

the uncertainty that may rest upon the decision as to the degree of freedom of will ; for upon this last principle some of the most brutal crimes would receive a light punishment. If a tiger is in the street the main question is not the degree of his freedom of will or guilt. Every man who is dangerous to property or life, whether insane, criminal, or feeble-minded, should be confined, but not necessarily punished. 5. The publication in the newspapers of criminal details and photographs is a positive evil to society, on account of the law of *imitation*. In addition, it makes the criminal proud of his record, and develops the morbid curiosity of the people ; and it is especially the mentally and morally weak who are affected.

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A discussion as to the nature and value of legal maxims appears in a short but very interesting article in the July-August number of the *American Law Review* from the pen of Charles Morse, D.C.L., of Ottawa, who made his debut in the CANADA LAW JOURNAL in 1895, with a rhymed version of *Marriott v. Hampton*, and has since been a frequent and valued contributor. After sketching the use of legal maxims in ancient days, their origin and domain, the writer details the great diversity of opinion that exists in the minds of judges and jurists as to their utility and convenience. On the one side is heard "a perfect symphony of praise, on the other a strenuous chorus of disapproval." After referring shortly to these varied views, Dr. Morse comes to the conclusion that the true philosophy of the subject lies in the mean between two extremes. His summary of the situation may best be expressed in his own words : "So far as our maxims embody fundamental conceptions of justice and are of the essence of English law they are valid, and require to be reckoned with, for all time. But the wit of the jurist has occasionally devised axioms suitable only to his own epoch of legal development, and consequently, bound to become obsolete. The line of growth of our system of jurisprudence is strewn with the relics of outworn rules, the exhuming of which is only of interest to the historian and archæologist. Again some of the old maxims have been frequently misinterpreted, and some that are found in the books have been demonstrated to be entirely false and misleading. Even those whose usefulness has survived to our own day require judicious treatment in their practica