

THE MILESIAN'S GRAVE.

INScribed to THE REV. R. C. MATURIN.

[From The Dublin Examiner, a new Monthly Publication.]

Stranger, if westward lie thy way, A moment pause by yonder glen...

But if in Passion's trammels tied, The slave of pleasure or of pride— If thy cold heart can only know...

The wandering peasant seeks not, For 'tis a lone though lovely spot; The soft green that nature's hand...

When the loud winds, in mighty sweep, Come rushing o'er the lonely deep— When the black tempest, in its birth...

Or, if perchance, thy happier state Place thee beyond O'Meara's fate; If thou canst aid thy country's cause...

Stranger, if Erin gave thee birth, 'Tread lightly o'er this sacred earth! If Persecution's bigot wave...

Or, if perchance, thy happier state Place thee beyond O'Meara's fate; If thou canst aid thy country's cause...

For him whose spirit waned this day, The native sacrifice he died, And valour's heart, and woman's tear...

Come, thou sleep'st—but Memory owns The hallowed turf that shades thy bones; Her lamp shall light thy lonely tomb...

DESIGNS OF RUSSIA. [From the Dublin Evening Post.]

We hinted some time since, that one of the principal objects of the Duchess of Oldenburg's mission, and that of her numerous suite...

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and while Constantinople trembles on one side at the arms of Russia, she would be supplied on the other by the productions of her loom and forge...

What, then, with an emigration of the Nobility and Gentry to France—with the tide of population setting into the American Continent...

There is not a week, scarcely a day, but a ship leaves some of the many harbours of Ireland with a cargo of men, women, and children...

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ILLICIT DISTILLATION IN IRELAND.

The result of the laborious researches of the Committee on this interesting subject has been a conviction to many of them, and others, that the existing regulations are alike expensive, oppressive, and inefficient.

The sum paid on account of prosecutions for this offence, since August, 1806, amounts to £146,464 11s. 11d.; of which £13,902 15s. 8d. was for the year 1814.

The Judges of Assize, at 13 circuits, imposed upon the five northern counties of Cavan, Fermanagh, Tyrone, Donegal, and Derry, 2,110 fines, amounting to £167,630, of which £70,550 was imposed on the county of Donegal, and £97,080 on that of the last two years.

After a full hearing of Counsel and evidence, the Jury retired for a short time, and returned a verdict for the Plaintiffs, £3788 18s. 7d.

His Lordship having asked the Jury an explanation as to their verdict, the Foreman replied, there was £2000 for the half loss, £2000 for costs, and £179 7s. 1d. the costs to their own Agents, which costs would have been saved, had the Defendants paid their quota of the loss sustained by the fire.

For the Defendants, Messrs. Burrows, Edward Pennell, Johnston, Wallace, & Blacker.

FERRY BOAT.—The Proceedings at the Meeting in Fermoy, yesterday, were confined to a change of the Committee that had been previously appointed to the following:

Mr. James Waddell, Mr. Joseph Bell, Mr. Arthur Maxwell, Mr. S. Adams, Mr. David Reed, Mr. Tim. Dismont, Mr. Richard Nassau, Rev. Mr. Edgar, Mr. Daniel O'Brien.

THE BRIG COMMERC, CAPT. ARMSTRONG, now to loading, and engaged to sail on the 10th July, at earliest, will take as far as FORTY PASSENGERS, and has room for A FEW TONS OF LIGHT GOODS on Erright. Apply to THOMAS NELVINS, Excise-Office, Dublin, 24th June, 1816.

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MILFORD. TO BE SOLD, BY PRIVATE CONTRACT, THE GOOD SLOOP, FAIR BRITON, Burden, per Register, 50 Tons, and will carry about 80 Tons. Apply to Mr. SAMUEL STURROCK, Merchant, Milford, June 22, 1816.

THOMAS MCCREERY, COACHMAKER, WILLIAM-STREET, WATERFORD, HAS FOR SALE, SEVERAL new and second-hand GIGS, JAUNTING CARS, BAROUCHES and TILBURY GIGS. CARRIAGES and CAINS repaired, painted, and varnished, in the neatest manner and on the most reasonable Terms. N. B. He has now landing some of the newest London Fashioned TILBURYS, which he is determined to finish in the best manner. A fashionable CHAIR, and HARNESSES, nearly as good as new, to be sold cheap. Waterford, June 22, 1816.

FOR THE PAYMENT OF INCUMBRANCES affecting the Estates of the Rev. WILLIAM GILBERT, situate in the County of Wick, opposite New Ross, and in the Town of New Ross, either in the whole or in Divisions, amounting to the annual Rent of 2411 10s. 6d. Application to be made to JOHN LAMON, Esq. Landowner, New Ross, or to JOHN LAMON, Esq. Attorney, Dublin, who will show the clearest Title, and point out the Eligibility of the Situation. Pillowry, June 17, 1816.

EVERY MAN HIS OWN DOCTOR, BY THE Emancipation of BARKER'S infallible RILD PILL, (See 6d. British Dispensary) assisted by the invaluable Compound Dye from the Roots of the Indian Plantain, Scurvy, Impurity of Blood, Indigestion, habitual Constipation, and Disorders of the Stomach and Bowels, this Medicine is particularly adapted to it, promotes Digestion, preserves an accumulation of Bile, and will remove a train of Disorders that result from a continued state of the Bowels, Scurvy and Head-ache, produced from Bile on the Stomach, are removed by its use; and it is particularly recommended to those who live freely, to Persons going abroad, and should never be omitted after any Excess. Another Supply is just received from London, and for sale at ARTHUR BARKER'S, Chronic-Office, Quay, Waterford.

