

*INQUIRIES BY MAGISTRATES IN CAMERA.*

The action of the Police Magistrate of the City of Woodstock in conducting behind closed doors the trials of participants in the cocking main, which last month attracted an unusual amount of public attention, reveals a most objectionable wresting of this magisterial authority from its proper objects. It would appear from that functionary's own admission, that, on assuming office in November last, he formed a compact with local newspapers, by which the name of any Woodstock resident whom he should try by virtue of his summary jurisdiction, whether that of a Justice of the Peace, or such as might be conferred specially, would be suppressed by them, if he, on his part, aided in the suppression of publicity by turning his court into a secret chamber. This certainly seems to be rather an amazing proposal.

Section 849 of the Criminal Code enacts that the room or place in which the Justice (a Police Magistrate is declared to fall within the definition) sits to hear and try any complaint or information shall be deemed an open and public court to which the public generally may have access, so far as the same can conveniently contain them.

With s. 586, sub-s. *d*, read in connection with this regulation, there ought to be nothing else required to establish the Magistrate's radical error. That provision is as follows: "A Justice, may (when holding a *preliminary* inquiry) in his discretion order that no person, other than the prosecutor and accused, their counsel, and solicitor, shall have access to, or remain in the room or building in which the enquiry is held (which shall not be an open court), if it appears to him that the ends of justice will be best answered by so doing." It would, therefore, appear that the compact, above referred to, provides for an exact reversal of these statutory directions, for by it privacy was to be observed in the case of persons to be tried *summarily*, and it is not part of the agreement that persons appearing before the Police Magistrate on *preliminary* hearings were to have the screen removed from their misdoings.

The genesis of trials in camera is but partially understood. The usage depends upon a rule of practice, not of law. In the Encyclopedia of the Laws of England it is affirmed "that notwithstanding changes in procedure, an English court of justice is,