

The Waterford Chronicle

No. 2118.

TUESDAY, MARCH 25, 1834.

Price 6d.

ANNIVERSARY OF THE BENEVOLENT SOCIETY OF ST. PATRICK.

The fifty-first anniversary dinner of this excellent Charity was held on Monday, at the Freemasons' Tavern, Great Queen-street, London. About three hundred gentlemen attended; among whom were—the Marquis of Clanricarde, the Earl of Clanwilliam, the Earl of Portarlington, Lord Viscount Milton, Viscount Castlereagh, Lord Arthur Hill, Lord Marcus Hill, Lord Dumbryne, the Bishop of Derry, Sir N. Colthurst, Sir William Chittenden, the Right Hon. E. J. Littleton; Messrs. O'Connell, Vigors, Roddell, Todd, Evans, W. Roche, and Esq. M. P.; the Hon. Sydney Herbert, the Hon. P. S. B. Mr. Marshall; Mr. P. Mahony, &c. &c. The Earl of Fitzwilliam in the Chair.

After dinner the Chairman proposed "The health of the King" and announced that His Majesty (in addition to his former subscriptions of £470) had sent his annual donation of £100 graces. (Applauded.)

The Chairman then proposed "Success to the Benevolent Society of St. Patrick." (Cheers.) When he remembered that this Charity was peculiarly connected with Ireland, he knew it would be unnecessary for him to press upon the meeting the necessity of liberally supporting this highly useful and patriotic institution. It could not be denied that there were certain views peculiar to Irishmen upon certain occasions; still the marked characteristics of the nation—and it was that which he wished to draw their attention to—was their extensive benevolence. (Hear, hear.) It was impossible but that the inhabitants of this country, and especially such of them as visited Ireland, should be struck with the remarkable kindness and benevolence which existed between all classes in that country, and more peculiarly with the kindness of the higher to the humble classes. (Hear.) Such being the character of the people, he thought he should not have a heavy duty in inducing the company whom he saw around him to befriend that helpless portion of the people of that country, for whose benefit this charity was supported. He would, therefore, with confidence propose "Success to the St. Patrick's Charity," with three times three. (Cheers.)

The Chairman then proposed "the health of the Lord Lieutenant," and announced that in addition to his Lordship's former subscriptions of £496, he had that day sent £50. (Cheers.) Mr. Littleton said that it devolved upon him, as Chief Secretary to the Lord Lieutenant, to return thanks for the high honor conferred on his Excellency. It was natural and right that honor and distinction should be paid by an assembly such as this to the nobleman whom the Sovereign had chosen to fill the high station of his representative in Ireland. But the Marquis Wellesley had other claims on their attention—he was himself an Irishman—(cheers)—and he (Mr. L.) would take upon himself to say that there was not his Majesty's dominions a man whose heart felt more warmly for the welfare of Ireland than did that of the Marquis Wellesley. (Cheers.) Their countryman, the Lord Lieutenant, had his name associated with the brightest deeds of English arms in Asia. The present extended and prosperous condition of the British dominions in that quarter might well be said to be the result of the labors of a single mind; but he (Mr. L.) could say, from his intimate knowledge of the noble Marquis's feelings, with all the recollection of the splendour of the East, and his own glory and success in one feeling connected with that country was so dear to him as the wish to improve the condition of Ireland, and to establish tranquillity and happiness within it. (Cheers.) He would not trespass longer on their time, but he would take care to inform his Excellency of the kindness with which the mention of his name was received.

The Duchess of Kent, and the other fair subscribers to the charity, with three times three. (Applauded.) The health of the Duke of Wellington, the Earl of Salisbury, the Lord Chancellor of Ireland, and General Blyth, from the Chair. (Cheers.)

The Secretary then announced the names of the principal subscribers, and the amount of the subscriptions received on behalf of the charity upon the occasion. Among those announced was His Majesty £105, the Earl of Fitzwilliam £100, the Duchess of Kent £50, the Lord Lieutenant (in addition to his former subscriptions of £496), £50, the Dowager Marchioness of Downshire £10, Lord Kildare £20, the Bishop of Derry £20, the Duke of Leinster £25, the Marquis of Epsom, £25, the Marquis of Downshire £21, the Marquis of Abercorn £20, the Marquis of Gough £10, the Earl of Beaufort £25, the Earl of Devon £10, the Earl of Portarlington £20, Lord Kingston £20, Lord Duncannon £10, Lord A. Hill £10, Lord Milton £10, General Blyth £20, (assault), Mr. Littleton £20, Count de Salis £20, the Right Hon. E. G. Stanley £25, (loud cheers), the Hon. Sydney Herbert £25, the Right Hon. T. Spring Rice £10, C. Browne, Esq., £10, (assault), T. B. Esq., M. P., £10, D. O'Connell, Esq., M. P., £5. The total amount subscribed was £1,129 10s.

The Earl of Portarlington proposed "the health of the Noble Chairman," and announced that his kindness as a landlord and his liberality and charity to the poor. (Cheers.)

The Chairman returned thanks. He felt great pleasure in having that day to preside at the anniversary of an institution which by its rules and regulations could not but produce unimpaired good.

The Bishop of Derry and the Ministers of Religion in Ireland, from the Chair. (Cheers.)

The Bishop of Derry returned thanks in his own name and that of his brethren in the ministry. He did not wish to introduce any subject on that occasion; but he could not help saying that as long as the clergy of Ireland possessed the means, they were never last in coming forward when their assistance was wanted in behalf of their country, but at this moment they were reduced to a state of privation and destitution; and it was not one of the least painful results to them of that situation, that it prevented them from being able to offer their mite to aid of country. The presence of the Noble Lord who sat in the Chair prevented him from giving utterance to those feelings of respect which he, in common with all who knew his Lordship felt for him. His extensive liberality of the Noble Lord on the poor, and his attention to the comfort of his people, required no eulogium from him. The Noble Lord had the highest reward which virtue could bring—the approbation of his own heart. (Hear, hear.)

The Chief Secretary for Ireland, with all the honors. (Cheers.)

