

much of the useless complication which defrauds justice, and they should be made the law of every State.

From the passage of the code, no person committing any indictable offence against any provision of it shall be proceeded against at common law.

Having thus prepared the way, the code proceeds to define the various crimes and their punishment. Without including all the myriad offences against the State, it defines the most important.

In the first place, the distinction between a felony and a misdemeanor, which has furnished the occasion of so much useless learning, and been productive of so much confusion, is abolished. All offences against the act are styled indictable offences, and proceeded against in the same manner. The disqualifications resulting from conviction for felony are attached to the offences for which the offender might be punished by death, transportation, or penal servitude.

Indictable offences are divided into those against public order, in which are included treason, riots, piracy; those against and by public officers, among which come bribery, extortion, perjury, and escapes; those injurious to the public, among which are found disturbing religious bodies, indecencies, and nuisances; those against the person, the conjugal and parental rights and reputation, among which are murder, assaults, rape, bigamy, and libels; and, lastly, those against property, which are far the most numerous, and include theft, fraud, forgery, fraudulent bankruptcy, and many miscellaneous offences.

The definition of these various crimes does not, of course, for the most part, differ very largely from those which are in force in all civilized nations. But many changes have been made of value and importance.

Riot is briefly described as a breach of the peace committed by three or more persons, to the terror of Her Majesty's subjects. The codifier has before illustrated his felicity in brief and comprehensive definition in his Digest, where, stating the existing differences between a riot, a rout, and an unlawful assembly, he thus illustrates: "A., B., and C. meet at A.'s house, for the purpose of beating D., who lives a mile off. They then go together to D., and

beat him. At A.'s house the meeting was an unlawful assembly, on the road it is a rout, and when the attack is made it is a riot."

The faithful performance of duty by public officers, especially those of the peace, is sought to be enforced by rendering a failure to prevent peace from being broken, or property or persons endangered, an indictable offence, unless the danger be greater than a man of ordinary firmness may reasonably be expected to encounter.

The bribery of officers and of voters is strictly prohibited. This law is less of a dead letter there than here. At least, bribery or undue influence which forfeits a seat in Parliament is watched with a strictness which seems almost undue. The question has been wisely taken from Parliament and given to the courts.

They have held that permission given by a landlord to his tenants, just before election, to shoot rabbits on his grounds was bribery which must cost a seat. Another candidate, whose offence was of the mildest nature, consisting in furnishing a breakfast in the meeting-house to electors on the way to the poll,—a tea-and-toast affair, free from any suspicion of beer,—was held to have gone too far, and was unseated; while one who set up beer, cakes, and cheese was convicted of illegal treating, without hesitation.

The term "perjury" is done away with. In its place we find the offence of false evidence, which includes any assertion by a witness, on oath or otherwise, given as evidence in a judicial proceeding, and not believed by him to be true. The requirement of a formal and duly administered oath, which has saved so many would-be perjurers is omitted.

The penalty of false evidence is increased. The Tichborne case showed how grievous such an offence might be; and, though the punishment there inflicted was for fourteen years,—the extreme limit,—yet a life sentence would not be deemed too severe for one who had shown such a prodigious faculty for causing enormous harm.

It is also illogical that the same punishment should be inflicted on perjury, though the evils intended to be accomplished may be very great or comparatively small. Morally, all false evidence may be of equally black hue, but practically its evil is of variable import-