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Victoria



THE MARQUIS DE MONTESQUIEU

*By the late Sir John Richardson, Bart. &c. &c. &c.*













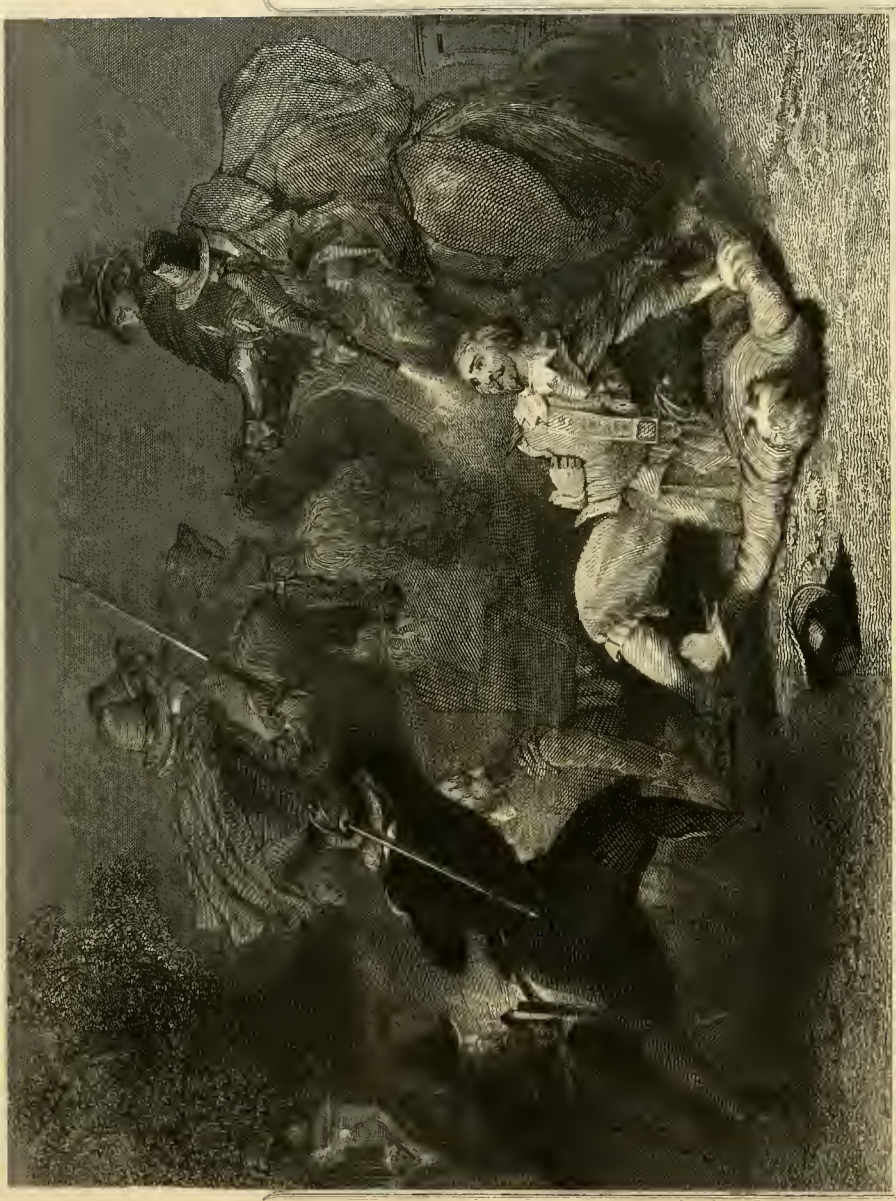
AFTER THE MANNER OF THE ORIGINAL







E. Turner







DANIEL O'CONNELL

*Portrait by "Beverly" for the late Catholic Association of Ireland*

*engraved by W. G. W.*





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A.D. 1805.]

HISTORY OF IRELAND.

[SPEECH OF PITT.

sider right, sir, as independent of circumstances, and paramount to them, whilst expediency is connected with circumstances, and, in a great measure, dependent upon them. With regard to the admission of the catholics to franchises, to the elective franchise, or to any of those posts and offices which have been alluded to, I view all these points as distinctions to be given, not for the sake of the person and the individual who is to possess them, but for the sake of the public, for whose benefit they were created, and for whose advantage they are to be exercised. In all times, therefore, sir, and upon every occasion, whether relating to the Roman catholic or the protestant dissenter, to the people of Ireland, or to the people of England, I have always, from a due regard to the constitution, been of opinion, that we are bound to consider, not merely what is desired by a part, but what is best and most advantageous for the whole. And, therefore it is, sir, that I think it not sufficient to show, that what is demanded is not likely to be prejudicial, but that it is proper to take a comprehensive view of all the circumstances connected with it, whether they relate to the time at which the measure is proposed, the manner in which it is discussed, or the effect that is likely to follow from the discussion. That, sir, is my view of contemplating the propriety of acceding to the wishes of the catholics, or of refusing them. It was upon that principle that I felt satisfaction in the repeal of those laws against the catholics which have been abolished; and from the abolition of which, I certainly am not one who infers that danger to the country, with which some gentlemen seem so deeply impressed. But, sir, deeply as I felt that satisfaction, I also felt that in no possible case, previous to the union, could the privileges now demanded be given, consistently with a due regard to the protestant interest in Ireland, to the internal tranquillity of that kingdom, the frame and structure of our constitution, or the probability of the permanent connexion of Ireland with this country. It is true, sir, that after the union, I saw the subject in a different light; but whilst that event was in contemplation, I did state, as the honourable gentleman says, that the measure would make a material difference in my opinion; but he has also stated, what is very true, that I did not make a distinct pledge. On the contrary, I believe the

line of argument I took was, that if it should be thought right to give what the catholics required, it might be given after the union with more safety to the empire, or if it were thought proper to refuse giving it, that it might then be refused without producing those disastrous consequences, which might have been apprehended before the union. I come then, sir, to the present discussion perfectly free and unfettered. I certainly was of opinion, that under a united parliament, those privileges might be granted under proper guards and conditions, so as not to produce any danger to the established church, or the protestant constitution. And I remain this day of that opinion, and I still think, if from other circumstances, there was no objection to complying with the demands of the catholics, and if by a wish they could be carried into effect, I own, sir, I see none of those dangers which have been urged by some gentlemen, nor do I think that the introduction of a certain proportion of catholics into the imperial parliament would be likely to be productive of any influence or effect detrimental or injurious to the welfare of the state, or the safety and security of the constitution. But sir, in delivering this frank opinion, I do not mean wilfully to shut my eyes to this conviction, that a catholic, however honourable his intentions may be, must feel anxious to advance the interest of his religion; it is in the very nature of man; he may disclaim and renounce this wish for a time, but there is no man, who is at all acquainted with the operations of the human heart, who does not know that the catholic must feel that anxiety whenever the power and the opportunity may be favourable to him. But if these guards and conditions to which I have alluded had been applied, and which, could my wishes have been accomplished, it would have been my endeavour to have applied, I firmly believe no danger would have existed, and no injury could have been apprehended. I thought so, on grounds different from those which have been stated by others; not because as catholics they had been engaged in any of the scenes preceding the rebellion. I do not mean, however, to say that the catholics were not engaged in it in greater numbers for the reasons that have been stated. I go further; though jacobin principles were the foundation of the rebellion, yet I do not mean to deny, that the influence of the priests, themselves tainted with jacobin principles,

might have aggravated the evil, though they were not the cause of it. My idea, sir, was not to apply tests to the religious tenets of the catholics, but tests applicable to what was the source and foundation of the evil, to render the priests, instead of making them the instruments of poisoning the minds of the people, dependent in some sort upon the government, and thus links, as it were, between the government and the people. That, sir, would have been a wise and a comprehensive system; that would have been the system which I should have felt it to be my wish, and thought it to have been my duty, to have proposed. I never thought it would have been wise or prudent to have thrown down readily or abruptly the guards and fences of the constitution; but I did think, that if the system I have alluded to had been deemed proper to be adopted, it ought to have been accompanied with those checks and guards, and with every regulation that could have given additional respect and influence to the established church, to the support and protection of the protestant interests, and to the encouragement of every measure that could tend to propagate and spread the example of the protestant religion. These were the general views and intentions I entertained. And if, sir, it had been possible to have found that general concurrence, which I so anxiously desired; if I could have carried them into effect in the manner I have stated; if persons of more ability and experience than myself would have digested them, I am still inclined to think, that instead of being attended with those dangerous consequences which some gentlemen apprehended, they would have afforded increased security to the church, and have been favourable to the welfare of the state, to the stability of the constitution, and to the general strength and interests of the empire. But when I state this, sir, I must also remind the house, that I considered the period of the union, as the period favourable for the adoption of such a measure; not because any pledge had been given, but because there was a greater likelihood that the measures might be adopted after the union than before it

The period was favourable also on other accounts; favourable for the recent impression that might be expected to be made on men's minds, of the probability of increased security from the union, from being amalgamated and incorporated with the imperial legislature, remote from the dangerous influence that might at times be supposed to operate upon, and overawe the local legislature of Ireland. Sir, I repeat, that if under the recent impressions of these circumstances, I could have brought forward the measure as the first-fruits of the union, I should have hoped there might have been a disposition to have received it without rekindling those religious animosities, or reviving those contending interests, between catholic and protestant, which, whenever they do exist, are most adverse to the welfare, the prosperity, and the happiness of the state. This, sir, was the view in which I considered this most important subject; these were the objects which I wished to attain; but circumstances, in my opinion, rendered it at the period impossible to bring forward the measure in the way in which I then hoped it might be practicable to bring it forward, in the only way in which I think it ought at any time to be brought forward, with advantage to the claims of those whose petition is now under consideration, or with any hope of reconciling all differences, of burying all animosities, and of producing that perfect union, in the advantage of which, gentlemen on all sides so entirely concur."

Most of the distinguished speakers in the house of commons delivered their sentiments at more or less length on this important subject, and all the arguments in favour of the petition or against it were fairly put forward; yet, after a very long debate, and an able summary of the question in conclusion by Fox, the advocates of the catholics were defeated by nearly the same majority as in the house of lords. Only a hundred and twenty-four members voted with Mr. Fox, while three hundred and thirty-six votes were given against his motion. Thus was the question of catholic emancipation set at rest for the present, as far as the legislature was concerned with it.



## CHAPTER VII.

CONTINUATION OF PITT'S REPRESSIVE POLICY; DEATHS OF FOX AND PITT; DISMISSAL OF THE GRENVILLE ADMINISTRATION.



OR months after the debate just related, which was the last in which Pitt and Fox declared their sentiments at any length on the subject of relieving the Irish catholics, Irish history presents few events of general interest. Beneath the surface, discontent and agitation continued to exert their influence, but outwardly everything seemed tolerably quiet; though there was not wanting an occurrence from time to time to disturb for a moment this apparent tranquillity. One of these was the case of judge Fox, which was brought before the English parliament in the session of 1805. It appears that the judge had, in some way or other, provoked the resentment of the marquis of Abercorn, who, founding certain charges on pretended conduct of the judge in making the north-western circuit, after Emmett's rising in 1803, brought the matter before the house of lords at the end of the May of 1804, ten months after the time at which the circumstances of the accusation were said to have occurred. This proceeding was the more extraordinary, as no notice had been previously given to judge Fox, and he only learnt what had taken place in the house of lords through the public newspapers. These proceedings seem, indeed, throughout, to have been conducted in a very unfair spirit, and far from constitutionally, and the judge's friends did not hesitate to say that lord Abercorn had bribed the prime minister to countenance them, by the promise of his unlimited political support. The judge proceeded to England, petitioned the house of lords, and with much trouble, and after long delays, obtained a statement of the charges brought against him, which were founded on some expressions he was said to have used in his charge to the grand jury of Longford, and on some other acts, all which seem only to have shown that, while strictly confiding himself within the limits of his duty, he had shown a liberality of feeling, and a firmness of conduct, which was not in agreement with the sentiments of the ex-

treme orange party. No further proceedings in this case had been taken in the session of 1804; it continued from time to time to be brought forward in that of 1805, and was again left for future discussion, an act having been passed that the proceedings in this case should not be discontinued by any prorogation or dissolution of parliament. One or two legislative acts relating to Ireland, but hardly of sufficient importance to be mentioned in detail, were passed during the session of 1805.

Several Irish occurrences at this time, though of no great importance in themselves, combined to embarrass the English ministers. Pitt was at this moment declining in health as well as in influence, and his temper seems to have been somewhat soured by the desertions of friends and the attacks of enemies. Among the deserters about this time was Mr. Foster, who had for some years acted so prominent a part in Irish politics; and an attempt to regain his support, by giving him undue patronage in Ireland, led to a breach between Pitt and the lord lieutenant, which was widened by another attempt on the part of the prime minister to trespass on what the latter considered as his own immediate jurisdiction. Sir Jonah Barrington had, for the services he had rendered to government at the time of the union, been appointed to the office of judge of the admiralty court in Ireland, a mere sinecure, with a salary of eight hundred a-year. He subsequently turned against Pitt's ministry, and, secretly assisted it was said by Mr. Foster, he wrote a history of the union, in which he exposed all the corrupt means which had been employed to effect that great and important measure. This work was put to press in the summer of 1803; but the Addington ministry, then in power, entered into some private explanations with the author, in consequence of which the work was stopped. On the return of Pitt to office, sir Jonah again announced his intention of proceeding with the work, and Pitt, alarmed, entered into new negotiations with him. So few duties were entailed by the office of judge of the admiralty, that sir Jonah Barrington had



been enabled to continue his practice at the bar without interruption, but it was now suddenly discovered, that the dignity of the office required that it should be placed on the same footing as that of puisne judges of the common law courts, and it was agreed that the salary should be raised from eight hundred pounds to two thousand five hundred pounds a-year. It was said that Foster, who had now returned to his allegiance to Pitt and Castlereagh, had informed those ministers of the important character of the documents which he had himself given to Barrington, and that they were so anxious to have them suppressed, that no price which would secure that effect was considered to be too high. The terms of this transaction were settled by the ministers in London, without any communication with the lord lieutenant; and the latter, when officially informed of the transaction, refused to concur in it, alleging that the place was a mere sinecure, and that he would never consent to increase the burthens of the people by unnecessarily increasing the public charges. Lord Hardwick urged further that he, as the head of the Irish government, ought to have been consulted in the first instance, before such a proposal had been made or any such engagement entered into. Pitt was highly offended at this resistance to his power, and he sent what amounted to nearly a command, that the lord lieutenant should sign the warrant for the increase of the judge's salary. This command lord Hardwick persisted in disobeying.

The ministers received another check in Ireland at this moment, in the person of lord Castlereagh, who, upon some desertions among Pitt's friends, had been appointed to the office of secretary of state for the colonies and war department, which rendered it necessary that he should vacate his seat for the county of Down. Lord Castlereagh had ever been the able, but unscrupulous supporter of Pitt's policy with regard to Ireland, and he had become proportionally unpopular. The marquess of Downshire, then deceased, had been an object of government persecution for his opposition to the measure of the union, and his widow, the marchioness, now exerted all her influence in favour of the popular candidate, who was brought forward to oppose lord Castlereagh's re-election to represent the county in parliament. The result was that, after a poll of thirteen days, the ministerial candidate finding himself in a minority of

four hundred and fifty, with no chance of retrieving it, was obliged to give up the contest, and his opponent, colonel Meade, a son of the earl of Clanwilliam, was returned in his place, and ministers were obliged to find a place for lord Castlereagh among the English government boroughs.

The recent conduct of the lord-lieutenant had rendered his name popular, and this popularity had been increased by the liberation of Mr. Hamilton Rowan, who had been convicted of treasonable practices, but who, on the 1st of July, pleaded the king's pardon at the bar of the court of king's bench. After the prorogation of parliament, Pitt attempted to effect a reconciliation with lord Hardwick, who had already tendered his resignation; but that nobleman, encouraged perhaps in his resolution by the prospect of Pitt's declining influence, withstood all his advances, and it was now generally known that he was to be succeeded by the earl of Powis, and the middle of January, 1806, was spoken of as the period when the new lord-lieutenant would arrive. A meeting was held in Dublin, in December, to agree to an address to lord Hardwick, expressive of the highest estimate of his character and conduct, and it was presented on the 2nd of January by the lord mayor; but an event was then at hand which seemed to promise a total change in the government policy. The man who had so long guided the counsels of England breathed his last on the morning of the 23rd of January, and a short ministerial interregnum followed, which ended in the liberal ministry formed by the coalition between lord Grenville and Fox. The removal of lord Hardwick had been delayed by the events just alluded to, but a successor was now appointed in the person of the duke of Bedford, who arrived in Ireland at the end of March.

The accession of a liberal ministry was seized upon as the signal for agitating the question of the repeal of the union, which was now urged violently by one party in Ireland. This feeling was shown by one of the Irish members, Mr. O'Hara, in the house of commons, on occasion of the vote for funeral honours to the marquess Cornwallis, who had died in the October of 1805. Mr. O'Hara opposed the motion, which was brought forward by lord Castlereagh, because he said he could not consistently vote funeral honours to a man who had brought about the union, a measure which he hoped

would before long be brought before parliament for reconsideration, the result of which he trusted would be its repeal. Fox, while supporting the motion, stated that the union was, in his opinion, one of the most disgraceful transactions in which the government of any country had been involved. These expressions, which at the best were not prudent, tended to increase the agitation in Ireland, and meetings were soon after held in Dublin, for the purpose of getting up a petition to parliament for the repeal of the union; but on some intimation that such a proceeding would only embarrass the present government, they laid aside their design. Fox was subsequently asked to explain his words, and his explanation amounted to alleging that he referred to the past, and not to the future. The new ministry, however, had made itself popular in Ireland, by allowing the habeas corpus suspension act to expire without renewal, and by the immediate removal of lord Redesdale, who was especially obnoxious to the Irish catholics, from the office of lord chancellor. Mr. Ponsonby was appointed his successor.

At the moment when the hopes of the Irish catholics were raised by the accession to power of men who had always advocated their cause, their leaders were quarrelling among themselves. Since the insurrection of 1803, a law had been passed which made the meetings of the catholic committee illegal, and they were obliged to assemble by stealth in a private house. A gentleman named James Ryan, connected with the mercantile interest in Dublin, and a zealous promoter of the catholic cause, had lent his mansion in Marlborough-street for that purpose, and the leading catholics were in the habit of assembling there to consult together. The number of persons who attended increased gradually, until they assumed a more important character. Ryan, by the position in which he was placed by allowing his own house to be used as the place of meeting, which was not without risk, naturally gained an influence among the catholics, which soon excited jealousy, and led to a division into two parties, those who supported Ryan, and those who were opposed to him, and their meetings were often scenes of violent altercation. In 1805, Ryan's party prevailed so far as to get him appointed as one of the delegates sent over to Pitt with the catholic petition, which, as Pitt refused to present it, they carried to

lord Grenville and Mr. Fox. Ryan thus became acquainted with the great leader of the whigs, who was led to believe that he was the accredited representative of the catholic body, and entered into a correspondence with him in that belief. On Ryan's return, in 1805, a new catholic committee was formed, to be held in his house, and he was appointed its secretary. On the accession of Fox to power, Ryan wrote to congratulate him, and applied for a very lucrative appointment in Dublin; in reply to which the minister gave him reason to expect the appointment, and expressed at some length his sentiments on the course to be pursued by the Irish catholics. Ryan communicated this letter to lord French, and some other friends, and it was resolved to call a meeting of the catholics on the 1st of March, to make them acquainted with its contents. At this meeting, which was held at the house in Marlborough-street, and was rather well attended, a strong feeling of opposition to Ryan was displayed, for it was known that he had been seeking his own private advantage, and many had become disgusted at his unwarrantable assumption of a power over the catholic body. The result was that, after a noisy, and anything but harmonious discussion, lord French and about twenty others withdrew, after which those who remained, reconstructed the catholic committee, by introducing into it a number of men who were friends to Ryan and his party. The committee thus formed, met at the house of Mr. O'Donnell, one of Ryan's supporters, and came to a resolution that it would be inexpedient to press a discussion of the catholic question in parliament during the present session, but that it would be proper to present an address on the part of the catholics to the duke of Bedford, to congratulate him on his appointment to the lord-lieutenancy, and to express their confidence in the new ministry. Two of the gentlemen present protested against the proceedings of this self-constituted committee, as irregular, and unauthorized by the catholic body, and another meeting was called at the coffee-house in Earl-street, on the 8th of March, at which lord Southwell presided. After a heated debate, the meeting was adjourned to the 13th, when Mr. O'Connor was placed in the chair. Severe remarks were made on the attempt of certain individuals to assume a dictatorial power over the catholics, and to make use of the catholic cause to trade upon



for their own private interests; and at length, after much altercation, a resolution was passed to the effect, "that the holding of meetings at any private house for the general concerns of the catholic body, is unfavourable to the freedom of discussion, and inadequate to the collection of public sentiment." The next resolution proposed was still more directly pointed at the recent proceedings; it was worded as follows:—"Resolved, that the last meeting in Marlborough-street stands accused of having been brought about by private invitation and partial selection, at once degrading to the honourable course of our proceedings, derogatory from the dignity, and injurious to the interests of the catholics of Ireland; and that it is the right of Roman catholics to inquire and determine, whether, or how far, they have been deluded or betrayed." This resolution gave rise to a very intemperate debate, which lasted during two days, and the question was finally got rid of by adjourning the meeting for a month. Each party, however, made their statements and counter-statements in the public journals, and their quarrel caused much public agitation. Ryan lost his influence, and at a meeting held at the Exhibition-room, in William-street, on the 15th of April, resolutions were passed, acknowledging lord French and John Keogh, as the two leaders of the catholic cause.

Meanwhile the catholics of Dublin had agreed to the following address to the new lord lieutenant, and their example was followed in most parts of the kingdom:—"We, his majesty's most loyal subjects, Roman catholics, beg leave to approach your grace with our most humble and sincere congratulations on your arrival to govern this part of the united kingdom. Deeply sensible of our most gracious sovereign's most condescending benignity in every instance, we acknowledge more than common gratitude for this last and conspicuous mark of his paternal regard. In the new choice of his confidential servants, he has most wisely consulted the glory of the empire, in the selection of a nobleman to fill the high office of lord lieutenant of Ireland, whose rank adds splendour to dignity, whose character inspires trust, and whose name possesses hereditary title to our affections and attachment, and we reverently admire his majesty's tender consideration for the interest and feelings of his loyal Irish people. We therefore, with unanimous joy, hail the appoint-

ment of your grace as the omen of royal favour, and as the declaration of his majesty's most gracious pleasure to strengthen this part of his empire, and give the most beneficent exertion to the existing laws. Thus it will be the achievement of your grace's administration to have guided a salutary and comprehensive scheme of policy, to that glorious development of which the advantages have been in part displayed, and the important consequences must be to invigorate the admirable British constitution, by introducing a loyal people to defend it as their own chief good. May your grace permit us to conclude with the expression of those sentiments in which all Irish catholics can have but one voice, bound as we are to the fortunes of the empire, by a remembrance of what is past, and the hope of future benefits, by our preference and by our oaths; should the wise generosity of our lawgivers vouchsafe to crown that hope which their justice inspires, it would be no longer our duty alone, but our pride, to appear the foremost against approaching danger, and, if necessary, to remunerate our benefactors by the sacrifice of our lives."

To this address his excellency was pleased to give the following answer:—"I feel great satisfaction in receiving this testimony of the loyal and constitutional sentiments of the very numerous and respectable body who have signed the address now presented to me; and I cannot adequately express how much I am gratified by your recollection of the services of my respectable ancestor, and by the confidence you repose in me, and those distinguished persons lately called to the councils of his majesty. In the high situation in which his majesty has been graciously pleased to place me, it is my first wish, as it is my first duty, to secure to all classes and descriptions of his majesty's subjects in this part of the united kingdom, the advantages of a mild and beneficent administration of the law. With this important object in view, I entertain no doubt that the Roman catholic inhabitants of the city of Dublin will, by their loyalty to the king, their attachment to the constitution, and their affection to their fellow-subjects, afford the strongest recommendation to a favourable consideration of their interest."

The Irish catholics soon began to complain of the remissness of the Bedford administration. They wished for a change in

the magistracy throughout the island, which consisted in a great measure of men with strong orange feelings, and who, they said, denied justice to the catholic, and screened the protestant who insulted or outraged him; but the government was slow in yielding to their wish. The English ministry, indeed, was too miscellaneous in its construction, and not yet sufficiently confident in its own strength, to act with much energy in Irish affairs. The English parliament had put an end to the proceedings against judge Fox, as well as to those against judge Johnson. An attempt to pass an act for the relief of the poor in Ireland was defeated by the prorogation of parliament itself, and it was complained, that during the whole session the consideration of Irish grievances had been studiously avoided. It was even remarked that two of the most popular Irish statesmen of the day, Grattan and Curran, were overlooked, though the name of the former was restored to the list of privy counsellors, from which he had been removed for his liberal opinions. Little, indeed, had been done to restore quietness to Ireland, and agitation and agrarian outrage prevailed everywhere. The summer of 1806 was marked by no occurrence of much importance in Ireland, yet there were many indications of popular discontent. In the city of Armagh, where the Limerick militia was quartered, very alarming symptoms of discontent displayed themselves on several different days in July. Most of the men of that regiment were Roman catholics, and the yeomanry of the city of Armagh, and the greater part of the townsmen, who were protestants, and mostly orangemen, had arrayed themselves on one side, and held provoking and insulting language towards them. The militia drew up, and were joined by most of the catholics of Armagh, but, providentially, they committed no further excesses than some personal assaults, in which many were severely wounded. A garrison affray happened at Tullamore between a party of the light brigade lately quartered at Birr, consisting of the light companies of the Derry, Monaghan, Limerick, and Sligo militia, which marched into that town in the evening, and some companies of Hanoverian infantry, that had been quartered there for a considerable time. Two lives were lost, and several on each side (about thirty in all), were wounded. By the prudent and officer-like conduct of general Von Lysingen, the Ha-

noverian commanding officer, the affray was checked, which, by improvidence or malice, might have set the kingdom in a flame. The most serious disturbances were caused by the tumultuary proceeding of a large portion of the peasantry in the western parts of the country, where the rack-rent paid for land by the immediate occupier of the soil, which went to feed the middle-men, who idly subsisted on their profit rents, was exorbitant beyond all proportion to labour and provisions. It was to be expected that these industrial victims of extortion should at least be sore at the extreme difficulty of discharging their landlords, and maintaining their families. But when unexpected demands were made upon them from road-jobbing presentments of grand-juries, and the surcharged claims of tithe-proctors were heaped upon them, it is not to be wondered at if the original soreness from difficulty, should have arisen into despair from incompetency. In consequence of recent exactions from the tithe-proctors in the counties of Mayo, Sligo, Leitrim, and parts of Roscommon, a body of people styling themselves Threshers (*i.e.* of tithe-proctors' corn), had appeared in a sort of confederacy. Up to that time they had punctiliously confined their outrages and depredations to the collectors of tithes and their underlings. They frankly averred their reasons for their conduct, namely, that from the late unprecedented rise in the tithes, beyond what had before been insisted upon, the profits of their crops centred almost entirely in the tithe-proctor. They sent letters, signed captain Thresher, to the growers of flax and oats, warning them, under severe pains, to leave their tithes in kind on the fields, but on no account to pay any monied composition to their rectors and vicars, or to their lessees or proctors. Many of the task-drivers under the old regime urged the government to proclaim the disturbed counties. They accordingly sent Mr. serjeant Moore to Castlebar, to investigate the nature of the evidence, and report upon the expediency of issuing a special commission to try the forty-four prisoners who were then in custody for those specific outrages. As the bulk of the peasantry throughout Connaught was catholic, every combination of them must consist in a great degree of catholics, but their agitation had certainly nothing to do with the proceedings of the catholic committee in Dublin, which some people seemed to wish



to be believed. They sometimes assembled in large bodies of several hundreds, dressed in white shirts, or frocks, and faced the military for a time, but after some shots they usually dispersed in confusion; probably from want of leaders or officers to command and enforce discipline. This also proved that their assemblage and views were momentary and local, and in no manner organized or concerted for general revolutionary or rebellious purposes. It was a fresh and angry eruption, from the old sore of many years' standing on the body of the Irish peasantry, which Mr. Pitt had in his contemplation in the year 1799. They usually assembled early in the morning, and destroyed whatever tithe corn fell in their way. In the month of November they took eleven tithe stacks from the haggard of a man in the neighbourhood of Ballina, and strewed them along the road up to the very town itself. They made domiciliary visits both by night and day in houses and cabins for arms, which they took without perpetrating any further outrage.

As the winter approached, these agrarian insurgents became more active, and it was found necessary to pursue rigorous measures against them. Many were arrested and committed to prison, and, a special commission having been issued for their trial, and some of them being hanged, these executions put a stop to their outrages.

The Irish catholics, meanwhile, became dissatisfied at the slowness of the new ministers in bringing forward the measures of relief which they looked forward to, and a large party among them were in favour of pressing their claims at once; and this party became stronger when the death of Fox threw a damp on their hopes, that the ministry would make any spontaneous manifestation in their favour. Frequent meetings of the catholics were held in Dublin during the months of January and February, 1807, and communications were made to the Irish ministers, and it was finally resolved that a petition should be drawn up and presented to parliament during the session then commencing. This petition was a moderate and temperate one; the petitioners complained that they were excluded from many of the most important offices of trust, power, and emolument in the country, whereby they were made to appear like aliens and strangers in their native land; that not less than four-fifths of the inhabi-

tants of Ireland, by the system of exclusion which had been pursued, were made, as it were, a distinct people, and placed in a position of degrading inferiority towards the rest; and they represented, "that from the uniform and peaceable behaviour of the Roman catholics of Ireland for a long series of years, it appeared reasonable and expedient to relax the disabilities and incapacities under which they labour; and that it must tend not only to the cultivation and improvement of this kingdom, but to the prosperity and strength of all his majesty's dominions, that his majesty's subjects of all denominations should enjoy the blessings of a free constitution, and should be bound to each other by mutual interest and mutual affection." The earl of Fingall and Mr. Grattan were appointed to present this petition to the two houses of parliament.

The ministers seem to have been alarmed at this movement, and they began to show a greater anxiety to conciliate the Irish catholics, though it became more and more evident that this was a question on which they disagreed among themselves, and that they had to encounter great reluctance on the part of the king. In parliament, the proposal to grant thirteen thousand pounds to the college of Maynooth was somewhat warmly opposed, Mr. Perceval moving, as an amendment, that it should be reduced to eight thousand. Grattan supported the larger grant, maintaining that a christian of any description was better than a man of no religion at all; and he trusted, he said, that protestantism would never be upholden by preventing catholics from becoming christians. In his opinion it was infinitely better that the catholic clergymen should be educated at home, than in foreign countries; in fact, that they should be the pensioners of the king of England, rather than of the emperor of France. He believed catholicism, politically considered, was perfectly innocent, and perfectly reconcilable with the duties of a good and loyal subject. Lord Howick supported the grant on the large principle of connecting the Irish catholic with the state. It was then particularly necessary to promote the domestic education of the catholic clergy, as an institution of great extent had been formed at Paris, at the head of which was a Dr. Walsh, a person of considerable notoriety, with a view to re-establish the practice of Irish catholic education at that place, and no doubt with intention to make that education the chan-

nel of introducing and extending the political influence of the French government in Ireland.

Mr. Perceval was on this occasion defeated, but the ministers saw well the strong opposition with which they would have to contend in bringing forward any measures of concession to the Irish catholics, while they were not only by principle inclined to concession, but they believed that it alone would relieve them from serious embarrassments in their Irish policy. They felt, however, that something must be done, and they determined to begin with the army and navy departments of the public service, which were then of paramount importance, and in which, more than in any other, the restriction still existed which hindered catholic soldiers from being promoted to the rank their services might merit, for by a clause in the mutiny bill every soldier was to be compelled to attend the religious service of the established church. Some Irish soldiers had recently been treated with great severity for refusing to do this, and the catholic clergy are said to have privately intimated to the minister, that if this practice were continued they should feel it their duty to exhort the catholic population, from the pulpit, not to enlist. A notice was given in the house of commons of the intention to bring in a bill to repeal the clause of the mutiny act enforcing attendance at protestant worship, but this design was almost immediately laid aside, in order to make way for a measure of a somewhat more comprehensive kind. On the 5th of March, lord Howick moved for leave to bring in a bill to open the naval and military services indiscriminately to all his majesty's subjects who should take an oath to be thereby prescribed. In recommending this measure to the house, lord Howick urged that, at a season of difficulty and danger such as then existed, when it was desirable to unite every heart and hand in the cause of the country, it was unwise to exclude from that union so large a portion of the people as the catholics of Great Britain and Ireland, amounting to nearly a fourth of the whole population of the empire, and to prevent them from sharing in the danger and the glory of their countrymen. The fact was, that at that very moment a great proportion of our soldiers and sailors (particularly of the latter), were catholics, and it was fitting that parliament should sanction by right what was already

allowed by connivance. By the law which passed in the parliament of Ireland in 1793, catholics were allowed to hold commissions in the army, and to enjoy those privileges in Ireland, which it was the object of the bill he meant to propose to communicate generally to the catholics of this country. The bill would go to admit persons of every religious persuasion to serve in the army and navy without any other condition but that of taking an oath particularized in the bill. Of course, if this indulgence were granted to catholics, it was unnecessary to state that there could be no objection to grant it to any other sect of dissenters from the established church, unless some specific danger could be shown, which he did not at present see. The provisions of the bill would therefore extend to persons of all religious persuasions. What had particularly drawn the attention of his majesty's government to the subject, was the strange anomaly which existed in consequence of the act passed in Ireland in 1793, by which the Roman catholics in that country were enabled to hold commissions in the army, and to attain any rank except that of commander-in-chief of the forces, master-general of the ordnance, or general of the staff. The effect of this permission so granted to the catholics of Ireland was a striking incongruity; for if a catholic, who was by law qualified to serve in the army of Ireland, should be brought out of that country by any circumstances, which demanded in this country the presence of the regiment in which he served, he would be disqualified by law from remaining in the service, and would have only this alternative, either to continue in the service contrary to the law, and thus subject himself to the penalties and forfeitures consequent thereon, or to relinquish a profession in which he had risen to the rank which he might hold, either by the sacrifice of his fortune, or more probably by a succession of meritorious services, such as proved him qualified to defend the prosperity and assert the honour of the country. So absurd an inconvenience must be remedied. The inconvenience was seen when Great Britain and Ireland were separate nations, and had separate parliaments; and when the act of 1793 was proposed in the Irish parliament, it was declared that a similar proposition should be made in two months by the parliament of Great Britain. This was distinctly promised; lord Clare in the house of peers, and lord Buckinghamshire in the house of com-



mons, distinctly stated that it was the intention of his majesty's government, with all convenient dispatch, to prepare a similar bill in the British parliament. The measure which he was about to submit to the judgment of the house, was calculated to remove the inconvenience and to reconcile the incongruity complained of, and at the same time to maintain the faith of the British government, by redeeming the pledge to which he had alluded. There seemed to be no objection to the measure, as a necessary consequence of the act of 1793, and as a redemption of the pledge given at that period. The only objection started, appeared to be by those who thought the proposed measure, by going farther than the act of 1793, established a new principle of concession which ought not to be acceded to. It would now therefore be necessary for him to state in what the two measures differed. The first difference was, that the proposed measure went to permit persons of every religion to serve in the navy as well as in the army. When the Irish act was passed, it was distinctly stated that, in the bill to be submitted to the British parliament, leave to serve in the navy would be included, and the only reason why it was not included in the Irish act was that Ireland had no navy. The same principles which induced his majesty's ministers to propose the adoption of a similar law for the two countries, induced them to propose the abolition of restrictions—consistency. For nothing could be more incongruous than the consequence of these restrictions, which might be attended with considerable inconvenience to the service. A catholic might, by the Irish act, rise through the regular gradation, and become a field-officer; he might become a major, a lieutenant-colonel, a colonel; in this last capacity he might have the command of a corps equal in number to that frequently under the orders of officers of a superior rank. He might show himself eminently qualified for a situation of greater trust; he might distinguish himself to such a degree, as to be called upon by the voice of the army and the people to fill that situation; but it would be impossible to create him a major-general! This was a great discouragement to the catholic officer. It was a great disadvantage to the country, which, by such restriction, might lose the services of many brave and skilful men; and after all it must be considered that the proposed measure only *enabled* his majesty to appoint

such persons to situations of high importance. This appointment must depend upon the executive government, which would, of course, be discreet in the exercise of its power. In addition to the advantage of enabling the country to avail itself of the whole extent of its population, without any of these restrictions which operated merely to keep up a spirit of discontent, and to damp that ardour which might otherwise be so successfully directed to the public service, the proposed measure, in addition to these things, provided for all who should enter into his majesty's service the free and unrestrained exercise of their religion, so far as it did not interfere with their military duties. Perhaps it would be said that this might be accomplished in another way, by giving directions to that effect; but he was apprehensive that this could only be partially done; besides, the insecurity and instability of such a mode of proceeding would deter the catholics from entering the army, and would furnish to those who might be desirous of preventing them, sufficient means of persuasion. Let them have full security in the shape of a clause in an act of parliament; let them have the sanction of the legislature, and all doubt would be removed. If there were any possible utility in this provision, when it was considered that it could be attended by no inconvenience or danger, he trusted it would meet with no objection. The abolition of the restrictions in point of rank, would place before the sons of the gentry of Ireland those fair objects of ambition; it would open to them that course of glory, the pursuit of which was synonymous with the advancement of the best interests of the empire. On the commonalty of Ireland the measure must have a powerful effect, by affording a salutary check to the increasing superabundant population of that country, as it would induce numbers to enter into the service of his majesty, even of those who by their own discontents, and by the artifices of others, had so lately been urged into insurrection and rebellion.

As in the case of the Maynooth grant, it was Mr. Perceval who led the opposition to this measure, and he protested against it, not, as he said, from any objection he had to the measure in itself, but because he looked at it as the beginning of concessions to the Irish catholics, which would be highly dangerous to the constitution and protestant establishment. Leave, however, was

given to bring in the bill; but the opposition was now carried on in secret behind the curtain, and not openly on the stage of the house. The king appears never to have accepted the liberal ministry with cordiality, and his ears were open to back-door influence which agreed with his own strong prejudice against concession to the catholics. A plot was now laid to overturn the ministry, on occasion of lord Howick's bill, and the attempt proved successful. Petitions against the bill were sedulously promoted in various parts of the country, in which the university of Oxford stood prominent. On the 11th of March, lord Sidmouth, who held the office of lord privy seal, wrote a letter to lord Grenville tendering his resignation; and the same day he invited Perceval to an interview for the purpose of uniting in opposition to the bill. On the same day the king informed his ministers that he was dissatisfied with the bill because it went further than he understood their first proposal. Next day, lord Portland wrote an artful letter to the king, condemning the measure, and offering indirectly to form an anti-catholic ministry. But in the meantime, when the king's objection to the bill was made known to the ministers, lord Howick withdrew it, and then the king ordered lord Sidmouth to withdraw his resignation, and the meeting between that nobleman and Perceval, which had been fixed for the 13th, did not take place. In withdrawing their bill, the ministers considered it necessary to state to his majesty that they reserved to themselves the liberty of recommending to the king's attention at any future time such measures as they might think advisable with regard to the catholics, and also of explaining the reason of the withdrawal of the bill if called upon in the house of commons. The answer, we are assured by lord Grenville in his subsequent statement to the house of lords, was a gracious acceptance of what they had proposed, accompanied with an expression of regret that any necessity should arise for avowing such opinions to parliament. But soon afterwards, the king, having apparently reconsidered the matter, required from his ministers a written pledge that they would never again address him on this subject. This they at once refused, on the ground that it was unconstitutional. "A more painful condition," said lord Grenville, "could not have been imposed upon any set of men. What would be their situation, if they were to be bounden by

their oaths, and fettered at the same time by a written engagement? Were they to withhold that advice which they deemed necessary for the safety, nay the very existence of the empire? What would be the effect upon the constitution? Could it exist, if such a principle were recognised, as that ministers were acting upon a written pledge of the nature he had stated? Suppose the existence of Ireland at stake, and ministers were called upon to account for their conduct, was he to justify himself by saying, 'Oh! that corner was torn out of the map of the empire which was committed to my keeping!' Would not the recognition of such a principle strike at the very root of the constitution, overturn the maxim that the king can do no wrong, but that his ministers could, and re-establish that monstrous and diabolical principle by which a sovereign was brought to the bar of his subjects." The day after the ministers refused to give this written pledge, they were informed by the king that he must look for other men, and after some delay a strong anti-catholic ministry was formed with the duke of Portland at its head.

Lord Howick, in a similar explanation in the house of commons to that of lord Grenville in the lords, gave the following more detailed account of the circumstances which had led to this result. "A detailed dispatch," he said, "was written to the lord lieutenant of Ireland, stating explicitly the motives of the measure (lord Howick's bill), and this detailed dispatch was sent to his majesty, accompanied by a cabinet minister. From the first proposition his majesty certainly expressed a strong dissent. On that dissent having been made known to them, the cabinet deliberated, and the result was a respectful representation to his majesty of the grounds on which they thought the measure expedient. To those representations was returned an answer, in which his majesty, with considerable reluctance, unquestionably signified his assent; certainly with reluctance; but it was a *positive* assent. Under the sanction of that assent, the dispatch was sent to the lord lieutenant. At a conference with some of the catholics in Ireland, Mr. Elliott, the secretary of state, informed them of the separate measure which it was intended to propose. Some discussion ensued; and to a question from a Mr. O'Connor, whether every rank in the army were to be open to the catholics, or whether they were still to be precluded



from the staff, Mr. Elliott's answer was, that as the words of the dispatch implied that the catholics would be allowed to hold any commissions in the army on taking the oath of allegiance, he conceived that the staff was included. A dispatch containing a special account of this conference was sent to his majesty's government at home, and soon after a second dispatch, in which it was stated that the subject had been referred to the consideration of a general meeting of the catholics, by whom, notwithstanding the doubts that had been incidentally thrown out, it was understood that every military situation was to be rendered accessible to them. These dispatches, containing these explicit statements, were sent to his majesty at Windsor, and received his most gracious perusal; but no objection whatever was then made by his majesty to the measure to which they related. However, subsequently to this period, there certainly did arise a doubt whether the measure had been distinctly understood in its fullest extent. It is only fair to say, that this doubt originated with some members of the cabinet. On its being started, I, and some others with whom I had the honour to act, were most anxious that it should be completely removed before the introduction into parliament. I have always considered that a minister in parliament acts in a double capacity; he acts as a minister, and hears as an individual member of parliament. He may introduce or support a measure unconnected with government considerations. Such was the conduct of Mr. Pitt on the propositions for reform and for the abolition of the slave trade; the latter of which has, thank God! been at last effected, and is a measure which, if there were nothing else to distinguish the late government during the short period it had existed, will shed on it sufficient lustre. But when a member of administration introduces any measure as a measure of government, it is most clearly his duty to be previously convinced that he has the concurrence of the cabinet, and the sanction of royal authority—I should, indeed, have thought myself reprehensible in the highest degree, and deserving of all the foul reproach that has been so lavishly bestowed upon me, had I introduced the measure which I did introduce, without having ascertained that it had the concurrence of the cabinet, and the sanction of the king. I have before stated, that a doubt sprung up with regard to the latter; it was there-

fore determined that I (lord Spencer being absent on account of ill health) should write a dispatch to the lord lieutenant of Ireland, inclosing those clauses of the bill in which the proposed measure was contained, and restating, in conformity to the sentiments in the dispatch which had been sent in answer to the communication of Mr. Elliott's conference, that every commission in the army was to be open to the catholics. This dispatch I wrote with as much clearness as it was in my power to do. With these clauses it went to the king on Monday. On Tuesday it returned from Windsor, without the slightest hint of objection on the part of his majesty; and as I had been accustomed to do, on receiving the royal sanction, I immediately forwarded the dispatch to Ireland. In the meantime objections were stated, merely in point of form, to the mode of proceeding in this measure by clauses in the mutiny bill, and on a full reconsideration of the subject, it was thought better to introduce a separate bill. On Wednesday I attended the levee at St. James's, and had my usual audience of his majesty. After that audience, his majesty inquired what business was going forward that day in the house of commons. I replied, that the mutiny bill was to pass through one of its stages, and explained to his majesty the reasons which had induced me to embody the clauses for allowing the catholics admission into the army and navy in a separate bill. His majesty approved of the change, and then asked me whether the bill were the same as the Irish bill of 1793. I stated in what the difference consisted; observing that it had been fully detailed in the various despatches previously submitted to his majesty's inspection. Here, sir, I must acknowledge, that his majesty did express a general dislike and disapprobation of the measure; but not in such a manner as to induce me to conclude that the reluctant assent originally given by his majesty was withdrawn, and that I was not empowered to introduce the bill. What confirmed me in my opinion was, that my lord Grenville had a subsequent audience with his majesty, in which his majesty did not make a single observation on the bill. On Thursday or Friday (I do not recollect which) I introduced this bill into the house. During the whole of a week, although I had various communications with his majesty on other subjects, his majesty did not make the slightest objection to this bill, nor was any intimation on the subject

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HISTORY OF IRELAND. [DISMISSAL OF MINISTERS.

received from his majesty, until the Wednesday following, at which time I was precluded from attending my duty in this house by a family calamity, when his majesty stated decidedly his objections to any extension of the provisions of the Irish act of 1793. From that moment we were convinced that his majesty had misunderstood the subject; or, rather, I was convinced that I had misunderstood his majesty. Having unfortunately introduced the measure into the house of commons, in the belief that I was sanctioned to do so by the king, I immediately suspended any further proceedings on the bill, demanded an audience of his majesty on the following day, and convinced him that I had been misled, and that I had misunderstood those gracious expressions which he had used on the subject on a former occasion. From that moment it became the most anxious consideration of ministers how to reconcile their public duty with their respect for the feelings of his majesty. We attempted to correct the bill; but the objection of his majesty was so extensive, that we found it was impossible so to modify the measure as to remove that objection, and at the same time leave it efficiently beneficial. In this situation we preferred abandoning the bill altogether. In doing this, sir, I own that I made a most painful sacrifice of all personal feelings to my sense of public duty; but this is a sacrifice which, however painful, I trust I shall never hesitate to make. We therefore offered to withdraw the bill, but at the same time we felt the necessity of adding something to that offer. On a former occasion a desire had been intimated, that nothing of that kind should in future be pressed. Other intimations had been made of a similar nature. We therefore thought it right to reserve to ourselves the power of expressing our opinion, and of suggesting to his majesty any future measure that might seem to us expedient, accompanied, however, with a respectful declaration that all the members of the cabinet were most eager to contribute everything in their power to his majesty's personal ease and comfort. This part of our proceeding, sir, has been most shamefully misrepresented to the public. In falsely stating that we wished to reserve to ourselves the right of pressing this subject on his majesty in future, it has been omitted, that our only wish was to submit any measure to his majesty's revision; it was omitted, that we assured his majesty of our

earnest desire to regard his personal ease and comfort. Sir, in what situation should we have been placed, had we not retained the right of expressing our sentiments? The bill introduced by us must be withdrawn. I certainly felt that, without exposing his majesty's opinion, I might have assigned sufficient reasons for withdrawing the bill, on account of the opposition which had been made to it; but, sir, was it possible, consistently with mine honour, and consistently with my sense of duty to my colleagues, that I could refrain from declaring my own sentiments upon it? Besides, in withdrawing this measure, we had actually to look to a catholic petition, and to the pressing the general question with more eagerness than ever on the consideration of parliament. His majesty in reply expressed his satisfaction at the deference we had shown him, but required us to withdraw the other part of our statement, and to give an assurance in writing, not only that we would never again propose the measure in question, but also that we would never propose any measure connected with it. As far as personal motives operated in this demand, I am convinced that they were of the purest description; for during the short time that I had the honour of being in his majesty's service, I have had frequent opportunities of remarking his majesty's gracious and benevolent affection for his people, and the anxious desire by which he is urged to promote their welfare. As far, therefore, sir, as his majesty was personally concerned, I can have no doubt that in this demand he was actuated by the most honourable and conscientious motives alone. But neither I nor any of my colleagues being able to assent to this requisition, we stated to his majesty the impossibility of our complying with it. The next day his majesty, in the same gracious manner that we had been accustomed to experience from him, informed us that he must look out for new servants. Two days afterwards I was authorised to state this circumstance to the house, and on Tuesday last his majesty signified his pleasure that we should resign our offices next day. This is a statement of the whole transaction, as far as it can be stated without a reference to the various documents that I have described. I much wish that those documents in an unmutilated state were before the house and the public; and if his majesty will be graciously pleased to give orders to his servants to produce them, I



for one shall be grateful. Those documents will bear me completely out in the assertions, first, that we did not propose the measure to his majesty without having sufficient motives for so doing; secondly, that we did not propose the measure to parliament without sufficient reason to be satisfied that it had his majesty's concurrence; thirdly, that when we discovered his majesty's insurmountable objection to the measure, we fulfilled our duty by acceding to it; and that in adding the respectful request to allow us the liberty to state our opinions on that subject, and to propose to his majesty any future measure that we might think expedient, accompanied with the assurance of our anxiety for his majesty's personal ease and comfort, instead of improperly pressing the question on his majesty, we were simply doing that which not to have done would have been to have justly subjected ourselves to the reproach of every honest and honourable mind."

The very extraordinary transactions which we have been describing, will receive further illustration from some notes of documents which passed between the king and his ministers, and which have been preserved among the papers of lord Castlereagh, one of the ministers who succeeded them. "On the 14th of February, the king received from lord Grenville, without any accompanying letter, a despatch from the lord-lieutenant, of the 11th, transmitting a newspaper containing the proceedings of the cathedral meeting on the 9th. His excellency describes Mr. Keogh's speeches as most violent and inflammatory; states that the junction of lord Fingall had certainly given great confidence to the body of the catholics, and more determination to their proceedings; and that Mr. Keogh had taken upon himself to assert that he had just reason to hold out hopes of a favourable answer to their first representation. This the duke of Bedford positively denies; declares that no encouragement whatever has been given by the Irish government to expect a favourable answer; that, whatever may be the decision of his majesty's government, the course remains perfectly open. In adverting to what lord Fingall is made to say, his excellency states that his conversation with Mr. Elliott is not correctly stated, as the latter went no further than to say that the representations would be transmitted, and the answer communicated. As the matter now stands, the duke of Bedford

doubts whether any concession will keep back the petition; that, indeed, the Irish chancellor conceives that if the three points mentioned in his first dispatch on this subject, and a fourth, namely, the capacity to be made king's counsel, were conceded, their further proceedings would be stopped; but the lord-lieutenant declared his sentiments to be decidedly averse to any unbecoming compromise, which would only betray weakness, and give no security for the future. If his majesty's government should be disposed to make any concession upon this occasion, he suggests the propriety of his majesty's ministers merely stating generally that it was their intention to offer certain proposals for the consideration of parliament, which should afford the catholics relief, without entering into any particulars. In a private letter of the same date, Mr. Elliott mentions that it has been understood that a resolution will be taken in their next meeting to present a petition on the 17th; and that the lord-lieutenant is very fearful he may not receive the answer from England to his first despatch in time to prevent it.

"On the 21st of February, the king received from lord Spencer despatches from the lord-lieutenant, dated the 17th and 18th; lords Fingall and French, and Mr. O'Connor, and some others, had had a long conference with Mr. Elliott, in which he communicated to them the answer of his majesty's government to their first representation, in conformity to the instructions received; dwelling much upon the point that the indulgence proposed, respecting military promotion, was not of the nature of a compromise, but one intended previous to any knowledge of their intention to petition; lord French stated that, in 1793, assurances had been given to him of admission into corporations, and to banks. Mr. Elliott observed that the present bank-charter contained no provision of that nature, and could not be altered; to which lord French replied, that he mentioned it with a view to reserve the right upon a new one being framed. Mr. O'Connor asked whether, by the intended clause, catholics could be employed as generals on the staff? Mr. Elliott replied that he understood it to stipulate the admission to any military commission. Little further passed, nor was any observation made by them, further than that they would report the conversation to the committee. The remainder of the despatch details the proceedings at the



meeting held on the 17th. Lord Spencer sent the despatches without observation.

"On the 29th of February the king received a despatch from the lord lieutenant, dated the 25th, in which was stated the result of the meeting of the catholics in Dublin on the 24th. On the 3rd of March, the king received from lord Howick, in the absence of lord Spencer, a copy of the proposed clauses, together with the draft of a despatch to the lord lieutenant transmitting them. They were unaccompanied by any observation, although, upon reading them, they proved materially to differ from those originally submitted to the king, inasmuch as they admitted of the employment of dissenters of all descriptions, including catholics, in all ranks of the army and navy. His majesty returned them without any observation, considering that to be superfluous, after having declared so positively, in his letter of the 12th of February to lord Grenville, that he would not go one step further, &c. The king, however, repeated that declaration verbally to lord Howick in London the following day, the 4th, when it appeared that lord Howick had in the intermediate time sent the despatch.

"St. James's Palace, February 9, 1807.

"Earl Spencer has the honour to lay before your majesty a despatch received from the lord lieutenant of Ireland, relative to the proceedings which have lately taken place among certain of the catholics in that country, together with the minute agreed upon by your majesty's servants, to be humbly submitted to your majesty, with the draft of an answer to the lord lieutenant's despatch, referred to in the said minute."

"At the Earl Spencer's, February 9, 1807.

"PRESENT:—the lord President; the lord privy seal; earl Spencer; earl of Moira; viscount Howick; lord Henry Petty; lord Grenville; Mr. secretary Windham; Mr. Grenville.—Your Majesty's servants, upon consideration of the despatch received from the lord lieutenant of Ireland of the 4th instant, respecting the proceedings of certain of the catholics of Ireland, and the communication made by them to your majesty's government, beg leave to submit to your majesty their humble opinion that it may be proper that the answer, a draft of which is herewith humbly submitted to your majesty, should be sent to the lord lieutenant with instructions to conform his conduct to what is therein stated."

This produced the following reply:—

"Windsor castle, February 10, 1807.

"The king has received earl Spencer's letter, transmitting a minute of cabinet, with the despatch from the lord lieutenant of Ireland, and the draft of the purposed answer to which it refers. Whilst his majesty approves of that part of the answer which instructs the lord lieutenant to keep back any petition from the Roman catholics of Ireland, and to prevent the renewal of a question, upon which his majesty's sentiments and the general sense of the country have already been so clearly pronounced, the king cannot but express the most serious concern that any proposal should have been made to him for the introduction of a clause in the mutiny bill, which would remove a restriction upon the Roman catholics, forming in his opinion a most essential feature of the question, and so strongly connected with the whole, that the king trusts his parliament never would, under any circumstances, agree to it. His majesty's objections to this proposal do not result from any slight motives; they have never varied, for they arise from the principles by which he has been guided through life, and to which he is determined to adhere. On this question a line has been drawn, from which he cannot depart, nor can earl Spencer be surprised that such should be his majesty's feelings upon this occasion, as he cannot have forgotten what occurred when the subject was brought forward seven years ago, and he had hoped in consequence that it would never again have been agitated. "GEORGE R."

"Downing-street, February 11th, 1807; one A.M.—Lord Grenville begs leave humbly to submit to your majesty the enclosed minute drawn at the meeting of the cabinet this evening. Earl Spencer's health is not yet sufficiently restored to allow of his attendance, but lord Grenville is confident that lord Spencer fully participates in the sentiments which the rest of your majesty's servants have ventured to express. Lord Grenville feels that it is in some degree presumptuous in him to think that any individual representation on his part can add weight to that of your majesty's cabinet; and yet he cannot refrain from adding the entreaties of an attached and faithful servant, that your majesty will be graciously pleased to bestow upon this paper that full consideration which he trusts it merits, not less from the spirit in which it is drawn, than from the extreme importance of the object which it has in view.

He can faithfully assure your majesty, that it was his earnest wish (and that, as he confidently believes, of all your majesty's servants), that every discussion should be avoided which could, in the remotest degree, be painful to any feelings, or repugnant to any opinion, of your majesty; and this object they hoped they had attained in the measure which they took the liberty to suggest, when the circumstances of the times, and the considerations due to the peace and union of the empire no longer left any possibility of postponing the consideration of a question so impatiently pressed forward by others. The measure in question, so far from being in opposition to any known or expressed opinion of your majesty, is perfectly conformable in its principle to that concession to which your majesty had long ago been pleased most graciously to consent, and with respect to the continuance of that power, lord Grenville flatters himself it is impossible that any evil can result from it to the security of principles and establishments to which he is as warmly and conscientiously attached as any other of your majesty's subjects. On the other hand, the advantage is beyond all calculation, of recruiting your majesty's army by the superabundance of that population which, for the want of such a vent, is now too frequently engaged in acts of turbulence and disorder at home; of adding to the public strength by the very same measure which will contribute to the public tranquillity; and by employing against the enemy abroad the very same hands that would possibly be raised in his support, were he to succeed in landing an army in Ireland. In like manner, with respect to the officers, lord Grenville is persuaded that no measure could more effectually promote the general interests of the empire, than one which will accustom the gentry of Ireland to look for their promotion and advancement in life to your majesty's service, and which, by mixing them in habits of intercourse with the great body of your majesty's officers, will gradually infuse into their minds the same spirit and principles by which that body is animated. Of the sincerity of these opinions your majesty cannot doubt. Nothing but a deep impression of the indispensable necessity of some step of this nature at the present moment, and the peculiar advantage of the measure now recommended, in its tendency to prevent difficulties of the most embarrassing

nature, could induce lord Grenville to think himself warranted in recommending it with such extreme earnestness. And, whatever may be your majesty's ultimate decision on this momentous question, he is persuaded that your majesty's condescension and goodness will attribute this freedom to its only true motive."

"Downing-street, February 10th, 1807.

"PRESENT:—the lord chancellor, the lord president, the lord privy seal, lord Henry Petty, lord Grenville, lord Ellenborough, earl of Moira, viscount Howick, Mr. secretary Windham, Mr. Grenville.—It is with the deepest and most unfeigned regret that your majesty's servants learn, that the proposed dispatch to the lord lieutenant of Ireland has not, in all its parts, been honoured with that approbation from your majesty which they had allowed themselves to hope for, and which they still flatter themselves it may ultimately obtain from your majesty's gracious consideration of what they now beg leave to submit. They can assure your majesty, with the utmost sincerity, that it has been their anxious endeavour so to frame the proposed instruction as that it might be entirely free from the difficulties that might attend other parts of this subject, on which (as your majesty knows) a difference of opinion prevails among the persons whom your majesty has been graciously pleased to call to your councils, and on which they are all aware of the sentiment which your majesty has at a former period expressed. They had persuaded themselves that, in the clauses to be proposed for the mutiny bill, your majesty would be of opinion that they are only fulfilling the engagement which had been formerly entered into under your majesty's authority, and carrying into effect a principle which has already received the fullest and most formal sanction, by the act passed in the Irish parliament, in the thirty-second year of your majesty's reign. That act enabled your majesty's catholic subjects in Ireland to hold commissions in your majesty's army, with no other restriction than is there pointed out; and if a similar provision be refused with respect to this part of the now united kingdom, it appears obvious that the grace thus conferred by your majesty on that large body of your people must be rendered wholly illusory, and an appearance given of a conduct on the part of your majesty's government not consistent



with your majesty's uniform and paternal beneficence towards your people, or with that openness and good faith with which your majesty always wishes that your servants should conduct themselves in all the transactions of your government. In addition to these considerations, they beg leave to represent to your majesty, with the most profound deference, and at the same time with the utmost earnestness, that the formidable dangers which now surround the country, from a state of affairs in Europe altogether unexampled, appeared to impose upon them the indispensable duty of proposing to parliament to unite in the common cause the military efforts of the whole population of your majesty's empire, in order to secure the best interests of their country from ultimately sinking under the increasing preponderance of France. The absence and want of such aid would, in such a moment, be deeply felt, but your majesty's servants fear that a still greater danger might result from conveying to so considerable a body of your majesty's subjects the impressions which must follow from a decided refusal to admit them under such circumstances to a full share of the military defence of their country. Your majesty's servants would therefore think themselves deeply criminal if they could disguise this peril from your majesty, or if they could neglect to offer to parliament a proposal which they respectfully conceive is not liable to the ground of objection which your majesty appears at first view to have felt to it, which, in its principle, is already sanctioned by a law long since passed and acted upon in many instances; which, in its form, would continually keep the subject within the care and control of parliament, to whom it must be annually submitted; and which, while it appears to them the measure best calculated to avert the dangers which they have humbly represented to your majesty, affords at the same time the most probable means of preventing the agitation

of those questions on which the opinion of parliament has been so recently pronounced. The situation of Ireland appears to your majesty's servants to constitute the most formidable part of the present difficulties of the empire. This subject must, as they conceive, require a continued and vigilant attention, and a repeated consideration of every fresh circumstance which may call for the interposition of your majesty's government or of parliament. In forbearing to urge any further (while employed in your majesty's service) a measure which would, in their judgment, have tended to compose the present uneasiness in Ireland, and have been productive of material benefit to the empire, they humbly submit to your majesty, that they have gone to the utmost possible limits of their public duty; but that it would be deeply criminal in them, with the general opinions which they entertain on the subject, to bind themselves to withhold from your majesty, under all the various circumstances which may arise, those counsels which may eventually appear to them indispensably necessary for the peace and tranquillity of Ireland, and for defeating the enterprises of the enemy against the very existence of your majesty's empire. Your majesty's servants must ever deeply regret that any difficulty should arise on their part, in giving the most prompt obedience to any demand which your majesty considers as indispensable to the ease of your majesty's mind. But it is not possible for them, consistently with any sense of those obligations which must always attach to the sworn counsellors of your majesty, to withdraw a statement which was not made without the most anxious consideration of every circumstance which could be suggested by their earnest desire for your majesty's ease, comfort, and happiness; or to give assurances which would impose upon them a restraint incompatible with the faithful discharge of the most important duty which they owe to your majesty."



## CHAPTER VIII.

THE CATHOLIC COMMITTEE AND ITS PETITION; THE DUKE OF RICHMOND APPOINTED LORD LIEUTENANT.



THE events related in the last chapter showed that the Irish catholics could hope for no further indulgence during the reign of George III., and from this moment they were prepared to act no longer in accordance with the suggestions of the government, but to agitate the question openly and continuously. The change of ministry led to bitter contentions in the house of commons, and to still more bitter writing in the political press out of doors, which tended to increase the agitation of the public mind in Ireland. In the former, Plunkett, Grattan, sir Samuel Romilly, and others, spoke strongly in support of the conciliatory policy of the late ministers.

The catholic committee had, as we have already seen, drawn up a petition to parliament for redress, and they had requested Grattan to undertake the presentation of it. The sudden change in their prospects in parliament rendered it necessary to reconsider the subject, and a general meeting of the catholics was held on the 18th of April, at the exhibition-room in William-street, Dublin, under the presidency of the earl of Fingall. Two letters from Grattan were there read. In the first, written in answer to that by the earl of Fingall, he expressed his thanks to the catholics for the honour done to him, in soliciting him to present their petition to parliament, but added, that he should be unworthy of that honour and the confidence reposed in him, if he did not in return give his candid opinion, that a motion in parliament, on the petition, would, at that moment, be injurious to the catholics, which opinion the change of ministers did not alter, but tended to confirm. Grattan added, that he should deem it expedient to procure the opinion on the subject of those friends who had supported the measure so ably in parliament, and had recently given such strong proofs of their sincerity; for which purpose, he would endeavour to obtain a meeting of those gentlemen, and transmit the result as soon as possible. In a second letter he stated, that he had procured the meeting, and that it

was the decided and unanimous opinion of the noblemen and gentlemen, who took the trouble to consult together on this occasion, that it was unadvisable to present a petition at that time.

Mr. Keogh then rose and said, "We are called upon this day to decide, whether the petition of the catholics of Ireland, now upon the table, shall be forthwith sent to England by our noble chairman, to be presented to the imperial parliament. Those events which have so recently occurred, will enable this meeting to determine, as becomes the character of the catholic body. We are all apprised that the late ministers brought a bill into parliament, to enable his majesty to promote all dissenters, including catholics, to any military commission whatever. This bill did not grant to the catholics any privilege; but should our body ever produce a Moore, a Hutchinson, or a Nelson, by this bill their service might not be lost to the state. The king would have power to promote them, provided his conscience should not forbid. This bill, however limited, was not honoured with royal approbation. Ministers consented to drop or give up the bill. This was not deemed sufficient; they were called upon for their signatures, that they should never again propose that measure, or any measure connected with it: this they declined, and have resigned, or been dismissed. A short time before this avowal of the royal will, the catholics of Ireland had prepared the petition on our table, for a repeal of those laws by which they are disqualified and degraded; their meetings were attended by all the catholic nobility then in Ireland, a great number of gentlemen of landed property, and by many of our most opulent merchants. In all these meetings there was perfect unanimity; not one dissenting voice. After mature deliberation, it was the collective sense of our body to petition the imperial parliament. In the short period of a few weeks many fearful changes have taken place, and religious ferments been excited, which call upon the catholics, in their decision this day, to give a proof of their temper, firmness, and good

sense. From uncontroverted statements of the late ministers, it appears they did intend to govern Ireland without persecution, but to let the catholic question rest, that is, not to repeal the laws of which we complain. This is the extent of the intentions they had then in our favour. But those laws are pregnant with mischiefs not apparent in their strict letter; they continue to produce one grievance after another; and hence has arisen that succession of petty insurrections which have distracted and disgraced this ill-fated country for half a century past. In the last year there was an insurrection of the peasantry in the county of Mayo, not against the levying of tithes, but against the oppressive mode of exacting them. Government did not resort to martial law to quell those disturbances; they sent judges into the disturbed county, and the insurrections were suppressed, and the leaders punished by the regular course of the law. As a remedy for these and similar disturbances, the English ministers resolved to encourage our catholic gentlemen to enter into the army and navy, and through their influence to induce our peasantry to enter the service in greater numbers. One of their objects, they admit to be, to lessen our population, and, on the whole, to change disorder and weakness into subordination and strength. But candour must compel us to allow, that this bill would not have given them any great claim for gratitude from the catholics. To relieve them was not the object of the bill; it did not profess to admit them to the privileges of their country. It has been called a boon to the catholics; but, in truth, had it been carried into effect, it would have been a boon given by the catholics; the boon of their blood to defend a constitution from which they, and they only, were cautiously excluded. But when the late ministers had their option to sign the paper already alluded to, or to relinquish power, with all its emoluments, they gave an example of self-denial and true patriotism, which after ages will quote with reverence and admiration. They preferred principle to power; they preferred the constitution to private emolument; they retired from their high situations, an honour to the country that gave them birth. But it was not the bill to encourage the catholics to enter into his majesty's service that produced this event; for that bill was dropped: neither had it been solicited by the catholics; still less

could our petition have produced this calamity; for our petition was not presented, nor even sent forward. It is now upon our table, and awaits the decision of this meeting. But because ministers declined to sign an engagement contrary to the oath of privy-counsellor, and which would convey to the catholics that their submission to the laws which degrade them, not their zeal in filling the army and crowding the fleets, nor their enthusiastic courage in every engagement with the enemy, nor even in case of invasion, should they resist and defeat the foe; not any, nor all of these, shall avail; they must still be outcasts. The catholics now living, and their posterity for ever, were to be refused the common privileges allowed to every other subject; the doom was eternal, and against a full fourth of the empire. This elevated and honourable, and disinterested conduct of the late ministers, entitle them to the gratitude of the catholics, but they are much more entitled to the gratitude and support of the empire at large, whose constitution and best interests those ministers have supported. However melancholy or discouraging our prospect, I confess I do not conceive that the claims of the catholics are lost by this disclosure; on the contrary, they appear to me advanced; the mask is removed, and our protestant brethren as well as ourselves, are in possession of the true state of our case. The English are a wise and reflecting people; science and liberality are predominant in Scotland; the present ferment must subside, and the British people will then perceive that their interests and ours are compatible; nay, that they are the same. They will see the folly to proscribe four millions of our fellow-subjects, a part of whom are now fighting the battles of the empire in every quarter of the globe. The objects of our petition are truly loyal and patriotic: to unite the whole of our population by interest and affection to defend the throne and empire. Should we tell our peasantry that even hope is at an end, that we will never more petition, that they may give themselves up to despair,—our protestant countrymen might then well cry out, that we were preparing recruits for any invader. No, let us continue the patriotic line we have hitherto pursued; let us tell our oppressed people that the opposition to our just claims cannot long exist; it is in direct opposition to the vital interest of the state; that we do not



despair; that parliament will attach the catholics to the empire, and that we will continue to apply, by humble petition, for constitutional relief. Our stake in the country and our own character demand this. But shall we now petition? I am told there are gentlemen at this meeting who intend to urge that we shall now press our petition. These gentlemen will first convince us of the advantage the catholics can expect from adopting such a resolution. They will not assert that any success is to be expected at this moment, for its fate has been decided by anticipation. Parliament is agitated, and the nation convulsed. Great personages have descended to stir up and foment violent prejudices against a numerous people. Is this a time to press our petition? In a few days we shall have to deplore the loss of the present Irish government; they justly possess our confidence and our affection; it is their earnest recommendation that we shall not now petition. Those great men met to consider our interests. Will a catholic meeting say we ask your advice, and we now meet to say that we reject it; that we will act in direct opposition. Such conduct to characters, who have such claims upon us, would not be consistent with the generous feeling of an Irish heart. It is asked shall we then withdraw, or suppress, or relinquish our petition? I hope not; our petition, if granted, would have promoted the best objects of the state, and the best interests of our fellow-subjects; we may postpone, but not abandon or retract it; nor sacrifice one tittle of the principle upon which they have hitherto acted. A middle course would preserve the consistency and character of the body; he should, before he sat down, propose, that the petition of the catholics of Ireland to the imperial parliament be consigned to the care of the earl of Fingal, subject to the future disposal of the catholic body. This firm, consistent, and temperate conduct of the catholic body would confirm their friends and prove them worthy of a better fate." Mr. Keogh then entered into a detailed and animated representation of the degraded and insulting situation in which the body of the Roman catholics was still kept, and thus concluded: "Notwithstanding this, men whose duty it is to know the true state of this country, assert in solemn debate, that the Irish catholics have no cause of complaint, that they are protected in pros-

perity and in person equally with other subjects. There are thousands and tens of thousands of honourable, imperial, and liberal men in Great Britain, who have no idea that such ruthless persecution ever existed in this woe-worn land. But four millions of men, without one representative to defend them, are game to be hunted down by every wicked enthusiast."

Mr. Keogh's resolution, that they should act in conformity with Grattan's recommendation was warmly opposed by several of the leading catholics present, who urged that the petition should be presented at once, without further delay; but it was supported by Daniel O'Connell, who, now a young counsellor, was beginning to take that prominent position among the Irish catholics which afterwards gave so much popularity to his name. He said, that his only motive for pressing himself on the attention of the meeting was to remove the misapprehension under which his learned friends seemed to labour. They reprobated the proposed resolution, as tending to the abandonment or suppression of the catholic petition. If that were its object, no man could be more decided in opposition to it than he should be. The question was not, whether they should abandon or suppress the catholic petition, but whether it were expedient to present it just at that moment. He doubted if it were now competent to any body of men to vote its suppression; that certainly was not the intention of his revered friend who made the motion; and much as he respected that gentleman—sincerely as he admired his integrity and his talents—he would not consent to sacrifice the petition, even to him; neither would he consent to postpone it to any remote period, even had that been the advice of the gentleman whom he would call the venerable father of the catholic cause; for he was the oldest, as well as the most useful, of her champions; he had exhausted his youth in the service of the catholics, and his old age was still vigorous in the constitutional pursuit of emancipation. But could it be said that, since the petition had been determined on, nothing had occurred to induce the catholics to pause? Within the short period that had intervened between the last and present meeting, an administration, dignified in character, splendid in talent, and eminent for its useful services to the cause of humanity, had been hurled from power, and in its place a min-



istry substituted, destitute of ability, low in reputation, and remarkable only for opposition to every liberal and patriotic measure. Such ministers stood in need of factitious support; and accordingly, with a resolution, frantic as it was fanatic, they endeavoured to rouse all the bad passions of the English nation, and to give vitality to British bigotry in their support. But there was another reason for delay, which he was convinced no Irish catholic could resist; it arose from the use which the ministry had presumed to make of the sovereign's sacred name. It was unconstitutional and indecent to attribute any personal motive to his majesty; his conduct is always the result of advice of his counsellors; it is false in theory that he has any opinions of his own; and most assuredly the uncontrovertible evidence, furnished by well known facts, contradicts the assertion that he entertains any opinion adverse to his catholic subjects. He could not tolerate those calumniators of the good old king. The catholics had, under his benevolent auspices, and by his paternal interposition, been raised from the most abject slavery to the enjoyment of some religious and political freedom. When he reflected that more benefits had been conferred on the people of Ireland in his reign than during the combined reigns of all former British kings, every other consideration was lost in his reverence for the father of his people. Let the ministers then have the benefit even of the abuse of his name; unworthy as they are, they stand within the shadow of his throne, and in respect for that situation, it behoved the grateful loyalty of the Irish catholics to concede the temporary suspension of their just claims. All that was required was merely that the catholics should pause for a moment whilst the passing cloud obscured their prospects. The pause could be but momentary. If a ministry were to be formed in despite of parliament, and in contempt of the people—if the dregs of every party were to be selected—if every thing that had fallen over in the shifting of former administrations as too useless, and too cumbrous for employment, were to be organized into a new ministry—there would be produced a rare and curious cabinet, but most unstable and fleeting, and still more fit, by the excess of folly and wickedness, to oppose themselves, individually and collectively, to the admission of faithful and energetic millions into the bosom of the con-

stitution. Such ministers might well refuse the opportunity of infusing an increased portion of vitality into the force of the empire. But their ill-starred rule must be short. And shall these men be enabled to reproach Grattan and his illustrious colleagues with the loss of the confidence of the Irish catholics? Should they be permitted to tell the Grenvilles, the Howicks, the Sheridans, and the Wyndhams, that their advice had not only been refused by their sovereign, but that it had also been rejected with insult by the Irish people? It was impossible that this meeting should justify the reproach; there would therefore be no division on the question. He entreated, he conjured the meeting, by every tie of discretion and prudence, by every feeling of generosity and gratitude, not to give even the semblance of doubt to the heartfelt confidence which they now reposed in the late administration. Whilst they were in office, and that the catholics remained unemancipated, it might perhaps be permitted to entertain some jealousy respecting their intentions; but after they had actually sacrificed their interests to consistency and strict principle, he must be weak in judgment and wrong in heart who could refuse them the tribute of unbounded admiration. In that view, he thought it would degrade the catholics to divide on the question; it would shew that they were destitute of those qualities which produce respect; it would serve as more than a pretext for the calumnies of their enemies.

O'Connell's opinion, which was strongly advocated by the chairman (lord Fingall) prevailed at the meeting, and the resolution in accordance with it was agreed to by a large majority. Other resolutions were subsequently proposed and passed without opposition, to the effect that it would be expedient to publish immediately an address to their fellow-subjects of the united kingdom, explanatory of the principles and motives of the catholics, and to present an address to the duke of Bedford, to convey to him the grateful feelings of the catholic body for the manner in which he had governed the country during the short period of his lieutenancy.

The duke had resigned his government on the dismissal of lord Grenville's ministry; and on the 19th of April, his successor, the duke of Richmond, arrived in Dublin, bringing with him as secretary sir Arthur Wellesley (afterwards duke of Wellington).

Lord Manners was appointed lord chancellor; and sir Jonah Barrington was now installed in the office of judge of the Irish admiralty, with an increased salary.

The change of ministry was followed by a dissolution of parliament, and the new ministers made the most unscrupulous, and, as might be expected from the temper of the times, successful efforts to secure a large majority in the house of commons. The new parliament met on the 26th of June, but in the king's speech a very slight allusion was made to the causes which had led to the dissolution of parliament, and no intimation was given of the future policy towards Ireland. The debates, however, were very animated; and the unconstitutional proceeding which led to the formation of the ministry then in power, their unscrupulous interference in the Irish elections, and their contempt of the true interests of Ireland, were dwelt upon with great earnestness. Of all the acts affecting Ireland which passed during the first session of this parliament, one of the most important was that to suppress insurrections, and to prevent the disturbance of the public peace in Ireland, and the debates upon it produced a strong effect upon the public mind in Ireland. On the 9th of July, sir Arthur Wellesley moved, according to notice, for leave to bring in that bill. The house would remember, said he, that the circumstances which preceded and attended the suppression of the late rebellion in Ireland, had rendered stronger measures than the established laws afforded, necessary in that country. An act was therefore passed by the Irish parliament, in the year 1798, to prevent unlawful assemblies, and to authorize the lord lieutenant, on a report of the magistrates, to proclaim any county where disturbances existed. That law required all persons in such counties to keep within their dwellings between sun-setting and sun-rising, and gave to the magistrates the power of sending persons who should offend against it on board his majesty's navy. The act had proved effectual for the suppression of the insurrection, as appeared from the acknowledgment of the leaders of that insurrection before a committee of the Irish parliament. But though such a law might be necessary, it was the duty of that house to guard against the abuse of the power which it gave. The bill he proposed to bring in contained the same provisions as the insurrection act, with power to proclaim dis-

turbed counties, and the authority of the magistrates to arrest persons who should be found out of their dwellings between sun-setting and sun-rising; he should propose some alterations as to the trial of persons arrested. On a question from sir John Newport, as to the duration of the bill, sir Arthur Wellesley proposed seven years; though even the chancellor of the exchequer thought that too long a period.

Mr. Lyttleton thought it extraordinary that such a measure should proceed from the gentleman who charged his side of the house with exciting ferment in this country, by reviving religious animosities, when the gentlemen opposite had laid so solid a foundation for the tranquillity of Ireland, by cutting off all hope of an equal participation of rights, which was the strongest incentive to loyalty and good conduct. Upon that, colonel Vereker said, he was not surprised that this bill should be opposed by gentlemen of the opposition, as their whole conduct, for some time back, had been directed to excite religious animosities amongst the people of Ireland. Lord Howick said, he lately heard many speeches that surprised him, but never one that astonished him more than that of the honourable gentleman who had last spoken. He surely could not have been a witness of what had been passing, when he charged the gentlemen on his side of the house with exciting religious animosities. It was a similar misconception in the honourable gentleman to suppose and state, that they were opposing a measure which was, in some degree, their own measure.

Mr. Grattan said, he was sorry to find that a bill of this kind was still necessary; but he really believed it to be so. He begged to observe, that the present bill was nearly the same with the original one, and that which was proposed last parliament; all violent measures certainly, and striking against the principles of the constitution, but, at the same time, in a great degree necessary. With this conviction, he certainly did not mean to vote against them, provided they were limited to a certain extent. The present bill ought to be revisionary, or, as it were, to return upon the British constitution; the origin of them being a momentary and imperious necessity, they ought to cease as soon as the danger was over. The honourable gentleman opposite (colonel Vereker) mistook, if he meant to state, that those attached to



the late administration are disposed to object totally to such a bill, it being so nearly the same (*viz.*, the Gunpowder and Arms Act) as that brought in by themselves. Their great object was to reconcile all parties; to unite both English and Irish to oppose the natural enemy of their country. He hoped that grand object would yet be effected; for he could assure the house, that the wisest way to defend the empire was to unite the people of this country with the people of Ireland.

Mr. Sheridan viewed this question in a very different light from his friends on the bench near him. The honourable gentleman opposite (colonel Vereker), had only anticipated an opposition, which this measure, from its nature, ought to encounter. His right honourable friend had said, that the measure could only be justified by an imperious necessity; now, it was that necessity which he wished to have clearly made out to exist before the measure was resorted to. It was no answer to him that the measure had been prepared by his friends. If it had, the threshers were then engaged in their disturbances, and administering unlawful oaths. Ireland was now as loyally tranquil as any part of the empire. Would they state in the preamble of the bill, "whereas, a very small part of Ireland was some time ago disturbed by the threshers, and whereas that disturbance has been completely put down by the ordinary course of the law, and Ireland is now completely tranquil, be it therefore enacted, and that most extraordinary power," &c. This was the case, however, and until it should be shown to him that the necessity for the measure existed, he should oppose it in every stage. This measure for continuing the coercion of Ireland originated with the ex-ministers, who had framed it nearly in the form in which their successors brought it before the house. It has been before observed that the people of Ireland experience no other change from the late government than that of some few names in the leaders, and those very leaders on this occasion avowed, that to their managers in Ireland were they, the people, indebted for this execrated measure. Some of them raised objections in the committee against particular clauses of the bill, which broke in more deeply upon the rights of the subject than the general necessity of continuing the system of coercion, even in their idea openly warranted. Mr. Elliott, who had been brought up in the

school of Camden, under Pitt, was the parent and prominently officious sponsor of this measure. Under his directions had it been modelled and perfected in Ireland, and it had been so transmitted to England to be carried into effect by the imperial parliament. Lord Howick, accordingly, thus spoke in the committee; "I deprecate the idea that any objection afforded by myself and my friends to the details of this measure, proceed from a disposition to oppose the principle of the measure itself. On the contrary, I am anxious to support the bill, with regard to its necessity, for which no change whatever has taken place in my sentiments since my retirement from office; but as to the bill itself, I declare that although a draft of it were sent to me from Ireland, just previous to the change of administration, I never read it until lately introduced by the right honourable baronet." The enlightened policy, the independent spirit, and consistent conduct of Mr. Sheridan, stood alone in defence and justification of Ireland. He dared to make a single stand in favour of his country, as he full well knew his inseparable friend on all occasions in politics, Mr. Fox, would have likewise done.

The principal clauses contested in the committee by some of the ex-ministers and their friends, were a clause whereby it was provided, "that magistrates might have the power to enter any houses, or authorize any person by warrant to do so, at any time from after sun-set to sun-rise, from which they should suspect the inhabitants, or any of them to be then absent, and cause absent persons to be apprehended, deemed idle and disorderly, unless they could prove they were absent upon their lawful occasion." This clause was opposed by several, and by none more forcibly than by Mr. Grattan himself, who observed, that as the committee was about to invest an extraordinary power somewhere, it ought to be done with caution; but who were the persons to be vested with the power? Perhaps some lawless miscreant, some vagabond. Perhaps the discretion of that reasonable time was to be lodged in the bosom of some convenient menial, some postillion, coachman, ostler, or ploughboy, who, under the sanction of the law, was to judge when it would be a reasonable time for him to rush into the apartment of a female, while she was hastily throwing on her clothes to open the door to this midnight visitor.



This would give a wound that would be felt long; it would throw a general odium about the bill. If the character of the bill could be saved, anything admitting the possibility of such abuse should be sacrificed to it. The next contested clause in the committee was of vital consequence to the subject, inasmuch, as it went to take away his right of redress from a jury of his country. "Provided always, and be it further enacted, that when a verdict shall be given for the plaintiff in any action to be brought against any justice of the peace, peace officer, or other person, for taking or imprisoning, or detaining any person, or for seizing arms, or entering house under colour of any authority given by this act, and it shall appear to the judge or judges, before whom the same shall be tried, that there was a probable cause for doing the act complained of in such action, and the judge or court shall certify the same on record, then, and in that case, the plaintiff shall not be entitled to more than 6*d.* damages, nor to any costs of suit." Sir Arthur Piggot, Mr. Whitbread, lord Henry Petty, and sir John Newport, vehemently opposed this encroachment on the trial by the jury, and it was tenaciously supported by the attorney and solicitor-general (sir Vicary Gibbs and sir William Plumer), and Mr. Perceval, when the question was put upon the clause for the duration of the act (*viz.* for two years, and until the end of the next session of parliament), it was suggested by sir John Newport that the act might be annual, the original clause was carried. This brought up Mr. Grattan once more to explain his conduct in supporting the measure at all; he began by deprecating the doctrine that the existence of the power, if that power were not called into action, was not to be considered as a grievance; what, he would ask, was slavery? nothing but suffrance. Great odium, he knew, attached in Ireland to the measure under consideration of the committee; a variety of letters from that country, many of which he had himself received, fully satisfied him of this point; but still, from a consideration of the necessity of the case, he was ready to take his full share of that odium by supporting the bill; that was a time in which every man should be prepared to sacrifice not only some portion of his liberty, but of his credit, and he was ready to make some sacrifice of both for the good of the state. He understood

from his right honourable friend beside him (Mr. Elliott), that there were secret meetings of a dark and dangerous description in Ireland; this formed a ground for the bill; he was afraid of French interest in Ireland, and he wished that government should be furnished with the means, not merely of resisting, but of extirpating that interest wherever and whenever it should appear.

The ministers exulted not a little in the support which this bill had received from Grattan, and they had no difficulty in passing it through both houses, although it did not escape even from the house of lords without some sharp remarks. In the latter place, lord Holland declared, that, in rising to admit an assumed necessity for this bill, he felt himself, as a British senator and as a member of their lordship's house, humbled and degraded, that such a necessity should have been so long suffered to exist. He hoped that, when the house was, under the feelings of imperious necessity, depriving the people of Ireland of their constitutional rights, it would at the same time apply itself to the examination of that necessity, and to remedy those grievances which were the source of it. It would be criminal to vote for such a measure without impressing the commanding urgency of redressing those discontents which produced this lamentable necessity. And however language, passion, sophistry, and false reasoning endeavoured to distort the facts, or to trace them to fabricated causes, he would insist that, upon the principles of human nature, upon the irresistible motives of the human character, it was impossible that discontent should unceasingly, violently, and generally continue in so extensive a portion of the empire, unless there were some radical defects in the system of its government; some mode of policy directly hostile to the interests and happiness of the people. With this truth he was so strongly impressed, and the knowledge of Ireland had so completely exemplified it, that he was determined to shut his ears to those foul calumnies which were so unjustly circulated against Ireland, to those degrading characteristics which he had so often heard affixed to that brave, generous, liberal, and gallant people. Was there any ground for confidence in such charges, it would be best, at once, to tell the people of that country that, instead of the idle mockery of limiting the bill, it was to continue as their in-

heritance. Indeed, he would say, further, if there did exist a people so vitiated in mind, and depraved in habit, whom no kindness could conciliate, or sense of gratitude bind, he knew not whether it would not be the more manly policy to extirpate rather than enslave them. But he denied that within the sphere of society there were beings of such a description. There were no created beings who, when well treated, were not easily subjected to obey the precepts of good order and subordination. Could man exhibit an exception to this general proposition? It was in human nature that exclusion and proscription would, if not generate discontent, at least diminish that sense of loyalty and constitutional attachment which was most inspired and promoted by the estimate of the blessings enjoyed. At the same time he asserted that no feeling of that kind could justify the indulgence of disloyal hopes and foreign views. Ruin and calamity would be the certain result to those who were so deluded. With him it was no argument now to support the measure because the same was deemed advisable by the late administration. It was quite a different consideration to vest extraordinary powers in a government, the anxiety of which was to allay the causes of discontent, to conduct, in the spirit of conciliation, and to feel ready to grant them to a set of ministers with whose principles he did not coincide, and of whose intentions he could not but be suspicious. Besides there were other measures in contemplation which would in a short time have precluded the necessity of continuing the act. It was hoped that, by granting to the catholics their birthright, for such he designated their claims, by modification of tithes, and, above all, by a mild and conciliatory government, the causes of Irish discontent and dissatisfaction would have been in a great degree removed. Such had been the hopes of the Irish people, that not a man in or out of parliament could conscientiously lay his hand on his heart and affirm that they were not cruelly and unwisely disappointed. He concluded an animated and able speech by trusting the house would devote days, hours, and even months, to the state of Ireland; to an examination of its grievances, and to an effectual remedy for its misfortunes.

The insurrection act was followed immediately, as a natural consequence, by the Irish arms bill, which met with the same

support and opposition, and produced debates very similar in their general features to the other.

After the passing of a few acts relating to Ireland of local or temporary interest, Sheridan, on the 14th of August, introduced a motion on the state of Ireland with an eloquent speech. The proposition he had to submit to the house, he said, was in consequence of the two bills (the insurrection and arms bills), lately brought into parliament; one of which had on that very day passed into a law. He thought, that if the resolution which he was about to propose should be agreed to by the house, and go over to Ireland at the same time with those bills, it would have a great effect in preventing that irritation which the bills might otherwise produce, in mitigating those feelings which must, in some measure, be excited. As to those bills which were intended to have been brought in by the late administration, he should say nothing. He hoped now to gain the almost unanimous sense of the house to the proposition he meant to submit, and should not, therefore, stop to draw comparisons between the ministers who were to have introduced those bills with the ministers who have introduced the present bills. He should not take into consideration the great difference that it makes when they were giving great powers, to consider into whose hands they were to be committed; the principal argument that he foresaw against his motion was, that it was such a delicate subject, that the less could be said about it the better; that the ground was so tender that it was dangerous to tread upon. What was this but saying in other words, we must legislate for this country blindfolded? Such was the argument used by his majesty's ministers. The chancellor of the exchequer confessed he knew but little of the state of Ireland. The great law officers of the crown, the attorney and solicitor-general, pretended no more: ministers appeared to wish to know nothing of Ireland; they were content to legislate for her without understanding her real situation. Could there be a stronger proof of this than the different lights and authorities by which the house was influenced? One great authority said, there is no tendency to tumult or insurrection in Ireland; another (a noble lord, in another place), confirms the statement. When the troops are drawn away from



Ireland and sent to the Baltic to assist the views of the king of Sweden, we are told there is no danger; but yet when those bills are brought into the house, we are told again that there is great danger, and much tendency to insurrection in Ireland. Notwithstanding all the whispers he had heard, and the hearsay authorities on which those severe measures were grounded, he found that most of the public documents showed that the state of things in Ireland was different from the actual account given by those whispers, upon whose authority others, as well as ministers, seemed entirely to rely. In the county of Tipperary, judge Fox, at the assizes, congratulated the country upon the peace it enjoyed; on the whole calendar there was not a single man found guilty of any act of sedition or disloyalty. In the county of Kilkenny also, the grand jury, in a solemn and authentic document, took notice of the happy state of that county and of the harmony which existed between the protestants and the catholics. On the other hand, there was the authority of Mr. Grattan, whose great talents and independence he highly admired as an Irishman. Although he (Mr. Sheridan), had principally resided in England, he felt a debt of gratitude to him for his great exertions in former times for the independence and happiness of Ireland: so highly did he respect his authority, that he could not help balancing it against those great authorities on the other side, and felt considerable doubt and hesitation how he should determine in his mind. But when those solemn and deliberate documents which he had alluded to, were contrasted with this great authority, when there was that great contradiction among the authorities, it appeared to him that it was an imperative duty for parliament, even upon that very ground of difference, to take this important subject into its most serious consideration. Let it not be said, that we fly from the consideration of the topic, and legislate merely from hearsay. Let it not be said, that we are either prevented by indolence, or by timid apprehension of danger, from fairly considering the grounds of those extraordinary measures which have been resorted to with respect to Ireland. No man could be more free than himself from the suspicion of wishing to stir up sedition, mutiny, or disaffection, in any part of the empire. No man living could see with more detestation than he

would those miserable traitors (if any such existed in Ireland) who would surrender the constitution and liberties of their country to a foreign tyrant. He did not deny that some such wretches might exist in Ireland, but he was convinced that their number was very small. When he looked at all the appearances he could not believe that there was any danger of a general and alarming spirit of insurrection in that country. If you persist, said Mr. Sheridan, in disarming the Irish people, and that country should ever be invaded, I have only two questions to ask you: When you have taken away their arms, what are they to fight the enemy with? When you have taken away their constitution, what are they to fight for? But I am told by some of those high authorities that there is certainly a French faction existing in Ireland. I ask, when was there not a French faction in that country? Since the days of queen Elizabeth, England has pursued such a vile and narrow policy towards Ireland that naturally drove many of the high-spirited youths of that country, who were connected with the catholic faith, to seek for an asylum in France, from which they regularly corresponded with their friends in Ireland. That was the cause which produced a French faction in Ireland and an Irish faction in France. Before the concessions which were made in the course of the present reign, the treatment of Ireland was worse than the treatment of any country which ever was conquered and oppressed by the vilest of tyrants. Many important concessions have certainly been made during the present reign. But that makes the obligation little felt, and hardly excites gratitude. There appears to be an extraordinary vanity in the modes that had been resorted to for oppressing Ireland. Sometimes it was done by attacking the rich, sometimes by grinding and screwing the poor, and at other times by striking at the pursuits of commercial men. Martial law was, under certain circumstances, a constitutional farce. When martial law was, however, proclaimed in its proper shape, it was well watched by the vigilance of those who were submitted to it; the necessity of it must be apparent; and those who proclaim it act under a most serious responsibility. This measure was infinitely worse than martial law, because it became disguised, and freed from responsibility in those who were to exercise it. It was martial law in masquerade, that had the bold-



ness to avow itself. It was martial law free from responsibility, and extended for a length of time, to those that are in perfect peace. It has always been the sense and practice of the constitution of this country that the people should be armed to meet any danger which threatened them. Experience and the history of all nations, but particularly of the English nation, showed that an armed people are among themselves fully as peaceable, if not more so, than a people disarmed and driven to despair. The ancient kings of England never thought there was any danger, nor ever found any, from calling the nation to arms, whatever private discontents might exist. Where then was the necessity of treating Ireland in a manner so very different from that in which England had always been treated? The disaffection and the danger in England had been much greater than was pretended to exist in Ireland. When the pretender was alive, and there were millions of Jacobites in the country, and before their hopes were cut down in the year 1745, no English minister ventured to propose such measures as had been adopted for Ireland, although, from the difference of authorities, there seemed considerable doubt whether there actually was any considerable or alarming disaffection at that time in Ireland. Did any English minister ever think of proposing a law that Englishmen be taken up if out of their beds after sunset, and all the rest of the catalogue of severities which were enacted against Ireland? But it was said that this was only a suspension of the constitution in Ireland for three years. That mode of giving leases to the crown of the constitution and liberties of the country he disliked. Leases of this sort were too apt to be renewed, and in the present case the crown had had the lease for fourteen years, and it had been just renewed for three years longer. Would the constitution ever be restored to Ireland? He feared that a people who so quietly resigned their liberties to the crown for a time would never regain them. It was impossible but that the Irish must remember all the fine promises which were made at the union, not one of which had been realized. As to that freedom of constitution and equal rights which Ireland was promised at that time, she had been most egregiously duped and trifled with. The state of the lower orders of the people in Ireland had been much misrepresented

in England, as naturally so turbulent and disorderly, that it was impossible to make them comfortable or happy. Those who thought so knew little and had read little of the state of the Irish peasantry; let them look at those who came to England for bread, and they would find that they returned to share it with their families. Almost all the hard work in London was done by Irishmen, and the watchmen and patrols to whom the security of the city was committed at night were almost exclusively of that country. Will it then be said that those who in this country showed themselves to be hardy, robust, industrious, and faithful, had none of those qualities when they were in their own country? If they did not show the same qualities there, it is from gross mismanagement on the part of their rulers. Mr. Sheridan then called upon the house to see how Bonaparte employed his time, while we consumed ours in trifling wrangle. He had surrounded his empire, not merely with such an iron barrier as the envy and ambition of Louis XIV. aspired to; he had surrounded it with empires and kingdoms of his own creation. He had bound the sovereigns of those countries to him by benefits, and by the ties of obligation. Their gratitude would serve as hostages, and their fears would be sufficient pledges of their fidelity. States of his own creation were the martello towers which defended his empire, and sovereigns were his sentinels. What ally now remained to this country, and what was the measure which he proposed? An affectionate alliance with Ireland, not with money, but acts of justice. Justice was all that Ireland asked for, or looked for at their hands; if they were prepared to do justice to Ireland, they would gain an ally more faithful and more important than any they had lost upon the continent. He concluded by moving the following resolution:—"That the house will immediately, on the meeting of the ensuing session of Parliament, proceed to take into their most serious and solemn consideration the state and condition of Ireland, in the anxious hope that such measures and remedies may be safely adopted in regard to the discontents alleged to exist in that country as may render unnecessary the act which the legislature of the united kingdom has deemed it expedient to adopt at the close of the present session, and the permanence of which would be a violation of the rights of the people of Ireland, and

a subversion of the principles and practice of our free constitution."

The debate on this important topic was not a long one, and Sheridan's motion was thrown out, in a thin house, by seventy-six votes against thirty-three. It was the close of the session, and the same day parliament was prorogued with a royal speech which made no allusion to Irish affairs.

During the autumn of 1807, Ireland was much agitated. Meetings were held to consider the grievances under which the catholics laboured, and resolutions were passed to persevere in seeking relief from them; others agreed to petition parliament against tithes; at others, the state of the country, then disturbed in some localities, was taken into consideration, and resolutions passed for the suppression of outrage. With the commencement of 1808, the question of catholic emancipation began again to be brought before the public in a prominent shape. A meeting of the catholic body was held in William-street, Dublin, on the 19th of January, under the presidency of lord Fingall, and it was resolved, on the motion of count d'Alton, that a petition should be at once presented to parliament. With this petition lord Fingall proceeded to London, and, the duke of Portland having refused to undertake the presentation of it, he entrusted it to lord Grenville for the lords, and to Mr. Grattan for the commons. But when the latter presented it to the house, Perceval and Canning, having discovered several names in the same handwriting, the petition was objected to on the ground of informality; it was decided that it must be returned to Ireland to obtain the *bona fide* signatures of all whom it represented. This quibble led necessarily to some delay, during which several incidents occurred which showed the strong anti-catholic feelings of the ministry. The grant to Maynooth was curtailed, and the celebrated Dr. Duigenan, the bigoted opponent of all concessions to the catholics, was made a member of the Irish privy council. On the other hand, the leading protestants in several parts of Ireland began to sympathise with their catholic countrymen, and to petition in their favour; and in the protestant corporation of Dublin an attempt was made to get up a petition for the repeal of the union.

It was at this moment that the question of the veto was brought forward. Although Grattan was entrusted with the presenta-

tion of the petition in the house of commons, it was actively supported by Ponsonby, who was now the acknowledged leader of the opposition in that house, and in a confidential communication between this gentleman and lord Fingall, this nobleman intimated that, to destroy the argument deduced from the foreign influence over the Irish catholic clergy, the latter would not object to allowing the English government, or the crown, to exercise a direct control over their appointment. Shortly afterwards Dr. Milner, as the agent of the Irish bishops, was introduced to Ponsonby, and made a statement in writing, to the effect that the catholic prelates of Ireland were willing to give a direct negative power to the English government with respect to the nomination of their titular bishoprics, in such manner that, when they had resolved among themselves on the person fittest to be nominated to the vacant see, they should transmit his name to his majesty's ministers, and if the latter should object to that name, they would transmit another and another, until a name was presented to which no objection should be made; and if the pope should object to the person thus agreed upon, they were to present others, until they found one who should be agreeable to the crown and to the apostolic see. This occurred some time before the 25th of May, 1808, when the catholic petition, having been corrected in the matter of the signatures, was presented by Grattan to the house of commons, and other petitions were presented from different parts in support of it. On this occasion Grattan and Ponsonby both stated that they were authorized to say that the Irish catholics were willing to concede to the crown a veto on the election of their bishops. Perceval, on the part of the ministry, still opposed it, and the petition was rejected by two hundred and eighty-one votes against a hundred and twenty-eight. In the lords, on the 27th of May, lord Grenville, in presenting the petition, entered more fully into the question of the veto. "I am perfectly willing," he said, "that in the committee, if it should be the decision of the house to go into a committee, that your lordships should discuss in what way, consistent with the support and the safety of the establishment in church and state, the prayer of this petition can be granted, whether it may be advisable to grant the whole, or only part of the prayer of this petition;



and also what checks may be necessary, in the event of granting that prayer, for the security of the establishment of the government. In stating, my lords, my ideas upon this subject, I must refer to the period of the union, and to the sentiments and views of one, of whom I can never speak without respect and affection. I mean Mr. Pitt. *Upon this subject our ideas and opinions were the same.* He was fully convinced of the policy and the necessity of removing those disabilities under which our catholic fellow-subjects laboured; and a measure of this nature formed a part of a great system which it was his object to apply to the state of Ireland, for the purpose of effecting that most desirable object—the union of all classes in the common cause of the country. A part of this system was, that the king should have a negative in the nomination of those of the catholic clergy who are allowed to exercise episcopal jurisdiction, and no one *should act in that capacity without the approbation of the crown.* I am glad, my lords, a proposition of this effect has been recently publicly stated. I am convinced that the good sense of the catholics would induce them to see the propriety of *giving way upon this point*; and I am glad it has been so stated, although I am not surprised, it having been, as I have already observed, a *part of the system* which was in contemplation at the time of the union. It is also, in my opinion, highly expedient that the catholic clergy should have the means of obtaining a decent subsistence. I do not mean that they should have any more; but a decent subsistence ought to be within their power. The objection of a foreign supremacy is, in a great degree, obviated by the proposition, that the catholic bishops should be approved of by the king, which obviates the objection as to *all temporal purposes.* The objection of foreign supremacy must mean temporal supremacy, or else it is not fairly applied. Your lordships do not acknowledge a *spiritual supremacy* in the king, or, if I may be allowed the expression, do not acknowledge the king to be the pope of the established church. That species of supremacy was indeed claimed by the rashness of Henry VIII., who was a man whom it was dangerous to resist, even in his most wanton caprices. Subsequently, however, wiser men formed those opinions which are at present the basis of our church establishment, and of which that claim to supremacy

forms no part. No one of our princes, therefore, has ever claimed that supremacy except Henry VIII. In acknowledging the king's supremacy, and not a *spiritual supremacy*, your lordships know that there are two established religions in Great Britain; and in that of Scotland, the distinction which I have just stated is more remarkably exemplified, the established presbyterian church of that part of the island not acknowledging in the king any supremacy. The existence, therefore, of a *spiritual supremacy* is merely an article of speculative belief, and the belief of the catholics on that point ought not to be urged in bar of their claims. To secure the temporal supremacy of the government, for all temporal purposes, is all that can be desired, and this, I conceive, might be effected without interfering with any speculative belief of the catholics with respect to any spiritual supremacy of the pope. We hold this tenet of the supremacy of the pope to be erroneous; but it appears to be absurd to suppose, that the catholics, through believing in this speculative tenet of the supremacy of the pope, may not be equally good subjects, and equally disposed to defend their country, with their protestant fellow-subjects. The present oath of supremacy appears to have been framed with a captious desire to exclude catholics. An oath might, I conceive, be framed, freed from that captiousness, acknowledging the temporal supremacy of the king, but not meddling with the tenet of a spiritual supremacy."

Meanwhile, between the debate in the house of commons and that in the house of lords, Dr. Milner came forward to protest against the use which had been made of his name, and the consequence was a division among the catholic party, many of whom were in favour of the negative power which was to be given to the crown by this suggested measure, while the greater number were as warmly opposed to it. Thus a controversy arose which lasted for several years. It produced an immediate agitation among the catholic body in Ireland, and the bishops met in synod in Dublin on the 14th and 15th of September, and passed resolutions, "That it is the decided opinion of the Roman catholic prelates of Ireland, that it is inexpedient to introduce any alteration in the canonical mode hitherto observed in the nomination of the Irish Roman catholic bishops, which mode long experience has



proved unexceptionably wise and salutary. That the Roman catholic prelates pledge themselves to adhere to the rules by which they have been hitherto uniformly guided; namely, to recommend to his holiness only such persons as are of unimpeachable loyalty and peaceable conduct." Other meetings were held, and the prevailing opinion among the catholics appears to have been against the veto.

A few subjects connected with Ireland were pressed upon the attention of parliament during the session of 1808. One of these was that of prison abuses, which prevailed to a disgraceful extent in Ireland at this time, and many instances not only of neglect, but of cruelty, were brought forward; a resolution was passed to petition the king for the appointment of a commission of inquiry, but the government did not seem to be actuated by any wish to carry it into effect. Petitions of counties and resolutions of grand juries against the tithe system had become so numerous, that government was forced into a reluctant promise to take the subject into consideration. An attempt was also made to obtain admission for Roman catholics to hold the offices of directors and governors of the bank of Ireland, but in vain.

The agitation against the catholic claims which was promoted by the government, joined with the resentment of the anti-catholic party at the indulgence which had been promised to their opponents, was now producing its results, in an increase of irritation between the two parties in Ireland. In many parts of the country, where the protestants and catholics had long been placed in a position of hostility towards each other, this effect was very strongly shown. The orange yeomanry, in their excess of exultation, indulged in outrages, some of which were of the most disgraceful character. One of these, which occurred in the summer of 1808, was especially calculated to arouse the indignation of the friends of the catholic cause. On the evening of the 23rd of June, a considerable number of men, women, and children, were assembled round a bonfire at Corinshiga, near the town of Newry. According to an old practice of the peasantry, they had a garland, and were amusing themselves with dancing and other pastimes. In the midst of their mirth, eighteen yeomen, fully armed and accoutred, approached the place, and when they were near enough they were

drawn up by their serjeant, who gave them the word of command to present and fire, which they did several times, levelling at the crowd. One person (a young man), was killed, and several were severely wounded. Some of the local magistrates immediately put forth a proclamation, announcing a reward for the apprehension of the offenders, and they made an application to the lord lieutenant, the duke of Richmond, suggesting the propriety of some direct interference on the part of the government, but without effect. In the mean time one of the individuals concerned in the outrage was apprehended, but he escaped with the connivance of the yeomen to whose custody he had been entrusted by lord Gosford, and this was made a subject of triumph by their comrades.

During the session of 1809, Irish affairs occupied very little of the attention of parliament. A bill was passed to extend the inland navigation of Ireland, and a motion was made by Mr. Parnell on the old grievance of tithes. He demanded an address to the king, praying him to appoint a commission to inquire into the mode of collecting the tithes in Ireland. This was opposed by the ministers, on the ground that no good could arise from such an inquiry, while the necessity of it was urged warmly by Ponsoby and Maurice Fitzgerald. The latter said that he considered the inquiry as having nothing to do with religion, for he was convinced that the catholics paid their tithes more freely than the protestants. He thought nothing but a complete commutation of tithes would ever tranquillize Ireland, as it would put the established church on a happier footing, and would afford great encouragement to agriculture. Sir John Newport said that he thought lord Castlereagh bound by the professions he had made in his anxiety to carry the measure of the union, to find out some modification to lighten the burthens of the poor oppressed people of Ireland; instead of doing which, he appeared to forget all his pledges for the public good, merely to attend to those which had been made to his individual supporters for their own good. Lord Castlereagh said in reply, that he knew of no pledge made by Mr. Pitt or himself on the subject of tithes, or on the catholic question; he denied that he had ever made any pledge whatever to Ireland. The debate ended in the rejection of the motion by a majority of seventy-one. A subsequent attempt to obtain legislation on

the subject of tithes met with the same fate. Several motions were also made to inquire into abuses connected with the Irish government, but the claims of the catholics were not brought forward.

In Ireland itself, however, this question was very earnestly agitated. On the 24th of May a general meeting of the catholic body took place at the Exhibition-room, William-street, in consequence of a requisition signed by lord Netterville and fifty-six respectable members of the body. Lord Fingal having been unanimously called to the chair, Mr. O'Gorman opened the debate with a long and impressive speech, the tendency of which was to prove that the catholics of Ireland should petition the legislature, year after year, until the prayer of their petition was granted, according to the advice of Mr. Fox and lord Grenville. Nothing was ever gained but by petition, no benefit ever resulted from an indignant silence. He concluded by moving a resolution similar to that made on a former occasion by that great and early friend and father of the catholic measure, Mr. Keogh, in the year 1807. Mr. Lalor, of the county of Tipperary, seconded the motion; when sir Francis Goold, disavowing any intention of impeding the great, extensive, and vital object of the petition, but fearing that the session of parliament was too far advanced to entertain hopes of the success which he was persuaded must ultimately attend the measure, moved, as an amendment, that a committee be appointed to prepare a petition, to be presented early in the ensuing session, trusting that, in the interval, the great catholic body of this kingdom would have time to make their sentiments fully known, and thereby give strength to their exertions. Mr. O'Gorman immediately withdrew his motion in favour of the amendment. Mr. Boyle concurred in the general expediency of petition, but not in the present instance. That could not, by any construction, be called a meeting of the catholics of Ireland; neither could such a meeting with convenience, and therefore with success, ever be assembled in the capital. A petition upon the present occasion was calculated to keep in office a set of the worst men that had ever disgraced it; and who were then, from the discovery of their own wickedness and corruptions, tottering in their places. *No popery* had placed them in office, and *no popery* would keep them there. Upon his making some observations on the veto, strong marks of disapprobation

were manifested, and he was called to order by lord Fingal, as chairman, as the question respecting the veto was irrelevant to the object of that meeting. Mr. Baggot was a friend to petition, but he wished that the sense of the whole people should be taken upon it. Meetings of the catholics in every county and in every town should be holden for that purpose, and then the voices of his majesty's subjects would reach the throne with effect. Mr. Keogh observed, that with respect to the existence and burthen of their grievances they were unanimous, and differed only as to the means most likely to remove them. He was ready, on his part, to sacrifice, to burn with his own hands the resolution which he was about to propose to the meeting, if any man could show him what was more likely to be effectual to promote the object of all their wishes. A petition at the present moment must, if presented, be presented to decided enemies, or lukewarm friends, upon neither of whom could be placed any reliance for success. Mr. Perceval and his colleagues were admitted into office upon the *express condition* of excluding the catholic claims from the relief of the legislature, and their predecessors had very willingly consented to give up a bill nominally only in favour of the catholics, rather than resign their places. Mr. Keogh adverted in strong and pointed terms to the double imposition practised upon the catholics at the time of the union. They insisted that the proposals for their support from the unionists and the anti-unionists were equally hollow, and equally insidious. Had it been otherwise—had the catholics been liberally treated by their parliament, they would have raised a cry in its defence that would have been heard, and would have shaken the plan of union to atoms. No man had a right to suppose that he wished to relinquish the catholic claims. With his dying breath, with his last words, as a testamentary bequest to his countrymen, he would recommend to them never to relinquish, never even to relax in the pursuit of their undoubted rights. No man could expect success to the petition without that expectation; he saw nothing likely to accrue from the measure but mischievous and injurious consequences. He resisted the measure, not for the purpose of retarding, but of forwarding the catholic claims. He then read another resolution, expressed in rather strong language. Counsellor Lynch, in a speech of much animation, op-



posed the resolution proposed by Mr. Keogh. Mr. Burke, of Glinsk, warmly supported sir Francis Goold's amendment. Dr. Drumgoole spoke of Mr. Keogh's resolution as too violent. He proposed a string of his own resolutions, which were negatived without a division. Mr. O'Gorman, in reply, expatiated on Mr. Keogh's resolution, which he considered too strong and violent, and tending to mar the object in view. Mr. Keogh replied at some length, and Mr. M'Donnell supported him. Mr. Mahon opposed the resolution of Mr. Keogh on the same grounds as Mr. O'Gorman, and lamented that there should be any difference whatever upon a subject which had for its object the interest of all parties. A division having been called, one hundred and sixty voted for Mr. Keogh's resolution, and one hundred and ten for sir Francis Goold's amendment.

At the same time the catholics strengthened their organization by reviving the catholic committee. Their activity provoked the government, and was responded to by an increase of violent language in the orange lodges, which, reckoning on the countenance of the ministers, acted in a manner which was most insulting and aggravating to their opponents, and which sometimes led to lamentable outrages. In fact, orangeism was at this moment increasing very rapidly, and a great number of new lodges had been established during the past and present year. This extension was attributed partly to the exertions of a meeting of deputies from all the orange lodges in the autumn of 1808, in Dublin. Several outrages which were perpetrated by the orangemen in different parts of the country during the summer of 1809, increased the popular irritation. At Enniscorthy a magistrate had rendered himself obnoxious to the orangemen by his tolerant feelings, and at the celebration of their festival in July, they cut down a tree, and erected it in the market-place, with an effigy of the magistrate hanging to its branches. This insult led to a riot, in which many persons were severely wounded. At Enniskillen an orangeman was executed for the murder of a catholic, and it was found necessary to guard him at the execution with a strong military force against the orange yeomanry, who had manifested an intention to rescue him. A similar feeling was strongly manifested in many places. In the summer the lord lieutenant made a tour through Munster, the avowed object of which was to conciliate the catholic inhabitants, and all

orange demonstrations were strictly forbidden. At Bandon the orange yeomanry broke out into open rebellion, and one of their officers having been active in the attempt to enforce the lord lieutenant's orders, his house was fired into at night, and a young lady narrowly escaped with her life.

In the January of 1810, the question of the veto was again agitated, more especially in England, where the catholics seemed more inclined to agree to it than in the sister island. At a meeting of the English Roman catholics in London, on the 1st of February, the following resolution was adopted, and subsequently added to the English catholic petition to parliament. This resolution, it will be seen, was expressed in very general terms: it stated, "That the English Roman catholics, in soliciting the attention of parliament to their petition, are actuated, not more by a sense of the hardships and disabilities under which they labour, than by a desire to secure on the most solid foundation the peace and harmony of the British empire; and to obtain for themselves opportunities of manifesting, by the most active exertions, their zeal and interest in the common cause in which their country is engaged for the maintenance of its freedom and independence, and that they are firmly persuaded that adequate provision for the maintenance of the civil and religious establishments of this kingdom may be made, consistently with the strictest adherence, on their part, to the tenets and discipline of the Roman catholic religion; and that any arrangement founded on this basis of mutual satisfaction and security, and extending to them the full enjoyment of the civil constitution of their country, will meet with their grateful concurrence." The English catholics wished to prevail upon their Irish brethren to accept of this clause, but in vain, and in the heat of the controversy the opponents of the veto did not hesitate to accuse the English catholics of a design to throw off their allegiance to the pope. The subject was discussed in several meetings of the catholics in Ireland during the earlier months of 1810, and the proposal was everywhere rejected. In the meanwhile liberal sentiments towards the catholics were gradually gaining ground among the protestants, and a large meeting in the county of Tyrone, in the beginning of April, which was attended by many of the orangemen in that



county, passed a series of resolutions in favour of emancipation.

The Irish catholics had meanwhile determined on adopting the course of petitioning parliament from session to session; and not only a petition of the general body, but separate ones from various parts of Ireland, were sent over to London. On the 27th of February, Grattan, after having presented the catholic petition to the house, spoke upon the subject of the veto. On a former occasion he had suggested to the house that the Irish catholics were willing to allow, in the appointment of their bishops, a veto to the crown. He was sorry to say, that at present no such sentiment appeared to prevail. Whether they had changed their sentiments, or whether he had mistaken them, was a subject he should never discuss; he would rather choose to be thought to have committed a mistake, than that they should be thought to have retracted; and he should never suffer himself to be defended at the expense of his countrymen. Saying this, he must add, that he retained the great principle which he then advanced, namely, that on the communication to the catholics of all the privileges of the constitution, it was necessary to secure these realms against the danger of a foreign influence; and if the catholics objected to obtain that security by a veto in the crown, it became incumbent on them to furnish some other effectual and palpable remedy. The pope was almost certain now to become a subject of France; and a subject of France, or a French citizen, would never be permitted to nominate the spiritual magistrates of the people of Ireland. He was convinced the Irish catholics were sensible of that truth; and that whatever opinions they entertained with regard to a veto, they had, he was sure, on this principle, one opinion only, namely, the necessity of securing their country against a French nomination of the catholic bishops of Ireland. He had no doubt of their just and decided sentiments on the obtaining the object of their petition, and for this as well as various other reasons, it was incumbent on them to come to some determination on the subject, in order that the two objects might go together, namely, the communication to the catholics of the privileges of the constitution, and the exclusion of a foreign nomination of the catholic bishops. What was the best manner or means to secure those objects he should not now decide. It was a matter for discussion

and arrangement; but he should lay down as positions undeniable, first, that they could be obtained without violation of the catholic religion, or the British constitution; secondly, that both were for the security of the state. The catholics should have a motion put on their petition, so as to bring on a full and fair discussion. He should do so accordingly, and give notice, on a future day, for its consideration. Considering the question, he should rely and rest the subject on two great principles—communication of constitutional privileges, and security against a foreign nomination. The chancellor of the exchequer said, that it appeared that whatever difference of opinion had prevailed between him and the right honourable gentleman upon the abstract question, Mr. Grattan was now of opinion that certain great and important provisions were indispensable, in order to guard the constitution against the danger likely to result from the concession. The honourable gentleman at length admitted the danger of giving the Roman catholics what they sought for; or, if he did not, why did he speak of the necessity of a remedy? It appeared, then, that they both saw the danger, though they did not agree as to the best means of providing against it. He hoped, therefore, he should hear no further charges of intolerance, since the right honourable gentleman himself, who had been so long the advocate of the catholic claims, had acknowledged, that there was something to be apprehended from the spiritual influence of the pope in the nomination of the Roman catholic bishops. This was the intolerance of which he (Mr. Perceval) had been guilty. He had all along thought it dangerous; so did now the right honourable gentleman.

These opinions, avowed by a man who had been so staunch an advocate of their claims, and of the patriotic cause in Ireland, were far from agreeable to the Irish catholics. At a meeting in Dublin, under the presidency of Lord Ffrench, on the 2nd of March, and therefore before Grattan's speech can have been publicly known in Ireland, a resolution was passed, stating "that, as Irishmen and as catholics, we never can consent to any dominion or control whatsoever over the appointment of our prelates on the part of the crown or the servants of the crown."

