den of the investigation.

Judge Dyer thought, that the police act had made a great part round the city in the city. But this, it appears, was only for the purposes of revenue and collection of taxes, &c.

Judge Dany asked, if a man who lived in the parish of St. George had a right to vote for a city Member?

It was answered he had not. The ATTORNEY-GENERAL offered a few observations on this notable point of law, on which the great cause of the Roman Catholics was now, after so much parade, to be defended; he agreed with his Learned Friend, that the objection was not to the renuce he (Mr. Burrowes) did not offer to falsify the evidence of the fact; he sheltered himself under a point of law, and that of little import. It was altogether eluding and evading the merits of the question, to proceed as had been all along done by the Coursel for the Traverser, and it was such a mode of conduct as the Court would certainly discountenance. This present shift, he thought, would fail the Traverser, as every other had done which had been tried; they had all along endersoured to ward off a decision : first they endeavoured to raise a clamour, as if a packed Jury had been endeavoured to be thrust upon them; and then, from the agent for the presecution having got a copy of the pannel and from thence obtained advantages which it has no appeared in evidence that they were allowed .- He would hope at last some of those of higher character among the persons concerned would be ashamed of having their cause defended in the manner it had been. And now, here, when every one thought the point was at last arrived, this aper juris had been thrown in the way to make the whole proceedlugs stumble. This was not similar to a mandamus, where an error in the place was fatal to the indictment. The object of the Act was to make a certain species of election illegal, in whatever districts that election might take place ; - and it was especially liable to the pountry of the law wherever it might be. It was not alloged in the indictment, that the district was in the county of the city of Dublin-it was not alleged that it was in the city of Dublin-it was only a district, or o mere Roman Catholic division, for the purpose of their worship. But it was said in the indictment that that Roman Catholic division was In the city of Dublin, and it only remained to show whether it was or not; it was sufficient to show that is was in a place which was commonly called the city of Dublin; and the whole of the Roman Catholic

Mr. Autonvily-General went on to argue the question at considerable length; he was followed by the Solicitor-General; and Mr. Perrin replied to both with an acutoness and perspicuity which induced marked approbation from both of these Gentlemen. The Court, after a very considerable time spent in deliberation amongst its members, and in Learing short observations upon several corelative points from Counsel, resolved " to reserve for its own consideration whether it should be a question the mean time the feeling of the Court was the citmight be put to the Jury from the evidence, to decide according as they believe that the indictment

parish of St. Mary's was: if any person belonging,

for instance, to the parish of St. George, was ask-

ed where he lived, would be not answer immediately

in Dublin?

Mr. Perais, in arguing concerning this point, had introduced the notice of another fault in the indictment, which, he contended, was fatal to one of the counts of it. This was, that, although in the first count it was asserted that there had been a resolution that, to procure signatures in all parts of Ireland to the Petition, and to take measures for bringing the Petitions before both Houses of Parliament, was to form part of the business of the Delegates, vet had not one tittle of evidence been offered to show that this in reality was true.

Judge Day asked if the Counsel for the prosecution had not rested the whole upon the second

Mr. Pinnin.-They have not, my Lord. The Attorney-General, in removing the last objection, was obliged to have recourse to the first count.

Count.-That is not the offence; it is merely the election which is the corpus delicti.

Mr. BURTON .-- But the offence should be proved as it is laid: there is certainly evidence so far, but concerning some allegations in the indictment mere is no evidence; he believed it was conceded there is no evidence to those particular resolutions.

Mr. ATTORNEY-GENERAL (interrupting,) thought that Counsel were speaking to the merits of the fore, the evidence is generally omitted. The cross excise, and doing what was the duty of Mr. Burs

Mr. Good thought, that it was the business of the Court, in doubtful cases, to decide where there the least important part of the whole proceedings, was a scintilla of legal evidence; and if, after pleading, there was decided to be any, then only might the case go to the Jury. He had seen the practice frequently in Westminster-hall and at

The Chief Justice wished Mr. Burrowes to proweed with the statement of the case.

not only the Parish of Saint Mary, but something that we have been skulking from the medits and just Trifa by storm. The same verseling brought the carge, damaged, was also are significantly for the carge, dama more: they might as well-ry, that if a contract for the case; and I think I am warranted is apmore: they might as wellisy, that it a community or the consection to the Counsel for the press. So has been completed the works, summoned. On the mering of fuesday list, the big Landwelly years was mentioned, and one of faity plying the important on to the Counsel for the press. materment, could they strike out the us have the line definitively settled by the derinier rest conflict is reported to have been severe and cus. Title below Dancannon Fort, where, it is appread to have been severe and cus. whole. He might have brought forward the present | sert; but not one of our offers has been accepted objection on the former trial, but preferred to pay and can you say that the want of candour was on this Jury the compliment of easing them of the bur- our side? But my Learned Friend knew, that the opinion of the Court of King's Bench was with him, | patches have arrived from Lord Wellington, duted and he wants the sauction of a Jury to uphold the Court in the point of law. He shrinks from the opinion of the twelve Judges :-- he dreads their opinion upon a special verdict, and trembles for the fate of his prosecution before that high tribunal,

prisoners of war. Suchet had 28,000 men. Dis-

Galleges, January the 9th, .- His Lordship invested

Cindad Rodrigo on the 8th. The enemy had

strengthened it by constructing a strong redoubt on

The work was carried in the most brilliant manner,

and all the garrison either killed or taken. Our

proach to it was discovered, and the enemy re-

detachment of our cavalry bent a body of the ene-

my's horse, taking two others and 30 men pri-

soners. The old King of Sweden has resumed the

Royal Authority. The Turkish army, 35,000

strong, and stationed on the banks of the Danube,

have laid down their arms, and surrendered prison

gates, and that an action had taken place ; - but

this idea is drawn only from the dates, the britude

and longitude, which are thus given - Junuary 17,

lat, 18, 49, N. long, 11, 40, W. The frigates

ware soon on the 13th, and lost sight of on the

to join the first frighte he met, and go in pursuit

A feigure, supposed to be the Sourranie, was jus-

draw the public attention to the privations unde

bouring, and to the very limited assistance which the

the Cathedral Church, by the Rev. Francis New-

continuing, and, if possible, extending the benefits

of a charity which, during a long series of years, ha

been the source of almost incalculable good to per

mon the Denevolence of the affluent. These claims

have fallen into the hands of an abic advocate, who

not in behalf of fictitious sorrow, but in behalf of

calamities as numerous as they are grierous, and

which are duly receiving augmentations for beyond

what has been known in any former period. The

apped will also be addressed to that remerosity

which is at all times most zealons in conferring com-

fortsupon the indigent, and in manifesting its love

of Gon by the blessings it distributes to Max. Un-

ly calling the public attention to the following state-

ment, which has been furnished by one of the Vi-

sitors of the Sick-Poor, who e long and arded ex-

ertions for their benefit entitle him to their warmest

rote force and efficacy through arguments which we

night be able to addace .- "The Institution was

founded in the year 1793. Sline that period, it las

been the means of bestowing relief upon epwards of

20,000 individuals. During the last year, it has

afforded assistance to about 1500 persons, many of

families. So late as last Sunday, 150 individuals,

whose circumstances are of the most deplorable

description, were relieved as far as the re-

sources of the Institution could go. Even this

small alleviation must be withdrawn, unless

the appeal to be made to-morrow shall inter-

pose successfully to prevent'so unhappy a conse-

quence. On no occasion, has even the dado . . .

count of the peculiar tenets of Revision, a circum-

stance which will indoor the be which follow

nominations to give their support to a fig. 4th, with

is impartial to all. The oldest Velice exceed re

collect a period at which there existed aming the

Poor more real misery than at present." This state

ment, simple in its nature, but more striking that

the most eloquent description, will awaken feeling-

which will express themselves, not in useless lamen-

tation, but in bountiful and effectival deeds. On

Sunday last, a collection, for a similar perpose,

was made in one of the Churches in Cork, which

with subsequent dountions, amounted to the sum of

be fruitlesdy made known. We have only to add

that, for the convenience of those who may no

be able to attend to-morrow. D. nations will be

and at the other of this Paper.

received by the Visitors, by the Messts, M Dougall,

[201-12s, 11d. An example of this kind cannot

We have of Internal occasion, more than once, to

at whose decision every Catholic in Iroland—at | detachment of the light division under Col. Colborne. whose judgment my Lord Fingul would bow the head of obedience, as they would before this Court. had a possibility of appeal from the opinion of this Court to the dernier resort existed -a tribunal before which my Learned Friend would tremble, because he would not, as he professes is the endersour of the Administration both at this side the water and the other, he would not be able to put down the Catholics of Ireland.

