

THE CAPITAL PUNISHMENT COMMISSION.

The following are the amendments suggested by the above commission to the law of murder:—

"8. We proceed to offer such recommendations as we think expedient for altering the present law of murder. It appears to us that there are two modes in which the change may be effected.

9. The first plan is to abrogate altogether the existing law of murder, and to substitute a new definition of that crime, confining it to felonious homicides of great enormity, and leaving all those which are of a less heinous description in the category of manslaughter.

10. The other plan is one which has been extensively acted upon in the United States of America, where the common law of England is in force; this leaves the definition of murder, and the distinction between that crime and manslaughter untouched, but divides the crime of murder into two classes or degrees, solely with the view of confining the punishment of death to the first or higher degree.

11. We have given both these plans our serious consideration, and we are of opinion that the required change may be best effected by the latter, which involves no disturbance of the present distinction between murder and manslaughter, which does not make it necessary to remodel the statutes relating to attempt to murder, and does not interfere with the operation of those treaties with foreign powers, which provide for the extradition of fugitives accused of that crime. The object proposed can be attained by a short and simple enactment, providing that no murder shall be punished with death except such as are particularly therein mentioned.

These should be called murders of the first degree; all other murders should be called murders of the second degree, and punished as hereinafter recommended.

12. We recommend therefore—

(1) That the punishment of death be retained for all murders deliberately committed with express malice aforethought, such malice to be found as a fact by the jury.

(2) That the punishment of death be also retained for all murders committed in, or with a view to, the perpetration, or escape after the perpetration, or attempt at perpetration, of any of the following felonies: murder, arson, rape, burglary, robbery, or piracy.

(3) That in all other cases of murder, the

punishments be penal servitude for life, or for any period not less than seven years, at the discretion of the Court."

STAMPS ON CROWN PROCEEDINGS.

The question raised last September, whether it was necessary that stamps should be affixed to the papers in proceedings taken by the Crown, was decided in the negative, on the first day of the March Appeal Term. The argument will be found reported at page 81, 1 L. C. Law Journal. No remarks were made by the Court in rendering judgment.

ADMISSIONS TO PRACTICE.

The following are the commissions issued for the District of Montreal since the 1st January, 1866:—

Name,	Date of Examination.	Date of Commission.
John F. Leonard.....	2 Jan.....	5 Jan.
Jean Bte. deLottinville....	".....	31 Jan.
Jean Urgel Richard.....	5 Feb.....	5 Feb.
Louis L. Maillet.....	".....	8 Feb.
Charles Thibeault.....	".....	"
Joseph F. Dubreuil.....	".....	"
Sévère Gagnon.....	5 March.....	5 March.
Alfred Welch.....	2 April.....	5 April.
John H. Duggan.....	".....	"

Two other gentlemen passed the examination, but not having paid their fees, their commissions have been withheld, and their names are not inserted here.

ADMISSIONS TO STUDY.

The following are the names of those admitted to the study of the Law since the 1st Jan., 1866:—

Name.	Date of Examination.
Pierre Durand.....	2 January.
Aristide Coutre.....	5 February.
C. Boucher.....	5 March.
Theophile Michon.....	"
Joseph Brousseau.....	"
Adolphe Matthieu.....	"
Edson P. Stephens.....	2 April
Joseph Perry.....	"

LAW JOURNAL REPORTS.

COURT OF REVIEW.—JUDGMENTS.

MONTREAL, November 30, 1865.

Present:—JUSTICES BADGLEY, BERTHELOT and MONK.

LECOURS v. CORPORATION OF PARISH OF ST. LAURENT.

HELD—That a Corporation is liable for dam-