

The Tithe Massacre

No. 2137.

THURSDAY, MAY 8, 1881.

Price 6d.

IMPERIAL PARLIAMENT. HOUSE OF COMMONS—FRIDAY, MAY 2.

MR. ROBINSON rose, and after some desultory conversation upon a point of form, begged to ask the noble lord (Palmerston) whether his Majesty's government were aware of the decree which the public prints stated had been lately issued in Portugal, for equalizing the duty upon all foreign goods imported into that country, and if so, what time the government had become acquainted with it, and if any steps had been taken respecting it.

LORD PALMERSTON replied, that he had yesterday received from his Majesty's minister at the Court of Portugal the copy of a decree, by which the government of Portugal reduced the duties upon all foreign goods to 15 per cent. The amount which had heretofore been levied upon goods of British manufacture, pursuant to existing treaties, no previous notice had been given of any intention by the Portuguese government to pass such a decree, and it was only yesterday that it came to his knowledge.

MR. G. B. ROBINSON then deferred his motion until Monday next.

MR. D. W. BARVEY said it was not his intention to persist in the call of the house on Monday next, when the question of the Pension List would come on; but he was determined to bring on the subject of the Pension List that evening.

IRISH CHURCH TEMPERANCE ACT.

On the motion of **MR. LITTLETON**, the house went into a committee on the Irish Church Temperance Act.

MR. LITTLETON said that the reason why he had yesterday suggested a committee on this Act was, that certain amendments might be introduced into it—some to give it greater effect, others to correct errors, and to extend its provisions. The chief amendment related to the church cess, and it was universally understood that the church cess was to be done away with, and that the funds for the purposes to which it was applied should be supplied by the ecclesiastical commissioners; but it was suggested that the bill would have passed before the Easter recess if, however, was delayed from various causes, and they had neglected to insert a clause in the measure respecting the vestry cess, which ought to have been retrospective in its operation. The consequence was, that the church cess of 1839 remained unpaid. Now, it was impossible for the ecclesiastical commissioners to pay it, the amount being £250,000 or £290,000. In the course of the present year he had no doubt they would be in possession of £107,000 or £108,000, from which was to be deducted £45,000 for the expenses of the present year. The proposition he had to make was, that the Treasury should now advance the ecclesiastical commissioners a sum not exceeding £100,000 upon such interest as might be hereafter determined. Without entering into the details of errors which the amendments were proposed to correct, he would state that they would apply to the cases of suspension mentioned in the 116th clause, and of disappropriation under the 124th clause. With respect to the Deanery of Down, he had to observe, that that day there had been an order made by the Privy Council of Ireland, by which the incomes severally derived from the parishes of the Union to the rectors were altered from an average of £11 a year to an average of £35 5s. The clerics of the Deanery were to be defrayed from the incomes, in shares proportionable to their amount; and it was calculated, that under this new arrangement a net income of £1,047 a year would be left to the Dean. He had now to propose that a sum not exceeding £100,000 be granted from the consolidated fund to the ecclesiastical commissioners to defray certain charges arising under the act respecting the church temperance in Ireland.

MR. O'CONNELL said that this act had given no relief to the Catholics or Dissenters, excepting by the removal of the church cess. He objected to parishes being taxed for the duty of putting the remains of persons into a coffin who had given all his life, and he considered that the provision for destitute children was only another form of the system of founding hospitals, which had been condemned in Ireland. His great object was now to repeal, if not the whole of the 7th of Queen IV., at least that clause of it which made a vestry assessment compulsory, through any inequality in the appeal. He also announced his intention of again taking the scene of the house upon the 147th clause.

MR. ORRILL concurred with the hon. and learned member for Dublin in the wish to have the 7th of Queen IV. repealed.

After a few words from **MR. LEFROY**, **MR. J. GRATTAN**, **MR. BURTON**, **MR. SHAW**, **MR. WALKER**, and **MR. O'RILLY**.

MR. MUMF said he wished to know what money was in the hands of the commissioners from the revenues of lapsed dignities.

MR. LITTLETON resumed. Property to the value of £107,000 was in the hands of the commissioners, and the expenses they would have to meet amounted to about £103,000 or £104,000.

