

1914

Irish Police Gleanings

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IRISH POLICE GLEANINGS.

JOSEPH MATTHEW SULLIVAN.¹

The public safety of Ireland is under the control and direction of a garrisoned body of military police called the Royal Irish Constabulary. The credit for the organization of this body is commonly attributed to Sir Robert Peel, and from this fact they take the name by which they are known in the community as "peelers." This force was organized many years ago when the country was in a state of strife and disorder, closely bordering on a state of war. The official head of this force is known as the Inspector General; his headquarters is at Dublin Castle and he has complete control of the police affairs of the entire country. Each of the thirty-two counties of Ireland is in charge of a county inspector. District inspectors are appointed where the county is large and the interests of the community warrant it. The next in rank is the Head-constable; he is assigned to large towns; a small town would be placed in charge of the next in rank, namely, a sergeant. A small town of 3,000 inhabitants would be in charge of a sergeant and about eight constables, as the ordinary policeman is termed. Cadets are appointed from civil life to the positions of commissioned officers; the Civil Service Commissioners hold the examinations for the rank of cadet, and these applicants, if successful, are in direct line for promotion to the positions of District Inspectors, County Inspectors, and Inspector General. It is impossible to obtain certain reliable statistics of the work of this force; the Inspector General issues no public report of the activities of his department; the number of arrests made, the number of convictions obtained, the personnel of the force, are unknown to the public. In fact, no information whatever is given to the public whereby they can judge of the efficiency or inefficiency of the department. Perhaps it would not be wise or discreet to take a public into its confidence in a small country harassed by the agitations of politicians, and for another very cogent and obvious reason, there is no bond of either sympathy or harmony existing between the citizens and the police. The community bears a semblance of outward respect for the police, but it is the same affection and respect that the fox entertains for the hen-roost. The reason for this feeling is not hard to find: in past years the police did the work of sheriffs, bailiffs, process-servers, and carried out wholesale evictions; the soreness caused by this unnecessary oppression and cruelty still lingers in the memories of the people.

¹Of the Boston Bar.

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POLICE ORGANIZATION.

The common, everyday constable is recruited from the farming class, and, with very few exceptions, he is possessed of a very limited education, such as the common school affords in the country and mountainous districts. A recruit can join the force at as early an age as eighteen. Immediately upon enlistment he is sent to the Metropolitan Police Depot at Dublin. At this place he is given elementary instruction in drilling, in military and police matters. After a short stay at Dublin he is assigned to duty in some part of the country, but never in the district where he was born and reared. The pay of a recruit begins at fifteen shillings a week. After twenty-five years of service as a private his maximum pay would amount to £75 a year, or thirty shillings a week. A sergeant receives in the neighborhood of £80 a year, and on this sum he must support his family. The Head-constable receives about £100 a year, and there is a small annual increase until he is ready for retirement. Married police have free house rent at the barracks. Single members of the force have a mess just as soldiers do who live in forts or other governmental encampments. These living apartments are subjected to inspection at regular intervals by the police authorities. A constable must be a member of the force six years before he is eligible for promotion. He is subjected to a hard literary examination (hard on account of his own defective early education), held under the direct supervision and control of the Civil Service Commissioners. Another examination is held by his superior officers in duel, marksmanship and police duties, and then, if found qualified, he is appointed to the rank of acting sergeant. The acting sergeant must serve three years in this rank before he is eligible for promotion to sergeant. To obtain advancement a man must be possessed of tact, be careful not to give offense to his superior officers, and know and appreciate the value of a silent and discreet tongue. It is also a prime requisite for promotion to keep in the good graces of his superior officers, and to refrain from the gentle art of making unnecessary enemies. After twenty-five years' service all policemen are entitled to be retired upon pension at their own request.

THE DOMESTIC SIDE OF A POLICEMAN'S LIFE.

