increased. At all events I trust the government will give us an opportunity of trying the experiment.

In conclusion, I may add that I submitted, in July of last year, my views on the cultivation of tobacco in Ireland to Sir Robert Hamilton, the Under Secretary, with the object of enlisting his co-operation. He expressed great interest in the subject, and said he was of opinion the government would regard with favour the establishment of any new industry that would afford remunerative employment to the people. Since then he took the trouble to make enquiries in London as to what was done when the question was before parliament, but the result, he informed me, was not favourable to the scheme. However, I take a more hopeful and sanguine view of the case, more especially as tobacco is now cured by steam, and is not dependent on weather as formerly.

IV.—*Magisterial Reform: being some Considerations on the present Voluntary System, and Suggestions for the Substitution of an Independent Paid Magistracy.* By W. F. Bailey, Esq., Barrister-at-Law.

[Read, Tuesday, 24th February, 1885.]

REFORMS affecting the long-established institutions of Great Britain and Ireland have seldom been introduced without much and long-continued discussion as to their desirability or necessity. Yet few of these institutions have escaped attack from one quarter or another, and, where they have continued to exist, we must perforce ascribe their continuance to the Darwinian principle of the survival of the fittest. In no portion of the Empire have the criticism and perseverance of reformers been more bitter or better exemplified than in Ireland. As we look over the newspapers and other memorials of twenty or thirty years ago, we find exactly the same questions debated, and similar methods adopted for their agitation, as we do at the present time. At various periods since the Union bitter controversies have arisen on the subject of magisterial reform, and the question of a paid *versus* an unpaid magistracy has frequently occupied the public attention. When we consider the vital importance of the subject and its real interest to the whole community, a discussion of the problem at the present time will not appear out of place.

In the considerations which I would submit in favour of a complete reform of the system by the substitution of a paid magistracy for the present voluntary one, though chiefly concerned with the Irish aspect of the question, I do not intend to confine myself exclusively to this country, but would also submit some general principles applicable to every popularly governed state.

The title "Justice of the Peace" was given to magistrates after the celebrated statute of 34 Edward III. c. i., which gave them the power of trying felonies, and which has given rise to so much legal discussion before the Queen's Bench Division of the High Court of

Justice in Ireland within the past two years, concerning the taking of sureties of the peace and good behaviour. In earlier times Conservators of the Peace, as they were termed, were chosen by the freeholders of a district before the sheriff in open court, the writ directing that they should be chosen from the most influential and respectable people of the county. This method of selection was changed by the statute 1 Edward III. c. xvi., which enacted that in every county good men and lawful should *be assigned* to keep the peace. In these early periods, and indeed we may say down to the present time, the Justice of the Peace to a certain extent took the place of the policeman, and occupied himself as well in the detection as in the punishment of crime. Now when a centralised police—the only system, it is evident, really efficacious for the repression of crime—is in existence, magistrates proper are, or at least should be, entirely divorced from the duty of detecting the criminal whom they are afterwards to try. In semi-civilized and consequently arbitrarily governed countries, the detection and the punishment of crime are usually entrusted to the same officials, with considerable advantage to the government of the state. Few, however, in this country will advocate a system which must of necessity warp the judgment and attract the sympathies of the most high minded and best-intentioned of magistrates. Consequently, in advocating the appointment of a paid magistracy for dealing justice in every-day matters, I would put forward the evident objections to any reform that proceeded on the lines of the stipendiary system we have at present in this country. Before, however, discussing that branch of the subject, I would endeavour to show that some reform is needed, and in fact has become essential, in the present system.

Agitation against and Objections to the Unpaid Magistracy.

The real importance of the subject to the whole community no one will deny, and I cannot do better than preface this part of my subject by quoting some excellent remarks of *The Freeman's Journal*, in an article of 12th December, 1872 :—

> " It is no exaggeration to say that the composition of a bench at petty sessions is often more vitally important to the peace and well-being of the country than the composition of the highest court in the realm. The judges of the supreme court, even if inclined to misuse thei rhigh authority, are held in check by the double influence of the press and the bar. The judge's every action is submitted to the severe criticism of the members of the profession who attend his court, and of the public, who through the press become acquainted with its proceedings. Far different is the case in the ordinary court of petty sessions. There the magistrates are, as a rule, free from either professional control or newspaper supervision ; they wield an authority unquestioned and supreme —their word is law ; and save in one case out of ten thousand, that great antidote to injustice—publicity—is never applied to their decisions."

