

*The Legal News.*

Vol. XIV. JUNE 6, 1891. No. 23.

Few men that have occupied the chief position in a court of justice have been so honoured, and so deservedly honoured, as the late Sir Antoine Aimé Dorion, Chief Justice of the Court of Queen's Bench for the province of Quebec, of whose career some particulars will be found in another column. In the course of active political life, feelings of animosity are apt to be aroused, but the gentleness and loveliness of his disposition were such that every trace of bitterness was speedily obliterated, and during the seventeen years of his career as Chief Justice we are not aware that a harsh word was ever uttered respecting him. He was perhaps more at his ease on the bench than amid the stirring scenes of parliamentary warfare. In the latter his accurate knowledge of law and his clear perception of things made him a valuable coadjutor, but in debate he was apt to become the mouthpiece of those who availed themselves of the aid and countenance afforded by his eminent reputation and unrivalled facility and clearness of exposition. Even after his elevation to the bench we remember that he once playfully remarked that a judge was apt to be carried away by a view stated confidently by an impetuous colleague, and to yield his own opinion, although further consideration might convince him that his first impression was the more correct of the two. For some years it has been painfully obvious that the Chief Justice's strength was declining, and that rest was more and more necessary. Although entitled to retire some years ago, he appeared to shrink from any interruption to the busy life which he had led from boyhood, and continued to discharge the arduous duties of his position with unflinching resolution. After concluding the business of his Court in May, on the eve of the Long Vacation he went home, but it was not for a temporary rest. The end was nearer than any one that day imagined, and before the third day of his illness had closed

he had passed away. Irreproachable in every relation of life, as statesman, advocate, citizen, and judge, Sir Antoine Dorion will not easily pass from the memory of the people of Canada.

Our readers are aware that the Canadian Government have been consulting the judges on the usefulness of the grand jury system. In his charge at the opening of the Court of Queen's Bench, Crown side, Mr. Justice Church took occasion to state his views as follows:—"The periodical assemblage of the grand jury is an event always looked forward to by the people of this district as an occasion of very considerable public importance. The inquisitorial powers and functions of the grand jury, properly understood and wisely exercised, are of great public usefulness. For the time you may be said to represent the people of the district, not alone in regard to the investigation into alleged infractions of the criminal laws, but also in regard to those matters of great public concern which it is within your well-known province to enquire into and report upon. It has been the fashion in some circles and in some localities for a considerable period of time to look with disfavor upon the periodical assembling of the grand jury, some people regarding it as an unnecessary and cumbrous institution, if not an obsolete one for useful purposes; some have even gone so far as to suggest the substitution of a public prosecutor in its stead, whilst others have looked upon it as a sort of relic of old respectability unsuited to the times in which we live, and of no, or at most of little, practical utility; whilst others have gone so far as not alone to propose the abolition of the institution of the grand jury, but to suggest the appointment of a public officer, who, as in Scotland, would fulfill its functions. Now, without wishing to enter into the domain of contention too much, I may be permitted to doubt whether an unpaid public office, which has endured from early Saxon days up to the present, which has given representation to the public in all matters connected with the administration of the criminal law, which has afforded protection to the citizens against oppression and