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LONDON TIMES: The report of the Viceregal Commission appointed to investigate the circumstances of the loss of the Regalia of the Order of Saint Patrick, and to inquire whether Sir Arthur Vicars exercised due vigilance and proper care as the custodian thereof, was issued yesterday as a Parliamentary paper (Cd. 3906). The Commission consisted of His Honor Judge James Johnston Shaw, Mr. Robert Fitzwilliam Starkie and Mr. Chester Jones, and the following is the text of their report, in which we have inserted some cross-headings for facility of reference:

1. We held our first meeting on the 10th January, 1908, at the Office of Arms, Dublin Castle. The Right Hon. J. H. Campbell, K. C., M. P., and Mr. Timothy M. Healy, K. C., M. P. (instructed by Messrs. W. R. Meredith & Son, Solicitors), appeared as counsel on behalf of Sir Arthur Vicars; the Solicitor-General for Ireland, Mr. Redmond Parry, K. C., M. P. (instructed by Mr. Malachi Kelly, Chief Crown Solicitor), appeared on behalf of the Government.

2. At the outset of our proceedings Mr. J. H. Campbell, as counsel for Sir Arthur Vicars, asked us whether the inquiry was to be public or private. We informed him that we were prepared to hear any application he had to make on that point, and to consider it carefully. He then proceeded to apply that the inquiry might be held in public. As most of his arguments were based upon the terms of the reference in Your Excellency's warrant, and upon the absence of any power in your Commissioners to compel the attendance of witnesses or to examine them upon oath, we pointed out that these objections applied to any inquiry at all under Your Excellency's warrant, whether public or private. Mr. Campbell declared that under no circumstances could Sir Arthur Vicars or his counsel take any part in an inquiry held under Your Excellency's warrant, and withdrew his application for a public inquiry. Sir Arthur Vicars and his counsel then withdrew, and we have had no assistance from them in our inquiry. We had the advantage, however, of the written statements made by Sir Arthur Vicars to the police and of the oral statements made by him at various times to the police and other witnesses examined before us.

3. On the withdrawal of Sir Arthur Vicars we adjourned till the next morning, in order that we might consider, and give the Government time to consider, the situation that had thus arisen. We were disposed to think that no useful purpose could be served by the prosecution of the inquiry after the withdrawal of Sir Arthur Vicars, who, as the responsible custodian of the jewels, was the person mainly interested in the result of the inquiry; and in view of the fact that the Government were probably already in possession of all the information which our inquiry was likely, under the circumstances, to elicit. But when the Solicitor-General, on behalf of the Government, asked us to hear the evidence relevant to our inquiry which he was in a position to offer, and assured us he was in possession of important evidence on both branches of our inquiry, we felt that we could not refuse to receive and record the evidence thus tendered.

4. We took evidence on five days, January 11, 13, 14, 15 and 16, and during that time there were examined before us every person employed in the Office of Arms during the year 1907, except Sir Arthur Vicars himself; Mr. Horlock, his clerk, and Miss Gibbon, the typist. We sat in the library of the Office of Arms where the safe containing the lost jewels stood at the time of the robbery, and we had a full opportunity of inspecting, on the spot, all the arrangements of the office. We also examined every police officer who had been engaged in the investigation of the circumstances attending the robbery, and certain experts in the construction and use of safes and safelocks, who gave us valuable information. We have thus been able to ascertain every material circumstance connected with the loss of the Crown Jewels, and we propose to give Your Excellency, in the first place, a short statement of the facts which appear to us to be the most important in relation to the subject of our inquiry.

