

GENERAL SESSIONS OF THE PEACE—THE BENCHERS BILL.

It will be noticed that the Act respecting Perjury (Dom. stat. 32 & 33 Vic. cap. 23, sec. 6), empowers the judge, &c., to direct that any person guilty of perjury before him shall be prosecuted, "and to commit such person so directed to be prosecuted until the next term, sittings or session of *any Court having power to try for perjury.*" Now, the language of the English enactment 14 & 15 Vic. cap. 100, sec. 19, from which ours is taken, after providing that it shall and may be lawful for any judge, &c., to direct, &c., is as follows: "and to commit such person so directed to be prosecuted until the *next session of oyer and terminer or gaol delivery* for the county or district where," &c.; indicating that the jurisdiction over such cases in this country is not confined to the assizes only, as in England. From all which, we take the deduction to be, that in cases of perjury at common law, the Court of General Sessions of the Peace has no jurisdiction; in cases of perjury under the statute of Elizabeth (this statute relates to perjury by witnesses only) the Court has jurisdiction. In cases of forgery at common law, it has not jurisdiction: *R. v. Yarrington*, Salk. 406; *R. v. Gibbs*, 1 East. 173. As, however, the statute of Edward provides that if a case of difficulty arises upon the determination of the premises, that judgment shall in no wise be given unless in the presence of one of the justices of one or the other Bench, or of one of the justices appointed to hold the assizes, it is not at all probable that the justices sitting in General Sessions will take upon themselves to determine crimes of the more serious nature, but will exercise the power above given them of allowing such crimes to remain over for the judge holding the assizes.

We do not feel that we have arrived at a very satisfactory conclusion—certainly not at the generally conceived idea; but in view of the premises, we can form no other opinion on the matter.

It is not improbable that the jurisdiction of the Court of General Sessions will soon be fully settled by a decision of one of the Superior Courts of Common Law, as we understand a case was reserved lately by one of the County judges, upon the ground that he had doubts, and desired to have the opinion of the Court of Queen's Bench as to whether or not the Courts of General Sessions have jurisdiction in cases of forgery.

THE BENCHERS BILL.

Some considerable alterations have been made in this Bill by the special committee to whom it was referred, as will appear from the extracts given below. The privilege proposed to be given to the silk gowns to elect twelve members from amongst themselves is taken away; the provisions as to electoral districts are struck out, and thirty Benchers are to be elected, irrespective of locality; length of standing at the Bar is not required, and the youngest barrister is as eligible as the leader of the Bar. The first election is to take place next April, if the Bill passes.

The clauses referred to provide that—

"On the first day of Easter Term, one thousand eight hundred and seventy-one, the present benchers, except as hereinafter provided, shall cease to hold office, and from and after that day the benchers of the Law Society, exclusive of *ex-officio* members, shall be thirty in number, to be elected as hereinafter provided.

For the purpose of the election of the remaining thirty benchers, each member of the Bar not hereinafter declared ineligible as an elector, may vote for thirty persons.

Such votes shall be given by closed voting papers, in the form in schedule A of this Act, or to the like effect, being delivered to the Secretary of the Law Society on the first Wednesday of April of the year proper for such election, or during the Monday and Tuesday immediately preceding: any voting papers received by the said Secretary by post during said days, or during the preceding week, shall be deemed as delivered to him.

The said voting papers shall, upon the Thursday following, be opened by the Secretary of the Law Society in the presence of the scrutineers, to be appointed as hereinafter mentioned, who shall scrutinize and count the votes, and keep a record thereof in a proper book, to be provided by the said Society.

The thirty persons who shall have the highest number of votes shall be benchers of the said Law Society for the next term.

Any person entitled to vote at such election shall be entitled to be present at the opening of the said voting papers.

In case of an equality of votes between two or more persons, which leaves the election of one or more of such benchers undecided, then the said scrutineers shall forthwith put into a ballot-box a number of papers, with the names of the candidates having such equality of votes written thereon, one for each candidate, and the Secre-