It is very difficult for a constable to bring up a large family upon 30 shillings a week. He must be a member of the force at least seven years before he can marry. He must give a month's notice to his superior of his intention to marry. The notice must state the name and family residence of the woman to whom he is engaged, and if, upon in-

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vestigation, the family is satisfactory, the necessary permission is granted. If he marries a woman in the district where he is performing police duty, the authorities immediately transfer him to another part of the country. The hard struggle to bring up a growing family makes many of the police in country districts cheap "cadgers;" in some instances cadgers beg cabbages, turnips, vegetables, etc., from farmers residing in the vicinity. In return for this slight favor, they allow the farmer on a Sunday to get a few drinks (illicitly) at a public house, and conveniently overlook the infraction. In like manner they will overlook illegal liquor selling on Sunday and after closing time because the publican gives them a few gratuitous drinks of porter during the week. It goes without saying that a poor constable can hardly aspire to marry a girl with a fortune and he gets over this difficulty by making love to bar-maids. The saloon, or public house, is the cemetery of reputations; all gossip of any importance is daily dished out over the public house bar in conjunction with the drinks. Sometimes this affection takes a serious aspect and leads to matrimony, but the police generally use the barmaid as a stepping stone to future advancement and promotion. The barmaid sells the secrets of the thieves to the police for the "tip money," and in return sells the police secrets to the thieves. Between all this double-crossing the thief gets convicted, and, of course, he blames his lawyer. We see examples of this when the dishonest servant hands out pounds of meat belonging to her master over the fence to her poor relations. To excuse this theft she blames the cat, which, if we believe her story, is now the size of an elephant and has the appetite of a boa-constrictor. If the barmaid is really in love with the policeman she will do anything in her power to help along his advancement and promotion.

Life at the barracks has its drawbacks as well as advantages. The members of the force get to know each other too well. The married men on the force are allowed to stay too long in one place. They get too familiar with certain people, arrest whom they like and overlook what they desire. This interferes with the prompt and efficient discharge of their duties. The wealthy publican and shopkeeper in country towns has a more powerful "pull" with the Irish police than any New York politician has with the Gotham force. He can make the policeman do his bidding. The superior officers will not admit that this state of affairs exists, but it is a fact, nevertheless.

CADETSHIPS AND COMMISSIONED OFFICERS.

The age limits for competition for the rank of cadets are 21 and 26

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years. Officers in the army and police officers are allowed to compete up to the age of 28. Sons of Royal Irish Constabulary officers are allowed to compete at nineteen. The initial salary is £125 a year, with allowances. Examinations usually occur once or twice a year, when three or four vacancies are offered for competition. The examination contains the following subjects:² (1) arithmetic, (2) addition, (3) orthography, (4) handwriting, (5) digesting returns, (6) English composition, including epistolary correspondence, (7) geography, (8) reading aloud, (9) British history, (10) Latin or French, (11) elementary principles of law, (12) law of evidence.

Nominations for cadetships in the Royal Irish Constabulary are obtained through the chief secretary to the Lord Lieutenant of Ireland. Nominations for sub-inspectorships in the West Indian police forces are vested in the Secretary of State for the Colonies. Candidates may be allowed to enter for both the domestic and the colonial services when the examinations are held concurrently. Candidates for either appointment must have attained the height of five feet eight inches and must have adequate chest measurement.

Second class inspectors in the Royal Irish Constabulary receive an annual salary of £165, increasing to £180 at the end of five years. First class inspectors receive an annual salary of £225, increasing to £300. The annual rate of salary of county inspectors is £350, increasing by £20 a year until £450 is reached.

An examination and comparison between the pay of the Irish and Colonial police may prove interesting to the reader. We see that the salaries of the colonial officers vary according to the colony. Thus, in British Guiana sub-inspectors receive an initial salary of £168-15s. with allowances. In Jamaica the initial salary is £130, with certain allowances, and in Trinidad it is from £200 to £300, with allowances.

Examinations for appointment to the Indian and Ceylon police force are, in my opinion, much more difficult, the pay is higher and the position is more important. The age limits are 19 and 21 on the first of June in the year in which the examination is held. The salary is £250 to £350 and upwards. The subjects of examination are:

Class I (obligatory) English, mathematics. A (elementary) French or German.

Class II (optional) mathematics. B (intermediate) mathematics. C (higher) English history and geography, German or French, Latin, Greek, science (physics and chemistry). For each subject 2,000 marks

²Candidates for the West Indian police must take French.

