

publications. I think it is quite essential to his case, and with that view the line I have prescribed for myself is quite necessary for his defence. My client may be guilty of felony, but I say it broadly and boldly, that England is the cause of the offence of which he is accused, and I will demonstrate it. I care not by what means you have been empannelled. I address you, because I believe you to be honest men and faithful Irishmen. Take nothing from me; I will state upon high authority:—'What does the liberty of a people consist in? it consists in the right and power to make laws for its own government. Were an individual to make laws for another country, that person is a despot and the people are slaves. When one country makes laws for another country (and that England in making laws for Ireland, I will demonstrate, by which Ireland is enslaved,) the country which makes the laws is absolutely the sovereign country, and the country for which those laws are made, is in a state of slavery.' I give that upon the authority of an Englishman—an honest man in his day—Blackstone. And what does he say? In constitutional questions he will not be suspected or accused of being too much in favour of popular rights, he says:—'It follows from the nature and constitution of a dependant state, that England should make laws for Ireland'—(treating Ireland as a conquered country, he is arguing that England had a right to do so.) 'Ireland'—(this is a conquered country)—'conquered, planted, and governed by England, it might be necessary that it should be subject to such laws as the superior state thinks proper to prescribe.' In speaking of this country, Ireland, he (Blackstone) maintains that because Ireland had been a conquered country in his days, Ireland of the present time, and for posterity for ever should be bound by such laws as the conquering state thinks proper to make for her. Accordingly England, except for a period of eighteen years, did make laws for Ireland. There was a celebrated statute called 'Poynning's law,' passed in the reign of Henry the Seventh, by which it was enacted by the English parliament that the Irish parliament should not have the power to pass any law for Ireland unless it was first approved by the king and parliament of England, and at a later period, in the reign of George the First, an act was passed declaring expressly in words that England alone had the right to make laws for the government of Ireland, so that England, by that law, declared that no law could be passed for Ireland unless they permitted it; but that the English parliament alone had the power to make those laws. I question will the able lawyer who, in the course of his eloquent address, put questions to me, deny the accuracy of what I state. Let him controvert it if he can—that down to the present time Ireland has been deprived of the power of making laws for herself. It happened that some years after that a body of men appeared in Ireland—armed men—the glorious Volunteers of 1782. At that time the parliament of England for a while did justice to this country—they repealed that act of parliament, declaring that England had the right to bind Ireland; and declared solemnly by that act passed in 1783, and from that period England announced that Ireland had the power to make her own laws, and that the King, Lords, and Commons of Ireland, and no other, had power to make laws to bind Ireland. After that solemn act, in eighteen years—less than twenty years, the act of Union was carried. By that act of Union, Ireland is said to be represented in the English parliament by one hundred members, whilst the English parliament is composed of five hundred—five members to one. Does Ireland—will the learned and able gentleman, the Attorney-General, now say that Ireland makes laws for herself? There never was, in the history of nations, so flagrant an act as the passing of an act of union in this country. What was the Irish parliament then chosen to do? To make laws, the ordinary laws, and it had no more right to delegate its powers for that purpose—it had no right to surrender the solemn obligation committed to its charge by the people—to conspire with the English parliament to annihilate itself than I had. What would be said of the English parliament, should it delegate its authority to make laws for England, or to change anything at present existing and make an absolute state? She would have just the same right to do so as the Irish parliament had to destroy itself, and I say it boldly and broadly, as a man, that the act of Union is only binding as a thing of expediency. Men will often submit to a certain order of things, rather than to run the risk of subverting by force of arms the state of things as established.—No man upon slender grounds should endeavour to subvert the order of things; but it is the right of an enslaved country, and the laws of Providence approves the right, to arm and right itself. What man here would live—

Baron Lefroy—Mr. Holmes, we cannot listen to this. You teach those doctrines to the people, for the publication of which the prisoner stands at the bar. We cannot suffer the case of the prisoner to be put to the jury founded on the subject of Repeal of the Union by force of arms.

