perhaps raise another nice question as to the length of time which must intervene between the disposition or resolve to kill and the doing the deed, in order to make the former "malice aforethought."

But accepting, as did the jury, the view that the crime was manslaughter, not murder, it is still difficult to doubt that it was manslaughter in its most aggravated and unprovoked form. To most minds the deed, as described in evidence, differs widely, almost *toto coelo* from the case in which, for instance, two men of nearly equal strength quarrel, and one, in the heat of ungovernable rage, deals the other a death blow. Yet in the latter case, the culprit would ordinarily think himself fortunate if he escaped with a five-years sentence. The great end of punishment, the protection of society, could hardly be gained by a slighter punishment—one that would impress less deeply upon the minds of other passionate men the necessity of self-control. Few things certainly could be more undesirable than that the terrors of the law should be in any degree lessened for unfeeling wretches of the class to which the convict in the case in question belongs. In so saying, nothing is farther from our intentions than to criticise in any unfriendly spirit the action of the court. The responsibilities of the judge in such cases are tremendous. No one, so far as we are aware, has the slightest doubt that the judge in this case acted most conscientiously and under a solemn sense of responsibility. Nevertheless, it is not only conceivable, but highly probable—may we not say morally certain—that many another judge in his place would have felt bound to inflict a penalty twice or four times as severe. In England, with its unimpeachable judiciary, it is not unusual to read of sentences imposed by different judges, or by the same judge in different cases, in which the disproportion between crimes and punishments strikes the common sense of the public as glaring and sometimes astounding. The fact that such discrepancies can occur under the best judicial system in the world shows how far civilization is yet from having attained an ideal perfection in the administration of justice. It also suggests the query whether it would not be possible, and if so, in the interests of even-handed justice, to have the proportions between crime and punishment more closely defined, and less margin left for the discretion of magistrates and judges. The question would be a good one for a jurist to discuss.

After the above notes were sent to press, the papers brought the intelligence that the convict Buckley had been recalled into court, and the period of his sentence extended from five to fifteen years. The ground of this revision was the previous bad record of the prisoner. This had not been inquired into on the trial, inasmuch as the indictment was for murder, the penalty for which—death—could not be affected by any such consideration. But under the verdict of "manslaughter," the question of previous conduct became an important factor in determining the severity of the sentence. The extended sentence will much better accord with the ordinary sense of justice in the case, and it is to be presumed that the learned judges knew what was lawful for them in the premises. Meanwhile the above observations with regard to the element of uncertainty in the administration of justice, produced by the introduction of the fluctuating factors of individual judgment and feeling into the equation of punishment and crime, are still pertinent. It is obvious that, apart from the question of past record, another judge, equally able and conscientious, might have in the first instance made the sentence fifteen or twenty-five years instead of five. If we add one other reflection which suggests itself, it is in no captious mood. It seems, at first thought, somewhat illogical that if five years' penal servitude was sufficient punishment for the crime before the court, ten years more should be added in view of previous offences, which were not properly before the court, but for which adequate punishment had, presumably, been previously inflicted. This may simply show, however, that the protection of the public from a dangerous character is a consideration of more weight with the learned judge than any idea of retribution. Nor are we prepared to say that this is not a sound view of criminal jurisprudence. Is it the view that usually prevails?

"The question has constantly recurred to all thoughtful men, can all this vast army of over a million of inebriates on this continent be merely an outburst of a vice element in human nature?" To the question thus stated by Dr. Crothers, of Hartford, in his admirable lecture delivered in Toronto a week or two since, medical science returns a definite answer. That confirmed inebriety is a disease, and, to be intelligently dealt with, must be treated as such, now scarcely admits of a doubt, we believe, in the minds of any who have made it a study and thus rendered themselves competent to form an opinion. No doubt the origin of the disease is very various. In some cases it is inherited like other forms of insanity. In others it is due to the peculiar action of stimulants upon peculiarly susceptible nervous organizations. A vast number of cases, in this age of intense activity and struggle, are, no doubt, of the kinds described by Dr. Crothers as "the nerve and brain exhausted men and women, the large and ever-increasing class of business and professional men, who have broken down from over-work, worry, and irregularity of life and living, and who find alcohol a narcotic of most seductive nature," and the "still larger class seen in every city of the land who, from brain strains and drains incident to the rushing, grinding civilization of to-day, also to the struggle for position, wealth, and power, and the effort to adapt themselves to the new conditions of life, to the new demands, prepare the soil by exhaustion and encourage the growth of insobriety and its allied diseases." Of this latter class it is but too true that it often "represents the highest talent and genius," and, as a rule, is composed of the brain-workers of the times. The fact that these latter cases, in particular, are amongst those pronounced "curable" by medical science, affords, in itself, the strongest argument for giving science every opportunity to do its best. It is, therefore, to be earnestly hoped that the impulse imparted by Dr. Crothers' visit to the movement for the establishment of an inebriate asylum in Ontario may not prove transient, but that so laudable an enterprise may be pushed to a speedy and successful issue.

And now Canada has its mystery of crime scarcely less appalling than that of London's Whitechapel. The atrocity of the attempt at the wholesale murder of three families in Galt by means of poisoned candies sent through the mails, is equalled only by its unaccountableness. When we have succeeded in tracing a crime, however revolting, to its origin in some morbid sense of real or imaginary injury, some deep-rooted jealousy, or other overmastering evil passion, we feel that the mystery of it is solved though the wickedness remains. But in this case, so far as has yet been discovered, there is an utter absence of any motive that could be thought sufficient, even in the bosom of the most depraved. There seems to be no connection between the three families to explain why they should be involved in a common attempt at destruction. So far as has been made public, they are unable to discover the existence of any common enemy. Hence in this, as in the Whitechapel affair, it is absolutely impossible so far to detect the personal element which usually affords the first and surest clue for the detection of crime. It would not be very surprising to those who have studied some of the phases of monomania, should it eventually appear that there exists a psychological connection between the two cases. It is by no means inconceivable that some diseased and vindictive mind has dwelt upon the London horror until it has been seized with an irresistible impulse to achieve similar notoriety in Canada.

A feeble and transient interest in a constitutional question was awakened by a statement made by the Hon. William Macdougall a few weeks since. Mr. Macdougall, who was one of the founders of Confederation, and a member of the delegation sent to London to secure the passage of the British North America Act, says there was a distinct understanding between the political leaders to the effect that appointments to the Senate should be of such a character as to secure permanently the equal representation of the two parties. That such an understanding existed, and was for a little time observed, is beyond question. That it was long since forgotten anyone may see by a glance at the present *personnel* of the Senate. But the wonder is that the sagacious founders of the Confederation could have anticipated any satisfactory results from such a system, so long as the appointments were made by the Government of the day. Even had the letter of the compact been observed, it would have been sure to be violated in the spirit, so long as the party in opposition had no voice in the nominations. Few party leaders would, we fancy, set a very high value on the selections likely to be made for them by their political opponents. The chief reliance was no doubt on the chances of a somewhat even distribution of the periods of office. Had such a thing been supposed possible as that the Government should be in the hands of a single party and a single leader four-fifths of the whole time during the first twenty years, a very different mode of appointment to the House supposed to represent the constitutional balance wheel, would have been devised.

Late English papers describe the most wonderful application of electricity for lighting purposes which has yet been made. The new St. Catharine's Lighthouse, at the southern extremity of the Isle of Wight, has been fitted up with an electric light of seven-hundred-thousand-candle illuminating power! The reader will be able to form a better concep-