

summoned, and dispense with the assistance of the Crown counsel in the investigation of cases submitted for their consideration, while it savours of conceit and self-sufficiency on the part of the jurors, at the same time also indicates the want of what is called "horse sense."

Fortunately for the administration of justice in Ontario grand juries are rarely to be met with who are wanting either in due respect for the Bench, or of that ordinary common sense which is necessary for the proper discharge of their functions.

There are, however, exceptions to every rule, and at a recent assize a grand jury signalized itself by dispensing with the services of Crown counsel in the investigation of a case in which, above all others, such assistance was imperatively necessary in order to enable them to reach a right conclusion; and when the Bench ventured to remonstrate it was met with what might be aptly termed the respectful insolence of the foreman. In such circumstances it is hardly to be wondered at that the finding of the jury resulted in what the court seemed to have regarded as a miscarriage of justice, and having thus, so far as we can gather from what has appeared in the public press, demonstrated their unfitness for the proper discharge of their important duty, the court promptly dismissed them.

There may have been reasons for the action of the grand jury which do not appear, and they may have imagined some desire to encroach upon their undoubted rights; but the unseemly incident would have been avoided if the foreman had adopted the usual course of requesting the Crown Counsel to wait upon them for his advice upon any matter of a legal character, with which he would necessarily be more familiar than they could be. Instead of this they took the matter into their own hands and, according to the views of the judge, made a mess of it. Upon the whole, we do not see that the judge could have acted otherwise than he did.