An Echo of the Strobhar Case

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business to serve again as jurors at this term of court, but under the circumstances I felt it a duty imposed upon me, and therefore I have called you irrespective of the inconvenience that it may be to you, to the court, or to officers to hold a special term at this time.

I wish also to call your attention to the acts and conduct of jurors during the term of this court. Jurors should so conduct themselves as to cause no comment upon their acts during the term of court. You, and each of you, are judges in one sense of the word. While I sit as the Judge of the Law, you gentlemen sit, each and every one of you, as judges of the facts; and you are the most important part of the court because of the fact that except upon presentation of an indictment by a grand jury, no man in Alachua County can be prosecuted, unless a grand jury shall find an indictment; and, therefore, you can readily see the responsibility that rests upon you, and each of you, as to whether there shall be an enforcement of the law.

I can bring no man to trial in this court for a crime that is punishable by death, or imprisonment in the State prison, except the grand jury, upon consideration of the testimony, shall present a true bill; then he can be brought into this court and prosecuted, and only then.

You are to hear the evidence, determine whether or not there has been a violation of the law; and if you find that there has been a violation of law, then whether certain party or parties have violated the law.

You are to be governed by the evidence in your consideration, and not by mere suspicion; but that evidence, as I have heretfore explained to you, does not require proof of guilt to the exclusion of and beyond a reasonable doubt, but simply evidence sufficient to convince your own mind that a crime has been committed, and that a certain party, or parties, have committed it.

The State's Attorney is made by the law your legal adviser, and he will assist you at such times as you may desire his services in the examination of witnesses, in explaining to you the law, or the pertinency of the evidence, or any other matter before you, and he will be with you at all times that you may wish him, except when you go to vote, as to whether you will or will not find a true bill. Then no one but the grand jury can be present.

Now, a grand jury, its usefulness or not, is determined by the actions of the grand jury itself, and the oath that you have taken apprehends the duties that are imposed upon you, and I shall read to you slowly and distinctly the oath that you have taken:

"You, as grand jurors for the body of this county of Alachua, do solemnly swear that you will diligently inquire, and true presentment make of all such matters and things as shall be given you in charge; the counsel for the State of Florida, your fellows and your own, you shall keep secret unless required to disclose the same by some competent court."

This, gentlemen, is one of the vital points that determine the usefulness of a grand jury or not. Grand juries, unless they keep the secrets of the State of Florida, their own and their fellows, defeat every purpose for which they are organized. The object of their secrecy is that the parties may not know that you are investigating their cases and escape before they can be arrested upon an indictment; in order that they may not tamper with the witnesses or manufacture testimony to be sent to your body; in order that witnesses may testify before your body when they know that their testimony is known to no one but the grand jury, and cannot be divulged except by order of this court.

Now, grand jurors frequently make some remark upon the streets, or in speaking to each other as to something that has occurred in the grand jury room, and unintentionally let out a secret of the grand jury. Therefore, the better and only plan for grand jurors to keep the secrets of the grand jury, is to transact and hold all their conversations concerning the grand jury work, purely in the grand jury room, and when they leave the grand jury room leave the grand jury talk behind them until they assemble again.

And I respectfully charge you upon this subject of keeping the secrets of counsel, of yourselves, of the State of Florida, and of your fellows. Frequently remarks come to my ears made by parties on the outside, as to the work that the grand jury is doing; and these parties could not possibly obtain that information unless there was a leak somewhere in the grand jury room, except from the witnesses that were being summoned before that body.

You shall present no man for envy, hatred, or malice, neither shall you leave any man unrepresented for love, fear, favor, affection, reward or the hope thereof; but you shall present things truly as they come to your knowledge according to the best of your understanding. So help you God.

Follow the oath that you have taken upon being impaneled, observe every word of that during your deliberation, and then it will follow as surely as day the night, that your actions will be right.

In voting upon the question of whether you will, or will not find a true bill, at least twelve of your number must vote in the affirmative. Any less number than twelve voting in the affirmative, you would return a "No bill."

The law requires that your body shall consist of not less than fifteen, and not more than eighteen; so, at all times, when your grand jury is in session, you must see that at least fifteen of your number are present.

If less than fifteen are present you can take no action as a grand jury; any action taken by less than fifteen of you is null and void. The law gives you the right to make your own hours of meeting and adjourning. As citizens interested in your county, you can make those hours to suit your own convenience.

If at any time during your deliberation any question arises before your body upon which you wish further instructions from the court, you will come into court and make it known. I will give to you such other instructions as I deem proper.

You can adjourn.

"4. A change in the Constitution so as to limit the terms of all Federal Judges who are now appointed for life and to take away from the President the power of appointing Federal Judges, from the Chief Justice of the United States down, substituting the process of election by popular vote.

"5. An amendment to the jury system so that in all civil cases not a unanimous verdict, but a three-fourths verdict, shall be required.

"6. The extension of the principle of the initiative and referendum.

