

## EDITORIAL ITEMS.

been restricted in modern times to some extent, perhaps not to so great an extent as it ought to be, but to some extent in the direction of common sense."

THE *Central Law Journal* calls attention to a decision of the Court of Queen's Bench for Quebec, in *The Corporation of Montreal v. Doolan*, in which it was held by a majority of judges that a municipal body is liable in damages for an assault committed on a citizen by a policeman in the pretended discharge of his official duty. The case rests upon French authorities, and is opposed to the law as expounded by English and United States Courts. But the *Journal* expresses the opinion that justice and public policy demand a revision of the law in this matter, and that it is better to make the corporation responsible for the wrongful acts of its public officers, done in the course of their official relations, and under colour of their office.

THERE has been some discussion in the lay papers as to propriety of providing a cheaper and more expeditious mode of serving process and papers, where the person to be served lives at a long distance from the sheriff's office. It is unnecessary to put the case from the sheriffs' point of view, as they, like the registrars, are quite able and willing to take care of themselves. One sheriff that we have heard of used to send papers by mail to a process-server living at a village some thirty miles distant from the county town, for service in the former place. This person served the paper on his fellow villager, and swore that he necessarily travelled the thirty miles and back to make the service, and the sheriff meekly pocketed the fees thus ingeniously obtained. The beauty of it is, that lawyers get the credit of charging litigants with enormous bills of costs, whilst the truth is that probably

one-half the amount has already been paid out to sheriffs, registrars, &c., and for law stamps.

DURING the present session of the Ontario Assembly, the lawyers have not been idle. Law Reform is still the order of the day; and the Jury system, that fertile subject for experiment, has not been left unassailed. Mr. Bethune the other day introduced a bill to alter the rule in civil cases, requiring the verdict of juries to be unanimous. He proposed that, after a jury has been out an hour, it should be permitted to render a verdict of eleven of their number; after an absence of two hours, a verdict of ten; and, after an absence of three hours, a verdict of nine; and that in each case such a verdict should have the full force of a unanimous verdict. A bill of the same nature was laid on the table a year or two ago, by a young gentleman who sat on the left of Mr. M. C. Cameron in opposition. So daring an innovation, attempted under such auspices, of course came to no good end. Mr. Bethune's bill met with more respect, having been thrown out on the second reading, on an equal division in a full House.

THE Grand Jury did not escape without assault, any more than the Petit Jury. Mr. Currie brought in a bill to abolish grand juries altogether, much to the alarm of the House, which got rid of it with as little delay as possible. Grand juries are a terrible bugbear to law-reformers. Chief-Justice Harrison considers them an expensive nuisance, as his late address to the grand jury at the County of York Assizes, made manifest, and he cited Lords Brougham and Denman in support of his views. The destruction of grand juries was a favourite hobby of Lord-Chancellor Chelmsford, who made more than one ineffectual attempt to improve them out