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Benjamin Bull, Peter La Touche, & Co. and Sir Wm. Alexander, Bart. of the British and Irish United Fire Insurance Company, Defendants. This was a Special Action on a Policy of Insurance—Damages were laid at £10,000. There were several counts in the declaration. The Defendants pleaded the general issue to all the counts, except the 9th, to which they demurred.

This was an action brought by Plaintiffs to recover from the Defendants one-half of the damages of £2000 principal, with a due proportion of costs attending the same, paid by Plaintiffs on a Policy of Insurance made between them (the Plaintiffs and Defendants) by mutual agreement, with Messrs. Ferguson and Ladley, Millers, of the County of Antrim.

Defendants had refused paying their dividend of this Policy, on a plea that Messrs. Ferguson and Ladley had employed two pair of stones more than they had declared in their original and only compact with Defendants should have been employed in the concerns that had been consumed; but which communication they had made by letter, some time previous to the fire that had unfortunately taken place, to Plaintiffs, who did not impart or communicate the same to the Defendant, until after such fire had wholly consumed said concerns.

After a full hearing of Counsel and evidence, the Jury retired for a short time, and returned a verdict for the Plaintiffs, £3788 18s. 7d.

His Lordship having asked the Jury an explanation as to their verdict, the Foreman replied, there was £2000 for the half loss, £2000 for costs, and £179 7s. 1d. the costs to their own Agents, which costs would have been saved, had the Defendants paid their quota of the loss sustained by the fire; and they calculated the interest upon the entire, up to the 10th of June next.

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RUSSIA TALLOW, &c. JOHN HARRIS has for Sale, a few Hogsheads of best Russia Yellow CANDLE TALLOW, which he will dispose of on very moderate Terms—Also, excellent FINE LEATHER, of superior quality. Waterford, June 15, 1816.

NOTICE TO MALTSTERS, DISTILLERS, &c. AN Act of Parliament having lately passed, to reduce the Duty on Malt in Ireland, and to provide for making certain Allowances in respect of Malt in the Stock of Maltsters, Dealers in Malt, Brewers, & Distillers; and also in respect of Spirits in the Stock of Distillers, or in Warehouse, on the Fifth Day of July, 1816—The Commissioners of Inland Excise and Taxes in Ireland hereby give Notice, that such Allowances will be granted on such Malt and Spirits only as shall actually be in Store, or in the King's Warehouse, on the said Fifth Day of July, and of which Malt, or Spirits, the Officer can or may take an account by gauge.

By Order of the Commissioners, EDWARD HARDMAN, Excise-Office, Dublin, 24th June, 1816.

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WANTED, AN APPRENTICE TO THE PRINTING BUSINESS. A Lad of good Character and Conduct will be taken on pleasing Terms, on application to S. SMITH, Georges-Street, Waterford, June 29, 1816.

TO BE LET, MR. MURPHY'S LODGE, GARDEN, FIELDS, &c. SITUATED AT UPPER NEWTOWN. For Particulars apply to Mr. MURPHY, Mail, Waterford, June 22, 1816.

FREEHOLD ESTATE. TO BE SOLD, UNDER AN ACT OF PARLIAMENT, FOR PAYMENT OF DEBTS AND ENCUMBRANCES, Either together, or in such Divisions as may be agreed on.

ABOUT 450 Acres of the LAND of FAITHLEIGH, in the County of Waterford—230 Acres of which is in produce about £1200 a year. The remainder of the Land is unenclosed. Application to be made to CORNELIUS BOLTON and CORNELIUS HENRY BOLTON, Esqs. Faithlegg, May 2, 1816.

MR. POWER OSHIE WILL LET HIS LODGE OF MOUNT AIRY, at Knocknahan, ready furnished, with Grass for a Cow and a Pair of Horses, by the Week, for the Season, or for one Year. Gardinmore, June 25, 1816.

THE BRIG HIBERNIA, OF HALIFAX, NOVA SCOTIA, WILLIAM WALMSLEY, MASTER, BURDEN 200 TONS. HAS good Accommodation for Cabin and Stowage Passengers—is expected to arrive here in the month of July, and to return to HALIFAX the latter end of August. All Farmers, and others that wish to settle in that fertile Province, have now before them a desirable mode of Conveyance, and all such as can pay down their Passage Money at the time of engaging (which should be done immediately) will be accommodated by supplying them with extra GARDENERS, at the Choice Work, or of Capt. WALKER, on board the Brig, on her Arrival. N. B. A few Tons of Goods will be taken on Freight. Apply as above. Waterford, 6th June 1816.

WARREN'S ORIGINAL JAPAN LIQUID BLACKING. PRODUCT of the most refined Black ever invented, preserves the Leather soft and prevents it cracking, does not soil the Lining, and will remain in service in any Climate. Made by R. WARREN, 11, St. Martin's Lane, London, and sold Wholesale by WHITE and CO. and Retail by BROWN, BELL, and FERRIS, Waterford—DUNN, ROSS, & CO. Waterford. It is sold by Messrs. J. O'Connell and B. Kelly, Cork—C. O'Connell and W. O'Connell, Dublin—and in every Town in the Kingdom, at Stone Bottles, 1s. 6d. per Pint, 1s. 1d. per Quart, and 1s. each. (See PATENT.) The superior Quality of this Blacking has induced several base Importers to sell spurious Compositions under the same name, to prevent which, observe these are genuine articles.

ROBERT HARRIS, Captain Royal Engineers, JACOB OWEN, Clerk of Works. JOHN OWEN, Assistant Clerk of Works. Chatham, 23d May, 1815. James M'ADAM, Esq. I have great satisfaction in giving my testimonial to the good qualities of your Mineral Paint, which was used at this station to pay over the bottom of boats and to give a good effect. Finding it cheap and better than any covering of the kind, to oppose the influence of the sun on our craft in the Midway. I have the honour to be, Sir, Your most obedient Servant, R. D'ALCY, Colonel Royal Engineers.