Mr. Holmes—I will make it appear by the conduct of England, and with respect to this very question of Repeal, that England has been the cause of the present state of this country. The English ministry, by this very question of Repeal, has brought this country into the unfortunate state in which it now is. By their duplicity on this question, they are the guilty persons, and not my client. On this question with respect to

Repeal, it has been agitated for several years in this country. Mr. O'Connell, whose powers of mind, and great popularity, we all know, bearded the Whigs and the Tories for years on this very question, and at the same time the government were determined that the measure should never pass. They declared it should not pass—that they would prefer a civil war, and yet that same government suffered Mr. O'Connell to agitate that question for years. Was that weakness, or guilt, or both? In the year of 1831, I believe there was a Whig ministry then in power, Lord Althorp said in reference to Repeal—'Is it not evident that Repeal must produce a separation of the two countries? I trust that those persons engaged in a course so dangerous to the peace and prosperity of the country, will not succeed, but if they do, it must be a successful war, and I know that most of my countrymen (meaning the English) feel assured that such an event would be attended with complete success'—that is, Lord Althorp's countrymen would vanquish the Irish, and prevent the act of union from being repealed. He stated that the Repeal of the Union would end in separation—that he would prefer a civil war, and his countrymen would be notorious in that war, and after that declaration was made the present Prime Minister, and his colleagues, suffered that question to be agitated in this country, in the manner we all know. I say, if it were an honest resolve, and that Repeal would lead to separation—that he preferred civil war rather than suffer the act to be repealed—they should have passed an act of parliament making it high treason to attempt a Repeal of the Union. That would be a bold step I admit, which no man could justify, but it would be an honest, open, and a bold one. We could have understood the thing; but they suffered the man to be entrapped into what they now complain of. They permitted a struggle for Repeal, while they themselves were parties to, and they continued the agitation of, a measure which they asserted should end in separation; and their last act is the prosecution of an unfortunate Irishman for agitating the question. It might be asked, was there any prosecution for that? There was a prosecution; they all knew the fate of that prosecution, and that it ended in the defeat of the crown. Mr. O'Connell survived it—he gave the agitation a magic meaning—he called it 'moral force,' and was suffered to agitate the question, which he did to the last hour of his life in this country. But, although the Whig government foresaw that, if granted, it must end in separation, they made no law against it. Nay, more, they restored Mr. O'Connell, the head and leader of the agitation, and several other Repealers besides, to the commission of the peace; and yet now they say it is an offence, under this new act of parliament, to deprive the Queen of the style, title, and royal name of the imperial crown. He (Mr. Holmes) would say, and every man must agree with him, that the very government that had instituted this prosecution had been themselves the greatest cause of bringing this country into the wretched state in which it is. His client might be statutorily guilty, but he believed they were morally guilty. It was laid down distinctly by Blackstone, vol. 1, p. 147, that the people had a right to have arms, and to use arms against oppression. He was not wantonly or wildly broaching doctrines of his own, but was addressing them on constitutional grounds and principles; and could refer to high authorities and historical facts in support of every word he uttered. They found this doctrine of Mr. Mitchel, and of others, was condemned by the high and the wealthy. They are men—and they are chiefly to be found in what are called the better ranks of society—excellent men—religious men—moral men—kind men—and if all mankind were like them, they would have no such thing as liberty in the world. Peace in their time is their first prayer; and their highest aspiration to enjoy the good things of this life. They were consoled for the misfortunes of others by the reflection, that the sufferer here is only in a state of trial, on his passage to another world—that other world, where the tyrant must account for his oppression, and where the slave will be relieved from bondage. Oh, Ireland! Ireland! thousands, and thousands, and thousands of thy children have for ages been obliged to look to that other world alone for a release from their destitution. From past times let them turn to the present time, and what did they see? An Attorney-General—an able lawyer—under a special commission a most successful prosecutor. Death had followed his footsteps, and it was asked, ought not the assassin to suffer for his crime? Yes, but in the history of the civilised world, and of free nations, has there ever yet been a nation of assassins? No, assassination is the crime of the untutored savage, or the brutalised slave. Was the assassin to suffer for his crime? Yes, but deep, deep, deep, was the guilt of England in its unbroken invasion, and unjust dominion in Ireland. At the close of seven centuries of wasting wars, wasting laws, and still more wasting policy, it was now found necessary to maintain that dominion in Ireland by special commission, state prosecutions, and military force—by the gibbet, by the jail, and by the sword. He (Mr. Holmes) had heard much in praise of the present chief governor of this country, and it was neither his province nor his wish to say one word in derogation of his name; but this he would say, that were that noble lord the best of the good—where he the wisest of the wise, where he the bravest of the brave—he could not long maintain a connexion between Great Britain and Ireland under the common

