

The Daily Times.

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WEDNESDAY, JANUARY 29, 1890.

JUDGE LYNCH AND THE JURY SYSTEM. It is undoubtedly true that our criminal laws fail lamentably in the suppression of crime, and the knowledge of facts which reach us daily makes almost needless a recent statement that Judge Lynch had caused the execution of more than twice as many criminals as the regular tribunals of the country.

No sagrant is the disregard of law and so slight the fear of punishment that the proportion of deaths by violence is in excess of that of any civilized country on the globe. That Judge Lynch should be so often called on to supersede the established courts, is proof of the popular distrust of the latter, and the popular preference for his wild but quick justice, to the delays of the law, and the uncertain verdicts of juries.

His verdicts, often just, strike with the madness of a thunderbolt, and the jail door has hardly turned on the criminal, when this relentless judge demands the key of the jail, and drags forth the trembling wretch, and with only a moment given him for an invocation to the mercy of God, he is launched into eternity amid the shadows of the night.

This is wild justice with a vengeance, and justifiable only in the absence of prompt legal methods, in the punishment of a nameless crime so common in the South, but to which Judge Lynch by no means confines his jurisdiction. In certain parts of the country, the stealing of a horse or a cow is an offense too heinous, for the law's delays and uncertain results, and in the absence of a convenient limb, this formidable judge executes justice speedily by the flashing light of revolvers.

It is only recently that a young man was shot down in the sacred precincts of a court of justice, and he fell amidst a fusillade of pistols. This violence is not a blot alone on the new States; and we need only refer to the memorable murders by the Molly Maguires in Pennsylvania, and the scourings and whippings ruthlessly inflicted by the White Caps of Illinois and Indiana, who are yet unpanished. We have still fresh in our memories that most flagrant instance of the partial miscarriage of justice in the great city of Chicago in the case of the murderers of Dr. Conroy, but it is useless to prolong the catalogue of crimes which have shown the inadequate execution of law, and cast more or less discredit on every part of the country.

Every State has wise and just criminal laws, and the fault is only in their execution, and we think that no one with experience of service on American juries can fail to understand the miscarriage of justice in criminal trials. That the same difficulty is not encountered in the English courts must be due to the more careful selection of juries, and the greater conservatism in that country, requiring a higher standard of qualification for the jurors. While the opinion of an upright and sensible judge in any criminal case may be foreseen with some approximation to accuracy, Divine providence alone can prevent the action of an American jury. Whether in a case of damage or murder the result is involved in uncertainty, and a just verdict in a criminal trial is always received with more surprise than confident expectation.

The prerequisite that a juror shall not have formed an opinion in a criminal case necessarily narrows the range of selection to the less intelligent, and of twelve men select at random it would be surprising if two, at least, were not marked by both moral and mental idiosyncrasies and eccentricities. The true remedy is to dispense with unanimity, and let the verdict of a jury in criminal cases be decided by a certain proportion of its members.

The immunity from punishment of so many criminals is the reproach of our civilization, and it can never be in any measure arrested without the modification of our jury system.

RAILROAD HOLOGRAPHS. In certain respects of the highest importance to the American people, the most active, indefatigable and restless people on the globe, are the most constant initiators of the patriarchal job in that quality which has given irreparable distinction to his name, viz: his unvaried and uncompromising patience and endurance under circumstances well calculated to tax both in its character would, year after year, in month after month, it might almost be said with strictest regard to accuracy, day after day, permit the recurrence of such a frightful calamity immediately following a railroad accident, as took place on Monday on the occasion of the derailment of the fast express on the Louisville, New Albany and Chicago Railroad? According to the report of the details of that accident, it was several minutes after the wreck occurred that any step looking to the assistance of those caught in it could be attempted, but it was then too late, "as the flames had enveloped the entire car, and many of the voices that had cried in terror

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PRESERVATION OF FORESTS. Elsewhere in THE TIMES this morning is published an article calling attention to the efforts to preserve the forests of the national domain in the West. Those who have studied the question carefully estimate that the national loss involved by fire and theft in the forests is \$10,000,000 annually, and that, in addition, the prosperity of the country contiguous to the national domain, is dependent upon forest preservation. While this subject forestry probably is of more vital interest to the West, where wastes are being reclaimed by tree planting, and possible wastes prevented by tree protection by States or private corporations, it has also of late years attracted much attention in the eastern part of the United States. Wood is too valuable to be wasted. Its commercial value can be thoroughly appreciated by a careful consideration of the part it plays in man's everyday life. But the trees' commercial uses are of far less value than the benefits they confer upon a country as natural barriers against storms of wind and sudden downpours of rain, and their effect upon climate is also said to be most beneficial. Every farmer is, therefore, interested directly or indirectly in forestry, and the efforts being made by the American Forestry Association will be watched and aided, if not by work, by the wishes of the agriculturalist, and of those persons who are dependent upon his success.

THE WEEKLY TIMES. This morning's paper is a particularly interesting edition. Besides containing full views of Virginia and North Carolina, and of the world at large, it has several special features, including the full text of United States Senator Daniel's oration on Jefferson Davis, the report of Adjutant General James McDonald on the militia of the Commonwealth, selected religious and literary miscellany, home and farm topics, the fashions and general gossip. It is an eight page paper, full of matters of interest to the farmer, the merchant, the household and the public everywhere in the State and adjacent territory, and the endeavor is made to improve it constantly.

THE SUGGESTION ADVANCED BY THE TIMES on yesterday that the address of Major Daniel on the life and character of Mr. Davis shall be printed in pamphlet form as a State document, and such distributed, is supported by the authority of the precedent in the instance of Rev. Dr. Hoge's address on Stonewall Jackson, delivered at the unveiling of the statue erected in the Capitol Square. This address was printed at the expense of the State, and all the copies struck off were distributed. A reprint has recently been made by the Southern Historical Society.

RAILWAY ACCIDENTS. (New York Tribune.) The cause of the railway accident near Indianapolis yesterday morning is not clearly known. It appears to have been primarily either the breaking of an axle or to the spreading of the rails, neither of which might have been preventable; but if it is true that the bridge which went down was composed of rotten and insecure timbers the greatest responsibility rests upon the railroad company. It is not clear that the company evaded the responsibility arising from the fact that its cars were heated with stoves, which at once set the wreck on fire and undoubtedly increased the loss of life. Such methods of heating should no longer have a place in enlightened countries.

CREAM OF THE PRESS.

Immediacy after the death of Mrs. Mary E. Post, the Post-Intelligencer publishes an editorial on the subject of cremation, and says that one half, probably the proportion is much greater, of those who perish in our railroad accidents, which are rapidly increasing in number, meet their death not by the concussion or in the crash, but in the conflagration that always follows these accidents. The instrument which is placed in the cars to subserve the comfort and convenience of the passengers, becomes in such awful crisis, the principal means of their destruction, and in a form invested with every terror that the minds of men can imagine.

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