

IS A JURY NECESSARY?

Even before the Act just quoted was passed, the number of jury trials had diminished very considerably. During the war, parties to litigation have been easily persuaded to forego their strict rights. The assembling of a jury involves a much greater waste of time than that of the twelve men who are shut up in the jury box; for the panel from which they are drawn is a much larger body. The panel has to appear in Court. Non-appearance when summoned may involve a considerable fine. So far one has heard no complaints of trial by Judge alone; and it may be safely said that in civil cases, generally speaking, juries are not necessary in war time.

THE CORONER'S JURY.

The changes above referred to are to continue during the present war and for a period of six months thereafter. During this period the functions of the coroner's jury are also suspended, for the same Act provides that a coroner may if he thinks fit himself hold an inquest concerning a death. If the functions of a grand jury were unnecessary, those of the twelve men summoned by a coroner were equally useless in the vast majority of cases. The verdict of a coroner's jury is nearly always perfectly useless, because it binds nobody and leads nowhere. There is nothing done by his jury which the coroner cannot do equally well and with the expenditure of much less public time.

A JURY'S RATIO DECIDENDI.

The advocate (although he may hazard a guess) is seldom privileged to know why a jury decides for or against him. I did, however, once meet a special juror who disclosed a secret of the jury box. He had served as a special juror. The case was long and complicated and so difficult to decide that, when the jury came to retire, six were inclined for the plaintiff and six for the defendant. In this dilemma the foreman spoke up and said: "Gentlemen, there are points in this case upon which it appears to be impossible for you to agree. But there is one thing upon which I fancy we