In the interval before the catholic claims were again brought before parliament, Mr.

Parnell called the attention of the legislature to the subject of Irish tithes. The population of Ireland, he said, amounted to five millions, of which four millions were catholics, and the half of the remainder consisted of protestant dissenters and quakers. In fact, only about one-tenth of the whole population belonged to the church which they were all obliged to maintain, besides supporting their own clergy. The protestant clergy themselves wished for an alteration in the mode of collecting their tithes. At present, though the poor were obliged to depend solely for subsistence on their little tenements of land, yet the poorest labourers were subject to the payment of tithes, even if they paid no taxes to the king. The clergy feared to collect the tithes themselves, but consigned the collection to others, who, from their severity and tyranny, were better able to accomplish it; and the injustice thus committed gave rise to perpetual mobs and insurrections. This system, he said with justice, was highly injurious to the interests of agriculture. The objects of his motion were that the house should institute an inquiry into the subject, and he wished that the poor should be eventually exonerated altogether, and that the protestant clergy should have a recompense, instead of compelling the Irish catholics to support them with tithes. Among the supporters of this motion were sir John Newport, Grattan, and Wilberforce. Sir John Newport described the scandalous practices of the tithe proctors, who collected the poor people at a public house, and after making them intoxicated at their own expense, obtained their signatures to agreements which they did not comprehend, but which they took good care to enforce through the medium of some pettifogging attorney, who shared in the spoil. The motion was opposed by the ministers, and rejected by a majority of sixty-nine against forty-eight.

At length, on the 18th of May, Grattan brought the petition of the Irish catholics before the house of commons, and again delivered his sentiments on the veto. He regretted the lateness of the hour, and lamented that there should have been manifested a disposition to get the start of him, as the subject was of vital consequence to the country; it embraced the entire of the empire. If he should live to see the object of the petition fully completed, he should consider himself a most

fortunate man. He should then have to contemplate his catholic fellow-subjects in Ireland put upon an equality with their fellow-citizens; and the consolidation of the empire founded on liberty and law. He had, in giving notice of his motion, stated, that he meant to rest it upon the extension of the British privilege, and the exclusion of foreign nomination. In order to induce the house to keep in mind the probability of an arrangement with the catholics, he stated that there were two grand principles upon which it might be accomplished: the exclusion of foreign nomination, and the communication of constitutional privileges; with respect to the first there were different modes of attaining the object; one was by a veto, the other by an absolute law of exclusion. He appealed to the candour of the house upon this subject; but he had to state, that as far as he was able to collect the sense of the catholics, they were adverse to a veto; his own opinion was in favour of a veto. It would be better for the protestants, and of no injury to the catholics, to have the veto. He did not consider it as likely to produce any undue or sinister interest in the catholic body; if he had, he should have opposed it. The pope was the best judge of the fitness of the catholic; the first magistrate of the country was the best judge of the allegiance of the subject. But he should deceive the house were he to say that the catholics were likely to accede to the principle of a veto. It followed then, as a matter of course, that some other mode should be adopted, in order to exclude foreign influence; that mode was *domestic nomination*. By domestic nomination affecting foreign influence, he did not mean to say (for he knew the catholic religion too well to attempt to say it), that the first magistrate should have all the powers, which essentially belonged to the mother church. He did not think those powers would be formidable. The pope was merely a spiritual power, he could not exert a temporal power; but if the pope should become a subject of France, and if the time should come when the pope should be a Frenchman, or rather, when a Frenchman should be made a pope, then the power of nomination would be in the person at the head of the French government, and consequently the power of nomination would be in our natural enemy. He wished the house to consider what would be the relative situation of the



two countries if France appointed, through the pope, the catholic bishops, and the laws of this country excluded the catholics from any offices in the state; there would be a political separation between the catholics in Ireland and the protestants in England, and an ecclesiastical connection between the catholics in Ireland and the government of France. With a view to the liberty and the safety of the empire, that would be a case of extreme danger; the Roman catholics knew that they had within themselves the nomination of the catholic bishops; they knew that all the spiritual qualities might remain in the pope, and yet the nomination be entirely domestic; that such were the sentiments of the catholics was proved, not only by their answers to the propositions submitted to them as tests of their principles, but it was proved by the resolutions of the year 1799. He remarked, that supposing the enemy were to name that prelate who was at the head of the catholic religion, the catholics of Ireland were persuaded that no religion ought to make a man obey the enemy of his country; for if it were otherwise there would be this inconsistency, that the catholics of Ireland would be subject to two masters: they would be subject to their natural king, and subject to their natural enemy. This was a situation which was unnatural; the allegiance due to the one must destroy the allegiance due to the other. He had no manner of doubt, that when the question was fully considered, the catholics of Ireland would have no hesitation in establishing a domestic nomination; and he entreated the house to contemplate the happy consequences which would result from such conduct on the part of the catholics of Ireland. In the first place, the good consequences that would arise, would be a considerable addition to the general happiness and prosperity of the people of Ireland; secondly, the advantages of constitutional franchises to the laity; and thirdly, to the empire at large, the entire of its dominion. What he meant was, that no spiritual magistrate should be appointed by any foreign nomination whatever, for as long as that was the case there must be danger; but when that ceased to be the case, and they were appointed by a domestic nomination, he should consider the catholic as isolated with regard to the pope, and he should consider that every civil right which the protestants enjoyed

ought to be communicated to the catholics. Parliament had no right to punish religion, because religion is a relation in which man stands with respect to his Maker, independent of any political consideration. He said he should not go into any abstract consideration of that question. The catholics denied that the pope had any temporal power in this country; they denied that the pope, or a cardinal, had a dispensing power; they disclaimed the doctrine of no faith with heretics, the infallibility of the pope, and the doctrine of unqualified absolution. These were the principles adopted by the catholics, who, as an additional test, were ready to swear that they would support the protestant church and the protestant establishment of church and government. This oath had been taken by the catholics generally, the test had been proposed to them by the protestants, and they had answered the test. He then proceeded to argue on the utter impossibility of the charges against the catholics being true; he supposed he should be answered that the danger did not so much consist in the catholic religion as in the Irish catholics; he should be glad to know how the charge was made out? He was sure no Irishman would make such a charge, and he would not believe an Irishman on his oath if he gave evidence against his country. He asserted there was nothing in the catholic religion, or in the composition of an Irish catholic, that was hostile to the constitution of this country, and if he were to look for the grounds of the objection against the catholics of Ireland, he should find them in the penal laws of the land. It appeared as if the English protestants reproached the catholics of Ireland by saying, "We are a wealthy people," but as to you poor fellows, "you are not capable of being free." Such language tended to lower and debase their minds, and to prepare them for a foreign invader. He contrasted the state of Ireland at the period when it was sunk and oppressed, with its condition at a subsequent time, when its freedom was, in some degree, insured; when its army was rendered secure by a mutiny bill; when it enjoyed a free trade; and possessed other advantages which an enlightened system of policy had imparted to it. He observed, that at that period, the prosperity of Ireland burst upon us like morn; young Ireland came on us like a giant, rejoicing in its strength; trade flourished; agriculture



increased; the power of her nature seemed to stand at the right-hand side of her parliament. Religious harmony shut the gates of discord when parliament opened the gates of commerce. He concluded by remarking, that it had cost three hundred years of experience to conquer unjust prejudices with regard to the catholics; he rejoiced to see the infatuation and madness which had so long prevailed, at length subsided. To the honour of the country there was not a single petition on the table against the catholics of Ireland. The city of London had scorned to present a petition. The city of Dublin, it was true, had proposed one, but it had been rejected. The university of Oxford had, by the judicious choice of its chancellor, signified their approbation of the principles upon which the present claims of the catholics were founded. In 1793 they established popery in North America, and they had recently sent two armies to maintain the catholics of Spain and Portugal in all their rights. France out of the way, there was not one papist they had not embraced except their own countrymen.

Grattan was seconded by sir John Cox Hipplesley, who spoke also in favour of the veto, and subsequently printed his speech. Among the most earnest opponents of the motion were sir William Scott (afterwards lord Eldon), lord Castlereagh, and Mr. Perceval. Its supporters were divided in opinion on the subject of the veto, some urging that the veto should be made a condition of listening to the petition, while others were willing that the veto should be waived. Mr. Ponsonby defended himself from the imputation of having brought forward the question of the veto without any authority from the catholic prelates, while he had professed to have their assent. Mr. Perceval said he derived great satisfaction from that part of Mr. Ponsonby's speech in which he cleared himself from an imputation which required explanation. He had great satisfaction in finding that the honourable gentleman and his noble friend, two individuals whose characters unquestionably stood very high in the public regard, had not been convicted of grossly and foully imposing upon the house and the public by holding out fallacious motives to endeavour to induce parliament to adopt a course of conduct which, under other circumstances, there could not have been the slightest cause of their rejecting. Mr. Per-

ceval was under difficulty in ascertaining with what the catholics would really be satisfied. Did they coincide with the views of the honourable mover, or were they peculiarly his own? He understood Mr. Grattan to declare, that the catholics would from him in vain expect the recommendation of concession to them unless that concession was accompanied by a renunciation on their part of foreign influence. Now, after all the attention that he could pay to Mr. Ponsonby, he was unable to collect whether he agreed in that sentiment, or whether he differed from it, and thought that, without condition or stipulation, every thing ought to be conceded to the catholics on the trust of what they might afterward be disposed to do. It was material to know this. A great variety of opinions had been uttered during the debate. No one had been so explicit in the declaration of his sentiments as the honourable mover; but in that declaration he (the chancellor of the exchequer) had a right to take protection against the repeated charge of intolerance, since, by Mr. Grattan's opinion, he was justified on the occasion in which this intolerant spirit was ascribed to him in resisting concession, which, according to that opinion, ought not to have been made without a correspondent provision. The honourable mover argued that no concession ought to be yielded to the catholics without securing some concession on their part equivalent or analogous to the grant. What arrangement was to be substituted, Mr. Grattan had not stated, and Mr. Ponsonby had said that, for many reasons, it should not be extorted from him. What was the house to do if they went into committee on the petition? The honourable gentleman opposite would not tell them, lest some ill-disposed person would infuse it into the minds of the Irish. Whatever the arrangement might be, it was impossible the catholics could accede to it. But in committee it seemed that arrangement must be stated; if not, it certainly would be absurd to think of going into committee. Unless the concession to the catholics, and the grounds on which that concession was to be made, were to be the subject of discussion in the committee, it would assuredly be to no purpose to go into committee at all. Both Mr. Grattan and lord Grenville had declared it to be indispensable, that some distinct provision should accompany any concession to be made to the catholics. Whatever ex-

pectation might be entertained by others, certainly he (Mr. Perceval), and those who thought with him, never were of opinion that such provision would be agreed to by the catholics. Even had the veto been conceded by them, or any other equivalent arrangement, how would it have been considered as a valid agreement? In what way could a general concurrence of the catholics have been enforced? If some of that body had resisted on the ground of religious scruples, what could have been done? Having once raised a general expectation, it would have been impossible to disappoint it. The pope might have refused his sanction; the catholics might have changed their opinion; and, in either case, it would have been impracticable to punish or to interfere with the hand of power without incurring the just charge of the greatest intolerance. It would be just as intolerant to attempt to compel them as it would be to require them to take the oath of supremacy. Besides, the concurrence might be of no avail without the concurrence of the pope. His holiness was not at present in a situation of independent action. If once the right of the catholics to demand were admitted, he could not see how it would be possible to stop short of giving them all they demanded. He saw no prospect of satisfying the Roman catholic claimants by any measure short of giving them a full establishment of their church. He had always felt so, and he had always argued so. Without therefore relinquishing that ground of objection, he thought the honourable mover, in order to preserve consistency, ought to vote against his own motion, and not for it. For if there were grounds for the honourable mover's belief, that the catholics would consent to make a satisfactory arrangement, then the honourable mover, on his own principles, should oppose the referring the petition to a committee, the result of whose proceeding must be, after having raised expectations which it was impracticable to gratify, to leave the public mind in a state much worse than that in which it was found.

The debate in the commons was a long one, but it ended in a majority of nearly two to one for the rejection of the petition. In the house of lords, where the question of granting the petition was debated on the 6th of June, the proportional majority against it was still greater. Lord Donoughmore expressed his regret that the question of the veto should ever have been agitated,

as he believed such a restriction was not wanting to hold the catholics in their allegiance. He took a review of the different measures which had been adopted for the purpose of relaxing the restrictions on the catholics, and contended that they had never been deficient in gratitude for those concessions, but had been always ready to render full justice to themselves and to others. The refusal of the catholics to disclaim the authority of the pope in spiritual matters was, however, the master objection against the catholics of that day, which appeared, like Aaron's serpent, to have swallowed up all the rest. No man was so ignorant as not to know that its professed unity in doctrine and in discipline under one and the same declared head was the essential distinguishing characteristic of the catholic church, and yet they were told that the Irish catholics were the most unreasonable of men, because they would not renounce upon oath this first tenet of their religion, and consent to recognise a new head of their church in the person of a protestant king. The Irish catholic, under the existing tests, solemnly abjured the authority of the pope in all temporal matters, pledged himself to be a faithful subject of the king, and to defend the succession of the crown and the arrangement of property as now established by law, and that he will not exercise any privilege, to which he is or may become entitled, to disturb the protestant religion or protestant government. What possible ground of apprehension could there be, which was not provided against by the terms of this oath? Lords Erskine and Holland supported the motion for going into committee, which was warmly opposed by the lord chancellor and the earl of Liverpool. The latter said that, when no specific security was offered by the catholics, they could not presume that their lordships could grant them complete emancipation and at the same time endanger the state. He entered into a review of the different kingdoms of Europe, and contended that not one of them had ever considered of giving equal toleration to those religious persuasions which were not connected with the state, except Poland. And what was the consequence? The moment they granted toleration, those who appeared to be protestants before became catholics. He would never consent to endanger this country in the same way.

As an intimation of a willingness on the



part of government to relax a little of their rigorous policy towards Ireland, Mr. Wellesley Pole moved, on the 30th of May, for leave to bring in a bill to repeal the Irish insurrection act. He was aware, he said, that many loyal and humane gentlemen in Ireland thought it dangerous to repeal this law under existing circumstances; but the government confidently felt that they could govern the country without it, and that they were sufficiently strong to maintain the public peace and security without the further continuance of a law which nothing but the most urgent necessity could warrant. In place, however, of this act, it was his intention to bring in a bill to prevent the administration of unlawful oaths for seditious purposes, by making the taking or administering of such oaths a felony, liable to transportation for life. Sir John Newport expressed his joy at the repeal of this oppressive law, and more particularly as the ground of that repeal was, that confidence could be placed in the people of Ireland. Leave was accordingly given to bring in a bill for the repeal of the insurrection act; and at the same time bills were introduced for continuing and amending the act for preventing improper persons from having arms in Ireland, and for preventing the administration of unlawful oaths, and for protection of the magistrates. Most of the other acts relating to Ireland, passed during this session, had for their object the regulation of trade and the management of the revenue, and were not of sufficient general importance to arrest our attention.

The question of the veto gave rise to bitter discussions among the catholics during the year 1810, from the circumstance that some of their ablest advocates in parliament, such as lord Grenville, Grattan, and Ponsonby, had not only advocated that measure, but declared that they considered it a necessary condition. One of the most violent and unflinching writers against the veto at this time was Dr. Milner, the agent in England of the catholic prelates, who had at first been in favour of it. His earnest opposition to it was rewarded by the thanks of the Irish catholic bishops, conveyed in a resolution passed in a synod held at the end of February, 1810. A few days afterwards the catholic committee, under the presidency of lord Ffrench, passed a resolution condemning the veto. Many, however, were not only labouring to obtain the consent of the catholics to the veto, but

they intrigued to promote the divisions which were now showing themselves among the catholic body; and pamphlets and newspaper articles dealt largely not only in general recriminations, but in personal reproach and abuse. The catholic committee exerted itself to restore union, and at the end of July the following circular, signed by Daniel O'Connell, who was already taking the lead in the catholic agitation, was addressed to every catholic of consequence in Ireland:—

“SIR,—The general committee of the catholics of Ireland having consulted together upon the best interests of catholic freedom, deem it proper to address the following considerations to their catholic fellow-sufferers at this important juncture. It is notorious that the catholic cause has, within the last two years, gained considerably upon the public mind in Great Britain as well as in Ireland. The nature of public events, their consequences, the growing exigencies of the empire, the policy, nay, the necessity of domestic concord and general conciliation, have wrought a happy change in the minds of our fellow-subjects. But, still more to the public discussion of the catholic subject, which has so frequently occupied the press and the parliament, and called forth beneficial inquiries and luminous reasonings, enforced by the high and increasing authorities of the best and ablest men in the empire, may the catholics justly attribute the immense progress which their cause has lately made. However, though the argument has triumphed, its practical results in our favour are yet to be attained. The fruits of victory may be lost through the impolicy of the victors. Apathy and lethargy may prove as ruinous on the one hand, as indiscreet energy on the other. Our fellow-subjects, though no longer deaf to the justice of our cause, or blind to the wisdom of concession, have yet much to learn. They are not yet aware of the extent and variety of catholic sufferings; the mental and personal thralldom in which we are bound; the immense means of continual annoyance, insult, and contumely, to which we and our families are exposed. Nor are they yet competent to appreciate the soreness, irritation, and impatience which consequently exist in Ireland, or to calculate the probable mischiefs and disastrous effects which result from such an order of things, and may possibly soon become irremediable. The catholics alone



can enlighten their fellow-subjects, by disclosing and frequently repeating the necessary information, and pouring forth fresh remonstrances. The committee, far from presuming to dictate, or even to urge any specific proceeding to the wisdom of their fellow-catholics, desire nothing more ardently than to promote free and serious discussion amongst all. With unaffected earnestness and honest zeal in pursuit of emancipation, they are conscious that their countrymen will give them credit for the honourable and worthy motives which actuate them. Every honest and reflecting catholic feels, with anguish, his abject depression, his systematic vassalage, under the existing penal laws. His fairest hopes are depressed; his industry circumscribed; his most honourable exertions frustrated; his energies paralyzed; his person, fame, and property, and those of his family, exposed to the mercies of uncontrolled oligarchy; his servitude not merely base already, but in annual hazard of fresh degradation; the passing generation withering away in inglorious torpor; the rising youth bereft of all happy promise—of all incentive to laudable industry—of all excitement to honourable deeds. From such a condition the catholic must naturally long to emerge; he must anxiously look around for relief: every year of his continuing bondage amounts to a new condemnation; every day's delay adds a festering pain; his shackles become more galling every hour. Still, whilst time and opportunity yet remain for peaceful counsels, the virtuous catholic will deeply revolve in his mind the wisest course for his redemption. He will prefer that success which promises the greatest permanent enjoyment to himself and his family; the most salutary to his country; the most conformable to the best laws and dearest precepts of civil society. He will prefer to oppose courses those of peace, of reason, and of temperate but firm perseverance in well-regulated efforts: "the committee for consulting not merely local but general feelings, entertain every wish and hope of calling into fair and free exercise the unbiassed judgment and independent opinions of the catholics of Ireland, thinking and acting for themselves, throughout their respective counties, districts, and towns, and deciding upon such measures as shall appear to them most eligible. They hope that catholics will take frequent opportunities, and as early as possible, of holding local meetings for

these purposes; and there, unfettered by external authority and unaffected by dictation, apply their most serious consideration to subjects of common and weighty concern with the candour and directness of mind which appertain to the national character. The establishment of permanent boards, holding communication with the general committee in Dublin, has been deemed in several counties highly useful to the interests of the catholic cause. Nothing is more necessary amongst us than *self-agency*; it will produce that system of coherence of conduct which must insure success. In the exercise of the elective franchise, for instance, what infinite good might not result from catholic coherence? What painful examples are annually exhibited of the mischief flowing from the want of this coherence? The catholic committee have therefore every reason to expect the most beneficial effects to the general cause from local and frequent meetings. The catholic community may safely trust to themselves: there is amongst them abundant intelligence, integrity, and virtue, to sustain and regulate their meetings, and to counteract any possible inconvenience. They will decide for themselves upon their common interests, and act upon such decision with firmness and boldness. Even differences in opinion, as to the means of success, manifest unbiassed judgment; they indicate the importance of the subject in question, and often claim more respect than mere unanimity without discussion. In this solemn appeal to the catholic mind of Ireland, the committee feel a deep and natural anxiety; they wish to collect and to follow the sentiments of their fellow-catholics, but they wish that those sentiments may spring from as general and as active a discussion as circumstances will permit; measures grounded upon such discussion must be honest, most probably will be judicious, and cannot possibly be prejudicial. You, sir, are therefore very respectfully requested to give to the subjects of this address the aid of your best consideration; and, if it shall accord with your feelings, to set on foot local meetings of the catholics, to be held as frequently and as early as may be convenient, and to co-operate with your catholic neighbours with a spirit becoming your character and situation in life, in the necessary and peaceable arrangement for such meeting. Much, almost all, may depend upon the decision of such meetings

at this critical time, and the opportunity if now neglected, is not likely soon to return. With a fellowship in suffering and in affection, in sorrow and in hope, with common sympathies, common prospects, and common wishes, in perfect union with you and every other upright catholic, the general committee trust to your personal indulgence for their address, and rely upon your good sense and feeling for its liberal reception.

Upon you and other catholics co-operating effectually at the present time, and openly avowing your sentiments, collected by convenient meetings for the purpose, the eyes of the committee will remain watchfully fixed. With due exertions a few months may perhaps crown our joint efforts with success. —(Signed by order),

“DANIEL O’CONNELL, Chairman.”



## CHAPTER IX.

### FIRST AGITATION OF THE REPEAL OF THE UNION.

NEW subject of agitation was started in the summer of 1810, originating from the corporation of Dublin. After several meetings, in which the question was treated as one which concerned the commercial prosperity of Ireland, some of the aldermen and members of the common council determined to prepare a petition to parliament for the repeal of the union. On the 8th of August, the following requisition was signed by twelve of the grand-jurors of Dublin: “We, the undersigned late quarter-session grand jurors of the city of Dublin, viewing the distressed and deplorable state of our manufactures in every branch, and the city and nation in general, do feel ourselves called upon to point out what we conceive the only mode of radical relief from the general gloom and misery that pervades this unfortunate land, which is to request, and we do hereby request the high sheriffs to call a meeting, as soon as possible, of the freemen and freeholders of this city, to prepare a humble petition to his majesty and the parliament, praying for a repeal of the act of union; as, in common with all our unbiassed countrymen, we look upon that act as the root and origin of all our misfortunes.” Another to the same purpose was signed by one hundred and forty freeholders of the capital: “We, the undersigned freemen and freeholders of the city of Dublin, do request sir Edward Stanley and sir James Riddall, knights, high sheriffs

of this city, to call a meeting of the freemen and freeholders, at as early a day as possible, to take into consideration the necessity that exists of presenting a petition to his majesty and the imperial parliament, for a repeal of the act of union.” One of the sheriffs, sir Edward Stanley, refused to call the meeting, in the following letter, dated on the 10th of September: “Gentlemen,—Although extremely desirous to forward the wishes of any part of my fellow-citizens, yet it appears to me, upon mature consideration, that the proposed objects of the meeting which you have required me to convene are so unlikely to be obtained, and so obviously calculated, unnecessarily, to agitate the public mind, and to endanger the peace of the city, for which I am responsible, that I would consider it a violation of my duty to comply with the requisition. I am fortified in this determination by the advice of the most eminent bankers, merchants, and magistrates, whom I have consulted, and whose opinions were totally unswayed by any party or political motive.—I have the honour to be, gentlemen, your most obedient humble servant, EDWARD STANLEY.” But sir James Riddall, the other sheriff, agreed to call the meeting. “Gentlemen,” he wrote, “fully impressed as I am with the right which the freemen and freeholders possess, of expressing their sentiments upon any public measure in a constitutional and moderate form, and feeling a decided conviction of my legal competency to assemble them, I hereby, in compliance with the above requisition, ap-



point the 18th day of September, instant, at twelve o'clock, to meet at the royal exchange, for the purpose of taking into consideration the propriety of petitioning our gracious sovereign and the imperial parliament for a repeal of the act of union. In fulfilling this, my bounden duty, I feel it unnecessary to recommend the decorum and order which should characterize an assembly of the citizens of Dublin, called together for a great public object, in which the interest of the country is so deeply concerned; and that they will conduct the discussion with that temper and moderation becoming their cause, and worthy their character of free and loyal citizens. With this persuasion on my mind, I shall not feel it necessary to assemble any guard whatever, but the beads of the respective corporations.—I have the honour to be, gentlemen, your most obedient humble servant, JAMES RIDDELL."

The day fixed for this aggregate meeting of the citizens of Dublin, was the 18th of September, when the sheriff, sir James Riddell, presided. The royal exchange, in which the meeting was held, was filled at an early hour, by an immense assemblage of the freeholders and freemen of Dublin. The business was opened in a forcible speech by Mr. Hutton, who moved that a committee be appointed to prepare a petition to parliament, for the repeal of the union. This was agreed to; and Mr. Hutton, Mr. McDonnell, Mr. Ashenhurst, Mr. O'Connell, Mr. A. Moore, Mr. Abbott, Mr. Farrell, Mr. N. Mahon, and Mr. Bride, were appointed the committee. The petition was then prepared, read, and agreed to, after a most animated address by O'Connell, in which he said that the union had been carried by the foulest corruption; by sowing dissension between Irishmen; by dividing Irishmen from each other; by separating the protestant from the catholic; by setting the presbyterian against his fellow-countryman; by calumniating them; by telling them constantly that they hated each other, so that at last they were almost led to believe it. "England," he said, "owes us this day her very existence. Out of one hundred and twenty thousand men fighting her battles, thank God, seventy thousand of them are Irishmen! If the country was even represented fully in the imperial parliament, what could their united talents do against five hundred and fifty? Would they be able to control such a force, who know nothing of us, and care less?

What is the fact? More than twenty of our representatives know Ireland only by name; Ireland knows them not. What know we of James Stephens, of Strabon, king's printer; Henry Martin, king's counsel; Charles Hitchin; and of the remaining twenty of our representatives, as they are called? Yet what have they of Irishmen about them? We are not represented: the business of England is too unwieldy; she cannot manage both. The English administration cannot do the business of Ireland; they want a perfect knowledge of her local situation and circumstances. I do not admire the present administration of England; I think meanly of them; but I do not think they would have insulted us with the language of "growing prosperity;" they would not have put into the mouth of the king such an observation, in a speech said to have been made by him, if they had not been ignorant of the fact. They took their idea of the "growing prosperity" of Ireland from the assertion of a foreigner, sir Francis d'Ivernois, who undertook, in a book he published, to establish the fact. Let the union be only repealed, and then the country will be truly anti-gallican.—You will then concentrate the resources of Ireland, and then alone you will have church and state in safety. You have set an example this day. If you are loyal men, you will wish for an Irish parliament. Recollect the spirit which in '88, spread from Dungannon over Ireland—recollect the names of those who were instrumental on that occasion—recollect the names of those who have since died, and of those who yet survive, but let me conjure you to begin this glorious career by rejecting all religious distinction—crush to the earth the hydra of hell, clothed in the stolen garb of religion—religious dissension. Set your hopes in Ireland—as you have set your country the glorious example, be the first to step forward in her cause—be yourselves—be Irishmen." O'Connell's speech made a great impression, and, printed on a broadside, with a rude picture of the orator, it was circulated in great numbers through the island. Mr. M'Nally also made some strong remarks on the wretched state of Ireland, "whose streets," he said, "were filled with cadaverous faces, with sepulchral voices, calling out for food. The citizens, who, ten years ago, lived comfortably in the peaceful enjoyment of their own fire-sides,

who were happy in their domestic circle, connubial bliss, and filial love, are now reduced to suffer under the pangs of penury; they parade the streets in wretchedness and rags, howling for bread, and exhibiting, as incitements to obtain food and raiment, their weeping infant offspring, formerly their delight, their comfort, and their pride, the innocent aggravators of their misfortunes. A majority of the house of commons of Ireland, sold the legislative and judicial authority of the house of lords to English agents, and a majority of the house of lords sold the authority of the house of commons. They sold each other separately—they sold each other conjointly—they sold their own privileges and their own existence—they sold their country; yet these are the men who call themselves loyal—men who, if a price had been offered, would have sold the other branch of the legislature—would have sold their king.”

The government had anticipated great rioting, but after the business of the day had concluded, the people separated in the greatest order, and not a single act of violence took place. The petition agreed to ran as follows:—“To the right honourable the commons of the united kingdom of Great Britain and Ireland. That your petitioners feeling, as they have ever felt, the warmest attachment to British connexion, and to the principles of the British constitution, in support of which they have shed their blood, and exhausted their treasure; and, anxious only that those sacrifices shall not have been made in vain, most humbly present themselves before this honourable house, beseeching it, as the constitutional guardian of the British empire, to take into its most serious consideration the consequences resulting from that legislative union which, in the year 1800, was enacted between Great Britain and Ireland. And your petitioners the more earnestly beseech this honourable house now to enter on this investigation, because it was a measure from which great, solid, and extensive benefits were promised to this country, and an immense addition and consolidation of ‘interest, strength, and affection’ to the empire at large; a measure which was to counteract the restless machinations of an inveterate enemy; to calm all dissensions, to allay all animosities, and dissipate all jealousies; which was to communicate to the sister kingdom ‘the state of the capital and industry of England;’ and give to her

a full participation of the commerce and constitution of Great Britain. Your petitioners consequently entreat your honourable house to inquire, whether that measure, which has now been put to the decisive test of ‘experience, has in any degree fulfilled, or whether it is calculated to fulfil, the sanguine expectations of its advocates; and whether its repeal is not indispensably necessary for the accomplishment of those ends for which its enactment was made a pretext. That your petitioners humbly conceive a revisal and repeal of the legislative union between Great Britain and Ireland is irresistibly called for by the following amongst other considerations. Because, from the earliest establishment of English dominion in this country to the year 1782, a resident parliament was by the British kings deemed necessary, and alone competent to understand its wants, to encourage its resources, and promote its interests. Because the government of England, while it could control the proceedings of the Irish legislature, never proposed or recommended to the consideration of either a legislative union between the two countries; but that when compelled to renounce that control, and finally to declare the parliament of Ireland independent, the minister of England never ceased to plot its extinction; and, consequently, that the real motive for a union was not the mutual benefit of the countries, but the trouble and difficulty of managing an independent parliament, and the desire of procuring an increase in that of Great Britain. Because the moment seized on by the British minister for the accomplishment of his views, was that least fitted for a calm discussion and fair investigation of the merits of any serious and impartial political question; and because, even under such unfavourable circumstances, the means employed to effect it were most corrupt and iniquitous. Because the parliament of Ireland ‘being delegated to make laws, not legislators,’ could not transfer their legislative authority without the express sanction and approbation of their constituents; and that a decided majority of the constitutional body was hostile to the measure, is evident from their petitions against it, and from the fact that the minister, even after his defeat, feared to appeal to the sense of the people by a dissolution of the then refractory parliament. And your petitioners submit, that so decided was the opinion of the Irish people respecting the



incompetency of the Irish parliament to enact the measure of union, and so strong their abhorrence of that measure, and their conviction that they could not, in the language of the immortal and constitutional Locke, be bound by any laws but such as are enacted by those whom they have chosen and authorized to make them, that an appeal to heaven must, in all probability, have been the inevitable consequence, but for the preconcerted horrors of the preceding rebellion. Because the rapid improvement of Ireland under an independent parliament, together with the annexed statement, must demonstrate that the interests of the country were much better understood, and its resources better managed, by an Irish than by an imperial parliament. During the seven years' war, from 1793 to 1800, the national debt, under an Irish parliament, increased but twenty millions; during the seven years' war, from 1800 to 1810, the national debt, under an imperial parliament, has increased forty millions. During the year 1798, a year of foreign invasion and domestic rebellion, the expenditure of Ireland, under an Irish parliament, was but four millions. During the year 1809, a year in which the army were so employed, as to leave Ireland under no apprehension of either invasion or rebellion, her expenditure by an imperial parliament was ten million five hundred thousand pounds. The debt of Ireland, in 1793, was as to the debt of Great Britain as one to one hundred, and is now as one to seven; and since the union has increased in proportion to the debt of Great Britain as one to two; whereas had the relative resources of the two countries been justly estimated at the enactment of that measure, the proportion should have been as two to seventeen. And your petitioners cannot but conceive this statement the more irresistibly conclusive in favour of a repeal of the union, inasmuch as the warmest advocates of that measure ever maintained the avowed and notorious corruption of the Irish parliament as the strongest argument against its enactment. Your petitioners, therefore submit to the good sense of this honourable house, whether a still more economical management of Irish resources, and a still more enlarged understanding of Irish interests, are not to be expected from a reformed legislature such as must exist in Ireland on a repeal of the union, all the Irish objectionable boroughs being now extinct by purchase.

Because the imperial parliament is composed of members five-sixths of whom never have visited Ireland, or acquired any personal knowledge of the genius and character of its inhabitants, of their wants and grievances. Because one-sixth of even the Irish representatives are neither natives of that country, nor have ever set foot on Irish ground; and because, by consequence, the affairs of Ireland are neglected and mismanaged, or her interest disregarded. Because the promises officially announced to this country by the British minister, as the grounds upon which he ventured to propose the union, and which, though not inserted among its articles, were considered by the Irish people as equally binding, were forgotten by him, disowned by his successor, and disregarded by the imperial parliament. Because the dangers and distress of Ireland have ever taken their chief rise from the following, among other evils: from the inattention of its landlords to the welfare and comforts of their tenantry; from the foreign expenditure of the country, caused by its absentees, and its foreign national debt; from its consequent want of capital, of trade, and tranquillity; because all these sources of poverty and discontent have been, and ever must be, increased and multiplied by a legislative union between the two countries; and because, upon a removal or an alleviation of these, and upon a fulfilment of the promises made to the nation, depend the safety of Ireland, its future attachment to the crown of Great Britain, and the ultimate security of the empire. That your petitioners, in conclusion, beg to state to this honourable house, that having, from 1782 to 1800, experienced the beneficial effects resulting from a resident and independent parliament, and having now, for ten years, felt the operative influence of British legislation, and impelled, from the recollection of the past, and sad experience of the present, to express their conviction to this honourable house, that the very serious distresses of the Irish people, and the dangers to which the country is consequently exposed, are principally to be attributed to the want of a resident legislature; as your petitioners, in expressing this conviction, are confident, that if admitted to the bar of the house of commons, they shall be able to prove to its full satisfaction that such is the real source of the national distress; and that to the repeal of the legislative union can the people of this country look as the only

efficient means of procuring its present relief, of securing its future prosperity, and securing its permanent connexion with Great Britain."

Such were the arguments then put forward to support a demand, which at a sub-

sequent period became the object of so much agitation. But the moment had not yet arrived when this question could produce a strong effect; the claims of the catholics absorbed the public attention.

## CHAPTER X.

### GOVERNMENT PROCEEDINGS AGAINST THE CATHOLIC COMMITTEE.



THE activity of the catholic committee now began to alarm the government, and an attempt was made at the beginning of 1811, to enforce the penalties of the convention act against that body; though, on the declaration of lord

Ffrench that they were only individuals met together for the legal purpose of petitioning parliament, the authorities seemed satisfied. Thus the matter passed over for the moment, but in March, Mr. Ponsonby brought the subject before the house of commons, and some very severe remarks were made on the conduct of the Irish government. In the course of the session, several other warm debates took place on Irish affairs, but all attempts to obtain relief or investigation were overwhelmed by the ministerial majorities. On the 31st of May, Grattan brought the catholic petition before the house of commons, but in vain. Mr. Hutchinson announced his intention of moving for the repeal of the convention act, and, on the 11th of June, Mr. Parnell repeated his motion for an inquiry into the Irish tithe system.

As it has just been stated, government became alarmed at the proceedings of the catholic committee, which was at this time perfecting its organization. It was arranged, among other things, that it should consist of a certain number of delegates chosen from each county, who were to sit in Dublin and represent the whole catholic body. It can hardly be doubted that this mode of proceeding did bring the catholic committee under the terms of the convention act, and accordingly, in the month of February, the Irish secretary of state, Mr. Wellesley Pole, issued a circular to the magistrates, directing them to enforce that act against the catho-

lics. This circular was brought before the house of commons at the beginning of March, and was so bitterly animadverted upon, that it was subsequently withdrawn; and when, towards summer, preparations were made for the election of catholic delegates, a proclamation was issued, in which the proceedings of the catholic committee were described, and it was declared to be the intention of the government to enforce the penalties of the law against all persons who should proceed to elect deputies, managers, or delegates to the catholic committee. It is said, that at the same time lord Ffrench, and other leading catholics, received private warning to abstain from further proceedings.

This proclamation did not produce all the effects that were expected from it, for several of the magistrates in different parts of the country, openly protested against it, as being contrary to the intentions of the convention act, others showed no alacrity in obeying the directions of the government, and the catholic committee itself met to resist. At this meeting, over which lord Fingall presided, a resolution was passed, "That the committee, relying on the constitutional right of the subject to petition the legislature, in the way and manner specified in a resolution to that effect, passed at the last aggregate meeting of their body, do now determine to continue and persevere in the constitutional course they have maturely adopted, for the sole, express, and specific purpose of preparing a petition or petitions to parliament for their full participation of the rights of the constitution, and that, in so doing, they not only in their opinion do not violate, but they act in strict conformity with its soundest principles. That this committee will never meet under pretence of preparing or presenting a petition, but for the strict and sole purpose of



preparing and causing to be presented a petition or petitions."

In conformity with this resolution, the elections of the catholic delegates were proceeded with, and they seem to have met in general with very little interruption; but the government resolved to strike a blow in Dublin which should at least be a warning for others. On the 9th of August, Mr. Taaffe, a partner in the bank of lord Ffrench and Co., and Mr. Kirwan, a Dublin merchant, were arrested under a warrant from lord chief justice Downes, for acting as delegates, and three other persons were arrested at the same time for acting as electors of delegates to the catholic committee. They were all allowed to give bail for their appearance to answer the charges against them. Great irritation followed this proceeding, and meetings not only of catholics, but of protestants also, were held in different parts to protest against the course which government seemed resolved to pursue. In one instance, at Tralee, a vain attempt was made to disperse the meeting held for this purpose; and the ministers affected to be so alarmed at the threatening state of Ireland, that it was proposed to send over thither a strong body of militia from England.

At length, on the 19th of October, the day fixed for the meeting of the new catholic committee, about three hundred delegates from all parts of Ireland met at the theatre in Fishamble-street, Dublin. Some of the most distinguished of the catholic nobility were present, and the earl of Fingall was called to the chair amid loud acclamations. Viscount Netterville produced a draught of a petition, and on his motion, seconded by viscount Southwell, it was received and agreed to. The other business of the committee had been finished, the chair was vacated, and the meeting was on the point of separating, when two of the police magistrates, alderman Pemberton and Mr. Hare, with their attendants, presented themselves, and attempted to address the meeting. But the noise of mixed conversation and departing visitors completely drowned their voices, until some gentleman recognised them, and pointed them out to lord Fingall, who had just reached the door. He immediately returned, and mounted one of the benches in order to attract the attention of the police, when Mr. Hare, addressing himself to the catholic nobleman, said, "I understand I have the honour of addressing lord

Fingall. I wish to state my business for coming to this meeting—(there were here loud cries of 'the business is concluded')—I wish to state the fact—(cries of 'too late! too late!')—I hope I shall have the honour of a hearing—(cries of 'the meeting is over.')—I trust your lordship will not refuse me a hearing." Lord Fingall said, "Sir, I am no longer in the chair; and I now only speak as an individual." Mr. Hare then continued, "I wish to state my object in coming here. I came here as a magistrate, on an information which I received, that the general committee of the catholics of Ireland was to be assembled here this day. As soon as the chair was taken, a person, who had been placed here for the purpose, came to me to apprise me of the fact, and I walked immediately here to disperse the assembly, conceiving the meeting to be unlawful—(here there were loud and general cries of 'too late! too late!')—I hope that you are perfectly convinced that I did not mean to offer the slightest personal disrespect to the feeling of any individual, but to discharge a public duty. My object is effected, as you now disperse; but I wish to say, that the very moment I heard that the chair was taken, I walked here for the purpose of dispersing this meeting." Lord Fingall only repeated his former remark, "Sir, I am no longer in the chair; I am only as an individual here." But Mr. Hare having made some further observations, the honourable Mr. Barnewall stepped forward, and said, "Sir, I think myself called upon to come forward as a member of the catholic body, and the son of a catholic nobleman, to assure you that none amongst us, from the peer to the ploughman, wish to show any disrespect to the government and the magistrates of this kingdom, but that we are all determined to join hand in hand with our fellow-subjects of every religious persuasion, in the defence of our country, to the last drop of our blood." The magistrates then left, and the meeting dispersed.

After this abortive attempt, the government proceeded to personal prosecutions, and at the beginning of November the Irish attorney-general filed informations against the earl of Fingall for presiding over catholic meetings, against several persons for attending them, and against the proprietors of the *Freeman's Journal* and the *Correspondent*, for publishing reports of their proceedings. On the 23rd of November, the

attorney-general applied for an attachment against Mr. Magee, the proprietor of the *Dublin Evening Post*, for a paragraph in that paper relating to the recent prosecutions, which the attorney-general said tended to interfere with the course of justice. He at the same time announced that the court had come to the opinion that the catholic committee was an illegal assembly, and that the prosecutions would not be persisted in if that body offered no further resistance. Immediately afterwards the Irish catholics gave a grand dinner in Dublin, which was attended not only by some of the principal catholic noblemen, but by many distinguished protestants, among whom were Grattan and Curran.

On the 23rd of December, there was another full meeting of the catholic committee at the theatre at Fishamble-street. A few minutes before twelve o'clock, Hare, the police magistrate, entered the theatre, and took his station beside the chair. At two minutes after twelve, lord Fingall arrived, and he was immediately called to the chair. Mr. Hare was about to address lord Fingall, when lord Netterville stood up, and moved that the catholic petition should be read. Mr. Hare then said, "My lord Fingall, I beg to state what my object is in coming to this meeting. As chairman of this meeting, I have to inform you that I come here as a magistrate of Dublin, by directions of the lord lieutenant; his excellency having been informed that this is a meeting of the catholic committee, composed of the peers, prelates, country gentlemen, and the persons chosen in the different parishes in Dublin, I beg to ask you, as chairman of this meeting, if that be the case, and what is your object?" Lord Fingall replied, "Sir, we are assembled here for a legal and constitutional purpose." Mr. Hare then said, "Allow me to observe, that that is not an answer to my question; perhaps you did not distinctly hear me. I ask, is it a meeting of the catholic committee, composed of the peers, prelates, country gentlemen, and others in the city of Dublin?" Lord Fingall, in reply to this, said, "I certainly do not feel myself bound to give you any other answer. We are met for the sole legal and constitutional purpose of petitioning." Mr. Hare repeated, amid some confusion, "My lord, that is not an answer to my question. I speak deliberately and distinctly, in order that every person may hear and understand me. I

beg leave to ask your lordship again, is it a meeting of the catholic committee, constituted by the catholic peers, prelates, country gentlemen, and persons appointed in the different parishes of Dublin?" Lord Fingall again replied, "I am not aware that I can give any other answer than that which I have already given." "Then, my lord," continued Mr. Hare, "your answer is, that you are a meeting of catholics assembled for a legal and constitutional purpose." "No, no," was responded from several voices, "there was no answer given in such terms." Upon this O'Connell stood up and said, "It is a most unusual thing for any magistrate to come into a public meeting to catechise, to ask questions, and put his own construction upon the answers." Mr. Hare continued, "My lord Fingall, I addressed myself to you so distinctly, that I thought my question could not be mistaken. I consider your declining to give me a direct answer as an admission that this is the committee of the catholics of Ireland." O'Connell,—"Sir, if you please to tell gentlemen such is your belief, it is of no consequence to us; we are not to be bound by your opinion." Mr. Hare,—"This is an admission of the fact that this is the catholic committee; and I consider your lordship's refusal—(here there was some confusion, caused by several persons attempting to speak)—Does your lordship deny that this is the catholic committee?" Counsellor Finn,—"No, no; my lord Fingall has not given you either admission or denial." Mr. Hare,—"My lord, I say that this is an unlawful assembly, and as such I require it to disperse. I beg leave to say, that it is my wish to discharge my duty in as mild a manner as possible. I hope that no resistance will be offered, and that I need not have recourse to those means with which I am intrusted for the purpose of obliging the meeting to disperse." Lord Fingall,—"It is not our intention to do anything improper, or to act in resistance to the laws of the land; but it is my determination not to leave the chair until I am obliged by some person to do so, in order that I may bring my legal action against the person who shall remove me." Mr. Hare,—"My lord, I shall remove you out of the chair; and in doing so, it will be an actual arrest." Here there was again some confusion, and when it had subsided, Mr. Hare again said, "My lord, if you will have the goodness to leave the chair, that is a legal arrest." He then



took lord Fingall by the arm, and gently pushed him from the chair. Lord Netterville was then elected into the chair, from which he was also removed under arrest by the magistrate. There was then a general cry for lord Ffrench to take the chair, but he was either absent, or not within hearing, and the honourable Mr. Barnewall was called upon; but at this moment lord Ffrench arrived, and he was proceeding to take the chair, when, at the recommendation of sir Edward Bellew, the meeting dispersed.

A number of the members of committee, on leaving the meeting, repaired to Mr. D'Arcy's, to sign a requisition calling an aggregate meeting of the catholics to take into consideration their present circumstances. They were followed thither by Mr. Hare, accompanied by alderman Darley, and the magistrates having entered the room, Mr. Hare asked whether that meeting was a meeting of individual gentlemen. Being answered in the affirmative, he was about to say something further, when lord Ffrench told him that they did not want to hear any of his speeches, nor would they listen to them; if he came there to take any active proceedings against them, let him do it at once. He replied that he merely wished to say, that as they had stated themselves to be a meeting of individual gentlemen, he would not molest them. Thus the matter ended; and the requisition for an aggregate meeting of catholics at the theatre was duly signed.

This meeting was held on Thursday, the 26th of December, and was very numerously attended, lord Fingall again taking the chair. A board was appointed to prepare a petition to the prince-regent on the violence to which they had just been subjected, and the following resolutions were passed:—

“Resolved,—That it appears to us, that the general committee of the catholics of Ireland, appointed and assembled for the sole and constitutional purpose of preparing petitions to the legislature on behalf of the catholic people, and possessing the confidence, esteem, and reverence of Irishmen of all persuasions, have been forcibly and illegally obstructed and outraged by the orders of Charles, duke of Richmond, the present chief governor of Ireland, in conjunction with other persons exercising the civil government therein, and their prominent legal advisers.

“That in the measures pursued by the

administration of Ireland for some years, we have observed, with regret and indignation, a spirit of progressive intemperance and exasperating intolerance, arising from the impolicy of those rulers, as well as from their ignorance of the country which they have undertaken to govern.

“That the measures springing from so improvident a spirit, call forth the loud and unqualified reprobation of his majesty's Irish subjects, threaten to alienate the affections of the people, and tend to extinguish their characteristic and well-known ardour in pressing forward to man his majesty's fleets, and to strengthen his armies, so amply recruited by the Irish Roman catholics, sinking, as they are, under the heavy burthens of equal taxes without equal benefits, and that such unwise and illiberal measures are calculated to destroy the harmony and unanimity upon which alone can rest the prosperity, greatness, and honour of the empire.

“That it befits the catholics of Ireland, upon every principle of honour and prudence, fortified as they are by the first principles of the constitution, and supported by the solemn verdict of a jury [alluding to the acquittal of Dr. Sheridan], not to submit in silence to this notorious perversion of law, and unwarrantable abuse of temporal power; and that being thus oppressively debarred for a time from preferring their joint appeal to the legislature, through the medium of persons duly authorized on behalf of all for that purpose alone, they ought, nevertheless, to resort to every constitutional mode to make known the extent and details of their degraded condition to their fellow-subjects and to the world.

“That a humble and dutiful address to his royal highness the prince-regent, be presented so soon as the restrictions on his authority shall cease, upon the subject of the late invasion of our undoubted right to petition, and of the insult offered to the catholics of Ireland.

“That the preparation and presentation of such address be referred to a board, to consist of the following persons [it is not necessary to give here the names].

“That neither the said board, nor the general committee of the catholics of Ireland, does, or ever did, consist of persons in any manner constituted or appointed to represent, or assuming or exercising a right to represent, the people of this kingdom, or

any number or description of them, or the people of any district within the same; neither does the same consist of any persons charged with any further or other function than that of preparing catholic petitions and addresses to the different branches of the legislature.

"That the general committee of the catholics of Ireland, whose firm and judicious conduct is entitled to our warmest applause and admiration, be requested to assemble in Dublin at noon of the 28th of February, 1812.

"That the grateful thanks of the catholics of Ireland are hereby given to our protestant brethren who have this day honoured us with their presence, and favoured us with the highly liberal expressions of their sentiments at this momentous crisis.

"That the sincere, grateful, and ardent thanks of this meeting be returned to the right honourable viscount Netterville, for his firm, constitutional, and dignified deportment, on the illegal dispersion of the catholic committee on Monday last, and for his unceasing and patriotic exertions on all occasions for the catholic cause."

Meanwhile the government proceeded with its prosecutions. Dr. Sheridan, the first person brought to trial, had been acquitted, but ministers obtained a jury more devoted to them in the case of Mr. Kirwan, who was, on the 30th of January, found guilty on the charge of having been active in the election of delegates to the catholic committee. In his pleading against him, the attorney-general described the committee as a national assembly, consisting of no less than five hundred persons, a number exceeding the late legislature of the country. All the horrors of civil war, he said, were in perspective, unless the government stood firm to its determination to suppress an assembly which came to be held in its very seat, the metropolis of the country. Having secured this conviction, the ministry announced that it was not their intention to pursue the other individuals arrested, and Kirwan himself was punished with but a nominal penalty—he was fined one mark and discharged. In delivering judgment, the judge said, "The act of which you stand convicted has been declared and enacted by the legislature a high misdemeanour, not for being in its own nature contrary to any principle of honesty, morality, or justice, but for wise and political reasons, namely, because, in the words of the statute, 'the

election of representative bodies may be used to serve the ends of factious and seditious persons, to the violation of the public peace.' The statute, therefore, first declares and enacts, that all representative bodies, all delegations for public matters, are unlawful assemblies, and provides that even the pretence of petitioning, whether true or false—that the most constitutional or specious of all purposes, shall not serve to cloak the proceeding. By a superabundant care, it saves the sacred right of petition, leaving it in the same precise plight and condition as when attested at the glorious revolution by the bill of rights. Thus that inestimable and unalterable privilege of a free people has been expressly saved alike to all the sects of Ireland, whether protestant, presbyterian, or Roman catholic, in the same purity and perfection in which it is enjoyed by our fellow-subjects in England: and for myself, I own I do not desire to move in a wider or more enlarged sphere of civil and political liberty than that high-minded and intelligent people are contented to enjoy. In England, where a clear conception and a noble jealousy of their rights and privileges are known to pervade the whole mass of the people, in their wildest excesses of freedom, assemblies of this description were never thought of. These conventions and congresses, and other assemblies, formerly elected to represent great bodies, are exclusively of Irish growth, and have always been plainly calculated to overawe the parliament, to control its deliberative faculty, and to brave and browbeat the government. Such were the Dungannon conventionists of 1793; such were the volunteer conventionists of 1782; such was the catholic convention assembled at Kilkenny in 1642, composed precisely of the same materials as the present catholic convention—of peers and prelates, and of county and city representatives, who commenced their labours with solemn professions of humility and moderation, and ended in forming themselves into a parliament, and assuming the functions of a legislature. Such assemblies as these are the representatives of discontent, and become, by an easy and natural transition, the ministers of sedition. Turbulent and loud-tongued politicians, whose trade is declamation, and whose motive is not religion but ambition, soon command and domineer at such assemblies; the light and worthless, like chaff, rise to the sur-



face, and soon acquire an ascendancy, while those of intrinsic weight and sterling value sink to the bottom and disappear. Under these circumstances, the government, in discharge of its prime and most imperious trust, have stepped out seasonably, and with a laudable energy, to avert the impending danger. Before I close," continued the judge, "allow me to recommend, sir, to you, and through you to the catholic body, the sage counsel of their best adviser and their cordial friend, the solicitor-general. I agree implicitly with him, that the catholic cause has not so mischievous an enemy as the catholic convention. That unlawful assembly has diverted the public mind from the true question, and before the great question of catholic emancipation can be discussed, the laws and constitution which this assembly has invaded must be vindicated. It is not through the wounded sides of the constitution, or over the trampled laws of the land, that they can hope to win a passage to the temple of liberty."

The proceedings of the catholic committee had indeed now excited considerable alarm, and the general feeling, at least in England, appears to have been in favour of the government proceedings. Nevertheless, the violent suppression of the catholic committee excited much agitation, and it led to some rather stormy debates in parliament. As early in the session as the month of January, Mr. Hutchinson, in the house of commons, gave notice of his intention to bring forward a motion for the repeal of the union; and not long after, on the 3rd of February, a motion on the state of Ireland was brought forward by lord Morpeth. The object of this motion was especially to show the necessity of giving immediate relief to the catholics; and it was opposed by sir John Nichol on the ground that the concessions demanded by the Irish catholics would endanger the existence of the constitution, consisting of church and state. On this occasion, Canning declared it to be his opinion, that the demands of the catholics were perfectly natural and just, and he hoped that at no great distance of time natural concession and concord would take place. He thought, however, that this was not the proper time to agitate the question, and he should therefore oppose the motion. Peel opposed the motion, declaring that he would never consent that the catholics should be placed upon an equality with their protestant brethren.

Wellesley Pole, as Irish secretary of state, took this opportunity of entering upon a justification of the conduct of the Irish government in the late transactions. He asserted that the catholic convention was an illegal assembly, assuming all the powers of a parliament, and, therefore, he said, it was necessary to resist it. As to the catholic claims, he hoped that something might be done to meet the wishes and tranquillize the minds of so large a portion of the empire, but he deprecated all idea of granting anything to turbulence and riot.

Such was the close of the convention. But a new day was opening for Ireland, during which her prowess and her worth would be fully recognised. Ever since the union had been completed, the physical and political strength of the country had been more and more developed. The people had at all times been active. They now became energetic, and though the two terms may seem at first to be coincident in character, they are in truth widely different in meaning. The people acted more efficiently through their representatives, and that spirit of determination, which had for so many years previously been exhibited in outbreaks of violence, became gradually concentrated into the more intellectual struggles, through which the objects of the convention were subserved, and catholic emancipation was at last achieved. It was during the year 1812, that sir Robert Peel, then an almost untried and adventurous politician, entered upon the duty of chief secretary for Ireland, and laid the foundation for that consolidation of the empire, which has within these little more than twenty years, under the auspices of another great man, one of Ireland's own sons, through the passing of the catholic emancipation act, opened all the avenues of political distinction to every member of the Irish family.

The feeling that Ireland should have a higher position had grown largely in the public mind, and the ferment which had been occasioned by the prosecution of Dr. Sheridan and Mr. Kirwan was not destined to abate. Ireland and its condition became a prominent topic with the British legislature, and as the first, if not the principal means of rendering her claims conspicuous, the great end of obtaining the entrance of Roman catholics into parliament, was earnestly and urgently promoted. Parliament met early in the year last men-

tioned, and on the 31st of January, earl Fitzwilliam, who as a man of great landed possessions in Ireland, as an Englishman especially, and moreover the lord-lieutenant of the largest county on this side of the Irish channel, was the fittest person that could possibly have been selected to bring the matter before the house of peers, and the more so, as he was well known as a man of a liberal and large cast of mind, quite equal to the subject, and possessing sufficient moderation to attempt with mildness a violent political topic, opened the subject. He, however, appears to have used arguments which ill became the cause, and which ascribed a degree of corruption to those to whom he was opposed, that could not by any means be supposed to exist. On rising to make his motion in the house of lords, he said, that he little thought that when he gave notice of that motion, that he should have to lament the fact which the reports of that morning's mail had brought, that the jury in one of the trials of the Roman catholic delegates, had been tampered with, and that the crown solicitor had been altering and marking the list in a manner that showed the exercise of an undue influence by the government. This, however, was only given apparently in order to obtain a greater weight to his other observations, the object of which was especially to make way for the catholics into parliament, and he concluded by moving that "the house do resolve itself into a committee of the whole house, to take into consideration the present situation of the affairs of Ireland." The motion was seconded by the duke of Devonshire, who was followed by the earl of Rosse, and he again by the earl of Aberdeen, both noblemen arguing that the tone of hostility adopted by the catholics, was anything but that which could have been desired from men, to whom so many concessions had been made, and whose actions showed that it required the energetic action of government to subdue, rather than to elevate them. The marquis of Downshire trusted upon the true point—the implied promise of Pitt, when the act of union was consummated—that the Roman catholics of Ireland should obtain seats in the British legislature. The earl of Hardwicke followed on the same side, and in alluding to his own government in Ireland, when lord-lieutenant, expressed his decided opinion that no penal laws were any longer necessary against the Roman catholics, and

considering the popularity which he enjoyed when there, although he was a strong-minded man, there is nothing to wonder at that he should have so entirely lost sight of the agrarian outrages, the rebellion, and the national agitation which had been going on during the ten years previous to the time when he spoke. Lord Sidmouth took a different view of the matter. He took that phase which was subsequently found to be the hardest part of the subject. He grappled with the religious points, and in doing so, opened up the main difficulty which laid at the bottom of the whole question. *The religion of the two countries, not the faith, was at issue.* The Irish, at all times an impulsive and generous people, full of the cream of human kindness, and genuine in all their heart, clung with a tenacity worthy of the distinction of martyrs, to the form which had been prescribed to them in religious observances, almost from the time of St. Patrick. The catholic church of Ireland had been unchanged in a remarkable degree, through the whole of its progress for nearly seven centuries. No one doubted of its truth to its tenets, though many distrusted the prudence of its proceedings. Lord Sidmouth said that he had listened with great attention to all that had fallen from those who had supported the motion, especially that which had been advanced by the earl of Aberdeen (who supported the motion), but in no part of that speech had he concurred, except in that which referred to the importance of the motion, which he fully admitted. He entirely differed from the noble mover's idea, that there was no ground for not extending to Great Britain the Irish act of 1793; for he differed in his views of the causes of the present state of Ireland, and strongly condemned the arguments drawn from any supposable claim of right. There was no difference between the classes of society, so far as the question of right was concerned. The evil arose, certainly in a great degree, from the operation of the penal laws, which, as Mr. Burke had expressed it, had by "a sort of vicious perfection," a tendency to degrade and impoverish the people; but at the same time they were manifestly and indispensably necessary. Ireland had smarted under Roman catholic parliaments, which had, by the exertion of their priests, virtually repealed the act of settlement, which secured all the protestant property, and the act of Henry VIII., which annexed the crown to



that of England, and a rapine succeeded to the acts of those parliaments, which formed one of the foulest stains in the history of that country. The protestants followed in violence with a proportionate vigour, to give themselves a perfect system of security. If their lordships would refer to the statute-books, they would see the many acts which had been passed in favour of catholics during the present reign, how many acts existed against them at the time of his majesty's accession, and what had since been repealed;—they would see that the whole of his majesty's reign had been marked with a peculiar beneficence towards his catholic subjects, and the desire to grant them every boon, which he thought to be consistent with the constitution of this country, in church and state. The effects of that beneficence were now to be seen in the increased wealth and prosperity of Ireland. A noble lord had said, that “the evil which men do lives after them.” In the case of Ireland, he would say that the good which had been produced by the mild and beneficent reign of his majesty, would long be experienced in the increased well-being of that country. If the present measure was to be supported on the ground of policy, and the present situation of Ireland, he must state what was, in his opinion, the cause of the condition of the sister island. There was in that country too great a separation of the higher from the lower classes of society; for there were in the Irish nation few of the gradations in society which exist in this country, and which were the firmest supports of its constitution and its liberties, as well as of the happiness and prosperity of the people. He was not prepared to say by what mode of legislation, or by what progress of civilization Ireland was to arrive at the position which England held in those respects; but while the evils of Ireland were to be attributed principally to the separation of the people into two classes—the higher and the lower—he did not conceive that a measure, which was intended to work a benefit for the higher classes only, could be of any great or extended advantage to the great body of the community at large, or that it would, if carried, be felt as a boon by the lower classes at all. If the measure had not been felt to be a necessity in 1802, immediately after the union, or again in the active seasons of 1806 to 1810, how could it be so desirable now? No reason had been adduced, in his opinion, to show that the state of the country, or of

circumstances, that it was so; and, in his opinion, the agitation which had been excited in the previous year, had better have been left alone. It was stated that one great obstacle which existed to the granting of this boon, was to be found in the feelings and predilections of the British people, and he thanked God that that obstacle had never been, and he trusted never would be, removed. As to the opinions of Mr. Pitt upon this subject, it was stated by some who were supposed to be best acquainted with them, that the veto was one of the securities on which he most particularly dwelt, and one which he had decided upon retaining, when he was desirous that the catholic claims should be allowed. Had Mr. Pitt lived to that present day, and had seen that this veto would not be allowed by the catholics, there was no evidence to show that he would have retained his opinions in favour of the catholic claims, or that he would have been able to justify by argument the retention of those opinions. The great question was, whether the catholics were now to be admitted into all the higher stations of the realm, moral, military, legal, and political. In considering this, it should be recollected that they had refused to concede a point, which had on all hands been considered necessary to the security of the realm, and that they did not evince the slightest disposition to make any concession of the kind. Indeed, the catholic hierarchy had represented that they *could not* concede the point, without a violation of their ordination vows. This veto, however, which they so strongly resisted, gave no positive power to the king to appoint bishops, but only a negative power, an authority, he might have said inferior to, but co-ordinate with that of the pope, who was the head of their church. While this concession was refused by the catholics, it appeared to him that there was an insuperable obstacle to the granting of their claims; for he begged their lordships to recollect, that there did not exist in the statute-book a single provision, which touched in any, the slightest degree, the conscience of a catholic. The liberty and property of every individual catholic, was as fully protected by the laws, as were the liberties and properties of the protestants. There remained nothing against them but the king's supremacy, and those tests which had existed long before the penal code, which had been repealed, and he prayed

God that this supremacy, and those tests, would long remain in force. In expressing his opinion on this subject, he declared that he was not actuated by any spirit of hostility to the catholics as a body, nor did he mean to impute to, or insinuate against them any charge of want of loyalty or attachment to the country. It was well known, however, that their hierarchy had a very great authority and influence on the conduct and morals of the catholic body, and he did believe that they maintained doctrines which were directly inimical to the most vital parts of our constitution. It had often been stated that if this measure should be granted, it ought to be on the broad and general grounds of justice and policy, and not merely to satisfy a temporary cry. He hoped that this would be still the conduct of their lordships; and he must, for his part, declare that his opinions and feelings were not for granting all the high situations of the country, naval, military, or civil, to men who professed so much deference to a foreign authority, and whose consciences were not in their own keeping. It was upon this ground, and not from any ungenerous feeling, that he opposed their claim. Viewing it also as a religious question, and he hoped, without bigotry, he thought it was a question for a religious community to consider, whether they ought to do anything to increase the influence of a religion, which they conceived to be contrary to the true one. A sort of equalising spirit had gone forth, and those who were now called liberal men, were averse to any distinctions on account of religious opinions. But if this equalizing spirit, or this sort of liberality was to be extended to all the corporations of the kingdom, he could not but conceive that all respect for the established religion would cease, if all the symbols of office were displayed, sometimes in a church, sometimes at mass, and sometimes in a synagogue. The union of church and state, however it might be derided by some, appeared to him essentially necessary for the preservation of the constitution, and the downfall of the church would be one of the surest means for effecting the downfall of the state. With these views, he found it impossible to avoid expressing his dissent to the motion of the noble lord.

In a subsequent part of the debate, earl Grey strove earnestly to bring the whole matter back to its political bearings, and

argued long and powerfully upon the conduct of the Irish people, and the unconstitutional character of the act which prevented more than ten persons meeting together for the purpose of petitioning. The marquis Wellesley replied to lord Sidmouth, and, with all the characteristic force of his own family and of his native character, made a speech of great force and comprehension, embracing every topic that could possibly be adduced before a British legislature. He commenced by taking a broad view of what had been done by the Irish government; what were their grounds of working, what their objects, and what their ultimate prospect of success. The speech was a masterly composition, and quite worthy of the name of the man by whom it was made. Apt and vigorous in conception, it was given with that peculiar amiability of oratorical power by which the marquis was always distinguished. It had in it the elements, as it exhibited the powers of greatness. The marquis was a man of no ordinary capacity. He had been connected long with the party with whom he acted; but with the exception of two or three, excepting amongst those, very probably and peculiarly, the marquis of Lansdowne, he appears to have formed no particular friendship; and yet no man's voice was more potent in the legislature, or more influential in the cabinet. All those who moved in public life knew his weight, and all respected his ability. It was the razor which cuts with a fine edge—severe in its operation, but genial in its influence. Yet, notwithstanding all his peculiar predilections, he held to the tory tenets. He seems to have had a sound conception of the workings of both parties, and to have clung to that which is commonly called the safer side. He asserted that no obstruction had been given to the legal exercise of the right of petitioning enjoyed by the Roman catholics, and that the convention act was merely a measure of prevention, rendered salutary by experience; that the Roman catholics had had due notice of its enforcement; that the legal proceedings had been taken simply in accordance with the usual routine of legal business, and that, consequently, there was, in fact, no reason whatever for anything like a formal inquiry. After this preliminary investigation of the grounds of attack, the marquis proceeded to a general consideration of the state of the empire, so far as the Roman catholics were concerned, and in doing this he asserted,



that he did not agree in any one particular with the declared champions of the Romish cause. His noble friend, the earl of Aberdeen, had justly styled this a question of mere expediency. And in this he was quite ready to coincide. "Toleration," said he, "is the intermediate point between persecution and encouragement. The boundaries of this, however, can no otherwise be ascertained than by reference to the relative situation of the parties, and the circumstances of the state and times. It is a clear and undeniable maxim, that every state has a right to restrain whatever is dangerous to its security, and no sect or individual can exercise a right against the state. On the other hand, every state excluding any description of subjects from the advantages possessed by the community, is a positive evil, which can be endured only so long as the probable danger to be incurred by its removal exceeds the mischief of its continuance. How did this reasoning apply to the catholics of Ireland? What justification remained for continuing the restraint of which they complained? In his opinion, the mischief of continuing the restraint far overbalanced any danger to be apprehended from reverting to the more mild and liberal policy which had been exhibited in the earlier periods of his majesty's reign. The political power possessed by the catholics of Ireland, he proceeded to argue with great wisdom, was a matter that naturally inspired deep reflection, and it was evident that it must be the policy of every wise state to connect the great body of persons possessing such power, and especially the most influential and leading men among them, with the general frame of the community at large; to blend their individual pursuits with the common interests of the state, and to attach them by the ties of honourable ambition and honest gain to the established order of the government." Here, however, the noble marquis paused, and turning from the ordinary themes of popular declamation, he took up the more tangible points of the subject. "It was not," he said, "so much a question whether additional power should be given to the Roman catholics in Ireland, as to whether they should now be refused those appendages to their political rights which would identify its exercise with the interests of the state, and constitute the bonds and pledges for their attachment to the government." After treating this staple, and in truth, very valuable commodity, for

some time, his lordship entered upon the delicate subject of the danger to be apprehended, from this new accession of power by the Roman catholics, to the protestant church establishment in Ireland, and, of consequence, to the whole protestant community of that country; and contended, as a sequence to his argument, that so far from being a danger, the enfranchisement of the Roman catholics from political trammels would be a great gain to the protestant church in Ireland. "Experience has shown a very different lesson, but his lordship is not the first who has mistaken solid for perceptible gain, or overlooked the difference between the progress of public bodies, towards the real, instead of the perceptible, in their prosperity." The marquis further argued, that this enfranchisement of the catholics, so far from being dangerous to the protestant establishment, was indispensably necessary for its security, since it could never be safe while such a power of discontent was arrayed against it; a force which would be most effectually doomed, by breaking down the barriers that had hitherto impeded the progress of the Roman catholics to privilege and power. Having expressed his opinion on these points, his lordship, with a strange concatenation of thought, proceeded to say that he hoped he should not be accused of a spirit of procrastination or delusion if he now objected to enter into a committee for the purpose of instantaneously removing the disabilities under which the catholics laboured. The reasons for his conduct, he drew from the menacing attitude which the catholics had assumed, the numerous outrages committed by members of that body in violation of the laws of the land, the then present trials of offenders, and the absolute necessity that existed of a return to tranquillity on the part of the delinquents, before any hearing could reasonably be given to the body of whom they formed so important a part. When that tranquillity was secured, there would be ample opportunity for listening with a solemnity due to the occasion, and for deciding with the most prudential care for the general well-being of all branches of the community.

The marquis of Lansdowne, with a very natural surprise, was at a loss to know how the last speaker, with the premises which he had assumed, and with the arguments which he had used, could possibly come to the conclusion at which he had arrived; for,

according to his mind, there was no time more appropriate than that, when a new government was about to be formed, for coming to a decision. His lordship then rapidly reviewed that part of the marquis's speech which went to justify the conduct of the Irish government, and endeavoured to show that it had been both wavering and inconsistent, and that the judicial proceedings had been deficient both in candour and justice. The debate was continued till a late hour, and a great number of peers took part in it; but little new light, as is usual, was thrown upon the arguments of the leading speakers. On the motion being put, there were present for it forty-two peers and thirty-seven proxies, total seventy-nine; non-contents present eighty-six, proxies seventy-six; total, one hundred and sixty-two. Showing a majority of eighty-three against the motion.

On the 3rd of February a similar motion was placed before the house of commons by lord Morpeth, which brought up a debate of two nights' duration, in which Canning displayed his usual ability, and his usual moderate but vacillating policy. He took almost precisely the ground that lord Wellesley had occupied in the lords, but the feeling among the minor men was stronger and more definite, and the motion was negatived by a majority of ninety-four, the ministry voting almost in a body in the negative. Thus ended one of the most celebrated debates ever heard within the walls of parliament, and which reanimated the religious principle that for nearly thirty years afterwards entered as the chief component, and still exists as the leading topic, in the discussion of the right of the Roman catholics to political equality with their fellow-subjects, although their privilege of seats in the legislature has now so long been conceded. Out of doors this debate excited great attention. The medium result at which the marquis Wellesley had arrived, caused many reports to be set afloat of the likelihood of a dissolution of the ministry, and that nobleman soon attained high estimation in the opinions of the opposition. Earls Grey and Grenville loudly protested, after the debate, that they had never considered the veto to be essential in any respect; but a letter which had been addressed by the latter to lord Fingal, on the 22nd of January, 1810, was adduced, with some little discredit to his lordship's reputation. In this letter he said, "Among

these measures," speaking of other matters, "I pointed out the proposal of vesting in the crown an effectual negative on the appointment of your bishops. That suggestion had been previously brought forward in the house of commons, to meet the just expectations, not of any bigotted or interested champions of intolerance, but of men of the purest intentions and most enlightened judgment—men willing to do all justice to the loyalty of your present bishops; but not unreasonably alarmed at any possibility by which functions of such influence might hereafter be connected with a foreign interest, hostile to the tranquillity of your country; a danger recently very much increased by the captivity and deposal of the head of your church, by the seizure of his dominions, and by the declared intention of that hostile government to assume in future the exclusive nomination of his successors. But," adds his lordship, "To the *forms*, indeed, of these securities I attach comparatively little importance. A pertinacious adherence to such details in opposition to even groundless prejudices, I consider the reverse of legislative wisdom. I look only to their *substantial* purposes—the safety of our own establishments, the mutual goodwill of all our fellow-subjects, and the harmony of the United Kingdom."

Altogether the debate, for the time, seems to have seriously damaged the cause of the catholics. All the leading statesmen of the day had been arrayed in the discussion, and the majority in both houses had been decisive. A feeling, moreover, seems to have grown up in the public mind, that the whigs were not altogether sincere in their advocacy of the catholic cause, and that they rather used it as a means of advancing their party purposes than for any other effect. Then there was a potent influence in the fact that the regent had abandoned his early friends, and thrown the weight of his countenance into the scale of their opponents; and this was sufficient for a long season to swell the hostility on this side of the channel, at least against the emancipation of the catholics, in which the general welfare of Ireland was for so many years involved.

Notwithstanding this defeat, however, the hopes of the catholic party were not destroyed. The noblemen who had taken part in the debate in the house of lords, were men of too much mark for their acts to be passed by unnoticed, and the government appear to have taken an alarm,



which permeated their ranks until it reached the throne. The working men of Nottinghamshire had risen into a violent struggle against their masters, and the machinery by which their labour was being supplanted in the market, and it required the constant presence of a considerable military force, and the unceasing vigilance of the magistracy, to prevent their exertions from arriving at a degree of successful insurrection. The ministers of the day were openly and audaciously vilified; and terms, the import of which were of the most treasonable dye, were openly bandied about among the disaffected. In Ireland, the spirit of discontent was rife, and the exertions of the Roman catholic partisans most strenuous to rouse their followers into positive rebellion. It was proved before the authorities in Dublin, in the early part of February, that no less than one hundred and seventy-five conspirators against the state had been sworn in together, at a place in Church-street, in the course of one night. Tumultuous assemblages took place in different parts of the country after nightfall, and at Raffreland, a large concourse of people was dispersed after much effort, only by the soldiery firing over their heads. The sentence on Mr. Kirwan, as has been stated, was one merely nominal in its character; and Mr. Harvey, the proprietor of the *Freeman's Journal*, who, with other persons, had been indicted for seditious practices, and in particular for having published an illegal address to the jury, the day previous to the trial of Dr. Sheridan, was set at liberty under a *nolle prosequi*, entered by the attorney-general.

It is true that the mayor and citizens of Cork joined in an address of thanks to that gentleman, and sir George Saxton, who had been retained by the government; and feelings of unabated attachment to the British constitution had been frequently and widely manifested; but the prosecution that had been instituted against lord Fingall was virtually abandoned, and a necessity appeared to be evident that the spirit of conciliation, which had been so energetically recommended by the great leaders of the opposition in both houses of parliament, should be largely shown, and assiduously cultivated. Moreover, an express had been forwarded from the officer in charge of the signal-post at Kinsale, that French cruisers had been seen in the offing, and that there was good reason for

believing that a fleet of line-of-battle ships could not be far distant. The defeated party wore a menacing front, and the skirts of a dark thunder-cloud hung over the country.

The prime minister, Mr. Perceval, still retained his high estimation at court, but the regent conceived that it was time to take into his counsels men whose ability was undoubted, and whose powers of attack had been so signally proved. The prince, therefore, conceived the idea of amalgamating the leading men of both parties, and a negotiation was opened with earls Grey and Grenville, through the amiable instrumentality of the duke of York, who, notwithstanding his position as heir-presumptive to the throne, and the peculiarity of influence as commander-in-chief of the army, retained his popularity with every party in the kingdom. Although the two noble leaders of the whigs would appear to have had no peculiar objection to accession to office, even with a tory colleague, they had taken too prominent a part in the late debate, to secede from the points which they had then mooted, of securing the emancipation of the Roman catholics from the legislative and other restrictions, under which they were held.

This proved an insuperable bar to Mr. Perceval, who was strongly supported by the lord chancellor Eldon; and the endeavour to effect an arrangement through the mediation of the duke of York utterly failed. The necessity, however, for effecting some compromise must have been great, for the regent himself undertook the business of inducing a coalition between the rival parties; and lords Grey, Erskine, and several other members of the opposition, had repeated interviews, alternately with lord Ellenborough, the chancellor of the exchequer, and the lord chancellor, with his royal highness. More than a week was spent in this home conflict, and notwithstanding it was confidently stated in Dublin, that a letter had been received from the duke of Bedford, that an entire change was about to be effected in the whole of the administration, the rumour, which at one time had doubtless some ground of probability, proved utterly false. The efforts of the chancellor proved too much for the crisis; the prince refused to part with Mr. Perceval; and the week, which began with the 10th of February, saw the whole of the tory party again in constant and confidential communication with Carlton-house.

The Irish press in the meantime was not idle, and the spirit of the people became aggravated by disappointment, so that notwithstanding the immense majority against the concessions claimed by the catholics, lord Donoughmore, encouraged by the immense number of petitions which had been poured into both houses of parliament, both from catholics and protestants in England, as well as Ireland, rose in the house of lords, on the 21st of April, to move the order of the day to take into consideration the claims of the catholic body to be relieved from their disabilities.

Considerable importance was given to this debate by the publication, in an authorised version, of the late speech of the marquis Wellesley, who still retained his seat in the cabinet, and his post as foreign secretary of state, and it is believed that not a few liberties had been taken with the original diction of the phraseology he employed: and certainly the effect of the published speech was to induce an inference, that the marquis's strong adherence to the cause of the catholics had become settled. In this pamphlet his lordship declares, "that the restraint now existing with the Roman catholics is in itself a positive evil, an imperfection in the frame of the empire; for every restraint excluding any description of the subjects of any state from the enjoyment of any advantages generally possessed by the community, is in itself a positive evil, an evil which can be wisely or justly endured so *long only* as the *probable* danger to be apprehended from its removal, shall evidently exceed the *certain* mischief of its continuance;" and again, "In his judgment the mischief of continuing the system of restraint greatly overbalanced any danger which could be apprehended from reverting to the more liberal, the more wild, more benignant and auspicious policy, which had adorned the earlier period of his majesty's reign. . . . He could not, however, advise his king or his prince to bow the protestant sceptre of the realm to any fictitious pretension of right, however arrayed with violence, or enforced by clamour; nor would he lend his hand to close the gate of the constitution against any class of his majesty's faithful subjects, nor would he presume to proclaim a sentence of irrevocable and eternal exclusion against a large portion of the population of the empire, under colour of a pure zeal for the protestant establishment. In real affection and veneration for that estab-

lishment, he yielded to none of those whose zeal had been so conspicuous. The protestant establishment in church and state was indeed the great security of all our public happiness and welfare. Whatever protection of person or property was enforced by any class of subjects, by any sect of religion—whatever civil or religious liberty existed amongst us, originated from the protestant establishment, was guarded and preserved by it, would flourish with its prosperity, and decline with its decay. All sects, all parties, civil and religious, were concerned in the preservation of this great bulwark of the community. It is the safeguard of the subject, as well as of the crown, connecting the purity of our reformed church with the regulated freedom of the people, and with the temperate spirit of our limited monarchy. To this refuge all have resorted in the dreadful visitations of confusion, by which the order and liberty of this country have been so often disturbed, and under this hallowed altar all sects have found shelter from despotism or licentiousness—

"Hæc tandem concede—hæc ara tuebitur omnes  
Aut moriere simul."

Lord Wellesley was a man of too much weight for his opinions to be lightly esteemed. His adhesion was, therefore, of the utmost advantage, and strengthened and encouraged by its declaration, lord Donoughmore rose to address the house. His lordship began by alluding to the immense number of petitions which had been presented by persons of all sects and parties, religious and political, in both England and Ireland; and especially to those which had been read at the table, for the removal of restrictions which, he contended, were essentially unjust, and for the revival of rights which had been suspended, certainly not destroyed by the union. He anticipated the ground that might be taken as the authority to be derived from the previous decisions of their lordships, and observed, that those decisions constituted no argument for the present occasion; for the subject-matter of the motion of which he had given notice, had formerly been so complicated with other considerations of great weight and importance, and which might have greatly influenced their lordships' minds, and from which it is at the present time entirely free. Having taken a rapid review of what had taken place in Ireland



from 1792 with regard to the catholic petitions, and having alluded to the scruples which, as he thought, had unfortunately prevented the complete conciliation of the two countries, his lordship went on to the supposed opinion of the prince, who had in early life, and when in a state of opposition to his father, the king, expressed himself very unreservedly upon several political topics, when he was called to order by lord Kenyon, who reminded him that the prince was now virtually monarch of the realm, and as regent exercised the supreme powers of the state almost as entirely as if he was seated upon the throne. His lordship, however, sharply retorted, termed the interruption impotent and unnecessary, and justified as being quite parliamentary the manner in which he had alluded to the prince, and expressed his respect for the sacrifice of feeling which his royal highness had voluntarily made to the religious scruples and political predilections of his minister.

This topic formed the groundwork of the speech, the object of which appeared to be to take the present discussion out of the category of party warfare and national consideration, and to ascribe any opposition to the motion he intended to make simply to the minister himself. A clever tactic, no doubt, but it failed in consequence of the decided coherence of most of the members of the government with each other. One passage of his lordship's speech was particularly striking, and excited much notice at the time. He said, "The ministers have drawn, as it were, a magic circle round the throne, into which none are permitted to enter on whom the confidence of the illustrious person has been accustomed to repose. Within its range the artificers of mischief have not ceased to work with too successful industry. What phantoms have they not conjured up to warp the judgment, to excite the feelings, and appal the firmness of the royal mind. But though the evil genius should assume a mitred, or more than noble form, the sainted aspect which political bigotry delights to wear, or the softer lineaments of that sex which first beguiled man to his destruction—though to the allurements of Calypso's court were joined the magic and the charms of that matured enchantress—should the spirit of darkness take a human shape, and, issuing forth from the inmost recesses of the gaming-house or brothel, presume to place

itself near the royal ear—what though the potent spell should not have worked in vain, and that the boasted recantation of all encumbering prepossessions and inconvenient prejudices, had already marked the triumph of its course—though from the royal side they should have already torn the chosen friend of his youth and faithful counsellor of his maturer years—though they should have banished from the royal councils talents, integrity, honour, and high-mindedness like his, and should have selected for this illustrious person an associate and adviser from Change-alley and the stews—though they should thus have filled up to its full measure the disgusting catalogue of their enormities,—we must still cling to the foundering vessel, and call to our aid those characteristic British energies by which the ancestors of those whom I have now the honour to address, have so often and so nobly saved the sinking state." After this fierce, and not over-delicate denunciation of the ministry, his lordship went on with several animated references to the opposition declared against the catholic claims, and insisted on the necessity for still persevering in the cause. No counter petition, he said, came from Ireland, but one from the contemptible and obsequious corporation of Dublin, and he had a right, therefore, to assume that the emancipation of the catholics was the decided and united wish of the whole Irish people. He concluded by moving that a committee be appointed to take into consideration the laws that imposed disabilities on such of his majesty's subjects as professed the Roman catholic religion.

The duke of Sussex followed the mover, and made an elaborate speech, going over all the main topics of the subject, and concluded by saying that "The two churches (Roman catholic and protestant) so nearly resembled each other, that it appeared to him that they might be called sister churches. Although we had not the same number of sacraments as the catholic church had, yet, with the exception of one, all the forms of the Roman catholic church remained in our own. Auricular confession was strongly recommended, although it was not regarded by the protestants as a sacrament. In our forms for the visitation of the sick, the doctrines of confession and absolution were copied word for word from the catholic ritual. The organization of our hierarchy was the same. We, like them, had a pri-

mate, archbishops, bishops, deacons, and prebendaries. The land was divided, as in catholic countries, into parishes, each having a church; and we, like them, had our cathedrals, tithes, Easter dues, and free offerings. He thought that instead of interfering with religious opinions, the legislature would do much better to frame their tests at once and directly against those political principles which they wished to exclude. We had formerly protected the pope, and we were now protecting the Spanish catholics who were fighting against that power which had formerly despoiled the pope and seized his person. He had often, while at Rome, seen the picture of his majesty in the houses of Roman catholics, and, being perfectly convinced of the loyalty of that body, he must vote against their being any longer subjected to civil disabilities on account of their religious opinions. He considered that he owed this duty not only to a respectable class of his countrymen, but to his God; and he could only look for salvation through his Redeemer by following his divine precepts, "Love one another," "Do unto others as ye would that others should do unto you." This expression of the opinion of the regent's brother was hailed with intense satisfaction by the party whom he supported, and the speech was shortly afterwards published with copious explanatory notes, which indicated a great knowledge of the many points in dispute, and evinced attainments very uncommon in persons of his royal highness' exalted rank.

The bishop of Exeter having intimated his objection to the term "catholics" in the motion, the earl of Donoughmore read over the petition from Cambridge, in which the term was generally used as applicable to the body whose cause he was advocating; but as the bishop persisted, his lordship assented, and the phrase "Roman catholics" was put in instead. Lord Redesdale followed, and in the course of an elaborate speech, in alluding to the veto, said, "Was it not necessary that care should be taken to protect our protestant establishments, and how could that be done if the government was in the hands of men who were hostile to our protestant church. This, however, would be done if the catholics were placed in a position to gain the power of government. To show the consistency of the catholics, he would state a short answer which had been given by one of their body to a question put to him respecting their con-

duct. A catholic dignity was asked, 'If they could confide the nomination of their bishops to the French government, how was it that they could not put equal confidence in their own?' To this he replied, 'That they could trust it to a true son of the church, but not to a protestant prince.' A resolution had lately been come to in the county of Galway, not to send any person as a representative to parliament who would not first promise not to solicit or accept any place, office, or emolument, till *all* the catholic claims were conceded. Were they prepared to concede all that was required, and if not, what purpose would it serve to go into committee, for with less than that the catholics plainly told them they would not be satisfied? The having catholics in the government could not be otherwise than disastrous. Bound to their priests, such persons could not be free agents, for if their conduct incurred the disapprobation of their spiritual guides, excommunication would be the consequence. How was it possible such persons could possibly unite with a protestant government? Could it be supposed that such persons could go on without their church, and was it not apprehended that a Roman establishment would follow? Whoever made up his mind, then, to vote for the present motion, must make up his mind also to give up the protestant church in Ireland, to make way for a Roman catholic establishment in that country. He contended that this would follow in all probability, and expressing this conviction, he concluded with the words used by lord Clare in 1793: 'You will go on step by step, until at last you establish a Roman catholic church in Ireland.'

This speech created a considerable sensation in the house, and at once brought back the whole debate to the religious grounds of the dispute. The marquis Wellesley delivered a long, animated, and very statesmanlike address, and in arguing upon the impolicy of continuing exclusions, which were likely to perpetuate a spirit of hostility against the protestant church, he presented a picture of the weakness which was continually exhibited by that branch of it which existed in Ireland. "I do not wish," he said, "to speak with disrespect of the protestant establishment in Ireland, whose security is so readily believed in this country, as to cast any reflections upon those who preside over that establishment, yet I know that in a very great degree, the



true state of that church consists of bishops without clergy, churches without clergymen, and clergymen without churches, parishes of considerable extent without clergymen, church, or glebe; many parishes frequently consolidated into one, with a common church too remote for the parishioners to resort to. Can a church so circumstanced, possess internal strength for its own defence against the mass of opposition excited against it? and is not that strength less likely to be increased by arming itself with violence against the mass of discontent set in array by the intolerance of the laws enacted for its support? . . . . . The present policy of the government was to sacrifice that which ought to be permanent, and to prop up that which could only be temporary." He concluded by "calling for a committee, when they might examine the cause, origin, nature, and subsequent relaxation of those laws; and when they examine the fundamental doctrine, whether the protestant establishment should be supported by exclusion and civil penalty, or by that charity which was consistent with the mildness of our religion, with the character of our country, and the parental spirit of this great state."

The marquis had here openly professed his alliance to the opposition, and declared against his colleagues. The breach in the cabinet was palpable and irreparable. The catholic party had gained an ally, who was in himself a host. All the opposition benches hailed his conclusion with repeated cheers, while the ministerialists, though not greatly surprised at the nature of this avowal, were amazed at the boldness and comprehensiveness with which it was made.

The earl of Liverpool, who was at that time secretary of the war department and of the colonies, and whose speedy advent to the chief place in the administration could not at that time be predicted, immediately rose, and emphatically stated that his view of the subject totally differed from that of his noble friend, who had just sat down, and he had no difficulty in saying that the motion would meet with his decided negative. He grounded his objections on the dangerous position of the country, and contended that the granting of this committee would only tend to offend and affright the protestants, without proving of the least practical benefit to the Roman catholics. He was ready to subscribe generally

to the principles of his noble friend, but in this instance the exclusion of catholics from parliament was a case of absolute necessity. Lords Moira, Grenville, Selkirk, Downshire, and Byron, all took part in the debate, and the house did not divide until five o'clock in the morning, when the numbers were, content present, sixty-seven; proxies, thirty-five; total one hundred and two: non-contents present, one hundred and three; proxies, seventy-one; total one hundred and seventy-four: making a majority against the motion of seventy-two. Thus again were the advocates of the catholics defeated in the lords after one of the most resolute stands ever made in either house of the legislature.

Two days afterwards, the debate was taken up in the house of commons, when Henry Grattan made a motion similar to that which had been introduced in the other house by lord Donoughmore. The whole country was alive with the feeling which had been created. Ireland began to feel her importance, and although the men principally destined to take the most active and influential part in these great proceedings, had yet scarcely appeared upon the stage of political and polemical warfare, there was a something looming in the future, which cast the depth of its shadow before. The full luminence of day had not yet broken, but there was a golden ray in the hemisphere fast blending in with, and overpowering the silvery tint that had dawned over the rising fortunes of her benighted children. It was the depth of that intensity, which will only be perfected when mankind are awake to the sublime fact, that truth was, and is, and shall be the predominant principle of creation, physical, mental, and spiritual; when sectarian notions shall be done away with; when the highways shall be made low, the low be raised, and the broadways be made straight to that eternal sanctuary, where to be rightful is to be wise, and to be pure is to be safe. Men were in earnest in that day of 1812, when prejudice, political rancour, and national danger threw a misty halo over all objects that the mind could contemplate; and when, whether right or wrong, they were working disinterestedly for the best object that human ingenuity could attain. Whether right or wrong, both sides were in earnest; and few discussions have taken place in the world's history, in which greater powers of debate, deeper philosophical knowledge of human interests, or

broadier conceptions of the world's advantage were entertained, than those exhibited in the course of these disquisitions. Men often work like moles, without knowing whither their course will lead them; but, through an intelligence infinitely higher than their own, they fail not, as in the effects of this instance, ultimately to attain the light, the light it is sure to be of a never failing day, whether for individuals, for nations, or the world.

Mr. Grattan, whose reputation both as a thinker and speaker, had attained a celebrity through every circle of the inhabitants of the united kingdom, opened the debate. He began by stating, that in consequence of some observations which had fallen from different members in the course of the present session, he had changed to some extent the terms of his motion, which would now be merely one for consideration, and what he had now to propose, was that the house should consider the laws affecting the Roman catholics of Ireland. In so shaping his motion, he thought that every person who thought that the subject was worthy of any consideration at all, who thought that anything further might be conceded to the Roman catholics; every person, in short, who did not vote that the doors of that house should for ever be shut against the Roman catholics altogether, must vote for the motion. There were many who thought that from the throne alone, it was that any recommendation should proceed for amending the condition of the Roman catholics in Ireland. Those who hoped for this favourable recommendation, would vote for taking those laws into consideration, by which those catholics were affected. In considering the state of the catholic question, it was also necessary to take into consideration the present state of the kingdom. In Spain, and in Portugal, and in other places in Europe, where the great interests of a people, where the state of the kingdom, was decided by the force of arms, fortune, to a great degree, influenced the main events upon which failure or success depended; but there were two places in the world, in which success or failure depended on the wisdom, or the folly, or on the decision at which their ministers might arrive. Ireland was one of those two places, and America the other. Here were the points on which folly might ruin the empire, or wisdom save it. If they erred on those points, they might

destroy their authority in the old world, and their power in the new. The question did not now turn as formerly, on any bar or obstacle to the claims of the catholics. That temporary bar had been entirely removed, and however we might lament its effects, they must inevitably declare the fact. The question, therefore, now came clearly before them on its merits, and on its principles, and its principles alone. The claims of the people of Ireland therefore now came before them, and they were to determine whether a body of men, forming two-thirds—he might say three-fourths of the people of Ireland, and one-fourth of the population of the whole empire, were to be disfranchised and deprived of their liberties for ever. He would say *for ever*, for when ministers said, on every discussion, not now! not now! they evidently meant *never*. They adopted this mode of phraseology, to avoid avowing a sentiment which was abominable, unutterable, and almost inconceivable. Would they venture to avow plainly, that it was their wish to disfranchise for ever three-fourths of the population of Ireland, and for no other reason but because in their own country they followed the religion of their fathers? They had a right so to do, and no power on earth, without the grossest injustice, could molest them for so doing. Their religion was their right and their property. The Gospel was the common inheritance of all mankind, and the christian revelation was the immediate gift of God to all those who sought for salvation through their Redeemer, which gift it was the duty of all to use according to the best light which their judgment and their conscience afforded. The christian religion was not given merely to the church of England; but Irishmen also conceived that they had an undoubted right to appeal directly to their God, without asking any licence from the king for so doing. He would allow that there were cases in which parliament might be justified in laying restrictions, but the circumstances in such cases must be political, and not religious. They might impose disabilities for disloyalty, or they might punish for disloyalty, but they had no right to punish on account of religion. Who could impeach the people of Ireland for disloyalty? Was it not notorious that they were pouring out their blood profusely in the battles of the country, and dying every day in the service of the empire? They



read every day in the *Gazette* the records of their gallantry, and they had often shared in the thanks of that house. He should now consider some of the objections which had been advanced in opposition to their just claims. Some men went so far as to say, that on account of transactions of an ancient date, it was impossible that any catholic could be openly attached to any prince of the house of Hanover. This objection, however, died away in its own folly, and required no other answer than that it was notorious that the catholics of Ireland had for a long time been distinguished for their loyalty. Another objection was, that by the tenets of the Roman catholic church, the pope could dissolve the allegiance of the subject, and that it was impossible for catholics and protestants to amalgamate into one society. If this objection had anything in it, no catholic state in Europe could possibly have been kept together: they must all have fallen to pieces, and perished in a species of moral dissolution. Independent of the evidence which experience gave of the conduct of catholics, the opinion of six of the most distinguished catholic universities in Europe were taken on those points of doctrine imputed to catholics by their enemies. The solemn answer of all those learned bodies was, that the pope had no sort of temporal power or jurisdiction in his majesty's dominions, nor any right to absolve his subjects from their allegiance. As to the question, whether catholics were bound by oaths given to protestants, they answered with all the indignation and horror which such an imputation was calculated to excite when imputed to them. The best practical answer to this was the allegiance of his majesty's Roman catholic subjects. What were all the thanks of parliament to our armies, but votes of acquittal to the Roman catholics, who formed so large a portion of them? Where were all those petitions that were to have marked the present calamities of the country, by calling upon parliament to devise the defence of England against the pope and his seven sacraments? Instead of hearing a cry of those strong remonstrances which had been threatened, they heard the words of truth and wisdom from ten thousand Englishmen in favour of the claims. The livery of London had seen the injustice of proscribing so large a portion of their fellow-subjects from the common rights of the constitution, on account of any dif-

ferences of religious opinions. The petition of the protestants of Ireland, which had travelled from the north to the south, and from the east to the west, had been so respectfully signed, and by men of such great properties, that it might fairly be said to be "the petition of the protestant interest in Ireland." After citing the names of Mr. Latouche and the duke of Leinster, as persons in most eminent stations who had, from conviction alone, given their names to the petition, Mr. Grattan went on to say, "Before the house should dismiss the petition without a hearing, he would beg leave to remind them who was the petitioner—the kingdom of Ireland, with her imperial crown, stood at their bar. They had taken her parliament from her, and now she came in person." This striking and beautiful figure was greeted with loud cheers from all sides of the house. "She had paid in commerce, in taxes, in revenue, and in incomes to absentees, twenty million pounds annually. After they had immersed her in taxes and in national debt, and had taken her parliament away from her, would they now send her away from the bar without a hearing, when she complained of three-fourths of her population being disfranchised by their acts? He was sure that justice and the feelings of Englishmen would forbid such treatment. In the cause of justice and of his country he remembered to have twice before triumphed over court measures and court majorities, and he did not despair of triumphing again, notwithstanding the utmost efforts of the leviathan of court favour. If the house were determined to continue the disabilities now existing, they would give him leave to suggest to them, with what breach of engagements, with what loss of national honour, and of honour in a quarter from which much had been expected, these disabilities were to be continued. He never could forget, nor could the catholics of Ireland forget, that when the question of the regency in Ireland was settled in 1789, not only the most sincere and enthusiastic affection was felt in that country for the illustrious person on whom the regency was conferred, but the strongest hopes were also felt and encouraged, that his coming in would be a sovereign balm to heal the wounds of that distracted and oppressed country. Was that bright beam of hope which shone upon them for so many years in the wilderness, and directed their footsteps on the barren sod, to forsake them when arrived on the very verge of the land

of promise? Was all that vision of princely favour to vanish from them for ever? He would not believe it. He would require an act of parliament at least, if not a miracle, to make him believe it. The present aspect of affairs had certainly produced a deep and severe disappointment to the people of Ireland. He should not take upon him to say exactly what was promised at the time of the union, but he would say that there was a general expectation among the catholics that that measure would be speedily followed by their complete emancipation. It was that expectation which enabled the government to pass the union, and they would not have got it without that expectation. He would not say that such was the letter of the engagement, but it was the spirit of it; and he did not come there to ask the letter of the bond, but he came to ask an honourable nation that they should fulfil the meaning and the spirit of their engagements. Character was of inestimable value to nations as well as to individuals. Character was capital in commerce, and in politics it was strength. In nothing had the English nation greater right to pride itself above other nations, than in the honourable character which she had ever upheld. To this honourable character he now appealed on the part of Ireland." In this strain of fervid eloquence Grattan proceeded to discuss the apprehension arising out of the estimate usually formed of the several popish doctrines which were likely to induce a temporal influence of the pope in Ireland, through the supremacy which he held over the consciences of his spiritual subjects, and contended that no such danger could possibly arise, inasmuch as the catholics already took an oath to acknowledge no temporal power claimed or to be claimed by the pope in the united kingdom. Then having gone through the general principles of toleration, he concluded by making a motion similar to that which had been put in the lords by the earl of Donoughmore.

Dr. Duigenan, who had obtained very considerable celebrity for his continued and often violent hostility to the catholic claims, replied to Grattan amidst some expressions of surprise from both sides of the house. He contended that the granting of these claims would be neither more nor less than a virtual repeal of the act of uniformity and the test and corporation acts, and that before any bill could become a law to enable catholics to sit in parliament, the acts of

union both with Scotland and Ireland must inevitably be done away with. The house was, therefore, called upon to repeal acts that constituted the chief bulwarks of the constitution in church and state, particularly against papists. Modern philosophers and modern orators made light of these safeguards, but their ancestors valued them, and, what was more, the king and queen both swore at their coronation that they would inviolably maintain them. The catholics had at that present time every privilege but that which would confer political power. Their persons and their property were as secure as those of protestants, and they enjoyed more liberty than the French and German catholics did in their own countries. But who were they who claimed this religious liberty? The most intolerant set of men on the face of the earth—more intolerant than the Mahometans. They allowed to others no liberty of conscience whatever; and even in the last acts of the cortes of Spain, it was declared that the Romish faith should be the sole religion in that country, and that no other should be tolerated. It was true that they could not exercise their intolerance in this country, but Bellarmine, their great advocate, advised them to submit when they were the weaker party—"Hereticos non bello petendos, cum sint nobis potentiores." They enjoyed perfect religious liberty; no one was permitted to disturb them in their religious worship. He was glad of it, for he was a friend to religious liberty, but not to their enjoying political power. He then read the oaths which were administered to their bishops and inferior clergy, in which they promised obedience and allegiance to the pope, and adherence to the councils—the 4th of Lateran—that no faith was to be kept with heretics, that they were to be exterminated, &c. Now, the pope was not only the slave of Bonaparte, but his successors were likely to be the same. The ruler of France not only nominated to all the vacant sees, but also, through his prefects, appointed all the parish priests in his empire. Why should not an authority in some degree similar be enjoyed by the sovereign in this country? After a variety of other observations, the learned gentleman concluded by asserting, that he was no enemy to the Roman catholics, but only opposed to their attainment of political power. This was bringing back the subject to the old ground, and appealing directly to the passions and the fears of



England. The speech told heavily upon the ministerial benches, Mr. Perceval himself loudly applauding the speaker in his opening address.

Lord Binning with very considerable ability combated the notion, that any evil could possibly arise to either the church or the state from the admission of catholics to parliament. "He had a better opinion," he said, "of that church to which he belonged, and which he knew to be founded on scripture and reason, than to suppose that it could ever be dangerously assailed by catholic logic. He was sure that tests and restraints never could secure it. One great consequence of the concessions would, he anticipated, be the power of availing themselves immediately of the resources of a gallant population, who would more readily flock around our standard. Give him but twenty thousand more men to add to lord Wellington's army, and more would be done for the security of the established church than all the tests and exclusions put together." Mr. Owen having contended that the more there was given the more would be asked, and that Ireland would present a miserable scene of unrestrained struggle for power between the catholics and the protestants, ending in the destruction of both parties, Mr. Vernon rose to say, that the learned doctor (Duigenan) had gone very fully into the tenets of the Romish church, but he would put to him whether, if a Romish doctor were called upon to give an explanation of the thirty-nine articles of the church of England, he would not put a very different construction upon them, than that which would be placed upon them by a member of their own church; and whether he, the doctor, would be willing to receive his interpretation? It had been recently stated that the service of the state suffered but little from the exclusion of the Roman catholics. But the fact was that they were excluded from above five hundred legal and civil offices, from above two thousand municipal situations, and from the highest ranks in the army and navy. The house had recently been saluted with sounds, which, though highly gratifying, had for some years past not been unusual (alluding to the firing of the park and Tower guns for the capture of Badajos.) Let the house contemplate the Irish or English officer who first mounted the breach and there planted the British flag. Who could deny to such a brave man a superior commission? And yet, if

he were a Roman catholic, he could receive no such reward for his valour and great services, although if it were a Portuguese officer of the same religion, by whom the achievement was performed, no obstacle would prevent his receiving the honours which his zeal and gallantry had deserved. Lord Wellington himself was an Irishman. It was to the immortal honour of Ireland that he was so. Superior in disinterestedness to the noble duke who formerly held the most distinguished rank in the military annals of Great Britain, he was second to him not so much in glory as in time. If lord Wellington had been a catholic, he would probably have remained in Ireland in the command of a company. He would have been employed in taking an illicit still, instead of storming Badajos. If he had attained to a higher rank, and had ventured to this country, he would have been subject to a fine of five hundred pounds, and the forfeiture of his commission. It had been said that without the veto there would be no control over the nomination of the bishops—what control was there then? If the catholics were disposed to be disloyal, which there was no reason to suppose, they could be much more easily so at that time, than if their claims were to be granted. Lord Milton, the eldest son of earl Fitzwilliam, who was then rising much into notice for his unadorned eloquence, but sterling sound sense, denied that the constitution rested on the acts respecting non-conformity and the test laws, but on habeas corpus, and the bill of rights. The system then pursued towards Ireland was similar to that by which this country lost America, and the only danger that he could perceive would arise from their not granting the concessions required by the Roman catholics. The house was adjourned till the next day, or rather that evening, after a very animated debate, on the motion of the chancellor of the exchequer, at two o'clock in the morning. The debate was resumed by sir William Scott, afterwards lord Stowell, and the elder brother of the lord chancellor Eldon. He began by repelling the sarcasms that had been thrown out by Mr. Vernon, the previous night, against the petition from Oxford, and then, after a long and lucid speech against the claims, concluded by advising the petitioners not to be thus continually agitating the question, and pressing their wants on the attention of the house. Mr. Yorke, who

was at the head of the admiralty, spoke calmly but to the purpose, resting his opposition to the motion in the first place on the inadvisability of going into committee at all, contending that if they did so they must of necessity be compelled to examine witnesses on both sides, and that the doing so could only be productive of endless confusion; and in the second place, that although he was willing to believe that the catholic laity were ready to give any security against attempted injury to the protestant establishment, it was out of their power to do so, as their priests exercised such influence over them, that promise what they would, it was impossible for them to act in this respect with good faith. He cited Bellarmine and the other authorities, in order to show what the tenets of the catholic church really were, and then adduced the fact of the late suppression of pamphlets issued by the vicars apostolic in Ireland, in which they plainly objected to the securities which the laity were ready to give concerning the veto. Mr. Brougham, who never spoke even at that time without great weight in the house, contended that the arguments used by sir William Scott upon the probability that, if these concessions were made, the catholics would use their vantage ground for a hostile movement against the established church, were untenable. That was not their object, and in opposition to the opinion he would adduce the record of the statutes of the realm as the best answer that could be given to such a supposition. By those statutes they were enjoined to take oaths which prevented them from being hostile to the established church, and to those oaths they subscribed. They swore "to abjure any intention of subverting the established church, by attempting to place the Roman catholic in its stead; nor would they exercise any privilege to disturb the protestant religion, but would maintain the protestant government to the utmost of their power."

Animated speeches were delivered by sir Samuel Romilly, the chancellor of the exchequer, and Mr. Whitbread. The last called up lord Castlereagh, who said, that whoever had given information to the Roman catholic population of Ireland that the regent was favourable to their claims, had been guilty, to say the least of it, of a great indiscretion; and if they had any authority for knowing that he was so when he was only prince of Wales, were responsible for a gross breach

of confidence. Mr. Ponsonby, who was lord chancellor of Ireland under lord Grenville, indignantly repelled the accusation that he and those who acted with him, had been guilty either of one or the other; and stated broadly, that whilst he was in office, and the duke of Bedford was lord lieutenant, they were not only permitted by the prince to state what his private opinions were, but that he laid his commands upon them to communicate what those opinions were to the Irish people, and that he was favourable to the concessions which they now sought to obtain. An altercation ensued in consequence of the strong terms used by Mr. Ponsonby in contradicting his lordship; but the difference was healed, and a hostile meeting prevented, by a parliamentary apology being made by the former, at the suggestion of the speaker.

Mr. Canning made one of his longest and most eloquent speeches, commenting, in the course of it, upon the petitions which had emanated from the two English universities, and showing that they were mistaken in their supposition of what the terms of the motion required. He concluded by reading from the *Parliamentary Register*, the last public words of Mr. Pitt, who had expressed himself favourable to the concession of the catholic claims; and, declaring his complete coincidence with that great man's opinions, said he should vote for going into committee. Mr. Grattan said that, after the eloquent speech they had heard, he should not offer one single word in reply. The house was accordingly immediately cleared, when there appeared for the motion two hundred and fifteen; against, it three hundred, showing a majority of eighty-five against the catholic party.

Immediately before the close of the debate, Mr. Stuart Wortley repeated the question which had been involved in the observations of lord Castlereagh, and asked Mr. Ponsonby whether it was the fact, that the prince of Wales, before he had attained the regency, had, in truth, commissioned himself and the duke of Bedford to intimate to the catholics of Ireland that his sympathy was so strongly with them. Mr. Ponsonby replied that such was unquestionably the case. This conversation excited throughout both England and Ireland a most profound sensation—greater far even than that which was experienced by the result of the debate, great as that unquestionably was. In Ireland it placed the tendencies of the re-



gent on an authoritative basis, and awoke to renewed life and energy the hopes of those, from one end of the island to the other, who took any deep interest in the matter, that a new era had dawned upon their fortunes; and now that that illustrious personage was occupying a position which must give to every wish of his the utmost weight, they did not doubt but that his influence would be thrown into the scale of their fortunes. The benevolence of his intentions was exalted to the height of the noblest spirit, and deemed to be exhibitiv of the largest heart of patriotism. His ministers were stigmatised as being the only obstacles to the concession of their claims, and no epithet was too vile for adoption when stigmatising their characters, their principles, and their proceedings. In England, among the more earnest of the protestant portion of the population, the declaration excited the utmost dismay, and an equal determination to uphold all those institutions in church and state by which they conceived the institutions of the country to be guarded, and the liberties of the people to be secured. It was a great blow and severe discouragement to that great party who had hitherto acted as the conservative supports of the government, and upon whom the reliance of those in power principally rested. The conduct of the duke of Bedford and Mr. Ponsonby was severely canvassed, and almost universally reprobated. They were sent to Ireland, at that time known to be at least in a state of partial disaffection, in the most important characters that it was possible for men to fulfil subordinate to the throne. No doubt could possibly have existed in their minds concerning the sentiments of the king. The monarch had been repeatedly urged to accede to the claims of the catholics, and had as constantly refused in any way to grant the slightest concession. He imagined himself bound by his coronation oath to support the protestant faith in all its entirety and completeness in the realm. The only difference which ever existed between himself and his great minister, Pitt, arose out of the opinion of the latter, that these claims should be granted; and when, during no less than seventeen defeats in the house of commons, Pitt as many as six times requested permission to resign his office of prime minister, the king constantly backed him up, told him to do what he pleased, only not to mention the emancipation of the catholics to him, declaring that he would rather descend from the throne,

and even lay his head upon the block, than he would swerve from his principles as a christian, and his fidelity as a king. Yet the duke of Bedford was his viceroy in Ireland, clothed with the panoply of almost royal power, supreme in the authority of his master, and the confidential agent of his sovereign. Mr. Ponsonby was lord high chancellor of the kingdom. He was the nominal keeper at least of the king's conscience, and the chosen depository of his confidence. Through him, it was supposed, the private sentiments of the monarch would be learned. It was the peculiar attribute of his office to be saved from the ordinary roughness of political warfare. He was saved from the coarse jibes, the insolent charlatany, and the too-often barefaced assumptions of an ardent and aspiring opposition. His judicial capacity invested him with a sacredness and impartiality which few would ever think of doubting, and none would dare to question. If ever there was a position in which it was a man's duty to himself, to his country, and his God, to be faithful to his oath of office, that was the position of lord chancellor Ponsonby in Ireland.

These men knew that for a considerable period the prince of Wales, by a long and unhappy series of events, had been alienated from the affections, and had been absent from the councils and the home of his father. His life had been blighted by a course of miserable dissipation, and he had not unfrequently been the associate of men whose vices and whose habits were equally repugnant to the principles and the course of life which the king was accustomed to pursue. Party feeling and interest formed no justification to the duke of Bedford and Mr. Ponsonby for swerving from their duty to the sovereign under whom they were employed. They knew their duty. They had sworn to observe it, and yet they betrayed their master. They placed the prince in opposition to the king, and as was well said, gave no fervency to the prayers for the king's health. They excited hopes, and they reaped a miserable reward in the entire prostration, for a while, of the great anticipations which they had created of what would be done for the Roman catholics when the prince attained the throne. If they committed a breach of trust in divulging the opinions of the prince prematurely, they acted with the highest degree of reckless indiscretion. If, as Mr. Ponsonby asserted, they acted under his *commands*, they, in

obedience to one to whom filial obedience was above all a fealty and a bond, weakly and wilfully violated a solemn engagement, and set an example which the worst and the vilest might under their sanction follow. The condemnation of few men was more general or just than theirs; and the more so as their conduct was felt, on its exposure, to be absolutely militating against the great cause which they professed to serve. No great cause was ever permanently successful, except through the action of perfect truth and uninterrupted honesty. The cause of the Roman catholics of Ireland, whether right or wrong, needed no such pandering to popular clamour. It was great in itself, great in its principles, great in its action on the public mind, great in the time in which it was brought before the legislature, and great in the men by whom it was advocated and enforced.

Not only the public press, properly so called, but men in every grade of society, were aroused by a sense of the peril of the country, and the disadvantage to which the British government might be exposed by the admission of the Roman catholics to seats in the legislature, and to the other high offices in the service of the state. Pamphlets, books, and appeals abounded, and not only ordinary writers, but men whose position was eminent, lent their talents to the promotion of the popular feeling. A man, well known to the country for letters upon various other topics of public policy, under the title of *Publicola*, exerted himself in what he deemed to be the better cause, by the republication of Dr. Conyers Middleton's celebrated letter from Rome, on the similarity of Romish and pagan superstitions, with the addition of notes and a postscript, replete with learning and intelligence of every description, that applied to the subject. Dr. Middleton's work had become exceedingly scarce, but this publication supplied what the protestants of England, and of Ireland too, considered necessary to make the enemies of popery think that nothing had been left unsaid, that might be urged against the tenets and practices of its church, and to call forth the defence of its ablest friends. Its conclusion was especially emphatic, and as the opinion of the people of England was then, as it had always been, paramount in regulating the state of Ireland, its conclusion is subjoined. It was strongly calculated to excite attention,

and not unlikely to produce alarm; and coming out as it did in the very heat of the preliminary consideration, and just before the debates, is rightly supposed to have exercised no small influence on the feelings of the people, and to have acted through them upon the determination of their representatives.

After a dissertation on the effect and the character of the Romish and popish usages, the author says, "finally, I address myself to the whole body of the protestant people: and to them I say, fellow-subjects and fellow-countrymen, be assured that the grant of the catholic claims would involve the subversion of our civil and religious liberties. It becomes every man, therefore, whether he be a member of the established church or a dissenter, to keep a constant watch over the papists, and not suffer himself to be surprised by any stratagems which they may employ against him. Let him not think it an idle alarm that the protestant religion is now in danger. Let him not throw away the shield which the wisdom of his ancestors has bequeathed to him. Let him not trust to *words*, but look to *facts*, and then he will not suffer himself to be persuaded, as the Trojans were, to admit the enemy within his gates. The dissenters, I say, are equally bound with the members of the established church, to keep this watch; both the one and the other have everything to dread, and nothing which either could possibly gain by promoting the catholic interest. The dissenters, in the time of James II., were so fully convinced of the truth of what I am now advancing, that they readily entered into all measures with the members of the established church for the common safety, and were among the first and firmest friends of the revolution under king William III. Some indeed may say that the dissenters ought not in policy to oppose the catholics, because if the catholic claims should be granted, the test laws must inevitably be repealed; but I think that all well-informed and reflecting dissenters would much rather be subject to those laws, than hazard the whole of their liberties, both civil and religious, by supporting the catholics in their pretensions; for should the catholics succeed, and should they, in consequence, as I firmly believe they would, overthrow the church of England, and establish an arbitrary government in our country, what would be the fate of the dissenters? The dissenters are, many



of them, believed to be friendly to a republican form of government, but the catholics are decided enemies to that form. Nay, their religion can hardly have any existence under it. Absolve then the catholics from their existing restraints, and from that moment the extirpation of the dissenters, as well as of the members of the established church, commences. In concluding, if I may venture to say one word concerning myself, it is this. I have been born and bred in the principles of liberty, and in those principles I hope to die. For this very reason I have here delivered (having some leisure on my hands, and thinking that it could not be better employed than in my endeavours to serve my country,) my sentiments upon this great and important question; for I am not to be led away, as too many, I fear, have been, by a false reasoning upon this subject. Most of the advocates of the catholic claims declare themselves to be the friends of liberty; but popery, I am certain, is not liberty. It is misery. It is cruelty. It is anything but liberty. Nor let our advocates talk of persecution. We do not persecute—we do not wish to persecute. The great Locke was no persecutor, but he was an enemy to popery. The papists enjoy what they would never suffer us to enjoy—the free exercise of their religion. As for emancipation, they ought not to have it, inasmuch as the principles of their religion are quite inconsistent with the principles of our constitution. Between us and them, therefore, there must ever be an insurmountable barrier, yet all that we desire is not *their destruction*, but *our safety*. May every protestant, into whose hands this work may chance to fall, remember this distinction.”

It was by such animated appeals as this, renewed not from week to week, but from day to day, that the attention and the feelings of the protestants of both countries were kept constantly alive. Nor was it without some very sufficient ground to work upon that they were harassed, distressed, and excited. On the continent the war raged with increasing violence; in Ireland, especially, acts of grievous outrage were constantly perpetrated; and as if to nullify the efforts of those who were preaching peace, and to exacerbate the apprehensions of those who experienced dread, one of the most violent of these enormities occurred just about the time that this address was made public.

