

LAW COURTS IN OHIO.

be made tolerable if a law-court were sitting. Moved, therefore, by true professional instincts, we entered the temple of justice, and made our way into a room where the Court of Common Pleas for the county was in session.

This Court of Common Pleas, as far as we could learn, corresponds to a County Court in this country, though it appeared to have somewhat higher jurisdiction. The Court Room was very much like any Court Room of our own, with one notable distinction. There were no seats for the public, whereas, in a land which is supposed to be "groaning under the yoke of an aristocratic tyranny," the people are encouraged to attend the courts, and watch the course of the law, and for that purpose provision is made for their comfort; these democrats, however, railed off the public in a narrow corner, which was guiltless of anything like a seat.

But if the comfort of the public was neglected, the jury were treated with great consideration. They were accommodated with chairs of most luxurious make, and were placed at a respectable distance from one another, so as to allow full opportunity for stretching the limbs. In this matter we are far behind our cousins. The hard and narrow boxes in which our jurymen undergo the torture of their office, would not be tolerated for an hour in the United States. There was a negro amongst the jury in question, but, to our regret, no ladies. The jurors appeared respectable and intelligent, and listened with praiseworthy attention to the laboured and learned argument which a tedious counsel was slowly unfolding to them. We were somewhat surprised at the nature of the address under which the jury were suffering. We knew that in some States the jury have deprived the judge of some of his functions, for instance the sentencing power, and it seemed possible

that here they had gone further still, and were judges of the law as well as the fact. The counsel did not seem to appeal to the jury for a simple decision on the facts. He cited for their benefit from various thick volumes in support of legal propositions, and very elementary ones too, and talked a good deal about the "*factum probandi*," "*experimentum crucis*," "*animus furandi*," and other matters which are not supposed to suggest the clearest ideas to the mind of the average jurymen. It occurred to us that if the jury were to form their own opinion as to the law, this learning would tend to their bewilderment. If they were to take the law from the judge, it was not complimentary to him to cite a cloud of authorities in support of the simplest principles. But the jury assumed a look which was intended to express the interest with which they followed the argument of the learned counsel, and indeed their serious and patient attention was beyond all praise. Our admiration was enhanced when we learned that the case (it was the trial of a citizen for burglary) had been going on all the day before: that counsel had already "made argument" three different times: that the prisoner's counsel was just winding up an address, the magnitude of which was obvious from the pile of manuscript in which it was transcribed and to which constant reference was made, and that the State prosecutor and judge would follow at proportionate length. Great must be the endurance of the law-loving American! The long-suffering of the jurors was, however, made intelligible when we were told they were professionals. In other words, that they made a business of serving on juries, and thereby earned a competent livelihood. It was also darkly hinted that a suitor had facilities for retaining a jury, as well as a counsel—and a judge.

There was a judicial bench in the