

land?''* The Legislature has extended the meaning at various times by Statute.

Mr. Justice (afterwards Chief Justice) Powell's reasons for judgment are to be found in a very rare pamphlet (not dated) printed by R. Stanton who became King's Printer at York, U.C. about 1824.†

WILLIAM RENWICK RIDDELL.

MERCY AND JUSTICE.

The senior of the three junior county judges of the county of York has been posing recently as a sort of judicial Santa Claus. He seems to be so saturated with the milk of human kindness as to forget that he is a judge sworn to administer the laws of the land.

In a case that came before him last month a woman was indicted for stealing a number of articles from a departmental store. So far as the newspaper report of the case goes, there seems to be no doubt as to her guilt and no excuse of poverty; but it did appear that she was good looking, well attired, and the wife of a Sunday school teacher. The learned judge seemed to think that under such circumstances she ought to go on suspended sentence. That he had some slight sense of his duty is apparent from his observation, that he "expected that the sentence would bring a shower of comment" on him. Those who have followed the judgments and sentences of this learned judge in criminal matters do not always take him seriously, but, as he apparently expects comment from somebody, we are

*Perhaps this is not quite accurate. The question arose as to whether lands in the hands of the heir were liable to execution for the debt of the ancestor, on a sci. fa.—and it was held in the negative. *Paterson v. McKay* (1823), Taylor's Rep. 43 (Praes. Powell, C.J., Boulton and Campbell, JJ.).

†In a letter dated at York, February 5th, 1826, from Miss Anne Jane Powell to Mary Powell, her cousin, she says, "Mr. Fothergill has been dismissed the printing business and young Mr. Robert Stanton appointed in his stead."