On the morning of Saturday, April 4th, of this year, between three and four o'clock, the Newry fly-coach was stopped by a strong band of robbers, who, without any intimation, fired into the coach, but without injuring any of the passengers. They proceeded to hand out those in the coach one by one, and with the most dreadful imprecations made them deliver up all that they possessed. There were two ladies in the coach, Mrs. Hamilton and her daughter, whom the robbers obliged to kneel down in the road, declaring that they would shoot them instantly. One of the gang however interfered, and even declared that he would not allow the baggage to be touched. However, the captain of the banditti ordered everything to be carried off. Money, watches, trinkets, clothes—every particle was plundered. One of the passengers lost two hundred pounds; another was deprived of six hundred pounds; and it was thought that the villains carried off altogether more than two thousand pounds worth of property. Such circumstances as these were calculated greatly to excite the public mind. It was towards the beginning of that system of violence to person and property for which Ireland afterwards attained so bad a pre-eminence. The leading men of Ireland, however, urged forward with an undeviating tenacity the great objects for which they had pledged themselves. Among these, more prominent on the side of the catholic interest, stood forth Henry Grattan, whose eloquent opening of the debate in the house of commons on the 23rd of April is detailed above. Grattan had risen by the power of his abilities alone; and although richly rewarded in the early part of his career for the exertions he made on behalf of his country, appears ever to have acted from a spirit of the purest patriotism. This is perhaps the most favourable moment for taking a retrospective glance at his career. He was born towards the close of the year 1750. His father was a respectable barrister, and his mother was the sister of the witty dean Morley. Having received the rudiments of education at a common day-school, he was, in 1765, entered as a fellow commoner at the university of Dublin, where he studied with such successful diligence as to obtain a prize at every exhibition. On quitting the university he entered himself a student of the Middle Temple, in London, but was at that time so straitened for money, that he was not only compelled to

abstain from every kind of expensive amusement, but was even often in want of necessary sustenance. He was, however, still indefatigably industrious; and in order to prevent himself from wasting too much time in sleep, he contrived a curious apparatus to rouse himself regularly at day-break. This was a small barrel filled with water, placed over the basin, with the tap just so much turned as that the droppings into the basin accumulated by the proposed time up to the brim, and if Grattan overslept himself, the water ran over the side upon his head and bed-clothes, and thus awoke him. In 1772 he was called to the Irish bar; and shortly afterwards, though he could obtain but a very scanty subsistence from his profession, he married an accomplished and very beautiful, but portionless young lady of the name of Fitzgerald, with whom he enjoyed much domestic happiness, and by whom he had no less than thirteen children. In 1775 he procured a seat in the Irish parliament for the borough of Charlemont, and joined the opposition party in the house. Here he obtained great celebrity by procuring the repeal of the statute passed in the time of Henry VIII., which declared that the crown of Ireland was inseparable from that of England, and bound by British acts of parliament if named; that the Irish house of peers had no jurisdiction in cases of appeal of law and equity, but that the *dernier ressort* was at all times to the peers of Great Britain. This obtained for him immense distinction with the Irish bar, and they voted a statue to him, which he had, however, the modesty to decline; but a more solid reward awaited him; for the parliament presented him with the sum of fifty thousand pounds in hard cash. Grattan's star then had to submit to a temporary decline. Mr. Flood, who had acquired great fame as an orator amongst his countrymen, notwithstanding that he was notoriously in the pay of the British government, took him up with a violent stream of invective, and by declaring that it only required an act of the English legislature to restore to the crown all the rights of which Grattan was presumed to have despoiled it, entirely turned the stream of general acclamation. For a while his name was execrated. The corporation of Dublin tore down his portrait with which they had adorned their hall, and to improve his reputation the corporation of Cork ordered a

street which had been called after his name to be for ever after termed Duncan-street. He had, nevertheless, so far recovered his popularity that, in 1790, he was returned as member for the city of Dublin. The contest between him and Flood had been of the most violent and coarse character. He assailed Flood with continual reproaches for his broken nose and battered face—a reproach which the dissipated life of the latter made particularly cutting and severe—while his opponent retorted in terms equally unworthy upon Grattan's mean and despicable appearance. This did not prevent him from taking a high position in the Irish parliament. In 1805 Grattan was returned to the British house of commons as member for Malton; and although he never attained to anything like the supremacy which he enjoyed in his own immediate country, he by degrees rose to be the most eminent advocate of the claims of Roman catholics in the imperial senate. He constantly persevered in his public duties, but years began to tell upon him, and although he had been earnestly entreated not to interfere in general affairs at his advanced period of life, he persisted in proceeding to London with the great petition of the Roman catholics, but was unable to accomplish anything for the good of his country, and died shortly after his arrival in the metropolis, on the 14th of May, 1820, at his residence in Baker-street, Portman-square. In person, Grattan was in the extreme diminutive and ungraceful. His face was tinged with a yellow complexion, and somewhat marred by the ravages of the small pox, having a chin remarkably long, angular, and ungainly. In carriage, he was singularly ungraceful, and from having got into a habit when young of not setting his heels to the ground when walking, he acquired the soubriquet of the "elastic boy." In dress, he was exceedingly slovenly and careless, and a curious anecdote is told of him by sir Jonah Barrington in consequence of this circumstance. Two gentlemen, Colonel Randolph and Mr. Burr, who had come from America, having heard much of the great powers of Grattan, were exceedingly anxious to see him, and sir Jonah very good-humouredly took them to his house. On their arrival they were shown into a room, the servant telling them that his master was at the moment much engaged, but would soon join them. The two Americans, with a not unnatural association, expected to see a man whose personal appear-



ance would in some degree answer to his exalted reputation. They had not been long seated when the door opened, and then entered a little insignificant ugly-looking figure, with a sort of mincing hop-step-and-jump sort of a movement, which almost paralyzed them with surprise. It was bent, meagre, yellow, and ordinary. He had one slipper and one shoe; his breeches' knees were loose; his cravat hanging down; his shirt and coat sleeves tucked up high, and an old hat upon his head. It is needless to say that Grattan's conversation speedily redeemed the erroneous impressions which his personal appearance had at first created. The manner of this great advocate of the Irish claims, when speaking in public, and especially in parliament, was always strange, but always, and to a very great degree, impressive. His voice was shrill, harsh, and unmusical. At times, it was elevated to its highest pitch, varied and clear, but yet sadly deficient in that emphasis of intonation which with meaner men often serves the purpose of hiding commonplace thought, and giving verbiage the appearance of argument. At other times its tones were so depressed as to be hardly audible, even to those who were standing nearest to him. Grattan had always been a hard student; he had mixed much amongst men; had been engaged for more than twenty years before he entered the British house of commons in all the great questions which had affected Ireland, and in all the struggles in which her interests were concerned. Confidence and constant use had consequently given an Athenian polish to his ability, and placed all his various resources readily at command. Yet his style was defective, and his manner a great drawback to his eloquence.

A modern periodical writer says, with much truth, that Grattan's motions on catholic emancipation were the most extraordinary exhibitions, both bodily and mental, that could possibly be witnessed:—"You saw a little oddly compacted figure of a man, with a large head, and features such as they give to pasteboard masks, or stick on the shoulders of Punch in the puppet-show, rolling about like a mandarin, sawing the air with his whole body from head to foot, sweeping the floor with a roll of parchment which he held in one hand, throwing his legs and arms about like the branches of trees tossed by the winds; every now and then striking the table with impatient vehemence, and in a sharp, slow,

nasal guttural tone drawling forth, with due emphasis and discretion, a set of little smart antithetical sentences, all ready, cut and dried, polished and pointed, that seemed as if they would lengthen out in succession to the crack of doom. Alliterations were tacked to alliterations, inference was dovetailed into inference, and the whole derived new brilliancy and piquancy from the contrast it presented to the uncouthness of the speaker and the monotony of his delivery." Grattan has been accused of selfishness in having accepted the large sum voted to him by the Irish parliament, but it should be recollected that he gave up entirely his practice as a barrister to enter upon the service of his country. He truckled to no minister; was never accused even of a meanness. It was but prudent to accept of a provision for his family, and there does not appear any just ground to throw the slightest imputation on the purity of his patriotism or the general rectitude either of his public or his private conduct. On the protestant side of the question, in opposition to the opener in this debate, appeared Dr. Duigennan, a man who, although descended from a catholic family, had long been distinguished for his earnest conflict with the tenets of his ancestry, and who, for many and various services, had been for several years much affected by the tory government. He was born in 1735, and was educated at Trinity College, Dublin, where his attainments and character were something more than respectable. For that institution, however, he does not seem to have entertained much respect; and on leaving the university, he wrote a poem, called "*Lachrymæ Academicæ*," in which he deeply lamented the miserable state into which it had been brought for some years previous to his entry, and during the period when was a student within its walls. He had indeed ample cause to speak of it in disparaging terms, and for that reason the more, no doubt, his effusion exasperated the principal and professors, and excited them to throw whatever contumely they could command upon the unhappy writer. But Duigennan was not to be so easily put down as they expected, and he retorted in a severe satire, in which he ridiculed the provost to a cruel degree under the title of Dr. Prancer. Some time after this escapade, he was, in 1767, called to the Irish bar, and eventually attained to the dignity of a silk gown. He was first returned to the Irish parliament

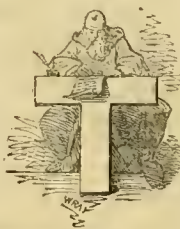
for the borough of Ennis, and while a member of that assembly became prominent as a debater, and was the first to move that the union with England should be consummated. In the British house of commons he sat for Armagh, and was always violently opposed to any concession of the claims of the Roman catholics. Notwithstanding, however, his activity in the political world, he still contrived to indulge in his vein for satire, and with such effect and scurrility, that for one of his lampoons, Mr. Lattin, the object of it, brought an action against his publisher, and recovered five hundred pounds damages. For his several services to the government he was, either directly or indirectly, through their influence amply rewarded, being at his death, which happened on the 11th of April, 1816, in the possession of several offices more or less lucrative. He was Irish parliamentary curator; vicar-general of the manorial court of Armagh; judge of the dioceses of Meath and Elphin, and of the consistorial court of Dublin; attorney, judge of the admiralty court, and professor of law in the university of Dublin; and seems, notwithstanding the extremeness with which he pushed his opinions, to have retained the esteem and general good will of his fellow-countrymen. With these two men the race of Irish orators on the great topic to which the people were chiefly urged by their priesthood, for a while terminated. Ireland had not yet assumed that weight in the social scale of imperial interests which she very soon afterwards at-

tained. The darkness began to break up on her horizon, and a brood of new spirits, mightier in their power and more permanent in their influence over the public mind, were fast maturing their faculties for the conflict that was destined to be more sharp, more brilliant, and ultimately, but only indirectly, through them successful.

Notwithstanding, however, the remarkable force and impressiveness of Grattan, and the heartiness with which he was backed by the principal leaders of the whig party in both houses, he and lord Donoughmore remained almost the only Irishmen that advocated the claims of the Roman catholics in the imperial legislature; and however successful they had been in impressing upon the people of England the importance of those claims, in Ireland there was a general despondency of the great mass of the population ever attaining to that weight and respectability in the national councils to which they thought themselves entitled. But the despondency showed itself rather in the sullenness of hatred than in the depression of despair. The warm-hearted and generous people of Ireland, little thinking by whom and for what they were led, and mistaking profession for principle, readily listened to the demagogues by whom they were misdirected, and with their passions inflamed and their minds blinded, easily became the tools of a party, when they thought that they were champions for their native land. Nevertheless, a great principle was at stake in the issue, and one destined, in some degree, to be successful.

## CHAPTER XI.

MINISTERIAL DIFFICULTIES; MR. STUART WORTLEY'S ADDRESS; NEGOTIATIONS BETWEEN LORD WELLESLEY, CANNING, AND THE WHIGS; FAILURE OF THE ATTEMPT; CANNING'S MOTION.



THE spirits of the Irish party had been damped by a variety of circumstances, but by nothing so much as by the tendency displayed by the inhabitants of England generally to refuse any countenance to their claims. The circumstances of the time were particularly mo-

mentous. Owing to the continuance of the war abroad in all its fury, and the results of Buonaparte's celebrated decrees of Milan and Berlin, for excluding British manufactures from the continent of Europe, many branches of trade were in an extremely languishing condition; the operatives were without employment, and in a starving condition, both in Nottinghamshire and Lan-



cashire, where the hosiery and cotton-weaving businesses were principally carried on. The former county, Nottingham, and the district of ten or a dozen miles around it, soon rose into open insurrection. Factories were attacked, ransacked, and gutted, and only preserved from a sweeping destruction by the presence of a considerable military force; while in Lancashire, the pressure was so great, that the women even assembled, paraded the streets in great numbers, stopping the carts and waggons that contained meal and bread, and robbing them of their contents. Mills were burnt and machinery was destroyed of immense value, and scenes of violence of the most desperate kind, continually occurred; and in one case as many as thirty were killed, and more than a hundred were wounded.

To all this must be added the peculiar state of the empire with regard to its enemies abroad. Those enemies were ever alert and active; but they had been beaten over and over again by the army under the auspices of the present government; whereas the British flag, while under the direction of the government of lord Grenville, had not unfrequently been disgraced; and all these circumstances combined had thrown into the hands of the ministry an influence never surpassed, if it had ever been equalled; and thus the majority of the Irish Roman catholics were placed at an immense disadvantage for suing for any concessions from a government composed entirely of Englishmen, and under the direction of two men whose opinions in the cabinet were supreme. Mr. Perceval, the prime minister, was a man of such admirable private life, that it gave to his course of conduct and to every word he uttered a peculiar weight. Conjointly with him, and in continual activity, was lord chancellor Eldon, upon whose opinion and sound sense it was well known that the king very confidently relied; and it is not too much to say, that it was owing to the energies, abilities, and principles of these two of its members, that the cabinet was indebted for its stability during its arduous contests upon the catholic claims. But a change equally remarkable and unexpected was thrown over the surface of affairs.

On Monday, May 11th, the house of commons went into committee on the orders in council, and the examination of the first witness, a Mr. Hamilton, a manufacturer of earthenware in Staffordshire, had

just been concluded by Mr. Brougham, when, about a quarter past five o'clock, the report of a pistol-shot was heard in the house and gallery. It did not at first disturb the business of the house; but a rush was heard between the bar and the door, and a whisper ran round that somebody was shot. Upon inquiry it appeared, that as Mr. Perceval was entering the house at that hour, a person who had planted himself behind the door, immediately upon his approach put a pistol to his breast and shot him dead. Mr. Perceval, on receiving the shot, staggered and fell. He was immediately taken up by Mr. W. Smith, and, with the assistance of other members, was conveyed to the speaker's apartments, but before they reached them all signs of life were extinct. The ball had passed through the very middle of his heart. It was not at first perceived by whom the outrage had been committed; but after the horror had somewhat subsided, some person exclaimed, "Where is the villain who fired?" when a man of gentlemanly appearance, named John Bellingham, stepped forward, and coolly replied, "I am the unfortunate man." He made no attempt to escape; and on being interrogated as to his motive for the deed, he said, "My name is Bellingham. It is a private injury. I know what I have done. It was a denial of justice on the part of government." He was then searched, and carried to the bar of the house, when the speaker immediately resumed the chair, and proposed that he should be committed to the prison room, through the lobby, lest a rescue should be attempted by his accomplices; for it was at first very naturally supposed, that the murder had been committed on public grounds. A committee was appointed to take evidence of the fact, and the house then immediately adjourned. Thus fell the minister who, for four years, had been the keystone of his party—a man exhibiting all the virtues that could adorn private life; inflexible in his principles, and earnest, even to obstinacy, to carry out that which he deemed to be for the good of his country. Whatever might be the opinion of Mr. Perceval as a statesman, no one denied his tact and peculiar ability as a leader of the house of commons. His loss was therefore considered by the opposition as a stroke which the ministry could not survive, and they immediately took measures to turn it to the best advantage. Every spring of political intrigue, which never fails to be

discovered whenever there is any rumour of a change in the government, was set in motion, and men who had been but little accustomed to act in concert, united for the common end of turning out the ministers.

The parliamentary campaign was opened on the occasion by Mr. Stuart Wortley, who, on the 21st of May, moved that an address should be presented to the prince-regent, praying his royal highness to take such measures as he might deem to be necessary for the formation of a strong administration; thereby implying that the persons then constituting the ministry, or notoriously about to be connected with it, did not possess the confidence of the house or of the country. As one of the friends and admirers of Mr. Perceval, he had come forward in an open and undisguised manner to show that the government, deprived of him, could not be supported by all his friends. Lord Milton seconded the motion. This was met by an amendment moved by Mr. Eyre, the effect of which was to nullify it, by declaring it to be an unconstitutional interference with the prerogatives of the crown, of which there was no instance on record. The house, he said, it was true, had interfered when an inefficient administration had been formed, but it had never come forward with its previous advice. Allusion was abundantly made to the former inefficient attempt to enlarge the basis of the ministry, and an animated debate was carried on for some hours.

In the course of it, Mr. Canning, who had been called up by some remarks of Mr. Ryder's, developed the great obstacle which had prevented his joining the ministry on the death of Mr. Perceval. He said, "that though he had not meant to trouble the house on the present occasion, yet he could not help answering the call which he thought had been somewhat unfairly made upon him by the last speaker. Whatever had passed verbally without those walls, by an absolute agreement between lord Liverpool, who made that agreement, and himself, was reduced to writing, that it might be less subject to misapprehension or perversion, and to that minute an answer on paper was returned by him, to which, standing at the bar of his country for his conduct, he would beg leave to refer. With respect to the intimation made by the mover of the amendment, that he had demanded some concession of principle as the price of his acceptance of office, he merely inquired

of lord Liverpool as a matter of information, whether the policy and sentiments of his colleagues continued the same, and was candidly answered that his own opinions and those of his colleagues on the grand topic of catholic emancipation remained unchanged. When he was thus informed of the settled opinions of the head of the government, honoured with the chief confidence of the sovereign, and possessing all the influence and authority afforded by his station, could he for an instant doubt of their practical effect on the other members of the cabinet." Mr. Canning affirmed in conclusion, that he had seen not only no desire to grant anything to the catholics, but not even a disposition that an inquiry should be instituted. The house at length divided on the amendment, when there appeared 170 for it, and 174 against it, showing a majority of four against the ministers. Mr. Wortley's motion was then carried without a division. That gentleman then moved that the address should be presented by the whole house, but Mr. Yorke having intimated his determination that if such an intention were persevered in, he should move the previous question, Mr. Wortley altered his motion so as to render its effect that the address should be presented by such members of the house as were of his majesty's privy council. A division ensued, when, very much to the mover's surprise, the motion was negatived by a majority of two, there being 176 against it, and 174 in its favour. The effect of this would have been that nobody would have presented the address, and that consequently it would have remained a dead letter. A debate ensued, and the speaker was appealed to to assist them out of the dilemma, and it was ultimately agreed that the mover and seconder alone should present it to the prince regent.

Mr. Wortley and lord Milton accordingly attended at Carlton-house the next day, and they reported the following answer from his royal highness: "I shall take into my serious and immediate consideration the address which I have received from the house of commons." This at once indicated the royal mind, and a great change in the ministry became the most interesting topic of conversation in both houses of parliament; and as it occasioned much discussion not only at Westminster but over every part of the united kingdom, and the result of it most materially affected



the condition of Ireland for nearly twenty years, it will be necessary to give a detailed but as succinct an account of the whole of these extraordinary proceedings as possible. The matter was first incidentally noticed by Mr. Brougham, on May 26th, in introducing a motion for an account of the London dock duties, when he observed, that he had been led to understand that the same vigorous and efficient administration as guided the councils of the country during the last week, possessed again the confidence of the prince regent, and expected to regain the confidence of the house of commons. He observed, that he also understood that there was an intention of moving an adjournment of the house that day, which he should greatly deprecate. Mr. Whitbread followed with a direct address to lord Castlereagh, who had assumed the office of secretary for foreign affairs, and the duty of leading the house of commons; and his lordship replied that he knew of no intention of moving an adjournment, and that his own situation now was precisely what it was on the previous Friday, the 22nd, the day when the answer to the address was returned by the regent; he and his colleagues still retaining their offices during the interim, occupied in concerting arrangements on an extended basis.

Some days after, on the 30th, Mr. Martin, of Galway, announced his intention of moving, on the next Wednesday, unless something was done to prevent it, an address to the prince-regent, beseeching him to carry into effect, without delay, his gracious declaration in answer to the address of the house of commons. That day, however, passed without the threatened address; and on June 1st, Mr. Canning rose for the purpose of apprising that honourable gentleman and Mr. Wortley, that he had, on that day, received an intimation from a noble friend of his in the other house of parliament, that on the morning of that day, the prince regent had given directions to that friend (the marquis Wellesley) to proceed forthwith in taking such measures as appeared to him best calculated to form a strong and efficient administration. Mr. Wortley then, in consequence of some statements which had appeared in the papers, put two questions to Mr. Ponsonby. The first was, as to whether any person did, up to that morning, make any proposition to the right honourable gentleman, or to his honourable friend, to form part of an administration,

and whether they gave a refusal on personal or other grounds; and secondly, whether in what had passed in these propositions, if any were made, his friends insisted upon any and what conditions. Mr. Ponsonby answered the first proposition absolutely in the negative; and the second, of course, naturally fell to the ground. Now, Mr. Ponsonby was a man of peculiar position and of peculiar powers, and his personal weight was of no inconsiderable consequence to the party to whom he might give his adhesion; and the question, therefore, of Mr. Wortley was of singular import, as fathoming the expectations and the feelings of the Irish party; for Mr. Ponsonby was the third son of the last speaker of the Irish house of commons.

On Monday, June 3rd, the matter was taken up in the house of lords by the duke of Norfolk, after a motion for adjournment by the earl of Liverpool, who had succeeded to the premiership, with lord Sidmouth for his home secretary. His grace asked whether the earl was only a temporary minister until a successor was appointed, and received the same answer to the question as had been given by lord Castlereagh in the commons—that he held the same situation as he had done on the Friday se'nnight, and that he continued to hold it only until the prince regent should be pleased to signify his pleasure respecting any future arrangement. The marquis Wellesley then rose, and informed the house that the prince regent had been pleased to require his opinion, with a view to the formation of an administration, and that he had stated his opinion with the freedom which his duty demanded. Further, that he had that day tendered to his royal highness the authority thus vested in him, which had been accepted. He then lamented that the most dreadful personal animosities, and the most terrible difficulties, arising out of questions the most complicated and important, should have interposed obstacles to an arrangement so essential for the general welfare. He had desired and had obtained permission from his royal highness, to state to the house all the circumstances of this transaction in which he had any share; but at the same time his advice was, that such disclosure should not be called for, under the conviction that, at the present crisis, such disclosure would be highly mischievous. Earl Stanhope thought that it was the duty of their lordships to call for this disclosure;

while the earl of Limerick expressed a contrary opinion. Lord Grenville agreed in the impropriety of making any disclosure at the present time, but hoped that he might be permitted to state, that in the little share that his noble friend, lord Grey, and himself had had in the transaction, they had nothing to disguise or conceal, or which they should not be anxious to lay before the public whenever the proper time should arrive. He would not have risen on the present occasion, but for the allusion of the noble marquis to dreadful personal animosities as an obstacle to the arrangement. He could assure their lordships, for himself and his noble friend, that they were actuated by no personal feeling whatever, but solely by the consideration of public principles and public interests.

The earl of Liverpool, in an equal degree, disclaimed for himself and those who were connected with him, any of the animosities to which lord Wellesley had alluded. The earl of Moira had acted as the medium of communication between the regent and the whig peers, and he ascribed the want of a perfect conciliation between the heads of the several parties to points of form, and said that he believed that all these misapprehensions would be settled, and that when the house met again, some arrangement would have been made for the satisfactory government of the country. A sad rejoinder was given to this amicable speech by the observations of earl Grey, who said, that the noble earl who had spoken last had far overstepped the line observed by other peers on this occasion, and that he felt anxious to remove any erroneous impression to which his term of "points of form" might give rise. The principles on which he and his friends acted were those which were fundamental to the constitution, and which were always essential to the existence of a government, the object of which was the welfare of the country at large. He also disclaimed for himself any of that animosity of which the marquis Wellesley had spoken.

On June 3rd, Mr. Canning made a communication in the house of commons similar to that which had been communicated to the house of lords by lord Wellesley, viz., that the latter had resigned the authority for forming an administration which the regent had conferred upon him. Two days afterwards, while the negotiations for the ministry were still pending, or at least were not openly concluded, the earl of

Moira rose to discharge a duty which he doubted not but that the marquis Wellesley would have performed if he had been present in his place. This was, to correct a most mischievous application that had been made relative to "personal animosity," as if it had referred to the feelings of the prince regent. He had distinctly to state that nothing of that quality of animosity existed, and that as on the one hand the illustrious personage alluded to, did never suggest one individual as a fit member, or make the reservation of a single seat to be filled upon subsequent consideration; so, on the other hand, there never was a stipulation for the exclusion of any person, but the fullest powers were given to the noble marquis to lay before the regent the most beneficial plan that could be suggested for a government, competent to the present crisis. Lord Grenville said, that such persons as had entertained any doubts, would have them removed by an authorized and official paper, which was completely at variance with that which had been expressed. It was there distinctly notified that the prince had signified his pleasure that one office, particularly noticed, should be designated for one particular individual, particularly mentioned; and, that on the whole, four individuals expressly named should have seats in the cabinet. To this statement earl Grey gave a strong affirmative, and, in his speech, read the following paragraph from the written document to which allusion has been made:—"That his royal highness has signified his pleasure that lord Wellesley should conduct the formation of a government in all its branches, and should be first commissioner of the treasury, and that lord Moira, lord Erskine, and Mr. Canning, should be members of the cabinet. That it was probable that a cabinet formed upon an enlarged basis must be composed of twelve or thirteen members; that the prince regent wished lords Grey and Grenville, on the part of their friends, to recommend to his royal highness' approbation the names of four persons if the cabinet should consist of twelve, and of five persons if it should consist of thirteen, to be appointed by his royal highness to fill such situations as might hereafter be arranged. That his royal highness left the selection of the names to lords Grey and Grenville without any instruction or personal exclusion; that in completing the



arrangements the prince regent has granted to lord Wellesley the entire liberty to propose the names of any persons to hold places in his royal highness' councils, or any other persons." "Such," said lord Grey, "was the proposition made to them, and which they understood as having particular persons for particular offices. Under such circumstances he and his noble friend concurred in a decided refusal of the propositions sanctioned by lord Holland. It was true that subsequent explanations had been proffered by lord Moira, but without his professing that he had any peculiar instructions or authority from the prince regent."

Nothing ensued from this conversation, and the house of commons was adjourned from Friday until Monday, in order to give time for the ministerial arrangements to be effected. A week had now elapsed from the first opening of the negotiations, and it was clear that the regent, so far from regretting the circumstance when it occurred, if it should occur, would be glad of any opportunity for his old friends and associates to return to power. There had been no questioning of principle or faltering of feeling when Mr. Stuart Wortley and lord Milton, without any of the commons to back them, presented the address of the lower house of parliament at Carlton-house, for an efficient administration. The prince regent at once acceded to the proposal, and stated that he would take the matter into consideration. The removal of Mr. Perceval appeared to be a relief to his mind. An incubus had been taken from his spirits, and he at once commissioned lord Wellesley to undertake the difficult task of remodelling the government.

In all this it should not be forgotten, that the prince had many and peculiar predilections arising from the associations of his early life—religious, moral, and political; and never had the catholics, from the time of William III., so fair an opportunity of attaining their status in the legislature. They ruined it by their violence; and their leaders and adherents lost the occasion through their selfishness and greediness of political power. In Ireland the protestants were abased and utterly subdued. In England they looked with calmness and almost stoical indifference upon the contest. The war with America had awakened new fears for the national safety. The conflict in Europe had spread from the

steppes of Russia to the walls of Cadiz; and although scarcely a day elapsed that did not bring news of some fresh achievement of the British arms, the circumstances of the times were fearful and depressing in the extreme. Added to all this, the domestic disturbances in England withdrew, to a great extent, the general notice from the affairs of Ireland, where the right to attain seats in the legislature became the great and all-absorbing topic of the day. In it, all, from the highest to the lowest, were interested. Some from their family connexion, or their territorial possessions; others from their professional or social position; and all from an ardent love of country, and a not unworthy desire to see their own land the first in consideration and in influence in the imperial councils, were imprudently ardent to achieve quickly the object which for themselves and for their country they so deeply and so vehemently desired. The quiet attitude of the British people was more in the scale than the fervent exhortations of many of their writers, and a heavy drawback on their enthusiasm.

On the 8th of June, the earl of Liverpool rose in the house of lords, and stated to their lordships that the prince regent had on that day been pleased to appoint him first commissioner of the treasury, and had given him authority for completing the other arrangements for the administration as speedily as possible. After some declarations made by his lordship and lord Moira, respecting their conduct during the late negotiations, lord Liverpool moved the adjournment of the house. Upon this, the marquis Wellesley rose to state the principles on which he had acted, and the meaning of an expression which he had used on a former day. His object, he said, was that three great principles should form the basis of the ministerial arrangements. First, that the laws respecting the catholics should be taken into consideration with a view to a conciliatory adjustment; secondly, that the war in the Peninsula should be carried on with adequate vigour; and thirdly, that the administration should not be confined to one party, but should be formed from all parties, of individuals agreeing in the two first principles, and coming to an arrangement on other matters. With regard to his expression of "dreadful animosities," he had no hesitation in saying that he had used it advisedly, and with reference to the earl of Liverpool and his colleagues, for it

was from their conduct alone, that any obstacle had arisen to the formation of a ministry founded on the broad basis which he had indicated. The earl of Harrowby indignantly demanded some proofs of the charge thus made; and lord Wellesley, in reply, stated the reasons for his using that expression, and had considered the obstacle as standing on that ground. He had laid before earls Grey and Grenville the proposition mentioned above, and had received answers which satisfied him. From the noble lord opposite (lord Liverpool) he had received the following answer. The noble lord said, "that he had consulted his colleagues, and that they did not think it necessary to consider the principles stated in the proposition, as they were all resolved, after what had recently passed, not to be members of any administration formed by lord Wellesley." Another noble lord referred to the same answer, saying that "it was not necessary to enter further into the discussion of a matter of personal feeling. If those noble lords disclaimed anything like animosity, he would not of course in an unparliamentary way contradict them."

There was still, however, a mystery behind, which nobody seemed inclined to declare, until its elucidation was brought about in the house of commons, through a motion brought forward by Mr. Stuart Wortley. From this it appeared that after the negotiations between the marquis Wellesley and lords Grey and Grenville had come to an end, lord Moira had received an unconditional power from the prince regent to renew it, and had stated to those noblemen, that all the leading questions of policy would be laid at their feet, to be managed entirely at their own will. But lord Moira would not agree to that preliminary condition, which gave to them the regulation of the household. This was denied to them, and on that ground alone had they been content to throw away all the great and darling objects of their political ambition. Their assigned reason was a jealousy of the influence which they supposed to exist somewhere, and over which they had no control. Lord Moira resigned his powers, and by that noble lord's advice, the prince regent called in his old servants to his counsels. With this Mr. Wortley was not satisfied, because he thought that a stronger administration might be formed, and he wished the state to have the advantage of the talents of all parties; and he then

moved for an address to the prince regent, the object of which was to express the regret of the house, that the expectations held out in his royal highness' answer to their former address, had not yet been realised, and their earnest entreaties that his royal highness would form, without delay, such an administration as would be entitled to the support of parliament, and the confidence of the country.

During the long and animated debate which followed, there were few speakers who did not either incidentally or directly introduce, or allude to the declaration of lord Yarmouth, who was at the head of the household. The purport of that was, that he and those acting with him, intended to resign their appointments previous to the new administration entering upon office. This intention of theirs, he said, was well known, for they took care to make it known in all the quarters where it was likely to reach the ears of those most interested, and in particular, they communicated it to a right honourable gentleman (Mr. Sheridan) who took an active part in the negotiations. Their intention arose from a desire to save his royal highness the regent the mortification of seeing them turned out of office, while his accepted and retained servants. This intention, he said, emanated not from one or two only, but from all the members of the household. They all stated to his royal highness their wish to resign, and only requested to know ten minutes before certain gentlemen received the seals, that such a circumstance was to take place, in order that they might make a timely resignation. Mr. Ponsonby, who had of course been largely interested in the transfer of the ministerial appointments, rose to express his utmost astonishment at the statement which he had just heard; that nothing of the sort had ever been stated to him, or to lords Grey and Grenville, and that they never entertained the remotest idea that such an intention existed. Having gone into a history of the late proceedings, diverting to the proposed removals in the household, he denied, as had been affirmed, that they were greater than had ever before been meditated on a change of administration; and then enlarged upon the necessity of giving strength to a ministry which would on many accounts, and from various quarters, have much opposition to encounter, by creating a general belief that it possessed the full confidence of the sove-



reign. Mr. Canning then rose to give an account of the share which he and lord Wellesley had taken in these transactions, and produced several minutes of communications, and notes and letters, in order to show the real facts of the case. What he disclosed respecting the part taken by lord Moira was most material, and made a singularly strong impression upon the public mind. After defending his lordship for objecting to the displacement of the great officers of the household, the right of doing which he did not attempt to deny, but which he thought would have a construction put upon it, that might be productive of very serious mischief, Mr. Canning said that there was one point in lord Moira's conduct which he was authorized to state particularly. Fearing that he was not entirely understood, when he received his royal highness' commands to form an administration, he returned to the royal presence, and put this question directly to the prince regent:—"Is your royal highness prepared, if I should advise it, to part with all the officers of your household?" The answer was, "I am." "Then," said lord Moira, "your royal highness shall not part with one of them."

The announcement of this circumstance naturally very greatly astonished both the house and the country, for it revealed the fact that there was an amount of disunion and personal rivalry among the whig leaders which never could have been conceived, and which evidently showed that, however powerful they might be as an opposition, there was but little coherence amongst them for administrative purposes. Even the great question on which they had come into their new position of power, the claims of the Roman catholics, appears to have been treated by some of them with a degree of subtilty and underhandedness which does them but little credit as men of sincerity and truth. Lord Grey, as would appear by the subjoined letters, was always straightforward and honourable in his advocacy of the Roman catholic cause; but lord Moira was evidently playing a half part, and the affair of the household would seem to have been trumped up for no other purpose than to create a division among the great whig leaders. Mr. Wortley's motion for an address was at length put, and two amendments were moved upon it. Both these were lost, and the second by a large majority, there being one hundred and

sixty-four in favour of it, and as many as two hundred and eighty-nine against it; and yet, strange to say, the motion itself was negatived without a division, and thus the old ministry remained decidedly in possession of the countenance of the house of commons, the disunion amongst its opponents being decidedly too apparent for any one to trust them as an administration; and thus the hopes of the priesthood and the great body of the people in Ireland were once more baffled, though not altogether destroyed.

The first of the letters just alluded to was from lord Moira to lord Grey, and was dated on the 31st of May. He says:—

"My dear lord—A just anxiety not to leave anything subject to misunderstanding, must excuse me if I am troublesome to you. Since I quitted you, the necessity of being precise in terms has occurred to me; and although I think I cannot have mistaken you, I wish to know if I am accurate in what I apprehend you to have said. I understood the position stated by you as having been what you advanced in the house of lords to be this. 'That pledges had been given to the catholics, a departure from which rendered their present disappointment more galling, and that you said this in the hearing of persons who could contradict you if you were inaccurate.' Just say whether I have taken your expression correctly or not. Believe me, &c.,—MOIRA."

Lord Grey, who happened to be dining that day at lord Holland's, immediately replied, rising, indeed, from the dinner-table to do so, so great was the emergency conceived to be by the party with whom he acted. He said:—

"My dear lord—I cannot sufficiently thank you for your kind anxiety to procure an accurate statement of the words spoken by me in the house of lords. It is difficult to remember precise expressions so long after they have been spoken, but I am sure I cannot be far wrong in stating that the substance of what I said was as follows. I was speaking on the subject of the Irish catholics, and particularly on the charge of intemperate conduct which had been made against them. I stated that great allowances were to be made for this, considering their repeated disappointments; and I recited, as instances of these, the recal of lord Fitzwilliam and the union. I then said that the most distinct and authentic pledges had been given to them, of the prince's wish to relieve them of the disabilities of which they

complained; that I spoke in the hearing of persons who could contradict me if what I said was unfounded, and who would, I was sure, support its truth if questioned. That now, when the fulfilment of these pledges was confidently expected, to see an administration continued in power, which stood on the express principle of resisting their claims, was, perhaps, the bitterest disappointment they had yet experienced, and that it was not surprising if, under such circumstances, they felt and acted in such a way as all well-wishers to the peace of the empire must regret. This I give as the substance, and by no means as a correct repetition of the particular expressions used by me; and this statement I can neither retract nor endeavour to explain away. If, in consequence of it, the prince feels a strong personal objection to me, I can only repeat what I have already said to you, that I am perfectly ready to stand out of the way; that my friends shall have my full concurrence and approbation in taking office without me, and my most cordial support in the government of the country, if their measures are directed, as I am sure they must always be, by the principles on which we have acted together. I am, my dear lord, with the sincerest regard, yours very faithfully—GREY."

The earl of Liverpool was immediately raised to the premiership, and lord Castlereagh assumed, for the moment, the seals of the foreign office; and hope seemed for a while to be shut out from the great body of the Roman catholics in Ireland, for it is singular that their co-religionists in this country seem to have shown but little sympathy for them, and to have made no exertion throughout the whole of this great struggle, for the advantage of legislative honours.

The Irish member who had taken the most distinguished part in these discussions, was Mr. Ponsonby, who, as stated before, had filled the office of lord chancellor during the viceroyalty of the duke of Bedford. He was the son of the honourable John Ponsonby, speaker of the Irish house of commons, and was born in Ireland, in the year 1755. Having spent some time at Cambridge, he entered upon the study of the law, and in 1780 was called to the Irish bar. Subsequently, although his love of the chase is said to have interfered much with his professional avocations, he attained to the dignity of a silk gown, and received the

lucrative appointment of counsel to the revenue commissioners, of which, however, he was afterwards deprived by the marquis of Rockingham. He then became a member of the whig club, and a vehement parliamentary opponent to the government. When his friends were called to office in 1816, he was made lord chancellor of Ireland; but, losing his post on their dismissal, he returned to the ranks of the opposition, of which he became a very eminent leader. Of his constant advocacy of the claims of his Roman catholic fellow-countrymen, and of his pertinacity in the support of his objects, sufficient will have been seen in these pages. During a debate in the year 1817, he was attacked with a paralytic fit, and died on the 8th of July in that year. He is universally allowed to have been a man of unsullied honour, of a liberal disposition, amiable in private life, and both admired and respected as a senator.

Two days after his statement in the house of lords, the earl of Liverpool's roll of the ministry was completed. He himself took the treasury, Vansittart was chancellor of the exchequer, the earl of Harrowby was president of the council, lord Castlereagh had the foreign office, lord Sidmouth took the home department, earl Bathurst had the war department, and lord Melville was established at the admiralty. Great efforts were made to draw Canning into the ministry; but the open declaration, which he had made in favour of the catholic claims when the prince virtually came to the throne, on the decided derangement of the king being made evident, precluded, he conceived, any possibility of a compromise, when he learned that the general sentiments of the cabinet were as hostile as ever to that cause, notwithstanding they had agreed to make the catholic disabilities an open question. He consequently became one of their most formidable opponents, and shortly afterwards, in a strong debate, carried a motion by a large majority against the ministry, for taking the catholic claims into consideration early in the following session of parliament. In Ireland the advocates for emancipation were not idle. The general committee was dissolved, and the "catholic board" was established in its stead. This was done at an aggregate meeting, held on the 26th of December, 1811; and the principle on which it was founded, was to have a council always in action, but without any delegation, such as had distinguished the "convention," and



to get up aggregate meetings for the purpose of exciting and informing the people.

Of this Daniel O'Connell was the soul and spirit. He had already created a name. He was destined to infuse a force into the minds of his countrymen, such as few men in any age or nation could possibly have created. Born of an ancient race, nurtured in the prejudices and very passions of his countrymen, animated by an intellect that knew no stay, cradled in what he conceived to be the "ancient" religion, he was prepared when he entered upon the arena of political conflict, to do battle at all points. Gifted with a physical frame, whose endurance no fatigue could overcome, prompted by an energy which never could be conscious of defeat, possessing all the prestige among the vulgar that flows from an alliance with the descendants of the olden kings, and that peculiar sociability which is doubly grateful to its inferiors, when evinced without pride, and is cordial in its development, he commanded at once, by the exhibition of an overpowering genius, the admiration and the adhesion of his countrymen. Yet he was alone in his efforts. Almost to a fault he eschewed that charm of extravagant hilarity, which, for nearly a century, had been the ready passport to the affections of Irishmen, by an unbounded participation in, and a distribution of the pleasures of the table. He was a man of the time, who was *sui generis*. He combined the indomitable resistance of the Celt, with the high-minded, foreseeing etherealisation of the Phœnician, and the unwearied industry and endurance of the Saxon race. O'Connell was proud of his descent from an ancient line, and he determined to vindicate its honour, and if possible, to restore its power. Who can say what he might have been, had his mind been untrammelled by his devotion to the Romish faith.

The origin of his family is lost in obscurity, but it is well known that he was the representative of a race which had been fixed "time out of mind" in the county of Kerry, where they had in the early days of Irish history, exercised sovereign authority as tanists, or old Irish rulers. But the laws which were instituted against the Irish Roman Catholics, in the Cromwellian age, and for a period of half a century afterwards, limited the holding of landed property by Roman Catholics, so that from the year 1703 to that of 1799, when so many of the laws against them were repealed by George

III., no proprietor of that persuasion could possess or bequeath territorial property for a period longer than thirty-one years, and few of the ancient families could of course preserve their hereditary domains, for the benefit and respectability of their descendants. Such was the case with the family of Daniel O'Connell. His father, Morgan O'Connell, was the second surviving son of Daniel O'Connell, of Derrynane, whose grandson, named after him, inherited the estate after the death of his uncle, his father's elder brother. The third son of the first Daniel was the celebrated general count O'Connell, who entered the French service in the Irish brigade, and on the restoration of the Bourbons, accepted a colonelcy in the British army, when several corps of the body to which he belonged, were drafted into the British service. That gentleman died in 1834, at an advanced age, and in wealthy circumstances.

Mr. Morgan O'Connell settled at Cahir, a village in the neighbourhood of Cahirciveen, in the county of Kerry, in the southwest of Ireland. His son Daniel was educated in early life at a school in the island of Cove, near Cork, where he displayed no great aptitude for attainment. From thence he was removed to St. Omer's, and afterwards to Douay, where his talents began to develop themselves, being fostered by the kindness of his uncle Maurice. In his very boyhood, that ambition and force of character, which afterwards made him under Providence so distinguished, began to develop itself. It is related that one day, at the latter end of the year, when he was about ten years old, his father was entertaining a party of friends, and Daniel was seated, or rather lolling in an old large Elizabethan chair, apparently more asleep than awake. The conversation had turned upon political topics, and the general state and prospects of the country. Grattan's fame had long been echoed from lip to lip, and the music of his eloquence had passed over the hills, and had penetrated into the vales even of the far west, and gave on this occasion a life and animation to the discourse, which no other less inspiring topic could have communicated. The boy had thus sat for some hours in apparently moody silence, as the somewhat flickering twilight of evening was gathering about the house, when a relative, who had for some time marked his abstraction, suddenly asked him, "Daniel, what are you thinking of?" "I am think-

ing," he replied, "that I will make a noise in the world yet." Few internal promptings have in their prophetic character been so comprehensively fulfilled. He has indeed made a noise. Yet, for what? The future must answer the question. The results appear to have been miserably short of the power employed for their accomplishment.

In no kingdom does the public welfare depend so much upon the conduct and character of its public men as in Ireland, and no more apt instance of the truth of the apothegm could be cited, than that which was shown in the unlimited sway of O'Connell for so many years, over the minds and the wills of his countrymen. For this there appear to be several causes. He was of a genial disposition; he had a powerful intellect, a ready and a weighty speech, and he was backed by the priesthood. These influences combined, were irresistible with Irishmen. Pitt having, from feelings of expediency, repealed some portion of the penal laws against the catholics, in the year 1792, they were allowed to become members of the bar. The opening was a great one. It was the opening of a flood-gate for the buried talent and cramped spirit of Ireland. The ranks of the catholic barristers were speedily filled; and when O'Connell, after leaving college, was preparing to enter upon his sphere of life, all that were respected for talent, or venerated for patriotism by the faith to which he belonged, were members of the bar. This, no doubt, was O'Connell's turning point of decision. He knew himself to be possessed of those qualities which are necessary for distinction in public life, and he was in Easter term, 1798, called to the bar. From the nature of his education amongst a catholic priesthood, O'Connell had imbibed a strong predilection for the Bourbon family, and for those principles, which Romanism, when it serves its purpose, can so effectively instil. Entertaining, however, these opinions, he did not shut his eyes to the position in which the penal laws, passed in the time of William III. and Anne, for the restraint of the jacobites, had placed the catholics, and himself especially among the rest; but he was completely protected by them from the rampant political dogmas, which men of the wildest notions were diffusing through the country when he returned from college. It has been among some people the custom to whisper accusations against

his loyalty at that period; but it does not appear, upon the most careful examination, that he was connected with any of the ardent spirits, who, in 1798 and 1799, were endeavouring to establish a republican government in Ireland. Not that he did not speak warmly, and openly too, upon all matters that seemed to affect the honour and the welfare of his native country, but his early education and experience in France, had taught him to distrust the results that were to be obtained only through violence and bloodshed. It is true that he was intimate with some of the actors, or rather the well-wishers of the contemplated revolution, and that he expressed himself freely on the disappointment which the recall of earl Fitzwilliam from the viceroyalty produced, but he was in no way personally involved in the political transactions of 1798, the year, as stated above, when he was called to the bar, and we find that, whether from prudence or feeling, he became a member of the lawyers' yeomanry corps of that period. His biographers have attempted to show that, at a time when every man who was not either a soldier himself, or ready to enrol himself into any volunteer corps for the defence of the realm, throne, and the political institutions of the country as they then were, was denominated the king's enemy, and consequently became an object of proscription and dislike, O'Connell acted in the spirit of prudence in assuming the military uniform, in order to free himself from the surveillance of the government; adding, that he ever abhorred physical force as an instrument for the redress of civil wrong, or the attainment of political rights; a sentiment which he so often expressed in latter times, by saying that "he would accept no social amelioration at the cost of a single drop of blood." The true source of his conduct may rather be sought in the education he had received, the lessons he had heard in France, the natural indisposition of so young a man to enlist in a struggle where everything was to be perilled and little to be gained, and that far-seeing and sagacious prudence which carried him during a series of political agitations, that lasted longer and were louder than any recorded in history, safely through a sea of legal dangers, such as no other man with impunity encountered.

O'Connell entered heartily on the practice of his profession; and it is stated that his fees, the first year, amounted to so



much as three hundred pounds, and that this success continued to increase until the period when he was called upon by his more public avocations to relinquish it altogether. It is curious that the first case in which he distinguished himself was at the Cork assizes, and that his last memorable display at the bar was in that city. He not only stood aloof from the revolutionists from a hatred of their infidel and physical force principles—the only principles to which a true infidel can subscribe, and the only principles on which he can, with anything like consistency, act—but he *always* disavowed those principles; and whether right or wrong in the dogmas, religious or political, which he espoused, uniformly acknowledged the superintendence of a Providence, and recognised the responsibility of men for the blood and the sufferings of their fellow-creatures. For these reasons, he used all the influence which he possessed with young men at the bar, at that time in Dublin—and to those who recollect the state of Irish society at the period, it will be known not to have been small—to hold aloof from all those political societies; and, when in social converse himself, he used his utmost powers to prevent their being hurried into a vortex that must only have ended in their ruin. This seems to be the key of all O'Connell's subsequent public conduct. Care with industry, error with honesty;—the error in the perception of the causes of his country's degradation;—his honesty for its welfare in the heart. O'Connell was emphatically, and he never could forget that he was, an Irishman; but he was unfortunately an Irishman educated in France.

Though the catholics did not press forward their claims as a body on the parliament, after the year 1797, yet there were many individuals among them who took prominent parts in opposing the ministerial intrigues for promoting the union. And among these, O'Connell was one of the foremost. Owing to the promises of Pitt, which were afterwards violated, and the professions of Grenville, which were, to some extent, sincere, the Irish Roman catholics were singularly quiescent during the agitation of that momentous question, expecting to receive the gift of emancipation in lieu of the empty favour of voting for members of parliament, whose words are too often given only to mislead. O'Connell was, however, sincere in his principles, and con-

stant in his love of fatherland, and opposed with energy, as far as a catholic barrister could, the union of the Irish and British parliaments, prognosticating that such an alliance would ultimately be most disastrous to both countries. His speech at a meeting of the Irish bar, held to consider this subject, was pregnant in meaning, lofty in tone, and as defiant and as full of force as any of his subsequent and more famous efforts. After the union was effected, the Irish Roman catholics, relying on the pledges of Pitt, abstained from pressing their claims upon the legislature. They felt a natural reluctance to place any obstacle in the way of the political views of their supposed friends, and they rested rather in the hopes of the future, than relied upon the justice of their claims, and refrained from persevering determinedly and unceasingly, as they afterwards did, in seeking for the restitution of what they conceived to be their political and personal rights. They supposed that they were deceived by Pitt, but in this they were undoubtedly mistaken; for Canning, the first of his disciples, became their most eloquent and untiring advocate, and at length lost his life in their cause; and Peel, his second and most successful disciple, ultimately, with the assistance of the duke of Wellington, broke the bonds of which they had so bitterly complained, and by which they were enthralled. Pitt nevertheless unquestionably represented to them, and with a force which they were unable to combat, that however anxious he was for an elevation of the Roman catholics to a political equality with their protestant brethren, he never could effect his object without the agency of an imperial legislature. As he represented, and as it is now granted, the Irish parliament was essentially corrupt. For that reason it was inimical to their claims; and that the most spirited and patriotic among them entertained views unfavourable to catholic emancipation. It was, therefore, palpably to the interest of the Roman catholics that the union should be effected, and that an imperial legislature should be established. Pitt also obtained the sanction of the catholic hierarchy to allow some control over the appointment of the catholic prelates, and a resolution was passed by them in a body, in the year 1799, to the effect, "That in the appointment of the prelates of the Roman catholic religion to vacant sees within the kingdom, such interference of government as may

enable it to be satisfied with the loyalty of the person appointed is just, and ought to be agreed to." This was regarded, in after years, by the advocates of the catholic body as a vague and unmeaning resolution; and Dr. Doyle, in his evidence before the committee of the house of lords, in 1825, on the subject of the Roman catholic claims, endeavoured to show that it was merely an expression of willingness on the part of the catholic hierarchy, that the crown should be satisfied of the loyalty of so influential a dignitary as a Roman catholic prelate. Such a security, under the circumstances, was unquestionably required; but a writer, distinguished for his ability, and a not very distant connexion of O'Connell's, goes on to say, that surely the oath of allegiance taken by a minister of God was and ought to have been considered ample security, and then proceeds with a singular inconsistency to observe that "there could have been no interference on the part of the crown without imminent danger to the catholic religion;" or, in other words, that in the event of an ample security to the crown being given, it would virtually have been nothing more nor less than the transposition of the first allegiance of the priests from the pope, their spiritual, and therefore dominant sovereign, to the king, their temporal, and therefore their subordinate sovereign. And he confirms the inference thus drawn, arguing upon the necessity of keeping the primary duty of the Roman catholic, of allegiance to the pope, constantly in view, by saying that "even O'Connell himself, when at a subsequent period he tried to frame such a provision, utterly failed." It was no more within his power than that of any other man, to combine contrarieties and irreconcilabilities in one act, and the more particularly when the more honest a man became in his faith and his fealty, the more difficult would it be for him to discharge the essence of his duty to both parties. There is little doubt that Pitt was neither hypocritical nor deceitful in his promises to the Roman catholics. He looked upon every denizen of the British empire, as sir Robert Peel afterwards did, as citizens under and equally entitled to the protection of the crown. With him religious differences were of little value, but he felt the kingdom under his rule to be attacked by violent and powerful foes from without, and to be distracted by the conflict of social dissensions within; and if

he could unite the two great spirits of Roman catholicism and protestantism under one common bond of unity and peace, he would have gained a new and most invaluable element of security against the common foe. But the circumstances of the time, the financial difficulty under which the country laboured, the terrible contest in which it was engaged, led him off from the subject to the consideration of more imminent perils; and above all, the firm determination of the king, George III., never to grant these claims, stayed the catholics with an insuperable obstacle from the attainment of power. Pitt's expression, in reference to this subject, was, "Right is that which is independent of circumstances; expediency is that which includes the consideration of circumstances, and is wholly governed by and dependent upon them." He denied ever having given a pledge, but stated his opinion that catholic emancipation could be granted much more safely after than before the union. Pitt and Canning acted upon the rule of right in this great question, and they failed. Peel adopted expediency, and after thirty years' struggle, on the part of his clients, he succeeded. Mr. Canning, who was his warm adherent, and seceded from the government with him, always maintained that this was his view of the case. There is no question but that he knew Mr. Pitt's opinions intimately, and he always boasted that they were coincident with his own. Lord Grenville also seceded from the government with him, and was always, even at that time, favourable to the catholic claims, and in after years became, with Mr. Canning, one of their most strenuous advocates. From the period of Pitt's retirement from power, in 1801, to his resumption of office in 1804, O'Connell was not idle. Though a very young barrister, he took a large share in all the proceedings of the catholic body, and when upon the great minister's resumption of the reins of government, at an adjourned meeting in February, 1805, an attempt was made by the aristocracy to prevent the petition of the catholic body being forwarded in consequence of the well-known indisposition of Mr. Pitt at that time to listen to their claims, owing to the delicacy of the king's mental health, he strenuously opposed it, and though but new to the arena, entirely defeated them. During the period that elapsed from Pitt's new accession of power to the death of Mr. Fox, the



catholic body was comparatively inanimate, and after the first burst of public feeling, O'Connell devoted himself chiefly to his forensic duties and to family enjoyment, for he had married, in 1802, the daughter of a respectable physician in Tralee, Dr. O'Connell, and a cousin of his own. O'Connell's principal business lay in the criminal courts, where his intimate knowledge of the character of his countrymen, their habits and peculiarities, which he was enabled to bring to bear upon any case that came into his hands, gave him an unrivalled facility and power of cross-examination. His habit was usually to commence his cross-examination about something apparently quite unconnected with the trial, and having, after a variety of efforts, succeeded in perplexing the witness by the banterings of his wit and humour, he would turn suddenly to the matter elicited in the examination in chief. Then continuing his cross-examination with great keenness and admirable sagacity, generally succeeded in involving the witness in a mass of hazy contradictions. Suddenly leaving the topic on which he was engaged, he would turn to some other subject, apparently quite wide of the mark, and before the witness could awake from the wonder into which he was cast while inquiring within himself what earthly connexion there could be between the two points mooted, the councillor would return to the attack, and generally succeeded, when he was engaged for the defence, in mystifying both judge and jury, by throwing an air of insincerity and untruthfulness over the testimony which he desired to invalidate, and thus saved many a one who, but for his skill, would have speedily ended his career upon the gallows. This habit and facility made O'Connell the favourite barrister during a series of years on the Munster circuit, and gave him, above all, that unrivalled acquaintance with the secret springs of the conduct of his countrymen, which enabled him ever afterwards to rule their feelings at his will, to excite their hopes, to allay their fears, to moderate or to enhance their expectations, to prompt their passions, and thus to direct their proceedings. He was a consummate master of popular oratory; for, in addition to the gift of immense natural endowments, he had been trained, when he came to exercise that mighty empire over the mind of Ireland, in the very school in which the Irish themselves were the masters, and he had appropriated the

private marks of his teachers for the enslaving of their minds and the impulsion of their actions. He was a giant in intellect, an eagle in perception, and a very Proteus in adapting himself with rapidity to the circumstances in which he was placed; hence his almost unlimited command, for a series of years, over Irish energies, principles, and conduct. For some years O'Connell continued to grow in power and professional reputation. With a wise foresight he saw his own coming greatness. He knew that however light and convivial they might be in their social enjoyments, there was a deep undercurrent feeling constantly running in the hearts of Irishmen of interest for their country's welfare. They could understand and fully appreciate the solid qualities which were necessary to elevate their national character and its position in the world. He took advantage of this; and however hilarious he might be—and no man possessed, in a higher degree than he did, that breadth of humour and that smart witicism which renders the companionship of an Irish gentleman irresistible everywhere—he almost invariably eschewed everything like political disquisition in his after-dinner conversations. Of a powerful and athletic make, O'Connell was the very beau-ideal of an Irishman. Full and square in his countenance, his presence evinced that concentration of effort and that fulness of intellect on which men are accustomed to depend; while the blandness of his demeanour and the cordial sociability of his manner, won golden opinions from every rank in society. He was, *par emphasis*, the man of the people; and wearing about him the prestige of the ancient race from which he sprang, softened and exalted by his complete education, there was a winningness in his manner, and especially in his accost, that few men, if they were ever so much inclined, could possibly resist. What wonder, then, that he could command at his pleasure the affections of a people, ardent, impassioned, and affectionate, or that he should become a formidable adversary to any administration to which he was opposed? Ireland was especially the field for his exertions. He drew around him the regard of all his countrymen; and where he did not inspire love, he aroused their fears and secured their respect. He became, long before he entered the British parliament, the arbiter of cabinets, and held in his pocket the majority, for a while, of the British house of

commons, the rendezvous of genius, and the seat of the power of the British people. But this did not extend to the empire. That was beyond even O'Connell's force of mind. It lay beyond the will of any man. Its destinies were in the behests of Providence, who setteth up one and putteth down another, and who holdeth the earth in the hollow of his hand. Yet, if O'Connell was an instrument in the direction of God, he was neither a rebellious nor an idle one. He fulfilled the task for which he was placed in the world, and that was no mean one. It was the regeneration of his country from the sloth into which they had been cast. He knew his work, and he did it; and he did it well. Would that every patriot could say the same!

After the suppression of the catholic convention, it became impossible for the Irish Roman catholics to have anything like a responsible representation. Aggregate meetings were got up, and the catholic board, as a *point d'appui*, served as the centralization of all the efforts of the catholic body, until it was made a tangible thing—an energising spirit, by the genius of O'Connell. In these assemblages he eminently distinguished himself. The men of his persuasion awaited the time of his coming on the Munster circuit as a jubilee; and accordingly in Cork, Kerry, and Limerick, he ascended rapidly in popular estimation; but his great speech—that in which he identified himself as a portion of the hearts and affections of Irishmen, and in which he became the keystone of his country's admiration—was that in which he advocated the great cause of his countrymen, in the monster aggregate meeting in Dublin, in 1812.

The state trials, under the convention act, had given an immense impulse to the catholic cause, which was proved in a remarkable manner by the unceasing debates in the imperial parliament, which had for their object the political state of Ireland. In one of these debates, Mr. Canning showed to the world the unfortunate position in which he was placed by forming part of an administration opposed to the catholic claims, when his own private opinions were so much in their favour. In this he was severely and very justly taunted by Brougham; but afterwards redeemed his character by a very powerful speech in their advocacy. After the death of Mr. Perceval, who was the soul and pith of the ministry by whom the claims of the catholics had been op-

posed, a new phase of affairs awoke upon the political horizon. Mr. Canning, conscious of the dubious position which he held upon this point, so vital with those whom he wished to serve, sternly refused to be allied to any government opposed to catholic emancipation. The ministerial struggle that ensued in consequence of Mr. Perceval's death has been already shown. Canning's course was thenceforth consistent and honourable. He was backed by the Irish people. The protestants had not yet obtained their due strength in the country.

On February 28th an aggregate meeting of the catholics had been held in Dublin, at which a petition to the prince regent was read and unanimously voted, but it was not presented until the month of April. It contained, in respectful but explicit language, a statement of their grievances and their claims. It began with a copy of the *civil* test of allegiance to the established government and its head, and of renunciation of all principles subversive of that allegiance, and a disavowal of all designs hostile to the then church establishment, which they had taken, and were willing to take on a solemn oath in lieu of the *spiritual* test, to which their consciences would not suffer them to submit. It presumed to remark, that for nearly twenty years previous, the progress of religious freedom had been obstructed, and that while other nations had hastened to unbind the fetters of religious dissent, the Roman catholics of Ireland had remained unrelieved. It referred to the numerous penal laws and incapacities still in force against them, and from which they sought relief. "Our object," they said, "is avowed and direct; earnest and yet natural. It extends to an equal participation of the civil rights of the constitution of our country, equally with our fellow-subjects of all other religious denominations: it extends no further." It frankly reminded his royal highness that an equal degree of enthusiasm could not be expected in defence of their country from men who felt themselves excluded from a fair participation of the benefits of a good constitution, as from those who fully partook of the advantages of those blessings. And on the whole it may be regarded as the most concise, yet comprehensive, statement of the case of the petitioners that had appeared in an authentic form. After Mr. Stuart Wortley's, and lord Donoughmore's, and Mr. Grattan's motion had been disposed of, an aggregate



meeting of the Irish Roman catholics was held in Dublin on June 18th, when a set of resolutions was passed, proposed by lord Killeen, in which, after declaring their resolutions for renewing their petitions to the legislature, they alluded to their disappointments proceeding from "the fatal witchery of an unworthy secret influence, spurning alike the sanctions of public and private virtue, the demands of personal gratitude, and the sacred obligations of plighted honour." It was evident that these allegations were addressed against the prince regent, and the general strain of the resolutions was framed in a similar tone of angry invective, pointed at the same elevated mark; and arriving, as they did, in London when a new effort was being made in their favour, they occasioned no small embarrassment to their friends, and were most probably the main element in that determination by which the prince threw off the alliance of his old comrades, and resorted to the ministers who had been placed by his father at the head of the royal counsels. Canning had no doubt heard of this projected meeting, and consequently, on the 12th of June, which day he had fixed upon for his motion in favour of the catholics, he intimated to the house of commons that having been led to believe that the motion of which he had given notice would be likely to meet with some opposition on technical points, he intended to make some variation in its form. The objection, he remarked, would not have struck him, but still it was one which he could not satisfactorily to himself meet. He would, therefore, postpone his motion until the 22nd, when his intention was to submit a resolution to the house on the subject of the catholic claims, and then, if carried, to present that resolution embodied in an address to his royal highness the prince regent.

On the morning of the 22nd of June, the resolutions of the Dublin meeting arrived in London, and in the evening Mr. Canning brought forward the subjects of them in the house of commons, in a speech redolent of all his powers, and fraught with that brilliancy of intellect and that force of spirit which he continually so remarkably exhibited. He concluded by saying, "that considering the distinguished loyalty of the English Roman catholics, it might perhaps have been expected that a special proposition would have been made to take their claims into consideration, but he understood that they themselves were averse to

any proceeding of this kind, as they did not desire to prejudice the general question." And he ended by moving, "that the house will, early in the next session of parliament, take into its most serious consideration the state of the laws affecting his majesty's Roman catholic subjects in England and Ireland, with a view to such a final and conciliatory adjustment as may be conducive to the peace and strength of the united kingdom, to the stability of the protestant establishment, and to the general satisfaction and concord of all classes of his majesty's subjects." General Matthew, with one of those injudicious attempts which so often mar the efforts of the hearty and wise friends of a cause, met the motion with an amendment. He seemed to put no faith in Canning and his friends, and considered the postponement of the claims of the catholics until the next session as tantamount to throwing them overboard altogether, and he therefore moved that the house should resolve itself into a committee for the consideration of the catholic claims on the Thursday following. He obtained but few adherents, and the amendment was shortly negatived without a division. Canning, in the course of his opening speech, had broken fresh ground, and spoke almost as if the house of commons had never heard of the catholic claims before. It was a masterly display of argument and eloquence, never surpassed, seldom equalled by that necromant of the witchery of words. Admirably planned, beautifully carried out, forcibly finished, few of his efforts will be more enduring than this masterpiece of mind, and yet he touched not the core of the evil. The debate was animated. All the leading men in the house took part in it; Fitzgerald, Martin, sir John Nichol, Vansittart, Grattan, and lord Castlereagh, all lent the power of their mental energies to the elucidation of the points which Canning had propounded, and the result was one of the most astonishing victories that had ever been achieved by a private member against the formidable array of a strong and united government. Lord Castlereagh, indeed, made a liberal concession to the Roman catholics, and stated his opinion in favour of a future inquiry; and this hint appears to have been taken; for general Matthew's amendment was negatived without a division, and the original motion was carried by a majority of two hundred and

thirty-five against one hundred and six, in a house filled with the partisans of government. No doubt, lord Castlereagh's speech was an admirable cover for what the ministers could not but see must be an inevitable defeat. Somewhat more than a week afterwards, the marquis Wellesley brought forward a motion in the house of lords, similar in terms and identical in essence with that proposed by Mr. Canning in the commons. The previous question was moved by the lord chancellor Eldon, when, on the division, a singular balance of opinion appeared to be held by the members of the house. In a full house, lord Wellesley's motion was only lost by a majority of one. Ministers and their usual supporters were ranged equally on both sides of the house. Two of the royal dukes voted on one side, and three on the other. Even the bench of bishops was divided, though the great preponderance lay on the protestant side, fifteen voting in favour of the previous question, and three for the motion of lord Wellesley.

Such was the state in which the great question of the emancipation of the catholics from the political thralldom in which they had been held since the time of the accession of William III. to the throne of these isles, was left at the close of the session of parliament. In every point of view this had been a most remarkable year. The spirit of the Irish gentry had been evolved in favour of the claims of the Roman catholics to an extraordinary degree. Talent, educated for the sifting of difficulties, and matured by the attrition of brilliant intellect, had been enlisted, encouraged, proclaimed, exalted, and rewarded in their service. Three grand debates had been held upon the subject in the imperial parliament. Both houses of the legislature had participated in the interest of the matter; and the brightest and most practised intellects of the realm had been actively engaged in the conflict. No point had been left untouched—no stone unturned—no effort remitted in this extraordinary and eventful year. The deep and steadfast mover, the ministering spirit, the main agent of the great boon which the Roman catholics sought—O'Connell—had stepped into his proper place. The spirit of catholicism had assumed sinews, with a body, and grew into a new power of vitality; but as history was not written, neither were the events which she records completed in a day. Time had much in futurity to bring forth.

The friends of Ireland were never long silent in the legislature. No sooner had Mr. Canning's motion been disposed of in the affirmative, than Mr. Parnell appeared, on the 24th, with another upon the subject of tithes, a matter which, next to their debarment from parliament, most affected and most annoyed the Roman catholics. He began by observing, that no less than nine counties in Ireland had, either through petitions or by the representations of their grand juries, pleaded the necessity of some alteration of the system of tithes in Ireland. He was confident, he said, that a very general conviction prevailed, that it constituted a very great grievance upon the lower classes of society, and that the clergy themselves would be glad to enter into some arrangement by which they might be relieved from the odium occasioned by their gathering their tithes in kind, and obtain their incomes in money, by a commutation into a rent-charge, or some other means, from the state. The magnitude of the evil was admitted by the late Mr. Perceval himself; for he had projected a bill for its relief, although he abandoned it in consequence of the difficulties which he was afterwards led to suppose surrounded it. In Mr. Pitt's motion on the union, that great authority confessed that tithes were a great practical evil in Ireland; and in consequence of the zeal with which the copies of that speech were circulated, it was but natural to expect that some measure would be introduced by the ministry, who professed to hold mainly the opinions of Mr. Pitt and his friends, if not immediately, certainly subsequently, and as a consequence of the legislative union of the two kingdoms. The tithe system was by no means the same in England as in Ireland; for, in the first place, the people in the former country who paid tithes were of the same religious sentiments as the clergy who received them. In Ireland, the protestants were to the catholics as one to ten; computing the population, according to Bushe, Chalmers, and Newenham, to be five millions. With this extraordinary fact before the house, it was very much to the credit of the catholics that they were not peculiarly the petitioners against the tithe system; and their policy was not to give offence, or to embarrass their great cause by intermeddling with the affairs of the church. The next difference between the tithe systems of the two countries consisted in the unequal pressure of it in the sister country,



and the unsettled rates of the payments which, on that account, were required. There was, in fact, no uniform system of tithes through the several counties; and a great deal was frequently left to the caprice of those who were employed in levying them; and much of the oppression under which the landholder laboured was traceable to that cause. The next difference was the mode of collection. In England, in any case of dispute with the clergyman, the former had recourse to the decision of a jury. In Ireland, all such disputes were settled by a citation before an ecclesiastical jurisdiction. Mr. Parnell here quoted the case of a Mr. Battersby, a clergyman, who made a new demand of what he called "family money" in his parish, and actually sold the goods and chattels of a poor cottier for the satisfaction of this demand. It was true that a court of justice afterwards disallowed the claim; but the evidence taken before it plainly proved how very uncertain in its operation the whole system was. Every consideration, in fact, which he could give to the subject convinced him more and more of the absolute necessity that the landholder in Ireland should be relieved from the pressure of this system. His plan was, to appoint commissioners to compute the value of the tithes throughout Ireland, and then to substitute a county land-tax for them, until suitable lands, equivalent in value, could be found for the clergy. He therefore moved that a committee should be

appointed early in the next session of parliament, to take into consideration the law with respect to tithes in Ireland. Mr. Wellesley Pole took up the reply by observing, that he had examined all the plans that had been proposed, but that he could not find in any one of them anything like a practical remedy for the evil. The object, he presumed, was to relieve the peasantry of Ireland; but, in the plan proposed, their burdens would be increased rather than diminished. An acreable tax upon tilled ground would make the owners of poor lands pay as much as the owners of the most fertile ground and the finest crops. If any commutation was to go upon the principle of an absolute tenth of the value of the produce, the farmers must lose, as they did not at that time pay a proportion of one-twentieth all over the kingdom. He would trace the sufferings of the poor, not to the tithes, nor to the proprietors of the soil, but to the jobbers, or land-pirates, as they were often called in Ireland, who took the land from some middle-man to divide it in allotments among the poor, who had thus not less than the amount of three or four rents to pay for the small pieces of land which they held. Lord Castlereagh opposed and Mr. Wilberforce supported the motion. The house was but thinly attended; and the ministry, with all their influence, could only secure a majority of three, and this they justly considered was virtual defeat.

## CHAPTER XII.

DISSOLUTION OF PARLIAMENT; O'CONNELL'S DEFENCE OF MAGHEE; O'CONNELL'S ACTIVITY IN IRELAND.



THE result of the debates upon Mr. Canning's and Mr. Parnell's motion, in the house of commons, and of lord Wellesley's movement in the lords, sufficed to open the eyes of the ministry effectually to a knowledge of their true position in both branches of the legislature. They knew that in the event of the address to

the regent being, as in all probability it would be, the institution of a committee on the catholic claims and on the Irish grievances generally, into which its inquiries were sure to merge in the ensuing session, that the ordinary course of the national policy must be changed, and that their tenure of office must be but of very short duration. They, therefore, adopted a somewhat violent but not an unusual course of action. They influenced the

regent, and on the 29th of September, a royal proclamation was issued by which the parliament was dissolved and a new embodiment of the lower house called. The government, of course, endeavoured to mystify the public as to the cause from which this dissolution had issued. Doubts were reasonably entertained of the coherence of the government amongst themselves, but the result proved that they were not wrong in relying upon their popularity with the constituencies of the empire, however unstable their footing might be in the parliament as it had just been constituted. The remainder of the year was principally occupied with the bustle of a general election, but the shortness of the notice, and the circumstances of the time, wonderfully abridged the usual proportion of contests, especially in the counties. Everybody seemed agreed in the opinion that the perilous contest in which the country was engaged, must be made the primary consideration. All other feelings were lost in this, and all internal divisions were looked upon as matters of quite subordinate interest. The war had been continued with success; and the year had been one of extraordinary achievements in the Spanish peninsula, and the men at the helm of power had happily guided Britain so far in the most perilous conflict in which she had hitherto been ever engaged. National honour was not only at stake, but the national safety was jeopardised. It, therefore, appeared to the people to be better to cling to the guides that they had, than to look for protection to quarters which they required experience entirely to trust.

For this reason few of those riots were heard of even in Ireland, which have too often disgraced the struggle for political power. So far as the temper of the nation could be judged of by the return of its representatives, the opposition had gained nothing personally by the events of the year. In the metropolis, and those two important places, Bristol and Liverpool, the candidates in their interest had to endure a defeat, and the case of the last of these great commercial ports was one remarkably in point. Though Liverpool had been peculiarly a sufferer from the operation of the orders in council, which so largely affected the interests of the mercantile marine, and which had ruined its American trade, the election went in favour of one

who, when a member of the administration, had taken a great share in promoting the adoption of those orders, and to the rejection of the candidate who had been the principal instrument in their repeal: so little confidence could be placed even in men's most apparent interests when they were opposed to their political prejudices. It was true that the system of carrying on almost the only foreign commerce left to the country by the means of licences had a great tendency to increase the influence of the government for the time being over the mercantile interests, while the manufacturing body were equally affected by the numerous contracts which the government were obliged to give out almost daily for carrying on the war, but these did not provide a sufficient reason to account for the generally expressed feeling of the nation at large, and we can only look for the origin of the preponderance of the existing administration in the elections, in a common approval of their public policy throughout the British islands.

O'Connell had now come prominently on the stage of political warfare. Of the catholic board he was the very soul and spirit. At first he contented himself with acting as the honorary secretary of the institution. While Hussey O'Flanagan and Gorman O'Grady were pouring forth the floods of their impassioned eloquence to the assembled and admiring multitudes, O'Connell, who was destined to outshine them all, was occupied in drawing up resolutions, taking down minutes, arranging reports, and putting otherwise on permanent record all that which was to serve for the basis of future agitation and excitement. It was at this time that the trial of Mr. Maghee occurred. He had published in his paper, the *Dublin Evening Post*, a stinging tirade against the lieutenancy of the duke of Richmond. It was not more severe in its invective than such articles usually are, and hardly so much so as several which were subsequently printed in the Irish papers against the rule of the marquis of Anglesey and other administrations; but the government took serious offence at it, and it was looked upon as being highly seditious, and calculated to excite a ferment in the country. An *ex-officio* information was therefore issued against Maghee, and O'Connell was retained for the defence.

Saurin, the attorney-general, a man of French extract, of great legal ability, but



apparently of an invidious spirit and cynical turn of mind, opened the case with much rancour, and dilated upon the offence of the prisoner with unnecessary harshness. The fact of the publication was of course easily and amply proved by the evidence. In the course of his address he took the opportunity of inveighing strongly against the French principles and French predilections, describing the people as an imperious and bitter race. O'Connell's defence was, perhaps, one of the grandest demonstrations of forensic eloquence that had ever been made. It was purely Demosthenic in its character, heavy in the extreme in the force of expression in which it was expressed, choice in its diction, filled with the deepest learning of constitutional law, and pointed almost to a fault in the epigrammatic terseness of the inferences which he drew from the nature of the offence and the character of the prosecution. Nothing, perhaps, was ever equal to it, except the masterly harangue of lord Erskine, or the bitter, sarcastic, overwhelming exposition made in after years by Brougham, in defence of queen Caroline. Nothing could be more withering than O'Connell's daring denouncement of court favouritism and court corruption. With an unsparing hand he held up the whole course of the Richmond government to the opprobrium of the empire. Not an official was forgotten; not a secret spring of despotic influence but was laid bare to the sneering and contemptuous reprobation of the public ken. In the course of his speech, which lasted during the sitting of two entire days, there was an uninterrupted torrent of unanswerable argument, patriotic declamation, and of proud, nay, of almost insolent defiance of the whole power of the state. In replying to the attorney-general's allusion to the French, O'Connell uttered that terrible retort,—“Yes, my lords, the French are an imperious and overbearing people, and it seems that their spirit remains unchanged, even when transplanted to the third or fourth generation.” Saurin never either forgot or forgave it. O'Connell knew that a verdict of *guilty* had been decided upon, and he comprised the viceroy, the judges, jury, and witnesses in one sweeping denunciation of abhorrence.

The case was traversed, and Maghee was ordered to be brought up for judgment in an after term. In the meantime he pub-

lished the whole of O'Connell's speech in a collected form. This was used by the counsel for the crown as an argument for an aggravation of his punishment. This O'Connell, although he deeply lamented it, could not help. So long as it remained as only an address in court, no fiction of law could be strained to use it as a weapon of offence against the prisoner; but by its publication in a printed form, Maghee adopted the sentiments and became responsible for the expressions as if they were his own; and his adversaries were not slow to take advantage of the imprudence which he had committed. He suffered severely for it; but his object was partially effected, for it roused an unmitigable degree of hostility to the Richmond government throughout the whole of catholic Ireland. The judgment of the court was considered to be extreme, even at that time. Maghee was sentenced to pay a fine of five hundred pounds, to be imprisoned in Kilmainham gaol for the space of two years, and to give heavy security for keeping the peace for seven years from the time of the expiration of his punishment. The attorney-general, in making his application to the court, took the opportunity of retaliating bitterly on O'Connell. As may well be imagined, says his biographer, by those who knew his proud, fearless, and determined character, the invective was not allowed to pass unanswered. The first sentence he uttered in reply, was indicative of scorn and conscious superiority. “I am sure, my lords, that every gentleman present will sympathize in the emotions which I now experience. I am sure that no gentleman can avoid feeling the deepest interest in a situation in which it is extremely difficult to check the strongest resentment, but quite impossible to give that resentment utterance in the severity of language suited to its cause and provocation. Yet even here do I yield in nothing to the attorney-general. I deny in the strongest terms his absurd and unfounded claim to superiority. I am his equal, at least, in birth; I am his equal in fortune; his equal certainly in education; and as to talent—I should not add that—but there is little vanity in claiming an equality. And thus meeting him on the firm ground of undoubted equality, I do rejoice, my lords, I do most sincerely rejoice that the attorney-general has prudently treasured up his resentment since July last, and ventured to address me in this court in the unhandsome language he has used, because my

profound respect for this high tribunal, and my veneration for this temple of the law, enable me here to overcome the infirmity of my nature and to listen with patience to an attack which, had it been made elsewhere, would have met with merited chastisement." The last word he used excited a perfect commotion in the court. Mr. justice Daly and judge Osborne, who, with Mr. justice Day, were upon the bench, all took up the term with severe animadversion, the first of these legal authorities declaring that if a criminal information were to be applied for on account of a threat of chastising the king's attorney-general, they would be obliged to grant it. Mr. justice Day helped him out of the scrape, by pointing out that the observations of Saurin were directed to the point of enhancing the punishment of his client, and that they were not intended as any personal offence to himself. O'Connell apologised by saying that which was certainly an excuse to the court, but an additional drop of bitterness for the attorney-general, and he wound up his peroration in the following galling rejoinder: "I conclude by conjuring the court not to make this a precedent that may serve to palliate the acts of future and perhaps bad times. I admit, I freely admit the Utopian perfection of the present period. We have everything in the best possible state. I admit the perfection of the bench. I concede that there cannot be better times, and that we have the best of all possible prosecutors. I am one of those who allow that the things that be could not be better. But there have been heretofore bad times, and bad times may come again. There have been partial, corrupt, intemperate, ignorant, and profligate judges. The bench has been disgraced by a Bilknap, a Tressilian, a Jeffries, a Scroggs, and an Alleybrown. For the present there is no such danger, but at some future period such men may rise again, and if they do, see what advantage they will derive from the precedent of this day, should it receive your lordships' sanction,—at such a period it will not be difficult to find a suitable attorney-general. Some creature, narrow-minded, mean, calumnious, of inveterate bigotry, of dastard disposition, who shall prosecute with virulence and malignity, and delight in punishment,—such a man will, with prudent care of himself, receive merited and contemptuous retort. He will safely treason up his resentment for four months; his virulence will for a season be

checked by his prudence, until at some safe opportunity it will explode by the force of the fermentation of its own putrefaction, and throw forth its filthy and disgusting stores to blacken those whom he would not venture directly to attack. Such a man will with shameless falsehood bring sweeping charges against the population of the land, and afterwards meanly retract and deny them. Without a particle of manliness or manhood, he will talk of bluster, and bravado, and courage, and he will talk of those falsely, and when a reply could not be permitted. If such times arise, my lords, the advocates of the accused will be sure not to meet with that which I should be sure to meet with from your lordships this day, if I were to be so attacked; he will not meet sympathy and equal liberty of speech. No, my lords, the advocates of the accused will then be interrupted and threatened by the bench, lest he should wipe off in the disgrace of his adversary, the foul and false calumnies that have been heaped upon him. The advocate will not be listened to with the patience with which your lordships would listen to me. The then attorney-general may indulge the bigoted virulence and dastard malignity of an ancient and irritated female, whose feelings evaporate in words; and such judges as I have described will give him all the protection he requires; and although such a dereliction of every decency which belongs to gentlemen would not be permitted, and would rouse your indignation, yet in such bad times as I have described, the foul and dastard assailant would be sure, in court and beyond it, to receive the protection of the bench, whilst the object of his attack would be certain of meeting with imprisonment and fine, were he to attempt to reply suitably. My lords, you who would act so differently—you who feel with me the atrocity of such a proceeding—you, my lords, will not sanction the attempt that has been made this day to convert the speech of counsel against the client, lest by doing so you should afford the materials for the success of any future attorney-general, such as I have endeavoured to trace to you. Before I sit down I have only to add, that I know the reply of the solicitor-general will as usual be replete with great talent, but I also know that it will be conducted with the propriety of an Irish gentleman; but great as his talents are, they cannot on the present occasion injure my client. With respect to his colleague, the attorney-gen-



eral, I have only to say, that whatever related to him in my speech at the trial, was imperatively called for by his conduct there. As to him I have no apology to make. I retract nothing. I repent nothing. I do now, as I did then, despise and treat with perfect contempt every false calumny that malignity could invent, or dastardly atrocity utter, whilst it considered itself in safety."

This was one of the most severe and cutting strictures to which any public officials had ever been doomed to listen. By placing the matter he discussed on suppositious points, O'Connell happily combined the most approbrious sarcasm with the annunciation of principles, which no man could gainsay or resist; and while using that terrible power of austere reproof with the most haughty defiance of the judges on the bench, and the sternest contempt for the agent of the prosecution, the orator contrived, while every one was palpably applying the power of his wrath to those then present in court, to keep himself within the limits of those terms of respect which every one is bound by ordinary usage and by common consent to evince to the judicial institutions of the country. O'Connell had hitherto had but little practice at the chancery bar, and as he had often spoken slightly and even contemptuously of the political course and sentiments of lord Manners, who then filled the office of chancellor of Ireland, it was thought that he would have but little chance of success in his court. He was, however, at length retained in a case of considerable importance. All the seniors had been heard, and the case had gone decidedly against them. Even the attorney had utterly despaired of a favourite issue, and would have persuaded O'Connell to remain silent. He, however, determined to persevere, and requested permission to state his arguments, saying that he believed he could place the matter in a new light before his lordship. The chancellor somewhat shortly replied, that he believed that all had been said that could be said upon the subject, and that he had already made up his mind as to the course which he should adopt. Nevertheless, to a repeated solicitation, he assented to sit the next day. On the following morning O'Connell was consequently in court, and proceeded. For some time the chancellor was apparently quite heedless of what fell from the counsel, but soon afterwards looked up, then listened attentively, began to take notes, review those of the

previous day, then took time to consider his judgment, and ultimately decided in favour of the client whose case had heretofore appeared so hopeless. This result amazingly enhanced O'Connell's reputation for acuteness and ability, greatly elevated his position in public esteem, and he was thenceforth regarded as the most powerful advocate at the bar in Ireland.

The remainder of the year was passed by the Roman catholics in Ireland, and the protestants chiefly in England, in getting up petitions both for and against the granting of what was called catholic emancipation; and yet the Roman catholics in England, who were neither few nor unimportant in the political scale, took but little interest in the controversy, and certainly played a very insignificant part in the great contest that was then going on. Throughout the whole of Great Britain the protestant feeling was thoroughly and entirely aroused. The known predilections of the ministry, of whom the chancellor appears to have been the presiding spirit, combined with the closing speech of the regent on the prorogation of parliament, induced an activity of exertion that had never been surpassed; and a confident hope was entertained that the catholics would be altogether diverted from any further prosecution of their claims, especially as in the latter part of the session the spirit of violence, usually so rife in Ireland, had greatly abated its virulence. The shock and surprise, therefore, to the people both of England and Ireland, when, by the proclamation of the 29th of September, the parliament was dissolved, was extreme. It was a step, however, to which the administration had been obliged to resort. Canning's motion for taking the claims of the Roman catholics into consideration early in the next session, and the drawn battle in the lords upon lord Wellesley's resolution, hung over their heads with a threatening ominousness. They knew that with the present house they could never meet these motions, and therefore that next session never came. Parliament was opened by commission on the 24th of November, and the ministry had sufficient influence to obtain the re-election of Mr. Abbott, afterwards lord Colchester, to the speakership, without any noticeable opposition. On the 30th the regent opened the business by a speech from the throne, in which he spoke somewhat largely upon the topics usually comprised in the terms of a royal speech, spoke strongly respecting

the war on the continent of Europe, and also on that which had just been declared by the United States of America—the subjects which at the time most deeply interested the nation at large—but he said not a word about the catholic claims, and hardly alluded at all to the state of Ireland. Both Canning in the commons, and lord Wellesley in the house of peers, who took, by concert, an identical line of argument, noticed the omission, but said very little about it, and the address in reply to the speech was voted in both houses without a division.

This silence in parliament awakened the advocates of the catholic cause in Ireland to greater vitality than they had before exhibited. The catholic board came more and more prominently before the public eye. The meetings were more frequent, and the speeches of a bolder character. At all these assemblages O'Connell took a leading part. He was, as usual, the framer of resolutions, the drawer up of reports, and the great pivot upon which the whole society turned. The whole labour of the catholic cause, in fact, devolved upon his shoulders, for the "natural leaders," as they were termed, had retired. They were unequal to that continued energy which was necessary to carry so great a cause as catholic emancipation. Mr. Keogh, of Mount St. Jerome, the gentleman who had distinguished himself so eminently as the promoter of the entrance of his co-religionists into parliament, laid down his baton, and was superseded when it was ascertained that his policy was that of quiescence. After the angry discussions of 1810, respecting petition and no petition, he had gradually quitted the arena of public life, not without having good reason to complain of the injustice and ingratitude which had been exhibited towards him, after more than thirty years of service in that department of national policy which his countrymen had most at heart. He said that he considered petitioning a useless, if not a dishonourable course; and after the vanity and vexation of spirit which it had hitherto produced with respect to the catholic claims, it was not an unnatural conclusion at which to arrive, and it was neither generous nor honourable to assail the aged patriot for entertaining an honest opinion, although it might be disagreeable to the greater part of the catholic body.

O'Connell assumed, without a question, the chief post immediately after Mr. Keogh's

retirement. From his popularity of manner, aptness of wit, readiness of resource, and invincible power of endurance, no one could be better adapted to discharge its duties. The "rough work" fell to his share, and he used often to say afterwards, that had it not been for his perseverance in getting up meetings, and the assistance which he received from the Dublin coal-porters, in keeping the orange boys of the university in order, he never could have worked up the agitation to the height to which it was raised, or have carried the measure of emancipation. For hours together he used to wait upon Carlisle-bridge, to secure members of the catholic body, and to send them down to the Exchange rooms, where the meetings were then held. The circumstances of the adoption of this now celebrated place for this purpose were not a little curious. It arose out of the fact, that the meetings of the Roman catholics had been very frequently disturbed by the intrusion of the students of the university, who were accustomed to attend in large numbers, and in a body, for the purpose of interrupting the proceedings. Through some inducement, the coal-porters on the Dublin quays, who held opinions the very opposite but equally as strenuous as those of these young men, proffered their services to prevent the nuisance for the future, and threatened, if allowed, to throw them into the river Liffey, if they continued their misconduct. The Exchange rooms, on Burgh-quay, happened at this time to be without a tenant. Their situation was admirably adapted for a profitable employment of the coal-porters, if necessary, and O'Connell took the premises on lease in his own name, sending word to the young collegians, that as the meetings would for the future be held near the river, it might be as well for them to remain away, as otherwise the coal-porters might be inclined to carry their threats into execution. The intimation had the desired effect, and the meetings were never after much disturbed by the turbulent members of Trinity college; and O'Connell, as stated above, used jestingly to say, that but for the coal-porters of Dublin emancipation would never have been carried. Certain it is that, on the presumed strength of their services, they always claimed a prominent position in all processions, and that their right was invariably allowed by the catholic leaders. As stated above, the catholics of England had hitherto taken but little part in the agitation for the



catholic claims, but early in the year 1813, both the Romanists and the protestants in that country, who were favourable to the granting of those claims, began to hold frequent meetings, to pass resolutions in their behalf, and to petition parliament for the redress of the alleged grievances. The times were, indeed, peculiarly propitious for such a movement. The whigs and the liberal portion of the tory party had taken up the matter as an impulse of state policy. The majority obtained by Mr. Canning in the previous session, had not been without its effect, and on the 25th of February—as soon, indeed, as the measure could be brought forward after the Christmas recess—Mr. Grattan, to whom Canning had delegated his commission, moved that the house should resolve itself into committee, for taking into consideration the claims of the Roman catholics. Three of the sections of the bill of rights having been read, on the motion of Mr. Yorke, Grattan rose, and said he was happy that the honourable gentleman had caused those portions of the bill of rights to be read, since he was decidedly of opinion that the qualifications enumerated in them as absolutely necessary to the sovereignty of this empire, ought to form the preamble of any bill introduced into parliament for the relief of the Roman catholics. Having stated that it was his purpose to move for a committee, in pursuance of a resolution which, although passed by a former parliament, he felt fully entitled to refer to, he proceeded to make some observations upon the manner in which many of the petitions against it had been got up, especially in Ireland. They had often, he remarked, been a consequence of a requisition to the sheriffs of counties to call meetings of the protestant inhabitants, and he thought it exceedingly objectionable in a public officer to call people together in sects, and to give to a party private meeting the authority of a public assembly. He also objected to the calling of one part of his majesty's subjects to petition against another, and especially when the petitioning was directed to another country in preference to their own. One of the leading observations of these petitions was, that the tone which the catholics had assumed rendered it unwise to grant their claims. But that, he contended, was not the matter in question. The question was, in truth, one of allegiance; and it might very well be asked, whether the catholics could, in any

of their proceedings, be justly chargeable with a want of due allegiance to the throne. The anti-catholics had accused them of a desire to obtain political power, but why should they not desire to attain political power? Why should they be content with being sentenced to utter and hopeless exclusion from a ruling influence in the state? But the fact was, it was not power but protection for which they sued. They desired not to be taxed without their consent; they desired not to be tried by persons who were not only partisans, but were covenanted against them. They wished only for their liberties. They did not desire this or that particular office, but only demanded the grant of their just civil qualifications. It was the protestants who asked for power. They desired, by their petitions, to keep all the patronage of Ireland in their hands, to maintain a constant ascendancy, and to govern all the other sects in the country. The tendency of their argument was, that there ought to be a church government, including all classes and religions. After some further observations, to show that the policy of granting these claims was superior in utility to that of withholding them, Mr. Grattan proceeded to say, that the anti-catholics asserted that the toleration granted to catholics was greater in the united kingdom than in any other part of the world. It might be so, but there was no establishment which was not to some degree a persecuting church, and consequently hostile to toleration. Hence there was scarcely a church which would tolerate so widely and so beneficially as a parliament could do. But to the opinion, that England exceeded any other in toleration, he must demur. He then brought forward the customs of France, and gave instances also from the state of society in Hungary, stating that in both countries the catholic portion of the population did not only enjoy toleration, but also possessed the qualification necessary to fill the highest offices in the political circles. He then entered upon the debateable ground so frequently contested, as to how far persons holding the Roman catholic dogmas of faith could render an ample and sufficient allegiance to a protestant sovereign, and concluded with moving that that house should resolve itself into a committee of the whole house, to take into its most serious consideration the state of the laws affecting his majesty's Roman catholic subjects in Great Britain and Ireland, with a view to such a

final and conciliatory adjustment as might be conducive to the peace and strength of the united kingdom, to the stability of the protestant establishment, and to the general satisfaction and concord of all classes of his majesty's subjects.

All the great speakers in the house took a part in this debate, which was continued throughout the course of four days, but no new argument could be adduced on a subject which had been so frequently and so thoroughly discussed before in both houses of parliament. The point that excited the most attention, or indeed that had anything of novelty about it, was that which had reference to the conduct of the Roman catholics in Ireland, whose minds had been so much irritated by their numerous disappointments, and the untoward circumstances of their late petitions. With respect to the latter especially, many remarks, which were exceedingly pungent in their diction, were made upon the conspicuous part taken by the clergy of the established church in opposition to the Roman catholic claims. Some represented this to be only a renewal of the cry of the church in danger, which had so often been raised, simply from a spirit of bigotry and mere worldly policy on the part of those who wished to save their own peculiar interests; while others very rationally justified it as only a reasonable measure of defence for the cause of scriptural protestantism, and taken up against hazards which had in former times proved anything but imaginary. Many of the most temperate advocates for the motion spoke in its favour, from a sincere desire to have the matter fully and fairly investigated, with a view only to its just and final settlement, and without having any prejudice to satisfy either one way or the other; and authorities of high consideration on both sides, it must be admitted, were very greatly divided.

That the alarm excited, however, through the country by the exertions and petitions of the anti-Romanists was very great, appeared by the difference between the division then taken, and that upon Mr. Canning's motion on the same subject in the previous year. The house did not divide until four o'clock in the morning of the 2nd of March, when there appeared for Mr. Grattan's motion two hundred and sixty-four, and against it two hundred and twenty-four, being a majority of forty, instead of one hundred and twenty-nine, in favour of the committee. The point never-

theless was gained, and that day week Mr. Grattan accordingly moved the order of the day for a committee of the whole house on the catholic question. The house having resolved itself into committee, Mr. Grattan rose, and after some few preliminary observations, said that he intended to move the adoption of two resolutions; viz., first, that the catholic disabilities should be removed; and secondly, that the establishments in church and state ought to be effectually secured; after which he should propose regulations for the ecclesiastical courts and other matters, and an oath against foreign influence; concluding with a motion "that with a view to such an adjustment, as may be conducive to the peace and strength of the united kingdom, to the security of the established church, and to the ultimate concord of all classes of his majesty's subjects, it is highly advisable to provide for the removal of the civil and military disqualifications under which his majesty's Roman catholic subjects now labour, with such exceptions and under such regulations as may be found necessary for preserving unalterable the protestant succession to the crown, according to the act for the further limitation of the crown, and better securing the rights and liberties of the subject, and for maintaining inviolate the protestant episcopal church in England and Ireland, and the doctrine, discipline, and the government thereof; and the church of Scotland, and the doctrine, worship, discipline, and government thereof, as the same are respectively by law established."

Mr. Abbott, the speaker, whose opinion had always great weight in the house, then rose to take the earliest opportunity of giving what he considered to be the true reading of these resolutions, to enter a protest against the course that had hitherto been pursued, and also against the measure which was then proposed. He said that three plans had been proffered on the subject in question. The first was for the unlimited and unconditional concession, as urged by the Irish Roman catholics in their petition; but that had found but few advocates in the house, and had been abandoned by the right honourable mover of the question, as well as by his eloquent supporter, Mr. Plunkett. The second was for qualified concessions, with some legislative control over the Roman catholic clergy, which was apparently that of the mover, and undoubtedly that of Mr. Canning; but that



was resisted by the Roman catholics themselves, who called it persecution and inadmissible control. That plan was also acknowledged to involve a repeal of the test and corporation acts. The third, that of lord Castlereagh, was for bringing the Roman catholics within the reach of political power, with safety to the protestant establishment, by obtaining the concurrence of the head of the Roman catholic church to such arrangements as might be satisfactory to both parties. That was, however, admitted at the present time to be wholly impracticable. Having stated what those plans were, the right honourable gentleman proceeded to the measure then before the house, which he characterised as a sweeping repeal of all known securities, upon the faith of other securities, which were as yet unknown. Some of the suggested securities he then considered, and stated his objections to them. He spoke of the ill consequences that might result from a bill framed upon such grounds, even if lying over to another session, by exaggerating the hopes of the Roman catholics, and dissatisfying the established church. By this measure, it was proposed to grant to Roman catholics all the military commands, even to the very highest grade, except the chief position on the home station; to permit persons of that persuasion to be married either to protestants or Roman catholics, without any necessity to have the ceremony performed in a protestant place of worship; and it was otherwise of such a sweeping character, that he had no alternative, unless he chose to break down all the barriers, both for the country and the throne, but to meet it with a direct negative. Mr. Ponsonby loudly condemned the view taken of the resolutions by the speaker, asserting that he had entirely misunderstood their purport, which he contended were only calculated to confer upon the catholics those privileges to which, as faithful subjects of the realm, they were fully entitled, and which no man of moderate opinions could in fairness do otherwise than consent to grant. Sir J. Hippersley totally dissented from this view of the case, and opened up that opposition, which on the debate upon the bill, he afterwards most forcibly but ineffectually prosecuted in his motion, that previous to its passing into an act, the question of the veto should be considered and decided. Upon these texts most of the other speakers, more or less, dilated,

and the debate was carried on with an obstinacy and rancour seldom met with, even in the house of commons; but the resolutions were ultimately carried, by one hundred and eighty-six to one hundred and nineteen, leaving a majority of sixty-seven in favour of Mr. Grattan.

Both the motion and the resolutions created the most intense interest in Ireland. All the leading papers were filled with comments upon the public men engaged in them, which were calculated to excite the inflammable spirits of the country to the utmost. O'Connell, during the whole of their progress, temporised, and endeavoured to assuage the height of the common sensations, and did not in consequence fail to incur no small quantity of personal abuse. A very severe philippic, among others, was published in the *Freeman's Journal*, in which he was styled the "changeable and ever changing barrister." This tirade was attributed at the time to a certain doctor Drumgoole, a Romish priest, and one of those unmanageable patriots, who were at all times ready to advocate the most extreme measures, in whatever the interests of their church appeared to be involved. It has been objected to this view of the case, that he had always acted in concert with Mr. O'Connell, and that it was not likely that he should assail his best friend. But it should be remembered that the leaders of the Roman catholic party in Ireland were at all times a disunited and conflicting set of men—never more so than at that time; and that without the concentrated assistance of the whigs in England, the body to which they belonged never could have attained to the position in which the efforts of Grattan had succeeded in placing them.

O'Connell was a man of too much sagacity not to perceive that the question of catholic emancipation never could be carried through the imperial legislature, until the popular feeling had been aroused in both countries to such an extent as to make it a national and not a merely party dispute; for until that was done, and while the regent retained his present advisers in his counsels, any bill that might be founded upon the resolutions, however triumphantly it might be carried through the commons, never could pass the house of lords. He was doubtless aware that any premature passing of an act for the removal of the political disabilities of the Roman catholics, would destroy his personal influence, and, although

it had been rapidly cumulating for the last few previous years in every district in Ireland, he had other objects of personal ambition and aggrandisement, and patriotic endeavour, to accomplish, beside the carrying of catholic emancipation. Nevertheless, the carrying of these resolutions excited great exultation, and on the 30th of April Grattan introduced his bill; and as its

framework formed the foundation of all the future legislation on the subject, we shall give an outline of the provisions which it contained, and the comprehensive principles which were afterwards so successfully evolved by Grattan's more fortunate successors in this great field of political and polemical enterprise.

### CHAPTER XIII.

GRATTAN'S BILL; ITS SECOND READING; DEBATE; CANNING'S AMENDMENTS IN COMMITTEE; ABANDONMENT OF THE BILL, AND GRATTAN'S MOTION FOR THE NEXT SESSION; THE BUDGET, AND PRESENT STATE OF IRELAND.



On the 30th of April, Mr. Grattan introduced his bill, which, after the usual preamble, stating the objects which it was designed to effect, and the necessity of its enactment, the first reading was agreed to without a division, and the second reading was fixed for the 11th of May, also without any opposition. The bill contained several important enactments, of which the following were the chief. The preamble having declared that the protestant succession to the throne should be inviolable, and that the protestant church establishments in England, Ireland, and Scotland, should be sustained in all their integrity of discipline and doctrine, and that it was expedient that the blessings enjoyed by protestants under the political dominion of Great Britain, should be conferred also upon his majesty's Roman catholic subjects, so as to unite all the inhabitants of these islands in the general defence of the common liberties and government,—the bill then went on to enact that it should be lawful for persons professing the Roman catholic faith to sit and vote in either house of parliament, upon making a declaration of oath, instead of the usual oaths of allegiance, abjuration and supremacy, and the declarations against transubstantiation and the invocation of saints.

The oath, which was very long, contained a promise of allegiance to the king; of supporting the protestant succession to the

crown; a renunciation of a belief in the temporal jurisdiction of the pope, or of any other foreign potentate in these kingdoms, and of the validity of execution by pope or councils to depose princes; that no act, in itself immoral, can be justified on pretence that it is for the good of the church, or in obedience to any ecclesiastical power; that no sin can be forgiven by any priest or cardinal, without sincere repentance; a declaration that the infallibility of the pope is not an article of the Roman catholic church; a disavowal of any intention to subvert or disturb the church establishment, and a promise to make known all conspiracies, or other attempts for such a purpose; and finally, that the oath was taken in the plain sense of the words, without equivocation or reservation, and that no power or authority could dispense with or annul it.

The bill further enacted, that on taking the above oath, and making the declaration, it should be lawful for Roman catholics to vote for members of parliament, when duly qualified, and to hold and exercise all civil and military offices, or places of trust or profit, with the exceptions of the offices of lord high chancellor, lord keeper, or lord commissioner of the great seal of Great Britain; or lord-lieutenant, or lord-deputy, or other chief governor or governors of Ireland; also to be a member of a lay body corporate, and to hold any civil office or place of trust therein. A provision was subjoined to the effect, that nothing in the



act should extend to the repeal of any laws in force for establishing the uniformity of public worship in the episcopal church of England and Ireland; or to make any change in the ecclesiastical judicature of the realm; or to enable any Roman catholic subject to present to any ecclesiastical benefice whatever; or to make it lawful for him to advise the crown as to the disposal of any preferment in the protestant churches of England, Ireland, or Scotland. It further provided, that every person then exercising, or who should thereafter exercise any spiritual function belonging to the Roman catholic religion, besides the oath and declaration above-mentioned, should take a specified oath, the purpose of which was, that the person would never consent to the appointment of any bishop or vicar apostolic, but such as he should deem to be of unimpeachable loyalty, and peaceable conduct; that he would have no communication or correspondence with the pope, or see of Rome, or with any tribunal established by their authority, or with any person authorised by them, tending to disturb the established protestant churches in these kingdoms; or any correspondence at all with such persons or tribunals on any matter not purely spiritual. A further enactment provided, that any person born out of the united kingdom, except such as were born of British or Irish parents, should be restrained from exercising any episcopal functions in it; and also required a certain term of residence within the kingdom, before such functions could be exercised.

On the 11th of May, the day appointed for the second reading of this bill, sir John Cox Hipplesey made a motion, according to the notice he had given, to the following purport:—"That a select committee be appointed to examine and report the state of the laws affecting his majesty's Roman catholic subjects within the realm; the state and number of the Roman catholic clergy, their religious institutions, and their intercourse with the see of Rome, or other foreign jurisdictions; the state of the laws and regulations affecting his majesty's Roman catholic subjects in the several colonies of the united kingdom; the regulation of foreign states, as far as they can be substantiated by evidence, respecting the nomination, collation, or institution of the episcopal order of the Roman catholic clergy, and the regulations of their intercourse with the see of Rome."

On this topic the honourable baronet made an elaborate speech, in which he entered fully into many particulars of the opinions of different Roman catholic ecclesiastics as to oaths and tests required by the government, and other matters, tending to show the necessity of further investigation, before the proposed concessions were made. Mr. Grattan objected to the motion, on the ground of the long and indefinite protraction of the measures for the relief of the Roman catholics which it would occasion, after a discussion which had already subsisted nearly twenty years. He stated several reasons against the proposed investigation, took a summary view of his own bill, and then replied to various objections to its provisions, which had appeared in the newspapers as coming from the Roman catholic body, when they in reality only emanated from individuals. He concluded, by moving the order of the day as an amendment upon the motion. Mr. Ryder, who seconded the motion, entered into a long train of reasoning, in order to show that some further investigation was necessary to satisfy the protestants before this bill could pass into law. Mr. Canning, after expressing his surprise at the course taken by the last speaker, in seconding a motion brought forward by an advocate of a cause to which he had always been opposed, made a speech fraught with wit and eloquence, in which he ridiculed the idea of going into a voluminous inquiry, as the mover had suggested, and stated the necessity of proceeding without delay to an adjustment of the catholic claims. He then went into other points which he had thought worthy of consideration, and detailed certain amendments which he intended to move in committee, and having touched upon their principle, intimated that the time was not, in his opinion, yet come for the discussion of them. Mr. Bathurst and the earl of Desart having spoken in favour of the honourable baronet's motion, and lord Castlereagh against it, the house divided, when there appeared for the amendment two hundred and thirty-five; against it one hundred and eighty-nine; showing a majority of forty-eight against sir John Hipplesey's motion.

Mr. Grattan moved the second reading of his bill on the 13th of May, when a fierce attack was made upon it by Dr. Duigenan, who concluded by moving that the bill be read a second time that day

three months. The debate was long and animated, but no new point was elicited, and the amendment was rejected by a majority of forty-two, in a full house, and the bill was ordered to be committed on the following day.

The clauses, of which Mr. Canning had given notice for insertion, when the bill was in committee, had reference chiefly to the future appointment of the Roman catholic bishops. It was proposed in these clauses, that every parish catholic priest should take an oath that he would not vote for any person to be a bishop whose loyalty he had cause to doubt; that a board of commissioners, consisting of two catholic bishops, a catholic layman, and two protestants, being members of the government, should be created; that before the name of any person elected to the episcopacy should be forwarded to Rome for approval, it should be submitted to this board, and if the person elected was disapproved of by it, another election should take place. Practically to this *veto* there was no limit, except that which might arise from there being a majority of catholics upon the board, notwithstanding that Dr. Milner, who took a considerable part in the arrangement of this affair, asserted that all that he, as an agent of the Irish prelates wanted, was a *limited veto*. Dr. Troy, another of the Irish Roman catholic authorities, also became a party to the matter, and there appears to have been an animated desire amongst the men in elevated positions on both sides, to get the question amicably and absolutely settled. The origin of these clauses would seem to have rested with lord Castlereagh, who, in first drawing them up, would have appointed an entirely protestant board to determine on the eligibility of the persons elected to the catholic episcopacy. These clauses were sent over to Dr. Troy by lord Donoughmore, and in returning them, he pointed out the effects of such provisions, and said something in a private letter about the necessity of its being a purely catholic board. Upon this, lord Donoughmore, who was most anxious to settle the question, on which his fame chiefly rested, went to Mr. Canning. By his interference, the suggestion of Dr. Troy was adopted, and a correspondence was opened between him and the archbishop. From this correspondence, it would appear that, however conciliatory the archbishop might have been at the opening

of the business, he approved *in toto* of the objectionable clauses that were introduced into the bill when it was first committed, though a strenuous attempt was made in the catholic board of Ireland to fix them upon him by Mr. Edward Bellew, who mistook a loose expression in a private letter for a deliberate sanction, on the part of the prelate, of a mixed commission for the regulation of the Roman catholic church in Ireland.

Opinions in Ireland were greatly divided. The desire for emancipation, and the numerous openings that it would give the catholics in every branch of the public service, was so intense amongst the higher classes of society, that they were indignant in the extreme, that their views should be opposed by what they termed only a mere matter of discipline. If they did but grant a veto to government, emancipation was certain, and all its consequences were theirs. But they were strenuously opposed by the lower classes, the priesthood generally, and most of the popular leaders of the day. In this conflict O'Connell was particularly active, and his influence great; and indeed, he was, throughout the whole of this period, apparently not less disinterested and patriotic than he was earnest. In the high position he then held at the bar, he could immediately have obtained a silk gown, and commanded almost any promotion that he might have desired. Indeed, his exclusion from the inner bar must have greatly injured those who had the right of appearing there, for where it was necessary to have the benefit of his advocacy, a king's counsel could not be employed. But O'Connell threw all these considerations aside; and, amidst much opposition and personal reproach, adopted the part assumed by the Roman catholic clergy and the lower classes of the people.

The whole of these efforts and discussions were resolved into a considerable alteration of Mr. Grattan's bill in committee. The principal scope of the new clauses went to appoint two separate commissions, one for Great Britain, and another for Ireland, consisting of Roman catholic ecclesiastics exercising episcopal functions, lay Roman catholic peers or commoners, and privy councillors, the principal secretary of state being one, to which board of commissioners the name of every person of the Roman catholic religion, proposing to assume the functions of a bishop or dean, should be notified; and the said board was to report to his majesty



or the lord-lieutenant, whether they knew or believed anything to have been said or done by the party indicated, that would tend to impeach the loyalty or good conduct of such person; after which it should be lawful for his majesty or the lord-lieutenant, by and with the advice of the said commissioners, to approve or disapprove of the said person; and any person exercising the functions of a bishop, after disapprobation should have been expressed, was to be held guilty of a misdemeanour. To the same board of commissioners likewise was to be delivered every bull, dispensation, or other instrument from the see of Rome, or any foreign person or body acting under its authority, or any other spiritual superior. Such instrument or instruments the commissioners were to inspect, and, if found unobjectionable, they were to report the same to his majesty or the lord lieutenant, when such was to be enrolled in the office of the secretary of state, and then returned to the person by whom it had been delivered. Thus was the veto, to a certain extent, inserted in the provisions of the bill.

On the 24th of May, the house having been summoned, it resolved itself into a committee upon the bill as above amended, when the speaker, Mr. Manners Sutton, who had lately succeeded Mr. Abbott, now lord Colchester, in the chair of the house of commons, rose to oppose its passing in its integrity. He began by inquiring whether, by means of this bill, the desirable basis of general satisfaction and concord was likely to be established. As far as they knew of the proceedings of the Roman catholics, some of the most distinguished of the laity had declared against it, and the clergy were loud in their condemnation of its ecclesiastical provisions. The objects which it was intended to subserve, would be useless to the persons for whom it was intended, and would be, if carried out, highly injurious to the state. It was no argument, in his opinion, to say that the laws had been relaxed in favour of the dissenters generally, for the dissenters professed no opinions that could be injurious to the common weal, however inimical the sentiments of some of them might be to the established church. Were this bill to pass in its present state, it would necessarily involve the repeal of the test and corporation acts, and on that ground alone he should oppose it. But there was a greater injury than this to be contemplated, for the admission of the Roman

catholics to seats in the privy council, and on the judiciary bench had always been considered as in the highest degree dangerous to the settled institutions of the country, both in church and state. He then took a rapid review of the concessions to be granted, and of the omissions in the bill. The defences that were set up, he contended were altogether insufficient for their purpose, and he concluded with moving that the words "to sit and vote in either house of parliament," be omitted from the clause in which they were contained.

It is needless to repeat the arguments of the other speakers, and there were several, on the one side they were only an amplification of this text, and on the other only an enlargement of the reasoning that had been so often used before on the same subject. The division took place at a late hour, when there appeared for the speaker's motion two hundred and fifty-one, and against it two hundred and forty-seven, showing a majority of four in favour of the ministry. When the house resumed, Mr. Ponsonby immediately rose and said, that as by the decision of the house the object of the bill was virtually defeated, he was authorised to withdraw it. The bill was accordingly withdrawn, and thus were the hopes of the party whose interests he advocated dashed to the ground, just at the moment when they appeared most likely to be crowned with success. Mr. Grattan contented himself with giving notice that he should, on the 31st of May, move a resolution to the effect that the claims of the Roman catholics to be relieved from the political and social disabilities under which they laboured, should be taken into consideration early in the next session of parliament. The result of this debate, as might have been expected, created the utmost irritation throughout the whole of Ireland. Aggregate meetings were held in every part of the country. Almost everywhere local catholic boards had been established, and they first gave the impetus to this movement, but generally speaking, these local boards were in great disfavour with the populace and with those classes above them, who were most subject to the influence of the priesthood. Nowhere was this case more so than in Cork. There the local board was composed of the gentlemen of the town and neighbourhood, from whose meetings the press and the public were alike excluded, and a natural jealousy was felt on the part of

the people that they were betraying what the people thought to be their interest. This local board, like others in the more peculiarly catholic districts, called an aggregate meeting, and conceiving that, of course, places would be reserved for them, delayed attending until the last moment. An immense assemblage had accumulated, and O'Connell was amongst them. He had thrown himself entirely on the sympathies of the populace, and was the guiding spirit of the time. When the members of the local board proceeded to the place of meeting, they could not find even standing room, and they retired to the "Bush" tavern to conduct matters in their own way. In the meantime a series of pungent resolutions were voted by acclamation in the larger meeting, condemning their conduct in unmeasured terms, and expressing an utter abhorrence of the veto in every form. After these resolutions were passed, O'Connell, attended by a large number of his most tumultuous adherents, hastened to the Bush, broke into and entirely dispersed the meeting of the board. The gentlemen composing it, afterwards met under the presidency of Mr. Arthur O'Driscoll, of Clover hill, and agreed to a protest, asserting that the resolutions passed at the aggregate meeting were in perfect opposition to the principles of the constitution, by which *property was made the standard of opinion*; that they found it impossible to assent to the propositions of the aggregate meeting, which was formed of the lowest of the populace, who were ignorant from necessity and misled by design, and that from that meeting no one was able to ascertain the sense of the catholics of the city and county of Cork.

This protest was widely disseminated, and excited the most grievous hostility in the minds both of the priesthood and the people at large, and called forth from O'Connell that unrestrained invective in which ever afterwards he so commonly inveighed against his opponents. Much illustration was given on the eastern side of the Irish channel, of the way in which the catholics in Ireland succeeded in impeding their own cause. It has been stated before, that in the early part of this session of parliament the Roman catholics in England, conjoined with many of the leading protestants in that country, had made a serious attempt to emancipate the catholics from the trammels in which they were held.

Yet, although great zeal and activity were displayed in promoting the cause, nothing like violence or unnecessary rancour ever was discovered in the conduct of their proceedings. All was quiet, orderly, and unattended by the slightest disposition to a riotous exposition of sentiment. They succeeded consequently to a great extent with certain parties, in taking the sting out of the parliamentary debates, and throwing over the question the hue of political expedience rather than the tincture of religious faith; and in their addresses to the legislature, they took care to include all the other sects, as well as the catholics, that were subject to the operation of the test laws. On the 20th of March the English catholics held a meeting at which lord Clifford presided, and at which two resolutions were passed, declaring, first, their gratitude to the house of commons for its decision to take into consideration the claims of the Roman catholics of the united empire, and their hopes of a beneficial result; and, secondly, expressing their anxiety to afford every facility for an amicable adjustment, and affirming "that the satisfaction they looked to in being admitted to the benefits of the constitution would be greatly diminished, if not accompanied by the cordial concurrence of their protestant fellow subjects, whose good will they had been anxious to conciliate, and for the attainment of which, they were, and ever would be, willing to make every sacrifice that was not inconsistent with their religious principles. On the first of May a full meeting of the Irish catholic board was held in Dublin, when a discussion took place solely upon the civil enactments of Mr. Grattan's bill, which was then pending in parliament, for the emancipation of the catholics, and a striking instance of the disunion existing in that body was given in the course of the proceedings. It was observed that the bill was narrowed to the relief of the catholics alone, without comprehending the other classes of the dissenters, whose uniform liberality had given them weighty claims upon the gratitude of the Roman catholic body; that there were exceptions to the bill with regard to certain places, founded upon a principle of exclusion, which they could not recognise; that the enactment for the admission of catholics into corporations would still practically exclude them, by leaving them subject to the operation of bye-laws; and, that other disabilities were



left, proving the imperfection and the inadequacy of the bill, on which account the board left the propriety of nominating additional delegates to attend in London to the progress of the bill. If this measure was calculated to throw an impediment in the way of the proposed bill, the resolutions passed by the Irish Roman catholic prelates, at a general meeting held on the 27th of May, were much more adapted to produce the same effect, for they unanimously declared the ecclesiastical clauses of the bill were utterly incompatible with the discipline of the Roman church, and with the free exercise of their religion, and that they could not, without incurring the guilt of schism, accede to such regulations.

The British catholics, even after the failure of their hopes, continued to be the depository of the power wielded by the greater and more zealous catholic religionists in Ireland, and maintained the same dignified and moderate conduct that they had hitherto observed. At a numerous meeting, held in London on the 29th of May, the earl of Shrewsbury in the chair, two resolutions were unanimously passed. In the first they returned thanks to those members of the house of commons who supported the bill for their relief, and directed a deputation to convey their acknowledgments personally to some of the principal speakers, whom they named. The second was, "that although the Roman catholics of Great Britain feel, as they necessarily must, the most bitter and poignant regret, that hopes so nearly realised, were still to be deferred; nevertheless their long and patient sufferings had taught them not to sink under their present disappointment; and, confiding fully in the wisdom of the legislature, the increasing liberality of their countrymen, and the justice of their cause, they were sensible that they would be unworthy of the name of Britons if, for a moment, they relaxed their efforts to procure relief from the penalties and disabilities under which they suffered, trusting and hoping, as they most anxiously did, that the day was near at hand, when every jealousy and every animosity, on account of opinions purely religious, would be buried in eternal oblivion; and that in the present, and most rapidly increasing danger of the empire every subject of the united kingdom might have an equal interest by enjoying an equal participation in the privileges, immunities, and glories of their common country."

On the twenty-sixth of June, the bishops of the Romish church in Ireland, issued a pastoral address, in which they utterly disclaimed any adhesion to the principles evolved in Mr. Grattan's bill, which in the slightest degree affected the ecclesiastical constitution or authority of their church; and in the same document, with a jesuitical sophistry, for the shallowness of which it is very difficult to account, announced their positive intention of discountenancing any and every attempt that was likely to jeopardise the safety or the welfare of the established churches in England and Scotland. The spirit of protestant opposition, which had been educed in England by the consideration of the catholic claims, induced a number of individuals of that persuasion, to extend to that country the system of the orange society, which had been established in Ireland to commemorate the victories of William III., and to keep alive and in active force the energies of the protestants. This subject was, on the 29th of June, made a matter of complaint in the house of commons by Mr. Watkins Wynn, who had always been distinguished for the general liberality of his opinions. He adduced with great force the oath taken by every member of these lodges, on entering the society, in which he swore that he would uphold the throne, so long as the sovereign sustained, and only so long as he sustained, the protestant ascendancy in the British empire. Mr. Bathurst met it by the order of the day. It was only feebly opposed by the government, but the opposition thought it the wiser course not to insist upon the resolution which Mr. Wynn had introduced, and it was at length withdrawn without putting the house to a division.

