

ect, and in them on what passage could the hon. and learned gentleman lay his finger? A paper in the pay of the Irish government was edited by a man who had laid an information to the Marquis of Wellesley against him [Mr. O'Connell.] An inaccurate report of a speech of his was complained of, when the reporter declared he was not responsible, for the editor had altered his report after it had been sent in. [Hear.] Was it in that paper the hon. and learned representative of "propræus" operatives of Leeds read the report complained of? The severity of this measure was made its defence. Yes. If a tory ministry hereafter wanted a strong measure for England, they would stop short of this Whig atrocity, and take merit for meekness; and how could hon. members, who were now about to sanction the *provisio hæc*—[Hear, hear.]—how could they utter one word against such an attempt on the part of their successors? [Cries of "hear,."] It had not been proved that this bill was necessary to suppress prædial agitation. [Hear, hear.] A right hon. baronet (Peel), and a right hon. gentleman [Stanley,] had said that tithes had nothing to do with agitation; but a noble lord [Ducannon] had declared rightly, that till tithes were abolished peace was not, nor could be established. The other causes of the agitation were to be found in the distresses of the clergy, the want of money cess, in rack-rents, and in the conduct of the landlords towards their tenants, and they should have inquired into and discussed those causes before they attempted to apply a remedy. The remedy that they were about to apply would only aggravate the disease tenfold. It would only give increased powers to the clergy to enforce their tithes, and increased means to the landlords to oppress the peasantry. The agrarian misery was caused chiefly by the distress which gold payments had produced, and he was sure tithes could not do the hon. baronet have supposed so he would rather have put his hand into the fire than have established such a law. [Hear.] He had not yet advised a run on the bank for gold, but it might become his duty to give such advice.—[Hear.] The evidence of Mr. Dwyer had been quoted, but he was a convicted and heartless oppressor of the widow and the orphan. What then, was there to show that this bill was at all necessary? What was there to show that all legal means had been exhausted, and that there were no constitutional means left? Would then be time enough to grant such power as this after such attempts had been tried in vain. Who dared to say that courts martial should be legalised where special commissions had not failed. Last year's committee had reported that in the Queen's county a special commission had been found sufficient; that the Lord Chief Justice had declared that they had always been sufficient. Mr. Bavington proved that in 1837 a special commission was necessary, the King's troops were attached to the county, a general battle of Deshure, twenty-seven persons were apprehended, tried, and convicted at a special commission; and he says "I believe ever since there has not been a more quiet county in Ireland. The result was the same in that year, in Kerry and in Limerick; and again, in 1845, in Limerick; and last year, in Clare." [Hear, hear.] The peasantry were in military possession of Clare before the special commission—that county was now the quietest county in Ireland. A second special commission was applicable to the special purpose of quieting the county; and it was his case, and a triumphant case, that no instance had ever been known of a second special commission being insufficient to quiet a county; yet the House

