

No. 5.

The Irish Question.

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THE "CASTLE" SYSTEM:

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# THE "CASTLE" SYSTEM.

## PART I.

### A SKETCH IN OUTLINE.

THE system under which Ireland is actually governed at the present moment was very well described in outline by Mr. Chamberlain, M.P. for West Birmingham, in a speech delivered by him, at West Islington, London, on the 17th June, 1885.

Mr. Chamberlain on that occasion said :—

"I do not believe that the great majority of Englishmen have the slightest conception of the system under which this free nation attempts to rule a sister country. It is a system which is founded on the bayonets of 30,000 soldiers encamped permanently as in a hostile country (cries of 'shame'). It is a system as completely centralized and bureaucratic as that with which Russia governs Poland, or as that which was common in Venice under Austrian rule ('shame'). An Irishman at this moment cannot move a step, he cannot lift a finger, in any parochial, municipal, or educational work, without being confronted, interfered with, controlled by, an English official appointed by a foreign government, and without a shadow or shade of representative authority. I say the time has come to reform altogether the absurd and irritating anachronism which is known as Dublin Castle—to sweep away altogether these alien boards of foreign officials, and to substitute for them a genuine Irish administration for purely Irish business" (cheers).

It may possibly be thought that there is some exaggeration in this description of the "Castle" system, but the words of Mr. Chamberlain were and are strictly true. The Government of Ireland is a pure despotism, under the guise of constitutional forms, and this despotism differs from most other forms of despotism, in that the despots are, in Mr. Chamberlain's phrase, "foreign officials," deriving their authority not from the Irish people, but from another nation. To prove this assertion is the object of the following pages.

## PART II.

## THE REAL GOVERNORS OF IRELAND.

The real governors of Great Britain are the people of Great Britain itself. The British people, by means of the representative system, select their own rulers; and when they become tired of or dissatisfied with any given set of rulers, they can get rid of them at a general election, and put another set in their places.

The Irish people, though nominally living under the same constitution, have no such power. *They* never can select their own rulers, even though they should, as they did at the last two general elections, declare their desire to do so by the voice of five-sixths of their parliamentary representatives. On the contrary, they are supplied with administrators nominally appointed by the Sovereign, but really appointed by the party which may for the time happen to be in a majority in Great Britain. The representatives of Ireland may pass any censure they please on those who administer their affairs; but such a vote has, necessarily, no practical effect. The parliamentary or representative system is in their case a mere mockery.

Take the present state of things by way of illustration.

Five-sixths of the parliamentary representatives of Ireland are Nationalists. According to the theory of the British Constitution they ought practically to appoint the men responsible for the management of Irish affairs. But the men who actually administer those affairs are the delegates, not of the large majority, but of the small minority of the Irish representatives and of the political party in Great Britain with which that minority is in agreement on political questions.

The two chief officials of the government in Ireland are the Lord Lieutenant and the Chief Secretary. The former is supposed to represent only the Sovereign, but in reality he, as much as the Chief Secretary, is always a party man. Both at present are Tories. One—Lord Londonderry [commonly called by the mass of the Irish people, Lord Castlereagh, after the chief author

of the Union of 1800, with a view to mark their detestation of the political principles he represents]—was once one of the Orange representatives of the County of Down, and has always been closely connected with the Orange faction in Ulster. Since his appointment to his present office he has, in his replies to "addresses" presented to him, thrown off completely the mask of neutrality becoming a representative of the Queen, and openly declared himself again and again a partizan of the "Unionist" or loyalist, that is, Orange complexion. The other and the more important of the two chief members of the "Irish" government—Sir Michael Hicks-Beach—is an English Tory, who could not possibly secure election to Parliament in any one of the eighty-five National constituencies of Ireland, and who would probably find considerable difficulty in obtaining a seat for any one of the remaining eighteen. No two men have ever more clearly held office in despite of the people whom they govern.

