

# The Waterford Chronicle.

This the Fortunate State that makes the Oppressor.—T. LITTLE

No 452

TUESDAY, MARCH 16, 1830

Price 6d

## TO THE PEOPLE OF THE COUNTY OF WATERFORD.

COUNTRYMEN—The struggle you have lately made for the honor and character of your fine county, demands from me, who was a witness of your splendid exertions, a few observations on the line of conduct which should be hereafter pursued, as essentially necessary, in my mind, to secure that victory which your unconquered spirit, and your incorruptible integrity so amply merit. Notwithstanding the existence of that most unjust law which has robbed you of the best privileges and most powerful right a subject of the British Empire can wield, yet still one power remains to you, which no law can ever deprive you of, and that is, the power of withdrawing your support from those men who continue to make war against your feelings and happiness.—Cruelly unjust has been that act which exposed you to the fire of the Boreforde—you should not have thus been treated. Had the individual lost one hundred thousand pounds by the struggle, in which he and you so gloriously triumphed, he should not have taken revenge on the 40,000 freeholders of the County of Waterford, and left them at the tender mercy of the greatest enemies Ireland had ever to contend against. Let the well fed Lawyer and Attorney say what they please in favor of this unfortunate act, I shall ever lament it as one of the most melancholy departures from political integrity and honour, the annals of my country can furnish. You, however, still have the pull in your hands—you are the great foundation of the social building—take that away and the flimsy superstructure will bury the inhabitants in its ruins. Cease to consume the goods of those who come on the hustings, and draw the sword against you and your children. Let the Boreforde and their followers purchase their porter, and whiskey, and wines, and tea, and sugars, and soap and candles, and leather, and every other article they sell. Let those men who have made common cause with your enemy, find out, by painful and dear experience, that their friends, the Boreforde, are a miserable portion of that body of consumers which enables them to create fortunes, occupy splendid mansions, and roll in gilded chariots—that you, the people, are the only bank on which industry can draw with effect, and that if they think proper to abandon you to your enemies, the same conscience which actuates them will prompt you to depopulate their warehouses. The hypocrisy of that cant which will call this recommendation of mine *liberal*, is too glaring to require a reply—the common sense of the country laughs at that mendacious sentiment which shields the bitter enemy of the country from peaceful and constitutional revenge. The miserable Catholic who preferred Boreford, (an old gentleman of sixty-two,) without talents or acquisitions essential to a senator, to a gentleman, who, though untried in Parliament, publicly pledged himself to every useful measure for Ireland—they have made their selection—you will make yours—you will take care to whom you will give the fruit of your labors, the wages of your industry—you will, I repeat, mark the Boreford champions, and give them the full reward of their conscientious conduct. Election Clubs must be organized in every parish; these the merits of your enemies will be discussed; there you will enjoy the parental instruction of your faithful Pastors, who, in their obedience to their higher spiritual authorities, are determined not to forget the duty they owe their country, as citizens of the same state. As priests they will do their duty on the altar; as citizens they will perform their next duty at your election clubs—thus the country will be organized; the chaff will be separated from the grain; and the feelings of the nation will not be again insulted in the temporary triumph of a Boreford. There are two families in Ireland who still never presume to solicit the support of the Irish people—they have been their greatest curses—the Boreforde and the Fosters. They have been the scorpions that stung our country to madness.—The Boreforde, a miserable, talentless race, plied the whip of the executioner, while Foster employed a powerful and acute mind in perpetuating the degradation and dishonour of his country.—The names of both shall be buried in one common tomb, and the future men of Ireland may learn from their epitaphs how wretched the fate of men who make war upon the freedom of their country. I have said that the triumph of the present old gentleman is but a temporary one. We will (I feel much confidence in the assertion) visit Lord George with the fate of Gerard Callaghan—but Lord George must go, unless men will sweep through a stone wall, and deny the words they have written and printed; but such a conjecture I will not entertain for a moment; therefore, I repeat it, I speak with no inconsiderable confidence, out Lord George must go, and Mr. John Barron must be the sitting member. But what would have been the result if such a Protestant, enlightened, liberal, and independent, as Sir Richard Musgrave, or his respected brother, John, had agreed to stand, what Catholic would dare to show his face on the hustings against two such men? Cheerfully would I have travelled 500 miles to join in the triumph of these honorable Protestant gentlemen would have achieved; but fate would have it otherwise—a Catholic was a candidate, and Catholics were determined, from family hostility, national feeling, and personal rancour, to revenge themselves on their country, in the person of John Barron. Let them, if they can, sleep with an untroubled conscience; I do not envy their slumbers; the gratitude of our venerable member may wish them to repose, but the genius of their deserted country will appear and bitterly upbraid them for the deep and deadly crime they have committed. Let us not despair; forty-two Parishes were swept together from all parts of Ireland to vote for Boreford. Three