ROBERT THOMPSON, Captain, commanding Royal Engineers, Dover Division. Dover, 26th May, 1815. At the request of Mr. James M'ADAM, I certify, that I have used for a considerable time, at Hythe, his Mineral Brown Paint, and that I have found it a good and cheap preservative for fencing, weather boarding, and other wood work exposed to the open air, and likewise for sills, gate posts, and all timber liable to be affected by damp or moisture.

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victims in the Counties of Tipperary and Waterford at the Special Commission, and the several examples which were made, they do not appear even in those Counties to have produced any lasting effect, or to have materially checked the bad spirit which prevailed in them.

In the early part of 1813, and during the whole of that year, many daring offences against the Public Peace were committed in these and in other Counties, particularly Westmeath, Westmeath, Roscommon, and the King's County, the nature of which sufficiently proved that illegal combinations, and the same systematic violence and disorder, against which the Special Commission of 1811 had been directed, still existed.

The offences against the Public Peace, committed in the Counties which were the seats of disturbance, partook of the same general character; reports were constantly received of attacks on dwelling-houses for the purpose of procuring arms, and the frequency of these attacks, and the open and daring manner in which they were made, were sufficient proofs of the desire which generally prevailed amongst those concerned in the disturbances to collect large quantities of arms, and thus possess the means of prosecuting their ulterior objects with a better prospect of success. Several instances occurred, in which the houses of respectable individuals were attacked, even in the open day, by large bodies of armed men, and others in which the military, acting under the directions of Magistrates, met with considerable resistance. It is worthy of remark, that in the many successful attacks which were made upon houses, with the view of depriving the proprietors of their arms, it rarely occurred that any other species of property was molested by the assailants.

The principal objects of hostility, or rather the principal sufferers on account of their inadequate means of defence, were those persons who, on the expiration of leases, had taken small farms at a higher rent than the late occupiers had offered; and all those who were suspected of a disposition to give information to Magistrates against the disturbers of the peace, or to bear testimony against them in a Court of Justice, in the event of their apprehension and trial. In some Counties, particularly in Westmeath and Roscommon, the most barbarous punishments were frequently inflicted upon the persons of those who had thus rendered themselves obnoxious, and upon the persons of their relatives. (1)

From the general terror which these proceedings occasioned, it became almost impossible to procure satisfactory evidence against the guilty. It frequently happened, that the sufferers from such atrocities as I have alluded to, when visited by a Magistrate, would depose only generally to the facts of their having been perpetrated, and not denying their knowledge of the offenders, would yet steadily refuse to disclose their names, or describe their persons, from the fear of future additional injuries to themselves or their relatives. Even where the parties offending were deposed against and apprehended, there was frequently the greatest difficulty in effecting their conviction, from the intimidation of witnesses, and, in some cases, of jurors.

I fear few instances can be found of late, in the Counties which I have mentioned, in which it has been possible for witnesses, having given evidence in favour of the Crown on any trial connected with the disturbance of the peace, to remain secure in their usual places of abode.

In the latter end of the year 1812, a Meeting of the Magistracy of the County of Westmeath took place, at which eighteen of that body attended. They addressed a Memorial to me respecting the state of that County, which bears date the 29th November; they represented, that frequent outrages were committed; that oaths of increased malignity had been administered; that three persons had been convicted on charges of administering and taking an oath, one of the obligations of which was, "to assist the French and Bonaparte;" and that the witness, upon whose evidence that conviction had taken place, had been recently murdered, under circumstances which were alone sufficient to prove the alarming state of that County. The Memorial concluded with an earnest prayer, that a proposition might be made to the Legislature for the revival of the Insurrection Act.

From evidence adduced on the trial of six persons concerned in the murder alluded to in this Memorial (five of whom were capitally convicted), it was proved, that the murder was committed by a party of eighteen men, selected from a larger body, who assembled in divisions of twelve each, from those separate parties, for the purpose of planning and perpetrating this murder. I may also add, that those persons were shortly afterwards convicted on the same charges, with respect to the oath on which the convictions mentioned in the Memorial of the Magistrates took place.

Similar meetings of the Magistrates of Waterford and of the King's County took place about the same time, and I received from both representations of the disturbed state of their respective counties, and earnest application for an increase to the military force stationed in them. In the memorial which I received from the King's County, which bore the signatures of sixteen Magistrates, it was stated, that alarming disturbances existed in that County, and the adjacent parts of Westmeath; that almost every night houses were plundered of arms; that they considered stronger measures than those which could be resorted to under the existing laws absolutely necessary; and that the re-enactment and enforcement of the Insurrection Act would alone enable them to maintain tranquillity."

In the month of January, 1814, I received from the Governors, and twenty-eight of the Magistrates of the County of Westmeath, a second Memorial, urging the necessity of the immediate revival of the Insurrection Act. In this County three murders had been recently committed within the short space of a month, two upon persons suspected of giving information against offenders.

Your Lordship will recollect, that, in the early part of January, 1814, I felt it incumbent upon me to call your attention to a representation made to your Lordship by his Grace the Duke of Richmond, in the month of August preceding, on the subject of the disturbed state of a considerable portion of the interior of this Country, and expressed by deep regret, that, notwithstanding the measures which had been adopted by the Government, in concert with the Commander of the Forces, and the general vigilance and activity of the resident Magistrates in those parts where the disturbances principally prevailed, no effectual progress had been made towards the restoration of tranquillity; that the same spirit of outrage, and tendency to unlawful combination, still existed in many parts of the Counties of Westmeath, Roscommon, and the adjoining districts; and that the reports, then recently received from the Counties of Tipperary, Limerick, Kilkenny, and the King's County, had produced repeated instances of a daring and systematic violation of the Law.