Mr. ATTORNEY-GENERAL .- I said no such thing -I said, to put down the National Convention of the Catholics - which is, and ought to be, the

endeavour of every loval man. Mr. Bunrowes .- Well, then, to put down that 'onvention which he has called an illegal Assemers of war to the Russians. A letter from Torbly, but which I deny to be so, and I do say it is in fact an attack upon the proceedings of the Roman | bay leads to the belief, that the Surveillante and Catholics of Ireland. Lagain state, that it is with her companions had fallen in with the French felreluctance Lagain seek the agitation of this question; proposed a special verdict; separating the law and the fact; and was auxious to rescue the Jury | from the alternative of gratifying the Crown, cen tracy to the plain construction of the Act, or, by 11th, Capt. Staires, of the Hamaden id, intended following their own judgments, to disobev the implicit directions of the Court .- I can only say, that t does not become any man who wears a har gown, to shrink from the discharge of his professional dus | heaving in sight of Capt. Staines .-- One Mail due v, though it may operate in contravention of their sions and proceedings, I will not say, rashly taken on the oreside, and probably with too much real on the other. It may be impossible for a man to which the Sick-Poon of this City are at present laadopt a character that may endear him to one side, but possibly may render him objectionable by both. I finds of the Institution enable the Visiters to be But, let the advocate call to his assistance reason store. A Sermon will be preached to-morrow in and liberality; let him be unbiassed, let him obey, boldly and manfully, the dictates of his own un- | port, and a collection made, for the purpose of derstanding; and whatever may be the tempo rary judgment of the few, who will probably finalv change their premature condemnation, he must most his ultimate reward, and obtain a verdict sous whose afflictions are of the heaviest and severe of approval before that tribinal, where there is kind, and who have the most impressive claims merring justice and no appeal. If I may be permitted to take the liberty of re-arguing the construction of the Convention Act, I would make a | will place them before his fellow-citizens in their slight objection to the Court, which certainly has strongest and most urgent characters. The success decided upon the question, but which, for the first of his appeal cannot be doubted, as it will be mad time, had heard arguments upon the case; and I feel I must appeal to the jury, whom I must tell | they will violate their consciences if they find a verdict of conviction in this case.

CHIRY JUSTICE. - What the Court has already de ided, I should hope would not now be controverted. Mr. Burnowis.-Then, my Lords, I do not feel low I can argue this case.

CHIEF JUSTION .- I find my brethren have objection to hearing you on the point.

Mr. Burnowrs - To entitle me to that privilege, will refer your Lordships to a very familiar case. Justice Day.—It is no more than the re-hear-

ng of a cause. Mr. Burnowis-My Lords, I have consideri new precedent, when I say, that a Barrister shall not be excluded from arguing a case, because there has been a judicial decision upon it, and particularly where that argument is grounded opon constitutional principles .- (To be continued.)

delaterford Chronicle.

SATURDAY, FEBRUARYA. The Proceedings in the Trial of Mr. Kinwan art brought down as far as our limits would allow. They shall be continued in our next publication. After Mr. Bernowes concluded on Wednesday, the Court adjourned. Thursday was chiefly occupied by the speech of the Sourceron-Grannan, and by the charge addressed to the Jury by the CHIXT JUSTICE. About distinction been made in the older Sputie can acthree o'clock, the Jury retired; and in a quarter of an hour, according to one account, but in twentythree minutes, according to another, they returned into Court with a verdict of -GUILTY !!! On the point of law, made by Mr. Burrowrs, with a view to quash the Indictment, they found as follows We are of opinion, that the election of Delegates, held in the Chapel of St. Mary's Parish, in Liffey-street, was intended to include the Roman Catholics of the Catholic Parish of St. Mary's in the City of Dublin only." The direct examination of the witnesses disclosed only the same facts which came out on the former trial. In that respect, thereamination contained all that is new or important With the sentence of the Court, if it has been pass ed, we are not acquainted. That, at any rate, i and it is probable, that Government, having obtained a vactory, will not be desirous of leaving heavily

The American ship, mentioned in Thorse (v's paon Mr. Kinway. per as having gone on shore on the coast of Wexford A little before eleven o'clock last night we receivis the Eliza, from Wilmington, North Carolina, ed the London Journals of the 27th. They comand belonging to that port. She was bound for municate the following important articles of intelligence :- The Temerane, arrived from the Medi- Dublin, with a corgo of flax-seed, flour, &c. She

Mr. Bennowrs further discreed; be know that | Mr. B. nnowrs. — Gentlemen of the Jury, I | terraneso, brings accounts that the French have recommended by Know that | Mr. B. nnowrs. — Gentlemen of the Jury, I | terraneso, brings accounts that the French have recommended by the Know that | Mr. B. nnowrs. — Gentlemen of the Jury, I | terraneso, brings accounts that the French have recommended by the Know that | Mr. B. nnowrs. — Gentlemen of the Jury, I | terraneso, brings accounts that the French have recommended by the Know that | Mr. B. nnowrs. — Gentlemen of the Jury, I | terraneso, brings accounts that the French have recommended by the Know that | Mr. B. nnowrs. — Gentlemen of the Jury is the first that the French have recommended by the first that the first t St would be said, that the district mentioned was

twenty years was mentioned, and one of forty paying the impritation to the Counserver the presests of nor, nasing completed the works, summoned and one of forty, of Louis at William Members, which was refused. He carry, of Louis at William Members, which was refused. He carry, of Louis at William Members, which was refused. was produced, toose two stemaster consigns the sounds, when a consent to the construction of the sound in Sound in Sound as a remainder of the sound from Lance ter for Martinique, and leaded same; nor if they now should wish to amend the consent to the sound for the invideous daty of desicling the quest the chartered in breach, and, having offered a present found from Lance ter for Martinique, and leaded tion, by taking your verdiction the fact, so Metting ticable one, stermed it with his whole army. The with a cargo of Plantation Steres, ran on shore a on the 21st ult. General Blake and his army are I were sared.

CHRONICLE-OFFICE. SALIBBAY, MORNING 5. O'CLOCK.

The Mail of the 18th is just arrived. The London Papers are chiefly occupied with a debute in the the bill of St. Francisco, which it was necessary to | Commons relative to the King's Household. Some take. It was stormed on the night of the 8th by a doubts are thrown on the account of the fall of Vas Joucia. Another Lisbon Mail had reached London. A battle was expected between I ord Wellington and Marmont; the former was pressing the siege of Cin-Joss was only six men killed; Capt. Main and Lieut. | dad Rodrige, and it was supposed that the latter Woodcate of the 52d, and Lieut, Hawkesley of would attempt its relief. The repulse of the French the 95th, with 14 men wounded. The occupation from Tarifa was complete. The British loss consists of Merida by General Hill is confirmed. His ap- of Lieut, Longley, R. E. and Lieut, Hall, 17th, 2d But, and 7 rank and file, killed; Lieut, Hill, 47th. treated from it, Leaving all their stores, which were 2d Bat, Lieut, M. Carrol, and Eusign Waller, 87th considerable, behind. Near Puenco del Maltro, a Regt, and 24 rank and file, wounded. A note from Lord Liverpool to the Lord Mayor states, that Victor's force amounted to 10,000 men, that of the British to about 1000, and that of the Spaniards to 7 or 800. A Frighte is arrived from America, with, it is reported, the Ultimatum of that Country.

> PORT NEWS-PASSAGE, JANUARY 31. 29th and Coth-None.

goth aGower Pucket; Rouns, Rear, Liverpeel, Want South, at A . M.

DAN(ING)

R MONTAGNES BONEFIT BALL will be on Manney that and Mosovy, the 10th instint, at Mr. Muzeny's The fall will open with the Miruet Daughin of Guest, by two young Ladies, Pupils of Mr. Mos-NAME, not more than eight years old, in a style of Elegance latherto unafferented here.

LADIES 38. Ad. | GENTLUMEN 56. 0d. ST TEA, COFFEE, and CARDS. Tickets to be had at the Office of this Paper-at

ir. Money's Horer, and at Mr. Monryons, a House. Waterford, February 1, 1818.

WATERFORD ASSEMBLIES.

BY PARTICULAR DESIRE, THE SIXTH ASSEMBLY WILL BE HELD AT THE NEW ROOMS. ON TUPSDAY METT, FIRRUARY 4. PIERSE BARRON, Esq. 3. Siercards DRAWING TO COMMUNICE AT FIGHT O'CLOCK.

Subscription for Supper. No. : GENTLEMEN - - - - - 1 2d.
Waterford, February 1, 1812.

OF It is earpestly requested that no Endy or Genleman will give a party on the above night.

NAME COMMISSIONERS in a Commission of Bank-I ruptcy against James Canitw, of Carrick-onsuir, in the County of Tipperary, Dealer and Chapnan, intend to meet at the Royal Exchange. Dublin, on the 10th Day of February next, at two o'Clock in the Afternoon, in order to make a Dividend, when, der these circumstances, it would be superfluous, and where, the Creditors who have not already provor rather presumptuous, in us to enter further into ed their Debts, are required so to do, or they will the subject. We cannot, however, avoid earnestbe excluded from the benefit of said Dividend. Dublin, January 28, 1812.

K. the undermentioned, request the Parent of such of our Punits as wish to learn Comof such of our Pupils as wish to learn Commercial Accounts, to provide them with Mr. Describer N. Third Edition of his UNIVERSAL ARITHMS. Should we be induced by prejudice or custom to continue Googh or Voster in our Schools, to usit nay be said, that we wish to deprive those committed to our care of the invaluable advantages contained in this estimable Work,...Gough and Voster deserved well in their day, but their Methods of calculation whom were burthened with large and helpless are too tedrous and clahorate, and consequently not admitted at this Day into any Counting house of Em-Waterford, February 1, 1812.

