

or to ascertain what has been written or achieved by their predecessors in the department they may have selected? Is it not to be feared that many such, chilled and disappointed in their aspirations, are left to brood in solitary hopelessness, till they abandon their designs, or pass from the stage of life, without having accomplished aught worthy of their genius and industry?

It may be said that the proposition to levy a new tax is an objectionable feature in the scheme, and, indeed, we should be glad to see this part of the project altered, if it could be shown that any other course was feasible. But, it must be observed, the proposed rate would probably not exceed half a cent in the £., in other words, a person paying a rental of £50. would have to contribute only 25 cents per annum to the Library Fund; in return for which he would have free access to many thousands of volumes, and be permitted to take them to his home for the perusal of himself and his family. Nor is it proposed to rely solely upon taxation. The voluntary system will also come into play; for while it is considered by the promoters of the scheme, that there can be no other basis so secure as a small rate, for the permanent support, and to defray the annual expenses of the Library, yet it is expected that funds for the erection of an edifice worthy of the position which Montreal assumes as the leading city of British North America, will be provided by individual liberality. It is, moreover, urged that the taxation scheme is not a new or untried course, but one which has been found to work well in other countries.

We have some confidence that this scheme will not be nipped in the bud. Some there are whose faces are set with dogged and unreasoning determination against any improvement, be it what it may. From such, opposition may be expected. But we believe that the majority, convinced that the establishment of a free Lending Library and Library of Reference, [after the model of the Public Libraries of Manchester, Boston, and other cities that have taken the lead in the movement,] must effect important good to the community, will hail the proposal with satisfaction, and will further the measures

which may be adopted for the speedy accomplishment of this object.

DISAGREEMENT OF JURIES.

It may be remembered that in the course of the argument in the case of Blossom and others, the point was raised by the prisoners' counsel, though not seriously urged, whether a second trial, after the disagreement and discharge of the first Jury, was legal, on the ground that no one can be twice put in jeopardy for the same offence. The case of Charlotte Winsor, and some remarks in the London *Solicitors' Journal*, were referred to. The woman, Charlotte Winsor, had murdered a child. At the first trial the jury did not agree, and were discharged, but she was convicted by a second jury. After her conviction, her counsel contended that the verdict was illegal for two reasons: first, because the Judge had no right to discharge a Jury, at all events, in a capital case; and, secondly, because no person can be twice put in peril for the same offence. The judge appears to have had some hesitation on the subject, and the question afterwards came up before the Court of Queen's Bench. Here the case was fully examined by the Court, and the judges were unanimously of opinion that the verdict was a good one, and ordered the execution of the sentence.

No importance, apparently, was attached to a point which was also urged in the Blossom case, namely, that a failure to agree by one or two Juries raises any presumption of the prisoner's innocence, which requires to be noticed by the Court or Jury at a subsequent trial; and they held that the doctrine, that a man must not be twice put in peril for the same offence applies only to a trial which leads to some result. If the man were acquitted, he could not be tried a second time. But if he were neither acquitted nor convicted, he was just where he was before the trial began.

As to the time during which a Jury that cannot agree should be detained, it will be noticed from the remarks cited below, that the Lord Chief Justice was inclined to doubt