but, speaking broadly, I am heartily for maintaining it in such matters. As to civil causes, opinions differ very much. Some think it works well and is a wise system; others think it an absurd and mischievous system— absurd because it often submits questions to a tribunal wholly ignorant of and incompetent to deal with them, and mischievous because it lowers, or has a tendency to lower, the character of advocacy, and leaves advocates to appeal to passion and prejudice rather than to reason and argument. Long experience and much reflection have led me to give up the opinion in favour of it which I formerly entertained and to adopt strongly an opinion adverse to it in civil cases. In a body so large as the thirty or forty judges, there may be, perhaps always, some who are vain, self-sufficient, passionate, incompetent; and it may be that since I was young, juries have grown worse, or I have grown more critical. But now if I had a question of character or property in which I was interested, I would far rather run my chance of getting a bad judge to try it than a good jury. Judges, even the worst, are at least to some extent amenable to the opinion of their profession, and, on the whole, the opinion of the profession is very rarely wrong.

I am, sir, your very faithful servant,

COLERIDGE.

'Gustaf E. Fahlcrantz, Esq.'

The third, from Sir James Hannen, President of the Probate, Divorce, and Admiralty Division of Her Majesty's High Court of Justice, the oldest as to service of the English judges, expresses the following views:—

Athenæum Club, Pall Mall:
April 12, 1886.

My dear Fahlcrantz,— . . . I do not think that there is the slightest desire on the part of any considerable number of lawyers or laymen to do away with trial by jury. I have never heard any objections raised to it except in a few instances by judges who, as Chancery men, having had no experience in dealing with juries before the Judicature Acts, did not know how to manage them. For my own part, my confidence in juries is rather increased than diminished. If I had any litigation, I should prefer submitting the question to a jury, to one of the judges taken at random. There is an impersonality about the jury which is very valuable; being collected by chance, it represents public opinion in a manner that satisfies: and even the unsuccessful suitor goes away with the feeling that the verdict in the circumstances was inevitable. He blames the witnesses, his counsel, or even the judge; but he rarely, if ever, blames the jury. . . .

Yours very sincerely,

'JAMES HANNEN.'

The fourth and fifth, from Sir Charles Edward Pollock, one of the judges of the Queen's Bench Division, and certainly one of the most eminent of the English judges, were as follows:—

Putney, June 17, 1886.

Dear Herr Fahlcrantz,— . . . I cannot at all agree with the statement that in England, whether it be by judges, advocates, solicitors, mercantile men, or the educated classes generally, it is considered that the jury system is useless.

In modern times there are many cases which cannot be consistently tried by a jury, such as those which involve matters of account, of local inquiry, or requiring some special scientific knowledge, as chemistry or engineering; and for these our law provides a special tribunal to deal with them, such as a judge with a skilled assessor or an arbitrator.

There are also cases which involve intricate mercantile details and in which questions of law and fact are so mixed that it is difficult to separate them. These also are better tried by a judge alone.

Wherever there is a simple issue to try of fact, or where a question of some mercantile custom or usage arises, a jury is our best and usual tribunal, and is so considered by all. This applies still more to cases in which personal character is involved, such as actions for libel or slander, for dismissal from employment, and the like.

In all cases which can properly be tried by a jury, I think the people of this country still prefer that mode of trial.

During the last few years a good practical