Mr. Littleton returned thanks. He knew that it was not necessary for the introduction of politics, and he would therefore avoid them; but he would say that so long as he was connected with the government of Ireland, he should think it his duty, as well as his inclination, to consult with persons of all parties. (Hear.)

Mr. O'Connell and the Irish Bar. (Loud cheers.) Mr. O'Connell returned thanks in his own name, and said the gentlemen of the Irish Bar were able to speak for themselves. He could not but remark the universality of British charity, which confined not itself to the limits of its own country, but scattered, with unsparring hands, its benefits wherever distress or misery was to be found. Though this was called an Irish charity, it was in fact English; for when he looked into the list of subscribers, he found that at least one hundred of them were English. (Hear.)

The health of Mr. Spring Rice, who briefly returned thanks. "The Vice President," "The Stewards," "The Ladies," and other toasts were then drunk in succession.

The chairman quitted the chair at eleven, and the greater portion of the company took their departure about the same time; but a select party remained behind, who kept it up till a late hour. The evening was much enlivened by some excellent songs, glee, &c., performed by Messrs. Haws, Broadhurst, Fitzwilliam, Hawkins, Blewitt, &c.

THE DUKE OF YORK'S COLUMN.

The statue to be placed on the top of the column reared to the memory of this amiable and exemplary prince is at last completed, and will gradually be the admiring gaze of the Londoners in a very few weeks. This work of art all our contemporaries have described most minutely—even to the precise breadth of his boots, the length of the tips of his fingers, and the circumference of the rows of his spurs. But we will be more select in the information we have to detail, for we have been favoured with a private view of the curiosities contained in a small apartment within the column which varies as particularly so as to cause that when taken to the readers of the *Satirist*, and the admirers of his late Royal Highness's public talents and private virtues, of those genes and items which are so abundantly furnished his character, and show a new lustre on his career. The room is throng round with a variety of prints representing views in French Flanders, portraits of Mrs. Clarke, Colonel Wardle, and sundry horse jockeys, dog-trainers, game-cock-feeders, and Jew money-lenders. In the centre of a group of such characters is a pictorial illustration of "The Prodigal son restored to his father." This represents the Royal Duke resigning his office of "commander-in-chief." He is in the act of laying his regimentals at his monarch's feet, while his parental parent hugs him to his bosom, as if he liked him the better for having perpetrated a few peccadilloes. There is another picture, representing Sampson in the arms of Delilah; both are admirable likenesses of the Duke, and Mrs. Clarke, his courtiers. On a table lies a military cocked-hat worn by the Duke at "the Heider"—an action known among the military men by the significant phrase of "the Heider Masses";—also the identical ironical letter sent to the Duke by the French Marshal Broune, in which, after complimenting his Royal Highness, with extraordinary gravity and bitterness, on the contemptible figure he cut in the forefaid action, concludes thus—"My love for my country prompts me to express the hope that I never another Englishman visits French Flanders it will be your Royal Highness." There are about a dozen of epigrams from Mary Anne Clarke, all bearing her autograph, some commencing, "My dearest of dears," others, "My dear little duck of a duke," &c. &c. There is a table, dis-bonored acceptances, and bonds for money lent to some so multitudinous, that all attempts to get a table to bear them without its breaking down, was an entire impossibility. These upon the floor lie in all directions, and are now considered quite as valuable as they proved to be when they became due.—*Satirist*.

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IMPERIAL PARLIAMENT.

HOUSE OF COMMONS.—TUESDAY.

LAW OF LIBEL.

The SOLICITOR GENERAL, in rising to move for "a select committee to consider the present state of the law of libel, and to report their opinion to the house," said, that in bringing under the consideration of the house a subject of such vital importance, he begged to have it understood that he was not indulging in any fanciful theory of his own. He was only anxious to have the question fairly brought before the house, and to have such changes as might be deemed necessary or expedient made with the advice and by the assistance of a select committee. The startling incongruities of the present law of libel had been long felt and acknowledged. The subject had been made a matter of complaint, but never yet of inquiry, in any way which could lead to the effect of a sound practical reform of existing errors and abuses. In the existing law of libel there were many matters of grievance affecting those persons connected with the public press. All classes of his Majesty's subjects were liable to be affected by the operation of this law; but such was the state of society now days, that in considering this question the house might almost exclusively direct its attention to those individuals engaged in our periodical publications. They very frequently had occasion to feel the inconvenience and injustice of this law. In the first place, there was the penal nature of the law as affecting publications. (Hear, hear.)

It was a man, after a decision in the case had been made, was declared to be guilty, although he might have committed no moral offence which would justify the application of the term. Undoubtedly an author might fairly and properly be declared to be guilty if he violated the principles of fair discussion. That so man could blasphe—

In like manner so might the publisher who, either in his own person, or by his agents, or from want of due care, gave circulation to libellous matter. (Hear, hear.) The interest of the publisher required that he should be held responsible for what he published. But the law as it stood involved all parties in the guilt who might be concerned in the publication, albeit they might be perfectly unacquainted with the libellous matter. Now, this decidedly was a grievance, and occasionally worked great injustice. Might they not do the law by declaring that the simple act of publishing or assisting in the publication, should not constitute a crime; but that it should be further necessary that the prosecutor should bring such proof of knowledge of the publication on the part of the accused, or of malice in some shape or form? Perhaps if some distinction of this kind were drawn, the ignorant and the innocent might be suffered to escape untouched by the law, while the original author and the conscious publisher would be still exposed to punishment. This would be a matter for the consideration of the committee. (Hear, hear.)

