

## SIR EDWARD COKE.

and the next day going before shall be accounted for one day. In effect, then, the 29th of February is not to be included in the computation of legal time. Upon the effect of the statute, see *Rez v. Worminghall*, 6 M. & Sel. 351. There seems no reason to doubt that this Act has been incorporated with our Provincial law as part of the law of England in force when we adopted that system. But we are not aware of any cases in Canadian Courts actually deciding this. On the contrary, the head-note of a case in 4 Prac. Rep. would imply that the 29th of February would be reckoned—but the judgment does not seem to bear out the headnote.

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"The Institutes of the Laws of England." is a book now but little read by students of the law, although the title page bears the words, "Authore Edwardo Coke, Milite, J.C." In this paper we propose to give the results of a holiday ramble through the pages of the third part, "concerning High Treason and other Pleas of the Crown and Criminal Causes," shewing the treasures of wit, wisdom, piety, and literature, picked up here and there.

In the proem we are told that the former volumes of Coke's great work concerned chiefly, "common pleas and these two great pronouns *meum* and *tuum*," while in the book under consideration he treats *de malo*. "A worke arduous and full of such difficultie as none can either feele or believe, but he onely that maketh tryall of it. And albeit it did often terrifie" him, yet the love and honor of his country prevailed upon him "to passe through all labours, doubts, and difficulties: and thereby he opened such windowes, and made them (the Lawes of England) so lightsome and easie to be

understood, as he that hath but the light of nature, (which Solomon calleth the candle of the Almighty God, Prov. 20, 17), adding industrie and diligence thereunto, may easily discern the same." The gallant knight was not over-diffident, but then his knowledge of the law really "was exhaustive and complete: he knew all the law of his time." Law books then were few and far between: there were only twelve volumes of reports in existence.

What strikes the reader most is Coke's fondness for quoting Scripture, and exhibiting his knowledge of Latin, his curious learning, his philosophical reflections and his poetic effusions. Latin and Holy Writ are to be found on the first page and on the last, and on well nigh every intermediate one. His title page, besides containing the words of Eccles. 8, 11, from the Vulgate, has the maxim, "*Inertis est nescire quod sibi liceat*;" the list of chapters is headed by the wise-saw "*Multi multa, nemo omnia novit*;" the "proeme" has a dedication, "*Deo, Patriæ, Tibi*," throughout the text Scriptural phrases, Biblical references, classical quotations, are as thick as the leaves on Vallombrosa; while the epilogue, after an expression of thankfulness that by "the goodnesse of Almighty God, *per varios casus, per tot discrimina rerum*," he had brought his work to a conclusion, ends with the ascription, "*Deo gloria, et gratia. Amen*." No—no, we mean "*Finis*."

That Coke—to adopt his own maxim—knew "many things" in law, history, poetry, philosophy, theology, and philology, is obvious from every line; that he did not know "everything" is almost equally patent from every page.

In his private life Coke "seems to have been sincerely and humbly religious, his last words being, 'Thy Kingdome come, Thy will be done!'" This trait