

THE JURY SYSTEM.

A TRIAL by a Jury of his countrymen, has been long regarded, by all civilized nations, as ensuring to the accused a full measure of justice. The law of England, in especial, with that dread of wrong which appears throughout her Criminal Jurisprudence, declares that every man is entitled to a trial by his peers ere any punishment can be inflicted on him. The introduction of summary prosecutions has, to a certain extent, modified the law, but the general rule remains the same. Commentators have always regarded trial by jury as one of the greatest bulwarks of liberty. Glorifying in it as peculiarly a Saxon institution, they have challenged the world to produce anything superior in excellence. Their challenges have not been resounded to; but the institution itself has been borrowed by other nations, and now bestows upon foreigners the blessings which of old were enjoyed solely by the Anglo-Saxon race.

A trial conducted before a jury properly composed, presents the greatest facilities for the due administration of justice. To impose upon the judges of the land the task of deciding on the guilt of individuals accused of great crimes, would be to heap upon them immense responsibilities. It would, moreover, have the effect of exposing them to popular indignation or to private hate; and it might, in troublous times, imperil the liberties of the subject. By dividing, however, the responsibility, submitting the question of fact to twelve of the accused's compeers, requiring the judge to furnish the law for their guidance, and to carry into effect their verdict by pronouncing the proper sentence; the difficulties of the case are avoided, and the jurymen and judge sleep easily under a divided burthen.

The most devoted admirers of the system do not, however, pretend that it is infallible—that in every instance justice is rendered,—that no criminal escapes—no innocent man suffers. It has been perverted, by human ingenuity, into a vehicle for the infliction of wrong—it has been made, by attorney-craft, the bulwark for the protection of guilt; but still it is, if properly carried out, the true handmaid of the blind goddess.

It is passing strange that the Christian religion, recognizing and inculcating the beautiful doctrine of brotherly love as one of its first principles, should yet be productive of prejudices, engendering hate between the members of its different sects, before which the other passions of humanity fade into insignificance. Those prejudices meet us in the streets, influence the actions of our neighbours, and control, in many instances, that which we may fondly imagine to be our destiny. To dissipate those prejudices, and thereby ensure the due administration of justice between man and man, should be the aim of the rulers of every country. Let the light of education shine, and soon those mists of ignorance shall be dispersed; for it may be laid down as a principle, that the less educated a man is, the more likely is he to be affected not by one, but by half-a-dozen prejudices, which, with their rankness of growth, choke up all the better feelings of his nature.