MR. HUMB did not see why the money he advanced should be charged on the consolidated fund. He feared that if we put it on that fund we should never see a farthing of it again. He proposed to leave out the words "consolidated fund" and substitute for them "the commissioners of Exchequer bills." He would ask the noble lord, while he was on this subject, what measures the government were about to bring forward to pacify Ireland. Before we advanced more money to support the church, which, in his opinion, was the cause of all the disturbances there, we ought to think of some remedial measures. It was fit that the church should be maintained out of the church property, and he should therefore move, as an amendment, that £100,000 should be paid to the ecclesiastical commissioners of Ireland by the commissioners of Exchequer bills.

LORD ALTHORP said that this money was merely in advance on the security of the church property. He did not suppose that his hon. friend would have thought the money was to come out of the pocket of the nation. He felt with him that the church should maintain itself with its own property.

MR. ROBINSON asked the noble lord (Palmerston) whether he was still of the opinion he had expressed last session, with respect to the repayment of the money advanced by the country to the Irish church.

LORD ALTHORP said that he was then content that repayment would be made, and he now felt still greater confidence on the subject.

MR. O'CONNELL was sorry for the second part of the noble lord's answer. That notion could not be created without force. They would get more than that money if they attempted to enforce their determinations. They ought to have shifted the burden, not changed its name.

A conversation followed in which **MR. LITTLETON**, **MR. GRATTAN**, **MR. BURTON**, **MR. SHAW**, **MR. WALKER**, and **MR. O'CONNELL** took part.

MR. HUMB's amendment was then put and agreed to, and the report was ordered to be received on Monday.

Petitions against the Irish tithe bill were presented by **MR. D. GRATTAN**, from several places in Ireland; by **MR. FITZGERALD**, from the county Down; and by **MR. FINN** from 29 different places in Ireland.

TITHES (IRELAND) BILL—SECOND READING.

The order of the day for the second reading of the Irish Tithes Bill having been read.

MR. LITTLETON said that the house was aware that by the 53d clause of the Irish Tithes Bill, it was proposed to fix a varying rate of reduction for each county or district, but he intended to propose, in lieu of this provision, that a uniform rate of reduction should be made on the payments to the owners at 15 per cent., except in cases where landlords had already taken upon themselves the payment of compositions, and in such cases to meet the additional cost of collection. The deduction he proposed would be 17 per cent. The next alteration he should have to propose was, that when less than 100 acres had been made to the possessor of lands, the rate reserved on such lessor, or the composition, whichever was the smaller in amount, should be the measure of the land rate, but the incumbent lesser was to receive the amount of the rent, subject of course to a reasonable charge for collection; the deficiency, if any, being made good out of the funds arising from the deductions. Another provision would be, that where tithes-free lands had been subjected to composition, an arrangement should be made for the exonerated lands, and the principle of Lord Tenterden's act, 21 and 31 William IV., c. 109, should be extended to Ireland. The next alteration he should have to propose would be, instead of providing an office for the receipt of voluntary payment of the land tax under the 24th clause, the collector of excise should be employed for that purpose. Another alteration would be, that instead of appointing paymasters of warrants, the transactions should be managed through the instrumentality of the bank of Ireland, if practicable. The next alteration was, that forms for all the conveyances under the bill should be supplied by a schedule, with a view to the reduction of law expenses. The next would be, that the 62d clause, authorising an abatement of 10 per cent. on the redemption money in the case of estates much subdivided, should be struck out, and that power should be given to the commissioners of woods and forests to direct a valuation of any individual estate for the purpose of releasing the land tax.

The last alteration he should have to suggest was, that powers should be given for the exchange at any time of the lands annexed to benefices. These were the alterations he proposed to make. The right hon. gentleman then moved the second reading of the bill.

MR. O'NEILL objected to the bill, because he thought it would not have the effect either of restoring peace to Ireland, or of enabling the government to collect the payments hitherto known by the name of tithes. (Hear, hear.) That fund he considered to be the property of the nation, and he thought that his Majesty's government should never admit of asserting that right. The hon. member contended that the inequality of the amount collected for tithes in different parts of Ireland was one of the greatest evils connected with the system, and read the following extract from the report of the committee of the House of Lords, and accompanying statement, to show the extent of that inequality in some instances:—And every where the tithe demanded was less than was due, it has become a source of complaint, when compared with the demand of a comparatively smaller amount in an adjoining parish. Unfavourable associations are at the same time created in the minds of the owners upon whom the payment of tithes falls in the first instance, especially where a large moiety, as is the case in the greatest part of Ireland, are not members of the established church. The hon. member then read the following:—

