

# NICARAGUA, COSTA RICA, AND SALVADOR.

## ABOLITION OF TRIAL BY JURY IN COSTA RICA.

*Mr. Merry to Mr. Hay.*

No. 850.]

LEGATION OF THE UNITED STATES,  
*San Jose, Costa Rica, July 7, 1903.*

SIR: It may be of interest to the Department of State to know that the Congress of Costa Rica, after full and free discussion, has abolished the jury system. In conversation with well-informed citizens of the Republic it appears that the system has so frequently resulted in the perversion of justice that the demand for a change had become almost unanimous. It is freely admitted that trial by jury is generally considered as evidence of a free government, but unless intelligent as well as honest jurors can be obtained a miscarriage of justice generally results. One intelligent official remarked to me that the Latin race lacks the qualities essential for jury duty. Considerations of family, political interest, race and personal prejudice are paramount, and Latin Americans appear too often unable to consider any question on the broad principle of abstract justice.

Outside of the few cities in the Republic it has been found impossible to obtain competent juries. One gentleman represented to me that he hoped to see trial by jury reinstated in Costa Rica, but that this can not be done until the working classes are better educated; the present generation must give place to that now attending the primary schools of the Republic.

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With assurances, etc.,

WILLIAM LAWRENCE MERRY.