Ramsey's Waterford Chronicle.

No. 12,841. THURSDAY, MARCH 28, 1822. PRICE FIVE PENCE.

JUDGE FLETCHER'S ADDRESS, TO THE GRAND JURY OF THE CO. CAVAN.

(From the Dublin Evening Post.)

His Lordship commenced his observations by expressing the satisfaction he felt at having been just informed by the Foreman of the Jury, that the most perfect tranquillity existed in this County, a representation which was fully maintained by the calendar, which was creditably light, and no doubt attributable to the exertions of the Magistrates and Gentlemen of the County, and their conduct on their respective properties, light, however, as was the calendar, in respect to offences generally, he regretted to find that in one particular instance the offences were most numerous—that of illicit distillation, which was rapidly gaining ground in this County, and which was a noisome pestilence, and one calculated to cause the most injurious effects. In Donegal, where the manufacture of this liquid poison appeared to have taken its rise, and flourished in the greatest vigour, its consequences were very perceptible and distressing in that County. In its commencement, the Magistrates and Gentlemen were inattentive, as it enabled their tenantry to pay their first gales of rent with punctuality, and they were permitted to proceed; but how could it be expected that rents would be paid when dependant on a system of evasion? When first he visited the town of Lifford, it did not afford as much criminal business as would give employment to a Judge for one day; what was now its situation? There was not a crime in the catalogue of the criminal law which the calendar of that County did not afford. Such was the effect of its illicit distillation. The Country Gentlemen ought immediately to assemble, and minutely and attentively inquire into this subject, and exert themselves with vigour to suppress the evil. He admitted that the taxes were heavy and severe—particularly the window tax, which, by preventing a proper and sufficient ventilation, operated as a tax upon health as well as on light. Dublin, Belfast, Waterford, and almost every town of any consequence, had petitioned the Legislature for its repeal—this County ought to do the same—the Parliament should be made acquainted with the sentiments of the Country. He hoped he may not be a true prophet—but he could not avoid saying, that he looked forward with painful anticipations—he dreaded dearth, and its concomitant, typhus fever. In 1817 he visited this town, and he could not but recal to his mind with horror the scenes he then witnessed; parents flying from their houses, and compelled to live on the sides of the road with some of their naked children, deserting others of their family, to avoid that dreadful pestilence.—The scenes exhibited to his view between this town and Longford were dreadful in the extreme. The want of a proper degree of vetilation, the windows being closed to avoid heavy taxation, united with want, caused these dreadful scenes, a recurrence of which, he feared, we were again to endure. As to checking the evil of illicit distillation, which destroyed such quantities of the provisions of the Country, he did not consider prosecutions, numerous as they were, of any avail; he would rather recommend the adoption of small stills, and that opinion be conveyed many years since to his Majesty's Government. On the contrary, such prosecutions tended materially to demoralize the peasantry; in most instances, where a prosecution takes place, the prisoner brings forward his children, or other members of his family, to prove his innocence—and thus, generally, to the crime of illicit distillation is added the more injurious & immoral one of perjury; and when such is the case, no good moral conduct can be expected. Such prosecutions afford employment for gaugers and a tribe of revenue and other officers, who derive material benefit from them, but they, by no means check the evil. This subject, his Lordship said, called for the attention of the Gentlemen of the County. A Committee of the House of Commons were to take the state of Ireland into consideration—the Gentlemen of this County ought therefore to assemble, to consider of this subject, to check its progress, to state its mischiefs, and to suggest such measures as may appear to them most necessary to submit to legislative attention. It was thus that the Committee of the House of Commons could receive the most correct information, and he should recommend the adoption of such a line of conduct to the several Grand Juries of the circuit. He had been informed, that within a quarter of a mile of this town the *potteen* could be had at 4s. 6d. a gallon, while the *Parliament* was entirely out of vogue. He was glad to find by the last Papers that the restrictive Duties on Whiskey imported into Great Britain from Ireland had undergone an alteration, and did hope, by affording the maker of a good wholesome liquor the advantage of that market, that such a measure may be attended with good effect. He, however, did not sufficiently understand the nature or tendency of those duties, but he learned from their Foreman, who did and ought to know more about them than he did, that it was a measure likely to prove beneficial. (Here Mr. Sneyd nodded an assent.) His Lordship next adverted to the very disturbed state of the South of the Kingdom; the disturbances in the County of Limerick, he said, had their origin on the estate of an absentee, a class of persons to whom, in a chief degree, all the miseries of Ireland are to be attributed; leaving their estates and their tenantry in the hands of venal agents, who, while they sedulously exert themselves to fill their own pockets, strive to gratify their employers by large rentals on paper. From Limerick it spread to Cork; in the former, however, it took great head, while in the latter it was successfully resisted. The Gentlemen of Limerick, occupied in tearing at each other in their petty squabbles, with a most pusillanimous spirit, suffered insurrection to gain ground; and although latterly they began to feel the effect of their conduct, still, however, in some recent resolutions which they adopted, their pusillanimity was such, that they were actually afraid to sign their names to them, apprehensive who should be the first in order, and adopted the system of a round robin; those resolutions, however, indicated a disposition to do that which they before neglected, and were sanctioned by his Lordship's approval. The gentlemen of the County of Cork, on the contrary, turned out like brave men, on the first appearance of the disturbances, and effectually kept them down; and now only in Limerick are the disaffected in any force—there they have entrenched themselves in the mountains, amply supplied with food; pay well for the necessaries their wants require, but will neither pay rents, tithes, taxes, or any other legal or just demands. There were, his Lordship said, a set of miscreants to whom he could not avoid referring, who, not satisfied with the existing outrages, were continually increasing them. Alarmists, interested wretches, who, for self advantage, were creating groundless alarms; seeking, perhaps, for a Corps of Yeomanry or other emolument, from the propagation of such groundless and mischievous misrepresentations. Even in Dublin such conduct has had its effect. It appeared before the twelve Judges, in Heffernan's case, who was convicted of selling gun-powder to the Whiteboys, and probably before now expiated his offences, that an emissary, sent by the Magistrate, stated, that Heffernan advised to form Committees, and arrange for a simultaneous rising. It was, however, very satisfactory, that in all the disturbances, no disaffection to the Government was evinced: and his brother Judges, who were in the disturbed districts, had represented them as totally unconnected with religious animosity. There were, however, persons in this Country who would like to kindle the torch of party spirit, if they knew how, but their efforts would be futile. He was glad to state, that his brothers, M'Clelland and Moore, represented in the most favourable point of view the good conduct of the Roman Catholic Clergymen in the disturbed Counties, and stated, that to the salutary exertions of the Parish Priests much of the returning tranquillity was attributable. On the recent Commission in Dublin, his Lordship said, he felt the mischief of the conduct pursued by alarmists; he called the attention of the Grand Jury to it, represented to them that it was a high misdemeanour, read for their information extracts from two old Acts of Parliament on the subject, and strongly recommended, when such characters came before their body, to have bills prepared against them, which it was their duty to find, and send them to the Court, there to be dealt with as they deserved. Such were their exaggerations, that at one time 60,000 men were to assail Dublin from the western quarter; and another, a similar force, was to assail it from another side; and 20,000, at another time, were made to assemble in Lord Charlemont's lawn. He regretted, he said, that those sentiments of benevolent and cordial attachment to this Country, which his Majesty evinced in his late visit to Ireland, were so soon forgotten. He had no sooner turned his back, than party toasts were given at certain public Dinners in Dublin, and the lesson of unanimity and cordial feeling which he manifested in his own conduct, and which he so strongly inculcated in his parting Admonition and his Letter of Advice, were disregarded by the Corporation of Dublin. Such conduct met an immediate and strong mark of his Majesty's Royal disapproval, and the Earl Talbot, then at the head of the Irish Government, whom there was reason to suppose was not inimical to the sentiments expressed at these Dinner Clubs, was most unceremoniously recalled, and the Marquis Wellesley, whose sentiments were so directly opposite, was sent in his place. Here his Lordship entered into a high eulogium on the character of the Marquis—took a review of his conduct in India, the result of which placed under British control the entire extent of that fine and productive Country. From Indus to the Ganges, he caused the British arms to be respected.—What, said his Lordship, may not here be expected from such a man? Vigorous and decisive in his measures, no doubt a speedy suppression of our disturbances must take place. The energy and promptitude of character which he possesses will restore and preserve tranquillity to Ireland; and now no party business or party toasts shall disseminate their baneful poison, nor shall any paltry Alderman or bigotted Corporation dare to fly in his Majesty's face. When he had read an account of those disgraceful proceedings, he strongly recommended to the Attorney-General to file an *ex-officio* information against that Alderman, and if he came before him he would take care to strip him of his borrowed plumes and his Aldermanic gown. His Lordship said, he found he had wandered a little, and wished to call their attention to the examination of witnesses, and the advantages of *viva voce* evidence before their body, which should in all cases be most sufficient and satisfactory to warrant them in finding their bills. The trial by Jury, he said, was one of the most important and brilliant traits in our Constitution; it rendered it deservedly estimable, and was handed down to us by our Norman ancestors; no where else was it to be met with. He recommended strict economy in the presenting of the public money, one shilling of which, he trusted, would not be granted where it could be avoided. The Jury were about to retire, when his Lordship said he wished to direct their attention to another subject, which he had nearly over-looked. As the disturbances in the South began to subside, numerous ill-conducted characters, obliged to fly from their own, would lurk in other counties, and endeavour to disseminate their pernicious doctrines; Magistrates and Country Gentlemen should be particularly on the watch against such itinerant disturbers of the public tranquillity, and, when any such characters appear in their neighbourhood, immediately cause their apprehension, and have them closely examined, and for their better government he read an extract from, we believe, the Whiteboy Act, stating the manner in which such characters should be dealth with. In this report of his Lordship's charge, we have sought to notice the different topics upon which he enlarged, but have been only able to give a very faint and imperfect outline of the entire.