- "AVERAGE OF TITHES IN DIFFERENT PARISHES."
- Under 11th of Queen IV. 1-19th to 1-26th of rental.
- Connaught, 1-14th per acre; 1-24th to 1-34 of rental.
- Ulster, 1-24th per acre; 1-10th to 1-21 of rental.
- Leinster, 1-14th per acre; 1-12th to 1-12th of rental.
- On 14,000 acres in King's County, tithes are 5-10 per acre, or 3-10 per cent. on rental.
- Parish of Kellane, county Wexford, rent 7s. 6d. under Mr. Gough's Act, 2s. 6d. composition.
- Parish of Coyne, rent from 10s. to 10s.; tithes composition varies from 5s. to 2s.
- "Land in possession of Mr. C. J. tithes 4d. to 10d."

The bill was not a bill to levy tithes, for it set forth that tithes were thenceforward to cease and determine. It imposed a land tax, which, however, was to be in lieu of tithes, and it was to be called so. Tithes, under whatever name they might be denominated, the Irish people would not pay; and their resistance to the payment of that impost, and even to some of the King's taxes, would be determined. He thought the Irish landlords should be very wary of undertaking to collect tithes in this way; for they would find, not only that the country would resist the payment of that impost, but, while they were about it, would refuse to pay their rent—(hear, hear)—and thus, in their endeavour to get their tithes, the landlords would lose their rent. (Hear, hear.) There were some more interested in preserving the peace of Ireland than his clergy and landlords—(hear, hear)—and if sacrifices were to be made to secure that peace, the landlords ought to be the first to make those sacrifices; if a tax were necessary for the alleged purpose, it should be paid by those parties who

could best afford it, and also of the same time were most interested in keeping the country peaceable. He had intended to move as an amendment on the hon. secretary's motion a series of resolutions to that effect, but he found that the terms of the house prevented him from bringing forward the resolutions in that manner. He would, however, read the resolutions, in order that the house might see what his views were. The hon. member then concluded by reading the resolutions.

MR. CAREW said he ardently desired to have the question settled, and, therefore, should regret to see the present bill thrown out, although he disapproved of many of its details. He thought that if the right hon. secretary would consent to postpone the discussion for a week, with a view to collect the opinions of Irish landlords on the provisions of the bill, a beneficial effect would be produced upon public opinion in Ireland. The hon. member concluded with moving, as an amendment, that the debate should be adjourned to this day week.

MR. FINN denounced the measure, because while it was in the State it was condemned by all parties; it went to establish and maintain the existence of the church. In ten parishes in the county Wick there was not a single Protestant; in his own parish there was no church, and yet the people were called upon to pay tithes to a clergyman who had nothing to do but collect their incomes. If an establishment was to be supported at all, a census ought to be made in the first place, to ascertain the number of Protestants in Ireland, in order that its extent might be proportional to the actual necessities of the case.

MR. DAVIES felt an anxious desire to see the unfortunate condition of Ireland ameliorated, and looked upon the present measure as one of the greatest possible importance in that view. He was not prepared to vote for the original question, nor for the amendment, because he thought a temporary postponement would do no good; but if the latter were carried, he should, at the expiration of that day week, move that the bill be read a second time the day six months. (Hear, hear, from the Irish members.)

MR. LITTLETON observed that there were many difficulties in perfecting such a measure as that, without trenching on the rights of property. Of the many projects which had been submitted to him since he came into office, some unquestionably were extremely simple, but they were at the same time strikingly unjust and subversive of all existing laws. The tithe laws in Ireland had always been anomalous and complex, and in legislating upon the subject, unless the house was prepared to deviate a little from the straight path for the purpose of meeting particular cases, they must expose the landowners of Ireland to much hardship and to grievous injustice. In defence of the measure then before the house, he contended that nothing could operate more unjustly than any proposition for a general equalization of tithes, at a time when one-half of Ireland was under the operation of a voluntary composition, agreed upon and concluded. Another circumstance that demanded inequality in the arrangement was, that there was more land in grass than in tillage. To show the great variety of circumstances under which different parts of Ireland were placed with regard to tithes, he had extracted from various reports of commissioners twenty descriptions, which might enable the house to judge of the real difficulties with which the farmers of the measure had to grapple. The paper which he had in his hand presented 29 different and specific grounds of objection.