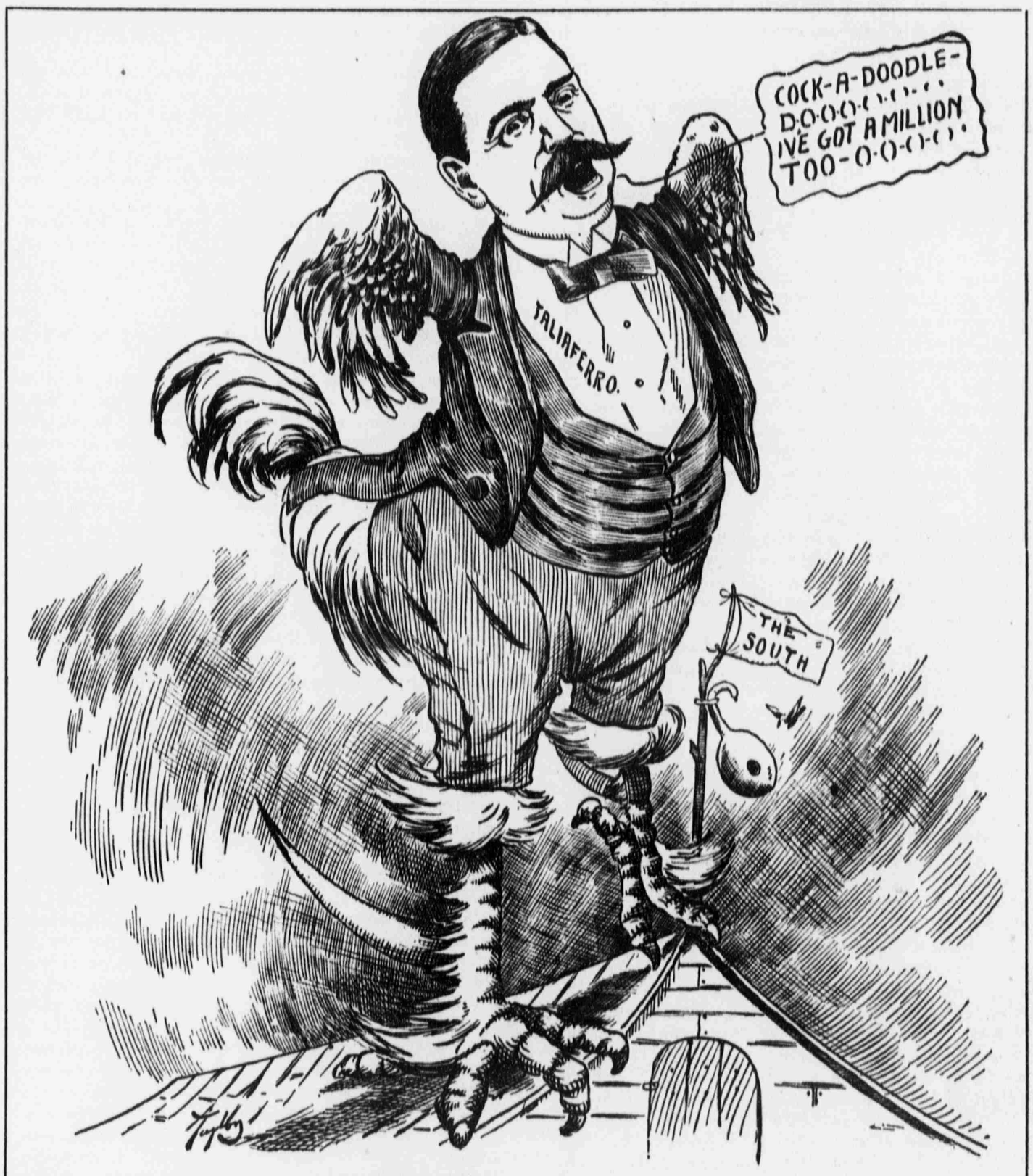
"7. A Government telegraph system.

"8. Municipal ownership of all lighting plants.

"It is to Colonel Bryan's honor that in the past he has pondered earnestly and talked and written much about many public questions besides free silver at sixteen to one and colonial imperialism. We have chosen a few of his ideas concerning desirable changes in our institutions for exhibition here.

"Of all the foregoing changes he has said that in his judgment they might be made with advantage to the people. Does he think so now?"

These questions should be easy for the "great commoner," who no doubt will answer them to the satisfaction of his friends, and his enemies are his enemies no matter how he answers them.



The Only Millionaire Senator from the South

What's Agitating the People These Days

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who keeps from six to eight girls virtually her slaves in an uptown apartment house, who used the Herald personal regularly. She keeps the girls so much in her debt by encouraging their extravagances and overcharging them for accommodations that they dare not leave."

Recognizing the third rise of Bryan, and in an effort to stem the tide, the New York Sun prints this editorial:

"Before the Hon. William J. Bryan is welcomed by any considerable part of the population of the United States as the conservative antitype of Mr. Roosevelt's strenuous radicalism, it may be permissible to ask how the great circumnavigator stands on the subjoined projects of Governmental reform:

"1. A change in the Constitution to enable Congress to pass a bill over the President's veto by a mere majority vote, instead of a two-thirds vote, of the Senate and the House.

"2. A change in the Constitution requiring an actual majority of all the elected members in order to pass any bill either in the Senate or in the House.

"3. The election of United States Senators directly by the people of the several States.

Wet or dry is the cry in Jefferson County, Fla., and a nice compliment worthily bestowed is the following from the True Democrat:

"Editor W. W. Carroll, of Monticello, with his News, and as Mayor of that much loved little city—for it is our birthplace and early boyhood home—is working with all his might and strength as official and editor for purity and good morals. A strong effort is being made to have whisky sold there, and he stands to the rack, like the true man he surely is, fighting for what is right and for keeping home pure and clean—to keep Monticello a moral and respectable city. True, it is almost impossible to prevent some blind tiger violations of law, but even with that, there are many of us who believe a community, from a moral standpoint, is better off even with a few blind tigers, than with several tigers with wide open eyes—for the legalized, wide-opened eyed kind of tigers (the saloons) will sell to thousands of people who do not get it from the blind tigers, and we note in Tallahassee that no minors are drinking blind tiger liquor."

First a worthy young man, next a popular idol, and last a target, is the course usually run by the average reformer. Wm. Travers Jerome of New York has played the first two parts well, and is now in

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