

exception that service of process was made on an agent not having power to accept service, and suppose that this exception is, after six months, judged in favor of the insurance company; but in the meantime the twelve months have passed, has the insured no remedy?

MARTYRS OF THE OLD BAILEY.

Some time ago Sir James Mackintosh, a most cool and dispassionate observer, declared that, taking a long period of time, one innocent man was hanged in every three years. The late Chief Baron Kelly stated as the result of his experience, that from 1802 to 1840, no fewer than twenty-two innocent men had been sentenced to death, of whom seven were actually executed. These terrible mistakes are not confined to England. Mittermaier refers to cases of a similar kind in Ireland, Italy, France and Germany. In comparatively recent years there have been several striking instances of the fallibility of the most carefully constructed tribunals. In 1865, for instance, an Italian named Pellizzioni was tried before Baron Martin for the murder of a fellow countryman in an affray at Saffron Hill. After an elaborate trial he was found guilty and sentenced to death. In passing sentence the judge took occasion to make the following remarks, which should always be remembered when the acumen begotten of a "sound legal training" and long experience is relied on as a safeguard against error: "In my judgment it was utterly impossible for the jury to have come to any other conclusion; the evidence was about the clearest and most direct that, after a long course of experience in the administration of criminal justice, I have ever known. . . . I am as satisfied as I can be of anything that Gregorio did not inflict this wound, and that you were the person who did." The trial was over. The Home Secretary would most certainly, after the judge's expression of opinion, never have interfered. The date of execution was fixed. Yet the unhappy prisoner was guiltless of the crime, and it was only through the exertions of a private individual that an innocent man was saved from the gallows. A fellow-country-

man of his, a Mr. Negretti, succeeded in persuading the real culprit (the Gregorio so expressly exculpated by the judge) to come forward and acknowledge the crime. He was subsequently tried for manslaughter and convicted, while Pellizzioni received a free pardon.

Again in 1877, two men named Jackson and Greenwood were tried at the Liverpool Assizes for a serious offence. They were found guilty. The judge expressed approval of the verdict, and sentenced them to ten years' penal servitude. Subsequently fresh facts came to light, and the men received a free pardon. Once more, in 1879, one Habron was tried for the murder of a policeman. He was found guilty and sentenced to death. An agitation for a reprieve immediately followed. The sentence was commuted to penal servitude for life. Three years later, the notorious Peace, just before his execution for the murder of Dr. Dyson, confessed that he had committed the murder for which Habron had been sentenced.

With these incidents fresh in our minds, let us turn once more to St. Giles and St. James, and listen to the indignant words of Douglas Jerrold: "Oh, that the ghosts of all the martyrs of the Old Bailey--and though our professions of faith may make moral antiquarians stare, it is our invincible belief that the Newgate Calendar has its black array of martyrs; victims to ignorance, perverseness, prejudice; creatures doomed by the bigotry of the council table, by the old haunting love of blood as the best of cures for the worst of ills--oh, that the faces of all these could look from the Newgate walls! That but for a moment the men who stickle for the laws of death as for some sweet domestic privilege might behold the grim mistake, the awful sacrilegious blunder of the past, and seeing make amendments for the future."—*Fortnightly Review*.

INSOLVENT NOTICES, &c.

Quebec Official Gazette, May 9.

Judicial Abandonments.

James D. Anderson, wholesale clothier, Montreal, April 29.

J. R. E. D'Anjou, trader, Rimouski, April 30.

Louis Bernier & Fils, traders, Weedon, May 2.