

CORRESPONDENCE

The Editorial Advisory Board of the Canadian Bar Association does not hold itself responsible for the opinions of the Correspondents. Contributions to this Department of the REVIEW must be accompanied by the genuine names of the writers, to be used in the discretion of the Editor.

EDITOR, CANADIAN BAR REVIEW.

SIR.—I was present in a small Italian court when some appeals in minor criminal cases were being held.

It was a bright chamber with some good paintings and frescoes on the walls and ceilings. Inscribed above the judge's place was the dictum, "The Law is Equal to All". And on banners on the gilded ceiling the words "Justice" and "Equality" were inscribed. The ceiling centre piece, a trifle worn, was a design with the fasces worked into a plan, a relic probably left from the general erasure of these symbols.

There were a few soldiers' kits neatly piled in a far corner showing the indefatigable eye of the soldier to find himself a temporary comfortable billet.

The judge wore a black robe with gold braid about the shoulders and a large black hat with a velvet pom pom top. The prosecutor was similarly attired. The clerk wore the gown with silver decorations. The defending counsel wore no special robe of office.

There were two short cases with the evidence taken as read from the lower court. The first was concerned with the purchase of Allied clothing. Sentence of 500 lire, equivalent to about 7 days' pay for a labourer was confirmed.

Considering the first case, there was a touch of irony in the clothing of the second defendant who wore a pair of English army pants and an American shirt. He was charged, together with a woman, with an indecent act in a public place. The sentence for both had been three months in the local Bastille.

During the defending counsel's address in which he asked that sentence be suspended the defendants encouraged their champion with continual nods and words of agreement. The prosecutor in reply, with much gesticulation and probably a bit of posing, asked that two days be added to the term of each to mark a strong confirmation of sentence. He spoke to the court but as often addressed the spectators, receiving nods of approval from the bench and audience alike when his arguments were deemed sound.

The court's decision was to give the two additional days to both but suspend the whole in the case of the woman.

Yours very truly,

L. A. KITZ

(Lt., 12 Cdn. Inf. Bde. Sp. Gp. (PL Fus.) C.A., C.M.F.)