

# Law Students' Chronicle.

## EDITORIAL.



THE new Session has now commenced in real earnest, and we hope to see a crowded gathering at every debate. New members should lose no time in getting accustomed to their surroundings and making their maiden speeches in the Society. They have nothing to fear. We always think that our members are very encouraging to new-comers. They have all been new-comers at one time or another, and a beginner is sure of an attentive hearing. That is as it should be. The older members, too, must not relax their efforts. Last Session the average attendance and average number of speakers was lower than it ought to have been. We appeal to everyone to attend the debates regularly, and speak as often as they can.

A word as to the manner of referring to our Judges: "Mr. Justice Neville" or "Mr. Justice Buckley" sounds much better than "Neville" or "Buckley," and is infinitely more respectful. Let us uphold the dignity of the law.

The General Meeting passed off very quietly, and nothing calling for comment occurred. Even the Editors escaped scatheless.

We print this month further correspondence on the subject of the contents of the *Chronicle*. It is true that only a very few of our members take the trouble to send us material for our columns. It is unfair that one or two members should bear the whole burden. Many hands make light work.

It is a great relief to learn that there were six entries for the Essay Competition this year.

After the disappointing failure of last year's competition we were beginning to fear that it was rapidly sinking into obscurity. Six is certainly an improvement on none at all, but why should we not have 20 or 30 entries every year? After all, it is not a very big undertaking to study a given subject sufficiently to write an essay on it. True, there are only two prizes, but no competitor will ever repent of the time and attention he has given to the subject he chooses. Can any of our readers suggest how the competition could be made more popular? We shall welcome correspondence on the subject.

In accordance with a suggestion made in Committee, two members of the Committee have been appointed to assist the Hon. Librarian in the management of the Library. Needless to say, there is no question as to the capability and enthusiasm of Mr. Denham in his new office, but the scheme appears to be a capital one for bringing the precise requirements of the members to his notice more easily. The gentlemen chosen by the Committee are Mr. J. Grace, as representing the interests of articled clerks, and Mr. Spafford, as representing those of the bar students. We expect to hear very few complaints in the future as to the management of the Library.

## NOTES.

MR. W. H. TYRER was one of the successful candidates at the last June Intermediate. His name was unfortunately omitted from the October number of the *Chronicle*.

Mr. J. D. Ritchie has been appointed Assistant Solicitor in the Town Clerk's Office.

For the benefit of those members who do not often visit the upper room at the Law Library, it may be well to state that the photographs of the Officers and Committee of the Society for the Centenary Session have been hung there, handsomely framed in oak. The photographs should be of great interest in years to come.

### **Reports of Meetings.**

Tuesday, 13th October, 1908.

THE Annual Meeting of the Society was this day held in the Law Library, Kennedy Street, the Chairman being Mr. C. J. Cooper. There was a good attendance both of honorary and ordinary members. Various minutes having been read and confirmed, the Committee's report and the Hon. Treasurer's and Hon. Librarian's balance sheets were submitted to the meeting and passed almost without comment.

The Chairman, who also acted as Judge in the Essay Competition this year, announced that he had received six essays, and had awarded the first prize to "Civicus" for an essay on Children's Courts, and the second prize to "Kassim" for an essay on Workmen's Compensation. Mr. Butcher, by way apparently of keeping the identity of the winners concealed as long as possible, had removed both himself and the list of nom-de-plumes out of the city, but it eventually transpired that "Civicus" was Mr. H. Levi and "Kassim" Mr. C. F. Entwistle.

The election of officers for the ensuing Session followed.

Vice-Chancellor O. Leigh Clare was unanimously elected President. No sooner was his election announced, however, than a member pointed out that he was ineligible, Rule 15 requiring the office of President "to be filled by election from those Vice-Presidents who have not acted as President for the last five years."