COUNTY OF WEXFORD.

Wexford, March 21.—We feel great pleasure in giving publicity to the following excellent Resolutions, which, we understand, are to be printed and posted throughout the County. They give "a solemn, sincere, and friendly admonition," which, with the determination evinced to keep out *strangers*, and discourage *illicit distillation*, cannot but be effectual in preserving that "peace and good order which have hitherto characterized the County."

At a Meeting of the Grand Jury, Magistrates, and Landed Proprietors, of the County of Wexford, assembled at Spring Assizes, 1822,

The High Sheriff in the Chair,

The following Resolutions were unanimously agreed to:—

Resolved—That contemplating with mingled sensations of pain and horror, the perpetration of crimes that have depopulated and disgraced but too many Districts of the Country, we feel it more peculiarly our duty, by every means in our power, to preserve the continuance of that peace and good order which have hitherto characterized the County of Wexford. With this view, and in terms of solemn, sincere, and friendly admonition, we call upon every friend to the laws and constitution of the Country, to co-operate with us in resisting the wicked machinations of those who would endeavour to corrupt and demoralize the population of our County. To guard against the contagion that has elsewhere operated so mischievously, let us be determined that our County shall not be converted into an asylum for the fugitive, or the outlaw. Aware as we are, of the distress that has prevailed throughout the Landed Interests of the Empire, we would appeal to the good sense of the People, how obviously the existence of tumult and insurrection would aggravate rather than alleviate the calamity. Let them be assured, that it is equally wicked as unwise to attempt resistance to the Law, calculated as it is to afford the best possible protection to our properties, our liberties, and our lives.

Resolved—That having long enjoyed the comfort of living amongst a peaceable and happy peasantry, we must naturally feel alarmed, lest any attempt should be made to disturb the harmony which has fortunately hitherto subsisted between the different orders of society in this County—and it appearing to us, that the most efficient method of maintaining public tranquillity, is to prevent the ingress of strangers, we deem it advisable, that an application shall be made to Government, to solicit permission to have such portion of the Staff of the Wexford Militia employed in different parts of the County, as the Magistrates shall deem expedient; and that we recommend, that the employment of such parties shall be continued to the Towns of *Ross, Gorey, Killan, Templedigan*, and either *Foulkes's Mill* or *Taghmon*.

Resolved—That it is our opinion, that any man keeping a Public-House, who shall admit strangers, without giving notice to the nearest Magistrate or Gentleman, ought to be deprived of his license; and that we do hereby command all bailiffs and constables to apprehend any such strangers as shall be found within their respective Districts, and take them before a neighbouring Magistrate.

Resolved—That we pledge ourselves to each other, and to the Country, that we will; as landlords and as Magistrates, use every exertion to discourage and put down the practice of *Illicit Distillation*, which, we lament to find, has been so prevalent of late in our County; and that we are fully determined to shew neither favour nor indulgence to any of our tenants whom we shall find in future to be guilty of an act equally ruinous to themselves, as destructive to good order and industry.

Resolved—That the thanks of this Meeting are due, and are hereby given, to the Rev. Mr. Dempsey, the Rev. Mr. Hare, and the other respectable Inhabitants of *Blackwater*, who so promptly came forward in entering into a subscription for the discovery of those persons concerned in posting threatening Notices in that neighbourhood.—*Wexford Herald.*

We hear that at the Grand Jury dinner, in a full Grand Jury, the High Sheriff present, Sir Frederick Flood was requested to say whether he would stand forth on the first vacancy, as a candidate to represent the County of Wexford in Parliament a second time—as his friends wished to know his intentions, that they may not engage their interests. Sir Frederick answered the unexpected question—That though it would be the pride of his life to be again returned as the representative of this great and independent County, yet he would not agitate it, or [illegible] himself, unless called upon by such powerful [illegible] bers as should satisfy him that his success would at least be highly probable; in which case he would gladly and immoveably come forward to [illegible] their commands; but does not suppose it [illegible] be expected, that at his time of life, he [illegible] canvas individually; especially after the experience of the faithful discharge of his duty for [illegible] when he had the honour of being their representative; and he regrets that he resigned, voluntarily, the honour of trying to continue especially, as it created repeated agitations and contests in the County, after his *unanimous* election.—*Ibid.*

WICKLOW ASSIZES.

PROSECUTIONS OF SMUGGLERS.

The only case of importance, tried at the recent Assizes of Wicklow, was that of a number of smugglers taken a short time since by the Preventive Water Guard, in the act of conveying a quantity of smuggled tobacco, which had been landed from a smuggling lugger, off the coast of Wicklow, near the *Grey Stones*. The conduct of the Water-guard on the occasion was most praise-worthy, their number did not exceed twenty men, while that of the smugglers was more than five hundred, of whom several were mounted and armed. The smugglers made resistance, and several discharges of fire arms were exchanged between them and the Water-Guard; of the latter only one man was wounded, but it is ascertained that three of the smugglers were killed, several desperately wounded, (among whom was a notorious one of the better class,) and nine were made prisoners. The Water-Guard not only displayed courage and discipline in an eminent degree, but the greatest forbearance; the prisoners having acknowledged that had the Water-Guard been so inclined, they could have killed many: but they did nothing more than was necessary to complete their seizure and to drive the smuggler off the coast; one of their boats was fired into, and it is supposed that several of the crew were wounded.

The example furnished in this instance, it is hoped, will deter the population of Wicklow from engaging in a traffic so mischievous in every respect not only to the Revenue, but to the morals of the Country. But in addition to the example, made at the moment, by the force employed on the service, one still more serious and effective, it is to be hoped, was made by the process and result of the trial at Wicklow. The Board of Customs, with that anxiety for the public service, which constantly marks their conduct immediately upon the affair being communicated to them, issued orders to their Solicitor, Edward A. Waller, Esq. to take the most effective measures for the prosecution of the persons concerned; and who had been committed to Wicklow Gaol. Leslie Foster, Esq., of the Board's Counsel, attended on the prosecution, and, in a very able speech, described the mischiefs of this lawless traffic, and the necessity and determination which existed to put it down. He stated that the Prisoners had rendered their lives liable to forfeiture, inasmuch as they had fired on the King's Officers, but that the Crown had, in its mercy, given up the capital indictment in this case, and prosecuted them only for the transportable felony. The nine unfortunate men, one being of the better class of farmers, were convicted upon the most unquestionable evidence, and had sentence of transportation passed upon them by the Chief Justice, in terms the most impressive and affecting.

PHILIPSTOWN ASSIZES.

Six men were convicted at the Assizes of Philipstown on Wednesday, of the murder of the Murphy's. We gave a detail of the apprehension of four of those men in a former number of our Paper. Patrick Doolan, Patrick Bridle, and the Keegans, brothers, were condemned. It appeared in evidence, during the trial, that Cusack, who was executed for the same offence at the preceding Assizes, had formed the design of cutting the tongue out of Murphy's sister after she was murdered. The four Keegans were identified by one of the boys we formerly mentioned; the other two by the other boy; they were seen by them actually engaged in setting fire to the house, and perpetrating the abominable crime for which they were convicted. When the awful sentence of the law was passed on the unhappy men, they appeared obdurate and unmoved; on quitting the bar they loudly proclaimed their innocence, and uttered imprecations upon their prosecutors, &c. Since their conviction, however, Patrick Bridle has confessed that every word sworn by the two boys was circumstantially correct; he has been respited for three weeks; the other five were to have been hanged on Friday last.

The Limerick, Cork and Kerry Journals state numerous convictions, both at the Assizes and Special Commissions; all are so much of the same description, that this brief notice of them is sufficient. At the Assizes of Mullingar, several persons were also convicted under the Whiteboy Act.

At the Sligo Assizes, an action for Slander which excited an uncommon degree of interest, was tried before Mr. Serjeant Townsend, and a Special Jury. It was brought by John [illegible], Esq. a Merchant of that town, against Richard Holmes, Esq., formerly Port-Surveyor of Sligo and after a trial which lasted two days, there was a verdict for the Plaintiff, £200 Damages, and sixpence costs.

WATERFORD:
Printed and Published by BENJAMIN [illegible],
Chronicle-Office, Quay.
Agents for England, Messrs. [illegible] *London. Agents for Ireland,* [illegible] *street, Dublin.*

CORFU.

