

GRAND JURIES AND THE PLEAS OF CRIMINALS.

should be removed to await the day fixed for the trials. Prisoners appearing to be lunatic, or standing mute of malice when called upon to plead, should be remitted to be dealt with as they are at present. The witnesses against those prisoners who pleaded not guilty, or who did not plead before the Commissioners, for the reasons which we have mentioned, should receive notice to attend and give evidence at the trials of the prisoners, against whom they were required to appear. The witnesses against those prisoners who pleaded guilty should have no notice sent to them, unless the presiding judge, recorder, or magistrate desired to question them before passing sentence, when they should be summoned to appear at a particular time; and the fact of receiving no such notice or summons should discharge them from their obligation to be in readiness to give evidence.

At the commencement of the Assizes or Sessions to which they have been committed for trial, those prisoners who had pleaded guilty should be sentenced. Those who had not pleaded before the Commissioners should also be dealt with; and those of them found to have stood mute of malice should be punished for their contumacy. The trials of the prisoners who had pleaded not guilty should then be proceeded with in regular order.

We have now laid before our readers our plan for cheapening the administration of our Criminal Law. We cannot tell them the sum which the nation would be likely to save by adopting it. The kindness of the gentlemen in charge of the records at Bolton and at the Salford Hundred Prison has, however, enabled us to collect some information bearing upon the subject. During ten years, ending July 29th, 1870, the total number of prisoners called upon to plead at sessions for the borough of Bolton was 1,183. Of these, 459 pleaded guilty to the charges made against them; 492 pleaded not guilty, and were tried and convicted; and 232 pleaded not guilty, and were tried and acquitted. Our information respecting the pleas of prisoners at county sessions and at assizes is limited. We are able to state, however, how the prisoners pleaded at twelve sessions for the Hundred of Salford, held in the years 1869 and 1870, and also at six Manchester assizes, held during the same years. We can also

tell our readers the number of prisoners, who either pleaded guilty or were convicted at these assizes and sessions, after having been previously convicted. At the twelve sessions in question the total number of prisoners called upon to plead was 718. Of these, 245 pleaded guilty to the charges made against them; 362 pleaded not guilty, and were tried and convicted; and 111 pleaded not guilty, and were tried and acquitted. Of those who either pleaded guilty or were convicted, 253 had been previously convicted, and they all pleaded guilty to the counts charging the previous convictions. At the six Manchester assizes which we have mentioned, the total number of prisoners called upon to plead was 382. Of these, 79 pleaded guilty to the charges made against them; 217 pleaded not guilty, and were tried and convicted, and 86 pleaded not guilty, and were tried and acquitted.

Of those who either pleaded guilty or were convicted, 82 were charged with having been previously convicted; 79 of these pleaded guilty to the counts charging the previous convictions, and 3 pleaded not guilty to them, but were found by the juries who tried them to have been previously convicted as alleged. If complete statistics were collected, respecting the pleas of criminals to counts charging previous convictions, it would be found that such charges are almost invariably admitted by them.

We believe our judges, recorders, and chairmen of magistrates, will agree with us, that the prisoners who plead not guilty to these counts do not reach one per cent. of the total number of prisoners against whom previous convictions are charged.

The statistics which we are able to put before our readers are not very recent. We merely use them, however, to show the average number of prisoners who plead guilty to the charges made against them at assizes and sessions; and, since there is no reason to suppose that the average practice of prisoners as to their pleas is variable, they are as valuable for the purpose for which alone we use them as they would have been if they had included the pleas of the last batch of prisoners arraigned.

Our readers are now in a position to form some estimate of the loss to the public, and of the inconvenience and loss