Another subject of grievance was, that authors and publishers were obliged to make hardship through the want of a good definition of the law of libel. To restrict libel within narrow limits would be to fetter and enslave the circulation of libellous matter; and, on the other side, if they made the definition very large, it would subject those connected with the periodical press to infinite inconvenience and manifold hardships and injuries. Learned judges had described a libel as anything that might prove injurious to the feelings of any man. This was manifestly absurd. If it were held to be correct, no author could be for a moment safe in writing or publishing. There was, accordingly, extreme difficulty in furnishing a definition of libel in the first instance, and in the abstract, and this also was well worthy the consideration of the committee. He could not (he proceeded to go into details, to which, no doubt, the committee might beneficially address themselves. There was one point to which at the same time he felt it necessary to refer particularly; it was one of the most important which could probably come under their consideration. He meant in what manner, how, and to what extent, truth should be brought under the consideration of the jury, whether in criminal or civil proceedings. Now, as the law stood in criminal proceedings, the truth of the libel could not be taken into consideration at all, while in civil cases the allegation of truth could be brought forward, and if proved was conclusive. Now, he thought there was error on both sides. In the first case, malice was implied from the libel, and certainly, therefore, the consideration of truth or falsehood, as a matter of palliation, should not altogether be excluded. He was not prepared to say to what extent it would be well to admit the consideration of truth; he did not know how far it would be advisable in criminal proceedings, for attempts to destroy private character to admit truth as a palliation, much less a justification of the libel. It was difficult to go to the extent that every man had a right to publish anything of any body, provided only that it were true. It had been suggested that some such rule as this should be established—that if the publication charged as libellous should be proved to be true, that should be an answer to the implied malice. As the law at present stood, a libel carried with it the imputation of malice. It was in vain for a defendant to prove the truth of the publication, and that he never entertained a suspicion of its containing libellous matter: if a man maliciously published that which was not true of another person, it was fit that he should be punished for so doing. In many cases it might not be right to publish matter which was true, but it never could be justifiable to publish what was not true. Some such rule as that which he adverted to might possibly be adopted, and it was a point worthy of inquiry. At present he was inclined to think if a jury should find that a defendant had published a libel innocently—that was to say, for a good purpose, or without express malice—the evidence of the truth of the publication should protect him from the implied malice. (Hear, hear.) In proceeding by simple action the consequences resulting from the present law were really absurd. If the defendant could succeed in proving the libel to be true, no matter how injurious or cruel it might be, or how

malicious sower the motives might be which prompted its publication, the person libelled could obtain no redress. Was it right that a person who had sustained the most serious injury to which he could be exposed—namely, the deprivation of his character—should be unable to obtain redress, because the fact which had been published, and which perhaps had occurred at an early period of life, and under circumstances which palliated its apparent enormity, could be proved to be true? He would now mention a case, which would strikingly exemplify the inconvenience of the libel law as regarded proceedings by simple action. The transaction to which he was about to refer occurred many years ago, but it had made a deep impression on his mind at the time, and therefore he had no doubt that he should be able to state the circumstances connected with it correctly. A young woman had, in early life, been seduced by a man of title; but after living with him for a certain time she became ashamed of the course of life she was pursuing, and taking the opportunity of escaping from it, she retired into a distant part of the country, where her seducer was unable to discover her. She obtained a situation, in which she conducted herself with so much propriety that she not only gained the good will of her employers, but was appointed to another situation in a public establishment. Several years after her seducer discovered the place of her retreat, and having in vain made proposals for the renewal of their intercourse, he hit upon the expedient of depriving her of the means of subsistence, thinking that he should then succeed in his attempt to possess himself of her person. He therefore published in the town where she resided the history of her early life. The consequence was, that the unfortunate woman lost the esteem of the friends her good conduct had procured her, and she was deprived of the appointment by means of which she obtained her livelihood. Was not this woman entitled to compensation? (Hear, hear.) Yet, if she had brought an action against her persecutor, he would have justified, and she would have been turned out of court, with the aggravation to her misfortune of having incurred a considerable expense. Much had been said on the subject of *ex officio* informations, and it must be admitted that the power which the law officers of the Crown exercised on this point, was calculated for bad as well as good times. It would be for the committee to inquire whether this power could be altogether abolished, but his own opinion was, that it would not be safe to prevent the law officers from having recourse to it in certain cases. It was possible, however, that some arrangement might be devised by which the subject would be protected against any hardship in this mode of proceeding. Perhaps the course which was pursued in Ireland might be adopted in this country with advantage. In Ireland it was the practice, he understood, for the Attorney-General to call the parties before him previously to filing an information, which afforded an opportunity for explanation of the circumstances under which the publication had taken place. This practice also operated as a protection against the adoption of proceedings by the Attorney-General without due consideration. There was another course of proceeding which had been the subject of much animadversion, and he was rather surprised at this circumstance, because it was administered in this country, it was less objectionable than any other mode of criminal proceeding—he alluded to criminal informations granted by the court. In such a case the defendant had this peculiar protection, that the court would not grant the information unless the prosecutor was able to negative the truth of the libel, and thus the prosecutor was deprived of the advantage which he would obtain by proceeding by indictment. (Hear, hear, hear.) Another advantage attending this mode of proceeding was, that the court having all the circumstances of the case before it, could interpose its advice, and probably terminate the dispute without the case proceeding to trial. No person who reflected on the subject for a moment could doubt that it was much more easy to get a grand jury to return a bill, than it was to prevail upon the court to grant an information. The grand jury examined only the prosecutor's witnesses, but the Court of King's Bench compelled the prosecutor to negative the truth of the libel before it would grant an information. Another point to which it was desirable the attention of the committee should be applied, was the construction which judges had put upon Mr. Fox's act. That act constituted the jury the judges of the law as well as of the fact, and yet, until lately, when the practice had somewhat altered, the judges seemed to think that they had a right to perform the duty which the law imposed upon juries. In early life he had frequently heard judges tell juries they were bound to state that in their opinion the publications, which formed the subjects of prosecution, were gross and scandalous libels. If any doubt existed with respect to Mr. Fox's act, it was desirable that it should be set at rest by some enactment of the legislature. There was another act, the 60th of Geo. III.—one of the six acts—which also required consideration. By this act a very severe penalty was inflicted upon a second offence, and, as the law now stood, it was probable that the consequences of the second conviction would fall on the innocent party. He hoped that an alteration would be made upon this point, without being productive of any danger. The committee might also take into consideration another provision of the same act, which authorized the seizing of copies of the publication in the possession of the defendant after conviction of libel. Great difficulty was at present experienced in getting at the parties who ought to be responsible for libels. The writer of the libel was unknown, and some nominal and fictitious party was put forward to bear the responsibility. This was a grievance, not only to the party libelled and the public, but also to the respectable part of the press—to those persons who intended honestly and honourably to discharge the duties of the profession to which they belonged. If, by inadvertence, one of the latter description of persons should admit libellous matter into his publications, he must abide the consequences; but in the other cases the publishers of the libels enjoyed impunity. Some plan might perhaps be devised to provide greater security for the publi-

ment of persons engaged in the habitual publication of libels.

