

decreed * that no judge should have such a power.

THERE are some criminal cases which are either so new, so complicated, and so unaccountable, as to have escaped the provision of the laws, and which therefore, in some countries, are left to the discretion of the judge. But for one case in which the laws permit the death of a criminal whom they have not condemned, there are a thousand wherein humanity should save whom the laws have condemned to suffer.

THE sword of justice is in our hands, but we ought rather to blunt than to sharpen its edge. It remains within its sheath in the presence of kings, to inform us that it ought seldom to be drawn.

THERE have been some judges who were passionately fond of spilling human blood; such was Jefferies in England, and such in France was the man whom they called *Coupe-tête*. Nature never intended

* Bodin de Republica, lib. 3. c. 5.