Rev. THOMAS MURRHY, Principal of the Waterford Seminary; Rev. John Frazen, Diocesan School: Rev. Jonen Brown, R. Ardigh, Nicho-LAR WALSH, JOHN CARROLL, WM. HEARN, RICHARD ALLUX, Friends' School, Newtown; Messes, Suspen-LAND, O'NEAT, and DRINNES, Ross; and Mr. Schroon

Grantswire-I beg your acceptance of my most grateful thanks for the flattering encouragement you have given my Works on Arithmetic: this homorable testimony. I must not attribute to any personal regard for me, it arose from a more dignified source. namely, the Improvement of the Youth committed to your instructions. Your adoption of my Worksis a compliment paid to your own good understanding and to the speedy improvement of those sent under your fostering hands -- I am fully confident, Gentle nen, the Parents and Guardians of the Youth under vour instructions, will be more indebted to you, the to any merit of the Author .- I am, Gentlemen, will distinguished regard, your obedient and very humble PACL DEIGHAN-The above Work is sold by all the principal Booksellers in Ireland.

TO BUILTIE FROM THE 25TH DAY OF MARCH NEXT. A BOUT twelve Acres of the LANDs of FAITH LEGG, on the Banks of the River Suir, on which there is a small Slated House. Also, the SLAT QUARRIES at FAITHLEGG, and several Lots of GROUND for Building, in the Four of BOLTON and about Lieven Acres of the LANDS of BALLYM MOINTRA. Apply to Competers Borros, Eq. Jaynary 11, 1819.

JULITERIORD Printed and published by the Proprietor, ARTHU BIRNIE, Bookseller and Stationer, Quay-

Kamsey's Waterford Chronicle.

No. 11,245.

TUESDAY, FEBRUARY 4, 1812.

PRICE FIFE PENCE.

poses would be illegal, and referred to a particular

assembly of that description, whese arowed objects

made it palpably illegal; which not only assumed ge-

E. the undermentioned request the Parents of such of our Pupus is wish to fearn Commerced Accounts, to provide them with Mr. Drion-As a Court Edition of his UNIVERSAL ARITHME TIC. Samuld we be induced by prejudice or custon No continue from high Voster in one of west to usit may be said, that we wish to deprive those committed to our care of the invaluable idvantages contained in this estimable. Work .- sough and voster deserved well in their day, but their Methods of exemation are too tedions and claborate, and consequently not admitted at this Day into any Counting house of Emi nence.-Rev. Thomas Menrity, Principal of the Waterford Seminary; Rev. John Frazen. Diocesan School: Rev. Joseph Brown, R. Aroxon, Nichol EAR WALER, JOHN CARROLL, WW. HEARN, RICHARD ALLEY, Friends School, Newtown: Messes, Sundar LAND, O'NEAL, and Daixnex, Ross; and Mr. Schroos. Waterford, February 1, 1812.

THE COMMISSIONERS in a Commission of Bank-L rupter against James Carrier, of Carrick-on-Suirs in the County of Tipperary, Dealer and Chapman, intend to meet at the Royal Exchange. Duptin. on the 10th Day of February next, at two o'Clock in the Afternoon, in order to make a Devitend, when, and where, the Creditors who have not already prov ed their Debts, are required so to do, or they will be excluded from the benefit of said. Dividend.

Dublin, January 28, 1812.

HOTEL, FORNS'S STREET, DUBLIN.

TANNIN, Proprietor, returns his most grateful tranks to the Nobility, Gentry, and his Friends, for the oberal support they have given him in Busistarting the immense tax and on Hotels, he is in fur Night Denting Rooms for the reception of Faintlies, proportionably moderate, with every Accom-

modation -Good Stabling convenient. N. B. His Lodging house, No. 8 Cope street, conveniently appointed to receive destremen travel-ling in the early Conclust, it being convenient to the Gonoral Post-Office .- Heils vs. vd. per Sight, Double Rooms 4s. 4d. -A person attends at early Hours. Amuny 26, 1812.

TO BE SOLD BY ACCITON, AT THE EXCHANGE, IN THE CITY OF WATERFORD . On Wednesday, the 19th day of February next, * THE following CONCERNS, part of the property

doceased. No. 1.- Phe House, Olices, and Demesne Lands of NEW TOWN, situate in the Liberties of the City of Waterford, in the County of Kilkenny, containing 32 A. J.R. O.P. plantition incourse, be the same mor or less, held under a Losse for 99 Years, from Max. 1815, at the yearly reat of £ 25 15x, 0d. These Lands are within 10 minutes' walk of the C tr of Waterford, and command very beautiful View of the City and River; are well enclosed and planted. and large sams have been lately expended, both on

the House and Grounds. N. B. There is a Covenant in the Lease of Newtown by which the Tenant can rehow his Lease any time during the life of Exroy Enwards, the Landlord thereof, so as to keep up the full Term of 99 Years; and the property of all Trees planted, or to be planted, is also rested in him, leaving 1800 Forest Trees of not less than Six Years' Growth, at the Expiration

No. 2. - Taut part of the Lands of KILCULLIHEEN containing I A. I R. 28 P. plantation measure, held by Lease for 31 Years, from 23th March, 1806, a

These Lands are on the Road side, and nearly op No. 3 -- VLOF of GROUND fronting King Street containing, in front, 100 feet, and running backwards 200 feet. be the same more or less, held by Lease for 90 Years, from 1st January, 1781, at the yearly cent Part of these Concerns are set to solvent Tenants

for long forms, at a Profit Reat of #130 %s, 6d, and a past, on which is created an excellent Stable, is No. 1, and ONCERNS on the QUAY, formerly held

by CHERRY and SIKES, and now in possession of BENJAMIN MOORE heal by Leise, of which 12 Years are yet to come, from 25th Murch next, at the year Is Rent of £ 20. These produce a Profit Rent of £ 30

No. 5 - 1 FIELD, situated near the Road leading 40 Granns ferry, continuing about one Acre and a Haif, held by Leise, of which Twelve Years are to run, from goth March next, at Six pence, yearly

No. 6 :- Also to be sold, at some time, a RENT CHARGE of #200 per Annum, for 60 Years and an Half, from 19th of september last, charged upon the Deciling-House, Ware Houses, Ceilars, and Yard. formerly in the possession of Robert Warson, and Litely in possession of Milasan and Skottowe, and of losque Strang ian and William Printosu, Sons, and Co. situate in King-Street, and also upon the Pwelling House, Corn Store, and Yard, now in the Possession of Thomas Prosson. For Particulars, apply to Gronog Ivin, Attorney

The Premises may be viewed on application to Mr.

January 30, 1812. PEARSON, Auctioneer.

TO BE LET. THOU THE 25TH OF MARCH NEXT,

BOUT Eight Acres of the LANDs of BALLYMA. KILL County of Waterford, adjoining to the ove, educated on the River suir, and only one Mile. from the City of Waterford : being a most beautiful Situation for any Gentleman to build upon. The Lesse is for two Lives and at Years, in revers Apply to BLE. ROBERTS. Esq. Waterford.

Waterford, November 26, 1311

BARRACK OFFICE, DUBLIN,

JANUARY 17, 1812.

TOTICE is hereby given, that Proposals will be received for supplying certain quantities of TIRING and CANDLES for the use of his Majesty's Forces in the several Barracks and Quarters throughout Ireland, for one year, from the 16th of April next: the xiid Proposals to be scaled, and endorsed Proposals for Firing, &c." to be sent under cover to Major General Freeman, at this Office, on or before the 19th day of February next, after which day no Proposal will be received; and the Proposer are to observe, that the Fuel of each description most be of the best quality, and delivered at the places. contracted for, by Dublin measure: viz. -Sea Coal, of four hushels to the barrel, and eight barrels to the on-Stone Coal must be delivered by weight, and proposed for by the hundred weight-the Turf by or of four feet long, two feet broad, and two and a half feet deep. The quantity of Firing and Candles required will be specified in each Contract, and must delivered, or clamped by the Contractors, in the Barrack Muster's Stores, where there are such. Oneourth of the amount of the Contract will be paid to Contractors upon their entering into Security, and further sums from time to time (not exceeding the other two-fourths) will be advanced proportionably to the quantity delivered and yourhed by the ac countable receipts thereof being produced from the Barrick-Master; and the balance will be discharged when the accounts and vouchers furnished shall be dally examined, at this Odice, and found correct .-The written consent of two responsible persons must be inclosed with each Proposal, resident, if possible, in Dubin; and no Proposal will be attended to where this shall not have been complied with, as well as the residence of the Proposer

Inconvenience baying arisen to the Service from he too general and extensive Undertakings of former to a reserved to charge the Old Prices, 2s, still per Contractors; it is hereby notified, that local Proposits from eligible Persons will be preferably conordered. By order, JOHN HUGHES, Sec.

> WATERFORD TRISH PROFISION AND CORN SIGRES, TO BE LET.

ARGE capacions STORES and WARE HOUSE A as convenient as any in Intrasp, capable of oing a large Business in the Manufacture of Proistons and reception of Cons. and are so convenintly actuated as to admit Vessels of large Burthen to receive their Cargoes direct from the Premises, there-by saving much labour and preventing injury to the

For Particulars apply to Jone Arkies, No. 7, Walbrook; and to view the Premises, apply to Jones Banny, Waterford.