Advices of the very recent date of the 5th inst. have been received from Corfu. They mention the arrival of the Turkish fleet, in all 70 vessels, at Patras, where they had landed 12,000 men.—All doubts are now removed of the fate of Ali Pacha, who has fallen into the hands of Chourschid Pacha, the Turkish General, commanding the forces before Joannina, by whose orders he has been decapitated and his head sent to Constantinople. This event is a most fatal one for the Greek cause, as the army of Chourschid Pacha is estimated at 23,000 men, who would be placed at liberty to support the operations in the Morea.—Another division of the Turkish army, of nearly equal force, under the Pacha of Salonica, by whom the surrender of Cassandra and the convention with the Greeks of Mount Athos had been effected, are also understood to be marching for the same destination; so that the Greeks in the Morea would have opposed to them a force little less than 60,000 men. Of the movements or strength of the Greeks by land, there have been no recent accounts that can be relied on. Their fleet is said, in the letters from Corfu, nearly to equal that of the Turks; and it is added that they meditated an attack on the Turkish fleet at Patras.

At a general Meeting of the Subscribers to Lloyd's, held on Wednesday, a sum was voted for the purpose of cutting caves and steps in the cliffs in the vicinity of Beachy Head, for affording protection to the crews and passengers of vessels which may be unfortunately wrecked on that dangerous coast, until they can be relieved from their distressed situation; and it was stated that the Lords of the Manors had given their consent to so laudable a plan, which will, no doubt, when carried into effect, be the means of saving many valuable lives. The following votes from the funds of that establishment were at the same time passed, viz.:

£100 in aid of a subscription at Aberdeen for eight widows and twenty three children of pilots and boatmen, who were drowned in endeavouring to save the crew of the Mary, of Gardenstown, on the 23d of January.

£90 to the widow and children of a Deal boatman, and to five Deal boatmen, for endeavouring to save the crew of the Hoffoung, from Hamburgh to St. Thomas's, wrecked on the Goodwin sands.

£50 to the father of a midshipman in the Royal Navy, who lost his life on the 3d ult. in going off to the Thames East Indiaman when on shore near Eastbourn.

£30 to the parents and widows of two seamen of Montrose, who were drowned after taking three people from a wreck.

£25 to the crew of the Eugenie, of Nantes, for saving the crew of the John and Robert, from New Brunswick to Liverpool.

Several smaller sums for the encouragement of such disinterested and meritorious conduct were agreed to; as well as some votes for the establishment of life-boats on different parts of the coast.

Combinations to destroy Farming Stock.—The system of spreading terror by firing stacks, we are concerned to state, still exists in an alarming degree:—Monday evening last (18th inst.), about eight o'clock, a haulm stack, in a field at Rickinghall Superior, the property of Mr. George Gardiner, of Bottesdale, was discovered to be on fire, and no doubt was the work of an incendiary; it was seen many miles round the country, and drew a considerable number of persons to the spot. A wheat stack, about 90 yards off, fortunately escaped. The same evening, a haulm stack, upon the premises of Mr. Hunt, of little Blakenham, was attempted to be set on fire. The stack was near the lime kilns, and a poker, which it is presumed had been heated at the kilns, was found in the morning thrust into the stack, but being in a damp state the stubble did not ignite. On Thursday evening, a haulm stack, and an out-building near, were entirely destroyed upon the premises of Mr. Wilson, of Mendlesham. We have also heard that a conflagration of considerable magnitude occurred same evening at Snape, but no particulars of this calamity have reached us. Monday Wm. Foreman was committed to the County gaol, in this town, by the Hon. and Rev. F. Hotham and the Rev. C. Chevallier, charged with breaking (in company with others) a threshing machine, at Laxfield.—*Ipswich Journal.*

The Army.—The 41st Regiment embarked at Gravesend on board the East India Company's ships Asia and London, for Madras, as follows: On the 13th instant, five companies on board the Asia; on the 19th instant, five companies, and head-quarters, on board the London. The depot of the 41st Regiment were to march from Chatham, yesterday, for Albany Barracks, in the Isle of Wight, where it was expected to arrive on the 2d of April.

The squadron of the 9th Lancers, which lately marched from Canterbury, reached Ipswich on the morning of Sunday se'nnight.

WEXFORD ASSIZES.

The following were convicted and sentenced on Monday week:—

Samuel Radford, for larceny; Thomas Pender, for ditto; John Lynch and Cornelius Ryan, for ditto—to be transported for seven years.

Thomas Power, an informer and vagrant, within six months to give bail to keep the peace, himself in £100, and two sureties in £25 each, or to be transported for seven years. This fellow had been sentenced on Saturday, but some circumstances having come to the knowledge of the Learned Judge, the amount of bail he was to find was doubled.

Moses Dempsey, John Dempsey, and Mark Devereux, for manslaughter, to be burned in the hand, imprisoned twelve months, and find bail to keep the peace. Sylvester Dempsey, for ditto, to be detained in custody till next Assizes for sentence, in consequence of a certificate from the Physician of bad health.

Wm. Bolton, for manslaughter; to be burned in the hand, imprisoned for twelve months, and find bail to keep the peace.

John Anderson and Edward Murphy were put to the bar. Anderson was apprehended as a vagrant. He stated, that he was from the County Armagh. Judge Moore advised him to return to his native place, and humanely gave him money to bear his expenses, after which he was discharged from the dock. In less than half an hour after his release, he was again placed in his former position in Court, under a charge of robbery. It appeared that the Prosecutor, who was a countryman, was met by the Prisoner, and several others, in John-street, two of whom placed a stick across his breast, while a third took from his pocket his money, amounting to five shillings. The whole gang then ran away, pursued by the countryman, crying out "Stop thief," and, after a long chase, the Prisoners were secured. Not a single penny was found upon the person of either of the Prisoners. The Judge told Anderson, that he saw plainly this climate was not suited for him. The Prisoners were sentenced to be transported for seven years.

Johanna Commins, for receiving stolen goods, to be transported for seven years. Jas. Grennan, for having a still, to which he pleaded guilty; to be imprisoned one month, and pay a fine of forty shillings.

Howard v. Eynr.—This was an action for the recovery of the lands near Ross, from which the Plaintiff had been ejected by a former verdict.—This cause, which was tried before the Chief Justice and a Special Jury, lasted from ten in the morning to eight o'clock in the evening of Saturday, and the greater part of Monday. Counsellor Boyd, for the Plaintiff, and Counsellor O'Connell, for the Defendant, spoke at considerable length, and, we need not add, with great ability, in behalf of their respective clients. The verdict was given in favour of the Plaintiff.

TIPPERARY ASSIZES.

(From the Clonmel Advertiser of March 27.)

On Saturday afternoon, the Right Hon. the Lord Chief Justice of the King's Bench, and the Hon. Judge Moore arrived in Clonmel from Waterford; and about half-past three the latter opened the Commission in the Crown side of the County Court-house.

The Learned Judge then addressed the Jury at considerable length. He commenced by observing that the Calendar of Prisoners for trial at the present Assizes for this County formed a striking contrast with that when he had recently the honour to administer justice in that Court: it was a happy feature of last Summer Assizes, that capital punishment did not appear necessary to be visited on any individual—hence it was to be hoped that such a state of things promised favourably for the public peace; but he lamented that the List then before him contained charges against many individuals of crimes of the most atrocious kinds—which were the more to be deplored on account of many parts of the South of Ireland being in a state of tumult and disorder. It appeared to him, that the taking of arms here, and the compelling of people to quit their lands, were significant indications that an insurrectionary spirit had made its appearance in this County; whether it was incipient or indigenous, it was not for him to say—but he exhorted the Gentlemen of the Jury to unite their utmost exertions to put it down—he would not point out by what means—he would abstain from giving any opinion on the measures necessary to be resorted to, in order to restore tranquillity—perhaps the ordinary tribunals might be sufficient to effect the desirable object; it was at least their duty to try what the effects of the common law, and particularly at the present Assizes, might be—but he called upon them to suppress the evil, either by the ordinary laws, or those of extraordinary severity, which had been recently enacted to correct the mischief of these and such like combinations against the public peace.

His Lordship avowed he knew that amongst the Magistrates of the County themselves there was a want of unity, which greatly contributed to impede the progress of means to crush the evil in its commencement; but he called on them to lay aside the differences, as it was but too manifest that illegal combinations required their united exertions to put them down. Sitting there as he did, he had no power beyond the ordinary laws, and these armed them with considerable means to meet the evils of insurgency. The Whiteboy Act was so well known to them, that he need not particularly explain it, yet he would call their attention to a part: they knew that the slightest Act of insubordination subjected the offenders to heavy penalties—and that persons found in arms by day or by night were thereby declared guilty of a capital felony. He would likewise direct their attention to the Act by which Magistrates were empowered to cause to appear before them persons they had presumptive reason to believe knew any thing of dangerous characters, and to take and commit to prison the persons refusing to comply. There was also an Act passed within these few days, which empowered Magistrates to seize and take arms from persons who may be considered dangerous, or from those who may be in every respect eligible to possess them, yet unable to prevent their falling into improper hands in case of attack. There was also a strong power under the 52d of the late King, which, if strictly acted upon, would be productive of essential benefit; by that authority strangers can be stopped, examined, and if they cannot give a satisfactory account of themselves, may be committed to prison. This, said his Lordship, is an important power, the adherence to which might prevent the spread of mischief which such people too frequently disseminate through the country, under the pretext of selling trifling articles, or begging: it is often through the means of such emissaries, that oaths and plans are communicated, by which the lives and properties of the peaceable and useful parts of the community are put to risk. He was of opinion, that if the necessary precautions had been observed against such persons in the County of Cork, the infection from the County of Limerick, the cradle of these combinations, might have been shut out—the same observation applied to this County, with respect to them; his Lordship was of opinion the Whiteboy system did not take its rise here, but that it might have been communicated from the neighbourhood of Pallis-green; he therefore warned the Magistrates against the border mischief. I do not wish, said his Lordship emphatically, to see this highly-respectable County ravaged and laid waste by outrage and crime. The evil must be prevented before it attain maturity—and it would be much better than regretting afterwards that it had not been done. He remembered well how in 1816, the Magistrates of this County, setting aside their differences, united their efforts for the common defence, and soon effectually put down the tumult; this example he trusted they would follow in the present instance, and he doubted not it would be attended with like success.

