

proceeding as aforesaid has not been duly enforced by the sheriff or other officer whose duty it is to enforce the same, such judge shall appoint some officer whose duty it shall be to enforce that judgment or decree; and for that purpose such officer and all persons employed by him shall be entitled to the same privileges, immunities, or powers as are by law conferred on a sheriff and his officers." A more fabulous and clumsy device never struggled for a place in the statute book. Will it be so easy to find a substitute for the recalcitrant sheriff or constable, and, if found, what treatment will he receive at the hands of the hostile Irish executive? Compared with this cardinal difficulty, all the other objections to which we recently called attention—the probability that the Irish members at Westminster will attack the position and the emoluments even of the Exchequer judges, and the certainty that the salaries and the pensions of the ordinary judges will from time to time be assailed by the Irish Parliament—sink into insignificance. The right of appeal, for which the bill provides, from the Exchequer judges to the Privy Council, viewed as a safeguard against the evil in question, is absolutely nugatory. For, in the first place, what is wanted is not judgment, but execution; and, in the second place, the affirmance of an unpopular decree by the Judicial Committee will merely give it an "alien" character and render its enforcement more difficult than ever. We have nothing to do with the political aspect of the Home Rule Bill, but we are bound to say that the position in which it places the contemplated Exchequer judges is simply untenable, and that the attempt to enforce the decrees of these judges would inevitably lead to civil war.

The bill gives a right of appeal to the Privy Council from the Exchequer judges, and also from any court from which an appeal now lies to the House of Lords. But the validity of an Irish Act can apparently only be challenged by a reference to the Privy Council at the instance of the Lord Lieutenant or a Secretary of State; and for the determination of such important questions as the delimitation of Irish from British affairs, and the cases in which the Irish members are entitled to take part in debates in the House of Commons, no provision whatever seems to be made. Suppose that the Irish Parliament legislates on one of the prohibited subjects. The Act is void. But how is it going to be avoided? The Exchequer judges, if we read aright the section in which