

## The Legal News.

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### LORD COLERIDGE ON SENTENCES.

The absurd punishments sometimes allotted by magistrates have attracted the notice and rebuke of the Lord Chief Justice of England. In charging the grand jury at Bedford Assizes on October 28, his lordship said he thought it his duty to call attention to the unreasonably severe punishment which was too commonly allotted to small offences against property. He had been often struck, sometimes shocked, at the immense length of time spent in prison, and at considerable expense to the county, by persons whose whole crime had been a petty larceny. The man who stole thirty mutton-chops had surely not caused the harm against society or the mischief of one who had made a murderous assault or secretly attempted to administer poison. On one occasion he had before him two little boys who pleaded guilty to some miserable petty larceny after a previous conviction. Seeing their tender years he inquired the nature of their previous offence, and it appeared they had stolen apples, for which the magistrates had sent them to gaol for three months with hard labour. It was just possible that these magistrates were schoolboys themselves once, and he thought it monstrous to make these boys felons for life for having done what some of the best men in the world had done, and for which they certainly deserved to have their ears boxed, but not to be sent to prison with hard labour.

### THE LATE MR. FAWCETT.

The English bar probably lost an able advocate, and the bench, perhaps, a brilliant Lord Chancellor, by the accident which deprived Mr. Fawcett of sight. His career certainly affords an instructive example of a bold and resolute spirit, arrested in one path, carving out another with signal success. Mr. Fawcett was born in 1833, and as a student made good use of his eyes, for he

was seventh wrangler at Cambridge. He entered upon the study of the law at Lincoln's Inn, but in 1858, before he was called to the bar, lost the sight of both eyes by an accident which occurred while he was out shooting. The benchers of his Inn offered, it is said, to facilitate his entrance to the profession, but Mr. Fawcett, who had already developed strong literary tendencies, probably realized that he would be too seriously handicapped by his misfortune in a forensic career, and he preferred a professorship at his University. Later, although a poor and comparatively obscure man, he obtained, after several defeats, a seat in Parliament, and finally became Postmaster-General, in which capacity he introduced several valuable improvements in the service. The physical night which fell upon him did not render his understanding less luminous. Mr. Fawcett, though totally blind, never relinquished active out-of-door sports, being an untiring pedestrian, an enthusiastic angler, skater and rider, even following the hounds on the hunting field.

### PRISON DISCIPLINE.

It is a little surprising to find the good people of Winnipeg so innocent as to put faith unreservedly in what their newspapers say. A hoax perpetrated by a juvenile scribe, and published by a daily journal, depicting a prison punishment with all the horrors a youthful imagination could suggest, was sufficient to excite a popular tumult, and to elicit threats of lynching the attorney-general, who was represented as actively promoting and assisting at the infliction of the torture. The kernel of fact in this sensational narrative was that a prisoner had received twelve lashes on the bare back for an attempt to escape. The punishment in itself was of no extraordinary severity, not a drop of blood was drawn, and the prisoner did not suffer from the effects of the whipping for more than a few hours; but nevertheless the serious question arises, how far the infliction of a degrading punishment is justified under the circumstances. It is in use in some Canadian penitentiaries, and it is sought to be justified, we believe, by the argument that unless such a