

THE SUPREME COURT—THE REVISED STATUTES OF ONTARIO.

thereby to ascertain what the law is ; but a well-considered, fully-discussed judgment, stating clearly, with sufficient reasons, what the opinion of the Court as a whole is upon the point of law submitted. For these and other reasons, we conceive there was much wisdom in making the enactment alluded to. There is a rule, however, that law-makers should not be law breakers ; and in the same way a judge ought not wilfully to bring himself into judgment. It so happens that Mr. Justice Taschereau resides not "in Ottawa, or within five miles thereof," but in the City of Quebec. During the two-and-a-half years' existence of the Court he has failed to comply with the law ; and, so far as the public know, no notice has been taken of this fact by the Government. We understand that the learned judge only comes to Ottawa to attend the sessions, and leaves immediately after. We know of no reason why he should not comply with the law, as do the other judges. It may be inconvenient for him, but he knew the law when he accepted office.

It is of the most vital importance that there should not be even a shadow of complaint as to the mode of conducting business in the Supreme Court of the Dominion, or as to the conduct of any person holding the most responsible office of a judge thereof. We, therefore, make no apology for drawing attention to the matters alluded to in the foregoing remarks.

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If the times have any faithful signs, one of the most legible is the nearness of a radical reform in the English judicial system. That the substitute for a system, which the Poet Laureate has branded as

"——— the lawless science of our law
That endless myriad of precedent,
That wilderness of single instances,"

still withstands the attacks made upon it, is due to the very ungainliness of its dimensions, which prevents a blow from reaching a vital part. Some of its most cherished principles have been pronounced to be anachronisms and puerilities. Unwieldy, chaotic, incoherent, are some of the mildest epithets which have been bestowed upon the form in which it is enclosed ; and the latest reforms in England seem only to have brought to light the further iniquity of defectiveness in administration. Some have held the opinion that the evil has been allowed to go so far that a remedy is hopeless, and should not be attempted. The progress of late years, however, in the Revised Edition of the Statutes, seems to have raised the hopes of jurists with regard to the possibility of a consolidation of the Statute law. The advance, though something has been gained, is as yet scarcely more than from chaos without an index to chaos with one. The Revised Edition is not even a Digest with the Statutes on each subject in juxtaposition, but it is merely a reprint of the Statutes which are in force, in chronological order.

In Ontario, we are somewhat better off. Our Common Law is founded on that of England, and is therefore open to the same reproaches. Mr. Mowat's Administration of Justice Acts have worked many much needed reforms, and our Statute law has not been allowed to accumulate for much more than twenty years without some sort of Revision.

The Revised Statutes of Ontario, which came into force on the 31st of December last, are the latest instance of a legislative retrospect before taking a fresh start. We cannot welcome them too warmly. Our statutes have indeed