titled. . . . A simpler way would have been to have authorized the *fi. fa.* to issue against both goods and lands at once, with a stay of proceedings against lands till the goods were exhausted; in which case no difficulty of any kind would ever arise, and one execution would answer in every case instead of two:" *Gleason* v. *Gleason*, 4 Prac. R. 117. This is partially remedied by 31 Vict. cap. 25, (Ont.)

CONCERNING STATUTE LAW.

The Province of Ontario seems to be in a fair way of being governed overmuch. It is not only subject to the supreme legislative sovereignty of the Queen and the English Parliament, but also to the subordinate power of the Legislature of the Dominion of Canada, and, third in gradation, to the local authority of its own Provincial Assembly. Then, from one or more of these sources, we have sundry delegated functions of legislation entrusted to the judiciary and municipal bodies, which have their outcome in by-laws, rules of Court, and general orders. The law is now in a constant state of flux and change, not so much, as in former days, by the result of judicial decisions, as from the effects of legislative interference. Modern ideas have shot far ahead of the quiet wisdom which obtained in the days of Mr. Justice Fortescue Aland who, in the preface to his reports, tells us that the grand division of law is into the Divine Law and the Law of Nature, so that the study of the law in general is the business of men and angels. He says, "Angels may desire to look into both the one and the other, but they will never be able to fathom the depths of either," and he then goes on to give his opinion, modestly but firmly, that "of all the laws by which the kingdoms of the earth are governed, no law comes so near this Law of Nature and the Divine Pattern as the Law of England."

But the wonderful progress of modern times has produced a corresponding growth in the statute law of the realm and of the colonies, so that one may almost be tempted to say that the law of England and of Canada is now regarded as being chiefly of value because of its interminable capacity of amendment. There is a story recorded of Lord Coke, which Sir John Coleridge referred to the other day in the House of Commons. His lordship was one day playing at bowls with the Bishop of Norwich, when this dignitary, thinking he had hit upon one of the *mollia tempora fundi*, told his companion that he wished to ask him a question of law. Whereupon the great commentator observed: "If it be a question of the common law, I should be ashamed if I could *not* answer it; but if it be a question of the statute law, I should be ashamed if I *could* answer it." At that time all the volumes of the Statutes could have been carried easily in a wheelbarrow, yet such was Lord Coke's opinion as to the possibility of recollecting what Lord Thurlow afterwards emphatically called "the damned Statute Law!" We suppose it is quite useless to call the attention of the young law-makers of Ontario in Parliament assembled to these words, which we have penned more in sorrow than in anger. There is a rage for legislation abroad, and like other infectious disorders it will run its day in spite of pills and potions.

Yet there are three kinds of legislation wherein the Parliament of Ontario is exposed to special risks. The first we choose to indicate in the words of Mr. Markby, when speaking of the dangers which may attend subordinate legislation: "Where "the power of legislation is loosely con- "ferred on a variety of [bodies] it is cer- "tain there will be great confusion of "laws, and there is also great danger of "the worst of all evils, namely, of doubts "being raised as to whether the legisla-