

in one's best for the County Courts, but anything will do in the Division Courts; it is not worth while dressing for the class of persons resorting to these Courts." It really and practically amounts to this and is altogether wrong. The clerk and bailiff always dress respectably on court days, and suitors and witnesses almost invariably dress in their best on such occasions.

It is an instinctive respect for all that concerns the administration of justice, thoroughly British, that lies at the bottom of this, and no one connected with the system by appointment from the Crown should, by act or omission, do ought to weaken the principle, or assist the drift towards the "free and easy" American ideas on this point.

"Justice and dignity ought to go together—so people say. Why then do some of the County Court Judges wear the robes proper for their high office, and others merely the ordinary dress of everyday life? Surely these latter gentlemen forget that outsiders—the laity—attach no small importance to the appearance of a judge in his robes and wig, and nothing which tends to raise him in the eyes of the people ought to be omitted. We will hope that those judges, who have apparently despised outward form, will think for a moment, and in future don the robes and wig which is specially appointed for them to wear. * * * * It is the custom perhaps, but that is no reason why it should be retained, if it is a bad one, and when we read of a County Court Judge addressing the suitors and witnesses on the subject of their dress, surely those who administer the law ought to take the matter home to themselves."

The allusion in the above article is to an English County Judge who refused to allow witness fees to parties who came to Court in *their working dress*.

DEATH OF JUDGE SALMON.

We have to record the death of Mr. Salmon, Judge of the County Court of the County of Norfolk, on the 8th instant, aged 63. He was appointed on 26th May, 1845, under Lord Metcalfe's administration.

ACTION FOR DIVIDENDS.

We draw attention to a late decision under the Insolvent Act, by His Honor Judge Macdonald, of Wellington. It is a subject with which he is familiar, and he is thoroughly competent to express an opinion upon it and the point is in itself interesting and important.

An action was brought by a creditor against the assignee of the insolvent for a dividend on a claim which had been collocated by the assignee and advertised, but unobjected to by any one. It was objected that the assignee could not be sued for a dividend, but the learned judge held that the action could be maintained.

SELECTIONS.

OUR JUDGES, OUR PERSONS, AND OUR PURSES.

If the judge is to be a terror to evil-doers the administration of the criminal law must be vigorous, effective, and consistent. The latter property is perhaps the most important, and indeed the most excellently framed law loses all efficacy when inconsistently administered.

Common sense and common law agree in the principles regulating the penalties against life and limb, and crimes against mere inert property. Coke, Hale, and Blackstone all recognize the superiority of the former's claim to protection, and such claim was recognized by the ancient Anglo-Saxon code. Property may be recovered or reinstated in validity; life never can, and limbs but seldom if ever in their pristine vigour. It is in highest degree essential that health and strength of body and members, the health and strength on which depends the acquisition of property, should be guarded with the greatest vigilance, and all injuries to them punished with the sternest and sharpest retribution. And if the reader is astonished at the enunciation of such trite truths, such mere elementary truisms, a perusal of many cases lately adjudicated on in the criminal courts will remove all cause for astonishment, and prove the need there is that some of our judicial functionaries should be awakened from the lethargy or hallucinations respecting the several rights of person and property into which they have fallen.

The evil of leniency in cases of injury to the person is one of those that has attained enormous proportion of late. It is one whose fruits are seen in the savage assaults and bloody affrays which must be checked, if it need be, by the bitterest pains of servitude and the lash. The next Session of Parliament will not have fulfilled all its duties if it ends without the enactment of a brief measure, fixing severer punishments for specified acts of violence. What such an Act should be will presently be shown.

Here let us consider the present code of criminal law and the various cases of misplaced "discretion" which are culled from a file of newspapers. They deserve the most earnest consideration from every judge and member of Parliament who may happen to see them, and their lamentable effect is to produce that curse to any system of law—a *belief in its hazards*