

ENGLISH BILLS OF EXCHANGE ACT.

not Her Majesty's writs run into all parts of Her Majesty's dominions? They all alike issue out of the Queen's Courts, and there seems no reason why they should not be executed and acted upon by her officials in all parts of the Empire. Why, for example, should not writs of execution issued upon a judgment of the Queen's Bench Division here or any other of our Courts be enforceable against property of the judgment debtor in England or Australia as well as here. With proper safeguards we believe such a system would be highly conducive to the ends of law and justice. Besides which it would be a step towards making the Empire one in fact and deed, instead of chiefly in sentiment as at present, and would illustrate the many benefits which we believe will result to each of the parts when the whole of the British nationality is drawn more closely together.

It is a matter of surprise that more public attention has not been called in this country to the recent English Bills of Exchange Act, 1882. It is in reality a most admirable code of law relating to bills of exchange, promissory notes and cheques; and being for the most part, if not altogether, merely declaratory of the law, its propositions may be said to be as binding here as in England. It would be useless for us to reprint any portion of its provisions; all we desire to do is to call the attention of our readers to its existence. The progress of codification in England is slow but sure, and the slower it is no doubt the better, for the task of satisfactorily transmitting case law into a code is one requiring the most profound learning and immense labour, and involves a great responsibility. The Bills of Exchange Act is now statute law. Then there is Stephen's Digest of Criminal Law, and Law of Evidence, one or other of which will probably ultimately receive

parliamentary sanction. Every reader of Pollock on Contracts knows that in India contract law is already codified. Lastly, we have before us a very interesting specimen code of English Equity Case Law, by Charles F. Trower, M.A., of the Inner Temple, Barrister-at-law. The learned author prefaces his code by the remark: "Why should not the case law of England be codified like other branches of the law? America has been before us in this, as she was in her fusion of law and equity; and even our own law publishers are pressing on the public a scheme of revised and abridged case law, and looking to those who are qualified to do so to pronounce upon it." His plan is to omit all cases of no authority by reason of being over-ruled, reversed, or discharged, all cases of weakened authority, all superfluous cases, all special cases, all *semble*s, queries and *obiter dicta*, and his code consists of the residuum left after the above deductions, and is a series of categorical condensed substantive propositions, placed table-wise, and arranged alphabetically under generic and specific heads (with cross references) of the subject matter to which it refers. Anyone who likes to refer back to the English *Law Magazine and Review* of August 1883-84, will find Mr. Trower's specimen code there. It seems to us Mr. Trower has hit upon not only a great scheme, but one which must ultimately be adopted and acted upon. The ever increasing multiplication of reported decisions seems to us to be degrading the profession of the law and the administration of it. It is rendering it more and more difficult either to argue a case upon principle, or to get it decided upon principle. The one thing to do seems to be to hunt out as many decided cases as work in your favour as possible, without much regard to the reasoning on which the judgments are based, and hurl them at the judges. The only remedy