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are assigned and not more than two subjects in Class II may be taken up. In addition to the above subjects, candidates may take up free-hand drawing, to which 400 marks will be allotted. For the year 1914 and subsequent examinations English history and geography will be included in the obligatory subjects. Examinations may be expected annually in the month of June. A fee of £3 is charged in London, £3 elsewhere. Appointments in the Indian police service were thrown open to competition in the year 1893. Similar appointments in the police service of Ceylon, Hong Kong, the Straits Settlements, and the Federated Malay States are now filled by open competition.

From forty to fifty appointments are made annually. From an examination of the foregoing it is readily noticed that the Irish police service is not considered as important a branch as the colonial and home service. The subjects of the examination, amount of salary, etc., bear out this statement. I have noticed also that the subjects that are absolutely essential for a practical knowledge of modern scientific police methods are omitted altogether, namely, the metric system, Bertillon anthropometrical measurements, finger printing, circular writing and police detail work. The examination for cadetship in the Royal Irish Constabulary can be easily passed by any person qualified to enter the freshman class of any American University of recognized standing. The Colonial, Indian and Ceylon tests could be passed by any bright graduate of Harvard or Yale University, or their equivalent. Only about five per cent of the head-constables or enlisted men in the Irish force attain the coveted commission. I have great doubts as to the wisdom of appointing a cadet boy, just out of school, to an important position in the police, and this over the heads of the practical working members of the force. The ignorance of the average cadet on matters pertaining to modern scientific police methods must be colossal. He obtains his knowledge by trial and error, but at the expense of the service and injury to the community.

POLICE ROUTINE AND DRILL.

In addition to possessing a baton, the police here are armed with rifles and bayonets. They have the knapsack of the soldier, perform military drill at frequent intervals, competitions in marksmanship, and in fact are drilled in the manual of arms and all other acts of military skill. They are drilled at the annual or quarterly inspection of their superior officer, and upon inspection they are put through the different army maneuvers. The superior officer addresses them and either compliments or disparages as the occasion demands; he tells how important

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he is and how insignificant they are in his eyes. The sergeant conducts a school in which he attempts to instruct members of the police upon their civic duties; he tells them about the acts of Parliament, by-laws, and other matters relating to police routine. They are supposed to be able to answer these questions offhand at their monthly or quarterly inspections, and a failure to answer questions correctly would incur a report for "neglect of duty."

But a knowledge of military duties or the manual of arms never caught a thief or convicted a murderer. Scientific police methods are not acquired by wasting time at the policebarracks. Like soldier boys they learn to love to display nicely creased trousers and polished boots; this is all very pleasing to the eyes of ladies but it is of no avail to work out a clue and bring a difficult criminal case to a successful termination. The time could be more profitably spent in instructing the police how accurately to "book a man under arrest," or to write a clear and intelligent police circular. The failure of the Irish police to detect crime is easily explained because they start from a wrong premise. They use military methods and education in the performance of police duties. An ordinary policeman has no authority; he is afraid to act upon his own authority, fearing lest he incur the displeasure of his superior officer. He is a soldier, and a private is a mere automatic machine, who is never supposed to act on his own initiative but must take all orders from his superior officers in "gold lace," who might be a splendid soldier, but who is a glaring failure as a policeman.

The official "red tape" staggers under the weight of its own conceit. There are very few first-class detectives in Ireland. They lack scientific police methods; they are obliged oftentimes to send to Scotland Yard (London, 600 or 800 miles away) for a detective. In the meantime the clues are lost. Then imagine what success an Englishman will attain among an unfriendly clannish people. The married police in the small towns are better "nursery maids" than detectives; they are loafing at the barracks all day long instead of performing police duties. Patrolling the country districts is now a tradition. It is only that part of the country adjacent to the town which is patrolled because if the police are not at home at ten o'clock they are in danger of finding themselves locked out of the barracks and their family retired for the night.

THE PUBLIC HOUSE.

Liquor is sold here in the public house, familiarly called a "pub." It differs radically from the American saloon in that it has a woman called a barmaid who serves drinks to travelers and bibulous natives.

