Criminal information—Foundation for libel—Public officer.

Held, 1. A criminal information will not be granted except in case of a libel on a person in authority, in respect of the duties pertaining to his office.

2. Where the libel was directed against M., who was at the time Attorney-General, but alleged improper conduct upon his part when he was a judge, an information was refused.

3. The applicant for a criminal information must rely wholly upon the Court for redress, and must come there entirely free from blame.

4. Where there is a foundation for a libel, though it fall far short of justification, an information will not be granted.—*Regina* v. *Biggs*.

Mortgage suit where mortgage assigned—Covenant by mortgagee for payment—Remedy against mortgagee as surety.

On an assignment of a mortgage, the mortgagees covenanted to pay the assignee all moneys secured by the mortgage, according to its terms, in the event of default being made by the mortgagors.

In a suit for sale the original mortgagees were made parties, and a personal order was asked as against them.

Held, 1. That no order could be made against the original mortgagees for immediate payment, but only an order for payment of any deficiency after a sale.

2. That the original mortgagees were entitled upon payment forthwith after decree of principal, interest, and the costs of an undefended action at law against them upon their covenant, to be discharged from further liability; and to an assignment of the plaintiff's securities upon payment of any costs he might have against the other parties. —*Taylor* v. *Sharp*.

Issue of patent on false representations—Acts in force in Manitoba.

Held, 1. Where a patent is issued in error, through the false and fraudulent representations of the patentee, he may be declared to be a trustee of the land for the party legally entitled thereto.

2. The laws in force in Manitoba have been as follow:

Up to 11th April, 1862, the law of England, at the date of the Hudson's Bay Company's Charter.

On 11th April, 1862, the law of England, at the date of Her Majesty's accession was introduced.

On 7th January, 1864, the law of England, as it stood at that date, was declared to be the law of Assiniboia.—*Keating* v. *Moises*,

LAW STUDENTS' DEPARTMENT.

A discussion has been going on in the American legal journals as to the sort of education likely to be most beneficial to young men intending to enter the legal profession. Without at present offering any opinion on the subject we give the following extract from the *American Law Review*, one of the ablest legal periodicals published either in England or America:—

"Our able contemporary, the *American Law Record*, disagrees with us in the views expressed on this subject in our July-August number, It characterizes them as 'the American idea, the hot-house system, captivating but superficial.' We do not intend to renew the discussion, but we do think that it is unfair to characterize a system which directs the studies of a boy at an early age into the channel of his life work, as a hot-house system. It seems more appropriate so to characterize a system which consumes five or six years of vigorous youth in the acquisition of knowledge comparatively useless, and which does not bring the boy to the study of his profession until he has become a man, and feels the desire which every young man feels of becoming the head of a family and taking his proper station in society. The loss, the almost irreparable loss, of those five or six years drives him in the early stages of his manhood into a race to catch up lost time. This race involves in itself the study of his profession by the hot-house process; and while the attempt to learn the law in one or two years, which the college graduate, in a hurry to get married and established in his profession, makes, may not be 'captivating,' what he learns by such a process will certainly be 'superficial.' Our learned contemporary says:—

"'It is begging the question to assert that the study of law by a boy between sixteen and twenty-one will indoctrinate him in the "principles of the law to the extent which no after study can reach." All the great lawyers of England have been University men, and we believe it will be found substantially the case in this country.'

"This statement is erroneous in point of fact. All of the great lawyers of England have not been University men. Some of the greatest have not been. Lord St. Leonards was not. He was the son of a barber, and graduated into the law from the position of a sweep in a solicitor's office. Unless we are mistaken, Lord Tenterden was not. Sir John Barnard Byles was not, but he was engaged in mercantile pursuits until thirty years of age. The late Judah P. Benjamin, who before his death held briefs in more than half of the appeals in the House of Lords, was not. He entered Yale College, but did not graduate, Coming to this country, the statement of our contemporary is almost the reverse of true. Many of our very best lawyers and judges have not been University men. Chancellor Kent was; but, according to one of his private letters, the course of instruction in Yale, from which he was graduated, was, at that date, almost contemptible. We take it that the course of the St. Louis High School was better.