#### DESPOTS AND SOMETHING MORE.

The worst of it is that the Lord Lieutenant and the Chief Secretary are not merely ordinary despots—that is, officials responsible in no degree to Irish public opinion, or to the criticism or votes of the Irish representatives; but that their power and authority extend to, and are habitually exercised in, every department of Irish administration, down even, in many cases, to the minutest details; so that, as Mr. Chamberlain says, "an Irishman cannot move a step, cannot lift a finger, in any parochial, municipal, or educational work without being confronted, interfered with, controlled by," them or their agents and appointees. It may be added that those two chief officials are generally utter strangers to the country, and know nothing about its wants.

We shall now proceed to set forth the details of the bureaucratic system—a system like that of "Russia in Poland," or that of "Austria in Venice"—at the head of which are the Lord Lieutenant and the Chief Secretary.

## PART III.

## THE BIG "BOARDS."

A great part of the domestic affairs of Ireland is managed by the following bodies :—

- (1) The Local Government Board ;
- (2) The Board of Works ;
- (3) The Board of National Education.

*Every member of every one of those bodies is nominated by the Lord Lieutenant, and is responsible, like the Lord Lieutenant himself, not to Irish public opinion, nor to the representatives of Ireland, but to the British Cabinet and the British majority in Parliament.* The boards may do what they please, even though all Ireland denounced their proceedings ; and the knowledge that their masters are the ministers in Downing-street, has only too often rendered most of them utterly indifferent to Irish wishes. When their proceedings are criticized at any considerable length by Irish representatives in Parliament, not only are the boards generally backed up by the Chief Secretary, or some other member of the government, but the Irish members are accused of obstruction, and are threatened with various parliamentary pains and penalties for presuming to "waste the time of the House," by making such criticisms.\* This fact has the effect of making the boards not only indifferent to Irish opinion, but too often insolent in their treatment of the individual Irishmen with whom they come in contact.

## THE LOCAL GOVERNMENT BOARD.

The Local Government Board consists of five persons, viz. :—the Chief Secretary for Ireland, who, as we have already pointed out, is not responsible to Irish opinion, and who, indeed, always

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\* Last session—that which commenced in August of the present year—Sir Michael Hicks-Beach, the new Chief Secretary for Ireland, made a bitter complaint, that amounted to a charge of obstruction, because the debate on the vote for the Local Government for Ireland occupied three hours of the time of the House of Commons!

holds his place in defiance of Irish opinion ; and the permanent Under-Secretary for Ireland and three other members who, as we have also pointed out, are *nominated by the irresponsible Lord Lieutenant.*

The functions of those officials are multifarious and important. Amongst other things, they control the administration of the laws regarding the relief of the poor, the public health, the pollution of rivers, the diseases of cattle, the providing of houses for agricultural labourers, and other matters ; and through their auditors exercise a large control over the proceedings of every town council in the country. Even in the very constitution of new town boards the Local Government Board has a potent voice. For instance, whereas before 1854 it rested with those most concerned—namely, the ratepayers—to say what should be the number of members of each such board, the irresponsible Dublin officials have had that power since. The Boards of Poor Law Guardians, even if they were free from the dominion of the Castle, would be bad enough specimens of representative local government ; *for a full half of every one of those boards is, as we shall point out later on, composed of men virtually nominated by the Lord Lieutenant, while the "representative" half is elected on a franchise under which a landlord may have as many as thirty-six votes and the average tenant only one.* But they must be accounted mere mockeries of representative institutions when it is added, that in almost everything they do, they may be "confronted, interfered with, controlled by, an English official appointed by a foreign government, and without a shadow or shade of representative authority." A few irresponsible men, sitting in the Custom House, Dublin, may refuse to approve the "minutes" of their meetings, they may set aside their resolutions, they may dismiss their officers by "sealed orders," they may even dismiss and dissolve the local boards themselves—every one of them—and appoint paid guardians of their own nomination to their posts ; and, moreover, all those powers are actually exercised from time to time.

