

tion given, that small creditors may not be stripped of their surest guard against dishonest and fraudulent practices by unprincipled debtors.

THE CONSOLIDATED STATUTES.

We publish below the Report of the Chairman of the Statute Commissioners,—The Hon. Sir James Buchanan Macaulay, C.B., late Chief Justice of the Common Pleas.

The Consolidation as reported, has passed the Legislature, and we published in last number the Act giving it the effect of law. To the gentlemen who assisted in the work of consolidation, but more particularly to the able jurist, who as chairman directed, and by his learned and laborious exertions brought the arduous undertaking to a close, the public are largely indebted.

When the Acts of last session are incorporated, the profession and the public will have the incalculable benefit of "The Statute Law methodically arranged and reduced into a moderate compass." We have not heard what are the arrangements for publication, but we presume the Consolidated Statutes for United Canada and Upper Canada will be issued in perfect form possibly by the 1st of September next. Mr. Attorney General Macdonald has done much to simplify and improve the law, but no Act of any government he has been connected with, or of any other Government whatever, at all approaches in public value the great work of Consolidation which he, as head of the Law Department so wisely devised, and by a judicious selection of able and experienced lawyers was enabled to carry to a successful consummation.

The mass of Statute law being sifted and methodised, we make a new start in 1860, with two volumes only of public General Statutes instead of some thirty, the matter in them properly arranged, and the whole rendered more concise and uniform in style.

SUPPLEMENTARY REPORT.

MADE BY THE CHAIRMAN OF THE UPPER CANADA STATUTE COMMISSION.

TO HIS EXCELLENCY THE RIGHT HONORABLE SIR EDMUND WALKER HEAD, *Baronet, Governor General of British North America, &c., &c., &c.*

The Chairman of the Commissioners for Revising and Consolidating the Public General Statutes of Upper Canada most respectfully reports to your Excellency as follows :

1. Referring to that part of the report of the Commissioners dated 19th April, 1858, which stated (No. 55) that the Upper Canada Consolidation was not reported as a finished work, and recommended a further revision before it should be submitted to the Legislature, I have now to add :

2. That the other Members of the Commission considered their joint labours terminated when the arduous duty of advancing the work to the state in which it was then reported had been performed.

3. Being all professional gentlemen of high standing and in full practice, they had rendered their able services in the

process of consolidation through its most difficult and laborious stages, at much personal inconvenience, and they could not, without serious prejudice to their regular professional business, continue to bestow further attention upon the subject.

4. It had not been in their power previously to devote to the work that continued attention which from the time of joining the Commission I felt to be most desirable if not essential to the successful accomplishment of the work in hand, and they have not taken part in what has since been done, all of which therefore rests upon my responsibility.

5. No effectual steps towards a re-examination could be made during the last Session of the Legislature in consequence of the new enactments in progress which it would be necessary to incorporate in the former revision.

6. What remained to be done could not be effected by a single individual, and I was anxious to obtain the aid of some gentleman of competent attainments who would devote himself for a few days in succession to the necessary re-perusal and additions which the further revision required.

7. Entertaining a high opinion of the qualifications and abilities of his Honor Judge Gowan, the Judge of the County Court of the County of Simcoe, I, at the close of the Session, solicited his assistance in the prosecution of this very important public object, should it be in his power.

8. He readily consented to give his services at intervals, as circumstances might admit, and upon my application, your Excellency was pleased to request that he would meet my wishes so far as compatible with his judicial duties.

9. He has consequently attended from time to time at great personal inconvenience, and we have together gone over all the Public General Statutes relating to Upper Canada, and also that portion of the joint work of consolidation which belongs to the Upper Canada Commission, and we have incorporated the Acts of the last Session with the former text.

10. I have found Judge Gowan animated with the most lively interest in the successful issue of a work the importance of which he fully appreciates, and I have been greatly assisted by his able co-operation. His knowledge of the Provincial Statutes throughout, and his familiar acquaintance with the details and practical working of some of the most important as respects their general and constant use, has enabled me to correct various inaccuracies and to adopt many material amendments. A comparison of the consolidation in its present state with the form in which it was originally reported will shew the additions and alterations that have been made, including of course the Acts of last Session.

11. I have also to acknowledge the valuable assistance rendered by Thomas Hodgins, Esq., a gentleman of the Bar, in revising the Grammar and Common School Acts. His intimate acquaintance with them in all their bearings and details has been of especial advantage to me, and without his aid those Acts could not have been consolidated by me in the methodical form and with the accurate rendering which I trust they will be found to possess.

12. Having had the able assistance of the other Commissioners in the first instance, and afterwards of Judge Gowan in retesting the whole, I now submit the revision of the Upper Canada Statutes as compiled to the best of our ability and judgment, and recommend it for final adoption, should the way in which it has been executed meet the approval of your Excellency and the two Houses of the Provincial Parliament.

13. At the same time however, I by no means submit the work as perfect or free from errors. Several have been detected since the final proofs were struck off. In the difficult process of consolidation upon the plan of an improved and systematic arrangement of the Statute Law, inaccuracies have occurred, notwithstanding my best endeavours to avoid them. They are principally of a trivial nature and obvious when attention is drawn to them. In the official copies they are corrected with a pen.