

be more readily referred to, and the Law upon any subject easily distinguished ; and an alphabetical list of the unrepealed Laws was made by our Secretary to prevent any omission.

During the summer we prepared various suggestions for improving the proceedings at Law and in Equity ; and in the autumn procured the Imperial Statutes passed at the preceding Session, which enacted almost all the improvements proposed by the Law Commissioners in England. These, with the novel and very interesting change in the Law of Evidence, permitting parties to give evidence for themselves, first adopted in the English County Courts and afterwards in the superior tribunals, became the subject of careful deliberation at several meetings, and lead to the promulgation of the printed questions on all these points, which have been widely circulated throughout the Province, and to which at present a very limited number of answers has been returned.

We deemed this course of proceeding necessary not only as regarded the parties who might be affected by any changes eventually to be made, but that our own conclusions might be based on the most ample information, being convinced that reform in any department of human affairs, calmly and deliberately weighed, will stand the test of experience, whilst hasty legislation will be productive of nothing but disappointment.

Although thus compelled to postpone the consideration of the various questions of Law reform, we think it advisable to add a few words on that head, before passing to the revision of the Statutes.

We are already prepared to assert the necessity of extensive changes in the whole Law procedure of this Province. We think the practice of the Law must for the future be founded more on the principles of common sense than on ancient precedent ; that it is time to abolish a system by which fictions seem too often to have been considered unavoidable in order that truth and justice might be reached ; that the old maxim, "*In fictione juris subsistit equitas*," whence have sprung all the subtleties of the action of ejectment, and many other modes of procedure, can no longer be considered the perfection of wisdom. We do not think the man who seeks justice should be driven from one form of action or Court to another, or that a Judge of any Court should ever be so painfully situated as