Ulster and the Office of Arms 5. Sir Arthur Vicars was appointed Ulster King of Arms in February, 1893. At that time the Office of Arms was in the Bermingham Tower, but in 1903 it was removed to the building now occupied in the Upper Castle Yard. The duties of Ulster King of Arms in relation to the custody of the Crown Jewels and of the other Insignia of the Order of St. Patrick are defined in the revised statutes of the Order, dated 29th July, 1905. By Statute 27, Ulster King of Arms "shall have the custody of the jewelled Insignia of the Grand Master." By Statute 12, "The jewelled Insignia of the Grand Master... which are Crown Jewels... shall be deposited by our Ulster King of Arms in the Chancery of the Order, along with the other Insignia of the Order." By Statute 37 of the Chancery of the Order "shall be in the Office of Arms in Our Castle of Dublin." And by Statute 209 it is ordained that the Collars and Badges of the Knights Companions of the Order which are in the custody of Ulster King of Arms "shall be deposited for safe keeping in a steel safe in the Strong Room in the Chancery of the Order in the Office of Arms in Ireland." (The particular Statutes here quoted are set out in Appendix B.)

6. At the fitting up of the new Office of Arms in 1903 a Strong Room was built by the Board of Works according to plans approved by Sir Arthur Vicars. Sir George Holmes, the Chairman of the Board of Works, informed us that, at the time the plans for this Strong Room were prepared, he was not told by Sir Arthur Vicars, nor did he know, that the safe in which the Crown Jewels and other Insignia were kept, was to be placed in the Strong Room. After the Strong Room was completed it was found that the safe could not be got in by the door. When Sir George Holmes' attention was called to this he offered to place the safe in the Strong Room either by breaking down part of the wall and rebuilding it or by temporarily removing the iron bars of the window. Sir Arthur Vicars did not accept this offer on the ground that the safe would occupy too much floor space in the Strong Room, and said that unless he got a smaller safe he would prefer it to remain outside. It was ultimately arranged that the safe should remain in the Library until it was wanted for some other office, when Sir George Holmes promised to provide a new safe which could be placed in the Strong Room. According to the evidence of Sir George Holmes this arrangement was acquiesced in by Sir Arthur Vicars, and so matters remained down to the date of the disappearance of the Jewels. Sir George Holmes told us that his attention was never called by Sir Arthur Vicars, or anybody else, after July, 1905, to the requirements of Statutes 12 and 20, that the Crown Jewels and other Insignia of the Order of St. Patrick "shall be deposited for safe keeping in a steel safe in the Strong Room." It is certain that this requirement of the Statutes was never complied with and that from the date of entering upon the new office in 1903 until the date of the disappearance of the Jewels, the safe was kept, not in the Strong Room, but in the Library.

Description of the Office of Arms 7. The Office of Arms is entered by an outer door opening into the Upper Castle Yard. There are two locks on that door, a latch opened by a latch-key, and a large stock-lock with a key hole both inside and outside. The stock or main lock was never locked by day or night. The door was shut at night and on Sundays and holidays by slipping the bolt of the latch, so that any person having a latch-key could enter at any time of the day or night when the Office was closed. When the latch was unlocked the door was opened by turning a handle. There was no bell on the door to indicate when it was being opened or shut. There were at least seven latch-keys for this door outstanding. Sir Arthur Vicars, Mr. Burchaell, Secretary, Mr. P. G. Mahony, Cork Herald, William Stivey, the messenger, Mrs. Farrell, the office cleaner, Detective Kerr, and John O'Keefe, a servant of the Board of Works, each had a latch-key. It was necessary that Mrs. Farrell, Stivey, Detective Kerr and O'Keefe (who lit and extinguished the light in the Clock Tower during the Castle season) should have access to the Office at times when it was closed, and perhaps no better arrangement could conveniently have been made. But it is obvious that the fact that the Office was so easily accessible at all hours and that seven latch-keys were given out, some of them in the hands of persons of humble station, made it additionally necessary that special provision should be made for the safe keeping of the Crown Jewels. During the day this outer door could be opened by anybody merely by turning the handle. There was no one on the ground floor but the messenger Stivey, whose usual seat did not command a view of the door. The Library, in which the safe containing the Crown Jewels was kept, is not an ordinary working room and is not occupied, except temporarily, by any of the officials. One door of the Library is quite close to the outer door, and is so situated that any person might quietly open the outer door and enter the Library without attracting attention. A second door of the Library opened into the Messenger's Room and was usually left open. The Library was the Waiting Room of the Office, and every person who called on a matter of business or curiosity was shown in there until some of the officials came down from the first floor to attend to him. The Office of Arms, in common with all the other offices in Dublin Castle, was visited and inspected every evening, after all the officials had left, by a member of the detective force, whose duty it was to see that the offices were safe, but who had no special duty in connection with the custody of the Crown Jewels.

