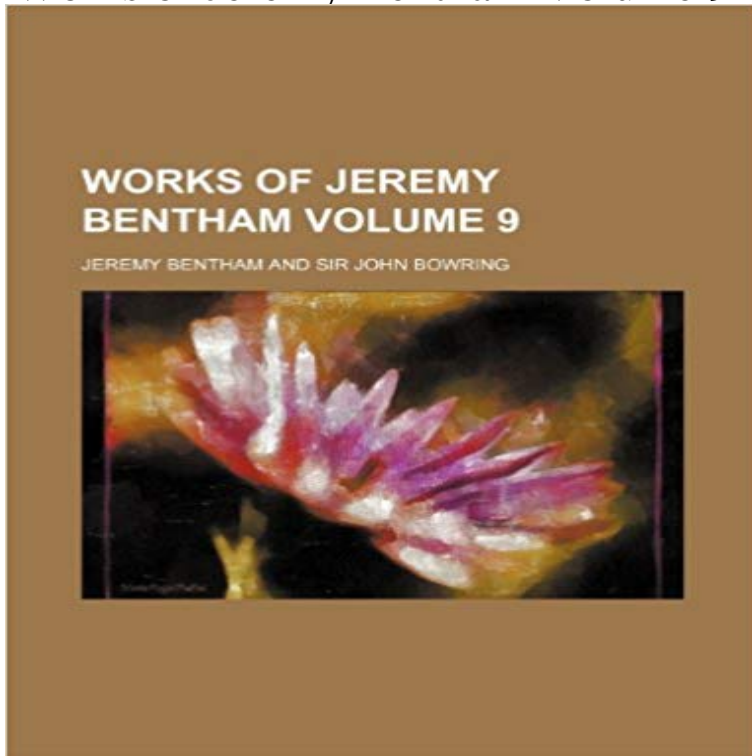


Works of Jeremy Bentham Volume 9



This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1843 Excerpt: ...expense. Complain of oppression, the yoke is additionally loaded by irresistible depredation: sole relief against both, a sort of anarchy, creeping on by degrees, and raising up its head under the feet of tyranny. Instructional. Art. 58. Highly advantageous in comparison is, in this respect, the situation of military men. To them justice could not quite so safely be denied as to their unarmed countrymen. Accordingly, from military procedure no profit finds its way into the pockets of the Judge: while, from non-military procedure flow into the correspondently situated pockets such immense and ever increasible profits. Hence, the parity of the one system, the corruption of the other. Hence, in the one case, the system is so vxU-tuited, to what in both cases is the sole proper and professed purpose--giving execution and effect to the substantive branch of the law: hence, in the other case, so utterly hostUe. Remains, indeed, as a source of corruption in the military case, the despotism of the Commander in Chief: but, that despotism would have nothing to gain, on the contrary, much to lose, by poisoning the system with factitious expense and factitious delay for increase of the expense, and absurd arrangements in relation to evidence,--these too for increase of the expense, and moreover of that uncertainty, from which the source of the expense, and the profit extracted from it, receive their increase. In that part of the present Code which applies to the Judicial department, and thereafter in the Procedure Code, this state of things will come to be laid open in some detail; but even on the present occasion, reference to it could not be altogether omitted: those which belong to evidence, see in complete detail in the

Rationale of Judicial Etidenct. 3, Placea;
4,...

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