Catholic Clergymen voted for Mr Barron; but the Catholic Clergy are determined no longer to slumber on their posts—impervious to the call of that cold philosophy which would confine the mind of the Catholic Priest to the mere performance of spiritual duties, they will make common cause with the people, point out the path which will lead to national satisfaction, and sow such good seed in the bosom of the county, as will produce immortal fruit to you and your children.

I have the honour to remain, with great sincerity and truth, your very humble servant,  
JOHN LAWLESS.  
Dublin, 15, Leeson Street, March 9th, 1830.

## WEXFORD ASSIZES.

SATURDAY, MARCH 13.

GRAND JURY.  
The Hon. Colonel William Gore, Foreman.  
The Hon. Mr. Justice, William Bolton.  
The Hon. Mr. Justice, William Madden Glynn.  
George G. Morgan Morgan, J. Harvey, Barry Castle, Robert Doyle, William Pemberton Pigott, John Rowe, Christopher Harvey, Walter Gore, Harperstown, Walter Gore, Seaford, Joshua Nunn, James Boyd, John Goddard Richards, Jacob William Goff, Esqrs. John Christopher Beauman, Major John Devereux, Thomas Derigny, Edw. Rogers, Cookman, and George St. George Irvine, Charles A. Walker, Esqrs.

The Jury having been sworn, the Learned Judge delivered his charge to them in the following terms:—Mr. Foreman and Gentlemen of the Grand Jury of the County of Wexford, I have great reason to congratulate you upon the state of your County. The crimes upon the Calendar are few in number, and unimportant in character. When I consider the time which has elapsed since the last Assizes, I cannot but say, that it reflects the greatest honor on the Gentlemen of the Grand Jury, and the Magistrates, that the County should be in the state which I find it to be in. The crimes on the Calendar do not call for any particular observations from me, but it is your examination of witnesses, any thing should occur to require my assistance, I shall be most happy to afford it. Gentlemen, there are one or two topics, however, which I have to notice, and as there is so little to do, and so much time for doing it, they will no doubt receive the fullest share of your attention. The Board of Superintendance have suggested, that for the better security of the Goal, another wall be built round it, and additional turnkeys appointed. You will see whether such a wall is requisite for the goal or not; most of you, I suppose, are acquainted with its local situation, and if, upon examination, you find it necessary to build it, you will of course adopt the recommendation of the Board. There are other suggestions which you will also attend to—one of them relative to the place of execution at the goal, and the other to the classification of the male and female prisoners. Connected with this subject is the state of the prison of Banbury, which is totally out of repair.—It has been represented to me that the governor or superintendent has not sufficient capacity to do the duties of the office. If such be the case, you will immediately appoint to the office a competent person in his stead. Here are two letters which the inspectors have published; and though the circumstances may not be applicable in all cases, yet, as far as practicable, and if they be of consequence, I think you ought to attend to their representations; but if such few prisoners be confined, there will be little occasion for any addition to the public burdens. There is another subject respecting which I can speak from my own personal observation. I think myself fortunate in coming here today; and I am sure you anticipate me in what I am going to say—I allude to the state of the road from Ennisochry, of which I was informed previous to my arrival. A shopkeeper of that town stopped me, and warned me of the danger to myself and my carriage which I incurred from the state of that road; and I must say that the state in which he represented it to be was fully borne out by what I myself observed. Perhaps under the circumstances it was out of your power to prevent its being in such a state. One overseer abandoned it—another was appointed, and that one never set it on foot.—Two preventatives have been put in for this work: one of them is for £150, and the other for £280; you will see which of these suits to approve of; but I must decidedly protest against any person connected with the present state of the road being in any way appointed overseer of that road. That was the reason why the road was left in such a state. Gentlemen, I have no further observations to make, only that I will be ready to give you all the assistance in my power that may be requisite in the discharge of your duties.