A notable, but by no means, a singular exemplification of the powers of the Local Government Board, and of the manner in which it exercises them on occasions, is furnished by the case of Dr. J. E. Kenny, M.P. for South Cork. Dr. Kenny was medical officer to the North Dublin Union Workhouse, and in that capacity, had won through many years the approbation of all classes of the Dublin public. But he was an ardent Nationalist and Land Leaguer too, and after the suppression of the League in 1881, he was one of those who were arrested as "suspects" on the late Mr. W. E. Forster's warrant, put into Kilmainham Prison, and kept there for several months, not only without trial or conviction, but without any specific charge having ever been brought against them. The Poor Law Guardians of the North Dublin Union esteemed him so highly, that they resolved to keep his place vacant for him and to appoint a *locum tenens* till he should be released from jail. But the very man who had him arrested on suspicion, made his arrest the pretext for calling on the members of the Local Government Board to dismiss him, and dismissed Dr. Kenny accordingly was by "a sealed order," in spite of the guardians! This attempt to ruin a political opponent was so outrageously unjust and arbitrary, that a storm of indignation was aroused, before which the Government eventually gave way, and agreed to the restoration of Dr. Kenny to his liberty and to the professional post of which he had been deprived; but even in the very reversal—a lordly reversal—of its act, the Local Government Board gave a striking instance of its supremacy over the local representatives of the people.

What is true of the Boards of Guardians is true also of the case of the Local Sanitary Boards, which work the Public Health Acts and the Labourers' Acts. The Local Government Board may, if it pleases, obstruct or even render altogether nugatory the operation of those acts, and yet it never can be called to account by the Irish people if their British masters stand by them and defend them, as they usually do.

The powers of the Local Government Board auditors are

extensive and far-reaching; and they, too, of course, are practically irresponsible to Irish public opinion.

#### THE BOARD OF WORKS.

The Board of Works consists of three persons, *all of whom are nominated by the Lord Lieutenant.*

It has great powers, and its range of operations is most extensive. Amongst other things, it controls the construction of all public works, the lending of money to landlords and tenants for making improvements on lands, and the management of several harbours and public parks.

Even in cases where its powers seem to be restricted by the existence of local, representative authorities, under or in conjunction with which it is supposed to work, the irresponsible officials, appointed by the irresponsible Viceroy, and not the representatives of the people, have the real authority. Thus, under an Act of 1842 (5 & 6 Vic. c. 89), 121 areas were constituted districts for the purposes of arterial drainage, and local elected boards were called into existence for the management of certain details. This looked at first sight like conceding to Ireland a certain, though small, amount of genuine local self-government; but the old local drainage boards possessed but the shadow of power; for the one thing of which they were given no control, and over which the Board of Works had supreme control, was the expenditure of money! The Board of Works has less power over the new Drainage Boards, but it can still interfere effectively at every stage of their proceedings and defy their protests.

Not a year passes in which serious complaints are not made of the manner in which the Board of Works discharges its multifarious duties; but whether those complaints are ill-founded or well-founded, the result is almost always the same. The board is not responsible to the Irish people, and its real masters almost invariably take its side in any dispute it may have with any section of the Irish people. Again and again its proceedings have been censured in the House of Commons, by the votes of a large

majority of the Irish representatives; but on those occasions the minister of the day has always stood by it, in opposition to the Irish majority; and at his bidding the votes of the Irish members have been regularly overdone by the intervention of an adequate host of English and Scotch members, who, it may be said without offence, know nothing, as a rule, about the question in dispute.

#### THE BOARD OF NATIONAL EDUCATION.

The Board of National Education or, as it is popularly called, the National Board, controls all the primary schools in Ireland maintained by public funds. It prescribes the school regulations under certain limits set by statute; it prepares, or has had prepared under its direction, all the school books; it divides with the local managers of the several schools the control of the teachers; and it is the master of the inspectors.

*This important body, dealing with matters that are of the highest interest and deepest possible concern to the people, is wholly independent of the people. It consists of twenty members, all of whom are nominated by the irresponsible Lord Lieutenant.*

Of the twenty members of the Board, ten are Catholics, and ten are members of various Protestant churches. This arrangement is an illustration of the sort of "religious equality" which even still prevails in many departments of the public service in Ireland. Obviously, if the Catholics of Ireland were to have Commissioners in proportion to their numbers in the country, they should have more than ten, seeing that they are not merely half of the population, but nearly four to one. Yet, they have never asked for any increase in the number of Catholic Commissioners.