The Learned Justice observed, that since he first commenced his judicial career, he did not know the Counties of Wicklow and Wexford to be in greater tranquillity than at the present; private distillation was amongst the most prominent of their offences, but no species of Whiteboy crimes broke in upon the public repose, in illustration of which he stated, that he travelled through the County of Wexford attended only by the Sheriff and one Bailiff. With regard to the County of Waterford he could not speak so favourably; he regretted that many offences of a serious nature had occurred in that County—but though eight persons were left under sentence of death, their crimes did not seem to be connected with insurrectionary proceedings.

Regarding Presentments for public roads, &c. his Lordship remarked, that as the Gentlemen of the Jury were well aware that reductions were making in every Department of the State, he was confident they would, as far as was prudent, follow so laudable an example. In conclusion, he alluded to a difference of opinion which had arisen respecting an act of Parliament affecting the Fees of public Officers, such as Clerks of the Peace and Crown; it had created so great a difficulty, that one Judge decided in a certain way, and another reversed that decision—but the twelve Judges settled the question at last; and it is now ruled, that when a prisoner is acquitted, the Grand Jury has a power to diminish the fees—but no discretion is left them if a conviction takes place.

After sitting about two hours on preparatory business for the ensuing week, the Court adjourned to 9 o'clock on Monday morning.

Monday was principally occupied in the Crown Court with the trial of Richard Hewett and Michael Hoctor, charged with a burglary and robbery of arms in the house of Mr. George Jackson, of Mount Pleasant. The Prisoners were acquitted of this charge, but new Bills of indictment were sent up against them for another offence.

Francis Bird, otherwise James Nagle, charged with stealing two blankets from the barrack of Templemore, was convicted of stealing one of them.

Michael Walsh, for stealing two pigs at Kilcash—guilty.

Mathew Mullins, Mary Hickey, Ann M'Loughlan, and Mary Carigan, were tried for stealing 4 pair of shoes from Mr. Wm. Maguire—Mullins guilty—the others acquitted.

The principal part of yesterday was occupied with the trial of John Fogarty, John Grady, William Ryan, and Denis Ryan, indicted under the Whiteboy Act, with attacking the house of John Butt by night, levelling same, and desperately assaulting him with intent to force him to quit his farm—Guilty.

Michael Cahill and Daniel Cahill, for pig-stealing, pleaded guilty. Francis Downes, having stolen watches in his possession—guilty. Ellen Mulloway, alias Sullivan, for stealing a piece of frize and other property—guilty. The Prisoner had been convicted of a theft at last Summer Assizes, and sentenced to 4 months' confinement; and was enlarged but a fortnight when she committed the theft above-mentioned.

In the Civil Court the following Records were tried on Monday, before the Right Hon. the Lord Chief Justice:—

The Rev. Theobald Matthew, v. John Mullally.

This was an action of trespass for entering the Plaintiff's lands and taking away three cows. By the evidence it appeared that these cows were taken by Defendant under a Civil Bill Decree against John Matthew, Plaintiff's brother, who was the ostensible owner of the land and the cattle; Plaintiff, who is a Roman Catholic Clergyman, residing at Cork, claimed the property in both, and brought this action—not, however, producing any satisfactory proof of such property. The Jury found a verdict for the Defendant.

John Jones, Lessee of Henry Grove Grady, v. John Mara.

SAME *against* SAME.

These two ejectments, for non-payment of rent, were tried together by the same Jury.

The Lessor of the Plaintiff, who married the daughter of the late Thomas Lidwill, brought these actions to recover possession of the lands of Clonmore and Graffin, in this County, on which an arrear of twelve years' rent had been suffered to accrue.

The Defendant contended that he held these lands under a Lease from the late Thomas Lidwill, his wife's uncle, at a lump rent of £10 per annum, granted to him in 1806, for his services at the time of Mr. Lidwill's pecuniary embarrassments, and which lease amounted to a surrender of previously existing ones. Letters written by Defendant's wife, and by his directions, were, however, produced, which proved that these Leases were still in force.

After a consultation by Council on both sides, a verdict was by consent entered for the Lessor of the Plaintiff, finding an arrear of £20 rent due on one denomination, containing eight acres, and £650 due on the other, containing about thirty-one acres.

The following is an outline of the Records that took place in the Civil Court yesterday:—

Lessee Bradshaw v. Bridget Cranley.

This was an action of ejectment for non-payment of rent, and on a settlement of accounts between the parties. It appeared that the Defendant owed a sum of £427 4s. 2d. which being more than a year's rent, a verdict was found for the Lessor of the Plaintiff.

Palmer v. Dignam, Dignam v. Palmer.

The former was an action of covenant—the latter of Replevin. After consultation between Counsel on each side, both cases were submitted to arbitration.

Maher v. Kickam.—This was an Action on Defendant's Promissory Note for £41 9s. 8d. passed eight years since to Plaintiff. In the Defence payment was attempted to be proved, and the statute of limitation was set up; both, however, failed, and the Jury found a verdict for the amount of the Note and Interest.

Lessee of Smithwick v. Cleary.

Verdict for Plaintiff—Defendant not appearing.

Trustees of Riall's Bank v. the Hon. and Rev. James Butler.

An action against the Defendant as drawer of a Bill of Exchange on Thomas Nowlan, amount £200, discounted by the Bank, and returned to them dishonoured; the second count in the declaration was on a Bill for £500, which Plaintiff's Counsel declined proceeding on.

After the proof of the Defendant's hand-writing, the Trust Deed, &c. Defendant's Counsel urged several points on the Statute, called the Banker's Act, (23d Geo. II.), and also on the Trust-Deed, with intent to non-suit the Plaintiffs. His Lordship refused the non-suit, but saved the defence, a verdict was accordingly entered for the points—and the Defendant not making any other Plaintiffs' full demand.

CHARGE OF MURDER.

James Leary and *Margaret Mahon* were then put to the bar, charged with the wilful murder of James Ryan, at the South Suburbs of Clonmel, on the 12th of January last, by throwing him into the river there, whereby he was drowned. They were also charged, in a separate indictment, with having assaulted said James Ryan, and robbed him of various articles of wearing apparel, &c.

The following is a full and accurate statement of the evidence on this interesting trial:—

William Dillon, a medical gentleman, deposed that he was called on to look at the body of one Ryan, then lying in a field close to the river, at the County Waterford side of Clonmel. On examining the body, he found no marks of violence sufficient to cause death; the face was of a purplish or rather livid colour, and there was an ulcer on one of the legs, but no other remarkable appearance. His opinion was, from his inspection of the body, that the man's death was caused by drowning.

Mary Ryan, the widow of the deceased, an orderly looking poor woman, said she lives in Newchapel. She saw the body of her husband, on the bank of the river, near the old bridge at Clonmel, on Tuesday, the 15th of January.—The last time she saw him alive was on the preceding Saturday, when he left her to go to Clonmel market. When he set out, he had on a brownish or dark mixture coat; it was not very good; there was a piece of a lighter colour on it behind; the elbows and cuffs had been mended; there was a small tear on the side of it, and the sleeves had white twilled lining. When she saw the body, the only clothes remaining on it were a grey breeches, a shirt, and an inside or body waistcoat; it had on no coat, no shoes, and no stockings. He had a cut on the shin, which had been sore a good while before. He had shoes and stockings on when he left home. When she saw the body, the pockets of the small-clothes appeared to have been turned inside out, and one of them was torn off. [Here a pair of stockings was handed to the witness to look at, the sight of which affected the poor woman so strongly, that she was for some minutes unable to proceed with her evidence.] The stockings now produced are those which her deceased husband had on when he left home; she could not be mistaken in them, as they were made and spun by her own hands; they were shewn to her, the day after the body was taken out of the river, by Mr. Chaytor, Deputy Mayor of Clonmel. Her husband had been in the habit of smoking tobacco, and usually carried with him a pipe of his own, which he lighted when he was setting out.

This witness underwent no cross-examination.

John Hogan swore that he knew the deceased James Ryan, and saw his body when taken out of the river; it had then on only a shirt, a waistcoat, and breeches; the pockets of the latter were turned out, and one of them was cut off. Not cross-examined.