Agitation against the manner in which justice is administered under the magisterial system in the United Kingdom, has recurred with almost as much regularity and certainty as have commercial crises in the world of trade. To show that that agitation has not been confined to Ireland, a short review of how the subject was

ventilated in the London press of late years will not be out of place, especially as it will enable us to see the more popular objections to what is contemptuously called "justices' justice."

The Daily Telegraph, in an article of the 31st May, 1862, considering the whole question, consequent on an inequitable decision on a game law case which had just stirred public opinion, has the following remarks:—

> "It is a trite but very true dictum, that what is done gratis is seldom done well. There is, however, no obligation that it should be so. A man is under little sense of responsibility who undertakes to do something spontaneously which he is not bound to do. If you ask a friend to perform some duty for you, you may praise his success but must not blame his failure. In fact, to use the vulgar old proverb, you must not 'look the gift horse in the mouth.' We pay our parsons, our lawyers, our doctors. Why then, we ask, for the hundreth time, an unpaid magistracy? . . . . We want a paid magistracy who shall be appointed because of their knowledge of law, and their probable capacity for administering it. We should infinitely prefer to pay men adequately, who would feel that they were under a cogent obligation to perform the duties conscientiously and scrupulously for which they were fairly remunerated. We may rest assured, notwithstanding all the sophistry which may be invented to bolster up a flagitious system, that cheap justice is the dearest of all commodities."

The following month (June, 1862), at the London meeting of the Social Science Congress, Mr. Oke, author of several well-known works on magisterial subjects, read a paper in which he slightly touched on this subject, and expressed himself opposed to the change (except in populous districts) chiefly on the ground of expense. In August, 1862, *The Daily Telegraph* again returned to the subject, and quoted several scandalous cases of magisterial incapacity; among them, one where a reverend magistrate gave a lad three months hard labour for stealing a few strawberries; and another, where three children aged respectively eight, nine, and ten years, were sent to jail for three weeks because one of them took a mangold-wurtzel and gave it to a cow.

The subject was again discussed in the columns of *The Daily News*, in January, 1865, consequent on a rumour that the Lord Chancellor (Lord Westbury) contemplated a bill for the appointment of stipendiary magistrates throughout England. Many of the magistrates themselves approved of the proposed change, and one signing himself "A Parson Magistrate" wrote:—

> "So far from being surprised at the rumour of a Bill for the appointment of stipendiary magistrates for the provinces, I have wondered in these days of growing equality that the effort to effect such change has been so long delayed. I have been looking and wishing for it for years; for though, as I fully believe, the county magistrates are clear from conscious partiality and prejudice, yet they are taken from a class or caste where class distinctions and privileges are assumed from the days of the nursery; and this sense of distinctions and privileges, as I can affirm from my own experience and observation, does exercise an unconscious influence in the county magistrate's administration of the law, and that influence is certainly not on the side of equality and impartiality."

In September of the same year (1865), *The Star* discussed the question with some vehemence, spurred on by a sentence of fourteen

days imprisonment passed by a Suffolk bench on an old woman of seventy for gleaning two-pence worth of wheat. That such instances have not ceased within the last few years is plain to all who read the daily papers; for hardly a season goes by in England without a host of letters to the newspapers calling attention to "justices' justice."

The question continued to be discussed at intervals. Mr. Matthew Arnold and *The Saturday Review* took the matter up in 1867, and it was again under discussion at the meeting of the Social Science Congress at Bristol, in 1869.

In Ireland, the subject was generally agitated from a different point of view. A stipendiary magistracy has been in existence in this country for upwards of fifty years, although, as I will endeavour to point out, on a wrong basis. The voluntary magistrates, kept in check by their paid associates, did not in their decisions give such opportunities for attack as did their English brethren; consequently, any agitation against them arose chiefly from avowed religious or class reasons. Thus, early in 1870, the appointment of Catholics to the magistracy of Leitrim resulted in much discussion in the press and in parliament, and eventually led to the appointment of a commission of inquiry. In the past year, the agitation has assumed the form of a demand to popularise the magisterial bench by the appointment of approved nationalists.

Without venturing into the domain of politics, I may call attention to the dilemma on which the advocate of the present system is placed by this demand. All must agree that the appointment of a magistrate avowedly with the object of favouring or pleasing a particular section of the population, no matter how large that section may be, is entirely repugnant to the original principles on which justice should be administered. On the other hand, the acknowledged fact that the present bench of magistrates is composed of a body of men objected to by a large section of the people, shows that some change is absolutely necessary. The inevitable conclusion is that if we wish to introduce a system free from class prejudice, an entire change in the magisterial system is inevitable.