Of the twenty, scarcely one is in agreement with the political aspirations of five-sixths of the Irish people. The only two who are not notoriously opposed to the national demand for a domestic legislature, are Mr. Edmond Dease and Mr. C. T. Redington; and, while the Queen's County had to get rid of Mr. Dease as a parliamentary representative, because of his lukewarmness in

the cause of Home Rule, Mr. Redington gave his adhesion to the project of a statutory parliament for Ireland only after the introduction of Mr. Gladstone's Bill, and because, as he said, he saw that such a settlement of the Irish question was inevitable. One of the anti-national members of the Board is no other than the Rev. Hugh Hanna, about whom so much has been heard in connection with riots in Belfast. It will therefore not surprise the reader to learn that the education imparted in the national schools of Ireland has about it nothing of a patriotic caste. In every free country the children in the public schools are compelled to learn much about their country, and are thus brought up with a love for it, and a desire to serve it; in Ireland the object, so far as the government public schools are concerned, is to teach as little as possible on the subject of Ireland. Two or three years ago, the National School Teachers held their annual congress in Dublin for the discussion of their grievances, and invited to their meetings, amongst other members of parliament, two or three of the leaders of the Irish Party. One or two of these latter accepted the invitation, and delivered speeches in which the pay of the teachers was contrasted with that of the police. Because of this fact, the Board showed its political leanings, by actually attempting to break up the teacher's organization which was itself strictly non-political!

The National Board, of course, like the Local Government Board and the Board of Works, cares nothing and need not care anything for Irish criticism.

#### OTHER BOARDS.

The other principal Boards in Ireland are:—

- (1) The Fisheries' Board ;
- (2) The Intermediate Education Board ;
- (3) The Board of Asylums for Lunatic Poor ;
- (4) The Prisons Board ;
- (5) The Board of Charitable Donations and Bequests ;
- (6) The Loan Fund Board.

*Every member of every one of those Boards also is nominated by the irresponsible Lord Lieutenant; and not one member of any of them is, as such, responsible to, or under the control of, the Irish people or their representatives.* It is this latter fact which constitutes the grievance in the case of this group of Boards. Many of them, if not all of them, would, under Home Rule, consist of nominated members; but then the members of them would be nominated by a minister responsible to the Irish people, and would be thus indirectly, but most completely, within the control of the Irish people. Nominated, as they are, by a minister not responsible to or depending on the majority of the Irish representatives for his official existence, they are outside Irish control, and need not, as most of them do not as a matter of fact, care for Irish opinion.

The Fisheries' Board deserves to have it said of it that, if it were responsible to an Irish Parliament, it could not evince a greater desire than it does to discharge its duties to the satisfaction of the Irish people, and with a due regard to the public interests.

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#### PART IV.

##### THE LORD LIEUTENANT IN THE COUNTIES.

The irresponsible Lord Lieutenant is the chief power in the Irish counties. Through the Lord Chancellor—a political officer like himself, and a dependant, not on Irish, but on British votes for his place—he appoints all the magistrates; he, by that fact also, controls to a great extent the composition of the Boards of Poor Law Guardians; he virtually nominates the Grand Juries; he virtually manages the district lunatic asylums; and, in fact, there is scarcely one department of public business in the counties in which he is not the virtual head and front of everything.

##### THE MAGISTRATES.

The appointment of magistrates in Ireland—this is the Govern-

ment account of the matter—rests formally with the Lord Chancellor, but really with the Lord Lieutenants of the counties. But these latter are themselves *appointed by the Viceroy in Dublin*; so that, whether the Government theory is correct or not, the truth remains, that the chief authorities in Dublin Castle are the persons virtually and really responsible for the composition of the Irish magistracy.

The result is a striking one. The magistracy of Ireland consists almost entirely of men opposed to the mass of the people in religion, in politics, in everything on which men can differ. In a county where four-fifths of the people are Catholic it has been shown, by a recent parliamentary return, to be a frequent case, that three-fourths of the magistrates are Protestants. Up to a very recent date, *out of 77 magistrates in Fermanagh, there was only one Catholic*; and yet, in that county, though it is in Ulster, the Catholics out-number all the other religious bodies together. The small landlord class alone are, practically speaking, represented on the bench; and thus the scandal is witnessed every year, at the annual licensing sessions, of landlord judges sitting in judgment on liquor dealers who have declined to sell their wares to the agents of evicting members of the landlord fraternity. We do not enter here on the question, whether it is right or wrong to refuse the renewal of their licences to such shopkeepers for such a cause; but justice should be above suspicion, and in the case under consideration, the administration of the law is fatally tainted with the suspicion of glaring partizanship.