- "Prevention by abstraction—tithes withheld."
- "Tithes paid in one part, withheld in another part of a parish."
- "Abandonment made for tithes on certain articles withheld for seven years."
- "Disputed lands brought in (does not fall on the parish) but known by the name of tithes. (Hear, hear.)"
- "Disputed lands brought in (does not fall on the parish) but known by the name of tithes. In dispute during seven years."
- "Tithes in one lease; (one fifth) and in another, (one sixth) paid for fifty years previously."
- "Agreement for so much per acre (never completed)."
- "Tithes laid in great part on the land in small lots, or not only paid—composition direct on articles of agricultural produce."
- "Tithes in lease, low rent, high tax."
- "Retention of several titles leased under value, one fixed in proportion to the others."
- "Disputed lands had long agreed to pay a certain sum for costs. This sum was estimated at 15 per cent. Addition for clear and unimproved rights not covered."
- "Landlords admitted that the late agreements were never paid."
- "Rights not having been enforced—average of unpaid arrears taken."
- "Tithes dispensed in part of the parish—valuation not made."
- "Amounts paid to tithes could not be ascertained."
- "Agreement in vestry—ratified by the parish."
- "Agreement in vestry for part—one township raised."
- "Tithes on some lands, formerly in the hands of proprietors, no account given to the tithes."

It must be evident to all, therefore, that the application of any uniform plan to the whole of Ireland would be alike unjust and impracticable. When he first came into office he naturally felt much disposed to take the popular view of that great and complex question, but a very short time sufficed to undeceive him, and to demonstrate that a general practice was not feasible. He begged to impress upon the house the necessity of keeping whatever might be necessary for realising the property in tithes perfectly distinct from measures for their future appropriation; the former should be enforced, without permitting the other in any degree to interfere. Parliament could now give tithes the value of which they had long been deprived; and he felt perfectly assured that if the bill were agreed to, he should have very little difficulty in carrying its provisions into effect. (Hear, hear.)

MR. CONNOLLY declared that from any other appropriation of tithes than the present he should always dissent, and if introduced, preserved with energy to ensure the realization of tithes property, they would have the support of the landlords of Ireland.

LORD GLENWENT hoped, certainly, that government would not be intimidated so far as to enforce the collection of tithes; but he hoped at the same time that they would not be deluded from making a wise appropriation of them. The existing mode of dealing with tithes was most unjust, and could scarcely be made worse by any alteration; and the alteration proposed, however, was

not that which he had expected, for he would much rather have seen the provisions of the English bill applied to Ireland. (Cheers.) He trusted that the house would not be induced to give its assent to a measure, the effect of which would be to revive and continue all the old acts of parliament relating to tithes in Ireland. (Hear, hear.)

MR. LEFROY thought that the rate of redemption proposed to be established was not equitable either as regarded the church or the lay proprietors of tithes. By the operation of the bill, the value of a living, at present worth £200 would be reduced to £165, and he trusted that in another stage the necessity of remedying this injustice would be felt by the House. It had been stated that the church of Ireland was most enormously endowed, but he begged to deny the correctness of that assertion. The value of tithes in Ireland was £50,000 a year, from which £129,000 was proposed to be taken by the present bill, leaving £230,000 to be divided among 1,300 benefices of clergymen and 632 curates. The house would therefore perceive, that if the revenue derived from tithes was equally shared among the clergy belonging to the established church in Ireland, the income of each would not much exceed £230 a year.

MR. O'CONNOR complained of the injustice of enforcing claims for tithes according to the new valuation directed to be made by government. The bill, he was sure, would be very badly received in Ireland. He would put it to hon. members whether they would send such a measure as this to Ireland, torn as that country was by divisions and guided by factions; for he did not hesitate to say that he belonged to a faction, but it was a faction which was created by the mismanagement of the government. He would appeal to those military officers, many of whom of high rank and distinction had been employed in, he must call it without any imputation on them, the disgraceful office of collecting the tithes for the clergy. He had seen letters in gold lace and embroidery superintending the distract of the widow's pig and the poor man's goose. (A laugh.) What had been the result? They had collected tithes in this way to the amount of £12,000 at an expense of £27,000. Would they be more successful under this bill? He called on the house in the name of God, in the name of common justice, not to pass this bill; for, so help him God, he believed that it would revolutionize Ireland.