crown, by the gibbet—by the jail—and by the sword—the laws of eternal justice forbid it. How was that connexion to be maintained? By justice, by giving to Ireland her rights—her rights by nature, and her rights by compact—by giving to her her own parliament, truly representing the interests of the people. By giving to Ireland that, they might have the two countries united for ages under a common sovereign, by a community of interests, and an equality of rights, by mutual affection and reciprocal respect; but if for that was substituted a connexion founded on the triumph of strength over weakness, they would have jealousy, and distrust, and fear, and hate, and vengeful thoughts, bloody deeds, the sure and never-failing proofs of injustice. Let them give to Ireland her own parliament—not the parliament of '82—that was a meteor light which flashed across the land—it was a deceptive vapour, which quickly vanished. Ireland wants a fixed star, bright and resplendent—the cordial influence and reflecting radiance of which may be seen and felt in the glorious union of liberty, happiness, and peace; but it was urged that if they did that it would lead, as Lord Althorp had said, to separation, and that Ireland would be erected into a separate independent state. And, suppose it did, who was to blame for that? England! What right had England—what right had any country to build and peril its greatness upon the slavery, degradation, and wretchedness of another? Let them strip the case of the disguise with which ambition, and crime, and the love of power, had invested it, and what the sophistry of conquerors, and princes, and courtiers, and lawyers, had cast around it—what, then, was it? A strong man, because he is strong, insults his brother man, because his brother man is weak; the slave struggles to be free, and the enslaver kills him because he struggles. That was British conquest and dominion in Ireland; that was British legislation in Ireland. He called upon the jury in conclusion, as they valued their oaths, and as they valued justice and public good, manly bearing, and personal honor, and as they loved the country of their birth, to find a verdict of acquittal.

CORRESPONDENCE.

MR. EDITOR OR EXAMINER;

I mean to be plain with you. In 1847, a number of us in Princetown Royalty sent a Petition to Governor Huntley praying him, not for a favour, but for a public right, namely, that he would cause the Commons to be Commons, and for that purpose would cause the fences of usurpers to be thrown down; and they themselves to get Paddy's hint, not again to monopolize public property. Well, the answer that the member to whom it was entrusted received was, "that right should be done;" and as he carried his famous Responsible Government motion, we thought that of course every thing that was just would be forthwith done. But August came and our famous Royalty meeting, and speeches from four members, one of them our new Responsible Councillor, and still the Commons not cleared; and November came and Huntley's closing speech, and the Commons of Princetown Royalty are the same. This famous Scotsman, whom we loaded with butter and honey, and said we took him to our heart of hearts (I wonder where that is?) I say we also petitioned him, and learn the answer was that the Commons of Princetown should be cleared, and they are as before he came.

One word with you, and him, and Coles, and all such folk. We begin to suspect that the whole is a humbug, that so long as we pay your paper and his £500, we will get long rigmarole speeches in the papers, and promises from great men, but nothing more; so I tell you plainly we want a good bit more of a change before we, who till the ground, will get justice; and I would not give a rotten potato for all your town flummery, for the most of you are laughing at us in your sleeves; but maybe we'll cross your house yet. I am not, by any means, your obedient servant, nor the Governor's either, I don't think either of you pay us for what you get from us, but I am a hardworking, and I trust,

AN HONEST MAN.

Malpeque, 31st May, 1848.

MR. EDITOR;

When you see the signature at the end of this letter, surely you will print it. Two years since, master promised he'd apply to have our Princetown Commons opened, and the Governor that is gone, promised they should be; but last summer wore well on and no more open than before, but rather less. Last August was a great meeting at the church, and Responsible Government and Reform was sure to be, so master signed another petition for the Commons' opening; and this Highland Governor said, "really and truly they should be opened." Now, here is the 5th of June, and they closer than ever, and the rascally robbers that has shut them in taking away all the cream off them. So, I am starving on Responsibility, which means starving poor men's cows, and giving 500l. a year to folks as had plenty before. To the mischief I pitch all such hypocrites, Coles, Clarke, Rae and the rest; and wish that at Government House the cream may turn in the tea worse than vinegar, the butter smell like blubber, and every cheese full of jumpers, so long as they continue starving

AN OLD COW.

Royalty, Princetown, where if I see them sauntering