Michael Bryan, a young lad, examined.—Knows both the Prisoners. Remembers having seen them, on the 12th of January last, about 7 o'clock in the evening, near the old bridge at Clonmel, in company with one Edmond Butler and two other men; witness was then on his way home. One of the men, who was much in liquor, went down the Green-lane, at the County Waterford side of the river, in company with the two Prisoners. Knows one Pierse Kennedy; he lived at that time in the same house with witness. In about a quarter or half an hour after the time witness saw Prisoners and the strange man going down the Green-lane, Kennedy brought a great coat into the house where witness lived, and, after examining it with a candle, hung it up. The prisoner Leary came into the house about a quarter of an hour after, and received three shillings and four pence from Kennedy's wife, in payment for the coat. Witness was not present when Kennedy bought the coat, but saw it paid for, and knew from what was said at the time that the money given by Kennedy's wife to Leary was in payment for the coat; heard her say so. Leary made no observation at the time. Has not seen Leary in the presence of Kennedy at any time since. Witness took notice of the coat; it appeared broken at the elbows; it appeared rather faded in colour on the outside, but not at the inside; there were two straps on the outside; there was a piece of rather a lighter colour, sewed across the back, above the skirts; the lining of the sleeves was white, and twilled.

This witness underwent a long cross-examination by Counsellor Hassard, but nothing was elicited inconsistent with his previous statements, nor any particulars in addition to those stated in his direct examination, except that the house into which Kennedy brought the coat, and where he lodged at the time, belonged to witness's mother—and that there was an appearance of mud on the coat when Kennedy looked at it with the candle.

Pierse Kennedy.—Knew a man named James Ryan; saw him lying dead at the Green, on the bank of the river; it was on a Tuesday. Knows both the Prisoners, and knew them before that time. Remembers to have seen Ryan in company with the Prisoners on the Saturday before, very near the widow Carroll's door, close to the post-office; witness passed quite close to them, so as to rub to them in passing. The deceased seemed quite drunk, as he drooped over the Prisoner Margaret Mahon while talking to her. The post-office is not far from the bridge. Saw Leary in about an hour or less after, at the house of witness's brother. Witness went there to try to buy a pig from his brother, and was making the bargain with his brother about the pig, when Leary came in, with a riding coat on his arm. Leary asked witness's brother to buy the coat; but his brother declined purchasing it, saying that he had no money. Leary then offered to sell it to witness, who said he would buy it if not too dear, and did agree with him for it at 3s. 4d. It was much the same colour as the coat now on witness (a dark grey or mixture); the sleeves were somewhat broken, and one of the cuffs was off; there was a bit behind, apparently of the same cloth, but of rather a brighter colour, as if newer.—When witness bought the coat, at his brother's house, he walked out before Leary, and desired the latter to follow him to his lodging, and that his wife would pay him. Leary accordingly followed him over soon after and received the 3s. 4d. from his wife. Witness saw other articles with Leary at his brother's house; a pair of shoes and a pair of stockings. There were marks upon the stockings; one of them had a stripe of blood downwards on it; the heel and toe of the other were broken. Saw also some other articles with him. Witness remarked to Leary, that he must have made a *grab*—to which Prisoner replied, "By the great —— I did not; here's all I got from him," producing an old pipe, a button, and a pocket—the pocket seemed to have belonged to a waistcoat or breeches. Witness saw Leary the day the body was taken up, on the Green, and at the Bridge. Had a conversation with Leary, who came to witness and asked him to give back the coat, or to throw it into the river, as it belonged to the dead man, and, if it were found, he (Leary) would be hanged for it—Witness refused to give it back to him, and said he should give it to the Mayor.

Cross-examined.—Was never at any Assizes before. Was here once, but was not called upon to prosecute any one. Admits he was in attendance at the Assizes for the purpose of prosecuting a woman, but did not prosecute, because she was liberated on bail, without any trial; the charge against the woman was for stealing pigs, which witness (who is a butcher) killed for her. Has been in gaol; was there last night; does not know for what—supposes it was to keep him safe. Would like to get away if he could. Does not mean that he would be glad to get away from this; sure he need not come here if he liked. Admits that if he did not come here he would probably have been sent to gaol. Would not willingly have given up the coat; his wife gave it to Leary while witness was looking at the dead body. Acknowledges he was at the Assizes here on another occasion, to prosecute a man named Mullins, for sheep-stealing. Was often in Clonmel gaol; it was only for fighting. Was never accused in Clonmel of stealing cows, or of killing stolen cows. There were three or four people in the house when Leary got the money for the coat. Witness's brother is not here now, but his wife is; his brother is not well. It was between seven and eight o'clock when he saw Leary in his brother's house. The next time he saw him was on the Green, the day the body of deceased was found. Saw him but once after being at his brother's house, and that was on the bridge; is sure he did not see him after being at his brother's house till he saw him on the bridge. Did not then speak to him. Means to say, that he saw him but once after the time of paying for the coat. [Here he repeated what passed at his brother's house about the coat.] Saw Leary on the bridge that night after the coat was paid for, but not afterwards until the Tuesday following, when the body of Ryan was found. Prisoner was there publicly, but not long; believes Prisoner was taken up that night. Witness did not see him after the time he wanted to get back the coat until he was in custody.

Jane Kennedy (sister-in-law to last witness).—Knows the Prisoner Leary. Recollects seeing him on the 12th of January last, late at night, in her own house; he came there to sell a coat. Pierse Kennedy (last witness) was there at the time, as also another man, and witness's children. Leary asked witness to buy the coat, which she declined; he then offered it to Pierse Kennedy, who, after some conversation, bargained with him for three shillings and four pence, and desired Leary to follow him over to his lodging to be paid. Pierse Kennedy and the other man then went out, and were soon followed by Leary. Her husband, James Kennedy, was not within at the time. Witness saw some other articles with Leary; he had a pair of shoes and a pair of stockings, which he left on the floor. One of the stockings was bloody, upon observing which witness got frightened, and sent the things over by her own little boy to the house where Pierse Kennedy was to pay Prisoner for the coat. The little boy, not meeting Prisoner, brought back the stockings, and handed them to witness, who became so much alarmed at the appearance of the blood, that she was seized with a violent tremor, which caused her to let them both fall out of her hand into some potato water, when going to hang them up. She then washed them, and hung them up to dry. Sent them in to the Mayor on Tuesday, after the body was taken up, by Catherine Kennedy, wife of Pierse Kennedy. Cannot swear to the stockings now, but can swear that those left in her house by Leary were the same which she gave Catherine Kennedy to bring to the Mayor.

Cross-examined.—Her husband was not at home at the time that Leary was selling the coat to Pierse Kennedy; he had gone into Clonmel, for some tobacco, before Leary came in. Her brother-in-law (Pierse) was in the house before Leary brought in the coat, he was buying a pig from witness when Leary came in. Is positive her husband was not at all present when the bargain was making between Pierse Kennedy and Leary about the coat, having gone into Clonmel before that time.

Catherine Kennedy (wife of Pierse Kennedy). Recollects the night the body of Ryan was found in the river. Knows the Prisoner Leary; has known him for seven or eight years. Saw him on the Saturday night preceding the finding of Ryan's body, and paid him 3s. 4d. for a coat. (Here the witness gave a description of the coat, exactly similar to that of the former witnesses.) Witness gave back the coat to Leary on the day the body was found, at the time the Mayor was in the Green. Witness took the coat to the cellar where Leary lodged, suspecting it to have belonged to the deceased, and asked him why he had given her a coat that belonged to a man who had been robbed as well as drowned; Leary replied—"Well, if I was to die to-morrow, I would die innocent, for I never gave him a stroke."—Witness gave the coat back to Leary, because she was afraid to keep it. Had heard Ryan's widow describing the coat to the people who were about the body, and examined it on her return home, when, finding it to agree with the description given by the widow, she determined on taking it back to Leary. On witness giving up the coat to Leary, he gave it to a girl, desiring her to put it in some place where it could not be seen, or to throw it into the river. Points out Margaret Mahon, the female Prisoner on trial, as the girl to whom Leary thus gave the coat; witness can't tell what became of it afterwards. Recollects getting a pair of stockings from Jane Kennedy, the last witness. Was sent for them to the latter by witness's husband, then at the gaol, under examination, and gave them up to the Mayor. Witness and her husband had been brought to the gaol by Mr. White, the constable, to be examined respecting the coat.

This woman's cross-examination was not material. She again asserted that she went to the cellar where Leary lodged with the coat, of her own accord, without having been asked for it by Leary—and denied that she had had any conversation with her husband, or with any other person, about what testimony she was to give in Court on this trial.

In answer to questions from the Chief Justice, she said she knows Michael Brien, one of the witnesses examined on this trial; he is a smith's son. Cannot say whether he also is a smith; but has seen him working occasionally for his hire. Witness and her husband did live at that time in his house, or his mother's; there were other lodgers there at same time; thinks there were two other families, besides her own.

William Chaytor, Esq. Deputy Mayor of Clonmel. Knows the last witness; did not see her the day the body of James Ryan was taken out of the river, but did the morning following. Got from her a pair of stockings, which Mary Ryan, the widow of the deceased, declared to have belonged to her husband. In answer to the Judge. The Kennedys (Jane and Catherine) were at the gaol, but not in custody; they came voluntarily, on the morning after the body was found. Pierse Kennedy was in gaol, having been taken up the night before by the constable, together with the Prisoners. None of the family had come forward before he was in custody. [Mr. Chaytor was restrained, by the strict rules of evidence, from stating other circumstances which had come to his knowledge on this subject.]