The Strong Room 8. The Strong Room is practically an offshoot from the Messenger's Room in which Stivey sat when on duty except when he was sent on a message, or was at dinner, or was called upstairs. There were four keys for the outer door of this Strong Room. One was in possession of Sir Arthur Vicars, Stivey held one, Mr. P. G. Mahony one, and one, which had for a short time been in possession of Mr. Burchaell, was, at the date of the disappearance of the Jewels, in the Strong Room in a drawer stated to be unlocked. Close inside the outer door of the Strong Room is a strong steel grille which must be opened before access can be had to the Strong Room. One key of this grille, which was in Stivey's charge, was constantly in the lock whether the Strong Room was open or shut, except when Stivey went on a message or was at dinner, when he locked the grille and placed the key of the grille in an unlocked drawer in his room, leaving the outer door of the Strong Room open. This latter arrangement was made by Sir Ar-

thur Vicars' order. Every official in the office knew where the key of the grille was kept in Stivey's absence, and had access to it. It was the custom for Stivey to open the Strong Room every morning when he came on duty, and to leave both the outer door and the grille open until he left in the evening, except upon occasions of his temporary absence, when he made the arrangements which we have already described. If he were merely called upstairs and there was no stranger about, he left both the outer door and the grille open. The Strong Room ought to have contained the safe in which the Crown Jewels and other Insignia were kept, but it did, as a matter of fact, contain articles of very great value, including three gold collars and badges of Knights Companions of the Order, two State Maces, the Sword of State, a jewelled Sceptre, a Crown, and two massive Silver Spurs. These were exposed in a glass case. There was another gold collar in a case somewhere else in the Strong Room (see Sir Arthur Vicars' written statement to the Police, July 12th, 1907, Appendix A.). It is plainly contrary to Statute 20 of the Order that these Collars and Badges of the Knights Companions should be kept exposed in a glass case in the Strong Room. The words of the Statute are express—"in a steel safe in the Strong Room."

9. We have thus given a general description of the way in which the Office of Arms was kept, and of the provision made for the safe keeping of the Crown Jewels and other Insignia of the Order of St. Patrick. We have stated no facts but those which are common to all the witnesses, and which are admitted by Sir Arthur Vicars himself in his statements to the police. Looking at these facts alone, and without any reference to the loss of the Crown Jewels, or the incidents that accompanied that loss, we cannot arrive at the conclusion that Sir Arthur Vicars exercised due vigilance and proper care in the custody of the Jewels. We do not dwell upon the positive breaches of his duty under Statutes 12 and 20 of the Order. But, apart from any specific duty imposed upon him by the Statutes, we cannot think that he showed proper care in leaving the safe containing the Crown Jewels in a room which was open to the public all day, and was open all night to any person who either possessed, or could get possession of one of seven latch-keys. We should have thought that, in the case of Jewels like these, of immense value and of national importance, the responsible custodian would, instead of carrying about the key of the safe in his pocket, have deposited it with his banker or in some other place of security except on the rare occasions when it was necessarily in use. We are of opinion that great want of proper care was also shown in respect of the Strong Room. The fact that three, and at one time four, keys of this room were out in the hands of different persons, one of whom was Stivey, the messenger, who also had control of a key of the grille, is in itself a proof of want of due care. We have been unable to ascertain any sufficient reason why a key of this Strong Room should have been in any hands but Sir Arthur Vicars' own. The further fact that it was the custom that William Stivey the messenger should open both doors of the Strong Room on his arrival in the morning and that they should be kept open all day until Stivey left in the evening also appears to us to show great want of care.

