

influence that may be exerted in a secret tribunal by one or two of its members, moved by prejudice or influenced by unworthy and evil motives?—nor is such a thing improbable of occurrence. To my mind this is a grave objection."

The possibility of mistakes without corrupt motive, though not an inherent evil in the system, is a very frequent occurrence, much more so than would be the case if the investigation were in the hands of a trained legal mind. A number of incidents were mentioned under this head which we have not space to refer to.

The question of expense is also material. It is stated that the cost of Grand Juries is from \$40,000 to \$50,000 yearly in Ontario, a considerable sum which, we think, might be better spent, though of small moment if there were any real advantage to be gained by the system. In connection with this, the point was made, that if the Grand Jury were abolished it would leave more material from which to select the Petit Jury, the more important body of the two, being the one which finally decides upon the guilt or innocence of the accused.

The advocates of the Grand Jury system bring forward as one of the most important of its advantages the allegation that it is an educator of the people, and that those who serve as Grand Jurymen "gain a certain knowledge of law and a right conception of its salutary influence, which they become agents in diffusing in their neighborhood, and thus inspire the public with more respect for the law and its administration." The answer of the learned Senator to this is well put in the following words: "Perhaps so, and a man in a lifetime may have two or three opportunities for gaining such knowledge; but it must be homeopathic in amount, and it seems to me that the intelligent reader of one of our great dailies, which rarely fail to give full and intelligent reports of important cases, would gain much more information at his own fireside."

Others again who favor the present system do so as they regard it as a great "bulwark of our liberties." It is undoubtedly ancient, and was at one time more or less a representative democratic institution, and it has undoubtedly in years gone by stood between the rights of the people and the arbitrary and tyrannical power of the kings and governments; but as to this the thought of the speaker was, that if this arbitrary power were "ever to raise its hand in the courts or elsewhere, the people of this country would not, I am very sure, fight behind the feeble barricade of a Grand Jury."

The judges of Ontario have been divided in their opinions as to the desirability of retaining the Grand Juries. One scarcely likes to advance an opinion contrary to that held by such a one as the late Chief Justice Draper. Chief Justice Cameron also held the opinion that the Grand Jury should be retained, and others though in the same way. Chief Justice Hagarty thought that that old-fashioned institution of the Grand Jury could not be dispensed with until some very careful substitute was found, which the then law did not present. Chief Justice Harrison, however, on the other hand, declared in favor of their abolition. So also Mr. Justice Gwynne, who thus expressed himself at an Assize in the City of Kingston. We have pleasure in reproducing his remarks as follows:

"Such, however, is our law, that at the busiest portions of the year you are