

and local Crown Attorney were combined in the same person. This was doubtless originally done on grounds of economy and expediency. My own view would favor a nearer approach to the Scotch system, which has worked so well and drawn to it a full measure of public confidence.

The several Provinces can abundantly supply the necessary agency. In Ontario there are trained officers that can be utilized.

I am myself quite satisfied a comprehensive scheme of the character indicated is feasible, would be calculated to secure uniformity as well as a better and more responsible system for criminal procedure, and would certainly not cost more than grand juries.

Such a work is one that should be undertaken by the Government, with its ample means for enquiry and looking to the ways and means.

I have placed my notice on the Paper to enable me to lay before the Government and the people of Canada what my experience has convinced me would be a valuable reform. I hope to secure the attention of thoughtful men, inside and outside of Parliament, to the subject.

If I have succeeded in favorably impressing my hon. friend and leader, and other hon. gentlemen in this House, I have not spoken in vain. What I have said will in some way reach the Government, and I hope may receive such consideration as the importance of the subject entitles it to. In that case I am not without confidence of a favorable result, and earnestly hope, next Session, at all events, to see a measure brought down dealing with the subject; for in the interests of sound and safe administration it should, I think, commend itself to those who are primarily responsible—for the reform proposed is based on the principle that it is the duty of the State to detect crime, apprehend offenders and punish them, and that independently of a private party.

HON. MR. ABBOTT—I am sure the House has listened with great interest, and is under deep obligation to my hon. friend for the study and research which he has devoted to this question of the value of the Grand Jury in the administration of justice. It is probable that this venerable

system is perhaps getting too venerable for the present age. There is no doubt that it is cumbrous, and in many other respects unsatisfactory. The progress of our free constitutional system, under which offences are tried by independent judges—judges entirely independent of outside influences—has rendered the protection which the Grand Jury was calculated to give to the citizen practically unnecessary. There is no danger now of any interference by the Crown, or by a powerful subject, either to cause an unjust prosecution of an innocent person or to shield a guilty one. Such practices have become practically things of the past, and for protection from them, which was largely, no doubt, the reason for the existence of the Grand Jury, that institution is no longer necessary. The preliminary inquiry, it seems to me, so far as it is necessary, into offences which have already been investigated by a magistrate, can best be made by a person trained for the purpose; and probably such an officer as my hon. friend has indicated would be a much more satisfactory means of making this preliminary inquiry, than a tribunal composed of a number of gentlemen, who are selected rather with respect to the amount of property which they happen to possess than with reference to any special fitness which they may be supposed to have for making such an inquiry. It would be extremely probable, as any one might of himself judge, that the results of a system of that description would be precisely such as my hon. friend has unearthed and has disclosed to us during his address. But at the same time it must be recollected that the great benefits which this antiquated system has conferred upon the people in the past, the security, the protection, which it afforded them through centuries, has greatly attached the people to the institution of the jury; and it would be dangerous and unpopular with the people generally to make any attempt to disparage the efficiency, the position, the power or the advantages of the jury system in any phase of it whatever. It is to be feared, therefore, that at this moment public opinion has not reached a point where it will be safe or judicious to attempt to do away entirely with the Grand Jury system, and substitute for it any other, no matter how well conceived it may be. I

HON. MR. GOWAN.