

rested some of the wealthiest noblemen in England, on the same charge as that on which Inspector Archibald arrested Priestman and others".

I concluded by saying that "if Judge Rose had refrained from censuring others in a matter for which he was not responsible, it would have increased the respect which is entertained for his high judicial office, and would not have affected the due administration of the law by the Police Department".

Sir Oliver Mowat, replying to this, said: "Nothing further need be said. I believe this is the first time any complaint has been made to me as to anything you have said or done as police magistrate".

This ended the matter.

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Different Types of Offenders

The professional criminal, as far as my experience has gone, does not seem to bear ill-will against a judge who holds the scales of justice evenly and decides fairly, no matter what reasonable sentence may be given. I had a curious indication of this feeling a few years after I had been appointed magistrate. I was visiting a friend in Kingston and he suggested one day that I should pay a visit to the Kingston Penitentiary, which is the great prison for serious offences in Ontario. I demurred at first, because I had sent many prisoners there, and they were sent for the more serious offences and were sentenced for the longest terms. I told my friend that it would not be pleasant for many of the prisoners to see me going through the prison. I agreed, however, reluctantly, to go, for I was interested in seeing the building and the general conditions of imprisonment.

The Warden of the penitentiary told off one of the senior officials to show me over the institution. In the first work-shop I entered I saw that some of the prisoners recognized me and, to my astonishment, seemed

pleased to see me and nodded to me and smiled. I spoke to several of them and said:

"Did I send you here?"

"Yes, sir."

"For how long?"

Probably they would say, "For three or four years."

In one shop a number of the prisoners came around me and greeted me with the utmost friendliness. I asked them many questions; how much longer they had to serve, how they were fed and cared for, and they spoke quite favourably of the prison. I recognized one prisoner whom I had sent down some years before, and said:

"Why, Leslie, are you still here? I did not think I had given you more than three years."

"That is right, sir," he replied, "but I was sent down again for a burglary in London."

He was a very sharp fellow and he went on to say—speaking apparently for the comrades around him: "We all think well of you, Colonel, because you always give a fair trial. The detectives have got to prove their case clearly or you will not convict, but some of the magistrates and judges decide against a man with a record because he has a record, whether the case is proved clearly or not, and that is not playing the game fairly. If the detectives cannot prove their case they should not get the decision, but if they do prove it then we never complain of the judge for sentencing us. All we want is fair play." It was the exact point of view of the football player who wanted an absolutely fair referee.

The contrast between this method of looking upon the result of the trials of the professional criminal and that of another class of customers who are very respectable and often wealthy is very remarkable. Of course, in many cases people of this latter class pay their fines willingly and blame nobody but themselves. Some of them, however, resent bitterly being prosecuted and blame everybody but them-