On the 17th of July there was a large aggregate meeting of the catholic board and their Irish adherents, at which Mr. O'Gorman very indirectly proposed a motion, that the catholics of Ireland should call to their assistance the cortes of Spain, the then government of a country most notoriously infamous for its intolerance of any religion except that established in that country, and which at that very time was only sustained in its position by the force of the British arms. Nothing could better illustrate the state of society in Ireland in those days than the measures taken by the party, who called themselves protesters, and, who neither belonged to one party or the other in the arena of Irish politics. It was this

superciliousness on the part of the catholic gentry, which for years retarded the cause they pretended to advocate, and against which O'Connell first successfully battled. The principal agent in the whole of this democratic movement against the aristocratic pretension in the city and district of Cork, was Dr. England, a man of great powers of mind and amazing intellectual energy, who possessed, too, a masculine sternness of eloquence and an unflinching decision, which no paltry influence could possibly gainsay. From the first he had made up his mind to oppose the veto, and he was the guiding genius of what was called the Quarantotti movement. He was at that time the editor of the *Cork Mercantile Chronicle*, which he for a while conducted with zeal and success, and in the end he enlisted such energy in its cause, as to force the local catholic board to abandon their exclusiveness and to publish the record of their proceedings. But the feeling of the bulk of the populace or rather of the people was against him. New ideas were breaking upon them, and they began to prefer the solid benefits of social advantage to the empty promises of popular agitation. The year 1813 was the first in which the provincial subscriptions were set afloat to assist the operations of the catholic board, and this year is also remarkable for the powerful patriotic address made by Mr. Shiel to the board, in reply to the motion which O'Connell had put to them, that the Roman catholic bishops should be consulted before any measure should be advocated for the carrying of catholic emancipation.

In this year, also, it was that O'Connell delivered his celebrated speech at the aggregate meeting, held in the Fishamble theatre, in Dublin, in June. That speech was so remarkable in many respects in reference to the future, that a part of it became matter of history, and its introduction here is necessary to the understanding of the events which followed in subsequent years. He had been, it should be here remarked, most soundly abused, both by the vetoists and the orangemen; and it is necessary to know that point, in order to comprehend the others upon which he touched. He had been received with a popularity singular even for him, and in acknowledging this burst of public favour, he said, "Let me return thanks from my heart for the favour with which you have this day received me. I am proud of the kindness of my country-

men—it is the only reward that I would accept, as it is the only one which I seek. But it is a rich recompense, for it consoles and compensates me for the slander and malignity of those who are mine enemies, only because they are your oppressors. Nay, in their enmity too, I feel comfort and delight. I rejoice to have earned their hostility. I shall deem lightly of myself, if the hour ever arrives, when the men who enrich themselves in the degradation of Ireland do treat me with favour, or even with neutrality. I complain not of their calumnies, I exult in them. I have lashed the bigot and the tyrant—I have exposed the infamy of those hypocritical pretenders to sanctity, who, in the name of God, plunder and oppress Ireland—the men who discount their consciences and obtain money by their pretensions to piety—men whom I need not name, because you know them by description. Those men calumniate me—when it is quite safe to do it—in my absence. But I exult in deserving their hatred. I rejoice at their exertions, which only prove that I have, in some degree, revenged my country on them. I court their hostility; all I deprecate is their forbearance or favour. Yet your enemies say, and let them say, that I wish for a separation between England and Ireland. The charge is false; it is, to use a modern quotation "as false as hell;" and the men who originated it, and the men who inculcate it, know its falsehood. There lives not a man less desirous of a separation between the two countries; there lives not a man more deeply convinced that the connexion between them, based on one king and two separate parliaments, would be of the utmost value to the happiness of both countries, and the liberties of the civilised world. Next, your enemies accuse me of a desire for the independence of Ireland. I admit the charge, and let them make the most of it. I have seen Ireland a kingdom, I reproach myself with having lived to behold her a province. Yes, I confess it; *I have no ulterior object*. It is the repeal of the union, and the restoration of old Ireland to her independence. I am told that it is indiscreet to avow this intention. It may be so; but in public affairs indiscretion amounts to dissimulation; and if to repeal the union be the first service, as it clearly is, that can be rendered to Ireland—I, for one, most readily offer to postpone our emancipation, in order to promote the cause of our country. Let me not be mistaken. It



is true—I desire the restoration of our parliament, I would sacrifice my existence to restore to Ireland her independent legislature. But I do not desire to restore such a parliament as she had before. No, the act of restoration necessarily implies reformation, which would for ever abolish the ridiculous and most criminal traffic in representation. The new Irish legislature would, of course, be purged of the close boroughs. The right to nominate to parliament would be no longer a matter of traffic, or of family arrangement. It should not be, as it is at present, private property—so much so, that I could name to you a borough in which a seat in parliament is vested by a regular registered marriage settlement. I could tell you the date and number of the registry, in which the owner of the land and a country gentleman are trustees to raise money upon it for the benefit of the younger children of a baronet. This traffic, this odious and disgusting traffic should be abolished for ever. Desiring, as I do, the repeal of the union, I rejoice to see that our enemies promote that object. Yes! they promote its success by their very hostility to Ireland.—They delay the liberties of the catholics, but they compensate us most amply, because they advance the restoration of Ireland. By leaving one course of agitation they have created, and they will embody and give shape and form, to a public mind and a public spirit. Ireland lay in torpor till roused by the call for religious liberty. She would, I fear, and am convinced, relapse into apathy, if liberty of conscience were soon conceded. Let them delay emancipation but a little while, and they will find that they have aroused the sleeping lion of Ireland to awaking activity, which will not permit any further slumber till Ireland is herself again—a nation. They may still perhaps administer the narcotic of religious freedom which may re-establish political lethargy; but let them suffer our discussions to continue; let them allow our agitators to increase; let the love of country and even the desire for notoriety be permitted to excite fresh agitators; and above all, let the popular mind become accustomed to the consideration of public subjects and to the vehemence of political contest—and they know nothing of human nature, who imagine that they can with a breath still the tempest that they shall have thus excited, or be able to quiet a people whom they shall have aroused to a

sense of their wrongs, and a knowledge of their strength and importance. I repeat it without the hazard of contradiction; the delay of catholic emancipation I hail with joy, because in that delay lies the only prospect of attaining my great, my ultimate object—the legislative independence of my native land. I have wandered from my subject, but I have not forsaken your cause. The very calumnies of your enemies and mine lead us to the discussion of topics which it is for their interest to bury, if they can, in eternal oblivion. The manner in which I shall refute their slander is by endeavouring to serve you. I cannot do better than by tendering you my humble, but earnest and honest advice. Emissaries are abroad. Agents have been employed. Abundance of money and great encouragement are held out to those who may seduce you from your allegiance. Should you allow yourselves to be so seduced, you would have no friends, no supporters. We, who now join you in bearing down upon your oppressors—we, who expose the hypocrites that cover their bigotry in the stolen garments of religion—we, who are ready to brave every danger, to sustain every calumny, and every loss, and every personal inconvenience in your cause, so long as you conduct that cause within the limits of the constitution—we, in whom you confide, would and must be found, if you violate the law, in the ranks of your enemies and in arms. For myself, I will tell you honestly, that if ever that fatal day arrives you will find me arrayed against you.”

A declaration like this was calculated to have a powerful effect upon a people like that which was now beginning to look upon the speaker with a blind attachment and obedience which knew no bounds. Various other circumstances were combining at this moment to make him master of the position, and to rivet that extraordinary influence over the minds of the Irish populace which had already been so evidently manifested. O'Connell was strengthened, if he was not altogether impelled, by the Roman catholic prelates, who, on the 26th of May, had issued the following proclamation to the clergy and laity of the Roman catholic church in Ireland:—“Reverend brothers, beloved children, peace be with you—Solicitude for the spiritual interests of our beloved flocks obliges us once more to suspend the exercise of our other pastoral duties, in order to deliberate in common upon

the present posture of our religious concerns. We hasten to declare to you the lively feelings of gratitude excited in our breasts by the gracious condescension of the legislature in taking into its favourable consideration the disabilities which still affect the catholic body. With these feelings deeply and indelibly impressed upon our hearts, it is with the utmost distress of mind that we are compelled, by a sense of duty, to dissent, in some points connected with our emancipation, from the opinion of those virtuous and enlightened statesmen who have so long and so ably advocated the cause of Catholic freedom. Probably from a want of sufficient information, but unquestionably from the most upright motives, they have proposed to the legislature the adoption of certain arrangements respecting our ecclesiastical discipline, and particularly respecting the exercise of episcopal functions, to which it would be impossible for us to assent without incurring the guilt of schism; inasmuch as they might, if carried into full effect, invade the spiritual jurisdiction of our supreme pastor, and alter an important point of our discipline, for which alteration his concurrence would, upon catholic principles, be indispensably necessary. When the quarter is considered from whence the clauses have proceeded, it might perhaps be imagined, if we were to continue silent, that they had our unqualified approbation. On this account we deem it a duty which we owe to you, to our country, and to God, to declare in the most public manner that they have not, and that in their present shape they never can have, our concurrence. As, however, we have upon all occasions inculcated the duty of loyalty to our most gracious sovereign (the securing whereof is the professed object of the proposed ecclesiastical arrangements), so we would be always desirous to give you the most convincing proofs that we are ready, in the most exemplary manner, to practise it ourselves. We have sworn to preserve inviolate the allegiance which every subject owes to its sovereign. We are not accused

of violating our oaths. Should any other oath not adverse to our religious principles be devised, which could remove even the unfounded apprehensions of our countrymen, we would willingly take it. We owe it to our God to be free even from the charge of disloyalty. We owe it to our countrymen to be at least free from suspicion. Upon these grounds, reverend brothers, beloved children, we announce to you the following resolutions, which, after invoking the light and assistance of God, we have unanimously adopted, namely:—First, that having seriously considered a copy of the bill lately brought into parliament, purporting to provide for the removal of the civil and military disqualifications under which his majesty's Roman catholic subjects labour, we feel ourselves bound to declare that certain ecclesiastical clauses, or securities therein contained, are utterly incompatible with the discipline necessary for the Romish church, and with the free exercise of our religion. Secondly, that we cannot, without incurring the heavy guilt of schism, accede to such regulations; nor can we dissemble our dismay and consternation at the consequences which such regulations, if enforced, must necessarily produce. Thirdly, that we would, with the utmost willingness, swear (should the legislature require us so to do), that we never will concur in the appointment or consecration of any bishop whom we do not conscientiously believe to be of unimpeachable loyalty and peaceable conduct; and, further, that we have not, and will not have, any communication or correspondence with the chief pastor of the church, or with any person authorised to act in his name, for the purpose of overthrowing or disturbing the protestant government, or the protestant church of Great Britain and Ireland, or the protestant church of Scotland as by law established."

Such was the protest of the Roman catholics of Ireland, and such the declaration of O'Connell. These declarations, and the parallels of their conduct in after times, are the commentaries on each other.



## CHAPTER XIV.

CATHOLIC AGITATION CONTINUED; NEW CLAIMS OF THE PAPAL POWER, AND THEIR EFFECT ON IRELAND.



**P**ARLIAMENT was opened by commission, on the 4th of November, 1813, but not a word was said in the royal speech about Ireland, or its affairs. It might have been blotted out from the map of Europe, for anything that could be gathered from the regent's address to the legislature. The debates of the previous session were entirely unnoticed, and the catholic claims were left to work their way as they could. Lord Whitworth had become viceroy, and Mr. Peel, Irish secretary.

If the legislature, however, was inactive, the people of Ireland were not idle. An open and declared agitation existed throughout the land, into which O'Connell's life became more and more intertwined. Division crept into the ranks of the catholic party, and Dr. Drumgoole, who was a man of powerful mind, but of intemperate feeling, made a furious sectarian speech at one of the meetings of the board, which gave great offence to Finlay, and several other of the protestant emancipators, while it also much alarmed the fastidious and timid of the catholic party. Mr. O'Connell, too, had repudiated, for the catholics of Ireland, all intention of allowing their claims to be the pass-word of a party, and had openly thrown off his allegiance to the whigs. He carried, after a most powerful speech, a series of resolutions at the catholic board, making suggestions to their parliamentary friends; the first and chief of which was, that without particularising any religious sect, the gates of the constitution should be thrown open to all the subjects of the realm, a step high and liberal in itself, but which deviated too far from the usual beaten track, to please their parliamentary supporters. Both lord Donoughmore and Mr. Grattan assumed a dictatorial tone in their communications with the catholic leaders in Ireland, and professed that they could not well understand how those, whose existence was scarcely recognised by law, could prescribe terms on which they would consent to receive emancipation.

The catholics were, in fact, completely

split into vetoists and anti-vetoists; those who were merely the agents of the priesthood and the advocates for unlimited ecclesiastical rule, and those who thought more of political and solely secular topics than anything else. Most of the vetoists had seceded from the catholic board, but even among those members that remained, there was much division and bitter animosity.

It was in reference to the speech of Dr. Drumgoole, that O'Connell, nearly twenty years afterwards, made this declaration in the house of commons:—"I have lived a life of somewhat public exhibition, in the course of which I have never concealed my opinions. Indeed, I may be said to have thought aloud, and in the hearing of everybody. I have been now twenty-five years before the public, and I defy any of the honourable gentlemen around me to quote one single expression, or one single sentiment uttered by me, at variance with respect for the religious opinions of every christian. Indeed, there was much uttered in the house that night about the introduction of religion into politics, which I will not characterise, but which, if uttered out of this house, I would call cant and hypocrisy. For the twenty-five years, during which the people of Ireland had been struggling for religious liberty, under the influence of various feelings, and perhaps subject to much intemperance and great excitement, he defied them to point out a single sentiment ever uttered, even in their most unguarded moments, with the exception of a single expression once uttered by a single individual, Dr. Drumgoole. With that single exception, I defy them to point out any other instance, in which any member of the catholic body had spoken with bigotry of the protestant religion; and during that time they were pretty constant readers of the newspapers; and if any such expression had been used, they would be very happy to have it in their power to quote it against us. This was the only occasion; and how did the catholic body act? They called a meeting the next day, and the single expression of that individual was followed by an unanimous vote of censure."

But all the excitement which has just been detailed, disinclined the parliamentary friends of the catholics from moving on their petition to the legislature, and that disinclination was increased manifold by the rescript of Quarantotti, who was prefect of the propaganda at Rome, during the imprisonment of pope Pius VII. in France, and who held a power of full authority to act in his name. That rescript had reference to the well-known "Canning clauses," incorporated in the catholic relief bill of the previous session of parliament. It entirely approved of them, and required Dr. Poynter, at that time vicar-apostolic of London, to have them accepted and submitted to in England and Ireland. This rescript produced a prodigious sensation in Ireland, and the Roman catholics throughout the country assembled and protested against it. In all probability it was accompanied by a secret letter, enjoining them to act in contradiction to its expressed terms, for they denied, in the first place, the authority of Quarantotti, and, even admitting his authority as the pope's vicar, they denied that his holiness had any power, without the consent of the Irish hierarchy, to alter the discipline of the Irish church. The English bishops, they said, were vicars of the pope, for the English church was a missionary church, but the Irish church was not so, for it was an independent church, and was protected by the same rights under the canon law, as any other church, whether Spanish, Gallic, or Portuguese.

Such was the course of reasoning that the Irish clergy in general adopted, but their prelates were more cautious, and instead of openly proclaiming their opinions to the British public, they sent a deputation to Rome, of whom Dr. Murray, then coadjutor archbishop of Dublin was the head, and who had conjoined with him Dr. Milner, and several other personages of imposing rank in their own country. They, however, were equally determined with the inferior clergy, to allow no authority of the English parliament over their religion.

The year 1814 opened with little promise to the catholics. The protestants always held aloof from anything like a religious struggle. Parliament had been set free, and the government were at ease, for Napoleon, the grand object of their fears, and the professed friend of catholicism, had abdicated. The friends of emancipation grew cool. Lord Donoughmore exhibited but

little willingness to advocate its claims, and took up the ground of political necessity, which O'Connell had previously occupied. In a letter, which, from its terseness, ought to be quoted, he broadly reproached the catholic board for their conduct, saying that they had assumed to be a representative body, notwithstanding their repeated and solemn disavowals of such being the case.

It was not unlikely that the government would be slow to take the hint, and some few months afterwards they issued a proclamation to suppress the catholic board, as a body that existed contrary to the convention act. The board was of course suppressed, but the catholics, not cowed by this hostile bearing of the government, called an immense aggregate meeting in Dublin, at which a long series of resolutions, exculpatory of the conduct of the catholics, and condemnatory of the act of the government, was passed, and the proclamation itself was speedily neutralised by the legal dexterity of O'Connell. He issued circulars in his own name to the leading people among the Roman catholic body to meet him, in their individual capacity, at No. 4, Chapel-street. Lord Fingal and sir Edward Bellew declined to attend, alleging that, pending the negotiations with Rome, all and every species of agitation ought to be suspended. The meeting, was, nevertheless, held, and a determination was come to that the several parties should meet together at regular intervals. They had their advocates, who were ready to meet any opponent, and the following extract from the *Irish Monthly Magazine* is so faithful a transcript of their proceedings, that its substance could not well be admitted:—"The time at length came," said the editor, "when the maturing strength of the second order grew so obnoxious to the fastidious taste of the Corinthians, that a secession from the democratic convention was resolved upon, and the catholic aristocracy formed itself into a Prætorian band under the title of seceders. Their secretary was 'Le Chevalier de M'Carthy, brother to the count of the same name,' who derives his patent of nobility like the knights who were slain by princess Rusty Fusty; and their hall of assembly was a drawing-room in the mansion of a nobleman, lord Trimbleston. Circulars were directed to those of the catholic body who were considered entitled to the private *entrée* of his lordship's saloon, where several meetings were held, and many



resolutions were passed, declaratory of the sentiments of those who were assembled, complaining of the privations which they endured, and of the little probability of their removal. Too polite to be personal in their allusions to the political opponents in the cause, they were also too refined in their selection of language to be either spirited or independent in their sentiments; and when they touched upon the feeling of civil degradation, the heart was less melted in compassion for the privations which they must have endured, than awakened to applause for the indignant sense of wrong which they should have introduced. The proceedings of the seceders would have passed away like any other drawing-room amusements, commencing with politics and ending with a promenade, were it not that they took upon themselves to act for the people, and to assume a certain air of dictation in their cause. This was not to be endured, and at the next meeting the uninvited O'Connell was resolved to appear. The seceders appointed a committee to prepare an address to the prince regent, and also agreed on a petition to parliament in the spring of 1814. All these transactions in the year 1814 began and ended in lord Trimbleston's drawing-room. At the latter end of March a circular was issued by M'Carthy, their secretary of state, to those who were supposed to sanction the proceeding, inviting them to attend for the purpose of 'hearing the report of a committee appointed to prepare an address to his royal highness the prince regent, and to receive a communication from the earl of Donoughmore.' A request was attached to the effect that each receiver of a note was to mention it to such of his acquaintance as had signed the petition adopted on the 23rd of February. All those who still adhered to the model of the catholic board were passed over, and the seceders imagined that, as the meeting was to take place in the mansion of a catholic nobleman, none of the popular party would dare to present themselves, especially when uninvited. The conclave were in the midst of their consultations when there was a loud knock at the door, and, in a few moments afterwards, O'Connell presented himself at the table. The committee found that astonishment was raised to a painful degree of excitement when he reproached them with their arrogance, and declared that it was the height of assumption to take

to themselves the right of being the exponents of the catholic body in Ireland. The movement of which he was the representative was purely democratic. From that hour the seceders, as a political body, were destroyed. They found no place in the popular mind, and their vocation was gone never to be revived. Henceforth their spirit for place had departed, and they ceased to be the exponents of Irish claims. On the other hand the movement had an extensive influence. Aggregate meetings were called in every part of Ireland. At one of these major Bryan presided, and the resolutions, which were of a very violent character, were passed. These were inserted, in the first instance, in the *Correspondent*, a government journal, and two days afterwards they were copied into the *Dublin Evening Post*. They were too offensive to be unnoticed, but the ministry passed by their own organ, and prosecuted the unfortunate Maghee, the proprietor of the latter paper, who was already in prison under his conviction for his former offence. He was sentenced to a fine of one thousand pounds, and to be imprisoned for two years after the term of his former sentence had expired. This roused a corresponding feeling of exasperation in the minds of the Irish people. They became more inveterate than ever against the British government, and though nothing effectual was done in the way of parliamentary interposition, much was accomplished in the enlistment of feeling—the most ready, the most pertinacious, and the most sterling of the agencies on which the democrats could work."

The deputation to Rome was eminently successful; and all that the more violent of the Irish catholics and the most earnest opponents of the proposal of government interference in the election of the bishops, had done to thwart the acts and intentions of the more moderate party among the English and Irish catholics and their protestant friends, was entirely approved by the pope. Pius had been liberated from his confinement, and was once more a free agent. He had once more denounced the rescript of Quarantotti, and left the Roman catholics to attempt to work their will in their own way. He did more, he infused a force into their proceedings which they did not before possess. Of all the sovereigns whom the subversion of the tyranny of Bonaparte restored to their dominions, no one appears to have resumed his authority with

a firmer decision to use it to its fullest extent than Pius VII. In the proclamation which he issued on the 5th of May, at Cezena, on his way to Rome, he applied to himself the title, formerly assumed by the popes, of "God's vicar upon earth," and spoke of his temporal sovereignty as being essentially connected with his spiritual supremacy, intimating that though he could not at that moment assume the exercise of it in all the ancient dominions of the church, he did not doubt of shortly recovering them, being confident, not less in the inviolability of what he termed his sacred rights, than in the justice of the allied sovereigns. One of his first measures was the restoration of the jesuits. That this restoration was not universally approved, even at Rome, was shown from the number of pasquinades circulated on the occasion; and in Ireland it was anything but acceptable to the bulk of the people, and certainly very injurious to their political progress, for it justified all the worst anticipations of their opponents, of the evil consequences likely to result from the unrestricted sway of the catholic religion, and the probable deterioration of national morality from the acceptance and operation of tenets, which the protestants affirmed were so likely to produce mischief both in church and state. In the meantime the agrarian outrages which so long and seriously disturbed the country, were continued with increased violence, so that neither life nor property became safe. Political feeling was roused to the utmost degree of rancour, and secret societies were formed, which were most treasonable in their nature, and fraught with the greatest danger to the country. That these associations were promoted by persons far higher in station, and superior in fortune, to the miserable dupes, who were led to peril life and liberty for the good of their country, was evident to the least reflecting observer; but the originators could not be traced, although their influence was sufficiently palpable. The government was quite unable to grapple with the difficulties which they had to encounter, and they sought for fresh powers from the state. Mr. Peel accordingly rose in the house of commons on the 23rd of June, to lay these matters before parliament, and to move for leave to bring in a bill for the better execution of the laws in Ireland. He said that the state of the country had for some time been such as to call for the adoption of additional measures for securing the

public tranquillity, and that he had been prepared at a much earlier period to propose them, but that the hopes of some good effects from the general pacification of Europe, which had resulted from the abdication of Bonaparte in April, had induced him to delay. Such hopes had, however, been frustrated, and he could not, consistently with his duty, protract any longer the production of his plan. The disturbances, for which he had to propose a remedy, originated in different causes. The first that he should mention was entirely political, and arose from combinations of idle, infatuated people, who were made the dupes of persons above them. Their object was to overthrow the existing government, and transfer the allegiance of the people to foreign powers; an intention which was proved by the tenor of an oath, brought in evidence against several persons at the last assizes in Ireland, and which he then read to the house. It bound the taker to suffer death rather than give information against any of his companions, to join the French on their landing, and by every means to aid the efforts of the enemies of the country. A second class of combinations were those which were formed under the pretence of redressing local grievances, and though the objects were various, the general mode of carrying them into effect was the same, viz., inflicting punishment on those who chose to disobey the orders of men who were at the head of these associations. As a proof of the accuracy of his statements, Mr. Peel referred to the proceedings of the last assizes at Roscommon, and to a letter from a magistrate, who had been sent into Westmeath for the purpose of making enquiries. These combinations were not only mischievous in their present effects, but they were formidable from their accustoming the persons combining to habits of great caution, and strict discipline, which render them dangerous instruments in the hands of designing men. Another unfortunate source of disturbance was religious animosity, and the pains that had been taken by means of the press and inflammatory speeches, to induce the Irish catholics to believe that the government was not disposed to administer the same justice to them as to their protestant fellow-subjects. He hoped, however, that the means which had been taken to convince them that the government was determined to treat all the disturbers of the public peace with perfect impartiality, had not



been without effect. Having pointed out these principal features of the tumults in Ireland, the right honourable gentleman observed, that one of the greatest obstacles to the administration of the law in that country, arose from the difficulty of procuring person to give information to the government; and the next to impossibility of procuring reliable evidence on which to rest prosecutions in cases of the violation of the peace. This was, he conceived, partly owing to a kind of romantic feeling, and partly to a system of intimidation which was carried to great lengths, and often occasioned scenes of the most atrocious barbarity. Having from a number of documents given various proofs, that the ordinary powers of the civil magistrates were not sufficient to maintain the public tranquillity in Ireland; he stated it as his opinion, that it would be much better to invest the civil powers with additional authority, than to call in the aid of the military, and he proceeded to state the provisions of the bill which he desired to introduce. These were to enable the lord lieutenant, when disturbances existed in any particular district, to proclaim that district to be in a disturbed state, and to appoint a superintending magistrate and special constables with salaries; the magistrates to be immediately responsible to government, and to be removeable at pleasure, and to be called upon for those exertions which could not be expected from ordinary magistrates. The special constables were to be selected from the farmers' sons and persons of that class, and they were to keep watch and ward in the district under the control of the superintending magistrate—the expense of this establishment to be borne by the district.

In the conversation which followed this speech of Mr. Peel, there was a general concurrence in the opinion that such a bill was necessary, and that its provisions were upon the whole well adapted to meet the exigencies for which they were required. After the bill had been read and committed, Mr. Peel rose on the 8th of July, and said, that he was compelled, and with considerable regret, to propose an additional measure for the preservation of the peace in Ireland. When he introduced the bill, then passing through parliament, he had reserved the right to himself, should circumstances require it, of bringing in another and more effective measure. Since he had last addressed the house, he had endeavoured to

collect more information from every quarter of the country, and he was sorry to say, that in those parts of it where the laws had been administered with the greatest severity, and where the greatest number of convictions had taken place, the terror of those convictions had scarcely survived the cause, while new combinations of a more extensive and dangerous kind, had been formed, which defied the operation of the law as it now existed. It was therefore become necessary to entrust the Irish government with a power, to be exercised in cases of emergency, of a nature much more decisive than that of which it was already possessed; and the proposition which he had to make was the revival of a measure which had received the sanction of parliament in 1807. It was contained in a clause of the insurrection act, providing, that in the event of any part of the country being disturbed, or in danger of being disturbed, two justices of the peace should be empowered to summon an extraordinary sessions of the county, which should consist of seven magistrates, who were to make a report to the lord lieutenant that the district was in a state of disturbance, and that the ordinary law was inadequate to the preservation of the peace, the lord lieutenant, with the advice of his privy council, was thereupon empowered to issue a proclamation, commanding all residents within the said district to keep within their houses from sunset to sunrise, and that no person should be suffered to be drinking in a public-house after nine o'clock at night; and further, if any should be detected out of their houses at the prohibited times, without being able to shew good cause, they should be liable to transportation for the term of seven years. It was also required, that the lord lieutenant should order a special sessions of the peace to be held, at which these persons should be tried, and if necessary trial by jury should be dispensed with. Other provisions sanctioned an employment of the military on occasions, enabled the magistrates to pay domiciliary visits, break open doors if refused admission, and to take such other steps as only a time of lawless violence could justify.

This was met by Mr. Ponsonby and Mr. Abercromby with a suggestion that the matters on which the bill was founded should be referred to a secret or select committee, before any act should be passed that so seriously affected the liberties of the subject, but lord Castlereagh pressed for an imme-

diate decision, and most of the Irish members agreeing to it, the bill was introduced and read a first time, and passed its second reading a few days afterwards. On the motion that it be committed, sir Henry Parnell further opposed it, and moved a positive amendment, to omit the words indicating that persons offending against the act should be transported without a bill being found by the grand jury or a verdict by a petit jury, but it was rejected by a majority of sixty, there being only six members found to vote in favour of it. The bill passed the third reading with but little comment. It was introduced in the house of lords on the 27th of July, and, though opposed by lords Carysfort and Holland with much pertinacity, such was the sense felt of its importance, that it was rapidly carried through all its stages and received the royal assent without delay; yet it is extraordinary, that when the regent prorogued parliament on the 30th, not a word was said in his speech respecting this stringent act.

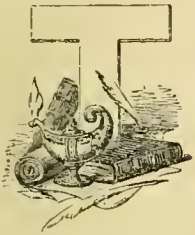
But little that was overt was done by the catholic board during this year, though most of its members were individually active in one way or another in the promotion of their common object. The Husseys, the Clinches, and all the other of the older barristers, had gradually passed away from the stage of popular excitement. All the peers and almost all the landed gentry held sullenly aloof, and with the exception of a Mr. Phillips, who was also a legal man, and who for a short time filled a prominent place in the eye of the public, there was no one to dispute with O'Connell that paramount ascendancy which he exercised over the public mind. The severe measure of the government, which was carried out in all its provisions with a great strictness, but also with a peculiar moderation, by lord Whitworth and Mr. secretary Peel, was received with great dismay in the disturbed districts, and proved of service in putting an end to the violent course of outrages, by which their inhabitants were nightly harrassed. But there was a great disinclination on the part of the public functionaries to turn the extraordinary powers with which they were armed, against other portions of the country, and the spirit

of insubordination to the law, which had been for a while stayed in the western counties of Leinster, soon broke out elsewhere. Yet, though there was no overt act on the part of the catholic board, they or their emissaries exercised an influence to which the subsequent turbulence was ascribed. The districts designated in Peel's act rose into such a state of disorder that a proclamation was issued by the lord lieutenant on the 25th of September, 1814, at the instance of the justices assembled in an extraordinary session of Tipperary, declaring that county to be subject to the terms of the act; and, shortly afterwards, forty-nine of the magistrates of Limerick, unanimously agreed to petition the government for a similar protection for that city and county. Various corps of troops were according concentrated in that quarter of the island of which Limerick was made the principal station. In King's county the rioters assembled in great numbers, and perpetrated outrages which the local authorities felt themselves quite unable to prevent by the exercise of the civil power alone, and they therefore held a meeting on the 8th of October at Clare, and agreed to petition for military aid. In this instance, as in most of the others, the object of the outrages appears to have been the acquisition of fire arms and ammunition, which showed that the insurgents were engaged in the promotion of revolutionary plans for the dissolution of the state. The murder of a very respectable magistrate in the neighbourhood of Cashel, caused more than usual alarm in that part of the country; and, notwithstanding the unanimous exertions of the magistrates and of the gentry generally, the ready assistance of the lord lieutenant and the active co-operation of his subordinates, the year drew on with a most unsettled state of public feeling, and the restoration of the public peace was far from being secured at its close. As the foreign relations of the country began to brighten, up a cloud seemed to be gathering darker and darker over Ireland, which threatened to drag her back into that dreadful state of disorder and anarchy from which she had escaped, but the effects of which could not yet be forgotten.



## CHAPTER XV.

OPENING OF PARLIAMENT ; PROCEEDINGS OF THE CATHOLIC BOARD ; SIR JOHN NEWPORT'S MOTION ;  
OUTRAGES IN IRELAND ; TRANQUILLITY.



THE houses of parliament were opened on November 8th, 1814, by the prince regent in person ; but the speech was chiefly confined to the national position arising out of the American war, and took but little notice of domestic affairs. During the recess, Dr. Murray, titular bishop of Hieropolis, left Rome, whence the pope had issued bulls for filling the vacant sees ; and in one of his addresses was contained a declaration, signed by all the cardinals, stating that "they would, for no temporal advantage, accede to the veto."

Partly induced by this communication with the head of the Romish church, the older and more influential of the Roman catholic body were induced to give their countenance to a meeting of the committee, which was held at lord Fingal's house on the 13th of December. At this meeting there was much contrariety of feeling expressed respecting the aggregate meeting which had been held in Dublin in the previous June, to protest against the assertion of the government that the catholic board was an illegal body. It was, however, at length agreed amongst those present that no irrelevant matter should be introduced for discussion at that time, but that a larger aggregate meeting should be held in the course of the January following. The leading men accordingly met in Dublin on the 14th of that month, when lord Fingal was called upon to take the chair ; but the disunion that had for some time been progressing in the ranks of the catholics had grown to its height as the year opened, and he declined to act as president of the association, asserting that faith had been broken with him respecting the veto, and he accordingly quitted the room amidst the loudly-expressed disapprobation of the persons assembled. Mr. O'Connor being nominated to fill his place, the proceedings went on, and resolutions for unqualified emancipation were carried with tumultuous acclamation. The renewal for the petition to parliament of the catholic body was

agreed upon, but when it was forwarded to London, the former leaders on the question in both houses of the legislature refused to take charge of it, though they still declared themselves to be friends of the fundamental principles. This coolness on the part of Grattan, Canning, and lord Donoughmore, is to be ascribed to the copy of a letter which had been read at a meeting in Dublin of the Irish Roman catholics in the previous December, the original of which was addressed to the right reverend Dr. Poynter, by cardinal Litta, on the part of the pope, so far back as the April preceding, from Genoa, where the papal court had retired during the last months of Buonaparte's domination. In that letter the opinion of his holiness was given upon the three principal points remaining at issue between the catholics of Great Britain and Ireland and the government of the British empire. These three points comprised the form required for the oath of allegiance, the mode of appointing bishops to the vacant sees, and the revision of the rescripts received from Rome. With regard to the first of these points, his holiness granted permission to one of the three forms of oath which were annexed to the mandate ; each of which solemnly engaged the juror to obedience and fidelity to the sovereign of these realms, to the disclosure of any plot against the government, and to abstain from any attempt to disturb the public tranquillity. With respect to the second, besides an earnest exhortation to all those who had been accustomed to nominate the Roman catholic bishops to be careful how they exercised their powers, there was an intimation that they were to be careful to admit none into the list of candidates who were not of approved fidelity to the king ; stating that the list might be exhibited to the ministers of the day, so that any persons whose names were therein contained who were not of approved fidelity, or who were suspected or disliked, might be expunged, provided that a sufficient number was left for the pope to choose from. With regard to the revising, sanctioning, or rejecting the rescripts from Rome, that was affirmed to be altogether inadmissible, even in the way

of discussion; for, although that power had been claimed and used by several catholic sovereigns, "it was an abuse which the holy see, to prevent greater evils, was compelled to endure, but which it could by no means sanction." Some explanations and assurances were given in another, which, it was hoped, would be satisfactory to the British government.

The petition of the Roman catholics of Ireland was presented to the house of commons on the 11th of May, 1815, by sir Henry Parnell, who, at the same time, put in a paper purporting to express the universal opinion of the mass of that body. This, which was read at the table, concluded with imploring the house "to grant to them the redress of the oppressive grievances of which they so justly complained, and to restore to them the full and unrestricted enjoyment of the rank of free subjects of the empire." On the 18th, sir Henry rose to submit to the commons certain resolutions founded upon the claims set forth in those documents. These were read, and the first of them was moved, but upon the suggestion of Mr. Bankes the motion was withdrawn. Sir Henry, nevertheless, persisted in his object, and having, on the 30th, presented another petition, numerously signed by the Roman catholics residing in York, Birmingham, Norwich, and other places in England, praying for relief from all civil and military disqualifications on account of religion, he proceeded to move for the reading of several entries in the journals of the house, of the conduct of the legislature with respect to the Roman catholics. This having been done, he spoke at considerable length, assuming, as a principle, that parliament had already admitted the expediency of a legislative measure for the removal of the disqualifications under which the Roman catholics laboured, and asserted that the only question to be entertained then was, as to how such a plan could be best carried into execution. The chief obstacle, he said, at that time existing in the way of catholic emancipation was the claim to give to the crown a proper control over the future appointment of the bishops, which was warmly insisted upon on one side, and as earnestly deprecated on the other. He endeavoured to show that the pope's influence over the Roman catholic church in Ireland was not such as to excite apprehension in the protestant community, and concluded by moving, "That the house would resolve itself

into a committee of the whole house, to take into its consideration the laws that affected his majesty's Roman catholic subjects."

All the most able men on both sides of the house took part in the copious debate which ensued upon this motion, but it formed only a reiteration of the old arguments which had been so frequently repeated; and the only point of any novelty that was elicited was the new position taken up by Mr. Grattan, who, after affirming that he should certainly vote for going into committee, said that he would not pledge himself to the resolutions exhibited by his honourable friend. When the petitioners, he said, desired emancipation without any conditions, they desired two things that were incompatible, because without the annexation of conditions, the grant of emancipation in that house he believed to be impossible. He had told the catholic body before, and he would then repeat it, that unless they adopted a spirit of conciliation, they would never succeed. He would say further, that conciliation was not only necessary for their interest, but essential to their duty to the state as well as to one another. If the emancipation of the catholics was not finally carried, it would be owing, not to the want of candour and consideration on the part of the legislature, but to the want of prudence and discretion on the part of some catholics, who did not assist the protestant friends of their cause, by refusing to express their ready concurrence in the adoption by parliament of such securities as to its feelings might appear to be necessary, and yet, at the same time, not inconsistent with the precepts and doctrines of the catholic religion. The motion was lost by a majority of eighty-one, there being one hundred and forty-seven votes for it, and two hundred and twenty-eight in favour of the ministry.

A motion of similar import was made in the house of lords, on the 8th of June, by lord Donoughmore, which was so unfavourably received, that he was prompted to amend it, by moving that the house would, early in the following session, resolve itself into a committee on the catholic claims, but this was also lost, the contents being only sixty while there were eighty-six against it, leaving a majority against the motion of twenty-six. However inclined the holy see might be to meet the British authorities half-way, the Roman catholics in Ireland were by no means inclined to evince the



same disposition. The rescript from Genoa excited much discussion, and was received with dislike. For months the fire smouldered, and, at last, the prelates of their church met, and agreed upon a petition to the prince regent, demanding, in somewhat imperative terms, a redress of the grievances under which they and their fellow-countrymen of the same persuasion, laboured; and expressing their feeling that emancipation, with the veto attached, would only be changing one form of oppression for another. An appeal was at the same time made to the pope for his sanction to their proceedings, but received no direct countenance, his holiness stating in reply, that the mandate he had issued, while under the surveillance of the French government, was not intended to be compulsory, and that his spiritual subjects might, or might not, act upon it as seemed most likely to serve their interests, stating, however, that he would give definite instructions when the issue of the application, in the next session of parliament, should have been decidedly ascertained. The imperial session of parliament for 1816 was opened on the 1st of February, by commission; Ireland, in the meantime, continuing in a very distracted and unsettled state, and requiring a large body of troops to repress the popular spirit of insubordination in almost every part of the island.

On the 26th of April, sir John Newport rose in the house of commons to submit a motion concerning the state of Ireland, and commenced his preliminary speech with an historical review of those errors of government which, he conceived, had brought it to its then state and condition, beginning with the period of James I. He concluded by moving that:—"An humble address be presented to his royal highness the prince regent, humbly to represent that the necessity of providing an army of 25,000 men, in time of profound peace, to secure the internal tranquillity of Ireland, obliges us to consider the state of that great, valuable, and interesting portion of the united kingdom, as most distressing and afflicting to the legislature, and dangerous, in an extreme degree, to the well-being of the empire at large. That we feel ourselves imperiously called upon, by a sense of public duty, to direct to the consideration of this important subject our earnest and undivided attention. That we, therefore, pray his royal highness may be pleased to

order that there be laid before us, with convenient speed, such documents as may put us fully in possession of the extent and nature of the evils which demand the temporary application of this great military force, and may enable us to proceed with active and unceasing energy to their complete investigation. That we have armed the executive government with all the means requisite to suppress tumult and punish outrage; and we would now apply all our powers to a deliberate examination of all the existing evils, and the causes from whence they originate, as the surest ground for affording to his royal highness the cordial and active concurrence of this house in such measures as shall be proposed for their effectual removal, and for adopting such wholesome and efficacious remedies, formed in the spirit of British constitutional legislation, as may appear to our dispassionate judgment, most adequate to effect the extirpation of those evils with which Ireland is afflicted, and to rescue that fair portion of the empire from its present depression and disorganisation." Mr. Peel rose to state the reasons which had induced the government to take the measures which they had adopted. He began by acknowledging the tone of moderation which sir John had used in bringing his motion before the house. With certain parts of his address he was quite ready to concur, but said, that he thought it precipitate to pledge the house to any general inquiry without explaining the kind of inquiry which he desired to institute, and how it was to be conducted. Before following the details into which he had entered, the right honourable gentleman supposed a statement of the present condition of Ireland would be expected from him. He would therefore observe, that generally speaking, the north of Ireland was tranquil, no disturbance at that time prevailing there, except that which arose from illicit distillation, and the consequent breach of the revenue laws in certain districts. The extreme west, and the counties of Mayo, Galway, and Carlow, were comparatively at peace, and the same might be said of Cork, Wexford, and some other counties in the south. The east was likewise so far tranquil that no application for an extraordinary number of police had been made from those counties. The counties in which disturbances most actively prevailed, were Tipperary, King's County,

Westmeath, and Limerick. The magistrates of King's County had petitioned the government for the exercise of the Insurrection Act, but they had since requested its removal, with the assertion that tranquillity was perfectly restored. In Westmeath and Limerick a considerable improvement had taken place, but the Insurrection Act was still in force in those counties. The magistrates of Louth and Cavan had petitioned the government for the use, not of the Insurrection Act, but of the extraordinary police act. That was the general state of the country; but nothing was more difficult than to give a precise character to the nature of the disturbances that then agitated it. Formerly, tumults and outrages might be traced to particular causes, but those which then prevailed seemed to be the effect of a general confederacy in crime, in fact, to a systematic opposition to all laws and municipal institutions. Mr. Peel then adduced several facts in proof of the position which he had taken up, and then proceeded to an examination of the statements made by the right honourable baronet, and to a discussion of the alleged causes of the evils for which measures ought to be adopted, concluding with an amendment to the effect: "That an humble address be presented to his royal highness, the prince regent, expressing the deep regret of the house that the internal state of Ireland, in a time of peace, renders it necessary to maintain a large military force in that country for the present year, for the purpose of assisting in the execution of the law and in the preservation of public tranquillity; and entreating, that his royal highness would be graciously pleased to direct that there be laid before that house, a statement of the nature and extent of the disturbances which had recently prevailed in Ireland, and the measures which had been adopted by the government of that country in consequence thereof." This amendment naturally brought on a pitched battle between the principal speakers on both sides of the house. Among those who acted with the opposition, Mr. afterwards lord Plunkett, Grattan, and Mr. Ponsonby, peculiarly distinguished themselves, while the ministry found their chief supporters in Mr. Vesey Fitzgerald, and lord Castlereagh, the last of whom particularly distinguished himself. The debate was at length terminated by a division, in which the votes

for the amendment were one hundred and eighty-seven, whilst those against it were one hundred and three, leaving a majority of eighty-four in favour of the government.

In compliance with this resolution a despatch from lord Whitworth, the lord lieutenant, dated the 5th of June, 1816, was afterwards laid upon the table of the house. In this important state paper his lordship said, after having stated his presumption that the return was not required to go beyond the term of his own administration, that the insurrection act was passed in the year 1807, but that it was not enforced during any period of the three years for which it was enacted, and that the state of Ireland was considered to be such in the year 1810 as not to render the continuance of it necessary, and indeed such as to admit of its repeal a very short time before the expiration of that to which its duration was limited by law. In the early part of 1811, however, in consequence of the numerous outrages committed in the counties of Tipperary, Waterford, Kilkenny, and Limerick, by bodies of men who assembled in arms by night, administered unlawful oaths, prescribed laws respecting the payment of rents and tithes, plundered several houses of arms, in various instances attempted, and in some committed, murder, it was considered expedient to issue a warrant for a special commission to be held in the counties just mentioned, and in the cities of Waterford, Kilkenny, and Limerick, for the trial of such offenders as had been apprehended. From the evidence adduced in numerous instances, at the special commission, that many of the outrages to which reference had been made were committed by two combinations very widely extended among the lower orders of the Roman catholic population, which assumed the names of *Caravats* and *Shanavests* respectively, and between which a violent animosity existed, the cause for which could not be very readily ascertained. As feuds of the same kind, not growing out of religious differences, occasionally existed, though seldom to the extent to which this appeared to have prevailed, several portions of the evidence proving their existence were annexed to the report, from which a general knowledge of the object and nature of these combinations might be gathered; and it was well known that the name of one of these combinations, the *Carders*, spoken of before, was derived from the kind of torture which they were accustomed to inflict upon



their victims. This consisted in the laceration of their bodies by means of a wool-card or some similar instrument, passed rapidly to and fro over the naked flesh. His lordship then went on to say that the offences committed against the public peace in the disturbed counties all partook of the same general character, for reports were constantly received of attacks on dwelling houses for the purpose of procuring arms; and the frequency of these attacks, and the open and daring manner in which they were made, were sufficient proofs of the desire which generally prevailed amongst those concerned in the disturbances to collect large quantities of arms, and thus possess the means of prosecuting their ulterior objects with a better prospect of success. Several instances occurred in which the houses of respectable individuals were attacked, even in the open day, by large bodies of armed men; and others in which the military, acting under the orders of the magistrates, met with considerable resistance. It is worthy of remark, that in the several successful attacks which were made upon houses with the view of depriving the proprietors of their arms, it rarely occurred that any other species of property was molested. The principal objects of hostility, or rather the principal sufferers, on account of their inadequate means of defence, were those persons who, on the expiration of leases, had taken small farms at a higher rent than that which they had previously paid, or than which the late occupiers had offered; and all those who were suspected of a disposition to give information to magistrates against the disturbers of the peace, or to bear testimony against them in a court of justice in the event of their apprehension and trial. In some counties, particularly in Westmeath and Rosecommon, the most barbarous punishments were frequently inflicted upon those who had thus rendered themselves obnoxious, and upon the persons of their relatives. From the general terror which these proceedings excited it became almost impossible to procure satisfactory evidence against the guilty, and it not unfrequently happened that the sufferers from these atrocities, when visited by a magistrate, would only depose generally to the fact of their having been perpetrated, not denying their knowledge of the offenders, but steadily refusing to disclose their names or to describe their appearance, from a rational apprehension of future additional in-

jury to themselves, their families, or their friends. And even when the parties deposed against were apprehended there was often the greatest difficulty to accomplish their conviction, from the intimidation of witnesses, and in some cases even of jurors. In the latter end of the year 1813, a meeting of the magistracy of the county of Westmeath took place, at which eighteen of their number attended, and they addressed a memorial to his lordship on the state of the county; they represented that frequent outrages were committed; that oaths of increased malignity had been administered; that three persons had been convicted on charges of administering and of taking an oath, one of the obligations of which was "to assist the French and Buonaparte;" and that the witnesses upon whose evidence that conviction had taken place had been murdered under circumstances which were alone sufficient to prove the alarming state of that county. From the evidence adduced on the trial of six persons concerned in the murder, alluded to in this memorial, five of whom were capitally convicted, it was proved that the murder was committed by a party of eighteen men, selected from a larger body, who assembled in divisions of twelve, each from their separate districts, for the purpose of planning and perpetrating this murder. Nine persons were shortly afterwards convicted on the same charges with respect to the oath on which the convictions mentioned in the memorials of the magistrates took place. Similar meetings of the magistrates of Waterford and of King's county were held about the same time, from both of which representations were made of the great disturbance of their several districts, and earnest applications were preferred for an increase of the military force stationed in them. In the memorial from King's county, which bore the signature of sixteen magistrates, it was stated that alarming disturbances existed in that county and the adjacent parts of Westmeath; that almost every night houses were plundered of arms: that they considered that stronger measures must be resorted to than those which were derived from the ordinary state of the law; and that the re-enactment and enforcement of the insurrection act, which had been explained to be mild in its operation and equal to the suppression of any disorder, and would be the only thing that would enable them to retain their tranquillity.

In the month of January, 1814, the lord lieutenant received a second memorial, signed by the governors and twenty-eight magistrates of the county of Westmeath, also urging the immediate revival of the insurrection act. In that county three murders had then been recently committed within the short space of a month, two of which were upon persons who were suspected of giving information against suspected persons. During the September of the same year, the resolutions of a general meeting of the magistracy of Tipperary, convened at Cashel for the purpose of taking the state of the county into consideration, were transmitted to the lord lieutenant, praying that in consequence of the numerous murders and other outrages committed in the barony of Middlethird, it might be proclaimed under the 54th of George III., which enabled the lord lieutenant to assign an extraordinary police to be appointed to a disturbed district, and Middlethird was accordingly proclaimed on the 6th of September to be in a state of disturbance, and a magistrate, who had been in the confidential employment of the government, was appointed to superintend, with an establishment of thirty constables; and hence was the origin of the celebrated constabulary, which now, with more than military dominance, preserve the domestic peace of Ireland. The baronies of Kilnemanagh and Eliogarty, and that of Clanwilliam in the county of Tipperary, were also proclaimed and assisted with police establishments, on the application of the magistrates of the county, they having before been entirely without any power beyond the ordinary force of the law, to repress a violence that was evidently beyond the usual means deputed for the protection of society. Lord Whitworth, being still very unwilling to put forth all the powers with which he was intrusted, refused the application from a meeting of magistrates, held in Westmeath, in November, 1814; but on the 23rd of March, in 1815, the evil had grown so strong, that a much larger meeting of the magistrates was held, its attendants having been summoned in the way prescribed by the insurrection act, and a memorial was addressed to the lords justices, who administered the government during the temporary absence of the lord lieutenant in England. The magistrates observed in this memorial, that the ordinary powers entrusted to them were totally inadequate to

ensure that security which every subject has a right to derive from the laws of his country; that the punishment of criminals led only to the murder or banishment of those who had given information against them, and that sufficient protection was only to be found in the vicinity of the military posts, and they concluded by calling upon the lords justices to enforce the insurrection act in the baronies of Brawney, Clonlunan, Kilkenny West, Ratheconrath, Moygolsh, and several other portions of the county of Westmeath.

On the 18th of April, a memorial, concluding with a similar prayer, was forwarded from twenty-one magistrates of the county of Clare. They stated that houses were frequently plundered of the arms contained in them by disorderly persons who came from parts of the county far remote from the places where the offences were committed, and that they were mounted on horses, seized from the owners for the occasion, and that other outrages of the same character were committed in the baronies of Tulla and Bunratty, which they desired to have proclaimed. During the same month, an application of a similar kind was forwarded with a memorial from a meeting of thirty magistrates of the county of Limerick, and a similar one also was forwarded from the magistrates of Meath, who urged the necessity of applying the insurrection act to the baronies of Demifore and Upper and Lower Kells, and some of the parts adjoining. The lords justices were as unwilling as the lord lieutenant to employ the arbitrary measures at their command in the disturbed districts; and, instead of authorising the enforcement of the terms of the insurrection act, required the magistrates by whom the memorials had been preferred to forward depositions upon oath of the several outrages that had been committed in their respective counties, and such depositions were accordingly transmitted, in consequence of the requisition by the several gentlemen who had presided at the meetings of the magistrates. These depositions were laid before lord Whitworth immediately on his return to Ireland, but though he found in them the strongest proofs of the spirit of insubordination to the law, and of the mischievous combinations of which the magistrates complained—with a laxity that appears almost marvellous, he refused to put the act in force, though every hope of restoring tranquillity to the several dis-



tricts without the exertion of greater rigours must, long before his return to Ireland, have disappeared. But he was at length compelled to act with more energy. The violence in Tipperary had grown to so great a height that a meeting of the magistrates was held on the 22nd of December, 1815, at which almost every one of them, at that time residents in the county, attended. An application for the protection of the act was unanimously agreed upon, that the whole county might be proclaimed. This memorial was accompanied by fifty-eight depositions upon oath of various outrages which had chiefly been committed for the purpose of procuring arms; and this too notwithstanding that the extra police act had been in force in the barony of Middlethird upwards of a year, and in the baronies of Kilnamanagh and Eliogarty between four and five months, during which periods the police had been most unremitting in their exertions, and many of the most daring of the offenders had been apprehended.

During the whole of this period of the reign of terror, the gentry hung well together. Among the magistracy the greatest unanimity and cordiality prevailed, and they omitted no steps that could be devised for the protection of the country, and discharged their duties with the utmost activity and zeal. The combined efforts, however, of the magistracy and the police, aided, as they were, by a considerable military force, were insufficient to overcome the lawless spirit of audacity, which placed in continual hazard the lives and property of the peaceable and well-disposed portion of the community, for no less than four attacks were made within a short period by large bodies of men upon the coaches conveying the mails through the country, notwithstanding that they had the advantage of a military escort; and, on some of these occasions, several of the dragoons were killed and other persons were wounded. In the barony of Kilnamanagh, a house had been hired as a temporary barrack for the military, but it, with the house adjoining, was entirely destroyed in the month of September, by a very large body of men in arms, and who were provided with all the instruments necessary for a successful attack, and a written notice was left, that it was resolved to destroy, in the same manner, any house that might be taken by the government for the same purpose. Fortunately for the peace of the country, thirteen of

the persons engaged in this outrage, together with their leader, the son of a considerable farmer in the neighbourhood, were apprehended and capitally convicted at the special commission subsequently held in the county during the following January of 1816. The weekly reports made to the government by the magistrates superintending the police force, mentioned repeated instances in which the houses of respectable inhabitants had been attacked—in some cases in the day-time—when the occupants were obliged to deliver up their arms. Several murders also were committed, the victims selected being generally the persons engaged in the valuation or the collection of tithes. One of these was a person, who, though accompanied by eight men armed for his protection, was slain in open daylight, and his party was disarmed, although they were at the time within a very short distance of the city of Cashel. This was done in the face of all authority, for early in September, in consequence of the repeated acts of violence committed in the counties of Tipperary and Limerick, and the open manner in which the law was set at defiance, a large additional military force had been sent, under the command of general Meyrick, to march into those counties with the view of aiding the civil power, and giving that confidence to the respectable and well-disposed inhabitants which might induce them to remain in the country and co-operate with the government in its attempt to maintain tranquillity and order. In the course of the month of October, another memorial was presented to the lord lieutenant from thirteen magistrates of the county of Tipperary, expressing their opinion that the baronies of Upper and Lower Ormond, Ikerrin, Ownney, and Array, should be placed under the proscription which had been placed upon other parts of the county; but to this request he refused at the time to accede. But a memorial having been addressed from forty-seven magistrates of the county of Limerick, assembled at a special session on the 26th of September, and representing that the whole county was then in a state of serious disturbance, occasioned by a widely ramified confederacy among the lower orders; and another memorial having also been presented by the magistrates of the county of the city of Limerick, the whole of that district, with the exception of such parishes as were situated within

the city, were proclaimed early in October. A special commission was shortly afterwards issued for the trial of the great number of prisoners with which the gaol at Limerick was crowded. Many of the rioters and incendiaries were convicted and punished, and the result of these severe, but necessary measures, was the production of a state of tranquillity and safety to which that part of the country had long been unaccustomed. Few crimes of peculiar violence were committed, and those facilities which were given to the magistrates—all of whom acted with most laudable unanimity and energy—to seize the arms, under the authority of the Insurrection Act, which they were not legally entitled to possess, tended greatly to this good end; and addresses were presented to the lord lieutenant, at the close of the special commission, from each of the grand juries of the county and city of Limerick, expressing their satisfaction with the measures that had been adopted for the suppression of disturbance, and conveying an assurance that they had been attended with success. Nevertheless, the country was very far from being in a settled state, for, as Mr. Baker, the magistrate, to whom previous allusion has been made, was returning from a meeting, he was waylaid and brutally murdered in open daylight, and that too, in a way which evinced the concerting of plans which could only have originated in the intelligence of persons far superior in their station in life to the parties by whom the crime was perpetrated. Five persons were planted at points by one of which Mr. Baker must inevitably pass on his way home, and within a short distance of Cashel he was shot dead. The government offered a reward of no less a sum than five thousand pounds for the apprehension of the offenders, but they were never discovered. The magistrates of the county acted however with great intrepidity, for they, as soon as possible, and in a special session, unanimously signed a memorial to the lord lieutenant stating, that notwithstanding this dread attempt at terror, they would, under all circumstances, unhesitatingly do their duty.

At the earnest desire of the resident gentry, both in King's County and Westmeath, the insurrection act was proclaimed; in the latter at Moate, on the 2nd of November, and in the former, on the 22nd of the same month. About the same time a memorial

was forwarded to lord Whitworth, from twenty-seven magistrates assembled in petty session in Louth, showing the necessity of further police assistance in their county, and he immediately appointed a special magistrate, and sent down fifty constables for a standing force, ordering, at the same time, the baronies of Upper and Lower Ormond, Dundalk, Ardee, and Louth, to be proclaimed. In this latter district, the spirit of turbulence was particularly rife. As many as eleven houses were attacked in the course of one foray, by a large body of men in disguise, who plundered them all of the arms they contained, and, in several instances, destroyed much valuable property, whilst many of the occupants were most grossly maltreated, and, in some cases, most grievously injured. To this long list of districts, three baronies in the county of Clare were shortly afterwards added.

The winter wore on with increasing dread to the respectable inhabitants, and with an almost entire lawlessness on the part of the lower orders, notwithstanding the incessant vigilance of the police, and the efficient aid of the military. Their exertions, however, began to have the desired effect; and though threatening notices were continually posted up, forbidding persons to take lands, of which the previous tenants had been dispossessed, at a higher rent than had been formerly paid, or to pay any rents at all, except under certain regulations which the rebels prescribed, the country was so far reduced to a peaceful state, that the ban of proclamation was gradually restricted in its exercise, and at length, in the month of March, was withdrawn from King's County and from Westmeath altogether. A large body of troops were nevertheless required, in the northern and western counties, for the suppression of the illicit distillation which was largely carried on in those parts of the country, and which, it was very generally believed, was the means of inflammation in other parts of Ireland.

During the winter, the leading Roman catholics had been far from idle; and, early in the year 1816, a large aggregate meeting assembled in Dublin, and agreed upon another petition, which was presented to the house of commons, on the 26th of April, by sir Henry Parnell. In this petition they complained grievously of their exclusion from the walls of parliament, to which persons of almost every other religion was admitted, and assured the house that



so long as they were allowed to follow their own mode of faith without injury or disability, they would faithfully respect the ecclesiastical arrangements of the established church in England and Ireland. The petition was received; and, no doubt, the promise contained in it secured much weight for it with many of the strongest opponents of the catholic claims in the house.

On the 15th of the following month, Mr. Grattan also presented a petition agreed upon at another large meeting. In this document the petitioners said little about their ecclesiastical privileges, but stated their readiness to accede to a positive statement in any act granting their claims, in a clause which should, as safely as possible, secure the succession of the crown to a protestant line. A week after this, the honourable William Elliott presented a petition from the English Roman catholics, making at the same time some strong remarks upon the injustice of excluding that body of his majesty's subjects from their rights in parliament. As soon as this petition had been ordered to lie upon the table, Grattan rose to make his promised motion on the subject. He made a long and eloquent speech, which was very effective in the delivery, and concluded with moving, that the house should resolve itself into a committee of the whole house, to take the claims of the Roman catholics into their immediate consideration. He was followed by sir Henry Parnell, and an animated debate ensued, in which most of the ministers who had seats in the lower house took part; and it was remarked, that lord Castlereagh, the leader of the commons, and Peel, the secretary for Ireland, took opposite sides, the former supporting Mr. Grattan, and the latter leading the opposition to him. Notwithstanding this partial support of the government, the motion was lost by a comparatively large majority, there being, on the division, one hundred and forty-one in favour of it, and one hundred and seventy-two against it, showing a majority of thirty-one against the committee. The catholics, however, were not to be disheartened by their numerous repulses; for, on the 30th of May, a petition in favour of the claims of the Roman catholics was presented to parliament from the most influential body of their church, viz., from as many as twenty-three of its prelates, and one thousand and fifty-two of the priesthood.

Ireland, during the whole of this year,

was in the same state of disquietude with which the country was affected during the preceding year, and an additional number of troops became requisite to preserve anything like an ordinary degree of tranquillity. Weekly reports were made by the police to the government of the state of the country, and repeated instances were stated, in which the houses of respectable inhabitants, in the most disturbed districts, were constantly assailed, and, in some cases, in the daytime. In one of these especially, a person employed in making a valuation for the collection of tithes, although accompanied by a body of eight armed men, was himself and all his company disarmed, and he was murdered. Murders, indeed, were of daily occurrence; and, in the early part of the month of September, in consequence of the repeated acts of outrage which were committed in Tipperary and Limerick, and the scandalously open manner in which they were perpetrated, a large additional military force, under the command of general Meyrick, marched into the district, with the view of aiding the civil power, and giving sufficient confidence to the resident inhabitants to remain in the country, and co-operate with the government in the attempt to ensure safety and peace.

A memorial for this assistance was presented to the lord lieutenant towards the end of the month, and he, in consequence of it, immediately proclaimed the county, declaring six of the baronies to be in a state of disturbance, and subjecting them to the provisions of the insurrection act. The baronies here alluded to were those of Middlethirld, Kilnemanagh, Eliogarty, Slievardagh, Compsey Clanwilliam, and the eastern barony of Iffa and Offa, to which were shortly afterwards added those of West Iffa and Offa, Ikerrin, Owey, and Array; Limerick was as badly circumstanced.

Much cause for this state of disturbance was afforded in the distress of the lower classes in Ireland; for, in this year of 1816, the people of Ireland had been peculiarly affected by the commercial and agricultural distress which pervaded the whole of the empire. The necessaries of life had become exceedingly dear, and great melancholy was thrown over the national spirit from the little prospect held out that the evils which the people endured were likely to be mitigated by any speedy alleviation. No gain had been made in the way of parliamentary relief for the catholic disabilities, and as

much discord prevailed among the councils of the catholic leaders as had ever distinguished the chief adherents of their faith. To one only thing did they commonly consent, and that was an unremitted continuance of application to parliament for admittance to seats in both houses of the legislature.

In consonance with his resolution, Mr. Grattan, in submitting a motion on the Roman catholic claims, on May 9th, 1817, to the house of commons, moved that a petition of the Roman catholics of Ireland, presented on the 26th of April, 1816, should be read. This was accordingly done; and then Mr. W. Elliot moved that the petition of the Roman catholics of England, presented on May 21st, should be also read. That having been done, Mr. Grattan made a long and able speech, in which he pleaded that the dispute between the catholics and the protestants must end either in an incorporation of the catholic clergy of Ireland with the see of Rome, or in their connexion with the government of England, and that if the latter were refused, he asserted that the national safety must be endangered. He concluded with moving, "that the house should resolve itself into a committee of the whole house, to take into its most serious consideration the state of the laws affecting his majesty's Roman catholic subjects in Great Britain and Ireland, with a view to such final and conciliatory adjustment as might be conducive to the peace and strength of the United Kingdom, to the stability of the protestant establishment, and to the general satisfaction and concord of all classes of his majesty's subjects." A long and interesting debate ensued, in which all the leading speakers took part, and Grattan did the best for his party; but the motion was ultimately lost by a majority of twenty-four against it. A week afterwards, lord Donoughmore laid a motion in the house of peers to a similar effect, but, notwithstanding the earnest advocacy of lord Grey and all his party, it was rejected by a majority of three to two.

In the following year, Mr. Grattan made a similar motion, on May 3rd, after presenting several Roman catholic and protes-

tant petitions, and, in the speech which preceded it, powerfully affected members on both sides of the house. The government were again divided, but the preponderance was too great for the Irish advocates; though the motion was only lost by a majority of two, in a large house. On May 17th, lord Donoughmore again came forward in the house of lords, and there followed a debate on the subject which had never been excelled in power or eloquence. The bishops took a large share in the discussion, and the lord chancellor evinced his usual acumen and his great knowledge of the laws and constitution of the realm, relying entirely upon the protestant principle as the substratum of his argument, and asserting that that was the ground on which the claims of the catholics could never possibly be allowed to alter the constitution of the country. Lord Liverpool closed the debate, after a speech of considerable power, with the assertion that he subscribed to the same doctrine, and the result was a majority of forty-one in favour of protestant ascendancy. Earl Grey, not disheartened by these defeats, on the 25th of May brought a bill into the house to relieve the Roman catholics from taking the declaratory oaths against transubstantiation and the invocation of saints, with a view to abrogate the acts of the 25th and 30th of Charles II., which prescribe to civil and military officers, and to the members of both the houses of parliament, the necessity of this duty before taking office; but he was met by a series of seven resolutions, which embraced, in their terms, all the leading points of Roman catholic doctrine in their political relations. These had been put forward by a body of men who were determined to resist the catholic claims to the last; and, notwithstanding the adhesion, highly influential as it was, of earl Granville to the Grey party, the protestant party had a majority of fifty-nine against the bill on its second reading. The same action was again renewed, and with the same success, for several years; but the arguments used were invariably to the same purport, and wrought no alteration in the political condition of the country.



## CHAPTER XVI.

INCREASED AGITATION OF THE CATHOLIC QUESTION IN IRELAND; THE CATHOLIC ASSOCIATION; PROSECUTION OF THE DUBLIN CHRONICLE; PARLIAMENTARY SUCCESS, AND MR. PLUNKETT'S BILLS; THE KING'S VISIT TO IRELAND.



URING the years 1815 and 1816, the question of the catholic veto had been fiercely discussed in every part of Ireland, and the Romish hierarchy had moved every instrument within the sphere of their influence to induce a virulent hostility against it. The catholic committee met continually at the house of lord Fingall, who became known throughout the country for his adhesion to the principle that it ought to be placed in the hands of the British government. An aggregate meeting having been agreed upon, in the former of these years, Mr. Sheil was appointed to draw up the petition, while lord Fingall was anxious that Mr. Bellew, a barrister, and a brother of sir Edward Bellew, should be engaged for that purpose. Mr. O'Gorman, who was extensively popular, also declared his intention of framing one to be submitted at the general assembly. Mr. O'Gorman's was never farther heard of; Mr. Bellew's was published in the newspapers, and Mr. Sheil's alone was submitted for discussion at the subsequent meeting of the committee. Lord Fingall refused to preside, and again seceded from the committee in consequence of the Roman catholic body having resolved to be content with nothing less than unqualified emancipation. O'Connell advocated that course with unceasing energy, and by that course established on a solid basis his leadership of his co-religionists in Ireland.

The government had determined to strain the convention act to the uttermost, and not permit the existence of any delegated committee for the management of catholic affairs. O'Connell therefore issued circulars to a number of gentlemen to meet him as private individuals in Capel-street, Dublin. A number of them met together according to this invitation, and hence arose the celebrated catholic association. In consequence of the machinery which they put in motion, the agitation for unrestricted emancipation was carried on through the whole of the five

following years. Mr. Grattan was virtually displaced, and sir Henry Parnell was substituted, as seen in the last chapter, to be the catholic champion in the commons of the imperial legislature, and very fervently fulfilled his duty in that capacity.

In order to understand the position into which the country had arrived, it is necessary, in some short degree, to revert to the murder of Mr. Baker, the magistrate, who was assassinated in the county of Tipperary, not far from Cashel.

At the conclusion of the great war with Napoleon Buonaparte, the profits of land which had, owing to the high prices obtained by a paper currency, been excessive, had led to high rents. The gentry of Ireland, at all times a generous and hospitable race, mostly lived up to the amount of their incomes. At the close of the war, the reduction of the prices reduced the farmers' incomes; the farmers reduced the wages of their labourers; the rents were badly paid. The landlords, whose estates had been encumbered by mortgages or jointures, in order to preserve the positions of their families, found themselves placed under increasing difficulties. The rents were often remitted because they could not be collected. But they were private affairs. Tithes, however, rested on additional foundations, for they were secured by the state, and the clergy had no other resource for subsistence but application to the state. The tenantry and their dependents were incensed almost equally against their landlords and the clergy. The landlords must rely upon the process of law, and depend upon its execution. The tithe proctor was an immediate and inexorable judge. When the catholics sought, therefore, for their civil rights, the essence of religious rancour was added to their causes of determination, and ultimately triumphed over all of them. Their religion and the advice of their priesthood sustained them. The press furthermore came in to their aid. It was during the violent prædial disturbances, before alluded to, that the murder of Mr. Baker occurred. A

special commission was issued for the trial of his murderers and of others who had been engaged in similar outrages. When this determination was promulgated, the *Dublin Chronicle*, a violent catholic and nationalist newspaper, denounced the commission, declared the innocence of the presumed murderers of Mr. Baker, impugned the integrity of the judges, and endeavoured to influence the minds of all those who might be empanelled on the juries. The proprietor of the paper at that time was Mr. Eneas M'Donnell, a barrister, a most active agitator, and at one time editor of the *Cork Mercantile Chronicle*, and in that capacity he had moved, at an aggregate meeting of the Roman catholics in the city where he resided, a national vote of thanks to O'Connell, and afterwards sustained the Franciscan friar, Hayes, when attacked for his indiscreet conduct as a self-elected deputy from the Roman catholics to the pope at Rome. The article appeared on the 11th of January, 1816, and the commission sat on the 15th of that month. Lord Norbury, with whom was baron George, referred, in his charge to the jury, to certain newspaper publications, intended to intimidate them from the honest and fearless discharge of their duties. Mr. M'Donnell was arrested, and his trial came on in the following April; O'Connell, who was always greatly celebrated in criminal cases, being retained as his defending counsel. When the cause was called, the attorney-general, Saurin, thus spoke of the paper in which the libel had appeared:—"Gentlemen of the jury,—It is a matter of congratulation that the amended way of thinking in the minds of many have rescued the press of Ireland from that odious licentiousness with which it had been tainted by this faction, and that all portions of it have retrieved its honest character, except this vile paper, the *Dublin Chronicle*. The press of Ireland, I am happy to say, has completely purged itself from this odious and base connection," alluding to the endeavours of the combined democratic and catholic associations. "The proprietors have wisely taken a chaste course, and have given every assurance that they have rescued themselves from this dark confederacy; have discovered the motives and designs of that infamous faction, and no longer will be passive dupes and suffering victims to their wicked and artful schemes. This, my lords and gentlemen of the jury, is the last effort of expiring Jacobinism in this country; and

after this last and necessary exertion, in which I call upon you to give me every necessary and constitutional and virtuous co-operation, I trust in God I shall have done for the rest of my life in prosecuting such libellers, which my duty, the corruption of the times, and an honest feeling for the peace and safety of that society, of which I am a member, imperatively demands at my hands."

O'Connell made an able, but, of-course, insufficient defence. The libel could not be justified, and judge Day, in passing sentence, broadly asserted that it encouraged assassination. He said, "You, sir, have ventured to question the purity of the administration of justice, and that, too, at a time when every friend to peace and good order, every upright man, and every honest Irishman, felt anxious for the success of that special commission which you thought fit to defame and scandalise by this vile and infamous publication; seeking thereby to degrade the officers entrusted with the dispensation of justice—to hold them up to scorn, contempt, and ridicule—to excite in the minds of the jurors a conviction that they were to be deceived by false and deceitful charges from the bench, and exaggerated speeches from the crown counsel, on purpose to encourage disaffection and assassination." Nevertheless, notwithstanding the severity of this rebuke, M'Donnell received only the mild sentence of six months' imprisonment and a fine of a hundred pounds. Neither the rebuke, nor the sentence, however, were forgotten either by the counsel or the people; for while the peasantry of Tipperary were indulging in "the wild justice of revenge," and a newspaper proprietor was remaining in jail, with the serious imputation upon him of having given them encouragement, O'Connell was struggling within the legal limits of constitutional agitation against the efforts which were being made to bring the feelings of the people and the opinions of the priesthood into accord with the tone and ground assumed by the advocates of catholic emancipation, both in and out of parliament. The grand obstacle to this accord was O'Connell. To him, it would seem, might be truly ascribed the inveteracy of the opposition to the veto on the appointment of the Roman catholic bishops in Ireland which was to be vested in the crown. The parliamentary friends of the catholics relaxed in their efforts, and almost became indifferent to the subject.



The holy see was indecisive. The prefect of the propaganda, cardinal Lilla, addressed a rescript to Dr. Poynter, in which he set forth the oath of allegiance which the Roman catholic clergy should take to the imperial government, and had directed that, in the event of emancipation being granted, the appointments to the dignity of bishop should be submitted for approval to the crown before being transmitted to Rome for canonical sanction, which was, in fact, giving the sovereign of England, not only the veto; but, indirectly, the appointment itself. But the people, the second order of the clergy, and a majority of the hierarchy, with O'Connell as their chief organ, loudly proclaimed their adhesion to independence, and therefore prelatical nomination. Everything indeed seemed to bid fair for a disruption with the court of Rome, if cardinal Gonsalvi persisted in his English policy; and an irreparable division was rapidly being created between the moderate catholics both of England and Ireland, and the higher classes of both countries and the extreme Romanists. The catholic association almost fell into desuetude, and though a very large meeting was assembled in Dublin in 1816, it led practically to no results. The government were anxious to bring the matter to a speedy conclusion, and it was known that the baron Omptida, the Hanoverian Chargé d'Affaires at Rome, was employed to negotiate with the papal court with every prospect of success. To use O'Connell's own words, "The catholic laity were totally repugnant to allow the crown any power to nominate the catholic bishops of Ireland. We steadily opposed the court of Rome as well as the inclination shown by our own prelates; we resolutely resisted the wishes of our nobility and of so many of our merchants, backed as they were by the almost universal voice of the catholics of England; and we firmly, loudly, and emphatically declared that *we would not accept of emancipation upon terms so derogatory to public liberty, as the power of nominating the bishops of another church must be if vested in the crown; that is, in the ministers of the day.* For this we deserve the thanks of every lover of constitutional freedom, and for my own part, I do believe that the reform bill would never have been carried," (this was said in the year of our Lord, 1832,) "if we had yielded that additional influence to the ministers of the crown. Those who recollect *how much the Irish members con-*

*tributed to carrying that bill,* will probably accede to the truth of my opinion. Ours was not a barren opposition. We, the catholic laity, actually sent an envoy, or messenger, to Rome, to remonstrate with the pope, and to announce to him our determination to prefer political inferiority, or even persecution, rather than submit to the veto. That our envoy, the Rev. Mr. Hayes, a Franciscan friar, having made our remonstrance known to the pope, and having persevered with more obstinacy than was deemed proper, was ignominiously dismissed from Rome and the papal territories, and sent home under circumstances of disgrace, without having been able to advance in any way the cause we espoused. That the vetoists amongst our body were much encouraged by these circumstances, whilst, on the other hand, the anti-vetoists were not a little exasperated, but at the same time rendered only the more determined and resolute, never to yield to the crown the power of the nomination of our prelates. That thus violent dissensions prevailed amongst us—animosities arose in the catholic body—ambitious, selfish, and other bad motives were mutually attributed, and, in short, all the weakness, as well as all the folly, of internal division was exhibited."

O'Connell used a wise discretion for his party, in retaining this explanation for nearly twenty years from the public. The political motives of the catholic body were kept in the back ground; the religious and ecclesiastical grievances were paraded in front of the battle ground, and used to a fearful extent in the promotion of private passion and of public disorder. Nothing was left undone that could affect the prejudices of the peasantry and their immediate superiors, and everything was accomplished that could secure their fealty against the government and the protestant party. It was a struggle for official life, and it ended in the securing of its object, but also in the prostration of the principle for which its party fought. The partisans, political and polemical, gained emancipation; their weight secured the reform bill, but they were broken as a party, and ultimately resolved into units.

Mr. Grattan, in turn, was superseded in his mission in parliament by Mr., afterwards lord Plunkett, who, as an Irishman, was the fittest representative of Irish grievances. The consideration of the catholic claims had been prevented for some time, by the em-

barrassments occasioned by the inopportune presence of the queen, Caroline of Brunswick, in the country on the accession of George IV. to the throne, to claim her rights; but shortly after the meeting of parliament, on the 28th of February, 1821, Mr. Plunkett moved that a committee of the whole house should consider the state of the laws affecting the Roman catholics, and inquire whether it would be expedient to alter or modify the same. He argued the question as one of religion, of policy, and of the constitution. In the first respect, he maintained that, for mere abstract religious belief, no man ought to be deprived of the privileges enjoyed by his fellow-subjects; and, even if it were to be admitted that adherence to the established creed of the country was to be a title to favour in the state, why was it that its enmity was to be directed against the catholics any more than against the Jews, Mahometans, or pagans? The Roman catholics, he remarked, differed from the members of the church of England not in disbelieving what they believed, but only in believing something more than they allowed. He admitted that the established church in Ireland was in a situation by no means free from danger, but the danger arose from the great majority of the people being of a different religion to the members of that church, and from their being excluded from the great and peculiar civil privileges which those members enjoyed; and asserted that it would be lessened and softened down by every measure that was calculated to reduce catholic animosity. By acceding to what appeared to him to be an act of justice, the state would retain all the securities which it then possessed, and would gain some which was, at that time, beyond its reach. With regard to the constitution, Mr. Plunkett held that it was intended by it to admit every person performing the duties of a liege subject of the realm to all the franchises of the state. Now, it was universally admitted that the Roman catholics were the liege subjects of the king. Why, then, shut them out from the benefits that they had, as such, a right to enjoy. No reason had ever been alleged that he knew of, except that they asserted the spiritual supremacy of the pope—a supremacy which, he said, had been universally acknowledged long before the constitution existed, and which had for centuries formed part of the creed of Ireland. Circumstances had certainly occurred which had at one

time rendered it necessary to impose certain restraints and exclusions on those who acknowledged that supremacy, but those circumstances had long since passed away, and the present times called for a different course of action.

Backed as he was by the original principles of the constitution, by the object and scope of the course of our history from the Reformation to the Revolution, by the concurrent declarations of the concurrent legislatures of England and Scotland on the first union, and of the parliaments of England and Ireland on the last—backed by the unimpeached loyalty, the unquestionable integrity of their catholic fellow-subjects, recorded in the enactments of the legislature and guaranteed by their own oaths—backed by the numerous concessions of the last fifty years, by that spirit of catholic conciliation which had been so strongly evinced during the late reign, and which, if the arguments in favour of exclusion were at all tenable, would have been so many outrages on the principles of the constitution—backed by the memories of the great lights and ornaments of that reign: of Canning, Pitt, Fox, Burke, Sheridan, and Windham, by every man who had had buoyancy enough to float down the stream of time; he felt that he had made out, that he had almost triumphantly established the principle which he sought to maintain. If the house consented to go into committee, Mr. Plunkett intended to propose that the declaration against transubstantiation should be removed from the establishment, and to submit some alteration in the oaths of abjuration and supremacy. The feeling which he wished to see acted upon, was that the protestant should not ask of the catholic anything in the way of security which necessity did not require, and that the catholic should not refuse anything which, consistently with his principles and conscience he could possibly give, although he might deem it a concession which it was not necessary for him to make. A great part of Mr. Plunkett's speech had been intended to refute the arguments adduced by Mr. Peel in former debates upon concessions to the catholics; indeed, no small part of it had been addressed personally to that right honourable gentleman himself. He, therefore, felt it necessary to take the lead in opposition to the motion. The principle adopted by the other side, he said, was that every subject of the realm had an equal



right to office, and that to exclude him, they must show some great and paramount danger which might arise from a general admission to public trust. If this were granted, what must be the consequence. They must not merely modify, but they must entirely repeal the test and corporation acts, those restrictive laws of which Burke and Windham had approved, and which Mr. Pitt had reserved as the bulwarks of the established church. The very basis of the argument relied upon was, therefore, he contended, only an assumption which had never been proved, and which was at variance both with authority and sound principle. Having gone into various disquisitions upon the origin of the laws sought to be repealed, and spoken of the circumstances which justified their enactment, he concluded with asserting that the measure then proposed would exasperate, rather than mollify the political dissensions of Ireland. Sir James Macintosh supported the motion, and was followed by Mr. Charles Grant, afterwards lord Glenelg, who, with lord Castlereagh, spoke on the same side. The house divided, when there appeared two hundred and twenty-seven for the motion, and two hundred and twenty-one against it, leaving a majority of six in Mr. Plunkett's favour.

On the 2nd of March, 1821, the house accordingly went into committee on the subject, when Mr. Plunkett proposed the six following resolutions:—"First, that it appears to this committee, that by certain acts passed in the parliaments of Great Britain and Ireland respectively, certain declarations and affirmations are required to be made as qualifications for the enjoyment of certain offices, franchises, and civil rights therein mentioned. Second, that such parts of said oaths as require a declaration to be made against the belief of transubstantiation, or the invocation or adoration of the Virgin Mary, or any other saint, and that the sacrifice of the mass, as used in the church of Rome, are superstitious and idolatrous, appear to this committee to relate to opinions which are merely speculative and dogmatical, not affecting the allegiance or civil duty of the subject; and that the same may therefore safely be repealed. Third, that it appears to this committee, that in several acts passed in the parliaments of Great Britain and Ireland respectively, a certain oath, commonly called the oath of supremacy, is required to be taken as a qualification for the enjoyment

of certain offices, franchises, and civil rights therein mentioned. Fourth, that in the said oath and declarations is contained that no foreign prince, person, prelate, state, or potentate, ought to have any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within these realms. Fifth, that it appears to this committee, that scruples are entertained by his majesty's Roman catholic subjects with respect to taking the said oath, merely on account of the word 'spiritual' being inserted therein; and that, for the purpose of removing such scruples, it would be expedient to declare the sense in which the said word is used, according to the injunction issued by queen Elizabeth, in the first year of her reign, and recognised in the act of the fifth of her reign, and which is explained by the thirty-seventh of the articles of the church of England, imports merely that the kings of this realm should govern all states and degrees committed to their charge by God, whether they be ecclesiastical or temporal, and restrain with the civil sword the stubborn and evil doer. Sixth, that it is the opinion of this committee, that such act of repeal and explanation should be accompanied with such exceptions and regulations as may be found necessary for preserving unalterably the protestant succession to the crown, according to the act of the further limitation of the crown, and better securing the rights and limitations of the subject, and for maintaining inviolate the protestant episcopal church of England and Ireland, and the doctrine, government, and discipline thereof; and the church of Scotland, and the doctrine, worship, and government thereof, as the same are by law respectively established."

These resolutions met with no opposition. They were agreed to, *pro forma*; Mr. Peel only declaring his determination to oppose the measure in every successive stage, and leave was given to bring in a bill founded upon them. Instead of bringing in one bill, Mr. Plunkett introduced two, one of which provided relief for the disabilities under which the catholics laboured, and the other was intended to regulate the intercourse of ecclesiastics who were British subjects with the see of Rome.

During the interval of the agreement with the resolutions, and the introduction of the bills, the table of the house was crowded with petitions from the protestant clergy and other bodies against the bills.

But the catholics on both sides of the Irish channel were equally on the alert. All the oldest catholic families in the counties of Warwick, Stafford, Chester, and Lancaster, exerted themselves with unwonted energy. The earl of Shrewsbury, lord Stourton, the Jerninghams, the De Cliffords, the Fitzherberts, and the Smiths, who took the lead in the north and west of England, were unanimous in calling for the bills; but in Ireland there was little or no fervour upon the subject at that time. Mr. Plunkett was held in small favour by the people. He was a man of cold exterior, and, apparently, of still colder heart, a first-rate reasoner, and a most eloquent speaker, but a vetoist and a protestant, and hence his unpopularity, for the Roman catholic population of Ireland were most enthusiastic on the point which he held to be his strongest, and they left him, therefore to work as well as he could alone.

The usual preliminary to the appointment of the Roman catholic bishops was the issue of a fiat directly from the pope, and the nomination went formally from Rome, but there was a good deal of practical interference in the matter, and the actual nominations had often been attended with disputes and conflicting claims. It was first contended that the bishops in the province in which there was a vacant see should elect; then, that the dean and chapter should; and, lastly, the parish priests put in a claim to elect; and it was therefore contended that the power of the pope was practically in most instances excluded; but it was not asserted that the influence of the papal see was any more nugatory than is the *congé d'elire* of the sovereign of the British isles, in the cases occurring in the protestant establishment. However, to meet the case, and to satisfy particular scruples, Mr. Plunkett proposed to get over the difficulty by the introduction of a proviso into his bill, which would stipulate that an oath should be taken in the following terms, by every Roman catholic who was admitted as a clergyman into holy orders, in order to satisfy the state that his intercourse with the see of Rome should be confined exclusively to ecclesiastical concerns.

"I, A.B., do swear that I will never concur or consent to the appointment or consecration of any Roman catholic bishop, or dean, or vicar-apostolic in the Roman catholic church in the united kingdom, but such as I shall conscientiously deem to be

of unimpeachable loyalty and peaceable conduct; and I do swear that I have not, and will not have any communication with the pope or see of Rome, or with any court or tribunal established, or to be established by the pope or see of Rome, or by the authority of the same, or with any person or persons authorised, or pretending to be authorised by the pope or see of Rome, tending directly or indirectly to overthrow or disturb the protestant government, or the protestant church of Great Britain and Ireland, or the protestant church of Scotland as by law established; and that I will not correspond or communicate with the pope or see of Rome, or with any tribunal established, or to be established by the pope or see of Rome, or by the authority of the same, or with any person or persons authorised, or pretending to be authorised by the pope or see of Rome, or with any other foreign ecclesiastical authority, on any matter or thing which may interfere with, or affect the civil duty or allegiance which is due to his majesty, his heirs or successors, from all his subjects."

The bill consisted of various provisions, and its author stated that it might be granted wholly or in part; if only in the latter, it might, he said, though he could not anticipate that such would be the case, justify the house in requiring the Roman catholic dignitaries and clergy to enter into these arrangements. Circumstances gave an appearance of candour and policy to this inferential recommendation, for while the petition presented in favour of the bills by the great Roman catholic families of Stafford and Warwickshire, headed by seven of the vicars-apostolic of the Roman catholic church in England was energetic enough, a petition was also presented on the night when the bills were introduced by Mr. Wilberforce, from many highly respectable individuals of the same persuasion, resident in the same counties, complaining of them in very unmeasured terms, asserting the strongest attachment to the king and constitution, and praying that they might not pass, for they imposed, the petitioners asserted, restrictions which were intolerable to the consciences of those which they were supposed to relieve. At the head of these latter petitioners was Dr. Milner, the eighth vicar-apostolic of the Romish church, a man eminently distinguished for his position and ability, who had instigated the petition, was desirous, above all things, of fully re-estab-



lishing the power of the see of Rome in England, and who, indeed, in 1813, was the main instrument of thwarting the wishes of the catholics, because he conceived that the remission of the disabilities would tend more or less to demolish the structure of their church in the united kingdom. Canning spoke long and most eloquently in favour of the motion, his speech repeatedly eliciting loud cheers from every side of the house. Bankes, Wilberforce, and Peel opposed the bill with more than their usual vehemence, the second of these statesmen relying greatly on the petition with which he had been entrusted by Dr. Milner and his adherents; but the second reading was carried by a majority of eleven in a full house, there being two hundred and forty-three against it, and two hundred and fifty-four in its favour.

On the 23rd of March, when the measure came again under consideration, Mr. Plunkett was absent in consequence of the death of his wife, and sir John Newport moved the recommitment of the bill. The clause respecting the new oath of supremacy was opposed by sir William Scott, sir J. Nichol, Mr. Peel, Mr. Brownlow, and Mr. Wetherell, and was supported by Mr. Charles Grant, who had become secretary for Ireland, sir James Macintosh, and lord Castle-reagh. It was carried by a majority of two hundred and thirty to two hundred and sixteen.

On the 26th of March, sir John Newport, when moving the commitment of the catholic bills, gave notice of his intention to propose the consolidation of the two bills which Mr. Plunkett had introduced. This intimation prompted Mr. C. Hutchinson, to declare that he had received a communication from high authority in Ireland, announcing the opposition of the catholic clergy to the bill for regulating their intercourse with the see of Rome, and that a meeting of the catholic bishops was about to take place, in which this important subject would be considered. The house then went into committee, and the clause against transubstantiation was agreed to, but upon the reading of the clause relative to the succession to the throne, the uniformity of the prayers of the people, or the administration of the sacraments in the established church, Mr. Bankes moved a clause, of which he had given notice, the object of which was to prevent Roman catholics from sitting in either house of parliament. A long dis-

cussion ensued, in which Mr. Canning took the chief part, and ultimately the committee divided, when there appeared for Mr. Bankes's proposition two hundred and eleven, and against it two hundred and twenty-three, showing a majority of twelve in favour of the principle of the bill.

On the motion made on the following day by sir John Newport, for the consolidation of the two bills, Mr. Peel moved that Roman catholics should be excluded from seats in the privy council, and from any accession to the judicial bench. This was opposed by sir J. Newport, supported by sir J. Nichol, and all the members of the party with whom he acted, and was lost by a majority of nineteen votes. Mr. Goulburn's motion, that no catholic should be eligible to hold the office of governor of a colony, shared the same fate, being rejected by a majority of forty-three members. The bill ultimately passed through the commons by a majority of nineteen, with the introduction of a clause, that no Roman catholic ecclesiastics should have the right to sit as members of the house.

The bill thus carried, was, on the 3rd of April, 1821, taken up to the lords by sir John Newport, accompanied by an unusually large number of members, and, upon the motion of lord Donoughmore, it was read a first time without any debate, the premier, the earl of Liverpool, and the lord chancellor Eldon, intimating their decided hostility to it in both its parts. Whilst it lay on the peers' table, very numerous petitions were presented both for and against it, and a petition was also presented to the commons, signed by the Roman catholic bishop and eighty or ninety catholic clergymen of the diocese of Limerick, in which they remonstrated strongly against the regulations contained in what had been the second of Mr. Plunkett's bills. The second reading of the consolidated measure came on in the lords on the 16th of April, and the debate upon it occupied their lordships during the whole of two nights. The earl of Donoughmore, who had again taken an active part in catholic affairs, undertook the conduct of the bill, and, after supporting its general principle, stated that he meant to move for some alterations, in the event of its getting into committee; the most important of which was one that related to the clause which provided that a commission should be created in both countries for the purpose of receiving and considering the rescripts from

the see of Rome. Instead of these two commissions for England and Ireland respectively, he intended to propose that there should be one commission only to transact that business, and that that commission should have its place in England where the seat of government lay; that its members should not be appointed by the fortuitous selection of the ministers, but that the board should consist permanently of certain great officers of the crown, to be particularly named in the bill. There is no doubt that lord Donoughmore here spoke the feelings of the higher classes of the Roman catholics in Ireland. They had a double object to attain—political opportunity for advancement and place, and religious settlement—or, if it could be reached, religious predominance. If emancipation were obtained, the first part of their purpose would be gained; if the commission was established, they would be brought into immediate contact with the state, learn the best seasons, and enjoy the greatest advantages in deriving benefit from their opportunities. The lower classes and the more purely polemical members of the Roman catholic church, simply looked upon the matter as one of church advancement, and advocated to the full the principle which they recognised in all their secular transactions, that the church was superior to the state, and that the latter therefore ought to follow the former.

On the present occasion lord Mansfield, whose judicial character, which always stood high, gave him great weight, spoke against the bill, and he was followed on the same side by the bishops of London and Chester. But the greatest damage to its success was derived from the duke of York, who, on this occasion, on the second evening of the debate, adopted the unusual course for a member of the royal family, of speaking in parliament, and opposed his royal brother, the duke of Sussex, lord Harrowby, and the bishop of Norwich. His royal highness's speech was short, but, like most of the acts of his family, effective. He said that it was with the utmost reluctance that he rose to object to the second reading of the bill, but there were occasions on which it became an individual, not only to step aside, but to come forward and boldly avow the sentiments which he entertained. The present, he considered, to be one of these occasions; for, were not their lordships called upon to sanction a measure which, it was admitted even by its advocates, would effect

a great change in the constitution as established, at the Revolution of 1688, and in the system which had seated his majesty's family upon the throne? When measures similar to the present had been proposed by a minister who had rendered the most eminent services to his country, he had strenuously opposed them, on a thorough conviction of their dangerous tendency. The more he had since heard the subject discussed, the more he had been confirmed in the opinion which he had at that time expressed. He had always understood that the church of England was an integral part of the constitution. Long might it, he prayed, remain so. But, notwithstanding this declaration, he would not have their lordships suppose that he was any enemy to toleration, for he was always happy to declare his desire that *every sect* should have the full exercise of its religious form and faith, so long as that privilege did not affect the security of the established church, and the members of each of them remained loyal subjects to the crown, and peaceable denizens of the realm. He felt that it was inopportune to enter, and he was ready to acknowledge himself unequal to, the duty of entering into the detail of the question submitted for their lordship's arbitrament. He would not, therefore, detain their lordships by endeavouring to take an expansive view of the subject before him, but he would only repeat that his opposition to the bill arose from principles which he had embraced ever since he had been able to judge for himself, and which he hoped he should cherish to the last day of his life.

This, coming from the heir to the throne, was a stroke upon which the Roman catholics and the whigs scarcely counted. It had, indeed, great weight, and, in the course of the debate, the lord chancellor followed it up by new influence, in reminding the house that if the bill passed, the office which he had the honour to fill would be the only one of any great consideration which must of necessity be filled by any one that was a layman. He could not consent to so sweeping an alteration of the constitution; for this bill would not only effect its own object, but it must compel the repeal of the test and corporation acts; and what security, he asked, would then remain to the church? Mr. Pitt had never been able to devise any securities satisfactory to himself, and those which had been devised by lord Grenville had not proved satisfactory to the Roman catholics. The



bill itself, he contended, was full of inconsistencies. Lord Grenville said that, after the repeated declarations of the house of commons by their votes, the bill had received the deliberate sanction of the lower branch of the legislature. Would their lordships readily gainsay such a resolution? The bill was intended to complete the effect of the union of England and Ireland, by admitting the great mass of the people of Ireland within the pale of the constitution, so that they might pass on to the discussion of the peculiarities which affected their full rights.

Lord Liverpool said that there were not three lines in the bill to which he could assent. His opinion was, that the parliament and the privy council should be kept as they were. He thought that it was a more manly course in him to declare this at once, than to encourage hopes and expectations which might never be realised. The possession of civil and religious liberty, he most readily allowed, was an inherent right in every man in the state, but the claim to merely political privileges and to political power rested upon a very different ground. It remained for the state to say—and that was a communal power—it remained for the state to say what was the best for the common security and welfare. He believed that this measure, so far as the general body of the people of Ireland were concerned, would have no effect whatever. If any benefit could be conferred on the Roman catholics of that country, he conceived that their lordships ought immediately to grant it, so long as it was not inconsistent with the general welfare of the country. But it should be remembered, that they also owed a duty to the protestants of Ireland, whose liberties, lives, property and faith, they were bound to protect. The marquis of Lansdowne said that, according to his view, the bill was calculated to strengthen, rather than to weaken the basis of the constitution in church and state. The house held a different view; for, although lords Melville, Ashburton and Somers supported the second reading, it was lost by a majority of thirty-nine, proxies included.

Parliament was prorogued on the 11th of July, and his majesty immediately prepared for his celebrated visit to Ireland. Every preparation was made for his reception, and although the news of his consort's death had reached him before leaving England, in whose cause the people of Ireland had shown

the most earnest anxiety, he was not allowed, as he desired, and as indeed was decent, to land in privacy. The enthusiasm of the people got the better of their judgment, and principle was, as it often has been, sacrificed to passing emotion. After a somewhat lingering voyage, the king landed at Howth, and was escorted amidst the most enthusiastic cheerings to the Phoenix-park, and with so much haste and confidence in the people, that he left his suite behind him. He was royally received at the vice-regal lodge, and, on bidding adieu to the numerous guests who had invaded its precincts to do him honour, replied in terms embodying the feelings of a heart that was great and that would have been warm and charitable, but for the mischievous misdirection of early acquaintance. To the populace, when on the steps at Phoenix-park, he had spoken with the most condescending affability, but it was to the select party who surrounded his dinner-table in the evening, that he said: "I cannot express the gratification that I feel at the warm and kind reception I have met with on this day of my landing among my Irish subjects. I am obliged to you all. I am particularly obliged by your escorting me to my very door. I may not be able to express my feelings as I wish. I have travelled far. I have made a long sea voyage; besides, particular circumstances have occurred, known to you all, of which it is better at present not to speak. Upon these subjects I leave it to delicate and generous hearts to appreciate my feelings. This is one of the happiest days of my life. I have long wished to visit you—my heart has always been Irish. From the day it first beat I have loved Ireland. This day has shown me that I am beloved by my Irish subjects. Rank, station, honours, are nothing; but to feel that I live in the hearts of my Irish subjects is, to me, the most exalted happiness."

George IV., with a becoming propriety, remained, as far as he could secure it, in privacy for several days, but the Phoenix park was daily crowded with visitors; and while the body of his queen was on its way to its last resting-place, the palace was besieged with courtiers and other applicants for state favour. Even lord Londonderry, who had been, of all the ministry, held up as an object of vituperation, was received, during his rides through Dublin streets, with the most enthusiastic fervour. O'Connell had

engaged to reconcile the catholics to the king, and had recommended the utmost exhibition of that kindness, of which they spoke so much, to the sovereign whilst in Ireland. His majesty made his public entry into Dublin on Friday, the 17th of August, 1821, amidst all the magnificence of a state procession, and applauded by the tens of thousands that attended his progress. During the day he held a drawing-room, at which all the nobility and gentry of any note, at that time in the country, attended. Nothing could be more enthusiastic or cordial than his reception, and he remained a month dispensing and enjoying hospitality, apparently perfectly satisfying his own and his people's feelings. Notwithstanding this demonstration of loyalty, however, the Irish people were moved by a spirit which no agency of statecraft seemed to be able to govern.

The dreary months of October, November and December, gave sad proof of the evil which was lurking in the national mind. Addresses breathing the utmost loyalty had been presented by the city of Dublin; the clergy, with the bishops and archbishops at their head; the university, with all its dignitaries; and yet, after the departure of the king in September, the most violent outrages were perpetrated, in the three last months of the year, that had ever disgraced Ireland. The gaudy and hollow bubble of conciliation soon burst, and a system of robbery and assassination was commenced and carried on, which has never been paralleled in the annals of any other country. The counties of Limerick, Mayo, Tipperary, and Cavan were the chief seats of disturbance. In the first of these, the most horrible outrages were perpetrated, and aggravated by the cruelest spirit. Among the other sufferers was a most respectable magistrate, a Mr. Going, who was attacked upon the highway, and whose body was absolutely riddled by bullets from assassins, of whom nobody would inform, and who, like others, criminated by similar inhumanities, were placed, by secret connivance, quite beyond the reach of justice. Seven mortal wounds were inflicted upon him, and such was the

daring ferocity of his assassins, that the dead body was obliged to be escorted to what had been its late home, by a military escort. As if to show that they were actuated by a merely sanguinary purpose, the murderers left his watch, and a large sum of money in his pocket, untouched; and within an hour after his death, the circumstance was announced to the excited peasantry by their confederates, by the kindling, throughout the country, of bonfires on the hills, which were answered by a savage yell of exultation from all the villages around. The Irish privy council immediately proclaimed the district; but in various other parts of the country, midnight meetings and robberies of arms were events which the inhabitants every day expected. In Tipperary, eighteen persons, including women and children, were burnt or shot to death in one house. Shea, the father or master of the family, was the first to burst through the flames in which his house was enveloped, by night, but he was instantly shot, and his body cast into the midst of the conflagration. His alleged crime was, that he had previously removed some sub-tenants from lands which they held at will. It appeared from this and other facts, that the whole of the lower classes in the agricultural districts were confederated; that they were determined to dictate the regulation of property; that they had declared war against all public institutions; that they resisted the payment of taxes and tithes, and had bound themselves by an oath, to enforce the adoption of their plans by plunder, torture, and murder.

A commission was sent into the disturbed districts for the purpose of bringing some of the perpetrators of these atrocities to justice, and several convictions were obtained and the criminals executed; while numerous bodies of troops were dispatched into the districts, in order to preserve their peace. Yet, notwithstanding every precaution that could be devised, the country continued, at the end of the year, in a very disturbed state. Among the measures taken by the government, was that of sending the marquis Wellesley to replace lord Talbot as lord-lieutenant.





## CHAPTER XVII.

POLITICAL CHANGES; LORD WELLESLEY'S GOVERNMENT; CONTINUED TURBULENCE; THE WHITE-BOYS; ENFORCEMENT OF THE INSURRECTION ACT.

CHANGE took place in the ministry in the course of January, 1822. Lord Sidmouth, who had for many years presided at the head of the home-office with singular zeal and ability, had grown into years. The peculiar perspicuity which he possessed, accompanied, as it might be, with but little of that showy eloquence which is most apt to catch the attention and secure the approval of a popular assembly, had been of immense service to the ministry. They felt that his approaching secession would occasion a great weakness, and they naturally looked around them for foreign aid. They determined, if they could obtain it, to secure the Grenvilles' support in their coalition. The overture was not ill received. The marquis of Buckingham was elevated to the dignity of a duke. Mr. Charles Wynne was placed at the head of the board of control, and another of the family, Mr. Henry Wynn, was named envoy to the Swiss cantons, with appointments amounting to about one thousand pounds a-year.

The secession of the Grenvilles from their old party was a sore stroke for the whigs. They cried out loudly against the men who had always been seen speaking and voting from the opposition benches. But there was no inconsistency in their proceeding, for they had never been real friends to the popular interest. Lord Liverpool and his adherents had pursued a calm and temperate policy, the object of which was to preserve peace abroad and tranquillity at home, thus giving full scope for the exercise and increase of industry. In the reduction of the public expenditure they had done as much as could possibly be expected, and, indeed, as it was prudent that they should effect. The Grenvilles held no one principle wholly in common with the opposition; they had no one tangible ground on which they were opposed to the ministry. Moreover, their support of the government would tend largely to the promotion of objects which they had much at heart. Strength-

ened by their alliance, the ministry was changed. Lord Sidmouth retired from actual office, but retained his seat in the cabinet, and was succeeded in the home department by Mr. Peel, whose principles, predilections, and prejudices, at that time, were so similar to those of his lordship on most subjects, that it was not anticipated that any great change would be made in the *rationale* of the ministry, so far as Great Britain was concerned. But a marked alteration was effected, in the appointment of the marquis of Wellesley to the government of Ireland. Whether the king had or had not been influenced in his predilections by his hospitable reception and treatment during his visit to Ireland in the previous year may be doubtful, but certainly these changes were eminently significant of the occurrences which were brought round towards the latter part of his reign.

The appointment of lord Wellesley was a presage of a new system of government in Ireland; and this presage was strengthened by the removal of Saurin, the able and vehement friend of protestant ascendancy, from the high station of attorney-general, in order to make way for the advancement of his rival, Plunkett, who embraced both catholics and protestants within the arms of his philanthropy, and sought, or said that he sought, to confer political power on the catholics, in order to strengthen the protestant establishment. Under such auspices, it was naturally supposed that every ebullition of catholic turbulence would be suppressed by the conciliating spirit of its adherents; and that the vigorous measures which would be adopted by lord Wellesley would have the effect of perfectly quieting every disposition to oppose the law or injure the subject; and it was hoped, therefore, from his freedom from anti-catholic prejudices, that his administration would prove an epoch, from which Ireland might date her internal union and inward tranquillity. Nor were these expectations, so far as they rested upon the expectations derivable from the union of talent, firmness, and energy in the government in the slightest degree preposterous. But there was a substratum in

the constitution of Irish society, on which its rulers thought little and never calculated; and thence arose the cause of the failure in their attempt to quiet the country. The executive authority of Ireland was now in the hands of individuals known to be friendly to the policy of conferring political privileges on the Roman catholic portion of the population; and, if it had been the intention of the cabinet to carry any such intention into execution, they had all the machinery of state government ready in their hands. The cabinet would seem to have entertained such a notion and the king could not be averse to it, but the people of England were averse to it, and the protestants of Ireland, above all, were an active, able, and energetic body. Owing to the existence of the test and corporation acts, the whole of the municipal government of the island was in their hands; and that was an influence which was very largely exercised, for it ministered to the vanity as well as to the property of the holders.

Lord Wellesley held his first levee at Dublin castle on the 8th of January, within little more than three months after the king's departure from the same place; and two addresses were presented to him, one from the catholic archbishops and bishops, and the other from the catholic laity. About the same time the corporation of Dublin declared their feelings by an affectionate address, which they presented to Mr. Saurin, on his unexpected removal from the high office which he had so long filled with distinguished ability. The same feeling was evinced on another occasion, when the first attempt was made to beat down the barrier against the admission of Roman catholics into corporations. On the 14th of January, 1822, a proposal was brought forward at the quarterly guild of merchants in Dublin for that purpose. The question was put on the petition of a Mr. Hugh O'Connor, who prayed to be admitted by grace special. No right was affirmed, and the petition was rejected by a majority. A ballot was then demanded, and the demand was supported by Mr. Grattan, Mr. Hely Hutchinson, and lord Cloncurry. The opponents of it moved an amendment, that the consideration of the motion should be adjourned *sine die*; a ballot was taken on the amendment, when there appeared a majority of one hundred and twenty-one in its favour, which, of course, excited much exultation among the orange party, and at once proved that the work of

conciliation between two opposite faiths was little better than a farce. Accordingly, a short time after this event, a grand conciliation dinner, in honour of his majesty's visit to Ireland in the preceding year, was devised, but the stewards who were appointed to arrange and direct the proceedings were obliged publicly to resign their office, in consequence of the irreconcilable incompatibility of the parties whom it was their duty to incorporate under one friendly roof. The same spirit of disaffection and disagreement pervaded all ranks of society. The marquis of Wellesley was unable to still the strifes between different factions among the upper classes; while, among the lower, a burning hatred to the protestant faith and an instinctive repulsion to those rights of property, which required a mental energy and a physical exertion repugnant to the Roman catholic faith, occasioned a continuance of those agrarian outrages which made the island a scene of tempestuous violence, iniquity, and disorder. The most atrocious deeds continued to be perpetrated, both by day and night, and a system called *Whiteboyism*, in consequence of the wretches by whom those deeds were effected wearing white shirts or frocks over their clothes, in order to prevent identification, was regularly organised.

No power of the state was left untried to suppress this terrible evil. The lord lieutenant acted with admirable zeal and energy. Daily reports were made to him from the disturbed districts, and thus he was enabled to keep the magistracy perfectly alive to the extent of the evils which they had to suppress. The country gentlemen, on their parts, were no less earnest to accomplish an object by which alone their lives, their families, and their properties could be made secure. The military were increased, and bodies of them daily paraded the country. Juries, for once, forgot their party spirit, in their desire to promote the public welfare. The judges, and other ministers of the law, did their duty with stern severity, and numerous were the convictions and executions which took place. But nothing seemed to be able to secure the quiet of the country, for the outrages, instead of being fewer, seemed to grow in number, and to become more audacious and terrible in their character. Nearly the whole of Munster had fallen into a condition in which it is difficult to conceive how a civilised country could be in, that was not the seat of a warfare,



foreign or domestic. In the county of Cork, especially, this was the case; and all the despatches from lord Wellesley at this time teem with accounts, showing the nature and magnitude of the evils which then afflicted Ireland. One of the very first official documents that came under the eye of the lord lieutenant, was a memorial addressed to him by eighty magistrates of the southern part of that county. In that memorial they said, "The progress of this diabolical system of outrage during the last month has been most rapid and alarming; and we regret to say that we have been obliged, from the want of adequate assistance, to remain almost passive spectators of its daring advances—until, at length, many have been obliged to convert their habitations into garrisons, and others have sought security in the towns. We know that nightly meetings are held in various parts of the district which it would be our duty to disperse, and, if possible, to bring those concerned in them to justice; and we are most willing to do our duty, but we are utterly destitute of any force adequate to such an undertaking. We cannot expect individuals to have their houses and families exposed while they go out with patrolling parties; and even if they could, for one or two nights, engage in such a duty, they could not continue it—it would be beyond their physical strength and incomparable with their other avocations. From Clonakilty (where there is a yeomanry corps on duty) to Skibbereen (where there is a subaltern and sixteen men of a regiment of infantry), a distance of sixteen miles, with a crowded population, there are about six policemen. From Skibbereen to Crookhaven, a distance of twenty-four miles, equally populous, there may be, perhaps, eight policemen; an establishment wholly inadequate to the ordinary duties of civil constables, much less to the suppression of a formidable insurrection. In fact the whole district may be said to be in a defenceless state."

Such was the representation of the magistrates; and it may well be supposed what must have been the state of alarm in which the whole country was kept. The outrages were not only alarming, but constant. No family went to bed with the security that they should awake in safety in the morning. The house of a gentleman, named Mellifont, was attacked by a body of men, some hundreds in number, all of whom were

armed, and most of them mounted on horseback. They were repulsed, and pursued for a distance of fourteen miles, but without effect; and an indubitable proof was thereby given that they had been brought together from a great distance by a regularly concerted system. On the 8th of January, 1822, the house of Dr. Kilma-raird was entered by a large party, with their faces blackened, who, after searching in vain for arms, robbed the house and beat the owner. Two nights afterwards, some of the military having come up with a party of the white-boys at Anverstown, which stood at a distance of fifteen miles from Dr. Townshend's, one of the miscreants was shot, and on his person were found a variety of articles which afterwards proved to be the property of Dr. Townshend, and it was ascertained that the robber lived upwards of thirty miles from the place where he met his fate. Facts like these could not be isolated events, arising out of local poverty and distress, and they therefore must have been the results of a concerted system. Such, indeed, was the audacity of the marauders, that they did not hesitate to oppose force to force; for, on the 11th of January, a report reached lord Bantry, that nearly five hundred men, mounted and partly armed, had attacked some houses in that neighbourhood, and robbed them of arms. His lordship, with five other gentlemen, immediately collected a force, and proceeded in pursuit of the offenders. They received, on their approach, a volley from the white-boys, who showed such an undaunted countenance, that his lordship's party were compelled to retreat, and was, in fact, in its turn pursued. Notices were affixed in a variety of places, threatening vengeance against all who distrained for rent or tithes, or who purchased articles that were sold under the distraintment; and these threats were in many cases punctually carried into effect. In some parts of the country these acts of outrage were perpetrated exclusively on protestants; and in the neighbourhood of Bandon, several families were obliged to quit their habitations in the country, and to take refuge in the town.

Towards the middle of January, notwithstanding the exertions of the magistracy, and the unceasing vigilance of the police and the military, the commission of these outrages rose to a still more alarming height. There was not a night in which illegal meetings were not held, or during which

scores of houses were not broken into, robbed of arms, and most frequently subjected to indiscriminate plunder. The usual course pursued by the insurgents was to assemble in large numbers in one particular place; then to break up in several small bodies, each of which had a commission for some particular house; and they were often bold enough to commence operations as early as six or seven in the evening, when it might be supposed the authorities were awake—and that too, in situations so public, as apparently to give full assurance to the householders of protection. So excellently were their plans arranged, and so admirably carried out, that the soldiers could seldom discover the marauders, and generally arrived too late to interrupt their proceedings or revenge their violence. The caution and activity of the white-boys, together with their peculiar knowledge of the country, generally enabled them to avoid the high roads, and to elude the vigilance of the military patrols; and though large rewards were offered for the apprehension and conviction of the offenders, most of the magistrates complained of the great difficulty which they experienced in obtaining information respecting the criminals.

In consequence of the memorial presented to the lord lieutenant by the magistrates of Cork county, a military force was stationed at Macroom and Bandon, and orders were issued to remove the whole of the twenty-second regiment into that district; but the necessity and the inefficiency alike of the precautions were shown, by an engagement which took place on the 21st of January, between the inhabitants of the hilly district between Bantry and Macroom, and the civil power, aided by the thirty-ninth regiment of foot. On the evening preceding that day, lord Bantry had sent to major Carthew, to require the assistance of the military in the apprehension of some persons charged with being engaged in the disturbances, and the major repaired to the appointed place with a body of fourteen soldiers; the whole force assembled, including police and tenantry, amounted to fifty-five men. They marched at five o'clock in the morning from Bantry, and about eight o'clock, having proceeded some ten or twelve miles, they arrived at a glen on the road to Macroom. This glen is a very strong pass; and lord Bantry, with a number of gentlemen of his party had, only a few days before, been attacked in the place, and had had

great difficulty in effecting his retreat. Major Carthew, therefore, posted his small force of fourteen soldiers upon the heights at the entrance of the glen, for the purpose of preventing the civil force from being attacked in the flank or rear, in the event of their being obliged to retire from the hollow; the supposition being that they might be assailed with stones from the elevated points by which it was enclosed. Lord Bantry then, accompanied by thirty-five mounted gentlemen, proceeded through the glen, towards Inchegeelab, but they had scarcely entered the glen, when horns and bugles were heard sounding, and men appeared in every direction and fired upon his lordship and those who were with him. They, deeming the distance to be too great for effect, withheld their fire, and one man, deceived by the circumstance, supposing them to be allies, advanced with a pike, and demanded to know whether they were captain Rock's men. He was, of course, instantly made a prisoner. Lord Bantry continued his advance, but not having found some of the people at home, of whom he was in quest, began his retreat. No sooner was this perceived, than a systematic attack was prepared for rescuing the prisoner which he had taken. The insurgents appeared in two parties, one of which consisted of two hundred and fifty or sixty persons, and the other of sixty. The larger party took to the heights, with a view of cutting off the retreat of those retiring through the glen, for they did not perceive the force of major Carthew until they came close to it, but on the discovery of it, immediately fired a shot. The major ordered his men to move forward, and drove the insurgents back a considerable distance, but having observed that their numbers were increasing and that several were ascending the mountain above him, he was obliged to retreat, and with some difficulty and hard fighting, succeeded in regaining the pass. The insurgents, it appears, were not a mere rabble, but were restrained by some sort of discipline, for they had a regular bugle, which sounded the advance and the retreat, and pressed on in such a resolute manner, that the soldiers were compelled to expend about twenty-five rounds of ammunition, to keep them in check. One of the military stepping out too far in the charge, was surrounded, knocked down, and most barbarously beaten. Some of his comrades endeavoured to carry him off, and for that



purpose placed him on the back of one of their men, but the White-boys rushed down upon them in such numbers, that the victim of this violence was necessarily abandoned to his fate, and he was murdered by blows from the sticks and spades of his assailants. Lord Bantry was opposed by another party, who met him in the glen, but was enabled to dislodge them, and ultimately succeeded in effecting his retreat.

Nor was this by any means a solitary instance of the popular violence ; such outrages were of frequent occurrence. On the 24th of January, a large body of persons attacked the mail coach proceeding from Tralee to Cork, and after having killed some of the horses and wounded the guard, coachman and a passenger, overturned the coach and took possession of the mail. On the receipt of this intelligence, colonel Mitchell, who commanded at Macroom, proceeded thence with a detachment of troops in the direction of Mill-street, near which place the coach had been attacked, and there found a large body of men, partly armed, who made a show of resistance, but who, upon being attacked by the troops, fled with precipitation, and twenty-three prisoners were secured. On the same day, two dragoons, who had been dispatched with orders for the officer at Mill-street, were attacked and wounded on their road. The officer, under the direction of a magistrate, proceeded with some troops in the direction of Macroom and met with a large force of the insurgents, numbering from four thousand five hundred to five thousand men, who were armed with weapons of various descriptions, among them being several muskets. On the same day, in the neighbourhood of Charleville, a body of three hundred persons, whose leader, and several of his followers were armed with muskets, effected the rescue of a man in the custody of the police, and compelled the police to retire.

On the 25th of the same month, sir John Lambert, who was in command of the district, received information that the whole of the male population to the north of Bandon was proceeding to the mountains, and it was ascertained that the previous night had been employed in assembling the people, and that large bodies of them had that morning been observed on their march in the direction indicated. Colonel Mitchell again marched in the direction of Macroom, where a man, who was carrying the mail, had been at-

tacked and murdered. He found there a body, supposed to number about two thousand men, posted on the heights near the road, about one thousand of whom descended to attack his detachment. They fired three shots, but, on the advance of the troops, immediately took to flight, leaving as many as thirty prisoners in the hands of the military. About the same time a very large body of people assembled in the neighbourhood of Newmarket and Kanturk, whence the dragoons had been draughted ; and, supposing that the infantry would be able to offer no effectual resistance to their power, the rioters approached the town of Newmarket, and occupied the road. They were, however, rapidly dislodged by a detachment of the twenty-second regiment, who took three of the rioters. On the evening of the same day, a detachment of the eleventh regiment was attacked on its march from Macroom to Bandon, by a party of sixty men, who followed it for three miles, and took advantage of the enclosures to fire, and retard the march of the troops. About the same time, the greater part of the population of the county of Cork also assembled in the mountains ; having, in several places, made demonstrations of attack, and in others committed outrages in the day-time, with increased forces and greater boldness than formerly. Such was the state of the county of Cork in the beginning of the year 1822 ; and scenes of the same kind, though presented on a minor scale and conducted with somewhat less audacity, were daily occurring in many other districts. In Kerry, Tipperary, and Limerick, assassinations were frequent, and no house was safe from attack and the robbery of its arms.

