structural caselaw shocks. We use one-standard-error bias-corrected confidence bands computed using Kilian's (1998) bootstrap method. (The figures are thus directly comparable to Figure 3.) Figure C1 shows the results when using the real per-capita GDP series for 1365-1465; Figure C2 when using the real per-capita GDP series for 1465-1565; Figure C3 when using the real per-capita GDP series for 1565-1665; and Figure C4 when using the real per-capita GDP series for 1665-1765.

Figure C1: Cumulative responses of (logged) real per-capita GDP to caselaw shocks, using real-per capita GDP during 1365-1465

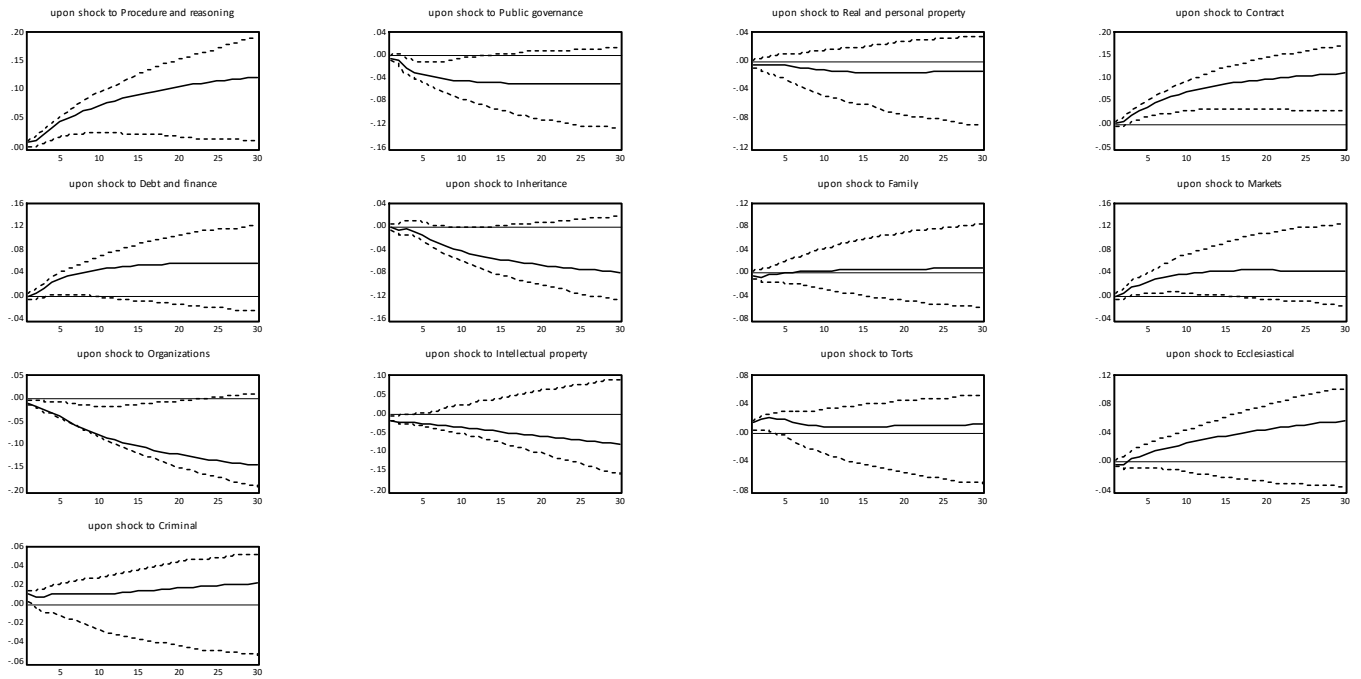


Figure C2: Cumulative responses of (logged) real per-capita GDP to caselaw shocks, using real-per capita GDP during 1465-1565