Next to class representation, perhaps the most serious objection to be taken to the voluntary magisterial system is the want of knowledge of the law to be administered, which necessarily exists where no special training is required. Justices and their supporters are apt to pooh-pooh this objection, and say that with the aid of Oke in England, and Levinge and Humphrey in Ireland, every magistrate of reasonable intelligence can get on very well. That magistrates do get on very well with these guides in many instances is certainly true; but any one who has any experience of country justice must be aware of multitudinous cases where the law is not carried out, and where justice is not administered owing to ignorance of the principles of jurisprudence. Nor can this be wondered at when we reflect on the extent of magistrates' jurisdiction, and its rapid growth of late years. As has been said, the administration of the law *in every-day affairs* is altogether entrusted to magistrates. Twenty years ago the number of *offences* in respect of which justices were empowered to impose fines, or terms of imprisonment without trial by jury, consi-

derably exceeded two thousand, and the number has ever continued to increase. Their civil jurisdiction extends in matters of the greatest importance to individuals as well as to the community at large—such as the law of master and servant, the regulation of roads, nuisances, and the public health, the removal and settlement of the poor and of lunatics, the various and complicated provisions of the licensing acts, the recovery of and appeals against the rates and taxes, the excise, the Factory and Workshop Acts, fishery and game laws, friendly societies, gaming houses, landlord and tenant law, Merchant Shipping Acts, pawnbrokers, and a variety of matters under the Army and Marine Mutiny Acts. Besides these extensive summary powers, there are at least five or six hundred offences indictable and triable before a jury, which must previously undergo an investigation before justices. The decision of these matters often involves the consideration of precedents, of legal definitions and distinctions, and the interpretation of obscure or badly worded acts of parliament. To quote *The Saturday Review*:—

> "It seems a truism to say that a lawyer is the proper person to be entrusted with work of the sort, and that the most careful and laborious country gentleman cannot be the right man to preside at the investigation. The attempt to save money to the country, by the plan of using unpaid magistrates to do rough justice, is in the end by no means an economy. Rough justice, where there is a possibility of appeal to a competent superior tribunal, is dear justice. When there is no appeal, it is clearly injustice under a less disagreeable name." *

The truth of these remarks will be brought home to us with force, when we learn that 48 per cent. of the magistrates' decisions in England, in 1883, were reversed on appeal. There is a growing tendency in legislation to extend the jurisdiction of magistrates, and to increase the number of cases over which they have cognizance. Until lately, when any difficulty arose on a law point, the justices in Ireland had the power of submitting a case to the law adviser in Dublin Castle. This power now having been withdrawn, country magistrates are left to their own resources, with the result that when any legal difficulty arises it is usually shirked by the justices rather than that they should run the risk of getting into trouble by a wrong decision. Magistrates, not at all wanting in courage, have assured me that this step has resulted in considerable timidity among themselves, and in a corresponding degree has given an objectionable confidence to solicitors and others practising in their courts, who are enabled to hold out threats of ulterior proceedings should the decision be against them.

Another serious objection to the present system is the appearance of partiality which it allows. If a person of any local influence should fall into trouble, he endeavours to get all the neighbouring justices who may be friends of his to attend at the petty sessions court, and fight his battle. I have known instances myself where this has occurred, and I have frequently heard the magistrates who constantly attend ask one another, "What brought so-and-so [some justice of irregular attendance] here to-day?" The answer invariably would

* *The Saturday Review*, 27th April, 1867.

be that some friend of his had a case on. The very fact that the idea of such a possibility should be rife among the country people, is an element of danger, and a serious objection to a system which renders such a miscarriage of justice possible.

Then again, it is very difficult for a local magistrate, living and mixing in every-day matters with those who have to bring their difficulties before him, to always preserve either the appearance or the reality of impartially deciding on the merits of a case. People will say, no matter how groundlessly, that friendship has swayed him, and to preserve real confidence in the administration of justice, we must preserve a belief in its impartiality.

The want of responsibility is a serious drawback to any system of voluntary magistracy. If an absurd decision be made, or if a flagrant act of injustice be perpetrated, the answer made is that the position of a justice is a thankless one, that it is a burthen thrown on the weary country gentleman, which nothing but an overwhelming sense of duty would induce him to accept, and that his reward is sure to be abuse. He is responsible to no one, and he feels himself at liberty to mete out what he calls justice, in accordance rather with the dictates of his own conscience than the provisions of law laid down for his guidance.

