

The Legal News.

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Under the title of "Constitutional Questions in the Province of Quebec," Messrs. J. P. Sexton and L. H. Pignolet have summed up briefly the decisions to which the B. N. A. Act has given rise, as well as the principal arguments for and against the propositions advanced on either side. The pamphlet will be found interesting by those who are examining the scope of provincial and federal jurisdiction.

Even assuming what it is rather difficult to credit, that the motive of the *Pall Mall Gazette* in spreading filth before the whole world was a worthy one, the *Law Journal* points out that it is no defence that the motive of the publication was honestly to expose and condemn what ought to be condemned. "This," remarks the *Journal*, "was held once for all in 1868 by Chief Justice Cockburn and Justices Blackburn, Mellor and Lush, in the case of the '*Confessional Unmasked*' (37 Law J. Rep. M. C. 89). Lord Campbell's Act (20 & 21 Vict. c. 83) allows a magisterial order for the seizure of books and papers which are of such a character that the publication of them would be a misdemeanour. The Metropolis, City of London, and Town Police Clauses Acts impose a penalty of 40s. on selling such publications in the streets, and generally, the writers, printers, publishers, and sellers are liable to fine and imprisonment upon conviction by a jury."

The *Solicitors' Journal*, referring to the opinion expressed by the late Lord Chief Justice Cockburn, that handwriting is the one unchanging characteristic of a man, says:—"It appears to us that if entertained at all it ought to be entertained only subject to some important qualifications. There is a period in the life of most people during which the handwriting is unformed, and for the purpose of comparison, writing during this period should be excluded. We are

constrained to say, as the result of some observation, that in some men this period lasts very long. There is a certain member of Her Majesty's Privy Council, who, although he must have covered reams of paper during the course of a busy life, never seems to have thought it necessary to acquire any formed style of handwriting. Being a person of strong will, it is quite conceivable that he may, even yet, some day resolve to write a decent and uniform hand, and if he makes that resolution he will unquestionably carry it out. But in that case what would become of the evidence of identity afforded by his handwriting? Suppose the late Dean of Westminster had devoted himself for a week to forming a hand which could be read, does any one doubt that he would have succeeded in his purpose, and that his style of (so-called) handwriting would have wholly changed? Again, it is obvious that physical changes in the hand or arm may occasion the adoption of a different handwriting. Disuse for a lengthened period of the habit of writing may conceivably lead to forgetfulness of the mode in which letters were formerly framed. Letters written in haste are apt to differ considerably from letters written with deliberation, and letters written with a fine pointed pen are often singularly unlike letters written with a quill pen. And again, peculiarities in handwriting are apt to be dropped. There was a curious instance of this in the letters of the genuine Roger Tichborne. From a very early period he had adopted a habit of placing a dot over the letter 'y' whenever it occurred at the end of a word, but in his letters after the year 1851 this peculiarity was entirely absent. For some reason or other he had abandoned the habit. This is, of course, an extreme instance of eccentricity, but there are few people without some peculiar habit in writing. We know, for instance, a learned and very distinguished queen's counsel, the chief characteristic of whose handwriting is the habit of crossing his 't's' over instead of through the vertical stroke. We know an eminent solicitor whose peculiarity is the horizontal tail which he adds to certain letters occurring at the end of words. But it is quite possible that these persons