Pierse Kennedy recalled by direction of the Judge. It was about an hour after he saw the deceased and prisoners near the post-office when Leary came in with the coat to his brother's house. Repeats what he had previously stated, that Leary first offered the coat to his *brother* (not his *brother's wife*, as she stated), who replied that he had no money, &c.

Here the case for the Prosecution closed. No witnesses were called for the Prisoners.

The learned Judge then delivered a very luminous and perspicuous charge to the Jury, in the commencement of which he took a clear and comprehensive view of the principal features of the case, as detailed in the evidence, and dwelt forcibly on the suspicious characters of Brien and the Kennedys, and on the contradictory testimony given by the latter as to some particulars, a variance which he considered sufficient to destroy all confidence in their statements, and which, combined with their acknowledged participation in a transaction, of the atrocious nature of which it was evident, even from their own admissions, they must have been well aware, was sufficient to raise a violent presumption, that they themselves were the principal actors in the horrible affair, and that their motive for criminating the Prisoners was merely to escape from the charge themselves. The evidence, his Lordship remarked, such as it was, did not at all affect the female Prisoner—and, so far it regarded Leary, was rendered so dubious by the very questionable characters of those from whom it proceeded, and the variations already noticed, as, in his opinion, to warrant the Jury in entertaining very strong and reasonable doubts of it's credibility. It would have been otherwise, his Lordship observed, if any of the articles had actually been found in the possession of the Prisoners—but this not having been the case, whatever reason there might be to indulge a strong suspicion of their guilt, he thought a verdict of conviction could not safely be rested on such doubtful testimony as had been laid before them. His Lordship then accurately recapitulated the depositions of the several witnesses, repeating, at the conclusion, his remarks on those of Brien and the Kennedys, and observing, that, though it was the sole and proper province of the Jury to pronounce upon the degree of credit to which they were entitled, he had felt it to be his duty, in a case of circumstantial evidence such as this was, to state the impressions which that evidence had left upon his mind.

The Jury then retired for some time, and returned with a verdict of *Not Guilty* in favour of each of the Prisoners upon both indictments, who were immediately discharged.

Counsel for the Prosecution—Messrs. Prendergast, Moore, and Daly.—For the Prisoners, Mr. W. H. Hassard.

SMUGGLING.

John Flanagan, Thomas Flanagan, David Flanagan, and *Edmund Morrisy*, arraigned for a misdemeanour, in smuggling tobacco, submitted to the charge, and were ordered to be fined a mark each, and imprisoned a week.

John Spencer and *James Carroll*, similarly charged, but not prosecuted, were acquitted and discharged.

CHARGE OF MURDER.

Edward Kennedy, John Hearn, James Harding, William Neary, David Moore, and *Patrick Morrisy*, were given in charge, indicted for the murder of William Crotty, at Moonmanam, on the 13th of September last, by said Kennedy firing at him a loaded pistol—and also for feloniously assaulting and firing at Denis Crotty at same time and place. No prosecution. Acquitted and discharged.

FRIDAY, MARCH 22.

Martin M'Carthy, Michael Sheedy, and *George Foley*, were tried, on an indictment framed under Lord Ellenborough's Act, for shooting at Denis Custeen, on the 21st of September, at Ballycurreen.

David Foley.—Is a farmer. On the 21st September, was standing in a yard with the three prisoners, when Denis Custeen passed by on horseback, and saluted them civilly. Sheedy took his pistol out of his bosom, and immediately snapped it at Custeen, but it missed fire; he then cocked it again, and snapped at him a second time, when it again missed fire. M'Carthy then fired his own pistol after him. Foley at this time came up and hacked the flint of Sheedy's pistol, when Sheedy again presented his pistol in the direction that Custeen was going, and fired.—Thinks Custeen was about six or seven yards distant from Sheedy when he snapped the first time, and about 30 or 40 yards off when he fired.—When M'Carthy fired, Custeen was about 20 yards off. Witness heard Sheedy say that he owed a spite to Custeen for a long time, and would now be revenged on him. M'Carthy also said he would be up with Custeen. Did not hear any thing said by any body else. It was after Sheedy missed fire the first time that he used those expressions; he also said, that if he knew the pistol would have served him so, he would have caught Custeen's horse by the bridle.

Cross-examined.—Does not know whether M'Carthy lodged informations against Custeen and another person for smuggling, previous to last Assizes. It was after last Assizes this happened. Does not know that M'Carthy was at the last Assizes of Waterford, to appear as a witness against Custeen; heard that he was, but does not know it. Heard, but does not know, that Custeen was in gaol after last Assizes. It was between 6 and 7 o'clock in the evening when this occurrence took place; it was then broad daylight. Witness was at the place where it occurred in consequence of a message sent by Sheedy to his dwelling-house. Witness had been one of the water-guard, but had been dismissed. Sheedy and Foley then belonged to the water-guard. Does not know that M'Carthy's house had been attacked during his absence from home at the last Assizes; knows it was so reported in the country. The purpose for which witness was sent for was to go with the other men to take an inventory of M'Carthy's effects, he supposes for the alleged purpose of recovering the value of them, in case they should be destroyed. Witness had a carbine, which he brought by direction of Mr. Butcher, officer of the water-guard. The Prisoners asked witness to go with them to Mr. Butcher, as they could not speak good English. (Witness himself spoke it but indifferently). Swears that, in his (witness's) opinion, the taking an inventory of M'Carthy's effects, and getting them valued, was only a plan of Mr. Anthony's, who wanted to get them destroyed, in order to have the amount levied on the parish. Cannot say whether Custeen is a man that possesses powerful influence over the common people about the mountain; he was alone on that occasion.

No other Witness was called.

The Judge, in reviewing the case, appeared to consider the story as extremely improbable in itself, and observed, that the suspicion which attached to it was greatly strengthened by the non-appearance of Custeen himself, whom they might easily have produced, if they thought proper, to sustain the allegations of Foley.

The Jury, after a short consultation, declared all the Prisoners *Not Guilty*, and they were immediately discharged—the Judge observing, that they went from the bar without the slightest stain upon their characters.

Simon Sullivan was next put to the bar, charged with having in his possession, on the 11th of February, at Kilgobinet, a forged one pound Note, purporting to be of the Bank of Ireland, knowing the same to be false and counterfeit, &c. *Not Guilty*—discharged.

The Prisoners capitally convicted—namely, *Patrick Grady, John Barrett, John Kelly, Patrick Bluett*, and *Patrick Magrath*, were brought up to receive sentence, and, after the usual formalities, were addressed by the Lord Chief Justice in a very impressive manner, and in nearly the following words:

"Patrick Magrath—I have called upon you separately, because the Jury who convicted you humanely recommended you to mercy, upon the condition of your being transported for life. I shall forward their recommendation to the Lord Lieutenant; and though I am bound now to pronounce upon you the dreadful sentence of death, yet I think it right to tell you, that I fully concur in the recommendation of the Jury, and earnestly hope that it will meet with a favourable reception.

"As to you, (naming the other Prisoners,) I am obliged, in discharge of the painful and afflicting duty which has devolved on me, to pass sentence of death upon every one of you—and I am obliged to do so, without being able to hold out any hope or expectation whatsoever of mercy in this world to any one of you. Every one of you has been found guilty after a fair and impartial trial, with only the exception of you, John Barrett, who have acknowledged your guilt by your own confession—and I feel myself here bound to say, that I am quite satisfied with the verdicts in all your cases. It appears to me, from a careful perusal of my notes of your respective trials, and from the particular inquiries I have made as to your former lives and characters, that you are all old and hardened offenders—and I am sorry to observe, that there is one circumstance common to all your cases, tho' disconnected and dissimilar in other respects, that you have all appeared to have been in the habit of carrying fire-arms, some of you for a long time and to a considerable extent. Such are the consequences of the infatuated passion for fire arms which seems to have so completely taken possession of the unfortunate and misguided Peasantry of this Country. If your minds had been directed to pursuits suitable to your state and condition in life, you would have thought the implements of husbandry the only arms proper to be found in your hands. It must be evident to every man, that when persons in your walk of life seek to possess yourselves of fire-arms, they must intend to apply them to some dreadful use—and I cannot but remark, that I have scarcely ever known one of your description, who gave himself up to the folly and wickedness of going in search of arms, that did not sooner or later bring himself to a premature and shameful death. To such an end you have unfortunately brought yourselves, and to your own misconduct only have you to attribute the ignominious fate that now awaits you.

"Upon your particular cases I have no observation to make—you are all guilty men—all old offenders, whom my duty compels me to say I cannot spare, and of whom an example must be made, for the sake of the peace and tranquillity of the Country.

"I shall say no more to you, unhappy men, but that I hope and trust the interval to be allowed you between this and the time of your execution will be passed in penitence and prayer, with a view to that eternal state into which you are about to enter; and I fervently trust in God, that he will, in his unbounded mercy, grant you the grace to render that interval available to the salvation of your immortal souls!"

His Lordship concluded by pronouncing, in the usual terms, and in the most solemn manner, the awful sentence of the law. The 20th of April, as we have already stated, is the day fixed for the execution of all the above-mentioned Prisoners.

Several Prisoners were subsequently discharged by proclamation, and the Court was occupied till its rising in the usual routine business of the Assizes, which terminated at about six o'clock.