But the magistrates not only sit on the bench to "administer justice"; a certain number of them also sit *ex officio* on every board of Poor Law Guardians. Half of every such board must consist of magistrates who need not be and are not elected, but are selected by a rule of law designed to bring to the boards the "biggest" landlords in their respective localities. That is to say, *the Lord Lieutenant, or the "Castle," virtually nominates half the members of every such board.*

Again, at "baronial sessions," at which all expenditure in the

baronies out of the Grand Jury cess is authorized, and at the sessions for "the county at large," at which all expenditure out of the same fund is authorized for "the counties at large," the persons entitled to sit and vote are the magistrates for the county, assisted, in the case of the baronial sessions, by a shadowy representation of the cesspayers, who can never number more than twelve, and who in practice—being in a minority—rarely take any part in the business at all. The framers of the statute regulating the matter seem actually to have contemplated this result, for there is a provision that the absence of the cesspayers shall not debar one or more justices from transacting the business of the sessions. *The Lord Lieutenant thus practically nominates all the persons with whom rests the initiation of the expenditure upon all the local works to which the Grand Jury tax is applied, and the cost of which ordinarily amounts to two-thirds of the entire expenditure out of that tax.*

The scandal involved in the composition of the Irish magisterial bench, has long been notorious ; but so far from any real attempt having been made to remove it by appointing more Catholic magistrates and fewer Protestants, the very reverse has been done in recent years. In the six months during which the Tories held office in 1885, about thirty new magistrates were appointed for the County of Dublin. About twenty of those were Protestants, and only about ten Catholics. Yet Dublin is a county in which there is a larger proportion than in any other county, of Catholics of the class usually appointed to the magistracy. The appointments in most of the other counties were of a similar character.

Worse even and more injurious in its effects than the official boycotting of Catholics, is the practice of packing the magisterial bench with members of one class—the class, too, with which the majority of the Irish people have been most in conflict, and which is practically the only one opposed to the national demand for self-government. While in every county there are many merchants, shopkeepers, farmers, and professional men, who are

thoroughly qualified to hold the commission of the peace, these but rarely have a chance of being appointed justices, while not only is every considerable landlord made a magistrate, whether he asks or is fitted for the appointment or not, but his sons are also made magistrates, as a matter of course, as soon as they are of age, and, in many cases, the land agent is appointed in addition. The necessary result is to give a partizan complexion to the bench, and utterly to destroy popular confidence in its impartiality.

#### THE GRAND JURIES.

The principal local authorities in the counties are the Grand Juries. They are purely landlord institutions and they are non-representative, *being virtually the creation of the Lord Lieutenant.*

The Lord Lieutenant appoints the sheriffs (except in the few corporate towns which have such functionaries); and the sheriffs who are always leading landlords and magistrates, but who need not be and often are not resident in their counties, select the Grand Juries, the only restriction put upon them being one that compels them to favor those landlords who have large property qualifications without any necessary corresponding liability to Grand Jury taxation.\* Generally speaking, the sheriff selects from the aristocrats in his county those whom he likes, and if he desires to have the Grand Jury consist entirely of his own personal friends, he has only to place twenty-three of his personal friends at the head of the panel, and have them ready to be sworn when their names are called.

To the bodies selected after this indefensible fashion is entrusted a vast amount of important business, including the appointment of all the county officials, and the repair and maintenance of the public works of the county—its roads, bridges, courthouses, and bridewells. The Grand Juries have the final word in the matter

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\* It is the tenant and not the landlord who pays the Grand Jury tax.

of sanctioning all county expenditure ; the only remedy which the taxpayers possess against their unjust rulings being a costly appeal to a judge who has no special knowledge of the subjects about which a dispute usually arises.

