

## The Legal News.

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### CURIOUS PREAMBLES.

Preambles to statutes are much more common in England than in this country. They are so full and comprehensive that in them, to a large extent, can be read the local and domestic history of the English people. Some of them are very quaint and curious, and to a few of them we will call attention.

The preamble to a subsidy granted by Parliament to Henry VIII, in the 37th year of his reign, reads as follows :

"Whereas, We, the people of this realm, have, for the most part of us, so lived under his Majesty's sure protection, and yet so live, out of all fear and danger as if there were no warre at all, even as small fishes of the sea, in the most tempestuous and stormie weather, doe lie quietly under the rock or hookside, and are not moved with the surges of the water nor stirred out of their quiet place, however the wind bleweth," etc.

In the first year of the reign of Edward VI, a statute, repealing most of the said treasons and felonies enacted during the reign of Henry VIII, has this in the preamble : "That subjects should rather obey from the love of their princes than from dread of severe laws ; that, as in tempest or winter, one course and government is convenient, and in calm or more warm weather a more liberal care or lighter garments both may and ought to be followed and used, so it is likewise necessary to alter the laws according to the times." A very plain hint that those who lived in the prior reign lived in tempestuous times.

In the reign of Henry VIII, a statute was passed regulating the practice of medicine with this preamble :

"For as much as the science and cunning of physick and surgery is daily within this realm exercised by a great multitude of ignorant persons, of whom the greater part have no insight in the same, nor in any other kind of learning ; some also can no letters in the book ; so far forth that common artificers, as smiths and

weavers, and women boldly and accustomedly take upon them great cures in which they partly use sorcery and witchcraft, partly apply such medicines to the disease as be very noxious and nothing meet, to the high displeasure of God, great infamy to the faculty, and the grievous damage and distruction of divers of the King's people."

A not inapt description of many who practice the healing art in these days.

In the second year of the reign of Richard II, there was the following preamble to a statute aimed at the bribery of justices :

"Whereas, Late in the time of the noble King Edward, grandfather of our Sovereign Lord, the King that now is, it was ordained that justices, as long as they should be in the office of justices, should not take fee or robe of any except of the King, and that they should not take gift nor reward by them, nor yet by other, privily or openly of any man which should have any thing to do afore them in anywise, except meat and drink of small value."

Under this statute Lord Chief Justice Hale could have taken the venison if of small value, but railroad passes would be forbidden.

In the thirty-third year of the reign of Henry VI, there was this preamble to a statute regulating the number of attornies to be licensed in Norfolk, Suffolk, and Norwich :

"Whereas, Of time not long past, within the city of Norwich and the counties of Norfolk and Suffolk, there were no more but six or eight attornies at the most (coming) to the King's court, in which time great tranquillity reigned in the said city and counties, and little trouble or vexation was made by untrue or foreign suits ; and now so it is in the said city and counties, there be fourscore attornies or more, the more part of them having no other thing to live upon, but only his gain by (the practice of) attorneyship, and also the more part of them not being of sufficient knowledge to be an attorney which (come) to every fair, market and other places where is any assembly of people exhorting, procuring, moving and inciting the people to attempt untrue and foreign suits for small trespasses, little offences and small sums of debt whose actions be triable and determinable in Court Barons ; whereby proceeded many suits, more of evil will and malice