The county of Clare, though not altogether tranquil, was more so than any other part of Munster, except Waterford ; but that part of Tipperary was scarcely less safe than Cork itself. The system of threatening tithe proctors was kept in active exercise, and such as attempted to enforce a tithe process were sure to be assailed with some violent outrage ; nor was it possible to obtain any information respecting the offenders. Large bodies of men, armed and mounted, were continually parading the roads, threatening with destruction every person who opposed them. The resident gentry were almost made prisoners in their own houses. They dared not go out after dusk, from the fear of assassination ; they were ob-

liged to keep regular guards for their protection, and, indeed, to convert their houses into so many fortresses. The illegal associations, through which these outrages were occasioned, extended to a lamentable degree of atrocity into Leinster; and the counties of Kildare, Westmeath, Meath and King's County, and the county of Dublin in some measure, were disgraced at this time by the most atrocious violence. But the combinations in this latter district, though their members were undoubtedly connected with the conspirators in the south, seem to have had the raising of wages, and not political objects, more particularly in view, and not having the same intensity of feeling to impel them, the ordinary powers of the law proved a sufficient corrective. In Connaught, the disturbances were confined to the counties of Galway and Roscommon. Ulster had, as usual, continued generally tranquil, but some slight disturbances broke out, and a large meeting was intended to have been held on the 1st of January. A large body of men, consisting of several hundreds, mostly armed, crossed the Derry mountains, demanding arms on their way, but they did not perpetrate any act of outrage. Some notices against the payment of tithes were, however posted up, and an unusually large demand for arms had taken place in Belfast. The practice of administering unlawful oaths was very prevalent; and it was ascertained that committees had been formed, who were

in correspondence with other committees sitting in Dublin, and circumstances like these naturally awakened great apprehensions that the same outrageous violence which had disgraced Munster might be resorted to in their own district.

All who were engaged in the general or local administration of Ireland at this critical period, appear to have acted with the most praiseworthy diligence, courage and energy. Lord Wellesley was unremitting in his endeavours to ascertain accurately the actual state of every part of the country. This industry on his part was doubly advantageous, because it not only enabled him with promptitude to take due measures of prevention, but it likewise operated as a very powerful incentive to increase the zeal and activity of the local magistrates. These officials, and the great body of the resident gentry, seem to have avoided neither toil nor danger in their efforts to preserve the public peace; and, on all occasions, the civil and the military powers co-operated most cordially in the fulfilment of their unpleasant duty. The evil in the south of the country had become intolerable. The most inert individuals, who had life or property to lose, were roused from their sluggishness, and the very excess of the mischief at that time ultimately proved a benefit to Ireland, by showing the really respectable portion of the people the necessity of supporting each other in the preservation of law and order.

## CHAPTER XVIII.

OPENING OF PARLIAMENT; MEASURES TO REPRESS THE TURBULENCE OF THE COUNTRY; CONTINUATION OF THE OUTRAGES.



HE king opened the parliament in person, on the 5th of February, when he made a very graceful acknowledgment of the hospitable manner in which he had been received, and the loyalty which had always greeted him, during his residence in Ireland in the preceding year, and expressed his belief that his presence

there would be productive of great good, both at present and in future, for the country.

The marquis of Lansdowne, in speaking on the motion for the usual address to the crown in reply to the speech, expatiated largely on the Irish disturbances, ascribing them chiefly to the system of misgovernment which had for so many years been adopted in Ireland. Lord Liverpool, in a very moderate speech, while answering the mar-



quis's observations, remarked that it was a singular circumstance, that in the disturbed districts, where the laws were every hour transgressed, no hostility was ever manifested to his majesty's government. The Irish, indeed, amid all their distresses, discontents and excesses, had never quarrelled with the government; and he expressed his belief that the impulse of religion had never entered into the motives of the insurgents. The address in the lords was passed without a division. In the commons, sir Francis Burdett and Mr. Hume both moved amendments, and in the debates which ensued, and in which Ireland held a prominent place, Mr. Hobhouse, lord Londonderry, Mr. Grattan, and Mr. Brougham took part, but both amendments were negatived by large majorities. The subject of Ireland and its grievances, however, had received its well-merited attention, and it was one of the very first which the minister introduced to the legislature after the commencement of the session.

Their object at that moment was not to devise schemes for the general improvement of the country, but to bring forward measures for immediately arresting the headlong career of outrage and rebellion. With this view, they recommended the re-enactment of the insurrection act, and the suspension in Ireland of the habeas corpus act. By the former, any two justices of the peace might cause an extraordinary session of the county to be held; and when seven or more justices were assembled in such session for the county at large, or three for a county of a city or town, the majority might signify to the lord-lieutenant, that they considered the county, or any part thereof, to be in a state of disturbance, or liable to become so, together with their opinion; and might pray him to declare, by proclamation, the district to be disturbed.

On the receipt of such a document, the lord-lieutenant was empowered to issue his proclamation, in which the inhabitants of the proclaimed district were to be warned, from and after a day therein named, to remain within their houses between sunset and sunrise. After that day, any justice of the peace, or any person authorised by his warrant, might, between one hour after sunset and sunrise, enter into any house in the proclaimed district, and such of the inhabitants, or usual dwellers therein as should be then absent, were to be deemed idle and disorderly persons, unless they should prove

that they were absent on proper and lawful business. And in like manner, all the persons who, between the same hours, should be found out of their usual places of abode, were to be apprehended, and were to be committed as idle and disorderly, unless they could show that they were abroad on their proper and lawful business. Under the description of idle and disorderly persons, were comprehended all persons tendering, administering, taking, or entering any illegal oath and engagement; also all persons printing, writing, circulating, or delivering any notice or message tending to excite any riot, or produce any unlawful meeting, or threatening violence to any person, or making any demand of money, arms, ammunition, or other matters; all persons having in their possession any offensive weapons, after they had been called to deliver up the same; all persons found assembled after nine o'clock at night, and before six in the morning, in any house where malt or spirituous liquors were sold, not being inmates thereof, or travellers; all persons unlawfully assembling in the day-time, and all persons who should hawk or disperse in the proclaimed district, any seditious paper or pamphlet, unless they discovered from whom they received the same, or by whom they were employed.

For the trials of disorderly persons thus described, a court of special sessions of the peace was to be held within seven days from the date of the proclamation, and was to be prolonged by adjournments from time to time, so long as the district should continue to be proclaimed. The assistant-barrister of the county was always to be present at such sessions, and the lord-lieutenant might name one of the king's serjeants or one of the king's counsel to preside in the court; and the court, so constituted, was empowered, without any grand jury, or any bill being found, to proceed to the trial of any person found to be idle or disorderly, in the sense stated, and to acquit or convict, and pass judgment upon them.

Hawking or dispersing seditious papers, was to be punished with imprisonment for not more than twelve months; all persons committing the other offences specified in the act incurred the penalty of transportation for seven years. There were only two limitations upon the powers of the courts of special sessions, and both were dependent upon the will of the members of the courts. The first was the authority to

empanel a petty jury, if they thought fit; and the second was, that if the presiding counsel did not agree with the majority of the justices, the execution of the sentence was to be suspended till the pleasure of the lord-lieutenant could be ascertained.

The other legislative measure, that for suspending the habeas corpus act, provided that any person who should be in prison in Ireland for high treason, suspicion of high treason, or treasonable practices, by warrant of the lord lieutenant, or of his chief secretary, or of six of the Irish privy council, might be detained in custody, without bail or mainprize, until the first of August following. To that date the operation of the insurrection act was also to be restricted. Lord Castlereagh, who had now succeeded to the title of marquis of Londonderry, in moving for leave to bring in these bills, rested for his reasons on the alarming height to which the disturbances had risen, the opinion of the Irish government, which demanded extraordinary powers, and the alleged inefficiency of a larger military force alone to preserve the peace. This was shown, he contended, by the fact that although the presence of a large body of military had sufficed to put down the insubordination and outrage in Galway, it had utterly been incompetent to accomplish that object in Limerick. His lordship was supported in his views by Mr. Charles Grant, the Irish secretary, Mr. Dawson, and sir H. Paruell; and captain O'Grady, who was a resident magistrate in the county of Limerick, stated that the special commission had there produced no effect; for, on the very night that the judges entered the town, a soldier, who had straggled from his party, was knocked down and deprived of his arms. A panic had seized upon all the witnesses for the crown; and even those who were to act as jurymen were so intimidated, that they sent excuses for their non-attendance, asserting their apprehension that if they left their houses, their homes and their families might be sacrificed in their absence. The magistrates were the more convinced of the imperative necessity for the insurrection act, from the circumstance that sufficient information to convict the offenders against the public peace was not to be procured. A certain amount of evidence might be obtained, but no sworn informations could be procured. The deponents to illegal acts would state their belief, but would neither swear nor sign papers; and it was an ascertained fact,

that the peasantry had established such a combined system of terror in the south of Ireland, that gentlemen could not go to bed without an expectation of being disturbed by the sound of musketry before morning. The introduction of both the bills was vehemently opposed; sir John Newport, sir C. Hutchinson, sir F. Burdett and Mr. Brougham taking the chief part against them; some of whom declared their desire, rather that the lord lieutenant should be invested with unlimited authority, than that the habeas corpus suspension bill should pass the legislature. The ministry, however, persevered, and the insurrection act was allowed to be read a first time without further comment, but a division took place on the other bill, when there was a majority three to one in its favour. Both bills were read a second time that night, and on the next they were passed through the lower house of parliament. On the ninth of February they were discussed at great length in the house of lords, and lord King endeavoured, in committee, to limit the duration of the acts to three months, that was, to the 15th of May, instead of suffering it to extend to August, but it failed, and, on the 11th of February, 1822, both the bills, having received the royal assent, became the law of the land.

Two other measures, supplementary to these, were brought forward by the government, and passed through parliament by the 11th of March. One was an act to indemnify any persons who, since the 1st of November preceding, had, with a view to the preservation of the public peace, but without legal authority, seized or detained arms or gunpowder. The other endeavoured to render it difficult for the disorderly to obtain offensive weapons, by imposing severe restrictions on the importation of arms, gunpowder, and ammunition into Ireland, or the manufacture or possession of these articles in it, and also on their removal from one place to another. No person was to make, sell, or import gunpowder without a license from the lord lieutenant or his secretary; nor was any person, not a licensed dealer, to have in his possession more than two pounds of gunpowder without an especial license; neither were the dealers in gunpowder allowed to sell more than two pounds weight at once, unless the purchaser produced his license, and when it was produced, they were to endorse upon it the quantity sold to the customer, and the time when the



sale took place. A license was also requisite for the removal of fire-arms from one place to another, and no person not authorised by the law to keep and carry arms was allowed to have the smallest quantity of gunpowder in his possession. Heavy penalties were denounced against any evasion or violation of the act; and it contained certain subordinate regulations, which were so stringent as to render complicity in offending, without punishment, almost impossible. This was a most severe measure of police, especially as it was to continue in force for the space of seven years. So great, however, had the evils of the assault on property and life in Ireland become, that it passed through both houses of parliament without the slightest alteration.

During the progress of these measures through the legislature, the outrages were continued almost unabated; not a day passed in which there was not some horrible crime committed. Assassinations, apparently the most unprovoked, were constantly perpetrated. Men of the highest respectability, and not only they, but persons in the lower grades of life, were frequently placed upon their knees on the public roads, in the broad daylight, or in their own houses, in the darkness of midnight, and shot to death. Conflagrations of the houses of persons marked for destruction by the rioters, occurred nightly. A gentleman could hardly ride to his home without the certainty of a bullet piercing his body. In one instance, on the 8th of February, two sheep were killed, and thirty-six carried off from the lands of Castleton Cruyers, in Limerick. In another, on the 6th, not less than one hundred and fifty men, in military array, cut down and drew away on cars, pressed from the farmers for that purpose, as many as three hundred and fifty young forest trees from Ballyquile. On the 23rd, a man named Dennis Brown was shot through the heart while defending the house of his master; and all this happened under a combination of men who acted together in great numbers, and with a wonderful unanimity. They appeared continually in large masses on the hills and in the vales, and might, at almost any time at night, be met with on the high roads. They were said to be under the command, first, of captain, and then of general Rock; and all the notices of vengeance or quittance of lands were signed in his name. Who general Rock was could never be ascertained, and the term is now generally supposed to have

been no more than a common title adopted by the chief confederates, whose identity was never discovered.

The people by whom these outrages were perpetrated are believed, by those best acquainted with the south of Ireland, to have been a mixed collection of persons, who supposed that they could achieve some great private or public advantage, by keeping the country in a state of violent disturbance; and thus accomplish what they desired, by substituting their own will for the law of the land. It is believed that they acted from mixed motives, and that they belonged chiefly to three classes of persons. The first of these consisted of small farmers and their dependents, who, having expended their surplus capital in the erection of farm buildings and other improvements on the lands which they occupied, had been reduced, in consequence of the great fall in the price of corn and other agricultural produce, from the rank of substantial yeomen to complete indigence; for they could obtain no remuneration for their outlay. The second class appear to have been men with whom insubordination to the law and rebellion were leading principles. They were the survivors of those who had been engaged in the insurrection of 1798, and were, in truth, the veriest disciples of the old jacobinical principles. They were not numerous, but they were very influential. They lived generally in the towns, and thence carried on communications with the adjacent peasantry; thus presenting points for information and concentration. A number of these men were known to have quitted Cork in the early part of the year, and joined the peasantry on the mountains about twenty miles to the westward of that place; a district which was then, and has ever since continued to be, the nucleus of aggravated crime. The third class was composed of men who acted from the influence of a most debasing superstition. They were all papists, and hated the protestants most heartily. They were urged on, by the lower and most ignorant of the priesthood, to believe that the protestants were about that time to be destroyed or expelled from the country, and that they were the instruments destined to accomplish that great object. Remission of sins, absolution, heaven without the passage of purgatory, were prodigally promised to them as rewards for incurring the risk they encountered; until the heart of the poor peasant was excited to the most demoniacal

fury by persons hardly less ignorant, and greatly more demoniacal than himself, and at length he came to believe that murder and robbery were meritorious actions.

The pressure of the local rates, which were assessed most unequally upon both the farmer and the peasant, contributed not a little to inflame them both against the government and their neighbours; for, only seeing the authorised collector come to take the last farthing or to seize the crop, they took little care of the difference between rates and taxes, but counted all men to be their enemies, and considered the law to be only a vehicle of tyranny and a means of oppression. No small addition to this unhappy state of things was caused by the offices of grand jurors and justices of the peace, through the absence of the great landowners and gentry generally, having fallen into the hands of inferior persons, who abused their trust to a most shameful extent, and laid on the exactions, according as it might suit their own interest, in the most infamous manner. To crown all, the deluded offenders were constantly encouraged by the smugglers who traded between the Dutch coast and the south of Ireland, and who carried on an active business in arms and ammunition, which they could almost always land with impunity in the various creeks in and about Bantry Bay.

The Irish government availed itself, with vigour, yet with moderation, of the additional powers with which it had been armed by the legislature. Proclamations were issued from time to time, placing those districts under the protection of the insurrection act where violent outrages had been perpetrated or were apprehended. The local authorities continued to fulfil their duties with diligence and energy, and the effect soon was, that the insurgents dared no longer to assemble in such large bodies as they had done in the month of January, nor did they venture to oppose so daring and systematic a resistance to the troops or the police. The country, nevertheless, notwithstanding this abatement of terrorism, still remained in a very insecure state; and the evil, if it no longer raged in any particular district with the same violence as it had exhibited in the county of Cork, seemed to be spreading with less depth, it is true, but over a wider space. Outrages were committed in the counties of Waterford, Wexford, and Carlow, which would have excited much fear, and have diffused general alarm, in any well-

regulated country, but which seemed but mere trifles when compared with those of constant occurrence, in nightly conflagrations, robberies, and assassinations, commonly perpetrated throughout Limerick, Cork, and Tipperary. The spirit of lawlessness seemed to have been thoroughly imbibed by the people, and Donegal, in the north, which had always been remarkable for its good conduct, was in a state but little better than that of the south. This, however, arose rather from the practice of illicit distillation, which was rapidly demoralising the peasantry, than from any political causes, and more than seventy persons were convicted of felonious offences at the spring assizes for that county.

Though the perpetration of crime had been only moderated in the middle and southern portions of the country, many of the guilty parties had been seized, and a special commission was immediately issued. At Limerick and Cork especially, the criminal calendar was remarkably heavy. At the latter place, on the day of opening, the 16th of February, no less than three hundred and sixty-six offenders were arraigned at the bar of the court-house. Thirty-five of these were sentenced to death, and some of them were ordered for immediate, and others for speedy execution. With respect to the remainder, baron M'Clelland, the officiating judge, intimated that the infliction of the penalty of the law would, for some time, be suspended, and that their ultimate fate would depend on the conduct of the peasantry. If the district, he said, should be restored to tranquillity and the surrender of arms in it became general, mercy would be extended to them; but if no sure signs of returning peace appeared, their doom would be inevitable. The general assizes followed after a short interval, and similar scenes were repeated. Many were convicted, but many also were acquitted; for a great deal of hard swearing ensued, under which both the judges and the juries were very unwilling to condemn.

What all this array of vigilance and physical force, however, was unable to eradicate, natural causes contributed almost entirely to destroy. As the winter departed, and the spring advanced, the nights became shorter. The men who perpetrated these outrages exchanged districts. Had they worked in their own neighbourhoods, they must infallibly have been frequently recognised, and those, therefore, who com-



mitted these enormities in one particular place, always came from a distance. A long cover of darkness was needed to enable the perpetrators to assemble, to pass over a wide space, make their attack, and

then disperse and make their way to the concealment of their homes. Daylight did more than the police, either civil or military, to appease the evil, and remove the danger.

## CHAPTER XIX.

THE FAMINE; ITS RELIEF BY THE GOVERNMENT, AND THE ENGLISH PEOPLE; THE TITHE QUESTION; RENEWAL OF DISTURBANCES; LORD WELLESLEY.



TOWARDS the end of April, the disturbed districts began to assume something of an aspect of tranquillity; but the deluded peasantry now began to reap the reward of their doings, for, no sooner had they been delivered from the power of those who had misled them, than another evil assailed them, still more terribly than the former. In consequence of the heavy and incessant rains of the preceding year, the potatoes, which formed the staple of the food of the people in the south, decayed and perished in the ground. This attracted but little attention for a time among men who had grown their own, and they went on consuming as usual, so long as their stores lasted, each believing that, when his own supply should be exhausted, he would easily be able to purchase more in the market, through the means of his labour. But when their stock was really finished, and they applied to the public vendors, they found that potatoes, which were usually three-halfpence a stone, had risen to sixpence-halfpenny, while, from the distress of the country, their labour was little required. Potatoes being thus placed quite beyond the reach of the lower orders, they were compelled to resort to oatmeal mixed with water; and happy was he who could procure one scanty repast of that sustenance during the day, for this resource also shortly failed them. Before the beginning of May, the whole of Connaught and Munster was in a state of starvation. The peasantry, leaving their cabins and the little allotments of ground whence they had derived their scanty subsistence, crowded into the villages, in vain seeking for employment or to be relieved by the charity of those

who were in almost as bad a position as themselves. There was scarcely a town in the south, the streets of which were not filled with hundreds of able-bodied men, wandering in quest of food, or the means wherewith it might be obtained. Nor was this evil by any means confined to the lowest class of the population, for sir Edward O'Brien asserted that fully one-third of the respectable inhabitants of the county of Clare were reduced to a condition little short of actual starvation; and all the neighbouring counties, more especially Cork, Limerick, Kerry, Mayo, Roscommon, and Sligo, were in a similar position. It was not, however, the present suffering only with which the people had to contend. There was the prospect of the mischief becoming permanent, for, under the constraining power of hunger, the poor were compelled to consume those potatoes which they had saved for seed. The hay also became scarce, and a great mortality consequently ensued among the cattle, and then came typhus, with its hideous train of horrors, to darken the aspect of national distress. Nothing could be perceived but a sad alternation of misery; and the districts which had, only a few weeks before, been the scenes of nightly assassination and plunder, now presented but one oppressive spectacle of famine and disease.

The news that a country, which had always enjoyed at least a tolerably plentiful supply of the necessaries of life, was scathed by a mischief so terrible as this, was at first received with almost entire incredulity by the people in England. It was too unusual, too unexpected, too unnatural to be true. But the depth of the truth soon broke upon them. When the scarcity of food began to

press with severity upon the generally well-conditioned as well as the peasant portion of the population, the gentry and nobility laid urgent representations of it before the Irish government. The county of Clare was one of the first districts that excited attention, and its grand jury made an immediate application to the lord lieutenant for no less a sum than four hundred thousand pounds for that county alone. They knew that it was impossible to subsidise a whole people, but they took measures to ascertain the extent of the evil, whilst a committee was formed in Dublin, by the order of the lord lieutenant, for the purpose of communicating with the districts where the pressure was most felt. The remainder of a sum of two hundred and fifty thousand pounds, which had by former acts of parliament been left in his lordship's hands for the purpose of meeting any particular contingency, was placed at their disposal. Engineers were promptly sent down to ascertain what works, whether useful or otherwise, could be properly undertaken as a means of diffusing the public benevolence. To augment the means of relief, a further sum of two hundred and fifty thousand pounds, Irish currency, was allotted to the Irish government to assist in the work of relief; and it was empowered to advance money for the completion of any work, public or private, on the security of the rates of the respective counties. The gentry of the country, too, and the different public bodies, exerted themselves most zealously in contributing to the funds for alleviating the evil, and for applying them in the most judicious manner. But more than all the rest was done by the munificent benevolence of the people of England. As soon as the terrible misery that pervaded Munster and Connaught was made known to them in all its palpable hideousness, every heart overflowed with sympathy, and almost every purse was opened. A committee was formed in London, which soon had large funds at its disposal. The example of the metropolis was everywhere imitated, nor was there a town of any note in the island which did not hold its public meeting for promoting the success of this labour of love. Those who were not rich enough to come forward as individual subscribers, contributed to the collections made in the churches. The proprietors and companies of the theatres, too, and of the various places of amusement, volunteered their services for the same good cause.

The committees in different parts of the country corresponded with that in London, and the total amount of contributions exceeded two hundred and fifty thousand pounds; and the diligence and prudence used in the application of this fund was not inferior to the earnestness with which it had been raised. The London committee established communications with active individuals and with public bodies in different places in the distressed part of Ireland, and through them administered relief in the form in which it was most needed. If, in the neighbouring markets, there was food enough to sell, they sent money with which to purchase it; if that was not the case, they bought cargoes of potatoes, oats, and other cheap species of food, and sent them to where they were most wanted. By all these different means, but chiefly by the agency of British charity, the ravages of famine were arrested, and the suffering from it became less as its duration was prolonged. Had Ireland been left to herself, or had she been united to a country less opulent than England, or had England been less adorned with the gift of munificent kindness, it is impossible to conceive the extent of the horrors that must have ensued. In the month of June, 1822, there were, in the county of Clare alone—the whole population was little more than two hundred thousand—no less than ninety-nine thousand six hundred and thirty-nine persons subsisting on charity, from day to day. In Cork there were one hundred and twenty-two thousand precisely in the same situation; and in the city nearly one-third of the whole population of sixty-seven thousand individuals was subsisting on charity. The magnitude of the relief administered may be estimated by such facts, but the unimaginable horrors which it averted can alone show its extent and its value.

In the beginning of autumn, an end was put to the calamity by the gathering of the new crop of potatoes; but the London committee continued to sit throughout the whole of August, and in September it terminated its labours. Notwithstanding the abundance in which they had distributed food throughout the whole of the western part of Ireland, they still retained a surplus of several thousand pounds, while the sums sent to Ireland had been so large, that the archbishop of Tuam still held from three to four thousand pounds unappropriated. It therefore became a matter of deliberation



how this sum should be disposed of; when they wound up their accounts, and most judiciously expended the surplus in the supply of clothing and other necessary articles to enable the poor to provide against the inclemency of the coming winter, and to encourage those businesses which were most likely to afford profitable employment for the lower classes; eight thousand pounds being appropriated to enable those living on the western coast to avail themselves of the admirable fishing in the offing, and forty thousand pounds to the development of the manufacture of linen in the southern counties.

The insurrection act, and the suspension of the habeas corpus act, were to expire on the 1st of August. The latter was no longer necessary, and therefore no renewal of it was required; but several acts of outrage having been committed, which showed that the old spirit of predial warfare had not entirely died out, the ministry asked for a renewal of the former, as being necessary to the public safety, until the same day in the ensuing year. The bill was violently opposed by sir Robert Wilson and Mr. Spring Rice, and sir J. Newport attempted to limit its duration to the 1st of May, but it was carried through all its stages by proportionably large majorities.

Another measure was about this time introduced into the house of commons, the results of which were afterwards of the greatest possible benefit to the country. This was the establishment of the national constabulary. The main discussion of the bill took place on the 7th of June, when Mr. Goulburn moved its second reading. The grounds alleged for it, were the acknowledged inefficiency of the existing magistracy and police, and the different state of society in Ireland to that of England, which made it impossible for the same system to be observed in the two countries. It was proposed that the lord-lieutenant should be empowered to appoint, by warrant, a chief constable for every barony or division of a barony, or for two or more adjacent baronies; and to require, by his proclamation, the magistrates of any county to appoint a sufficient number of constables and sub-constables, not exceeding in the whole the rate of sixteen to each barony or division. If the magistrates of any district did not, within fourteen days from the date of the proclamation, name such officers, the lord-lieutenant was to appoint them; and he was

further authorised, on a certificate of any body of magistrates assembled in quarter sessions, to appoint an additional number. The constables and sub-constables were to be invested with all the usual powers of apprehending the offenders against any act in force in Ireland, and horses, with all necessary accoutrements and arms were to be furnished to them; in fact, they were to constitute a regular *gens d'armes*. The lord-lieutenant was also authorised to appoint superintendents, or inspectors of the chief constables and constables, with salaries of five hundred pounds a-year, thus placing them in a highly respectable and influential position. Their duty was, among other things, to draw up rules for the conduct of the officers committed to their superintendence; to submit such rules to the courts of quarter sessions; to transmit them, when approved of, to the magistrates and lord-lieutenant, and to the chief constable in every barony. To each grade of the force such a salary was attached, as would induce the best men of its class to enter. Another important provision of the act was, that on a certificate from seven or more magistrates of any county, city, or town, stating the expediency of appointing a magistrate to be constantly resident within any district, the lord-lieutenant might appoint such magistrates. The persons to be nominated to this office were to have all the powers of a justice of the peace. They were to make monthly returns of the state of the country within their jurisdiction. A salary of seven hundred pounds a-year was attached to the office. The whole of the expense was calculated to amount to about two hundred and twenty thousand pounds.

The bill was vehemently opposed by sir Henry Parnell, Mr. Abercombe, Mr. Spring Rice, and sir J. Newport, on the grounds that it would impose a large expense upon the country, and give an enormous and unconstitutional addition to the power of the executive government. But the chief opposition came from Mr. Charles Grant, who was usually a strenuous partisan of the ministry, and who had himself filled the office of secretary of Ireland for three years, with great prudence and popularity. He based his objections upon the assertion that the introduction of such a novel force was totally unnecessary, especially one that was so contrary to the usual notions of the country, and, apart from the great likelihood that the several officials constituted by the act, magis-

trates included, would not act amicably together; he contended that the machinery then in existence was amply sufficient, if rightly managed, for all the purposes of the police of the country. By this bill they would call into existence a force of five thousand men, well armed and constantly under order. Besides these five thousand, there would be three hundred persons more, of vigorous minds and capacities, to control and command them; then there would be at least ten or twelve well-paid persons to inspect them occasionally, not forgetting twenty-five stipendiary magistrates, who must be still better paid than their subordinate officers—all bound to act just as the lord-lieutenant might choose to direct them. A greater engine of corruption, he said, had never been devised by any government. The house, however, thought otherwise. The bill was passed by a majority of two to one; went, with some few modifications of its minor details, rapidly through the lords, and immediately received the royal assent. Thus was constituted the celebrated Irish constabulary, allowedly the finest body of police that the world has ever seen.

No direct attempt was made this year on the general question of Roman catholic emancipation, but there was a partial effort towards ultimately securing complete concession. Mr. Canning was, about the Easter recess, appointed to succeed the marquis of Hastings as governor-general of India; and, being desirous of distinguishing his closing career in the house of commons, where his eloquence had procured for him both fame and fortune, by some permanent record of his genius, on the 30th of April, he introduced a bill to do away with the disabilities of the catholic peers, conceiving that many who might be utterly opposed to general emancipation, would not object to the admission of a few distinguished persons into the house of peers. The bill was opposed by Peel, and ably debated, but was carried through the commons by a small majority of five. In the lords it was supported by lord Grey and most of his adherents, but was strongly opposed by lords Colchester, Eldon, and Liverpool, and at last defeated.

Shortly afterwards, an attempt was made to settle the dispute arising out of the oft mooted subject of tithes. The attention of the government had frequently been drawn to it, and the palliative to which they

now had recourse, was an act to enable the proprietors of tithes to lease them for twenty-one years—the consent of the patron being endorsed on the deed in the case of an incumbent, and of the ordinary, when any ecclesiastical body-corporate were the lessors. The rent reserved was to be the least annual value of the tithes; no fine was to be taken, and no surrender or renewal of any lease was to be made till within three years of the expiration of the subsisting term. When the lessee afterwards demised the lands, he was bound to let them tithe free; the occupant was to pay the tithe-owner the sums accruing that might be due to him, and was to deduct the amount of the rent which he paid to his own landlord. Leases made under the virtue of the act were exempted from the stamp duty, and from the time of registry, were good and valid, on the one hand against the lessors, and all persons claiming in their right or as their successors; and on the other, against them and all subsequent occupiers or proprietors of the lands. The bill passed, after a very desultory debate.

A much more efficacious measure had been expected; and accordingly, on the 19th of June, Mr. Hume, after a violent speech, in which the Irish clergy were attacked, and the doctrine of the spoliation of church property openly avowed, moved that the house should take the whole subject into its consideration early in the next session. But the violence of his declarations alarmed even the opposition, and sir J. Newport met the motion by an amendment, to the effect that the house would, early in the following session, take the subject into consideration, with a view to substitute a full and liberal compensation to the clergy in lieu of tithes; but Mr. Hume withdrew his motion and sir J. Newport's amendment was lost. The Marquis of Lansdowne had, a few days before, brought the subject before the house of lords, but was strongly opposed and outvoted by Lord Liverpool. In all these debates the whole course of the policy pursued towards Ireland, and everything relevant and irrelevant to the country, was urgently discussed, but neither the debates nor the act tended much to add to the soundness of its condition or promote its prosperity.

The uncommonly large share of attention which had been given to Irish affairs during this session, though it brought no immediate benefit to the country, tended at last to put all persons on the alert, who were in any



way connected with its local or general administration. This was most particularly shown afterwards, in a revision of the lists of the magistracy by lord Wellesley. At the close of the reign of George III., the Irish lord chancellor, in consequence of frequent conferences with the government, had turned his attention to the subject; and had been diligently occupied, since that period, in procuring, from all quarters, the names of proper persons for the justice's bench. This was a task of no small difficulty; but at the end of the year it was completed, and the change that then took place was exceedingly great, no fewer than two hundred noblemen and gentlemen receiving writs of *supersedeas*, by which they were displaced from their official functions. His lordship vigorously prosecuted the system of what was called conciliation. He had always, to the utmost of his power, discouraged the anti-catholic party, and he now gave effect to his determination to put down everything like either protestant or catholic ascendancy in the country. There was, in College-green, an equestrian statue of William III., which it had been the constant custom of the protestants to deck, on the 4th of November, with silken trappings. The ceremony had always been a source of heart-burning to the Roman catholics; and, in the present year, Lord Wellesley, to humour their feelings, forbade the decoration of the statue; and it was accordingly strictly guarded by the police till the ominous day was over. This was deemed an insult by their opponents, and a meeting of the Dublin corporation was immediately held, when a vote of censure was passed upon the lord mayor, who had been a party to the transaction, and it was accompanied with very plain allusions to the lord lieutenant himself. In the warmth of their feelings the guild of merchants met, and so exasperated were they, that they gravely passed a resolution to petition parliament for a repeal of the union. Lord Wellesley soon had practical proof of the unpopularity which he had excited. On the 14th of December he attended the theatre, when his presence was acknowledged by every expression of dislike that the audience could manifest. No doubt could be entertained that the tumult was preconcerted, for a number of offensive placards

were dispersed throughout the house at the very commencement of the performance, and on the entrance of the lord lieutenant he was greeted with a universal burst of hisses. As the play proceeded the uproar increased; until, at length, a bottle and a fragment of a watchman's rattle were flung in the direction of the vice-regal box. The peace officers then interfered, and as many as forty of the rioters were secured. Investigations were instituted, and an attempt was made to attach to the disturbance something of the dignity of high treason—for the attorney-general instituted proceedings against the offenders for an attempt to murder the lord lieutenant, which, of course, failed. Lord Wellesley had, in fact, placed himself in a false position; for, friendly himself to the catholic claims, he had engaged to govern Ireland according to anti-catholic laws, and under an anti-catholic cabinet. There was thus a constant opposition going on between his feelings and principles, and the spirit of the system on which it was his duty to act.

In spite of the precautions which had been adopted, disturbances similar to those of the preceding winter took place towards the close of the year. About the end of December threatening notices, forbidding the payment of tithes and taxes, signed by general Rock, were again posted, especially in the counties of Limerick and Cork. The legal remedy of levying distress for rent was rendered ineffectual, by the practice of destroying or carrying off in the night, the farming stock which had been seized on behalf of the landlord during the day. The crimes of arson, burglary, and even assassination were of frequent occurrence; and there appeared to be a probability that the old system of outrage would be revived to its fullest extent. Many instances of gross atrocity were perpetrated from time to time, but the military and police were both active and effective, and the mischief was confined to very narrow limits. Nevertheless, it indicated a half-smothered spirit of turbulent discontent, which no one acquainted with Ireland and its history could for a moment misunderstand. The slightest diminution of vigilance, or a small inciting cause, of whatever kind, might in an instant throw the country into a blaze.

## CHAPTER XX.

PROCEEDINGS RELATING TO THE RIOT IN THE THEATRE; VIOLENT ANIMOSITY BETWEEN CATHOLICS AND PROTESTANTS, AND CONSEQUENT OUTRAGES.



N the opening of the January sessions for 1823, in Dublin, the attorney-general having abandoned his charge of attempt to murder the lord lieutenant during the riot at the theatre, preferred an indictment for riot and conspiracy to riot against ten of the offenders, but the grand jury only found a true bill against two of them; and, as the law declares that two persons cannot create a riot, this was a virtual acquittal. The attorney-general made some very strong and intemperate remarks, and the judge expressed his surprise at the result, while the former also made some severe comments on the conduct of the grand jury. This drew from sir George Whiteford, the foreman, and his co-jurors, a very strong remonstrance, in which they boldly asserted their right of impartial judgment. During the ensuing Hilary term, *ex officio* informations were filed against the rioters. The proceedings continued several days; but the jury, after being locked up all night, could not agree, and were discharged without giving a verdict, and a *nolle prosequi* was entered on the informations. The matter was afterwards taken up in the house of commons, and Mr. Brownlow moved for copies of all the official papers respecting the transaction. These Mr. Plunkett readily gave, except those which had reference to the charge of attempt to murder, alleging that there were ample grounds for an indictment of Handwich, Graham, and Forbes, persons in respectable situations in life, and the three who were implicated in this charge. Colonel Barry, on the 24th of March, moved for copies of the informations on which the prisoners had been arraigned, but was resolutely met with a refusal by Mr. Plunkett, who had been assailed with great clamour and abuse, in Ireland, for filing them at all after the decision of the grand jury in January. He was supported by Mr. Peel, sir J. Newport, and Mr. Spring Rice, and the motion was negatived. On the 11th of April, Mr. Wetherell presented a petition

from the grand jury, complaining of the imputations that had been thrown out against them; and, on the 15th, Mr. Brownlow moved a resolution to the effect that the conduct of the attorney-general for Ireland, in filing *ex officio* informations after the decision of the grand jury, was contrary to the constitution, and ought not to be drawn into a precedent. Mr. Plunkett, in his reply, proved that his proceedings were perfectly legal, and stated that he was led to take them in consequence of the fact of it having come to his knowledge that the grand jury had been packed. Colonel Barry being the only member who strenuously supported the resolution, the motion was withdrawn; but sir Francis Burdett gave notice that he should, on the 22nd instant, bring the conduct of the sheriff of Dublin before the house. On that day, Mr. Ellis, member for Dublin, presented a petition from Mr. Thorpe, one of the high sheriffs of that city, and from the foreman and certain of the grand jurors, praying for an inquiry, in such manner as the house should direct, into the charges preferred against them by their attorney-general. He concluded by stating, that Mr. Thorpe and six of the grand jurors, deputed by their fellows, were then in attendance. The annunciation was received with loud acclamations, for the whole affair had resolved itself into a contest between the Irish government and the orange party. Mr. Brougham complimented the sheriff and jurors on the promptitude with which they had solicited inquiry. Immediately afterwards, sir Francis Burdett moved, "that the statement made by the attorney-general of Ireland, in his place, on the 15th of April, respecting the proceedings on the trials of Forbes, Graham, and Handwich, renders it incumbent on this house to institute an examination into the conduct of the sheriff of the city of Dublin on that occasion." Mr. Plunkett did not directly oppose the motion, but made a speech which showed, that at bottom, he was not a little averse to the course proposed. He intimated that he was not unwilling to institute a prosecution against the sheriff, and that he thought a court of



justice better adapted to the circumstances of the case than the imperfect means of investigation possessed by the house of commons. Mr. Canning, Mr. Peel, and the other ministers, expressed the same opinion still more unequivocally, and put a direct negative on the motion. Mr. Brownlow and colonel Barry denied the whole of the allegation against the sheriff entirely, and called loudly for inquiry. The former said, that the learned gentleman had asserted that the jury had been packed, but nineteen out of the twenty-three grand jurors who ignored the bills of indictment had usually sat as grand jurors; their names had appeared on the panel for ten years back, and during that time they had frequently received the thanks of the judges for their upright and impartial conduct. It had been stated that one of the traversers was first cousin of the sheriff; when the truth was, that not one of them was more nearly related to him than the learned gentleman himself. The attorney-general had made an assertion that a Mr. Poole had been excluded from the panel because he was anxious that a letter which had been addressed, in the king's name, to the people of Ireland, recommending conciliatory feelings between the two rival sections of protestants and catholics, should have its due influence. But the facts were, that Mr. Poole had applied to Mr. Thorpe, the sheriff, to be placed on the panel, and the reply he received was, that Mr. Thorpe would consult his colleague. Mr. Poole did, shortly afterwards, apply again, when he was told that the very circumstance of his having made an application precluded the sheriffs from placing him on the panel. He, however, insisted very pertinaciously in the request; and, on being asked the reason, said that, in the case of a Mr. O'Meara, which had to come before the court, there were facts known only to himself; and that if the sheriffs would empanel him on that trial, he would engage not to divide upon the theatre business; but, of course, the proffer which he had just made altogether incapacitated him from being placed on the jury. Several other instances of corruption occurred. As for the jurors, there was no notice of motion respecting them; but all that had been asserted concerning their conduct was incorrect and unfounded. Mr. Donovan, lord Milton, Mr. Spring Rice, sir J. Newport, Mr. Tierney, and Mr. Brougham, spoke in favour of the investigation; and, on the

division taking place, there was a majority of thirty-four for it, in a tolerably full house.

On the 2nd of May the house resolved itself into a committee for the purpose of inquiring into the charges preferred by Mr. Plunkett against Mr. Thorpe, and it continued to prosecute the inquiry on the 5th, 6th, and 7th of that month. During the whole of these days a great number of witnesses were examined, but the evidence adduced was of the most trifling and hearsay character, and evidently dictated by the feelings of the witnesses as they were catholics or protestants, and not detailed according to what they knew. The committee resumed on the 23rd, and finished its labours on the following day, the last witness examined being Mr. Plunkett himself. The effect of the investigation completely exculpated Mr. Thorpe from the improper practices of which he had been accused by the attorney-general, but it brought to light an amount of moral depravity among the Irish people in the administration of justice which was truly appalling. Testimony, it was seen, might be suborned for or against a case, wherever religious or political opinion was at all concerned, for every witness became a partisan. The tendency of the proceedings in this case was to excite to a still greater height the party feeling, which had been far too strong before they were taken. That which from difference of opinion and feeling only had strengthened into animosity, now deepened into bitter and unquenchable hatred. The evil, which was always rife enough in the capital, became matured into the most intense and malicious bigotry. Even the counties in which the public tranquillity had remained unbroken and property was still secure, were soon convulsed by the most horrid heart-burnings. In the counties of Antrim and Armagh, for instance, whenever ribandmen or orangemen met, reciprocal insult or provocation was given, riot was sure to ensue, and there was no gaining any positive intelligence as to who was the first wrong-doer. Perjury ceased to be a crime in the eyes of the commonalty. At Carrickfergus as-sizes, the direct contradictions of the protestants by the catholics and of the catholics by the protestants, upon bare facts which all must equally have witnessed, were so palpable, that the judge, baron M'Clelland, refused to take the testimony of either side, and dismissed the case with an earnest exhor-

tation and reproof both to ribandmen and orangemen for the unnatural spirit they displayed; and which was calculated to make the banner of christianity, instead of being an herald of peace, an emblem which only served to excite the people to deeds of devastation and bloodshed.

On the 12th of June, the orangemen and the ribandmen met at the fair of Maghera, in the county of Derry. A quarrel ensued, and the orangemen being driven to the barracks, provided themselves with arms and ammunition, and fired repeated volleys upon the country-people, of whom between twenty and thirty were wounded and several were killed. The orange triumph was afterwards celebrated by a simultaneous attack upon the houses and windows of the Roman catholics. At the Lent assizes of Mullingar, an instance occurred in which the evil of this hostility in the administration of justice was most strikingly shown. A man was tried for murder, and the clearest evidence of his guilt was produced. There could be no doubt whatever, from the evidence, that he had committed the crime imputed to him; but he was a Roman catholic. Out of the twelve jurymen, one was of his own faith. Eleven of the jurors quickly agreed to convict, but he stood out. No appeal to justice or conscience could induce him to yield. The jury were locked up until the judge left the town, and the murderer consequently escaped. Such was the foundation, or rather reanimation, of that spirit of hostility which had in previous years desolated the country, and which was destined in future times to be a main element in the unhappiness of Ireland, and one of the most difficult theorems with which the government had to deal in extricating her from the evils by which she was beset, for the purpose of promoting her improvement and advantage.

In the beginning of 1823, the outrages were less numerous than they had previously been, and hopes began to be entertained, even by the most disheartened, of a gradual return to tranquil security; but this expectation was doomed to a speedy disappointment. About the same time that the trial and disturbances at Antrim and Armagh were taking place, the system of outrage which had heretofore prevailed, and which had caused so much misery in the province of Munster, was renewed with increased activity and vigour, and rapidly reached other parts of the country which

had not been previously disturbed. During the first week in March, five malicious conflagrations, and twelve outrages of different descriptions occurred within the county of Cork; and, for several subsequent weeks, scarcely a night elapsed in which, within these districts, some house or property was not destroyed by fire, or in which attempts were not made by the insurgents to enforce the penalties previously denounced against all those who resisted the authority of these desperate offenders. Such, however, was the concert and complicity of the system, that, notwithstanding the unremitting exertions of the police and the military (and they were exceedingly active in the endeavour to intercept the perpetrators of the crimes), but very few persons were apprehended. The system of terror had been so firmly established in the minds of the inhabitants that the detection of crime became a matter of extreme difficulty in consequence of the extent of the evil. It is but justice to the protestants to say that none of them were found to be concerned in any of these proceedings. The mischief at length became so rife that lord Combermere, the commander-in-chief in Ireland, visited the principal military stations in Munster in person, and also conferred with the magistrates in the vicinity of Doneraile, and in the disturbed districts in that part of the county of Cork. At his lordship's suggestion, and by the desire of the magistrates, a large military force was marched into the district, and distributed in the manner most likely to aid in the restoration of order. In Limerick, which had been quite tranquillised, similar crimes began to be perpetrated, and parts of the county of Clare were so much agitated as to require the application of the insurrection act to two of the baronies adjoining Limerick. An increased spirit of outrage was at the same time manifested in some parts of Queen's County and Westmeath. In April, the Irish newspapers were filled with the particulars of many ferocious outrages in Cork, Limerick, Galway, Meath, Clare, and Dublin. At the spring assizes nearly a hundred petitions, claiming compensation for damage sustained by the destruction of machinery, injury to cattle by stabbing and houghing, firing of premises and other injuries; and, after a patient investigation, there were found not more than four or five of the claimants who were not entitled to relief from the



county. Many of them had been turned naked out of their houses at midnight, and had only to wait a few minutes to see them being reduced to ashes. Others had been terrified into an abandonment of their lands. All who gave evidence against the insurgents did so at the risk of their lives, and some, who only made statements respecting property that had been destroyed, were speedily punished by the destruction of their own houses. The evil indeed approached the capital itself. The house of a gentleman named Loughnan, within two miles of Dublin, was attacked,

and he was obliged to deliver up a large quantity of arms which the ruffians demanded under the name of a loan. Several cabins in the same county were suddenly levelled with the ground, the inhabitants being barbarously ill-treated and driven without shelter from their homes. In June, it was found necessary to place the neighbouring district of Kildare under the operation of the insurrection act. Under the pressure of these circumstances lord Wellesley required, and the ministry readily obtained, a renewal of the insurrection act from parliament.

## CHAPTER XXI.

PARLIAMENTARY PROCEEDINGS; SIR FRANCIS BURDETT'S SECESSION FROM THE CAUSE OF EMANCIPATION; IMITATIONS ON CANNING AND PLUNKETT; DUKE OF DEVONSHIRE'S RESOLUTION OF GENERAL INQUIRY INTO THE STATE OF IRELAND; GOULBURN'S TITHE BILL; BROUGHAM'S STRICTURES ON THE ADMINISTRATION OF JUSTICE; TITHE COMMUTATION; EDUCATION; AGITATION AGAINST THE BIBLE SOCIETIES; VIOLENCE OF THE CATHOLIC ASSOCIATION; ITS DISSOLUTION.



T was the wish of many of the catholics that the question of emancipation should not be mooted during this session, and Canning, who had resigned his appointment to the governor-generalship of India, and had succeeded to the office of foreign secretary on the death of lord Londonderry, quite coincided in the opinion that it should be left alone for the time. This excited an unusual fervour of discontent among the advocates of the cause, for Canning had been their most eloquent and powerful advocate. The original intention was overruled, and a formal motion was submitted to the commons on the 17th of April. The house was remarkably full; and, as soon as the petitions upon the subject had been presented, a preliminary discussion ensued, during which sir Francis Burdett accused Canning of having deceived the country and the house for the sake of place. Then alluding to some observations which had fallen from him two nights previous, on the *ex officio* informations, he inveighed bitterly against him for

alleged defection from the cause; declaring that he himself should for ever secede from the discussion of it in consequence of this conduct, and stated that he (Canning) had said that emancipation never could be carried. Canning replied warmly, asserting that he had never made any such statement; and that it was his belief that the catholics must ultimately obtain their freedom, but that that was not the time nor the government by which the question could be carried. Brougham, irritated beyond measure, made so fierce an onslaught on what he called Canning's tergiversating baseness, that the latter retorted with a charge of direct falsehood. A scene ensued which was only concluded by the interference of the speaker and retractions on both sides, and the debate was concluded by a loss of the motion. Such was the first disruption of that solid phalanx of genius, power, and eloquence, which it had taken years and a vast variety of political incident to consolidate for the cause of catholic emancipation. Thenceforth, until it was ultimately carried by the daring energy, exercise, and inimitable mastery over the passions of his countrymen commanded by O'Connell, the battle

was fought out of doors amidst the outcries of tumultuous assemblages in Ireland. Lord Nugent indeed brought in a bill for placing English Roman catholics on a footing with those of Ireland by giving them the elective franchise and admitting them to the right of holding certain offices. At the suggestion of Mr. Canning it was divided into two bills. The first provided the grant of the elective franchise, by repealing so much of the statute of William III. as required electors, before giving their votes for members of parliament, to take the oath of supremacy. The objection which was principally relied upon was that taken by Mr. Bankes, who considered this to be only the first of a series of encroachments, and who said that it was inconsistent to give catholics the right of voting for members, while they could not sit in parliament themselves. To this Peel, who supported the concession, replied, and in doing so, gave the first indication of his change of feeling on the catholic question. He said—"The member for Corfe Castle had stated, that this measure would give us a class of men who make members of parliament, but who cannot sit in parliament themselves. Why, what was there new in this? From the different rights attaching to the different kinds of property, there were already thousands of men in the country who could make members of parliament, and yet who could not sit in parliament themselves; and *vice versa*, there were many who were competent to sit in that house, and who had not the right of voting. There were, for instance, the clergy of England—a whole body of individuals who were excluded, by law, from being elected to parliament, although they all did or might possess the franchise. As for danger, in the present measure, he saw none; and he denied that it bound its advocates to the support of any ulterior measure. The catholics in England were few in number; and even in Lancashire, where their party was the strongest, he did not believe that they would have influence enough to return a single member to parliament. The law of exclusion, at present, was one of the very worst character. Its enforcement depended upon the wills of individuals, who would never make use of it upon public grounds, or upon principle; because the individual who barred the catholic from voting, was always the party against whom he was going to vote. If the exclusion were to continue, he would prefer

seeing the veto made absolute to leaving the law in its present state. But, as he thought that admission could do no possible mischief, and that much advantage would accrue out of that community of feeling between catholic and protestant which the bustle of an election would produce, he would give his hearty support to the measure." The principal division on the bill took place in committee; and chiefly through this declaration of the home secretary it was carried by a majority of nearly three to one. Lord Lansdowne moved the second reading, after its introduction to the house of lords, on the 9th of July. It was supported by the bishop of Norwich, lord Westmoreland, lord Liverpool, lord Melville, and lord Harrowby; but was vehemently opposed by lord Redesdale and the lord chancellor, and was ultimately lost by a majority of seven. The second bill was intended to enable Roman catholics to hold certain offices in England, and it also passed the commons; but, previously to its success in the lower house, lord Lansdowne had stated that he desired to defer it until the following year, in order that there might be time for its full discussion, and it was therefore not introduced at all into the house of lords.

Mr. Hume, having directed much of his attention to the affairs of Ireland, embodied one of his plans, in the course of the present session, in four resolutions, the object of which was to declare, that the property of all ecclesiastical bodies in the church of Ireland was public property, and might, by right, be appropriated to any other public purpose which parliament might deem fit; to inquire whether the church, as established in that part of the United Kingdom, was not more than commensurate, both in the incomes and numbers of its clergy, with the wants of the country, and whether a reduction might not be of advantage to the country at large; and to assert that the peace and best interests of Ireland would be promoted by a commutation of the tithes, both lay and clerical, not overlooking the vested interests of the present possessors. It is singular, that every one of these principles has, since the passing of the catholic emancipation bill, been advocated by the leaders of the whig party; lord John Russell having, in 1834, been defeated on an appropriation clause precisely similar in principle to the first of these: the second his lordship partially carried out by the suppression of two of the Irish bishoprics;



and the third was, in subsequent years, fully effectuated by sir Robert Peel. But, in 1823, the doctrines advocated by Mr. Hume were considered so extreme, that he met with a vehement opposition, Mr. Peel and Mr. Plunkett being his chief opponents; they holding that the effect of the resolutions, if adopted by parliament, would be to prepare the way for the downfall of the hierarchy; and the overthrow of the throne must follow as a necessary consequence. Mr. Goulburn in part provided for the mischief complained of by Mr. Hume, by bringing in a bill for the amendment of the law of the previous year and regulating that interminable source of discontent—the tithes. The object of the present bill was to facilitate the working of the machinery of the act of the year before, by enabling the owner and the payer of tithes to enter into a composition, through the agency of a commissioner, chosen, not only with the consent but under the sanction of the lord lieutenant, who was empowered to direct a special vestry to be held, and whose business it was, in the first instance, to discuss with the incumbent the necessity or advisability of entering into a composition at all. If they agreed, the incumbent, on his part, and the vestry, on their part, were each to appoint a commissioner to assess the value; notice being given to the bishop of the diocese, the churchwardens of the parish, and to the office of the secretary of state. The bill soon became the law of the land, but proved to be almost totally inoperative for its avowed object, that of tranquillizing the country.

On the 19th of June, the duke of Devonshire submitted a motion to the house of lords, embodying resolutions to the effect, that on a review of the documents which had been laid before parliament by royal authority, it appeared that very serious disturbances prevailed in Ireland, and that it was incumbent upon their lordships to take into their serious consideration the causes of those evils, with a view to provide a remedy. The motion was very ably debated on both sides. A complete retrospect of the whole state and history of the country was taken; lords King, Holland, and other leading peers of the whig party, advocating an adoption of some immediate measures, asserting that the entire course of policy pursued by the government had been only of a repressive and coercive character, the effect of which had been to throw the whole of the

public influence into the hands of the members of the orange lodges, while nothing of encouragement to good conduct had been held out to the Irish people. This was stoutly denied by the members of the ministry and their adherents. The insurrection act and other measures of repression, it was true, they said, had been numerous; but then it was to be recollected, that they had only been originally passed for short periods, and had only been resumed upon the renewal of offensive acts by the insurgent population. Lords Liverpool and Limerick, and especially the lord chancellor, pressed these points with great pertinacity, and the motion was ultimately lost, the numbers, on the division, being fifty-nine for, and one hundred and thirty-five against it. The partisans of the catholic party were not slow to take advantage of every chance of implicating the government. On the 25th of June, Mr. Brougham, having presented a petition to the commons, signed by two thousand catholics, complaining of the partial administration of justice in Ireland, made a motion for inquiry, adducing several instances to show that it was a common practice to suborn the undersheriffs of counties to delay or withhold writs on the suits of creditors, who, at that time, had large demands upon many of the gentry. He concluded with a sweeping denunciation of the whole magistracy of the land. This charge was loudly and sternly repudiated by the whole of the Irish members. Mr. Daly especially denounced the whole affair as a mere job, and asserted that the petition was not signed by a single nobleman, gentleman, or man of known respectability in Ireland. Mr. Peel also strenuously opposed the motion; and, after an active debate, it was defeated; only fifty-nine members voting for it, while there were one hundred and thirty-five in the adverse majority.

Mr. Hume continued the attack the same evening, by moving a resolution that the office of viceroy was useless, expensive, and inexpedient; that the business of it might just as well be transacted in London; stating that the cost of Ireland to the imperial exchequer had risen to the enormous sum of three millions ninety-eight thousand eight hundred and twenty-six pounds, in 1822; that the cost of the military at the time of the Union had only been five hundred and ten thousand pounds, but it had now risen to one million five hundred thousand pounds a-year; and that the allowances to the lord lieutenant

had been increased from twenty thousand pounds to thirty thousand pounds per annum. The city of Dublin, he contended, would not suffer in any way by the change, for it was a prosperous and rising place in its commercial interests, and did not depend for its wealth at all on the presence of the vice-regal court. The opposition he met with, particularly from all who were anxious to uphold the dignity and splendour of Ireland, was almost fierce. They threw the utmost opprobrium upon the proposition, and declared that a removal of the seat of government from Dublin would reduce the country to the condition of nothing better than that of a conquered province; that every spirit capable of national enthusiasm or honest patriotism would be roused into the utmost disgust; and that, if the measure was carried, the causes and the exhibition of discontent and disturbance would be increased tenfold. So great indeed, and so bitter was the feeling that he had excited, that Mr. Hume was induced to withdraw his motion without going to a division.

All these debates, if they were terminated by no particularly apparent result, had the good effect of making the people of Britain better acquainted with, and more interested in, the internal and social condition of Ireland. One of the consequences of this was an inquiry into the conduct of judge O'Grady, chief baron of the exchequer, who was accused of corrupt practices in receiving larger fees than the custom or the rights of his office justified, and it was therefore argued that other judges might be equally faulty. The inquisition, however, terminated happily, for it was proved to the satisfaction of the house that if the judge had received larger emoluments than were his due, the circumstance arose from the carelessness and culpability of his underlings, over whom he had not exercised a sufficiently strict control; for, in his judicial capacity, he was not open to the slightest censure. The spirit of disturbance which had been manifested in the spring, among the rural population of the proclaimed districts, after settling for a while, rose to a great height towards the end of summer; but the vigilance of the police and military was sufficient for its reduction; and, at the approach of winter, that part of Ireland was in a state of greater tranquillity than it had enjoyed for many previous years, at the same season.

Notwithstanding the general tranquillity of the country during the winter of 1823-24, outrages, similar in their character to those which had created so much alarm previously, were still, from time to time, perpetrated in the south and west. The constabulary bill had been found to be a most effective measure; and the police instituted by it, even at that early period after their appointment, had been eminently beneficial to the country, and few very daring violations of the law were committed. In some parts, however, especially in the county of Roscommon, there was enough of disturbance to induce the ministry to again demand the renewal of the insurrection act. On the second reading of the bill it was strongly opposed by the opposition, particularly by Mr. Abercromby, Mr. Denman, and lord John Russell, the last of whom adduced numerous instances in which the powers of the act had been very forcibly abused. Of the two counties in which it was in operation, and from which returns had been received, it appeared that in Kildare not one person had been punished, although eighty-seven had been apprehended. In Cork and Kilkenny there had not been one punished, and in Clare county, out of one hundred and eighty-nine taken up, only four had been convicted; in Kerry, only one out of one hundred and thirty-two; and in King's county and Limerick county, there had only been one convicted in each. No doubt there had been inordinate stretches of authority, and there always have been and always will be, where a new system of control or oppression has to be brought into operation; but, on the whole, the operation of the act had not only been highly beneficial in the protection of the respectable and peaceable residents of the disturbed districts, but also in its effect in restraining the offenders themselves from the commission of dreadful crimes, and from the continuance of a course that was alike injurious to their fellow-men and themselves, and odious to God. The bill passed by a majority of five to one, and in the lords the opposition was still more feeble.

The tithe composition act, passed in the previous session, began to work at the latter end of 1823, and in the course of February, so anxious were the owners of tithes to avoid any pretence for predial outrage that a return could be made stating that upwards of a thousand applications had been made from different parishes to carry its arrange-



ments into effect, five hundred and seven of which had proceeded from the different incumbents. The details of the act were found to be inconvenient, and a bill was brought in to correct the mischief, which gave Mr. Hume and other members an opportunity of inveighing strongly against the church. The establishment was ably defended by Dr. Jebb, bishop of Limerick; and the motion before parliament for the "break-up" of the Irish church was negatived by a large majority. Several discussions took place in the course of the present session on the state of education in Ireland, and all agreed that in this respect the country was in an improving state. In 1773, as appeared by a return in the west and south-west parts of Ireland, there were only eight schools, while in 1816, there were eight hundred, and in this year of 1824 there were as many as one thousand one hundred and twenty-two. The poorer part of the population were also evidently alive to the benefit placed within their reach, for their children were readily sent to be instructed. The Bible, without note or comment, was used in the schools, but no attempt was made to derive any particular doctrine from its contents; the children were simply made acquainted with the text. This was not consonant with the views of the Roman catholic clergy. They, therefore, discouraged the attendance of the children; and, in the course of March, their bishops presented a petition to the house of commons, in which they complained that the public money granted for the promotion of education in Ireland was applied in such a manner that Roman catholics could not conscientiously avail themselves of the instruction thereby provided. Their objection arose out of the fact that the Bible was used in them, as well as other books and tracts which the Roman catholic church did not sanction. The same spirit against the enlightenment of the people was, at this time, manifested in a furious opposition made by the Roman catholic priesthood to the operations of the Bible societies. This was evinced on every occasion where it could be shown. At a meeting of the county of Galway society, held in the court-house of Loughrea, where the bishop of Tuam presided, when the motion was put in the usual way from the chair that the report be adopted, in obedience to a signal given by the priests, the expressions of acquiescence by the gentry who were present were en-

tirely drowned by an immense outcry of the most discordant yells which burst from the rabble. A scene of riot immediately ensued. Sticks were brandished, and there was an evident intention on the part of the mob to clear the court by force. Ladies even were attacked, their clothes were torn, and several of them received personal injury; and, in the midst of the confusion, the archbishop and several of the gentlemen by whom the meeting had been promoted, narrowly escaped with their lives; and, in the end, left the priests and their adherents in possession of the place of meeting. Something of a similar course was pursued at Carlow; when a debate, which lasted three days, took place in the presbyterian meeting-house, between the catholic clergy and the friends of the Bible society, on the propriety of circulating the scriptures without note or comment. On the two first days the discussion was conducted with something like propriety, but on the third, the papists present, incited by their priesthood, shocked the meeting by the most discordant yells of a truly appalling kind; and these not sufficing to accomplish their object, a rush was made over the partitions by which the pews were divided; the barrier which excluded the populace from the speakers and members of the committee was forced, and the whole fury of the mob was directed towards the right of the platform, where the protestant clergymen who took part in the discussion were assembled. The lights were nearly all extinguished, and the most disastrous results were imminent, when the timely arrival of the police saved the members of the society from the infuriated bigotry of the mob.

This violent excitement was not a little promoted by the proceedings of the catholic association founded by O'Connell in Dublin; who, in their meetings and in the printed papers which they circulated, indulged in a vehemence of exciting language which went beyond all precedent. Indeed, so unqualified was the tone they assumed, under the guidance of their leader, when they addressed Parliament through their petitions, and so immoderate were their demands, that even lord Holland and Mr. Brougham felt themselves compelled to express their disgust at its unqualified violence. The association held regular sessions in Dublin; nominated committees; received petitions; referred them to a committee of grievance; ordered a census of

the population to be taken; and even levied a tax indirectly upon the people. It assessed cities, towns, and parishes; and appointed collectors in every district for the receipt of what was called the "catholic rent."

The contributions were said to be voluntary, but as the "rent" was enforced by all the influence of the popish priests and the popish demagogues, the poor, ignorant, and deluded peasantry dared not withhold their few pence to a fund which was called for and administered by so high an authority, and gathered under such auspices. So successful was this heartless imposition upon an impoverished and suffering people, that sometimes as much as fifty pounds in a day were collected, and in the course of time the fund amounted to many thousands a year. What was done with the money was never satisfactorily stated, but the general promotion of the catholic religion was said to be its primary object, though nothing was known of the accounts, except to those who received the money, and it was generally believed that the bulk of it went into the pockets of O'Connell and a few of his principal supporters. The subject was brought before parliament by Mr. Brownlow, but no attempt was made to check the proceedings of the association.

Notwithstanding these causes of excitement, a plenteous harvest enriched the country, and tended more to its tranquillity than any other cause; so much so, indeed, that shortly after the close of the session the lord-lieutenant was enabled to put an end to the operation of the insurrection act in several of the disturbed counties. During the latter part of 1824 and early in 1825, the proceedings of the catholic association were consolidated into a regular system. Lists of the contributors to the funds were regularly kept in books, duplicates of which were held by the catholic priests of every parish in the country; and those whose names were not found in them were regularly proclaimed in their several districts and frequently denounced from the altar. The committee of the association assumed to themselves the power of adjudicating upon the conduct of every man in Ireland. All the machinery possessed by the Romish church was used with a most facile unscrupulousness. If testimony was wanted to convict a man, plenty of witnesses were found ready to swear to his guilt. If an offender was to be liberated,

evidence was never wanting to prove an *alibi*, or swear to the prisoner's innocence. No extent of perjury was too great to be committed. No difficulty ever lay in the way of the association to effect any end which its principles desired to accomplish. A statement appeared in the Irish papers that, towards the end of July, 1824, a brutal murder had been committed by a protestant on a roman catholic; and a letter was published, calling upon the association to interfere. A committee of their body was appointed to investigate the circumstance, and they reported that the supposed criminal ought to be prosecuted, and Mr. Cavanagh was appointed to conduct the prosecution. When the trial came on, a host of witnesses appeared, and swore to the infliction of a great many wounds on the body of the deceased, and to the manifestation of the most horrid cruelty. Witness after witness declared upon oath that the prisoner jumped on the throat of the deceased, kicked him in the spine, broke his ribs, and otherwise injured him so dreadfully that death must certainly ensue; and yet the surgeons who had examined the body proved most satisfactorily to the court that there was not a word of truth in all this evidence, and that the body had suffered no violence. It appeared that the deceased person died in consequence of an accidental fall over a short post, which broke one of the small vertebrae of his back, and eventually the prisoner was acquitted. The judge, upon discharging him, expressed his entire satisfaction with his conduct, and then intimated that the accident happened while the prisoner was discharging his duty in keeping the peace of the country.

In one instance it was announced to the catholic association, by one of their agents, that a private in the 25th regiment had been discovered in the act of seducing several catholics to take an oath to kill all the protestants, all the soldiers, and all the orangemen; his object being, of course, apparently to lay informations against them for such a malicious intent. The association issued a declaration, stating that the soldier was a ruffian who deserved the punishment of transportation, but that unless they sent down an agent he might escape; and this declaration was read by the priests in all the chapels. An agent was accordingly employed to prosecute the soldier; and in the meantime search was actually made for his wife and other members of his family, with



a view of compelling them to leave the country. The case came on before a bench of no fewer than forty-three magistrates, and the evidence adduced on the part of the prosecution developed so much of inconsistency and contradiction, that they decided that there was no foundation for the charge. The association engaged in a similar transaction with respect to a member of the police: their object being to render the body to which he belonged odious in the eyes of the people. In fact, the whole tendency of their conduct was to excite, in any case in which catholics and protestants were concerned, all the acrimony of party feeling.

During the December of 1824, the association issued an "address to the people of Ireland" which concluded with a passage which will ever be memorable for the force of its language, the jesuitry of its principles, and the malevolence of its object. They said, in concluding—"In the name, then, of common sense, which forbids you to seek foolish resources; by the hate you bear the orangemen, who are your natural enemies; by the confidence you repose in the catholic association, who are your natural and zealous friends; by the respect and affection you entertain for your clergy, who alone visit with comfort your beds of sickness and desolation;—by all these powerful motives: and, still more; by the affectionate reverence you bear for the gracious monarch who deigns to think of your sufferings with a view to your relief; and, above all, and infinitely beyond all, in the name of religion and of the living God: we adjure you to abstain from all secret and illegal societies, and white-boy disturbances and outrages."

This address, so anti-christian in its language and sentiments, was sent to all the different parishes, and was read by each priest at the altar. This was seconded by the priests, who very generally obeyed the directions which they received, and without hesitation, on any occasion denounced their protestant brethren. In this way, then, the declaration reached the catholic population, and was left to work its natural results on an illiterate and excitable people. Few of the gentry were its dupes; but it is not to be wondered at, that a society so formed and so acting, should create much anxiety and alarm. The violence of the association at length necessitated the notice of the government, and in the king's speech at the open-

ing of Parliament on the 3rd of February, 1825, it was pointedly noticed; and measures were suggested for putting an end to its lawlessness and malicious influence. Accordingly, on the 10th of that month, Mr. Goulburn moved for leave to bring in a bill to amend the acts affecting unlawful societies in Ireland. In order to meet objections, it was stated that it was intended to have reference, not merely to the catholic association, but to all societies of a similar kind; and its objects were to prevent the permanent sittings of any associations, or appointment of committees beyond a certain time; and also to put a stop to any levy of money for the purpose of redressing private or public grievances. It was further to make illegal all societies which were affiliated; which corresponded with other societies; which excluded persons on the ground of any particular religious faith; or in which any oaths were taken other than those which were directed by the law.

Four nights of most animated debate ensued upon the motion, in which all the strength and eloquence of the house of commons was called into action, but leave to bring in the bill was carried by a large majority. On the 17th of that same month of February, Mr. Brougham presented a petition, very numerously signed by members of the association, stating that their only object was to promote the interests of the Roman catholic religion generally; that it was composed of all classes of persons of that faith, comprising prelates, peers, and baronets; of many protestants of noble families and great possessions, of many distinguished members of high and learned professions, of commercial men of great wealth and character, of country gentlemen, farmers, traders, and substantial citizens; that the association met publicly in order to prepare and forward petitions to both houses of parliament for the redress of grievances, and to procure for the poor, the ignorant, and the defenceless, redress from the known tribunals of the law for outrages and injuries, arising from party spirit, and praying to be heard by counsel and witnesses at the bar of the house, before any enactment affecting the association should be made by the legislature. Mr. Brougham, the same night, after an eloquent speech, made a motion that the prayer of the petition should be complied with, but its statements were so palpably at variance with the seditiousness of those by whom it was forwarded.

that the motion was rejected by a majority of nearly three to one. On the second reading of the bill, on the 21st of February, a discussion ensued quite as animated as that occasioned by its introduction, but it was carried by a majority of two hundred and fifty-three votes against one hundred and seven; it was read a third time, on the 25th, and passed by a majority still larger in proportion. It went rapidly through the house of lords, and, on the 9th of March, received the royal assent.

The association fell without a struggle. No attempt was made to resist the law; but a large aggregate body was held in Dublin shortly after the session closed, and a committee of twenty-one noblemen and gentlemen was appointed to consider what course it would be the best to adopt under the circumstances. On the 13th of July, lord Killeen, as the organ of the committee, submitted the report, on which they had agreed, to another large aggregate meeting, and its provisions were almost entirely adopted. It recommended that a new catholic association should be formed, which should have its head office in Dublin; that there should be ramified associations in every county in Ireland, which should act, with apparent independence of each other, in getting up petitions to parliament for catholic emancipation; that each of these associations should have a permanent committee, which was to meet fourteen days at a time, but that all its members should be, whether in meeting or not, in constant correspondence with the head committee in the capital; and finally, in order to do away with the seeming factiousness of a Roman

catholic opposition to government, it was agreed that any person, to whatever denomination he might belong, should, on the payment of one pound, become a member. Such was the new machinery which O'Connell and his coadjutors devised for raising the popular passions, and lashing them, as they afterwards did, into the most uncontrollable fury. Mr. O'Gorman was appointed secretary of the association, and on accepting his office (with a mind filled with virulence and hatred to England) affirmed, as it soon afterwards became the custom to do, that England was on the eve of ruin, and that that was the most cheering prospect that Ireland could behold.

Early in March, and while the unlawful societies' bill was pending in the house of lords, sir Francis Burdett submitted a series of resolutions to the house of commons; the effect of which was, that it was desirable and expedient that the Roman catholics should be admitted to the same political privileges as their protestant fellow subjects. The resolutions were adopted by a considerable majority; and a bill was founded upon them, which, after a long and stormy debate and several adjournments, passed its third reading on the 10th of May, by a majority of nineteen in a very full house. There was every prospect of its passing the lords also; but, on the second reading of the bill, the duke of York went down to the house and emphatically declared himself against it. Such an intimation from the heir presumptive to the throne had naturally great weight, and the bill was consequently negatived by a majority of forty-eight.

## CHAPTER XXII.

STATE OF THE IRISH PEASANTRY IN 1825; THE MIDDLEMEN; STATE OF THE CHARTERED SCHOOLS; INDISCREET CONDUCT OF THE IRISH CATHOLICS; CANNING'S MINISTRY; O'CONNELL ELECTED FOR ELARE; CATHOLIC AGITATION; MR. DAWSON'S DECLARATION; PEEL'S DEFEAT AT OXFORD; HIS BILL BROUGHT IN.



WHILE these discussions upon the political rights of Roman catholics, and especially of Irishmen, were going on at Westminster and in Dublin, and while the minds of the men in Ireland,

who could reap personally no direct benefit from the passing of emancipation bills or the existence of Roman catholic associations, were being inflamed to an intense heat of partizan and polemical animosity, they themselves were the victims of a grinding oppression, which kept them ever in a state



of the most dire necessity, and their wives and children were perishing daily and hourly from misery and want.

In the session of 1824, a committee of the house of lords had been appointed to inquire into the state of those districts which were subject to the operation of the insurrection act; and, early in 1825, a committee was appointed, on the motion of lord Liverpool, to inquire into the state of Ireland generally. This committee was composed of the same members as that of the preceding year—with the exceptions, that the duke of Devonshire was substituted for earl Fitzwilliam, upon whom years had accumulated and who wished to retire; and lord Fitzgibbon for the earl of Aberdeen, who was abroad. The result of the committee was a report, with evidence which showed that the Irish peasantry, for the most part, lived in the most degraded state; without property, without the possibility of acquiring property, and barely sustaining animal existence by a very insufficient quantity of food of the most wretched kind. They were universally the mere slaves of the landlords, and their dependence, poverty and degradation were aggravated by the mode in which the tithes were collected, and the defective administration of justice by the local tribunals.

The population had been rapidly increasing; but every new birth, instead of strengthening the country, only added a new item to the general squalor and misery that pervaded the lower classes of the community. The people lost all heart, and hope was unknown to them. The Irish peasant never dreamt of bettering his condition. He had inherited misery, and he was ready to bequeath it to his children. Hence the demoralization of national feeling and character was common, and therefore deemed to be no disgrace.

This state of things was owing to a variety of causes. The first was unquestionably the state of property; and the next in importance, the religious superstition and ignorance in which the people were kept. Comparatively few of the estates in Ireland had not been overlaid by jointures, settlements, and mortgages. The proprietors were mostly absentees. They drew their rents from Ireland, but they lived in England, France, or Germany, to spend them. Their greatest object was, of course, to obtain as much from their property as possible. To the welfare or misery of those whose faces they had

scarcely ever seen they were naturally indifferent; but the circumstance of such individuals being denizens of their estates was only the greater reason why they should contribute to their comforts. Absenteeism necessarily obliged the employment of an agent. With very rare exceptions, the agent's first consideration would be how he could easiest get the most for his employer and himself out of the produce of the land. To accomplish this, it became a custom to let a large breadth of ground to some one who was responsible for the rent, and he, in his turn, let that portion in smaller lots to inferior holders. Hence arose the system of middlemen, who virtually became an effectual barrier between the actual tenant and the landlord. There was therefore, no sympathy between them; and though the most exorbitant rents were extorted from the occupants of the soil, they never reached the pockets of the owner of the property, who was often as harassed, and almost as impoverished, relatively, as themselves. Another cause of the subdivision of property arose from the great disposition which the people in the rural districts had to settle in their own neighbourhoods. When a farmer had to settle his children in the world, having nothing else to give them, he turned over to them a part of his farm. The consequence of this was, that a farm of fifty acres, for instance, which might very well have sufficed for the support of one family, was subdivided into five or ten holdings, from each of which a family expected to derive its support.

The cabins in which the people lived were of the most wretched description. Whole families, comprising individuals of all ages and of both sexes, were commonly clustered in one room, without the capability of observing the ordinary rules of propriety, and, in fact, in a state in which the lower animals would hardly have been able to live. Employment was so scarce, that thousands of able-bodied labourers could be obtained to work for twopence a-day, and it is supposed that not less than a million of persons were supported by mendicancy. Including the sum drawn from the charitable and benevolent, the money given to hospitals and public charities, and that derived from the presentments of the grand juries—no less a sum was annually expended in Ireland, in voluntary charitable contributions alone, than two million two hundred and fifty thousand pounds per annum, a sum which was more

than half the public revenue, double the tithes, the fourth of the land-rent, and at least a twentieth part of the entire consumption. The scarcity of employment, and its great uncertainty when it was obtained, threw the peasant entirely upon the land for his support; for, if he could obtain a piece of land, and plant it in proper time, his family was pretty well assured from the want of food for the winter portion and the greater part of the year. Hence the competition for land became something like the competition for provisions in a besieged city; and as there was no check on the demand made by the owner of land, the rentals rose to prices which it was quite impossible for the peasantry to pay; and the landlord, moreover, acquired a right to take in a summary way any of the property of the peasant, if he in any way failed to keep the difficult and often impossible covenant, into which he was driven, in the outset, from the fear of starvation. There was no check to the power of the landlord or middleman in this respect; and in the event of the peasant not being able, from a reverse of prices or a bad season, to pay the rack-rents to which he was liable, the landlord or middleman could, and actually often did, without any process of law whatever, seize his cow, his bed, or his potatoes in the ground, without referring to any tribunal that might perhaps justify resistance; or, on the impossibility of the tenant paying all he owed on the instant, could dispose of the property at any price. This power was often exercised in the most arbitrary and cruel manner, in order to keep down the rate of wages, and thus to grind the poor peasantry to the lowest state of degradation. If a man wanted a party of people to do work upon a road, for instance, and he wished to engage his labourers at eightpence a day and the people demanded tenpence, it was no uncommon thing for such a person to go to the middleman, who would send word to the peasantry that unless they worked for eightpence all their cattle would be driven to the pound. And it is an actual fact, that in the town of Kilkea, in the county of Clare, during the famine of 1822, the people were collected in a group, receiving meal in the way of charity by the side of the pound, whilst the pound itself was absolutely full of their own cattle.

The operation of the tithe system was also found to be peculiarly oppressive. When the tithes were in the hands of the clergy there was little complaint of oppres-

sion, but when they were in the possession of lay owners or of middlemen, cases of the grossest oppression constantly occurred. The tithe ordinarily, until the composition bill was passed, was not a fixed payment, but was taken from the crops on the ground. A valuer went, when the crop was nearly ready for the sickle, or, in the case of potatoes, for digging up, and made an estimate of the tithes, which he communicated to his employer. This person, clerical or layman, at some time subsequent, generally after the harvest, convened the parishioners, and set his tithe, as it was called; that is, made an engagement with each particular farmer for that year. But the farmer was always in his power, because he could scarcely avoid being guilty of substruction of tithe by housing his corn, or consuming some of his tithe; and if he had taken any of his potatoes, however small the quantity, he was liable to a legal process, expensive in itself, and always most harassing, for the offence.

Another fertile source of misery to the lower classes of the rural population arose out of the operation of the civil-ejectment bill, by means of which, a landlord was enabled to turn a tenant out of his holding at a moment's notice. Before the bill was passed, an ejectment for non-payment of rent did not lie at all in cases of infancy, coverture, or imprisonment, but the act destroyed the exceptions. Another facile means of ejectment was obtained through the operation of the stamp duties. In forming an agreement, it was the duty of the in-coming tenant, of course, to pay for the stamps. But this, in the case of a small holder, was almost invariably out of his power; and the consequence was that the contract was written upon unstamped paper. The landlord or middleman thereby acquired a constant power of breaking through the contract and serving an ejectment, without the holder of the land having the slightest remedy; for not even a civil action would lie upon any such breach of agreement, the statute requiring the deed to be stamped before it could be produced as evidence of the contract. When the character of those middlemen is considered—that they were as a body most unscrupulous in their conduct and character—that they simply took lands for the purpose of exacting as much profit as possible from them—that they had every inducement to break their contracts, and exercise every sort of oppression that might



contribute to their advantage—and when it is further considered how dreadful to the poor cottiers and their families the operation of such powers must have been—in misery, exposure to the elements, and destitution—it will be easily seen how easy it was for the brawling demagogue and the wily politician to use his affectionate and inflammable nature as fuel to serve his seditious and selfish purposes.

Indeed the peasantry were reduced to the very lowest state of existence. Their food was seldom anything better than potatoes and water, without anything else, and very often without the accompaniment even of salt; the people frequently falling upon their knees before the country gentlemen when they were riding, in order to obtain some promise of employment, upon the credit of which they might obtain the means of supporting themselves and their families, until the work was ready for them. The very lowest were left to their only resort of begging, and the mendicants in all the different counties were therefore almost innumerable, and formed the ready substratum for any system of violence or popular disturbance—of which the agitators were not slow to avail themselves; while the revenue derived from working upon the kindly feelings of the charitable was, as stated above, not only extraordinary in amount but served admirably in the promotion of political objects. The trial was dreadful, but it at length was terminated in the fruition of the Encumbered Estates' Act, the change in the proprietary of the estates, and the exodus to other lands of the deluded and oppressed tenantry. From time to time public attention had been repeatedly called to the state of the chartered schools, instituted for the education of the lower classes in Ireland. The system of establishing these schools was begun about the year 1734, and so great was the interest felt in their success, that one individual had subscribed as much as forty-six thousand pounds and another twenty thousand for their support, while, since the union, no less than six hundred thousand pounds had been voted by parliament for their endowment. Commissioners had occasionally been appointed to investigate the conduct of these schools and the characters of their masters. The latest reports had revealed a state of mismanagement, corruption, and cruelty of the most gross nature. Sir John Newport, during this session, brought the subject under the notice

of Parliament. The evil was admitted and an address to the crown was voted, requesting that the law officers in Ireland might institute criminal proceedings against those masters of schools who had so grossly abused their trust; and thus the foundation was laid for that comprehensive scheme of education which, a few years afterwards, lord Melbourne's government brought so effectually into play, under lord John Russell's auspices and lord Stanley's direction.

An event at this time occurred which tended greatly to raise the hopes of the Roman catholics. The duke of York, who had always been their uncompromising opponent, and whose opposition had been the chief means of defeating their claims during that year, in the course of July, 1826, began to suffer from a dropsical affection, gradually declined during the subsequent months, and at length expired, to the great grief of the country, on the 5th of January following. During his illness the most gross and vulgar abuse was heaped upon his name by the blatant demagogues in Ireland; and O'Connell, who was always allowed to be the first man of his day in the way of vituperation, excelled himself in the fierceness of his virulence, and openly stated his satisfaction in the anticipation of the royal patient's death. Nor were the feelings of the members of either house of parliament or the people of Britain, at all likely to be conciliated by the course pursued by the leaders of the catholic movement in Ireland; for they not only openly expressed the utmost detestation of their protestant fellow countrymen, but avowed the treasonable desire that a foreign nation might assist them in marching in force upon England. A corresponding feeling of apprehension and antipathy was naturally excited against them in the great mass of the population on the other side of St. George's channel; so that, scarcely had parliament assembled, which it did early in February, when the tables of both houses were loaded with petitions against the catholic claims. A new element had meanwhile arisen to give zest and energy to the papists; for, during the general election, which had shortly before taken place, the priesthood had taken an active part on the side of their co-religionists; and no man whom their spiritual influence could at all affect was allowed to vote for any candidate who did not advocate catholic emancipation.

Notwithstanding these discouragements, for no man knew better the temper of

Englishmen than he did, Sir Francis Burdett, on the 5th of March, submitted a resolution to the house of commons, to the effect that it was expedient to take the claims of the Roman catholics into consideration, with a view to their removal. A most animated debate followed; in which Canning displayed his usual eloquence, and Mr. Peel declared that his feelings and opinions had been made stronger than ever against the claims, by the very arguments which had then been used to support them. Sir John Copley was equally strong and emphatic, so that the two statesmen (through whose address the bill for repealing the catholic disabilities were afterwards carried through the legislature) were now its staunchest opponents. The motion was ultimately lost; but, as if it was the design of Providence to further that, which the majority of the inhabitants of Ireland had so much at heart, another and a still greater change came over the aspect of affairs. The Earl of Liverpool, who had appeared at the opening of parliament to be in excellent health, was on the 12th of February suddenly struck with paralysis; and though the affection yielded in some measure to medical skill, it continued so severe that he was never afterwards able to take part in public affairs. Thus two great agents of the protestant interest had been removed; and, as if to crown the good fortune that smiled upon the catholics, the king selected Mr. Canning to be his prime minister. This was the more cheering, for his appointment did not take place until after a long struggle with those of the late cabinet who had been their most inveterate opponents. The remainder of February, the whole of March, and the early part of April, were spent in the vain attempt to organize an united administration. Mr. Canning, who was the first, and appears to have been the only person consulted by his majesty on that formation of a new government, which had been necessitated by the death of lord Liverpool, stated that although he did not wish himself to become premier, yet that he would not serve under any other statesman who was not, like himself, an advocate for granting the claims of the catholics. This intimation produced a schism in the ministry as then constituted, which at length led to their dissolution as a body. Canning was a man of high education, splendid abilities, unrivalled eloquence and great political experience, and possessed a fund of resources and a

versatility of powers in debate which no other man at that time within the walls of parliament could match; but his position was an anomalous one. He was a disciple of Pitt and adverse to every species of parliamentary reform, but opposed the sternest prejudices of the great body of his countrymen by his advocacy of the claims of the catholics. He was a tory by profession, but connected in intimate friendship and by marriage with the great whig dukes of Devonshire and Portland. He was, therefore, a man not relied upon by the public with that confidence which they had been accustomed to place upon the administration of lord Liverpool, whose long business habits, sound practical ability, and apprenticed statesmanship, gave him a vast advantage—whose genius was an inborn principle and who had little of family descent to back his pretensions. There was and there always had been a jealousy between Peel and Canning. The incidents of the war with France and, at one time, with all the continent, had created a new power. It was seen that money could command everything. Troops had been poured into the field with almost reckless profusion; stores had been provided which had met every exigence and the operations of armies had been conducted, with apparently almost no positive burthen upon the people. The money had been found. The sources whence this wealth arose remained a secret to the mass of the population, and especially to those whose position in society placed them without that circle where it was created. They knew nothing of the detail; for trade had not become the science which it has been shown to be, by the trite term of “political economy.”

Wellington had won his laurels by the aid of that cash which the manufacturers had put into circulation. Peel was the son of a manufacturer—but he was more, he was the son of a patriot; he was the best example of the effect of the commercial enterprise of the country; for he had, in one generation, risen out of the manufacturer into the gentleman. But Canning was a man of genius, and his intellect secured respect; he was eloquent, and the beauty and force of his splendid diction secured applause; he was a man of energy, and he had done great things; he was popular; he was powerful; his spirit accorded with the king's, but he was the advocate of the catholic claims and not the representative



of the moneyocracy, and he consequently met with grievous opposition.

As soon as it was perceived that George IV. intended to make Canning prime minister, a dissension ensued in the cabinet. Peel, from the first, intimated that he would not serve under Canning, so long as he retained his Roman catholic predilections. The lord chancellor Eldon, who had been the greatest barrier to the admission of the catholic claims, and who conceived Mr. Peel to be the most constant, the most urgent, if not the most brilliant opponent of those claims in the commons, determined to support him. The duke of Wellington, who, from his first connexion with Mr. Peel, appears to have been under a strong impression of his worth, also took up the same sentiments. The earl of Westmoreland, earl Bathurst and lord Melville espoused the same cause; Mr. Goulburn and Mr. Vansittart followed their example, and Canning found placed in his hands, within four-and-twenty hours, the resignation of seven of his most efficient coadjutors, without being able, on looking round, to supply their places with men of anything approaching to the ability and practical experience of those with whom he had been accustomed to act. He went to the king, and placed the difficulty with great candour before his majesty. The effect was, that he kissed hands on that very day on his appointment to the office of prime minister, much to the chagrin of many of those with whom he had been connected.

Canning had great difficulty in forming his cabinet. The loss of Peel and the lord chancellor was especially damaging. He had no men to meet the emergency. Mr. Vansittart, now lord Bexley, retracted his resignation, and became chancellor of the duchy of Lancaster; the honourable Mr. Robinson, a brother of lord Grantham, went from the exchequer, where he had particularly distinguished himself as an active and able financier, to the secretaryship of the colonies; being elevated to the house of peers, with the title of lord Goderich; sir John Copley became chancellor, with the barony of Lyndhurst annexed; Canning himself, after the example of Pitt, kept the exchequer with the premiership; the duke of Clarence once more renewed the great office of lord high admiral of Britain in his own person; the marquis of Anglesea was made master-general of the ordnance; and the earl of Harrowby, the intimate friend of Jenkinson, earl of Liverpool, became president of the

council. The duke of Devonshire, the duke of Portland and the duke of Leeds also assumed office. Yet, with all this array of talent and family connexion, the Canning administration was weak. It commanded no popular support from those who constituted the upper portion of the middle classes, and who at that time were the main stay of the nation.

Canning did not feel himself strong enough to bring the question of emancipation before the house. His advocacy of it had placed him in a false position with the majority of Englishmen; and one part of Ireland could not help him, while the other portion of the people were roused into decided opposition. His position was delicate, for he found himself *alone*—deserted by all his old friends, with no new ones of sufficient weight to supply their place. When parliament met on the 1st of May, after the recess necessary for the formation of the government, the public curiosity was at its height to learn something of the causes which had separated men who had so long acted together and had accomplished the union of men who had hitherto exhibited an hostility which could only be described as war to the knife. The members of the house of commons displayed a juxtaposition of members, which St. Stephen's chapel had not witnessed for more than twenty years, and which, if it had been predicted six weeks before, would have excited laughter, both in and out of the house. Mr. Tierney and Mr. Brougham, Sir Francis Burdett and sir Robert Wilson were ranged on the ministerial side of the house and were ranged there in support of Mr. Canning.

The first information was given by Mr. Peel; who, on the motion being made for a new writ for the borough of Ashburton, to elect a member in the place of Mr. Stourges Bourne, who had accepted the office of secretary of state for the home department, rose and said, "that as the motion was immediately connected with the succession to that office which he had recently held, he trusted the house would allow him the opportunity of explaining the grounds on which he had retired from the situation of secretary of state. In the prospect of this opportunity, he had refrained from any other means of explaining the motives by which his conduct had been guided. During the three weeks which had elapsed since his resignation, his silence had been made the subject of many doubts and much miscon-

struction; but he had submitted to them, in the hope of vindicating his character before the house. He said *vindicate*, because he could not conceive that a public man, embarked in the public service, was entitled, on light or trivial grounds, to withdraw his assistance from the service of the crown, whose confidence he had previously obtained. The grounds on which he had retired from office were simply these:—For eighteen years, from the first moment of his political life, whether in office or out of office, he had constantly offered an uncompromising, but, he trusted, a temperate and constitutional resistance, to the extension of political privileges to Roman catholics. His opposition was founded on principle. He thought that the continuance of those bars which excluded Roman catholics from the acquisition of political power, was necessary for the maintenance of the constitution and the safety of the established church. Therefore it was that he opposed their removal; and cherishing at that moment the same opinions which he had always entertained, and having taken an active and prominent part in the support of those opinions as a minister of the crown, *he could not, consistently with his honour as a public man, agree to an arrangement which would, he knew, be beneficial to himself, but which would likewise, if he retained office, materially forward the success of a question to which he could never agree; and to which he had always offered, and to which he always must offer, the most open and decided resistance.* Therefore he determined to retire from the public service if Mr. Canning should be placed at the head of the treasury. If his opinion had been changed, he would have felt himself bound by a sense of public duty, to have accepted office under his right honourable friend's administration, and have kept himself free from even the most distant supposition of being actuated by private or personal feelings. But as his opinion remained unchanged, as the duke of York was no more, and the voice of lord Liverpool was silent, he conceived that he had done right in acting upon his conscientious belief—that the contemplated changes would strengthen a vital public question which he had always opposed; and that in these changes, therefore, he ought not to concur. He gave up office, because he could not hold it in connexion with any administration that was likely to forward the claims of the catholics."

Canning's difficulties became almost insuperable. The loss of those men of high character and experience, with whom he had acted for so many years, seemed to be a death-blow to his power. The secession of Peel and the duke of Wellington was peculiarly injurious. There might be no overt act, but the *animus* of the seceders was evident. They left the man of the highest genius, the noblest faculty, and the finest heart among them in a state of isolation. It is impossible to acquit the coterie of Peel and his friends of a settled conspiracy to secure, at any hazards, the political power of the government in their own hands. The chancellor, lord Eldon, was the only man who appears to have come with clean hands out of the business. The duke of Wellington, from his military career, was naturally indifferent to religious considerations, and is reported to have said on one occasion, on being told that one of his officers was very pious—"Then he had no business to be a soldier." It was possible that he was overruled by the cajolery of Peel, for no man knew better than himself the effect of military power; and therefore, the pretence which he made on introducing the catholic emancipation bill into the lords, that he feared a civil war, falls to the ground; at least he had a plea for his sincerity, in the fact that although he had voted invariably against every bill proposed for the relief of the catholics, that had been introduced since he returned from the continent, he had voted in their behalf during the time that, as sir Arthur Wellesley, he had been secretary of Ireland. A heavy load of inculpation seems to lie at the doors of the rest of the members of this combination, for the death of Canning.

Notwithstanding that his friends came liberally forward to support him in his exigency—the duke of Devonshire, the duke of Portland, and the duke of Leeds, each of them taking office, and a prince of the blood himself, the duke of Clarence, assuming the post of lord high admiral—Canning felt keenly the desertion of his old allies; and it preyed upon his spirit so much, that serious illness began to undermine his system. During his short administration, several acts were passed for the regulation and improvement of the prisons and lunatic asylums in Ireland, and several other details were rectified, which contributed much to the general welfare of the country. After the session, he went to the duke of Devon-



shire's villa, at Chiswick, for change of air and rest—but there was no rest for his chafed spirit; and after some days of acute bodily anguish, he expired at that place, on the 8th of August.

The death of their leader broke up a ministry which had always been very heterogeneous in its materials; and lord Goderich was called to the head of the treasury by the King, who had no one else upon whom he could rely. If the materials of the cabinet were discordant when Mr. Canning was at the helm, how much more must they have become so, when the intellect which surmounted them all and the strong hand that repressed their jealousies and their bickerings, was withdrawn. The first breach in the ministry arose from the very unwarrantable conduct of Mr. Tierney, who had been made master of the mint by Mr. Canning. In the previous session of Parliament, it had been resolved that a general committee of finance should be constituted, in order to accomplish a complete revision of the national system of finance. The close of the session and Mr. Canning's death intervened to prevent this design from being carried into execution. The new ministry determined to abide by the resolution, and the only difficulty lay in the appointment of the chairman, who must direct the mode of inquiry, and from whom the views of the ministry must emanate. Mr. Herries had been appointed to the responsible office of chancellor of the exchequer, and was allowed on all hands to be an able financier. He had had much experience under Mr. Goulburn, and was always considered to be an upright as well as an intelligent man. He was consequently the official upon whom the selection of a chairman of a finance committee devolved, subject, of course, to the consent of the premier and his other colleagues. But in this matter he was not even consulted. Mr. Tierney took upon him to nominate lord Althorpe to the office; and after communicating with lord Goderich, wrote to that nobleman to request his services. His lordship replied in the affirmative, with the proviso that he was to be left perfectly untrammelled in his proceedings. Mr. Herries, to his astonishment, found himself entirely neglected in the functions of his own office. This was too much for even the most ordinary patience to endure; and having, moreover, the responsibility of his position to answer for to

the country, he objected to the appointment of lord Althorpe on the ground that he knew nothing of lord Althorpe, and that he had never seen any evidence of his lordship's aptitude for financial matters. Mr. Tierney persisted with a rude pertinacity. The premier was feeble and undecided. Mr. Herries found himself compromised, and wrote to the first lord to say that either Mr. Tierney must resign, or he should. Lord Goderich found himself in the position of the ass between two bundles of hay. Each of his attachés was too good to be lost; so, as he could not undo the knot of entanglement by mild means, he cut it, by resigning himself, and they all, to the great mortification of the whigs, went out.

The king now called the duke of Wellington to his councils; and he readily formed an administration of those who had been the chief associates of the earl of Liverpool. Peel took the home department, lord Aberdeen was made foreign secretary, and Mr. Goulburn, chancellor of the exchequer. The marquis of Anglesea resigned the ordnance and went to Ireland; lord Hill was installed commander-in-chief; lord Lyndhurst retained the chancellorship. This advent of the new ministry was greeted throughout Ireland with an universal burst of execration from the whole of the Roman catholic population. The catholic association had never virtually ceased from its activity; for the act for its suppression had remained little more than a dead letter. Its organisation, it is true, had been changed and a new name had been assumed, but, for all intents and purposes, it had remained the same. The act directed against it expired in July, 1828, and the association was immediately reconstituted in its original form.

On the formation of the ministry, Mr. Vesey Fitzgerald, member for the county of Clare, and a gentleman of one of the oldest families in Ireland, was appointed president of the board of trade. He was himself exceedingly popular, and no opposition whatever was apprehended to his re-election. The opportunity, however, was thought by the committee of the association, to be a good one for testing their power and that of their coadjutors, the priesthood, who afterwards became so formidable in such matters over the minds of the people. The event justified their warmest expectations. O'Connell was started as a candidate for the vacant county. He explicitly stated in

the outset, that he would never take any oath that in the slightest degree infringed upon the rules of the faith which he professed. Mr. Shiel and the other principal orators laboured hard to convince their adherents, that their champion, if elected, would of right be entitled to take his seat in the house of commons; forgetting, if such were the case, that all they had been contending for and for which they had raised so much disturbance, was already their own. Every engine that spiritual influence could employ was put into active exercise. The priests were everywhere present during the canvass, and at the polling-booth during the election. Their success was complete. O'Connell and heaven were placed before them on one side, and destruction and Fitzgerald on the other. The choice of the electors was, of course, not slowly made. After a few days' contest, Fitzgerald retired in despair. The sheriff was appealed to by the protestants and a considerable number of the higher order of the Roman catholics, but he replied, that whichever candidate obtained the greatest number of votes, was the one he was bound to return; as for his taking his seat, that was a matter altogether beyond his province, and must be settled by the house of commons. The rights, claims and influence of property were set aside by priestly domination. The protestants signed a protest against the election, but O'Connell was stated by the sheriff to be member for Clare.

Before even this occurred, the catholic association had been intensely energetic. They originated political district clubs in every county in Ireland, every member of which engaged to vote against any candidate that would not pledge himself to oppose the duke of Wellington's administration. A vast combination was realised by the efforts of the association, and not a farmer who could read, nor a single person that possessed a right to vote who was a Roman catholic, but was comprised within its manifold ramifications. In order that no one might be precluded from exerting himself in the cause by his poverty, the subscription was fixed as low as threepence a month from each club, while the great mass of the peasantry, prompted by their priests and influenced by their employers, were constituted into a formidable army of terror. They paraded the country in immense bodies of two or three thousand at a time, without arms, but in military array, having

both horsemen and footmen in proportionate numbers, showing that the middle, as well as the lower classes, were closely banded in this more than insurrectionary movement—the forty-shilling freeholders being, from their numbers and their unscrupulousness, the most effective agents in their great attempt to obtain emancipation; but which, from the violent language of Shiel, Butler, and especially of O'Connell and O'Gorman Mahon, the secretary of the association, might not be inaptly termed a great conspiracy.

Parliament met early in February, 1828; and on the 26th of that month, lord John Russell moved for the repeal of the test and corporation acts. The acts of the 13th and the 25th of Charles II., had been passed at a time when great danger was apprehended to the country from that class of persons who had placed an usurper on the throne; and in the requirement which they instituted that every person before entering upon office in any municipal corporation, should take the sacrament according to the rites of the church of England, as by law established, the principal object was to guard the state against the admission of popish recusants into any office connected with the state. These dangers had now altogether passed away, and the continuance of the acts were not only mischievous, as being obstructive of useful legislation, but inflicted a palpable and gross injustice upon all the dissenters of Great Britain. In Ireland they had long since been repealed, a period of nearly half a century having elapsed since they ceased to operate; but in England they had always been looked upon as one of the main bulwarks of the constitution, and even Canning had never been able to bring himself to advocate their abrogation, however earnest he had been in pleading the cause of the Roman catholics.

The ministers made but a feeble show of resistance. The barriers had been thrown down. Peel had learned a lesson which he never overlooked. He had the fact patent before his eyes, that Canning, the great and eloquent leader upon whom the hearts of the papists had principally rested, had been chosen premier not twelve months before. Peel spoke upon the subject; but his speech was almost as much in favour as against the motion for going into a committee of the whole house, for considering the claims of the dissenters, with a view to repeal the test and corporation acts; and it



was carried by two hundred and thirty-seven members against two hundred and ninety-three, leaving a majority of forty-four in its favour. The bill founded upon the terms of this motion passed its second reading almost without remark. It encountered but little opposition in the house of lords; and thus the chief barrier relied upon by the advocates of protestantism was for ever done away with, and the way was made plain for the admission of the roman catholics, without inconsistency, to seats in the imperial legislature.

The session proceeded, and the committee of the catholic association, instead of assembling once a week, met almost daily. The rent which came more and more readily into their coffers became increasingly larger, and a great part of it was appropriated to the support of O'Connell, whose word had now become omnipotent in Ireland. He swayed men's minds as the wind bends the tops of the forest trees in its course. Faithful to his promise he presented himself at the bar of the house of commons, and demanded his seat. The oaths of supremacy and of abjuration were tendered to him, but he refused to take either. A brief but stormy discussion ensued, and he was sent back to his constituents. His presence in Dublin was hailed from all parts of the country with loud and almost universal applause for the moral courage he had displayed. He became more popular than ever, and the catholic association still more active.

From north to south, from east to west, the country was in one wild state of excitement. Denunciations of the fiercest character were poured out unremittingly against Mr. Peel, the duke of Wellington, and all their adherents. Throughout the whole of the middle and southern counties of Ireland, the excitement among the rural population was intense and irresistible. In the county of Tipperary, especially, the violence of feeling was so extreme that it was hardly safe for any one to declare himself a protestant. The organisation of the south was completed; but in Ulster the power of the association was not entirely established; and they therefore sent Mr. Lawless as an agent to spread their influence there as far as possible. On his journey he wrote to the committee to say that the whole population followed him, galloping up the hills with tens and hundreds of thousands of persons, on horseback and

on foot, behind him; and he actually entered the town of Ballybay, in the county of Monaghan, with from twenty to thirty thousand persons in attendance. The outcries of these immense mobs were of the most diabolical character. Every word they uttered breathed of menace, defiance, and malevolence to the protestants. The protestant residents in all the districts through which he proceeded were in the utmost alarm, and, no doubt, were in imminent peril, as a single intimation from the catholic leaders would have instantly involved the whole country in one general conflagration.

During the whole of this period, the Irish government stood quietly by, looking upon these startling circumstances with apparently the most listless apathy. Not a single censure or proclamation issued from the castle at Dublin, where the marquis of Anglesea now reigned as viceroy; and the protestants, seeing that no aid was to be rendered to them by the authorities, found themselves compelled to take some measures to avert or reduce the common danger. The magistrates at length began to move, and called in the military to check the proceedings of Mr. Lawless; and the protestants held a large meeting at Armagh, on the 30th of September, at which many of them appeared armed. The result was a determination to combine for the common safety. Similar meetings were held in Dublin and at Belfast; and the old protestant orange lodges were revived with all their strictness of union. Other associations were also formed, called Brunswick clubs, the professed object of which was to uphold the protestant ascendancy on the throne; but the members of them did not adopt any secret signs or peculiar badges, as the members of the orange lodges did. Similar associations were also formed in some parts of England, with a view to carry out the same object; especially in London, Leeds, Leicester, and Birmingham: all of these places noted for the general liberality of their inhabitants. The protestant combinations, in imitation of their catholic opponents, also established a means of gathering funds, which they likewise termed rent, to pay the expenses incurred in carrying on their proceedings.

In the meantime the ministry were concerting a scheme which was to startle the whole empire. The news of the repeal of the test and corporation acts of England

had been received with great dismay by the less conciliating portion of the established church, both in England and Ireland; for though the latter had long been accustomed to see dissenters holding corporate offices, the catholics had as yet been rigorously excluded, and they, as well as their protestant fellow-subjects, looked upon the measure as demolishing the last outwork, before the citadel of catholic exclusion from parliament could be assailed. They had not long to wait for the next significant sign. Shortly after the close of the session, Mr. George Dawson, brother-in-law of Mr. Peel, at a dinner given in Londonderry, on the 12th of August, by their constituents to the county members, of whom he was one, unequivocally declared it to be his opinion that the claims of the catholics should, without the veto or any other similar security, be unreservedly granted by the legislature.

Nothing could exceed the surprise with which this declaration was received. Mr. Dawson was himself a member of the government, and though not a cabinet councillor, yet, being so near a relative, and therefore in constant communication with the most influential man in the ministry, must be supposed to know something of his mind. And yet Mr. Peel had always been known as the most constant, the most able, and the most pertinacious of the opponents of these claims. By the catholics the expressions used at this dinner were received with irrepressible and almost incredulous delight. Strange in the extreme, if the statement made by Mr. Dawson, should be intended merely as an intimation to excite their hopes; it was hardly to be believed, and yet the words had been spoken. There might be something in them, but supposition was not certainty; at any rate, therefore, they would go on with their agitation as actively as ever. And they did so.

By the protestants of Ulster Mr. Dawson's statement of opinion, for it amounted to nothing more, was listened to with cold discontent. By the protestants of Dublin, and Ireland generally, it was more than half disbelieved, and in the more protestant districts of England it was altogether discredited. There must, it was conceived, have been some grievous mistake or other; the words must have been misunderstood or misreported; and the assertion that they had been uttered must be altogether false, and neither more nor less than one of

those impositions by which the leading Romanists were in the daily habit of deluding their followers. When at last the circumstances of the dinner were so accurately stated by the Roman catholic priests and others which advocated their views, that the validity of the report could no longer be denied—the protestant population at once set the fact down as an act of gross indiscretion on the part of Mr. Dawson, for which the ministry of the day were in no way responsible, and doubtless they would speedily express their sentiments by his reprehension or dismissal. But Mr. Dawson continued to be a member of the government, and the autumn passed away without ministers giving any sign of their marked disapproval of his conduct. The Roman catholics of England had usually remained nearly quiescent; but this ominous silence, coupled with the increasing fervour exhibited in the operations of the Roman catholic association of Dublin, at length roused them to a manifestation of their feelings and their strength. The first instance was evinced in a large county meeting, which was called on the 1st of October, under the sanction of the lord-lieutenant of the county, at Penenden heath, in Kent, an open piece of moorland, which was selected as being the most appropriate, on account of the numbers who were expected to attend. In such an anticipation the promoters of the meeting were not disappointed. An immense multitude appeared at the place of meeting; many more indeed than could ever possibly hear a word that was spoken. The assemblage comprised men of all opinions and grades of society, from the nobility and landed gentry down to the smallest farmers and labouring cottagers of the county. A platform was made by covering the tops of waggons with boards, and from this the immense populace were addressed by the earl of Winchelsea, sir Edward Knatchbull, and several other of the leading men of the country. Resolutions condemnatory of the Roman catholic claims were passed with vociferation. Mr. Shiel, Cobbett, Hunt, and other democratic orators, attempted in vain to address the meeting; and the efforts of the marquis of Camden, lord Darnley, the earl of Radnor, and lord Teynham, who were present, to soften the tenor of the resolutions, were quite unavailing.

Meetings of similar tenor were held in most of the large towns in the kingdom, and these were hailed by the protestant



party in Ireland, as demonstrations of the national will, of sufficient weight to overawe any covert movement which the ministry might possibly contemplate. How little they were acquainted with the characters of the men by whom they were governed, they very shortly discovered. Towards the latter end of the year 1828, Dr. Curtis, titular Roman catholic primate of Ireland, a prelate of high character and extensive learning, and who had attained a high position in the university of Salamanca, addressed a long letter, on the subject of the catholic claims, to the duke of Wellington, with whom he was intimate. His grace replied to the communication on the 4th of December with the utmost urbanity, and in terms which went very far to do anything like discouraging the prosecution of the claims; but advising the archbishop, that before any thing could be done effectually to relieve the Roman catholics from their political disabilities, agitation should cease, and the claims for some time, though it might only be for a short period, buried in oblivion. This letter was marked private and confidential; but a part of it was seen and transcribed by O'Connell, who, with the utmost exultation, immediately hurried off to a meeting of the catholic association, which was at that time in session. The information he conveyed excited the wildest hopes; but it was unanimously determined, that so far from burying the question of emancipation, even for an instant, in oblivion, that their agitation should be increased tenfold. Nothing they asserted, and not without truth, had ever been gained by submission and quiet petitioning; and they therefore determined to proceed with all the energy that they possessed, and all the resources which they could command.

Prompted by this decision of the Catholic committee, archbishop Curtis wrote to the lord lieutenant, stating the substance of the letter which he had received from the duke of Wellington, and requesting his advice and opinion upon the matter. The marquis of Anglesea did not long delay his reply. He stated that, in common with Dr. Curtis, he considered the subject of the Catholic claims one of the greatest importance, and of the highest interest; and that, in his opinion, on its speedy settlement the pacification and welfare of the country eminently depended; that, as respected the burying of the question in oblivion in its then present state, he conceived it to be

an impossibility; and he trusted therefore that the ensuing session of parliament would not pass by without a full and due consideration of the Catholic claims.

As the duke of Wellington's letter, though marked private and confidential, was known to have been communicated to the Catholic association, the marquis must have naturally expected that his own would be considered as one of a public nature. A copy of it was, of course, immediately forwarded to the Catholic committee; and this open declaration of the feelings of the lord-lieutenant was made known as speedily as possible from one end of Ireland to another, and tended to excite to a more intense degree the disturbance which previously existed. At a single nod the Catholic committee could rouse the whole population. Mr. O'Connell especially was omnipotent. The confidence of the lower classes of the Roman Catholics of Ireland in him was unbounded; and as the priesthood acted in perfect concert with him they suffered no compunctions of conscience in instantly obeying his behests at any time or in any way. In Tipperary the outrages had become so numerous and so dreadful that the magistrates petitioned the lord lieutenant for the operation of the insurrection act. His excellency issued his proclamation to that effect—the last he was destined ever to issue as viceroy of Ireland; but, before it reached its destination the wand of O'Connell had been waved, and the county of Tipperary was as quiet as the most peaceable district in the country. The insurrection act in that case therefore became a dead letter.

The duke of Wellington might have his own peculiar sentiments on the subject of the Catholic claims; but he was too much of a general to allow a subordinate to express a different opinion to himself. The marquis of Anglesea's letter had scarcely attained general publicity when he received notice of recall; and he left Dublin early in January, 1829, accompanied by an ardent vote of thanks from the Roman Catholic Association. He was succeeded in his office by the duke of Northumberland.

Government had determined by this time to carry Catholic emancipation. Peel had for some time sat as one of the representatives of the University of Oxford; by which learned body he had been returned, for the double reason that he was one of the most celebrated of its alumni, and hitherto the most distinguished and the most perse-

vering of the opponents of the claims of the Catholics in the house of commons. A natural feeling of independence and honour told him that he ought not to continue to sit, when he had determined upon pursuing so different a course from that upon which he had so long directed his conduct; and he accordingly wrote to the authorities resigning his seat, but declaring himself a candidate for re-election. In the contest which ensued he was opposed through the heads of colleges by sir Robert Harry Inglis, who was also a member of the university, and noted for those earnest protestant principles which were then and ever afterwards the chief principle of his life. The poll was continued during three days of active conflict, and ended in the rejection of Peel from his lofty position by a majority of 146 votes. Room was made for him, and he was immediately returned as the unopposed representative of the borough of Westbury.

Parliament met early in February; and in the royal speech there was a recommendation that the claims of the Catholics should be taken into consideration by the legislature as early as possible. One of the first measures of the ministry was a bill, introduced on the 10th of February, for the suppression of the Catholic association, as being a body above and beyond the control of the law. It encountered hardly any opposition, and received the royal assent on the 5th of March. As soon as the act was passed, the association declared that

its functions had ceased, and its existence was at an end.

Within a day or two afterwards, Mr. Peel submitted a resolution to the house of commons to the effect, that in consequence of the disturbances in Ireland for a series of years, that it would enter upon the consideration of the claims of the Roman Catholics, with a view to the removal of the disabilities under which they laboured. The home secretary made a long and able speech, dwelling particularly upon the frequent enactment and operation of the insurrection act. Sir Thomas Lethbridge was its principal opponent; but he afterwards voted for the second reading of the bill, and the motion was carried by 348 ayes against 160 noes, showing a majority of not less than 188 members in its favour.

The bill was introduced by Mr. Peel, and read a first time on the 10th of March, 1829, with little or no comment, except protestations on the part of the opponents of the measure; and the second reading, on which the principle of the bill was to be debated, was fixed for that day week.

Thus was this great change in the British constitution at length brought to a crisis, backed by the recommendation of the king, and the whole weight of a powerful government, after many more than twenty years of incessant debate, conflict and disturbance, both within and without the legislature, unexampled in its duration, extent, and virulence, by any other either in ancient or modern history.

## CHAPTER XXIII.

### DEBATE ON THE CATHOLIC EMANCIPATION BILL.



HE announcement that the government had determined to carry the catholic emancipation bill, was received with the most profound astonishment on both sides of St. George's channel. The Roman Catholics in Ireland had apparently, by some means, been prepared for the

intimation, for they were quiet and most unusually conciliatory in their deportment; but in England it roused the most intense agitation. The language used in every town and in every district was of the most violent character. Men spoke as if they felt themselves betrayed, and faith in the honesty of those at the head of affairs was shaken to its very basis; they were spoken of as traitors. There was hardly a parish throughout Britain that did not form its



anti-Catholic association, and send petitions to both houses of parliament against the passing of the bill. The tables of both, indeed, were overlaid with petitions against it. All that energy, ability, knowledge, and declamation could accomplish were used in vain to stop its progress. Mr. Peel himself was especially denounced as a renegade to his principles; and it was afterwards believed that he met with an ample punishment in that long exclusion from power by the Reform Bill, which his double-dealing so greatly furthered. The surprise was the greater, inasmuch as the archbishop of Canterbury and the bishop of London had, in the previous year, declared to a body of the prelates assembled at Lambeth palace, that the king's feelings and opinions on the Catholic question remained unaltered; and this declaration, shortly after their meeting, had been reiterated by the bishop of London in the house of lords.

On the 17th of March, Mr. Peel rose in the house of commons to move the second reading of the bill for the political relief of the catholics. It was a time of intense excitement. The house presented a scene of the most extraordinary character. The benches on both sides were crowded. Genius, eloquence, station, rank, were personated in every possible representative. The debate was to close a conflict of nearly thirty years' duration. The man who was to call for the affirmative of the question had been the most sensible, the most strenuous, the most constant of its opponents. He had won over the best of his adversaries. Alone he stood in the might of his character; in the might of that character by which he had won the esteem and secured the confidence of Great Britain. It is impossible to conceive a greater or more startling picture of moral fortitude.

Mr. Peel simply contented himself with restating the arguments on which he rested, in moving for the introduction of the bill. He was a rhetorician and a man of business, yet no orator like Burke, Pitt, Fox, or Wyndham. But he perfectly understood the spirit of the people. He was the incarnation of that progress which was afterwards developed so rapidly. He appealed, not to the sensibilities, but to the sense of his countrymen; and he was successful. Peel had hit the right key; but the debate, was nevertheless able and most protracted. Every art that finesse could devise, or that experience could call forth,

was unscrupulously used. All the old pleas were redressed for the occasion, and arguments with which all were familiar, were again adduced, so that the only matters of interest produced before the house besides the result, were the new impressions that compelled the whole cabinet to follow in the wake of the leader of the commons.

All the leading speakers of the house took part in the debate; but sir Edward Knatchbull, of Marston, in Kent, of which county he was one of the representatives, was the first to meet the ministerial proposal with anything like a menacing front. He began by saying that the character of the meeting on Penenden heath, at which he, with the earl of Winchelsea, had been present, had been most grievously misrepresented. That, he said, had been no factions meeting, no combination of an ignorant populace, hired and convened to affect a simply political object, but it was a spontaneous expression of the minds of the people of a whole county; and that county one of the greatest and most important in England, for it stood at the very threshold of the kingdom, and must, under any circumstances, be the first to bear the brunt and endure the suffering, if ever a foreign force were to tread upon our shores. The people of Kent were united almost as one man in their determined opposition to this bill. They viewed it with distrust and abhorrence; but they did not look upon it as being directed against themselves alone, for they only expressed the common opinion and the common feeling of all the protestant inhabitants of Great Britain and Ireland. What was there to justify the home secretary, he would ask, for introducing this measure? Nothing whatever; for there was not a single point in the condition of Ireland that had been altered since the right honourable gentleman had declaimed so forcibly and so effectively against the passing of measures exactly identical in character with this which was now submitted for their consideration; and which, if passed,—and were rightly calculated to accomplish the objects which they were intended to effect,—would years ago have given peace to Ireland and tranquillity to Britain. When parliament, in 1822, was considering the measure by which the ribandmen of Ireland were afterwards controlled, who was more energetic in denouncing the conduct of the Roman catholics, or in proclaiming the danger that was likely

to arise from the concession of their claims than Mr. Peel? Upon what principle, upon what feeling, from what motive had he professed to act, in opposing to the very death the great man who had, of late, been taken from among them? Mr. Canning had honestly, truly, energetically, most eloquently advocated the cause of the catholics; and what had been his reward? Why, he had been deserted by every one of his colleagues when, elevated to the high position of chief adviser in the councils of his sovereign, he most needed their services. And yet what was the ground upon which they had refused their co-operation and advice. It was not that Mr. Canning had decided upon making the carrying of a catholic relief-bill a cabinet necessity, for he was quite willing to leave it an open question; but because he refused, after years of eloquent advocacy, to pledge the cabinet against it. Mr. Huskisson, Mr. Charles Grant, and lord Palmerston, had all expressed themselves energetically against the measure, which, if all that was told was true, they were now prepared with their utmost ability to advocate. He might cite the words of Mr. Peel himself, as delivered on numerous occasions, as the best arguments that could be adduced for the rejection of the bill which he had so strangely and unaccountably introduced, and which, if passed by his agency and that of his colleagues, would for ever destroy the faith of the country in the principles of public men.

