

*SOME MINOR POINTS REGARDING THE STATUTES.*

Now that the decennial revision of the Ontario Statutes is progressing, it may not be amiss to notice briefly some minor points connected with statutes and statute making. The aim of this article will be more in the direction of interesting students than of furnishing matter of much practical benefit to the legal profession; and more, perhaps, regarding statutes in their literary, than in their legal aspect.

A (British) Act of Parliament or statute, has been defined to be "A law made by the sovereign, with the advice and consent of the Lords, spiritual and temporal, and the Commons in Parliament assembled." (Blackstone.)

The introductory words, constituting, or including the preamble, have remained substantially the same for centuries. There is usually a clause beginning with "whereas," followed by these or similar words: "Be it therefore enacted by the King's (or Queen's) most excellent Majesty, by and with the advice and consent of the Lords, spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same." Some ancient statutes, however, are in the form of charters or ordinances, proceeding from the Crown, and in which the consent of the Lords and Commons is not expressed.

The formula for Upper Canadian Acts, under the old regime (1792) was: "Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, 'An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled 'An Act for making more effectual provision for the government of the Province of Quebec in North America,' and to make further provision for the government of the said province,' and it is hereby enacted," or "and by the authority of the same," the latter words being used in the Acts of the 9th July, 1793, and thenceforward. This form was retained