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[https://www.100test.com/kao\\_ti2020/122/2021\\_2022\\_\\_E8\\_8B\\_B1\\_E8\\_AF\\_AD\\_E5\\_9B\\_9B\\_E7\\_c83\\_122267.htm](https://www.100test.com/kao_ti2020/122/2021_2022__E8_8B_B1_E8_AF_AD_E5_9B_9B_E7_c83_122267.htm) The heritage of English law brought with it the seeds of American liberty-not the flower and the fruit, which were to be produced after long labor and painful struggle. Nevertheless, the seeds were there and they sprouted, took root and have continued to grow. To this extent, the inheritance was valuable, but it is not to be denied that even though English law gave us the seeds of liberty, it also imposed upon us a vast amount of useless lumber that we have not swept away entirely --- after three hundred years of unceasing effort. Even the system of trial by jury, in spite of its enormous value, came to us with burdensome, outworn ideas and unnecessary precautions, on the one hand, and with no adequate means of adaptation to changing conditions, on the other. For one thing, in the early days it was assumed that ignorance of the facts was a guarantee of a jurors impartiality. At that time, when means of communication were few and slow, there was something to be said for the idea. but today, when means of communication were abundant and almost instantaneous, ignorance of the facts is evidence, not of impartiality, but of extraordinary stupidity, or of extraordinary indifference. The rule that a juror must be ignorant of the facts is, therefore, a rule that operates against, not for the effort to fill the jury box with honest men of ordinary intelligence. It has become so hopeless, indeed, that the courts literally ceased long ago trying to enforce it. It is, nevertheless, still a

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