COUNTY OF THE CITY OF WATERFORD.

THE ASSIZE OF BREAD.

WHITE, RANGED, HOUSEROLD

By Order of His Worship the Mayor of said City.

INEE Middle Price of Wheat and Flour (as taker by Act of Parliament to form the Assize), was ast week 54s. 3d. per Barrel, besides an Allowance of Eight Stillings per Quarter, by Act of Parliament, on White and Ranged, for the Benefit of the Baker, and Ten Shillings on Household.

| Th. oz. dr. | Th. oz. dr. | Th. oz. dr. | Penny Loaf, 0 3 1 | 0 4 6 | 0 6 2 Four Penny, 0 12 6 1 3 1 1 9 1 ix Peany, 1 3 1 1 1 12 6 1 2 5 4 67 All other Sorts of Loaves are to weigh in Proortion-and besides the two initial Letters of the Baker or Maker's Name, the White Bread must be marked with a W. the Ranged with an R. and the lousehold with an H .- and the Weight must like wise he imprinted apon each Loaf, otherwise to be seized. And the several Bakers and Dealers in Wheat, Meal, and Flour, are required to make due Weekly Returns, on every saturday, before Twelve. clock, of all Wheat, Meal, and Flour bought of old by them, according to the Act of Parliament or Regulating the Assize of Bread, or the Penaltics will be texted according to Law.

Fallow (rendered) - - - about 90s, od "

Lard (tlake) - - - - Os od - Os od

WATERFORD MARKET PRICES-FEB. 3.

	, , , , , , , , , , , , , , , , , , ,	1
	(casks, rendered) - 65s. Od 66s. Od.	ł
į	Burnt Pigs 36s. Od "Ms. Od. > per Cet.	١
į	Pork, 22s. Od. 34s. 6d	١
	Boof, 0 (0d, - 0s, 0d)	ļ
	Oatmeal, 20s. Od 22s. Od.	ļ
	Flour, first Quality, sdsd.)	ł
	second, 60s, Od 64s, Od	ļ
	third, 40s, od - 48s, od, per Bag.	١
	fourth, 30s. od 36s. od.	ĺ
-	Wheat, 484, 04, - 524, 04,	l
	Barlov, 214, Od 254, Od.	l
	Only (common) : 16s (id - 16s 6d)	ŀ
ı	(polatoe) 174. Od 178. 6d. per Bar-	ļ
	Mait, 428, Od 418, Od. rel.	l
	Coals, 5s. Od 5s. 5d.	ı
	Tallog rough - a s 9 od - 10 od 5	l
	Potatoes	l
1		ı
	Beef	ı
	Mutton (quinters),5 d 6d	l
1	Mutton Goints, n d 7d. > per lb.	ı
-	Yeth,	l
-	Pork, 3d. 4 d.	
1	Butter,	ł
ſ	T 01	l

Whiskey, - - - - - 9c. 61. - 9c. 9d. --per Gal.

Averaging {

Corn Returns for the Week ending on Saturday.

2261 Barrels Wheat,]

2041 --- Cats.

--- Birley

WELL-SECURED PROFIT RENT of cures 6d. A arising out of Lands in the County of Kilkenny, cituated about six Miles from Waterford, and four from Mullinavat; held for two young Lives, or nineteen Years, whichever lasts longest For Particulars, apply to HERRY IVIR. Attorney, 28th January, 1812.

TO BE SOLD,

WELL SECURED YEARLY PROFIT RENT A of £100, arising out of the Lands of Ballymacart, £73, during the life of a Person very infirm. For lurther particulars apply to Thomas Suwand, Attorney, at Youghal, during Vacation—and at No. 8, Great Ship-Street, Dubliu, ditring Torm,

Youghal, January 14, 1519.

CHANCERY.

Austis Coores, Esq. 10 BR SOLD, be-VILLIAM LANK HYOK, Esq. Vills, Esq. under a De-Bigh Court of Chan-

cery of Ireland, on he Hour of one o Clock in the Afternoon, at his Office, on the Inn's Quay, Dublin-All that and those the Castle Lands of Cregg and Templenoe, containing, by estimation, Three Hundred and Sixty six Acres, Plantation measure, held under a Lease for Lives renewable for ever, at a Pepper Corn Fine, at he small Yearly Rent of £200 Sterling.—The above Lands are situate in the County of Cork, on the River Blackwater, adjoining the Dememe of Castle-Hyde within one mile of the Town of Termov; are of excellent Quality for Pasture, Mendow, and Tillage .for Particulars, as to the Title, Application to be nade to Thomas Willthy, Esq. Plaintiff's Solicitor, No. 8, Digger-street; or to Samuri. Address: Esq. the Principal Creditor, and one of the Defendants No. 8. Castle-street. Dublin, in whose bands the opinion of Counsel, Original Leuse, &c. may be seen .-Dated 27th January, 1812.

N. B. All the Defendants have agreed to the Sale of the above Lands.

COURT OF KING'S BENCH-DUBLIN

TRIAL OF THOMAS KIRWAN-CONTINUED. Mr. Burrowes, in continuation.-It is perfectly

vell known to the Attorney-General, and to all my cotemporaries at the Bar, that for a period of twenty years in England, the Court of King's | alloded to, is a proof of that species of representa-Bench considered the question of libel or no libel to | tive usurpation which the Convention Act manifestbe a question of law; and vet, in every case upon that subject, the Counsel for the defendant appealed to the Jury, as if it was a matter of fact, and in no instance was that opinion of the Court acted upon, so as to preclude the Counsel from referring to the Jury the question of libel or no libel, and rousing their constitutional feelings upon a question of such mportance. The advocate asserted his right, and struggled with the opinion of the Court, until a declaratory act was passed, deciding that the Counsel was right, and the Court in error. I shall mention the act-it is one to remove doubts, &c.

Judge Day.—You need not argue your right to ddress us, where we have been inviting you to the

stature.)

n that act, which authorizes the Jury to find a special verdict, as in other criminal cases, recognizing the right to find a special verdict, which on the present occasion his Majesty's Attorney-General has declined to take, as he did the other offer we made him, to lay the question at rest. I know of no Court before whose opinion I would bow with greater deference than this, if it was a case of less importance than the present; and I am sure your Lordships would hail the opportunity of having your opinion submitted to the dernier resort, I will not go over the whole of the ground I travelled upon a former occasion, but I will slightly touch on a few observacions that appear to me to be not only forcible, but conclusive, and not yet submitted to the consideration of the Court. The indictment contains allegations which I need not now detail to your Lordships; the Attorney-General has fairly stated them; it will be sufficient for me to say, they are not proved secundum allegata et probata. The criminality of the Traverser is to be collected from the character of that assembly, described by the resolutions laid in the indictment. The Attorney-General calls the meeting a representative body, a monstrous innovation, tending to the usurpation of the legitimate functions of the Government of the country but I say it is not a representative assembly, according to the meaning of this act. A representative assembly must be that which has imparted the reserved rights of the people, or any part of them; it must be an assembly appointed for general purposes, with the power of exercising that authority at their own discretion; but representation can never be applied to a body deputed to exercise a particular defined function. I have been asked if I would do ny there was any such thing as an assembly, which might become illegal after its formation? I never did deny it, and I said, that any assembly appointed generally to represent the people for general pur-

