

the metropolitans and archbishops, sits at Saint Petersburg. Apart from its appellate functions, it is charged with the surveillance of religious affairs all over the Empire; with the suppression of heresy; investigation of miracles attributed to relics, and many other duties.

The Volost Court.

One of the most striking of Russian legal institutions is the peasant's Court. This tribunal puts within reach of a population forming three-quarters of the whole, a jurisdiction quite in harmony with their simple ways and ideas. It was found impossible, upon emancipation of the serfs, to deprive them of these particular courts to which custom had so long inured them.

The *Volost* comprises a large commune or group of small communes. The *Volost* Court has jurisdiction only over the peasants inhabiting that *Volost*.

The judges themselves are mere peasants, often illiterate, and are elected by their peers, the members of the *Volost* council, who are themselves nominated by the village fathers. They number from four to twelve, and their services, which are gratuitous, extend over the period of one year. Decisions must be given by at least three judges. The Court sits fortnightly, and generally on Sundays. All the proceedings are oral. The Court is assisted by the *Pisar* or communal clerk,

who takes notes of the proceedings and judgments rendered. The judges have jurisdiction in civil matters up to 10 roubles, and even beyond, when the parties consent.

In criminal matters they can recognize offences committed between peasants. They settle disputes or offences connected with disturbances, drunkenness, begging; theft of property below 30 roubles in value, and others.

They can inflict fines up to 3 roubles, six days' labor at the profit of the commune, or 25 strokes of the knout. This infliction of the knout is quite an anomaly, seeing that its use is proscribed by the ordinary penal statutes of the country. But it goes to show the influence of custom upon the people subject to these courts. Another reason is put forth to explain the preference for inflicting the knout rather than fines. The members of the *Volost* are held jointly and severally liable for the payment of revenue derived from this source, and it is clear that the judges do not want to impose fines which, by bringing about the insolvency of the culprits, would necessarily have to be paid by them.

Appeals can only be heard from this tribunal in cases where the judge has exceeded his jurisdiction, or has disregarded some of the essential features of ordinary procedure, such as an omission to notify the parties or hear witnesses.—*F.L. Snow.*

Theft of Electricity.

Judges of inferior jurisdiction have sometimes doubted whether electricity could be the subject of larceny. Such a case once arose in the St. Louis Criminal Court. The prosecution was against a hardware dealer, who was charged with the theft of electricity by tapping an electric light wire and thus securing illumination free. The judge would not concede that the offence was larceny, and the grand jury would not say it was fraud.

But as "gas" has been held to be the subject of larceny, undoubtedly the same doctrine would apply to electricity.

The Electric Light Inspection Act, 57-58 Vic., Ch. 39, sec. 10 (1894) (D.) has set all doubts at rest upon this point in Canada by enacting that "Any person who maliciously or fraudulently abstracts, causes to be wasted or diverted, consumes or uses any electricity shall be deemed guilty of theft, and punishable accordingly."