LAW AND LAWYERS.

The Bar of Ireland. From the National Quarterly for September. In Ireland, as in England, there are two grades or classes of lawyers. Here, a lawyer is at once counseller and attorney; there, the

barrister who pleads occupies a superior status to the attorney who gets up the case, collects the evidence, and prepares the statement in brief on which the other acts. Under no circumstances can an attorney, however well qualifted by knowledge, experience, intellect, and character, aspire to a seat on the judicial bench. That privilege is reserved for the bar-

To be admitted to the Irish bar, all that a man need do is to enter his name at King's Iun, Dub-lin (a sort of pseudo-legal seminary, where nothing is taught); pay a fine of six hundred dollars; cat a sew nice dinners during each legal term with his fellow-students in the Old Hall; at the end of two years cat an equal number of term-dinners in the halls of one of the four Inns of Court in London, and then, without any examination, or any other test of his capacity or acquirements, present himself to the benches of the King's Inn, in Dublin, who admit him forthwith te the dignity of utter, or outer barrister-at-law, which entitles him to be spoken of as 'the learned gentleman" for the rest of his life. That he has eaten forty-eight dinners at a legal ordinary in four years is all that he need show. This knife-and-fork practice is called "keeping his terms." Of course, a great many embryo barristers actually employ these four years in the study of the law, but they need not take that trouble, unless they desire to succeed at

The attorney, on the other hand, must pay an apprentice fee to the master who undertakes to teach him the practice of the law, and has also to pay a heavy stamp duty (seven hundred dol-lars) on the indenture by which he is "articled." At the end of five years he has to present him-self before a board of examiners, with his claim to be admitted to status of attorney-at-law. The examination, which lasts for several days, is strict and searching. Many candidates fall to pass it, and are sent back for six or twelve months. If admitted, the young attorney has to pay another seven hundred dollars for the stamp on his certificate, and an annual sum of from fifty to one hundred dollars for license to practice. The barrister may become Queen's Coursel, Sergeant-at-Law. Attorney-General, Solicitor-General, or Judge; but once an attorney, almost always an attorney. If he aspire to become a barrister he must cease to practice as an attorney for two years before he is permitted to commence "eating his terms" for three years. Yet it is the attorney who literally instructs the barrister, always in the facts and sometimes in the law of each case; for it is held infra dig. in Ireland and in England for the barrister to hold the slightest intercourse before or during a trial with his client or the witnesses. The attorney gets all the required information, and hands it over to him. The barrister's fee is only an hono-rarium—a gift to which he has no legal claims (though he usually makes a point of getting the fee before he reads a line or utters a word for his client), while the attorney's bill is one of the institutions of the country. He may sue for it; it may be taxed, but it must be paid, and he may detain his client's papers until it is paid.

There are now seven hundred barristers in

Ireland, including about one bundred and fifty who hold various judicial and other offices, and at least as many more who do not practice at all. Of the six hundred who practice, one-half attend the circuits—the thirty-two Irish counties being divided into five circuits, and the assizes are held twice a year in each county. There are about sixteen hundred practicing attorneys in Ireland, nearly double the number of the barristers. Custom has divided the class attorney into solicitors and attorneys; the solicitors attending to equity and chamber practice, and the attorney to nist prints and common law. A wit, who was asked to state the distinction between the solicitor and the attorney, sarcastically replied:—"The same difference as between an alligator and a crocodile."

Ireland rejoices in a tull staff of well-paid judges. The Lord Chancellor has \$40,000 a year, with fees, and the chances of putting all his male relatives into some well-paid offices. Unlike the English Chancellor, he has no church patronage; the appointment of puisne judges does not rest with him; whereas the English Chancellor nominates all the judicial officers except the Vice Chancellor, the Masters of the Roll, the Lords Justice of Appeals, the the Admiralty, and the Chiefs of the Courts of Queen's Bench, Common Pleas, and Exchequer, to all of which the Prime Minister appoints. There is no Chancellor in Scotland. When the Irish Chancellor resigns, which rarely happens, except when there is a change of ministry, he is gently solaced with a life-pension of \$20,000 per annum, and this whether his stay in office has been long or short. Thus, Mr. George Ponsonby held office in Ireland for a few months, in 1806, and when his party went out accompanied them, receivng this large pension until he died, in 1817. Sir Edward Sugden, in 1835, was Irish Chan-

cellor for three months, and then resigned on the pension. In 1841, when the English Whig Ministry were "dead beaten," and could find uo legal sinecure for Sir John Campbell, then Attorney-General, they actually compelled their own friend, Lord Plunket, to resign the Irish chancellorship, pensioning him of course, and appointed Campbell, whose duration of office was six weeks in time, though all his sittings on the bench occupied only sixteen hours, during which he partly heard four cases, and then re tired, obtaining not only the pension, but a peerage. He eventually became Chief Justice, and finally Chancelior of England, dying in that office a few years ago. It should be added, however, that any one who has been a judge in any part of the British empire never can return to practice at the bar. The pension to a judge, removed on political grounds, is to compensate him for loss of income from his practice as a