was called upon to pass this act without a second special commission being tried, or any extraordinary measure. If he had such a case as this before an impartial jury, [hear,] he did not say there was any partiality here; but if he had a case before a jury, in which a party called for an authority on the plea of the necessity of the case, and he [Mr. O'Connell] could show that the authority he already had was sufficient, he should here suspend his argument, confident that the plaintiff would be hurled out of court. [Hear.] The evidence was all anonymous. There had been papers in a red box produced by parson Dwyer, but it did not appear how much of that red box was stuffed by parson Dwyer himself. The right hon. gentleman [Mr. Stanley] had the credit of appointing the lord lieutenant of counties in Ireland; yet, excepting two, no letters from lord lieutenants had been read; and this anonymous communication formed the only evidence upon which to found this measure. Illegal notices were no more the proper grounds for a suspension of the constitution than were the *Suing* letters. [Hear.] Wicklow was perfectly tranquil; but the Vicar of Bray—[a laugh]—son of the Lord Chancellor [Plunket] and others had received illegal notices. The Vicar, however, knew the hand-writing, and traced the letters to an Orange aspirant for a seat in the police force. What a specimen of this part of the case? That the son of the Lord Chancellor should trace the circulation of these illegal notices to an individual who had an interesting motive in circulating them; for, as the policemen were considerably augmented in the disturbed counties, the writer had a direct interest in the circulation of such notices. Three provinces out of four had not any disturbances; and in the fourth [Leinster] the counties of Cork, Meath, Louth, and Longford, and the county of Dublin, knew nothing of a legal disturbance. In Westmeath there were partial disturbances, in Wexford none, in Wicklow none. Only part of Kilkenny was disturbed [for in the lower part there were no disturbances]; there were disturbances in a part of Carlow and Queen's County, the whole population of which was 5,000,000 out of a population of 8,000,000. Had the house heard of one witness that had been injured? Yes, the case was stated by the right honorable baronet [Peel]; and it was that outrage which was committed in the parish of Rathfriland, twenty years ago, after great provocation, seven persons were hanged, one of whom was innocent. This was his case. One witness in sixty years had been injured; not one juror had ever been injured. He defied his opponents to the proof of this. How could any person have the confidence to say that jurors stood in need of protection, when it was found, that for sixty years, with no endeavor to protect them, not one had ever been injured. Some story had been told of a juror being injured, and for these old women's tales we were to pay the Habeas Corpus Act and Trial by Jury. Was he [Mr. O'Connell] in an English Assembly, was he addressing men who had constituents, as who were yet prepared to make a sacrifice to the constitution to despotism? All that he said told them was, that he would give up the liberties of his country to any haughty satrap or despot; the Dey of Algiers was disengaged, and he might be sent there; he would give up all that he could be shown that any injury had been offered to a juror in the discharge of his duty. Mr. Barrington, seventeen years ago, Counsel, and the worst of men, said,—"He never knew an instance of hostility to jurors; at the same time that the persons who have been acting as jurors have been attacked, re-

turning from the Insurrection Act, though they had been serving on a jury to try a capital offence, and on an Insurrection Act to try a transportable one." The very magistrates coming from trials under the Insurrection Act, spread these very men's tales, and there is a rancour remaining in the country five years after, and a hostility against magistrates who act under the Insurrection Act, not the slightest against jurors." That then, was his case. English reformers, were juries to be put down in Ireland? At Carrickslock there was no doubt of the murder, the only question was, whether the prisoner was one of the murderers. One of the witnesses on his cross examination, admitted that one of the persons then engaged in the murder was innocent, and he was acquitted by the jury; and this was the case in which the juror was intimidated. Next day several of the prisoners were convicted of Whiteboyism, and three were executed; in all cases when they were acquitted on one ground, the Carrickslock men were convicted on another. At the end of the assizes one juror was excused because his wife had dreamed that something would happen if he attended. Ministers had not established that case. What had they been doing? They had turned the Lord Lieutenant into a tithe proser general. They had stimulated the sorest point of political grievance, they had put horse and foot to enforce tithes, and the wonder was that the case was not worse. How many persons had been killed in the tithe enforcement? Had the right honorable secretary caused returns to be made of the tithe victims? No. Men had been killed in Mayo, Queen's county, Kilkenny, Waterford and Cork. Multitudes had been killed. The last four verdicts given before the left Ireland were against the police for murder. The valuator sent to set the tithes aside, but they reaped their own crops, and secured them, and then sent cattle in to eat the tithe. The valuator committed a trespass on the growing crops. [Hear,]—Four men with their faces blacked, attacked and beat the valuator of Archdeacon Cotton, and fractured the skull of one of them. A policeman's skull was fractured also. The law officers decided against Major Fitzgerald's sending the police on such an errand. Yet what had the government done? In spite of the opinion of their own officers, they had sent horse, foot, and artillery to try persons engaged in the valuation of tithes. Could the House then, be surprised that there were insurrections and disturbances in Ireland.—[hear, hear.] He would not speak of personal interests; he scorned all attacks whilst his conscience was approving. But the wrongs of his country were mixed up with the personal attacks upon himself. Why not pass an act to banish him for a year and a half? That would be fair and manly. [Cheers.] He would contend for the right to banish the constitution from Ireland—but not to banish it. [Cheers.] It was a paltry mode of effecting their object to do it under the pretence which they set forth. [Hear, hear.] He stood in a reformed Parliament—in the midst of the representatives of the great and glorious people of England, who, disguise as they might, were about to legislate against a single individual. [Cheers] What a mighty work! He felt compassion for them. [Cheers.] The right hon. Secretary had brought under the notice of the house a wretched by-law, in which his name was mentioned. That was the very reason it was so much a perambulant source of merriment. Oh, wretched munimery! It might delude that House, but it would not delude the sensible people of England. But what was to result from the