

therefore there was no need of the services of a grand jury. The Judge promised to forward their presentment to the proper quarter. So, too, at the last session of the Central Criminal Court of London, the grand jury expressed their firm conviction that the functions which they had been discharging were useless, and that the ends of justice would in no way be defeated, if bills of indictment ceased to be subjected to this preliminary examination.

When men are dragged together against their will, to do what they believe to be totally superfluous and unnecessary, it is not to be expected that their faculties will be even moderately roused into activity while engaged in such duties. It is therefore not to be wondered at, that the jury last referred to should have backed up their own confession of their inefficiency, by committing an error with singular consequences. A man was charged before them with committing an unnatural offence, and although there seems to have been little room to question his guilt, the grand jury rejected the bill. By a strange mistake, however, the words "a true bill," were endorsed on the indictment, instead of "no bill," and the prisoner was placed on his trial, convicted, and sentenced to ten years' penal servitude. Subsequently, the attention of the foreman being directed to the report of the trial in the newspapers, he attended in Court, and made an affidavit that the grand jury had rejected the bill. As, however, the bill and subsequent proceedings were all regular, the Judge could not interfere, and it only remained to communicate the facts to a pardon Home Secretary. It is expected that a pardon will be granted to the convict in the general interest of justice.

Another singular instance occurred at Clerkenwell. A man and woman being jointly charged with robbing furnished lodgings, the grand jury found a true bill against the man, but ignored the bill as against the woman. With the natural indolence of men engaged in what they believe a useless task, they omitted to strike out the female prisoner's name. She was accordingly arraigned, pleaded *guilty*, and sentenced to a term of imprisonment. At the last moment, however, the

error was discovered, and the woman, to her great astonishment, set at liberty.

At the last term of the Court of Queen's Bench at Montreal, the grand jury found a true bill against a prisoner, on an indictment which lacked the necessary signature, without observing the defect. And, it may here be not out of place to notice, though we do it without expressing any opinion on the merits of the case, at the previous term a number of true bills were found against a gentleman, who has since published a pamphlet loudly denouncing the iniquity of secret indictments by grand juries, as affording facilities for concocting conspiracies, and gratifying private animosities.

These incidents have revived the discussion as to the expediency of the grand jury system, and the wakeful English public will probably not allow the matter to rest till the subject has been thoroughly weighed and examined. We see little to be urged in favour of the system. The gentlemen who act as grand jurors are utterly ignorant of the rules of evidence, and the first principles of criminal law. Or, if they have any ideas on the subject, it is probable that they are of such a nature as rather to mislead than to aid them. We have just seen the way in which a grand jury attempted to investigate the LAMIRANDE case; and as for the presentments with which these bodies usually wind up their functions, it is well known that they are invariably received by the public with the utmost indifference.

#### THE PRICE OF JUSTICE.

"*Nulli vendemus, nulli negabimus aut differemus justitiam, vel rectum.*"—MAGNA CHARTA, CAP. xxix.

"To none shall we sell, to none deny or delay right or justice."

Upwards of six centuries and a half ago, this sentiment was expressed in written words as one of the settled axioms of the English Constitution, and thirty-nine times since have the Kings of England sworn to abide by the promise of their predecessor.

Then, it was necessary to oppose it to open bribery, tyranny and corruption. Since, the nations have been growing in learning, in wealth, and in civilization; until now the sense of freedom and of justice is so deeply