He would briefly advert to another point connected with the present state of the law of libel—namely, the stamp duty on publications. The parties who evaded the law regarding stamps found a ready means of circulating libels, and he was bound to say that libellous matter was principally found in unstamped publications. It would be for the committee to consider whether the present state of the law, as regarded stamps on publications, did not tend to encourage licentiousness, and whether it would not be proper to put all parties on a level. Although the *stamp* which he had given was limited to the law of libel, it was obvious that it would be necessary for the committee to take into consideration the state of the law respecting stamps, than which it was scarcely possible to conceive anything more absurd. In looking over the catalogue of words which were considered as venious appeared for their insertion, except those that they had been decided to be libellous. Why should an affirmation be considered in the city of London, and not elsewhere in the city? Whatever might be said as to the necessity of allowing the utmost latitude for the discussion of political affairs, there was no member of that house who did not look with abhorrence on the system of private libels. (Hear, hear.) As present it was always imputed to a man who proceeded against a libeller by a simple action, that he did so for the sake of obtaining compensation, and therefore persons were forced to sue, to proceed criminally, and then they labored under the disadvantage—that they might come out of court with verdicts in their favor, but with all the cost believing the libels which they had procured. The hon. and learned gentleman concluded with moving that "a committee be appointed to consider the present state of the law as regards libel and slander." (Hear, hear.)

Mr. O'CONNELL said that he did not rise to oppose the motion; on the contrary he was extremely glad that this important subject had been brought before the house, in order to be deliberately considered, and if the bill which he had brought in had acted as a stimulus to the government—he did not say that it had—he would be very much gratified. By the hon. and learned member's clear and able statement one thing was put beyond doubt, and that was, that nothing could be more atrocious than the present state of the law of libel. It would be intolerable, and that it was inoperative. The law was so atrocious that no one attempted to carry it into effect. The hon. and learned member had shown the defects of the law, but he had pointed out how they were to be remedied. There was one thing which he complained in the hon. and learned member's speech. The hon. and learned member seemed to be thinking more of the reputation of slander—certainly a very good thing in itself—than of the establishment of free and unshackled discussion of political matters. The honorable and learned member talked of regulating the actions brought against the claimants of libels, meaning the *hypocrites*. At present an action might be brought against a *scoundrel*, and although the prosecutor should obtain only a trifling amount, the defendant might, unless the judge would certify, which he believed had never happened yet, be saddled with costs to the amount of £100 or £200. The only mode of putting a stop to frivolous actions was, to compel the prosecutor to pay costs in all such cases. The hon. and learned member had complained that there was no definition of libel, but he had not endeavored to supply the defect. Every other branch of the criminal law was defined, and why should not the same principle be applied to this branch? Nothing could more elucidate the state of the law than what had been said with respect to Mr. Fox's bill. By that bill it was intended that the question of law, as well as the fact, should be left to the jury; but ever since then the practice had been that the judges laid down their opinion as to the law, and impressed the jury so strongly that the alleged offence was a libel, that there was little, if any, chance of acquittal. He mentioned this fact to show the ill effects of leaving the law almost wholly in the hands of judges, as it was at present. It was of the utmost importance that the offence of libel should be well defined, except that "slander was well defined. It was slender to impute to any man the commission of a crime, or to state of him that he was unfit for his profession, but in all his practice he had not met any adequate definition of what was a libel. As to the discussion of public questions, he thought it ought to be as free as possible, where no charge was made against any individual. If there was a charge of misgovernment in any particular instance, that must attach to some individual, and the party making it might be brought before a jury; but there the party ought to be allowed to prove the truth of his allegation. He admitted that it would be a monstrous proposition to say, that the truth should be a justification in every case; but it would be still more monstrous to say, that in no case should the truth be allowed to go to the jury. (Hear, hear.) He agreed with the honorable and learned gentleman that in such instances as he had adduced, which, whether drawn from fact or from imagination, was a strong illustration of his point, a mere proof of the truth would be no justification of the libeller; but that would not show the justice of excluding the proof of truth in every case. He would not follow the hon. and learned gentleman into all his details, but he must protest against his defence of criminal informations. It was the worst possible way of settling truth; for it was on the principle of trying facts by affidavits. In such a case there was scarcely a chance of acquittal, for the judge, in allowing the information, pronounced on the libel before trial. As to *ex officio* informations, he thought them a grand jury would be a sufficient protection against frivolous informations, the crown ought not to have the power of terminating defendants in that way. With respect to the practice in Ireland of the Attorney-General summoning parties before him, against whom it was intended to proceed by *ex officio* informations, he would say that it was not general. It was done with the view of making terms with parties, but it was a practice which could not be approved. In the general topic introduced by the honorable and learned gentleman he fully concurred, for no man could doubt that

subject of anti-sabbathical Church. Class advertised to—

TIPPERARY ASSIZES.

CROWN COURT.—Monday. The Chief Baron Joy entered the Court this morning at ten o'clock precisely. After the petty jury was sworn.

Patrick Brien was placed at the bar on the charge of pig stealing from John Delany, at Clonmel, in October last. GUILTY.—Six months imprisonment.

William Murphy, alias Smith, was convicted of sheep stealing from Curragh, from James Brien. To be transported for life.

John Laidlaw, for sheep stealing from Patrick Walsh. GUILTY. To be transported for life.

John Magrath, James Magrath, jun, and James Ryan, for receiving stolen goods, from John Floodham, officer of Excise, at Lisnagh. Not guilty.

Patrick Kenny for sheep stealing. Not guilty.

William Keating.—Was in the employment of Mr. W. Power, of Glenageary, in November; saw a sheep, saw it afterwards in the custody of John Roche, sub-constable.

