sympathy on the other—but simply one of expediency. Will the use of the lash in this particular case effect the object in view? Even if it does, will its use not do more harm by tending to brutalise masses of people than good by checking a special offence? Moreover, is there not a peculiar danger in setting up an abnormal severe punishment for one special offence—namely, the danger of juries not convicting, or finding a verdict of guilty on some milder charge? Juries did strange things of old time *in favorem vitæ*, and so also did judges. From similar motives, why should not their descendants do likewise? —*Law Journal.*

[Whilst publishing the above, we do not quite agree with the writer in his conclusions. We have great faith in the lash for the backs of blackguards, bullies and wife beaters.—*Eds. C. L. J.*]

JUDICIAL INTERFERENCE WITH JURIES.

The issue raised by Dr. Kenealy's promised motion concerning the censure of juries by judges is, perhaps, wider than he contemplates. The verdicts of juries have in many recent instances been the cause of much surprise on the part both of the public and the Profession. Juries have been known to act from many motives other than the single motive of giving a verdict according to the evidence, and it is difficult for a judicial mind contemplating such a miscarriage of justice to refrain from giving expression to a certain amount of indignation. Whilst, therefore, it may be highly desirable that juries, so long as they exist, should have all possible freedom conceded to them, their constant abuse of that freedom may well suggest a doubt whether they should continue to be a part of the legal machinery in this country. In criminal cases, no doubt, danger might attend their abolition, but in civil cases unlimited liberty of obtaining new trials scarcely compensates for the loss inflicted by no verdicts at all, or verdicts palpably in conflict with the evidence. When juries are censured by the Bench it is absolutely certain that they are wrong. Censure of one jury must have a good effect upon other juries, who will be more careful in considering the evidence. Judges are not to be gagged, and if Parliament is to be appealed to upon every trifling exhibition of judicial temper, the life of a Judge will become intolerable. The motion was,

"To ask the First Lord of the Treasury, whether his attention had been called, to the two following cases of the interference of judges with the independence of juries at recent assizes. The first case he extracted from the *Dublin Daily Express*, where it was reported to have been tried at Limerick Assizes before Justices Lawson and Keogh. Two men, having been charged with homicide, were acquitted; whereupon the judge (Lawson) was reported to have said, "Is it possible that after hearing such evidence, you can have arrived at such a conclusion? I must observe that in the whole course of my experience I never witnessed a more distinct violation of the jurors' oath than has taken place in this case. This may be strong language, but in the discharge of my duty I am bound to use it." Subsequently he ordered the prisoners to be removed in custody. The second case was that of a man who was tried and acquitted at Brighton Assizes, the Lord Chief Justice (Cockburn) being the presiding judge. His Lordship immediately directed another jury to be sworn, and, addressing the prisoner, said, 'You are very fortunate, for I do not believe twelve human beings could have been found, except the jurors in the box, who would have returned such a verdict on the evidence.' He would ask the right hon. gentleman whether it was his intention to introduce any measure which would have for its object the better maintenance of the rights of jurymen to deliver verdicts according to their consciences and to the best of their ability, without censure from the Bench."—*Law Times.*

BAR EXAMINATIONS IN ENGLAND.

The present regulations of the Inns of Court prescribe that every person intending to be called to the Bar shall submit himself to an examination for the holding of which they make provision. This condition was imposed, as our readers are probably aware, to satisfy the exigencies of a public opinion, which was supposed to require all barristers to pass an examination. In this matter, perhaps, public opinion was not the best judge of what was necessary to test a man's legal attainments, but as the examination was conceded, there is no doubt it