It is hardly a fit and proper place for a woman to work and listen to ribald songs, obscene and vulgar language all day long. To the credit of the American people the barmaid (as she exists here) is unknown among them. To secure a situation as a barmaid the woman must be young, comely and attractive. If she is able to make love to policemen, or "jolly them along," she is a valuable asset for any public house. If the policemen are kindly disposed to the barmaid, the illicit Sunday business can go on unnoticed. After a policeman has been pensioned and retired from the force, he buys a public house and in many cases becomes the worst and most persistent offender against the liquor laws. His experience on the force in past years stands him in good stead; he knows all the tricks and dodges to outwit justice, and he can rely on the fact that the police, knowing him to be a former comrade, overlook his place, and thus his past services on the force serve as a protection and a shield against any conviction for law breaking.

The publicans buy potatoes, vegetables, cabbage, etc., from wayfarers and tramps; these have either been begged or stolen, and the publicans give in return a few pints of porter (2d or 4 cents a pint), a price wholly disproportionate to their real value. Thus the publicans are nothing less than out and out "fences," and receivers of stolen goods. They refill whiskey bottles which once contained good liquor, with vile concoctions and charge the same price per glass as if it contained the good article, thus robbing and poisoning the people at the same time. When the label of a standard brand of whiskey becomes soiled, there is competition to obtain a fresh and clean one, so that whiskey seven years old can be distilled in seven minutes.

Family trees and fake genealogies are manufactured in public houses in the back room; these are used for imposition upon American probate courts. Alibis are ground out while you wait, and the wheels of perjury mill are greased for future use in pulling the wool over the eye of "judge and jury."

Disorderly and questionable females loaf in public houses. These are a valuable commercial asset because they draw trade from vile men. Depriving a man of his good name and credit is a common habit here; it is commonly called "black-guarding," and should be visited with severe penalties, but unfortunately, slanders by financially irresponsible individuals is not yet a crime.

"Shebeening" on Sunday outside the public house is done in the following manner: the woman puts up one finger, which means one pint of porter; two fingers, two pints, and so on. Then the publican's wife brings the porter to the thirsty, and pours it out from a jug, which

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is concealed by her apron. The tap-room education is one of accomplished roguery; the "wattlers" (public-house hangers on who are waiting for free drinks) are schooled in all kinds of villainy; they will not talk in the presence of a third person, because it might be convenient when testifying in court to change their evidence, and they take good care that they cannot be successfully contradicted. Here the tout, or runner for lawyers, hangs out; here the witnesses are drilled, and phony evidence prepared. This class of tap-room lawyers possess enough education to make them dangerous; they consider themselves clever if they can outwit the officers of the law, and obstruct justice. The idle and disorderly law should be pressed into service in their case because they have no lawful means of support and are a dangerous pest and a menace to the community.

JURY FIXING.

This criminal and detestable offense is so common here as to excite hardly any comment. It is an open and notorious fact that the government cannot obtain a fair trial in the counties of Limerick, Tipperary, Roscommon, Kerry and Galway. Prisoners are brought hundreds of miles to Cork for trial at the Assizes. This is because trials at the place where the crime occurred have been farcical, a travesty and burlesque upon justice. Then, too, the fact must not be overlooked that the parties in these country districts are closely related by blood and marriage; the police, knowing the futility of attempting to obtain evidence, neglect their duty, or make half-hearted efforts to perform it. This laxity encourages the criminal class, and makes them bold, insolent and defiant. I have seen the thugs, rascals and moonlighters of a generation ago blend robbery with patriotism, and larceny with love of country. No one wants to be considered an informer, a most commendable trait in any one's character. The old time Irish political prisoners were pure, disinterested patriots who loved their country, but they were not thieves and malefactors. No one would inform on them because they were fighting for a principle. The fear of becoming an informer today leads people to lend their aid, however unwittingly, to the vilest criminals. By not helping the authorities a man becomes a silent partner with the criminal, and is no longer a good citizen.

The rogue here is slow and deliberate in his villainy; in America the rascal is quicker-witted, takes longer chances, and as a result gets oftener in the toils of the law. The citizen here has yet to learn that the law is for his benefit. He refuses to help the law to inflict any

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hardship upon his neighbors; the real reason is that at heart he fears their vengeance and subsequent injury to his person and property.

THE PETTY SESSIONS COURT.