I stated, that the principal object of the misguided persons who were concerned in the outrages which had been committed, appeared to be the collection of arms, and the intimidation of all those who were likely to give information that might lead to their apprehension and conviction; and that to such an extent had this system of intimidation been carried, that the most savage excesses had been committed, without the possibility of apprehending those concerned in the perpetration of them, on account of the reluctance of the sufferers, from the fear of future injury, to give information against them.

I added, that I could not ascertain, that the various combinations which existed in different parts of the Country proposed to themselves any definite object of a political nature; nor was there any evidence, at all conclusive, that they acted under the immediate guidance of leaders of weight, either in point of talents or property, and that although there had appeared symptoms of concert and co-operation in some parts, still I had no reason to believe that there was any general understanding between the combinations existing in the different Counties.

I stated, that it was impossible, however, that such combinations, although they might not have any plan well digested and arranged, and were not in pursuit of any common object, could be considered otherwise than as highly dangerous; that they afforded a proof of a very general disposition among the lower orders in those districts in which they prevailed, to attempt by force and intimidation the redress of what they considered to be their local grievances; they excited the utmost alarm among the peaceable and well disposed for the safety of their persons and property, and, if suffered to gain strength and consistency, they would become instruments which the designing and disaffected might readily employ in the furtherance of their political views, should some better opportunity occur for the prosecution of them.

I represented to your Lordship, that the state of the existing Laws which regarded the preservation of the Public Peace, and the expediency of extending the powers of the Government and of the Magistracy, were subjects to which, in all probability, it would be my duty to call the attention of your Lordship before the approaching Meeting of Parliament, and that in the mean time I should depend upon a vigorous exertion of the powers with which I was then vested, and upon the co-operation of the military force, for the means of counteracting the spirit of outrage which prevailed in many parts of the country, and of preventing its extension to others.

In consequence of the continuance and increase of the disturbances referred to in the Letter which I have quoted, it was determined to submit to Parliament the expediency of extending the powers of the Government and of the Magistracy; and accordingly, in the month of March, in the Session of 1814, a Bill was introduced, the object of which was to provide for the better execution of the Laws in Ireland, by enabling the Lord Lieutenant in Council to proclaim any district to be in a state of disturbance, and to station in it an establishment of Constables proportioned to the extent of the district, acting under the immediate superintendance of a Magistrate appointed by the Lord Lieutenant. It was provided by the Bill, that the salaries of the Magistrates and Constables, and the general expenses attendant on the execution of the Act, should be defrayed by a presentment of the Grand Jury, to be levied on the district proclaimed to be in a state of disturbance. This Bill passed into a Law; and, at a later period of the Session, the Act which had been previously passed in 1807, which generally bears the name of the Insurrection Act, was introduced, and, after being slightly modified, received the sanction of the Legislature.

The first instance in which I had occasion to apply the powers thus committed to me by the Act above referred to, occurred in the month of July, 1814, I had received a Memorial from a meeting of Magistrates and Gentlemen, held in pursuance of a public notice, requesting, in consequence of the recent murder of Mr. Long, a Magistrate of the County, and other alarming outrages, that the district of Ardmoyle, in the Barony of Middlethird, in which the murder was committed, might be proclaimed. As the Acts above mentioned had not then received the Royal Assent, I directed that the Magistrates should be informed, that there was no Law then in force by which that district could be proclaimed; but that I relied upon their exertions to bring the offenders to punishment, and was ready to co-operate in their endeavours with the full assistance of the civil and military powers.

In the month of September, the Resolutions of a General Meeting of Magistrates of the County of Tipperary, convened at Cashel, for the purpose of taking the State of the County into consideration, were transmitted to me, praying that, in consequence of the numerous murders and outrages committed in the Barony of Middlethird, it might be proclaimed under the provisions of the Act 51 Geo. III. c. 11, which enables the Lord Lieutenant to assign an extraordinary Police Establishment to a disturbed district.

As I felt strongly the necessity of establishing a regular Police in a County, in which the ordinary civil power was proved to be entirely inadequate to the repression of the disorders which had long prevailed in it, the Barony of Middlethird was proclaimed in Council, on the 6th of September, to be in a state of disturbance, and a Magistrate, who had long been confidentially employed by the Government, was appointed the Superintending Magistrate, with an establishment of thirty Constables.

In two other districts of the County of Tipperary (2) similar Police Establishments have been subsequently placed, on the application of the Magistrates of the County. Your Lordship is aware, that the officers attached to these establishments possess no powers whatever in enforcing the execution of the Laws beyond the ordinary powers of Magistrates and Constables nominated in the usual manner; and I have already observed, that the expense incurred by their appointment is borne by the district in which they act.

I shall now proceed to mention the several instances in which applications have been made to the Magistrates for the enforcement of the Insurrection Act, and the measures which have been in consequence adopted.

In the month of November, 1814, I received a Memorial from the Governors and fourteen Magistrates of the County of Westmeath, stating, that the recent outrages committed in that County proved a continuance of the same lawless conspiracy which had existed for some time past, and which rendered the lives and properties of every person in the disturbed district insecure; and praying for the enforcement of the Insurrection Act in certain districts of that County.

With this Memorial I did not comply, still indulging a hope, that the continued exertions of the Magistrates, aided by a considerable military force which had been detached into this County, would preclude the necessity of resorting to any extraordinary exercise of authority.

On the 23d of March, 1815, a Meeting of twenty-eight Magistrates of the same County took place, summoned by the Clerk of the Peace, in the mode pointed out by the Insurrection Act; and a Memorial was addressed to the Lords Justices who administered the Government during my absence for a few weeks in England. The Magistrates observed, that the ordinary powers entrusted to them were totally inadequate to ensure that security which every subject has a right to derive from the Laws of his Country; that the punishment of criminals led only to the murder or banishment of those who had given information against them; and that protection was only to be found in the vicinity of the military posts. They concluded by calling upon the Lords Justices to enforce the Insurrection Act in several Barones (3) of the County of Westmeath.