neral rights, but disclosed their opinions upon every political subject, and assuming to discuss every constitutional topic; I mean the Dungannon assembly; which met on the 15th of February, 1793, and their acts sufficiently prove that, whether they were legally assembled or not, such assemblies may become unlawful, by assuming to themselves rights which it would be illegal to conin the County of Waterford, subject to an annuity of fer on them. The resolutions of that assembly to which I allude are these : " Resolved, that it is the constitutional right of the people, and escential to the very being of their liberty, to be fully and fairly represented in their own House of Parliament-That the present state of the representation in the House of Commons is partial and inadequate, subscrive of the rights of the people, and an intolerable grievance... That it appears to us that several Lords spiritual and temporal, as well as Commons, direct the return of more than two hundred members of the Irish House of Commons, being one-third of the representation of the people-That fuesday, the Eighteenth Day of February next, at | It is the opinion of this meeting, that all Boroughs should be distanchised, and representation established on fair and rational principles, by extending the elective franchise equally to persons of every religious persuasion, by elections frequently repeated, and by a distribution of representatives proportioned to the population and wealth of the country-That, deeming a complete parliamentary reform essential to the peace, liberty, and happiness of the people, we do mest solemnly pledge ourselves to each other, and to our country, that we will never abandon the cursuit of this important object, but zealously and steadily persevere, until a full and fair representation of the people shall be unequirocally obtained -That we behold with indignation an intention of embodying a militia in this kingdom-a measure which only has Ministerial influence for its object; which we deem burthensome and totally unnecessary ... That it is with infinite concern we behold the kingdom likely to be involved in the horrors and expenses of a foreign war, a war by which, as a nation, we can gain nothing; but, on the contrary, must expose our commerce to depredation, and our country to unprovoked hostility." I say that such an assembly as that, whose Resolutions I have now ly had in contemplation, and which it was intended to put down. I do rely on it that it is of great importance to look at the objects of the enactment of this statute. It was owing to such an assembly, as I have mentioned, having usurped the representative powers of the legislature, which made it necessary to pass the Convention Act; it is only a declaratory act, not meaning or intending to create any particular assemblies or deputies illegal, which were not so before, and at the common law; and the very title of it shows that it is no act " To prevent unlawful assemblies, under pretence, &c." It does not create (Here Mr. Burrowes recited the preamble of the any assemblies unlawful; it only has in contemplation such as were so before, and to shew the essence of their offence consists only in the representativo character; I would have only to turn over the speech of the Attorrey-General, who has always called those meetings representative assemblies, displacing the people, and assuming their rights and their powers; in this we agree, and in giving that description, he does conform to the letter and spirit of the Statote. It was not an easy matter to re-enforce the common law by new provisions, without the danger of invading the right of peritioning. The noble and constitutional Lord, who presided in this Court, did say, that it was aimed at representative assemblies for general purposes, and not against delegation for pre-conceived purposes. That was the language of an upright, constitutional, and independent Judge, whose principles illuminated the minds, and whose memory lives enshrined in the hearts of every constitutional lawrer, who will perer forget the glories that surrounded his last moments, as a Lawyer and a Judge. That assemblies, in order to be called Representatives of the People, must assume the powers I have stated, will appear from the saving clause of the Act, which saves out of its coactments, the Knights, Citizens, and Burgesses elected to serve in Parliament, and excepts the house of convocation, duly summoned by the King's writ, -If the statute extended to every deputed assembly. for the naked, confined purpose of Petitioning, it would be idle to suppose that it should be necessary to except the House of Commons. I have a right to say, that the legislature, in using the word ' representative,' used it as co-equal with the House of commons, otherwise the exception would be unnecessary. But the' the People have imparted to the Representatives those high powers, yet there are reserved rights in every free constitution, and the first of them is the unshackled right of Petitioning -they

etain censorial right to investigate and comment

ipon the conduct of their governors-they have a

right to give an opinion, not a treasonable our, but

bona fide censure upon the errors of Ministers,

and call upon a superior Power to remove them.

Will it be said, that every species of delegation,

COURT OF KING'S BENCH-DUBLIN

TUESDAY, JANUARY 28

TRIAL OF THOMAS KIRWAN CONTINUED. This day, about half past ten o'clock, the Judges took their seats upon the Beach, and the pannel being called over upon fines of twenty pounds, a number of them were fined. About fifty Jurymen appeared in the Box. Upon the book being handed to the Honourable Price Blatkwood, whose name stood first upon the list.

Mr. BURROWES rose and said-Upon the part of the traverser, it has been communicated to me, that several challenges are intended, which I am going | but the Sherill himself satisfactorily accounted for to mention, not for the consideration of the Court, but which, in this public manner, I beg to submit to the discretion of the Attorney-General, in order | but that part which relates to the advantage which to save the public time. I must observe, that I do not wish to cast the least reflection upon any individual; but, upon consulting with my learned colleagues, employed for the traverser, I declare that I am ready to wave all challenges, if each person, as he comes to be sworn, reclares whether or not he be a sworn Orangeman. We require no other proof of the fact but his own declaration that he is not an Orangeman. I hope what I have now said will not be attributed to any inflammatory purpose, though I do not deny the impression it must have every where, if the proposition I have now made be rejected.

The CHIEF JUSTICE.—As the application is no made to the Court, we cannot interfere.

The ATTORNEY-GENERAL .- If any legal objection can be made, it is my wish that it should receive the most serious consideration. I should not wish to oppose any charge on account of prejudice or partiality; but as to the general objection of Orangemen, I protest I am at a loss to know what constitutes that character, that ought to make a man an unfit Juryman upon such an occasion as this. I conceive the proposition is merely intended as a snare to involve me, and therefore I must decline it. Let the challenges be made and decided in the ordinary way; but the offer seems to me to be only made for the purpose of taking up more of our time, and to make an unfair impression upon

Mr. Burrowrs .- I propose then to ballot for twelve of the Jurors which now appear in the Box. The ATTORNEY-GENERAL declined the proposi-

Mr. Burrowes .- An affidavit is now preparing to be sworn, by the Traverser, in order to put off the trial for one week, to give him an opportunity to enquire relative to his challenges. The Court, from the proceedings of yesterday, has judicial knowledge, that a paper writing, if not the paunel itself, yet coinciding with it, came out of the hands of Sir Charles Saxton, one of the Executive officers of the Government, from the very seat of Government itself, and by him given to the Crown Solicitor; and although the Sheriff has sworn, that he did not give it to any person, yet, Mr. Kirwan, the Traverser, swears he believes the pannel has been interfered with, and men put high upon it, who were at the bottom of the list; and these are men who he swears are hostile to him, and he says, if he is allowed time, be hopes to procure eridence to discover these facts. He says the Crown has had an advantage, which he had not, in having possession of the pannel, and of course could be prepared for their challenges. Under these circumstances, an application would be made to Court to postpoue the trial for one week

After some time the affidavit of the traverser was swormand read-it stated, that the deponent attended in Court yesterday, to take his trial, and had heard the pannel rend over for the first time; that the greater portion of names which appeared first called, and which were likely to compose the Jury. he believed, were hostile to the Roman Catholics of bellef, aworn Orangemen; more particularly the Foreman, who he believes to be an Orangeman, and brother to a Provincial Grand Master of Orange Lodges. He stated, that he believed the pannel was interfered with by Sir Charles Saxton, and that a trial, by such a Jury, would scarcely be a fair, or an impartial trial. Never saw a copy of the parnel until yesterday; believes that a valid objection to a Juryman would be that he was an Orangeman. all Orangemen being hostile to deponent, who is a Roman Catholic. Deponent has used his best efforts to procure evidence to enable him to make his challenges, that the shortness of the time, and the great number of names upon the pannel, would admit of: and that he expects, if the trial be postponed, to prove, in many instances, sufficient cause for challenging; that he was ready for his trial last term, and is ready now, if he gets a fair Jury; and that he does not make this application to occasion any unnecessary delay.

When the ailidavit was read, the Hou. Price Blackwood, Foreman of the Jury, addressed the Court. He said be never had been an Orangeman; that his brother (Lord Dufferin) had a very large Roman Catholic tenantry, and that he made no difference between them and his Protestant tenants; that, for his own part, he had a close intimacy with a number of Roman Catholics, and that he had a high respect for them.

Mr. Burnowrs. - Then the allegation against Mr. Blackwood is completely done away; it must have been a mistake; but this denial does not affect the other individuals upon the Jury.

Judge Day .- The traverser, it appears, has been mistaken in a large portion of his affidavit, and you I did hope that they would have been abandoned; 12 person to contradict his testimony—But when ought to be satisfied. He appears clearly mistaken in his conception and his information; and I think the affidavit is very little to be attended to. Mr. Burnowes .- We only require liberty to in-

vestigate every man upon the pannel; it ought not liect, who values the peace of the country in which I should be cross-examined about his religion, and to be forgotten, the strange and unintelligible circum- we lire, and for the prosperity of which we ought not the Jury be insulted by being told it it is stances which have come to light concerning it, and to be ready to die, it becomes still more the duty of ought to investigate his character, or his feature the marvellous coincidence by which Sir Charles Saxton had it exclusively in his possession,

The CHIEF JUSTICE .- That circumstance is the only one stated in the affidavit, which is deserving the least consideration. The affidavit is in the most direct opposition to the verdict of the Triers vesterday, and it was not very decorous to put it before the Court. The Triers were sworn to try the fact; and so far as the cridence went, no interter his panuel -some few were indeed struck off. both, or that neither had got it-all the affidavit, the Crown had, in getting the pannel before the Traverser, could be well spared, and ought to be omitted: if the Traverser had confined himself to this single circumstance, and stated that the Crown had an advantage which he had not, it would have

Mr. Bunnowes .- The affidavit states, that the are influenced by Government; and the circumstance could be supported, if it appeared that a Juror was solicited by Government to give his attend-

Judge Osborne.—It occurred to me vesterday. f it had been applied for, to give time for the Traerser to make a legal investigation of the names upon the pannel; but the affidarit only goes to the Triers, and cast observations upon individuals, gaf or not. By the provisions of that Act, when which are disgraceful and dangerous. I own I should be glad to postpone the trial for a day or two, notwithstanding the intemperance of the affi-

Mr. Goord said, it was not intended by the affidavit to cast any reflection upon the finding of the Triers; there was an awkwardness in the words of ject is abandoned. It is the duty of every man, the affidavit, but it was not intended, nor was it eant to question the Verdict.

The Solicitor-General -- It is admitted that the affidavit was not intended to convey any impu ation upon the finding; the whole of the charge therefore comes to this-that the Crown had a bet- a cry against you for the manner in which you have ter opportunity than the Traverser to be prepared for challenging : as to the formation of it, no tampering, by any body, can be now insisted upont is true that, whether justifiable or not, the Crow got possession of the names, and became thereby better prepared than the other side. This is the substance of the whole case. Mr. Kirwan swears, himself, he did not know of the pannel until it was read in Court: but he has not sworn to his belief. whether or not any person, on his behalf, became acquainted with it. He does not state, that he has reason to believe, that the pannel had been tampered with. He says, he expects to prove Governmen influence was used upon the Jury, but he does not say so from hearing or belief; but upon suspicion, founded upon Sir Charles Saxton's interference How the pannel came to Sir Charles Saxton I know not. But suppose the Sheriff had made a pannel. and given it to Sir Charles, the question would then narrow itself to this, that, by better diligence, one party was better prepared than the other. No trial, urely, was ever postponed upon such grounds.