The Irish Petty Sessions Court consists of one resident magistrate (a paid crown official) and other rural justices of the peace who are appointed by the crown. The resident magistrate is supposed to be learned in the law, either a solicitor or a promoted policeman; the rustic magistrates possess no legal training whatever, but they have a vote in deciding the case. If the penalty imposed does not exceed one month's imprisonment, or twenty shillings, £1 fine, there is no appeal from their decision. This is a cruel hardship. Why a citizen should not possess the absolute right to remove an undesirable stigma from his character is a problem that I am unable to solve. The magistrates, knowing this law, can deliberately give a man a small sentence, cut off his right of appeal, and herd him with the lowest and vilest types of humanity. A prisoner at times asks them to increase the penalty so that he can appeal; this appeal is addressed to their discretion, and is granted or not as they see fit. Sometimes they consider the request as a reflection upon their decision and promptly deny it.

Take a bench of magistrates composed of one resident magistrate and four rural justices, the man trained in the law has only one vote, just the same as the country justice, and this seems to place ignorance on the same level as learning and judicial wisdom.

TYPES OF MAGISTRATES.

Many of those appointed to the bench are political appointments, and like many of that kind, are made as a reward for service rendered, and fitness is not considered as a condition precedent to holding office. If a draper is appointed a justice of the peace, he will sell more collars, shirts and dry goods than he did before his appointment. He can now for the benefit of his customers blend "bargain rates with justice," "cut rates" with mercy, and "special sales" with business. If a publican and store keeper, he can sell more meal and whiskey than ever before. I suppose trade is good "before and after" court days, especially after acquittals. Because they are not in a position to refuse a customer a favor, fearing loss of trade, but at the same time they are false to their official oath when they sacrifice their manhood and barter their conscience for the sake of a little paltry commercial gain. The report of the Royal Commission sets forth these abuses at length, and suggests intelligent ideas for improvement. It is sincerely hoped that they will

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be adopted and carried out. The magistrates are too approachable, are too much influenced in their decisions by politics, friendship, personal and family likes and dislikes. I often wonder whether any of them inform their brother magistrates that they have been approached. Sometimes when a case of importance comes up for hearing, how promptly the absentee magistrate puts in an appearance, and takes his seat on the bench. I have noticed that since kissing the Bible was dispensed with perjury has increased, the witness now simply holds the book in his hands and repeats the oath. The soul is defiled in order that the body may be kept free from alleged disease germs; thus we satisfy doctors and sanitary experts at the expense of justice. In the old days the rogue many times kissed his thumb instead of the book, and thus satisfied a pliable, elastic and adjustable conscience. I would suggest buying inexpensive Bibles, making them kiss the page, and immediately tearing out the page. Thus one Bible would last for thousands of oaths, and the miscreant who thinks he has a privilege to lie because he has not kissed the sacred scriptures would be outwitted, and perhaps the truth could be wrung from him. The police are lax at times because they know of the reluctance of magistrates to convict their friends, relatives, customers and neighbors, and as a result we see a growing contempt for law and order.

ABUSE OF JUDICIAL DISCRETION.

The following comments relate to a case at the Munster Assizes, December, 1913. As reported here they are correct in every essential particular. They were published in the Cork Examiner, a reputable newspaper.

LARCENY.

"James Foley, who pleaded guilty last evening to the larceny of a shirt, was then put forward.

"His Lordship—I want the District Inspector of police. Sergeant McHugh said yesterday that he directed the prosecution.

"District inspector Walsh said that he did not direct the prosecution, but prosecuted on warrant at Douglas Sessions, and in his opinion the case should be dealt with summarily; but the magistrates, having regard to the character, history and disposition of the defendant, and his habits and previous convictions decided that the man should be sent forward for trial. In his (Mr. Walsh's) opinion there was not sufficient evidence to justify that.

"His Lordship—Very well; that is all I want to know. I would be very much surprised if you acted otherwise.

"Mr. R. M. Hennessy, K. C.—What Mr. Walsh says is quite correct in every particular. With reference to the magistrates, they received a communication, and the magistrates appeared to have the idea that this young man could be dealt with either as a habitual drunkard or as a habitual criminal. I perceived that he could be indicted for neither one nor the other. The magistrates came to the opinion, doubtless, for reasons known to themselves. Of course

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prisoner is not a habitual drunkard or a habitual criminal. He might be a habitual nuisance (laughter).