This is not the worst. The Grand Juries exercise a discretionary power in levying "the blood-money" authorized by various Coercion Acts, and in distributing the cost of the extra police imported into their respective districts at their own request, on the pretext of agrarian disturbances, and supported out of the county to which the landlords, as such, do not contribute. It is a gross scandal that a body of bitter partizans of one party to the agrarian struggle in Ireland should alone have such power ; and it is no wonder that such men often grossly abuse it.

The anomalies of the Irish Grand Jury system are well nigh incredible, and so are the stories of jobbery and corruption which are sometimes told about them ; but even if this system worked as well as it works badly, it is still a monstrous and irritating absurdity that such purely local business should be transacted by bodies of men, *appointed indirectly by an irresponsible official in Dublin Castle, and themselves responsible not even to the Lord Lieutenant.*

But even this is not all. The Grand Juries, which are created by the sheriffs who are appointed by the Lord Lieutenant, not only exercise directly the important powers just referred to, but they themselves in their turn appoint other bodies equally irresponsible. Under the 5 & 6 Vic. cap. 89, for instance, four Inland Navigation Districts were created and placed under "local" control. The local authorities in this case are boards of trustees originally named in the act, but afterwards, on the occurrence of vacancies, appointed by the irresponsible Grand Juries of the counties contributing to the cost.

To sum up the facts on this head. The British cabinet appoints the Lord Lieutenant ; the Lord Lieutenant appoints the sheriffs ; the sheriffs appoint the grand juries ; and the grand juries practically constitute the county-at-large and baronial sessions

courts and the inland navigation boards. The taxpayers, as such, have no power in the matter at all!

## MORE OF IT.

The wide-spreading power of the irresponsible Viceroy in Dublin Castle, in the affairs of the Irish counties, has not even yet been fully described.

Ireland is divided into twenty-two Lunatic Asylum districts. In each of those districts is a lunatic asylum. In this case, again, "local" authorities are provided; but the local authorities in question consists of boards of governors who are *all appointed by the inevitable and irresponsible Lord Lieutenant*. What such sham "authorities" are kept up for at all it is difficult to discover; for, not they, but the Lord Lieutenant, appoints the medical officers of the asylums; two inspectors, also appointed by the Lord Lieutenant, enforce the regulations which are drawn up by the Lord Lieutenant for the administration of the asylums; the Board of Works which, as we have pointed out, is *also the creation of the Lord Lieutenant*, supervises all expenditure in building and structural improvements; and then, the superfluity is enacted, of making *the Lord Lieutenant the ultimate authority!* The whole arrangement would assuredly be taken to be an elaborate joke, if it were not so certainly a reality.

Take another instance: In Dublin the harbour authority is entitled the Port and Docks Board. This board at least, one would suppose, is one which would be free from the octopus-like claws of the irresponsible Viceroy. But the fact is that it consists of twenty-five members, of whom only three are appointed by the only representative body in the city—namely, the Corporation, while seven are nominated by the Commissioners of Irish Lights, who are themselves *nominated by the Lord Lieutenant*. This Port and Docks Board, it may be added, is authorized to appoint a few quay constables, with limited powers; but each one of these men must be approved by the Lord Lieutenant, and the Board cannot grant a pension of even half-a-crown

a week to one of its employes without the consent of the Lord Lieutenant !

The Lord Lieutenant everywhere !

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## PART V.

### “LARCOM AND THE POLICE.”

Some years ago, when Sir Thomas Larcom was Under-Secretary to the Lord Lieutenant, the government of Ireland was, comprehensively, but with a rough accuracy, described as “Larcom and the Police.” Sir Thomas Larcom gave the orders, and the police executed them. It is pretty much the same now, except, of course, that Sir Thomas Larcom is no longer Under-Secretary. All the departments, being the creations of the chief authority in the Castle, are at the beck of the Under-Secretary, who is at the beck, and acts under the orders, of the Lord Lieutenant—except when, as is the case at present, the Viceroy is a mere figure-head, and the real ruler of Ireland is the Chief Secretary. *The Irish people have no real share whatever in the government of their own country.*

### THE POLICE.

The chief agents and support of the British Government in Ireland are, as we have said, the police.