On the 18th of April, a Memorial, concluding with a similar prayer, was received from twenty-one Magistrates of the County of Clare. They mentioned, that houses were frequently plundered of the arms contained in them by disorderly persons, who came from parts of the County remote from that in which the offence was committed, mounted on horses seized from the owners for the occasion; and that other outrages, of the same character, were committed in two (4) Barones of the County, which they wished to have proclaimed.

In the same month, an application to the same effect was received from a Meeting of thirty Magistrates of the County of Limerick, contained in a Memorial representing the continuance of disturbance in certain districts of that County (5) which were specified. And from Magistrates of the County of Meath, who urged the necessity of enforcing the Insurrection Act in certain Barones (6) of that County, in which disturbance was alleged to prevail. The Lords Justices did not enforce the Insurrection Act, but preferred, to send depositions on oath of the several Barones of the County, which they wished to have proclaimed.

In the same month, an application to the same effect was received from a Meeting of thirty Magistrates of the County of Limerick, contained in a Memorial representing the continuance of disturbance in certain districts of that County (7) which were specified. And from Magistrates of the County of Meath, who urged the necessity of enforcing the Insurrection Act in certain Barones (8) of that County, in which disturbance was alleged to prevail. The Lords Justices did not enforce the Insurrection Act, but preferred, to send depositions on oath of the several Barones of the County, which they wished to have proclaimed.

In the same month, an application to the same effect was received from a Meeting of thirty Magistrates of the County of Limerick, contained in a Memorial representing the continuance of disturbance in certain districts of that County (9) which were specified. And from Magistrates of the County of Meath, who urged the necessity of enforcing the Insurrection Act in certain Barones (10) of that County, in which disturbance was alleged to prevail. The Lords Justices did not enforce the Insurrection Act, but preferred, to send depositions on oath of the several Barones of the County, which they wished to have proclaimed.

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As I felt strongly the necessity of establishing a regular Police in a County, in which the ordinary civil power was proved to be entirely inadequate to the repression of the disorders which had long prevailed in it, the Barony of Middlethird was proclaimed in Council, on the 6th of September, to be in a state of disturbance, and a Magistrate, who had long been confidentially employed by the Government, was appointed the Superintending Magistrate, with an establishment of thirty Constables.

In two other districts of the County of Tipperary (2) similar Police Establishments have been subsequently placed, on the application of the Magistrates of the County. Your Lordship is aware, that the officers attached to these establishments possess no powers whatever in enforcing the execution of the Laws beyond the ordinary powers of Magistrates and Constables nominated in the usual manner; and I have already observed, that the expense incurred by their appointment is borne by the district in which they act.

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On the 18th of April, a Memorial, concluding with a similar prayer, was received from twenty-one Magistrates of the County of Clare. They mentioned, that houses were frequently plundered of the arms contained in them by disorderly persons, who came from parts of the County remote from that in which the offence was committed, mounted on horses seized from the owners for the occasion; and that other outrages, of the same character, were committed in two (4) Barones of the County, which they wished to have proclaimed.

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ral outrages which had been committed in their respective Counties. Depositions on oath were accordingly transmitted, in consequence of this requisition, by the several Gentlemen who had presided at the Meeting of the Magistrates.

Immediately on my return to Ireland, I took into consideration the several applications which I have before mentioned—and, though I found in them strong proofs of the spirit of disturbance and lawless combination which the Magistrates had complained of, yet, being naturally reluctant to have recourse to measures of extreme rigour, on all hopes of producing tranquillity by other means should have failed, I conveyed to the Magistrates my intention still to postpone the enforcement of the Insurrection Act.

The first instance in which I deemed it expedient to call into operation the provisions of the Law, occurred in the County of Tipperary. A Meeting of the Magistrates of this County took place on the 22d of September, 1815, for the purpose of taking the state of it into consideration; and I received from that Meeting, at which forty Magistrates attended, an unanimous application, that six Barones of the County might be proclaimed under the Insurrection Act. This application was accompanied by fifty-eight depositions on oath, respecting various outrages committed for the most part with the view of procuring arms.

I did not hesitate to give immediate effect to this application.

The provisions of the Act, which enabled me to appoint an extraordinary establishment of Constables, had been in operation in one district of the County (7) upwards of a year, and in a second (8) about four months. The exertions of that Police had been unremitting, and many daring offenders had been apprehended. Among the resident Magistrates great unanimity and cordiality had for some time past prevailed, and to many of them the utmost credit is due for the zeal and activity with which they discharged their duties. The combined efforts, however, of the Magistracy and of the Police, aided by a very considerable military force, were insufficient to contend with that lawless spirit and audacity in the commission of crime which played in continual hazard the lives and properties of the peaceable and well-disposed inhabitants.

No less than four attacks had been made within a short period, by considerable bodies of armed men, upon the coaches conveying the mails through this County, although they were accompanied by a military escort; on those occasions, some of the dragons were killed, and other persons wounded.

In the Barony of Kilmennagh, a house had been hired as a temporary barrack for the accommodation of a military party, which, with the house adjoining it, was entirely destroyed in the month of September by a very large body of men in arms, provided with various instruments of attack. A written notice was left, stating, that it was resolved to destroy in the same manner any house taken by the Government for a similar purpose.

Fortunately for the peace of the country, 13 persons, together with their leader in this attack (the son of a farmer of considerable property), were capitally convicted at the Special Commission, subsequently held in this County in the month of January, 1816.

The weekly reports made to Government, by the Magistrates superintending the Police Establishments, mentioned repeated instances in which the houses of respectable inhabitants had been attacked (in some cases in the day time), and the occupiers compelled to deliver up their arms. Several murders had been committed, particularly upon persons employed in the collection or valuation of tithes. One person thus occupied, who accompanied by eight armed men for his protection, was killed in the day time, and his party dispersed, within a short distance of the City of Cashel.