John Bourch sworn.—Arrested Kenny on the 3d November, who acknowledged that he stole the sheep; prisoner told witness to go to Charles Sullivan's house, and he'd get the sheep there.

Chief Baron.—What did you say to him? Witness.—Nothing, my lord, except to tell the truth.

Chief Baron.—Did you tell him it would be bad for him if he did not confess the truth. Witness.—I did not, my lord.

Chief Baron.—Did you tell it would be good for him? Witness.—I did not, my lord.

Chief Baron.—Gentlemen, we can't take this confession, as the constable told witness it would be better for him to confess, and consequently held out hopes. The other part of the evidence can be taken.

RECORD COURT.—Monday.

Mr. Justice Johnson entered the court about 10 o'clock, and was engaged in hearing appeals for some time.

John Jones, r Daniel Kish. This was a case of ejectment on the title in vicarages in the vicinity of Cashel, held under the Vicars Choral.

There was no counsel for the defendant, and Mr. Phelan, the Attorney, stated that he could not get the party to consent to judgment. Verdict for the plaintiff, 6d damages and 6s costs. Agent for the plaintiff, Richard Jordan, Esq.

At this period of the proceedings, Lord Bloomfield entered the court, and took his seat on a chair near the Judge—his lordship looked over the list of the records, and pointed the attention of the Judge to one of them.

Judge Johnson.—Mr. Moore, Lord Bloomfield states that he has been summoned as a witness in the case of Kennedy v. Pennefather, and wishes to know whether it is intended to examine him.

Mr. Moore said they were ready on his side to go into the case.

Mr. Pennefather.—My Lord, I cannot say whether I shall examine Lord Bloomfield, as much will depend on the testimony of the witnesses to be produced against me. The trial was then fixed to be proceeded with the first next morning.

TUESDAY.—THIRD DAY.

The Chief Baron Joy entered the Court this morning at a quarter to ten o'clock.

Timothy Brien was convicted of the manslaughter of Richard Skehan, at Clonoulty. To be transported for life.

Joseph Lee and James Gorman, were placed at the bar for a grievous assault on Daniel Toobey, servant to Mr. Cooke, of Moyna. The prisoners were convicted and sentenced to seven years transportation.

Jeremiah Carey was convicted of the manslaughter of Thomas Dwyer; to be imprisoned six months.

COUNTY TIPPERARY.

On Friday night, the 7th instant, a party of ruffians went to the house of the Rev. Mr. Lloyd, rector of Fenon, and fired a shot through the drawing-room window, but we are happy to state without having done any material injury; after having fired the shot they all fled. It is thought that they intended to intimidate Lord Mountcashel's agent, who was in the house at the time.

Last week, in the vicinity of Clogheen, a poor man, who had been in the habit of conferring inalienable benefits on the children of the poorer classes in the neighbourhood in which he resided, by imparting to them a moral and religious education, was murdered under circumstances truly appalling and horrifying, by some inhuman assassins, who have as yet escaped detection. It appears that the deceased was supported by the voluntary contributions of the clergy and farmers, who valued his worth and esteemed him for his religious habits, and when having collected about some shillings, he was met on the road and savagely murdered and robbed. They took a ring from his finger, which he much regarded in a religious point of view. We sincerely hope that these dæmons in human shape will meet that punishment their cruelty so well merits.—Clonmel Advertiser.

LOCAL IMPROVEMENT.

Every person connected with the trade of Waterford has felt, and nearly all have complained of the inconvenience consequent upon the late hours at which the English Mail via Waterford arrives, and the tardy means of communication with the city of Waterford. To remedy this inconvenience, our representative, Mr. Walker, and Mr. Talbot, member for Boss, some time since waited on the Duke of Richmond, and represented to him the necessity of establishing a mail coach between this town and Waterford. His Grace immediately assented, provided that road was in a proper state of repair, and for that purpose sent an inspector to report on the state of the road, who reported some parts thereof were in a very bad state. Present arrangements were accordingly prepared for the repairs of these parts, and laid before the Grand Jury at the last sittings, which we regret to say were refused, and consequently the project for establishing a coach for the present placed in abeyance. We confidently hope that, on reflection, the Grand Jury at the next assizes will grant the presentment for this most useful road. The exertions of the hon. members who represented this to the Duke of Richmond, and his Grace's immediate acquiescence, are deserving of the highest praise.—Waterford Freeman.

The prisoners to be tried in Derry under the Procession Act, for celebrating the relief of that town, are determined not to submit; there will be a trial, and of course great interest is excited by this announcement.

IMPORTANT TO ADVERTISEES.—JUDGMENT CRE-

diters, and the Public. An Act for rendering English Judgments effectual in Ireland, and Irish Judgments effectual in England.

Whereas by referring to his Majesty's subjects in England and Ireland respectively more effectual means of enforcing at law pecuniary engagements contracted in one country by persons whose residence or property is in the other, greater confidence will be placed in such engagements, and the interests of his Majesty's subjects in both countries be thereby promoted.

Section 1st.—Be it therefore enacted, that in all cases where final judgments shall have been obtained and enrolled, or shall hereafter be obtained and enrolled in any of his Majesty's courts of King's Bench, Common Pleas, or Exchequer, at Westminster, or in Ireland respectively, for any debt, damages, costs, or rent, which shall have been thereby adjudged to be paid, it shall and may be lawful from and after the passing of this act, and for any person or persons entitled to the benefit of such judgment, to enter up in manner hereinafter mentioned a like judgment in his Majesty's court of King's Bench in Ireland, or in case such judgment shall have been obtained or entered up in any of the said courts in Ireland, to enter up in manner hereinafter mentioned, a like judgment in his Majesty's court of King's Bench at Westminster.

