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Lord Bramwell, in England, like Archbishop Lynch, of Toronto, does not believe that people can be kept sober by Act of Parliament. His Lordship has published a little pamphlet on "Drink," in which he gives a negative reply to the question, "Can nothing be done by law to diminish the mischief caused by drink?" The *Law Journal*, noticing the treatise, says: "A judge of his experience of course fully appreciates the mischief of drunkenness; but weighing the pleasures of drink against the dangers of its excessive use, he finds the balance on the side of drink. The pamphlet is an outspoken expression of the opinion held by most people of sense. The sale of drink may fairly be regulated for the prevention of nuisances and the maintenance of order; but to prohibit it is a sumptuary law, and contrary to all principle in legislation."

Minnesota is another State which has been disappointed at the result of ceasing to hang murderers, and it has therefore recently restored the death penalty. One of the advantages expected from the abolition of capital punishment was that juries would be more ready to convict, if their verdict did not involve the death of the criminal. But this expectation has not been fulfilled, and if any one supposed that juries would convict where a reasonable doubt existed, it is quite proper that the expectation should be disappointed, however light the punishment. The *Boston Advertiser* remarks that the same result is seen in every jurisdiction which has abolished the death penalty. "The jury, which before faltered in its duty of imposing the extreme penalty, falters still. Justice continues feeble, criminals find themselves but half punished, either through short sentences or early pardons, and society, seeing the results, applauds lynching, and calls for a restoration of the gallows."

In our provincial court of appeal the proportion of reversals is about one in four. In England it is rather more. For example during the late sittings there have been 58 reversals to 130 confirmations. The proportion varies considerably for the several judges. Baron Huddleston has made the best score, being affirmed nine times and only once over-ruled. On the other hand one of the Queen's Bench judges has been over-ruled four times and only twice sustained. One of the Chancery judges has been sustained fourteen times and over-ruled only three times, while another who has been sustained in an equal number of decisions has been over-ruled eight times.

LORD CAIRNS.

The death of Lord Cairns, who was the greatest of living English lawyers, at an early age compared with the average years of successful public men, is the last evidence of the physical weakness with which his career was weighted throughout. If he had lived, he would probably never again have taken his seat on the woolsack. Deafness, arising from "ivory in the ear," had of late years been added to the infirmity of the chest from which he suffered all his life. Upon the last occasion on which he sat in the House of Lords for the purpose of taking part in the rehearing of an appeal which, on the original hearing, had equally divided the law lords, he found it necessary to sit close to the bar of the House, and even in that position was obliged to ask the counsel being heard to raise his voice. At one period of his life Lord Cairns was practically kept alive by breathing inhalations prescribed for him by a well-known specialist in asthmatic disorders. His health, therefore, was a sufficient explanation of the intervals between his public appearances, and of the comparative rarity with which his name appears in the "Reports" for the nineteen years during which he was in a judicial capacity. It was only with great care that he was fit for his duties at all, although he was at no time at all like an invalid either in appearance or in habits. During a large part of his practice at the bar he invariably refused briefs for Saturday, and on that day gave himself a