Mr. Goulburn said, that having been, for many years connected in the administration of the country with the right honourable gentleman to whom the honourable baronet had so frequently alluded, he felt bound to state the reasons upon which he had taken up his new opinions respecting the principles of the bill, then before the house. He was not about to deny the least of the observations which he had uttered on this question; but he thought that men who had to control the destinies of a great country, were called upon to administer its concerns, not according to their own desires or preconceived opinions, or even according to the declarations which they had made in that house, but according to the circumstances of the time in which they acted and the characters with whom they had to deal. In this conviction he found his own justification. The object of the bill then before the house, was plainly to tranquillise Ire-

land. From one end to the other that country was in a state of incessant agitation. The laws were openly defied, and a body had been called into existence, which was beyond the reach of the law, and which was commensurate in its constitution with parliament itself. No power could reach it without the risk of a general massacre, for the priesthood, the people, and their leaders were all comprised in one universal combination. It was a position which was neither unnatural nor to be wondered at; for it should be remembered, that whilst the great mass of the population of Ireland were Roman catholics, the protestants held an ascendancy in that country both in social and political affairs, with which no man of ordinary independence of mind and differing from them in religious principles, could possibly be content. So long as this state of things continued, therefore, there must be a constant recurrence of that violence on the one side and of that danger and insecurity on the other, by which the country had in fact been reduced to a state of anarchy; from which no other measure than one, such as that before the house, could possibly relieve it, and enable it to enter upon a settlement and career of future improvement. It should be remembered that the church of Ireland stood in a most peculiar position. She was environed by enemies who hated her for her principles, and envied her prosperity and permanence; and who, unless they were disarmed of their popular influence, would never leave her in peace until she found quietude in death. The destruction of that church would, in his opinion, prove a calamity which no estimate could over-rate, and if that were the only objects which this bill would achieve, it would command his most earnest and continued support.

Mr. George Banks ridiculed the idea of the necessity for the change of sentiment which the chancellor of the exchequer had evinced. The notion, he contended, was absurd, for when had not Ireland been in a state of disturbance. The principle out of which that disturbance arose had always been in force, was the same then as it had always been, and would always remain the same; for it aimed at nothing less than the complete supremacy of the church of Rome; and, according to the doctrine professed by Mr. Goulburn, the security against that disturbance could only be obtained by throwing the church of Ireland into the power of



Rome. It was to avoid this evil that the acts of 1781 and 1782 had been passed. In those acts it was expressly set forth that no portion therein contained should extend, or be construed to extend, to allow any popish ecclesiastic of the church of Rome to possess any powers not previously defined; or to allow any such person to take or assume any title of dignity whatever within this realm, or to proceed with any insignia of his faith to any public place of worship whatever; but that all the defences at that time in being should remain in force against such popish ecclesiastics as aforesaid. The act of 1793 was debated with considerable power, and there was no question whatever, but the question which had been raised respecting the greater liberty of the catholics with regard to public ceremonies was decidedly settled; for it recited the very terms of the previous act, and decreed that all its provisions should remain in force against the popish ecclesiastics. By that act of the 33rd of George III. the object of the legislature had been plainly expressed. No doubt whatever could remain upon the subject. Now, if the protestants were not especially particularised, it was evident that they had contravened no law, nor could it be proved that they had ever done so since. But what had been the conduct of Roman catholics. They had not only contravened the law, but had set it openly at defiance; for every one of their bishops had assumed the titles against which the acts, of which he had spoken, were directly levelled. What additional security then could the right honourable gentleman possibly expect to obtain from the present bill, or what new advantages could he hope for from further concession? Every concession to them had been speedily met by the Roman catholics with some new step of aggressive policy. They already possessed every social equality; and the securities against their encroachments, by the prevention of their attaining political power, were barely sufficient for the preservation of the state. Apparent liberality to one portion of the people might prove to be gross illiberality to another, and every concession contained in this bill would, in his opinion, prove highly injurious to every class of his majesty's subjects.

Lord Tullamore said, that however desirous he might be to support the government on this occasion, he found it exceedingly difficult to follow ministers in their

shameful desertion of principle. He had always given his adhesion readily to their general policy; but to do so then was a stretch of feeling to which he could not attain. The main ground of the motion of the right honourable gentleman at the head of the home department consisted in an assertion, that the bill, if carried, would secure the pacification of the Roman Catholics in Ireland; for in England that body of sectaries had never been troublesome, or had in any way manifested their dissatisfaction with the state. In Ireland the case was very different; there the Roman Catholics, and especially the priesthood, had continually evinced the most obstinate and the most inveterate hatred to Britain. They had shown, by a variety of acts, that nothing but entire supremacy would satisfy their cupidity. Why then attempt, by a great breach of the constitution, to reconcile that enmity which, without the possession of supreme power, was irreconcilable. The Catholics had obtained many advantages since the union of Great Britain and Ireland; but in no instance had they shown anything like good faith in keeping their promises after the concession of a grant. They were all agreeable, and most of them excellent people; but their feelings were kept in the back-ground by their prejudices; and while they promised one thing, and felt it too, they did another. In fact, the old couplet which had been used aforesaid was perfectly applicable then:—

“Drunk at a fair, civil at a ball,

Friendly at Hackney, rebellious at Whitehall.”

Let the ministry make the utmost research, and they would find that in no single instance had the influence of the Catholic priesthood and their clients been neglected; they were continually the recipients of public bounty, whether from the legislature or the people of England. Was it a wonder, then, that a sinister attempt had been made, as much as thirty-nine years ago, to ascertain that truth which the authorities were entitled to know respecting the jesuitry of the Church of Rome in Ireland? His trust in the good faith of the Catholics failing, he should certainly vote against the second reading of the bill.

But the principal speech made during this great discussion was that of Mr. Michael Thomas Sadler, the member for Newark. Mr. Sadler was a gentleman connected with the manufacturing and mercantile interests of Leeds, in Yorkshire;

but had been engaged largely also in the manufactures of the north of Ireland. During the greater part of his life he had been occupied as the commercial traveller and principal agent of the house in which he was a partner. Moving about, as he continually was, he had enjoyed large opportunities for observation; he was a man of great intelligence and probity, and had used them well in the storing of a capacious intellect and in the exercise of that sound judgment for which he was always remarkable. His weight among the highly respectable body to which he especially belonged, was exceedingly great; and few men were more respected throughout the northern counties of England and the northern provinces of Ireland than Mr. Michael Thomas Sadler—for he was well-read, judicious, eloquent, and charitable.

He had written several works on Ireland, with which he was well acquainted, and in which he had a considerable estate. His treatise on *The Law of Population*, published to oppose the unchristian system of Malthus—and *Ireland; its Evils and their Remedies*, in which he had struck a fatal blow against the absenteeism of those Irish landlords who drew all their rents from their estates, and spent them abroad—had, combined with his eminent reputation in social circles, given him a great celebrity throughout the country. He was well-known as an uncompromising advocate of Protestant ascendancy, both in church and state; and his works, which were as vigorous in style as they were strong and straightforward in their argument, brought him under the immediate notice of the duke of Newcastle, who was as honest and as strenuous as himself in the cause which he advocated; and the duke determined, if possible, to place him in parliament.

It so happened that general sir William Henry Clinton, a relative of the duke's, who had served with considerable distinction in the Peninsular War, retired from the representation of Newark very shortly after the assembling of parliament. The duke's interest in that borough was supposed to be paramount; but the crown property there, of which the duke was lessee, was large, and the leases were within a very few years of their expiration; and the government therefore, who were greatly supported in their Irish policy by the whigs, encouraged Mr. sergeant Wilde, who became solicitor and attorney-general, and lord chancellor;

and who had, at that time, obtained great celebrity at the bar, to contest the duke's interest, and to endeavour to make another vote in favour of Mr. Peel's catholic emancipation bill. To him Mr. Sadler was opposed. Newark was usually a quiet borough; and, with one exception, had known no contested election for more than thirty years. In this instance it was destined to throw off its pacific character, and exhibit the embodiment of the protestant feeling of England. The contest was sharp, spirited, yet courteous and ardent in the extreme, cleverly conducted, and handsomely lost and won. Mr. sergeant Wilde was a most popular man with the constituency; but Mr. Sadler, purely through the protestant feeling of the electors, was returned by a majority of more than two hundred votes. The election terminated just in time to allow him to run up to London, and take his seat in the house of commons at the time the debate on the second reading of the catholic relief bill was about to take place. His presence in the house had been anticipated with much anxiety. He took his place within three feet of the home secretary, and as his speech was the most original, the most forcible, and the most comprehensive that was delivered on the subject; and moreover embraced the consideration of both sides of the question, it is well worth a notice in the annals of Ireland. He was a man of remarkable modesty of deportment; but he was fully conscious of his social responsibility to the country. His observations are the more worthy of note, inasmuch as they constituted the staple of that opposition which was offered to the agitation of the demagogues of Ireland; and were made by a man precisely in their own sphere of society, and therefore equally cognisant with them of the wants and necessities of the people.

After an impressive opening, in which Mr. Sadler had stated his general views and feelings upon the catholic question, he went on to say, "But before I proceed further, let me attend for a moment to what is made an apology for this fearful inroad upon the constitution; namely, the condition of Ireland. This, sir, I have heard stated again and again as the sole reason for the meditated change; and it has been asked, in a tone of triumph, what other remedy can be proposed. I deny that the proposition is a remedy. I deny that that reason is



substantial. Protestant ascendancy, the source of the disorders of Ireland! Why, sir, any man who knows anything of the history of that unhappy country must be well aware that the state of things now sought to be remedied, and the turbulence and the misery which it occasions, existed, and in a still greater degree and produced far more lamentable consequences, before the Reformation than at present, when consequently there was only one religion in the country. The fact is too notorious to admit of contradiction. Again, if it should be said that the causes of discontent were now changed, I shall deny the assertion; and in doing this, I appeal to the authority of a late right honourable secretary of Ireland; one who, though no longer in his majesty's government, is friendly to the measure now before us; who, in a speech delivered in the house, and which was afterwards deliberately given to the public, said, immediately after a recent and sanguinary disturbance there, that 'all the commotions which for the last sixty years have desolated and tormented Ireland have sprung'—From what? From protestantism, or from protestant ascendancy? No! but 'immediately from local oppression.'

"Sir, the mischief regarding Ireland is this. Ireland, as respects its connection with England, was a conquered country. That was her misfortune, but it has been our crime that we have continued to treat her as such. Her lands have from time to time been given away to strangers, on condition that they should reside in the country and support the protestant religion—and they have deserted both; absentees, who, owning much of the surface of the island, cruelly desert the people by whom they live, and persecute and oppress them by proxy; but to whom many of them think to make atonement for their turpitude, by a few cheap votes and declarations, sincere or otherwise, in favour of catholic emancipation. Of all the delusions that have been so much descanted upon by the opposite side of the house, can any equal this? They consign a population to poverty and idleness, where, to the disgrace of humanity, civilisation and christianity, there is no provision whatever for the wretched victims of oppression. I assert, and will repeat again and again, that the miseries of Ireland, aye, and its turbulence, do not proceed from its protestant constitution. Why it is only a few years ago since the manufacturing and

labouring classes of England wanted employment and bread, and demagogues told them to seek parliamentary reform. In Ireland there is equal distress, and agitators tell the people that they want catholic emancipation. Both assertions are untrue. The people in both instances wanted employment and bread; and, wrought upon in their distress by designing men, they fiercely attributed their distresses to causes—the abolition of which it is my honest conviction would only perpetuate them. The difference is, that in one instance you put the agitators down; in the other you have connived at, if not secretly supported them.—(The observation was greeted with loud cheers.)—But I see in catholic emancipation nothing whatever proposed in favour of the mass of the Irish community; that brave, that generous, that long-suffering class, which have been the dupes of the great alike in both countries. On the contrary, I see a proposition unblushingly made, to rob the cottage of its long exercised privilege, in order to add new splendour to the catholic coronet; and this, forsooth, is to calm the country at present, and insure its future tranquillity. It would do irreparable mischief, if it were to effect this. Ireland never will, never ought to be calm and contented until the blessings of civilization and the rights of humanity are extended and secured to the lowest ranks of its society. What are we to do with Ireland? Legislate on her behalf in the spirit of philanthropy, and with the light of wisdom and experience develop her immense internal resources, hitherto unexplored, almost untouched; introduce in behalf of her distressed population a moderate system of poor laws, the machinery of which, the very attempt would create; diffuse, in spite of priestly domination, the benefits of christian education; employ the starving people which are and must be fed—but whose labours you now lose, and whose characters you destroy by consigning them to involuntary idleness and mendicancy; and finally, while you legislate about and against the poor, dare to touch the culpable and heartless rich, the deserters and the enemies of their country; and if they are dead to other and worthier motives, compel them by pecuniary mullets to repay some of their duties to that society, to which they owe their all; duties which they have paid and are disposed to pay only by words alone. Let them thus afford employment and bread to a population never adequately

employed; always suffering from want, and pressed to the utmost verge of human endurance. There, sir, are the means, simple and obvious, though ridiculed by theoretic folly and rejected by inveterate selfishness, which would, in no long time, regenerate Ireland, and repay the wrongs of many generations. But Ireland, degraded, deserted, oppressed, pillaged, is turbulent; and you listen to the selfish recommendations of her agitators. You seek not to know; or, knowing, you wilfully neglect her real distresses. If you can calm the agitated surface of society, you heed not that fathomless depth of misery, sorrow, and distress, whose troubled waves may still heave and swell unseen and disregarded;—and this, forsooth, is patriotism. Ireland asks of you a fish, and you give her a serpent. She sues for employment—bread—you proffer her catholic emancipation. And this I presume, sir, is construed to be taking into consideration the whole situation of Ireland.” (Loud cheering.)

Mr. Sadler then turned to the consideration of the principles upon which Ireland was governed; and, through the operation of which, she had been incorporated as an integral portion of the United Kingdom. “Turning then,” he said, “from the consideration of Ireland, where the sacrifice of protestantism would be a curse instead of a remedy, let us see what is the nature of the proposition, and what its effects, as regards the empire at large, of which Ireland is so important a part. It amounts, sir, to this: an inroad into the constitution of the country, and a preparatory movement towards its final extinction. All the rights which the constitution creates are conditional; if this implies disabilities and exclusions, the constitution of England is founded upon them. But they are such as are imposed for the general good, and have hitherto promoted and secured it. The meditated alteration militates against the latter, and destroys the spirit of the constitution. It demands qualifications, or, if you please, imposes disabilities of a two-fold nature on all whom it calls to serve the public in the legislative or judicial functions, or allows to be qualified for that service. At first it demands a pecuniary qualification—from the freeholders of England, who elect; from the members of parliament, who are elected; from the legislature, who make our laws; from our magistrates, who administer them—and even from our juries, who finally determine as to their applica-

tion—it still demands a pecuniary qualification. And it does so, as I conceive, on very intelligible grounds; for it appears expedient to identify the authorities of the country with its permanent interests; and again, and more emphatically, because the possession of property was deemed the most general, though certainly not the infallible, evidence of the possession of that information and knowledge which are essential to the due discharge of those important functions, which exist only for the benefit of all. It is thus that our constitution seeks to embody, not the ignorance and passions, but the wisdom and intelligence of the community. Political radicals seek to do away with this pecuniary qualification, and for reasons which will acquire ten-fold force if the measure before us is suffered to pass; for the constitution of England assumes a still more sacred character in demanding—secondly, a far greater certainty and scrupulosity, a moral qualification from all who make and administer, in the higher positions of the state, the laws of this realm. It has not only made christianity part and parcel of the laws of the land, but it has constituted its pure and reformed profession an essential ingredient in the established government; and, as long as I am permitted to think that principles are the springs of practice; that christianity is better than infidelity; that its purest and most liberal form is better than its most bigoted and corrupt one;—so long, in spite of the liberalism of the day, which is only another term for that spirit which strikes at the very root of christianity—aye, and in a neighbouring country soon hewed down the tree—I presume to think it has done so most wisely. If, sir, the profession of christianity in its purest form be the best guarantee of the faithful discharge of our private and social duties, it is much more so in those high and important functions, on which the character and happiness of millions depend; and it was thus that our ancestors judged and acted in founding and establishing our constitution. Nor was it with a view merely to secure to the country the full advantage of protestant principles, the best and most efficient form of christianity upon the earth, but to exclude popish ones—undoubtedly the worst—that they thus decided; identifying the latter, as they had abundant reason to do, with cruelty and arbitrary power; believing it to be detrimental to the interest and morals of the



community; and having had full experience of its tendency greatly to weaken, if not to withdraw, that allegiance which is due to the sovereign power of this protestant empire. But this moral qualification, now termed a disability, is, it seems, to be sacrificed; and yet lawyers in abundance, statesmen without number, tell us this is in perfect accordance with the spirit of the constitution. I have already said that the political radicals seek to do away with the pecuniary qualification; our religious radicals, for such they are, whatever they denominate themselves, seek to do away with the moral one. They allege that the superior light and information which has dawned upon the Romish faith has changed its character, and made it a fitting alliance for a protestant king and parliament. But has not the same amelioration been asserted, and far more truly, regarding the unrepresented part of the British community—and yet they were dispersed and put down; their agitators were never listened to; they were, on the contrary, forcibly apprehended, tried, and punished. But, sir, the popish agitators were tolerated in infinitely more seditious practices, if not actually encouraged by those who had the power to put them down; in order, as many of them think, to make a case for putting down the constitution. But the very principle which our ancestors thus happily established, which has produced such inestimable benefits to this hitherto prosperous country, is now, it seems, to be annihilated. All our securities are to be destroyed at one fell swoop.

"The time is come, we are told, when the question must be adjusted. Sir, the adjustment of a disputed question generally terminates in some mutual concessions; some reciprocal advantages; but here the reciprocity is all on one side. Will the authors of the measure point out any of its equivalents actually given in the bill before the house? There are none, unless their promises and professions are to be regarded as such, which some of us have now learned to estimate at their just value. The protestant faith surrenders everything, receives nothing. Even the securities, so much talked of, vanish at last into mere shadows. The measure, we are told, is satisfactory; but to whom? To the most zealous and devoted adherents of the popish cause, in all the pride of its growing demands and insatiable pretensions; and it is moreover accepted as the presage of better things to come.

"The lord lieutenantcy, an office of pageantry, is, it seems, to be continued protestant. But what protestant cares an iota about that, surrounded as the individual holding it will certainly be, by popish advisers? The office of lord chancellor is similarly reserved, but a Roman catholic may be the first lord of the treasury, exercising therefore far greater patronage. The place of the king, as a learned lord expresses it, must, it appears, still remain protestant; but some bigoted devotee of the church may conquer his way to the royal presence, be his prime minister, and become viceroy over him. But, sir, this last reservation I confess heightens the objection I have to the measure into abhorrence and disgust. What, sir, after having established by a solemn act the doctrine that conscience ought to be left free and unconstrained—that the disabilities of the nature sought to be removed inflict a disgrace upon the feeling of those whom they affect, and are intolerable to good and generous minds—worse than persecution, nay, than death itself—how do you apply it? Why, sir, you propose to scar this brand high upon the forehead, deep into the heart of your prince—you render the scar the more visible, the insult the more poignant, by making him the solitary individual whose hereditary rank must be so held and transmitted. Freedom of conscience to all his subjects, but none to your king. Throw open wide the portals of the legislature that a duke of Norfolk may take his seat in your senate; but hurl from the loftiest seat there, the throne of this realm, a duke of Lancaster, if he exercise the same privilege—if he presume to have a conscience. Hitherto the British constitution has been fair, equal, uniform. It demands the same moral qualification, as I have observed, from us all. The liberal school have long complained that these essential securities imply slavery; and the ministers who have adopted their political creed, nevertheless, are content—nay, propose that the king should be the only proclaimed slave in his dominions.

"I am aware that it is said that there is no danger where the population is generally speaking, protestant; but I do not confide in this assurance; as I am certain that this house no longer attends to the voice of the people on this important point. The right honourable secretary has indeed said that the petitions poured into this house, numerous and respectable beyond all former

example, since there was a house to receive them, afford the best security on this occasion; but he has heard his new friends night after night scrutinise those petitions as emanating from poverty, folly, ignorance, and bigotry. Where then will be this security when the national feeling shall have been successfully insulted, damped, and cried down; when it therefore shall have expired with disgust at the manner in which it has been disregarded, deserted, and betrayed. Other reasons powerful, as I think, in themselves, and far more important in reference to their results, press for utterance, but I will not trespass on the patience of the house by adducing them. I would rather recall to its remembrance that which has been delivered by the right honourable secretary of state, accompanied with the consequences with which he has so frequently and so ably connected them; delivered, I say, from his plan, which he still keeps, I regret to say, much more tenaciously than his principles. These, however, have not lost their weight in the country; and he has now the hard task of answering them himself. No talents inferior to his own, I speak it sincerely, would be competent to such a task. He can, however, like *Hudibras*, 'confute, change sides, and still confute;' and his new friends assure him that this is the true, dignified, consistent, and patriotic course.

"I see, indeed, that an oath is to be taken that verbally forbids Roman catholics who take it from harming the establishment; but such must be more or less than men to be enabled to keep such an oath. Totally inefficient as a security, it establishes a war between words and principles, and oaths and conscience; which will finally prevail, needs no explanation. When a number of Roman catholics, then, shall have been seated in this house—that they shall not be disposed to lessen, and finally to destroy, the influence of a church which they conscientiously abhor, is absurd; that they should not make common cause with other parties with similar views and feelings is impossible; and though I have heard honourable members inveigh strongly against the supposition, the sure operation of adequate motives will bring about this union, and will direct its energies and its efforts against the common object of their hostility—the establishment. Much indeed has been said about the weakness of such a

party in point of numbers; but a party acting invariably in unison on this point, will, as has been well urged, ultimately carry it, and with it all others of vital importance. They will form the nucleus of a growing party to whom the measures of the crown must always be rendered palatable, and who will consequently so far direct the policy of the country. Such has been the case in past times. The most important events that have ever occurred in the history of our country were carried by far smaller majorities than these could form acting together, and consequently holding the balance between other different parties in the state. Such especially were the revolution and the act of settlement; deliverances which, if they could have been accomplished at all, could have been secured only by wading to the liberty of England through seas of blood, had not popery been expelled from the legislature of the country.

"The protestant constitution now endangered, was first established in a convention called for that special purpose; and, without as full an appeal, and with equal formality, the people have no right to be robbed of it. I am fully aware of the legal fiction that parliament is omnipotent, but it is, nevertheless a fiction. The parliament is neither called to, nor is competent to alter the original framework, if I may so speak, of the constitution. Supposing, for instance, this house, in conjunction with the other branches of the legislature, were to enact that our seats should be perpetual, and not only for life, but hereditary, where is the man that will assert that we have a right or a power so to legislate? Suppose we were to abolish the representative system altogether, or take away trial by jury (hear, hear)—I repeat the question, where is the man that dares to assert that the power of parliament extends thus far? But as to the protestantism of the constitution, it is certain that our powers to change this in any degree are still more clearly and intentionally limited. We make a solemn declaration to this effect on taking our seats here, and mine has been too lately taken to be forgotten, however that of others may be. Under these circumstances, neither the established constitution of this country, nor the oaths and declarations taken by us, permit us to assume the right now so eagerly sought to be exercised; namely, that of throwing open the doors of this house to the admission of popery; to the scandal, dis-



grace, and danger of the protestant establishment in church and state. We have no lawful power for doing this. The people of England sent us not hither for any such purpose. They interdicted us, by solemn oaths and declarations, from daring to attempt such a course; and their voice is heard in their numerous petitions, which cleanse their consciences from the stain of participating in so foul a transaction; and I am persuaded that they will permanently and deeply resent it if we persevere in any such proceeding."

Such a maiden speech had seldom been delivered in the house of commons. The honourable gentleman sat down in the midst of loud acclamations of applause, and these were re-echoed from all parts of the country. This was the speech of the question; and although it carried not with it the winning eloquence of Canning, the gentle persuasion of Lansdowne, or the forcible inducement of Peel, it placed the argument against the bill before the British public (who, after all, were the arbiters of the destinies of Ireland) in its boldest light.

Mr. R. Grant took a very different view of the subject. He said that it might very well be supposed that the establishment of poor laws would render the majority of the people of Ireland independent of the theological dogmas of the catholic priesthood. But how far would these dogmas act? The causes of the distress of Ireland were not to be traced to any such measure as that. Ireland was a peculiar country, and required peculiar management. The true source of the evils to which the people of Ireland were subject, were not to be traced to the want of poor laws, but to the difference of theological opinions between that country and England, and in the representatives' ignorance of the actual state of the case; for, in his opinion, the real foundation of all their grievances was not to be found in the pursuit of their political privileges, but in the differences which induced one sect to malign another. That was the true cause of all the disasters to which Ireland owed its present state, and England all its anxiety and expense respecting her. That difference had occasioned a system of misgovernment from first to last, and had caused a continual endeavour to oppress the natives of the country. Sir John Davis, who was always considered to be a first-rate authority, had, again and again, propounded this as the source of all the evils from which

Ireland suffered. He said, that for more than four hundred years this system had been pursued; and the grand object of England seemed to be to drive the native Irish from the possession of any wealth or position in their own country. The legislators of the present day had called for the exaction of an oath to defend the protestant establishment against the exertions of the catholics; but, in acting so, they seemed to have forgotten the great advantages which England had derived from the existence of the catholic association—which had, in fact, defended the very points of concert among the catholic population which British legislators had been most anxious to protect; yet, in granting emancipation to the catholics, their first object was to put down that association which was the great safeguard that they desired, and upon whose extinction they insisted with the most persevering vehemence.

Lord Palmerston said that the object of this bill was to do away with the distinctions between protestants and catholics in their right to attain political greatness and social rights. If they were determined to refuse the catholics the rights which they sought, they must at once deny the existence of the catholics altogether, and make the country entirely protestant. Yet, in affirming that proposition they must ignore the rights of six millions of people. These six millions were all catholics. Good or bad, whether as subjects or theologians, there they were. They could not put them out of existence; and the question was, whether they should make them all enemies—fervent, combined, and potent,—or whether, by admitting them to equal political rights with their protestant fellow-subjects, they should convert them into able, energetic, and fervent friends. Their opponents would deny them seats in the legislature, and yet they had consented to admit them into positions in which their talents and their energies must be allowed to be, according as they were used, of infinitely greater importance to the state. A catholic could not be admitted into the parliament of Great Britain, where his vote must relatively be but of little consequence, but he might possess unlimited sway in the time of the greatest national danger as the commander of their armies. If the catholics were inclined to be traitors, what position could be more favourable for their purpose than that? How was it, then, he

would ask, that Roman catholics were admitted to naval or military commands? Not by laws enacted in the reign of Charles II.; not by laws originating in the revolution of 1688, but by a recent enactment, which was sanctioned, or which, at least, was unopposed by those very persons who cast those charges in the teeth of the catholics. Could they allow catholics to stand sentinels in their camps, and yet fear to trust them in the very centre of their country, where they were surrounded by their guards? Catholics might command their armies in the day of battle—in that perilous hour when the safety of England might hang upon the hidden workings of one man's heart—when the commission of one act, or the treacherous omission of one act might ruin all—they were content that that one man should be a catholic; they were willing, in that one and most important respect, to trust to the honour and the integrity of a catholic. But when the question was, whether a catholic should be allowed a seat in that house, where but little depended upon what was said or done by a few—where everything that was said or done was made as public as the art of man could make it, and borne with dawn of day on the wings of the wind to the utmost extremities of the empire,—there, in such a place, and under such circumstances, people were filled with alarm at his approach; they began to find out that his allegiance was divided, and they saw the ruin of the country completed by permitting a catholic to vote in a committee of supply. In truth, to refuse emancipation, because political power would be dangerous in the hands of the catholics, was, in fact, neither more nor less than to say that it would be dangerous to regulate for our own benefit the power which they already possessed. What was it that conferred political power?—numbers, wealth, and intelligence. Whether in the republic or the despotisms of the east, they who possessed these qualifications swayed the destinies of the people and controlled the will of the monarch. Let them look, then, to the catholics. They were numerous enough; wealth they possessed to their hearts' content; and as for intelligence, they were from day to day forcing it upon them with all the zeal and activity in their power; and thus, while they were every day becoming more numerous, wealthy, and powerful, and more enlightened, they were descanting

upon the evils which must accrue to the state, if the catholics should ever acquire political power. If they should ever acquire political power! Why, if those who swayed the wills of five or six millions of discontented men—who restrained, in a look, the angry and troubled passions of such a multitude—who held in the folds of their garments the dread alternatives of peace or war—if such persons were not possessed of political power, then there was no meaning in words, and no danger in names. A power of this kind could be exercised for no good end; it might destroy, but it could not save a state. He called, therefore, upon the house to turn these materials of discord into strength; and to imitate the skilful and benevolent physician, who from deadly herbs extracted healing balms, and made that the means of health, which others, less able or less good, perverted to the purposes of destruction.

Sir Charles Wetherell, the attorney-general, had, as was well known generally throughout the country, differed from his colleagues on the Roman catholic question to such an extent as to refuse to draw the bill; and yet he retained his office under a minister who was understood to deem unthinking submission to his word of command, on this subject, the only guarantee for retaining any place upon the treasury benches; and yet sir Charles still held the position of attorney-general. Lord Lowther, the postmaster-general, sir John Becket, and other members who were immediately connected with the earl of Lonsdale, also acted against the bill; but their opposition was languid and ill-defined, and they were in the possession of too much borough influence to be disturbed or insulted with impunity. The opposition of sir Charles, on the contrary, was ardent, earnest, and vehement; and the only reason that could be assigned for his not being displaced was, that the ministry could not reasonably overlook the claims of sir Nicholas Tindal, the solicitor-general, for the place; but had he been advanced, he must have vacated his seat as one of the representatives of the university of Cambridge, and the ministry still smarted too severely under their recent defeat at Oxford, to risk a second discomfiture. A signal declaration of opposition from both universities would have rendered any further proceeding in their measures by the ministry absolutely indecent before the country. They, therefore, avoided the step.



Wetherell was dismissed, and sir James Scarlett, who had formerly been a whig, was called into his place; while Tindal, who drew the bill before the house, was shortly afterwards rewarded with the chief justiceship of the court of common pleas. Wetherell might, perhaps, have remained attorney-general longer than he did, had he condescended to have made a tacit compromise with the ministry; but he was a man of high though eccentric character, and opposed them in a speech of such vehemence and force, as to produce a marked effect, not only in the house, but throughout the country at large. He did not know, he said, whether he ought to address the house as attorney-general, or simply as member for the borough of Plympton, which he represented. When he thought that he could retain office with honour, he had not quitted it; but when he thought he could not accept office with honour, he had not taken it. Differing in opinion with those honourable gentlemen with whom he had hitherto acted, he was called upon to deliver his sentiments on catholic emancipation, as the attorney-general of a protestant king, whose servant he now only nominally was. It had been said, that he was the only obstacle which prevented the university of Cambridge from having another member; but he had been the tool of no government in the acquisition of office, and he would be no tool in retaining it. If those who supported the question of catholic emancipation thought that by going to Cambridge they would make an acquisition to their cause, they might have an opportunity of doing so. He had declined to draw the bill on the table, because, looking to the oath which he had taken as attorney-general, he thought he should, by drawing that bill, be abjuring his duty, and drawing the death-warrant of the protestant church. That conclusion was come to after much cool deliberation; and he was ultimately convinced, that if he drew what he conceived would be the death-warrant of the church of England, he should be betraying his duty, as attorney-general, as much as Noy betrayed his duty when he drew out the order for raising of ship-money, or lord chancellor Jeffries when he signed the committal of the protestant bishops to the Tower.

After a long legal argument, supported by quotations from statutes and other historical documents, the learned gentleman arrived at

the conclusion, that the withholding from the catholics of several social, and particularly of legislative rights, was a principle of the imperial government before the revolution, at the revolution, and after it; and that it formed one great inherent part of the constitutional settlement. When, he said, he, as attorney-general, was called upon to frame an act of parliament, he very naturally looked for direction to higher authority than his own; and to whom, as a lawyer, could he refer with so much propriety as to the lord chancellor? He did so; and how could he, the attorney-general, prepare a bill which the lord chancellor had declared would subvert the protestant church of England? And he thought that he was covering himself with a strong shield when he placed himself behind the buckler of lord chancellor Lyndhurst. The bill before the house would, in his opinion, tend to subvert the protestant church which his majesty was bound, by his coronation oath, to support. If his majesty chose to dispense with the obligations of his coronation oath, he might do so; but, for his own part, he would do nothing to place his sovereign in the jeopardy of committing such a crime. When desired to frame this bill, he had thought it necessary to look over the oath taken by the lord chancellor on his installation, as well as that taken by the attorney-general. Hundreds in that house would remember the able, valuable, and impressive speech delivered, only two years ago, on this subject by the present lord high chancellor of Britain, who was, at that time, master of the rolls and a member of that house. It would also be in the recollection of hundreds, that that eminent individual—than whom no one was more acute in reasoning, more classic in language, or more powerful in delivery—had quarrelled with the late Mr. Canning on this very subject. Was he, then, to blame for refusing to do that, in his subordinate capacity of attorney-general, which a more eminent adviser of the crown, only two years ago, had declared that he would not consent to do? Was he, then, to be taunted, twitted, attacked for adhering to that which was so palpably his duty? He dared them to attack him; for he had no speech to eat up: he had no apostacy disgracefully to explain—no paltry subterfuge to resort to. He had not to say that a thing was black one day and white another. He had not been a protestant master of the rolls one

year, and a catholic chancellor the next. He would rather remain as he was, the humble member for Plympton, than be guilty of such self-contradiction—such unaccountable conversion—such miserable, shameful, despicable apostacy.

The learned gentleman then went into a discussion of the legal principles of the bill. He found, he said, that the sovereign of this great empire was restricted to be any other in religion than a protestant. The prime minister might be a catholic; and, in the event of such a case arising, that the ecclesiastical patronage, naturally enough, was to be vested in a commission. But by whom was this commission to be appointed? By the lord chancellor, who was also to be a protestant. This was called a security for the protestant establishment of this realm; a mean, an insufficient guarantee, which no man could trust. Was not lord chancellor Jeffries, in the reign of James II., a protestant?—and yet he signed the warrant for committing the protestant bishops to the tower, in order to secure the favour of a popish king. Was not lord Shaftesbury, who held the same office in the time of Charles II., a protestant?—and yet he was the ready instrument of popery at a time when all its evil influences were remembered and even felt in the kingdom. Who ever doubted that Charles II. was as much a papist as his brother James, who had at least the merit of declaring himself to be what he really was? And supposing even, that both the king and his chancellor were protestants, what reliance could possibly be placed upon the actions or the consciences of either?—when the prime minister, who directed all the movements of the state, and who was the chief adviser of the crown and the grand source whence all the influence of the government emanated, was a Roman catholic. In such a case, the more honest a prime minister was, the greater must be the danger which the country incurred; for, just in proportion as the spiritual inducements overpowered the temporal in a right-minded man, the greater must be the desire which he entertained to advance the faith which he believed to be the right one, and to degrade that which in his heart he considered to be erroneous. And this was the security which they proffered for the protestant faith of the realm.

There was, indeed, a clause enacting, that in the event of any bishop connected with

the see of Rome assuming the title of a British ecclesiastic, that he should be liable to a fine of fifty pounds; or for a second offence, one hundred pounds; and the penalty inflicted for certain degrees of legal offence went so far as two hundred pounds; and this was the price set upon the British constitution by the authors of this bill in the current coin of the realm. The very clause was drawn in such a way as to invite evasion of its own power; for, while the criminality of such an assumption was designated and declared, no positive punishment whatever accompanied the provisions so as to ensure its effect. He should like to know who drew up that clause, for it was a disgrace to any man who professed to have the slightest claim to legal training; and, indeed, the bill was so loose from first to last, that he as an Englishman would have been ashamed to waste either pen or paper upon any one of its clauses.

The strong vituperation of the attorney-general called up Mr. Peel, who closed the debate. He said, that the honourable and learned gentleman who had just sat down, was but little acquainted with the difficulties which the noble duke at the head of the government had had to encounter in bringing forward the measure before the house. Of that great personage he was anxious to speak with the utmost respect; for no man could act in all his relations of life with a more disinterested motive for the public benefit, and in no one instance of his life had he more evinced that prominent feature of his character than in forming the resolution of placing the bill now before them on the table. For himself, he would have been exceedingly glad if, after the declarations which he had made in his place in parliament, he could have retired from the ministry, rather than become the ostensible promoter of an act, which, however it coincided with his convictions, exposed him to the obloquy of saying one thing one day which he denied the next; but, with him public duty was at all times a paramount consideration; and believing that, under the present circumstances, the pacification of Ireland greatly depended upon the passing of some such measure as this, he had readily become the willing instrument of achieving so desirable an event. Several honourable members, and especially those connected with the government, had complained that the intentions of the cabinet were not made



known respecting this bill until within seven days before the meeting of parliament; but there might be, and there had been, circumstances through the influence of which it might be impossible, or to say the least, highly imprudent for any ministry to declare its intentions on any particular point; and such a one was this on which they were now debating. It should be recollected that this bill was only part of one general plan which had been adopted for the welfare of Ireland. One other portion had been the bill for the suppression of the catholic association. The honourable and learned gentleman who had just sat down, had voted for the bill by which that object was effected, but he refused to accede to the next step in the plan. His objections rested principally upon theological grounds; but it should be remembered that the catholic was not excluded from parliament on account of his religious opinions, but on account of some civil unworthiness which was supposed to render him incapable of taking part in the legislative functions of a protestant country. There had, he allowed, been this allegation long laid against the members of the popish profession in this country, but he had yet to learn where and when their good faith to the country and their fealty to the crown had been violated. When placed in the highest offices of trust, the Roman catholics had ever done their duty with honesty and zeal; and when, as in the case of the bill respecting the catholic association, the law was made to over-ride their principles and their prejudices, they immediately obeyed its dictates. He could not then, at that time, ascribe the difficulties of the question of admitting catholics to seats in parliament to their religious disqualifications. Holding this view of the matter, he had deemed it to be unnecessary to retain anything in the oath to be taken by Roman catholics, on assuming their seats in the legislature, which could interfere with their religious opinions. The declaration usually made by members of parliament against the doctrine of transubstantiation had consequently been abandoned. Of course the oath of allegiance was retained, and nothing was done that could possibly interfere with the protestant succession to the crown; but he had great reason to complain of the use which had been made of his expressions concerning the act of settlement. He had no disposition to alter that act, or in any way to affect the

protestant constitution of the country. The passing of the bill before the house would occasion no such mischief. There would in truth be no alteration of the words of the bill of rights, though there might be a slight deviation from the spirit of the revolution, when William III. was called to the throne. For himself he had nothing to gain but everything to lose by the measure. If it was not successful in the pacification of Ireland, he would have to bear all the responsibility; while, if, on the other hand, it was instrumental towards that great end, the credit must redound to others. In either case, the evil to himself must be greater than he could possibly describe; for it had occasioned the alienation of public confidence, and the certain loss of inestimable private friendship; but he felt that he had a great public duty to fulfil, and if that was satisfied, the great object he had to achieve of serving his country would be accomplished.

The house then divided, and the country was surprised to learn that 335 members voted for the bill, and only 180 against it, showing a majority of 155 in its favour. This was decisive on the principle of the measure, but its opponents still hoped to modify the terms of its enactments. During the 23rd, 24th and 27th of March, 1829, it went through committee, during which process several attempts were made to extract the main sting of the bill, while the members of the late catholic association looked on with sullen satisfaction. On the clause being moved, that Roman Catholics should be admitted to seats in parliaments, Mr. Bankes immediately proposed an amendment, that it must be left out; but after some debate it was negatived without a division, and it soon became apparent that the ministry had made good use of their influence during the recess.

Nevertheless, however discouraged by the result—on the clause being put that catholics should be allowed to sit in the legislature as representative peers of Scotland, Mr. R. Dundas opposed its admission, stating that it would violate the compact which had been solemnly entered into with Scotland by the act of union, in which it was expressly guaranteed that that country should always remain protestant, both socially and politically; and that it was expressly stated by the 25th article of the act. To this the lord advocate replied, that the principle of the act had always been, and was still, retained;

and that, although such was the case, there had always been a power reserved to alter any of the articles; and such, in fact, had been exercised within a very short time of its enactment, for an alteration of the oath of supremacy before the reign of William III. had expired; but nothing had been done, or was intended to be done, that would in the slightest degree alter the protestant character of the country. Mr. Bankes, who was himself also a barrister, and had attained considerable standing in the house, contended that the introduction of such a clause would amount to neither more nor less than a repeal of the union between England and Scotland. The Scotch members were determined to go to a division, but the amendment was lost by a majority of 158 against 54.

On the clause which required the lord lieutenant of Ireland and the lord chancellor of Britain to be protestants, the marquis of Chandos moved that papists should also be excluded from the office of first lord of the treasury; for he contended that the whole of the church patronage of the crown virtually was vested in his hands; while, from the interest which the prime minister, for the time being, must possess with the sovereign, and the influence which he must necessarily exercise over his coadjutors, it would naturally be supposed that if he did not use corruption directly, all his principles would, of course, compel him to use his influence adversely to the protestant faith. Mr. Peel opposed this amendment, as being contrary to that spirit of liberality in which the act was conceived. In point of real fact, the constitution recognised no such officer as prime minister. There must, it was true, be one leading man in the cabinet of a free country, but it was not of any necessity that the first lord of the treasury should fill that post. The first lord of the treasury had a definite department, and so had each of the three secretaries of state, and any one of them might occupy the post of prime minister. No fear whatever need be entertained of the ill-use of the ecclesiastical patronage vested in the premier; for in the event of his being a catholic, the bill provided that it should be vested in the archbishop of Canterbury for the time being. The rule then observed was that every one of the clerical appointments in the gift

of the crown must, of necessity, be countersigned by one of the secretaries of state; and, according to his apprehension, it was perfectly immaterial by which of them it was signed: so that, in truth, the very clause which the noble marquis wished to put out of the bill, was the best possible security for its preservation that the church could obtain. Mr. Bankes, Mr. Bright, and Mr. Trant, who all spoke in favour of the amendment, asserted that Mr. Peel had furnished the best possible reasons for allowing it to pass; for if it was intended to restrict the first minister of the crown from the due exercise of the functions of his office, and what were there equal to the apportionment of its spiritual patronage?—they had better declare the exclusion of the Roman catholics at once, instead of leaving the capacity of one of the most important personages of the realm to a supposed inference. Mr. Peel, however, persevered, and the amendment was lost, as were also others, moved for the exclusion of Roman catholics from the office of privy councillor, and from the post of governor of any of the colonies.

The bill having passed through committee, the third reading of it was taken on the 30th of March, when the advocates of protestant ascendancy again made a strenuous effort to put it back; and the marquis of Chandos moved, on the motion that it should be read a third time, that it be read that day six months. This was lost by a large majority, there being three hundred and twenty votes against it, and only one hundred and seventy-eight in its favour, showing a majority of one hundred and forty-two in favour of the bill.

Thus was this great measure, which effected so large a change in the British constitution, carried in three weeks, by overwhelming numbers, through the lower branch of the legislature, after it had been vainly agitated for nearly thirty years by the ablest statesmen and most eloquent senators of the age; and this, too, chiefly through the instrumentality of the man who, for nearly twenty years, had been its most ardent, able, and systematic opponent. The next day Mr. Peel, accompanied by a large number of members, carried the bill up to the house of lords, and it was introduced to that branch of the legislature.



## CHAPTER XXIV.

THE CATHOLIC EMANCIPATION BILL DEBATE IN THE LORDS; THE BILL PASSES, AND BECOMES LAW.



HE bill was read a first time on its introduction to the house of lords, as a matter of course; but a strong debate ensued on the proposal of the duke of Wellington, that it should be read a second time, two days afterwards.

This was keenly opposed, as exhibiting a very indecent haste in a matter of so much importance; to which the reply was made, that it was not pushed with greater rapidity than that which was used in passing the bills causing the evil which this was intended to remedy; that the question had already been sufficiently debated; and that it was impossible for any one of their lordships to be unacquainted either with its principles or its objects.

Their lordships were ultimately forced into an adoption of the motion; and, on the 3rd of April, 1829, his grace rose to a large assemblage of the peers, to move that the catholic disabilities relief bill should pass its second reading. He said that he should have felt himself unworthy of the eminent position which he held in the councils of his sovereign, if ever, since his accession to office, the state of Ireland had not engaged his most anxious attention. He could not forget that that country formed a most important part of the imperial dominions, and that it was in a state of almost complete anarchy; during the existence of which neither life nor property could possibly be safe. Various devices had been adopted for putting an end to this state of turbulence, but one after the other they had all failed; and there had arisen within Ireland, of late years, a power which was altogether beyond the reach of the law; a power which, consolidating itself into a form approaching to the organisation of their lordships' house, exercised a control over the people, which no officials of the government had ever been able to emulate. This was a state of things which could not possibly continue; and which, if not suppressed, must ultimately progress to a condition highly dangerous, if

not in the end fatal to the peace of the state. Much, indeed, had been affected by the passing of the late bill for the suppression of the catholic association; and the Irish people had submitted, with a remarkable docility, to the injunctions of that precept; but it must not be forgotten that the vast majority of the people of Ireland were Roman catholics; that they retained the prejudices, and acted under the promptings of their religion with a singular tenacity; and that they only submitted with the understanding, and indeed with the tacit assurance that the bill, or some such bill as that now under their lordships' notice, should be passed into a law—so as to give them a right to seats in both houses of the imperial legislature. He was aware that he had himself opposed the introduction of such a bill; but, as the rulers of a great country, they were bound to govern, not according to preconceived impressions, but in consonance with the circumstances that might transpire under their daily or hourly experience. He was aware also that there were two great parties in Ireland, and that the protestants had been uniformly loyal, while the catholics had, in many instances, evinced an insubordinate and almost rebellious spirit. He had little doubt of the power of the government to put down any insurrection that might arise in Ireland; but that could only be done by force, and by arming one part of the population against another. At the best this was a dangerous and terrible remedy; and one that no wise man would, if he could avoid it, incur the hazard of inflicting upon any country. It had been his fortune to be largely engaged in warlike operations, and especially in those of civil war; and he could therefore speak from experience, of the ruined homes, the desolated fields, and the demoralized character of a nation. Would their lordships enter upon the moral responsibilities of causing such outrages in their own country as those they had read of as constantly taking place on the continent? For his own part he must acknowledge that he shrunk from them; and as there was

another way open to them for reconciling the people and settling the peace of Ireland, he most gladly embraced it; and would do all that lay in his power, whilst he held the place which he now had the honour to occupy in his majesty's councils, to secure its achievement. That way was to soften the asperities which then existed between the principles of two antagonist churches. Their lordships must recollect that the Roman catholics in Ireland and in Britain were as much his majesty's subjects as were the protestant inhabitants of the realm, and were entitled, irrespective of their religious opinions, to all the political rights which were enjoyed by the other residents of the country. Religious opinions had often been mooted as a cause of distrust; but had not the loyalty of the catholics to the throne been proved in a thousand instances? He had seen it tested, times out of number, on the most trying occasions; he could perfectly rely upon it; and he trusted, therefore, that when their lordships surveyed the dangers that must result if they refused the bill, and the benefits that must accrue if they granted the concessions claimed by the Roman catholics,—that they would, by passing the bill before them, place all the subjects of the crown, socially and politically, upon an equal ground. His grace concluded the longest and most energetic speech that he ever made in his parliamentary career, by moving that the bill for the relief of catholic disabilities be read a second time.

The archbishop of Canterbury rose, he said, with no small difficulty to encounter the speech of the noble duke who had just sat down. It was a masterly, an able, and an effective speech, and was worthy of all the weight and consideration that was due to the thoughts of the eminent individual by whom it was uttered. He himself would much rather have given a silent vote; but, recollecting the position which he held in the Church of England, and the principles which he had always professed, and which he still held, he could not refrain from saying, that he should, in its several stages, give to the proposal before their lordships his most strenuous opposition. What excuse, he would venture to inquire, could there be alleged for this infraction of the constitution? No reason that he could perceive existed for it. The state of Ireland was neither more nor less dangerous than it had been ever since the very day on which

catholic emancipation had been first bruited. The political associations of Ireland had, in one form or another, existed since she became subject to the Church of Rome; and always would exist, so long as that dominance continued. So far as he could learn, the granting of what was called emancipation would prove to be of no service to the lower and middle classes of the country. They already possessed the electoral franchise, and could vote for any candidate for parliament that they chose, and thus had as great an influence in the government of the country as any protestant. Their religion was tolerated to its utmost extent. Its members had access, through the repeal of the test and corporation acts, to all the municipal institutions of the country. The Roman catholics therefore had no reason for complaint; for all the evils under which they professed to labour had been voluntarily remitted by a protestant parliament. Exclusion from seats in the legislature could only affect a few of the people of Ireland, and those of the highest class; and these could give no security whatever for the preservation of that faith and that protestant establishment which was the glory and the security of Britain. Looking at the measure in every way, he saw only that it was fraught with danger in every branch of the empire. It was well known that the Church of Rome was an arrogating and an assuming church,—that it was a proselytising as well as a persecuting church, and that it never failed to seize and hold any vantage ground which it could possibly obtain; and that the ground which it occupied was invariably deluged by theological dogmas, and oppressed by priestly tyranny. One of the great objects of the constitution of Britain had been to guard the country from these two pestilent evils. This was the great cause of the revolution of 1688; and the bill of rights was simply passed in order to secure the protestant faith. But what became of the security if the measure before their lordships was to become the law of the land? No minister of the crown—not even the first minister of the sovereign, except the lord chancellor, was required to be a protestant. Was it at all unreasonable to suppose that in the event of the secretary of the home department being a catholic, that he would act as a conscientious man, and place those persons in the livings under his control who were most likely to injure the Church



of England? He was aware that there was a clause in the bill for preventing jesuits from staying in the country longer than six months without a license; but who was likely to entertain, for a moment, the supposition that the members of that body, who had evinced so much craft, courage, and perseverance in all their history, would not find their way, with the connivance of the minister, into the livings as incumbents of the Church of England—into her schools as masters and supervisors of her children—and thus obtain the power of fatally misleading the minds of the people? This country had usually been considered as the fountain and head of protestantism in Europe; and as the place of security, whence the professors of true religion might not only look for refuge in times of danger, but also at all periods derive encouragement and hope from the example and countenance of its government. What hope would remain that this advantage would be continued, in the event of the holder of the seals of the foreign department being himself a Roman catholic? None whatever. And thus the great principle, and he would add, the greatest privilege which this country possessed, would be lost, never possibly to be regained. Christianity would lose its best protectorate, and superstition and tyranny obtain their greatest advancement. If he looked again at the office of the colonial secretary, what satisfaction was there to be derived from the bill in that respect? None, again, whatever; but only a melancholy foreboding of evil; an evil, too, which entailed a moral responsibility at which he dreaded to look. Britain was the grand seminary from which was disseminated all those great social and Christian principles by which our great empire in various and distant parts of the world were influenced. British colonization had always been accompanied by a strong influence upon the character of the people where the colonists settled; and thus it was that, just in accordance with the purity of the principles disseminated would be the amount of truth spread abroad for the benefit of mankind. He need not say that, by the revolution, by the acts of settlement, and by numerous other acts, the constitution had stamped its mark of reprobation upon the faith of the Roman catholic priesthood; and yet who should prevent a Roman catholic secretary for the colonies from diffusing error throughout the length and

breadth of this great empire. For these reasons, and because he relied upon the king's adherence to his coronation oath, he should, he repeated, give his most strenuous opposition to the bill then before their lordships.

The bishops of London, Durham, Norwich, and Oxford, also spoke upon the bill; but all of them opposed it, as well as those who did not speak, except the bishop of Oxford, who supported its provisions.

The marquis of Salisbury said, that it had fallen to his lot, at the beginning of the session, to move the address to the crown in reply to the king's speech; and when doing so, he had certainly advocated conceding the claims of the catholics; but at that time he had been led to believe that efficient securities would be taken by the government for their good faith. In the present bill, however, he found no such security; for the oath to be taken by any member of the Romanist community on taking his seat was altogether a futility—to say the best of it, there was such a laxity in the phraseology employed in framing it, and there was such ample opportunity provided by the Romish church for evading its terms altogether, that it amounted to no security at all; and he should therefore vote against the bill.

The marquis of Anglesea, (who had only three months before been recalled from the lord lieutenancy of Ireland on account of his evident adhesion to the cause of the Roman catholics, which was exhibited, not only by his overlooking, in his official capacity, the strong expressions frequently used by members of the Catholic Association; but also by the open attendance of persons in his household, and even of his own family at its meetings, when the most seditious language was used by the speakers,) rose to support the motion. He said that he entirely concurred in the observations made by the noble duke at the head of the government in his opening speech, when he introduced the measure then under their lordship's consideration. Like his noble friend he had had much experience in warfare, and had seen not a little of civil war; and its evils he had always found to be just in proportion to the warmth and excitability of the people among whom it was carried on. No people among whom he had ever dwelt went beyond the Irish in these particulars; and moreover, they entertained an amount of affection for their faith, and for the prejudices in which they

had been educated. Besides all, they were a high-minded people, resolute to achieve what they had once begun; and they felt therefore that the exclusion from places of trust, and from seats in the legislature, was a personal degradation and a national disgrace. From this source it was that all the late troubles had arisen in Ireland; and therefore they were determined to get rid of this bond of difference, and to place the catholic community quite on a par with the protestant. No stop had been put, or could be put, to the violence of their proceedings, unless their lordships adopted the tone of friendly conciliation presented in the bill then lying on the table. In consequence of the feelings of hostility generated by the sense of degradation and deprivation of rights to which he had alluded, it had been found necessary to keep an army of not less than forty thousand men constantly on the alert in Ireland. If this measure, however, should be passed, all the causes for this irritation and turbulence would immediately cease, and the necessity for the expense of employing these men would also cease. Now let their lordships look on the converse of this picture:—supposing Britain to be again involved in war, what was so open a point for attack as Ireland? Where, under present circumstances, would the enemy find such ready co-operation? The whole population would be against us; and the mischief, the expense, the delay, and the danger which they would occasion would be incalculable. He did not hesitate to say that the passing of this bill would be equivalent to the use of not less than one hundred thousand bayonets in Ireland. Prudence, as well as justice, therefore called for their lordships' assent; and he therefore should most decidedly support the bill.

Lord Lyndhurst had the difficult duty to perform of answering himself. No one member of either house was a more excellent debater. Fluent, rhetorical, finished as a speaker, his natural talents and his legal attainments were universally allowed to be as solid as their exhibition was brilliant. No one of the assailants of Canning, on account of his opinions on the catholic question had been more poignant or overwhelming than himself; yet he had now to contravene the whole of his former opinions, and to express himself in precisely opposite terms to those which he had used only two years before. With a ready gracefulness, he cast aside all thought or appearance of

consistency; and argued, from his knowledge of law, that there was nothing whatever in the principles of the constitution that at all militated against either the passing of the bill, or the king giving his assent to the measure. He entered into a long legal review of the different points contested; and ultimately arrived at the conclusion that it was not only more wise, but more constitutional, to pass them than to refuse the bill before the house.

The marquis of Lansdowne, and all the other leading whig peers, supported the bill: the most distinguished among the speakers being earl Grey, who delivered a long and very elaborate address; in the course of which he reviewed the whole progress of the parliamentary proceedings on the subject—adducing, among other topics, the past and present state of Ireland; the determined inveteracy with which their claims had been pursued by the catholics; the turbulence and other evils which had ensued, in consequence of their constant rejection; and the benefits which were likely to accrue both to England and Ireland, in the event of the bill being passed.

The aged ex-chancellor, lord Eldon, who had alone been an earnest and consistent advocate for what he considered the protestant purity of the constitution, spoke "more in sorrow than in anger," upon the defalcation of all his former friends; and seemed to have lost all vigour from the apprehension of certain defeat. The duke of Wellington closed the debate with a short but terse reply, in which he reiterated his apprehension of the extremity of civil war being likely to arise if the bill should be lost; and the house then divided, after four nights of ardent debate—when there appeared two hundred and seventeen votes for, and one hundred and twelve against, the motion for the second reading—showing a majority of one hundred and five in its favour; a number which, after the uniform rejection of similar measures by the house of peers, notwithstanding the large majorities by which they had been carried in the commons, startled the nation with a feeling of astonishment.

The third reading was taken on the 10th, when a strong debate again ensued; and great opposition by the earl of Winchelsea, lord Eldon, the earl of Shaftesbury, and other of the principal peers in the protestant interest; but the bill was passed by almost as large a majority as that which



had sanctioned the second reading—there being two hundred and thirteen for, and one hundred and nine against the bill—showing a majority of one hundred and four for the ministry.

On the 13th of April, 1829, the bill received the royal assent, and became, after nearly thirty years' conflict, the law of the land.

## CHAPTER XXV.

## IMMEDIATE RESULTS OF THE CATHOLIC EMANCIPATION BILL.



THE passing of the Catholic Emancipation Bill certainly startled the country; the more so, as the ministers whose reputation, character, position, and perseverance had been the most influential in staying its progress

in the political tide of affairs were the very men through whose instrumentality it became part of the constitution of the country. It was well known that the feelings of the king were against it at the time it was adopted. A few years before, this was very different. He had commissioned lord Wellesley to form an administration, but the noble marquis had failed. He had constituted Canning prime minister of state, and lord Wellesley was made viceroy of Ireland, but had grown an older man. He had been kept far apart from the world, and his reluctance to countenance any such measure appears to have been extreme. On the 28th of September, 1828, the duke of Wellington had written to the marquis of Anglesea, who was at that time lord lieutenant, to intimate that the catholic question was "a subject, of which the king never hears or speaks without being disturbed."

On the 11th of November, of the same year, the duke made another communication to lord Anglesea, stating that the king felt strongly the indignities cast upon his government by the proceedings of the agitators, and the connivance which allowed them to be continued with impunity. After referring to those measures of the viceroy which were considered to evince a friendly and encouraging disposition towards the Catholic

Association, the duke said—"I cannot express to you adequately the extent of the difficulties which these and other occurrences in Ireland create in all discussions with his majesty. He feels that in Ireland the public peace is violated every day with impunity by those whose duty it is to preserve it; that a formidable conspiracy exists; and that the supposed principal conspirators—those whose language and conduct point them out as the avowed principal agitators of the country—are admitted to the presence of his majesty's representative in Ireland, and equally well received with the king's most loyal subjects."

On the 19th of the same month, his grace added, in a subsequent letter—"I might, at an earlier period have expressed the pain that I felt at the attendance of the gentlemen of your household, and even of your family, at the meetings of the Roman Catholic Association. I could not but feel that such attendance must expose your government to much misconstruction. I was silent, because it is painful to notice such things; but I have always felt that if these things should remain on the king's mind—and I must say that recent transactions have given much cause for them—I could not avoid mentioning them to you in a private communication, to let you know the embarrassments which they occasion."

Lord Anglesea was shortly afterwards deprived of the lord lieutenantancy; and the duke of Wellington admitted in the house that he had been, during the whole summer and autumn, endeavouring to obtain the royal assent to the measure; and that it was only within one week of the meeting of parliament, in February, 1829, that the concession of the catholic claims was wrung from the

king. It is even reported, that on the night when he yielded to the pressure of his ministers, sir Robert Peel and the duke of Wellington had to remain with him in earnest solicitation until between one and two o'clock in the morning. There is little doubt but that the king was, in the early part of his life, favourable to some such measure as that which the ministers had succeeded in passing. But a vast change came over the character of George IV. at the death of his brother, the duke of York. As brothers, he and the king had been most tenderly attached to each other, and that they often took counsel together is well known. The duke had been always loose in money matters; but he was a zealous protestant and a man of the strictest integrity of intention, and resembled his father, king George III., in character more than any other member of his family, perhaps, with the exception of the duke of Kent. He had, at all times, great influence over his brother, George IV., and almost the last act of his public life was speaking and voting against the Catholic Emancipation Bill, in a previous year, in the house of lords.

To whom, then, is the honour or the discredit of the conception of the measure of 1829 to be ascribed? The king yielded to it with evident and great reluctance. The opposition were powerless in everything, for they were invariably beaten by large majorities; and most of the ministers had been repeatedly pledged, not only against the principle of the bill, but also against every measure of a collateral nature. None of them, but the duke of Wellington or Mr. Peel, had anything to gain by its success, except, in so far, that, in obedience to their master's instructions, they kept their places; of which adherence lord Lyndhurst, the chancellor, afforded in his own conduct the most notable instance.

That the government had been greatly worked upon by the events in Ireland there can be little doubt. Lord Anglesea, after having been repeatedly reprov'd by the duke of Wellington for his connivance at, or his allowance of, the most violent partizans of the Roman catholic faction, had been recalled; and, on the 19th of January, in this same year of 1829, left the vice-regal residence, amidst the enthusiastic escort of the populace of Dublin. About the time of his departure, an immense meeting of the Roman catholic body, including peers, pre-

lates, commoners, and the better class of civilians, was held at the rotunda, in the capital, where O'Connell was the presiding genius. Full, fierce, declamatory harangues were made by himself, Shiel (who was an excellent second), and the other leaders of the Roman catholic movement, in favour of catholic emancipation. From that moment the question of the veto was dropped totally, and for ever. Negotiations had been attempted by the British government with the pope, but his holiness remained inflexible. He declared that he would assent to no arrangement respecting the appointment of the Roman catholic bishops, until the concessions demanded by his spiritual subjects in Ireland were granted; and he triumphed, for the British government gave in. It is a futility to suppose that a man like the duke of Wellington, who had been nearly all his life engaged in warfare, should be afraid of the outbreak of a population without arms, without concert of interests, and without settled plans, when a far greater outbreak than he could possibly apprehend had been put down in 1798; when that very population had been stimulated by able and energetic leaders, aided by the great ruler of France, with money at their disposal, furnished with arms, and backed by a foreign contingent; when Britain was engaged in a mortal conflict with almost the whole of Europe. The duke of Wellington was a greater general than statesman. He had few of those broad-cast views by which Pitt and Canning had sown the seeds of future greatness. He had, under severe and very difficult circumstances, been accustomed to expedients; and he had, under Providence, surmounted all his difficulties by his boundless amount, and energetic use, of resources. He had none of the consistent principles of Pitt or of lord Liverpool, who both were desirous of achieving a distant end. He had been accustomed to act upon the impulse of the moment, and to secure success by the rapidity and determinateness of his action. He had happily met with a man of equal daring, though in a different way to himself. Robert Peel was the grandson of an obscure farmer; he had risen into wealth and position upon the swelling wave of the nation's greatness. He had intellect; he had endowments; he was one of Oxford's most favoured sons, and he had wrestled for years in the great arena of intellect with the brightest spirits of the age; but he had no principle on which to rest his political



character. He knew that humanity was weak, and that mankind, in general, will more readily conform to that which is easy and convenient, than contend with that which is at all times disagreeable, and may be profitless. He was a man of expedients. The duke was, with respect to catholic emancipation, pledged to nothing, for he had repeatedly voted on both sides of the question. Peel was pledged to everything, for he had been the mainstay in the commons against it more than any other man; even when Castle-reagh, his colleague, and a far greater man than he, was opposed to him on the subject; and he appears to have been the main means of bounding Canning to his death, because that great statesman refused to shut the ears of the cabinet against the claims of the catholics. Peel, moreover, was a statesman, and not a warrior, and a statesman of peaceable times; and he would rather, therefore, evade a difficulty than encounter it. The duke of Wellington wanted a help, and he found a ready one in Peel, who was a practised debater, and at all times equal to a political crisis. The duke was admirable as a director of bureau, but Peel was essential for drawing the resolutions of parliament. That the duke was only secondary in this matter of the Catholics' Relief Bill is evident, from the fact that he had never taken any particular part in the catholic debates; and he had, therefore, no particular points of conscience to sacrifice. Peel had always taken a most active, decided, and influential part in the debates against the claims of the catholics, but he was a man of small conscience, and had, therefore, little to sacrifice in turning round and speaking point blank against all his former apparent convictions. Peel was a man who had risen from the body of the people, and was never a frequent attendant upon the halls of the nobility. Consequently, he had nothing to throw overboard, in the way of historical association, in advocating a measure of such great importance. That, in political life, he had but few scruples to overcome in departing from his previous opinions, is evident from the whole course of his political career. He dissevered the cabinets upon lord Liverpool's death, because he opposed the catholic claims. On attaining office again, he was the first to oppose those claims. He was driven from office by the requisition of the country for reform, and was the most eminent of those, when the Reform Bill was passed, to take it as an accomplished fact;

and never attempted to disturb its provisions, though he had contended that it would be ruinous to the constitution. Up to the spring of 1844, he was the consistent and energetic retainer of the corn laws; and opposed, in that and the following year, lord John Russell's motions for a small fixed duty on corn. The year after, about the same month, within ten feet of the spot from which he had previously spoken (only, indeed, on the other side of the table), he spoke for, and carried, the abolition of the corn duties altogether.

It, at first sight, seems difficult to assign any adequate motive for such great changes in a statesman's conduct; but every statesman is entitled to the credit of the great things which he may effect, and to Peel is evidently due the merit of carrying the bill for the admission of catholics to seats in parliament and to offices in the state. Such was the conduct that he pursued with regard to the catholic question. That what was passing in the ministerial councils was well known in Dublin, is also evident, from the circumstance that Mr. Pierce Mahoney was dispatched early in the year to London to consult with the ministry; and that looking in vain in Downing-street, he proceeded to the marquis of Salisbury's seat near Hatfield, in Hertfordshire, where he had interviews with the two chief men of the ministry, by whom he was recommended to keep the chief agitators in Ireland quiet. The advice was followed; and the Catholic Association, as has been before observed, became silent before the bill for its suppression had passed the legislature.

The plan of government for the pacification of Ireland embraced three points—the suppression of the illegal conduct of the leading men among the catholics; the granting of the general political claims of the catholics; and the prevention of the abuse exercised over the minds of the people by the Romish priesthood. The first object and duty of government, however, was to sustain the existing law; and this was done by giving Mr. O'Connell notice that he could not sit in the house of commons without taking all the oaths which had been prescribed to members of parliament on assuming their seats. One of those was the oath of supremacy, and this Mr. O'Connell had vowed that he never would take. He had been elected by a large majority as member for the county of Clare, in the room of Mr. Vesey

Fitzgerald, who had assumed office in the Wellington administration, and on the 15th of May, 1829, appeared at the table of the house of commons to take the oaths and his seat. He was introduced by lords Ebrington and Duncannon. On the oaths being tendered to him he passed his fingers over those of abjuration and supremacy, and refused to take them. The circumstance was reported to the speaker, who immediately ordered him to withdraw. Mr. O'Connell stood for a few moments in perfect silence—when the order was repeated, and he claimed a right to be heard in his place in defence of his seat. The speaker again repeated his order to withdraw, which Mr. O'Connell, bowing to the chair, immediately obeyed. A debate immediately ensued as to whether he should be heard at the bar or in his place; or indeed, as to whether he should be heard at all. The most distinguished members on the opposition side of the house, Mr. Tierney, Mr. Brougham, sir James Macintosh, and others, all advocated the principle that the dignity of parliament would be violated if any of its members were excluded from the house without the perpetration of any offence; and that, moreover, it was a violation also of the rights of the people to debar any of their representatives from exercising their undoubted privilege of appearing and speaking in the house of commons. The members of the government and all their supporters, on the other hand, contended, that although returned by any constituency as their representative, no individual could sit as a member of the house of commons unless he took the oaths prescribed by the act of settlement. During the whole of the night the debate was warmly conducted on both sides, and was at length adjourned till the 18th instant.

On the resumption of business by the house on that evening, Mr. Peel rose and moved that Mr. O'Connell be heard at the bar. A general acquiescence was, after some brief remarks, given to the motion; and Mr. O'Connell, who had been ready with all his authorities three days before, appeared at the bar accompanied by Mr. Pierce Mahoney, who found out for him all the references in the books as he went on. He made a very long and most argumentative appeal, citing all the best writers upon the subject, and the several decisions of the most eminent judges upon similar cases, with those of sir Henry Monson;

who, on the 13th of February, 1689, followed immediately by sir Michael Fanshawe and Mr. Archbold, all of whom had refused to take the oaths, and claimed their seats in a similar way to himself, and obtained them. He concluded his speech with a long peroration, which was a master-piece of declamatory eloquence. An animated debate again ensued; but his claim was negatived by a majority of one hundred and ninety to one hundred and sixteen, on the ground that the words "and thereafter" had been introduced into the Catholic Relief Bill to meet exactly such a contingency as the house had then been called upon to consider; and that the act of Union required that every member on taking his seat in the house of commons, should take and subscribe the oaths required by the orders of the house.

O'Connell returned to Ireland, where he was received with the wildest enthusiasm as the great champion of the national rights; and a new writ having been issued for Clare, his progress from Dublin to Ennis was one continued scene of uninterrupted triumph. At a considerable distance from every town and village he had to pass through, he was met by all the principal residents of the place on horseback, and great numbers of the other inhabitants on foot, who escorted him into the place, entertained him free of cost, and conducted him until they met others from the next parish or district; his carriage and presence being everywhere hailed with the most vociferous and affectionate acclamations. Never was hero greeted with such loud and ardent tokens of attachment. He made courteous proffers to the Fitzgeralds, who were the principal proprietors, to resign the county if they would set a borough free for his reception; but they held off with sullen indignation, and refused to come to any terms whatever with him; and he was returned without opposition. The third portion of the plan for the pacification of Ireland had yet to be carried out, and the ministry forthwith proceeded to its accomplishment. For many years past the right of voting at the elections for members of parliament had in Ireland been enjoyed by all those who were freeholders to the amount of forty shillings per annum. This class of persons, who were generally existing in a state of squalid penury, had been originally created by the gross political corruption of men who jobbed with their estates for places and pensions with the most atrocious unscrupulousness. With



the view of increasing their influence over their tenantry, they endowed immense numbers of them with a fictitious property, over which they retained an unlimited power: so that the tenantry, having the fear of instant ruin before their eyes, were at all times ready to vote just as their landlords directed. So much at length did this system prevail over the whole island, that the boroughs of Ireland came to be looked upon simply as private property; and they were often absolutely inserted in marriage settlements as so much money in the dower of the bride. Their numbers would, at any time, turn the scale, for they were enormous. Whereas, in the rich agricultural county of Bedford, in England, the number of forty-shilling freeholders was only four thousand; in the extensive county of Devon, only six thousand two hundred and ninety-eight; in Durham, only three thousand eight hundred; in Glamorganshire, one thousand two hundred and eighty-four; in the metropolitan county of Middlesex, only ten thousand; in Sussex, five thousand five hundred; Westmoreland, four thousand three hundred and seventy: in many of the counties of Ireland in 1825, when the account was taken, they amounted to from ten to eighteen thousand, and in some instances to more, while the contrast between the two countries may be shown by the circumstance that, throughout the whole of Ireland there were at that period not more than thirty-two towns which contained more than five thousand inhabitants. There were, therefore, in this mass of voters,—who were totally ignorant, always vicious, and in the extreme superstitious—the ready means of corruption, of which the landlords constantly availed themselves; but, being generally persons of ardent temperament and earnest affections, they were actuated by passions which the blatant demagogues of the time constantly played upon; and over which O'Connell exercised the most supreme control and which, indeed, enabled him to oppose, through the Rockite and other secret societies, an effective resistance to the efforts and provisions of the most strenuous government. Indeed, he was accustomed to call them *his* forties; and, to all intents and purposes, he was, through their agency, actual king of Ireland. This evil the imperial government determined to remedy; and therefore soon after the passing of the catholic relief act, Mr. Peel introduced a bill for raising the county franchise

from two pounds to ten pounds for every freeholder. This was the more necessary, for it was found that the constituency lay chiefly among the country voters. The bill met with but little opposition in the legislature, for all were convinced of the monstrous evils it was intended to remedy. An attempt was indeed made to alter the clause, which prescribed that the qualification for voting should not ensue, until the freeholder had been in possession twelve months. The object of the amendment was, to reduce this term to six months, but it was immediately lost, and only seventeen members were found to vote against the principle of the bill.

Thus ended the third act of the great drama of revolutionizing, so far, the constitution of the country as to set aside the spirit of the act of settlement of William III., which was intended to perpetuate the principle of protestant ascendancy within these realms. Nor was the machinery by which this great result was brought about, less remarkable than the end it wrought. O'Connell, in 1827, and during the course of 1828, had entirely remodelled the catholic association; and, wisely perceiving that without funds it would be useless to make any great national demonstration, he procured the adoption of a plan, through which two Roman catholic churchwardens were appointed in almost every parish in Ireland. One of these was chosen by the priest, and the other by the people; and they were empowered to collect money every week, under the name of *rent*. This money was remitted weekly to the secretary of the association, at Dublin; by whom it was appropriated, in the first place, to the support of those by whom the great agitation for catholic emancipation was kept alive, and then to the various expenses; such as the holding of public meetings, the missions of delegates to the capital or to different parts of the country, and all the other outlay which such an effort necessarily occasioned. The money came in most readily; for the high and low, rich and poor, of the Roman catholic population, contributed to the fund with proportionate liberality. During one of the weeks of its collection it amounted to more than two thousand four hundred pounds; in another, to one thousand five hundred pounds; and afterwards settled down, for some time, to more than five hundred pounds per week. During the Clare election, when Mr. O'Connell's party had already spent upwards of fourteen thou-

sand pounds, and they were beginning to be short of money—an agent was sent down to the city of Cork, and in six hours collected upwards of three thousand pounds; one gentleman alone giving six hundred pounds out of his own pocket: so great was the enthusiasm felt in the cause, and so eager were the people to show their affection for O'Connell.

All the principal catholic nobility and gentry earnestly participated in this great movement, and by these, O'Connell was always largely aided. Among his chief immediate supporters were Mr. Shiel, a barrister, and the author of several most beautiful dramatic writings, and whose trenchant and brilliant eloquence told with the most sparkling effect upon the warm feelings of an Irish auditory; Mr. Pierce Mahoney, a gentleman of the highest respectability, and in very extensive practice as a solicitor in Dublin; and Mr. Thomas, or as he was usually called, Tom Steele, who generally undertook the arrangement of the great meetings, and acted as the chief locomotive agent of the association. The latter was a man of infinite humour, the most restless activity, and of great readiness of resource. With the attainment of catholic emancipation his mission was finished, and he died some years afterwards in London in the greatest penury; Mahoney died, and

was forgotten; Shiel, after the whigs had consolidated their power, attained to the position of master of the mint, with two thousand a-year, and was afterwards sent out as British envoy to Tuscany, and died at Florence. O'Connell finished his legal career where he began it, at Cork, where he was retained as chief counsel on the trial of three men, who were termed the Doneraile conspirators. The title they had obtained arose out of a scheme planned at Doneraile, and brought to its final arrangement at a village called Rathclere, for the assassination of several magistrates, one of whom, however, only fell. O'Connell's legal ability obtained the acquittal of two out of three persons concerned; the third was condemned to death; but on a point of law was reprieved, and ultimately transported for life. O'Connell, too, died abroad, many years subsequent to this period, when on a journey for his health. His remains were brought to Ireland for interment; but neither the great liberator, as he was called, nor any of his compatriots, ever had the humblest monument erected to their memory throughout the whole of the country. Was it the ingratitude of the people, or the uselessness of the efforts of those celebrated men that gave such undistinguished terminations to the brilliancy of their courses through life?

## CHAPTER XXVI.

### O'CONNELL'S PARLIAMENTARY CAREER; THE QUESTION OF REPEAL.



IF the ministry supposed that by the passing of the catholic relief disabilities bill, they were at once to pacify the constituencies whose support they desired to gain, they were soon convinced of their mistake. O'Connell had never disguised his object of seeking ulterior measures, if emancipation should be gained. Both in 1828 and 1829 he had plainly stated so much in the meetings of the catholic association. He had determined that the repeal of the union

between Great Britain and Ireland should be a consequence of the concession of the catholic claims. In this he was opposed by three-fourths of the aristocracy and intelligence of the country, and for a time he was deterred from prosecuting his purpose; but he was a man of determined character, and only laid aside his project for the time. He was, moreover, a man of system and tact. He knew how to mould men's feelings to his will, and only bent like corn before the breeze, which stoops that it may rise again and bear its abundant fruit in due season. He soon found an opportunity of convincing the ministry that they



had made no new friend in the house of commons by the introduction of Daniel O'Connell.

The remarkable change which had been exhibited by the leading members of the of the cabinet on the catholic question, had filled nearly the whole of England and the whole of protestant Ireland with disgust. On the very first opportunity, the marquis of Blandford moved a resolution in the house of commons for an address to the crown, stating that late events had shown that the ministry had given themselves up to a system of corruption, the bare existence of which entirely nullified the voice of the people; and that a reform in parliament was an absolute necessity for ensuring the well-being of the state. Mr. O'Connell, whose appearance at Westminster had been anticipated with much apprehension, had been remarkably quiet after he took his seat for Clare, only at first making a few remarks which might befit any but an advocate for certain popular rights, but he now promptly came forward and seconded the marquis's motion. The ministry were surprised. The house also was surprised; and no member of it apparently more than the marquis himself. It was the beginning of a storm which was destined to unseat them.

The opportunity was adroitly taken; for it was an indirect thrust against one of the most strenuous opponents of the ministry upon the subject of catholic emancipation. During the previous general election, the two boroughs of East Retford in Nottingham and Penryn in Cornwall, had been carried by the grossest bribery; and motions had been made in the house that the franchise should be transferred from these two places to the two large manufacturing towns of Birmingham and Manchester. The debate was adjourned, and it was ultimately resolved that Penryn should be altogether disfranchised. On the 23rd of February, lord John Russell brought forward a motion that the three great towns of Manchester, Birmingham, and Leeds, should each be invested with the right of sending members to parliament. It was vehemently opposed by the ministry; but was only lost by a majority of one hundred and eighty-eight against the one hundred and forty that voted in its favour. Another attempt was shortly afterwards made to effect the same inroad upon the territorial constitution of the commons by Mr. Calvert, who, on the 11th of March, moved that the

franchise of East Retford should be transferred to Manchester; it having been an understanding that the powers of one of the two corrupt boroughs at least should be made over to some large town, and as Penryn had been altogether disfranchised, it was alleged that an opportunity was fairly laid open for doing something like justice to the country. The proposition was met by the government with a counter-resolution that the franchise of East Retford should be enlarged to include the population of the neighbouring hundred of Basseton; and they carried the second reading by a majority of one hundred and twenty-six to ninety-nine; Mr. Huskisson and Mr. Charles Grant voting against their former colleagues. This was a great blow for the government; but another and ultimately a much heavier one was in store for them, in which the weight of O'Connell began to tell, and through which his parliamentary influence began to be felt throughout the whole of the constitution.

On the third reading of the East Retford Disfranchisement or Regulation Bill, Mr. O'Connell moved, on the ground of the undue influence exercised in the borough, that the votes at all future elections for that district should be taken by ballot. It was the fine edge of the wedge, which has never ceased to operate to the present day. Much might be said of the philosophy of the principle thus introduced, for it was the groundwork of much legislation, and all tended to the object which O'Connell had to observe—the introduction of the purely democratic principle into the British constitution; for it would divest the landlords of their influence, and raise the power of the people. From what that power had been derived remained to be shown—whether from poverty, predilection, prejudice, or superstition. Whatever it might be, it was unquestionably a super-eminent motive in the popular mind of Ireland; agitation had gained power. O'Connell was already seated in the house of commons, in spite of the fiercest opposition of the greatest warrior and the most rising and experienced statesman of the age. This had been achieved by numbers in unity. None dared to question the result, for a great point had been gained, and the master spirit of the movement was prepared to drive home the wedge which should open the way for the introduction of himself and his friends to power. Ireland had reason to be proud

of him as a man of decision, ability, learning, discretion, and judgment.

O'Connell had chosen a happy time for his movement. Just previous to the coming on of the motion for the attainment of political rights by the Roman catholics, lieutenant-general sir Henry Clinton, who had distinguished himself greatly in the Spanish peninsular war, and who was a personal friend of the duke of Wellington, was the nominee representative of the duke of Newcastle for the borough of Newark, in Nottinghamshire. He was a man of simple character and upright intentions, and being a relative of the duke of Newcastle had been put in for the borough, where the duke had, in consequence of his own and the crown property, which he held on lease in and about the borough, a paramount influence at elections for members of parliament. On the mootings of the catholic question sir Henry was placed in a dilemma, for he could not oblige both his patrons. Like an honourable man he retired from the representation of Newark, and Mr. Sadler, the substance of whose parliamentary principles has been detailed in the abstract of his speech, was substituted in his stead. At the election which ensued, the government put forward a candidate in the person of Mr serjeant Wilde, a man of great standing at the bar, of fine urbanity, of much experience, and afterwards solicitor-general, attorney-general, and chief-justice of the court of common pleas (all within less than a fortnight), and ultimately lord high chancellor of Great Britain and raised to the peerage with the title of lord Truro; having married lady Augusta D'Este, one of the daughters of the duke of Sussex. The election was warmly contested; but Wilde, though he afterwards succeeded, in that instance failed; and a general meeting of the inhabitants was held after the election, at which he attended and made a most animated speech. Its principal topic was a letter of the duke of Newcastle who had been invited to attend, and in declining the invitation had justified his conduct of discharging several tenants who had voted against Mr. Sadler, on the ground that, taking the words from one of our Saviour's parables, "he had a right to do what he would with his own;" these tenants, he alleged, it would appear truly, having been long in their arrears of rent. At this meeting a petition was adopted praying the house of

commons to refuse to grant another lease of the crown lands, in and around Newark, to the duke. It appeared that the lease of the crown property held by him had been originally granted in 1760, when the duke's ancestor was in power, for the nominal sum of thirty-six pounds a-year. The property included many houses, and about nine hundred acres of land in and around the town, and the lease had been renewed in 1815 for thirty years, at a rental of two thousand and sixty pounds; but the property was stated to be worth upwards of three thousand per annum. The petition occasioned a long discussion in the house, and was no doubt the original cause of the general sale of the crown lands which took place about two years afterwards under the auspices of the whigs, when the duke became proprietor, by purchase, of that of which he had only previously been the lessee. Peel and all the ministry voted against the motion for a select committee on the subject, and of course it was lost, but it made an admirable handle for O'Connell for his future movements.

Another excellent opportunity was given to O'Connell by the conduct of sir Jonah Barrington, judge of the high court of admiralty in Dublin, who, by a malversation of his office, had appropriated to himself several sums in cases of salvage which ought to have been paid into the exchequer of his court for the benefit of the salvors. The whole matter had come out in the eighteenth report of the commissioners delegated to inquire into the state of the several courts in Ireland; and the case having been investigated, and sir Jonah having been heard by his counsel at the bar of the house of commons, an address to the crown was unanimously adopted by both houses for his removal from his office, and he was accordingly removed; but had in the meantime disappeared, and consequently escaped the punishment to which he was entitled. These things very much strengthened the hands of O'Connell, who, on the 28th of May, introduced a motion for reform in parliament, universal suffrage, and vote by ballot at elections. He had, however, forestalled his time. The motion was scouted, and in a full house he only found thirteen members to vote in his favour. It was a fruitful theme in the house of commons, but led to no results in Ireland, for it was contrary to the genius of the people—very well adapted for declamation, but not for immediate ac-



tion. Nevertheless, he fully attained his object, for he planted a thorn in the side of the British ministry which has rankled ever since; and which has never, from that day to this, been, or is likely to be, extracted. This was the real foundation of his parliamentary career; and though no Irish member has, since that time, renewed the motion, the majority of the Irish Roman catholic members have always acted upon its principle, and have very fully succeeded in placing a seton in the wound which O'Connell inflicted.

During the early part of this year the health of the king had been rapidly declining; and after having, for several months, been secluded from every one except his personal attendants, he expired, from a complication of disorders, on Saturday, the 26th of June, 1830, and his brother, William Henry, duke of Clarence, immediately ascended the throne. On the 23rd of July the new king prorogued parliament in person, and the next day it was dissolved, the writs being made so returnable that the new representatives of the people might assemble on the 6th of November following. The result of the elections was decidedly unfavourable to the ministry, and public confidence in the members of the government was shaken to its veriest depths. Agitation for a reform of parliament was excited to a pitch of almost popular frenzy; increased in its intensity by the duke of Wellington's declaration in the house of lords, that there was no reform, that there needed no reform, and that there should be no reform—for that was a species of dragooning to which the people of England had never, of late years, been accustomed, and to which they were determined never to submit. The duke's house was attacked, all his front windows broken, and he himself mobbed in London streets; being, indeed, only saved from serious maltreatment by the determined conduct of a few gentlemen, who escorted him from Fleet-street to his residence at Hyde-park-corner.

A variety of circumstances were taken advantage of by the opposition; and when parliament met on the 26th of October, as soon as the preliminary business of choosing the speaker and swearing the members had been gone through, sir Henry Parnell, who had always been a warm adherent of the whigs, gave notice of a motion for the 15th of November, for a revision of the civil list. It originated out of a resolution mooted by the ministers for granting to Adelaide, the

queen-consort, an annuity of one hundred thousand pounds per annum, in the event of her surviving her husband the king. At the close of the debate, which lasted two days, the ministry were in a minority of twenty-nine; and, before the house, Mr. Hobhouse asked Mr. Peel, the secretary of the home department, whether he and his colleagues intended to resign. An immediate answer to the question was refused; but during the following evening, Peel in one house, and the duke of Wellington in the other, intimated that they, as a government, had ceased to exist, and that they only retained their places till other persons should be appointed to fill them. Earl Grey was commissioned by the king to form a ministry, and he immediately called to his councils all the leading men who had been advocates of the catholic cause and of merely popular rights. Lord Melbourne took the seals of the home office, the marquis of Lansdowne was made president of the council, Mr. Brougham was placed upon the woolsack, with a peerage, and in less than four years so worked, as to clear the Augean stable over which he presided, so as to leave not a single cause for hearing; the marquis of Anglesea resumed the vice-regal chair in Ireland, where Mr. Plunkett, who was also raised to the peerage, replaced sir Anthony Hart in the chancellorship; while Mr. Pennefather, who had given O'Connell the hints at the Cork assizes, which enabled him to rescue the Doneraile conspirators, was made attorney-general of Ireland; and Mr. Crampton, a very distinguished advocate, became his colleague as solicitor-general. Not long afterwards, the ministry introduced Mr. Sheil into parliament for Milbourne Port, one of their closest boroughs.

The new ministry had shown the most earnest intention of conciliating the Irish Roman catholics; for the political weight of the protestants seemed to be altogether ignored, although they formed a large portion of the population; but the agitation which had been raised for the repeal of the union was not to be allayed. The pretence that the passing of the Catholics' Relief Bill would tranquillise Ireland, soon proved to be a perfect futility. Within a very few months of its enactment, the magistrates of Tipperary and the neighbouring counties were obliged to petition the government for the assistance of the military in order to keep the peace. Bodies of men, with arms in their hands, some in numerous

companies, others in smaller numbers, paraded the country, exciting the utmost alarm, and almost daily committing violence both upon person and property. Proclamations were repeatedly issued against these notorious disorders, and the south part of the country was placed almost entirely under the rule of martial law. Lord Anglesea had, in his previous occupation of the lord lieutenancy, been almost idolised; and his departure had been one unalloyed triumph, from the castle to the vessel which bore him from the shores of Ireland, but now his influence was altogether nugatory.

In Dublin especially, sedition was rampant. The ministry were profoundly astonished. They could not account for the disorder; they thought that when the way to honour and emolument was opened to catholic ambition, the agitation would cease; but O'Connell had never made any secret of his intentions. At the last meeting of the catholic association he had said—"The moment there shall be a repeal of oppressive laws on account of religion, the association shall be extinguished, and catholics shall mingle indiscriminately with the rest of their fellow-citizens. But the attention to national interests, the intelligence, the hatred of oppression, and the love of justice, which have been generated by our lengthened and all-absorbing controversy, shall still survive; and although, by the abolition of distinctions on account of religion, catholics shall no more be heard of as separate political advocates, that spirit has grown up among the people which shall inspire them to new and glorious efforts of patriotism, until Ireland becomes what God and nature intended her. Her regeneration will not be the work of catholics alone—it will be the contest of Irishmen, when every sect and denomination shall be united in one grand amalgamation. Unless that amalgamation takes place, we never can procure the repeal of that odious and abominable measure, the union, which struck down our national independence and prosperity, and reduced the country to a pitiful and abject province." And so late as the 14th of January, 1829, the year when catholic emancipation was granted, he said "that in order to accomplish repeal he would give up emancipation and every other measure, and that his exertions for such an object would meet with the co-operation of all sects and parties."

In the meantime, during the latter end

of the year 1830, the ministry had enough to do to contend with their adversaries, and left Ireland almost entirely to the lord lieutenant and Mr. Stanley, grandson of the earl of Derby, who was his chief secretary, and the most able debater of the whig party in the house of commons. They acted with consistency and vigour for the general safety. During the year, O'Connell had organised the old catholic association under a new guise and the denomination of "The Friends of Ireland of all religious persuasions." This was dissolved by proclamation. O'Connell, not daunted, immediately renewed it under the title of the "Anti-Union Association." This also was clared to be seditious, and put down; and a further proclamation was issued, forbidding the assemblage of any body of men a quarter of an hour after their dispersion was ordered by two magistrates. Against this proclamation Mr. O'Connell and several of his friends trespassed; and on the 18th of January, 1831, O'Connell, Messrs. Lawless, Steel, Barrett, Dwyer, (by whom the house where they met was kept,) Reynolds, Redmond, and Clooney, all of whom had been deeply engaged in the public movements in Ireland for the previous years, were apprehended on the charge of seditious practices, O'Connell being held to bail on his own recognizance for one thousand pounds, with two sureties of five hundred pounds each, and each of the other prisoners in two hundred pounds for himself, and two sureties of one hundred pounds each.

The arrest of the conspirators, as they were termed by the government, excited the utmost surprise among the partisans of the catholic cause—it would be ridiculous to call it the cause of Ireland; for not only were the whole body of protestants, to a man, opposed to a repeal of the union, but all the more respectable of the catholics themselves. The catholic bishops refused to take any part in an agitation that rose to such a marvellous height; and even lord Cloncurry, who had been a main pillar of strength in obtaining emancipation, almost sternly discountenanced the project. O'Connell endeavoured by every means in his possession, and through the aid of his friends, to stimulate the spirits of his followers. Not only was his powerful eloquence heard in every place, when he had an opportunity of pouring it forth, but he also employed every publication over which he had any influence, to abuse the government and to



efface the impression that he was guilty of any offence, either in point of fact or in the eye of the law. The foundation of the principle upon which he rested was, that no proclamation, even of the sovereign himself, much less of the viceroy, could create an offence, and he was accustomed to cite even lord Coke as his authority for the assertion; but he omitted to inform his auditors of the fact, that an act of parliament had given its due weight to the several proclamations that had been issued from the castle. Some of the compositions here referred to contained so much and such severe invective as to amount to a libel, if not to sedition. One of them, which appeared in the *Freeman's Journal*, the chief organ of the catholics in Ireland, so far transgressed all the bounds of license, as to compel the attention of the attorney-general, who cited the author, and O'Connell, to whose pen it was generally ascribed, not acknowledging the production, an attachment against the printer of the paper was issued from the court of king's bench. A bill was brought against the defendants on the 19th of January, 1831; and on the 25th of that month Mr. justice Jebb, who presided on the occasion, thus expounded the law, in his address to the grand jury. "If," he said, "the lord lieutenant, by his proclamation, has prohibited the assembly of a number of persons, and has signified his intention to prohibit them under a proclamation by a name and denomination; and if persons should, notwithstanding that, and with the knowledge of the proclamation, assemble and meet together for the purposes prohibited—if they assemble as such assemblies and associations so prohibited by the lord lieutenant's proclamation, they commit a breach of the law; they are subject to an indictment, and to be punished as persons guilty of a misdemeanour. The offence of assembling in breach of the act may be committed, although the persons guilty of it may not have been called upon by the magistrates; or, being called upon by the civil power, may have dispersed within the time prescribed by the law. The second breach of the law, for which I am informed the officers of the crown are to send up bills of indictment to you, is this, a conspiracy to commit a breach of this particular act of parliament, which is in itself an unlawful act. The informations go to establish this fact, that persons assembled, as a meeting or association forbidden by proclamation, did,

when called upon by the civil powers, or when they were under the apprehension that they would be so called upon, conspire so as to do the particular act which they were forbidden by the proclamation to do. If persons, constituting an assembly prohibited by proclamation, agree to meet under another denomination, but for the same purpose, that is 'a shift or device;' it is a meeting of the same men, of the same persons, and may be called an adjournment of the same meeting; and, being so, it is a breach of the act of parliament. But if it should appear to you that the meeting or assemblage was really given up—that the object for which such meeting was held was abandoned, and that the persons forming it had agreed to disperse, and thereby obey the lord lieutenant's proclamation, but that for other purposes, and *bond fide* distinct, they assembled together, then that is not a breach of the act of parliament. But if you, by witnesses, be satisfied that the persons charged, or any of them, were at such meeting or assembly forbidden by the proclamation to meet together, though they did afterwards under a different name assemble, then it is your duty to find the bills on the counts charging them with so meeting as that particular association; and if you should be of opinion that they did, with a change of name, with the same purposes, agree to assemble together, then the construction that we give to the act is, that the agreeing and assembling of the same body to meet with a change of name is only 'a shift and device;' and if these persons confederate together, then that is a conspiracy."

The grand jury found true bills against all the parties. O'Connell pleaded "Not guilty" to several of the counts, and demurred to others; Redmond pleaded "Not guilty" to all, and Steele pleaded *nul tiel record*, or, nothing equal to the offence charged upon him. On the 1st of February the attorney-general gave notice that he should, on the 7th, move the court for the trial of the defendants. The indictment was accordingly presented on the 5th, and on the 9th the trial was fixed for the 17th, that interval being necessary to give notice to those who were to serve on the special jury, as, unless they had six days' notice of the trial, they could not be fined for non-attendance. Lists of the gentlemen who were to serve on the jury were, on the same day, forwarded to Mr. O'Connell and the other defendants, and they were required to appear, in order

that each party might strike off twelve from the panel, and reduce the number to twenty-four. Mr. O'Connell, accordingly, came into court, and asserted his right to have the list placed in his hands one clear day before the proceeding. The statute says one day, and the list had been received by him more than four-and-twenty hours before the business came before the judge, but the plea was allowed, and on the 10th he gained another day, by requiring that he should have time to consider which names he should strike off. On the day following he asked for permission to withdraw his demurrer against the first fourteen counts of the indictment, which charged the unlawfully assembling, and to enter a plea of "Not guilty," and then moved that the trial should be deferred till the next term. To this latter request the attorney-general, who saw that O'Connell's object was only to gain time, positively refused his assent, as the act under which the indictment was laid would expire in June, and if the defendants could contrive, by delays, to postpone the end of the trial, no judgment could of course ensue. He, however, agreed to the alteration of the plea, but only on the condition that, in the event of a verdict being found for the crown, there should be no new trial, or motion in arrest of judgment; stating, at the same time, that if such should be the case, that it was his intention to enter a *nolle prosequi* upon the last sixteen counts of the indictment which charged the conspiracy.

The trial was not a long one, for the law was too plain upon the case for any valid defence to be made against it, and the facts were too notorious, even for the most unscrupulous denial, and a verdict of guilty was accordingly returned against all the prisoners. Judgment was deferred; and O'Connell immediately repaired from the court to a public meeting, where he boldly declared, that although a verdict had been obtained for the crown, that the government would never presume to pronounce a judgment upon him; and he proved to be correct in the surmise.

While these proceedings were pending in Ireland, Mr. O'Gorman Mahon, who had succeeded O'Connell in the representation of the county of Clare, on the 8th of February, made one of the most violent speeches on the state of the country, that had ever been uttered within the walls of the house of commons. The ministers withstood the indignity with unusual energy, and asserted

their decided determination to resist, with all the power of government, any attempt to repeal the union, and stated that they were prepared even to enter upon civil war, if that should prove necessary to preserve the entirety of the state. Sir Robert Peel, who had attained to the baronetcy on the late death of his father, spoke in the strongest terms upon the subject, and averred that he and his friends were ready, on this point, to give their unlimited support to the servants of the crown, and advised them to hold to their promise, whatever might ensue. Some doubt, however, existed in the country, whether the ministers were perfectly sincere in the pledge which they had given, for rumours had got afloat, that they had attempted to make a compromise with O'Connell; and, on the 14th of February, the marquis of Chandos asked Mr. Stanley, the chief secretary for Ireland, whether such was the case. That gentleman immediately replied in the most unconditional terms, that the government had never stooped to any arrangement whatever; that it was the decision of the legal authorities in Ireland to let the law take its course. Whatever Mr. O'Connell or his friends might desire to do was another matter, and one on which he would not pretend to speak. On the 28th of February, Mr. O'Connell proceeded to London, and on taking his seat in parliament, immediately inquired of Mr. Stanley, whether he had ever attempted to induce the government to come to a compromise; and, in a long and violent address, repeatedly, and in the most indignant terms, repudiated the idea that he had ever attempted such a course. The Irish secretary replied by reading a letter, written by the son of Mr. O'Connell, at his father's dictation, every word of which was full of compromise, but saving himself by the reservation that he would make no compromise, unless he was first informed of the measures which the ministry intended to introduce for the pacification of Ireland. To an inquiry made by some honourable member, as to whether this letter was one of reply or of application, the answer given was, that it was one of application. Mr. O'Connell again repeatedly, in the strongest terms, and with much excitement of feeling, denied the assertion that he had proposed any compromise—endeavouring, but in vain, to reason away the expressions of his son's letter. In this, however, he entirely



failed, amid the jeerings of his opponents; but he, nevertheless, triumphed in the end.

The ministry were very hardly beset, and Mr. O'Connell continually spoke and always voted in their favour. He carried with him the entire support of the whole of the Roman catholic Irish members, and this was a strength with which the government could not afford to dispense. No judgment was pronounced, for the government were several times placed in a minority. They carried the second reading of the reform bill, which based the representation on numbers in a house of six hundred and eight members, by a majority of only one. The bill passed the commons, but was almost immediately rejected by the lords. The ordnance estimates were refused by a majority of twenty-two. Lord Wharncliffe again defeated the ministry in the house of peers; and, on the 14th of June, parliament was prorogued by commission. The act under which O'Connell had been arraigned expired, and there was an end of his legal criminality.

His progress, wherever he went after his return to Ireland, was one unlimited ovation. Wherever he was seen, he was greeted with unbounded enthusiasm, as the liberator and the saviour of his country. He invariably exhorted the people to peace, but always excited the vast multitudes whom he constantly addressed, by the most animated exhortations to press for repeal at any hazard, and by the fiercest denunciations against those whom he termed their enemies. The angry passions of the populace were roused beyond control. Ribbon societies existed in every quarter. Murder, house-breaking, personal injuries, inflicted with the grossest barbarity, levelling of walls, firing of dwellings, and a new kind of outrage—that of digging whole fields and destroying whole crops, by bands of ruffians, comprising even women and boys, in the open day—were of daily, nay, almost of hourly occurrence, throughout the whole of the southern counties. Large bodies of men, some armed with warlike weapons, and others with scythes, pitchforks and other agricultural implements, paraded the country at all hours, in such force as could only be encountered by the aid of military power.

The whole of the protestant population of Ireland, all the best members of the bar in Dublin, and great numbers of the respectable Roman catholics, had petitioned against repeal, but this had no effect on

the minds of the commonalty. On the 10th of May, the counties of Clare, Roscommon, Galway and Tipperary, were placed under the operation of the insurrection act, and the strength of the soldiery had been largely increased, but this seemed in no way to abate their violence. On the 18th of June, some cattle which had been impounded, were to be sold for the non-payment of tithes, at St. Mary Newtown, Barry, but a notice was plentifully posted a few days previous, on the walls of the town. The day appointed for the sale was market-day, and a large concourse of people assembled from the surrounding country, determined to prevent the proceedings. The sale was stopped. It was necessary to vindicate the law, and the military were called out; a serious conflict ensued, and twelve or thirteen of the people were killed and a great many were wounded. A coroner's inquest sat upon the bodies, but after nine days spent in deliberation, the jury separated without coming to any verdict. The legal officers of the crown, nevertheless, ordered a prosecution of the captain and sergeant who were in command of the soldiery, and an indictment was preferred against them at the Wexford assizes, which ensued in July. At the trial the whole of the facts were elicited, and a copy of the placard that had been posted on the walls of the town was put in evidence. It was to the following effect:—

“Inhabitants of the parish of St. Mary, Newtown, Barry. There will be an end to church plunder. Your pot, blanket, and pig will not hereafter be sold by auction to support in luxury, idleness, and ease, persons who endeavour to make it appear that it is essential to the peace and prosperity of the country, and your eternal salvation, while the most of you are starving. Attend at an auction of your neighbour's cattle on Saturday next, the 18th instant, seized for tithe by the Rev. Alexander M'Clintock.”

The incitement to riot was palpable, and a verdict of acquittal was immediately given by the jury.

A similar disturbance occurred at Castle Pollard, in Westmeath, when nine or ten persons were killed, and a similar prosecution was instituted, with a similar result. In Kilkenny a remarkable instance of the insubordination of the people to the law occurred on the 25th of November, when a tithe-proctor was sent to serve a process of distraintment, escorted by a body of the

police. The country people assembled in great numbers, and lined the ditches and hedges along the road which the party had to traverse. They were armed in every variety of way, and when the party reached a narrow lane which they had to pass through, they demanded, with loud cries, that the process-server should be given up to them. The police, with great intrepidity, notwithstanding the disparity of numbers, refused to give up the man whom they were sent to protect, and a furious attack was made upon them by the wild and furious rabble; five of the police were killed, and almost all of them were wounded. Their director was left lying miserably wounded on the ground, and while he was pleading for mercy, an urchin, of not more than fourteen or fifteen years of age, dashed his brains out with a bludgeon. These were only a few instances of the circumstances which were daily occurring.

Parliament reassembled shortly after the harvest, and was opened by the king in person. One of the principal topics of the royal speech was the reform of the representation of the people, the clamorous desire for which was then agitating the country from one end to the other. Accordingly, lord John Russell, within a few days, introduced a bill to effect that object. It contained more of the territorial principle than his previous bill, and moreover retained the old freemen of cities and boroughs, whose open corruption had so frequently turned the scales of elections. Even sir Robert Peel gave it a modified support in refraining from his usual strenuous opposition, and its merits had only to be ridiculed and denied by its unflinching enemies, the members of the old tory party. Lord John succeeded in carrying the second reading of his bill by the large majority of one hundred and nine, and it speedily passed the commons altogether.

In the house of lords the bill met with the most inveterate opposition. It was completely opposed to the temper of the house; even the catholic peers found their prejudices offended, and their interests in danger. The first reading passed as a matter of course. The second reading was moved for by earl Grey on the 3rd of October, in a speech of almost matchless excellence and statesmanlike review. He knew the characters of Englishmen and the motives on which they acted. He knew, like Henry VIII., that there was some-

thing dangerous in them if they were thwarted in anything that affected their liberties, and he was anxious for the result. He foresaw that the bill must be carried; if by nothing else, by the will of the people. But lord Lyndhurst was an able politician, the duke of Wellington was a general, the earl of Eldon was an old and confirmed tory. The first thirsted for power; the great seal was a talisman. The second had been too much accustomed to authority to listen to the voices of those whom he considered to be subordinates. He could not recognise the difference between a quarter-master-general and a popular representative of the people. The third could not acknowledge the march of intellect. To him it was an anomaly that men of all ranks might be fused into one general mass through the power of education and talent, although both had formed the element of his success in life. There never was an abler chancellor or a worse subject of the crown. Others of kindred but of meaner minds followed in their wake, and the opposition was successful. The bill was thrown out by a majority of forty-one. The country was in a ferment. The houses of noblemen were attacked, and their owners, who opposed the bill, hooted through the streets of London. The ministry determined to appeal to the people, and parliament was dissolved.

O'Connell was too good a tactician not to avail himself of the opportunity. He had a power at his back in the priesthood of Ireland, which no earthly influence could gainsay. His might was omnipotent for the occasion, and he declared that no man should have a seat in his beloved country who would not vote for reform, or if he obtained one through family influence it should be at a fearful cost. He knew and he could manage the heart-pouring feelings of his countrymen. His appeals to his constituents, for such were all the catholics of Ireland, were incessant; the effect of his eloquence was marvellous; the people did his bidding to the utmost, and they triumphed in the contest. That autumn laid the foundation of Irish power in the British parliament.

The events occurring in England strengthened and enlivened O'Connell in all his movements. The government there was paralyzed; the people supreme, and the agitation went on with unchecked vigour. It was bold, daring, and overriding. Lord Anglesea made a feeble effort; for where



he had been adored he became odious. Immense numbers of the offenders against the law had been apprehended, and were put upon their trials, under special commissions, at Limerick, Ennis, Galway, and Roscommon. At several of these O'Connell appeared as counsel for the prisoners, but at none of them did he attempt to deny the facts or controvert the law; his only object

appeared to be to soften the sentences upon the delinquents. He never attempted to suppress the violence which had brought them into trouble, and his power, therefore, remained as great as ever. He said that he advocated the cause of Ireland. Eloquence and influence were at his command, for he prompted men's passions, and they believed him.

## CHAPTER XXVII.

## THE REFORM BILL; ITS APPLICATION TO IRELAND.



HE rejection of the measure for reform, introduced by the whigs, was greeted, throughout the whole of the united kingdom, with one general outburst of indignant execration. Meetings were held in every town and county. The middle classes had grown into wealth and influence, and they knew their weight in the body politic. Education gave, in this case, as in that of the reformation, invincible force to their decision, and "the bill, the whole bill, and nothing but the bill," became the general cry throughout the land. The advocates for repeal were not slow to fulfil their mission and excite the feelings of the people in Ireland. It was while the popular feeling was thus earnestly and constantly expressed, that the new parliament met on the 6th of December, 1831, ready to carry out the proposed change in the constitution of the country. The first measure of any importance, after the preliminary business of the session had been gone through, which the ministry brought before the house, was the bill for the reform of the representation of the people. It had received some modifications, but was essentially the measure that had been submitted to the previous parliament; and, on the 12th of December, lord John Russell moved the first reading of the bill, which passed almost without comment. Four days afterwards, the noble lord moved the second reading, and this led to a most animated and interesting debate. It was closed early on the morning of Sunday, the 18th, by a

majority of one hundred and thirty-six, there being three hundred and sixty-seven members in favour of the bill, and two hundred and thirty-one against it; which was one hundred and twelve members less on this occasion, than when the bill formerly passed its second reading. The house, immediately after the division, adjourned to the 17th of January; the result being received with rapturous applause in every part of the united kingdom.

The first thing which the house of commons took up after their reassembling, was reform, and lord John Russell accordingly moved, on the 20th of January, 1832, that the house should resolve itself into a committee on the bill. It was a laborious and very arduous business to get through its manifold provisions, and the house was occupied a full month in considering them, the labours of the committee being completed only on the 20th of February, 1832, to the renewed exultation of the people, both of Great Britain and Ireland. The bill, however, was not yet safe, for its opponents, if inferior in numbers, were quite equal, if not superior, in determination to their antagonists. The third reading of the bill was fixed for the 19th of March. On that day, on the motion being made for that purpose, lord Mahon, who had always been a close adherent and intimate friend of the duke of Wellington, moved that the bill be read that day six months. He was seconded by sir John Malcolm, and the discussion lasted from that day to the 22nd, when the third reading was approved by a majority of one hundred and sixteen votes,

there being two hundred and thirty-nine in favour of the amendment, and three hundred and fifty-five against it. The next day the bill was passed in the commons, and carried up to the house of lords.

Notwithstanding the general determination for reform, the bill encountered a fierce opposition from many of the peers; the duke of Wellington, especially, exhibiting a strong antipathy to its principles—but the second reading was carried on the motion of earl Grey, at seven in the morning of the 14th of April, by a majority of thirty-five. Seventeen of the peers, who voted against the bill in 1831, voted for it in 1832; ten who voted for it in 1831, did not vote at all in 1832; twelve who did not vote at all in 1831, voted for it in 1832. The opposition, however, was not yet over; for, on the house going into committee, on the 7th of May, after the Easter recess, lord Lyndhurst moved an amendment, on the first clause being read, to the effect, that its consideration should be postponed until after the clauses enfranchising the boroughs should have been passed; the object of the first clause being to disfranchise those boroughs which had been proved to be either nothing but nomination places, or such as were so infected by corruption, that the freemen in them were at all times open to the highest bidder. It would, he said, be far better to inaugurate this great change by an act of grace than by one of punishment. That was the plan of lord Chatham, who desired to add a hundred fresh members to the house of commons, and who preferred the enfranchising to the disfranchising; and who, if his motions had been carried, stated that he would then find out the places which ought to be enfranchised. This was the principle also on which Mr. Pitt had acted, both in 1783 and 1785. Earl Grey and his friends, conceived this to be nothing more or less than a party manoeuvre, and met it by a direct negative, determined to stand or fall by the result. Lords Harrowby, Winchelsea and others, who had voted for the second reading, in the expectation that they could modify the bill in committee, now sided with their old coadjutors. The amendment was carried by a majority of one hundred and fifty-one to one hundred and sixteen, showing thirty-five against the ministry.

Earl Grey then moved an adjournment of the committee until the 10th instant and to this there was an immediate agree-

ment. Thus foiled, the government had but one resource; and, during the interval of the two dates, lord Grey waited upon the king, and petitioned for leave to create so many new peers as would ensure the success of the measure. This the king declined, and the ministers at once, in a body, resigned; and, on the 9th, Earl Grey intimated to the house of peers, and lord Althorpe to the house of commons, that they only held their places until their successors were appointed, and stated their determination to take no further care of the bill. Against this the earl of Carnarvon strongly objected, and stated his opinion that it was a bounden duty of the house, and of the government by whom it had been fostered, that the matter, which had been the subject of so many struggles, should not be allowed to drop through, as an empty thing, or as of no import to the country; and to this both sides of the house readily responded, the ministry only holding a sullen silence in reply.

The wholesale resignation of the ministry placed the king in a serious dilemma. To create such a number of peers as was desired—report said a hundred, the ministry believed seventy or eighty, was at any time a dangerous expedient; and, liberal as he was in his political opinions, William IV. shrank from the responsibility of destroying the peculiar character of the house of lords, and setting a precedent which might prove to be of serious consequence in future times. He therefore accepted the resignations, and sent for lord Lyndhurst, who, from his judicial character as chancellor, might be supposed to move without the range of politics; but than whom in truth there was no more ardent partizan. His lordship, who had not received any official instructions, immediately called upon the duke of Wellington. His grace was quite ready to serve without any official position, and declined the premiership; but suggested that sir Robert Peel should be consulted. That statesman saw great difficulties in the way, and hesitated to assume the high position which was laid open before him.

These difficulties were largely increased by a series of resolutions moved by lord Ebrington, in the commons, on the 10th of May, to the following effect:—

“That this house, in conformity with the recommendation contained in his majesty’s most gracious speech from the throne, has framed and sent up to the house of lords



a bill for a reform in the representation of the people, by which they are convinced that the prerogatives of the crown, the authority of both houses of parliament, and the rights and liberties of the people are equally secured.

"That to the progress of this measure, the house considers itself bound in duty to state to his majesty that his subjects are looking with the most intense interest and anxiety; and they cannot disguise from his majesty their apprehensions that any successful attempt to mutilate or impair its efficiency would be productive of the greatest disappointment and dismay.

"This house is therefore compelled, by warm attachment to his majesty's person and government, humbly but most earnestly to pray him to call to his councils such persons only as will carry into effect, unimpaired in all its essential provisions, that bill for the reform of the representation of the people which has recently passed this house."

These resolutions were debated with the utmost animation, the Irish members giving their earnest support to the side of the reformers; and were at length passed by a majority of two hundred and eighty-eight to two hundred and eight votes. They had immense weight in the country; there was no alternative. No government could be formed, and the king was compelled to recal his former ministers. This was the end of the struggle. Earl Grey took up the bill where it had been left, and it speedily went through committee, was passed on the 4th, and received the royal assent on the 7th of June, 1832. With the bill for Scotland there was no difficulty. Some of the Scotch members modified a few of its provisions, and it also soon became law.

Mr. Stanley introduced the reform bill for Ireland on the 22nd of May. On the motion for the second reading, which was made on the 26th, he remarked that, out of the seven million seven hundred thousand of the population, the county constituency comprised seven millions, for whom there were only sixty-four representatives. He proposed to modify this error by disfranchising several small nomination boroughs, and giving the representation to the counties and large towns. It was intended, he said, to make the representation, as far as possible, accordant with that of England and Scotland; and, by raising the franchise so that all tenant-holders of fifty pounds a-year,

and all leaseholders of ten pounds for ninety-nine years, should have a vote, thus modify the evil influence by which the elections in Ireland had been so frequently marred. The county constituency would, he calculated, amount to something more than fifty-two thousand, of whom twenty-two thousand would be freeholders, possessing more than fifty pounds a-year, arising from freehold property. The bill would give five members more to Ireland than she already possessed; one of whom was to be granted to the university of Dublin, so that it should have two members instead of one. By the bill, the constituency of Dublin would be raised from five thousand to sixteen thousand. Seven of the largest counties, including those of Cork, Kilkenny, Limerick, and Waterford, would possess a constituency of from fifteen to sixteen thousand; and Belfast, one of the most important towns in Ireland, would have a constituency of two thousand three hundred, instead of thirteen. It was proposed to raise the ordinary rate of franchise in boroughs from five to ten pounds; and, in order to meet the objections of the protestants, he declared his belief that the change would not give more than seven additional members to the catholic interest.

Mr. Lefroy, in reply to the ministry, affirmed that the proportions had been greatly mistaken, and that the catholic members would be to the protestants only as twelve to ninety-four; and of the hundred members then returned, at least eighty-three were in the catholic interest. He opposed the bill, as violating the arrangement made with Ireland in the time of James I., and he concluded with moving that the bill be read that day six months.

Mr. O'Connell and Sheil both opposed the bill, as giving a very inadequate measure of justice to Ireland; for, instead of increasing the constituency, it would, they contended, greatly reduce it; as the county voters, instead of numbering fifty-two thousand, would not, so far as they could calculate, reach to more than twenty-five thousand, at the utmost. Portarlington, for instance, would be reduced to a constituency of one hundred; Dungarvon, which had then a constituency of six hundred and forty, would be reduced to two hundred, and become neither more nor less than a close borough in the hands of the duke of Devonshire. The counties of Londonderry and Down would be almost equally

in the power of a few proprietors. Then, again, the fee for registration required by the bill was to be half-a-crown in Ireland, while in England it was only to be a shilling.

Sir Robert Peel said that, of all the Irish members, Mr. O'Connell was the last that ought to complain, for he had been returned for three counties, so that two of them were, under the existing system, left entirely unrepresented, or they were nothing more than close boroughs, for the honourable and learned gentleman had them at that moment in his pocket. The other Irish members made strong objections, but the bill passed its second reading, by a division of two hundred and forty-six to one hundred and thirty, showing a majority of one hundred and sixteen votes. On the bill going into committee, Mr. O'Connell and the other Irish members argued strongly and elaborately for a resuscitation of the forty-shilling freeholders. The counties of Westmeath, Dublin, Galway, Waterford, and Clare, would, they contended, be especially injured by the bill; for, unless this motion was agreed to, the county constituency, which had amounted, in Ireland, to one hundred and ninety thousand, would be reduced to little more than nineteen thousand. If a fair liberality were to be shown towards Ireland, even allowing an approach to the ministerial plan, in Leinster there would be fourteen thousand voters in the counties; in Munster, fourteen thousand; in Ulster, fifteen thousand, and in Connaught seven thousand; whereas, by the system proposed, there could not, by possibility, be more than twenty-six thousand voters; whilst in thirty-one other places, which returned members to parliament, the constituency would be reduced from nearly nineteen thousand to less than seventeen thousand. On the division, there appeared one hundred and twenty-two for, and seventy-three against, the motion, showing a majority of forty-nine in favour of the ministers. Mr. O'Connell was not to be easily put off, and he made a futile attempt to insert a clause, that leases for three lives of forty shillings value, producing a rental of four pounds, of which one-third should be profit, should give a title to vote, but it was negatived without a division.

On the motion being put that, of the five new members for Ireland, one should be given to the university of Dublin, sir Robert Heron moved that the additional franchise

should be given to the county of Kilkenny. Dublin university, he said, would be raised, it was true; for, instead of having a constituency of only seventy-two, there would be, under the bill as it at present stood, two hundred voters; but the university of Cambridge, which only returned two members, had a constituency of two thousand two hundred; and Oxford, which returned the same number as they proposed to give to Dublin, had a constituency of two thousand five hundred voters; and, further, the county of Cork, which contained eight hundred thousand souls—fully one-seventh of the whole population of the country—would have no more representatives than the university of Dublin. If they refused to give the new member to Kilkenny, and so preserve the principle which they professed, of making the Roman catholics and protestants equal in point of political privileges, let them give him to Londonderry or Belfast.

Mr. Crampton, the solicitor-general, replied that the constituency of the university of Dublin was at that time ninety-six instead of seventy-two, and that by the bill it would be raised, not to two hundred, but to six hundred voters. Mr. Stanley and lord Althorpe said that, so far from giving any addition to protestant ascendancy, the measure would most likely act the other way, for the university was open to catholics and protestants alike. To this Mr. Sheil objected that the scholars that had entered averaged only fourteen a-year, so that from the year 1800 to 1830, there had only been an influx of four hundred and twenty new men, and these were nearly all of them protestants. Mr. O'Connell exclaimed against the prejudice likely to be suffered by Ireland, where the protestants made only as one to four of the population. Several other members warmly advocated the amendment, but sir Robert Heron's motion was negatived by a majority of one hundred and forty-seven to ninety-seven votes.