Section 2d.—And be it further enacted, that the court of King's Bench in Ireland, in case such judgment shall have been obtained in any of the said courts in England, and the court of King's Bench at Westminster, in case such judgments shall have been obtained in any of the said courts in Ireland, upon the production of a transcript of the record of any such judgment as aforesaid, engrossed or written upon vellum or parchment, signed by the proper officer of the court where such judgment shall have been obtained, and upon the production of a memorial, also engrossed or written upon vellum or parchment, signed by the party or parties claiming to be entitled to the benefit of such judgment as aforesaid, and bearing date the day of the execution thereof, and containing the names of the parties to such judgment, the court, term, and year in which the same shall have been entered up, and the debt, damages, costs, or rent, therein adjudged, and also containing the names, residences and descriptions of the party or parties claiming to be entitled as aforesaid, and stating the character, right, or title, under or by virtue of which they claim as aforesaid, and stating that such judgment is a subsisting and unsatisfied judgment, and also stating the amount due thereon at the time of such execution for principal, interest, and costs, and upon proof by affidavit, to the satisfaction of such court, of the signature of such transcript by the proper officer of such court, and of the due execution of such memorial, and of the truth of the matters contained in such memorial, shall upon motion to be made in open court order by a rule absolute in the first instance, such transcript and memorial to be entered of record, and enrolled on a roll to be kept in such courts respectively, for that purpose, and to be called in the court of King's Bench in Ireland, the roll for English judgments, and to be called in the court of King's Bench at Westminster, the roll for Irish judgments.

Section 3d.—And be it further enacted, that the enrollment of such transcript and memorial shall thereupon become and be, and have all the operation of a record of a judgment of the court in which the same shall be enrolled, and all intents and purposes, as if the same had been originally given and recorded in such court, provided always, that no writ of error shall be brought on any such record of enrollment made under the authority of this act, and provided also that no such judgment person or persons whatsoever claiming under or by virtue of any such defendant or defendants, or the lands or goods of any such defendant or defendants, shall and subject to the provisions in England and Ireland respectively now in force as to the docketing of judgments which shall extend to, and regulate the same manner as they now extend to, and regulate the effect of judgments of the said courts, respectively.

Section 4th.—And be it further enacted, that in the case of a record enrolled in the court of King's Bench at Westminster, such record shall have the effect of a judgment in an action in which the venue has been laid in the county of Middlesex, both with respect to issuing process of execution, and with respect to all writs of scire facias and that in the case of a record enrolled in the court of King's Bench in Ireland, such record shall have the effect of a judgment in an action in which the venue has been laid in the county of the city of Dublin both with respect to issuing process of execution, and with respect to all writs of scire facias.

Section 5th.—And be it further enacted, that that the officer who shall sign any transcript of any record for the purposes of this act, at the time of such signing, shall make a note on the original record, that a transcript has been given out for the purposes of this act, and shall endorse on such transcript, that it is a true transcript of a record given for the purposes of this act, and shall endorse the number of the original roll on such transcript.

Section 6th.—And be it further enacted, that affidavits for the purposes of this act, or for the purposes of carrying into effect, or enforcing, or otherwise relating to judgments enrolled under this act, to be used in the Court of King's Bench in Ireland, may be sworn before any commissioner appointed by the Court of King's Bench in Ireland, to take affidavits in Great Britain, by virtue of an act passed in the 55th year of the reign of King George 3d, entitled, "an act for the better examination of witnesses in the courts of equity in Ireland, and for empowering the commissions for taking affidavits in Great Britain," and that affidavits for the purposes of this act, or for the purpose of carrying into effect, or enforcing, or otherwise relating to judgments enrolled under this act, to be used in the Court of King's Bench at Westminster, may be sworn before any commissioner appointed by the Court of King's Bench at Westminster, to take affidavits in Ireland by virtue of an act passed in the 3d and 4th years of the reign of his present Majesty, entitled, "an act better advancement of justice."

Section 7th.—And be it further enacted, that the said respective courts of King's Bench in England and Ireland shall regulate and direct, by

order, the amount of fees to be taken by the said

respective officers or commissioners for the performance of any duty or duties under the authority of this act.

ANATOMY OF CRIMINALS (IRELAND) BILL.

It has often been a subject of very great surprise, and of no less regret to the men of sound principles, both in and out of Parliament, to see the greatest manner in which bills affecting, to a certain extent, not only the property but the lives of the people, are sometimes smuggled through the houses of legislature. We are of opinion that this species of smuggling, for which there is no legal punishment, is far more dangerous to the dearest interests of British subjects, and detrimental to the character of the nation, than all the rest of the contraband contrivances put together. We were led to make these remarks now, by discovering that a bill has been carried through two stages in the House of Commons, and stands for the third reading to-morrow, although, except Mr. E. J. Littleton and Henry Warburton, Esq. (mover and seconder,) perhaps three other members of the House, not in the administration, are not aware of its existence; for, by a strange anomaly, and, as may be supposed, some bungling or mismanagement on the part of its sponsors, the bill has not been printed! This curious document of high penal legislation is, it seems, to be passed without being read by the members! This, we think, may be called reform with a vengeance. The bill is styled in the proceedings of the Commons, "Anatomy of Criminals (Ireland) bill." This is a most blundering title, to say the least of it, for it has nothing to do with anatomy. But upon anatomizing the bill, we find that it is a bill to authorise the gibbetting of criminals in Ireland, similar to that disgusting remnant of barbarous legislation, which was introduced upon the civilization of England about two years since, and which its framers dare not now bring into operation because the voice of the nation was raised against those horrid, revolting, and useless exposures of the human body. Why such a gross and utterly barbarous legislative measure should be hurried through the house we cannot tell, but we hope some of the friends of civilization will not be over nice in sifting this contrivance thoroughly. Mr. Warburton, we understand, has said, when questioned about it, that he did not authorise his name to be used as if under consideration was carried rapidly through the House of Commons early in last August, and we believe, passed with equal celerity through the House of Lords; but a reference to the printed journals of their lordships' house will decide that point, as also whether it was ever perfected and entered amongst the other statutes. These points we think worthy of inquiry. We give a copy of the former bill in another part of the Morning Herald, and the present one, we understand, precisely the same, with the exception of the title, which in the present one is singularly inappropriate. We have frequently taken up this subject in the Morning Herald, particularly at the time when those shocking scenes took place at Leicester, and Jarro Slake, where in one instance the body of the gibbeted man was taken away during the night, and in the other case it was removed by authority, because the humane and enlightened people of England would not suffer their country to be disgraced by such barbarous and disgusting penalties, altho' they were revived by our reform ministry after they had been discarded for half a century.—Morning Herald.

