

criminal law the *intent* is everything. The law, in certain cases, implies an evil intent, but the conviction is not the less based upon the assumption that the homicide, if not excusable, was committed with a *felonious intent*.

According to the ruling of Mr. Justice Wilkins in this case, every man that co-operates in resisting the outrage of the assailants was guilty of manslaughter. But there is little room for doubt that the Jury, in contradistinction to the Judge, as in hundreds of other cases, have taken the proper view of this subject.

It is melancholy to reflect upon, that a human life should thus have been wasted, but who of all those who heard this trial, or shall peruse this history of it, but will feel that, similarly situated, they would have acted precisely as Preoper and his comrades did? There seems to have been no alternative.

But before this subject is finally dismissed, and this tragic story is closed, it may not be amiss to look at the case in another aspect and from another and different stand point.

What will the public now think and say of the conduct of the Government, of that of the Railway Board, and of their Superintendent of Traffic, Mr. Jas. R. Mosse? The revelations of the Crown witnesses have brought home to these parties, charges of a most audacious and criminal character.

It is now beyond all dispute, that the railway itself, and the public funds of the country, have been prostituted to purposes of a most culpable nature. An organized and successful effort to bribe, out of the public treasury, a great mass of labourers employed upon public works, to violate the laws of the land and the purity of elections, has been detected. The officials who were openly active in this base and detestable crime, although the offence is not, and can not be denied, are continued in government employ,—proving clearly and satisfactorily that they had the sanction of the ministers of the Crown for the course they have pursued.

Lord Mulgrave's advisers seem not to be aware of the enormity of the offence that has been committed. If men high in office, rank, and power, commit with impunity such acts as have been laid bare in this case, what a fearful example is thus set to subordinates and others! Is the petty larceny-rogue that steals a sheep from a neighbour's pasture, or the clerk that robs his employer of a shilling, to be clapped up into the criminal box, convicted and sent to the penitentiary, and the men who rob the public revenue of hundreds of pounds for the most criminal of all purposes—to bribe the humble artisan, the needy operative, and then send him to swear that he is an elector, and entitled to vote,—are these men to go unwhipt of justice? Time will disclose.