

as an infraction of the existing code of law. The reforms referred to in the first instance above, were instituted solely to facilitate the administration of justice, to raise it above the reach of the king, and thus preserve it from his unlawful and unjust interference. Those of the second instance, while they transgressed no essential prerogative of the crown, effected the extirpation of an institution foreign to all constitutional principles, in a manner that commands our admiration. And so we find that every other enactment tended to correct or remove some unconstitutional proceeding, and in the means they adopted, and in the manner of their

procedure it is impossible to discern the establishment of a new principle or the violation of an established one; nor was it intended in the framing of the Charter that the national jurisprudence should be disturbed or improved. On the other hand we are inclined to believe that the Charter was but a decided advance from traditional to statute law; the substituting of exact and elaborate expressions of written legislation in the place of vague ideas based upon the testimony of tradition, and of the general and pervertible interpretations of older charters.

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