

## PREFACE TO CANADIAN NOTES

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The Canada Criminal Code and the Canada Evidence Act treat of the greater part of the subjects dealt with in the text of *RUSSELL ON CRIMES*. To set out these statutes herein would make these volumes unwieldy; to accurately express the meaning of the statutes more concisely would be impossible; and therefore these notes are necessarily confined to references to the statutory provisions and to judicial interpretations thereof.

As the Editors state in the preface, the text of *RUSSELL ON CRIMES* follows the arrangement of the English Draft Code, which is not the same as that of the Canada Criminal Code. These notes necessarily follow the order of the text, and as to subject matter do not go beyond the text except in reference to appeals in indictable offences, for which reasons there are no notes upon summary convictions or appeals therefrom, and few upon summary or speedy trials; but though the text contains nothing about certiorari, and little comparatively about the practice upon appeal, it has been considered advisable to refer extensively to these subjects in these notes.

By permission of the publisher, the writer has drawn extensively on the matter contained in "Canada Criminal Law," by W. J. Tremear, a work so excellent and complete that it would be difficult to quote an important and relevant decision by Canadian Courts not referred to therein, save those given since that work was published.

Very valuable assistance in the preparation of these notes has been given by my son, A. Nevill Morine, LL.B.

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