CORK ELECTION.—Look! Election commenced on Saturday. John Smeed, Esq., proposed, and Thos. Culbert, Esq., seconded the nomination of W. H. W. Newsham, of Colmore, Esq., Lionel W. Westropp, Esq., proposed Daniel Callaghan, of Limerick, Esq., and was seconded by Colonel Longfield. Mr. Gerard Callaghan and others spoke. Mr. Dillon was the Sheriff's Assessor. The show of hands was twice declared to be in favour of Mr. Newsham, but Mr. D. Callaghan demanded a poll, and the Court adjourned to Monday (yesterday).

WATERFORD POLLS.—MARCH 15. ARRIVED.  
12th—St. Michael, Murphy, Bonty, grain, for Liverpool; Abbot, Boyd, Liverpool, general cargo, for London; Friendship, Twining, Cleaverly, flour, for Dublin.  
13th—None.  
14th—City of Waterford, steamer, Barry, Bristol, m. goods and passengers; Compact, Bontyvan, Cork, deals, for Ross.

SAILED.  
14th—Commerce, Rees, Liverpool, flour and grain.  
15th—Mary Ann, Boston, Mifflin, flour and grain.  
Whitby, for Cork; London, provisions; Fanny, Stearn, Portsmouth, grain.  
16th—M. S. Ocean, on a service to Italy, Rome, before mentioned; Nora, Crimea, steamer, Stearn, Bristol, m. goods and passengers; James, Edmunds, Newport, Bristol, from Ross.  
14th—None.

## PARLIAMENTARY REFORM—VOTING BY BALLOT.

(From the Morning Chronicle of Tuesday)