In the early part of the month of September, in consequence of the repeated acts of outrage which were committed in the Counties of Tipperary and Limerick, and the violent and open manner in which the Laws were set at defiance, I directed a large additional military force, under the command of Lieut-General Meyrick, to march into these Counties, with the view of aiding the Civil Power, and giving that confidence to the respectable & well-disposed inhabitants which might induce them to remain in the country, and co-operate with the Government in attempting to maintain tranquillity.

On receiving, on the 24th of September, the Memorial which I have above alluded to, proceeding from an unanimous Meeting of forty Magistrates, I lost not a moment in issuing a Proclamation, with the advice of the Privy Council, declaring six (9) of the Barones of the County of Tipperary to be in a state of disturbance, and subjecting them to the provisions of the Insurrection Act.

Another (10) Barony of the County was, in a few days afterwards, included in this Proclamation, on the application of the Magistrates.

In the course of the month of October, another Memorial was presented to me from thirteen Magistrates of the County of Tipperary, assembled at an extraordinary Session of the Peace, expressing their opinion, that four additional Barones (11), not included in the Proclamations, were in a state of disturbance, and praying that they might be proclaimed.

In the course of the month of October, another Memorial was presented to me from thirteen Magistrates of the County of Tipperary, assembled at an extraordinary Session of the Peace, expressing their opinion, that four additional Barones (11), not included in the Proclamations, were in a state of disturbance, and praying that they might be proclaimed.

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Not having had sufficient reason to think that the Barones last mentioned were in such a state of disturbance as to call for the application of any extraordinary measure, I directed the Clerk of the Peace to be called upon to furnish the sworn informations of outrages committed, upon which the allegations of disturbances rested.

After a consideration of the documents with which I was furnished, I did not think the necessity for a compliance with the Memorial I have last mentioned sufficiently established. I entertained a confident hope, that if the Act was effectual in the Barones in which it had been recently enforced, its influence would be felt in all those immediately adjoining them.

At the latter end of September, I received from forty-seven Magistrates of the County of Limerick, assembled at a Special Session on the 26th, a representation, that the entire of that County was in a state of disturbance, occasioned by a very general confederacy among the lower orders, and praying that the County might be proclaimed under the Insurrection Act. A Memorial was also received, concluding with the same prayer, from the Magistrates of the County of the City of Limerick.

Having had sufficient evidence that the ordinary operation of the Law was inadequate to maintain tranquillity in this County, and that it was in a state of serious disorder, it was proclaimed in Council under the provisions of the Insurrection Act, on the 30th of September; and the County of the City, with the exception of such Parishes as are within the City, was proclaimed on the 3d of October.

In consequence of the number of prisoners in the goal of the County of Limerick, I deemed it expedient to issue a warrant for a Special Commission, for the purpose of bringing the offenders to trial.

In the early part of November, it gave me great satisfaction to be enabled to inform your Lordship, that since the Insurrection Act had been in force in the Counties of Tipperary and Limerick, comparatively few crimes in violation of the public peace had been committed in these Counties, and that they had enjoyed a state of tranquillity to which they had been unaccustomed for some time past; that those provisions of the Insurrection Act which give facilities to the Magistrates to recover arms from persons who are not entitled by law to possess them, had operated very beneficially; & I felt it due to the Magistrates residing in the disturbed districts to report to your Lordship the great unanimity with which they had acted, and the strong disposition they had shown to give effect by their personal exertions to the measures of Government. At this period I received Addresses from each of the Grand Juries of the County and City of Limerick, assembled at the Special Commission then about to terminate, expressing their satisfaction with the measures which had been adopted for the suppression of disturbance, and conveying an assurance that they had been attended with success.

Notwithstanding the intimation which I had so recently conveyed to your Lordship, that the state of the County of Tipperary was improved, at least that there had been of late fewer violations of the public peace towards the latter end of the month of November, Mr. William Baker, a Gentleman of considerable fortune, and of the highest character and respectability, was assassinated on his return home from the Special Sessions at Cashel, where he had been discharging his duty as a Magistrate. The circumstances under which this murder was committed, and which were proved on the trial of two persons concerned in it, are strongly indicative of that depravity and sanguinary disposition of which the County had presented so many lamentable proofs. It appeared that in the month of September a house in the neighbourhood of Mr. Baker's residence had been attacked by an armed body of men, and, after considerable resistance on the part of the inhabitants, had been burned. Mr. Baker had exerted himself with great activity and success in detecting and committing to prison the perpetrators of this outrage; and in consequence of his exertions, a conspiracy to murder him was formed in the early part of November. The murder was committed on the 27th of November, in the day time, by a party of five persons. It appeared that, in consequence of an order that had been issued (it had not been traced from whom), several persons (many of them from considerable distances) assembled on that day and the evening preceding, upon the different roads by which it was possible for Mr. Baker to return from Cashel, and were stationed in small detachments in different houses and places of concealment, for the purpose of intercepting him; that Mr. Baker was watched the whole day by persons appointed for the purpose; that his departure from Cashel was communicated by signals; and that, when the shots were fired which proved fatal to Mr. Baker, a shout of triumph was raised by a number of people who had assembled in the neighbourhood, expressly to witness this barbarous murder.

On the 23d of December I issued a Proclamation in Council, offering a reward of Five Thousand Pounds for the discovery of the persons by whom the murder was committed. I shortly afterwards received an address, signed by seventeen Magistrates of the County of Tipperary, assembled at a Special Session of the Peace on the 21st of December, expressing the state of acknowledgment for the prompt administration of the laws committed to the Executive Government, and assuring me, notwithstanding the recent

murder of Mr. Baker, and the manifest intention of those concerned in it to intimidate the Magistrates from the execution of their duty, they were determined to co-operate with the Government in endeavouring to maintain tranquillity, and not to relax their exertions from the apprehension of personal danger. They concluded by praying, that a superintending Magistrate and a Police Establishment might be placed in the Barony in which the murder of Mr. Baker had been perpetrated.

