

The case has since been taken before the Court of Review.

### REVIEW.

A DIGESTED INDEX TO THE REPORTED CASES IN LOWER CANADA, contained in the reports of Pyke, Stuart, *Revue de Législation*, Law Reports, Lower Canada Reports, Lower Canada Jurist, Stuart's Vice-Admiralty cases, and Canada Appeals brought down to January, 1864; to which is added an appendix, comprising Perrault's *Précédents de la Prévosté et du Conseil Supérieur*, with Tables of Reference, Names of Cases, and a Concordance,—also, Numerous Notes, and References, including several important cases not yet reported, by T. K. RAMSAY, Esq., advocate, QUEBEC. Printed by George E. Desbarats, 1865.

We have here a work which may serve as a corner stone of legal literature in Lower Canada—a work not inferior in its kind to anything issued from the American or British Press, and which affords satisfactory evidence that the science of jurisprudence is not in a languishing state amongst us. Dr. Johnson, with that gloomy delight in viewing the dark side of the picture peculiar to him, says the writer of dictionaries has been “considered not the pupil but the slave of science, the pioneer of literature, doomed only to remove rubbish and clear obstructions from the path through which learning and genius press forward to conquest and glory, without bestowing a smile on the humble drudge that facilitates their progress.” But Johnson himself is an example that genius and industry often go hand in hand, and that the greatest results may be looked for when the two are conjoined.

The design of Mr. Ramsay's work will be best understood by reading the preface which we give entire:—

“I hold every man a debtor to his profession.”

—BACON.

“Reporting is perhaps the most valuable portion of legal literature; but its usefulness for all ordinary purposes becomes impaired, if the reports are not carefully in-

dexed and arranged, from time to time, as their bulk increases. Five years ago our reported cases having swelled in the ten preceding years from five to twenty-one volumes, I began to prepare an index for my own use. Since then I have added the contents of the later volumes, as they appeared, down to the end of 1863; and in part liquidation of the debt claimed by the great English Chancellor, I now offer the compilation thus made, to my brethren of the legal profession, in the hope that, amidst the toil of practice, it may relieve them from the necessity of many a weary and often unsuccessful search.

“In publishing this Index, I am not blind to the many defects of its classification; but after having re-arranged it four times in manuscript, and twice in type, I feel persuaded that it is impossible, within the limits of one volume of a reasonable size and cost, so to dispose the matter as not to give ample room for easy criticism in this respect.—However, I have endeavored as far as possible to obviate any inconvenience which may arise from imperfect classification by adding three tables—one of reference, a second of the names of parties, and a third of the principal words of the Index wherever they occur. The last table, so far as I know, is a novelty in works of this class, but I think it will be found the most useful of the three.

“I have also condensed and added in an appendix the cases decided in the old Courts of *Prévosté* and *Conseil Supérieur*, reported in the two small volumes published in 1824, by the late Mr. Perrault, one of the Clerks and Prothonotaries of the Court of Queen's Bench. The judgments in many of these cases will be found to contain very interesting and valuable precedents, and as such, not less binding now, than they were under the old régime. Indeed it is to be regretted that, in determining the jurisprudence of the country, recourse had not been oftener had to the records of the older courts, and even now it may not be too late to enquire how our predecessors practised and administered the law. In England the Year Books have never been despised, and in France now studious men are beginning to perceive that wisdom is not of any one age, and that no people can with impunity ignore its history and traditions. Are our *olim* unworthy of a thought?

“I need hardly say that the Index comprises the cases in Pyke's Reports, Stuart's Reports, Stuart's Vice-Admiralty Cases, *La Revue de Législation et de Jurisprudence*, the Law Reporter, the Lower Canada Reports, and the Lower Canada Jurist, I have,