

EXTRADITION ; THE WINSLOW CASE—LIABILITY OF BARRISTERS FOR NEGLIGENCE.

of course, our law must be obeyed by our own Executive, and strong grounds should have to be shown before we should alter our law on a point where it has been solemnly recognised by many treaties. The truth is that our extradition treaty with the United States is, like our treaty with France, a very insufficient one. It omits, for instance, the crime of fraudulent bankruptcy, though a fraudulent bankrupt is precisely the kind of criminal who would make his calculations with a knowledge of the law and of the means of escape. Negotiations have long been going on for an improvement, and it is to be hoped the present complications will hasten them. Meanwhile, it will be remembered that all we ask is reciprocity ; for already, by our Act, we could not try an English forger surrendered by the United States, except for an extradition crime which might be proved by the facts established in America. It is matter for wonder that this question has not arisen before ; but, now it has been raised, our Government would appear to have no discretion in the matter."

It is said that England is ready to give up Winslow on a pledge that he will not be tried for any offence except that for which he should be extradited ; and that this is necessary is abundantly evident from the article quoted above. This pledge has not it appears as yet been given. In the meantime it is said that the Cabinet at Washington has decided to give notice to Great Britain of the abrogation of the treaty as regards the extradition of criminals, on the ground of the refusal to give them Winslow. This may be a move in the national game of "bluff." Unfortunately this instructive game is not well known in England, though we who are more familiar with the eccentricities of a democracy and can, so to speak, look over the shoulder of our cousin to the south of us, know that his play is not generally warranted by his cards.

The English Government, after being hoodwinked by that of the United States for a century, is beginning to wake up to the fact, that whilst the former has a theory, we are proud to say generally carried into practice, about the inviola-

bility of treaties and the spirit of treaties, the latter has a practice of breaking them and evading their provisions, on the theory that John Bull is so rich and respectable, and withal so stupid, that he will not notice their conduct or at least will not resent it. This is especially true in reference to the Alabama award. The United States improperly obtained an immense sum to cover certain specific claims ; after paying all these claims there was a surplus of several millions, which in common decency they were bound to return. But the question with them now is not, whether they shall return it, but to what purposes of their own they shall apply it. In fact one is irresistibly reminded of a pack of thieves squabbling over stolen goods.

SELECTIONS.

LIABILITY OF BARRISTERS FOR NEGLIGENCE.

LAST week, in the House of Commons, two votes of censure were proposed ; one on Her Majesty's Government, the other on the Bar of England. The former motion was defeated by a majority of 108 votes, and the latter by a majority of 107 votes. It is highly satisfactory to find that the Bar is at least as strong as one of the strongest of modern Administrations ; perhaps we ought to say that the division lists prove the superior influence of the bar, for, while 226 members voted against the Government, only 130 members voted against the bar. Pessimists, timid people and satirists of the profession may think that a body, which has 130 members of the House of Commons hostile to it, is in a bad way. But in all times the House has boasted of a goodly supply of persons ready to support an attack on, or a supposed reform of, any institution, and there is nothing remarkable in one fifth of the House approving Mr. Norwood's bill. Of the minority many must have been actuated by the feeling, which very naturally and properly predominates in a great commercial