MR. D. GRATTAN objected to the bill as unjust in its principle; for it went on the amount of tithes payable under the Composition Act, which was compulsory, and which had raised the value of tithes in every instance where it had been applied. He objected to the bill also, as giving rise, in many of its clauses, to various jobs connected with its collection. He objected to it, likewise, as placing the landlord in collision with his tenants, and thus increasing the sources of discontent and disturbance in Ireland. The hon. member and learned gentleman went on to contend that this bill was unjust and tyrannical in its enactments. It first gave a power to distrain the goods of the tenant, and then it rendered the landlord liable to arrest for the deficiency. The government would not have dared to bring such a measure as this in for England. He was now called upon to pay a tithe of 5s. an acre for property which had been in his family for three hundred years, but which had never paid tithes before. The hon. member for the University of Dublin (Mr. Leifroy) had said that the Established Church of Ireland was not very moderately endowed. Would the house call that a moderate establishment which produced £700,000 a year in tithes, and which, including bishops' lands, amounted, according to the calculation of Mr. Baron Foster, to £1,700,000 a year, and that, he observed, in a country in which many extensive parishes of which there was not a single Protestant inhabitant? (Hear, hear.) What was the opinion given by a late Lord Lieutenant of Ireland (the Marquis of Anglesey) on that subject? The noble marquis, in a dispatch to the government here, had recommended that the established church should be reformed, as it was too large in its revenues for the necessities of the state. The hon. member and learned gentleman proceeded to read extracts from the dispatch of the noble marquis, which had been referred to on a former evening by the hon. member for Middlesex, in which the noble marquis gave it as his opinion that unless parliament took the lead in the necessary struggles between the government and the national antipathies, which, sooner or later, must end in unqualified concession. All this showed that the people of Ireland had been mistaken as to the intentions of the noble marquis, for it was now clear that he had a plan for the relief of that country, though it was crushed in its birth. (Hear, hear.)

MR. PEREVAL was of opinion that if the Government had acted on the advice given by the noble Marquis in his dispatch, it would have led to the very worst consequences. He would not follow the hon. member who spoke last through all his extraneous details, but he would observe with respect to his statement of the church in Ireland having a revenue of £1,700,000 a year, that it could be shown that the actual sum belonging to the working clergy of Ireland did not exceed £250,000, and that was to be reduced by the present bill to £245,000. He denied that there was any danger of the landlords not getting their rent if mixed up with tithes. How did the owners of property which was tithes free get their rent? There was no difficulty whatever. This was a sort of *ignis fatuus*, raised to produce a sensation in Ireland by those who were determined to keep up agitation on any terms.

MR. D. BURWELL objected to the bill, or to any bill for tithes composition, until Parliament should have decided how this national property should be disposed of. He thought it should be applied to Protestants of the Church of England—to Catholics and Dissenters for religious and moral purposes. Tithes were a great and crying grievance, which, if not removed, would render it impossible for this country to keep Ireland, except by coercion.

MR. LAMBERT had great regret in stating that he could not give his support to this bill in any shape whatever. He repeated that he stated this with regret, because he was convinced that there

was no chance of peace in Ireland till the tithes question was satisfactorily settled. Now this act could not be settled—in the first place, because it was vague and unintelligible—in the next, because it was unjust in principle—and, last of all, because it was not final. He contended that the late composition act had increased the value of tithes in all parts of Ireland. He knew that he had incurred great obloquy by the advice which he had given to his country. But he had advised his tenantry to attend the commissioners to prove what they had paid for tithes during the last six years. They did so, and then, to his surprise, the commissioner added 5 per cent. to that amount. When he asked the reason for the increase, the commissioner replied, "It was because he must do something for his money." In some other cases he knew that 25 per cent had been added to the amount, so that by this increase in the amount, the tenantry would get no advantage from the deduction contained in the bill. He admitted that this bill would have been received with gratitude three years ago by the people of Ireland; but it would not be received with gratitude now. Coupled Ireland by it they could not; and if they could not, were they prepared to go to war with Ireland to enforce it?—He trusted not. His sense of duty had compelled him to make these observations, and having made them, he should conclude by declaring it to be his intention to give his most strenuous opposition to this bill.

