

*REPRIEVES IN MURDER CASES.*

A little more than a year ago a Middlesex jury, scouting the evidence of one Herbert, who had pleaded guilty to an indictment joining him as an accomplice of Gerald Sifton in the murder of his father and who afterwards became a King's witness, acquitted the principal. If without the power to intervene, the public at that time certainly possessed the will to restrain the authorities from exacting the death penalty. To-day a situation has developed in the North-West Territories which provokes them to support as heartily any effort the Crown may use in order to have a convict endure it.

One Ernest Cashel, a farm-labourer, had, with singular brutality, taken the life of a rancher named Beit, who had frequently befriended him. Being apprehended, he was tried for and found guilty of the murder, and sentenced to be hanged on the 15th December last. On the 11th he, with the opportune aid of a brace of revolvers, which had in some mysterious way been smuggled into his cell, overcame his guards, and wrenching the keys from them, passed through the door, which he instantly locked behind him, leaving his keepers to sample the indifferent cheer he was himself content to forego. He then improvised a rope out of some handy material with which he seems to have been accommodated at the same time as he gained possession of the revolvers, scaled the prison-wall and escaped.

Contemporaneously, or nearly so, with the prisoner's achievement, his counsel petitioned the Governor-General for clemency; but the prayer was refused with scant ceremony. When tidings reached him that the criminal had broken gaol, the Minister of Justice was placed in a quandary. There was no trustworthy guide to be followed, no beaten path to be trod. Precedents were sought, and text-writers consulted in the hope of light being shed on the darkness. A reprieve, on the demand of the Minister, to emanate from the trial judge was ultimately regarded as the least unpromising way out of the difficulty.

Recourse, accordingly, was had to Chief Justice Sifton, and on the 14th December, the day before that named for the execution, he made an order postponing it for a week. Complexity surrounds, without mistake, the problem thus offered for solution. Professional judgment would seem to have entered a blind alley,