



## Gratia A. Countryman and Family Papers.

### **Copyright Notice:**

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit [www.mnhs.org/copyright](http://www.mnhs.org/copyright).



*Advised  
Minnesota*

I wish to speak in the main to women who have not yet had experience upon any jury, and who may be dreading the call to service. Many women and probably many men have never been in a court room during a trial and are somewhat terrified by the prospect because their knowledge of the whole matter is so slight.

The jury system is a very old institution reaching back to the ancient Greeks. It has always been considered by the freest nations as one of their most precious institutions. It has always had the same functions that it now has: Giving to every citizen who is accused of a crime the right to be heard and judged by a group of his fellow citizens--called a jury.

This group has always been picked out indiscriminately from the mass of citizens from such individuals as feel unprejudiced and can agree under oath to decide from the evidence what they believe to be the truth regarding the facts. The very essence of the jury system is its principle of fairness, and it is one of the greatest safeguards of liberty ever invented. No person can be convicted of a crime unless 12 persons agree after hearing all sides, that he is guilty.

There are two kinds of juries on which any one of <sup>us</sup> may be called to serve,--the Grand Jury and the petit jury. Each year the names of a large number of citizens are selected by the judges of the District Court from among the ordinary citizens,--mechanics, merchants, teachers, farmers; and from these names are drawn, from time to time, the members of the juries.

The Grand Jury (in Minnesota) consists of 23 members who hear in secret sessions, the evidence against accused persons. Their function is not to try any case, but to decide whether there is sufficient evidence of guilt against the accused to warrant a trial. The Grand Jury does not hear the accused person, but only the witnesses who have evidence against him. The Grand Jury can dismiss the case or can indict the person and send the case to the court for trial before a petit jury which hears the evidence on both sides, and decides on the truth of the facts which it has heard. There are 12 members on the petit jury and they must all agree about the case. If even



one person differs there must be another trial before another petit jury.

In Minnesota each Grand Jury serves for at least two months and hears dozens of cases, but a new petit jury is drawn for each case which comes to trial.

Both kinds of juries are important to the cause of justice; for the property, liberty, reputation, and in some states, the lives of their fellow citizens depend upon their careful and conscientious decision. It would be a calamity if a bill now before our legislature, which practically abolishes Grand Juries should pass. There is no other body which represents the citizenship before whom cases can have a careful preliminary hearing.

A citizen who is summoned from the round of his usual duties to the judgment seat on a jury should feel himself honored by the trust reposed in him, and should accept the responsibility on this time-honored institution as a duty to his fellow citizens.

But it has come to pass that the best qualified men have avoided jury service so generally, that the quality of juries has not always been of the highest, and the cause of justice has suffered.

There are many other duties, often gratuitous, which a good citizen accepts. Perhaps he must leave his business and serve many hours without compensation, except a good conscience, upon a city board or as a director of some welfare institution or on a civic committee. But jury service is one of the oldest and most fundamental of the duties thrust upon the good citizen: it takes time, it satisfies no ambitions, and brings no fame. It is often unpleasant and brings the members of the jury into close quarters with the tragic, pathetic, and criminal side of life, and yet because enforcement of law, and the faithful administration of justice are so fundamental to society, jury service becomes a solemn duty, and duty should never be regarded as optional.

If we were standing for trial, we would like to put our case before our equals; good, intelligent, conscientious jurors, and not before the professional hangers-out of the court room who serve for the small fee that is given, and not as



a contribution to the cause of justice.

Ever since suffrage was granted to women they have expressly desired to be allowed to serve on juries. It did not follow, according to law, that because women could vote, they could also serve on juries. Especial legislation had to be passed enabling them to do so, and in 27 states they are not yet allowed to serve.

In Minnesota the law has been changed, so that women may serve on the same basis as men. It is considered one of the best laws relating to the subject. If a woman is called she can be excused only upon the discretion of the judge. Since the law has been in operation many women have been drawn to serve and very few have asked to be excused; they have accepted their plain duty in the matter as a part of their citizenship. Women are taking all their civic duties very seriously and studying their problems very carefully, and they have pretty generally decided that the responsibilities of citizenship are not a matter of personal taste but of individual duty.

The first all-woman jury to sit in a criminal case was called in San Diego, California, in 1916. When these women had finished their case and were dismissed, they got together and formed a permanent organization to study<sup>the</sup> jury system and the laws of California. They wanted to understand the system of which they were a part and to learn to do their part intelligently. That is the spirit generally in which women are accepting their civic duties.

Women have many qualities that will make them increasingly valuable either on the Grand Jury or petit jury. In the first place they have relatively more leisure time than men to give to such work. Then women are deeply interested in social work, and a large share of cases have to do with women and children, and with cases reflecting public morals. Then women as a class are respecters of law and fierce champions of equity and justice. Judges are saying that the participation of women in jury service is a necessary step toward that universal justice which we all hope for. One Judge in Cleveland said that if women carried into their political life the same ability they have shown in



jury service, they would undoubtedly be the means of bringing about some marked fundamental reforms in American government. This same Judge also said that as jurors women have shown themselves more conscientious and highminded, and have had a truer sense of justice than the men jurors and that they are not governed by sentimental feelings as much as men.