LEOPOLD THE PENSIONER.

The ministers would willingly let the affair of Prince Leopold's pension go to sleep—but we do not intend to allow it. It is strange that no independent member has ventured to mention to his place in the house, that, besides his pension, the Prince on his marriage, received as a present from this nation, the valuable estate of Claremont, the rental of which is at least £12,000 per annum. Now, how does it happen that this rental is not sufficient to keep up, or rather to keep shut up, the mansion-house upon this estate, and to pay the few and trifling allowances to old servants, &c.?

But the Whigs have good reason to be tender upon this subject. We were behind the curtain, and knew the whole intrigue which took place on the then administration proposed and intended to give her Royal Highness and her husband, until they came to the throne, £80,000 per annum; and £100,000 for a residence; and £30,000 per annum to the Prince in case of her death before him, and previously to the death of her father, the Whigs, however, ever anxious to obtain place, or a chance of place, thought it a good opportunity to ingratiate themselves with the heiress apparent, and accordingly employed Lord he and his friends, the Whigs, considered the provision proposed by the government to be much too small, and that if they were in power they would give much higher. The Princess took advantage of this, urged, and obtained what was granted—the objection to interfere with which, it is very probable, arises from the recollection which the Whigs have of having been the cause of the exorbitant provision made, and that his Majesty of Belgium might remind them of the negotiation on the subject.—Edg.

AN ENGLISH LANDLORD.

Shafto Craster, Esq. of Craster, has with his usual benevolent consideration, ordered another tract along the coast, who were unavoidably prevented pursuing their calling during the late boisterous weather; an example worthy of imitation.—Newcastle Press.

PATRICK'S DAY.

A great concourse of persons assembled on Monday to witness the relieving of the Castle guard.—As the troops passed along the Quay, the band struck up the national anthem, amidst the cheering of the crowds which accompanied them: Sir Edward Blakeney and the officers of his staff had their hats decorated with large shamrocks.—Register.

ANECDOTE OF NELSON.—

Captain Nelson's name was accidentally left out of the despatches, as he had gone aboard his ship to be treated for his hurt by his own surgeon. Some weeks afterwards when he read the printed gazette, he was highly offended at this trivial omission, and consoled himself by saying, "that one day he would have a gazette of his own." This prophecy was frequently and gloriously fulfilled.—Life of Sir John Moore.

INFLUENCE OF THE USEFUL ARTS ON CIVILIZATION.

You will not regard it as ill-timed, nor irrelevant to the present occasion, my friends, should I bring your attention for a moment to the important bearing which the useful arts have upon the welfare of society. In order to estimate their importance correctly, it is necessary to contemplate the condition of man as we find him in a state of nature, where the arts are unknown, and where the lights of civilization have never dawned upon his path. Wherever man is thus situated, we find him a creature of blind impulse of passion and of instinct—of grovelling hopes, and of low desires; and his wants, like those of the brute, supplied only by the spontaneous productions of nature—his only covering, a scanty supply of hair—his food, the acorn and the leathorn insect—the cavern his dwelling, and the earth his couch, and the rock his pillow. The superiority of man's condition, therefore, over that of other animals is attributable solely to the influence of the mechanic arts. Without their aid, the native powers of his mind, however great, could never have been developed; and the physical sciences, which he has been enabled to master, in a state of civilization, would have still been numbered among the secrets of nature. What progress, for example, could have been made in the science of astronomy, without the aid of the telescope? In chemistry, without the retort and receiver? In anatomy and surgery, without the knife and the tourniquet? In agriculture, without the hoe and the mattock, the spade, the plough, the scythe and the pruning-hook? Contrast civilized with savage men; compare, for example, the Boeshmen of Southern Africa, whose chief supply of food consists of the locust and the ant; or the Equinoux, who feast and fatten upon train oil and seal's blubber, with the inhabitants of those countries where the useful arts are known and cultivated, and you will be enabled to estimate more correctly their influence upon the welfare of man. The condition of the Equinoux, although wretched and degraded, is far preferable to that of the Boeshmen. Physiologists tell us, that their physical structure and capacities are about the same. The comparative elevation, therefore, of the one is ascribable, directly, to the facts of the arts having been partially introduced among them. The Equinoux have been taught to construct the boat to string the bow, and to fashion the spear. But the Boeshmen are utterly ignorant of the arts, and consequently, strangers to civilization and improvement; their moral and intellectual features, therefore, have been the same, through the succession of ages and the lapse of centuries!—No improvement—no melioration in their condition has taken place—but, through the transition of generations, sire and sons have lived and died alike degraded! Various philosophers have attributed the difference which exists between nations to various causes.—Hippocrates, for example, with regard to the Scythians, and Strabo, as respecting the Medes and Armenians, took it for granted, that climate alone causes the distinctions or similarities, whether physical or moral, which characterize various people. This ancient hypothesis has been adopted, to the full extent, by thousands, notwithstanding its manifest absurdity. La Mothe adopted the puerile and chimerical theory of natural sympathies, and contended, that to their influence was ascribable the difference which distinguishes one nation from another. While Bayle, with much more propriety and truth, attributed those differences to political interests and institutions of state. That climate and government exert great influence over the character and conduct of man, and create striking national distinctions, is admitted. It is a combination of those two causes which makes the Frenchman languid, gay, volatile; the Spaniard taciturn, staid, and solemn; the Ottoman dull, languid, and listless; the German hardy, diligent, and contemplative. But, however opposite and distinctive the habits and principles which the influence of climate and government may generate, and however those causes operate upon the character and condition of man, yet they affect his happiness and welfare but remotely and partially indeed when compared with the influence exercised by the mechanic arts. For, although men of different nations may be opposed in fundamental opinions, and the elements of their thoughts and acquisitions be at variance, yet, where the arts are practised, man is civilized, and, therefore, comparatively blessed; but where the arts are unknown, man is a savage and degraded to the level of the brute that resembles him in form and in habits. Civilization, man, therefore, is what he is by means of the mechanic arts.—Moore's Address to the New York Trades' Union.

