

## THE LAW RESPECTING BAIL—DEFECTIVE LEGISLATION—SOLICITOR AND CLIENT.

have no idea what is reasonable bail. Bail which is in effect excessive, if not prohibitory, is often required, not from any wish to evade the law, but from ignorance. The large amounts one sees asked for are really repugnant to the whole spirit of our law. In 2 Hale, 125, it is laid down that the proper bail in felony should be for the principal never less than £40, and for sureties £20 each. By the statute 3 Car. 2, c. 2, s. 3, it is provided that the official before whom the prisoner shall be brought, "shall discharge said prisoner from his imprisonment, taking his or their recognizance, with one or more surety or sureties in any sum according to their discretion, having regard to the quality of the prisoner and the nature of the offence." It must be remembered that when Hale wrote all felonies were capital crimes, and although money has decreased in value since, the above sums are what might reasonably be required from working men, or the class ordinarily brought up at petty sessions; a less amount of course should be required in misdemeanors. The judgment of Lord Denman in *Reg. v. Badger*, 4 Q. B. 470, goes very fully into the law and duties of justices in questions of bail, and is well deserving the attention of every one whose position requires him to act in cases of this description.—*Law Times*.

## DEFECTIVE LEGISLATION.

We noticed last week a paper read by Mr. Holland, at a Social Science Congress, on the framing of Acts of Parliament. We have now received a print of what may be called a fellow to it, namely, a paper entitled "Some suggestions as to the means of improving the framing and passing of Acts of Parliament," by the President of the Incorporated Law Society, Mr. F. H. Janson. Mr. Janson quotes from the opinions expressed by the judges of the Court of Queen's Bench, in the case of *Solomon v. Isaacs*, which we noticed particularly at the time they were uttered, censuring severely as they did the system of incorporation and repeal. The paper contains also illustrations of bungling legislation in the case of the Public Health Act of last year, which in the power it confers upon the rural sanitary authority refers to five distinct classes of Acts. "My own inclination," says Mr.

Janson, in concluding his paper, "would point to the constitution of a board of official draftsmen, to whom at an early stage all bills should be referred; and who should possess similar authority to that exercised by the Chairman of Committees of the House of Lords in regard to private Bills; whose duty it would be to see that each Bill was at all events consistent in itself, and calculated to carry out its ostensible objects, and who should be authorized, in case of need, to alter it accordingly. If it should undergo any further change in either House, I would propose that it should be again referred to this board for final consideration and settlement before the third reading; and I think that such board should have some power to stop the passage of a Bill which at its last stage was still manifestly defective. The employment of experts in the art of drawing would insure more precision, and, what is much needed, greater condensation of language. All this would of course tend to delay legislation; but Acts of Parliament must be passed with more deliberation if they are to be free from the defects complained of, and worthy of the august assembly from which they emanate. At present no one is responsible for their being accurate in diction or capable of working, and the consequences are those which I have endeavoured to point out, and which I think it will hardly be disputed, call loudly for 'the amending hand.'"—*Law Times*.

SOLICITOR AND CLIENT—  
PRIVILEGE.

The circumstances under which a solicitor cannot be compelled to disclose his client's address were discussed by James, L. J., in *Ex parte Campbell, In re Cuthecart*, 18 W. R. 1056, L. R. 5 ch. 703. In his lordship's view, if a solicitor knows where his client is from some source other than the confidential statement of the client himself, made *sub sigillo confessionis* for the purpose of obtaining the solicitor's professional advice and assistance, the solicitor cannot protect himself on the ground of his client's privilege; and in such a case it is immaterial that he gained his knowledge of his client's residence solely in consequence of being his legal adviser. If, however—we continue to state his lordship's view—