Judge Day .- Will the Attorney for the Traverser swear he did not know the names upon the pannel until he came to Court yesterday?

The CHIEF JUSTICE .- All that has been said signifies nothing, if both parties were informed; and therefore, if the Attorney for the Traverser does not make the affidavit, mentioned by my Brother Day, we will not postpone the trial.

Illere the trial proceeded, and the Jury, as stated in our last, were sworn.]

Mr. Burnowes .- I have no fact. We look to the dernier resort to decide this great question. There is no Court whatever, high as its character may be, that is not subject some time or other to have its decision reversed. I would propose, therefore, the finding of a special verdict;such a finding may be argued as would set the question at rest for ever.

The ATTORNEY-GENERAL .- Such a proposition s that now addressed to me, I believe, never was heard before. After the Court had given its opinior mon the question. Gentlemen call upon me to sauction, by the authority of my office, that it is a doubtful question. Why did they not suggest this upon the former trial? But after the Court had given its opinion, I would betray the office I hold, if Incceded to the offer. The Judges have the power to refer to the Twelve Judges, if they doubt the law; but the Court has already decided upon the law, and the public in general have approved of that decision. It is Impossible I can listen to such a pro-

Mr. Goorn.—There has been no judgment upon t. I admit an opinion has been given, but no judg-

Mr. Kemmis opened the plendings.

The ATTORNEY-GENERAL then addressed the ourt and the Jury to the following effect :- I did entertain a hope most sincerely, that it should not be necessary for me to proceed faither with these rials; that though the authority of the King's Gorernment was not thought sufficient, yet that the Supreme Court of King's Bench, when it had solemaly decided that the Roman Catholi, assemblies, formed for unlawful purposes, and were illegal, to probe his character—because there might not be but my hope was vaio, and finding a perservence, Mr. Huddlestone comes to prove a matter of noin those who compose these bodies, to set at delatece toriely, a matter which took place in the presence the King's Government, and to transpose upon the feel no thousand persons, and when he come, to

back to a sense of what they owe the king and the Authority under him, subject to the law of the coun-

try. After the trial of Doctor Sheridan, who was

indicted on similar charges, I declared I should not

have brought on another trial, if I entertained a shadow of doubt, in law, and in fact, of substantiating, against the Traverser, what he stands indicted for :-and I did not expect to see such perseference appeared to be made with the Sheriff, to al- | vering defiance to the King's Government, and to him who is set over the country, and a determination to bid defiance to the laws of the land. It it. As to the pannel, I could have wished that is my duty, also, to persevere in putting an end to such unlawful assemblies. I call your attention to the persevering industry and labour employed to effect establishing in the Metropolis a Roman Catholic Convention, consisting of Peers, the sons of Peers, and the other ranks of persons mentioned in their proceedings, to constitute an assembly of not less than five hundred persons, a number much greater than what our resident Parlinment had been. These legislators, under the pro-Craverser expects to prove, that some of the pannel | tence of managing Roman Catholic affairs, form a Parliament dangerous to our Constitution, and dangerous to any country, for it is dangerous when any persons attempt to set up a Government for themelves. These meetings were early discovered, by the legislature, as incompatible with the public peace; their inevitable tendency to subvert the laws was carefully watched and provided against by what is called the Convention Act. And it is enough now hrow objectionable reflections upon the finding of for you to understand whether the Assembly is illesuch Assembly is to be found, the Government will put it down, if true to themselves, and prevent it from growing to that daugerous consistency to which is capable of being brought. The law is slow, ut sure. The Governments on both sides of the water will persevere to put it down, until the procalled upon as you are, to direst himself of every peculiar political prejudice, to disdain to listen to the fears of any vindictive party, but to listen only to the laws and to the cridence. I ask this of you, notwithstanding the attempts of the Press to raise been impannelled to enter that box, where I am persuaded you will not give any verdict but such as you think you ought. If a shadow of doubt should exist in your minds that the charges are true, and that the learned and upright Court would deceive or mislead you, as to the law, I trust you will find a rerdict without leaving the Jury Box.

The charges are briefly these, and I call your attention to them. On the 9th of July last an assembly, calling itself an Aggregate Meeting of Roman Catholics, did assemble in Dublin; Lord Fingal presided in the Chair; and that assembly did of itself order County Elections to be held in the several Counties of Ireland, for the purpose of electing or returning ten Delegates for each County. (Here the Attorney-General recited the Resolutions of the Aggregate Meeting.) These Resolutions were published, and Lord Fingal's name affixed to them, as Chairman. These Resolutions, which I have detailed to you, are the first matters of fact. The in dictment then states the assembling so proposed to be convened, as an unlawful Assembly, and pregnant with danger; it is enough to state it is an unlawful Assembly. The next count in the indictment is, that, on the 30th July last, an Assembly of the Parishioners of the Parish of St. Mary was held. At that Assembly they proceeded to an election of Delegates. Those Delegates were to be the Delegates for this Parish, according to the mandates of the Meeting of the 9th July: at that Assembly the Traceeded .- I have now stated the charges in the indictment; and they divide themselves into a question of law, and a question of fact. Of law, if the Assembly so ordered to be convened is an unlawful Assembly. It will save time to inform you that that question was agitated fully upon the trial of Dr. Sheridan; and after a full and most able defence. where my Learned Friends left nothing unsaid that could be said upon the subject, the Court was of pinion, that it was an unlawful Assembly, without any doubt; and to that opinion I box, and that point is now settled, unless my Learned Friends mean to play their actillery upon you, and persuade you that you are the judges of law, whereas, the Constitution has only made you judges of the fact

and for you to take it out of the hands, where the law and the Constitution have placed it, is what I cannot persuade myself you will do. As there could be no doubt of the law, he would state the nature of the evidence which he intended to adduce -- He would produce Mr.-Huddlestone, a gentleman who had seen better days, but who was obliged in the month of July, by his circumstances, to report for the newspapers. He will prove the facts-he will no doubt be cross-examined, as on a former occasion, as if he were an outcast from Society-as if it were necessary to decide on the character of the witness, and not on the facts. Their experience would shew, that, in criminal cases, the basest of individuals were often necessarily resorted to, to prove matters of fact; but the Jury was not to decide on the purity or turpitude of his character. If this were a case, where a witness was produced which have been described in the indictment, were to prove a disputed fact, then it was their duty

viovernment, to put the law in force, and bring them or his colour, instead of ascertaining the facts. The Crown Lawrers would give up the prosecution, if Lord Fingal would say, on his honour, that then was no such assembly .- Why then should the Jurbe laughed out of their understanding? Two persons were disputed from the Police Office, on the Alst of July -men disinterested - who, if mistaken

could not be said to depose from any sinister metithey proved the election of five Delegates according to the Resolutions of the 9th July -they were cross-examined, and they were puzzled, as all witnesses will be under such sircumstances. If those men made a mistake, why did not a parishioner come forward and say that they were electing pares chial officers or superintendants of charity? the Jury believe, that the Magistrates of Police sept their Officers to fabricate a charge against the inhabitants of the parish? As there were not any witnesses brought forward to disprove the evidence on he part of the Crown, could there be any doubt of the fact, or should the credit of the witnesses be discredited? It was not necessary in cases of murder to adduce positive proof of the fact -here there was an inference which should be rebutted by the Traverser. Doctor Sheridan was a competent witiess to come forward to disprove the charge.

The former Jury came forward and said, that their rerdict was a verdict of acquittal, but from the want of evidence—if the verdict should be given in evidence---if it were right, the Jury should be guided by it-but if it were an absurd verdict-if, what he would not suppose, that the Jurors were influenced by improper motives, they should reject the present; as for his part, if he were in the Jury-box, he would no more doubt the evidence adduced than he would that the sun was then shining.

Francis Huddlestone examined by Mr. Solicitor. General. Did you attend at a public meeting on the 9th of

July last, in Fishamble-street? I did, Were any resolutions prepared, read by any person? There were. Mr. Hay read to the Meeting & resolution which had taken place at a prior Meeting.

What was the nature of that resolution? Mr. Goold objected to the witness giving cridence

is to the import of these resolutions. The Court took the distinction between evidence going to support the material allegation of, and gist of the indictment, and that which was only stated by way of inducement, and over-ruled the objection.

Mr. Huddlestone then stated the words of the retolutions. He thought it necessary to explain some ircumstances that occurred here, the last day. He felt most acutely that any misconception should go abroad. He adverted to the letter to Sir Charles Saxton: there were three circumstances which made an indelible impression on his mind. He had often heard Mr. John Byrns speak in private, an should ect. The resolution was in the treth of the Circular Letter, and there was a bustle in the room at the time the resolution was proposed. He was expressly desired not to insert the word Delegates, in

Mr. BURROWES .- It proves how much better a spected witness may acquit himself, a second time. Judge Downers.—I have not taken down one word of this evidence.