Nothing daunted, however, the meeting proceeded to elect the V.C. a Vice-President and subsequently elect him President. The exact qualifying period over which our worthy President's Vice-Presidency extended was, we believe, 14 seconds. We recommend the services of our members to any person desirous of driving a coach and four through an Act of Parliament, or other insignificant obstacle.

The Vice-Presidents elected were—His Hon. Judge Parry, Mr. A. A. Tobin, K.C., Mr. H. G. Shee, K.C., Mr. A. Grant, K.C., and Messrs. T. C. P. Gibbons, E. Acton, A. C. Maberly, R. A. Edgar, S. F. Butcher, H. D. Simpson, A. Somers, C. Dunderdale, W. Cobbett, and F. S. Oppenheim.

Mr. S. W. Johnson was again elected Hon. Secretary, with Mr. J. C. Cobbett as his companion in office. Mr. R. S. Ashworth was chosen for the office of Hon. Treasurer, and Mr. W. H. Denham for that of Hon. Librarian. Mr. C. J. Cooper, who was in the chair, again consented to act as Hon. Auditor, and, needless to say, was unanimously elected.

For the Committee a number of nominations were forthcoming, and the members successful in the ballot were:—Messrs. F. S. Stancliffe, C. E. Leach, A. T. Mason, R. W. Butcher, J. Grace, F. Wardley, C. H. Spafford, R. Sykes, and T. O. Smith.

No less than 14 new members were elected, five honorary members—Messrs. J. B. Sandbach, L. Statham, L. T. Hibbert, N. Lisbona, and S. Kay, and nine ordinary members—Messrs. M. Blumberg, H. B. Eldon, E. Horsfall, R. H. Branthwaite, H. Firth, J. R. Westbrook, C. Mycock, E. Littler, and O. H. Whittingham.

A vote of thanks to the retiring officers for their whole-hearted services during the past Session was enthusiastically carried, and Mr. Johnson replied on their behalf. The meeting then closed with a hearty vote of thanks to the Chairman.

A vote was then taken, and resulted in a victory for Mr. Grace's motion by 21 to 15.

A hearty vote of thanks to the Chairman concluded the meeting.

\* \* \*

### Children's Courts.

PRIZE ESSAY BY MR. H. LEVI.

It has been wisely said by so great a statesman as Lord Beaconsfield that the youth of the nation are the trustees of posterity. This epigram but reveals an opinion which is conscientiously held by the majority of the nation. It therefore becomes the duty of a great nation, desirous of maintaining its prestige intact, and its power inviolate, to so exercise its power and authority so as to inflict the minimum of harm and injury on its youth.

Many steps have been taken from time to time to prevent the children of this country imbibing at the well of evil and immorality, and although it would be absurd to stamp all those efforts with the impress of failure, still they have not made that progress which was anticipated and essential to their success. The whole fault lay with the system which failed to discriminate between the child of slender years and weak intellect proved guilty of a criminal offence, and the man habitually immersed in the desire to do wrong, and so long as no attempt was made to effect a distinction between the experienced criminal and the child who, by neglect or absence of caution, had stooped to crime, there was necessarily a failure in the efforts to prevent the child offender becoming an habitual criminal.

The institution in many cities and boroughs of a separate court for juvenile offenders, distinct from the contagion and contamination of the ordinary criminal courts, is a reform which, although unable to entirely obliterate from our midst the curse of juvenile crime, is undoubtedly in the right direction, and must of necessity provide that foundation upon which all future

reforms having for their object the mitigation of the number of child offenders will be reared. It is most unfortunate that so many municipal authorities, either by indifference or apathy, have, as yet, not even discussed the advisability of putting the system of Juvenile Courts into operation. Municipalities are, as a rule, slow to action, preferring to await the experience of some exceptionally public-spirited ones, who have put a new system into operation. Now that the experience of one or two years has made it patent to all of the incalculable benefits and innumerable advantages accruing to those perverted and misguided children who have had the misfortune to succumb to the temptation of committing a criminal offence, there is every hope of widespread support being extended to the system.