A weighty objection to the voluntary system is the irregularity of attendance of the majority of those appointed to the commission of the peace. Most country justices are content to write the letters "J.P." after their names, without troubling themselves much about the peace. This irregularity would not be of so much importance if it did not result in a complete paralysis, or at any rate delay of justice, in many cases. Thus to take at random a volume of the *Criminal and Judicial Statistics*, that for 1873 (which may be regarded as an average year), we find that out of 15,028 days on which petty sessions courts should have sat, there were no courts held on 1,014 days, or upwards of 7 per cent., owing to the non-attendance of magistrates. This proportion is differently distributed, and reaches 17 per cent. in the province of Connaught. Dr. Hancock, in his note on these tables, adds:—

> "When the petty sessions courts occupy so important a position, in disposing of one-third (34 per cent.) of the small civil cases of the poor, it is a very serious hardship on them, when, as in Connaught, the courts are on 17 per cent. of days appointed postponed from non-attendance of magistrates." *Report*, p. 93.

Objections to the present Paid Magistracy.

In advocating the substitution of a paid for an unpaid magistracy, I have already expressed dissent from any proposition to carry out such a reform by proceeding on the lines of the present stipendiary magistracy in Ireland. They, although very useful in many ways to the government, are so constituted as to form rather a body of police officials than a true magistracy; and, as I have already pointed out, such a combination should not be permitted on true principles of justice. As at present constituted, the Irish resident magistrates occupy a rather anomalous position. Originally appointed under

6 William IV. c. xiii., they were evidently intended to be subject to the jurisdiction of the Inspector-General of Constabulary. Immediately, however, it was considered expedient to place them under the direct orders of the government, a change by many considered productive of much inconvenience to the public service. Sir Duncan McGregor, then Inspector-General, in a letter to Lord Naas, dated Dublin Castle, 14th October, 1852, discussed the relations of the resident magistrates to the police force, and made suggestions for some changes. They were, as a body, he says—

> "Ignorant of the habits, regulations and discipline of the force, from having been at once removed from private life to their present situations, many of them at an advanced age, and in deep pecuniary embarrassment, if not suspected in some cases of being under the influence of the political feelings of the particular government by which they were appointed. They have too often proved an obstruction to the officers of the constabulary in the performance of their duties, instead of presenting, what might reasonably be expected of them, an example of intelligence, zeal, and unquestionable impartiality."

Sir Duncan McGregor went on to discuss the question whether the magistrates should be again placed under the direct control of the Inspector-General. He would not approve of such a change, unless they were at the same time "to be invariably promoted to their office from the constabulary on the recommendation of the Inspector-General, *as all the other officers of the force are.*" From these statements it is plain that the Resident Magistrates were at that time supposed to have been intended to act as officers of the police rather than as independent magistrates. They, however, gave satisfaction neither to the government nor to the public. On the 21st April, 1853, the Earl of Eglinton, who had been Lord Lieutenant of Ireland the previous year, speaking in the House of Lords said:—

> "The stipendiary magistrates in Ireland are not at all competent for the difficult duties which they have to perform, and I think that one-third of that body might properly be dismissed, and that the efficiency and reputation of the whole body would then be increased."

Years passed on, yet no attempt was made to improve the constitution of the body. In an article of 23rd December, 1858, *The Daily Express* called attention to the subject, and made some remarks on the qualifications of a paid magistrate which may well be borne in mind:—

> "Among the qualifications required in a stipendiary magistrate in any country, but especially in Ireland, a knowledge of the law is indispensable. Country attorneys are now constantly employed at petty sessions. They are of course much better acquainted with the law, in all its mysteries and technicalities, than the local magistrates generally can be, and they are not slow sometimes to take advantage of their professional skill. They deter the magistrates by threats of ulterior proceedings if their views are not adopted. On this account, cases are postponed, and there is either the delay or the failure of justice."

Indeed the Irish press, as far as theorizing went, seem well to have understood the position which a magistrate should occupy. In an article of 12th December, 1873, *The Express* again laid down the true position of a stipendiary magistrate with admirable cogency:—

> "The stipendiaries should be as independent of the government as the Common Law Judges. Their duties should be merely magisterial, and they should be left to perform them without directions from the Castle, and subject only to the correction of the superior judges on appeal. It is in a high degree improper, for example, that the gentleman who acts as a detective, or heads a charge of police against the people to-day, should sit to-morrow as a judge to hear the evidence against the persons whom he may have helped to arrest."

