

prospect of English laws, and of English juries. How far the real engagements has been kept, and whether any part of the laws of England, that could be executed, have been withheld, we shall enquire by and by; but first let me appeal to your Lordship's knowledge, and the knowledge of every man, whether it is necessary there should be a trial of jury, wherever our merchants export their manufactures? In all our great foreign markets there are no juries: In America there are juries; but if you will ask the merchant whether he expects a surer payment from Hamburgh, &c. or from Boston, I don't believe he will answer for the Bostonians. It would be impertinent, my Lord, to introduce what I shall take the liberty to say upon juries, with any panegyric upon that blessed institution.—Its praises are written in our hearts: but the constitution of juries may be compared to a fabric, where every minute material is essentially necessary to the safety, usefulness, and beauty of the whole. Permit me then just to mention what an English jury is, before I ask what a Canadian jury must be.

In England, the sheriff in a public manner takes the names out of the list of freeholders, as chance has placed them. He may return six panels, which are seventy two jurors, and he cannot return less than four, which are forty-eight at every assize; and that these jurors may not become hackened in their office, or asked for seduction, none are to be returned, but who have not served for two years before (except in Middlesex, where the law has been altered, perhaps for the worse, for Middlesex juries though better practised, are not better than other juries;) and in Wiltshire, because of the largeness of the county, freeholders cannot be returned but once in four years.

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