tutes are printed without the least regard to order; there is no system or arrangement. They are printed just as they have been passed, chronologically. There is of course a great variety of subjects, and enactments on the same subjects are dispersed and scattered over an immense extent of ground." P 22. Many of the Statutes were temporary in their nature, or have been wholly or partially repealed, some by express enactment, others only inferentially, so that it is often a work of difficulty to discover what provisions are in force on a particular subject. When the provisions still in operation have been ascertained, there remains the task of interpretation, which requires for its performance a competent knowledge of the Common and Chancery Law, and also of the particular judicial decisions on the construction of the clauses under consideration. Every decision on the construction of a Statute is virtually incorporated with the Statute to which it refers, and in this way many Statutes have become so loaded with commentary that their original features can with difficulty be recognized.

Such then is England's code. We have the *lex scripta*, or Statute Law, and we have the *lex non scripta*, consisting of a body of rules nowhere stated in express terms, but to be inferred from the many thousand decisions contained in the reports. There can be no doubt wherein lies the most palpable defect in our legal system. It is that our laws are accessible with difficulty even to the trained lawyer, while to the public they are almost a sealed book. When a case is laid before a lawyer for his advice he has no authoritative text to which he can refer for the principle which is to guide him. Beyond the maxims with which, through long experience, his mind has become impregnated, he can rely on nothing but such light as the decided cases may afford. Frequently he will have to wade through the tedious details of twenty or thirty cases in search of a single rule—cases, be it remembered, not manufactured for the purpose of illustrating legal principles, not reduced to their simplest possible forms, but presented with all the complexities with which matters of actual experience are commonly surrounded. Not unfrequently, in order that the precise grounds of a single decision may be understood, it is necessary to peruse also the cases cited in the judgment or referred to in the argument. Not until the lawyer has gone through the laborious process of comparing case with case, eliminating and rejecting what is immaterial from each, can he arrive at a satisfactory conclusion. But his labour is not confined to the mere examination of specified cases. He has, as a necessary preliminary, to find out what cases are worthy of being consulted with reference to the subject in hand, and must satisfy himself that every case of importance has been included in his examination. This part of the task alone would be well nigh impossible but for the assistance he derives from treatises—that is, from the labours of unauthorized codifiers. And valuable though the help obtained from these sources is, yet no treatise can relieve the lawyer from the necessity of consulting the original records. The dictum of a text-writer has no authority binding on a judge; it can only be regarded as the opinion of the author—an opinion, in many instances, entitled to high respect, but still an opinion only. Even the propositions laid down by writers accounted of almost judicial authority require to be explained and limited by reference to the cases from which they have been extracted before they can be acted on with confidence. A text-book is, therefore, little more than an elaborate index to the cases, accompanied by suggestions, often of the greatest value, as to the rules and principles which the cases may be made to yield up.

The difficulty of discovering the law which is felt by the experienced lawyer, nay, even by the judge on the bench, weighs with tenfold force upon the student. To him the area of the law is indeed a "tangled thicket," requiring the application of unceasing energy and untiring industry before it can become in any sense a "district set out in order." After he has mastered a few elementary treatises, sufficient to put him in possession of the technical terms, and of a certain number of rules of every-day application, he can do little beyond watching the course of business in the chambers of a practitioner, and reading the fresh decisions as they make their appearance. These he has to arrange and classify for himself as best he can, trusting to time and experience to weld together into a harmonious whole the accumulated fragments. Can it be wondered that with these drawbacks many should abandon in despair the attempt to grasp the law as a science, and should content themselves with committing to memory isolated precepts, and with mastering the petty details of every-day practice?

In short, the process of discovering and acquiring the law is one which involves a wasteful expenditure of time and labour—wasteful because admitting of enormous reduction. That which should be settled and proclaimed by authority once for all, has to