TIPPERARY ASSIZES.

On Saturday evening, at four o'clock, Judge Moore opened his Commission in the Crown Court, after which the following highly respectable gentlemen were sworn on

THE GRAND JURY.

Hon. Gen. Sir Robert O'Callaghan, Bart. Foreman,
Right Hon. Col. Wm. Bagwell, of Marlfield, M. P.
Hon. Francis A. Prittie, of Corville, M. P.
Hon. Captain R. Moore, of Hoare Abbey,
Hon. Francis Maude, of Dundrum,
James Hewitt M. Dawson, of Newforest, Esq. M. P.
Chambre B. Ponsonby Barker, of Kilcooley Abbey, Esq.
Matthew Pennefather, of Castlelake, Esq.
Richard Butler, of Ballinahinch, Esq.
William Barton, of Grove, Esq.
William Perry, of Woodroff, Esq.
Crosbie Moore, of Mooresfort, Esq.
Peter Holmes, of Peterville, Esq.
John Bagwell, of Kilmore, Esq.
Stephen O'Meagher, of Kilmoyler, Esq.
Matthew Jacob, of Mobarnane, Esq.
John Thomas Lalor, of Cranagh, Esq.
Richard Long, of Longfield, Esq.
General Sir Wm. Packet Carroll, of Tulla House,
James Scully, of Kilfeacle, Esq.
Richard Sause, of Carrick-on-Suir, Esq.
Richard Mansergh, of Greenane, Esq. and
Ambrose Going, of Ballyphilip, Esq.

The Waterford Chronicle.

TUESDAY, MARCH 26.

The great length of the details of proceedings at the Assizes has limited us to the following extracts from the London Journals of Thursday and Friday, the latter received at a late hour yesterday evening.

LONDON—THURSDAY, MARCH 21.

"CITY, HALF-PAST ONE O'CLOCK.—The meeting of Proprietors at the Bank of England attracted much attention this morning. A general opinion prevailed, that the Bank would discount at Four per Cent. We understand that only the usual dividend and other routine business took place. The question respecting the discounting at Four per Cent. was agitated, but the reply was rather ambiguous, and it was intimated that no communication on a subject of such importance could be made."

A letter has been received from the British Consul-General at Constantinople, which rather leads to the conclusion that the continuance of peace between Russia and Turkey is not so certain as would be supposed from the tenor of some of the latest advices from the same quarter. The communication to which we allude is dated the 11th ult., and states, that the Austrian Internuncio at Constantinople had presented a note to the Divan, requesting another interview; but this is said to have been postponed from day to day, although Lord Strangford had also requested, in form, that both he and the Official Representative of the Court of Vienna might obtain an interview with the Grand Seignior and his Ministers. The British Consul-General seems to augur unfavourably from this circumstance, as tending to shew that the Porte is little inclined to terminate, in an amicable way, the long pending negociations with Russia, in which the British Minister, and the Austrian Internuncio, had taken so active a part.

The Prince of Canino, Lucien Bonaparte, passed through Frankfort on the 11th instant with his son. He travels under the name of Baron de Muzignano, and is going to Brussels, where his son is to marry the eldest daughter of Joseph Bonaparte.

Various misrepresentations having appeared in the Public Prints relative to the retirement of Sir B. Bloomfield from his Majesty's family, we have the satisfaction of being able to state, that his Majesty has shown upon the occasion the highest sense of his long and faithful services; and that Sir Benjamin retires with the approbation of the Government, and a just sense of his Sovereign's favour and magnificence.—*Courier.*

FRIDAY, MARCH 22.

Stocks this day at One.

Bank Stock shut	India Stock
3 per Cent. Red. shut	India Bonds 51 55 53
3 per Cent. Cons. [illegible]	Ex. Bills (1000) 2 4 pm.
3½ per Cent.	Lon. Ann.
4 per Cent. Cons. shut	Cons. for Acc. [illegible]
5 per Cent. [illegible]	Irish 5 per Cents.

The Paris Journals of Tuesday last have arrived this morning. The following are extracts:—

"PARIS, MARCH 19.—It was announced this afternoon on 'Change, that a great banking house had received an express, announcing the declaration of war between Russia and the Ottoman Porte.—*Journal de Paris.*

"A letter from Frankfort on the Maine, dated March 14th, states:—'A commercial courier, who arrived this morning at one of our principal mercantile houses, brings the intelligence, that, on the 10th instant, the Ambassador of Russia officially notified to the Chancellerie of Austria, the declaration of war against the Ottoman Porte.'—*Constitutionnel.*

"Four Englishmen, who were present at a dinner, given last week in the Rue Chantereine, in honour of the Republic of Colombia, were arrested on Sunday morning, just as they had entered a post-chaise to return to England. All four were conducted to the Prefecture of Police.—*Journal des Debats.*

"On Sunday evening, at five o'clock, one of the Police Commissaries entered the Hotel des Bains, No. 36, Rue Chantereine, where Mr. Williams, an English merchant, resided, and proceeded to examine his papers, which occupied him until ten at night. Mr. Williams was on the point of returning to England, with his lady, upon whose luggage seals were placed, and the husband was conducted to the Prefecture of Police. An English Major (Baldwin) who was also a resident in the hotel, was likewise taken into custody, and an English servant named Morgan. It is affirmed that the English Ambassador, having learned this extraordinary measure on the part of the Police, instantly wrote on the subject to the Minister of Foreign Affairs. The motives of this proceeding are not known.—*Constitutionnel.*

"It is said that there being reason to suppose that General Berton & his accomplices have taken refuge in the forest of Parthenay, numerous divisions of troops and gendarmerie have been ordered to penetrate into it in various directions. Every Commander has received orders to employ all the means in his power to take the Chief of this revolt alive."

STATE OF IRELAND.

We regret to learn, that the nocturnal marauders have begun to extend their depredations into the neighbouring parts of the County of Kilkenny. On Sunday night, about one o'clock, a party of them, well armed, visited the village of Curraghmartin, in that County, on the estate of Mr. Flood, of Flood-hall, lying a little to the left of the road leading to Carrick, between Granny Castle and Aglish, and about four miles from this City, where they searched several houses for arms, and procured five guns. They appeared, we understand, to be accurately informed as to those houses where arms were to be had, the names of the residents, and other local circumstances. At one of the houses, where the owner was unwell, they had the delicacy to cause a neighbour to rap at the door, to prevent alarm to the sick man, but insisted on getting his gun from his wife. After remaining about two hours, during which they fired several shots, they departed, taking with them, in addition to the arms, three or four horses, which they promised to leave near Piltown. We understand that a house at Ballinaboola, not far from the same neighbourhood, was similarly visited on Thursday night.

It appears from the *Limerick Chronicle* of Saturday, that several acts of outrage have been recently committed in various places in that quarter of the Country—such as flogging and threatening farmers, to compel them to give up their farms—burning of houses—killing of cows, sheep, &c. with other destruction of property.

The County of Tipperary has also been the scene of several atrocities. The *Clonmel Advertiser* of Saturday, amongst other details, for which we have been unable to find room, states that a man was shot dead at Mullinahone, on Thursday, while distraining cattle—and gives the particulars of the murder of a young woman at Ballybeacon, on Sunday se'nnight.

The 16 unexecuted men, sentenced at the late Special Commission at Cork, have been respited.

The City of Limerick Assizes have been adjourned to the 17th of April.

BUTTER TRADE.

A Petition to the House of Commons, praying for a protecting Duty in favour of the Butter Trade of Ireland, has been signed by the High Sheriff and Grand Jury of the County of Waterford. A similar Petition from the Gentlemen and Farmers now lies at the *Chronicle Office* for signatures.

LONDON CORN EXCHANGE.

WEDNESDAY, MARCH 20.—Several vessels from the Suffolk coast arrived to this day's market, chiefly laden with Wheat and Barley; the former article met heavy sale at Monday's prices, but prime Malting Barley was in brisk demand, and was readily taken off on full as good terms as on Monday; inferior sorts sold for grinding at from 16s. to 18s. per quarter. The Oat trade continues very dull, and the lower qualities are full 6d. per quarter cheaper. In Beans and Pease there is no alteration.

FRIDAY, MARCH 22.—Although the supply of Wheat since Monday has been small, yet it has been more than adequate to the demand, and only the finest qualities could be got off at that day's prices; the inferior descriptions remain on hand, for want of buyers. Fine Malting Barley is 1s. per quarter dearer than on Monday, and met ready sale at that advance; but there is not the least amendment in the prices of the ordinary samples. Oats are dull sale, and rather cheaper. In Beans and Peas there is no alteration.

IRISH PROVISIONS.—Holders of Beef and Pork are anxious to sell; they have resorted to public sales; prices cannot be considered to have materially changed. The prices of Bacon are maintained; the demand and consumption continue very considerable. Low qualities of Butter press heavily on the market, and public sales of that article have commenced: prime Butters are very scarce, and the highest prices are maintained, particularly for Dutch.

WATERFORD MARKETS.

Very little Country produce came in yesterday, and no material alteration could be stated in any article. Best Butter, 85s. to 86s. per cwt.—Wheat, 18s. to 22s.; Oats, 8s. 6d. to 8s. 10d.; Barley, 8s. 6d. to 11s. per barrel. Singed Pigs, 22s. to 23s.; Scalded, 16s. to 22s. per cwt.