Lord Althorp last night on presenting two petitions from the county of Norfolk, expressed a hope that, from the early period of the Session at which the Budget was announced, it was intended to propose some considerable reduction of taxation. The greatest possible reduction ought to be effected consistent with the public service, and he hoped that would be done. He had no desire to see the present Ministry removed; he had no wish to come into office himself; but it was his duty, and one from which nothing could induce him to deviate, to press upon the advisers of the Crown, and upon Parliament, the absolute necessity of effecting further reductions, and that to a large amount. His Lordship on the occasion spoke, we believe, the sentiments of the Division of the House of Commons of which he is generally considered the head; a most respectable and highly honourable body of men, who wish well to their country, and disdain to embroil themselves in the petty warfare of faction. The nation gives his Lordship and those who share his views full credit for a sincere desire to affect, if possible, a relief from the overwhelming taxation which presses on it. What is more, the nation gives to men now in power credit for a disposition to reduce expenditure as far as they can. But we wish we could share Lord Althorp's hope, that any considerable reduction of taxation will be effected by Ministers, however the latter might be to retrench. It is not so much because Ministers personally differ from Lord Althorp as to the benefit which would accrue from reduction, or as to the possibility of a great reduction, as because there are comparatively so few men in Parliament who dare to think with his Lordship, that Ministers are compelled to retrench a considerable reduction.—The root of the evil is in Parliament.—Parliament must be reformed; and the force necessary to move it is found in the overwhelming taxation necessary to support the extravagant expenditure for the establishments of the country at home and abroad. Sir H. Parnell may demonstrate the practicability of reduction; but can he demonstrate how Ministers can move Parliament with less money? Mr. Hume may show in detail, night after night, the extravagance of the Estimates; but the tiger does not cling more desperately to its prey, than the House to every item. Liberal speeches are to be had in abundance from all sides; but whenever there is money in the case, the vote will be found to speak volumes. Last night, for instance, Mr. Hume objected to the garbance which were kept up merely for sinecures. Sir Henry Hardinge admitted that they were military sinecures; but there were not above seventy of them. But why one?—There should be no sinecures, civil or military.—The services of military men ought to be paid according to fixed rates. Again, on the question for granting £720,839 for the half-pay and military allowances to reduced and retired officers, Mr. Hume complained that there had been no reduction in the charge for half pay, while in the French army the whole of the vast number of officers who had been on half pay at the conclusion of the war, had been worked off. Sir H. Hardinge observed, that "in 1815 the number of officers on full and half pay was 18,105, and now there was only 14,910, making a reduction of 3,195 since the peace. A large reduction had been made as possible, though they were not perceptible by many of the casualties on the half-pay list having been absorbed by placing people on it from half-pay." It is not an easy matter to understand how, in fifteen years, there should only have been a falling in of £38,000 in this branch of expenditure, without supposing much jobbing. If the French had worked off, as Mr. Hume termed it, the vast number of officers who had been on half pay at the conclusion of the war, this affords a presumption that those who administer the affairs of France are exposed to a more efficient check on the part of the representatives of the nation, than any check to which our public men are exposed. When we hear Hon. Members sneering at the representative systems of America and France, we cannot help thinking it would not be amiss if they asked themselves, what is the great object for which a nation wishes to be represented in a Parliament?—There may be more fusion and homogeneity in Congress than in the English Parliament, and the French Chamber of Deputies may not always be a model for discretion and good order; but though we have often heard a comparison instituted in these respects, it is quite beside the purpose. The question is not whether this or that mode of representation would give the ablest men, but which is best calculated to protect the pockets of the people. We have no doubt that even in point of abilities an English Parliament would be greatly improved by Reform—but that is not the question. No one who has paid the least attention to the proceedings of the French Chamber of Deputies and the American Congress can have the least doubt that they are truly guardians of the money of the people; while no man will say the English Parliament, as at present constituted, is, or without reform ever can be so. We see, too, a constant improvement taking place in the composition of the Chamber of Deputies, in its character of guardian of the public purse. When we see these things, and know by how small a portion of the people of France the Deputies are returned, we cannot help thinking that our neighbours owe much more to their ballot at elections than many Honourable Members are willing to allow. We cannot help thinking that those who object to the ballot, as likely to create hypocrisy, are something like those who will object to the offering of rewards as being calculated to produce treachery. The security of the public is, however, the great object; and not the security of the powerful man who wishes to compel his fellow-citizens to vote

against their conscience, or the security of those who live by plunder. On this point, however, we have received a masterly communication from a respected Correspondent, which we shall here by before our readers. It completely exhausts the question:—

To the Editor of the Morning Chronicle.  
Sir—I read with much interest in your Paper of yesterday the Debate on Mr. O'Connell's proposition for taking the votes at East Retford by ballot. Had you reported that Debate at greater length, I would have persuaded myself that the speeches of those who opposed the motion would have appeared not to wholly destitute of sense of reason as I read them in your columns. Your Reporter must surely have libelled Honourable Members when he announced them as rising only to proclaim their anticipations, and as scuffling in language at once so vehement, and so unbecoming, a remedy for some of the grossest abuses connected with the Elective Franchise.

Mr. Weston detests voting by ballot as "not English," as "cowardly and double dealing."—Mr. George Lamb cannot tolerate the idea of voters "sneaking up to the hustings" to give their votes in secret. What!—Provide a means of evasion for the coward!—Enable a man to promise his vote to one candidate, and to bestow it upon another! Not to be endured.

