

vitute for life. He is still in prison, and the pardon which was granted by the late Government to some persons who had the misfortune to be convicted of similar offences has not been extended to his case. It is, no doubt, as a mark of sympathy for this exceptional treatment that the electors of Limerick have returned him without opposition to Parliament. It was not in their power to avail themselves of his services, for, besides the prior claim for his personal attendance elsewhere, he is not eligible to sit. The Act of 1870, which abolished attainder for felony, deals with the matter in express terms. No person thereafter convicted and sentenced for a term exceeding twelve months' imprisonment, unless he shall have received a free pardon within two months of sentence, or shall have suffered the punishment, is to be capable of being elected, or sitting or voting as a member of either House of Parliament. But the disqualification is much older than the Felony Act. Lord Coke states it, and gives this reason, 'for concerning the election of two knights, the words of the writ be, "*duos milites gladiis cinctos magis idoneos, et discretos eligi fac.*"' No doubt we nowadays disregard the injunction in other matters besides the knightly belt, but the case is not one where the law ceases with the reason of it.

Several instances of the disqualification proving effective have occurred in recent times. We are indebted to the different impressions made by certain classes of conduct upon Irish electors and on Her Majesty's judges for all of them.

In 1870 Mr. O'Donovan Rossa, who had lately fallen within the descriptions of the Treason Felony Act, was returned to Parliament. It was argued that, his sentence involving no attainder, he could sit, but the House of Commons otherwise determined.

Five years later Mr. John Mitchell, who had been sentenced to fourteen years' transportation, and had spent more than that time in evading recapture after an escape from prison, was elected to the House. In his case a new writ was issued, and there was a fresh election. Upon this Mitchell stood again and succeeded in the contest. A petition was lodged against his return on the ground that it was no more effective than if the sheriff had returned the name of a woman, and that, his opponent having given ample notice that votes for Mitchell would be thrown away, he ought to have been returned notwithstanding