

*THE KINRADE CASE.*

The inquiry recently held in Hamilton as to the death of Ethel Kinrade has given rise to much comment both as to the mysterious circumstances of the case and the manner in which the inquest was conducted. The only feature of it which has come before the courts arose on the refusal of two of the principal witnesses to attend the second time on the coroner's summons, giving rise to an application to the Divisional Court (see ante p. 330) which, though unsuccessful in its immediate object, had the effect of eliciting from the court the opinion that a coroner has merely local jurisdiction and therefore that neither his summons nor a warrant issued to compel the attendance of witnesses could be enforced when the witnesses are outside of his territorial jurisdiction. The difficulty was, however, met by the issue of a subpoena from the Crown office, which these witnesses obeyed.

According to the ancient method of such inquiries, the coroner, who held the inquest himself, also conducted the examination of witnesses; and when he had asked all questions which to him seemed necessary, he would put any others that the jury might suggest, if he thought them proper and relevant. Under the Ontario Act (R.S.O., c. 97, s. 5), the Crown Attorney is to be notified of any inquest, and, if he thinks fit, may attend and examine the witnesses.

This right was claimed and exercised, not only by the Crown Attorney, but an eminent counsel was also called in to assist him. The section in question does not expressly provide for such aid, but it was not objected to, and similar practice has often prevailed in other cases.

The *prima facie* aspect of the case was, in view of the evidence of the sister of the deceased, most mysterious. She was in the house at the time; but her explanation of the circumstances attending the tragedy were so unsatisfactory, her statements so incoherent, so many contradictions, such apparent impossibilities related as facts, her actions at the time and subsequent to the tragedy so inconsistent with her stories and with what might have been expected from a girl who had just seen her sister done