

work of a similar character as applied to the criminal law of England, Mr. Justice Burbidge has made a most valuable addition to the scanty legal literature of Canada, and that both teachers and practitioners of the law will be quick to avail themselves of the release from much irksome research which is here afforded them, goes without the saying. A digest is a systematised collection of laws, and only differs from a code in that it lacks legislative sanction and official promulgation. Only those who are obliged by their calling, to ascertain the law by delving and toiling amongst the accumulated statutes and precedents of centuries can appreciate the value of such a work as the one under consideration.

The arrangement of Sir J. F. Stephen's Digest has been as closely followed by Judge Burbidge as circumstances would permit, and upon that head, as well as with regard to such portions of his book as literally reproduce the matter of the English work, little need be said. It is true that the method adopted by the English author of explaining the law by means of illustrations is open to the logical objection against argument by example, and it is moreover true that there is a case in the books where Lord Coleridge, C. J., shows that the learned Judge Stephen in one instance at least falls into a very obvious fallacy in endeavouring to settle a legal principle upon a dialectical basis. (*The Queen v. Ashwell*, 16 Q. B. D., at p. 224). Yet, in the main, the illustrations in his Digest are sound in principle, and are found to be most helpful to a clear understanding of the law.

A cursory inspection of Judge Burbidge's work is sufficient to show that his labors have been far more comprehensive than those of an editor only. The scheme of his Digest carries him beyond the limit where the work of the English author furnishes him with a beaten path, and compels him to explore fields of colonial law hitherto untravelled by commentators. It is a signal tribute to Judge Burbidge's learning and research that a thoughtful consideration of those portions of the book which are peculiarly his own impresses one with the conviction that they are comparable in a high degree with the matter contained in his

English model. This is particularly true of the first chapter of the book. It deals with a subject of paramount importance to the law-student, as well as to every practising lawyer in the country,—“the application of the Criminal Law.” This chapter is subdivided into two articles treating of (1) the territorial application of the Criminal Law of Canada, and (2) the application of the Criminal Law of England in Canada. Although this chapter comprises only four and one-half pages of the book, yet within that limited space may be found, in text and foot-note, an exhaustive exposition of all the sources of law relating to Crimes and Punishments now in force in the several provinces of the Dominion whether by importation from the mother country at the time of conquest or settlement, or by subsequent Imperial, Provincial, or Federal parliamentary enactment. This speaks well for the power of condensation of the learned author.

Again, there are instances in abundance where our own criminal statute law is wholly different from that of England, and in dealing with them Judge Burbidge's work is, of course, entirely original, except in point of arrangement, which is uniform throughout. The copious foot-notes to the text, printed in minion, are most useful epitomes of all the important decisions of our courts bearing upon the interpretation of the statutes here referred to, and will be duly appreciated by those who have recourse to them.

Besides these estimable features of the book, wherever Judge Burbidge has adopted the text and notes of the English author he has added notes of his own which greatly enhance the value of the original matter. The index and tables of cases and statutes have been carefully prepared by Mr. Charles H. Masters, Assistant Reporter of the Supreme Court of Canada, a gentleman of experience in this department of book-making, and who recently performed a similar service for Mr. Justice Taschereau in the preparation of the 2nd edition of his well known compilation of the Criminal Acts.

Space has only permitted me to barely indicate what seem to me the salient features of a work which I venture to aver has few equals among the publications heretofore