MARRIED,

Wednesday, at Donnybrook Church, by the Rev. Prince Crawford, William M'Dougall, Esq. of Westmorland-street, Dublin, to Emily, youngest daughter of William Hayes, Esq. of Landscape Lodge.

DEATHS,

On the 21st instant, of water on the brain, Nicholas, only son of Nicholas Mahon, of Merchant's-quay, Dublin, Esq. At his early age, 14 years, no child ever more deservedly enjoyed the affections of a fond parent. His peculiarly engaging manners and amiable dispositions insured to him the regard and love of numerous friends.

In Dublin, much lamented, Miss Young, daughter of the late Lord Bishop of Clonfert, and sister of Percy Young, Esq. of Limerick.

On Friday, the 8th instant, aged 83 years, the Rev. Christopher Wyvill, at his seat, Burton Hall, Yorkshire. This venerable gentleman may be justly said to have been "a patriarch of freedom;" a great part of his youth and manhood was devoted to the zealous advocacy of constitutional principles, and the support of his country's best interests.

SHIP NEWS.

Through the judicious assiduity of Messrs. Elly, Agents for Lloyd's, aided by a fortunate run of fine weather, a great part of the cargo of the *Lady Warren*, Hunt, stranded at Ballyteigue, County Wexford, on the 18th, has been got safe out of her, with a good prospect of saving the remainder. But of the vessel there is little or no hope.

The *Felicity*, Naskins, from Waterford for London, was driven on shore on the 17th, about seven miles west of Calais, but is expected to be got off, after discharging.

ARRIVED AT LONDON,

From Waterford—18th, Sally, Allen; Joseph and Ann, Read. 19th—Sarah, Clarke; Prince Regent, Jacob, (from Ross.) 20th, Aurora, Clarke.

PORT NEWS—PASSAGE, MARCH 25.

ARRIVED,

22d—Margaret, Morrison, Liverpool, ballast, for St. Michael's; Friends, Cadigan, Cork, whiskey, wine, and fruit.
23d—Alpha, Tyrer, Troon, coals; New Mary, Driscoll, Baltimore, oats, for Liverpool; Favourite, Carew, Youghal, bark; Jane, Elliott, Plymouth, ballast; William M'Lean, Cormack, Liverpool, cotton, &c. for Messina and Palermo; Leonidas, Lovering, Liverpool, rock salt; Ceres, M'Kinlay, Glasgow, coals, iron, &c.
24th—Waveney, Bond, Liverpool, coals; Lark, Smith, do. white salt, &c.; Swift, Parey, Bridport, ballast.

SAILED,

22d—Active, Hulman, Liverpool, wheat and flour; Trinity, Keane, Dublin, malt.
23d—None.
24th—Betsey, Grenfell, Bristol, flour.
24th—Wind W. S. W. at 1 morning.

MR. COBBETT AND THE STATESMAN.

MR. COBBETT has made an Arrangement with THE STATESMAN Evening Newspaper, instead of his bringing out THE EVENING POST, or THE GRIDIRON.—His Commentary on the Parliamentary Debates appears DAILY.—Orders received for THE STATESMAN by all News Venders.

Statesman Office, Strand, London.

N. B. THE CONSTITUTION, Sunday Paper, is connected with THE STATESMAN. Price, 7d.

Clover Seed, French Plums, &c.

THOMAS JACOB

HAS JUST LANDED,

Some CLOVER SEED, of good quality, and Fifteen Quarter Boxes of excellent French PLUMS,

RECENTLY ARRIVED DIRECT FROM FRANCE.

He daily expects a Fresh Supply of

3000 New English SACKS,

And has on Sale,

English OAK BARK,
American White Oak BARREL STAVES,
and
Newfoundland COD FISH.

Waterford, 25th of 3d Mo., 1822.

MADAME COUSIN,

LATELY ARRIVED FROM FRANCE,

MOST respectfully begs leave to inform the Nobility, Gentry, and the Public of Waterford in general, that she is possessed of the much-admired art of ARTIFICIAL FRUIT MAKING, executed with the strictest resemblance to Nature—also of making CORBEILLES, or GLASS BASKETS, for Supper Tables—PAINTING on VELVET, or SATIN, in the Oriental manner—JAPANNING in BOSSELURE, a new way lately introduced from China—ENGRAVINGS RENDERED TRANSPARENT, and APPLIED ON GLASS—the same in imitation of BRONZE FIGURES—ENGRAVING on the hardest tempered STEEL, IRON, &c. &c., with the assistance only of a common Pen—BUSTS of LIVING or DEAD PERSONS taken in WAX, and executed with the most accurate resemblance.

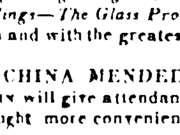
MADAME COUSIN'S short stay in Waterford obliges her to request those Ladies and Gentlemen who may wish for Instructions, to make immediate application to her, at Mr. M'CORMICK'S, Confectioner, Grand Parade, where Specimens may be seen.

TERMS.

Madame C. engages to give a perfect knowledge of *Artificial Fruit-Making*, in six Lessons, for the moderate sum of *One Guinea—Painting on Velvet or Satin*, in 5 Lessons, with the Receipts to prepare the Colours, *One Guinea—Japanning in Bosselure*, in Five Lessons, with the Receipts to prepare the Ingredients, *One Guinea—Application of Engravings on Glass*, with the Receipts to prepare the Ingredients, *Ten Shillings—Engraving on Steel, Iron, &c. &c.* One Lesson, *Six Shillings—The Glass Process* (performed without any apparatus and with the greatest ease), in Four Lessons, *One Pound.*

N. B. GLASS and CHINA MENDED.

☞ Madame COUSIN will give attendance at any Person's residence, if thought more convenient.



FOR AMERICA,

VIZ.

QUEBEC AND MONTREAL,

THE WELL KNOWN TRADING BRIG

Lanstephen Castle,

JOHN KLY, MASTER,

HAS good Accommodation for PASSENGERS, Is expected to arrive at NEW-ROSS early in APRIL, and to Sail the FIRST of MAY.

For Freight or Passage, apply to SANDHAM ELLY, or WILLIAM GRAVES.

New Ross, March 23, 1822.

HIBERNIAN BIBLE SOCIETY.

THE ANNUAL GENERAL MEETING of this Society will in consequence of the day appointed by the General Rule falling this year in Easter week, be held by adjournment on Thursday the 18th of April next.

The Meeting will be held in the Rotunda, and the Chair will be taken by his Grace the Archbishop of Tuam, President of the Society, at Twelve o'Clock precisely.

For the better regulation of admission to this Meeting, the Committee have deemed it expedient to adopt the following regulations, to which they solicit the particular attention of the friends of the Society, as they will not on any account be dispensed with.

Admission to the Meeting will be by Tickets only.

All Members of the Parent Society, or of any Auxiliary, *by the Subscription of One Guinea annually, or Ten Guineas in one Sum*, shall be entitled to two Tickets, and every additional Guinea of Subscription will entitle the Subscriber to two additional Tickets.

All Patrons, Patronesses, Presidents, Vice-Presidents, &c. or Members of Committees of Auxiliary or Branch Societies or Bible Associations, shall receive one Ticket each.

Application must be made for these Tickets at the office of the Society, any time before the Tuesday previous to the Meeting, giving the name and address of the applicant, and mentioning the claim to admission.

Members of the Society desiring Tickets of admission for persons not entitled as above, particularly for friends of the Society from the Country, are requested to make application for such persons separately and by name.—These applications will be taken into consideration by the Committee, who will accommodate the friends of the Society to the utmost of their power.

The admission to the Platform will be limited to Officers of the Society, and Speakers.

As no Tickets will be delivered at the Office, (applications only being received there) every application must be accompanied by an address in Dublin to which the Tickets are to be forwarded.

☞ It is particularly to be noticed, that the Secretaries or individual Members of the Committee have no discretionary power whatever to distribute Tickets, or to give orders for admission; and that no Tickets will be issued but according to the above regulations.

THEATRE, WATERFORD.

BY PERMISSION OF WM. MURPHY, ESQ. MAYOR.

MR. CLARKE most respectfully announces to the Public, that he has engaged for THREE NIGHTS the celebrated Vocal Performers,

MISS WILSON,

(Of the Theatres Royal, Drury Lane & Dublin,)

AND

MR. HORN,

(Of the Theatres Royal Covent Garden & Dublin,)

WHO WILL MAKE THEIR FIRST APPEARANCE HERE

THIS PRESENT TUESDAY EVENING,

When will be presented the Comic Opera of

LOVE IN A VILLAGE.

Young Meadows............ Mr. HORN.
Rosetta.................. Miss WILSON.

Mr. WELCH, Musical Preceptor of Miss WILSON, will preside at the Piano Forte.—Leader of the Band, Mr. BOWDEN, the celebrated Performer on the Violin, (of the Harmonic Society, Cork,) who has been expressly engaged for the occasion.

To conclude with a much admired Entertainment, called

LOVE, LAW, AND PHYSIC.

BOXES.... 4s. 2d. GALLERY.... 2s. 1d.

On Wednesday and Thursday, favourite Operas, in which Miss WILSON and Mr. HORN will perform.