

Then again, where opinions may so reasonably differ as they ever do upon legal matters, the tendency to prolong discussions is so great that unless introduced as a government measure and pressed with the authority and power which governments possess, the most beneficial law has a small chance of becoming a statute, and the consequence is that rarely do we find in either country any serious determined legislation in the direction of general law reform.

The unfitness of a Parliamentary body to deal with questions of law reform is strikingly pointed out by Professor Larnaude of the University of Paris, who asks the question : "*Concevrait-on qu'on confierait une réparation d'automobile Mors ou Mercedes à un forgeron de village ?*" The papers read at the centenary of the Civil Code in France seem to be unanimous upon this point with regard to the French Assembly. Our own experience is to the same effect, both in England and in Canada, and in the Province of Quebec. In fact, I have no doubt that the great jurists who were employed to draft the Code Napoleon would in all probability have continued their discussions interminably without arriving at any definite result had it not been for the dominating personality of Napoleon.

Since its enactment in 1866, almost every year, as the statutes will show, some more or less violent changes and additions have been made to the original Code. Most of these amendments have been directed to isolated cases of supposed necessity. They have been introduced as a rule by private members of the Legislature, and some of them have been undoubtedly meritorious. The Code Napoleon has had a similar record. Many articles have disappeared, new ones have been introduced, and others have been almost totally transformed.

How far the symmetry of the work of the codifiers of Lower Canada has been preserved, I shall not pause to enquire, but I confess it is somewhat difficult to believe that sporadic tinkering with a body of Civil Law can have any other than a pernicious and disturbing result. Personally, I am entirely averse to change for the mere sake of change. I believe, however, that so long as the spirit of the Civil Code is preserved in its integrity, reforms which advancing civilization shows to be necessary, should be made without undue prejudice or reluctance and above all without any exhibition of feeling or pride.