

The Age 26th April 1902.

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drift of the University. There was an investment account which was practically made up of the savings of years gone by, and if it had not been for that fund the trust funds deficiency of £15,494, he had made a reasonable allowance for interest and for the difficulties of investing money. He had prepared an estimate of receipts and expenditure for 1902, and upon it the Treasurer had agreed to give the University an extra £1500. With the extra savings and increased fees the accounts of the University, with this £1500, would about balance.

To Mr. Boyd: The conservatorium of music would have paid its way but for the frauds.

To Mr. Smith: It was the duty of an auditor to call attention to irregularities in the way accounts were kept. He knew of no minute existing as to the University accounts.

The President: Do you not think that there ought to be a Chair of Bookkeeping—for the benefit of Government departments?

Witness: It would be useful for people outside the Government as well.

At this stage the commission continued its sitting in privacy.

A vacancy having occurred in the University Council through the expiration of the term of Mr. Justice a'Beckett, the registrar will receive nominations of candidates for the vacancy on or before 9th April. Nominations must be made by two members of the senate, with the written consent of the candidate.

A preliminary notice of the new University Conservatorium examination scheme announces that the first examination will commence on 25th September. The preliminary theoretical examination in the higher grades will be held after 8th September. Entries will be received up till 4th August by the registrar of the University (up to 1st September on payment of 2/6 late fee). There will be no delay in the publication of results. The complete syllabus will be published in a very short time.

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DISAGREEMENTS OF JURIES.

JUSTICE A'BECKETT'S VIEWS.

In the course of an interview on the question of trial by jury, Mr. Justice a'Beckett yesterday said he was fully of the opinion that there was room for amendment in the present system. He would not go so far as to say that trial by jury should be abolished.

"In criminal cases," he said, "I should be sorry to have the judge substituted for a jury, but there could be a great improvement in the manner of selecting jurors. A very invidious distinction is made in regard to 'common' and 'special' jurors, with the result that in criminal cases we don't get the benefit of the men who are presumed to be more intelligent than less wealthy members of the community. Of course it does not follow they are more intelligent, but, whatever their position in the intellectual scale may be, there is the fact that they are specially exempted from serving on criminal juries. The act provides that every householder of ten years' standing, rated at an annual value of not less than £20, shall be qualified and liable to serve as a 'common' juror, and it is also expressly stipulated that all criminal cases shall be dealt with by twelve jurymen from this class, though there is provision for trial by twelve 'special' jurors in special cases. Then the act creates as special jurors those who are rated at an annual value of not less than £60, or possess property of the value of £1200, or yielding a yearly income of not less than £60. I do not see why judges should not have the assistance of the best citizens they can get in dealing with criminal cases.

"With regard to a majority verdict, there is something to be said on both sides. I think sometimes a minority might prevent a miscarriage of justice. I do not know if it would be considered too great an interference with the liberty of the subject with the principle of what is described as the bulwark of British liberty, but I think there is a simple plan by which some check at any rate would be imposed upon the possibilities of innocent men being convicted, or of guilty men being allowed to escape just punishment. My idea is to allow the judge to have the right to direct a new trial if he thought there had been a miscarriage of justice. Sometimes a jury will find a verdict in the face of the evidence which has been brought before them, and in other cases they take the matter into their own hands, and without the sense of responsibility which judges and counsel must display, they suggest theories which should not enter into their consideration at all. Such a power would, of course, only be exercised in cases where the verdict was manifestly perverse. There are cases where jurymen allow their sympathies to outrun their duty. Take cases of perjury committed in civil cases. Juries are very reluctant to convict offenders even in the face of the strongest evidence, and where men are robbed by women of ill-fame. The jurymen, while having no sympathy with the robbers, certainly have none with their victims. Now in all these cases if a judge could order a new trial it would tend to prevent those miscarriages of justice which shock the moral sense of the community, and it would also act just as powerfully the other way if the court thought that an innocent man had been wrongly convicted.