Cross-examined by Mr. Goold How could such a letter, written in March, re-

resh your memory, on a subject in July? Mr. Huddlestone,-I did not stand in need of any thing to refresh it; an impression may be made

y a chain of circumstances. Mr. Goorn.-So then you refresh your memory n a prior event by a reference to a subsequent event that is the sublime and obscure (a laugh). Docs verser was present, and did act in the election of not hold an office; he has not, since the late trial, the Delegates. The Attorney-General recited the had any communication on the subject of a place, or with any other person; the communication was in the Sheriff's prison; the printed paper which he had in his possession of that day was read by him this day; he looked at the resolution to refresh his menory as to Mr. Hay's conduct; he made a mistake, but if he looked at the printed paper it was inadvertontly; he swears hedid not say 1803 instead of 1793; he gave the same evidence on the last trial, not in words, but in substance; he wasaware of the imporauce of that admission; he alluded to some variance the printed resolution from his deposition; he was ompelled to read his recantation in open court; not relapsed Papist, and swears he never will, unless e loses his senses; would not for a Catholic Bishopric. He was asked would he, for £3000. He answered -Oh, no; nothing could change his private opinions. He might go to Mass from courtesy; he was accustomed to misfortune, and could bear it -he was not an unwilling Witness; did not swear, n a former trial, that he was an unwilling witness; he swore at the last trial that he was an unwilling witness, he would not have sworn a fact; he valued himself much on his integrity. He was asked did he ever give a signature under his hand, that he told an untruth? Witness does not understand the question; to the best of his recollection he never did-he recollects signing a paper, but not derogatory to the character of a gentleman-it was a paper in which Counsellor Bethel was concerned.

(Question over-ruled by the Court.) He did not see Kirwan at that Meeting-there rere people of great character and property-beieves Lord Fingal to be a loyal man-He was asked did he think Lord Fingal would preside at any Meeting which had no illegal object in view? He said he would answer that question by a paraphrase; he was not accurate to the fourth Resoluion; witness was desired by the Court to and direct answers. Cannot tell whether there was noy laws of the land, it became the duty of every son- prove what was published in the Newspapers -if he - He swore before the Chief Justice. variation between the evidence and the information.

John Shephard eworn-Is a Prace Officer of the Head Police Office -attended, by a direction, at Liffer-street Chapel, on the 31st of July last, Doctor Speridan presided. The Chapel was very full. Mr. Kirwan, the Traverser, addressed the Chairman. The first thing done was a Petition. proposed by Mr. Kirwan to the Prince Regent shoot the laws affecting the Catholics. The motion to that effect was carried unanimously. Mr. Kirwan made another motion, to elect five persons to represent the Roman Catholic Inhabitants of St Mary's parish, to present the Petition, and to remnact the other business of their parish, in the General Catholic Committee.

Choss-examined by Mr. Burne Could not say whether he said more on the late trial; understands that Liffey-street Chapel combrehends three parishes; Mary's, Thomas's, and George's. He said that on his direct examination, he admitted that it was a meeting of the Roman Cathelic parish of St. Mary's.

Can you state the words of the two Resolutions positively? I have given them already.

Can you state positively the exact words of the two Resolutions? I cannot state the words exactly, but I can give the substance. Witness cannot state exactly the words of the two Resolutions. Can you take on yourself to say the word repre-

sent was in the Resolution? Thave not a doubt but it was in the Resolution. When did you last read your notes? Not since

22d of last Nov. the day he found them; they were in his desk in the Head Office of Police-has not the What did you do with them? Gave them to the Crown Solicitor, Mr. Kemmis, three days after be

swore the informations; he got a copy, but could not (after a long pause) say who gave him a copy of ask him any questions which the notes may suggest the information Can you form a belief? He was several times asked this question, but he could not tell; the ori-

mations left the office Where did you get the copy? On my oath, I oun't tell. Desired by the Court to go on with his evidence. Witness said he kept a copy of the information, and he did not see what he could say

ginal lay constantly in the office; the original infor-

more about the matter. Why did you read the notes? I had a right to read them-I did not read them for a bad purpose -his object was to refresh his memory-he looked for those notes in the desk, after his return from the country -he could not find them, though they were in the desk-they could not leave it, for he had the key of the deak.

ess had admitted, on his direct examination, that, on the 14th, he had searched the desk, and could not find them until the 21st.) Did you lodge examinations against Dr. Breen?

Dr. Broom was included, because he heard his name mentioned Witness admitted that Dr. Breen was arrested, and in confidement about half an hour in the Police

Here Mr. Burne called for the informations sworn by Shepherd against Dr. Breen. Court ac-

The ATTORNET-GENERAL suggested the propriety of the Court inspecting the informations, lest their exposure might be attended with public incon-

Mr. Bunne cited Lord Stafford's trial, where it as admitted that the depositions before a Magistrate sere allowed to be read, in order to impeach the redit of the witness.

Judge Osborne wished the course observed or ials should in this case be adhered to—namely leave it to the Judge to inspect the informations, nd that the Counsel should point out the parts, hich he suspects would impeach the credit

Judge DAT said, that his experience was to althe Prisoner the information for such a pur-

Mr. Bunyasaid, the practice was so in England. The ATTORNEY-GENERAL said these informations ere the property of the Crown, and in the custoof the law, and therefore he would object to the oduction of this document.

The Court ruled, that that part of the information ating to Dr. Breen should be read-Witness said hat he did not awear positively against Dr. Breen, sone of the persons named—he did not know any the five personally, but he swore merely because ir names were mentioned.

Since the last trial, did you converse with any erson?-Certainly not-not even with any person the Police Othice ! Did any person speak to you about the trial

No?-Oh! yes-relative to the trial-but not

Vitness desired by the Court to answer. Witness said that the only conversation he eve id (along pause,) was, on Sunday last, with young

. Kemmis. Where is the copy of the information you had on Saturday?—I cannot say. Wheredid you leave it? - I gave it to M'Donogh, second clerk.

On what time on Saturday? About four o'clock; person desired him-he had no suspicion he uld be examined about this information, although as closely examined on the last day on the same t-that M Donogh is the man who would be ined—he has another copy of his own—both

Here Mr. Burne said, it was a well-kept Of-

le believes M'Donogh destroyed his notes-can't the particular time.

Why de you believe he destroyed them ? Because I

Why did you give your copy of the leformatio n M. Donogh? He asked me for it, about four

clock, he never asked for them since. Why did McDonogh ask them? I believe that M. Donogh asked for them by order of the Chief

Mr. Bunne called for the information sworn beore the Chief Justice Judge Osnon ve said, heattended particularly to

the evidence, but he did not see any variation. Mr. Kemmis, jun. had the notes -- they were preluced, and Mr. Burne required to read them; they were given to the Traverser's Counsel.

Mr. Bunne.-Had you this memorandum in you ossession since the 21st November? Yes; Mr. Kemmis gave it to me last Sunday.

Is it exactly in the same state as when you gave it to Mr. Kemmis? Yes, with the exception of what marks Mr. Kemmis made to it. The Court adjourned.

WEDNESDAY, JANUARY 20.

This day, upon the sitting of the Court, Mr BURTON made an application, that the notes of Shepherd, which had been produced resterday. should be given into the hands of the Counsel for the Traverser.

Mr. Joy said he would consent, provided they were allowed to be given in cridence. CHIEF JUSTICE .- They were handed to Mr. Bur-

rowes vesterday, but no observations can be made pon them, unless they are read,

Mr. Burton,-How can I examine Shepherd oncerning them, unless I see them?

Chier Justice .- You may call the witness, and to you; they were handed to Mr. Burrowes yesterday; but there can be no observations made upon them, unless they are read.

Mr. Burnowis .-- Upon the jumbling of the notes tegether, surely there may be an observation, although not upon the contents.

Judge Day .- Yesterday Serieant Moore flung down the notes upon the table, and said, there they are for you; what was that but that the Counsel for the Traverser might use them as they

Serjeant Moore, - As my name has been men ioned, it is necessary that I should say the obserration concerning them comes from the other side. When they were produced, they were shouted for with exultation from the other side, and, with the some spirit which has manifested itself throughout (Counsel here stated to the Court, that the wit- all these proceedings, they were seized by manual

> Mr. Bunnowes .- I feel, after what has been said, it is necessary that I should exculpate myself from so indelicate an act as laying violent hands upon the paper. I solemnly assert, that the learned gentleman told me I should have a copy of them, and he did violate that engagement.

Serjeant Moore.-They were got from this side y stratagem, and they were got back in the same

Judge Osnorva.-We will put the adjournment at of our consideration. We left them in the hands of Mr. Burrowes. I decided he was not entitled to copy of them; but any other use he is certainly entitled to. We left them in his hands when we last saw them, and they certainly should be placed in his hands again

Mr. BURTON .- I am very sorry that any altercation should have occurred upon the subject. It will fall to my lot to ask the witness some questions. It is said they are not McDonogh's notes; upon reading them, it might be necessary to ask him some further questions, and to compare Shepherd's testimony with M'Donogh's.