"His Lordship—The sergeant stated that the prisoner was arrested under warrant, and that he was given the opportunity of getting bail. Why is not that recorded on the magistrates' order?"

"District Inspector Walsh—That may be a mistake on the part of the clerk of Petty Sessions.

"His Lordship—Oh, really I must be guided by something. Addressing the prisoner his lordship said—'James Foley, you have pleaded guilty to an indictment charging you with having stolen a shirt belonging to your father. You then proceeded to take a walk on the Marina and met a friend called Denis O'Connor, and you sent him into a pawn shop, and he came out with a ticket and 1s 6d, and the pawn shop kept the shirt. Then you dwindled away that 1s 6d on sundry drinks and ultimately arrived back, and you were asked about the shirt, and you gave your mother the ticket. Your father swears an information and obtains a warrant for your arrest. You were living in your father's house, and there was no danger of your leaving the country with the balance of 1s 6d, and there was no earthly reason why a summons would not have met the justice of your case. But a warrant is issued, and the whole force of the law is put against you. Sergeant McHugo arrived with this warrant, arrested you on November 13th, and you were brought before a magistrate and remanded to the Petty Sessions, and ultimately, on November 17th you are brought up at Douglas Sessions. Now the value of this shirt being the sum of 2s 6d the magistrates had full power to hear and determine the case. The District Inspector, who was examined, was of the opinion that that was the proper course—to have the case dealt with at Petty Sessions. But the law gives the magistrates a discretion, and they exercise that discretion by sending you forward for trial in custody of the Assizes. It was optional with the magistrates to give or refuse bail. You were in Cork, and you only have your father's house, and there was no earthly reason so far as I can see if you were let out on your own recognizances, that you would not be forthcoming at the Assizes, and if you were not forthcoming the city of Cork would not lose much by your absence. The magistrates made neither order, but sent you forward for trial without bail, and the result of that is, it being my duty as judge of Assize to deliver judgment, I must deal with you here. If the magistrates were not sufficiently able to deal with you they could have sent you forward for trial to the Recorder, and that would be the regular and proper course. You have been in custody since November 11th without any trial or without being offered any bail, which there was no earthly reason to deny you, and now I am called upon to pass a sentence upon you for this offense. It is stated that the magistrates had some idea that you could be either indicted as a habitual criminal or drunkard. There was no earthly reason for either one charge or the other, and if the magistrates had taken the trouble to inquire for one moment into the law or to ascertain from the District Inspector what the law was or even inquired from the Petty Sessions clerk they would have been informed that there was no earthly reason in law for such a charge. But here you are. Your father is against you, your mother is against you, and the law is against you; and may God help you. You have been in the habit of drinking, and drink is the cause of your position.'

"Prisoner—I have taken the pledge.

"His Lordship—You have been a month in gaol, and I now discharge you from further punishment, and I hope and trust you will keep that pledge."

CONCLUDING OBSERVATIONS.

After a residence of nine months in Ireland and an unlimited opportunity to view matters at close range, I can safely assert that the American criminal law, with all its alleged defects, is administered in a superior manner to the English law in Ireland. Some parts of Ireland are lawless and shooting outrages are common, as for instance, notice

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the sentence at Cork of six years for robbery while armed, and at the point of pistols stealing £1,000 of the bank's money (bank at Abbeyfeale), not one penny of which was ever recovered.

The populace here get erroneous ideas of American life and institutions from moving pictures. American police are shown on the films as receiving bribes, right and left; nothing could be farther from the truth, as I can testify from an extensive practice in the criminal courts of over twenty years. During a part of that time I have been a bail commissioner, and have been favored with an intimate acquaintance with police officials, high and low, I have never yet been asked for a gratuity of any kind whatsoever. Mind you, my eye has not been the hasty, inaccurate eye of the tourist who gathers up misinformation as he hurries from hotel to hotel; whom unscrupulous cabmen fill with lies in proportion to the size of the tip. I can safely guarantee the following propositions:

First, the American police, being much more skilled in handling criminals, and in running down clues, convict more rascals than are convicted in Ireland, and this accounts for the prevailing opinion here that crime is rife in America.

Second, the United States should have secret agents residing abroad, who should stop criminals intending to emigrate, and then our good old country will be spared many of the calamities which at present lie unjustly at her door.