It seems to escape these Gentlemen, in their zeal for disciplining and exposing all cowards, that even according to their own supposition, the same voters, who would not like cowards under the system of secret voting, are already acting like cowards under the present system of open voting. They who now vote viva voce for candidate A, from genuine preference, would, of course, continue to vote for him under the ballot. They are not cowards either in the one case or in the other. It is only those who now vote for A, while their hearts and convictions are for B, whom the introduction of the ballot would convert into "snakes and cowards," by empowering them to do that secretly which they are afraid to do openly. But does not the very statement of the fact imply that these are the voters who at present disguise and belie their conscientious convictions, from the fear of injury at the hands of a patron? If such voters would be cowards under the secret system of voting, it is only because they are already cowards under the open system; and were I to concede that the ballot would open the door to cowardice in one way, I should yet contend that it would put an end to exactly as much cowardice in another.

But it is a manifest misemployment of an obnoxious term to characterize secret voting as "cowardly"—a practice uniform among all Clubs of English Gentlemen, and adopted both in France and in the United States. When there are two modes of affecting the same end—the one safe and easy, the other fraught with injury and danger—it is not timidity, but wisdom to choose the former. Under open voting, the honest voter must make up his mind to serious loss, perhaps even to ruin; and none but men of uncommon firmness and high principle can give an honest vote. This is what, I presume, Gentleman mean when they talk about open voting "as suitable to English spirit and manliness"—that such a degree of courage, unknown in France and America, is to be found only in England. But the fact notoriously proves that it is as rare here as anywhere else.—One of one hundred votes, you get ninety nine overawed, subdued, or silenced, and one honest martyr. Substitute the ballot and you have one hundred conscientious votes, without danger to any one. You make the ninety nine act honestly, though you you cannot make them firm and high principled.

Again—Gentlemen are pleased to denounce the ballot as a mark for hypocrisy and fraud.—The reply here is the same as to the former case. Those who would be hypocrites under the system of secret voting, are at this moment hypocrites under open voting. Their genuine preference is for one candidate; their vote for another. Under secret voting, they might possibly be induced (though I shall presently show that even this would be rare) to profess in words a preference for the worse candidate; but at any rate their votes would follow their convictions in favour of the better. Which of these two acts of hypocrisy is the more pernicious? That in which the voter may be compelled to make false professions, but is sure to give an honest vote; or that in which he gives a dishonest vote; and is very likely to make false professions besides? I maintain that the latter is beyond all comparison, the more mischievous of the two.—What the more want is good legislation: certain electors are entrusted with the sacred duty of reconvening such; and if these electors employ their votes not to return, but to drive away the fittest candidate, they are guilty not only of the violation of their special trust, but of the greatest injury which they can possibly commit against every individual in the British dominions. The evils of false professions followed by a sincere vote, is a trifle compared to the evil of a perverted vote alone.

What misleads some, really well-meaning objectors to the ballot is the insecurity which they anticipate from it as to the observance of promises. An elector who has promised his vote in favour of a candidate ought not [they think] to have the means of evading his promise with impunity. But how, if he cannot fulfil the promise without committing a greater evil than his violation of it would be? Let us apply the reasoning to the case of some other trust. I am trustee to an insolvent estate, or treasurer to a public institution. A superior, on whom I am greatly dependent, and whose displeasure it would be ruin to me to provoke, expresses me that he has sent in a fraudulent claim upon the funds under my administration, and insists upon my admitting it. Were I a man of thorough-givingness and firmness, I should scut the idea with indignation; but by the supposition this is not the case. My principles are

overborne by the fear of ruin, and I promise to accede his guilty designs. Here, then, could you not see the difficulty. Am I to fulfil this wicked promise, to the grievous injury of those who trust me with their property? Or if there be any means whereby I can refrain from seconding the design, without suffering my superior to know how I have acted, will it not be the least evil that I should have less the promise unperformed, and stick to my duty as trustee? I believe there are few who would not prescribe to me the latter alternative, and who will not readily admit that a promise which cannot be fulfilled without violating duty to third parties, ought not to be fulfilled at all. It is one wrong act to make such a promise; but it is a second, and a still greater, to execute it. By holding out the means of evading it with impunity, you divert a man from the second act of guilt, without offering any new motive to the commission of the first.

