

that this conduct was not an isolated act; that it was a connected scheme of conduct extending over several years, assuming various forms of operations, but all tending to the same result—the forcible exclusion of the Catholic religion from the only state in which your friends the Protestant Dissenters have ever had a chance of domination for the last two centuries. I beg to remind you still further that in all this contest between the "State religion," the penal laws, and the violent and arbitrary proceedings of your "voluntary" and Dissenting friends, the undivided sympathy of the Protestant people of this country was on the side of the persecutors—that is, of the Dissenters; that the sympathy of your Whig colleagues was entirely on the same side; that you were yourself a member of the Whig Government during a part at least of the long period in which this controversy was agitated; that (to the best of my recollection) you never felt called upon to rebuke the intolerance of your Dissenting allies, or to pronounce upon them the anathema of your censure; and that, for long years after the enactment of this penal law, Mr. Pritchard, its author, continued to be, not merely an honored Dissenting Missionary; but an official, receiving pay from the British Crown, and representing the majesty of the empire.

And why is all this as I have described it? It is because deep in the hearts of a very great majority of Protestants in this most tolerant community lies an intolerant hatred of the Church of God; because as regards their dealings with that Church, words change their meaning, and principles their application; because the toleration they profess for Catholicity dwells only on their lips, and has no resting place in their hearts or their understandings; because the daily and perpetual practice is a practice of intolerance—an intolerance which political convenience, much more than any good disposition, has in part erased from the statute book, but which survives with an almost deeper intensity in the habits of society wherever it can be conveniently practised upon the poor and unprotected of our Faith; an intolerance beneath which every Catholic soldier, every Catholic pauper, every Catholic criminal, every Catholic servant, every Catholic, of whatever rank, who is dependant for his children's bread upon the daily labor of his sinews or his brain, has at some time or other groaned under in the bitterness of his soul. You talk toleration, but from the hearts of most of you it is far distant indeed.

When France took possession of Tabiti and wrested it from "the Protestant Dissenters of England," then was heard for the first time the proclamation—"The liberty of worship is decreed. Government will afford an equal protection to all. No one shall be persecuted on account of his religious opinions, or impeded in the exercise of his worship." (Proclamation of Queen Pomare and Admiral Duperre-Thouars.) Up to that time the regime, exclusively in the hands of the Protestant Dissenters, was a regime of persecution, intolerance, and despotism.

In France, with a Catholic majority, there is freedom for Protestants—an equality not merely in the text of the law, but in the habits and instincts of society, nor did any Catholic dream of complaining when the great French Protestant Guizot ruled as Prime Minister over his native land. In Belgium, where Catholics are also in a majority, the Protestants not merely in law but in fact enjoy a practical equality, with every other citizen and subject. From no Protestant country in Europe can you produce a parallel to this. In England, more especially, there is equality neither in the law nor in the fact. The law has fixed upon it the mark of intolerance and unjust ascendancy; and this humiliating mark, not very faint even on the statute book, is stamped yet more deeply and rudely upon the usages of daily life from the highest lady who adorns the court down to the humblest beggar who, maddened by a sense of wrong, curses the Protestant intolerance which to him and his children offers no other alternative than the ruin of the body or of the soul.

I am, Sir,  
Your obedient servant,

F. LUCAS.

London, 10th Nov. 1852.

## CATHOLIC INTELLIGENCE.

**THE NEWMAN FUND IN FRANCE.**—The amount subscribed to this fund by the generous Catholics of France, as announced in the last number of the *Univers*, amounts to nearly 47,000 francs, or £1,880 sterling.

On Monday, the 8th inst., Miss Anna Ryan, sister to the Rev. Dr. Ryan, of Waterford, made her profession and took the black veil, at Loretto House, Rathfarham. The Very Rev. Dr. Yore officiated on the occasion.

The Rt. Rev. Bishop O'Connor brought with him from Rome, the official documents regarding the decrees of the National Council. The Holy See wishes no change in the existing discipline of the various dioceses in regard to feasts and fasts. The decrees are otherwise approved of with some verbal modifications. No action has yet been taken in regard to the new Sees.—*Catholic Mirror*.

**CONVERSIONS.**—Died at Mountrath, on the 3rd inst., Mr. Sands, aged 91, at one time a clergyman of the Established Church. During a long period before the close of life he conformed to the observance of the Catholic faith. He was attended during his illness by the Rev. P. Fitzgerald, P.P.—*Leinster Express*.

At the Cathedral, on Wednesday last, Mr. Samuel Potter, third son of D. B. Potter, Esq., whose conversion, with that of his second son, we announced last week, was received into the Catholic Church in due form by the Rev. E. Coyne, R.C.C.—*Tam Herald*.

## IRISH INTELLIGENCE.

### CASTLEBAR PETTY SESSIONS—Oct. 27.

Magistrates present—Matthew Singleton, Esq., R. M.; Sir Samuel O'Malley, Bart.; H. J. H. Browne, and D. Browne, Esqrs.

#### THE JUMPERS.

Mary Gleeson, Daniel Gleeson, Margaret Brett, and Mary Bourke, v. the Rev. Joseph M'Guinness, R. C. C.