MR. SHELL would say a very few words on the subject. Let the house bear in mind the applause with which the hon. member for Wexford (Mr. Lambert) was heard the other night when he spoke against a repeal of the Union and then let it contrast the dead but significant silence with which he was now received by his former supporters on the ministerial benches. (Hear, hear.) He asked ministers why, when they thought fit to have recourse to the zeal and abilities of his hon. friend on one question, they dismissed his advice on another? (Hear, hear.) His (Mr. Shell's) objections to the measure were, that it increased the patronage of the crown; receivers were to be appointed through whose hands would pass £600,000 a year, upon which they would have 6 per cent. The bill was indefinite—in one part the tenant would have to pay the tithes, in another the landlord. You know (continued the hon. gentleman) how much blood has been shed for tithes. You tried to collect them with the assistance of the bayonet and the sabre and you failed. Now you make the King the assignee of all the tithes; the landlord is to pay the amount to the King, and he is to pay interest at the rate of 6 per cent if the payment be not immediate. If by the 1st of November the member for Stigo (Colonel Perceval) does not pay his tithes, he is to be charged with 6 per cent interest. Well, the landlord pays the tithes, and the tenant refuses to reimburse them, the landlord distrains for the amount, will you give him the aid of the police? Shall the army come in as auxiliaries to enforce his claim? (Hear, hear.) From a system such as this the utmost distinction must arise between landlord and tenant. His Majesty's ministers (Mr. Shell) heard, were divided with respect to the question of making an appropriation of the church property. (Cheers.) He asked was that the fact? He wanted to get an answer from ministers on the question of appropriation; he called upon them in the name of the people of Ireland to remove all ambiguity and doubt as to the sentiments of members of the cabinet on the subject. What was the opinion of the Secretary for Ireland? Did he intend to support an appropriation? What would the noble chancellor of the Exchequer do? What were the sentiments of the President of the Board of Control? Would the noble Paymaster of the Forces agree to a bill by which this property was to be vested in mortmain in the church? As to the Secretary for the Colonies, he supposed the right hon. gentleman had recently had so much experience with respect to Canada, where the religion of the people was not at variance with the church, that something satisfactory might be expected from him. (Cheers and laughter.)

MR. STANLEY said the learned member had taken four grounds of objection to the bill, and of the whole four it might be said that they were not exceedingly weighty, and did not carry to his mind an idea that the hon. gentleman had very minutely studied the provisions of the measure now on the table. He would take the learned gentleman's last observation first; though in what way the hon. member made it an argument against the bill he could not see. Now, whether or not ministers were all agreed on the speculative question of appropriation would not be thought of so much importance as this—that they were all agreed that the first duty of the government and parliament was to maintain the existence of the property.—(Hear, hear.) They would not be deterred from maintaining that property which might be afterwards disposable by the legislature. Ministers were all agreed as to its appropriation at present, and they would not suffer it to be wrested away by violence, or frittered down by grant or collusion. (Cheers.) The learned gentleman objected to the bill, because it conferred a certain degree of patronage on the government. If the hon. member could point out "any mode" by which money might be collected without the assistance of collectors—or collectors could be got to do their duty in a satisfactory manner without being paid for it—he should be exceedingly happy to avail himself of the learned gentleman's advice on the subject; but until he could find persons so disinterested and enterprising, he was afraid he must be content to pay out of the sum collected a proportion to those who collected it. (Hear, hear, and laughter.) The learned gentleman said this was no sufficient system, and, therefore, he objected to it. (Hear, hear.) But how much more monstrous would it be for the tenant of tithes-free land, who paid more rent to the landlord because it was tithes-free, while the proprietor of the land charged with tithes paid a rent proportionably less to his landlord than the tithes-free land? (Hear, hear.) The hon. member for Kildare said, "I think the whole burden on the landlord at once." "No," said Mr. Stanley, "to throw it all upon the landlord might, as matters stand at present, be attended with many and well-founded objections; therefore, we had rather allow existing interests

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A MILITARY DESPOTISM. WE ARE NOT
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READERS THEY WARRANT ALL OUR
RISK OF A VOLCANO. THE MACHINATIONS
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