

upon the evils of protracted imprisonment, and the mingling of the young with the more hardened criminals. The point was well put by Mr. Justice Gwynne in his address to the grand jury at the "Frontenac Assizes:—

"Grand juries," said the learned judge, "will have reason to rejoice in the diminution of labor falling upon them when the act shall have come into perfect operation, and the accused parties will have equal reason to rejoice that an opportunity is presented them of relieving themselves from that confinement previous to trial, which the old mode of procedure necessitated: much of the evil incident to the incarceration of persons who may be innocent with those who may be guilty, and of those guilty of minor offences with those who may be guilty of more heinous offences and arising from the associations and intercommunications of vice thus introduced will be also avoided."

The saving of expenses is the lowest ground that can be taken, but is probably the ground that will be most operative with people in general—for what may be refused to the soundest argument will often be promptly conceded to a popular cry for economy or a business-like necessity. We do not desire to undervalue economy in administration, but would not give undue prominence to an argument upon it, when the proposition, as in this case, is plainly recommended by higher considerations; but that there will be an enormous saving in gaol accounts for the maintenance of prisoners under the new law cannot be doubted. We have heard it estimated at fifty per cent. or more, and from the enquiries we have made think the estimate not excessive. The diminution of cases for the regular courts will also effect a saving, and it must be a considerable one, seeing that some sixty jurors as well as the officers of the courts are under daily pay, and if a number of prisoners are to be tried the court must be necessarily delayed; all this without speaking of the loss and the delay to suitors and witnesses in civil cases. Not that the work of the new court is to be done for nothing,—the ministerial officers engaged must be paid, and it would be wise and just to pay them liberally,—but it would take the expense of a great many trials before the County Judge to equal the cost of a single day at the assizes or sessions.

The County Judge's criminal court will be, if we may be permitted the expression, *a court of perennial gaol delivery*: a key always at hand to open the prison doors to the innocent;

and in this aspect alone *any* outlay necessary in making the tribunal thoroughly efficient and safe would be amply justified.

The new law has been most favorably received by the thinking men, and so far has been, again to use the language of Mr. Justice Gwynne, "eminently successful, and prisoners have largely availed themselves of the opportunity afforded them for a special trial; that success will continue to attend the measure commensurate with so good a beginning, there is every reason to hope and believe."

There are many considerations in respect to the new law upon which we shall have occasion to remark hereafter; at present we must bring this article to a close by invoking the judges and officers connected with the new jurisdiction, and upon whom the duty of carrying out the act devolves, to be *earnest and zealous* in endeavouring to secure all the benefits it was designed by its author to accomplish, and which the government of this Province is bent on securing. The act at present may be said in a certain sense to be upon trial; it may, and with wise and careful administration must remain a permanent addition to our system of criminal jurisprudence, but it *may* be brought into disrepute and its vitality destroyed. Amongst all the wise utterances of Lord Bacon there is none more true than this, "that the life of a law lies in the due execution and administration of it," and it is well that it should be known and felt that with the County Judges and County Attorneys rests the administration of this, one of the most important criminal acts on the statute book of Canada.

The Court of Error and Appeal will sit for the dispatch of business on 3rd January, 1870:

The Toronto Winter Assizes have been fixed for the 10th January next. Mr. Justice Wilson will preside.

BILLS BEFORE THE LEGISLATURE.

The following Bills are now under the consideration of the Local Legislature. The Act to amend the law of evidence, which we give below, was introduced by Mr. Blake. There is also another to the same effect, brought in by Mr. Clarke, which having passed the second reading, after strong opposition from the Attorney General and others in the government,