

appliquée s'il en violent les lois. Si l'on croit à l'efficacité du gibet pour prévenir le meurtre, qu'on le laisse exister, si au contraire, l'idée de l'échafaud n'arrête pas le meurtrier dans l'accomplissement du crime, hâtons nous de déclarer qu'il n'existe plus de telle chose par nos lois, qu'une exécution capitale. Il ne peut résulter de bien sous aucun rapport de faire intervenir l'Exécutif dans les décisions des tribunaux. Si les lois telles qu'elles existent, ne conviennent pas à nos mœurs et aux besoins de la société, que les ministres présentent un projet de loi aux Chambres—qu'ils réforment et changent ce qui doit être changé et réformé. Très bien, mais tant que la loi existe elle doit être respectée.

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An amusing scene took place in the Court of Appeals last Saturday morning. It appears that the records from Quebec had been despatched in time, in the usual course, to be here at the beginning of term, but had not arrived; and that in reply to the numerous telegraphic despatches of the Clerk, who naturally felt rather uneasy at the non-arrival of his charge, no satisfactory answer had been returned. The absence of these papers having become the subject of remark, Mr. Justice Rolland suggested the possibility of their being found lying in some stable at Three Rivers, and Mr. Beaudry, catching at the hint, asked the Court to authorize him to send a special messenger to look for them; but the Court informed him that it could give no such authority, that he must apply to government for the means of preserving his records. But this scene may give rise to serious as well as to amusing reflections. It is by no means a joke to suitors to be told that papers, upon which their most important interests may depend, are carted about between Quebec and Montreal with no other or better protection than the driver of an express van. We do not know where the blame rests; but it is clear, that censure is due in some quarter. It is really too bad that, with an overflowing Treasury, so important a branch of the public service should be insufficiently provided for. But, indeed, it is not alone the Court of Appeals that is deprived of the ordinary appliances for carrying on its business; in one of the most important and largest of the Country Circuits, where from 800 to 1000 cases are taken out every year, there is not a single chair in the Court-house the property of Government, and at late sittings the *Hall of Justice* is lighted by stinking farthing dips borrowed of an ill-paid keeper. That amid such squalid destitution, a proper feeling of respect for the Judiciary should exist, is hardly to be expected, and that those sentiments of awe, so useful in repressing the freedom of licentious witnesses, should prevail, is out of the question. We feel persuaded that the want of that state, necessary to keep up the dignity of the Court, is not unusually the cause of the extraordinary evidence—we would not use a harsher expression—unfortunately but to frequent in civil cases.