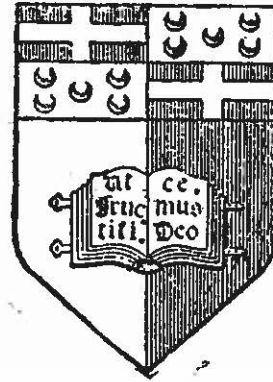


A REVIEW OF THE
UNIVERSITY STUDENTS'
LAW SOCIETY



THE
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JOURNAL

“Legum servi sumus ut liberi esse possimus”

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UNIVERSITY STUDENTS' LAW SOCIETY

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Correspondence on editorial matter should be addressed to the Editor, The Law Journal, c/o Royal University of Malta Union, St. Paul's Street, Valletta.

Letters, articles and book reviews will be considered for publication, but these should be confined to comments on topics of legal interest.

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LAW JOURNAL

Vol. III.

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EDITORIAL

IT gives me great pleasure to take over the editorial duties of this journal. It gives me great pleasure and delight because, conscious of the jingoism of the new Committee, I feel that with this new and third volume the Society has embarked upon a new era and the Journal is privileged with the light of a new day. I am not unconscious of course, of the great responsibility of the Society, nor indeed am I unaware of its difficulties in achieving its solemn aim; and it is for this reason, if indeed for no other that I ask for the assistance and co-operation of each member. To say that unanimity of purpose will inevitably result in strength is perhaps to accentuate the position. To assert that team work and co-operation must result in success is a truism.

THE BACCALAUREATE IN LAWS:

The legal undergraduates of the Royal University have found themselves in a situation which is both uncanny and anomalous. The discrimination between these undergraduates and those of the Faculty of Medicine has made itself very apparent, especially now that it is common knowledge that this "unwarranted and unjustified" measure was originally meant for that Course before certain other interests prevailed. The degree of Bachelor of Laws does nowhere include a comprehensive and detailed study of the various branches of law extending over a period of five years, together with another compulsory two-year preparatory course. As we have had occasion to say in previous editorials this degree is generally obtained after sitting for two examinations in certain branches of the law which the student is, up to a certain extent, at liberty to choose. A baccalaureate on the termination of their studies at the University not only isolates the junior students as a body relegating the Faculty to a position of inferiority but the absurdity of the position is further accentuated by the wanton discrimination between one Faculty and another for without effecting any substantial changes in the curricula of Laws and Medicine, the same period of study in the one leads today simply to a baccalaureate whereas in the

other to a doctorate as formerly. With regard to the present junior course of Laws another difficulty has to be taken into account, viz. that at the time of their registration as regular students on the special forms provided for that purpose by the University in October 1948, the new statute was not yet published. On the other hand the Court of Appeal presided over by Mr. Justice A.J. Montanaro Gauci has already decided and confirmed the sentence of the Lower Court sitting under Magistrate Dr. G.F. Gouder (March 31st, 1950) wherein we find it authoritatively declared that the new statute entered into force on September 18, 1949 (see Appeal June 21st, 1950) that is one year after the commencement of the new Course.

Meanwhile for those who say that there were only preparatory courses in 1948 we refer to article 94 of the statute where it is laid down that "students..... shall not be allowed to join any course after it has commenced" or in other words no student was to be allowed to join the course after October 1948. But leaving aside for the moment this *vexata quaestio* the Society still finds it impossible to believe that the reforms of chapter XII have been approved, much less recommended by the Board of the Faculty of Laws and very much fears that all has been carried out without previous consultation with the Board. We confidently trust that the whole matter will be carefully reconsidered for it is inconceivable that matters touching so closely the interest of the Faculty of Laws be decided by a Council, where the Faculty is represented by only one member.

LEGAL PROCURATORS:

The question of forensic practice required of law students before obtaining the warrant to exercise their profession has by Act LXII of 1948 been ameliorated. The said Act provides that persons regularly following the Accademical Course of Laws in the Royal University may start their forensic practice at any time after the 31st day of December of the last scholastic year of their course instead of after any time after obtaining their degree. The same facilities however, are still not extended to students attending the Course leading to the Diploma of Legal Procurator though these have like the students, in the other course of Laws all the facilities for attending the sittings of the Courts in the long periods between lectures. Moreover the Course of Legal Procurators has been extended from two to

three years, thereby affording another ground on which this salutatory provision should be granted.

THE LAW REPORTS:

We note with satisfaction that since the publication of the Law Reports has been taken up by St. Joseph's Institute Printing Press, a great improvement has been made, and we trust that they will soon be brought up-to-date. Meanwhile half of the volumes of the Reports that have been so far published are out of print and not even the Royal Malta Library or the Alma Mater has a complete set for the industrious student to delve in. This latter case does not surprise us very much for unfortunately for law students, the Royal University still lacks a law library worthy of the name which is a very sad state of affairs indeed, especially when we remember that a large grant has recently been extended for this very purpose, viz. for expanding and modernizing on the comparatively very few legal volumes that are available. Recently, however, things have shown to be even worse for our inquiries have given us the macabre fact that not one single whole volume can be acquired from the Government Printing Office. Apparently war blast has whisked away several parts from each of the volumes therein stored, with the result that not one single volume is now complete and as things now stand, students have not the least chance to procure and study the legal lore of their own native land. All this convinces us that it is high time that a new edition be published and if the Government Printing Press is too burdened with work then surely the difficulty can be overcome by calling for tenders for printing by private contractors as has been done in the Revised Edition of the Laws of Malta and, if we are not mistaken in the case of debates in the Council of Government.
