

IRISH JURIES.

"he might himself be guilty of the same to-morrow." In Ennis there was a case of shooting with intent to murder. The blunderbuss exploded, and the assassin's hand was blown off, and was produced in evidence. The man was acquitted by a jury, many of whom "had come twenty miles to try the boy," and who immediately adjourned with his friends to a public-house to celebrate the event. The prisoner himself is said to have asked for his hand back, and the judges remarked that he might as well have it.

Mr. Murphy, Senior Crown Prosecutor, Dublin, stated that, as far as his experience went, in any case of agrarian outrage, faction fight, or serious assault between farmers or farmers' sons, and so on, there was very little use in prosecuting in a great part of the South of Ireland at the present time. At New Pallas, in the County of Limerick, for instance, the population is divided by an old feud about the age of a bull into what are called factions of "Three-year-olds" and "Four-year olds;" and "terrible crimes, not merely savage assaults, but brutal murders, have occurred, and very recently." Yet there is a difficulty in repressing these outrages, because juries will not convict. Perhaps the strongest evidence as to the incapacity of the Irish Juries is that given by Baron Deasy. In Sligo, he said, there was a case of ejectment on notice to quit; the notice was the only point in the case, and was, in fact, admitted. But the counsel for the defendant got up and implored the jury to stand between an oppressive landlord and the widow and orphans; and the consequence was a verdict for the defendant, in opposition to the direction from the judge. The "poor widow" in this case was a lady of large fortune, with a town-house in Merrion Square, and another house in the country, and the oppressive landlord was merely trying to get back his own property. In Galway the state of things is said to be truly deplorable. Out of a panel of 265 jurors, "not one-fifth were capable of trying any case whatever, civil or criminal." In a case of sheep-stealing, the prisoner's counsel "challenged every man who was decently dressed and seemed intelligent; the Crown objected to the ragamuffins; and the result was that we went through the whole of the 265 names without being

able to get a jury." Ultimately some "set asides" were taken in, but a verdict could not be got after all. In an action for trespass, as to the facts of which there was no dispute, the jury would not agree to find any damages; "perhaps," says Baron Deasy, "because they thought that the plaintiff, being an hotel-keeper, had no right to have land at all." In another case a son had murdered his father and signed a confession, but his counsel argued that the confession was dictated by a sentiment which especially animates the Irish breast, a sense of filial affection, and that he had made it to screen his mother, an old woman aged eighty, who was too feeble to lift her hand. The prisoner was acquitted.

It is clear from this evidence that a very great mistake was committed in introducing a lower class of jurors into the box. It is not merely that many of these men are too ignorant and stupid to understand the nature of the cases which they have to try, but that they act under the impression that they have been brought there to take care of themselves as a class, and to see that "poor men" come to no harm. Mr. Serjeant Armstrong defended the change in the system on the ground that "he would do anything to satisfy the men in the dock that they were to get a fair trial," and he drew a touching picture of a jury, "with not so much as a necktie, hardly a shirt" among them, trying a prisoner of the same rank, but "dressed up a little for the occasion." He had observed, he said, the good moral effect of a verdict found by such men, who were really the peers of the prisoner. "A general sigh goes through the gallery when they find that peasant has convicted peasant." There is no doubt a certain amount of truth in this, and it is of the utmost importance that men of the lower classes should be convinced that they have the same chance of being fairly tried as other people. But it is rather a dangerous experiment to put into the hands of the lower classes, especially when they are so ignorant and prejudiced as those of Ireland, the power of thwarting the efforts of justice to reach criminals in their own rank of life; and it is evident that this is the use which a great many of the new jurors have made of their privilege. The question is, what is to be done when peasant will not convict peasant, or give