The Freeman's Journal at this period also strongly supported the appointment of a stipendiary magistracy of approved legal attainments:—

> "The tendency of modern legislation is to give the people cheap justice—to vastly extend the scope and jurisdiction of the inferior court."

The article (21st January, 1874) went on to point out that under such circumstances it was ever important to have a skilled person to—

> "Solve the difficulties which laymen must always experience in administering a highly artificial system of jurisprudence, and to prevent intentional wrong being done to persons who sue in their courts. In such a capacity, a man drawn from the ranks of the country gentlemen is useless; he is but as one blind leading the blind. We venture to say that if the Resident Magistrates were taken solely or mainly from the ranks of the bar, a great step would have been made towards increasing the usefulness and raising the character of our petty sessions benches."

The various governments of Ireland during the past thirty years were not themselves satisfied with the Resident Magistrates. I have quoted the opinions of Lord Eglinton and Sir Duncan McGregor. Mr. Cardwell, when Irish Secretary, had an idea of reforming the body by reducing the number—having perhaps only one for each county—and at the same time increasing the pay. Sir Robert Peel thought of abolishing them altogether.* In troublous times, however, the government seem unable to get on without stipendiaries. To my mind the difficulty would be solved, and the anomalies of the system would be removed, by attaching the duties of detecting crime and maintaining order to officials belonging to the police, or at any rate subject to the immediate control of the government, while the proper magisterial duties of administering justice should be entrusted to an independent and trained body of paid justices.

It is plain that the present government have recognised the unsatisfactory nature of the existing system. In a circular addressed to Resident Magistrates, on the 13th September, 1883, it was intimated that four special Resident Magistrates would be appointed to act as Divisional Magistrates for the detection of crime and the maintenance of order; and for the future ordinary Resident Magistrates, to quote the circular—

> "Will not be required to report as heretofore, either to the Divisional Magistrate or to the government, in cases of crime or outrage in which their services may have been put in requisition, nor will they be required to assume the direction of the steps to be taken by the police for the detection of crime. This duty will be discharged by the constabulary officers, under the direction of the Divisional Magistrate; but it will be

* Letter of Sir Thomas Larcom to Lord Hartington, 19th January, 1874, in the Larcom MSS.

> the duty of the Resident Magistrate to keep the Divisional Magistrate fully informed of any circumstances which may come to his knowledge bearing on the detection and prevention of crime. The Divisional Magistrate will supervise, through the constabulary officers, the police and military patrols, and Resident Magistrates will interfere as little as possible with the direction of the police. It is His Excellency's desire to maintain to the fullest extent the judicial independence of Resident Magistrates, while at the same time he is anxious that the detection of crime should not suffer from their withdrawal from directing such work, and he relies on the fullest communication and co-operation being maintained between the Resident Magistrates, the Divisional Magistrates, and the police, whose business it is to follow up all clues which may lead to the conviction of criminals. The advice and guidance of the Resident Magistrates in such matters will always be of great value."

This step of the government, although a movement in the right direction, still, by endeavouring to accomplish a double object, is open to all the objections I have urged to any system that would unite the duties of a police official with those of a magistrate.

The method of reform.

There is no reason why the ordinary magistracy of this or any country should not be constructed on exactly similar principles as any other judicial body. The duties to be discharged by justices are very important—in fact to the mass of the people far more important than those entrusted to the higher courts. Then, why should they be left in the hands of inexperienced and irresponsible amateurs? One magistrate with a total absence of legal training, and viewing the law from what he calls a common-sense standpoint, decides a case on diametrically opposite principles from those laid down by his brother justice, who may have sat and dispensed law—guided by the same mentor—on the previous court day. Those present personally interested in the point listen to the various and contradictory decisions, and, unable to understand or appreciate the reasons why the decisions should be diverse, ascribe it to personal and partial motives, rather than to ignorance. In this way the administration of justice among the masses, which administration, like Cæsar's wife, should be above suspicion, is discredited and brought into contempt. With a professionally educated and responsible body of magistrates there would at any rate be a likelihood of uniformity in procedure, and an even and just treatment of each case, which would do more than anything else to inspire respect for the law, and ease the hands of government.

