

imagine could be restrained by a suspended sentence; neither could it be applied in the case of such crimes as make a man dangerous in the highest degree to society. It will be interesting to note the effect of this system, which, so far as one can foresee, will, if carefully and wisely carried out, tend to the lessening of crime.

CROWN COUNSEL.

(COMMUNICATED.)

In a former issue we discussed the question whether or not Grand Juries are essential in any degree to the due administration of criminal justice, and the conclusion arrived at was that they had outlived their usefulness. We indicated that the duties of the Grand Jury could be better performed and the object sought to be accomplished by the grand inquest more satisfactorily effected by means of a change in the present system of appointing Crown Counsel and by an addition to the duties now devolving upon them. We propose in this article to deal, first, with the question of the mode of appointment of Counsel for the Crown as it stands at present, and, second, to suggest some changes which might place this important factor in the administration of our criminal law on a better footing by giving Crown Counsel the powers requisite to enable them to take the place of Grand Juries.

In dealing with the first branch of the subject, we do not intend to reflect in any way upon the ability or integrity of the gentlemen who are appointed from time to time by the Attorney-General of the Province to conduct Crown business. All who know the Attorney-General, of whatever political stripe they may be, will readily admit that there are few public men as careful, thorough, or conscientious in the administration of the law as Mr. Mowat has proved himself to be, whether as a judge or as the Attorney-General of Ontario. Judging from his long tenure of office and the confidence reposed in him by the electorate for these many years, it can scarcely be denied that the public have grown to regard him as a man to be trusted in small matters as well as great, and his name is taken by the people as a sufficient guarantee that their welfare is safe in his hands. We therefore feel warranted in saying that, as regards the administration of criminal justice, there can be no ground of complaint with reference to the personal efforts of the Attorney-General and his officers; but, when we come to consider the system itself, we fear we cannot speak so strongly in its favor.

The first great objection to the present mode of appointing Crown Counsel is that it is purely political and of a temporary character only. It is highly desirable that these officers should be permanent and that they should not depend upon the influence of their friends for their retainer. The more permanent we can make our judges and all other Crown officials, the better it will be for all parties concerned in the law and its due enforcement. A man who knows that his position is secure will be more likely to perform his duty in a keener and more independent manner than he whose tenure depends, to some extent at least, on considerations other than the faithful discharge of his official functions. If it is thought a proper thing for judges to hold office for life, subject of course to good behavior, it is equally desirable that officers entrusted with the authority of the Crown, and with power to conduct prosecutions affecting the life