

liament did not authorize the sheriff to allow any delay for payment of fine or expenses. For the respondent it was pleaded that, by a previous statute, this period was allowed before enforcing the warrant of imprisonment, and this provision appeared to be unrepealed. The court held that as no such time was allowed by the act under which the conviction was obtained, the sheriff had no discretion in the matter; and they not only declared that part of the judgment complained of to be bad, but quashed the conviction *in toto*. If the party convicted had appealed against, instead of attempted to support, the sentence, he would have had the same quashed, *with expenses*.

The articles from the *Scottish Law Magazine* from which we select these cases concludes with some pertinent observations on the state of the criminal law which can allow such absurdities to continue. For our part, though the criminal law in this country is open to some objections, we may be thankful that we have succeeded in ridding it of many of the technicalities and absurdities which, whilst bringing the administration of justice into contempt, tended nothing to the protection of life or property.

ACTIONS FOR SEDUCTION.

The unsatisfactory state of the law on this subject has often been commented on, both by writers and by judges on the bench, and there is, we think, a prevailing impression that in its present shape an action for seduction is no adequate means of preventing the immorality which it is intended to check, whilst it is in numerous cases an engine of oppression in the hands of a corrupt or designing woman.

We do not intend to discuss the matter further, but only to draw attention to the remarks of the Chief Justice of Upper Canada on the subject in a case lately before him in the Court of Queen's Bench. He says:—"Speaking for myself only, I will add that I am not inclined to extend the operation of the Seduction Act by what may be deemed a large and liberal construction. My own observation as a judge has by no means led me to think that it has had a favorable influence on female morals. I think the law, treating its object to be the prevention and punishment of seduction, not very effectual in its present shape; and that the hope or probable prospect of

recovering large damages, operates at least as injuriously in one direction, as the fear of being subjected to their operation beneficially in the other."

DEATH OF THE CLERK OF THE PROCESS.

We regret to record the sudden death of Mr. Robert Stanton, who expired at his residence on Saturday night, the 24th ultimo, at the age of 72 years.

Mr. Stanton was a native born Canadian, and fought bravely in the war of 1812, by the side of his old friends, the late Chief Justice Robinson and Chief Justice McLean, and others, most of whom have now passed away. He distinguished himself at the battle of Queenston Heights, and was subsequently taken prisoner on the capture of York, now Toronto, by the forces under General Pike. At the time of the Rebellion of 1837, he again turned out in defence of his country.

He was much respected by his many friends. We, as well as others, will be sorry to miss his pleasant face and hearty greeting from his cosy little office in the north-east corner of Osgoode Hall.

SELECTIONS.

THE DETECTION OF CRIME.

One of the principal differences between the French and English methods of proceedings against criminals has just received a striking illustration in the United States District Court, before Judge Betts.

A Commission Rogatory was sent from the Juge d'Instruction, Tribunal of First Instance at Versailles, to take testimony in regard to Etienne Barthelemy Poncet, charged with the murder of M. Delavergne, judge of one of the County Courts in France. In October last, M. Delavergne, while crossing from London to Paris, made the acquaintance of Poncet, who entered his service as a valet. On their arrival in Paris, they went to a hotel, and next day went out to take a walk. The judge did not return, and on the following day his body was found in the Bois de Boulogne; he had been robbed. Poncet was arrested, but no proof could be found against him except that he had plenty of money. He was, however, held for trial, and as, on his examination, he spoke of residence in New York, and named persons here whom he knew, the present Commission was sent to take all that could be found concerning him. The French Consul, through his attorney, Mr. C. E. Whitehead, submitted evi-