time—given by a majority." The difficulty of getting twelve jurors together in some cases is one of which we have had experience in Montreal. There does not seem to be any valid reason why the parties may not consent to go on with ten or eleven jurors if there be one or two lacking, or even to accept beforehand any lesser number than twelve. But, under our system, there would have to be some provision as to the proportion necessary to find a verdict. Mr. Justice Hawkins' suggestion that the parties be at liberty to agree to a majority verdict is a simple solution of the question. The law of this province has long sanctioned a verdict (in civil cases susceptible of trial by jury) by not less than three-fourths of the jury—nine out of the twelve. This system has worked well, and we are disposed to think that it is preferable to one requiring absolute unanimity, or to a rule permitting a simple majority to find a verdict. To reduce the jury to a number less than twelve leaves more to the chance of individual prejudice, but if the parties consent beforehand they cannot reasonably complain.

Referring to the form of trial in the *Jameson* case the *Law Journal* remarks that except as to the constitution of the Bench, a trial at Bar does not differ from any other trial of an indictment in the High Court. "Even before the Great Charter it was not uncommon to remove an indictment from the county in which it was found for trial *coram rege*, and a precedent of this will be found in Maitland's 'Select Pleas of the Crown.' In such a case the trial was before the full Court, as is shown in the interesting illumination of the Court of King's Bench published in the late Mr. Serjeant Pulling's work on the degree of the Coif. But after the Statute of Nisi Prius (13 Ed. I. stat. 1, c. 30), which did not bind the Crown, trials at Bar at the instance of the subject were restricted to cases requiring great examination, and have gradually become very rare, or to state the law with more historical