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THE DAILY BEE.

Thursday Morning, November 2, 1854.

OUR JURY LAW.

It is generally conceded that the legislation of the State which exempts certain classes of men from the performance of the duties of Jurors, and throws the entire weight of those duties upon the shoulders of others, is very defective, and pregnant with many evils. It is well known to our readers that firemen cannot be compelled to act as Jurors, and the consequence of this exemption is, that every individual who has judgment, capacity and impartiality eminently qualify him for jury duty, becomes a member of the firemen's association. The result has been what every man of ordinary sagacity anticipated. The law having excluded a certain class from the Jury box, their place has been taken possession of by others who are not so competent to meet the responsibilities which it imposes. The administration of justice has devolved on inferior and incapable agents, criminals obtain acquittals when they should suffer convictions, the institution is rendered odious discredit, and its usefulness and purity are impaired.

There can be but little doubt that to the legislative policy which we have indicated, a large amount of the crimes that are perpetrated in our city may justly be attributed. Culprits of the most hardened class are acquitted by Juries in opposition to the clearest principles of law, and evidence so convincing, that credulity itself could not doubt. The consequence has been, and is yet, that a frightful mass of transgressors have been turned loose upon our city, to engage again in their career of pillage, conflagration and assassination. Their impunity is secured, either through the ignorance, wilful blindness, or complicity of the law.

We have heard of accomplices of the accused, and others, who have been guilty of offences of similar turpitude, and sometimes those of a more heinous dye, being in the box; and such men would resist the most persuasive evidence and disregard the plainest dictates of duty. The moral obliquity of such men must be on a line with their understanding, or fall below it. But jurors like these are just as likely to commit an unjust as individual, as to acquit a guilty one. If they be corruptible, the means of seduction can be found to lead them away from the path of duty, and if they are evil doers themselves, their own wicked instincts will impel them forward to a reckless disregard of the sacred obligations of their oaths.

The wrong done to society is not limited to criminal transactions. In civil cases, the rights of the plaintiff and the defendant, having a just defence, are both sufferers from the ignorance and corruption of members of a jury. Unless a jury is composed of men of a good business capacity, and practical sagacity can be procured for the decision of intricate mercantile questions the most righteous litigant will lose his case. It is a fact of notoriety and of frequent discussion, that men are placed in the jury box for the determination of the most complex matters of commercial jurisprudence, for no real qualification of commerce, or any one of its branches or relations. The most skilful jurist at the bar could not render anything due to them as a jury. Insurance cases, parties affected by marine or inland transaction, questions out of commercial law, yet these men are entrusted with the settlement of the respective rights of the parties in such cases.

Our jurisprudence is the most complex and abstruse in any country. The Union, formed as it is of the variations of every soil, from the Thames and from the Mediterranean to the Mississippi, Rome and Constantine, Westminster Hall and the Citadel, the United States and Louisiana, and all Spain, in which the two are united for ink, and, if a single State of the Union, the Common Law, framed as it is of the principles and customs of such a complex system, and to reconcile all inconsistencies, demands the closest study, and requires a mind intelligent, sagacity and judgment to unravel and apply them, when they are found. And a man of such an ancient pedigree that a party of common understanding, or of moderate intelligence, could not determine the principles and doctrines