

too many cases. The law is enriched, and not smothered, by its many cases. But the generalizing must be done by careful and accurate method and with adequate expenditure of time, neither of which the lawyer can be expected to bring to such work. And so it has come to pass that, after the work of the great commentators, and in sequence the work of the digesters, has been done, need has developed the modern annotator and his methods. His work relieves the common law from the necessity of a Justinian or a Napoleon to recodify our law; for when a 'conflict of authorities' is rightly and patiently examined, and the cases explained in a good annotation, the conflict is often found to have been an appearance, and not a reality, or else the true and the fallacious are sifted so thoroughly that the lawyer as he reads is freed from doubt and vexation.

"Such work as this that the annotator does cannot be done in a digest or a text-book, or by any other known method than annotation of some well-chosen case. (See note on Rule in *Skelley's Case*, 29 L.R.A. (N.S.) 963, for example.) There are thousands of trite and commonplace cases fit only to be data from which the law may be deduced, or perhaps only to be illustrations of long settled and well-understood rules. They must be reported in some way, if only that time and the general judgment of lawyers may assign to them their true value among the precedents of the law. On such cases annotation is too valuable to be wasted. They present nothing that requires more than the reporter and the digester can give, until the time when the annotator shall need to compare them with all the other trite or commonplace cases in the production of some exhaustive and clarifying treatment of an important doctrine.

"It is implied in the foregoing statements that the province of the annotator is chiefly within those departments of the law that are conflicting or vexatious, or full of varying minutiae, or novel, requiring the aid of difficult analogies because direct precedents are lacking, but it is not meant to exclude another form of annotation; namely, that which collates the citations of earlier cases and so arranges them as to shew the history and influence