In every part of England, outside London, the police are under local control. In every part of Ireland the police are as much an imperial force as the army, being under the command of an inspector-general in Dublin Castle, who is himself, like every other head of a department, under the control of the Lord Lieutenant or the Chief Secretary. Moreover, outside Dublin, the Irish police are quite as much a military as a civil force, being armed with rifles and swords and regularly drilled and practised in ball-firing like soldiers.

Being free from local, or any Irish control whatsoever, the police have, in the past, habitually conducted themselves—no

doubt in accordance with the orders of their superiors—not as the servants, but as the masters of the public. A village-sergeant of constabulary is a little king or emperor. Is it any wonder if, under these circumstances, the police have not been popular in the past? Yet, under the magic influence of Mr. Gladstone's Home Rule policy, the feeling of dislike towards the police was gradually wearing away (except in Belfast, where it began, on the contrary, to grow amongst the Orangemen), and, no doubt, in a short time, under similar influences, it would have disappeared altogether.

The extent to which the police make themselves felt in Ireland would, no doubt, astonish most Englishmen and Scotchmen. They attend, *fully armed*, at every public gathering of the people—at public meetings, markets, fairs, athletic sports, and races—and at every private meeting for a public object from which they are not expressly excluded by the persons organizing it. Policemen, acting as government reporters—professional gentlemen connected with newspapers, whether nationalist or "loyalist," not being now available for such unprofessional work—attend every public meeting in the nationalist interest, and demand and are very often accorded seats on the platform. The present writer had occasion to attend some twenty meetings in Dublin county in the years 1883, '4, '5, for the sole purpose of securing the registration of nationalist parliamentary voters, and at almost every one of them a police reporter was in attendance and ostentatiously took a report of the proceedings. The effect was to intimidate a few persons, and make all the rest indignant and more bitterly hostile than ever to English rule. "Loyalist" or Orange meetings, on the other hand, are never attended by government reporters.

#### THE PRIVY COUNCIL.

The Privy Council is one of the only other two departments of the autocratic bureau, named Dublin Castle, of which notice need be taken. It is supposed to advise the Lord Lieutenant in

certain cases, and certain executive acts must be done by the Lord Lieutenant "in Council."

No one would expect this body to be representative ; but its composition, nevertheless, is of a character that must astonish at least some Englishmen. It consists of judges and ex-judges, of about a dozen bitterly anti-Irish peers, of about eight Englishmen (ex-Chief Secretaries), of one or two government officials, and of five of the most unpopular men in all Ireland, every one of whom has been expelled in recent years—all but one, before the recent extension of the franchise—from the Irish Parliamentary representation, and who could not now be elected to the House of Commons in any part of Ireland. Two of these persons were appointed to the Privy Council after they had been defeated at a Parliamentary election, as if to insult the Irish people by honouring men in whom, as public persons, important sections of the Irish people had refused in the most striking fashion to place confidence.

#### THE STIPENDIARY MAGISTRATES.

It remains to say a word about the Stipendiary, or, as they are generally called, the Resident Magistrates in Ireland.

After all that has been said, it need hardly be mentioned that those officials are *appointed by the Lord Lieutenant*. In "Journals" of the late William Nassau Senior, the late Lord Rosse, and other Irish authorities of same stamp, are represented as giving a most disparaging account of the appointments to this office in former days. The character of the appointments is said to have improved of late years ; but, even still, a common practice is to appoint to this magisterial office military men, as if the Irish people were some semi-savage tribe in a newly-conquered country and required to be dealt with in the stern spirit of martial law. During the coercion *regime*, a brace of those resident magistrates used to be the ordinary tribunal in cases of summary jurisdiction, and numberless, and, in many cases, well-founded allegations, were made of the outrages on justice per-

petrated by those tribunals. On the other hand, it must be admitted that, if there were no resident magistrates in some parts of Ireland, such as the Orange districts of Ulster, justice could never be secured for the Catholic and Nationalist section of the population, seeing that "the Stipendiaries" in those places are almost the only magistrates not members of Orange Lodges or steeped to the lips in Orange prejudices. But, passing by the manner in which the resident magistrates have discharged, or are discharging, their duties, we come to the point to which we chiefly wish to direct attention, namely—that *"the Castle" has all the appointments to the office in its hands; that it can, if it pleases, turn this power to the most infamous uses; and that in doing so, it need not care for Irish public opinion, seeing that it is backed by British ministers and British votes.*

It should be added that the resident magistrates, besides dispensing "justice," are amongst the chief advisers of the government in determining their executive policy.

