

jour de l'audience, les juges se dépitent, si par hasard la montre d'un témoin vient à retarder ; enfin, les causes perdent leurs véritables couleurs par la précipitation qu'amène un tel système.".....

Enfin un des moyen d'assurer au peuple une justice impartiale est la nomination à vie des juges des trois grandes Cours. Ils ne peuvent être suspendus ou privés de leur charge que sur accusation admise contre eux dans les deux branches du Parlement.

J. U. B.

M. S. A.

(-1 continuer.)

THE STATUTE OF LIMITATIONS.

SOME REMARKS upon the Provincial Statute, 8 Vict. cap. 31st, entitled : "*An act for the Limitation of Actions, for avoiding suits at law, and for rendering a written memorandum necessary to the validity of certain promises and engagements, in that part of the Province which heretofore constituted the Province of Lower Canada.*"*

We have taken the liberty of calling the attention of our readers to this important Statute. Its interpretation requires, we conceive, no small share of attention and sagacity on the part of the profession, while its operation may seriously affect the transactions of Merchants and Traders. We have not the presumption to believe that our humble efforts to remove the doubts which may arise in the working of the Act, or to point out the extent of its application, have been successful. We feel persuaded they have not. Besides, the aim of the writer has been of a humbler range. These observations are offered chiefly with a view to bringing the subject, and some of its difficulties, particularly under the notice of the reader, and although the expression of passing opinions will, occasionally, result from the statement of these difficulties, yet these opinions, incidentally pronounced, do not thus bear on the main questions which must arise upon this Act. Moreover, the professional reader must remember, that we pretend rather to furnish material for his meditation, than to write for his special instruction.

*This Act is literally, or at least with very little variation, copied from the Imperial Statute, 9th Geo. 4, Cap. 14, entitled : "*An Act for rendering a written memorandum necessary to the validity of certain promises and engagements,*" and generally known as Lord Tenterden's Act. The object of this Statute was to amend the English Statute of Limitations, 21 Jac. 1. Cap. 16, and also a similar enactment passed in Ireland, the 10 Car. 1, Sect. 2. Cap. 6,—an object much more limited than that aimed at by our Legislature. We would remark, that the reprehensibly careless manner in which it has been copied is not one of the least striking and embarrassing defects of the Provincial Act.