

## The Legal News.

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Among recent acts of dishonesty by bank officials that of Scott, who stole \$160,000 in one day, stands out conspicuously. President Baldwin, of the Fourth National Bank, is reported to have said in reference to this case: "There is no way of preventing such thefts, so far as I know. If a bank officer is dishonest and determines to steal, there are no checks that will hold him. It is a matter to which much thought has been given by bank presidents and directors, and there have been many conferences to discuss the possibility of providing further safeguards. No system of book-keeping or supervision human ingenuity has yet devised will prevent theft. How easy it would be for a dishonest teller to put this little parcel in his pocket! You see, it is only about an inch and a half thick, but it contains a million dollars in gold certificates." It is no slight scandal to our modern system of international arrangements that the exchange or surrender of embezzlers and thieves has not been provided for before this. With the most intimate relations of railway traffic, telegraphy, journalism, etc., we still go on affording a convenient refuge for persons fleeing from the justice which would be dealt out by the proper tribunals of the fugitives. Banks and shareholders are deeply interested in terminating this unsatisfactory state of things, and a united effort should be made to adopt an efficient treaty.

Popular opinion does not seem to stand in the way at present. For instance, we find a journal like the *N. Y. Herald*, which usually indicates the feeling of the masses, publishing the following observations:—"The fact that a bank has no safeguard but honesty against theft by its officers is due to the lack of a proper extradition treaty between the United States and Great Britain. As President Baldwin says, a teller may put a mil-

lion dollars in his pocket and leave the bank after the close of business without suspicion. He goes to the Grand Central depot, takes the evening train and reaches Montreal the following morning. His flight is not suspected nor the stolen money missed until he is safe in Canada, beyond the reach of our criminal process. In this condition of the law it is true that a bank has no protection but honesty against theft, and the ease and certainty of escape present a temptation that is a severe strain on honesty. But with an extradition treaty providing for the surrender of the criminal there would be an effective safeguard against dishonesty. No bank teller will commit a theft to-day which must be discovered to-morrow if he knows that arrest, conviction and imprisonment as a felon in State Prison are certain to follow quickly upon discovery. If embezzlement, stealing, &c., were extraditable offences, the fugitive would no more escape our criminal law in Montreal than in Chicago. We suggest to bank presidents and directors that they urge upon the State Department at Washington, as the *Herald* has long done, the importance of a new extradition treaty with England."

On the result in the Mignonette case the *Law Times* (London) observes:—"The commutation of the sentences passed on Dudley and Stephens marks one of those illogical compromises which seem to be of the essence of English procedure, whether legal or political. The inconsistency of sentencing a man to death with solemn formality on Monday, and mitigating the sentence to a brief term of the mildest form of imprisonment on Saturday, has naturally provoked a good deal of more or less intelligent criticism, and is certainly a proceeding not altogether calculated to exhibit the law in a dignified light. . . . We are far indeed from desiring that the law should depart from its stern indifference to 'extenuating circumstances;' but when the law has discharged its function by adjudging a prisoner guilty, it might well be relieved from the necessity of passing a sentence which there is no intention to execute. A sentence of death is too solemn a matter to be made the subject of a legal fiction."