The Loss of the Jewels 10. We now come to the circumstances connected with the loss of the Jewels and with the discovery of their loss. It is ascertained beyond doubt that the Jewels were in the safe on June 11th, 1907. They were shown on that date by Sir Arthur Vicars to Mr. John Crawford Hodgson, Librarian to the Duke of Northumberland. There is no evidence that from that date until the 6th of July, when their loss was discovered, they were seen by anybody, nor is there any evidence that the safe was ever opened by any one in the Office between those dates. Sir Arthur Vicars himself says in the statement already quoted—"From 11th June to 6th July I have no recollection of seeing the Jewels nor of having gone to the safe." The officials attending in the Office between those dates were Sir Arthur Vicars, Mr. Burchaell, Mr. Mahony, Mr. Horlock, Miss Gibbon, Stivey the messenger, and Mrs. Farrell the office cleaner. Neither Mr. Goldney, Athlone Pursivant, nor Mr. Shackleton, Dublin Herald, appears to have been in the Office, or indeed in Ireland, at any time between these dates. Mr. Mahony was not in the Office from April until July 4th, except on one day in May, so that, of the period between 11th June and 6th July, he was only in the Office on three days.

11. On the morning of Wednesday, 3rd July, Mrs. Farrell, the office cleaner, on coming to the office at her usual hour between 7 and 8 o'clock, found that the outer door was unlocked. The bolt of the latch was caught back, so that she opened the door by merely turning the handle. Mrs. Farrell waited until Stivey, the messenger, came in about 10, and told him what had happened. When Sir Arthur Vicars arrived about 12, Stivey told him what Mrs. Farrell had reported, and Sir Arthur replied "Is that so?" or "Did she?" No further notice was taken of the incident. It was not reported to the police, nor was Kerr, the detective, whose duty it was to inspect the offices at night, informed of the circumstance. Stivey is perfectly certain that he slipped the bolt of the latch when leaving the office about 5.30 on the Tuesday evening, but he is not certain whether he left Sir Arthur Vicars be-

hind him or not. Detective Kerr visited the office about 7 p. m. on the Tuesday evening, opened the door by his latch-key, found it locked, found no one in the office, made his usual round of inspection, tried the door as he went out, and made sure it was locked. It is plain upon this evidence that some one in possession of a latch-key visited the office after Detective Kerr had left it, and took the trouble to draw back the bolt of the latch and fasten it. It seems to us an extraordinary instance of negligence on Sir Arthur Vicars' part that he made no inquiry about this singular incident, did not interrogate Kerr, the detective, made no report to the police, and did not examine the safe or strong room to see that all was right. Sir Arthur Vicars' own account of this matter is as follows: "On Wednesday, 3rd July, to the best of my recollection, I arrived at the office at 12 o'clock noon, and left about 6 p. m. Stivey informed me that he was told by Mrs. Farrell, the office cleaner, that she found the hall door open when she arrived to clean the office in the morning." (Sir Arthur Vicars' statement of 12th July, 1907—Appendix A.)

