

REPORT.

THE SPECIAL COMMITTEE appointed to enquire into the manner in which Juries in Criminal matters have been drawn in the respective Districts of the Province of Lower-Canada, since the month of September One thousand eight hundred and twenty eight, REPORT:—

THAT they think it their duty in the first place again to submit to the consideration of Your Honorable House, some of those observations touching the Trial by Jury, which have been so deservedly the object of its attention, as well as that of all the Inhabitants of this Province.

According to the principles both of the common and Statute Law, and indeed according to the nature of the institution itself; Jurors, more especially in Criminal matters, ought to be selected from among the mass of the people, and summoned indifferently from the entire body of citizens qualified to serve as Jurors within the extent of the Sheriff's Jurisdiction.

These are, as regards the people, prerogatives and obligations reciprocally essential under our Government, and without which that Government itself would be destitute of any real support. These are rights which make part of those inherent in every British subject by his birth. In fact, the right of Citizens to serve as Jurors, and of the people to elect and express their sentiments concerning the Laws by representatives of their own choice, selected from among themselves, are equal, and cannot exist independently of each other.

Your Committee cannot forbear to express the profound regret with which they observe, that notwithstanding the remonstrances which have been made on this subject, these wholesome regulations, eminently important as they are, have been lost sight of for so great a number of years; and that it is unfortunately of public notoriety that, more especially in the Districts of Quebec and Montreal, up to the present year, the Grand Jurors have been for a long time exclusively taken from the Cities of the same name, and that the Petit Jurors have been constantly and without exception selected solely from the said Cities respectively.

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