

The Legal News.

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The report of the general council of the bar for the past year gives the statistics of legal examinations in the province for several years past. In 1882, of 64 candidates for practice 55 were admitted and 9 rejected. In 1883, 52 were admitted and 21 rejected; and in 1884, 59 were admitted and 27 rejected. In the same years the examinations for admission to study resulted as follows: In 1882, 45 admitted and 31 rejected; in 1883, 41 admitted and 15 rejected; and in 1884, 39 admitted and 14 rejected.

Lord Bacon conceded to judges a certain discretion in the enforcement of existing laws. "Let penal laws," he says, "if they have been sleepers of long, or if they be grown unfit for the present time, be by wise judges confined in the execution." But laws enacted for the security of the people against the ravages of a loathsome disease can hardly fall into the category indicated by the Lord Chancellor. Here, if anywhere, the convenience of the individual must yield to the requirements of the community. "Salus populi suprema lex." Those who, by supineness at the critical moment, fail to exert the salutary authority entrusted to them incur a fearful responsibility.

The Criminal Law Amendment Act, which has been so constantly referred to of late in the English despatches and which received the royal assent on the 14th of August, makes some important changes in the criminal law of England. The tenor of the Act, as indicated by the *Law Journal*, is as follows:—"It may be said of it generally that it makes procurement a crime; that it makes an offence to procure sexual connection with women by means of false pretences or false representations; that it raises the age of felony committed on young children from twelve to thirteen, and the age of misdemeanour from thirteen to sixteen; that it creates

a felony in the occupier of premises allowing a girl under thirteen to be carnally known therein, and a misdemeanour in the case of a girl between thirteen and sixteen; that it raises the age of abduction for sexual purposes from sixteen to eighteen; that it makes a statutory offence of detaining a girl in a brothel against her will; that it allows a search warrant to be granted by magistrates at the instance of parents or guardians in case of girls detained against their will for immoral purposes, and of very young girls against the will of their guardians; and that it creates a new offence of gross indecency between male persons, and a new offence in respect of brothels in the landlord or landlord's agent. While thus dealing liberally with the substance of the law, it has some special provisions as to procedure. Convictions of the majority of the offences are not to take place except upon corroborative evidence. Upon a charge of defiling a girl under thirteen she may be examined, although she does not understand the nature of an oath, and persons charged under the Act, and their husbands or wives, may be competent but not compellable witnesses."

PRACTICAL HINTS IN THE PREPARATION OF BRIEFS.

It is, of course, impossible fully to go into this subject within the limits of a short paper. It is but practicable to outline some of the more material points. I purpose to give a few hints only concerning the preparation of briefs. Much of what may be said is equally applicable to oral arguments. Indeed, an oral argument is usually based upon the brief which it may, according to circumstances, either expand or abridge.

The first essential to either mode of presenting a cause to a court is a minute study and thorough understanding of the facts and the law of the particular case. Not some other case, but *the* case in hand. Cases presenting to superficial observation the same general features, are often found, upon more careful scrutiny, to contain elements or to be wanting in elements which make them essentially distinguishable. The same state of facts often give rise to different principles, depending