A Startling Incident. 12. On the morning of Saturday, 6th July, a still more startling incident occurred. Mrs. Farrell opened the office at her usual hour between 7 and 8 a. m. and walked into the messenger's room to see if any written message had been left for her. On entering the messenger's room she found that the outer door of the strong room was standing ajar. There were two keys hanging in the lock of the grille. Mrs. Farrell took these two keys out of the grille lock, and shut the outer door of the strong room. She did not wait until Stivey came, either because he was late or because she was in a hurry, but she wrote a note on his blotting pad telling him what she had found, and left the keys on the note. When Stivey came about 10.20 a. m. he found Mrs. Farrell's note and the two keys lying beside it. These two keys, as he explained to us, were the key of the grille and a smaller key which opened the presses in the library, and they were tied together by a piece of twine. The presence of the keys was indubitable evidence that the strong room door had been opened or had been left open, as the keys were left in the lock of the grille the night before. Stivey at once examined the strong room and found that nothing had been touched inside so far as he could observe. On the preceding evening Stivey had gone to Sir Arthur Vicars' room about 5.30 p. m., and found him there with Mr. Horlock. He asked Sir Arthur if he might go, and was told he might. He asked Sir Arthur if he wanted the strong room any more that night. Sir Arthur said "No, you may close it." Stivey then closed and locked the outer door of the strong room, leaving the two keys hanging in the lock of the grille. Stivey's statement is fully confirmed by Sir Arthur Vicars, who says: "On Friday, 5th July, I left the office at 7.15 p. m. About 5.45 p. m. Stivey asked me whether he should lock the strong room, and I told him to do so, at the same time handing him a M. S. to be placed therein. I subsequently had occasion to pass the strong room door to go to the telephone more than once, and the door was closed." (Statement of 12th July, 1907—Appendix A.) About 7.15 p. m. Sir Arthur Vicars left his office with Mr. Horlock. Before he left he made what he called his "usual tour of inspection." "I passed through the library, glanced at all the bookcases and satisfied myself they were closed. I passed into the messenger's room, noticed the window was bolted, and tried the handle of the strong room door and found the door was locked." (Same statement, appendix.) Almost immediately after Sir Arthur Vicars had left the office Detective Kerr entered it, and examined every room in the house. He noticed the strong room door; it was closed and bolted. He left the office about 7.30 p. m. On these facts it was plain that some one had entered the office after the Detective had left on Friday evening, and had opened the strong room and left it open. It seems very strange that, after what had happened on the preceding Wednesday morning, Sir Arthur Vicars should treat this new incident as if it were of no importance whatever. When he was told by Stivey that Mrs. Farrell had found the strong room open when she came in the morning, he said, "Did she?" or "Is that so?" went upstairs to his own room, and took no further notice of the incident. He did not even examine the strong room to see if anything had been taken, he did not examine the safe to see if it had been tampered with, he did not send for Detective Kerr to see if he had noticed anything wrong the night before, he made no communication to the police. Sir Arthur Vicars has given his own explanation of his conduct on this occasion, and it seems to us wholly insufficient: "On Saturday, 6th July, I arrived at the office at about 11 a. m. I have a vague recollection of being told by Stivey that Mrs. Farrell had found the strong room door open when she arrived, but at the time I did not realize that it was that morning, and being very busy left the matter for subsequent investigation. It was not until Sunday afternoon, when I was working at my house in connection with the royal visit with Horlock, that I realized that the strong room door was open on Saturday morning. Horlock had informed me at my house on Sunday that Stivey had told me in my office on Saturday that the strong room door was found open that morning." (Sir Arthur Vicars' statement of 12th July—Appendix A.) It is hardly necessary

to comment upon the strange want of any sense of responsibility for the security of his office and of the jewels entrusted to his care which this statement reveals. The door of his office had been found open on the previous Wednesday; he is now told that the door of the strong room had been found open; he has only a vague recollection of this startling statement; he does not take the trouble to ascertain definitely even the day on which the event had happened; and he thinks it a matter that may be left for subsequent investigation. We can only say that, in our opinion, Sir Arthur Vicars' treatment of this incident shows an entire absence of vigilance and care in the custody of the jewels.

