

The Legal News.

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CASES IN APPEAL.

The Court of Appeal at Montreal delivered a considerable number of judgments on Wednesday. A person unacquainted with legal business in this Province would be astonished to learn that there were two lower courts through which the cases arriving at this tribunal had been filtered. The impression would naturally be created that this was a court of original jurisdiction, and not the highest appellate tribunal of the Province. For among all these appeals, carried up to this court at considerable expense, and entailing long delays, there did not appear to be a single one which the learned judges deemed worthy of a considered opinion in writing, and there was hardly a single precedent cited. The appeals were disposed of in an off-hand manner, and in several instances upon purely equitable considerations. We do not pretend to impugn the judgments rendered; on the contrary, they seem for the most part unimpeachable. We merely remark the singular fact, which cannot but arrest the attention of those acquainted with the care bestowed on some of the judgments in the courts below, thus summarily overruled in appeal.

THE FRANKFORT CONFERENCE.

The sixth Annual Conference of the Association for the reform and codification of the Laws of Nations has been held at Frankfort, Mr. David Dudley Field having been chosen president of the Conference. According to the report of the Council there has been a satisfactory increase during the past year in membership and in the interest evinced in the proceedings of the Association. It is worthy of note that even China and Japan were not unrepresented. The envoy of Japan to the English Court delivered an address on the relations of the Asiatic nations to those of the West, in which particular reference was made to the subjects of trade and consular jurisdiction. He expressed the hope that in time the

commercial nations would recognize that, as regards Japan, it was their interest to submit to native jurisdiction. The ambassador from China had also prepared an address which was read by Mr. Jencken. Both of the essayists were added to the list of honorary vice-presidents of the Association. A discussion ensued on the Suez canal, and a resolution was passed to the effect that "this Association is of opinion that it is for the interest of the commerce of the world that the Suez canal and other similar international works should be declared by an international Act to be forever open, and free and exempt from hostile attack in case of war." Reports from Committees were received on the subjects of Bills of Exchange, Patent Law, General Average, Bankruptcy and Copyright. The subjects of collisions at sea, and the necessity of international concert to punish criminally the non-observance of the rules of navigation for the prevention of collisions, were considered and referred to Committee. Other papers treating on topics of international law were read, and the result of the meeting was considered generally satisfactory.

EXECUTIVE PARDON.

Applications are being constantly made to our Provincial Executive for reduction of punishment or for absolute pardon in criminal cases adjudged before the Provincial Courts, and upon this matter the following extract from an influential Provincial newspaper will not be out of place here. Referring to the application to the Provincial Executive in an extreme criminal case, in which the Executive had cast the responsibility upon the judge, it is said: "The Lieutenant-Governor has sounded the true note in saying that the Executive privilege of pardon should not be turned into a court of criminal appeal. It should only be brought into play where there has been a clear and admitted failure of justice, or error of a court, not capable of remedy in any other way, or where from some special reason it is made apparent to the head of the Government that mercy should be shown to a convicted person. But does the Lieutenant-Governor carry out this doctrine when he finally refers the matter in hand to the judge who tried the case, to see if he thinks that the man ought to be pardoned? Home secretaries in England have