

CARLOW ASSIZES.

(From the Carlow Morning Post.)

TUESDAY, MARCH 22.

The King, at the Prosecution of Walter Blackney, Esq. against Edmund Murphy.

This trial, which occupied a considerable degree of public attention, was called on about one o'clock.

The Prisoner was then given in charge to the Jury. There were three distinct indictments, each containing several counts.

1st Count, charged Edmund Murphy, for that he, on the 20th of April, in the 37th of the King, at Ballyellin, did maliciously, wilfully, and feloniously, propose to and solicit one Peter Doyle to kill and murder Walter Blackney, Esq.

2d Count to the like effect.

2d Indictment.—For that he, the Prisoner, did maliciously and feloniously send a threatening letter to the said Walter Blackney; and a like indictment, for sending a threatening letter to Pat Feulon. To all of which the Prisoner pleaded the general issue.

Also a 2d Count, for cutting down a tree between sun-set and sun-rise.

Mr. Bill stated the case. The first difference between the parties occurred in the latter end of 1816. A man, named Barron, held a farm from Mr. Blackney, the lease of which expired about April, 1817, for which a person of the name of Fenlon proposed. At that time, Mr. Blackney received an anonymous letter, bearing the Kilkenny Post Mark, of which the following is a copy:—

Do not think that we are come to use any violence for this town, but be assured from your behaviour in the County Wexford, Kilkenny, had Carlow, that we will not be content to wait, but will make you our immediate prey. You are to be regulated with the Terms as you ought; and if not, mark what will follow.

Remember, you are transgressed over the Law, made him self his own law, and set himself and his family to be, and every other poor creature that can come at; you pretend to be Christian, but instead of that you are an Imp that was sent to the world as a scourge to the Poor, and as you are not afraid of God, we will make you dream of the Devil, and it is not sleep, but both asleep and awake.

Of this letter (continued Mr. Bill) Mr. Blackney took no notice. He made neither outcry nor alarm. Barron's farm was out of lease in 1817, and the Fenlons having proposed for it, Mr. Blackney, on a Saturday evening, wrote a note to the Prisoner, desiring to see him on the subject, and stating that the Fenlons had made proposals to him. To this note Mr. Blackney received an answer, stating that the Prisoner would wait upon him next day after Mass. Prisoner did not come, agreeably to his promise, to Mr. Blackney, but on that Sunday morning the following threatening Notice, posted on Mr. Blackney's gate, was brought to him, while he lay in bed, by his steward.

Edmund Murphy.—We are informed that you are bidding for the neabour's land, after forwarding you before, but from what the County of God, and man was in my other that will do it, will do it for you. Therefore, do not think that we will not be content to wait, but will make you our immediate prey. You are to be regulated with the Terms as you ought; and if not, mark what will follow.

Mr. Blackney (said Mr. Bill) closely examined this notice. He immediately suspected that it was the act of Murphy. The slip of paper on which it was written appeared to have been the identical corresponding half of the sheet on which Murphy's note was written. This was a circumstance the Jury would consider calmly, coolly, and dispassionately. He hoped sincerely that it would appear that Mr. Blackney was mistaken in his opinion. Cody, a youth in Murphy's employment, wrote the note, and confessed it; but though he and his father absconded about three weeks since, other evidence would be produced to support the fact. A number of other threatening letters, (written as if from friends) cautioning him against disposing of his own property, had been received by Mr. Blackney. He trusted they would studiously examine the evidence of Peter Doyle, and give the Prisoner the benefit of it, if it should appear in his favour. Mary Farrell's evidence appeared of immeasurable and undoubted weight, and he had no doubt but they would examine it with as much scrutiny as if their own existence were at stake.

