

ticular cause, consists of persons who cannot be known by the parties beforehand in the character of persons who are impowered to decide their causes, and therefore cannot be applied to and solicited upon that account. And besides, as the parties have a right to challenge those jurymen whom they have reasonable cause to suspect of a bias in favour of their adversaries, and to cause other more impartial persons to be substituted in their room, the jury that actually tries the cause is likely to consist of as unbiassed and impartial persons as can well be found for the purpose : so that on both these accounts, to wit, the incapacity of being applied to and solicited before-hand by the parties, and the being chosen, as it were, by the consent of the two contending parties by the removal of all those persons whom either of them has any just cause of suspecting of partiality, a jury is much less likely to decide a cause arbitrarily, or according to their own wishes and inclinations without regard to truth or evidence, than a court of judges only, in whom the whole power of deciding them is vested by the French law. And lastly, a court of judges only must always have a leaning in favour of the crown and the governour of the province, and other such powerful persons, against suitors of a lower rank, not only by reason of the obligations they lie under to them for their promotion to their offices, and their depend-  
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