Mr. O'Connell made a strong attempt to extend the franchise from ten pound to five pound rentals, stating that even if they were to adopt that rate they could not obtain more than twenty-five thousand electors in all the counties in Ireland. If they adopted the higher qualification, there were six counties in which they would not find above three hundred persons to enjoy the franchise; in seven others there were not more than four hundred, and in five others, not



more than five hundred; in three districts of the country, if they took the qualification of one hundred pounds of yearly income, he did not conceive that they would find more than from five hundred to seven hundred voters. There were only eleven counties which would have seven hundred voters, and eight of these eleven were situated in protestant Ulster. Mr. Stanley replied that the arrangements of the government had been based upon the calculations of sir Henry Parnell, whose accuracy and impartiality no one could doubt, and he contended that the fifty-pound clause would add very considerably to the catholic constituency of many counties, especially those of Down and Armagh. The motion was ultimately lost by a majority of one hundred and thirty-three, there being one hundred and seventy-seven members against it, while only forty-four voted in its favour.

Mr. Mullins moved that all persons holding leases of two pounds annual value for a period of twenty years, should have votes; and Mr. Sheil moved the omission of the clause which made the exercise of the vote dependent on the payment of those taxes in July which had become due in the preceding April; but neither of those gentlemen ventured to go to a division. The ministry, however, yielded so far as regarded the university of Dublin, as to extend the franchise not only to the fellows and scholars, but also to all masters of arts, and to persons who had taken a higher degree; and the bill then passed by a large majority.

It was read a second time in the house of lords, on the 18th of July, went rapidly through committee, was passed, and by the end of the first week in August, all the three reform bills for England, Scotland, and Ireland, had received the royal assent.

## CHAPTER XXVIII.

O'CONNELL'S POLITICAL ASSOCIATION; AGITATION AGAINST TITHES, AND BILLS ON THE SUBJECT; BILL AGAINST PARTY PROCESSIONS; AGITATED CONDITION OF IRELAND.



HE constant refusal of parliament to grant that reform of the representation of the people which the great majority of the people demanded, had excited the passions of the masses of the population to the utmost, throughout the length and breadth of England. It was in the manufacturing districts, as usual, that the first important step of the great movement should be made, that should compel the national progress towards the breaking down the last apparent powers of feudalism—it remained for Peel, twelve years afterwards, to consummate the work by free trade—and the giving to the great bulk of the people a share in making those laws which all had to obey, but over the formation of which they had hitherto had no influence, and to regulate those expenses of the state to which all had to contribute, but over which they had hitherto exercised no con-

trol. Public feeling was at its height in the previous year of 1831, when a very large and influential association of the merchants, manufacturers, their dependents and workmen, with the traders of the town, was formed at Birmingham, under the title of the political union. Similar associations were speedily afterwards formed at Newcastle, Leeds, Manchester, and other large towns, and it was at length decided that a central association should be formed in London. O'Connell was not slow to take the idea, and he very shortly afterwards had, under the title of a political association, a complete reunion of all his old associates in polemical and political agitation. He had now three cries instead of one, and to the clamour for repeal was now added the odium of tithes, and the demand for reform; the ignorant multitudes whom he led being as little acquainted with the one subject as the other; and the more educated men by whom he was seconded, not caring apparently for the means of its accomplishment, provided they attained their ends.

O'Connell's power over the people was supreme, and knowing how he had passed with impunity through the meshes of the law, when prosecuted by the highest functionaries of the crown, they firmly believed his constant asseverations, that if they only acted under his guidance, they might safely set both the law and the government at defiance. The cries for repeal and reform were good, but the cry against tithes was far better. The mass of the catholic population hated a church which they were daily taught was heretic and schismatic, and which it was iniquitous to support. A war against tithes, therefore was, in their estimation, a holy war. Temporal government, they thought, might be wrong, but spiritual government must be right; for their own church, they believed, was infallible; and it was but natural for a body of men like the catholic priesthood, entertaining the opinions which they held, to screw the influence which they had over the minds of their flocks, to its utmost tension. No wonder then, that there should be a regularly organized determination, carried into most fearful action, for the abolition of protestant tithes altogether in Ireland in the Roman catholic counties. In several of these no tithes whatever could be collected, and for more than a year, many of the clergy had received no stipend whatever from their livings, and they and their families, from a position of affluence or of comfort, were reduced to a dependence on the casual charity of friends, or to almost absolute starvation. This was especially the case in the dioceses of Ossory, Leithlin, Cashel and Emly, Ferns and Kildare. Large bodies of the military had been sent into Kilkenny, Carlow, and Tipperary, and some districts in Queen's County, to aid the civil power, but the evil was scarcely mitigated—certainly there was no permanent abatement of it. A bill had been passed in 1831, to appoint receivers of tithes, so that there might be some intervention between the clergy and the people. These receivers were to gather the amounts due from the rent-payers, and hand them over to a legal tribunal, which was to apportion them, under specified regulations, to the rightful claimants. Of this plan, the clergy very generally approved, and committees of both houses had been appointed to investigate the subject during the recess of parliament. The reports of these committees were placed respectively

on the tables of the houses of lords and commons—by the marquis of Lansdowne in the house of peers, on the 16th of February, 1832, and on the 17th of the same month, on that of the house of commons, by Mr. Stanley. One of the recommendations of the committee was, that the tithes of each parish should be commuted for a certain sum, to be ascertained by a fair valuation, and that the amount of value thus arrived at, should be invested in land, for the benefit of incumbents for the time being.

Resolutions in accordance with the principles thus laid down, were introduced in the house of lords, on the 8th of March, by the marquis of Lansdowne, and were generally approved of by the earl of Wicklow, the bishop of London, the archbishop of Canterbury, and by other noble and spiritual lords. They passed without a division, and a bill, founded upon them, was ordered to be read a first time. On the same day, Mr. Stanley moved the same resolutions in the house of commons, but they were very vehemently opposed by Mr. Sheil and other catholic members, who argued that the question was not a question of tithes at all, but of rent. They declared that the tithes, whatever they were, of right belonged to the catholic, which, they said, was the ancient church, and that if they were to be appropriated, they ought to be appropriated to the members of that church, which was the rightful owner. Such had been the decided inclination of the Irish parliament, when there was a parliament in Ireland. So long ago as the year 1735, the parliament had acted on the principle of appropriating one-fourth of the tithes to the support of the poor, another fourth to the promotion of education, and another to the reparation of the church; and the remainder, after all these claims had been satisfied, went to the parson of the parish, who was the only person that could be said to have any interest whatever in the money received, except for the continuance of the public services of the church, and the sustenance of his own family. Mr. Shiel concluded, by moving an amendment for abolishing tithes altogether, or placing them on such a footing as should be satisfactory to the people.

The first resolution stated the existence of a great and general combination in Ireland, to resist the payment of tithes; and that the consequence had been the non-



performance of the services of the church, and the grievous want of a necessary sustenance by the clergy. By the second, the government were to be authorised to make advances to such incumbents of parishes as could not obtain their tithes, as would amount to one year's arrears, but no more; not, however, precluding them from recovering any further amount that might be due to them, by the ordinary process of law. The third resolution provided for the repayment of such advances to government, by a mortgage on the rates of the parishes in default. By the fourth, it was specified that the house would place the tithes collected in Ireland, upon an altogether different basis to that on which they then stood.

In combating the entertaining of these resolutions, Mr. Sheil reiterated his previous objections, asserting that the mode and proportion of appropriating the tithes which he had indicated, was not only the former custom of Ireland, but was the practice at the present time also in France, Belgium, Holland, Sweden, Norway, Denmark, Tuscany, and even in Scotland, and he cited the authority of sir Henry Parnell and Grattan, to show that the readoption of such a custom only could prove satisfactory to the Irish people. He was ably replied to by lord Ebrington and sir Robert Peel, who on this occasion gave his strenuous assistance to the government, lord Althorpe and Mr. Stanley. After a stormy debate a division ensued, when there appeared in favour of considering the resolutions, a majority of three hundred and forty-five against thirty-one.

The first resolution was passed without a division; but Mr. Hunt, who had been notorious as a radical demagogue in the more populous places, having at length obtained a seat, where he made a more respectable figure than was anticipated, divided the house on the second resolution, by proposing a direct negative, but found himself in a minority of eleven against eighty-six. The third was carried, with a proviso that some more specific plan should be devised for the repayment of the advances than that which had been specified by the government; and accordingly, on the fourth being put, an amendment by way of rider was proposed, to the effect—"That the sum advanced by his majesty's government for the relief of the clergy of the established church in Ireland shall be raised, for the purpose of repayment, by such means as the legislature

shall adopt for the future support of the clergy in that part of the United Kingdom;" the result of which would have been, if passed, to nullify the arrears of tithe then due altogether; but it was negatived by a majority of one hundred and fifty-five against twenty-five.

Notwithstanding all the delay that could be interposed to its introduction by the Irish members, a bill was brought into the commons on the 10th of April for the composition of tithes in Ireland; and to render that composition permanent and compulsory, commissioners were to be appointed, under its authority, who were to assess the average value of the tithes of every parish, as they would have been, if fairly collected, between the years commencing with 1823, and ending with 1832; during which term it was believed that corn had settled down to its usual natural value. The bill abolished all the present modes of collecting them, and gave a power of proceeding for them, by civil action against the landlord. The second bill empowered the government to ascertain the proportionate amounts due to the several claimants, to make the advances required by them, and to take the necessary securities for repayment. In the introduction to the third bill, it was calculated that the whole of the tithe of Ireland produced about six hundred thousand pounds a-year; and that, at sixteen year's purchase, according to the valuation adopted in the composition of the land-tax in England, this amount was worth nine million six hundred thousand pounds; but that that sum, if invested in land at eighteen year's purchase, would produce five hundred and ten thousand pounds. Supposing, however, the money to be advanced to the landlords at five per cent. interest—and it might be obtained at much less—it would have the effect of reducing the pressure upon the land to the extent of one hundred and twenty thousand pounds. The bill gave the government the power to advance money for this purpose out of the consolidated fund, in such amounts as they might think proper, and to invest it in land for the benefit of the clergy, in proportion to the rights of the incumbents of the several benefices. The bills were all violently opposed, but were passed by large majorities in the house of commons, and went, almost without a single expression of dissent, through the house of lords; and, by their vastly useful effect, tended very largely to allay the heart-burning and discontent

against the protestant church establishment, which had always been so rife with mischief and outrage in Ireland.

Mr. J. Grattan, the member for Wicklow, made a vain attempt to pass a resolution to abolish tithes altogether, and Mr. Sheil introduced a motion, in a long and sparkling speech, to apply only such of the receipts on what we call first-fruits, to ecclesiastical purposes, as might be necessary to preserve the edifices of the parish churches, and to appropriate the rest towards the promotion of education, especially among the poor—but it was lost by a majority of seventy-nine votes. Thus terminated, for the present, every endeavour to assail the protestant church, at least apparently; but the discussions subsequently exhibited their consequences when the very question of the appropriation of church revenues to other than ecclesiastical purposes hurled a ministry from power, and lord John Russell voluntarily suppressed ten of the Irish bishoprics.

Mr. Sadler, the member for Newark, who had large property and interest in Ireland, and was perhaps better acquainted with the true social condition of the country from his own personal observation than any other man in either house of parliament, saw that, however great was the mass of discontent clamorously paraded in political turmoil, there was a deep undercurrent of misery which was but little perceived and still less spoken of, by those who were the most clamorous respecting those monstrous evils that threw their black tinge upon the dark waves of trouble that heaved so tumultuously on the surface of society. Mr. Sadler was a man of large heart, philosophic spirit, and comprehensive experience. He began life as a commercial traveller, first for others, and then for the eminent mercantile firm of which he subsequently became the principal partner, and had consequently passed much through the country, and had himself witnessed the sufferings of the people. He had found that the landlords, neglecting the sacred trust assigned to them by providence, squandered in foreign lands the enormous rents wrung, through the agency of middlemen, from their benighted and half-clad tenantry, who gladly availed themselves of agitation and nightly outrage for excitement, and turned to the whiskey-still for relief. He saw the tenantry themselves living in wretched huts, steeped to the very lips in poverty, with only a

stubborn endurance to sustain them in the present, and with but a rayless hope for the future, the ready tools of any who seemed desirous to relieve their wretchedness, and ameliorate their sufferings. He knew that they had an inherent right to live on the land whose bosom they cultivated, and he determined, if possible, to compel the unnatural lords of the soil to contribute something towards the support of the aged and helpless dwellers on their estates. Accordingly he introduced a bill on the 19th of June for the establishment of a system of poor-laws into Ireland. For the time he was unsuccessful, for his motion was lost by a majority of nineteen; but the discussion opened the eyes of the ministry to the principle which was so admirably adapted to take the poor and deluded peasantry out of the hands of the demagogue and the charlatan, and the government afterwards carried it out with far greater success than any private member could possibly have achieved. Though indisposed to render this justice to Ireland, the ministry passed an admirable act, which gave power to any single magistrate to put down party processions; and though its intent was principally directed against the orangemen, whose annual festival would occur on the approaching 12th of July, it had the effect of putting down much party strife, and saving much bloodshed. The orange party, indeed, bitterly complained of the act which, they said, would result in the transferring that ascendancy of protestantism in the state which they had been taught to believe to be an indispensable feature of the constitution since the time of William III. to the catholics, who had never professed any very devoted allegiance to the crown, and they felt the wound the more keenly from its being inflicted by the whigs, who had been the main instruments of perpetuating that feature by raising the house of Brunswick to the throne.

Parliament was prorogued in August, and the new system of registering those entitled to votes for members of parliament was brought into action; and though it gave to the catholic advocates of repeal a much smaller number of supporters than they could always calculate upon under the custom of the forty-shilling freeholders, it enabled them to concentrate and influence their forces both for parliamentary and predial operations, and they obtained their object in the election of a large number of members of their own opinions. During



the meantime, the question of repeal and tithe were earnestly and constantly placed before the public mind. Large numbers of men, whose watchword was repeal, assembled and made threatening demonstrations, and the protestants were struck with dismay.

The chiefs of the agitators in the provinces assembled large bodies of men, who marched through the country in military array, producing everywhere an unusual feeling of alarm. In Westmeath, they assembled in bands of two hundred in number; and in Donegal and Kilkenny they were equally active. Mid-day violence and midnight attack were constantly occurring. An arch-deacon was met at his own house, and, on refusing to accede to the demands of the rioters, had his brains cruelly beaten out on his own lawn; and a clergyman, while returning home at noon, was shot dead on the highway near the same place. Troops were poured rapidly into Queen's county and Kilkenny, and the magistrates were strongly exhorted to do their duty by their country. But all this show of authority was insufficient to stay the motions of the brigands, who, sometimes on horseback, but more generally on foot, paraded the country, doing damage, wherever they appeared, to the best properties in the neighbourhood. Under the titles of "Terry Alts" and "Whitefeet," they shrouded their real names, and thus, very frequently, succeeded in escaping from the meshes of the law. Nor were the higher classes of society one whit behind the lower in their determination to cast off the incubus of the protestant established church in Ireland. In the course of the month of July, a very large aggregate meeting was held in Kilkenny, presided over by lord Cloncurry, and another in Dublin, to pass resolutions for abolishing tithes. All the speeches at both these meetings were of the most violent character; so much so, indeed, that the government felt called upon to warn lord Cloncurry, and to remove the vice-lieutenant from his office. A great number of the minor offenders were apprehended, and, after careful trials, were convicted; and O'Connell, under whose guidance they fancied themselves to be invested with perfect impunity, advised the rest to plead guilty, with a view to obtain a mitigation of punishment. The year wore out with agitation on the part of the political orators, excitement and outrage among the predial population, and constant

and hourly apprehension among the respectable classes of society.

The new parliament, called for the first time under the authority of the reform act, met on the 25th of January, 1833. Mr. Manners Sutton had resigned the speakership at the close of the last session, with a pension of four thousand pounds per annum during his own life, and three thousand pounds per annum for his son, if he should survive him. But, with a new parliament before them, among which there must, of necessity, be many inexperienced members, the ministers rightly conceived that they could not dispense with the services of one so able and so competent to direct the discussions of the house of commons—he was accordingly induced to resume the chair. It was desired that the address, in answer to the king's speech, should be passed unanimously, which was accordingly moved in the commons by lord Ormlie, and was seconded by Mr. Marshall, a manufacturer, and one of the members for the new borough of Leeds, and himself a man of high liberal character, both as respected politics and religion. It was, however, strongly opposed by Mr. O'Connell, who moved an amendment—so that the government might rightly calculate the amount of support which they were likely to receive from the catholic members for Ireland. After a strong debate, the amendment was negatived by a majority of four hundred and twenty-eight to forty; of which forty, thirty-four were the followers of O'Connell. This was the first attempt made to obtain power by the strict union of the new members of the house, who had been brought in under O'Connell's interest, and who were thenceforth known popularly as his "tail."

As soon as the state of the preliminary business would allow, earl Grey brought the condition of Ireland under the notice of the house, in a long and eloquent speech, in which he bitterly lamented the disappointment he had experienced at finding that the emancipation act had not produced the tranquillity which all who had supported it so strongly anticipated. He concluded by moving for the introduction of the celebrated measure afterwards called the coercion bill, which was something similar in character and import to the insurrection act which had been so often applied to Ireland, and it was read a first time on the 15th of February. The bill passed its second reading in the lords by a majority

of twenty-two. Notice was given that it would be introduced in the commons on the 27th. O'Connell, with his usual vigilance, had watched the progress of the bill through the lords, and on the notice being announced in the lower house, required that a call of the house should be made, not only upon the night of its introduction, but upon every night during which the bill should be in progress through the house. The call was made; and, on the 27th, lord Althorpe moved that leave be given for the introduction of the bill. Mr. Tennyson moved that the bill should be deferred until that day fortnight, and fortified his argument by a variety of motives, on which he said the ministry could honourably act. In this he was seconded by Mr. Bulwer and Mr. Grote. The debate that ensued was of six days' duration, but it terminated at last in a majority gained by the ministry, of four hundred and sixty-six against eighty-nine. The second reading of the bill was moved for on the 8th of March, when Mr. Bulwer again endeavoured to expose what he conceived to be its fallacies, and moved an amendment—which, in effect, would have neutralized the bill by delaying it beyond the session. It was, however, ultimately carried. Mr. O'Connell still continued to offer the most strenuous opposition to the bill, and in committee moved various amendments; the chief of which was, "That the speaker should not leave the chair to go into committee for three months." This was too manifestly absurd to receive credit for an instant; and the party manœuvre being immediately seen through, the motion was lost by a majority of one hundred and fifty-one against thirty-four votes. The clause being moved, authorising the lord lieutenant to issue instant commissions on the perpetration of any act connected with the government that might be supposed to be incompatible to the duties of his office, Mr. O'Connell proposed that the committee be instructed to the effect, that two judges should be joined with the lord lieutenant in the execution of his high post, as was usually the case with regard to the rule

of justice which was adopted in England. This was, however, lost, as were several other amendments. The bill was so generally felt to be one of great necessity, that at the conclusion of the debate there was a universal feeling in its favour, and on the 29th of March it was read a third time, and passed by a majority of three hundred and forty-five against eighty-six. The bill, having received the royal assent, was published; and on the 10th of April the lord lieutenant issued several manly declarations, stating that he would not allow of any political gatherings; and saying, that in the whole of Ireland there was not the slightest need for any Irish volunteers, and he accordingly speedily put this advice into action. The association of the volunteers immediately ceased. Ireland received the news with joy, and the act was forthwith put into operation in Ireland. The result was sufficiently satisfactory; for, whereas, in the month of March (the month before the coercion act was complete) the committals under the acts for violence were four hundred and seventy-two; in the month of May, when it was getting into full influence, the committals were only one hundred and sixty-two. A short time after this, Mr. Stanley became secretary for the colonies, and Mr. Hobhouse, the friend of Byron, assumed his place as chief secretary for Ireland.

Then there appeared, for a moment, to be some prospect of an abatement of that spirit of agitation which had been so long the bane of Ireland, and which had counteracted every attempt to ameliorate the condition of the country. The hope, however, was still but a delusive one, for the real agitators were men who could evade its provisions, and whose power and influence, and almost their existence depended upon the continuance of a state of things which this bill was intended to put down. As long as O'Connell lived, agitation in Ireland did not cease; but the real extent of his influence was only fully seen after his death, when the agitation he had been instrumental in keeping up died gradually away, because his successors had not the talent to keep it going.



## CHAPTER XXIX.

### THE QUESTION OF NATIONAL EDUCATION; CONTINUED STRUGGLE BETWEEN THE CATHOLIC AND PROTESTANT CHURCHES.



THE whigs, during their long advocacy of the catholic emancipation bill, had always gone on the principle, that in a state like that of the united kingdom, comprising both protestants and Roman catholics among its subjects, the holding of any peculiar theological opinions ought not to be a bar to the accession to any office under the crown. Lord John Russell had successfully illustrated the tendency of this principle, in carrying through his bill for the admission of protestant dissenters to places in municipal corporations, and of Roman catholics to the same positions in Ireland. The carrying of sir Robert Peel's measure for the admission of Roman catholics to parliament, had, of course, very greatly strengthened the ministry in the pursuit of their object; and, very shortly after they had attained to power, Mr. Stanley, in 1831, had happily conducted a measure through the commons for altering the mode of education adopted in the national schools of Ireland. Previously, it had been a *sine qua non*, that in these schools the doctrines of the united church of England and Ireland should be invariably inculcated; that the church catechism should be taught, and the bible read daily to and by the scholars. This was particularly offensive to the catholics, who neither admitted the rectitude of the precepts of the catechism, or permitted their people the unlimited use of the authorised version of the scriptures. Mr. Stanley, at that time secretary for Ireland, met these objections by a resolution, that the education of the lower classes should be almost altogether of a secular character. Scriptural lessons and extracts were indeed allowed to be read, but no catholic child was to be compelled, if its parents objected, to partake in these exercises, and the religious training of the children was to be left entirely to their natural protectors and their priesthood. An admirable set of books was compiled, intended to be the authorised textbooks of the national institutions, which

were generally approved of by the public, but were virulently stigmatised by the Roman catholic priesthood and highly disapproved of by their hierarchy, while the protestant bishops strongly objected to the principles on which they were based. The books were, nevertheless, generally adopted, and were eminently useful in the dissemination of knowledge among the masses of the people in Ireland.

During two sessions, the subject of tithes had been frequently considered and strongly debated in parliament, and several measures, as has been already seen, had been devised and adopted for obviating the pressure of this, to the catholics, most grievous imposition on their consciences; for they conceived that it was not only grossly unjust to compel them to support a church which they considered to be heretical, but that it was actually sinful in them in any way to give in to its exaction. They had, therefore, opposed the collection of tithes with all the energy of a warm-hearted nature, stimulated to fury by the passionate harangues of their popular orators, and all the soul-exciting exhortations of their priesthood. Violence, outrage, murder by day and by night, had been the consequence of enforcing the exaction of tithes; nor could all the power of the government succeed in either carrying out its object, or stilling the tumult which it occasioned.

Another objection which the catholics entertained to the support of the protestant church, was the contribution of the first-fruits, which were devoted, in the first place, to the support of the parochial churches, and when that purpose was satisfied, to such other purposes as the incumbent might direct. The ministry were prepared to remove this also, and determined to place these first-fruits on a very different footing to that on which they had hitherto stood. They accordingly brought in a bill, founded upon a resolution that there ought to be some alteration made in the collection of the first-fruits, and on their appropriation. The bill had reached its second reading—when it was suggested, that being in the nature of a tax bill, it ought to be founded

on resolutions of a committee of the whole house; and it was doubted whether indeed it could be entertained at all without a royal message. This, however, was overruled, and a resolution was agreed to, that the house should resolve itself into committee upon the subject. Time was taken by the government to consider the question, and ultimately a series of resolutions was submitted by lord Althorpe, upon which an animated debate ensued. Mr. O'Connell and the other Irish Roman catholic members, aided by Mr. Hume and other extreme radicals, objecting to them as not going far enough. At length they were adopted as proposed by lord Althorpe, and were as follows:—"First, That it is the opinion of this committee that it is expedient that the lord lieutenant of Ireland should be authorised to appoint ecclesiastical commissioners, for the purpose of carrying into effect any act that may be passed in the present session of parliament, to alter and amend the laws relating to the temporalities of the church in Ireland; and that the said lord lieutenant be empowered to order and appoint such salary or other emoluments, as he shall deem fit to be paid to such commissioners, not being bishops. Second, That it is the opinion of this committee, that it is expedient to make provisions for the abolition of 'first-fruits' in Ireland, and in lieu thereof, to levy an annual assessment upon all bishoprics and archbishoprics, and upon all benefices, dignitaries, and other spiritual promotions, above the yearly value of two hundred pounds, to be applied to the building, rebuilding, and repairing of churches and other such like ecclesiastical purposes, and the augmentation of small livings, and to such other purposes as may conduce to the advancement of religion, and the efficiency, permanency, and stability of the united church of England and Ireland. Third, That it is the opinion of this committee, that vestry assessments for any of the purposes to defray which the annual assessment mentioned in the preceding resolution may be applicable, should be abolished, and that any law, statute, or usage, authorising such assessment, should be repealed."

The bill passed the stage of its second reading with little argument, but several of its clauses met with a severe opposition in committee. Mr. O'Connell moved a clause, which would have had the effect of abolishing all the temporalities of the Irish church

establishments; but this was a length to which the ministers could not accede, and it was lost on division. Another effort was made to appropriate the funds derived from the first-fruits, over and above that which was necessary for keeping the edifices of the parochial churches in repair, to other than ecclesiastical purposes, but it was strenuously opposed by the protestant members of the house, and was consequently lost. On the third reading of the bill, it was opposed by the Irish members, who had hitherto voted for it, but passed, and was immediately carried up to the lords. On its second reading before their lordships, a motion was made for a call of the house, but it was opposed by ministers and lost. Shortly afterwards the bill was passed, and received the royal assent.

Earl Grey and his colleagues were, notwithstanding a loud outcry made by the protestants, in both England and Ireland, prepared to make a far greater and more important concession to the catholics. The Irish protestant church had been continually complained of as much too extensive in its emoluments, for the population for whose benefit it was instituted; and the government were now prepared to reduce it very largely. Accordingly, on the 12th of February, 1834, lord Althorpe rose in the house of commons, to move for leave to bring in a bill for the better regulation of the established church in Ireland. He said, that before he entered into a minute examination of the subject, he had supposed that the abuses of the Irish church were much greater than they in reality were, but there was still ample room for improvement. On inquiry, he found that the gross revenues of the sees of the several bishops and archbishops, was about one hundred and fifty thousand pounds, but this was reduced by claims over which they had no control, to about one hundred and thirty thousand pounds a-year; the gross revenues of the several deans and chapters amounted to twenty-three thousand six hundred pounds, but there were charges upon them amounting to twenty-one thousand four hundred pounds, leaving a net income of two thousand two hundred pounds per annum; the other benefices in Ireland produced about six hundred thousand pounds a-year; in the whole, the Irish church enjoyed an income of about seven hundred and thirty-two thousand pounds per annum; and at any rate, it could not be more than about eight hun-



dred thousand pounds a-year. This income, in certain proportions, he proposed to tax, so as to obtain a sufficient sum for ecclesiastical purposes, upon which the church would, of course, have the first claim. The ratio he had determined to assume, was a levy of five per cent. upon the net incomes of all benefices which produced two hundred pounds per annum; six per cent. upon all from five hundred to seven hundred pounds per annum; ten per cent. upon all from eight hundred to one thousand pounds per annum; and fifteen per cent. upon all that produced upwards of one thousand two hundred pounds a-year. It was calculated that the amount produced by the exaction of the vestry cess, for the reparation of the fabrics of the church and the carrying on of the religious services, was about sixty-nine thousand pounds a-year; while he anticipated, that by his own method of taxation, he should realise at least seventy thousand pounds during the same period. Tithes and vestry cess had become such vexed questions, that every man in the house was glad to have an opportunity of acceding to their settlement in any way that did not too violently outrage their general professions, and the principles which they had uniformly advocated; and lord Althorpe's resolutions passed, therefore, almost *sub silentio*, or at least with so little opposition, as to amount to a ready, if not a hearty, concurrence in his views by a large majority of the house of commons. The machinery was to be entrusted to a body of commissioners, who were directed to apply any surplus that might remain in their hands, after the fulfilment of the chief object which they were authorised to carry out, to any religious purposes that might require attention and support.

With that quiet courage which so eminently distinguished his character, lord Althorpe had another and more important measure to submit to parliament. This was a plan for paring down the Irish protestant church establishment, to something like the proportion of the number of its adherents, and he accordingly introduced a bill into the house of commons, for at once reducing ten of the protestant bishoprics in Ireland. The sees selected for annihilation, after the deaths of the present incumbents, were those of Dromore, Clogher, Raphoe, Elphin, Clonfert, Killala, Kildare, Cork, Waterford, and Ossory. Of these it was proposed to add Dromore to the bishopric

of Down and Connor, Clogher to Armagh, Raphoe to Derry, Elphin to Ardagh and Kilmore, Clonfert to Killaloe, Killala to Tuam, Kildare to Dublin, Cork to Cloyne, Waterford to Cashel, and Ossory to Ferns. The resolution met with the cold denunciation of many of the English members, but was warmly greeted by the Irish Roman catholic representatives, who only complained that it did not go far enough, and Mr. Ruthven, one of the members for Dublin, proceeded to express his displeasure by moving an amendment for the reduction of the whole of the protestant hierarchy in Ireland to four sees, which was, however, negatived without a division. A motion of Mr. O'Connell's, which amounted to the same effect, was met by similar treatment.

Fully a month elapsed before the bill was introduced. Its first reading was vehemently opposed by sir Robert Peel, sir R. H. Inglis, Mr. Shawe, the member for the university of Dublin, and Mr. Baring more especially. After several postponements, its consideration came before the house on the 14th of February, 1834, when a motion against it was lost by a majority of one hundred and eighty-seven against forty-six members, who voted in its favour. Mr. C. Wynne, who was a great authority on questions of order, stated that this was a money or tax bill, and suggested that it could not be entertained, without its provisions having been submitted to a committee; and cited in support of his position, a resolution passed by the house, the effect of which was that no such bill could be taken without the report of the committee being laid before the house, and the terms of which stated that no tax bill could be considered without such report being first debated and decided upon by a committee of the whole house, and their opinion being reported thereon, and a resolution adopted that the report should be received. Sir Robert Peel and Mr. Goulburn strongly opposed the second reading, on this point of order; but it was nevertheless moved by the ministry, and reference was made to the speaker—who decided that, as the first reading had passed, it was not competent for the house to entertain the subject. Sir Robert Peel suggested that, with a view to avoid all difference of opinion, the bill should be submitted to a select committee. This was acceded to by the government; and the report proving favourable to the measure, the motion for the second reading was made on the 6th of

May; and during the debate on that day, Mr. Shawe moved an amendment, the object of which was to postpone the second reading for six months. It was strongly resisted by Mr. Stanley, lord Althorpe, and Mr. R. Grant. It was decided that no Irish bishop should be able to grant leases for a longer term than twenty-one years, in order to secure the interest of the present bishops, and of their successors. Mr. Stanley succeeded on this point—stating, that on the election of a new bishop of Derry, the bishopric, which had originally amounted to upwards of twelve thousand six hundred pounds per annum, had, with the consent of the incoming bishop, been reduced to eight thousand pounds per annum; and it would be further reduced by the operation of the tax to seven thousand two hundred pounds, so that, in truth, a double advantage would be obtained by the passing of the bill. Mr. Stanley and lord Althorpe, moreover, contended that while the parishes in England, amounting to between eleven and twelve thousand in number, had only twenty-six bishops, the parishes in Ireland, which numbered between eleven and twelve hundred, had twenty-two bishops; and the disparity, therefore, exhibited a manifest case of injustice. The second reading was carried by a majority of three hundred and seventeen against seventy-eight members, but the ministry still held tenaciously to the principle, that the revenues of the defunct sees should be applied to no other than ecclesiastical purposes.

Mr. Gillon, in committee, succeeded in carrying a clause in opposition to the view held in this respect by the government. Mr. Stanley, however, on the bringing up of the report, was successful, notwithstanding the advocacy of Mr. O'Connell, in carrying a motion for the omission of the clause, by a majority of one hundred and thirty-two, there being two hundred and eighty for the omission of the clause against eighty-six members who voted for its retention. Mr. Sheil met with no better success, on an attempt which he made to effect Mr. Gillon's object, on the third reading, when the bill was passed in the face of a large minority.

The notice for the second reading in the house of lords, stood on the paper for the 17th of July, and it was very warmly discussed during that and the two following days; earl Grey, the earl of Roden, who was noted for his protestant tendencies, the

bishop of Exeter, lord Plunkett, lord Mansfield, the earl of Eldon, the archbishop of Canterbury, the duke of Wellington, and lord chancellor Brougham, taking prominent parts in the debate; an amendment for the fair collection of the tithes in the several parishes was carried in committee against the ministers; but the bill was ultimately carried, under a strong protest from a considerable number of the conservative peers. Thus the Irish protestant establishment was shorn of half its hierarchy at one blow, and its influence in the country proportionally restricted—exhibiting an instance of bold policy which has seldom been equalled in any age, and which was certainly not exceeded by any measure passed during this period of powerful alteration in the condition of the people of Ireland.

The next subject to which the ministry directed their attention, was that of tithes. During the previous session, a resolution had been carried for advancing one million from the exchequer, for the relief of the protestant clergy, the greater part of whom were reduced to a state of absolute destitution from the difficulty experienced in collecting the sources of their incomes. The government now introduced a bill, founded upon a clause of that resolution, the effect of which was the abolition of those parishes in which public service had not been performed for three years; and a body of commissioners had been instituted to inquire and report what, and how many parishes had become subject to this provision. Originally, it had been asserted that there were one hundred and forty-four such parishes. The report now stated, that of that one hundred and forty-four, thirty were in the enjoyment of full protestant services, twenty-six others had had the service performed regularly, though inefficiently, within the prescribed time, and twenty-two others were partially served, leaving seventy-six subject to the effect of the clause, to ten of which it could not fairly be applied. The amount of tithes gathered from the country for these several livings, amounted to one hundred and thirty-six thousand six hundred pounds per annum. The charge for the church cess had been arranged by the tax upon the bishoprics, to which many benefices were attached, so that the whole of the burden of this reduction of the protestant establishment would fall upon the small livings, the population affected being about forty-six thousand, inhabiting ten



thousand houses. Such a wholesale proceeding, following upon the steps of the reduction of the bishoprics, filled the advocates for protestant ascendancy with dismay; especially, as it severely touched the protestant province of Ulster and the counties immediately adjoining its borders, such as those of Down and Armagh. The earl of Roden consequently moved, on the second reading of the bill being mooted in the house of lords, that it be read that day six months. He was powerfully backed by the duke of Wellington and the archbishop of Canterbury. The duke of Cumberland, the earl of Longford, and lord Wynford also opposed the bill; but it was strongly advocated by the duke of Sussex, and was passed by a majority of one hundred and fifty-seven against ninety-eight votes. In the house of commons, its most strenuous opponent was Mr. Shawe, member for the university of Dublin, but it was finally passed on the 30th of July, by a majority of one hundred and thirty-five against eighty-one.

In order to soften the blow, the ministry had caused an inquiry to be instituted, to ascertain what the arrears of tithe actually were at the time. The result of this inquiry was stated in a committee of supply, on the 5th of August, by Mr. Littleton, the Irish secretary, who said that it had been found that the arrears of tithe due from the year 1831, amounted to ninety-two thousand one hundred and eighty-five pounds; the arrears due to the bishops being something more than twenty thousand pounds; the arrears due in 1832, were three

hundred thousand pounds; while those for 1833, amounted to six hundred thousand pounds; not a pound had been realised. Leaving out those which might be left for consideration, there remained a sum of nine hundred and ninety-three thousand five hundred and twenty-one pounds due to the clergy, and the government proposed an advance of one million pounds from the exchequer, to cover their previous losses and to provide for their present relief. To this the house assented by a resolution, with the understanding that the arrears of 1831 and 1832 were to be subject to a reduction of twenty-five per cent., and those of 1832 to a reduction of fifteen per cent., and the bill for effecting that object speedily passed through both branches of the legislature, and received the royal assent. Parliament was shortly afterwards prorogued.

Thus virtually terminated the great contest between the Roman catholic and protestant churches in Ireland. The combined efforts of the Irish members had proved, as O'Connell had predicted, far too much for the ministry to control. The catholics had, by pertinacious perseverance, gained almost everything they had desired to obtain, and had lost nothing. The protestants had sought for nothing, but had lost everything but the uncertain tenure of a state church. They had retained the right to tithes, but had lost all the power to collect them, and the real religious ascendancy in the island, in numbers, position, and power had been successfully contended for, had been won, and was for the time, at least, firmly grasped by the Roman catholics.

### CHAPTER XXX.

THE REPEAL AGITATION; THE COERCION BILL; PEEL'S SHORT ADMINISTRATION; THE MELBOURNE MINISTRY.



F the ministry supposed that they would conciliate O'Connell and his followers by their numerous concessions to the catholics, they were grievously mistaken. The business of agitation in Ireland had been as actively carried on as ever during

the whole of the recess; and the vast multitudes who almost daily listened to the exciting eloquence and vituperation of Sheil and O'Connell, became so impressed with the power and skill of their leader, that they learned to despise the law and to trust in his guidance alone, for all their public conduct. Except in the restraint of the

grosser crimes of murder, grievous personal violence, and burglary, the coercion act was almost a dead letter. The British government was virtually set aside; and, had not O'Connell been restrained by a prudent regard for his own safety, the whole country might, at any moment, have burst out into one common flame of rebellion; and, even with all his tact and management, he had frequently the greatest difficulty to prevent the ardour of his followers from degenerating into downright treason, in act as well as words.

The "base, brutal, and bloody" whigs, as he termed them, were especially loaded with reproaches, and the first act of O'Connell, immediately on the meeting of parliament, on the 4th of February, 1834, was to move an amendment on the address to the crown, in reply to the royal speech, which the ministry were particularly desirous of passing unanimously. He was placed in a ridiculous minority, but that did not prevent him from persevering, within a week, in another motion, which was almost equally as obnoxious to the government, in which he was again in a minority of nearly one to four. Yet his eagerness was not in the least stayed; for he shortly afterwards moved for an inquiry into the conduct of Mr. Baron Smith, one of the judges of the court of exchequer in Dublin, who had rendered himself an object of hostility to the repealers, from several of his adjudications under the coercion act. O'Connell's attacks had been too inveterate and repeated for the ministry to disregard them; and therefore, though he was in a considerable minority, they determined to indulge him, and granted a special committee of inquiry into the judge's conduct. It is almost needless to say that he was honourably acquitted.

In the king's speech at the opening of parliament, an assertion had been made that he would uphold the union between Great Britain and Ireland, at the utmost cost, and with all the energy of the state. Mr. O'Connell met this, on the 30th of April, with a counter-declaration, in the form of a resolution, in the house of commons, that the union had not only been singularly disastrous to Ireland, but also greatly injurious to England, and that it was expedient that it should be immediately repealed. His principal opponents were Mr. Spring Rice and Mr. Emerson Tennent, both Irish members, who, in speeches of great force and comprehensiveness, fully showed how greatly Ireland

had advanced in wealth, commerce, and resources, since the union; how Cork, Belfast, Galway and Wexford had increased their shipping; and what a prospect for the future lay open before Ireland, if she could only be freed from the mischievous political agitation, which lay as an insuperable incubus on her prosperity. O'Connell was strongly supported by Mr. O'Dwyer, Grattan, and several others of the Irish members; but on a division, he found himself in a minority of only thirty-eight against five hundred and twenty-three votes; but this did not prevent him from publishing high-sounding manifestoes, exhorting the people to persevere, and assuring them of the ultimate achievement of repeal; and these addresses were rapidly distributed throughout every part of the country, and proved to be equally troublesome to the government and mischievous to those whom they were intended to influence, for politics became almost a staple business to three-fourths of the lower classes of the population of Ireland.

On the 27th of May, Mr. Ward, the member for St. Albans, brought forward a motion for a general inquiry into the state of the Irish church. He was seconded by Mr. Grote, a banker, a gentleman of radical principles, and one of the members for the city of London. The motion ultimately proved abortive, but the tergiversating conduct of a great portion of the ministry excited so much displeasure in some of their colleagues, that sir James Graham, lord Stanley, the earl of Ripon, and the duke of Richmond, at once retired from the cabinet, and their places were filled by men whose opinions were more in accordance with those of the majority of the government. The marquis of Conyngham took the duke of Richmond's office of postmaster-general; the earl of Carlisle was made lord privy seal; lord Auckland followed sir James Graham at the admiralty; Mr. Abercomby became master of the mint; and Mr. Poulett Thompson was made president of the board of trade, while Mr. R. Grant found an honourable exile in the governorship of Bombay.

All these were men of strongly, if not extreme, democratic opinions, so far as the church was concerned. Strengthened, therefore, with this alliance, lord Althorpe was encouraged to bring before the house of commons, on the 2nd of June, a resolution praying his majesty to appoint a commission to inquire into the state of the church, and



of church property in Ireland; and also to inquire into the proportion, in numbers and endowments, between the Roman catholics and dissenters and the establishment of the protestant church. It was strongly advocated by Mr. Hume, colonel Davies, Mr. O'Connell, and Mr. Dennis Browne, but was opposed by sir Robert Peel and Mr. O'Reilly, who, though a catholic, holding a large estate in Ireland, still felt that the existence of the protestant establishment was a great national benefit. There was great repugnance in the house to entertain the motion, but a threat having been held out, that the vote on the subject would be considered by the government as a vote of no confidence, it secured the adhesion of all those who either had anything to lose or anything to gain, by a retention of the present ministry, and the consequence was a majority of three hundred and ninety-six against one hundred and twenty votes. The commission was accordingly issued. The Irish protestant clergy, alarmed by these attacks upon their establishment, met in conclave and adopted an address to the king, which was presented by the archbishop of Armagh, signed by nearly one thousand four hundred clergymen. To this address his majesty made an earnest, affectionate, and dignified reply, in which he expressed a strong attachment, and his firm determination not to allow a single privilege of the church to be touched.

This somewhat reassured the protestant party, and their confidence was shortly afterwards increased by the intimation that earl Grey intended to renew the coercion act, which would expire at the end of July. The effect of that act had certainly been to abate greatly the evils of predial violence in Ireland, and to bring the people more within the range of civil authority; and his lordship had therefore decided on omitting from the new bill those clauses which required the operation of martial law in the proclaimed districts, but he intended to retain those which regulated the calling and ordered the mode of conducting the public meetings, which were the chief means of promoting that agitation, through which every grade of society had been roused into tumultuous disturbance. Such a design was naturally eminently displeasing to the popular leaders of Ireland, and they did not fail to express their feelings, both with openness and energy. Earl Grey was invincible, but the rest of the ministry were little disposed to brave an increased inveteracy in that op-

position of the Irish members, which had always proved so formidable. Mr. O'Connell and his followers must be appeased at any rate; and Mr. Littleton, the Irish secretary, accordingly consulted with lord Althorpe, the chancellor of the exchequer, as to the course they should adopt. In pursuance of that conversation, Mr. Littleton forwarded an intimation to Mr. O'Connell, that he should be glad to see him respecting the coercion bill. Mr. O'Connell accordingly called on the 20th of June, and a conversation ensued between the two gentlemen, in which he was assured that the wishes of the Irish members would be met satisfactorily. On the 23rd, the premier received a letter from lord Wellesley, counselling some such purpose, but he remained in ignorance of the communications which had passed between the members of government in the commons and the catholic party, and he accordingly persevered in the introduction of the coercion bill in the house of lords, with its objectionable meetings' clauses, on the 4th of July. Mr. O'Connell loudly declared that he had been betrayed; and denounced, what he conceived to be, a trick of the ministry. Explanations ensued; lord Althorpe resigned. Earl Grey, on the 7th, stated, in the house of lords, his inability to carry on the government without the assistance of his noble friend, and said that he only held office until his successor was appointed. In one house the ministry was declared to be dissolved; in the other, that it was not so. Lord Melbourne left the home office to become prime minister; some minor changes were made; lord Althorpe withdrew his resignation, and the whole plot for the expulsion of earl Grey from the ministry, was patent to the commonest observation. So deeply was the earl affected, on bringing the matter before the house of lords, that he was observed to shed tears, on announcing a resignation, which had been compelled by the most active of his colleagues. He was obliged to sit down, and the duke of Wellington very kindly interposed, by presenting several petitions to shelter his emotion. Earl Grey, the next day retiring from the ministry, lord Melbourne, immediately upon his accession to power, evinced his readiness to accede to the wishes of the Irish members, by the appointment of lord Duncannon, the earl of Mulgrave, and Mr. Hobhouse to seats in the government.

A modified bill for the renewal of the coercion act was introduced in the commons by lord Althorpe, on the 18th of July, and was carried, on its first reading, by a majority of one hundred and forty against fourteen, the three obnoxious clauses which regulated the public meetings, being altogether omitted. Whether this was wise or not, is a question which still remains to be solved, as parties were so very equally divided. The second reading was taken on the 21st, when, after a futile and indirect effort made by Mr. Poulett Scrope, always a man of disinterested philanthropy and patriotism, to introduce the English system of poor laws into Ireland, it was carried by a majority of one hundred and forty-six against twenty-five; O'Connell, with a far-seeing genius, still remaining in the minority. The bill was read a second time in the house of lords, on the 29th of July, by a majority of sixty against twenty-five; the duke of Cumberland, the duke of Wellington, and twenty-one other peers entering their protest against its principles.

Another large concession to the Roman catholics was attempted by the ministry, in the shape of a tithe bill, in which, notwithstanding the ill success of their previous measure, on that very account a clause was inserted, to the effect that not more than seventy-seven pounds ten shillings should be allowed to the clergy for every hundred pounds collected on account of tithe in Ireland, under the authority of parliament. Mr. O'Connell made a vain attempt to reduce the net amount by forty per cent. on each hundred, but the motion was negatived by a considerable majority, Mr. Littleton even not daring to countenance such a proposition; and the bill went up to the house of lords in its original state, and was there thrown out in a full house, by a majority of sixty-seven votes. Some attempt was made by the ministry to arrange the dispute respecting the church cess under the Irish church temporalities' act, but the provision attempted for the object, was palatable neither to the Roman catholic nor to the protestant churchmen; and the prorogation of parliament, which ensued on the 15th of August, put an end, for a while, to party strife within the walls of the legislature.

Such a restriction, however, upon the ebullition of feeling in Ireland could not be palatable. Most of the country districts in the midland and southern counties continued

to be most violently agitated, and the omission of the clauses for the regulation of public meetings from the coercion act, having given the Irish orators ample scope for the expression of their opinions, they eagerly availed themselves of the opportunity to excite the whole of the Roman catholic population to the utmost pitch of animosity, against all who opposed their endeavours to make their faith entirely predominant in the island. This feeling was aggravated in intensity, by the elevation of Dr. M'Hale to the catholic primacy in Ireland, in the place of the venerable Dr. Doyle, late archbishop of Tuam, a man of great learning, mild disposition and of gentle manners, the long continued associate of Mr. Keogh, lord Cloncurry, and the old adherents by whom the battle of emancipation had been originally fought.

Dr. M'Hale was worthy to be the coadjutor of Sheil and O'Connell. A man of great attainment, commanding intellect, impassioned and vigorous eloquence, and moreover intensely Roman in his feelings and principles, he was well adapted to secure the opinions and the deference of the ultramontane party, and a concentration was given to its power by the accession of such a man, that rendered it doubly formidable to any ministry to whom it might be opposed, especially as few of the Irish protestant members played any very active part in the house of commons.

A circumstance, however, occurred which deranged all party calculations. On the 10th of December, earl Spencer, the father of lord Althorpe, died, and his lordship was necessarily advanced to the peerage, and the office of chancellor of the exchequer, which must, by the constitution, be held by a commoner, became vacant. On the 14th, lord Melbourne having made his arrangements for the alteration of the offices, waited upon the king, who was at that time at Brighton, to present them for his approval, when his majesty intimated to him that he would not trouble him to reconstitute the the ministry, as he intended to consult the duke of Wellington; and one of lord Melbourne's servants was despatched that afternoon to sir Henry Wheatley, in London, requiring him to desire the duke's attendance at Brighton. The duke advised his majesty to send a special courier to sir Robert Peel, who had gone upon a continental tour in the south of Europe, and was at that time staying at Rome, far re-



moved from the party strife of the British cabinet. Sir Robert, on receiving the summons, hastened to England, travelling with such speed as to reach London on the 9th of December, 1834, and was immediately invested with office, lord Lyndhurst having been re-appointed to the chancellorship a few days beforehand. He quickly constituted his government,—sir James Scarlett being raised to the bench, with the barony of Abinger, while the earl of Haddington replaced lord Wellesley in the vice-royalty of Ireland. Parliament was dissolved on the 30th of December, and the writs for the new house of commons were made returnable on the 19th of February following.

During the recess, sir Robert Peel had sufficient opportunity for ascertaining his position, and he found it to be anything but satisfactory. The open dismissal of the Melbourne cabinet by the king had greatly exasperated the extreme section of the liberal party, and they consequently readily gave in their adhesion to the whigs, while O'Connell and his fellow Roman catholic adherents could hope for nothing from the change of government—and they also went over to the whig camp; but they stipulated for a price for their friendship, which, within three months, enabled lord Melbourne again to eject the conservatives from power. It was determined to try the strength of parties on the very first night of the session. This was done on the proposition of a speaker for the new house. Sir Charles Manners Sutton, who had now filled the chair during seven parliaments, retired upon his previously allotted pension of four thousand pounds a-year, and was raised to the peerage by the title of viscount Canterbury; while Mr. Abercrombie, the whig candidate, who had been returned for Edinburgh, was elected to the speakership, in opposition to the ministry. The premier having failed in his previous overtures to lord Stanley and sir James Graham to join his government, and having thus lost the assistance of the moderate whigs, O'Connell further succeeded in carrying a violent amendment on the address, by a majority of seven, although he was opposed by sir James Graham and most of the leading men of his party. The next mortification which

sir Robert Peel had to endure was upon a motion for the appointment of a body of commissioners to inquire into the amount and application of ecclesiastical revenues, on which the Irish members gave their zealous support to their new allies; and an amendment was consequently carried, though by the small majority of seven, against the ministry. A discussion ensued upon the application of the surplus revenues of the church, upon which lord John Russell shortly afterwards founded a motion, that these revenues should be applied to other than ecclesiastical purposes; which, after repeated divisions, was carried against the government, and they immediately resigned. The king was compelled to recal his previous ministers, and lord Melbourne once more became first lord of the treasury. Mr. Spring Rice, an Irish member, but a protestant and an advocate for catholic emancipation, was made chancellor of the exchequer, lord John Russell took possession of the home-office, while lord Palmerston assumed the seals of the foreign department. The earl of Mulgrave proceeded to Ireland as lord lieutenant, with lord Morpeth for his chief secretary; lord Plunkett became lord chancellor, and Mr. Perrin and O'Loughlin respectively attorney and solicitor-general for Ireland. The chancellorship of Great Britain was placed in commission under the vice-chancellor, Mr. justice Bosanquet, and the master of the rolls; the new ministry not desiring that lord Brougham should be again received into the cabinet. The woolsack was ultimately filled by sir Christopher Pepys, afterwards created lord Cottenham, who was generally considered a heavy man, but one of the greatest lawyers of the age. The marquis of Wellesley was made lord chamberlain; Mr. Littleton was raised to the peerage by the title of lord Hatherton, and Mr. Charles Grant was created lord Glenelg. Lord John Russell and lord Palmerston both lost the elections which they had necessarily to abide on their resumption of office, but a seat was opened for the former by the retirement of colonel Fox from Stroud, and for the latter by that of Mr. Kennedy from the borough of Tiverton, for which his lordship has sat during every parliament since that time.

## CHAPTER XXX.

THE TITHE QUESTION; THE COMMUTATION BILL; O'CONNELL'S NATIONAL ASSOCIATION, AND CONSEQUENT AGITATION.



HE numerous concessions of the ministers had given an immense accession of influence to the catholic and popular party in Ireland; but the former were not yet prepared to face the formidable opposition which they were likely to meet with from the English members in any direct application of the principle which brought them into power. They, therefore, sought to accomplish by indirect means that which they could not attempt by any immediate effort; and lord Morpeth, accordingly, in the course of June, introduced a bill for the regulation of the Irish church, in which he proposed to limit the collection of the arrears of tithes for the last two years over-due, meeting the claim by draughts on the exchequer, and remaining satisfied with a composition of about three-fifths for the remainder. Connected with this, he proposed to join the suppression of such benefices as should not contain more than fifty protestant inhabitants. The bill encountered much discussion at the outset, but was read a second time without debate. When it was about to be committed, sir Robert Peel suggested that there should be an instruction to the committee, that the substance matter under debate should be divided into two bills; but his opponents were too strong for him, and it passed the commons in its original form with but little difficulty. In the house of lords it met with a different fate, for their lordships struck out all the clauses for the suppression of benefices, and the reduction of the clerical funds, though they agreed to the proposed reduction and collection of the arrears of tithes. This was taking the very heart out of the measure, and the ministry consequently abandoned the bill; but the session closed by the passing of another, for a temporary provision for the Irish clergy.

During the following session (that of 1836), the subject of tithes was again mooted, when, from the reports of the Irish tithe-receivers, that there was, at the close of the financial year, in April, a deficit of

six hundred and thirty-seven thousand pounds in the amounts that ought to have been collected, it was then decided to advance five thousand pounds more from the consolidated fund, and to abandon, for the present at least, the exchequer processes for the collection of tithe; and thus remove one great cause of complaint and grievance. Mr. Sheil had also brought forward the subject of the orange lodges, with a view to their suppression, and had succeeded in obtaining a select committee to inquire into their extent and tendencies; and this was backed up by a resolution of Mr. Hume's, to extend the inquiry to the orange lodges which were known to exist in the army, which he alleged were not only an insult to Ireland, but also treasonable towards the country.

During the year 1834, an act had been passed for an extensive reform of the municipal corporations of England and Wales, founded on the elective principle of the great reform bill; which had been found, from experience, to be of vast utility in opening those exclusive bodies to general competition, and in sweeping away an immense number of most gross corruptions. This principle, it was now proposed to carry out also in Ireland, and a committee was accordingly appointed to inquire into the best mode of effecting that desirable object. Hitherto the coalition between the catholic members and the whigs had worked harmoniously, by the consent of both parties; and several of the former had been encouraged by admission to several of the governmental offices of inferior emolument, though none of the leaders had as yet attained to any great ministerial distinction. Most of the catholic members had acted with great spirit and independence, and had never hesitated, when they conceived it necessary, to attack the schemes of the government. Mr. O'Connell now went a step further, by the introduction of a measure for the reconstruction of the houses of the legislature. He advocated it with his usual boldness and force, but it was of too sweeping a character to be tolerated by any party, and was negatived without a di-



vision. The step was injudicious, for it showed the extent to which the catholics were prepared to proceed; and, by awakening the fears of the great mass of the conservative members on both sides of the house, excited a corresponding firmness for instantly repressing the attempt at so dangerous an innovation; and it was not, therefore, at any after-time, ever renewed.

Although quite indisposed to entertain any such theoretical and speculative notions as that of Mr. O'Connell's, just noticed, the legislature was really anxious to adopt any measures that might prove to be of real benefit to the people of Ireland. By the granting of catholic emancipation, the great masses of the people had been placed on a political level with their protestant fellow-subjects. By the extension of municipal reform, they hoped, by giving the middle classes an active participation in the local, as well as general, government of the country, to increase their personal dignity and self-respect. It was now proposed to release the lower classes from the abject thralldom in which they were held, by giving them a title to relief, in times of adversity, upon the landed and other property, by the introduction of a judicious system of poor laws; and thus save them from the degradation of that eleemosynary relief, upon which, in periods of distress, they had hitherto solely to depend.

Parliament met, for the new session, on the 14th of February, 1836, when it was opened by the king in person; who, in the speech from the throne, laid all these three topics before the legislature. His majesty said that the subject of tithes required the most earnest consideration, with a view to allay the ferment among the people. Parliament was already, he stated, in possession of the report of a commission which had some time before been appointed to inquire into the state of the municipal corporations in Ireland; and the substance of another report was also before them, which had been very ably drawn up by Mr. Nichols, who had been sent into that country, to make a personal inspection of the condition of the poorer classes who then were in urgent necessity of relief. The last subject had often been debated, especially in the years 1822 and 1829.

Accordingly, Mr. O'Loughlin, who was now attorney-general, introduced a bill for the reform of the municipal corporations; and in the course of his speech, stated that

there were seventy-one towns in the possession of all the municipal privileges; but in so imperfect a manner, that, although these places, collectively, comprised a population of no less than nine hundred thousand persons, there were, out of the whole of this number, not more than thirteen thousand individuals who enjoyed the elective franchise for the corporations, which had all the direction of their local interests. Lord Stanley opposed the bill, on the ground that the view taken of the subject was altogether one-sided; and that the effect of it would be, neither more nor less than to make these town constituencies the abject tools of Mr. O'Connell and the Roman catholic priesthood. His motion, for excluding several of the smaller towns from the municipal elective franchise, was lost, and the bill passed the commons by a considerable majority. It met with considerable opposition in the house of lords, but was again passed through the second reading by the agency of the government; but the opposing peers succeeded in carrying amendments, in committee, for negating the construction of new corporations, although they then suffered the bill to pass in its amended form. The amendments of the lords were, however, rejected by the commons, and the bill was, consequently, lost.

The Irish Tithe Bill was first mooted in the house of commons on the 25th of April by lord Morpeth, who trusted that he should neutralise all opposition by moving a resolution, in the adoption of which all parties might, without at all compromising themselves, combine. His resolution was, "That it is expedient to commute the composition of tithes in Ireland in a rent-charge, payable by the owners of estates, and thus make a further provision for the better regulation of ecclesiastical dues and revenues." The sum advanced to the Irish clergy amounted to six hundred and thirty-seven thousand pounds. By adopting the composition they would be able to purchase a sum of three hundred and sixty-one thousand nine hundred and twenty-eight pounds, which would not only satisfy all the demands that could justly be made for ecclesiastical purposes; but a surplus of ninety-seven thousand six hundred and twelve pounds would remain for such other objects as parliament might choose to designate; and of this sum he proposed to appropriate fifty thousand pounds to educational and other similar purposes. To this

lord Stanley made a strong opposition, on the old ground that the proposal was of too vague a nature to be entertained, and that no portion of the ecclesiastical dues ought to be used, except for upholding the interests of the protestant church.

The opposition was so far successful that the matter was left for sometime in abeyance; and in the meantime the clergy, thus left to provide for their own wants, and to secure their property, as best they might, availed themselves of an old act of parliament, in which it was declared that the resistance to the payment of tithes was an act of rebellion, and processes were accordingly issued to recover a portion of the tithes at that time due. Attempts were made to resist the operation of this act; and a case was carried up before the chief-baron to test its validity. He decided in favour of the tithe-owners, and, though much time and money were used to impugn his judgement, the chief-baron's law was ascertained to be too sound to be set aside. Processes were extensively issued; and it was remarkable that nowhere were the tithes so readily collected as in the county of Tipperary, where the opposition to them had been the most severe and protracted. Even Mr. Sheil and Mr. Otway, though its representatives, were compelled to pay. Mr. Sheil, indeed, would not pay in money; declaring that, if he did so, it would be at the cost of his seat in parliament; but his property could be touched, and the whole amount of the money which he owed was recovered.

These proceedings greatly exasperated the catholic party, and Mr. O'Connell immediately proceeded to organise a general national association, the members of which met in vast numbers at the corn exchange in Dublin—the theatre of his former exploits whilst agitating for the Emancipation Bill; and being well-backed by his immediate adherents and his old allies, the coal-porters, carried, as a resolution, a fierce denunciation of tithes altogether; with a declaration that, if tithes were to be paid at all, they should be paid only to that ancient priesthood from whom they had been unjustly taken. Mr. Sheil and Mr. Grattan took advantage of the opportunity of the Whitsuntide holidays to run down to Dublin to add their stirring eloquence to the effect of O'Connell's forcible appeal; and all the catholic counties were again speedily in a state of almost insurrectionary turmoil. Mr. Sharman Craw-

ford, a gentleman possessing large landed estates in Ireland, although a protestant, and a member of the church of England, also joined them; and the coalition being thus strengthened obtained no small weight with the public—especially as Mr. O'Connell was about this time reconciled with lord Cloncurry, one of the most respected noblemen in Ireland, who had been one of the earliest as also one of the ablest of the advocates of catholic emancipation, but who had since separated himself from those whom he esteemed as revolutionist projectors, chiefly in consequence of his recoiling from O'Connell's violent and gross vituperation.

In the north of Ireland, especially in Belfast and Londonderry, where the presbyterian protestants chiefly resided, and, indeed, throughout the whole of Ulster, a counter-spirit of resistance to the demagogues had, for some time past, been evoked, to counteract the efforts of the catholics in the east and south. Dr. Cook, a minister of a protestant congregation in Belfast, a gentleman of extensive learning and noble attainments, endued with a lofty eloquence and unflinching courage and perseverance, threw the whole force of his powers into the contest. All the attempts of the catholic leaders to obtain a substantial footing in this part of Ireland had signally failed. This district is the principal seat of the linen manufacture of Ireland; and the principals of the several establishments, many of which are of great extent, and conducted with consummate ability, were men of the highest intelligence and of large experience in the world. Their subordinates, in their various grades, were individuals whose minds were not only well-informed, but continually improving by attrition with each other, and the employments in which they were engaged. Political agitation had hitherto been nothing but a bugbear to them; but the events of the times drew them out from their private pursuits; and their strong protestant feelings prompted them to take an active part in opposing the ruinous doctrines of O'Connell and his allies—who, while continually declaiming that they only wanted Ireland for the Irish, entirely ignored any consideration for any of its inhabitants except the members of their own creed. Added to the movement made by the intelligent residents in the north for resisting the attempt to reduce the country to one of merely popish doctrine there was



another which arose out of the centre and the east, in Dublin and the adjacent countries, where people saw with alarm the fierce attacks made by the catholics upon the protestant church, and the evident readiness of the ministry, as far as the country would allow, to give into them. A powerful demonstration was made of protestant principles; and energetic steps were taken to expose the hollowness of the catholic orators, and to exhibit the false basis of the theological principles by which they were guided. Two clergymen of the established church, especially, the rev. Mortimer O'Sullivan and the rev. Robert Maghee, men of great oratorical powers and extensive learning, exerted themselves to the utmost in labouring to counteract the designs of the catholic party. Other active partisans laboured no less earnestly in the same cause in various parts of Ireland, and especially in Dublin; and agents were sent over to London to look after their interests in parliament. All this was independent of Dr. Cook, who never flagged, on his part, in his efforts to rouse the people to a sense of the danger to which it was believed that the protestant establishment was at that moment exposed. To their efforts the government gave no countenance; but, as far as they could, threw every obstacle in their way. The rev. Mr. Nangle, who was an earnest advocate of protestant principles, had established a missionary station in the island of Achill, on the coast of Mayo, where he had instituted an asylum for the destitute orphan children of Roman catholic parents, with a view to train them up in protestant principles. This institution became the nucleus of an influential movement of missionary effort, which for some time remained unchecked by authority; but some time after the period now spoken of, Mr. Nangle received an intimation that the *Achill Missionary Herald*, a newspaper which he published monthly, could not be allowed to be circulated any longer as such by the authorities of the

general post-office in Dublin. He appealed to lord Lichfield, the postmaster-general, for redress; but, while his lordship referred him to the lords of the treasury for permission to circulate his paper, and ultimately refused him all compensation for the expence to which he had been put, the *Post Circular*, a paper of an opposite tendency, was allowed free circulation on his lordship's own authority, on the first application.

These circumstances produced very important consequences in after years, and created a very strong feeling at the time throughout the country. The catholics were excited to renewed exertions. A large aggregate meeting was held at the Corn Exchange on the 1st of July, at which, although Mr. O'Connell had previously appeared friendly to the Poor-law Bill, a resolution was unanimously come to for its entire rejection, in spite of the statement of Mr. Poulett Scrope, from authentic documents, that there were not less than three million three hundred and eighty-five thousand persons in Ireland in the most abject distress, and in the most urgent need of instant relief. Thus the session went over without any one of the great measures intended for the social, moral, and political improvement of the country being passed.

As time progressed, the government threw their weight more and more into the scale of the catholics. The lord-lieutenant, the earl of Mulgrave, publicly entertained Mr. O'Connell at a state banquet, and proceeded on a progress through the provinces, releasing in his course a large number of prisoners who had been confined in the different county gaols on his route; while, as the winter set in, privation and disease were fast eating into the heart of the great masses of the people. In their eagerness to carry out party measures, the agitators opposed the government, even in its earnest attempts to save the people from starvation.

## CHAPTER XXXI.

VARIOUS PARLIAMENTARY MEASURES; DEATH OF WILLIAM IV. AND ACCESSION OF QUEEN VICTORIA;  
THE IRISH POOR-LAW BILL; MURDER OF LORD NORBURY; THE MUNICIPAL BILL CARRIED;  
THE REPEAL AGITATION; TRIAL OF O'CONNELL.



THE year 1837 broke gloomily enough over Ireland. There was not a county which was not racked with contention. The catholics were clamorous and factious, vituperative and domineering, from the countenance that had been shown to them by the government. The protestants were equally discontented, from the disfavour which they had experienced, and they held, early in January, a large meeting in Dublin, at which the marquis of Downshire and several other noblemen attended, and at which a petition to the house of lords, stating their grievances, was adopted, which was entrusted to the care of the marquis. Parliament met on the 31st of the month, and the most prominent topic of the speech was the condition of Ireland; and one of the first subjects taken up was the conduct of the Irish government of lord Mulgrave, which arose out of a severe disquisition upon his lordship's conduct by Mr. serjeant Jackson, an eminent barrister in extensive practice, and one of the members for Belfast. He was ably replied to by lord Morpeth, who contended that the lenient course pursued by the lord lieutenant towards political offenders, was the one best calculated to conciliate the feelings and allay the discontent of the Irish people. His lordship spoke, as he always did, most eloquently; but the debate produced much dissatisfaction on both sides of St. George's Channel, and the lord lieutenant was shortly afterwards recalled.

The next subject taken up was the municipal bill. The government had become quite aware of the injustice of withholding from one part of the United Kingdom the privilege of electing, by the popular voice, the directors of their local interests, which had been so correctly estimated and so admirably used in another. The law for municipal institutions had worked well in England, and there appeared a reasonable hope that it might with equal utility be applied to Ireland: but yet difficulties beset the case; for the middle classes in the latter country

were, as a rule, in far more impoverished circumstances, and possessed less educational intelligence, than the former. Moreover, they were not subject to those polemical and ecclesiastical influences of which the former were so susceptible. It was proposed to meet the difference of circumstances by a lower rating, and accordingly ministers prescribed a five-pound tenancy instead of a ten-pound one, as conferring the right to vote for corporate officers. The bill passed through the commons successfully, but came under the dissecting-knife of lord Lyndhurst on its second reading in the house of lords, and upon his recommendation a tenancy of the same rate as that required in England was suggested, instead of the one proposed for Ireland. The proposition was made as an amendment in committee, but it was fatal to the bill. The bill passed the lords, and the amendment was referred to the commons for their approval. Lord John Russell proposed a compromise, and stated that he was ready to substitute eight pounds for the five or ten pounds franchise. The lords persevered, and the bill was lost, for the session at least—the only evil arising from the circumstance being a severe castigation administered by Mr. Sheil, which had only the effect of weakening, by its violence, the cause which he generally so judiciously and so eloquently advocated. Neither the legislature nor the government had lost sight of the advantage that was likely to accrue to Ireland by the introduction of a judicious system of poor-laws; and an attempt was made this session to carry that desirable object into effect. Mr. Nichols, a man of able capacity and statesmanlike views, had some few years before been sent into Ireland to ascertain, in every part of the island, the real condition of the poorer classes. He found that, from one end to the other, the country was infested with beggars; that mendicancy had become anything but an discreditable profession: it was resorted to, not as a last resource to sustain life, but as a usual mode of getting a living; and though every attempt had been made by the majority of the county magistracy to



pnt it down, the evil was too inveterate in the national constitution ever to be eradicated by any means at that time in existence. He found that those who were not beggars, among the lower orders, existed almost invariably in the lowest state of social demoralization and destitution; living—depending, indeed, in most of the families of the poor on the potato produce of a hand's-breadth patch of ground. The only remedy for this state of evil, he conceived, was to be found in the affording of compulsory relief, derived from the real estate of the country. Mr. Nichols' report was an admirable depiction of the condition of the Irish poor, and it had great weight. Lord John Russell founded his Irish poor-law upon it. He proposed to adopt the principle of compulsory rates for the relief of the poor; but in order to render the relief efficacious, so that improper persons should not receive the relief thus devised, he annexed a condition, that all who required relief should be compelled to enter the workhouse, where they would meet with worse fare and work harder for their support than when they were working for any other master than the parish. In order to insure a right feeling among the several bodies, or boards of guardians, who would have the immediate direction of all the parishes in England, he proposed altogether to exclude clergymen, whatever their principles might be.

The motion for the introduction of a bill for the collection of rates and the relief of the Irish poor, met with general support from both the ministerial and the English democratic members, but was virulently opposed by O'Connell and the other Roman catholic members, most of whom had just intimated their readiness to accede to the bill—the O'Connor Don and sir Robert Peel joining in its commendation; but now they violently opposed it. It was unanimously agreed in the house, that the system of parochial settlement so universally adopted in England was not fitted for the habits of the Irish people. The measure progressed but slowly, and was ultimately laid aside for the session, in consequence of the demise of the crown. Lord Morpeth soon afterwards introduced another motion for the settlement of the Irish tithe question; and the government now having ascertained the force of the objection of the protestants to the use of the ecclesiastical revenues to be derived from the suppression of

benefices for other than ecclesiastical purposes, lord John Russell, in reply to sir Robert Peel, candidly stated that the ministry were now ready to abandon the appropriation clause, upon which they had come into power. The bill now being supported by sir Robert Peel and lord Stanley, it passed the commons, and speedily became the law of the land; and thus another great cause for national dissent was at once, and apparently for ever, entirely removed from the list of Roman catholic grievances in Ireland.

An event was now at hand which was calculated to disarrange the plans of both liberals and conservatives. During the early part of the year the king had suffered much from indisposition, yet for some time it had evinced no decided symptoms; but as the year advanced it became more and more developed, and at length assumed a decided phase of disease of the heart, which proved fatal. After a comparatively short confinement, king William IV. sank into his last sleep on the 20th of June, 1837. His majesty left no legitimate issue, and he was succeeded on the throne by the princess Alexandrina Victoria, the present queen, only daughter of his late brother, the duke of Kent, with whom he had always enjoyed a brotherly affection and an unreserved friendship. So privately had the princess Victoria lived before coming to the throne, that few persons in the kingdom could be acquainted with her political sentiments, even if one so young could be supposed to have any political sentiments at all. Sanguine hopes were entertained by the conservative party that a new reign would be marked by a new ministry; but these were soon dissipated; for lord Melbourne and his friends were received and retained with marked favour.

Parliament was prorogued on the 17th of July by her majesty in person, when the only topic on which the speaker, on his attendance with the members of the commons to hear the royal address in the house of lords, could reply respecting Ireland, was the settlement of the tithe question. Parliament was immediately afterwards dissolved. The elections were conducted with unusual violence, even for Ireland, and a large majority of Roman catholic and liberal members were returned for that part of the United Kingdom. But the registries of the electors were said to have been tampered with, or were at least grossly incor-

rect; and Mr. Spottiswoode, the queen's printer, a gentleman of large fortune and a descendant of archbishop Spottiswoode, of the episcopalian church of Scotland, and who, from his predilections, had taken a prominent position among the conservative party, organized an association for obtaining money to contest the elections of many of the Irish members. There is little doubt but that most grossly corrupt practices had been used throughout the whole of Ireland; but the representatives of all grades determined to resist the attempt, if for no other reason than that it originated from one whom they considered a stranger; though it is remarkable, that no Irish member had hitherto attempted to bring in a single bill for the reformation and improvement of his own country.

The new parliament met in November; when, after the preliminary proceedings, one of the first subjects taken up was the Irish registries and the rules of the house respecting election committees. Upon the data furnished by the discussion in the house of commons, Mr. C. Buller founded a bill for regulating the conduct of committees instituted to investigate the merits of contested elections. Much ground had been given for complaint, and afforded for this bill, by the circumstance of O'Connell having, at the close of the previous parliament, gone down to Dublin, and there organized a new association, under the title of the "Precursor Society," the avowed object of which was to take such measures as would lead to the repeal of the union between Great Britain and Ireland, the most prominent of which evidently was the return of such members, by whatever means, as would be ready to support that object. Mr. William Smith O'Brien, who afterwards became noted for his unsuccessful insurrection against the constituted authorities, one of the members for the county of Limerick, took advantage of the opportunity to present a petition from himself, praying that inquiry might be instituted into the proceedings of what he called the Spottiswoode gang, and that if sufficient ground was afforded against them by the inquiry, proceedings should be taken against them. The matter was warmly debated; but on the motion that the petition be referred to a select committee, there was a majority, in a full house, of thirty-one against its being entertained. Mr. O'Connell moved a resolution upon Mr. Charles

Buller's bill, which contained the principle of appointing supervising barristers for the settlement of disputed elections, the effect of which would be, that all disputes should be placed under the jurisdiction of the court of queen's bench—a plan that appears to be the best that could be devised; but both schemes eventually fell to the ground, in consequence of the advice of sir Robert Peel, that the house should not part with any of its constitutional privileges, but retain the election committees under its own control.

Before the Christmas recess, the government took up the subject of a poor law for Ireland, and succeeded in carrying that bill into committee before the house rose for the winter holidays. The committee resumed its sittings in February following, and the bill at length passed the commons by an overwhelming majority of two hundred and thirty-four against fifty-nine. Nor was the house of peers less sensible of the necessity of some such measure to take the people out of the hands of the priesthood, who were the chief dispensers of alms in Ireland; the bill consequently encountered but little difficulty from their lordships, and passed through its several stages by majorities proportionably equal to those of the commons. Money was granted for the erection of poor-houses; and the whole machinery for effecting this great change in the social condition of the country was soon in operation. Property, in a public sense, was then made to feel, almost for the first time in Ireland, that it had its duties to perform, as well as its rights to enjoy.

The ministry made another attempt during the session of 1838-9 to carry the Municipal Bill with the eight-pound franchise; and, notwithstanding the powerful opposition of Mr. Shawe, the recorder, who acted as the head of the Irish conservative party for Dublin, they succeeded in carrying it by a considerable majority through the commons. It also passed its second reading in the course of July, by the aid of lord Brougham; but when in committee, lord Lyndhurst again succeeded in carrying his amendment for the ten-pound franchise; and on the bill being returned to the commons, the ministry refused to accede to the alteration—and, on the motion of lord John Russell, it was ordered to be considered that day three months—and the bill was thus, for the session at least abandoned.



The first of January, 1839, was marked by one of those foul atrocities by which Ireland has been too often disgraced. Lord Norbury, an amiable and highly respected nobleman, was shot in open daylight, while walking in his own grounds, within a short distance of his residence. He lingered for two days in great agony, and died upon the third of the month. Lord Exmanton, the earl of Charleville, and other noblemen and gentlemen, who were magistrates in the neighbourhood, immediately instituted a searching inquiry, but the perpetrator of the deed was never discovered, and the investigation only assured them of the existence of a wide-spread conspiracy amongst the tenants and peasantry of the several estates to resist the payment of all rents. This conspiracy was regularly organised, and all its members were bound by an oath of secrecy, and knew each other by secret signs. Every district had its committee, and every committee had a central office in each county, the officials of which again were in constant correspondence with the chief agitators in Dublin. No person's life was safe from the attempts of these atrocious murderers; and the system which they pursued was in every way diabolical; for, while it insured its victim, it enabled the offenders, in numberless cases, to entirely elude justice. When any obnoxious individual was to be removed, two persons appointed for the commission of the outrage were brought from a neighbouring county; and, as the victim of their violence was generally unknown to them, some one of his nearest neighbours, not unfrequently one whose family had been fed and clothed by his benevolence, was selected to point him out. If pursuit was attempted, it was almost invariably futile, for every peasant was an opponent, and every cottage a hiding-place.

Meanwhile, Mr. O'Connell still reigned triumphantly in his popularity among his countrymen. The open manner in which he had bearded the government, causing them to truckle to his will, and rendering the lord lieutenant subservient to his views, exalted him beyond measure in the estimation of those who saw with joy the success of his plans; and every word that he uttered, while it proclaimed peace, became a firebrand for the promotion of agitation and anarchy.

The state of the country, ascribable in a great degree, as many believed, to the

course followed by lord Mulgrave's government, was brought formally before the house of peers in the course of March, 1839, by the earl of Roden, who moved for certain returns of the committals and conviction of offences in Ireland, since the beginning of 1835. An animated debate ensued, which enlisted all the energies of the noble lords on both sides of the house; for the government put upon the motion the character of a vote of censure. The earl of Mulgrave, who had been raised to the marquise of Normanby, and was now secretary of foreign affairs, having resigned the vice-royalty of Ireland to lord Ebrington, was present to defend himself, and made a most able defence. He proved that murders had not been more frequent during his government than before, and that the other outrages which had been perpetrated were much less atrocious in their nature than those which had previously prevailed. The government supported him with all their energies; and the earl of Roden was, as to his immediate object, defeated, but the debate tended greatly to shaken the administration.

A like result occurred to a similar motion made by Mr. Shawe, in the house of commons, the debate upon which lasted several nights; colonel Perceval affirming, in the course of it, that when lord Mulgrave made his first entrance into Dublin, he was accompanied by a vast concourse of people, ill-affected to the government, some of whom carried banners with the same devices as had been borne by the rebels in 1798. Lord Morpeth made a vehement defence of the Irish government, and on the division, there appeared a majority of twenty-two in its favour.

These debates heavily damaged the ministry; and they were soon to experience another adversity, which induced them to throw up the reins of government. Disputes had for some time prevailed between the governor and the legislature of the island of Jamaica. The latter had of late gone so far as to stop the supplies. The dispute had been carried to such a length as to call for the interference of the home government, and lord John Russell moved for a bill to suspend the constitution of the island. This was strongly opposed; and, on a division, was only carried by a majority of five. This the ministers considered to be a virtual defeat; and accordingly lord John Russell announced that they only held their places until their successors were appointed.

The queen sent for the duke of Wellington, who advised her majesty to appoint sir Robert Peel. Sir Robert accepted the appointment, and quickly arranged the cabinet; but her majesty refused to part with some of the ladies of her household, one of whom was the marchioness of Normanby, wife of the late viceroy of Ireland; and another the duchess of Sutherland, sister of lord Morpeth, the Irish secretary, both of whom must naturally have great influence with their royal mistress. This circumstance sir Robert conceived to indicate that he neither possessed nor could obtain the full confidence of the crown, which must render him, if he persevered, inefficient for the conduct of public affairs. He therefore resigned his appointment, and lord Melbourne was, for the third time, installed in the office of prime minister.

It was a fortunate circumstance for the ministry that they had acted upon the impulse of the moment and resigned, for they unquestionably gained a considerable advantage on their reinstatement in office; so that lord Morpeth was, in the early course of the following session, enabled to again introduce his municipal elections' bill, with some promise of success. A long and very animated debate ensued on the motion for the second reading in the commons, but it was carried by a majority of one hundred and thirty-five, while the third reading was passed by a majority of one hundred and forty-eight. Lord Melbourne took the conduct of the bill in the house of lords, where it was strongly opposed by the earl of Winchelsea, and other peers of the protestant party, but the second reading was carried by a majority of ninety-nine, and it was ultimately passed with a long and strong protest from the bishop of Exeter. Sir Robert Peel had shown himself in favour of the principle of the bill, during its successful progress through parliament.

A vain attempt was made during this session by Mr. Plumptre, one of the members for Kent, a gentleman of extreme protestant opinions, to annul the annual vote which had been granted every year, since the time of Mr. Pitt, for the support of the Roman catholic college of Maynooth, near Dublin, but it was opposed by sir Robert Peel and discountenanced by the duke of Wellington, on the ground that, as the object of the grant at its institution had expressly been to promote the education of the Roman catholic priesthood, within the

British Isles, instead of compelling them to resort to the continent for their instruction and degrees, no ground for annihilating it could be raised, from the fact that Roman catholic doctrines were taught in their full extent within the precincts of the college. In truth, a rivalry seems almost to have arisen between the members of the liberal and conservative parties, as to who should legislate most readily for Ireland. Lord Stanley had, during the session of 1840, introduced a bill for the registration of voters for elections, similar in its principle to that which had been obtained for England; and, though he was for a while very successful in the conduct of his measure, he was induced, partly by the opposition of its enemies and partly by the persuasions of his friends, to withdraw it for that session, though he afterwards renewed it with more success in the following year.

During the period which had elapsed since its enactment, the poor law for Ireland had excited much anxious attention. In England, the poor-law for that part of the united kingdom, had met with the utmost popular obloquy, and in Ireland the sister measure was, if possible, still more unfortunate, for it met with much more substantial opposition. It was opposed to all the old notions and practices of the people; while it, in addition, became a sore burden to the landlords. The government had nevertheless steadily persevered in its introduction; and, by the report of the poor-law commissioners for Ireland, which was published in 1841, it appeared that they had instituted one hundred and twenty-seven unions, and that only three now remained to be formed. Great progress had also been made in the erection of the poor-houses throughout different parts of the country; and the system might therefore be said to be fairly established on the broadest basis of liberality.

Hitherto, the government, although strong at the commencement of their new career, had gradually been undermined by their opponents, until their influence had very palpably declined; and a strong agitation having arisen in every part of the united kingdom, upon the subject of a fixed duty or unlimited admission of foreign corn into British markets, sir Robert Peel took advantage of the circumstance to move a resolution of want of confidence in ministers, and it was carried by a majority of one vote against them. Having also been hardly



pressed upon the question of the registration of voters in Ireland, lord John Russell determined to appeal to the country, and the parliament was dissolved. The decision was unfortunate, for the conservatives availed themselves of their hold upon the feelings of the farmers and the landlords; and when the houses again met in the summer, the opposition was found to be in a decided majority. Sir Robert Peel was shortly afterwards called to assume the reins of power, after a debate of four nights' duration in the house of commons, which resulted in a majority of ninety-one against the government. Earl de Grey went to Ireland as viceroy, with lord Eliot, son of earl Minto, for his chief secretary, while sir Edward Sugden was made lord chancellor of that part of the united kingdom.

During the following year, the whole of the united kingdom, but especially England, was in the strongest state of agitation respecting the repeal of the corn laws; but at that time the advocates for their abolition grew daily in numbers and influence; and the whigs, who had vainly striven for a fixed duty on the importation of wheat, of eight shillings a quarter, found themselves compelled to assume the lower rate of five shillings, and ultimately to fall into the requisitions of the anti-corn-law league, headed by Mr. Cobden and his friends, that there should be no duty at all. The landed and the commercial interests were in a decided state of opposition to each other; and the eastern side of St. George's channel was so completely occupied with the subject, that its denizens thought but little of the affairs of Ireland. Most of the leading men in Ireland were not slow to perceive this advantage; and they took the benefit of it by promoting, most assiduously, though perhaps less noiselessly than heretofore, the combination among all classes of society for enforcing the repeal of the union, which Mr. O'Connell so strenuously advocated as a panacea for all the miseries of the land.

Self-pride in country is and always has been one of the most distinguishing traits in the character of Irishmen. They esteem their own to be the first country in the world; and for that mere notion of an unsubstantial superiority, the majority of them are almost invariably ready to sacrifice any other interests for making it so; careless of health, property, kindred, and even life itself—in order that the supposed pre-

eminence of its position should be assured. Mr. O'Connell well knew the character of his countrymen. He had touched, and with effect, the strings of their feelings too often not to know how readily they replied to the pressure of national vanity and polemical prejudice. In his attempt to repeal the union he had now not only many of the best men in Ireland to back him, but also the almost entire support of the Roman catholic hierarchy and clergy. In the house of commons there was an overwhelming conservative majority against him, with which, with all his fiery and vituperative eloquence, he could do nothing. Their votes were sufficient to render all his attempts to alter the condition of the Irish people abortive; and he, therefore, at the beginning of the year 1843, determined to throw himself entirely upon his countrymen, with a view to render their combination as effective as possible. With this view, he established a society of far deeper combination than any which he had hitherto attempted, though upon the same model, called the "Repeal Association." It was composed of associates, members, and committee-men, all of whose proceedings were so arranged as to bring the greatest number of the population of all grades to act for one common object. The associates were men who subscribed one shilling yearly for the purposes of the combination; all the members who had peculiar authority assigned to them were required to subscribe one pound a-year to the fund for carrying on the proceedings of the association; but any one member who obtained the contribution of a shilling each from twenty associates was entitled to the privileges of their order. The committee-men were composed of the persons most influential in their several districts; and their contributions depended, of course, upon position and influence. Their subscriptions were a matter of arrangement.

With this machinery, O'Connell proceeded to work on the minds of the catholics of Ireland. Addresses were issued, penned with all the fervour of his eloquence. No means were left untouched that could excite the spirit of the people. One and all were called upon to render their mite for overthrowing what was termed the tyrannical domination of Saxon rule; and the addresses were all calculated to be influential upon the catholic population. The monster meetings so often found efficacious

on former occasions of political excitement, were renewed with still greater effect upon the people. On the 16th of March, 1843, the first of these great assemblages was held at Trim, in the county of Meath, not far from Dublin, where O'Connell was attended by Mr. Barrett, the editor of the *Pilot*, a strong catholic paper, and Mr. Thomas Steele, who, though a Londoner by birth, had entered most heartily into all O'Connell's views, and had always seconded them by every effort in his power. There was a congregation of at least thirty thousand persons, very few of whom could hear what was said at the meeting, and still fewer could understand what they heard. But the meeting was nevertheless eminently successful. The catholic papers lent their best assistance to the work; and, by the aid of the reporters, the proceedings of and the observations made at the meeting were, within a day or two, fully disseminated in every part of Ireland. O'Connell's speech, in which he fully reiterated the grounds of his objection to the union, was carefully given. Among the other subjects treated of, he put the battles of Aghrim and the Boyne, both of which occurred in that neighbourhood, prominently forward.

The appeal was electrical; and another meeting, more numerous even than the former assembly, met at Mullingar, on Sunday, the 14th of May. From a hundred thousand to a hundred and thirty thousand persons were said to be present. Dr. Cantwell, Roman catholic bishop of Meath, and Dr. Higgins, bishop of Ardagh, with a large number of the Roman catholic clergy and gentry, attended; and the latter were, after the meeting, most ably addressed by them at a dinner given on the occasion, and had practical evidence of the success of their efforts upon the feelings of their audience—for the repeal fund was shown to have arisen to between six and seven hundred pounds a week.

From March to August the same system of agitation prevailed, and the whole country was fast declining into a state of complete anarchy. All this time, petitions had been pouring in to the government from the protestants and the more quiet members of the Roman catholic laity for protection; but the ministry continued to look on with apparent apathy, and no measures were taken to express their dissatisfaction with this state of things, except the dismissal of a considerable number of magistrates from

the commission of the peace by lord chancellor Sugden. The marquis of Clanricarde made some severe animadversions on these dismissals in the house of lords, but he was met by the duke of Wellington, who ably defended the chancellor.

On the 15th of August, an immense aggregate meeting, composed, it was believed, of upwards of two hundred and fifty thousand people, met on the hill of Tara—which was selected for the purpose of arousing the feelings of the people, in consequence of its having been the place where the ancient kings of Ireland were crowned. O'Connell's name was a host of strength, his appearance a charm, the movement of his lips a talisman that evoked the deepest sensibilities of his countrymen. The aspect of such a multitude, met to enforce the cause which he had so much at heart, with property, person, and life, if needful, awoke the highest energies of his character. He was always great in oratory; but he was never greater than now. He knew the secret aspirations of every man before him. He aroused them from their depths with a fervour that raised a spirit of enthusiasm, which spread quickly through all parts of the island; and, whatever were its intentions, the agitation which followed was most injurious to the present interests of the country.

The peaceable portion of the population in every province, and especially the protestants, were alarmed in the extreme. The miseries and atrocities of the rebellion of '98 appeared to be palpably brought before them. Neither life, person, nor property, seemed to be for an instant safe. Still the government remained quiescent. They seemed to be doing nothing; and an outburst of popular violence was daily looked for. Even many of the advocates for repeal themselves waited, with trembling apprehension, for the results; and more and more earnest representations of the pressing danger daily poured in upon the government, with, apparently, little other satisfaction than the assurance that the officials were not asleep.

Shortly after this meeting, Mr. O'Connell proceeded to establish a system of arbitrators; or, a class of persons who were intended, by their functions, to supersede the acts of the imperial parliament, in those parts of Ireland in which the Roman catholics held the predominance, by presiding over courts of adjudication, to which all suits were to be brought, instead of to



the ordinary courts of law. And in all his speeches, for this and other objects of a similar kind, there was the most daring defiance of the government and the army. Towards the queen he always expressed the most faithful allegiance, and constantly exhorted the people to peace and quietude; but his own acts were invariably in open defiance of the royal authority and prerogative, and his words full of the fervour that was calculated to rouse a susceptible people to deeds of violence.

Another monster meeting was held on the 20th of August, at Roscommon, which, in O'Connell's opinion, was the most calculated, of any that had ever been held, to strike their enemies with dismay, and to give to their friends the greatest encouragement. On the 22nd of the same month there was a meeting of the "Repeal Association," at which he submitted a plan that had been recommended by the committee, and signed by himself, as chairman, for the revival of the Irish parliament. By this paper it was, among other things, declared that "the people of Ireland do finally insist upon the restoration of the Irish house of commons, consisting of three hundred members, the representatives of the Irish people, and claim, in the presence of the Creator, the right of the people of Ireland to such restoration. They have submitted to the union as being binding, as a law, but they declare solemnly, that it is not founded on right or on constitutional principle, and that it is not obligatory on their consciences."

The plan—after providing for household suffrage and vote by ballot; and that the sovereign or regent *de jure* in England, should be monarch *de facto* in Ireland; and, after providing that the connexion between Great Britain and Ireland, by means of the power and authority of the crown, should be perpetual—thus concluded:—"That the foregoing plan be carried into effect according to recognised law and strict constitutional principle."

About this time parliament was prorogued; and, in the course of the queen's speech, especial allusion was made to Ireland, her majesty declaring her deep concern at the attempts that were being made to stir up a spirit of disaffection among her Irish subjects. These remarks O'Connell attacked with the utmost vehemence and in the most unmeasured terms; and gave notice, at a meeting of the association, of a manifesto, in the shape of a counter-address to the

subjects of the British crown in every part of the world, stating the grievances under which Ireland laboured, and the means by which those grievances were to be removed. This manifesto declared that there was no hope of obtaining the redress of those grievances from the British parliament by any legal or constitutional means; and the mode by which they were to be remedied was pointed out in phraseology that could not be misunderstood.

Among the numerous means which O'Connell resorted to to further his designs was the use of the temperance or teetotal associations. These associations had been first instituted by a Roman catholic clergyman of the name of Mathew, with the apparent object of arresting the lamentable spirit of intemperance that had become almost indigenous to the habits of the lower classes of Irishmen; and eminent success had attended his efforts in so admirable a cause. But it was singular that these teetotalers, almost to a man, were decided opponents to the constituted order of things; and it had long been surmised, by the better affected persons of the community, that some secret political object was at the bottom of the movement. The number of the several associations were regularly organised for processions and popular effect. They had their bands, their banners, and their regular gradation of officers; and their peculiar elements of alliance and discipline evinced that, although so harmless in appearance, they were, in truth, important allies for political objects. That they might be so used, if indeed they at that time were not, was proved by the words of Mr. O'Connell respecting them, when he said, at the great Roscommon meeting, "Oh, how he loved teetotalism. It was the finest effluence of human virtue; and he had made a rule, that any one who disregarded its solemn obligations, and broke the pledge, should not be admitted to the repeal ranks. Napoleon had boasted of his body-guards, but he could boast of a more than imperial guard—a christian guard of virtuous teetotalers. The mighty moral miracle of five millions of men pledged against intoxicating liquors, had come from the hand of God; and he hailed it as the precursor of the liberty of Ireland. Teetotalism was the first sure ground on which they rested their hope of sweeping away Saxon domination, and giving Ireland to the Irish." Yet neither Mr. O'Connell, nor any of his friends, ever exhibited any example of that abstinence, the

virtue of which he had so highly recommended to the people.

Numerous meetings of large bodies of persons were continually held in different parts of the country; at which the orators used the greatest boldness of language against the existing government, and made open avowals of designs hostile to the existence of law and order, and threw out the most urgent incentives to the disturbance of the public peace.

The government were at length awakened to the danger of the country, and the necessity of frustrating the proceedings of this great combination. A grand meeting for repeal was appointed to be held on the 8th of October, 1843, at Clontarf, the site of Brian Boru's victory over the Danes, and only about three miles from Dublin; at which, of course, most of the lowest and most dangerous classes of the capital might be expected to attend. A programme of the proceedings to be observed at the meeting, and the regulations to be observed by those who were to be present, was put forth with unusual ostentation and solemnity. It was time, the government thought, to interfere; and a privy council was accordingly held in Dublin on the 7th, the day before the meeting; and at half-past three o'clock on that day the following proclamation was issued by the lord chancellor Sugden, the earl of Donoughmore, lord Eliot, the Irish secretary, the attorney and solicitor-generals for Ireland, and Mr. Shawe, the recorder of Dublin.

*"By the lord-lieutenant and council of Ireland. A proclamation:—*

"DE GREY,—Whereas it has been publicly announced that a meeting is to take place at or near Clontarf, on Sunday, the 8th of October instant, for the alleged purpose of petitioning parliament for a repeal of the legislative union between Great Britain and Ireland; and whereas advertisements and placards have been printed and extensively circulated, calling on those persons who propose to attend the said meeting on horseback to meet and form in procession, and to march to the said meeting in military order and array; and whereas meetings of large numbers of persons have been already held in different parts of Ireland under the like pretence; at which meetings language of a seditious and inflammatory nature has been addressed to the persons there assembled, calculated and intended to excite discontent and disaffection in the

minds of her majesty's subjects, and to bring into hatred and contempt the government and constitution of the country as by law established; and whereas, at some of the said meetings such seditious and inflammatory language has been used by persons who have signified their intention of being present at and taking part in such meeting so announced to be held at or near Clontarf; and whereas the said intended meeting is calculated to excite reasonable and well-founded apprehension that the motives and objects of the persons to be assembled thereat are not the fair legal exercise of constitutional rights and privileges, but to bring into hatred and contempt the government and constitution of the united kingdom as by law established, and accomplish alterations in the laws and constitution of the realm by intimidation and the demonstration of physical force: now we, the lord lieutenant, by and with the advice of her majesty's privy council, being satisfied that the said intended meeting, so proposed to be held at or near Clontarf, as aforesaid, can only tend to serve the ends of factious and seditious persons, and to the violation of the public peace, do hereby strictly caution and forewarn all persons whatsoever that they do abstain from attendance at the said meeting; and we do hereby give notice that if, in defiance of this our proclamation, the said meeting shall take place, all persons attending the same shall be proceeded against according to law; and we do hereby enjoin all magistrates and officers entrusted with the preservation of the public peace, and others whom it may concern, to be aiding and assisting in the execution of the law in preventing the said meeting, and in the effectual suppression and dispersion of the same, and in the detection and prosecution of those who, after this notice, shall offend in the respects aforesaid.

"Given at the council chamber of Dublin, this 7th day of October, 1843.

"God save the queen."

As soon as this proclamation was issued, Mr. O'Connell called a special meeting of the "Repeal Association," at which he stated, with a studied calmness, that, in consequence of the step adopted by government, there would be no meeting at Clontarf the next day, and he begged the influence of all those around him to prevent the assemblage of any persons whatever there, however few in number. As to the measure of the government, he denounced it as the



most base and imbecile proceeding they had ever taken; for he could pledge himself to the fact that, within one twelvemonth from that day, they would have their own parliament on College-green. The meeting at Clontarf was really the last that it was intended should take place, and the government had waited till nearly three o'clock on that day, before they issued their proclamation, a time when it would be nearly useless. But the manner of taking the step, he said, showed the tone, temper, and disposition of the British ministry. Instead of preventing any persons becoming repealers, such a policy would only induce more persons to join their cause. At his suggestion, the following address, counter to the proclamation, which had been drawn up by himself, was immediately issued, under the authority of the association.

"NOTICE.—Whereas there has appeared, under the signatures of E. B. Sugden, C. Donoughmore, Eliot, F. Blackburne, E. Blakeney, Frederick Shawe, T. B. Smith, a paper being, or purporting to be, a proclamation, drawn up in loose and inaccurate terms, and manifestly misrepresenting known facts, the object of which appears to be to prevent the public meeting, intended to be held to-morrow, the 8th instant, at Clontarf, to petition the parliament for the repeal of the baleful and destructive measure of the legislative union; and whereas such proclamation has not appeared until late in the afternoon of this day, Saturday, the 7th instant—so that it is utterly impossible that the knowledge of its existence could be communicated through the usual official channels, or by post, in time to have its contents known to the persons intending to meet at Clontarf for the purpose of petitioning as aforesaid—whereby ill-disposed persons may have an opportunity, under colour of the said proclamation, to provoke breaches of the peace, or to commit violence on persons, intending to proceed peacefully and legally to said meeting;—We, therefore, the committee of the Loyal National Repeal Association, do most earnestly request and entreat that all well-disposed persons, will immediately, on receiving this intimation, repair to their own dwellings, and not place themselves in peril of any collision, or of receiving any ill-treatment whatsoever. And we do further inform such persons that without yielding to any of the allegations in the said alleged proclamation, we deem it prudent and wise, and, above all things,

humane, to declare that the said meeting is abandoned, and is not to be held.

"DANIEL O'CONNELL.

"Signed by order, Saturday, 7th October, 1843, 3½ p.m."

Such were the remarkable proclamations that at once put an end to the agitation throughout Ireland for repeal; and by this one easy quiet step did the government put a stop to that fiery declamation and mischievous agitation which had been the bane of the country for years past.\* Mr. O'Connell had contended against a proclamation before, had been worsted, and had only escaped a judgment in consequence of the connivance of his political allies. Defeat now would be the annihilation of his whole influence. Nothing but obedience remained for him. Resistance would have brought on a collision with the military. The inducement of a civil war would have amounted to treason. Mr. O'Connell knew the consequences too well to brave them, and he wisely withdrew from the conflict. Several of the persons who attended the meeting of the repeal association volunteered to take their stand on the approaches to Clontarf on the following morning to intercept the arrival of the repealers on their way to the place of meeting.

Extensive military preparations were made by the government. The usual guard at the several places in Dublin were doubled; and, with the exception of the soldiery required for that purpose, and for a reserved force stationed in Aldborough-house, the whole of the garrison was drawn up by ten o'clock at Clontarf. The guns of the Pigeon-house, which was garrisoned by several companies of infantry and artillery, were turned so as to sweep the road between the capital and the villages. Colonel Fane held the ground near Clontarf with the infantry; lord Cardigan commanded the cavalry; and a troop of horse artillery was present, under colonel Higgins. All the approaches to Conquer-hill were crowded by people from Dublin, Westmeath, Kildare, and the adjoining counties, and at every dead wall or post that remained, a knot of persons was gathered, reading the proclamation of the lord lieutenant, and the notice issued by Mr. O'Connell. The multitude assembled was immense, but the troops were so arranged as to prevent any considerable bodies of the people from passing off the road on to the adjacent ground—so that they were strictly confined to the pub-

lic highway; and as all persons were compelled to be moving, no great crowds could accumulate in any particular place. The scene was peculiar and striking in the extreme—a marked exhibition of the passive might of power. The multitudes that thronged the way throughout that Sunday were countless—but the quiet attitude of the soldiery awed them, and no disturbance of the public tranquillity ensued; and at night, when the troops returned to their barracks, Clontarf and Dublin were as quiet as usual.

The submission with which O'Connell yielded to the movement of the government excited the most profound astonishment throughout all classes in the country. Nothing could have been more contrary to the general expectation; for he had vowed repeatedly that his body should be trampled upon in the breach before Irishmen should be prevented from obtaining the repeal of the union, and the enjoyment of their own local parliament. Scarcely had this feeling of surprise subsided, when the public were startled with another demonstration of the supreme power of the government. Within a week of the day on which the meeting at Clontarf was to have been held, they issued arrests, on charges of sedition and conspiracy, against Mr. O'Connell, his son, Mr. John O'Connell, Mr. Ray, the secretary of the repeal association, Dr. Gray, the editor of the *Freeman's Journal*, Mr. Steele, one of their most active coadjutors, Mr. C. G. Duffey, editor and proprietor of the *Nation*, Mr. Barrett, editor of the *Pilot*, Mr. R. D. Browne, M. P., and Messrs. Tyrrell and Tierney, two catholic priests. Mr. O'Connell attended at the house of Mr. justice Burton, to enter into his own recognizance of one thousand pounds, and two sureties, of five hundred pounds each, to surrender and take his trial on the first day of the ensuing Michaelmas Term.

It was remarked that Mr. O'Connell's tone of defiance became amazingly reduced after the arrest had been issued. He even withdrew the offensive term "Saxon," with which he had been accustomed to excite the feelings of his audience against the English; and was ready to enter into an alliance with the men of Birmingham, who proffered him the use of a million of men, if he would espouse the cause of universal suffrage, and the other points of the political charter which they were advocating. To this proposition O'Connell readily acceded, and

went to the still greater length of not only discontinuing his own use of the term "Saxon," in its offensive sense, but he also forbade it to be adopted any longer by any of his followers. The change was altogether complete. His tone was utterly subdued; for he was aware how grievously his position had been compromised by the reception of monies subscribed, in the most hostile spirit towards Great Britain, in the United States of America, and also by the avowed and accepted sympathy of Ledru Rollin and his infidel and republican adherents in France.

On the 2nd of November, the first day of term, there was a full assembly of the judges and the bar. When the defendants appeared in court, Mr. justice Burton presided; and, in the course of his address to the grand jury, observed that this was an indictment for seditious endeavours to excite disaffection towards each other, among different classes of her majesty's subjects—and also for causing large numbers of persons to assemble, at different times and in different places, in an unlawful manner, with the purpose of intimidating the parliament and the government. He had, he said, to request of them to dismiss from their minds all the impressions that might have been excited by the conduct of the defendants before the trial began, whether the opinions entertained by those individuals were agreeable to their own or otherwise. The learned judge then defined the offences upon which the defendants were charged, and cited the acts of parliament under which those offences were created; and concluded by telling the grand jury that their business was, to ascertain whether the grounds of accusation were legally just or not against the prisoners.

Much preliminary evidence was taken by the grand jury, who returned into court on the 8th, and found a true bill. The attorney-general then required the defendants to plead to the indictment within four days, as so long a time had elapsed since the arrest had been made, and all the parties concerned were perfectly intimate with the grounds of defence which they could assume, and were at no loss for legal knowledge. The counsel for the defence, which, with those for the prosecution, included all the most eminent members of the Irish bar, allowed that this might be true; but asserted that it was impossible to foresee what course the prosecution would take, and that they



should therefore require time to look into the voluminous evidence which must be adduced at the trial, in order to obtain a fair adjudication for their client.

To this the attorney-general decidedly objected; the counsel for the defence using every effort to postpone the trial as long as possible. The attorney-general at length yielded, and the 11th of December was fixed upon for hearing the case. But then new difficulties arose; and the counsel for Mr. O'Connell and his friends charged the panel of the jury as being unfair, and such as must render it impossible for their clients to obtain equal justice; and upon that and other technical points the counsel moved to traverse the trial till the next session of the court. To this the attorney-general consented, with the approbation of the judge; and the trial was fixed to be taken on the 15th of January following. On that day, the 15th of January, the court was crowded to excess; the bench and the bar presenting the greatest display of distinguished legal talent that had ever been assembled at one time in the same place in Ireland. The spectators were about to witness the development of a series of testimony, and the elucidation of a variety of intellectual power—that was to stamp, by acquittal, the famous man whose powerful eloquence and world-wide celebrity had grown and intertwined with the history of their native land as their great liberator from political thralldom and polemical prejudice—or as the seditious mover of angry passions who had led his countrymen on to their ruin, until he could lead them no longer; pandering to their bad appetites and rousing their evil natures for the gratification of his own selfish and unscrupulous ambition; or to serve some occult purpose, still more dangerous to his country and the state.

The traversers all appeared in court—Mr. O'Connell in his robes as a barrister: and, Mr. Napier, having briefly opened the case for the crown, proceeded to address the court and the jury—the former upon the law, the latter upon the facts of the case. They were aware, he said, that this trial was looked upon with the greatest interest by every class of society in the united kingdom, but especially in every part of Ireland—where the course of action pursued for many years by the defendants had been productive of the wildest tumults and the most enormous excesses, destructive alike of life, property, and peace. Men had been

drawn in vast multitudes from their usual avocations to take part in great political demonstrations, which, even if they succeeded in their professed object, could never fail to be otherwise than eminently injurious to their promoters. Class had been banded against class; societies, many of them secret in their purposes, had been organised to intimidate the people and overawe the government. These last objects had been openly proclaimed; and, although an exhortation to lawful conduct was continually on the lips of the leaders of these societies, outrages of the most violent character continually occurred wherever the influence of these societies was felt.

In the words of the indictment, the traversers were accused of having “conspired and confederated together to raise and create discontent and disaffection among her majesty's subjects, and to excite them to hatred and contempt of the government and constitution of the realm as by law established, and to unlawful and seditious opposition to the said government and constitution, and to stir up hatred, jealousy, and ill-will between different classes of her majesty's subjects; and especially to promote among her majesty's subjects in Ireland feelings of ill-will towards and against her majesty's subjects in England, and to excite discontent and disaffection in the army; and to cause large numbers of persons to meet together at different places and at different times for the unlawful purpose of obtaining, by means of intimidation, to be thereby created, and by means of the exhibition and demonstration of great physical force at such meetings, changes and alterations in the law and constitution of this realm as by law established; and particularly by these means to bring about a dissolution of the legislative union between Great Britain and Ireland; and also by means of seditious and inflammatory publications to intimidate parliament, and thereby bring about changes and alterations in the laws and constitution of this realm as now by law established; and to bring into hatred and disrepute the tribunals established for the administration of the law therein; and assume and usurp the prerogative of the crown in the establishment of courts for the administration of the law.”

The right honourable gentleman then went on to recapitulate the number of societies which had been instituted by

Mr. O'Connell and those by whom he was assisted, for promoting the repeal of the union between Ireland and Great Britain; assuming, as he went along, that the attempt to repeal the union was in itself seditious and of a treasonable nature, and asserting that the endeavour to set aside the judicial tribunals of the country by the establishment of the arbitration courts, to which so many clients had of late repaired, was in truth absolute constructive treason, as setting aside the authority of the crown as the fountain of legal justice. Mr. Smith then proceeded to cite passages from the speeches and writings of Mr. O'Connell, Dr. Gray, Mr. Duffy, Mr. John O'Connell, and Mr. Barrett, made and issued during the few past years. He concluded by calling the short-hand writers who had been employed at meetings, particularly Mr. Charles Ross and Mr. Frederick Bond Hughes, both gentlemen who had been sent from London by the government to take notes at several of the meetings, and a vast variety of other witnesses to establish his case. The learned gentleman spoke for more than two days and a half; and the examination and cross-examination of witnesses, together with the numerous and long disputes which continually occurred between the counsel on the several sides occupied another fortnight.

At the conclusion of that time, Mr. Sheil, who was specially retained for Mr. O'Connell, rose to commence his address for the defence. It was long, elaborate, eloquent, but diffuse and illogical; Mr. Sheil's abilities were not adapted to the strictness of legal reasoning; and this Mr. O'Connell seemed himself to feel—for, at the fitting opportunity, he himself arose to address the court. The speech was a masterly piece of assertion; and had there not been positive and conclusive evidence of the facts alleged on the part of the prosecution, it would have gone far to exonerate him from all shade of blame. It was indeed

the only real defence that was attempted during the course of this remarkable trial. Mr. Henn, Mr. Fitzgibbon, and several other eminent men who had attained the dignity of queen's counsel, who appeared for Dr. Gray and the other defendants, skilfully handled their points; but the case was so palpably against them that it was impossible to do much. The trial lasted four-and-twenty days, and finally resulted in a verdict of "guilty." The chief-justice said but little in passing sentence, for he doubtless felt that the punishment which he was the instrument of inflicting was but a small part of that which must inevitably accrue to the chief offender—for it at once hurled Mr. O'Connell from his proud station as the great leader of a vast popular combination, determined to achieve its ends in spite of the government and all its powers, and placed him among those deceivers whose leadership is alike dangerous to the state, and mischievous to their partisans. Mr. O'Connell was sentenced to twelve months' imprisonment, to pay a fine of five hundred pounds, and give security for his good behaviour in the sum of two thousand pounds. The other defendants were respectively sentenced to nine months' imprisonment, and to be fined fifty pounds each. The "Repeal Association" was of course virtually dissolved.

Thus ended O'Connell's repeal agitation. His influence was far less substantial than his noisy menaces, and the popular enthusiasm which they had created, led people to suppose; and it was no sooner discovered that it was not in his power to fulfil his great promises, and that he feared to put his threats in execution—or, in other words, that he acknowledged himself unable to contend openly and directly with the government—than the spell was broken, and the popular confidence in the leader fell to the ground. The trial and conviction of O'Connell formed a very strongly marked period of Irish agitation.



## CHAPTER XXXII.

### REMEDIAL MEASURES.



WHILE the extensive organisation for political purposes, arranged and carried out by O'Connell and his partisans, was proceeding with all its fury, during the years 1843 and 1844, and afterwards in 1845—and hundreds of thousands of the farmers and peasantry were attending at aggregate monster meetings for enforcing the repeal of the union, Ireland was rapidly sinking into a state of the direst difficulty and distress. Through an ordinance of Providence, a sad disease appeared among the crop of potatoes, the staple food of the lower classes. Acres upon acres of that valuable root, which formed almost the only subsistence of immense multitudes, exhibited a rot which rendered it totally unfit for human food. Famine, in its most dreadful form, pervaded the whole country; and with famine came its usual attendant, fever of the most malignant kind. Hundreds and thousands were swept to their graves, and the pestilence raged with the most fearful effect amongst those who, more than all, were least able to guard against it. The workhouses were filled to overflow, and the numbers of the inmates at length became so great, that the overcrowding of the houses became a source of the very evil which they had been erected partially to prevent. The smaller farmers were reduced to ruin, and those beneath them were thrown into absolute destitution.

To collect the poor-rates became an impossibility, and the government was at length aroused to the necessity of exercising its paternal care for the people. They came forward with a commendable anxiety and readiness to meet the evil. Corn was rapidly bought up in England and shipped to Ireland. Depôts of provisions were established in convenient parts of the distressed districts, and commissaries appointed for their proper distribution among the starving people. Large cargoes of Indian meal were bought up and consigned for the use of the sufferers. Towards the end of 1845 the evil was thus, in a great measure, stayed.

Whilst these circumstances were progressing, sir Robert Peel was occupied in the production of measures for improving the moral condition of the people. Lord Eliot, the Irish secretary, introduced into, and successfully carried through, parliament, a bill for the better management of the charitable trusts in Ireland, which was of immense service in regulating the funds which had been bequeathed for benevolent purposes; and scarcely had the session of 1845 opened, than sir Robert Peel proposed a bill for increasing the grant which had annually been made for the support of the Roman catholic college of Maynooth. This college had originally been instituted for the education of young men within the British isles for the Roman catholic priesthood, in order to save them from the necessity to which they had formerly been subjected, of repairing to the continent for that tuition necessary to enable them to enter upon the duties of the ministry. Mr. Pitt conceived, in originally making the grant, that he would thereby enlist their sympathies in favour of their native country. The greater portion of his object remained to be achieved, but sir Robert Peel hoped to effect its accomplishment by increasing the favour. He accordingly carried a bill through parliament, in the face of the most strenuous opposition, and twenty-six thousand pounds a-year was appropriated, out of the consolidated fund, for the better sustenance and payment of the students and professors of Maynooth. Sir James Graham followed up this measure of conciliation by one of still greater magnitude. He, in the course of the session, carried through parliament the grant of one hundred thousand pounds for the institution of three colleges for the purposes of secular education; having, for the purpose of avoiding everything like polemical difference, determined to refrain from instituting any faculty for theology in any of them. These colleges were shortly afterwards founded; one at Belfast, in the north, where the academical institution of the presbyterians, to which four professors of divinity were attached, and which was, until the foundation of the new college, under the direction of the general assembly of Ulster, and had a grant

from parliament of two thousand one hundred pounds per annum, was turned over for the general benefit of the institution. The second college was founded at Cork, for the south; and the third at Limerick, for the west; so that Ireland had now, including Trinity college, in Dublin, four collegiate institutions for the higher branches of education among the middle and upper classes, in all the cardinal points of the country. To this step the government had been led by the success that had attended the establishment of the national system of education instituted in 1831, by lord Stanley, and which was supervised by a mixed board of Roman catholic directors. The plan of sir James Graham was warmly approved of by most of the Roman catholic members in both houses of parliament; but, after some hesitation it was vehemently opposed by their hierarchy out of doors, and every attempt was made to discountenance the new colleges among their flocks. O'Connell afterwards denounced them in his place in parliament as "godless colleges."

The construction of the necessary structures consumed the whole of the first grant, but the several institutions were munificently endowed—upwards of six thousand pounds a-year being bestowed upon each for the purchase of prizes or the foundation of scholarships for the students; while the principals were to receive one thousand pounds a-year for their services, and a salary of three hundred pounds a-year was apportioned for each of the professors.

But the body required sustenance as well as the mind, for famine and pestilence raged throughout the land with pitiless violence. All the poor-houses became utterly insufficient to accommodate the crowds of destitute poor that pressed upon their portals. The wards were crowded to a fearful degree, and the multitudes were numberless that were, of necessity, left to perish of famine, misery, and disease, beneath the barren shelter of their almost roofless huts, and even by ditches and fields by the sides of the highway. Government, however, came nobly forward. They employed a large number of persons to examine the state of the several districts, purchased large cargoes of corn and meal, and shipped them off as quickly as possible to the several ports in Ireland, for the relief of the starving peasantry; and before the end of the year had expired, they had expended upwards of eight hundred and fifty thou-

sand pounds for the accomplishment of this most commendable object.

There was another effect which attended upon this most terrible distress. Sir Robert Peel became convinced of the necessity of giving as free an access as possible to the influx of food for the commonalty from abroad, but having been for so many years the most prominent and persevering opponent of the repeal of the corn laws, he felt that he could not consistently become at that time the advocate of any such measure, and he accordingly resigned his office of prime minister into the hands of the queen. Her majesty immediately sent for lord John Russell, but there was too much dissension at that time in the whig party for his lordship to avail himself of that opportunity; and sir Robert was recalled to power. His first, and indeed his only object upon again entering office, was to carry out the great measure, of the necessity of which he had now become so entirely convinced. He succeeded—and the principle of free trade became the grand rule of our commercial polity. But the measure dissevered every portion of the conservative party, of which sir Robert was the head, and the whigs were not slow to amend their previous mistake, and to take advantage of the misadventure.

In Ireland, suffering and poverty brought with them their usual concomitant of crime and outrage. Neither life nor property was safe; but the bitterness of animosity amongst the lower orders in Ireland, instead of being directed, as heretofore, against the higher orders of society, was spent with the most cruel relentlessness by the peasantry and small farmers upon one another. In the course of the early spring of 1846, lord St. Germans, at the instance of the ministry, introduced a bill into the house of lords for the effectual repression of crime and outrage in Ireland—while the constabulary was increased to ten thousand men, and large numbers of troops were poured into the distracted country. Lord St. Germans, while demonstrating the necessity of the measure which he was advocating, observed that in the counties of Cavan, Fermanagh, Longford, King's County, Westmeath, Clare, Roscommon, Limerick, Tipperary, and Leitrim, the state of society had become quite intolerable. He stated that, since the last year, the number of crimes against property had increased from one thousand four hundred and ninety-five to three thousand four hundred and sixty-two; and those against both person and property, from



three thousand one hundred and two to five thousand two hundred and eighty one—a fearful aggregate of criminality. The bill passed rapidly through the house of lords, and was at first well received in the commons; but after a while the Irish members made a violent opposition to its progress; and sir William Somerville succeeded in carrying an amendment against ministers, that the bill be read that day six months. Sir Robert Peel took advantage of this opportunity to retire gracefully from a position which he must have felt to be irksome in the extreme. The ministry accordingly retired, and lord John Russell was called to the helm of affairs.

A career of great usefulness, but of immense difficulty, lay before the new ministry, and the chief difficulty was Ireland. They had to reconcile the promptings and the prejudices of opposing creeds—to bring into harmony famine and contentment; the most positive of theological dogmata, that precluded all education for the people, with the principles that contended for the universal diffusion of information as a right; to reconcile anarchy with order without the repression of violence.