I gave immediate effect to the wishes of the Magistrates thus conveyed, and a Chief Magistrate of Police, with fifty Constables, was placed in the Barony of Clanwilliam. On the 28th of December, a warrant was issued for a Special Commission to be held in the County of Tipperary.

In order that I might not interrupt a connected account of the means which I was compelled to adopt in the Counties of Tipperary and Limerick, I omitted to state, that, in the month of November, a Memorial, signed by several Magistrates of the King's County, assembled at Clara, on the 22d of November, was laid before me, representing that various acts of violence, viz. the robbery of arms, the infliction of torture, the assembling in arms by night, and the administration of unlawful oaths, were committed in a small district of that County, (12) and praying that it might be declared in a state of disturbance under the Insurrection Act.

I had previously received a Memorial from a numerous Meeting of the Magistrates of Westmeath, assembled at Moate on the 2d of November, stating that the character of the disturbances which had so long prevailed in that County remained the same; that they were of opinion, that the ordinary powers entrusted to the Magistracy were totally inadequate to ensure security to the inhabitants; and unanimously praying, that the provisions of the Insurrection Act might be put in force in two Barones of that County (13) without delay.

Having had convincing proofs, that, in the districts pointed out by the Magistrates of the King's County and Westmeath (and which are contiguous districts), a very turbulent disposition had long prevailed—many instances having occurred (some of which are enumerated in a former part of this despatch) in which illegal oaths had been administered, houses plundered of arms, and witnesses and others suspected of aiding the administration of justice had been murdered or most cruelly treated; and having long witnessed the unnecessary and inefficient exertions of many of the Magistrates, in the disturbed parts of those Counties; I determined to accede to their application, and, with the advice of the Privy Council, subjected the contiguous districts of the two Counties to the operation of the Insurrection Act, by a Proclamation, which bears date the 24th of November.

In the course of the present year, the Insurrection Act has not been enforced in any new instance. In the month of March, in consequence of a Memorial from twenty-seven Magistrates of the County of Louth, a Special Magistrate with fifty Constables was appointed, for the purpose of assisting them to maintain the Peace in four Barones (14) of that County.

Various acts of outrage were committed in these Barones about this period. In the course of one week, eleven houses in the neighbourhood of Dundalk were plundered of arms. The house and offices of a farmer who had prosecuted persons by whom he had been robbed and nearly murdered, were wilfully set on fire and consumed. A party of armed persons, reported to be not less than two hundred in number, attacked the house of another individual, and entered it, after meeting with considerable resistance; after wounding very severely the owner and two other inhabitants of the house, they compelled him to deliver his arms, and to take an oath that he would give up his farm.

In the month of April in the present year, a similar Police Establishment was also appointed in three Barones (15) of the County of Clare, on a representation received from twenty Magistrates of that County. For a considerable time past, certain districts in that County had been in an unsettled state; but in the course of the preceding year I had been informed by the Magistrates, that the examples made, under the Insurrection Act, in the counties of Tipperary and Limerick, had produced a very beneficial effect in the County of Clare. In the months, however, of February and March of the present year, offences of the same general character with those which I have before described were very frequently committed. Nightly meetings of large numbers of the lower orders took place; in one district, in the course of the month of March, seven houses were wilfully burned; and threatening notices were posted up, directed against the letting of lands to others than the old proprietors, and against the payment of rents, except under certain prescribed regulations.

I have enumerated the several instances in which I have, with the advice of the Privy Council, enforced the provisions of either of those Acts of the Legislature which passed in the Session of 1814. It will appear from this detail, that the Insurrection Act has been enforced in—the County of Limerick—the County of the City of Limerick—two Barones of the County of Tipperary—two Barones of the County of Westmeath—and in certain districts of three Counties—Tipperary, Louth, and Clare, Special Magistrates and Constables have been placed, having the ordinary powers given to civil officers; and the expenses consequent on their appointment being levied from the district within which they act.

I shall now state to your Lordship the general result of the measures which have been thus adopted for the preservation of the Public Peace, and it gives me great satisfaction to be enabled to assure you, that tranquillity has been completely restored in some of the districts which were the seat of disturbance; and that in three of those districts in which the Insurrection Act was enforced in the course of last year, it has, in consequence of the improved state of them, been withdrawn since the commencement of the present year.

In the month of February last, I received from the Magistrates of the King's County a Memorial, expressing their acknowledgments for the additional powers which had been given to them under the Insurrection Act, and for the judicious distribution of the military force; and stating the good effect to the peace of the County which had resulted from those measures, and giving their opinion, that the additional powers entrusted to them might be safely withdrawn.

From the Magistrates of the City of Limerick, assembled at an Extraordinary Session of the Peace on the 15th of April last, a Memorial was transmitted, stating their opinion, that the circumstances which induced them to apply for the provisions of the 54th of the King to be put in force in the County of the City of Limerick, no longer existed.

I have also received a Memorial from the Magistrates of the County of Westmeath, assembled at a Special Session of the Peace held last month, expressing the deep sense which they entertain of the benefit which their County has experienced from the measures which had been adopted; attesting the tranquillity they now enjoy to the successful operations of the provisions of the Insurrection Act; and adding their wish that the powers with which it invested them might be withdrawn, and the ordinary course of law restored.

I gave immediate effect to their several applications, and the Proclamations enforcing the Insurrection Act in certain districts of the County of Westmeath, King's County, and the County of the City of Limerick, have been severally revoked by the Privy Council. The only Counties, therefore, in which that Act now remains in operation, are the Counties of Tipperary and Limerick.