As an example of the satisfaction given by a trained and competent body of paid magistrates, we have only to take the justices of the Dublin Metropolitan Police Divisions. The half dozen magistrates forming that body will be found on examination to do more work, having regard to the number of persons brought before them, than all the magistrates in the rest of Leinster or in the province of Connaught. This of course is not a fair test to use absolutely, as the labour of a magistrate is not to be measured alone by the number of cases he disposes of, but we must also take into account the number of courts he has to attend. Still, a comparison of the cases disposed of is of value in reconstructing such a system, and I shall

be excused for giving the following tables which I have constructed from the *Criminal Statistics* for 1873 (as far as crime is concerned, a fairly average year):—

Number of persons proceeded against summarily before magistrates.

Dublin Police District (five magistrates), ...	39,374
Leinster (rest of province), ...	38,112
Munster, ...	63,006
Ulster, ...	55,687
Connaught, ...	27,664
Total for Ireland,	223,843

Number of persons charged with indictable offences before magistrates.

Dublin Police District, ...	1,661
Leinster (rest of province), ...	668
Munster, ...	1,280
Ulster, ...	1,051
Connaught, ...	544
Total for Ireland,	5,204

These tables speak for themselves. From them we see that the Divisional Magistrates in Dublin, five in number, dealt summarily with more cases than all the magistrates of the rest of the province of Leinster, and with far more than the justices of the whole province of Connaught, and indeed disposed of nearly one-fifth of all the summary cases in Ireland. In the same year they had before them nearly one-third of all the persons charged with indictable offences in Ireland, and far more than all the magistrates of the rest of the province of Leinster and of the province of Connaught combined.

The common objection to the substitution of a paid magistracy for an unpaid, is the great expense which would result from the change. This objection, however, will hardly hold good in Ireland, where for many years we have had over seventy paid magistrates, receiving salaries ranging from £300 to £500 per annum, with allowances which would raise each salary to over another £100 a year. Taking the average at £500 per annum, which is certainly under the mark, this would give us for seventy-five magistrates a total cost of between £35,000 and £40,000 per annum. If the present voluntary magistrates were relieved of their judicial duties, and the stipendiaries reorganised, reformed, and increased in number, the cost would certainly not be more than doubled, while the benefit to the government and to the country would be incalculable. There are at present about 600 petty sessions courts in Ireland, at which sittings are held, or should be held, on about 15,000 days each year. This gives an average of about 25 days to each petty sessions court, or one day in each fortnight. Now, a competent stipendiary magistrate

would with ease attend at and satisfactorily dispose of the business of two of these courts each week; which would mean the entire charge of four petty sessions courts in the year. Taking the total number of petty sessions courts in Ireland at 600, it would require a total of 150 paid magistrates to replace the present justices of Ireland. Thus, an increased expenditure of probably less than £40,000 per annum would be sufficient to effect this great and much-needed reform.

Some may object that the present petty sessions districts are not so constituted as to give facilities for such an arrangement. That, however, would be a matter of detail easy of improvement, and would not be a valid objection to the principle of the change.

The final question that should occupy us in discussing this subject is the selection of the magistrates to be appointed. Although gentlemen of approved legal training should certainly have the preference, there is no reason why some of the present justices should not be selected, who, by the regularity of their attendance and their knowledge of the law to be administered, show their suitability for the post. Solicitors of good standing and some experience would also have claims which could not be ignored. Some legal training or knowledge, however, should be a *sine qua non*, and the class of appointments that called down the censures of Lord Eglinton and Sir Duncan McGregor a generation ago, should be carefully avoided. Mr. Mitchell Henry, some years past, further suggested a course of training for stipendiary magistrates which merits consideration. He proposed (*Times*, 30th December, 1873) that:—

> "The appointment of Resident Magistrates should be provisional only; and let anyone who may be nominated for the office be attached for the space of some months to one of the magistrates' courts in Dublin, Belfast, Cork, or other large town, or to some country district under the charge of an experienced stipendiary. At the expiration of this probation let him be subjected to an examination in the common principles of law, and in the technicalities of its administration, which are so admirably explained in the manuals of magistrate's law current in this country."

I cannot, however, within the limits of this paper, enter into an adequate discussion of the various methods proposed by which magistrates might be selected, and I must rest content with having pointed out that a satisfactory system could with ease be adopted, which would secure a competent and impartial tribunal—one that would earn general respect and confidence, without pandering to the prejudices or outraging the feelings of any class in the community.