They commenced the task by pouring, after the example of sir Robert Peel, large stores of provision into the most distressed districts; and, immediately afterwards, lord John Russell introduced a bill into the commons for the construction of public works in Ireland, the cost of which was to be defrayed out of the consolidated fund; or, in other words, the whole of the united kingdom was to be taxed for increasing the comfort and establishing the prosperity of Ireland. These public works consisted of the improvement and the formation of roads, the draining of morasses, and such works as the most ordinary of the labouring population could be employed in, and which would be apparently useful to the country. The plan was admirably devised, and skilfully and energetically carried out; and was for some time most successful in alleviating the prevalent distress. Lord John obtained the sanction of parliament to a grant for fifty thousand pounds for the most distressed districts—security being taken upon the county rates for the repayment of the sum within ten years, with three and-a-half per cent. interest. His lordship also proposed, and obtained, the grant of another sum of equal amount for the poorer districts, which were never likely to be able to repay the

loan, if a loan it had been made. When calling upon parliament for this benevolence, his lordship drew a touching picture of the terrible condition to which Ireland had been reduced, but he was not at that time in possession of the amount of corruption and chicanery by which the operation of his measure was, to so great an extent, to be neutralised in affecting the relief of the Irish people. Parliament was, to a great extent, induced to accede to these propositions by the urgent representations made of the state of the country by the earl of Shannon, the earl of Enniskillen, lord Bernard, and colonel Jones Smith, all gentlemen possessing large landed property in Ireland, upon which they were residents, and had therefore the best possible opportunities of observing the state of the country, and judging of those evils which were now almost beyond control.

While, however, thus with a profuse liberality bestowing relief, the earl of Besborough, who had assumed the vice-regal chair, and Mr. Labouchere, his chief secretary, found that they were compelled to resort to force for repressing the spirit of outrage which every day, and in every district, distracted and alarmed the peaceable inhabitants of the country. They accordingly applied to the supreme government for the renewal of the Irish arms' bill; for the blight of disease had again fallen upon the potato crop, and what the multitudes esteemed to be the staple of the food of the Irish poor. A bill for the register and license of arms in Ireland passed rapidly through the legislature in the course of August, and received the royal assent immediately afterwards.

The winter of 1846-7 passed with a terrible demonstration of the amount of mental and physical suffering in Ireland, which human nature can endure without absolute annihilation. Gaunt famine stalked through the land; her skeleton hands everywhere strewing misery and death on the suffering race, whilst fever and pestilence waited closely upon her steps, and the whole land was scourged by heart-killing desolation and hopelessness.

Parliament met on the 19th of January, 1847, and the very first subject brought under its consideration was that of Irish distress. Every energy that man could exhibit had been employed in alleviating the sufferings of the starving people, and to allay the ravages of disease. The government bought up food wherever it could be

found. From thirty to forty steamers, and fourteen or fifteen sailing vessels, were constantly employed in pouring bread-stuffs into Ireland, while all the medical aid at the public command was readily rendered for the aid of the sufferers.

On the 25th of January, lord John Russell in the house of commons, and the marquis of Lansdowne in the house of lords, formally submitted to the legislature the series of measures which they proposed to adopt for the present and permanent relief of Ireland. In doing this, both the president of the council and the prime minister took care to inform the houses of the amount of money which had been expended in rescuing the people from the dreadful misery which they had to encounter. Serious as the evil was, the government had much opposition to endure; but, by the aid of sir Robert Peel, and those who usually appeared as their most strenuous opponents on the opposition benches, they carried their measures triumphantly.

The first and most important measure submitted to the house was the amendment of the Irish poor-law. The premier had found that his workhouse plan had altogether failed in practice. It had been proved during the experience of the last two years to be an utter impossibility to receive, much more to correct, by proper discipline, the crowds of suppliants who craved for admission and relief within the precincts of the union structures. The object, therefore, now was to abide as strictly as possible by the old principles of relief, but to grant to out-door paupers the aid which they required. The bill passed the commons with but little delay, and received the warm commendations of lords Stanley and Montague in the house of lords, who rendered their best assistance to its speedily becoming law.

Nor were the independent members of the house one whit behind the government in their benevolent and patriotic efforts to swell the tide of relief for the Irish poor. On the 14th of February, that high-minded and fine-spirited English nobleman, lord George Bentinck, son of the duke of Portland, and the nephew of Canning, moved one of the most statesmanlike resolutions that had ever been submitted to the British legislature. The system of railway travelling which had proved so eminently beneficial to England had lately been introduced into Ireland, and one of the short lines, that,

between Dublin and King's-town, had long been in active use, and was known at that time to be the best paying railway in the united kingdom. In England and Scotland the system had been most extensively carried out. In Ireland it was almost in its infancy; but it had, nevertheless, been amply tested, and had given conclusive proof of the eminent source of prosperity which it was likely to become; but the common distress pervaded and paralysed the whole community; and most of these useful works were, of necessity, brought to a stand-still from the want of means, and the confidence that would otherwise have procured the means to carry them on to a happy completion. Lord George, after taking a masterly review of the state of the country, proposed to carry on and complete these great and useful works by the application of British capital; and he accordingly moved, that a sum not exceeding sixteen millions sterling should be raised on the credit of the British government, and be lent out to Irish companies and capitalists for the completion of their works, taking security on the freehold and chattel property of the several companies for the repayment of the principal and interest. The advantage of such a plan was so evident that it was thought surprising that any one, possessing the slightest knowledge of the value of the several modes of labour brought into play by the construction of railways, should have opposed the adoption of them for the relief of the people. All the attempts to carry on the public works with any advantage to the country had proved palpable failures; but the ministry resisted the attempt; and, on the motion of the chancellor of the exchequer, the resolution was negatived by a majority of three hundred and twenty-two against one hundred and eighteen votes; although, on the motion of the same right honourable gentleman, two months afterwards, the sum of six hundred and twenty thousand pounds was granted as a loan to complete some of the leading lines which had been brought to a stand-still; and thus the principle was acknowledged which they had heretofore denied.

Yet, with all these expedients, the misery of Ireland remained comparatively unabated: destitution and pestilence raged everywhere; and yet, as lord John Russell stated, notwithstanding the operation of the poor-laws, and the absence of those who were sinking under destitution and fever, there were not less



than half a million of persons employed, under the charge of eleven thousand superintendents, showing nearly two-thirds of the whole population of Ireland to be in a state of pauperism. During the period that elapsed between September and the spring, not less than two millions sterling had been applied to the relief of the people; and the ministry ventured upon the further plan which had been originally sketched by sir Robert Peel, of making the whole loan to Ireland ten millions; and for this purpose, the chancellor of the exchequer contracted a loan to the amount of eight millions.

Nor was private benevolence asleep while this active exertion was being made by the state to abate the misery with which Ireland was afflicted. A central committee was established in London, under the chairmanship of Mr. alderman Lucas, as a central dépôt for the subscriptions which were gathered for Irish distress in all parts of England and Scotland. The committee had agents in every county and town of any note in Great Britain; and, during the seven or eight months through which the committee was embodied, upwards of two hundred and fifty thousand pounds were collected for this purpose. For distress so urgent as that which the committee were instituted to relieve, every delay was death to some one; and the committee, therefore, instead of waiting for any co-operation of the state, themselves purchased cargoes of corn and other provisions, and shipped them directly to Ireland, to be there dispensed by their own agents in the several portions of the most distressed districts. The Society of Friends also nobly stepped forward to alleviate this national calamity, and subscribed, among their own body, upwards of twenty thousand pounds for its relief.

So great had been the failure of the attempt, by mere labour alone, to infuse a spirit of industry among the peasantry, and a disposition to exhibit a warm-hearted regard for their suffering fellow countrymen, among the farmers and middle classes, by showing they were inclined to labour for a subsistence—that the government determined to apply themselves to the task of relief alone, without, except in one instance, having regard to anything like ultimate national progress; and their object therefore was, at once, to provide a sufficient stock of food in the country, and to restore the health of the people. The only instance in

which they deviated from this plan, was an attempt to apply the boundless wealth of food, which presented itself in the swarming fisheries on every coast of Ireland, especially the west of Munster and Connaught. Boats, sails, oars, and all the necessary appliances were provided; hawls were constructed and quays built; but, although the fish lay almost sportingly before their eyes, nothing could induce the people to avail themselves of these great advantages. It was too much trouble to secure a supply of food, as rich as it was inexhaustible.

In order to meet these large outlays, and to provide for something like an attempt to secure the repayment of the money, thus so readily advanced by the government, Mr. Labouchere procured the passing of a labour-rate act; which, however, proved nearly inoperative when put into force. Any expectation that the repayment could be looked for from the poor-rate was speedily shown to be equally futile. Lord George Bentinck had proved, in the course of the disquisition on the poor-law bill, that the whole of the rack-rent in Ireland did not amount to more than seventeen million pounds; that its rated value could not possibly exceed thirteen million pounds; and of this upwards of nine million pounds had been obtained by mortgages; so that even any rate which would at the same time relieve the poor and pay the debt, would amount to twenty shillings in the pound, and consequently swallow the whole rental of the country.

When the state of Ireland came under discussion in the house of lords, lord Stanley showed that out of the four hundred thousand occupiers of land, a very large proportion rented not more than seven acres each, and were therefore quite incompetent to pay any rate at all. The earl of St. Germans, the marquis of Clanricarde, and the earl of Desart, concurred in the view that it would be utterly impossible to collect any rate that would meet both objects, or even serve the first and most imperative—that of keeping the poor from starvation; while the earl of Colchester proved, from the parliamentary returns, that the property in Ireland was, as stated, about thirteen million pounds, and that the sum then levied amounted to four hundred and twenty-six thousand eight hundred and sixteen pounds, which was equal to a tax of seven and a-half per cent. upon the land.

As if to confirm this view, earl Grey stated that, since the year before, the number of labourers on the public works had increased from five hundred thousand to eight hundred thousand persons.

Under this disheartening state of things a further calamity devastated the country. This was another extensive blight of the potato crop, which set in with a more deadly effect than ever, and at once set aside all schemes, except that which had been moved at the commencement of the year; viz., that of saving the people from starvation—and the money which had been voted by parliament was assiduously applied to rescuing the people from the state of distress, debility, and degradation into which they had sunk.

Three points were indeed brought under the notice of parliament, which were the foundation of that national progress, both social and political, which afterwards promised to work out the regeneration of the country. These were—emigration, which was powerfully advocated by the earl of Lincoln—the reclamation of waste lands—and such a disposition of the encumbered estates, as would, while relieving their then proprietors from the burden under which they laboured and by which they were disabled, at the same time ensure to the new owners a certain and indefeasible title to their property. The picture presented by Ireland at this time was indeed a gloomy one—A vast population, in want and wretchedness, without any apparent resource; an ancient aristocracy of landed proprietors in the possession of large estates without deriving from them a shilling of rent, whilst millions of acres of soil lay in a state of uncultivated barrenness, while its surface might have been covered with crops of waving corn, and the strong hands and brawny arms that should have called them forth from the bosom of the earth were either hanging down in listless idleness, or were engaged in work that literally produced nothing. Murmuring, distress, doubt, and death pervaded the land. These calamities were encountered by the British government with becoming energy, charity, and ultimate success.

During the year 1847, an event occurred which was remarkable in the history of Ireland. Ever since the termination of his imprisonment, the health of O'Connell had visibly declined. While confined, he had received the most unbounded tokens of at-

tachment and sympathy. Luxuries had been heaped upon his table, and every enjoyment had been procured for him that was consistent with his confinement. He was deprived of nothing but the liberty to walk abroad. But a canker had eaten into his soul. The prestige of his might had been shattered like water against the rock of the constitution. His spell over the myriads of his countrymen was dissolved. No man in Ireland felt this so deeply as himself, and his spirit was broken. He resumed his parliamentary duties as soon as circumstances permitted, and was escorted down to the house of commons by a crowd of his devotees, and amid the acclamations of his admirers; but his countenance, while walking down Parliament-street, was pallid and depressed, and his whole deportment cold and self-constrained. Indeed, he scarcely noticed the cheers with which he was greeted, and all his old energy appeared to have departed. With failing spirit, health declined, and in the early spring of this year he was ordered by his physicians to visit the south of Europe. On the continent, Mr. O'Connell was received everywhere on his route with the utmost deference and respect, as the great champion of catholicism; and when at Rome, he was treated with the utmost distinction by the pope. Yet all this worldly distinction failed to minister to a mind diseased, and a body overtaken by almost superhuman exertions in a cause which had ended in the most pitiable blank. His country—that country for which he had professed so much—was prostrated in misery and ruin, and was only sustained in its wretchedness and depression from absolute death, by the charity and kindness of those Saxons whom he had taught the majority of his countrymen to hate. His star set in darkness. He died upon his return through France, but his remains were brought to Dublin for interment, lying for a week in state, in a *chappelle ardente*, before that event took place. The news of O'Connell's death was received in Dublin with much regret, but without any loud expression of sorrow, or any general demonstration of grief; and throughout the country it excited but little emotion. The business of the agitator was at an end.

In reviewing the character of O'Connell, it is impossible to deny him the attributes of a great man. The man who came forth from the dim obscurity of an ancient and impoverished family, with little of local, and nought of general influence, to wield the



wills of six millions of people at his pleasure, to mould the decisions of senates, to make governments hesitate, tremble, and succumb at length to its dictates, and do all but rule a country except awing the judges upon the bench, must have been a man of extraordinary qualities. Gifted with strong natural powers, nursed in the wild dreaminess of youth amidst the mountainous girdle of a rugged and indented coast, against whose rocks the tumultuous waves of the rough Atlantic so often dashed, his innate intellect grew into a lofty and energetic force, which nothing could restrain. Educated in one of the most astute academies in Europe, he stepped forth to his work in the world a perfect dialectician. His mind was brightened into its brilliancy and fervour by attrition with spirits affluent in all that can make men imposing upon the conduct of mankind. These all gradually died off, and left him alone and supreme in the glory that shone around him. He became omnipotent with his countrymen, and he was for years the object of their idolatry; but upon his death-bed there was not one single monument of enduring benefit existing in his country to which he could point his finger, and claim the work as his own. The name of Ireland was continually upon his lips, and patriotism was the professed burden of every speech; but in vain do we look for any single attempt, even in the whole course of his life, to do his country good. There appears to be no one of his acts, in which he was successful, which was not followed by personal fame and rewarded with pecuniary aggrandisement. Witty, humorous, condescending, he was the life of the private society in which he moved. Strong and powerfully built in person, with a commanding presence and an powerful voice; bold, able, eloquent, defiant, and truculent in deportment; a very master of vituperative abuse, he could at once place himself upon a level with the ignorant multitudes whom he

addressed; while, by sharing their feelings and their prejudices, he was enabled to direct, with the magic of a wizard, their energies whithersoever he would. He spoke for Ireland, but he acted for the church. Rome, through her hierarchy and her priesthood, with ready acclaim showered her benedictions and honours upon his head; but his mission was fruitless, except in the production of aching hearts and misspent lives; and no Irishman traced a single line of sorrow upon his tomb.

On their accession to power, the ministry had made another attempt to conciliate the Irish Roman catholic party. Mr. Sheil was made the master of the mint, with a salary of two thousand pounds a-year, and distinguished his advent to office by omitting, on the very first coin that he struck, the usual legend that declared the supremacy of the queen in church and state; an insult to her majesty and the country, which was instantly remedied by the officers of the crown, on the immediate and indignant denunciation of the people. Mr. Wyse, another Roman catholic member of the commons, who had eminently distinguished himself in the educational business, was shortly afterwards sent out as governor of Malta; and Mr. Sheil having fallen into bad health, about the same time, went as ambassador to the Roman catholic state of Tuscany, and died during his residence at Florence.

The political party which had been kept together by O'Connell, and which had so long agitated Ireland and awed the English government, was entirely broken up by his death; and there seemed to be some prospect of a cessation of the agitation which had been so fatal to the happiness of the sister island. A variety of circumstances, however, occurred to disappoint peoples' hopes; and these were readily seized upon by a few ambitious men, who sought to emulate O'Connell without possessing any of his talents.

## CHAPTER XXXIII.

SMITH O'BRIEN'S INSURRECTION, &c.



WHEN the news of O'Connell's death was received in Dublin, black flags were hung out from Conciliation-hall, and the bells of the catholic chapels were tolled during the day; but, excepting a few marks of personal respect paid to his memory by some of his more particular adherents, every attempt to arouse the animation of the repealers proved abortive. An effort was made to continue the association under the auspices of Mr. John O'Connell, his favourite son, but it proved to be an effete failure; for though the rent, as the national subscription was called, for dissecuring the political union of Great Britain and Ireland, did come in, it came so scantily as barely to suffice for the ordinary expences of the association; much less to pay the chief agitators for the occupation of their time and the exertion of their abilities. One by one the subscribers fell off, until at last the combination died of exhaustion.

But a new, and at first, apparently a much more formidable, confederacy ensued upon its ruin. The head of this movement was Mr. William Smith O'Brien, brother to sir Lucius O'Brien, bart., a gentleman of the first family in Munster, a man of education, family, and fortune, but of a discontented and restless spirit. In the year 1844, Mr. O'Brien, who, in addition to the qualities just specified, had the recommendation of being a protestant, had given great heart to the repealers by joining their ranks, just at the time that O'Connell was prosecuted for sedition. For several years he had sat as one of the representatives for the county of Limerick, where his family had large estates. During his appearance in parliament he had particularly distinguished himself by the boldness of his language, and had, in one instance, been committed to the custody of the serjeant-at-arms for the insolence of his expressions, and the contumacy with which he refused to withdraw them.

The removal of O'Connell left him an open field for the attainment of notoriety. With little ability to calculate the conse-

quences of his actions, either to himself or others, he at once entered with a daring energy upon the career that lay before him. The deep and continued distress that pervaded the country, had so prepared the minds of the lower orders for any impression, when it promised to better their condition, that the inflammable materials necessary for his purpose were spread ready to his hand. Mr. Meagher, a gentleman of some substance in the north of Ireland, joined O'Brien; Mr. John Mitchell, a man also of education and ability, but possessing more fervour than discretion, who edited a paper called the *The United Irishmen*, gave the whole force of his talents to the cause, and wrote heart-stirring addresses to the people of Ireland, exhorting them not to agitate for repeal only, but to combine for the overthrow altogether of the power of Britain in the country. Mr. Doheny, a barrister, and two or three others of the same profession, also joined their ranks, which were strengthened by the adhesion of a person named O'Donoghue, and a gentleman named Terence Bellew M'Manus, who had for many years been successfully engaged in commercial pursuits in Liverpool.

At all times and seasons the language of these men was of the most unmeasured character. Treason was openly talked, and much more openly diffused through the writings of Mitchell. In February, 1848, the avalanche of revolutionary violence that swept over Europe, gave a strong encouragement to their designs; and O'Brien and another went to Paris to petition for armed assistance from the republicans of France, but Ledru Rollin and his compatriots lent but a cold ear to their solicitations, and they totally failed in their mission. They remained without a single adherent of character, rank, or influence; but they persevered in their endeavour to overthrow the authority of the constitution. Their proceedings at length became so violent that the government was compelled to notice them, and lord Clarendon, who had succeeded to the vice-royalty of Ireland on the death of the earl of Besborough, instituted proceedings for sedition against Smith O'Brien, Meagher, Doheny, and four or five of the others.



The charge was fully made out, but the jury refused to agree upon a verdict in the case of O'Brien. A similar result followed in that of Meagher and another of the conspirators, and the government declining to persevere, all the prisoners were set at liberty. Mitchell, the son of a unitarian minister in Ulster, and a man of evidently violent and blood-thirsty character, imbued with a thorough hatred of Britain, repeated his offence with still greater hardihood, was shortly afterwards prosecuted upon a different count, and was transported for ten years.

Such an escape, though so narrow, gave fresh inducement to the disaffected, and induced most erroneous notions of the weakness of the government, and the turbulence became universal in the midland and southern counties. Many of the counties, baronies, and the districts in the south, especially including Meath, Cork, Waterford, Carrick-on-Suir, and other places, where the disaffection was most rife, were proclaimed. During the latter part of the year 1847, the agitation had ramified through all the southern districts. Outrages committed against person and property had been so continual and ferocious, that the police and military were kept in constant activity during the whole of the autumn and winter. All the gaols were absolutely filled; so that, from necessity as well as policy, a special commission was opened in Limerick, Ennis, and Clonmel, before two of the puisne judges, at which not less than from five to six hundred prisoners were tried and sentenced to the several grades of secondary punishment, some few of the insurgents being capitally convicted and executed many of them denying, in the teeth of the most conclusive evidence, the crimes for which they had been condemned.

At this time also circumstances occurred in the north of Ireland, which were peculiarly vexatious and embarrassing to the government. The party processions' act had for some time expired, when the orangemen in the north determined, on the 12th of July, the anniversary of the battle of the Boyne, which seated William III. upon the throne, to pay a handsome compliment to the earl of Roden, who had always been considered the head of the protestant party in Ireland. Large numbers of orangemen accordingly assembled on the morning of the 12th, arrayed with scarves and favours, and variously armed, ready to proceed in

procession to Tollymore park, the seat of the earl. They set out, a large portion of the procession being constituted by horsemen, bearing the flags and banners usually exhibited in the old days of orange ascendancy, and reached the pass of Dolly's Brae, near Castwellan, the summit of a little height which was in the immediate road to the park. Here they found a large body of the ribandmen collected, also heavily armed; and a considerable body of the police were also on the ground, ready to keep the peace; and, chiefly through their efforts, a decent show of tranquillity was preserved on the meeting of the parties.

On arriving at the mansion, the procession was received, with his usual urbanity, by the earl, to whom an address was presented, expressing high admiration of his conduct as a protestant nobleman, and respect for his character. The orangemen were liberally entertained in the park; and on their return exhibited their exhilaration by the firing of guns, shoutings, songs, and other signs of enthusiasm. There was a road which wound round the base of the hill, which, though somewhat longer, was not more fatiguing than that over the summit by the pass of Dolly's Brae, and some of the more prudent of the party counselled their proceeding by this lower road; but the greater part prevailed, and they ascended the height. At the summit they found the ribandmen still assembled, but quiet, and no collision took place as the orangemen defiled through the pass. It was agreed that no gun should be fired, and silence was observed; but soon as the last ranks of the procession had marched by, and it was then dusk, the ribandmen followed them, and pressed somewhat tumultuously upon their rear, which created some little confusion; but no insults or contumacious language was used on either side; when suddenly a lighted squib was thrown into the midst of the orangemen—though from whom it proceeded was never ascertained. The orangemen, excited into an apprehension of attack, immediately turned and fired. This the ribandmen returned; and, notwithstanding the efforts of the police, a sort of running fight was for some time kept up, in which several on both sides were wounded, and six of the ribandmen were killed upon the spot. As these disasters occurred, every one on both sides manifested the utmost desire to escape; and the ground was soon cleared of the assailed

and the assailants—and before night had fairly set in, the place was as quiet as if no conflict had taken place.

As most of the magistrates had connections on both sides—and it was, in truth, an impossibility to ascertain by whom the affray had been begun, and by whom the several injuries had been committed—the matter was allowed, for the time, to pass with a merely negative declaration of the coroner's jury. Government, however, took a different view of the occurrence. They saw in it not only an attempt to revive those old animosities, which it had required so much pains, time, thought, and energy to subdue, but also a gross breach of the public peace, and the commission of several murders, for which an account ought to be rendered. Mr. Berwick was accordingly sent down, with necessary assistance, with a commission to inquire into the facts—and the result of his investigation was a decision on the part of the government to remove several magistrates from the commission of the peace, and to displace the earl of Roden from the lord lieutenancy of the county of Armagh. Of this proceeding the earl and his party loudly complained, and lord Stanley brought the subject before the house of lords; but lord Clarendon repaired from Ireland expressly to meet the charges of injustice brought against him, and he and the government were ultimately justified by the verdict of public opinion on the case.

The chiefs of the new movement eagerly availed themselves of the state of turbulence into which the country was thrown. All the confederates agreed in the necessity of an armed insurrection. Mr. C. G. Duffy, a gentleman of the highest respectability in Ireland, who was shortly afterwards apprehended for his treasonable practices, and Mr. Smith O'Brien, who, with Mitchell, was afterwards transported for ten years, earnestly prompted this most violent action. Mr. Smith O'Brien, immediately after the trials for sedition, went on a mission to the south, to incite the people to rise; Meagher went to one part, and Mr. O'Gorman to another, for the same object; while Dillon and others remained in Dublin as a standing committee. Lord Clarendon called for new powers, and lord John Russell immediately asked parliament for the prolongation of the Insurrection act until the 1st of March, 1849. Three days afterwards, on the 24th of July, his lordship moved for a bill to suspend the Habeas Corpus Act in certain districts in

Ireland. He was strongly supported on both sides of the house. Sir Robert Peel, Mr. Disraeli, sir Denham Norreys, who was emphatically an Irishman, Mr. Bernal Osborne, whose liberal tendencies no one could doubt, Mr. Hume, whose radicalism no one could question, and even sir Lucius O'Brien, the brother of the chief conspirator, gave their ready and earnest support to the ministry.

The house, contrary to its usual custom, sat on a Saturday; and the bill was passed through its several stages in one day—the only opponents to the measure being Mr. Sharman Crawford and Mr. Feargus O'Connor, who had himself suffered a two years' imprisonment in York-castle for a somewhat similar offence. On Monday, the 26th, the bill was carried up to the house of lords, went through its several stages there with equal rapidity, and immediately afterwards received the royal assent.

As soon as these proceedings were known in Ireland, Meagher and Dillon hastened down to Enniscorthy—where Smith O'Brien, after a tour through parts of Tipperary, Limerick, Cork, and Kilkenny, was stopping. They found him there on the Saturday, and immediately entered upon the arrangements necessary to ensure an immediate and general rising; their particular object being, in the first instance, to release Mitchell, who was at that time lying under sentence in Dublin, and to prevent the trial of Mr. C. G. Duffy, who was shortly to be brought before a court of justice. On the Sunday, Mr. O'Brien, attired in a martial manner, addressed a large assemblage of the cottiers and small farmers, who had been brought together from that and the neighbouring districts; but the conspirators did not meet with that sympathy and ready response to their call which at the time they fully expected—for the Roman catholic priesthood held altogether aloof from their design, recognising in it nothing more than a union of that principle of infidelity, and red republicanism, which could not fail to produce the anarchy that had been so murderously fatal in the first French revolution, and which loomed with such a terrible gloom over France at that moment.

The confederates proceeded on the Monday from Enniscorthy, by Shivannon, Mullinahon, and Kilenauli, towards Ballingar, everywhere addressing the excited population. After more than a week of declamatory inaction, so far as warlike proceedings



were concerned, Smith O'Brien and his coadjutors decided that the time had come for some decisive stroke. On the road an alarm was spread that the dragoons were after them, and the insurgents immediately threw up two barricades across the road to prevent the advance of the cavalry, while the fields on each side were in the possession of such of them as had been enabled to procure fire-arms. They were soon overtaken by the military, who proved to be a troop of the 8th hussars, under the command of captain Longmore. That officer, when questioned as to whether he was come to arrest Smith O'Brien; replied that he was merely marching through the country, and that if the barricades were not immediately opened, he should deem it his duty to force them. Not having heard of the suspension of the Habeas Corpus Act, and not having been commissioned with any warrant to interfere with the proceedings of the multitude, captain Longmore passed on his way; while the insurgents proceeded to a police-station, where there was a serjeant of the name of Williams, with six men under him. The arms of these men were demanded by the leaders; but Williams shut the gate in their faces, positively refusing either to yield the place or surrender their arms; and the police were, in an hour or two afterwards, enabled to retire to Cashel without molestation.

The commander-in-chief in Ireland, general Blakeney, directed a powerful mass of troops, comprising infantry, cavalry, and artillery, to concentrate on the spot where it was supposed the evil would break out; yet, undeterred by the activity and energy of government, the conspirators determined to proceed; and on the 19th of July, Mr. Smith O'Brien had marched out of Enniscorthy at the head of three hundred men variously armed, expecting to be joined by the peasantry on his route. In this he was not disappointed; for, by the time that he drew near to Ballingar, his followers had increased to nearly three thousand in number; most of them had fire-arms in their hands and a goodly quantity of ammunition in store. When within about three miles of that place, on Boulagh-common, they encountered a party of between forty and fifty of the constabulary, under a sub-inspector, whom the rebels immediately prepared to encounter. The only place of refuge was a solitary farm-house, inhabited by the widow of a farmer named McCormack, and

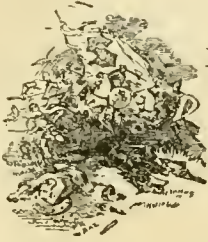
her five young children, situated some three or four fields from the highway. It was a substantial structure covered with slate, and surrounded by a court-yard enclosed by a wall. This, inspector Blackburn with his men secured by a run, and immediately barred the door and blockaded the windows with the furniture. The widow remained below, courageously determined to defend the entrance to her home with her life. Her five children were crowded together on a bedstead in a corner of one of the upper rooms.

Smith O'Brien advanced to one of the windows, and demanded the arms of the constabulary, which the inspector resolutely declared that he and his men would only surrender with their lives. Upon receiving this answer, the leader of the rebels retired, and ordered his followers to flash away and slaughter them all. A brisk attack was immediately made upon the house, which was answered by a rapid fusilade from the police, and an animated firing was kept up for nearly half-an-hour on both sides, the inspector having served out two hundred and thirty rounds of ball cartridge to his men. At the end of that time, the rebels, having had two of their number killed and several wounded, retired to a rise at a little distance. At four o'clock, a contingent of police arrived to the relief of their comrades, upon which the whole of the insurrectionists dispersed, and their leaders fled for their lives. Smith O'Brien concealed himself for some time under the cabbages in a cottage-garden.

Several of the chief conspirators escaped in various disguises. A reward was put upon their heads by the government, and Mr. Smith O'Brien was arrested by a railway guard, of the name of Hulme, just as he was preparing to leave by the train at Thurles. Meagher, O'Donoghue, and M'Manus were also apprehended. On the 21st of September, a special commission was opened at Clonmel for the trial of the prisoners, for high treason; when, after a patient investigation, which lasted for four weeks, they were all convicted and sentenced to death, the principal evincing a coolness and self-possession under his position that became him infinitely more than the foolhardiness which had previously marked his conduct, and which savoured much more of insanity than courage. The sentences were afterwards severally commuted to transportation for life, and the criminals were sent to Australia.

## CHAPTER XXXIV.

### GENERAL IMPROVEMENT OF THE COUNTRY.



EDITION had been scotched and treason destroyed; but the year 1849 began with an evil more formidable than either to contend with. Famine had laid her palsy hand upon the land. The poorest were crying with resistless pleadings for bread. The farmers had been utterly unable to meet the demands either for rents or poor-rates. The middle-men, who farmed the greatest quantity of land from the agents and mortgagers, began to be unable to satisfy the claims of those of whom they held their tenancies. The landlords were helpless, for their estates were merged for larger requisitions than all the rentals could defray, and a system had been adopted, known by the name of "squatting," arising out of the custom that prevailed among the peasantry of parcelling out their little holdings among their progeny, when any of the family wanted a marriage settlement in life. To remedy this state of things a general plan of ejectment took place. The lowest class of tenants were forcibly driven from their homes; and the starving wretches, thus thrown under the shelter of heaven alone, were perishing by hundreds and thousands on the highways near which their dwellings had but lately stood.

To collect the poor-rates under such circumstances became a moral impossibility. But still some of the districts were better off than others; and to remedy the defect, immediately upon the meeting of parliament the chancellor of the exchequer came forward with a proposition, that the government should advance one hundred thousand pounds for the present relief of the most distressed, which were to be repaid by a rate-in-aid, levied upon the several unions of which the electoral divisions were composed, and the boundaries of each of which had been the limit allotted for the collection of the rates for the relief of its own peculiar poor. This sum was afterwards increased by the advance of fifty thousand pounds more, so that the worst of the evil was met, while the more benevolent of the landlords

advanced money out of their own pockets to assist in the emigration of their tenantry to other lands, where a better prospect of subsistence seemed to be presented. The maximum of this rate was laid at five shillings in the pound, with the addition of two shillings in extreme cases. Much opposition was offered to a plan which seemed to be adding to the burdens of properties already laden with debt and difficulty; but the scheme was at length carried out with much advantage to the country.

Shortly after this measure had become effective, sir John Romilly, the English attorney-general, introduced a measure which struck at the very root of the evil. This was to facilitate the transfer of the estates encumbered by mortgage and debt, and the main returns of which, instead of going to the benefit of the proprietors, too frequently went to pay the expences of collection and the defrayment of the legal costs, incurred by multitudinous and complicated transactions. The first idea of this mode of relief had been started by sir Robert Peel in 1846, in a casual remark made in the course of a debate upon the Irish poor-law, when he drew his illustration of the benefit likely to accrue from the suggestion by the advantage enjoyed in the prosperous condition of Ulster, which arose out of the resettlement of the province of Ulster by Cromwell in the seventeenth century. In the session of 1848, a bill had been passed to effect the same object, but the medium through which it was intended to operate was the court of chancery; and that involved a process of action tedious, extensive, and uncertain, as concerned the titles of the transferred estates. A far better system was now adopted. Commissioners were appointed, who were empowered to take those estates in hand, which, either at the instance of the proprietors and mortgagers, or from the necessity of their position, seemed to be in a hopeless state of insolvency. A record in their court was to be considered as a final adjudication of the property, and a certificate of the commissioners a sufficient defence against all claimants. Much opposition was also manifested against this measure, especially by the



lawyers in the house of lords, who conceived that it interfered far too much with the time-honoured jurisdiction of chancery; but the good sense of the houses ultimately prevailed, and the bill was passed by common consent. Great advantage was immediately the result. Contrary to all expectation, no sooner was the court opened than buyers came forward in considerable numbers, and though there was nothing like what could be deemed to be auction competition, the properties were sold according to their positions and value for from fifteen to thirty years' purchase. Capital from England and Scotland was poured into the country; and, better still, a body of active, energetic, skilled proprietors were by degrees established upon the land, with funds sufficient to work out the best of their designs. New spirit, new knowledge, new experience, and fresh hope were instilled into the farmers who lived around and under them.

But the ministry were not content with rendering merely temporary assistance; they were desirous to place the prosperity of all ranks in Ireland upon a permanent basis; and shortly, therefore, after the Encumbered Estates' Bill had received the royal assent, lord John Russell introduced a measure in the commons for the amendment of the Irish poor-law. When laying his statement before the house, he observed that it was above all things desirable to bring the relief granted to the poor back to the work-house test, which the unprecedented calamities that had for some time past oppressed the country had rendered impossible. The most evident security for the collection of the rates was presented by the existence of the property upon the premises liable to them, so that the tenant was in all cases the first victim. This he proposed to remedy, by giving the tenant a right to deduct from his landlord, for the time being, one-half of the amount he had paid in rates; and, in order to equalise the burden, he further proposed that, should any of the electoral divisions prove incompetent to meet the demands made upon them, the guardians should be endowed with a discretionary power to extend the rate to the whole of their union, resorting to the principle of the rate-in-aid, of making the maximum five shillings in the pound, with the right to levy an additional two shillings in extreme cases.

Lord Stanley, and his party generally,

opposed this arrangement as unjust; contending, that the properties that were well managed would have to pay for the deficiencies of those which were improperly supervised. His lordship stated that he had, during the past year, expended upwards of fifteen hundred pounds in furthering the emigration of between three and four hundred of his tenantry; and, immediately after that expenditure had been incurred, the same number of houseless poor had been thrown upon the hands of the overseers from some neighbouring divisions. All the objections were, however, over-ruled, and the bill speedily became law.

The last of the series of measures which the government propounded during the session of 1849, for the benefit of Ireland, was the enlargement of an act previously passed, for enabling the proprietors and long leaseholders of estates to improve their property, called the "Land Improvements Act." The object of this provision had been, to advance money by the government on the security of the property, payable within seven years, for clearing, draining, and otherwise improving it. Under that act, the government had been empowered by parliament to borrow the sum of fifteen hundred thousand pounds, to be lent out to proprietors under certain conditions, by the authority of a commission appointed for that purpose. Applications had been made for fifteen hundred and forty thousand pounds, a considerable portion of which had been advanced, and some part had been repaid, leaving the power over about twelve hundred and ninety thousand pounds in the hands of the government for the time being. To increase the advantage which had arisen from these loans, lord John sued for a further advance of three hundred thousand pounds, to be applied to the purposes of arterial drainage, for the general benefit of the country. This, with the loans previously advanced, and the portions of which had not been repaid, made the debt of Ireland four millions eight hundred and seventy thousand pounds, the repayment of which his lordship proposed to extend over a term of years. The advantages of this arrangement were so palpable, that it immediately received the assent of the house.

From these several measures, the relief to the landed interest was immediate and general throughout the whole of Ireland. The landlords were assisted, the mortgagers were relieved, and the shopkeepers, who chiefly

depended on the small farmers for their support, derived ready means for carrying on their business; and every district in the country began to show an air of prosperity. Nevertheless, the spirit of lawlessness that pervaded the peasantry was still too rife during the latter portion of the year to enable the government altogether to withdraw the operation of the coercion act, although they were in a position very largely to relax it in many of the hitherto most disturbed districts.

Early in 1850, the emigration of the lower classes, which had, in the first instance, been instigated by the boards of guardians and the landlords, began to be felt in the emptying of the poor-houses and the disappearance of any superfluity of labourers to gather the products of the soil, so much so, that the exportation of labourers to England, during the period of harvest, almost entirely ceased for a time; and, though it was partially renewed, it was never afterwards developed to the same extent as had before been customary.

The frequency of the evictions of the small farmers from their holdings, by which they were necessarily divested of every portion of their property, constantly brought the subject of tenant-right before the public and under the consideration of the government. For several sessions, Mr. Sharman Crawford had introduced bills for the amendment of this grievous evil. It was monstrous, as he asserted, that when a tenant had held his farm for perhaps seven years, and had expended all his little capital in the erection of farm-buildings, draining the land, and in effecting other similar improvements, he should at any moment be ousted by his landlord, and thus be entirely divested of all the little property that he held in the world. The equity of the principle of granting compensation for such investments was readily allowed by men of all parties in the house; but great difficulty was experienced in ascertaining the limits of the landlord's and the tenant's right; and Mr. Crawford's bill was felt to be far too democratic to suit the temper of the house. The subject was revived in the session of 1850 and 1851, but with no better success. In 1852, when Mr. Napier filled the office of attorney-general, under the earl of Derby's administration, he introduced four bills; which, from the nice balance of interests which their provisions contained, seemed excellently calculated to

accomplish the object he had in view; but, at the same time, Mr. serjeant Shee also introduced a bill for the same purpose; and, as it appeared likely that benefit might arise from a partial incorporation of the several measures, government assented to a proposition for referring them all to a select committee; but they were destined to proceed no farther.

During the session of 1850, the government, having taken the matter seriously into consideration, determined to more intimately consolidate the two portions of the United Kingdom; and lord John Russell accordingly introduced a bill for abolishing the lord-lieutenancy of Ireland. It was carried through its second reading by a large majority, but the approaching loss of kingly splendour creating the utmost dismay throughout the country; and the bill being vehemently opposed by the Irish members, government, in consideration for public feeling, abandoned the measure. During the three or four years that had just elapsed, the face of Ireland had undergone a great and momentous change. Every where the number of cottier tenements had been either reduced, or had entirely disappeared. The system of squatting had been almost totally subdued. Wealthy proprietors, equally skilled in the commercial and agricultural management of their property, had assumed possession of the lands. The poor-rates were diminished, and the inmates of the poor-houses were reduced from thousands to hundreds, while the debts of the unions were very largely decreased. In every part—in remote Connaught, as well as in distressed Munster—the country assumed an appearance of increasing and healthy prosperity.

The promoters of Irish emigration (who, by means of their own exertions, and the assistance of the landlords and the boards of guardians, sent multitudes of their destitute poor to the United States and Canada) had found far more than their utmost expectations of advantage fulfilled. Every mail that sped across the Atlantic brought funds to pay the passage of their relatives, who had been left behind; and, in one instance, as many as five hundred letters, each of which contained a remittance to aid those who waited for a passage to the land of promise, passed in one day through the post-office at Galway. Cars, coaches, carts were all pressed into the service to convey the passengers to the quays of Cork, Gal-



way, Dublin, and Liverpool; whence three, four, five, and sometimes six vessels a-day sailed with their living cargoes, to the stores of the west. Not only the poor and destitute; but the respectable and well-to-do farmer, packed up all that he had, converted his property into money, and turned his face, with his wife and family and stalwart labourers, towards America. And this was no sudden burst of enthusiasm. It lasted for weeks, and months, and years with increasing fervour, until at last it was calculated that upwards of a thousand individuals in a day left the shores of Ireland for settlements abroad; so that, when the

census of 1851 was computed, it was found that, notwithstanding the notorious proportionate superiority of births over deaths; the population of the country, through famine, pestilence, and emigration, had been reduced by more than one million six hundred thousand souls. But, in general, these belonged to the class of persons who had chiefly been the instruments and victims of political and polemical delusion; and the country seemed to be the better for their absence, while it rejoiced every patriotic heart to learn that the change to the emigrants themselves proved to be one of almost unmitigated advantage.

#### CHAPTER XXXV.

THE SIX-MILE BRIDGE AFFRAY; ASSIMILATION OF IRISH AND ENGLISH TAXATION; ENCUMBERED ESTATES.



HE absorbing topic of the year 1851, was the preparation and the opening of the Great Exhibition of the Industry of all Nations, in Hyde Park, under the patronage of her majesty and prince Albert. In that gorge-

ous and wonderful collection of ingenuity, science, and art, Irish taste, capital, and skill in her poplins, her silks, and her linens and other fabrics, were admirably and sufficiently represented; and their presence in this great hall of peace did much to promote the growth of manufactures in Ireland, and the encouragement of a spirit of enterprise among the people—which was afterwards exhibited in the following year in the opening of an exhibition of a similar kind, but upon a far different scale, at Cork, where the day of its opening was observed as a universal jubilee in the city and its neighbourhood.

Towards the end of the year serious differences arose in the cabinet in consequence of the freedom which lord Palmerston, who was the foreign secretary, assumed in his proceedings in the continental relations of the country; and, with little of attempted

negotiation, he was abruptly dismissed from his office by the premier. This was an unfortunate stroke of policy for the whigs, for his lordship, immediately on the re-assembling of parliament, in February, 1852, after the recess, ousted the whole party from power by placing the ministry in a minority in a division on the bill for organising the militia then being raised for the internal defence of the country.

It is questionable, indeed, without this blow, whether the whigs could have gone on long without the assistance of their most able ally, and now their most formidable opponent. Always halting in their progress, it was only when they could, by any peculiar stroke of policy, procure the support of the Peelites and the votes of the Irish members that they could ensure a majority, and they were, therefore, almost constantly at the mercy of any of the other three great sections of the house.

The earl of Derby assumed the reins of power, with Mr. Disraeli for the chancellor of the exchequer; the earl of Malmesbury became secretary for foreign affairs, Mr. Walpole took the home office, and sir John Pakington, who had considerable official experience in some of the distant dependencies of the empire, was made secretary for the colonies. Lord Eglintoun

assumed the vice-regal chair, and lord Naas became chief secretary for Ireland.

Before the new ministry there lay a prospect fraught with difficult problems. Pledged to protection, they had to contend with a universal feeling in favour of free-trade. Conservatives in principle, they were deemed adverse to everything like progress. Protestant in composition, they had, almost to a man, the Irish members against them. Temporising was evidently their only line of action. Most of them, besides, were altogether new to the duties of office; and, though Mr. Disraeli, Mr. Herries, and some others of the cabinet, were well used to the practice of parliamentary tactics, it required considerable management to induce their followers to act combinedly together. Their main supporters gave them full credit for sincerity of purpose; and all parties allowed for the difficulty of their position. They acted with consummate circumspection; and, warding off the evil moment of fully declaring their declension even in any degree from the high principles of protection that they had in former times avowed, they contented themselves during the session in the early part of the year in promoting such legal reforms and such measures of social improvement as few were disposed to resist, and which, though they may have but little show, frequently prove to be the greatest and most lasting blessings to the country.

The administration of the earl of Eglintoun in Ireland proved in the highest degree popular. He was a nobleman admirably suited to the genius of the people. Gallant in his bearing, cheerful and affable in manner, and moving continually from place to place, he carried the benignity of his government wherever he went. To one party alone did the accession of the new administration to office give unmitigated cause for displeasure and concern. From the whigs, the Roman catholic priesthood, and the noblemen and gentry connected with them, had always received the readiest show of countenance and the most of personal favours; and there was, consequently, a corresponding dislike to the party by whom they had been supplanted. When, therefore, in consequence of their engagements with the country, parliament was dissolved in the summer, the whole strength and influence of the priesthood were put forth in favour of the candidates who were likely to oppose the government; in some instances, with most lamentable results.

During the election for the county of Clare this was particularly exhibited. Several of the tenantry of the marquis of Conyngham, residing in and about Meelick, had determined to vote in favour of the conservative candidate, colonel Vandeleur, who was contesting the county with sir John Fitzgerald and Mr. Cornelius O'Brien. From the state of public feeling violence was apprehended upon the approach of these men to the poll, and a military escort was accordingly provided for them, they having, on the 20th of July, been removed into Thomond gate for safety, in order that they might reach the polling-booth at Six-mile Bridge two days afterwards. On the 22nd, they were placed in cars, escorted by a detachment of the 31st regiment, accompanied by Mr. Delmege, a justice of the peace. For some time they were unopposed, but on approaching the bridge they were met by a large concourse of people, headed by two catholic priests, who greeted them with loud exclamations and the most opprobrious epithets. The most unscrupulous means had been adopted to arouse the prejudices and the passions of the people. One of the reverend orators addressed the following words to a large meeting of his flock:—"If there be a catholic elector of this borough who will dare to go forward and register his vote for the English enemy, pass him by with scorn and contempt. Do not be seen to walk with him, to talk to, or associate with him. Let him fester in his corruption; be not you contaminated by any contact with a wretch so base and degraded. Despise him. If you meet him on the high road, pass over to the other side. Have no dealing with him. Make him understand that he cannot afford to brave the honest indignation of his fellow-countrymen. Electors of Tralee, you—the honest electors—who have always upheld the independence of your town, assemble in a body to-morrow; go to those unfortunate wretches, and make them acquainted with the consequences of their guilt. For my part, I'll confess to you what my feelings are with respect to those wretched and corrupt catholics. Let me suppose one of those wretches prostrated by sickness. Suppose the hand of death heavy upon him, and that a messenger comes to me to attend him in his dying moments. If there were no other priest in the way I would be bound to go; I dare not refuse to attend him. But I confess to you that I would be sorry



from my heart to be called upon to attend the death-bed of such a being. I would go to attend such a wretch with a heavy heart, without much hope, because I would feel that I was going to administer sacraments to one whose conscience was so seared and whose heart was so rotten at the core that I could not have much expectation of effecting a conversion. Overpowered with the impression that I was about to visit a perjured wretch who, for a miserable bribe, had betrayed the dearest interests of his country and his religion, and borne down with the harrowing reflection that God in his just anger might leave such a wretch to die in his sins, I would fear that my mission would be fruitless; that I could have no hope of converting a heart so hardened, so lost to every sense of duty and religion, as to vote in support of those who would trample on the Lord of Hosts."

Irritated and excited by such exhortations as this, the people did not content themselves with mere upbraidings, but proceeded to storm the voters and their escort. Brickbats and other missiles were hurled with relentless fury. Any attempt to read the riot act was futile. The soldiers dismounted from the cars, and ten men going in front to make the way, ten brought up the rear to secure the party, but every step of their progress was environed with danger. Faster and faster the missiles fell. The captain in command of the party desired his men not to fire until the last extremity, when he was stretched insensible upon the sword by a brickbat. At the same instant his lieutenant was knocked down; the sergeant had his firelock wrenched from his hands, and broken; and the corporal fell under the feet of the mob, who proceeded to wrench the muskets out of the hands of the soldiery. Compelled at last by the probable loss of their arms, and the certainty of instant death, the men fired, and six of the rioters fell mortally wounded, while several others were more or less injured. The mob were immediately seized with a panic, and fled on every side. At the coroner's inquest, which was held upon the bodies, a verdict of wilful murder was returned against eight of the soldiers and Mr. Delmege, the magistrate; upon which they were placed upon their trial at the following assizes, when they were prosecuted by the crown through the attorney-general; but the grand jury finding no true bill, the men were liberated, after seven

months of suspense. The earl of Cardigan, in the hope of obtaining some protection for the military, brought the affair subsequently before the house of lords, but the government declined to interfere, and the indictment against the two priests was dropped.

Whilst these circumstances were occurring in Clare, the active spirits of Ireland were exerting themselves to emulate their brethren across the water, in an exhibition of the natural and artificial wealth with which the country is so richly endowed. For a first attempt no better site could have been selected than the beautiful and important city of Cork, with its noble neighbourhood, and splendid harbours. Other causes were also at work to ensure the stable prosperity of the country. Day by day the tide of emigration went on at an increasing rate, until a thousand per diem became a usual number for the exodus of the Celtic population to the western shores of the Atlantic. And this was no public government movement or exertion aided by county or parochial rates. It was the spontaneous action of the people themselves aided by their relatives abroad; so that the individuals who had but lately been lying by the sides of the highways and under hedges perishing from famine, could now command the means to carry themselves and their families across three thousand miles to their distant and better homes, made ready for their reception by their children and their kin.

A still closer tie was approaching for the two countries. Towards the end of the year 1852, the conservative ministry fell. On the meeting of parliament, before Christmas, Mr. Disraeli, who filled the office of chancellor of the exchequer proposed his budget, the chief feature of which was the imposition of a house tax, combining with it the modification of several of the burdens which pressed upon the land. By this budget the ministry and lord Derby had pledged themselves to stand or fall; and, after a long and most arduous debate, in which Mr. Disraeli exhibited talents of the highest order, they were outvoted by a small majority and retired from office. To carry on the government single-handed was evidently hopeless for the whigs, and a juncture was accordingly effected between them and the followers and disciples of the late sir Robert Peel. Lord John Russell, after a brief sojourn at the foreign office, which he held

for the earl of Clarendon, assumed the leadership of the commons, with a seat in the cabinet, but without any other appointment. The earl of Aberdeen became premier, with Mr. Gladstone for his chancellor of the exchequer, lord Palmerston settled at the home office, and earl St. Germans took the vice-royalty of Ireland, with sir John Young as the chief secretary.

The winter of 1852-3 passed with comparative quietude, although it was still necessary to preserve the operation of the coercion act. Many of the most turbulent of the spirits among the peasantry and small farmers had been removed by the exodus. New proprietors had been found for the encumbered estates. Wealth, ready to the hand, was poured into the country, while it was advanced and accompanied by men, who had the activity to use it earnestly, and the wisdom to use it wisely for themselves and others. This Mr. Gladstone thought a happy conjuncture to assimilate the taxation of the two countries of England and Ireland, and make them one in fiscal regulation as they had been made one politically by the act of union, and polemically by the passing of the catholic emancipation act. In bringing forward his budget, therefore, on the 18th of April, 1853, the chancellor of the exchequer submitted a resolution to the house for a continuance of the income-tax for a period of seven years, and, for the first time, proposed to include Ireland in the sphere of its operation.

On the 18th of April, Mr. Gladstone rose to make his financial statement, when, the house having resolved into a committee of ways and means, he said, "The first portion of my duty will be to lay before the committee the account of the country. I think I shall best discharge it by taking up the state of that account from the point at which it stood last year, when the financial department was in the hands of the right honourable gentleman opposite (Mr. Disraeli); and it will be satisfactory to the committee to observe that, as our experience grows with the lapse of time, so do we obtain larger and still larger proof of the elasticity of the revenue, and of the progress of the productive and consuming powers of the country." In April, 1852, Mr. Disraeli, he observed, had estimated the revenue for the year at fifty-one million six hundred and twenty-five thousand pounds, which in December he increased to fifty-two million three hundred and twenty-five thousand pounds, and at the end of the

year the amount was fifty-three million eighty-nine thousand pounds; an increase of one million four hundred and sixty-four thousand pounds on the estimate framed at the commencement of the year. The expenditure was estimated in April, 1852, at fifty-one million one hundred and sixty-three thousand pounds, but the actual expenditure was only fifty million seven hundred and eighty-two thousand pounds. The balance sheet showed an actual surplus of two million four hundred and sixty thousand pounds; but, before considering the amount available for remission of taxation, it was necessary to examine the estimated expenditure for the year just commenced, which amounted to fifty-two million one hundred and eighty-three thousand pounds; so that three-fifths of the surplus was disposed of by charges for liabilities under act of parliament, and votes for the defences of the country. He stated the amount of increase in the different estimates, and the additional charges for the militia and for public education, with the estimated savings, and he then detailed the particulars of the revenue anticipated for the year 1853-54, amounting to an aggregate income of fifty-two million nine hundred and ninety thousand pounds, leaving an apparent surplus of eight hundred and seven thousand pounds, which he would rather take at seven hundred thousand pounds; and of this sum, about two hundred and twenty thousand pounds consisted of money which did not proceed from permanent or recurring sources. After a passing allusion to the shipping and West India interests, he adverted to the exchequer loan fund, which it was not, he said, the intention of the government to abolish, the fund having realised, after paying all expenses, a net balance of two hundred and twenty-seven thousand pounds; and he then approached the discussion of the income-tax. The first question, he observed, was, whether or not the tax should be parted with at once. He did not say that this was impossible; he believed by the imposition of certain other taxes, which he indicated, that this tax might be got rid of; but the government did not recommend such a course. The amount of the tax—five million and a-half—large as it was, did not afford, he said, an adequate idea of the magnitude of the question; and he described at some length the powerful effect which this tax, had it been resorted to at an earlier period of our fiscal difficulties,



would have had in keeping down the accumulation of debt. From the calculations he made, he deduced a proof that, if the efficacy of this great engine were not destroyed, it would afford us the means, should hostilities unhappily break out, of at once raising an army of three hundred thousand troops, and a fleet of one hundred thousand seamen, with other auxiliary aids, that would put this country in a condition to defy the world.

It had been said, that the fair proportion which land should bear to trades, was as four to three, and that was the relative proportion of the tax at present. As to the averaging of classes among themselves, he insisted that this was impracticable. Some trades were better than perpetuities, while others were not worth three years' purchase. Moreover, trades paid sevenpence upon an assessment made by the parties themselves; and Mr. Gladstone mentioned a case in which the incomes of twenty-eight persons, actually amounting to forty-eight thousand pounds a-year, had been returned at only nine thousand pounds. As regarded the state of the case between land and trades, therefore, there was no sufficient ground for attempting to reconstruct the scheme of the tax. With regard to schedule C, including fundholders, he appealed to the house whether, if that schedule stood alone, it would not be an argument against breaking up the tax. Some rational construction must be given to the words of the loan act. The proposal to levy the tax upon the capitalised value of the incomes, was one which could not with honour be adopted by the British parliament. At present, only one-third of the public debt was held on sole accounts, indicating, generally speaking, absolute property, and the remaining two-thirds were held on joint accounts, by persons not in their own right. Professions paid one twenty-second part of the tax, and public feeling recommended a change of this part of the scheme; but he warned the committee of the more than herculean task that must be undertaken, if an attempt be made to reconstruct the tax, because of so limited a case as this schedule. There had been a most earnest desire on the part of the government to consult the public feeling on the subject of this tax, but he referred, as an evidence of the difficulties in the way of breaking up the scheme, to the favourite example of terminable annuities. If they were dealt with, what must be done with

life interests in leaseholds, jointures, and life annuities from lands? When these distinctions came to be defined and dealt with, the difficulties were insuperable. These were the views of the government regarding the income-tax—a gigantic engine; but the circumstances attending it rendered it impossible to maintain it as a portion of our permanent fiscal system. One thing he hoped the house would not do—namely, nibble at it, and try one experiment after another. Whatever was done with it should be bold, intelligible, and decided; paltering with it would jeopardize one of the most valuable of our fiscal resources. What the government aimed at doing, was to put an end to uncertainty as to this tax, and they thought they should take effectual means to mark it as a temporary tax, and to lay the ground for parliament, if it deemed fit, at a given period, to part with it. They proposed to introduce certain mitigations; to extend the principle of compositions, and to act, in connexion with the general system of the taxation, upon the sentiment that the tax bore too hard upon intelligence and skill, and not hard enough upon property. They proposed to renew the tax for two years, from April, 1853, at the present rate of sevenpence in the pound; for two years more, from April, 1855, at sixpence; and for three years more, from April, 1857, at fivepence; so that the tax would expire on the 5th of April, 1860. While they intended to renew the income-tax, they intended to accompany this renewal with a relief from taxation. But, with a surplus so small, larger means were required for an extensive and beneficial remission of taxes. If the income-tax was to be continued, should it be extended? The view of the government was, that the late administration was right in thinking that, if the income-tax was to be retained, the exemptions must be narrowly considered. The persons whose incomes were below one hundred and fifty pounds, had been materially benefited by the large remissions of taxation, and the government proposed, that incomes between one hundred and one hundred and fifty pounds, should pay fivepence in the pound for the whole time the tax continued. Another great question was the exemption of Ireland, which had derived benefit from the changes in our fiscal system, and the duties which had constituted the ground of her exemption had disappeared; the gov-

ernment, therefore, did not see why the income-tax should not be levied in Ireland. Another object was to meet the public feeling, that the operation of the tax was severe upon intelligence and skill, in comparison with property; and it was proposed to alter the legacy-duty, and extend it to all successions, the exemption of real property no longer being suffered to exist. The first year's produce would be five hundred thousand pounds, and he had no doubt, that ultimately there would be a total addition to the permanent taxation from this source, of two million pounds a-year. He then proposed to make an addition to the duty of spirits in Scotland of one shilling per gallon, and in Ireland of eightpence, with an allowance for waste in bond; the net gain would be four hundred and thirty-six thousand pounds. A small duty in licenses (not spirit, wine, or beer) would produce one hundred and thirteen thousand pounds. The whole amount of increased taxation of 1853-4, would be one million three hundred and forty-four thousand pounds; and, with the surplus added, the total would be two million one hundred and forty-nine thousand pounds. He had proposed to charge Ireland with the income-tax and the duty on spirits; but the government had come to the determination to relieve her from the consolidated annuities, amounting to four million five hundred thousand pounds, which would cease from and after the 29th of September last, all arrears up to that date to be paid, and all sums received since to be returned. He now proceeded to state the proposed remissions of taxation. The first was the excise duty on soap, which it was proposed to repeal; the net loss being seven hundred and seventy-one thousand pounds. The next item was the reduction of certain stamp duties—first, life assurances, from two shillings and sixpence to sixpence, causing an immediate loss of twenty-nine thousand pounds; second, receipts to one penny, creating a loss of one hundred and fifty-five thousand pounds; third, indentures of apprenticeship, where no consideration was given, to two shillings and sixpence; fourth, attorney's certificates, from twelve and eight pounds to nine and six pounds, and articles of apprenticeship, from one hundred and twenty to eighty pounds. Loss of revenue, forty-eight thousand pounds. With respect to the advertisement duty, the government thought it right to submit to the house the plan they had

adopted at the time of the debate on Thursday—namely, to reduce the duty to sixpence, and to repeal the stamp-duty of one penny and one halfpenny upon supplements to newspapers. The first loss of these duties would be one hundred and sixty thousand pounds. It was also proposed to reduce the duty on hackney-carriages one-third. It was then proposed to reform the assessed taxes, reducing that on servants, private carriages, horses, and dogs. The loss would be two hundred and ninety thousand pounds. The system of post-horse duty it was intended to levy in the form of licenses, making a loss of fifty-four thousand pounds. Another change was in the mode of redemption of the land-tax. In the customs'-duties they had it in their power to make considerable reforms, and afford much relief. With respect to the duty on tea, they acceded to the principle that it was most unwise to cut it down to one shilling per lb. at once, and they proposed to reduce it from two shillings and twopence farthing to one shilling and twopence farthing, till April, 1854; from thence to April, 1855, to one shilling and sixpence; from thence to April, 1856, to one shilling and threepence; and from thence to one shilling. The loss of revenue would be, in the four years, one million nine hundred and thirty-four thousand pounds. It was further intended to abolish all duties that were unproductive, and those levied on certain manufactured articles, making ten per cent. the maximum rate of the duties retained on manufactured articles; to substitute, in all practicable cases, rated for *ad valorem* duties; to sink the differential duties between foreign and colonial articles, and to lower the duties on various articles of food. The effect of the various changes in the customs'-duties, as applicable to the year 1853-54, would cause a gross relief of one million three hundred and thirty-eight thousand pounds. So that the state of the accounts for the year 1853-54, would stand thus:—Surplus, eight hundred and five thousand pounds; new taxes, one million three hundred and forty-four thousand pounds; total, two million one hundred and forty-nine thousand pounds. Loss on remissions, one million six hundred and fifty-six thousand pounds; remaining surplus, four hundred and ninety-three thousand pounds. Mr. Gladstone then entered at considerable length into the prospects of succeeding years, holding out the expecta-



tion, that in 1860, parliament would be in a condition, if it thought fit, to dispense with the income-tax.

The debate on Mr. Gladstone's budget was resumed on Monday, the 25th, although the intermediate week had been occupied by important financial operations; some of which had involved a greater change of principle and mode of working in the monetary affairs of the country, than any which had taken place since the premiership of sir Robert Peel. The proposal to relieve Ireland from the charge of four million five hundred thousand pounds, which was due to the consolidated fund, and which laid like a dead weight upon the national energies ever since the time of the famine, was too great a boon not to be eagerly grasped at by the best-intentioned of the Irish landlords; the Irish members taking an increased interest in the debate. The extension of the income-tax to Ireland, was anticipated to produce about four hundred and sixty thousand pounds a year; and the increase of the duty upon Irish spirits, from two shillings and eightpence to three shillings and fourpence a gallon, to produce something short of two hundred thousand pounds annually; and, as this anticipation was sure to be less than the reality, Ireland was now about to contribute nearly three-quarters of a million more than she had hitherto supplied to the imperial treasury—an addition which no chancellor of the exchequer would have attempted to impose, unless the country had been in a high state of prosperity.

On the 25th of April, the house having resolved itself into a committee of ways and means, on the first resolution, granting a tax upon incomes until April, 1860—the chancellor of the exchequer moved the following resolution:—"That it is the opinion of this committee, that towards raising the supply granted to her majesty, there shall be raised, annually, during the terms hereinafter limited, the several rates and duties following—that is to say, For and in respect of the property in any lands, tenements, or hereditaments, in the United Kingdom; and for and in respect of every annuity, pension, or stipend, payable by her majesty, or out of the public revenue of the United Kingdom; and for and in respect of all interest of money, annuities, dividends, and shares of annuities payable to any person or persons, bodies politic or corporate, companies or societies, whether corporate or not cor-

porate; and for and in respect of the annual profits or gains arising or accruing to any person or persons whatever, resident in the United Kingdom, from any kind of property whatever, whether situate in the United Kingdom or elsewhere, or from any annuities, allowances, or stipends, or from any profession, trade, or vocation, whether the same shall be respectively exercised in the United Kingdom or elsewhere; and for and in respect of the annual profits or gains arising or accruing to any person or persons not resident within the United Kingdom from any property whatever in the United Kingdom, or from any trade, profession, or vocation, exercised in the United Kingdom; for every twenty shillings of the annual value or amount thereof:—for two years, from April 5th, 1853, sevenpence; and for two years from April 5th, 1855, sixpence; and for three years from April 5th, 1857, fivepence; and that on April 5th, 1860, except as to the collection of moneys then due, the said rates and duties shall cease and determine. And for and in respect of the occupation of such lands, tenements, or hereditaments, (other than a dwelling-house occupied by a tenant distinct from a farm of lands,) for every twenty shillings of the annual value thereof, one moiety of each of the said sums of sevenpence, sixpence, and fivepence, for the above-named times respectively."

After some discussion on the general principles of the tax by the English members, Mr. Fagan, admitting that the superstructure of the ministerial plan was great and statesmanlike, resisted that part of it which subjected Ireland to the income-tax, as an equivalent for the abandonment of the consolidated annuities. He protested against the introduction of these annuities into the plan, insisting that the labour-rate, forming part of the charge, had been misapplied; and entered into details, to show that Ireland had derived but slender advantages from the remission of taxation for which the income-tax was imposed. He further contended that the imposition of this tax would be inconsistent with the act of union, which stipulated that Ireland should contribute to the general taxation only in a certain proportion, which had been already exceeded; and he urged the cruelty of taking advantage of a breathing time, which Ireland seemed now to enjoy, to oppress her with an income-tax. Mr. W. Williams justified the extension of the

income-tax to Ireland, disputing the arguments of Mr. Fagan, and approved of the budget in its entirety. Mr. Maguire, on the contrary, denied the justice of inflicting upon Ireland, in her present condition—which was worse than in 1842—an addition of taxation, not only unjust, but wanton and cruel. Mr. Warner defended the Irish aspect of the budget—of which he warmly approved as a whole. Mr. J. Ball felt that the secret cause of the opposition to the budget was, that it was a great step towards the equalization of the taxation of the country, which recommended it to him. As an Irish member, he had satisfied himself that the effect of the proposed measures upon Ireland had been misrepresented, and he explained the grounds of his belief, that Ireland was not unfairly, but was, on the contrary, favourably treated in the budget. Mr. Grogan questioned the accuracy of the data whence Mr. Ball had drawn his conclusions. On the motion of Mr. Cobden, the debate was adjourned formally until Wednesday, but substantially until Thursday.

Mr. Cobden resumed the debate on that day, and commenced by complaining of the mode in which the surplus revenue had been disposed of, remarking, that since 1851, there had been an addition to our military and naval establishments to the amount of one million eight hundred and seventy thousand pounds. He alluded to the affected terror of an invasion; observing, that not only did nobody now fear invasion, but nobody would admit that he ever did fear it. For the extravagance in this respect, however, he admitted that the public were to blame. If, he said, government, powerful as it was, hardly saw its way to a majority on the budget, it was from the difficulty of finding a direct tax to supply the place of indirect taxation. No year could pass but must witness the reduction of the latter form of taxation. He described the reference to the income-tax as the most declamatory and least satisfactory part of the chancellor of the exchequer's speech, but argued that the income-tax was not more objectionable than many indirect taxes which he mentioned. Approving the American system of income assessment by other than the taxed party, and of making the assessment public, he proceeded to contend that, as regarded the non-modification of the income-tax, government had not shown good cause for doing nothing. He said that the late government

had shown a right intention of dealing with the question. He next bore testimony to the bold and honest conduct of the present government, who had grappled with a subject which had defied Mr. Pitt in the plenitude of his power. He would take their measures with both hands. He thought government had acted wisely in extending the tax to incomes of one hundred pounds, for he would lay it upon every income upon which it could be collected with profit. As regarded Ireland, he was an advocate of the utmost religious and fiscal equality, and he thought that there could be no safety for the proper working of the legislature if members sat for parts of the kingdom which paid less than other parts. Irish members, at present, took little interest in imperial expenditure, unless it in some way affected their own country; and if it did, they made fight for the bauble of a lord-lieutenancy, or for Kilmainham. He was opposed to allowing people to help to tax their neighbours on condition that themselves were not taxed. He advised the Irish to close with the proposed bargain, and dwelt upon the relief it afforded to the humble agriculturists of Ireland. That country had been stated to owe a debt to England of about three hundred million pounds; at all events, he advised its representatives to let the inequality of taxation disappear. As regarded the tea and tobacco licences, he hoped the subject would be reconsidered, and he advised the chancellor of the exchequer not to make two bites of a cherry in the case of the advertisement duty, which he thought should be entirely taken off, and a charge made for postal advantages. After discussing this question at some length, he declared the budget to be generally acceptable to the country; but, in supporting it, guarded himself against any pledge to the abolition of the income-tax in 1860.

Mr. Sergeant Shée, as an Irish member, would endeavour to get rid of the feelings of irritation which the preceding speech had produced; and, speaking as a member of the United Kingdom, he held it to be inconsistent with honour and justice to impose the income-tax, for the first time, upon the Irish people, which would be a breach of the faith which bound the nations together, and afford a ground of complaint to Ireland that it was not justly dealt with. He relied upon the compact between the two countries by the act of union, and contended that, according to Mr. Gladstone's own showing,



Ireland paid as much in taxes as she ought to pay; that, independently of this, there were peculiar considerations which should exempt her from this tax; and that it was impossible for any independent Irish member to vote for this budget.

Mr. J. L. Ricardo objected that Mr. Shce endeavoured to separate the interests of England and Ireland, and complained that the amendment had irregularly diverted the discussion from its proper subject—the income-tax. He renounced his former opinion as to the practicability of an adjustment and equalization of the tax; any attempt at which, he now believed, would be tantamount to its abrogation. He was for direct taxation, the proper and equitable principle, and it was for this reason he voted for the budget, which contained, in the duty upon successions, the foundation of a system of direct taxation.

Mr. French condemned the budget as it regarded the interests of Ireland, insisting, with Mr. Shce, that she had experienced financial injustice. He admitted that the relinquishment of the consolidated annuities was a liberal boon; but he protested against mixing this matter with the income-tax. The equitable claim under the former was only two million four hundred thousand pounds, equal to an annuity of one hundred and forty thousand pounds a year; whereas the new taxes would produce one million fifty thousand pounds. He then entered upon a general criticism of the budget, which, he said, if passed in its present form, would be the most unjust—and, to Ireland, the most injurious—ever proposed.

Mr. Bellew supported the resolution, which, he said, would be a great boon to the tenant-farmer of Ireland. He believed in the unsullied word of the chancellor of the exchequer, as to the ultimate abolition of the tax, and was prepared to stand by his judgment. He did not approve of the increased duty on spirits.

Sir Francis Baring having, on previous occasions, had to express his discomfort at the large amount of income that hung on the income-tax, felt great satisfaction that the government had decided that it ought not to be permanent in time of peace. A heavy direct tax in time of peace was very difficult to keep, and the best condition of a tax was that it could be kept. He was well aware of the difficulties connected with the remodelling of the tax, and was prepared to vote for its continuance on the condition of

its ultimate abolition. As regarded the guarantee for that abolition, no absolute pledge could be given; but the ministers, in 1860, would find it difficult to persuade the country that its re-imposition would not be a breach of faith; and he expressed his opinion that, with the means which had been proposed, the abolition at that time would be practicable. As regarded the remainder of the budget, he did not think that, either in that house or the country, there was much difference of opinion. The chancellor of the exchequer had dealt wisely and well as to the remissions of taxation. He did not assent to all the details of the scheme, and was opposed to extending the income-tax to those who had not hitherto paid it, a course which was replacing in their old position those who were stated to have benefited so much by recent free-trade measures. As regarded Ireland, he thought, if increased taxation were needed, the chancellor of the exchequer should have followed the example of Sir R. Peel, and have imposed some other tax than the income-tax. He could not consider the abolition of the consolidated annuities as a compensation to Ireland for the income-tax, deeming that abolition to be what she had at least a partial right to claim, without the proposed imposition; and, stating the account between England and Ireland in detail, he urged the injustice of taking off an enormous burden from the former, while an additional tax was thrown upon the latter, and complained that, in 1860, the relief to England should in the aggregate be so great, and that to Ireland so small.

Mr. Fortescue said, that if he could have satisfied himself that his Irish constituents were unfairly treated by the budget, nothing should have induced him to support it; but sir F. Baring, whose benevolence partook of the nature of a croquet, had not furnished him with a case. Sir Charles Wood argued that the proposal of the government was more beneficial to the land than that of the preceding administration, having regard to the amount of income-tax respectively proposed to be levied, and to the provision made in the latter budget for ultimate abolition of the impost. He next contended for the advantage which the uniform succession duty would confer on the landowners; and reminded them, that they were not to have escaped it under the late government; for though it was not in the budget, Mr. Disraeli had announced, that his administra-

tion was prepared with such a succession duty as should do away with inequalities. Denying the truth of the assertion in the previous night's debate, that a new impost of two millions was to be laid on the land, he said, that the larger part of the increase expected by the chancellor of the exchequer would be paid by personalty, and not by land; and he also denied that local burdens had not been considered in arranging the succession-tax. He then approached the case in Ireland, contending that she had no right to complain of bearing an equal proportion of the burdens of the rest of the empire, and that a far greater benefit had been conferred upon her by the compensation, than could be balanced by the income-tax. But for believing this, he would have been no party to the scheme, having previously objected to the extension of the tax to Ireland. He entered into figures, to show that Ireland would be largely advantaged by the proposed arrangement, gaining by it, up to 1860, five million and forty-one thousand pounds; and he also demonstrated its benefit to the humbler class of occupiers. After a few words in defence of the proposed increase of spirit duty, he intimated that complaints of the government scheme had been made without reason, and had better be reconsidered. The committee must look, not at detailed parts of the budget, but at the whole. There were many great benefits contained in it, he said, and he enlarged upon the widely-spread advantages which the various remissions of duty would confer upon the people. Recapitulating the great aid which the income-tax had afforded in abolishing the protection which was so mischievous, he expressed his belief, that the country was with the government, and that a favourable verdict would be given on the division.

The debate was adjourned, on the motion of Mr. G. H. Moore, till Monday, May 2nd, when sir F. Kelly opposed these resolutions, because they were part of a scheme of taxation pregnant with new and intolerable burdens upon the already overburdened landed interest; because they proposed to extend the income-tax to Ireland, without any justification or plea of necessity; because they would continue this tax for an unexampled period; and, mainly, because they sought to continue it for seven years with all its odious and unjust inequalities. The total relief proposed by the budget was two million five hundred thousand

pounds, and the whole of that amount was to be levied in the shape of new taxes upon the owners of land. But the most objectionable feature of the budget was the extension, for the first time, of the income-tax to Ireland, with all its admitted inequalities, without inquiry into the ability of that country to bear this addition to the local burdens under which it groaned. The strong ground upon which he opposed the income-tax, however, and should oppose its continuance even for three years, was the gross inequalities to be found in its different schedules.

Mr. Lowe observed that, considering the quarter whence the preceding speech came, it must be assumed that it was intended to support the amendment; but, if it proved anything, it established the contrary proposition—that all classes were treated with impartial injustice—that every person in every schedule was entitled to a large reduction. No doubt the income-tax was open to objection like all taxes; but it was unjust only in that sense. The ground upon which the chancellor of the exchequer had put the income-tax, not a property tax, was, that it was a great national resource. To make it perfectly just was impossible, graduate it as we would. The chancellor of the exchequer had not, in order to court a temporary popularity, pledged himself that the income-tax should be extinguished in 1860, because one parliament could not abridge the rights of another; but he had shown that it could be abandoned, if parliament thought fit; and, if ever renewed, it would then be freed from its present defect—the distinction it recognised between England and Ireland. Mr. serjeant Murphy supported the resolution, and the application of the income-tax to Ireland, which he looked upon as an inevitable necessity; and saw no reason why, by his vote, he should turn out the present government, in whom he had confidence, knowing, from the tone and temper of this country, that the tax must be applied to Ireland sooner or later. Irish members were not to look to taxation only, but to the system of government; and he was convinced, that it was essential to the well-being of Ireland that its affairs should be administered by the men now in power. The remission of the consolidated annuities was a very important boon; the impulse it would give to the prosperity of Ireland would more than compensate for the income-tax; and Ireland had been enjoying for years the



benefits of free-trade resulting from the income-tax without hitherto paying it. Mr. Conolly, restricting his observations to that part of the budget relating to Ireland, argued that, if there was to be an equality of taxation between the two countries, the capacity to bear taxation must be equal; and no one would contend that this was the fact.

Mr. Roche did not admire the income-tax, but he did not believe it was so unjust and unequal as some other taxes, especially those on articles of consumption. He defended the application of the tax to Ireland, maintaining that, in 1860, the balance would be more in favour of Ireland than England. The annuities were said to be paid by the landlords, whereas they were really paid by the tenantry. He denied that Ireland would sustain the loss upon this budget asserted by Mr. Moore; but if it would, he insisted that identity of legislation would be cheaply purchased thereby. While there were details in the budget to which he objected, he gave it his support, because he believed it to be a budget for the working-classes and for the people of Ireland. Lord John Russell, after speaking on the general spirit of Mr. Gladstone's plan, and pointing out various incongruities in the speeches of sir F. Kelly and Mr. Disraeli with the amendment, replied to the objections offered to the extension of the income-tax by sir F. Baring and Mr. Cairns. With respect to Ireland, he said, while the new taxes would amount to six hundred and fifty-eight thousand pounds a-year, the relief would be six hundred and seventy thousand pounds a-year, and in 1860, the additional taxes would be only two hundred and fifty-eight thousand pounds. But, instead of looking at figures, the question should be discussed with reference to the general interests of Ireland, which would be largely promoted by the budget. He believed that, as the income-tax had been the means of relieving both countries from heavy burdens, it would hereafter furnish a resource for removing other oppressive duties upon the consumer. If the amendment was adopted, the land would not only not be relieved, but it would incur, from 1855, a burden from which the proposition of the government would free it; a proposition which, not neglecting the interests of the land or of trade, consulted those of both. Upon a division, the amendment was negatived by three hundred and twenty-

three against two hundred and fifty-two, a majority of seventy-one in favour of the government.

The house adjourned at three o'clock in the morning; and thus was the great debate of a fortnight's continuance brought to a conclusion by affirming the principle, that in all future years the taxation of Ireland should rest upon the same basis as that which regulated the imposition of taxes upon other parts of the united kingdom. Its wisdom and justice was recognised by the great body of the Irish gentry, and by none more emphatically than by Mr. Maurice O'Connell, the eldest son of the great liberator and the inheritor of the property of Derrynane.

Another effort for improving the country was made about the same time by Mr. Whiteside, who moved for leave to bring in a bill to facilitate the sale, partition, and exchange of lands by the court of chancery in Ireland, and the recovery of monies secured by recognizance. Under the "Encumbered Estates' Act," he said one thousand estates were waiting for sale; and of the proceeds of sales, which, up to the 1st of April, amounted to eight million six hundred and fifty-seven thousand six hundred and eighty-five pounds. No less than three million seven hundred and thirty-one thousand four hundred and ninety-one pounds remained undisposed of, owing to the pressure of business in the court, arising from the working of one of the clauses of sir J. Romilly's bill; so that the delay was now greater than in the court of chancery. The remedy he proposed was to adopt the cheap procedure of the Summary Jurisdiction Bill of 1850, and to engraft the principles of the "Encumbered Estates' Act" upon the court of chancery in Ireland, extending them in all cases to suitors, encumbrancers, and owners. Sir J. Young, on the part of the government, had no objection to the introduction of the bill. They had, he said, a scheme of their own under consideration, and therefore they could not pledge themselves to go on with, or support the bill. Mr. Fitzgerald, lord Bernard, Mr. Napier, Mr. V. Scully, and Mr. George, made some remarks upon the subject of the measure, and leave was given to introduce the bill; but the measure was afterwards dropped, by the government bringing in and carrying a short bill for renewing the "Encumbered Estates' Act" for a period of two years.

## CHAPTER XXXVI.

### THE IRISH CHURCH; THE NATIONAL SYSTEM OF EDUCATION.



NO other questions of the utmost importance in the social polity of the country yet remained to be settled. The first of these were the ecclesiastical inequality of the Roman catholic and protestant establishments; and received its elucidation through a debate, brought on by Mr. G. H. Moore, the member for Mayo, on the last day of May. That gentleman, in moving for a select committee to inquire into the ecclesiastical revenues of Ireland, with the view of ascertaining how far they were made applicable to the benefit of the Irish people, observed, that this was no new question, and that it involved a great imperial danger, in its influence upon the loyalty of the Irish people, and in the manner in which it affected their position towards the law. If it were found that, as respected law and government, there was one great anomaly in Ireland, wide in its sphere of operation, the house was bound in justice and common sense to inquire whether, in this anomaly—the established church of Ireland—might not be traced not only cause and effect, but disorder and cure. Citing opinions adverse to the Irish church, expressed by political authorities of great weight, he asked whether Irish members were not warranted by such testimonies in taking exception to an institution which the present chief-justice of England had declared to be one of the most mischievous in existence, and in calling for inquiry into its operation. He enlarged upon the evils he attributed to the Irish church establishment; upon its vast revenues, exacted from Roman catholics; and generally upon the religious policy pursued in Ireland—which was worse, he said, in principle than in practice, which endowed the religion of the rich, and handed over that of the poor to the uncontrolled operation of the voluntary principle. It was not denied that the state religion should ally itself with the majority; but it was said that Ireland was an integral part of the united empire, the majority of which was

Protestant. Why, then, was the endowment of the Irish church derived from a part, and not the whole of the empire? From analogy with the cases of Scotland and Belgium, he argued that Ireland was, in this respect, unjustly treated; and that the sufferings she endured were the effects of a latent disorder, a hostile establishment, which produced the same results in other countries. The motion was seconded by Mr. M. O'Connell. Sir J. Young, the Irish secretary, inferred that the object of Mr. Moore was the total abolition of the Church establishment of Ireland, which a Roman catholic might be expected consistently to advocate; but, in ascribing all the evils of that country to its church establishment, he had overlooked its bad commercial system, and other agencies to which those evils were really attributable. The motion was supported by Mr. Murrough and Mr. Pollard Urquhart; while it was opposed by sir R. Inglis, and Mr. Newdegate denounced the motion as an organised attack upon the Irish church, and as aimed directly at the Protestant religion in Ireland, and, remotely, at Protestantism in England. Mr. J. Phillimore said, the simple question was, whether the Irish church, as at present constituted, fulfilled the high and important function of administering to the spiritual wants of the Irish people. The result of his inquiries led him to believe that the source of animosities in Ireland was to be found in religious discord and religious inequality. Mr. R. Moore resisted the motion, contending that the revenues of the Irish church were barely sufficient for the spiritual wants of the people. Mr. Drummond said this was not a religious question, but a question of political justice, whether the Irish church was such as the Irish people ought to be satisfied with; and he thought the time had come when it should be settled. And Mr. Maguire, who spoke in favour of the motion, quoted various returns, which showed, he said, the necessity of inquiry, the only object of the motion. Mr. Whiteside, solicitor-general for Ireland under lord Derby's ministry, observed that what Ireland wanted was good government; and where Roman ca-



tholic priests had not confederated to stop the progress of divine truth, the Irish Protestant church had advanced. He implored the house to act on principle in this matter, and that principle should be the maintenance of Protestantism; for he believed the papacy had two objects it desired to accomplish—one to destroy parliamentary government, the other to beat down Protestantism. Mr. Lucas, member for Meath, and editor of the leading Roman catholic paper, *The Tablet*, found it difficult and painful to speak upon this question, which ought to pass as a matter of course. It was difficult to restrain his feelings of indignation, when he considered the injustice done to five millions of Roman catholics in Ireland; and it was painful to wound the feelings of Protestants in dwelling upon a case of enormous injustice. The claim submitted to the house, by this motion, had been mistaken and misrepresented; it was for inquiry into all ecclesiastical endowments in Ireland; it was not a question of the abolition of the Irish church, but of justice to all classes of the community in Ireland; and inquiry was proposed in order to see how justice could be done by the establishment of perfect equality of treatment, in respect to all religious classes, by act of parliament. This motion was said to be unconstitutional; but how could they talk of a constitution in Ireland, when they were discussing the monstrous iniquity of the established church there, and when inquiry into this despotism was refused?

Lord John Russell, who spoke with much energy, said, "In rising to state my reasons for voting against this motion, I find it a great facility in performing that task, that the honourable member for Meath, (Mr. Lucas) has perfectly kept his word to the house, that he has frankly stated his opinions. The honourable gentleman says, that the Roman catholics are in a state of social and political degradation. Now, sir, that statement I entirely deny. I do not allow there is any political degradation, because, with very few exceptions indeed, every political honour, every political distinction, is open to Roman catholics as it is to protestants. The seats in this house have been opened; the highest honours of the state, with one or two exceptions, may be attained by Roman catholics. Neither is there, as matters at present stand, any social inequality of which Roman catholics have to complain. Those inequalities which

formerly were, we admit, attended with degradation, have been removed in later years. I will now come to that which I admit exists—that to which the motion of to-night relates—namely, the ecclesiastical inequality that exists in Ireland. It is not a religious inequality, because, with respect to religion, the exercise of religious worship is as free to the Roman catholic as to the protestant; but, as regards ecclesiastical revenues, there is, no doubt, a state of law in Ireland, by which the endowments of the state are given to the minority, and the majority of the people share none of the benefits of these revenues. For my own part I could wish, in treating of this question, that the honourable gentleman and those who think with him were entirely free from some of those bars and restrictions which have been imposed upon them in the debate of this night; for my part I could wish that there was nothing in the oaths taken by members of parliament which should preclude Roman catholics from discussing subjects of this kind—from asking, if they thought proper, for the total abolition of the established church of Ireland, and voting for its subversal and suppression as a political question, as freely as they could vote upon any other question. For my part, I thought these were matters that ought to be freely debated in parliament, and I am exceedingly sorry any oath taken at this table should stand in the way of any such discussion. I think likewise, that that argument with respect to the union of Ireland—though, no doubt, it is a matter for consideration—should not be pushed too far in an argument on this subject. My honourable friend, the member for the university of Oxford, says, there is a compact between the two nations. I think that, although you entered into that agreement, if it be clear that the great body of the people of Ireland—if the intelligence and wishes of the people were in favour of a change in that respect, there is nothing in the act of union itself which should prevent your making a change in favour of the people of Ireland in respect to an article which was intended for the benefit of Ireland. So much for those considerations which might prevent us from coming to a fair argument and a fair decision upon this question. But I may say further, that, for my own part, I do not wish to hear any of those inquiries which the honourable and learned gentleman opposite alluded to with

respect to any relations which may subsist between Roman catholics and the head of their church in a foreign country. I am satisfied that Roman catholics should have and enjoy all the privileges they at present enjoy, and all the funds or endowments granted, whether by parliament or otherwise, should be maintained to them; and, for my own part, I do not wish at all to interfere with the freest liberty and enjoyment by them of all the advantages they possess; and when I say this, I do not say anything exceedingly liberal; but I am saying more than any Roman catholic could say with regard to protestant endowments. But when we come to this practical question, whether or not we should make some very great change with respect to the established church in Ireland, I must own, that, with respect to that great subject, the experience we have had of late years should not be lost upon us. It has not been lost upon me with reference to this question. I thought, some years ago, it would be of great advantage—that it would tend to peace and concord—if a part of the revenues now given to the established church of Ireland had been applied to purposes of education in which persons of all religious denominations might have participated, but I found, in the course of the discussions, both in parliament and in the country, neither side was willing to consent to such a compromise, and, while one side steadily and honestly resisted all that spoliation, as they considered it, of the property of the established church, the other required the total abolition of the revenues of that church. I was obliged, therefore, to consider what course parliament should take; how it could remedy that which was alleged as a grievance; and I am sorry to think, that, while I cannot hold that the present state of things is, in its apparent arrangement, satisfactory, I see the greatest difficulties,—the greatest objection—more than that, I see no small peril in the alterations that have been proposed. The honourable gentleman who spoke last, as I understood him, said ‘Let us have equality; whatever mode you please to take to attain that, I shall be content with it, provided it is equality.’ There are only two modes obviously in which ecclesiastical equality—for that is the important question—can be attained. The one is the total abolition of the revenues of the established church of Ireland. I am not prepared to take that

course. I never shall be willing to consent to the total abolition of the revenues of the established church of Ireland. Putting aside the great change it would make—the violation of engagements it would make—setting aside these matters—I cannot but think that you could not abolish the revenues of the established church of Ireland without striking at the root of ecclesiastical endowments, and violating the great principle upon which all our endowments are founded. That may be a wrong principle—I mean the principle of ecclesiastical endowments; but it is one I am in favour of, which has been hitherto maintained by the parliament of this country; and I cannot believe that you could abolish it in Ireland without leading in other parts of the united kingdom to a similar abolition. Then let us consider whether we can make a new distribution of the revenues at present of the established church according to number; and dividing them according to number, you would give by far the greater part of those revenues to the Roman catholic church. In so doing you would be acting according to principle—according to the principle you have adopted in other cases, as the late Mr. O’Connell frequently put the contrast before us,—as you have the presbyterian religion in Scotland, so you would have the Roman catholic religion endowed in Ireland. If the Roman catholic church resembled the presbyterian church in Scotland, although it would not be just that the Roman catholics should have, as the presbyterians in Scotland have, a national church entirely devoted to them, yet, I can imagine that a large endowment should be given to the Roman catholic church; but, unfortunately, ecclesiastical equality would not be thereby increased. It has been evident, of late years, that the Roman catholic clergy—looking to its proceedings in foreign countries—looking to its proceedings in this country—looking to that church, acting under the direction of its head, himself a foreign sovereign, has aimed at political power, which appears to me to be at variance with a due attachment to the crown of this country—with a due attachment to the general cause of liberty—with a due attachment to the duties a subject of the state should perform towards it. Now, as I wish to speak with as much frankness as the honourable gentleman who spoke last, let me not be misunderstood in this house.



I am far from denying, that there are many members of this house, and many members of the Roman catholic persuasion, both in this country and in Ireland, who are attached to the throne and to the liberties of this country; but what I am saying, and that of which I am convinced, is, that if the Roman catholic clergy had increased power given to them, and if they, as ecclesiastics, were to exercise greater control and greater political influence than they do now, that power would not be exercised in accordance with the general freedom that prevails in this country; and that, neither in respect to political power nor upon other subjects would they favour that general freedom of discussion, and that activity and energy of the human mind that belongs to the spirit of the constitution of this country. I do not think that in that respect they are upon a par with the Presbyterians of Scotland. The Presbyterians of Scotland, the Wesleyans of this country, and the established church of this country and of Scotland—all no doubt exercise a certain influence over their congregations; but that influence which they thus exercise over their congregations must be compatible with a certain freedom of the mind—must be compatible with a certain spirit of inquiry which the ministers of these churches do not dare to overstep, and, if they did overstep it, that influence would be destroyed. I am obliged, then, to conclude—most unwillingly to conclude, but most decidedly—that the endowment of the Roman catholic religion in Ireland, in the place of the endowment of the Protestant church, in that country, in connexion with the state, is not an object which the parliament of this country ought to adopt, or to sanction. Sir, these opinions of mine may lead to conclusions unpalatable to many who belong to the Roman catholic church. They may lead to a persistence in a state of things that I quite admit to be anomalous and unusual; but I am obliged, as a member of this parliament, to consider—and to consider most seriously, in the present state of the world—that which is best adapted to maintain the freedom and permanence of our institutions. I must look around me at what is passing elsewhere. I must see what is taking place in Belgium. I must see what is taking place in Sardinia, and in various countries of Europe. I must regard the influence which, if not exercised, has been attempted to be exercised, in the United Kingdom of late

years. Seeing these things, I give my decided resistance to the proposal of the honourable gentleman for the abolition of the Established church in Ireland, upon the principles which I have stated, and which appear to me to be conclusive against the motion."

Mr. Bright said he had been sorry to hear the speech of the noble lord. He did not know how the noble lord regarded his past career, or how it would be regarded by the country or by posterity; but no minister, calling himself liberal, had spoken in that house, for twenty years, in a sense so adverse to those opinions which had been supposed to distinguish liberal from tory governments for that period; and the noble lord had been cheered mainly by those who sat opposite to him, while those who sat around and behind him had, many of them, listened in silence, and, he suspected, with disapprobation, if not dismay, to the opinions he had expressed. The noble lord had not fairly met the question before the house. The noble lord seemed to fancy that statesmanship consisted in the preservation of institutions. But statesmanship consisted in the maintenance of institutions that were just, and that were found to work advantageously. But it might be revolutionary and arbitrary to maintain institutions that were not just, and against which a nation had expressed a resolute opinion. The noble lord talked of there being something or other, which he did not clearly describe, which indicated that catholics in Ireland were not altogether so attached to the crown of this country as they might be; but he would point to a country where the catholics were as loyal to the constitution, at least, as the protestants in this country. Instead of going to Belgium, or Sardinia, or Austria, he would ask the noble lord to go to the united states of America, and then let the noble lord point out a single circumstance that went to show, that the catholics of the United States were not as attached to the republican institutions of that country as the protestants. And that result was accounted for by this simple reason: that there, catholics and protestants were not known by the state and the government as such, but were regarded, all alike, as citizens of the same country, were equal before the same laws, and were looked on precisely with the same favour, and treated in every way with the same measure of equal justice. The noble lord said, that this proposition of

distributing the ecclesiastical revenues differently, and endowing the Roman catholic church, was a very serious question. He was not one who advocated the endowment or establishment of any church; but the noble lord had been of a different opinion, and had been, together with a portion of those with whom he now acted, in favour of giving stipends to the catholic clergy of Ireland. What was the cause of this inconsistency? He conceived that the noble lord was associated with gentlemen in the government who found it extremely difficult to agree on a question like the present; but the noble lord's political reputation and character ought to be dear to himself; that the Roman catholics of Ireland would be worthy of the contempt of the world if, with such an ecclesiastical arrangement in Ireland, they did not attempt to correct it; and the Roman catholic liberal members of Ireland would be unworthy of a seat in any senate in the world if they did not protest against the monstrous injustice inflicted on their country. Mr. Fitzgerald vindicated the Roman catholic clergy, whose character he considered had been attacked by Lord John Russell. Mr. G. H. Moore having replied, the house divided, when the motion was negatived by two hundred and sixty to ninety-eight.

This was conclusive as to the opinions of the government and the parliament, and the more so, perhaps, as a large system of protestant proselytism had for some time been in progress in the western counties of the country, by which large numbers in Connaught and Munster had been induced to leave the pale of the catholic church and embrace the doctrines of the reformed church. In addition, also, to the efforts of the protestant ministers resident in Ireland, an extensive organization of missionary enterprise was arranged, at the beginning of July, headed by the earl of Shaftesbury, sir Culling Eardley, and other distinguished members of the protestant alliance in England, for the conversion of the Roman catholics in the sister island. During the month, a number of persons deputed by the alliance opened their commission by preaching in the streets and roads in Limerick and elsewhere, and though in several places they met with much ill treatment and bodily injury, they were in other places eagerly listened to, and drew many attentive hearers. In the early part of the session, Mr. Spooner, one of the members for Warwickshire, and

who was noted for his protestant feeling, had succeeded, by an *ad captandum* vote, in erasing from the estimates the fifteen hundred pounds annually allowed for the repairs of Maynooth college; and in the course of July, the earl of Winchelsea obtained a commission from the government for an inquiry into the state and teaching of the institution itself.

The other subject, which was of little less importance, was that of national education, which was brought prominently before the public eye, in consequence of a majority of the board having decided upon omitting from the roster of the committee archbishop Whateley's *Evidences of Christianity*, which had hitherto been used as a school-book by most of the establishments of the national society. In consequence of this omission, the archbishop, Mr. chief justice Blackburne, and Mr. baron Greene, who had been the chief protestants on the board, withdrew from the government of the schools. An important question was thus raised as to the appropriation and management of the two hundred and forty thousand pounds annually employed in furthering the cause of general education in Ireland, and the matter was fully brought before the house of lords on the 19th of July, by the earl of Donoughmore, son of the noble lord, who had been one of the earliest and most able advocates of catholic emancipation. He rose, he said, to call the attention of the house to the present condition of the system of national education in Ireland, and to move for a copy of the resolution lately adopted by the board of national education, excluding the use of certain books from the schools under their management; and to ask whether, in consequence of such resolution, any and what members had resigned their seats at the board? The system of national education in Ireland had been originally founded by the noble earl, late at the head of the government, and was, as expressed by him, intended to be a system of united secular and separate religious instruction. Immediately after its first organization, the board had commenced the publication of a number of works which could not be too highly praised, and which had since then not only been used in the schools under the board, but also in schools in this country and the colonies. No objection whatever had been taken, or could be taken, to the system of secular education as carried out by the board, but certainly objections were taken



by men of very high character against the nature, amount, and substance of the religious instruction. The commissioners had published works both of secular and religious instruction. They had published four books, or volumes—two consisting of selections from the holy scriptures, one volume of *Sacred Poetry*, and the fourth volume being the work of the most rev. prelate, archbishop Whateley, *On the Truth of Christianity*. Soon after the system of the society was established, it was found that a large and influential section of the clergy objected to it. Their objections rested upon the fact that religious and secular instruction were not made separate. The use of these religious books, though not enjoined by the board, was recommended by them. A rule was established that all ministers of religion, of whatever denomination, whether they had subscribed to the school or not, should have access to the school one day in the week, to communicate religious instruction to the children whose parents belonged to their particular denomination of christians. In the preface to *Scripture Lessons* it was stated that the selections were still allowed to be used by the schoolmaster among all the scholars, not as a substitute for the sacred volume itself, but as an introduction to it, in the hope of their leading to a more general and more profitable perusal of the word of God. The passages introduced had been chosen, not as being of more importance than the rest of Scripture, but merely as appearing to be most level to the understanding of children and youth at school, and also best fitted to be read under the direction of teachers, not necessarily qualified, and certainly not recognised as teachers of religion. The rule to which he had before alluded was afterwards altered, more particularly to meet the objections of some of the ministers of the presbyterian persuasion. That alteration consisted in allowing those ministers to prohibit any religious instruction being given in the schools except such as they should approve. In the third or fourth report of the commissioners it was stated that some presbyterian ministers had objected to the rule which permitted ministers of any religion, whether they had subscribed to the school or not, to attend the school on a certain day in the week to impart religious instruction, and the alteration made in the rule consisted in this, that the minister might go to a school where the majority of

the scholars were of his own denomination, and give religious instruction to them, and, at the same time, should have the right of preventing any other minister from giving any religious instruction in that school. This was the most fatal mistake that could have been made. Although it happened that the rule was intended to apply to the presbyterian ministers, yet what had been its practical effect? It had given to the Roman catholic priest the power of prohibiting, in a vast majority of the schools throughout Ireland, any religious instruction being imparted to the children other than his own. The result of the rule had consequently been, to make religious instruction under the national system in that country to consist in the schools being altogether conducted, in a great majority of instances, by the Roman catholic priest according to his form—in some of the schools by the presbyterian minister according to his form—and in a very few of the schools by the protestant clergyman according to his form, so that, except in the schools immediately under the management of the board itself, there was but one description of religious instruction given in any one school. One of the objections made was, that the scripture extracts were not in general use. The answer given by the commissioners in their report of 1836 was, that they were persuaded that the fact was otherwise. They stated that their inspectors were then out upon their annual inspection, and that they had already reported on three hundred and fifty-two schools, and had found the children reading the extracts in two hundred and eighty-five of them. Those schools were not particularly selected for visitation: it might therefore be expected that the extracts were read in an equal proportion of the schools which remained to be inspected, and therefore that they were used in more than four-fifths of the whole number. It was therefore perfectly evident that, up to 1836, religious instruction, so far as scripture instruction was concerned, was intended to be general in all the schools. This showed that the intention and wish of the managers at that time were, that a certain amount of religious instruction should be given with secular instruction.

In the report of the commissioners for the year 1851 the number of schools was four thousand seven hundred and four, and of children five hundred and twenty thou-

sand four hundred and one, being about one in thirteen of the children in Ireland receiving instructions in the schools. In 1850 the number of schools was one thousand one hundred and thirteen; of these there were—of the establishment, one hundred and forty-seven; of Roman catholics, two thousand seven hundred and seventy-eight; of presbyterian, four hundred and seventy-five; of dissenters, seven; of mixed, eleven; so that three-fourths of the schools were under Roman catholic patronage. It must therefore be admitted that this system of education had become a sham. It was not a secular system, but was a close and exclusive system of Roman catholic instruction, and not only a catholic education, but a catholic education with all its prejudices, with all its calumnies, and with all that bigotry and hatred of other classes and creeds which unfortunately prevailed in Ireland. Great sacrifices had been made for the sake of educating the poor of Ireland. Everybody felt that nothing could be done for Ireland unless the people were taught; but let not that be done by pretending to do one thing and really doing another. Let the people of England know that they were giving large sums to the Roman catholic clergy of Ireland to teach the people of that country in the Roman catholic faith. If their lordships wished to improve the system of education in Ireland,—if, in their opinion, it was desirable to give all parties an equal share of the public money for the purposes of education,—let all restrictions be removed, let no rules be established; but let every party give whatever instruction they pleased. It was absolutely necessary that the people should have instruction, and he would make any sacrifice to attain that end; but don't hold up a system which professed to give a certain guarantee, while it gave no guarantee whatever as regarded the spiritual education of the Roman catholic population.

The earl of Aberdeen said that the system when first established, was distinctly that of a secular, as distinguished from a religious and a secular education united. It was established by the earl of Derby, in consequence of a recommendation by a committee of the house of commons, who, in a report in the year 1828, actually made that recommendation. It is true that shortly afterwards a certain amount of religious education was engrafted upon the system as a joint education. Instead of all religious

instruction being given separately, there was a certain amount of religious education that was united with secular instruction. That was in consequence of the opinion and counsel of two members of the board—the most rev. prelate who was at the head of the board, and archbishop Whately; but it was obvious that a system of a united education, imparted to protestants and catholics, must always be of a very limited nature. Shortly after the institution of the system those two persons who were the cause of the introduction of the united elements of religious and secular education agreed upon certain scriptural extracts; then, upon a volume of sacred poetry; and, finally upon a work which no doubt set forth the evidence of the truth of christianity, and which might be thought fit for children to read, but a work, however, which he should say might be studied with advantage by grown men. That work, *On the Truth of Christianity*, was always very much objected to by the Roman catholic priests, to whom the management of the schools was intrusted. A rule was consequently laid down, that if any person—if any parent objected to the use of any of these books, the book so objected to was then to be transferred to and used at a separate time for religious instruction, and was no longer to be used in the system of joint religious education.

He thought it was in last September that the most rev. prelate was made aware that one of the books which had been used continually had been, by the order of the two commissioners alluded to, transferred to the separate religious education. The most rev. prelate objected to that, and insisted on the practice of reading the book being continued—it being, as he must say, however admirable it was in itself, not such as was received by the Roman catholic community in the same manner as the other books to which he had referred, such as the *Scripture Lessons* and the volume of *Sacred Poetry*. But the most rev. prelate insisted that the book should be retained, and many meetings took place, and much discussion arose on the subject. He must say, however much he approved of the book, and however much he might regret its exclusion from the combined religious education—knowing that it had been used with good results,—that the most reverend prelate founded his objection to the exclusion on grounds which appeared to be scarcely tenable. The most rev. prelate denied the power of the board to object



to any book which they had once authorized to be used. He thought that this would scarcely tally with the letter of the earl of Derby to the duke of Leinster, in which he said that the commissioners exercised a most entire control over all the books to be used in the schools. It would, he thought, be impossible to maintain that those who had the power to introduce the books had not also the power to withdraw them; and he contended that the power of the board could scarcely be disputed. But, so far as he could collect from all he had heard on the subject, the most rev. prelate rested his sole objection on that ground.

The earl of Derby replied, stating that the combination of a certain degree of religious with the secular instruction had been contemplated from the first. "In the year 1844, the practice was introduced to which the noble lord had just adverted. In the report which was issued by the commissioners in that year, they stated that they had established a number of schools which were attended by thousands of children, and that they had succeeded in compiling several works, containing a series of lessons grounded on holy writ, which were used in the general instruction afforded in all the schools. But in that year, also, and in order to meet objections which had been raised by several members of the Roman catholic community, these books were not insisted on, but only strongly recommended, and the rule was adopted to which his noble friend had referred. That rule was, most unfortunately, worded very ambiguously. It said, 'The commissioners do not insist on the *Scripture Lessons* being read in any of the national schools, nor do they allow them to be read during the time of secular or literary instruction'"—this, said the noble lord, was a departure from the original plan—"in any school attended by children whose parents or guardians object to their being so read. In such cases the commissioners prohibit their use, excepting in the hours of religious instruction. That resolution was, as their lordships would see, unfortunately worded most ambiguously. It did not allow the books in question to be used in those schools attended by children whose parents or guardians objected to their use. Under that rule it must appear doubtful whether the scripture extracts were to be excluded on the objection of the parent of any single child, or whether that child was to be protected from the risk

of being compelled to read them, by receiving permission to leave the room. From 1844 downwards there had always been, to a certain extent, a difference of opinion with regard to the construction of that rule; and the general practice, he believed, had been, that protection had been afforded to the child, by its being permitted to withdraw when these books were being read. Unless he was greatly mistaken—and he received his information from one of the commissioners—the decision at which the commissioners arrived the other day was entirely opposed to the sense attached to this rule by the noble earl opposite. A motion was made at the board by Mr. Baron Greene, one of the three dissenting commissioners, to the effect that protection should be given to the children, and not for the exclusion of books; but a large majority of the commissioners decided against Mr. Baron Greene, the late lord chancellor Blackburne, and another commissioner—the most rev. prelate (the archbishop of Dublin) not being present—that the rule should be interpreted according to its strict literal sense. The consequence was, that the objection of any Roman catholic child would be held sufficient to exclude a book. He considered that there had been a very important deviation, in a very essential particular, from the original rule, and it appeared as if there was an influence at work for the purpose of excluding from the national schools, in deference to the opinions of the Roman catholic priesthood, all books which gave to the system of education anything of a religious character. He admitted that the exclusion of a book upon the evidences of christianity was not a reason which he would think sufficient for breaking up the board; but, on the other hand, if the resolution was to be regarded in the sense he had been led to believe, and if a prevailing intention was gaining ground of excluding more and more religious instruction, of which even now too little was given, he would say that was a fatal impediment to the working of the system, that it must be fatal to its beneficial effects, and that in such a case those protestant members of the board who could not conscientiously assent to a diminution of the amount of religious instruction given would not only be justified, but bound to withdraw from a system which, from the first, depended upon the mutual and harmonious working of members of different religious

persuasions, upon the sound sense exercised by both parties, and upon the balance being impartially held between protestants and Roman catholics."

The earl of Donoughmore said, admitting that the established church of Ireland did not represent the great body of the people of that country, he thought it should be treated fairly. He had received a letter from Ireland, which stated that, a few days ago, in one of the national schools in that country all the Roman catholic children came forward, and objected to the reading of the scripture extracts, which had heretofore been used in the school. It appeared to him very plain that if the resolution was to be understood as it was explained by the noble earl opposite, the Roman catholics would succeed in carrying their point, for

the resolution invited the opposition of persons who objected to the use of the scripture extracts. Taking the case of a school composed almost entirely of protestants—of the children of members of the established church and of presbyterians—if there was one Roman catholic child in the school he might prevent the use of the scripture extracts during the hours appointed for combined instruction; and he could only repeat his opinion that this regulation struck at the root of the whole system."

The resolution was then agreed to. The earl of Harrowby, Mr. chief baron Piggott, of the Irish exchequer, and Dr. Longfield, professor of law in Trinity college, Dublin, were appointed the commissioners for the inquiry into the internal management of the catholic college at Maynooth.

#### CHAPTER XXXVII.

THE DUBLIN EXHIBITION; THE QUEEN'S VISIT; THE PRESENT STATE OF THE COUNTRY.



WHILE the imperial parliament were thus elucidating the social position of Ireland, the people in Ireland themselves were at last putting forth the iron nerves of their energy, and making a most striking step in advance.

It had been customary for the Royal Dublin Society to have an exhibition of the products, natural and artificial, of the country once in three years, at their rooms in Merriion-square; and this present year of 1853 was the one in due course of routine for the exhibition. It occurred to an individual of great public spirit and liberality, Mr. Dargan, to make this exhibition one of national importance. To secure the public character of the Dublin exhibition, it was entrusted to a committee comprising the highest and most honourable names in Dublin, in connection with that important body, the Royal Dublin Society, on whose grounds adjoining Merriion-square the building was raised. The building reflected no small credit upon Mr. Benson (now sir John

Benson), its architect. In character and design it differed from the crystal palace in Hyde-park. The open area of the interior, supported on columns, was one point of resemblance; but the whole light was admitted from above, there being none at the sides; and only a portion of the actual roof was glazed. Instead of rectangular outlines, broken by an arched transept, Mr. Benson's design was distributed in a series of long parallel halls with semi-circular roofs, and oval in form, the central one being the loftiest, and having an exceedingly striking and novel effect. It was four hundred and twenty-five feet long, one hundred feet wide, and one hundred and five feet high; but to those who cannot realise these proportions, some conception of them may be given by stating that it was about twice the size of Westminster-hall.

Here were collected the chief attractions of the exhibition—statues, fountains, and trophies of manufacturing skill, while, crowning immense tiers of benches raised at either end, stood two large and powerful organs, for which the shape and character of the hall seemed well adapted. The two



similar, but smaller halls, on either side, were three hundred and twenty-five feet in length, fifty feet wide, and fifty-five feet high. In these and in the galleries adjoining them the various collections of manufactured articles were arranged in classified order, much after the manner of the exhibition in Hyde-park. The sides of the building were occupied by two halls, smaller still than those next the main hall. In one the machinery in motion was very effectively provided for by Mr. Fairbairn, the well-known engineer; in the other, Mr. John Deane, assistant-secretary to the committee, by dint of great energy, tact, and perseverance, collected a most brilliant display of paintings in the English, Prussian, Belgian, Dutch, and French schools. This portion of the building also contained a sculpture-room, and, behind all, accommodation was provided for carriages, locomotives, and agricultural implements.

The Dublin Industrial Exhibition—the Irish Crystal Palace—was officially opened on Thursday, the 12th of May, 1853, with due pomp and circumstance, by the lord-lieutenant, earl St. Germans, attended in state by his suite, the corporation of Dublin, the committee, and the officials connected with the exhibition. Earl St. Germans knighted the architect, Mr. John Benson; and regretted that Mr. Dargan had declined that honour—the highest he had to bestow.

This large and important endeavour to advance the intelligence and elevate the character of Irishmen was accompanied by another equally as great, if not more important, for contributing to the general welfare of the country. The "Encumbered Estates' Act" had continued to work with unabated advantage. New and wealthy proprietors were introduced on the soil, and the capital they invested, great as was the benefit which had accrued from it, was still inferior in its influence to that of the characters of those by whom it was dispensed.

As if Providence had determined to brighten the rising prospects of Ireland, on the 29th of August, the sovereign of the British empire, with his royal highness the prince consort, and their two eldest sons, the prince of Wales and Prince Alfred, steamed into Dublin bay in the royal yacht, the *Victoria* and *Albert*, waited upon by the *Fairy* tender, and escorted by the *Terrible*, the *Baracouta* and the *Banshee*, the *Encounter*, the *Tribune*, and the *Irene* men-of-war, and the *Black Eagle* admiralty yacht.

At a few minutes before eight in the morning a royal salute, from the frigate *La Hogue*, announced the approach of her majesty and the royal party. A second salute from the frigate welcomed them on their arrival. The shore and the hills beyond were crowded by spectators, who greeted them with the most enthusiastic affection. A guard of honour, consisting of detachments of the several regiments in Dublin awaited the queen, and escorted her to the vice-regal lodge in Phoenix-park, and a park of artillery, consisting of six pieces, was in attendance to reply to the reverberating cannon of the shipping.

Her majesty was accompanied by the marquis of Breadalbane, comptroller of the household; earl Grenville, president of the council; colonel Phipps, equerry to prince Albert; and sir James Clark, the queen's principal physician; the duchess of Wellington, lady in waiting; and the honourable Mary Bute, maid of honour. Immediately before the hour for proceeding to Dublin her majesty received with great cordiality the lord lieutenant and the countess of St. Germans, and also gave a ready audience on board the yacht to his grace the lord primate, lord chancellor O'Brady, sir Edward Blakeney, commander of the forces in Ireland, the archbishop of Dublin, the duke of Leinster, the earl of Howth, ex-chancellor Blackburne, the chief justice of the common pleas, the marquis and the marchioness of Headfort, and other high personages. Lord St. Lawrence, accompanied by Mr. James Hamilton, M.P., and captain Taylor, M.P., presented a congratulatory address to her majesty, from the county of Dublin. The royal party then entered the railway carriages, and, in ten minutes, arrived at the terminus in Westland-row, where they were conducted to an elegant semi-circular saloon, erected for their reception on the side of the platform.

Here they were met by the lord mayor and corporation of the capital, who arrived in carriages in their robes of office, when they were again greeted with welcoming congratulations, and the keys of the city were presented by the city marshal, Mr. Reynolds, which her majesty was graciously pleased to desire him to retain. A procession was then formed, to proceed to the park, the scene all the way being most intensely exciting, from the booming of cannon, the shoutings of the sailors, the playing of bands, and the loud and continued huzzas

of the vast multitude of spectators peeling forth their hearty feelings of loyalty and gladness. On arriving at the park, the corporation and their attendants halted, while the royal carriages were driven, between files of cavalry, to the vice-regal lodge.

On the following morning the royal party proceeded in state to the exhibition, which they entered by the principal entrance, and were conducted to a dais raised at the end of the large central hall. There chairs of state were placed for her majesty, the prince consort, the prince of Wales, and prince Alfred. Behind them, in a semi-circle, were ranged all the principal persons of the high and noble of the land, and the corporation, with their recorder and Mr. Roe, the chairman, Mr. Deane, the secretary, and the gentlemen of the committee, who managed the exhibition, presented addresses to their illustrious visitors, expressing their own deep sense of the honour which they enjoyed, and expatiating on the great improvement of the country.

Her majesty, in her reply to the corporation, said, "It is my anxious desire to encourage the industry of my Irish subjects, and promote the full development of the great natural resources of Ireland, and I share in the confident belief that the striking display of beautiful productions of art and industry by which I am surrounded is to be appreciated, not only as evidence of successful genius, but as a happy manifestation of that persevering energy which, under the blessings of divine providence, is an unfailing source of national prosperity." And the response of prince Albert was still more marked in its approval of the spirit, energy, and patriotism, by which the great achievement of the exhibition had been accomplished.

Thus terminated the principal business of the day, and the royal party having taken a casual survey of the numerous objects around, returned amid the renewed plaudits of the loyal and enthusiastic crowds that lined their way to Phoenix-park.

The queen, with the royal family, several times afterwards visited the exhibition, for a more careful and attentive examination of its valuable and various contents; and, on Wednesday, the 31st, did Mr. Dargan the high honour of paying him a visit, with her illustrious consort and children, at his beautiful domain of Mount Anville, in the neighbourhood of the city.

Her stay, however, was necessarily limited, for there was a necessity for speedily hastening to her highland home at Balmoral; and when, amid the enthusiastic cheers of her ardently affectionate subjects, and the respectful obeisances of the noblest of the land, the royal yacht, with her warlike escort, steamed with her precious freight from the green shores of Erin, she left a country fraught with a people loyal, enterprising, and earnest in the promotion of the common welfare of their native land.

What the future of Ireland may be, none can positively predict; but, with her fruitful soil, her swarming fisheries, her affluence of natural products, her rising manufactures, her wealthy proprietary, her sons freed from the pestilential principles of disorder and discontent, her surface permeated by railways—east, west, north, and south—her ports the nearest to the great continent beyond the Atlantic, and all her energies unlocked, it may safely be asserted, that a career of usefulness, glory, and influence, lies before her, that will never have been surpassed for its brilliancy and importance in the history of the world.



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TO THE  
PRESENT TIME.

BY  
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## P R E F A C E.

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THE design of the following work is to supply a want which has been long felt—that of a history of Ireland sufficiently copious, and at the same time of a character to be placed in the hands of the general reader. Previous histories of Ireland have been too often either imperfect in plan, or defective in research, or disfigured by the political or religious prejudices of the writers; the latter fault being as much to be lamented, as it is difficult to avoid, in treating of a country which has so long suffered under the evils of political agitation. It has been the aim of the author of the present work to give, as far as the existing materials will permit, a true picture of Irish history, and it has been in every case his intention at least to relate the stirring events which came beneath his pen, as well as the causes which have led to them, and the effects which have followed, with the strictest impartiality.

There is probably no country in existence, the history of which presents so many exciting scenes—so much of real romance—whose modern history is so equally poetic with its earlier mythic legends—as Ireland; and I may add, there is none whose annals have so peculiar an interest for every inhabitant of the British isles. During the earlier Saxon period, Ireland furnished solitude and instruction to the religious enthusiasts from England; during the later Saxon period, it was the harbour of the relentless Danes who so ruthlessly ravaged the western and southern parts of Britain. The Norman invasion and conquest, which first annexed it to England; the struggle of several centuries to retain it under Norman rule; the new agitation which attended the Reformation in the sixteenth century; the tremendous outrages of 1641; and the long series of insurrections which have filled up the space since that period; with the concealed or open workings of political agitators; all these furnish matter of no ordinary interest for the pen of the historian.

The writer of the present history has not spared research, and he has been fortunate enough to obtain access to a considerable quantity of materials which had not previously been used; he has, however, gladly taken advantage of the labours and researches of former historians, as far as he has found them supported by good authorities. As it has been his aim especially to give the history under as popular a form as he could, and in fact to produce a work for general reading, he has cautiously abstained from introducing into the text dry disquisitions, or loading it with references to authorities in support of his statements. In every instance those authorities have been consulted and examined more or less critically, as the case might require; and wherever the same events have been differently told by different contemporary, or nearly contemporary writers, care has been taken to ascertain the value and credibility of each, and to adopt that which appeared to be most authentic.

THOMAS WRIGHT.

SYDNEY STREET, BROMPTON.



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