

EDITORIAL NOTES.

old days Queen Elizabeth trod a measure with her Chancellor in the Hall of the Middle Temple. However, we cannot have Queen Elizabeth, no matter how willing the Chancellor might be, and it is perhaps a question whether the dances of this end of the 19th century are quite as much in harmony with the *genius loci* as the stately measures of the great Queen Bess.

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WE see that at length the prisoner Guiteau is in the prisoner's dock, a position he has well earned for himself. A more scandalous burlesque than the trial in this case from first to last is not on record in this century. It is quite true, as the *Albany Law Journal*, says of the "repulsive reptile Guiteau," that "every word he has spoken has helped to damn him, and it may be that the wisdom of Judge Cox's course in letting him say his say and go his length is now more than ever obvious, and that if he is given enough rope he will probably hang himself;" but there is a limit to all things and we cannot help thinking it is high time that the good sense of the people should rise superior to their love of sensation and put a stop to scenes which have brought the administration of justice into contempt and ridicule.

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THE *Central Law Journal* for Dec. 16th publishes an article on the right of a prisoner to be present at his trial, suggested naturally enough by the conduct of Guiteau, and his constant and outrageous interruptions during the proceedings in Court. The writer points out that it has been a rule of the common law that a prisoner on trial for a felony has the privilege of being present in person during his trial, confronting the witnesses, and hearing the evidence; and that if he be absent at any time, the proceedings would be

void. In several of the States there are statutory enactments to the same effect. It has been held, however, in some of the American Courts that this right to be present may be waived, and the writer expresses his opinion that such would probably be the case, if the prisoner acted in such a violent manner that it would be necessary to remove him and place him in sequestration. But since none of the cases have decided how far the case of misbehaviour in Court would apply to a person found to be *non compos mentis*, the forbearance of the Court in allowing Guiteau to remain rather than run the chance of giving ground for a new trial seems easily explicable.

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THE severe sentences passed upon the persons convicted of bribery at the recent elections in England has excited much comment there. Three of them were solicitors in good standing; two of these were sentenced to nine months', and one to six months' imprisonment. Great pressure was brought to bear for a remission of the sentences, but the Government remained firm in their intention to stamp out bribery, if possible, by severity of punishment. We agree, however, with the *English Law Journal*, that the severity of the sentences (three of the culprits being publicans and sentenced to three months' imprisonment) "is not always in the ratio of the time given to each. The punishment of nine months for a solicitor and three months for a publican is not represented in the arithmetical proportion of nine to three."

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IT is indeed good news that some endeavour is to be made to make the atmosphere of the library a trifle better than that of a coal mine immediately after an explosion. Patent systems of ventilation are not indeed always remarkable for their