Peter Doyle sworn and examined by Mr. Greene. Lived the greater part of his lifetime near Ballyellin; knows the Prisoner 26 years; went to school with him; is a carpenter, and follows his trade as constantly as he can; he is not a farmer; was in Prisoner's employment from summer, 1816, to harvest, 1817, off and on; knows Mr. Blackney, the magistrate, has no actual acquaintance with him, but often saw him; heard Prisoner often say that Mr. B. used to tyrannize over his country, and was a bad landlord; in the month of March, or April, 1817, Prisoner employed witness to put out threatening notices, at the cross-roads of Ballyellin; Mr. Blackney had extensive tracts of ground there; knew David Barron had laid then out of lease, and Prisoner told witness that he suspected Pat. Fenlon and M. Ryan would be bidding for it; Prisoner told witness to write a threatening notice, (secretly) cautioning Fenlon and Ryan against taking the land. (The threatening notice inserted in Mr. Bill's statement was produced, and admitted to have been written by witness.) Had this conversation with Prisoner, in one of his out-houses, where witness worked; Prisoner furnished witness with pen, ink, and paper; he wrote a sheet of two; gave witness one half, and kept the other himself; saw the notice last August, in Mr. Blackney's possession; a few days after, Prisoner made another application to witness to write a second notice; but in a different hand.

witness accordingly procured another; got a youth about 10 years of age, named Paddy Cody, then in Prisoner's service, to write it. (Cody's letter was produced, as inserted in Mr. Bill's statement.) The letter now shown is the one written by Cody; witness, after it was written, gave it to Prisoner, and about a month ago saw it with Mr. Blackney; had other conversation with Prisoner respecting Mr. Blackney; about the month of March, or April, 1817, Prisoner employed him to go to the barony of St. Mullins, to procure men to burn Ballyellin Lodge, which is Mr. Blackney's property; witness got five shillings to defray his expenses; went part of the way and returned, pretending that he could not get the men without money; Prisoner then changed his mind, said that the burning would cause a tax to be levied off the townland, and proposed that witness should fire a shot in the night Mr. Blackney's bed-chamber window, to frighten him out of the country; he accordingly gave witness a pistol, some powder, and a heavy shot for the purpose, and desired him to put in a ball himself, in the course of a few days after, Prisoner asked him why he did not do the job? witness replied it was fear that Prisoner gave him instead of powder; Prisoner told him it might be so, as there was sugar in the same drawer with the powder. (Mr. Mac Nally—perhaps it was powder sugar he gave you to shoot Mr. Blackney with.) (loud laughing) His reason for making this excuse was, because he did not like to go on with it; Prisoner gave witness a second paper of powder, and on his return from Mr. Blackney's, in a few days after, pointed out to him the position in which Mr. Blackney usually sat, that he might fire through the window at him, the easier; and said if he could frighten Mr. Blackney out of the country, no one else could or dare take the land in question; witness then told Prisoner he would have nothing further to do in the business; he did not give the pistol for 14 or 15 months after, and gave the ammunition to a man to shoot it, for fishermen's flies; witness mentioned all the circumstances to D. Barron, and his own two brothers, Alexander and P. Doyle; he also told the story to P. Doyle, an Apothecary at Gore's bridge, one day that Prisoner sent him there for the pistol; this was in harvest, 1818; witness went to Mr. Blackney's to look for work; Mr. Blackney told him he would employ him or any man in distress, and that, if he was not misinformed, witness was a person that he ought to be much obliged to; witness replied that he was honest, and wished to see Mr. Peardogast, his Parish Priest, before he would say any more to Mr. Blackney on the subject; saw Mr. Peardogast at Mr. Blackney's on a work day, and told the story to him; he afterwards repeated to Mr. Magrath, the magistrate; witness was never examined in a court of justice before.

At the close of witness's examination, a loud hissing and shouting commenced in all quarters of the Court, and continued without intermission for some time. Doyle was struck, and knocked down, going out of the Court-house, when an application was made to Lord Norbury, to protect the witness.

