the reign of Edward II., a man who unlawfully took the king's venison, or stole his fish, was guilty of this grave offence, and liable to its terrible punishment. From thence he would go to the 25th of Edward III., where treason is defined and limited, in a statute which has few superiors for brevity and clearness of expression, as compassing or imagining the king's death, levying war against him, or giving his enemies aid or comfort. This, however, would be but an imperfect guide; for, after examining the 5th and 6th of Edward VI., he would find that a long series of decisions by subservient judges under the Tudors and Stuarts had greatly extended the statute, and declared acts, seemingly very remote from high treason, to be in the eye of the law compassing the king's death or levying war against him. Coming later, he would find the dangerous extension of the crime sought to be established in the prosecutions brought in the alarm of the French Revolution and the act of 1795, which swept most of the former decisions into the statute-book. This again, in 1848, was amended by a provision that such offences might be prosecuted either as high treason or as felony; while other statutes of William, George III., and Victoria would throw additional light or obscurity on his client's rights and liabilities.

In many less important crimes successive statutes have been passed in disregard of each other, and the endeavor to ascertain the actual condition of the law would be almost hopeless. In some branches of criminal law, as in the case of murder, the definition has been broadened by successive decisions. Theft, on the contrary, has been narrowed, until there are not merely loop-holes for escape, but gates as wide and numerous as those of Babylon, through which the criminal may walk in safety.

The need of codification in English law has long been apparent. Even Edward VI. said, "I could wish that, when time shall serve, the superfluous and tedious statutes were brought into one sum together, and made plain and short, to the intent that men should better understand them." The time that should serve for the fulfilment of the royal wish has been tardy in coming, and the statutes have grown ever more superfluous and tedious.

The poet of the present day has accurately described its law:

> "The lawless science of our law,
> That codeless myriad of precedent,
> That wilderness of single instances."

But the habitual disinclination of the English, and especially of their lawyers, towards change has stayed the reform. In 1816, a conference of both Houses of Parliament solemnly decided that any codification of the English statutes was impracticable. Reformers, like Bentham and Austin, protested against the confusion of laws which then existed; but, though their influence was in many ways beneficial, it did not effect any reform in this respect. In 1854, all the law judges protested against a code which should substitute written rules for the unwritten and elastic doctrines of the common law.

The idea of a scientific code was first carried out in reference to India. Macaulay's great genius was employed in preparing a code which, in apt, accurate, and happy phraseology and definition, far surpasses the efforts of most lawyers who have made their own science their exclusive study. Not, however, until 1860 did any portion of Macaulay's work become law. At that time the penal code of India was adopted,—a work which had been carried on and completed by others, but to which his labors had largely contributed. A civil code for India has since been in part adopted.

Sir James Stephen has long borne a conspicuous part in such labors. He was engaged in the preparation of parts of the Indian code. In 1863, in his "General View of Criminal Law," he sketched many of the reforms which finally seem about to pass into the statute-book. Later, in his "Digest of Criminal Law," he condensed with extraordinary brevity and clearness the existing principles of criminal jurisprudence.

The English have of late shown an unusual readiness for legal change. The long-established and vigilantly guarded bounds of common law and equity have been obliterated. Courts which can be traced back almost to the Conqueror have been swept away. The House of Lords has narrowly escaped extinction as a court. A radical modification of the criminal law is therefore an easier task than at any previous period, and the bill introduced at the last session of Parliament, with some modifications, will probably, during the coming year