But while women are probably bringing many valuable contributions to the cause of justice as jurors, so also the experience of jury service is bringing much training to the new woman citizen.\*

\* When she sits through a trial she learns many things in a practical manner regarding our laws; she has a chance to see in operation the laws which as a voter she helps to put upon the statute books. It is an educational experience. Women are new to legal procedure. She learns how a case is tried, and what part the judge, the attorneys, and the jury take in the procedure. Jury service is a training in the rudiments of citizenship - the careful consideration of the case, the necessity of listening intently to all the arguments on both sides, the attempt to make a just and intelligent decision, are very important steps in the training for good citizenship.

But perhaps the best training is not the learning of legal procedure and the penalties for crime, but in learning about the social conditions of her town and county.

Most women have not had much chance to know the criminal side of life. She has not realized at first hand of the temptations that surround her children and other women's children. But no woman can spend a term on the Grand Jury, with its intimate revelations of wrong and its startling revelation of dangerous social conditions, without being a wiser and more sympathetic citizen; nor can she sit through a trial, on the petit jury, without a new and deepening interest in her community.

Many women were at first lukewarm in their interest in jury work, but dozens of Minnesota women have served during 1922. And almost every one has said that it was "a valuable experience." A circular letter sent to women



who had served, brought such replies as this, "I saw such a need for work when I was on the jury." "I would not have missed it for anything." "I feel that the presence of women is particularly necessary when sex questions are discussed and young girls and women have to testify." "I found serving on the jury no hardship but a broadening experience." Nearly every woman who has had a chance to serve feels that she has gained a real knowledge of human problems and especially of those concerned with the unfortunate and erring.

Moral problems were never so pressing, and good women are needed wherever wrongs are to be righted. There is no place where the study of them can be more thoughtfully made than in the Grand Jury room or in the jury trial. Objections have been made that women will hear many disagreeable things that will be very distasteful.- But if those disagreeable things are happening to other men and women, if unwholesome conditions exist, then women should hear of them for the sake of bettering conditions or righting wrong conditions. For what else should we have sought citizenship than to make this world better? We cannot make it better as long as we shun the sight of wrong and refuse to face disagreeable duties.

Women have set their faces toward being citizens of the highest type, and must not shirk jury service, nor any other duty to society.



March 31, 1923

My dear Miss Wells,

Thank you for your appreciative note. Your commendation is worth all the trouble it caused me.

I hesitated for some time between giving a very simple talk and a more scholarly one, but I finally decided, through a remark which came from my own maid, to talk to the simpler and less intelligent group which I felt sure would be at the other end of the radio.

Curiously enough I have heard from dozens of poor people,--our janitors' wives and relatives and friends of my maid's, and that class of people, who are just as likely to be called for jury service sooner or later as the rest of us. I was afraid you might think it too simple.

This morning's mail brought me a letter from New Richmond, Wisconsin asking for a copy for their Club and another one thanking me from Spring Valley, Minnesota.

Was there ever a more wonderful invention than this radio, and what tremendous power for education and information it is going to have.

Yours very truly,

Miss Marguerite Wells  
Minneapolis, Minnesota.  
GAC/MP

Spring Valley Minn.  
Mar. 28<sup>th</sup> 1928.

Miss Countryman;

I heard your  
excellent and instructive  
talk relating to jurors.  
Every word was distinct  
I hope to be able to  
hear you again soon.  
It is certainly one  
of the great achievements  
of this century - the radio.  
I am pretty nearly a  
shut in this kind of  
weather and walks, but a  
near neighbor invited me in  
for the program yesterday.  
Sincerely (Miss) O. A. Chapin.





THIS SIDE OF CARD IS FOR ADDRESS

Miss Grace Countryman,  
Minneapolis,  
Minn.



325 GROVELAND AVENUE  
MINNEAPOLIS, MINNESOTA

Dear Gracie Countryman: Your  
radio been working as a cley  
right - one year best than  
heard. Many thanks. I hope  
it did not cost you too much  
in time. Mayneest m ce.



New Richmond Mo.  
Mch. 28-23

Gratia Countryman  
Munichapolis  
Munich.

Dear Madam -

I was very much  
interested in your talk by  
"Radio" Tuesday P.M. - on  
"Jury Service and Citizenship".  
and wish more of the ladies  
in this little city could have  
heard it. Would there be any  
way of getting the article to read  
at our, Woman's Club Civic Section.  
I'm sure they would enjoy it as  
I did. And I cannot remember  
it well enough to give it at a  
Club meeting. May I hear  
from you?  
Sincerely  
Mrs E. L. Bree.



March 31, 1923

Mrs. E. I. Bell  
New Richmond, Wisconsin

My dear Mrs. Bell:

I am glad to know that you found my simple talk on jurors interesting. I am making you a copy for your Club. Maybe they will not be interested in it, but I will send it to show my appreciation of your kind note.

Yours very truly,

Librarian

Enclosures 2  
GAC/MP