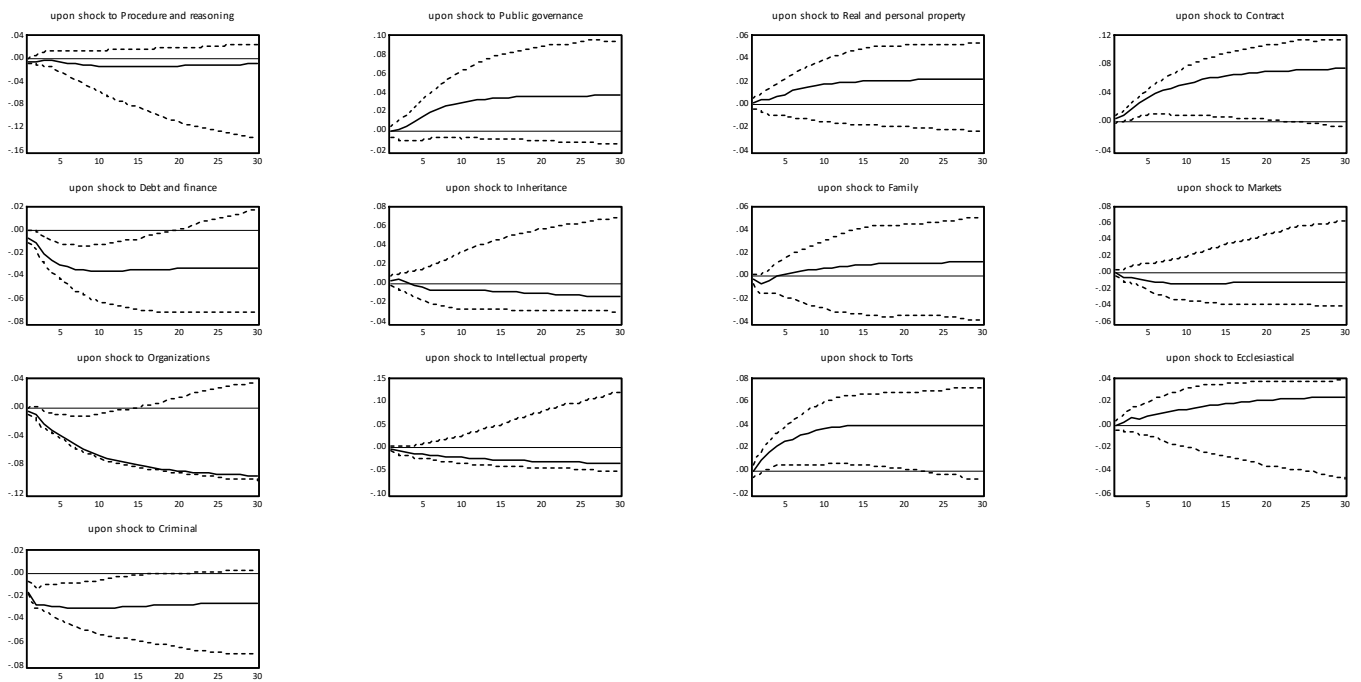


Figure C3: Cumulative responses of (logged) real per-capita GDP to caselaw shocks, using real-per capita GDP during 1565-1665

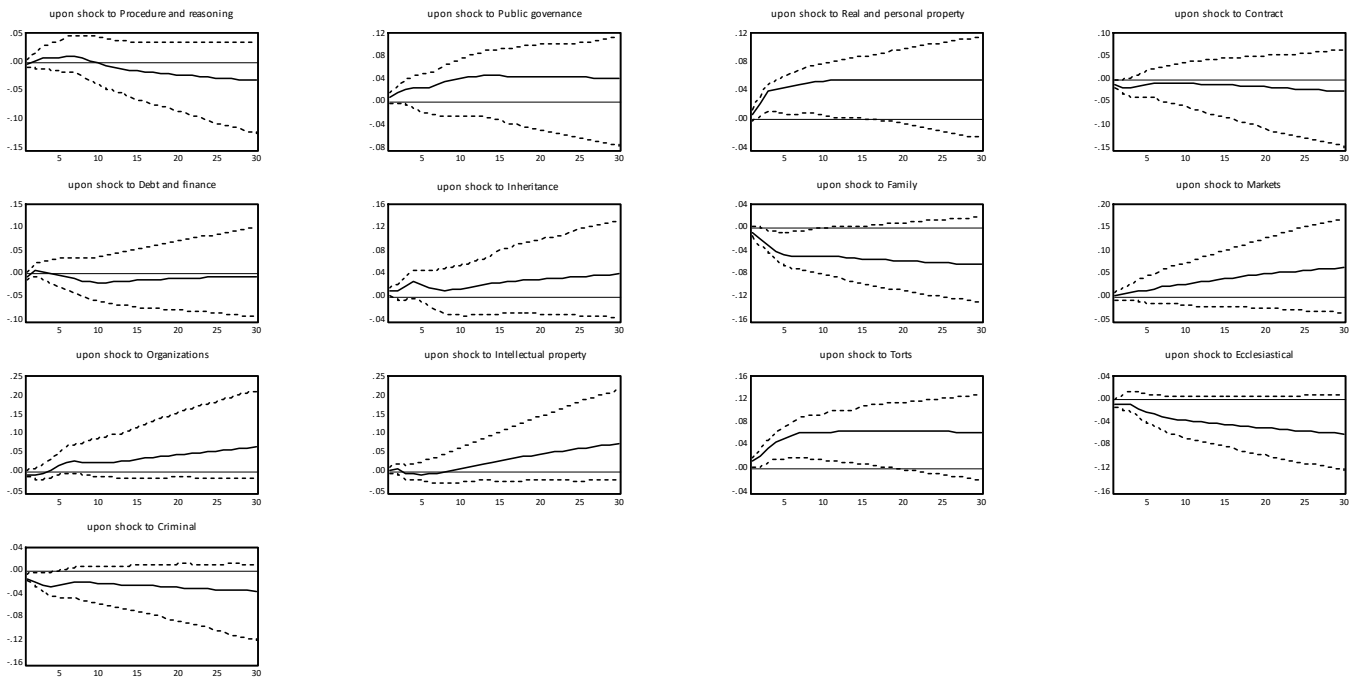


Figure C4: Cumulative responses of (logged) real per-capita GDP to caselaw shocks, using real-per capita GDP during 1665-1765

