

exceptions. Generally, and whether innocent or guilty, he assists, by his story of the facts, in convicting himself, and the reasons for this are apparent when some degree of consideration is given to the matter.

A suspected witness is a witness condemned. As a rule, the accused does not reach the stage of trial unless the facts are such as are likely to tell against him in the minds of the jurors. Jurymen are like other people. What affects ordinary outsiders, affects them. They do not lose their characteristics of humanity by assuming the role of jurors. Foreign elements not infrequently act upon their minds, just as the minds of the neighbors of the accused are acted upon by matters, to the legal mind, wholly irrelevant. Simplifying the question in this way, we can readily trace the growth of suspicion until it develops into convicting facts, and we can easily understand how it is that guilt more likely than innocence stands in the dock.

First, there is, perhaps, only a whisper when a crime is committed. This rises to the level of suspicion as people piece the circumstances together. Afterwards, a concrete fact is evolved and as this is one of a chain of facts, its discovery naturally connects it with others. Later on, the trail becomes more distinctively marked, and just as one link leads to another until the chain is moderately complete, so the knowledge of one circumstance unearths or leads to others in close proximity, and what was originally the indication of suspicion becomes at least the *prima facie* evidence of guilt. These facts, many of which cannot be denied by the person suspected, carry conviction to the minds of his neighbors and he is tried by them and condemned in the great tribunal of common sense. Then comes the preliminary investigation by the magistrate and the formal and aggregate record of the loose ends gathered up by the constables, who, as a rule, are honest men, but who, nevertheless, do not seek to minimize the facts which tell most strongly against the prisoner. A committal follows, and if the trial be by jury, there is the pronouncement of the Grand Jury, by sending a true bill before the Court for final disposition. We have, therefore,