

PREFACE.

It was said long ago, and said truly, that the digesting of the law of a community has always been marked in history as an epoch of national progress, and that the more complex the original sources of the law are the more speedily does the need of unification and homogeneity assert itself.

Federated Canada is yet a young country, but the above observation applies to her with especial significance, inasmuch as she is passing through her adolescent period with leaps and bounds, while legal conditions which had their origin in a pre-Confederation period are daily manifesting their unfitness in relation to her present circumstances. Therefore we feel confident that we shall meet with encouragement in undertaking a work designed to reduce into some semblance of congruity the annual output of case-law, which forms so important a part of the body of Canadian Jurisprudence and has heretofore existed as *rudis indigestaque moles*. Of course, with the Civil Law prevailing in the Province of Quebec and the Common Law constituting the basis of the respective systems obtaining in the other provinces, absolute and entire uniformity of doctrine cannot be looked for; but where there are no radical differences in the laws there can be no great dissonance between the judicial decisions of the several provinces, and, so far, there ought to be no insuperable difficulties in the way of a general co-ordination.

Having demonstrated its *raison d'être*, we present the Canadian Annual Digest to the profession without further introduction, merely bespeaking for the premier volume a lenient criticism of the imperfections which unavoidably attend the inception of an undertaking of so arduous a character.

It is our desire to have the Digest issued early in the year in future, and we appeal to the Reporters of the various Courts to aid us in that behalf by expeditiously publishing the cases handed to them for reporting from time to time.

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