Discovery of the Loss. 13. It was between 12.30 and 1 p. m. on Saturday, 6th July, that Stivey told Sir Arthur Vicars about the strong room having been found open. About 2.15 p. m. on the same day Stivey went to Sir Arthur Vicars' room to inquire whether he might go for the day. Sir Arthur gave him the key of the safe, and the box containing the collar of a deceased Knight of St. Patrick which had just been returned, and told him to open the safe and place the collar in it. This was the first time that Stivey ever had the key of the safe in his hand. It seems strange that Stivey should at any time have been entrusted with the key of the safe, but that he should have been entrusted with it just after the occurrence of incidents which called for peculiar care seems stranger still. Stivey proceeded to the safe and tried to open it. He found, in the way which is fully described in his evidence, that the safe was actually unlocked. He did not open the safe. Sir Arthur Vicars came downstairs immediately, and Stivey told him the safe was not locked. Sir Arthur thereupon opened the safe, and found that the jewels and all the collars and badges in the safe were gone. The cases which had contained the jewels, collars, and badges had all been carefully replaced, but a case containing his mother's diamonds, which was locked and the key of which was in the hands of Mr. George Mahoney, his half-brother, had been removed. The police were then sent for and told what had happened, and even then not a word was said about the strong room having been found open that very morning. When Superintendent Lowe said, "What about the strong room?" Sir Arthur replied, "It is a modern safe, a Milner's safe, and quite secure; it could not be opened except by its own key." Nobody on Saturday, the 6th, mentioned to the police either that the outer door had been found open on the morning of Wednesday or that the strong room had been found open on that morning (Saturday), and it was only on Sunday, the 7th, that Detective Kerr heard these facts from Mrs. Farrell for the first time.

The Lock of the Strong Room. 14. The lock of the strong room was carefully examined on Monday, 8th July, by Mr. F. J. O'Hare, a Dublin representative of the Milner Safe Company, who supplied the door and lock of the strong room. He took the lock to pieces and took out the seven levers. He found no trace whatever of tampering with the lock. There was not a scratch on the highly polished levers. The Ratner safe, in which the jewels were kept, was examined on the 9th July by Cornelius Gallagher, an employee of Ratner's agents in Dublin. He removed the lock and chamber, took all the levers out, and found no trace of tampering or any scratch on the levers. Both these experts came to the same conclusion; that there was no picking of the locks or attempt at picking; that the locks were opened by their own keys or keys identical with them in every respect in make and finish, and that such keys could not be fabricated from a wax impression. Keys fabricated from a wax impression, though they would have opened the locks, would, in their opinion, have left on the levers traces of pressure and friction which would be easily discernible.

Mr. E. A. Evans, general manager of the Quebec Railway, Light & Power Company, tells many an interesting yarn about visitors to the Ancient Capital. One of them is related by the Quebec Chronicle. Some years ago a Methodist Conference was being held in the City of Quebec and it was proposed to give the visiting clergymen a complimentary trip to some historic point of interest. Ste. Anne de Beaupre was suggested but it was feared that the followers of Wesley might consider the spot unorthodox. However, they were approached with the project and about three hundred of them accepted the invitation with alacrity. Mr. Evans accompanied the clerical tourists to Ste. Anne, where Father Holland, a jovial Irish priest, soon made them feel quite at home. They spent an hour or two at the shrine, and Father Holland accompanied them to the station on their departure. There are not a few Irishmen in the ministry of the Methodist Church and one of these sons of Erin said with a twinkle in his eye: "Now, Father Holland, you must have seen many miracles in your day. What do you consider the greatest wonder of them all?"

Father Holland appeared to be in deep reflection for a moment, and then said slowly: "Well, I've never seen anything to equal the miracle this afternoon when three hundred Methodist ministers were gathered at this sacred spot." The visitors appreciated the reply and parted from their new friend with due regret.

15. The following is a list of the names of the officials who were examined before the Commission, and of the witnesses who were called upon to give evidence in connection with the inquiry into the loss of the Crown Jewels. The names are given in alphabetical order, and are followed by the dates of their examination.

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