Walter Blackney, Esq. examined by Mr. Clarke. Is a Magistrate of the County, residing at Ballyellin; has a tolerable good property; knows Prisoner; is his tenant; Prisoner holds one farm, immediately adjoining witness's house, containing 78 acres, the lease of which will expire in one year; in May, 1817, the lease of another farm for 55 acres terminated, a short time previous to which he got possession for a certain consideration, which was a grant's not allowed Prisoner; Prisoner made repeated applications for a renewal of the lease, which he, Mr. B. refused; Fenlon, Brian, and others, often made application to witness for part of the land held by Barron; witness, in reply to a proposal of Prisoner's for some of the land, said he would give him a preference, if he got the value; can't say whether this communication was made by note or verbal message; it was on a Saturday; and to this he got a note in reply which he has lost; it stated the Prisoner's regret at not being able to come to Mr. Blackney immediately, agreeably to his wish; but that he would call upon him next day after prayers; but did not come, according to promise, but, on that morning, he received the threatening notice (already mentioned) about eight or nine o'clock, on that morning, James Walsh, his steward, brought him the notice; the instant he read it, it appeared to him to be the corresponding half of the same sheet of paper, upon which Prisoner's note was written; it agreed in the water mark and date; witness had not let any land to Fenlon at that time, but shortly after set it to one Keefe; in a few days after he got another threatening notice (before inserted); a large ash tree was cut down on the 35 acres, just out of lease; witness got a letter about November or December, 1816, with the Kilkenny post-mark on it; he had the letter a long time shewing it about, until he lost it; recollects its contents; P. Doyle came to live with him in August last; lost the letter before he got Doyle's information; Doyle applied to witness for work; witness asked him if his name was Doyle; he told him it was, and that he was a carpenter; witness told Doyle that, if he was a man, he would be a person to whom he ought to feel thankful; Doyle said, at all events he was honest, and wished to have an interview with his Parish Priest, Mr. Peardogast; witness said he would shortly have that opportunity, as Mr. Peardogast said Mass in his house; Doyle's interview with Mr. Peardogast lasted two hours, and informations were afterwards sworn before Mr. Magrath, a Magistrate; witness was present and thinks the facts were perfectly consistent with his evidence to-day; one of the principal motives witness had in taking Doyle to Dublin, was to keep him out of harm's way; witness thinks the first incitement on his estate is the £500 due by his grandfather; in Oct. 1817, he borrowed £500 from Prisoner, which he secured by bond and special pledge; it was a security not of an ordinary kind, but one that entitled Prisoner to the payment of his money on demand after his death, without being asked any questions, and for which witness paid an additional premium; it was after this that he got the information from Doyle; both the Cods have disappeared; he made every search for young Cody, whom he considers a most material witness.

Witness again examined by Mr. Mac Nally. Knows Prisoner; they were educated in a common school together; (Mr. Mac Nally's opinion) they were not educated in Academy together; knows him at the time of the scarcity; any one that Prisoner suggested might pay for him, witness would not; Prisoner was a rich man; did not give witness any challenge to commit murder. Witness here looked very angry.

Mr. Mac Nally. Come, Sir, don't be knitting your pen-horse eye holes at me. On your oath, Sir, did not Mr. Murphy discharge you for this? Witness. Did not he what? (loud and continued laughing.)

Mr. Mac Nally. I'll put another question to you, which I'm sure you'll answer with the same reluctance. Now, Sir, by virtue of your oath, did not Mr. Murphy become a dupe to his own humanity, and take you into his house when you were starving? Witness. He did.

Never said that Prisoner ought to be put out of the way for being severe in collecting tithes from Widow Hughes. Prisoner desired him murder Mr. Blackney; but he never advised Mr. B. that his house was to be burned, and himself murdered; witness told Prisoner that if he attempted to burn the house he would inform against him. Witness never left Ireland for the good of his Country; was never in Cork; knows Sergeant Byrne, but don't care about him; knows James Murphy, the title pretor, at Ballyellin; never swore against Prisoner for cutting an ash tree; was not examined by the Grand Jury to that effect; don't know who swore it; witness heard of Prisoner lending Mr. Blackney £500; heard Prisoner's lease were not of a long date; heard that Prisoner had Mr. Blackney's bond for the money; knows the lands of Ballycormack, but don't know what lease Mr. B. has of it; never heard that Fenlon and Brian were molested; they did not take any of Barron's land since it was out of lease; did not swear that he got sugar to put in the pistol to shoot Mr. Blackney; only told Prisoner so; Prisoner desired witness to fire through the window; supposes it was for the purpose of killing Mr. Blackney; don't know whether Prisoner would lose his money if witness killed Mr. Blackney; was in Dublin about a month ago; the Coach brought him there; Mr. Blackney paid for him; did not go to see the Attorney-General; saw neither Counsel or Attorney while there; Mr. Blackney told witness he wanted him in Dublin, on business; witness visited Mr. B. two or three times while in town, but never saw any one but his brother-in-law with him; as his oath none of his evidence was taken in Dublin; witness works with Mr. Blackney; who a few months ago promised for giving his evidence; witness was not making Prisoner's coffee; (loud laughing)—witness knows Mr. Fitzgerald, the Magistrate, but did not hear of his having informations against him for robbery; did not agree to murder Mr. Blackney.

