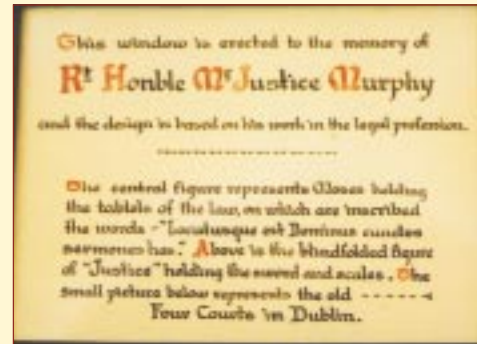




Mr. Justice James Murphy is buried not much further away. His dignified grave lies in the impeccable graveyard of the parish church of Kilternan. The church contains other memorials to its distinguished parishioner. It was he who contributed the church bell as well as other adornments. However the most imaginative memorial to the life and career of the distinguished Judge is the stained glass window (pictured left) which records Moses handing down the laws and incorporates a magnificent reproduction of the Four Courts. The reproduction (pictured on the front page here) and the entire of

the stained glass window are published by the kind permission of the Reverend David Moynan, the Rector of Kilternan Church, who has preserved the memorials to Mr. Justice Murphy and other distinguished lawyers and judges including Mr. Hewitt Poole, K.C., and that outstanding judge Alfred Denis Pringle.



The Heritage Series aims to increase awareness of matters of historical, architectural and cultural interest associated with the courts system in Ireland. Included in the series are features on court buildings, members of the judiciary and court staff, famous trials and other events and occasions.



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Glencairn- a place in legal history



Notwithstanding the recent retirement of Circuit Court Judge Anthony G. Murphy, the Clan Ó'Murchú continues to be well represented on the judiciary. It was not always so. For many years the only judge bearing the name of Murphy was Justice Louis Murphy, a popular and well known judge of the District Court. The Superior Courts were not so fortunate. Prior to the appointment of Mr. Justice Francis D. Murphy as a judge of the High Court in March 1982, the most popular name in Ireland had not been represented on the Superior Court Bench since the death of Mr. Justice James Murphy on 5th September, 1901.

James Murphy had been a prosecutor of note at a time of particular difficulty. Contemporary accounts suggest that he was more respected for his efficiency than loved for his understanding. He and Mr. William O'Brien, K.C., were generally referred to as "the Green Street Team" but it was his successful prosecution of the Invincibles which represented the high point of his career at the Bar.

Whilst he was appointed to the Queen's Bench Division it would appear that he sat more frequently in the Exchequer Division presided over by the distinguished Chief Baron Palles. His reported judgments do not appear to be particularly controversial. However one reference in Sergeant Sullivan's "Old Ireland" to a ruling of Mr. Justice James Murphy on a claim to show cause against a juror was interesting for the decision given and the guidance provided as to how such procedures were conducted. Apparently it fell to the two jurors next named on the panel to determine whether the cause shown against their colleague had been established. The case involved - as ever - a conflict between a nationalist and a unionist. It was contended that the admission by the challenged juror that he read the *Irish Times* in the morning and the *Evening Mail* in the afternoon established the existence of a bias in favour of the unionist interest. The trial judge directed the Triers i.e. the two jurors, to disallow the cause shown. The ruling might be of interest in current times when the question of bias or perceived bias is once again an issue of great importance. Unhappily it must be recalled that the Triers declined to accept the ruling of the judge so that there is some doubt as to the value of the precedent created. Of the many tributes paid to Mr. Justice Murphy and recorded in 1901 Irish Law Times Reports perhaps the most impressive is that in his 18 years as a judge no verdict obtained before him was ever set aside.

Whilst the very few text books that do exist recall very little of the contribution of Mr. Justice Murphy to our jurisprudence he has left us with some enduring monuments. Mr. Justice Murphy lived at Glencairn in Cabinteely, County Dublin. The spacious estate included, appropriately, the ruins of Ballymurphy Castle which gave its name to the town land in which Glencairn was built. Pearson in his book entitled "Between the Mountains and the Sea" describes the architectural merits of the original house and sets out some of its subsequent history. After the death of the Judge the house was sold to Richard "the Boss" Croker. Boss Croker had been a leading Tammany Hall politician. Whether it was his position in that organisation or speculative property dealings that were the source of his wealth was a matter of some debate but certainly he had the resources to purchase Glencairn and some 300 surrounding acres. He renovated the residence in great style and laid out the lands as racing stables. His greatest ambition was achieved when his horse, Orby, won the English Derby in 1907 (at odds of 100/6) even though the Boss was disappointed by the refusal of Edward VII to entertain him as the winner of that prestigious event.

After the death of his first wife in 1914 Boss Croker married Ms. Bula Benton Edmonson who was referred to as an Indian princess of



*The Boss Croker with his second wife,
Bula Benton Edmonson*

the Cherokee tribe. She was not a full blooded member of that tribe and questions have been raised as to the correctness of her title but there is no doubt that she was young, beautiful and wealthy. The remarriage of Mr. Croker was a grave disappointment to his surviving children. They instituted proceedings alleging that he was not competent to deal with his financial affairs and further that he was dominated by his young wife. This was particularly distressing for the ageing Boss Croker as three of his children had previously died in tragic circumstances. The challenge to the competence of Mr. Croker was rejected but the litigation resulted in unhappy relationships with the surviving children.

Those who had died were remembered by a chapel built in their memory in Glencairn itself: those who survived were not forgiven.

The Boss Croker died at Glencairn on the 29th of April, 1922, at the age of 81 years. The contemporaneous records of his funeral make fascinating reading. He was buried in a vault beside the lake in the grounds of Glencairn. Many clergy attended. He had been born and reared a Protestant in Clonakilty but converted to Catholicism at the behest of his first wife. Some friends, several employees and many public dignitaries attended the funeral. The honorary pall bearers included the Lord Mayor of Dublin, Mr. Oliver St. John Gogarty and, perhaps, surprisingly, Arthur Griffith, President of the Executive Council. It must have been one of the last public appearances of Arthur Griffith as the civil war was then about to start and of course Arthur Griffith himself died some three months later. The explanation for his attendance at the funeral may be his wish to repay the generous offer which the Boss Croker had made to Mrs. Griffith to provide financial support for the family when her husband was incarcerated in Reading prison after the 1916 rising.

When Glencairn was acquired in 1939 as the residence of the British Ambassador to Ireland the Boss Croker was disinterred and reburied in the charming nearby Kilgobbin cemetery but with considerably less pomp than his original obsequies.