ment which makes such an assignment an act of insolvency, and would deprive the creditors of the advantages which the statute gives them for the winding up of the estate of an insolvent debtor. His Lordship also thought that it would be objectionable to let the assignment stand, as it put the debtor's property under a different course of distribution amongst his creditors from that which is contemplated and provided by the act—as, for example, in not giving any priority to the claims of clerks and other servants of the insolvent.

The scope of section 8, with reference to impeding and delaying the creditors of the insolvent, was also referred to as in itself sufficient to warrant the decision of the Vice-Chancellor, that such an assignment as that referred to was of no avail against subsequent proceedings under the act, and on this point he cited cases in England under analagous statutes there.

The law on this point having now been judicially determined, it will be necessary for all assignees of voluntary assignments since the act, but not under it, to govern themselves accordingly; and should any such refuse to comply with a proper request to deliver up the books and property of the estate, they would become personally responsible for the costs of any suit that might be brought against them to compel them to do so.

NEW EDITION OF HARRISON'S COMMON LAW PROCEDURE ACT.

Our readers will be glad to learn that Mr. Harrison is now engaged in preparing for the press a new edition of his "Common Law Procedure Act," and other Acts connected with the civil administration of justice, as appearing in the Consolidated Statutes of Upper Canada, including notes of decided cases, English and Canadian, up to the time of the work going to press. The value of this work is so well known to the profession, as to need no commendation from us. The first edition drew from the *London Jurist* and other leading periodicals in the Old World, most favorable criticisms, and has (though a large edition) been completely exhausted. It is, we understand, Mr. Harrison's intention to place the work in the hands of the printer during the present month, and to have it published with the least possible delay.

SELECTIONS.

THE ORIGIN OF MAGNA CHARTA.

It is one of the curious phenomena of history, that in an age of feudal barbarism and debasement, one of the most unprincipled, false, and cowardly of all the English kings, should have promulgated, in a systematic form, a declaration of personal rights to his subjects, which is regarded with so much reverence in the light and liberty of the nineteenth century. And it is equally a matter of surprise that a body of rough, unlettered barons, surrounded by bodies of slaves, to whose minds personal freedom was as strange as the luxuries of modern civilization, engaged in incessant broils and petty wars with each other, and with the crown, who knew little law beyond the might of the strongest, and the only restraint upon whose morals was a slavish fear of the church, should have come together and have deliberately dictated or accepted a declaration which affected not merely their own privileges and immunities, but those of the future citizens of a constitutional monarchy, having its essential foundation in the then powerless and unheeded commonalty of England.

The Chronicles of England furnish us the fact that an instrument bearing date on Trinity Monday, June 15th, 1215, was executed by King John, and that that instrument was called *the Charter;* but it requires us to go back anterior to that date, if we would learn the causes which led to such a step, or the sources from which its provisions were derived, as well as to study the condition of the people of England at the time it was granted.

The English common law, which forms, also, a principal element of our own, is a piece of Mosaic, in which the Saxon laws and institutions form an essential constituent. It is very remarkable that after four hundred years' occupancy of the island, the Romans left so few traces of their laws and costumes. And though the Danes, during the twenty-four years while they occupied the kingdom, introduced many of their laws, some of which found their way into the English law, its substratum was, after all, deeply and permanently laid in the laws, sentiments, habits and opinions of the Saxon race, who held the kingdom for six hundred years prior to the Norman Conquest.

In a period and among a people when commerce, beyond that of the freebooters of the sea, was unknown, and almost the only property recognized was lands and implements of husbandry, with the beasts of the field, and the slaves attached to the soil, and whose only business of life, moreover, was war or agriculture, we should look in vain for the varied rules and systems of law to which modern commerce and civilization have given rise. And it is a matter of surprise now, that no one can tell, at this day, how far the feudal system had obtained a foothold among the Saxons before the Norman Conquest. But in