

## REPORT ON JURIES IN CRIMINAL MATTERS.

fear that Jurors may be packed or unfairly chosen, in such a manner as to permit the exercise of any influence over them either against or in favor of the person accused, and either before or during the trial, which might tend to any thing rather than to the advancement of the ends of justice.

Your Committee have further to remark, that whatever may have been the imperfections accompanying the mode of selection and the first formation of these Lists of Jurors, it was not less calculated to produce the most happy effects upon the public mind, and that it has in fact produced universal satisfaction in the District of Quebec, instead of having given rise to complaints. It does not even appear to have occasioned any of those inconveniences, which, if they had existed, and that to a very serious extent, would not in the slightest degree have counterbalanced the incalculable advantages which necessarily would form the trial by Jury whenever it is regulated according to those principles which make part of its essence; not to say, that it can never be permitted under any pretext to bargain away rights and obligations of so important a nature, of which the people cannot be deprived, and from which they cannot be released without a violation of the fundamental principles of our Government and of our Laws. And besides, even though some sacrifices should be necessary, they would have formed only a trifling consideration paid for insuring to the people the only safe guard for the preservation of their honor, of their lives, and of their liberty, and of all the dearest blessings which society offers to man. Your Committee must remark that the feeling of safety which this return to essential principles must inspire among the people, must be the parent and the nurse of that confidence in the Government which gives force and stability to authority.

Your Committee cannot say as much with respect to the mode of selecting Jurors adopted in the District of Montreal, during the time referred to in the order made by Your Honorable House. In the mode there adopted, the same care and the same attention to the rules of analogy which ought at least to have served in this respect as a guide, have not been attended to. The list of Petit Jurors there has comprised as great an extent of Country as in the District of Quebec, but in a situation where the population is certainly more considerable. Indeed the population of that portion of the District of Quebec alluded to cannot be much more than eighty thousand persons, while that of the corresponding portion of the District of Montreal must be at least one hundred and thirty thousand. According, however, to the information which Your Committee have received on this subject, it appears that the list of Petit Jurors in the District of Montreal does not include even half the number of names inserted in the list made by the Sheriff of Quebec. From the statement made by the Sheriff of the District of Montreal himself, his  
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