ter being gone into—which was uttered by his Lordship. It is so long ago since witness wrote the letter, that he cannot now recollect what it was about, but it was done by Prisoner's direction; there was no name put to the letter; who read a few words of it to Richard Quirk, with whom she lodged; it mentioned that Mr. Blackney was severe to his tenants, and wished him to be more partial.

Witness again examined by Mr. Blackburne. About two weeks ago, she had the first conversation with Mr. Blackney; at that time she lived at Ballyquirk, (near Mr. Blackney's,) with a family of the name of Tobin; Mr. Blackney sent Peter Doyle for her, and took her into his house; she did not recollect the contents of the letter until Mr. Blackney reminded her of it; but he did not produce any copy of it, nor any other writing; she told him that she wrote a letter for Prisoner; witness don't doubt but she might have made use of threatening expressions since the commencement of the Assizes, towards Prisoner, as she was told that he said he had something heavy against her; witness admitted (to a question from a Juror) that she mentioned in a public-house in Carlow, that she would do Murphy's job.

Mr. Blackney again examined by Mr. Kemmis. The letter purported to be from a friend of witness's; it stated that from his conduct to his tenants he would be severely treated.

Re-examined by Mr. Blackburne. Prisoner was arrested in August, and afterwards admitted to bail by the Lord Chief Justice, in the name of the Earl of Devon, for the purpose of his going to the Continent, according to the Plan to be seen at the Office of His Lordship and Secretary.

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CLASSICAL AND ARITHMETICAL EDUCATION.

A YOUNG MAN, fully qualified, wishes for a Situation as TUTOR in a respectable Family—or would have no objection to act as such in a School. For particulars, apply by Letter, directed X. Y. Z. at the Office of this Paper, which shall be immediately attended to. Waterford, April 1, 1819.

NOTICE.

THE OVERSEERS for repairing the DUNNIN ROAD, from the Bridge of Waterford to MULLINAGH GATE, will receive PROPOSALS in Writing for executing the same, according to the Plan to be seen at the Office of HIS LORDSHIP AND SECRETARY. April 1, 1819.

COUNTY OF KILKENNY.

A MILL, and nearly 8 Acres of LAND, at GRAYSON, in the Barony of IFA, part of the Estate of JAMES CURRICK, Esq. and Duplicate to be sent to PETER WALSH, Esq. the younger, Quiry, Waterford. March 31, 1819.

WANTED.

AN ACTIVE, INTELLIGENT PERSON, experienced and skilful in the Planting and Thinning of Woods, and in the general Management of Farms. Some good copies of the most unexceptionable Reference as to Character and Abilities. Application to be made to the EARL OF DEVON, Deputy, Kilkenny. March 10, 1819.

THOMAS & JOHN PROSSOR OFFER FOR SALE.

25 PINE PRIME STRONG BODIED AND DEEP COLOURED BENECAIRO RED WINE, Now landing from the Avon, Capt. Hawker. These have a Supply of prime White HERRINGS, and Best WIGAN COALS, at their Store on the Quay. All will be sold on liberal Terms. Waterford, March 4, 1819.

ROYAL EXCHANGE ASSURANCE OFFICE.

LONDON, 14th OCTOBER, 1819. THE ASSURANCE OF THE ROYAL EXCHANGE, for the Assurance of Houses and Goods from Fire Losses, in the County of Wexford, their Agents and Receivers for Waterford, Wexford, New Ross, and Places adjacent, for the Assurance of Buildings, Goods, Merchandise and Farming Stock from Loss or Damage by Fire, and also for the Assurance of Lives.

FOR QUEBEC.

