

have a salient proof of what would be the result, under more favourable auspices for the adventuress, if seduction were made a criminal offence. A designing woman, who desires to inveigle a man into marriage, or to extort money from him, could at any moment threaten to place him in the dock and send him to prison on her sole and unsupported evidence. Will anyone, in the light of experience, venture to declare such a measure prudent or safe? No one with a heart to feel for the unfortunate victims of passion can do otherwise than loathe the designing seducer of female virtue; but in the endeavour to reach him how many perils would be encountered by those who are innocent, or at the worst by those who are simply *participes criminis* in a common offence against good morals? To talk glibly about a 'permitted crime' comes easily to those who trade cheaply in platitude. In most civilized countries jurists eminent for their talents and irreproachable in their zeal for purity have determinedly set their faces against an innovation they know, from painful experience, to be dangerous in the extreme. If you want to multiply Brantford scandals, and afford to designing women a wide sphere for the exercise of their peculiar talents, you have only to make seduction a criminal offence. The measure would properly be entitled 'an Act to facilitate the useful profession of blackmailing.'

TRIALS BY REFEREES.

The following are proposed amendments to the Code of Civil Procedure, referred to on page 33. They are based in part upon the rules which have been in force for nearly thirty years in the State of New York. They were presented by Mr. Pignolet to the General Council of the Bar at its last sitting, but too late for their consideration, and they are now published to afford the profession an opportunity of forming an opinion upon them:—

Any of the issues in an action, or the whole action, with all the issues of fact and questions of law involved therein, shall, by order of any Judge of the Superior Court at Chambers or in open Court, be referred for trial to any advocate on the consent of the parties, in writing, if the judge be satisfied that the issues referred are ready for trial as to all the interested parties. And such a Reference by consent shall be taken

as a waiver of the right to have such action or issues at any time tried by a jury.

Where all the parties have waived a trial by jury or none are entitled thereto, a Reference to try any of the issues or the whole action, with all issues of fact and questions of law involved therein, may be ordered by the court, or a judge, of his own motion, or on the application of any of the parties, to any advocate of at least ten years' standing at the Bar, not objected to on any reasonable grounds of recusation; in the following cases:—

First. When the trial may require the ascertainment of the correctness of many items of an account, inventory or schedule, or of many items of damage.

Second. When the trial may require the examination of many documents or papers, or where it may be required to ascertain the rights of claimants, on any partition of movable or immovable property, or to appraise a number of pieces of movable or immovable property.

Third. When the trial may require any local inspection, or an investigation by scientists or experts.

A joint Reference of two or more actions may likewise be ordered where the questions involved are alike in their material facts, and depend upon the same questions of law, if any delay or expense may thereby be saved to the parties interested, consistent with the ends of justice.

When the whole action, or any of the issues, is referred for trial, the Referee shall report to the Court in writing, his decision upon the whole action, or all the issues so referred to him, and upon the questions of law involved therein, stating explicitly all the facts found by him that are material to the issues involved, or that form the basis of his decision; and also his conclusions of law upon such facts, and recommend the judgment to be entered thereupon. He shall also report his decision on objections to the admissibility of evidence or to questions to a witness, with the exceptions taken to such decision and to his rulings on questions of law, and shall file with his report all the evidence taken by him. The attorney for either of the parties may, before the close of the Reference, submit in writing to the Referee, a statement of the facts which he deems established by the evidence, and the conclusions of law which he claims result therefrom; and also a statement