So much afraid has the English Government been of having Irishmen at the head of Irish affairs, that from December, 1690, until 1789, a period of one hundred years, no native lawyer was appointed Chancellor in Ireland. Then Fitzgibbon, afterward Lord Clare, a man of undoubted ability, whatever his political faults, was the first Irishman who held that office. Out of fifteen Chancellors appointed since 1789, the only Irishmen were Plunket, Brady, burne, and Napier. As a general rule the highest Judge in Ireland was taken from the English bar. But while Irish lawyers submitted to this, English lawyers steadily and successfully resisted any like application of the same principle. In 1827, when Mr. Canning appointed Plunket, then the best of Irish lawyers, and perhaps without a superior in equity in any country, to without a superior in equity in any country, to the judicial office of master of the rolls in England, the English bar refused to appear before him because he was only an Irish lawyer, and the appointment had to be canceled. An Irish barrister cannot plead, an Irish attorney cannot act, in any English court of law, except before the House of Lords, which is as much the ultimate Court of Appeal in "the old country" as the Supreme Court at Washington is in the United States. Nay it was actually prothe United States. Nay, it was actually pro posed only twelve years ago that the important cases always tried before the Superior Judges in Dublin should be thenceforth tried in London—than which, on account of the delay end ex-pense, no greater denial of justice could possibly

In Ireland, besides the Chancellor, Master of the Rolls, and Lord Justice of Appeal, there are twelve Judges of the Courts of Queen's Bench, Common Pleas, and Exchequer, and Judges of the Admiralty, Consistorial and Ecclesiastical Courts, besides a numerous array of Recorders (who act judiciously), Manorial and Senescinal Judges, and thirty-three Chairmen of Quarter ous. The salaries range from \$40,000 to \$4000 a year; and, in most cases, when a judge leaves the bench he obtains as of right a life pension, generally equal to two-thirds of his

Near the close of the last century Lord Chancellor Clare, described by Sir Jonah Barrington as "a despot, and the greatest enemy Ireland ever had," wishing to corrupt the Irish bar, created thirty-two judicial offices in Ireland by a single act of Parliament, to be held by bar-

risters of six years' standing, with salaries averaging from \$2500 to \$4000 a year. "He had felt in his own experience," Mr. Sheil said, "how far the receipt of public money may extinguish a sensibility to public abuses." To each county in Ireland he gave a lawyer, whose ostensible duty was to advise the Justices of the Peace sitting on the bench at Quarter Sessions—mere country gentlemen who knew little or nothing of law and sometimes exhibited equal ignocountry gentlemen who knew little or nothing of law, and sometimes exhibited equal ignorance of justice. This official was first called "Assistant Barrister," because it was supposed that his business was to assist the country magistra'e with his legal advice. Now and then there would be a revolt against this legal official (as when, in 1825, the Earl of Kingston insisted that he, as oldest and grandest magistrate present, and not Assistant Barrister Martley, should pronounce sentence upon certain convicted criminals); but in course of time, when able lawyers were appointed, their authority prevailed—they did the work—they tried criminal and civil suits—they became chairmen of Quaiter Sessions, by which title they are now of Quarter Sessions, by which title they are now known. The carly designation "Assistant Bar-rister" obtained no popular respect, for the populace understood that it meant an inferior

Irish lawyers of the last century were proud of their profession, which was then the only road for the middle classes to the highest stations in the land; proud of their country, for in it they were the equals of the highest noble; seeing in la noblesse de la robe a dignity higher than that of the mere accident of patrician higher than they were ready according to the cusbirth; they were ready, according to the cus-tom of the time, to back their quarrels on the field, and an active fancy and a ready pen frequently required support from the quick eye or the steady hand upon the pistol or the rapier. Almost every lawyer of eminence who sat upon the judicial bench, or pleaded in the law courts between 1780 and 1820, had fought at least one duel. Even parties in lawsuits were accustomed

to the use of the pistol. An Irish gentleman, who was about being tried for a misdemeanor, was informed by the judge, as the names of the jury were being called over, that he might challenge any of them for cause. "My Lord," said he, "I'll wait until the trial is over, and if they give a verdict against me I'll challenge every mother's son of