#### JURY-PACKING.

An essential feature of the "Dublin Castle" system, which appears prominently in times of disturbance, is the jury-packing which is practised in prosecutions for agrarian and political offences. This subject can only be very briefly touched here, as the administration of justice in Ireland is a subject deserving of special treatment. But one or two words about it cannot be omitted in any publication dealing with "the Castle."

The state of things existing before Lord O'Hagan's Jury Act, which was passed about 1872, may be illustrated by an incident related in the report of the evidence taken by the Westmeath Committee of the House of Commons, in April, 1871. Mr. Stephen Seed, Crown Solicitor for the Counties of Meath and Kildare, was under examination, and was telling how he had manipulated a Meath jury panel in the June of the previous year. "I had a consultation," he said, "at the Castle with the Attorney-General, and the Attorney-General was quite shocked,

as well he might be, when I handed him the panel for the special commission of Meath. He said to me—‘What do you say to this?’ I said, ‘*Leave the matter to me, I will select a jury!*’” The matter was left to Mr. Seed, and he, in conjunction with some local officials, did “select” a jury, which worked to his satisfaction! The impropriety of the prosecutor selecting his tribunal does not seem to have struck Mr. Seed at all.

Since Lord O’Hagan’s Jury Act, the government method of “selecting” a jury is less direct. The sheriffs can no longer constitute a panel as they please; but when a jury is being constituted the prosecutors have an unlimited right of ordering any person to whom they object to “stand aside,” and of thus leaving to be sworn only those to whom they do not object; and that right has been habitually exercised in recent years in all cases of importance with some striking results.

In 1882, several trials took place in Dublin at which jury-packing of the most flagrant description was practised by means of the power of the Crown prosecutors to order jurors to “stand aside.” The “panels” from which the jurors were to be selected consisted of men usually summoned on special juries—that is, they were possessed of high property qualifications, or were highly rated to the relief of the poor. Taken together, they included the names of 112 Protestants, 80 Catholics, and one Jew. In one trial 18 Catholics were set aside, and 2 Protestants; the result being *an exclusively Protestant jury*. In another trial, 22 Catholics—all whose names were called—were set aside, and 4 Protestants; the result being *a jury composed of 11 Protestants and one Jew*. In a third, 11 Catholics were ordered aside and 9 Protestants; the result being *a jury of 12 Protestants*. In a fourth, two Protestants were set aside and 15 Catholics; the result again being *a jury of 12 Protestants*. For details of these cases the reader is referred to a parliamentary return ordered by the House of Commons, on the 21st November, 1882. Because attention was called to these and other matters in the *Freeman’s Journal* at the time, Mr. E. Dwyer Gray, M.P., the proprietor of the paper,

and then High Sheriff for the City of Dublin, was brought up before the presiding judge on a charge of contempt of court, and was sentenced to pay a fine of £500, to undergo a term of three months' imprisonment, and at the end of that term to give security for his good behaviour, or to go to jail for a further period of three months.

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## PART VI.

### C O N C L U S I O N .

It will now, we think, be seen that Mr. Chamberlain's description of the Dublin Castle system of government is not one whit exaggerated. Under this system, not an atom of real power in any important matter of purely domestic concern is left in the hands of the Irish people. All such power is vested in "foreign officials," as Mr. Chamberlain would describe them—in men who, though many of them are Irishmen, are most of them anti-Irish in heart and mind; who are mostly Tories, no matter whether the government be Whig or Tory; and who have and know they have their real masters in Downing-street, London. In general practice, this Tory gang are the masters, and the government the tools; for it is on their advice that the government act, and their advice is worth more in the eyes of the government than that of the whole body of Irish representatives put together. No nation with any self-respect would willingly endure a system of government of this kind, and the Irish are no exception to the rule. It is hoped and believed that the English people will not, when they know the nature of this system, continue to force it on Ireland, by the aid—to borrow again the words of Mr. Chamberlain—"of the bayonets of 30,000 soldiers."

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