

when property, even of a trifling value, is at stake, and the absence of them when life or liberty is the issue. The Lord Chancellor's Bill gives expression to a notable change in public opinion. If it is unlike past measures bearing the same name, it is in part because people do not think quite as they did about these matters. But to correct the present system does not necessarily mean all that the Government Bill proposes. To an unrestricted right of appeal which it would permit both as to law and facts there are solid objections. One is very practical, indicated in the report of some seventy magistrates of the County of London. In normal years about 9,000 to 10,000 persons are convicted at assizes and quarter sessions. Assuming that even one-fourth of those convicted appealed, there would be about 2,000 to 2,500 convictions to be examined. A Court which "reheard" cases could not, on an average, deal with more than two a day—an average probably not put too low in view of the fact that new evidence may be called, and that cases in which "there is money" would generally be argued at inordinate length. This would mean about a thousand sittings of three judges. Taking the judicial year at 200 days, one Court would be engaged for about five years in disposing of a single year's appeals. This would be the paralysis of our judicial system; a result to be avoided only by very greatly increasing the number of judges, or withdrawing the majority of them from civil business.

To some extent the full effect of this evil might be averted by transmitting a large part of the civil and criminal work of the judges of the High Court to the County Court judges. Such transmission would leave untouched another and a greater evil. Would the verdict of a jury in a criminal trial be under the proposed system as trustworthy as it now is? Would they decide with the full sense of responsibility which is now upon them if they knew that their verdict might be corrected? Is it certain that this innovation, proposed in the interests of mercy, would not in practice increase convictions? Might no juries who now say "We have a doubt; we dare not bring in a verdict of guilty, which is irreversible," be disposed to say "Some one has