The CHIEF JUSTICE.—Produced, as the notes were, you certainly had a right to look at them. and examine Shepherd from them, if you thought necessary; but if they were not given in evidence, you had no right to a copy of them for any other

James M Donogh examined by Serjeant Ball. You are a Clerk in the Head Police Office? Yes. Did you ever attend at any Roman Catholic Meeting? Yes; Lattended a Meeting of Roman Catholics at Liffey-street Chapel, on Wednesday, the 31st July last, about 12 or 1 o'clock. Here the Witness stated the proceedings at the Meeting. Cross-examined by Mr. Burton.

You were employed to take notes of what passed Who was your Commanding-Officer; was it

Major Sirr ? No. Upon the last trial, you said you could not

recollect which of the Magistrates directed you to go to the Meeting? I have learnt since that it was in consequence of a message I received from Mr. Farrell, that I should go by order of the Ma-So then, you were mistaken upon the last trial,

when you said you went there either by the order of Major Sirr or Mr. Hare? I said that I went there in consequence of an order. When did you last see Shepherd's notes? On Sun-

Who shewed them to you? Young Mr. Kem-

You read them then? I looked over them, I be ieve; I did not read the whole of them. Did you know the motive of his giving them to

Did he ask you whose was the hand-writing? I hick he did, Did you look over them sufficiently to know the

hand-writing ? Yes. You said you read some -where did you stop? I How many lines did you read? I cannot tell. | sent' or 'Represent'? No, I did not: I recollect Did you read fifty lines? I do not believe there, perfectly well what I said then. re fifty lines in the whole.

How came you to go together? I cannot tel

You took pen and ink with you? Not that

You went there for the very purpose of swear-

ng informations? I did not know that I was to

So, then, you did not know whether you were to

Of course when the business began, you took

give informations, or to give evidence? No; only

swear any informations when I went there,

Did you ever take notes before? Never,

you could? Yes, as nearly as I could.

And Shepherd did the same? I imagine so.

And you wrote down all that passed? Yes.

Did you compare noterat the time? I do not re

And did you and henever compare your notes?

o. I did not copy the whole of mine at the time.

But you did afterwards. You made no altera-

Chapel with the crowd; and before I left the Cha-

prl, I heard Doctor Breen's name. I mentioned it

You did contrive to swear, in your informations,

Did you not swear that all the seven retired?

You made a copy of what was done, from your

sencilled report? A part of the notes I copied in

You lorget when you said upon the last trial that

ou took no notes?—I believe I did not. (Here

Mr. Burton read from Ridgeway's report of the

trial of Dr. Sheridan, part of the evidence of the

witness, which, it was relied upon by Counsel for

Traverser, was in direct contradiction to his pre-

If you did say it before this, it was not the truth?

You made all your copies at no great length of

but the substance; and, when you heard of a Pe-

tion to the Regent, did it not occur to you that

ou would be called upon to swear informations?

When did you see your own notes last? I do

When did you see your informations? On Sa-

Who shewed them to you? I had them myself

You had them before you swore them? Some

Was the word represent used at all? I am cer-

You say you know the meaning of the word re-

Did it make a strong impression upon your mind,

You could not be positive before ? No; but I

when you first heard it? I cannot say it did?

That is, you had a draft of them? Yes.

Did you not think it a very bad thing? No.

our pencil and wrote away? Yes.

Did Shepherd sit next you? Yes.

You saw them afterwards? Yes.

Did Shepherd do the same? Yes.

on in them afterwards? No.

saw him several times before.

at the same time to Shepherd.

Yes; but I did not know them all.

but the informations which I swore.

copied part of them.

thing that was done? Yes.

sent testimour.)

ort time before

ot positively say then

tain it was.

short time.

he said to me.

resent ? Yes.

He did the same? Yes.

o put it into writing.

was a little difference.

persons nominated.

o take notes

whether he called upon me or I called upon him.

You were sent to take notes? Yes. And Shepherd was sent there for the same purpose? I believe so. I was not present when he was

the word ' Represent'? It was put by Dr. Sho-

You heard the motion put from the Chair, with

Did you not say, half an hour ago, you did not ecollect whether it was put or not? No. Do you recollect you told Serjeant Ball you could

not recollect? I do not think I did. Recollect-You are mending and altering your eridence-will you now swear that Dr. Sheridan put the motion, with the word ' Represent'? I be-

ere he did. You have said that a resolution was proposed and withdrawn, and something said about a Proclamation? Yes.

Have you a precise recollection of that? Some person was about to move it. But no words of the resolution were mentioned?

No, I believe not. Why, you took notes when this motion was made_tell me what they were? Some person was

Of course you followed the speeches as exactly about to make it. Did you not say this moment the motion was actually made? No, I did not say it was actually. What distinction do you make between " made"

and " actually made;" I want you to say it was or it was not made? It was pronounced or said. Have you not said you took the substance of what

You never altered them afterwards? No, but took place? I do not recollect. Then you are under an uncertainty if the motion So, then, you did copy your notes afterwards was made or withdrawn? He was interrupted, and ould only say a word or two.

Can you recollect what that word or two was?

. You say you copied part of what you had written in a house near the place? Yes. And Shepherd did the same? Yes.

Did your notes and Shepherd's agree? There He completed his copy? Yes. Now, if any such motion, or any thing about it, Did you ever see Mr. Kirwan before that day? was made, it must be upon Shepherd's notes? I

cannot account for that. Did you ever see Doctor Breen before? Yes; I Since the last trial you have refreshed your menory-have you read Mr. Ridgeway's, or any other You knew him then? Yes; but I did not see report of the trial? I might have seen a report in him that day. I heard his name as one of the seven

the Newspapers, but I am not positive. You said upon the last trial you did read the re-Did you swear he was there? On my return port? I saw it, but did not read it. from the Chapel, I passed on with Shepherd towards (Here Mr. Ridgeway's report was read.)-I home, I think I saw Doctor Breen come out of the

took it merely out of my deak to refresh my memos ry, but did not read it. You took notes as exact as you could? Yes.

You saw Shepherd's notes were taken the same mny? Yes. that Doctor Breen was one of the seven who retire Now, were not Shepherd's notes in the form of ed? Yes; I believed he was there, but I did not an history of what took place—you did not make a preface-if you did, you would have lost time, and have lost half the words. Shepherd gave you a draft of his information to refrush your memory last Sa-You sat opposite the Chairman, and saw every turday? No, not to refresh my memory.

Did you read It? No. What did you get it for? To give to the Magis-

Why did not Shepherd gire it to the Magistrate himself? He was ordered to give it to me.

You swear you never read them? Yes, Question by the Court.-You swear positively the word represent was in the second Resolution : why were you not positive of this upon the last trial? Because I read the report later now than

You then swear you never made a copy of your Then it was from reading the informations you otes, or took an abstract from them? Never; refreshed your memory? It was.

The ATTORNEY-GENERAL.—Upon the last trial the question of law was understood to be the only question contested. We therefore did not then give the Proclamation in evidence. I propose now to oftime; you said you did not give the precise words, fer you in evidence the Proclamation, which issued upon that day. It is evident that the Proclamati was alluded to at the Meeting, which connects it with the evidence.

Mr. Burnowes .- I admit it to be given as ovilence, although, in fact, it was not issued until the evening of the day before the meeting.

Here the case was closed on behalf of the Crown. Mr. Burnowes -Before I cuter upon the deence, I must inform the Court, there is a fatal variance between the evidence and the indictment ;and it is with the utmost anxiety I state it, that the public mind may have a respite from the agonizing suspense which it so acutely feels.

Here Mr. Burrowes was interrupted by the Court, who desired to know, if he was speaking Did that certain knowledge come to you in your to eridence.

sleep, or from any other person since the last trial? I wish to state a previous objection to the indict-I have seen nothing but the informations since the ment, which, if I have the Court with me, will put an end at once to those proceedings. I am You saw them before last trial? Yes, some now going to the Convention Act, not with a view of controverting, in any manner, any position You took them word for word, and yet upon the laid down by the Attorney-General; but I am aslast trial, you said you were not positive? I could suming that the Act bars every species of delsgation whatever ; - and pursuing that, I think I can Have you talked with any person about this shew the Court a decided variance between the ince? None, but with Mr. Kemmis, last Suncase, and what is spread upon the Record .-I will read the Act, to establish this position. Why I thought he only asked you if you knew It appears to me to be indispensably necessary Shepherd's notes? I did not say that was all which to designate the place or district for which the Electors are arraigned for violating the Act-What else then did he say to you? He asked and if not designated, the indictment would be ne to repeat part of the particulars which took bad. A district has been designated, and the evidence has been applied to a district distinct

Is it that circumstance which has refreshed your from it. -- The Learned Advocate then stated remory? I received no further instructions from the point upon which he relled;—that the offence him. The reading the informations refreshed my was stated to be a representation for the parish of Saint Mary, in the County of the City of Dublin; but although the Protestans parish of St. Mary's is in Dublin, yet it was in evidence that the Roman Catholic parish of St. Mary's, as stated in the indictment, included the Protestant parishes of St. Mary, St. Thomas, and St. George's, and the latter parish is not situate In the City, but in the Coun-

Upon the last trial you said the word was ' Pre-