From 1690 to 1798 a Catholic could not become member of the Irish bar. Mr. O'Connell, who had been educated in France for the priesthood, was one of the earliest among the Catholies to become a lawyer, when the bar was opened to them. The profession afforded great scope to ambition; the preliminary cost of keeping terms, two years in Dublin, and two years in London, was so great that the sons of persons with limited means were seldom able to become lawyers. However, John Scott, atterwards Chief Justice and Earl of Clonmel, was a poor man's on, helped forward by a rich merchant in Cork. Barry Yeiverton, who told his mother while yet in his teens, that he wished he had eleven shirts more, as every gentleman ought to have a dozen, reached the bench and the peerage as Viscount Avonmore. Cuiran, literally educated on charity, and enabled to study the law through the liberality of his wife's father, had the greatest popularity, and the largest practice at the bar for nearly thirty years, and finally became Master of the Rolls—an equity judge, imme-diately next to the Lord Chancellor.

We can well understard the pride with which when dining with the Prince of Wales, after-wards George IV, and asked what his profession had done for him, he answered, "It has enabled the son of an Irish peasant to sit at the table of his Prince.

The present Irish bar does not rank as high as that which Ireland was proud of, and with ample cause, in that remarkably brilliant though too brief period. In the days of Louis XV, the Great Chancellor of France, D'Auesseau, wrote that the profession of the lawyer was "Nobility without title, rank without birth, and riches without an estate." This was the truth as applied to the bar of Ireland in the last century, and more particularly towards its close. Then
the gown of the lawyer was as honorable as the
ribbon of the noble, and in the provincial condition of the country the bar was almost the
only road to distinction. In the twenty years
immediately preceding the Union nearly a dozen
of the first lawyers were resident to recovery. of the first lawyers were raised to the peerage. Many influences combined to lead young lawwell as ambition, might reasonably hope, by such a pathway, to reach preferment and renown; and if he did not become a Judge at an early period, at least to reach scarcely less lucra-

The great parliamentary debaters on the opular side were lawyers. Henry Burgh, who popular side were lawyers. reached the office of Prime Sergeant, the highest rank at the frish bar, before he was thirty-six, was one of the most brilliant orators in the House of Commons. His hand was liberal, his fortune limited. To him, as to others, wealth and rank must have been powerful temptations —he always admitted that they were—but high above them rose a strong love for Ireland. When the question of independence was de-bated, Burgh, though in office, made a powerful steech in favor of his country. The House rose en masse to cheer him, as he concluded with an allusion to the volunteers and said;—"Talk not to me of peace; Ireland is not in a state of peace; it is smothered war. England has sown ber laws like dragon's teeth, and they have sprung up aimed men." He knew the penalty of being honest, and resigned office; but was too illustrious to become obscure. As Grattan said twenty years after the death of Burgh, "The gates of promotion were shut upon him as those of glory opened.

Flood, who fought the battle of Irish inde-pendence so nobly, until he accepted a lucra-tive office from the Government, and was one of the ablest and most persuasive among politi-cal orators, was a lawyer, though he did not practice. His great rival, Henry Grattan, was called to the bar before he entered Parliament, and no doubt his legal studies were of ultimate advantage to him in disciplining his mind. But his heart never was in his profession. In the first and, we believe, the only cause in which he pleaded, he was so conscientious and unlawyerlike as, not having gained a verdict, to return to his client one-halt of the fee of fifty guineas which he had received. He was the greatest parliamentary orator Ireland ever pro-

His schoolfellow, Fitzgibbon, who commenced bis political course as a patriot, was also such an able lawyer that, during the thirteen years of his Chancellorship, very few of his decrees were reversed upon appeal. He ought to have been superior to mercenary influences, for his nherited fortune was large. His personal courage was great, and the contempt which his tongue boldly speke, his weapon as boldly defended. His pride, which was boundless, equalled his ambition. He ever aimed at power, and at office, and rank as the instruments for getting it. For over twelve years, that is, until fter the union with England was effected, and Ireland's liberties prostrated, he ruled his native land with more power than any of the five viceroys sent thither by the English monarch during that time. Having manoeuvred himself into an Irish earldom and a British barony, he anticipated that he must become a power in the Imperial Senate and the British Cabinet. He was treated, on the contrary, as one for whom there was no further need, and died soon after, rather of chagrin than of natural decay. In his hour of haughty pride he had declared that he would make the Irish people as tame as cats, and at his funeral, when his remains were lowered into the grave, the populace, who hated him, cast a shower of cats Ireland's liberties prostrated, he ruled his native populace, who hated him, cast a shower of cats ipon the coffin. An injured people may submit,

but never forget. There was Caricton, the saddest looking man on the bench, who would have been invaluable o an undertaker as a mute at a funeral. relancholy aspect and subdued manner induced

briefices barrister into the House of Commons and finally to the judicial ermine and an earl-dom. There was Barry Yelverton, so long the friend and boon companion of Curran, and, in-deed, his townsman. He made his way to the bar through self-denial, poverty, and difficulty. Naturally convivial, he never allowed pleasure to unfit him for business.