The whole moral harm—the conflict of obligation—arises, it is evident, out of the original violation of the promise. It is an unwarrantable artifice, employed to seduce or deter the elector from the due exercise of his trust. The great object, therefore, with those who would make elections as little as possible subservient to immorality; ought to be to prevent such promises from being given; and there is no way of preventing them from being given, except by diminishing the motive for asking them. This motive will be at its minimum, if the system of voting be such as to make promise no security for performance; and the ballot, therefore, instead of familiarising people with the evasion of their engagements, would obviate almost wholly a class of criminal engagements, which in their very essence imply the breach of a momentous trust. You strengthen the respect for promises in general, by extinguishing all such as you are obliged to tell a man that he ought not to fulfil.

By the vehement language of Hon. Gentlemen one might imagine that elections by open voting were a school of morality. Yet electioneering tricks and manoeuvres have passed into an absolute byword; and the gross immorality generated by the present system is to be traced not only in the conduct of the election itself, but in the discussions respecting elections, whenever the subject is broached. The sole ends for which an elective system is desirable—the attainment of good legislators, and of a security for their continuing good—is altogether banished out of sight. The character of the elector, as a trustee for the people, and the people for whom he is trustee are utterly forgotten. Were not the habit of putting the people out of the question so ineradicably rooted, the obvious truth, that fidelity cannot be expected where the trustee has every thing to lose by being faithful, and every thing to gain by being otherwise, could not be thus overlooked or controverted. If, out of each pair of candidates the Government were to choose their man, and fine every elector who voted for his opponent, gentlemen could not shut their eyes either to the efficacy or to the injustice of this bias. Yet the motives against honest voting are just as constant, and just as overwhelming, under the present system, as they would be then. One cannot doubt that the excited tenants under the Duke of Newcastle's Government at Newark would cheerfully have ransomed themselves by a moderate fine.

GABINUS.  
March 7, 1830.

## THE GLORIOUS UNCERTAINTY OF THE LAW.

Not long since, as we lately mentioned, a man who had been convicted of sheep-stealing at the Old Bailey, had his judgment respited because the animal he had stolen turned out to be a cove sheep, but was not called a cove in the indictment; and last week another of these rascals was actually acquitted at the Berkshire Assizes because the animal was a cove, while in the indictment it was described only as a sheep. If this be not solemn trifling we know not what it is. Acts are passed to simplify the criminal law, but which only make them more complex and absurd. We see no one in people being paid to prepare such Acts of Parliament, or in the time of the Legislature being taken up in discussing them. The drawers-up of Acts of Parliament, by the bye, have lately hit upon an expedient for explaining their own vagabonds, which turns the best satire and commentary in the world upon much of its absurdity. It is by framing what they call an "interpretation clause," in which they profess to give the extended meaning which certain words are meant to convey. Now, that a law, more especially a criminal law, which may affect the life, the liberty, or property of every man, should require a glossary to explain the meaning of its commonest terms, is as absurd upon the face of it, as it would be for an apothecary to send round a dictionary to his patients with every phial and pill-box. Laws should be clear and intelligible to the meanest capacity, yet few men, of even the best sense and education, can now-a-days, take up an Act of Parliament with the least chance of unravelling its real meaning. A dextrous obscurity generally runs through the whole; and a good per centage upon law-making falls to the lot of the opinion givers, who have to unravel the labyrinth of uncertainty in which most of the fruits of modern legislation are involved. Need this be so? Certainly not. But the truth is, we are the most law-ridden nation upon earth, and the trade in useless and obscure verbosity is allowed to supersede the plain and obvious use of common language and common sense. There are some standing Committees in the House of Commons—many of which have duties which are more matters of form than substance. If a Common-sense Committee were appointed, whose duty it should be to see that the language of proposed laws was plain and intelligible before they became such, a great boon would be afforded to those who are, on the one hand, to execute, or on the other, to be affected by the law.—Morning Herald.





