

DIGESTS AND DIGEST-MAKING.

to an Ontario lawyer at least, no "Robinson and Joseph." The principles on which these Digests have been constructed, and on which it is safe to say that all good Digests to the end of time will be constructed, can nowhere be found more clearly laid down than in the opening words of the preface to the first edition of Mr. Harrison's work, which was published in 1836. The passage will bear quotation, and we therefore reproduce it:—"The considerations to be attended to in the construction of a work like the present are;—that it should be a faithful and correct epitome of the several cases of which it purports to give the substance; that it should contain *all the cases* determined within the period of time which it professes to embrace; that the period at which it commences should be judiciously determined upon; and that the arrangement should include both the analysis of science and the technicality of practical habit, so as to suit with equal readiness every branch of a profession which has almost every grade of intellectual acquirement."

Applying these theoretical tests, thus clearly enunciated, to the work under review, we think it will be found in a very marked degree to satisfy their requirements—the grand, crucial test of the practical experience of the profession has been constantly applied to it for several years back, and we have yet to hear of one amongst the many who have used it, whatever his "grade of intellectual acquirement," who has complained that it did not assist his inquiries, or that it gave them a wrong direction.

The starting point is the best possible—the commencement of the Reports, and the cases have been collected, as the preface informs us, from 125 volumes of Reports, and some twenty volumes of the LAW JOURNAL, with references to various Statutes discussed in the cases digested. When, in addition to these facts, we mention that the completed work, including the addenda, contains over 2,400 double-column pages, and about 14,

000 cases, many of which are cited four or five times over or even more frequently in connection with different heads of Law, some idea may be formed of the enormous amount of labor involved in the compilation of this Digest, and of the patient, untiring energy which could alone have enabled the editors to grapple with the difficulties of their task, and bring it to a successful issue. The care of the editors has included all decided cases, not even excluding those, which though obsolete as to their main scope and effect, may still be useful for purposes of reference or comparison; the substance of the cases is in general correctly and succinctly given; and, in connection with this feature of the work, we may say that scissors and paste are by no means the only agencies which have been employed upon the head-notes, which have been in many cases remodelled and shortened. The labor of this alone has been immense, and to it the senior editor himself applied his great experience as a reporter, his thorough knowledge of the cases, and the resources of a mind peculiarly accurate and logical in thought and clear in expression. The necessity for this revision will be evident to any one who critically examines some of the head-notes of the cases in the earlier reports.

But it is not only in these particulars that the work is admirable; the excellent arrangement of the cases is that which most strongly impresses the reader. To borrow the apt words which we have already quoted, it seems to satisfy the demands alike of the "analysis of science and the technicality of practical habit." The man of well trained and logical mind, who can grasp the main idea involved in some legal point and divest it of its accidents, will find that his correct habits of thought facilitate his search of cases, which will generally be found ranged under the titles most appropriate to their real substance. But those whose logical powers may have grown rusty, or never taken on a very fine edge, will find their mental infirmities greatly assisted by the system