I have annexed to this Despatch a Report of the Proceedings at the Special Commission held for the County and City of Limerick, in the month of November, 1815, and in the County of Tipperary, in the month of February, 1816; and a Return of Persons tried at the Special Sessions under the Insurrection Act, for offences against the provisions of that Act. I have also added also a Statement of the Proceedings at the several Assizes in the years 1813, 1814, and 1815, and Lent Assizes of the year 1816, so far as relates to commitments and convictions for criminal acts, connected with the disturbance of the Public Peace in the following Counties—Westmeath, Tipperary, Limerick, King's County, Queen's County, Longford, Louth, Clare, Roscommon, and Waterford.\*

There may appear to your Lordship a great disparity in some cases between the number of commitments and the number of convictions; and persons unacquainted with the internal state of this Country may infer that commitments too frequently take place without sufficient evidence of guilt against the parties apprehended. No such conclusion, however, I mean so far as relates to the general practice of the Magistracy to commitments and convictions for criminal acts, connected with the disturbance of the Public Peace in the following Counties—Westmeath, Tipperary, Limerick, King's County, Queen's County, Longford, Louth, Clare, Roscommon, and Waterford.\*

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It has been necessary in the disturbed Counties, (in most instances of persons having given information on oath, or intending to give evidence upon trial, on account of the serious danger to which such persons are exposed, to remove them to places of security previous to the trials, and ultimately to provide for their removal from their usual abodes. In many cases the witnesses for

the Crown have, at their own request, been kept a considerable period previous to the trial in the goal of the County, as affording them the best means of protection; in other cases they have been protected in barracks, or brought to Dublin, where, however, occasionally, they have not been safe from the hostility of the friends of the parties apprehended.

I have not thought it necessary to mention the numerous applications which have been and continue to be made, for military assistance in aid of the civil power, by Magistrates and others. I never recommend the Commander of the Forces to accede to these applications, without the strongest evidence of their necessity; and in almost every case, the military officer in command of the district from which the requisition proceeds is directed to inquire personally into the grounds on which it is made. I ought not, however, to omit to mention, that a very considerable military force is employed in giving assistance to the officers of revenue in the suppression of illicit distillation, which prevails to a great extent in several of the northern and western Counties of this Kingdom. In consequence of an order of the House of Commons, made in the month of February of the present year, a return has been made of the Troops at that time employed on this service.

I am, with great truth and regard, my Lord, Your Lordship's most obedient humble Servant, (Signed) Wm. Wrottesley.

The Viscount Sidmouth, &c. &c. &c.

ABSTRACT OF THE REPORT  
Of the Committee on the Laws and Ordinances relating in Foreign States, respecting the Regulation of their Roman Catholic Subjects, in Ecclesiastical matters.

The various Documents referred to were obtained by instructions which Lord Castlereagh gave, in 1813, and subsequently, to the Ministers resident at foreign Courts.

The Committee refrain from adverting to any question of theological controversy.

The attention of the Committee is directed to two objects—1st. The appointment or Election of the Catholic Clergy—principally those of the Episcopal Order. 2d. The restraints imposed upon the intronisation of Papal Rescripts; with this they have joined the appellate jurisdiction, exercised by the supreme secular Magistrate.—Under a third head they include other matters of Ecclesiastical regulation.

They distinguish between regulations obtaining in those States which are in communion with the See of Rome; those of the "non-acted" (Greek and Russian Churches); and those of the Augsburg and Helvetian confessions.

1. Austria, Bohemia, Hanover. The Austrian Bishops are nominated & appointed by the Emperor, which appointment is in lieu of the election or postulation of the Chapters of their respective Cathedrals,\* and has the same effect; the Papal confirmation being afterwards obtained through the Austrian Minister at Rome. To this mode of election, the Archbishop of Olmutz forms the sole exception—the right of choosing him resting entirely in the Chapter of his See.

In Hungary the Emperor appoints all Bishops, who perform every part of their functions, which relate to jurisdiction, before they have been confirmed by the Pope. In other parts of the imperial dominions this is not the case.

In Austria the *placitum Regium* is the right of requiring that all Ecclesiastical statutes and ordinances be submitted to the State, before their publication. Absolutions are excepted, when granted by the Roman Penitentiary, whenever they concern conscience only, when the case admits of no delay, or when the reputation of any one is in danger. No Austrian subject can be excommunicated without the Emperor's consent.

2. The Electoral Archbishops of Mentz, Treves, and Cologne—and the Archbishop of Salzburg—and the Congress of Ems. In August, 1786, a Congress was held at Ems, by all the Ecclesiastical Electors, where 23 articles of regulation, recognising the independence of the Church of Germany, with reference to the usurpations of the Court of Rome, were drawn up and ratified. In these resolutions the ancient discipline of the German Church is asserted, with respect to nominations and elections to Ecclesiastical benefices, and it is declared, that "No bulls, briefs, or ordinances of the Pope shall be binding on the Bishops, unless the latter regularly signify their formal assent."

3. States of Italy—the Milanese, and Austrian Lombardy. The Archbishop of Milan, the Bishops of Pavia, Cremona, Lodi, and Como, are at the immediate nomination and presentation of the Emperor of Austria, who is, how-

ever, Louth, and Clare, Special Magistrates and Constables have been placed, having the ordinary powers given to civil officers; and the expenses consequent on their appointment being levied from the district within which they act.

I shall now state to your Lordship the general result of the measures which have been thus adopted for the preservation of the Public Peace, and it gives me great satisfaction to be enabled to assure you, that tranquillity has been completely restored in some of the districts which were the seat of disturbance; and that in three of those districts in which the Insurrection Act was enforced in the course of last year, it has, in consequence of the improved state of them, been withdrawn since the commencement of the present year.

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