

Great Britain; so much so that the law of England is synonymous in their minds with fair play and justice, and this has largely reconciled them to English dominion. We quote from the judgment in the case of *Rex v. Roach*, 6 O.W.N. p. 630:—

“There was no real trial, in a legal sense, of the applicant, though he was found guilty of a crime for which he might have been imprisoned with hard labour, for six months, and fined \$50, on a summary conviction. By the term “real trial” I mean that unprejudiced, full, and fair trial which every one charged with a crime is entitled to, and which the Criminal Code of Canada explicitly requires: see secs. 721, 714, 715, 942, 943, 944, 686, and 682; a trial none the less, but sometimes the more, necessary where preconceived notions of guilt exist, even though they may be well-founded. Such a trial does not necessarily involve any waste of time, nor need more be expended in it than is sometimes spent in trials which have to be gone over again because not real trials. Waste of time is often the result of superfluous words, and things not pertinent. No information was laid against the accused; no specific charge was made against him; only a general one of indecent exposure. Neither the shorthand notes of the trial, nor the magistrate’s full report of the case, shews that there was any arraignment of the prisoner; see sec. 721 of the Criminal Code; nor that he was otherwise informed, in any formal way, of the charge against him. The school-girl witnesses were not sworn, although there does not appear to have been good reason for not taking their testimony under oath. According to the testimony of a bystander, who is described as a clergyman, the testimony of the girl-witnesses was whispered into the magistrate’s ear; and the prisoner’s request for an adjournment of the trial so that he could procure counsel to conduct his defence was refused, the magistrate telling him that a lawyer could do him no good. The only reason suggested for the whispered evidence is modesty; but modesty, whether properly described or false or not, cannot justly be permitted to deprive any person upon trial for a crime of his right to hear all the evidence adduced against