

The Legal News.

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THE AFFIRMATION BILL.

We cut from the *Morning Post* of the 10th inst. a letter which exposes completely, and in a few words, the fallacy that an Affirmation Bill should be passed on the principle of religious toleration. The Affirmation Bill is really an outburst of intolerance, by those who are advocating it violently; but many well-intentioned people are misled by the idea that it is a question of conscience. Affirmation or oath can only be a form for those who do not believe in any moral government of the world. Courts of justice have long permitted people to swear in any form they believe to be binding. The test is not the *form* of the affirmation, but whether the person swearing has any moral sense of duty.

Mr. Bright's idea of the question is logically less absurd than Mr. Gladstone's. Mr. Bright would have no form at all, because the obligation to speak the truth on all occasions being absolute, using a form, call it oath or affirmation, on some occasions and not on all, is to make a distinction between the kinds of truth. It is unnecessary to expose the various errors theoretical and practical involved in Mr. Bright's eccentric proposition, for it presents no real danger at present. The peril is from the sleight of hand, by which one case bearing an outward resemblance to another and totally different one, is substituted for it. The spread of a low class of education gives opportunity for these enterprises by which crafty politicians live. The letter is as follows:

TO THE EDITOR OF THE MORNING POST.

SIR,—With regard to the above—1. Atheists already find their way into the House; therefore they suffer under no political disability; therefore they need no relief bill. 2. Roman Catholics would have had to abjure the Pope; Jews to declare themselves Christians; Quakers to take an oath which they considered sinful; therefore they were relieved. The atheist is not required to call himself a theist; he does not consider it sinful to take an oath; there is therefore no analogy. 3. Mr. Bradlaugh himself considers

the words of the oath "meaningless;" he has since expressed his willingness to use them; therefore he can have no scruples of conscience in the matter. What can the word "conscience" mean to an atheist?

From all this may we not conclude (1) that the Affirmation Bill could only be a Bradlaugh Relief Bill, there being nobody else to relieve; (2) that there is no political principle of religious toleration involved; (3) that Mr. Bradlaugh is not excluded from the House for his opinions, but for the use he made of them to insult the convictions of the majority of his fellow-countrymen; (4) that the Premier wasted a good many words. Perhaps this last is not a novel conclusion.

Yours respectfully,

May 8.

R. N.

THE KRING CASE.

A correspondent of the *N. Y. Herald*, in noticing the death of Charles F. Kring at St. John's Hospital, St. Louis, refers to the singular criminal record connected with the deceased. He had undergone five trials for the same crime. In 1875 he murdered Dora Boemser, the wife of his partner. His first trial commenced December 20th, 1875. He was convicted of murder in the first degree. During the taking of testimony he was handcuffed for a violent outburst of temper. On the ground that he was shackled before the jury a new trial was granted and the sentence of death set aside. In May, 1878, he was again tried. During this hearing one of the jurors was taken sick suddenly and a new trial resulted. The jury which heard the testimony on the third trial, in January, 1879, disagreed and were discharged. Under an arrangement made with Acting Circuit Attorney Ladue, in 1879, Kring pleaded guilty to murder in the second degree and was sentenced to twenty-five years in the penitentiary. The defence claimed that the plea was entered under an agreement to take ten years, and he was allowed to withdraw his plea to murder in the second degree by the Supreme Court and plead not guilty to murder in the first degree. When next arraigned he refused to plead at all, and the Court ordered him to trial under a plea of not guilty of murder in the first degree. This trial resulted in a conviction and sentence of death, but a stay was granted by Judge Sherwood, of the State Supreme Court,