A SILENT WOMAN.

There are in the world individuals so uncharitably disposed, as altogether to discredit the existence of what they are unwillingly pleased to term the phenomenon, at the head of our paragraph.—Byron has compared a silent lady to a prodigy, "it will be dream of a poet's philosophy, verily, 'silent thunder'—but luckily for the fair sex, poetry is not argument; and the instance in prose we are about to quote, speaks highly in favor of the possibility of their having actually existed, at least one woman (not born dumb) who could hold her tongue to some purpose. The story is related by Madam Campan, the governess to the sister and daughter-in-law of Napoleon, first consul, and here it is: Madame R-gler, the wife of the Procureur Civil of Versailles, was one day chatting at her own house, in the midst of a large assembly; she happened, in the course of the conversation, to fall some foolish observation or other, out of its place, it is true, but of no sort of consequence.—Her husband rated her soundly before all the company, and told her, "to hold her tongue for the rest of her life." She lived 20 or 30 years after this, and never spoke a single word from that time; she was committed beneath her very eyes; attempts were made to take her by surprise, but it was found impossible to draw a word from her.—When she gave her consent to the marriage of her children, she would nod her head and sign the contract; never was such extreme tenacity witnessed in this world. She never once opened her mouth; her self-love had been wounded, and she never forgave the affront; her dose of it must have been a strong one—20 or 30 years! Ponder on this, ye traducers of the fair, and own that a woman may, for a consideration, be 'silent,' though 'not dumb.'

THE VAMPIRE.

Long Welleley's career has not yet been cut short; he is still at Brussels, and reigns in all the times of the night. He is still at Brussels, and reigns in all the times of the night. He is still at Brussels, and reigns in all the times of the night.

HORRIBLE SUTTEE.

FROM THE BOMBAY COURIER OF SEPTEMBER 23. The Rajah of Eedur, a small independent state beyond the British frontier in Guzerat, died in the afternoon of the 12th of August last, and when the event, which was for some little time concealed, became known to his household, several of the Rajas (his wives) rushed into the apartment where the dead body lay. The mother of the present young Rajah was alone ignorant of the fact of the death, being detained in her room by the Karkarees, or native ministers. On the morning of the 5th she awoke serene, two concubines of different castes from the Rajah, one personal manservant, and four female slaves were taken down with the corpse and burnt with it, before the whole assembled population of Eedur. Every body of influence is stated to have aided in the horrid tragedy; and not a single person, either connected with the Rajah's family, or otherwise, appears to have interposed a solitary effort to prevent or to avert such a most unfortunate and cruel step from taking the fatal step of burning with their chief's body. On the contrary, the greatest alacrity was shown on all sides to complete this infamous outrage. One of the Rajas was several months advanced in pregnancy; another, who had throughout shown a disinclination to survive herself, had only been married nineteen months to the Rajah, and was under twenty years of age. Just before the lighting of the funeral pile, the eldest Rajas sixty years of age, addressed the Karkarees, saying that "she herself had always determined to burn with the Rajah, and that no expostulation would have turned her from her purpose, but it was strange she had not heard one word of dissuasion or compassion expressed by any one." She concluded her remarks by desiring them to go and live on the plunder they were securing to themselves by the destruction of their chief's family. The Karkarees were influenced, it is understood, in sparing the life of the surviving Rajas, as she is the mother of the late Rajah's only son, and her loss might have been injurious to their interest. An extensive pillage of the Rajah's personal property, consisting of various valuable in jewels, &c., is stated to have taken place for the benefit of the Karkarees.

LONDON POLICE.

SINGULAR CASE.—At Marlborough-street, a chimney sweep, named Ratcliffe, appeared with his apprentice, John Green, a little boy, aged ten, under the following circumstances:—A man stated that a woman named Mary Thompson, who was his sister-in-law, had bound the boy to Ratcliffe, receiving the payment of one guinea; but she was not his mother, and she had no right to bind him. A female then stated, that about ten years ago, after she had been in a few weeks, a lady in advanced state of pregnancy, called upon her, and solicited her to take charge of her child as soon as born, but witness gave no decisive answer. In a few days after the visit, she was knocked up at two o'clock in the morning, and a new born infant, wrapped in a handsome silk cloak, was brought to her, and a young tradesman, named Green, who stated himself to be the father of the child, promised to pay for his nurture, and enjoined secrecy, as the mother of the child was the wife of an officer who was absent on foreign service. After nursing the child for about three months, she gave up the child to Mary Ann Thompson, who had then been delivered of a child in Marylebone workhouse, where it had died. Mary Ann Thompson took the child, passed herself off as its mother, and for seven years received relief for it in that character from the parish of Marylebone. As the clue to the real parents of the child was by some means lost, Mary Ann Thompson got rid of the burden by binding it to Ratcliffe, a chimney sweep; it appeared that the tradesman referred to had been dead upwards of two years. Mr Chambers, by consent of the parties, cancelled the indentures, and assigned the boy to the care of the parish authorities of Marylebone.

ENGLISH AT NAPLES.

Naples continues to be crowded with English, and house-rent is consequently exorbitant. The Duke of Devonshire pays for his apartments in the Vittoria Hotel £240 per month; Lord Combermere £100, Mr. Hope, £230, Sir F. Poore £80, Sir H. O'Byrne £100, Lord de Tabley, £100, Lord Herford, £230 per month; the latter nobleman is still in a weak state of health, and he appears sadly emaciated, but his spirits are good. He has purchased a superb palace for Lady Strachan for £14,000, which his lordship has caused to be furnished in a splendid style. The King of Naples has created Lady Strachan Marchioness of Szilak, the title being taken from an estate which she has lately acquired. Many of the English nobility, including the Marquis of Anglesey and his suite, have removed to Castel-Alone, a delightful town on the shores of the Mediterranean, about 20 miles from Naples.

Mrs. Vestris has made a very profitable speculation of this year at the Olympic, although her receipts, during one part of the season were less than at the corresponding period last season. It is said, in theatrical circles, that she will clear nearly £2000.

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Handwritten notes and signatures on the right margin, including a large '2' at the top and various illegible scribbles.

