

IRISH JURIES.

wanting, the whole thing breaks down. It has been said that the object of the British Constitution is to bring twelve men into a box, and Ireland has enjoyed the application of this sacred principle. It is obvious, however, that the value of the system depends in a great degree on the conduct of the twelve men when they have thus been brought together. The theory of trial by jury assumes the competence and honesty of the persons who compose the jury; but even the most frantical idolater of the institution would scarcely deny that the consequences are likely to be disastrous if the jurors fall below the requisite standard of character and intelligence. It was held that the lower classes in Ireland could not be required to have confidence in the administration of justice unless they administered it themselves. This experiment has now been in force for a year or two, with the most deplorable, though most natural, results; and anybody who wishes to understand the paralysis and perversion of justice which at present prevails in Ireland cannot do better than study the Report of the Committee of the House of Commons on the Irish Jury System which has just been published.

The first witness examined was Mr. Hamilton, an Irish barrister, who has had great experience on the subject. He told the Committee that there was really no such thing as trial by jury in Ireland, and that even the fiction of it would disappear under the slightest strain. The last two years, he said, had been quiet, but "in case of any agitation or disturbance you would have to suspend trial by jury altogether." The result of the present system had been to put "a mass of prejudice, ignorance, and disaffection on the panel." In ordinary cases the juries simply did what the judge directed; but in cases where there was any agrarian or other disturbing element there was usually no finding. The lower class of jurors were either terrified by the Ribbonmen or were friendly to them; and there was "to a considerable extent a sympathy with crime" on the part of juries. Mr. W. Ormsby, sub-sheriff of the County and City of Dublin, gave similar evidence. Juries were hopelessly ignorant, and it would be better to abolish them altogether than go on with the present system. Mr. West, Chairman of Wexford County,

pointed out that the tendency of the existing system was to introduce class feeling into the jury box. A gentleman in his county fired four pistol-shots at another, but the accused was represented as "a favourite of the people," and got off easily. His attorney said, "I put the frieze-coated gentlemen on the plaintiff, and made him consent to a plea of guilty for a common assault." In short, disagreements and acquittals in the teeth of evidence are of frequent occurrence. Mr. De Moleyns, Chairman of the County of Kilkenny, thought there was a feeling among the lower sort of jurors that "they were one class" with the prisoners, and that they had strong sympathies with them. He added that jurors were systematically canvassed by the friends of prisoners, and were "exposed to injuries in different ways which we hardly appreciate." Mr. Leahy, Chairman of the County of Limerick, stated that, with the new jurors, there was the greatest difficulty even in the clearest cases in getting a verdict at all. They made all sorts of excuses for disagreeing—that nobody actually saw the crime committed, that there was only one witness, and that was not enough, and so on. In one case a juror sent a doctor's certificate of his inability to attend, but he afterwards turned up because he had been canvassed by the friends of a prisoner to try to get him off. Mr. Bolton, Crown Solicitor for Tipperary, mentioned a case in which one of the jurors was drunk, and another was found to have come home from seven years' penal servitude for cattle-stealing. He also confirmed other witnesses as to the frequency of bad acquittals—"sixteen at Clonmel, and fourteen of them as bad acquittals as could be pronounced." Cases of murderous violence were frequently reduced by juries to mere ordinary assaults. The common cry to jurors on going into the box was, "Go in and free the boys." The practice of canvassing jurors was "becoming quite alarming in Tipperary," and persons supposed to have influence were taken on cars round the country canvassing jurors. Mr. Boyd, another Crown Solicitor in Tipperary, reported that canvassing was very largely practised there, and "very extraordinary" verdicts were often given. In Kildare a juror declared that he could not find a prisoner guilty under any circumstances, because