He was laborious and learned, and though not master of the logical argument of Flood, the billiant antithesis of Gratian, the captivating billiant antithesis of Gratian, the captivating ricetoric of Burgh, the mathematical reasoning of Plunket, or the fascinating imagery and varied pathos of Curren, he possessed a bold, nervous, affluent eloquence of his own—fiery and fervid, as well as weighty and distinct—which made him a formidable opponent. He was fully forty years old before he entered Parliament, and at once became a powerful sid to Gratian and Flood in their great battle for Irish independence. In 1783 he listened to overtures from the Government, who desired to detach him from the popular cause, and accepted the bim from the popular cause, and accepted the office of Chief Baron of the Exchequer, then vacant by the death of Henry Burgh. He was promised a peerage, but had to wait several years for it.

As a judge he stands sans peur et sans reproche his only fault being that he would sometimes receive impressions too soon and too strongly This arose from the quickness of his perception, but he learned to discipline his judgment, and was deservedly popular. Of his eloquence only a few sentences have been preserved. A lawyer pleading before him spoke slightingly of the "Commentaries of Blackstone," and he impressively corrected him. "Blackstone," he said, "first gave to the law the air of science; he found it a skeleton, and clothed it with flesh, color, and complexion; he embraced the cold statue, and by his touch it grew into life, sense, and beauty.

Curran, who, as as advocate, was surpassed only by O'Connell, who was one of the sounded lawyers of his time, also had a seat in Parliament, and invariably spoke and voted on the patriotic side; be did more—be followed the practice of the time and place, and fought several duels. It was a fighting era—30 much so that once, during a parliamentary election, when the rival candidates had a dispute on the hust ings, the High Sheriff politely and obligingly adjourned the proceedings, while the two gentlemen proceeded to an adjacent field to exchange shots. Everywhere he was fearless and uncompromising. As an orator, wit, and boon companion his success has rarely, if eyer, beer equalled: He had been six years in Parliament and had not reached the age of forty when the Regency bill came before the House of Com-mons. At that period he was a struggling man, with expensive associates, and what he used to call "a large small family." He was offered the Chief Justiceship of Ireland, with a peerage, if he would vote with the Government on that bill. He was not to be bought; he spurned the

bribe, and voted against the Government.
Fitzgibton, who had been ostentatiously antiministerial up to that period, was also ap proached; he swallowed the bait with avidity was made Lord Chancellor, with a peerage, and thenceforth was a deadly foe to Irish liberty Curran is grandly identified with the best and the most sorrowful years of Ireland's short-lived nationality. He was known, tried, and trusted by his countrymen. He was the centre trusted by his country men. He was the centre of the flashing wits, the renowned orators, the brilliant advocates, the true patriots of Ireland. To use the words of Thomas Davis (who resembled him in many points), Curran was "a companion unrivaled in sympathy and wit; an orator, whose thought went forth like ministers of nature, with robes of light and swords in their hands; a patriot, who battled best when the flag was trampled down; and a genuine, carnest usen breathing of his climate, his country and man, breathing of his climate, his country, and his time."

Saurin and Plunkett, Bellew and Goold, Egan and Bushe, Langrish and Barrington, with many others who made the Irish bar illustrious between seventy and eighty years ago, entered keenly into political life, and rushed from the lorum to the Senate, eager partisans on the side of the country; and the two first of these brought into party debate a concentration of brought into party debate a concentration of thought, joined with the subtlest logic and the most fervid expression, which happy union made an eloquence scarcely inferior to that of Burks in the British Parliament. Saurin, who declined the crmine, was Attorney-General, after the union, for many years, and was a great lawyer. Plunkett, successively Attorney-General, Chief Justice of the Common Pleas, and Leaf Changolier, entered the British House and Lord Chancellor, entered the British House of Commons some years after the union which he so vehemently opposed, and was finally made Lord Chansellor, with a peerage.

