

IN June, 1857, the Legislature passed an Act, the importance of which it would be difficult to exaggerate, providing for the Codification of the Laws of Lower Canada, relative to civil matters and procedure. The preamble of the Act declares that such codification is "manifestly expedient." Nevertheless, the Government of the day allowed a period of more than eighteen months to elapse before the Act was put in force, by the nomination of Commissioners to execute the important work thus decreed by the Legislature. The Act provides that three Barristers should be named as Commissioners for Codifying the Laws (but any Judge or Judges of the Queen's Bench or Superior Court might be appointed), and two Secretaries, also Barristers. The Act instructs the Commissioners to reduce into one Code, to be called the *Civil Code of Lower Canada*, those provisions of law which relate to civil matters, and are of a general and permanent character; and into another Code, to be called the *Code of Civil Procedure of Lower Canada*, provisions of law, of the like character, relative to procedure in civil cases. In these Codes, the Commissioners are to embody only such provisions of law as they hold to be actually in force, giving the authorities in support of them. They may, however, suggest amendments, stated separately and distinctly, with their reasons for proposing them. The three French Codes, known as the *Code Civil*, the *Code de Commerce*, and the *Code de Procedure Civile*, are expressly given to the Commissioners as models, in so far as respects general plan and the amount of detail on each subject. The Commissioners are instructed from time to time to report to the Governor their proceedings and the progress of the work. When sufficiently advanced, sections are to be printed, and sent with a Report to the Governor, who may transmit copies to each of the Judges of the Queen's Bench and Superior Court. The duty is imposed upon the Judges to examine the portions so submitted, more especially that part of the work purporting to state the laws in force, and return the same stating their opinion, with their reasons and authorities, and drafts of any amendments proposed, either to the work of the Commissioners or to the law itself.

Early in the year 1859, the Commissioners and Secretaries were named, and commenced their labors. The first part of the work reported to the