

indispensable. Yet, if we look back to the historical record of law in this Province, as embodied in the earlier revision and the later consolidation of the statutes, we shall find that the names of some of the best lawyers we now have, or ever have had, figure in the work; and, we say confidently, that without the co-operation of such men, the undertakings never could have been accomplished in so efficient and satisfactory a manner as has been the case. Having regard especially to the latter work of consolidation, and considering the vast amount of labour involved, it is astonishing to see how few errors or omissions have been made by the consolidators. Yet a diligent perusal of the reports shows that there are some few such errors and omissions, and it should be the business of the next set of consolidators to correct and remedy these, as a part of their multifarious duties.

The difficulties attending a task of the kind in question are not exaggerated in the report of the commissioners now engaged in the revision of the statute law of the State of New York—albeit it appears that the scope of their commission is more extensive than that given in this Province. They remark that to group together similar statutes; omit redundant or obsolete enactments; make necessary alterations; reconcile contradictions; supply omissions; amend imperfections; prepare annotations; furnish references to decisions, and explain or expound the same; suggest contradictions, omissions and imperfections appearing in the original text, with the mode in which they have been reconciled, supplied or amended; designate statutes deserving repeal, and the reasons therefor, and recommend such new Acts as such repeal may render necessary,—all this forms a work of great magnitude, intricacy and tediousness, and demands the highest intellectual and moral faculties. The performance of this labour, they go on to

observe, necessitates the careful re-writing of nearly every section, a constant study of reported cases, the comparison of inconsistent authorities, the searching for and application of proper legal principles, and careful deliberation on the language to be employed in the expression of the ideas.

No doubt the undertaking is much simplified in Ontario, and the present consolidators will enter upon and largely benefit by the labours of their predecessors. Still there is much new law that will task the powers of our best legists—say, for instance, the codifying, as it were into one Act, all the provisions relating to the administration of justice, as found in the Acts specially so designated, and in the various provisions spread over the Common Law Procedure Act and the multitudinous amendments thereof. However, in such a beneficial work we can afford to hasten slowly, and to spend thereon four or five-fold the sum already appropriated. But we must also have the best talent the country can boast of to make the work satisfactory.

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#### ERSKINE DR. KENEALY AND HIS CLIENT.

Our friends of the *Albany Law Journal* defend Dr. Kenealy with a pertinacity worthy of a better cause. There probably never was a worse case than that of the learned doctor except his late client's, and as the doctor was driven in the desperateness of that case to use the most forlorn arguments, so his American champions are compelled to raise very novel and startling pleas in his defence. We are so accustomed to look for what is lively and humorous in the columns of the *Albany Law Journal*, that we may be forgiven if, in reading its last article on the Tichborne case, we feel the same doubt which often distresses the readers