It is much to his credit, that, while he was a law officer of the Crown, he never would sanction the practice of "packing a jury," which had previously been much indulged in on the part of the Government. For many years he was one of the most eloquent arguers in the British Parliament, and to him, after the death of Grattan, was confided by the Irish Catholics the difficult championship of their cause. Another of the men of their time, "when there were grants in the land," was Charles Kenda Bushe, one of the most accomplished and effective speakers in the Irish House of Commons, endowed with lively and spontaneous wit, and also a great lawyer. He held the office of Chief Justice from 1822 to 1842, and died in the year following. We need not proceed further with this catalogue raisonne—O'Connell, O'Loghlin, Blackburne, Lefroy, Neith, Doherty, Goold, Wallace, and others, who belong to that memorable time. Sheil and Phillips have described them with spirit and accuracy in their respective books, and they merit better than to be crowded into a paragraph at the close of an

The general impression, not quite unfounded. that the members of the Irish bar are better advocates than lawyers, more elequent than argumentative, and better skilled in cross-oxamination then in applying the great principles of jurisprudence. When the leaders of the Irish bar sat in Parliament, where ornamental rhetoric was highly estimated, their oratory, thus chas tened, was more rational and impressive than when they addressed a jury. There are now many Irishmen in successful practice at the English bar; two are on the bench, Sir James Willes and Sir Samuel Martin; and the present Attorney-General of England, Sir Hugh Cairns may probably become Lord Chancellor, with a peerage, in the event of the present administra-tion continuing in office. The consideration of the interesting question, how does the present bar of Ireland compare in learning and elo-quence with that of the past, we leave to others, only observing that the honor and independence of the profession have always been maintained in Ireland.

Decline and Fall of Popular Songs.

A writer in All the Year Round says:-"The decline and fall of the popular songs has been sudden and rapid. Dess than twenty years ago we were still singing 'My Pretty Jane,' 'The Maids of Merry England, and 'Phillis is my only Joy.' We rarely hear songs of this character sung now, and there are no new songs of the same class to take their place. The successor of 'My Pretty Jane' was the 'Ratcatcher's Daughter;' of Phillis, 'Naughty Jemima Brown.' 'My Pretty Jane' was a toolish thing, to be sure, but it we did press her to meet us-meet us in the willow gien when the bloom was on the rye (for no particular reason, at that floral season, except that she was 'shy'), she did not outrage our feelings by taking too much to drink, and cutting away with a chap that drives an 'Ugly donkey-cart.' Phillis was a very different young woman from Jemima Brown. She was faithless. it is true, like Jemima; but she was faithless 'as the winds and sear,' not as a pair of sixteenmelancholy aspectand subdued manner induced Curran to say that he was plaintive in every case. There was Wolfe, an amiable and just judge, murdered by mistake in the street during Robert Emmett's revolt in 1803. There was Downes, who had the largest face, perhaps, ever possessed by any one who was not a monstrosity. The flesh trembled as if it were human jelty, and Plunket compared it to a shaking quagmire, There was Toler, whose scie inheritance as as younger son was a pair of saw-handled duelling pistols, with which, rather than by legal kno wledge, he fought his way from the condition of a

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GOVERNMENT SALES.

CALE OF NAVY POWDERS BUREAU OF ORDNANCE, NAVY DEPARTMENT, WASHINGTON CITY, September 20, 1866.
There will be sold at Public Auction to the highest bidders, at noon, on THURSDAY, the eighteenth

(18th) day of October, 1866, at the office of the Inspector of Ordnance, at the Navy Yard, Brooklyn, New York, about twenty-eight hundred barrels (280) of Lowder, composed of cannon and mortar

The powders will be sold by sample, and in lots to suit purchasers.

Terms—Cash, in Governments funds, one-half to be deposited on the conclusion of the sale, and the remainder within ten days afterwards, during which time the powders must be removed from the magazine, otherwise they will revert to the Government.

Purchasers will be required to furnish their own packages where the powder is not in barrels.
H. A. WISE,
9 25 tuths t10 18 Chief of Bureau. 9 25 tuths t10 18 BUREAU OF ORDNANCE.

NAVY DEPARTMENT,

WASHINGTON CITY, September 20, 1866.

SALE OF NAVY POWDERS.

There will be sold at public auction, to the highest bidders, at noon, THURSDAY, the eighteenth (18) day of October, 1866, at the office of the Inspector of Ordnance, at the Navy Yard, Brooklyn, New York, about twenty-eight hundred (2800) barrels of powder, composed of Cannon and Morfar Powders.

The Powders will be sold by sample, and in lots to suit purchasers.

Terms—Cash, in Government funds; one-halft o be deposited on the conclusion of the sale and the remainder ten days afterwards, during which time the Powders must be recurred to the Magazine, otherwise they will revert to the Government.

Purchasers will be required to furnish their own packages where the Powder is not in barrels.

packages where the Powder is not in barrels.
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