The application of the principle is one of extreme simplicity. On a day set apart in each week all juvenile offenders are brought before a magistrate to have their offences tried. The room in which they appear is not one calculated to implant into them a falsely heroic sensation. Instead of the child being infected with the deleterious atmosphere of the ordinary police court, following an habitual into the dock, and in turn being followed by an equally hardened one, he finds himself in a room which is befitting the pronouncement of words of caution and advice. The effect which the absence of the dangerous contamination to be met with in the police court must make upon the juvenile offender is one of the most beneficial character. A distinction should always be made between offenders who have fallen before the seductive glamour of a criminal life and those who, because of inferior education, the conditions of their habitations and surroundings, or the inability to overcome the many temptations that abound, have lost the control of their actions.

The object of punishment is primarily the reformation of the criminal, and it must be of more consequence and greater value to reform the man with criminal tendencies in his young

days than to attempt to do so after he has become so hardened as to be unable to comprehend the degradation which crime carries in its train, or to be sensitive to the severity of the punishment inflicted upon him. There is no greater danger to the public than the criminal who began his nefarious career when a youth. The treatment of youthful offenders must be upon scientific lines. It must have for its object the prevention of the crime of which a child is guilty, becoming the precursor of or beginning to an habitual criminal life. The more attempts are made to treat the juvenile offender upon scientific lines the greater is the necessity for his separate treatment, and this can only be satisfactorily performed by the child appearing in a court set apart specifically for him and others like him.

It is essential that if the practice of holding Juvenile Courts is to become of inestimable service and abundant value, its principle must be made general and its application national. It must be of the highest interest to a country to have its youth reared in a manner which will give them illimitable opportunities for expansion in all directions, and so prevent them becoming amenable to its criminal laws. A strenuous effort is required from all authorities to adopt the principle, to exercise it, and endeavour to improve upon it. The preservation of the child in a clean, moral, and exemplary state is not only of incalculable benefit to the child, but redounds credit upon those who have assisted him to arrive at that state.

Legislation of this character cannot possibly be opposed upon any tenable grounds, and those responsible for legislation would do well in observing the progress of this system. A nation to achieve and maintain greatness must exercise every means to prevent the child becoming a prey and a terror upon it, and, in the humble opinion of the writer, the Juvenile Court system will create that provision which will minimise, if not eradicate, the dangers to which a child is susceptible.

In conclusion, the time cannot be distant when its application will be more general, and the nation will have cause to be grateful to those patriotic municipalities who introduced the system of Juvenile Courts, and succeeded in maintaining the youth of the country as true, proper, and efficient trustees of posterity.

\* \* \*

### The Mock Trial, 1908.

*Friday, May 8th.*

(Before - - GILBERT JORDAN, LORD ST. HENRY, J.,  
with a Jury.)

D. BATES *v.* PORTLAND AND OTHERS.

[*Resumed Hearing.*]

AFTER an absence of about half an hour, Counsel, the learned Judge, and a fresh Jury returned into Court with a preoccupied air. There then ensued one of the most painful and disgraceful scenes ever witnessed in an English Court of Law. Decorum and good manners are, above all things, a characteristic of our forensic affairs, but the event in question will go far towards reducing us from this lofty position. The real cause of what took place will perhaps never be made known. What the spectators heard and saw, however, were first some heated words between the two leading Counsel, and then a mutual assault and battery. Blows were freely exchanged, and, closing, the two members of the Inner Bar tried to throw each other to the ground. The horrified on-lookers had by this time recovered, and the combatants were separated, but not before each had received marks which would serve for many a day to remind him of the lapse from good behaviour. One unsatisfactory feature of the business was that neither of them was punished. Indeed, the jury, with reprehensible levity, egged and cheered the fighters on, and seemed more than disappointed when order was restored without either of the two having been knocked out. As for the attitude of the learned Judge, it