THE FINE COPPERED SHIP ZEOLUS, OF WATERFORD, ROBERT THOMAS, Master; 500 Tons Burden. Has excellent Accommodation for Passengers, and will wait for Passengers, apply to RICHARD FARR and Son, Ship Agents, Quiry, Waterford. 25th March, 1819.

CHINESE.

RICHARD HAY, Assn Hely, has made in this day, and on the 1st of Public Day, the 4th day of March instant, his Oath, bearing date the 13th day of April next, in the Hour of One o'clock in the Afternoon, at my Chambers, on the Lane, Cross, Dublin, and on the 1st of Public Day, the 13th day of April next, in the Hour of One o'clock in the Afternoon, at my Chambers, on the Lane, Cross, Dublin, called the House Quarter, containing 149 Acres or thereabouts, lately acquired by RICHARD CORCORAN and the Lands of EDWIN DUNSTON, in the possession of MICHAEAL DUNSTON, MARRIAGE, and THOMAS SCOTT, containing 105 A. 0 R. 20 B. situated lying and being in the County of Kilkenny, lately held by the Representative of LAURENCE F. ELLY, in the pleadings mentioned.—Also, that part of the Lands of EDWIN DUNSTON, in the possession of MICHAEAL DUNSTON, MARRIAGE, and THOMAS SCOTT, containing 105 A. 0 R. 20 B. situated lying and being in the County of Kilkenny, lately held by the Representative of LAURENCE F. ELLY, in the pleadings mentioned.—Also, that part of the Lands of EDWIN DUNSTON, in the possession of MICHAEAL DUNSTON, MARRIAGE, and THOMAS SCOTT, containing 105 A. 0 R. 20 B. situated lying and being in the County of Kilkenny, lately held by the Representative of LAURENCE F. ELLY, in the pleadings mentioned.—Date the 16th day of March, 1819.

EVERY MAN HIS OWN DOCTOR.

By the Efficacy of BOWEN'S INFAMOUS RED PILL, Copied Directly from the Original, and containing the purest and most valuable Ingredients, this Medicine is particularly adapted to promote Digestion, prevent an accumulation of Bile, and will remove a train of Disorders that result from a confined state of the Bowels, Sickness and Headache, produced from Bile on the Stomach, are removed by its use; and it is particularly recommended to those who live sedentary, to Persons going abroad, and should never be omitted after any excess.

ANTI IMPETIGINES.

The celebrated ANTI IMPETIGINES, or SOLOMON'S DROPS (without Mercury, or any deleterious preparation), stand in the highest estimation for the cure of the Scabby, Scalding, Itchy, and all disorders originating in an impure state of the Blood; being gradual, gentle, and almost imperceptible, in their operation—the best substitute that has ever been discovered for that dangerous mixture of Mercury, which has so long constituted the Basis of all expell all noxious and impure juices, giving strength and tone to the Nerves, enlivening and invigorating both Body and Mind.

WHERE MAY BE HAD, THE CELEBRATED ABSTERGEENT LOTION.

For removing all Kinds of Pimples, Tetters, Ring-Worms, Carbuncles, &c. from the FACE and SKIN. Beauty. That stands so safely to the stripping heart, and gives it a new spring unknown before. Price 2s. 9d. a bottle. Duty included. Be careful to observe the name "Solomon's Drops, Liverpool," engraved in the Stamp, without which none are genuine.

WILLIAM HENRY.

The Tenants to be declared must enter into security by Recognizance for the payment of the Rent—Particulars may be known by application to ANTHONY THOMAS, Esq. Barrister at Law, Solicitor, No. 5, Horse-street, Dublin, or to STEPHEN WATSON, Esq. Barrister at Law, who will receive Proposals and submit same to the Master on the day above-mentioned, where the Persons who are intended to become Tenants must attend.

COGNAC BRANDY, HOLLAND GENEEVA, AND OLD CORK WHISKY.

JOHAN CARIGAN offers for Sale, Two Pipes of COGNAC BRANDY, (one of which is pure coloured), with his Stock of HOLLAND GENEEVA, and OLD MALT WHISKY, he will dispose of on moderate Terms. The above Liquors may be relied on as truly genuine; if found to the contrary, the Money shall be returned. Waterford, Broad-Street, Corner of Peter's-Street, March 28, 1819.

