The last American Congress made a complete and authoritative revision of the statutes of the United States up to the year 1873. Some years ago the work of condensation was submitted to a commission of lawyers, and the result of their labours was laid before Congress. During last session, Congress delegated the whole matter to a committee composed of the lawyers and judges in the House and the Senate. This small professional body, with admirable zeal and patience, have taken the whole body of the statutory law of the States, and, in the language of Sir Francis Bacon, have "reduced the concurrent statutes, heaped one upon another, to one clear and uniform law." The whole of the revised statutes of the United States will now be given to the country in one or at most two volumes. We may well echo the language of the *Legal Gazette* of Philadelphia (from which our information is taken) and say "the importance of this work it is impossible to overrate."

RELATIVE IMPORTANCE OF CASE-LAW.

(*Continued from page* 274.)

Coming next to the considered decisions of Judges sitting in Banc or in Courts of first instance in Chancery, we find that the principles regulating the authority of such decisions are well settled. An erratic Judge will sometimes overleap the bounds imposed by the comity of Courts of co-ordinate jurisdiction, and run amuck against the decisions of other Judges of equal authority. But apart from this, it may be laid down as one of the rules observed by all Judges of first instance, that the latest decision upon a litigated question is the one followed in subsequent cases involving the same point. The language of Martin, B., in *Reg.* v. *Robinson*, L. R. 1 C. C. 80, indicates this general principle. He observes as follows: "When a point has once been distinctly raised and decided in a reported case, I, for my part, regret to find such a question criticised and disputed over again. When a point has once been clearly decided, I think it is far better to acquiesce in the decision, unless it can be brought for review before a higher Court." And this submission to a prior decision will in ordinary cases be observed, even though the Judge deciding the latter case does not approve of the case he follows, as was done by Lord Selborne, sitting for the Master of the Rolls, in *Pike* v. *Dickinson*, 21 W. R. 862.

If, however, the latest decision is at variance with earlier cases, and they are not cited or considered therein, then it very much affects the value of such a decision. Earlier conflicting decisions being thus overlooked, the Judges have generally felt themselves at liberty to disregard the later cases, if such earlier ones are more numerous or more satisfactory to their minds. Thus in *Gillan* v. *Taylor*, 21 W. R. 823 (a case of charitable gift), Wickens, V. C., remarks: "I have unwillingly come to the conclusion that I am bound by the case of the *Attorney General* v. *Price*, 17 N. S. 371, and *Isaac* v. *Dr. Friez*, Ambl. 575. It is remarkable that those cases were not considered by Vice-Chancellor Wigram in *Lily* v. *Hey*, 1 Hare, 580, and of course one must treat Vice-Chancellor Wigram's decision with the greatest respect. If the *Attorney General* v. *Price*, and the other cases I have mentioned, had been before Vice-Chancellor Wigram in *Lily* v. *Hey*, I should have followed the more recent decision. As it is, I am not entitled to dissent from authorities so much in point." See also for an application of the same holding *Coote* v. *Whittington*, 21 W. R., 837, and *Rowsell* v. *Morris*, 22 W. R., 67, where Sir George