Mr. Ignatius Kelly, attorney, and Mr. Buchanan, as counsel, appeared for the prosecution. Mr. Alexander Cavendish, attorney, with Mr. O'Malley, as counsel, for the defence. The case being called on, Mr. O'Malley said he required that the service of the summons in this case should be proved.

Mr. Singleton—The parties are now before the court, and there can be no objection, and we will proceed with the case.

Mr. O'Malley—Although the parties appear, still that does not deprive us of our right to dispute the legality of the service of the summons.

Mr. Henry Browne—I move we go on with the case.

Mr. O'Malley said what he complained of, as regards the service of the summons, was this—that it was served by a policeman, when it should have been served by the proper summons server. The section of the act requires that when a summons shall be issued at the instance of the constabulary, or by the orders of a magistrate, that then it should be served by a policeman; but when it was issued at the instance of a private party, it should be served by the proper summons-server, or by a person employed for that purpose by the person making the complaint.

Mr. Singleton—It was I that ordered the summons to be served by a policeman.

Mr. Henry Browne again moved that the case be gone into.

Mr. Singleton—Go on with the business.

Mr. O'Malley—I object to the business being gone on with till the legality of the service of the summons be decided.

Mr. Singleton—My opinion is the service is good.

Mr. Buchanan then proceeded to state the case, which charged the defendant with having on the 2nd of Oct., 1852, near Ballyheane, used violent and threatening language towards the complainants.

Mary Gleeson examined by Mr. Buchanan—Is wife to Daniel Gleeson; lives at Ballyheane, in her own house; knows defendant; saw him on the 2nd Oct. at my house; when he came up Margaret Brett and a child were with me; he called for Mary Bourke and said to her, "so you have given your house to Jumpers?" I replied, "we were no Jumpers, but Protestants;" he then said, "Are you not from Achill?" to which I replied that we were from Dublin; he then said it was no matter where we were from, but to make ourselves scarce out of this; I said we were not interfering with him, when he observed we should be out of this; he then asked what we were living on; I said money, and that we wanted to take land if we got it; he said he would let no one give it to us—that he liked Protestants, but would not have such vagabonds as us, and that we should be out of that before Monday; he then told Mrs. Bourke to go take possession of her house, and that he pitied her for what she had to go through on to-morrow from the Archdeacon; I have not since slept as usual; I get frightened at night from the threats held out to me by the Reverend Mr. M'Guinness; my husband was obliged to get shut with iron sheeting to the windows on account of the threats of the defendant; I did not say or do anything to Mr. M'Guinness to cause him to threaten me; I am apprehensive of shots being fired into the house from the threats of defendant.

Cross-examined by Mr. O'Malley—Is of the Catholic religion; he may understand it in the sense he likes; she is not a Roman Catholic; my husband reported the occurrence to the Rev. Mr. M'Cluskey; my husband is paid by Mr. M'Cluskey for reading the Scriptures; Mary Bourke is a Roman Catholic; thanks her God she is a Protestant; was not always one; is three years a Protestant; her husband became one at the same time; he was before that a clerk or relieving officer in Limerick; his salary then was not as good as it is now; he is now paid £3 per month by Mr. M'Cluskey; he was dismissed from being relieving officer; he was before that in the police; does not accompany her husband through the country reading the Scriptures; he tells her he is well received in some few places; he did not tell her that he was abused or ill-used since Mr. M'Guinness spoke to her; has no doubt he would have told her if such had occurred; is living a month at Ballyheane; her sister was with her when the Rev. gentleman came to her house; he said he respected honest Protestants; was threatened by people on the road since then; no person or persons came to her house to abuse or threaten her since that time; has no dread of violence from the defendant; he did not call her out of her name or use any expression of an indelicate nature towards her.

Head-Constable Evans examined by Mr. Buchanan—Is stationed at Ballyheane; remembers the 2nd Oct.; was standing on the road speaking with Mr. M'Adam; saw the Rev. Mr. M'Guinness coming on the road; he addressed himself to M'Adam, saying, "those are nice neighbors you have here, and by God I will make them go out of it; I saw him go to Mary Bourke's house; he called her out; I followed; he addressed the Scripture-reader's wife and said she should not be there, that he would have no ranting, prowling vagabonds there; that he liked a good Protestant but such vagabonds as those should not be there; he then called Mary Bourke and told her to take possession of her house, and that he pitied her for what she should go through the next day from Archdeacon M'Hale.

Cross-examined by Mr. O'Malley—Saw no breach of the peace committed or anything done to call for his interference; made a report of this case to his officer, Captain Fulton.

Mr. M'Guinness (addressed the court) pledged himself he did not use the oath sworn to by the witness. Mr. Buchanan we have several other witnesses, but I do not wish to occupy your time, and I now close.

Mr. O'Malley—I call upon the otherside to produce the other parties, who are made complainants in this summons. He (counsel) was in a position to say that the other parties were made complainants in the case for the purpose of depriving his client of the benefit of their testimony in his defence, and he (counsel) now called on Mr. Buchanan to produce the other parties, as is usual, for cross-examination, if he did not wish to examine them himself.

Mr. Buchanan—I close. I will not produce them.

Mr. O'Malley—I call on the court to say whether I am entitled to have the other complainants in this case for cross-examination. I submit I am.

Mr. Singleton—What is the law in the matter, for I do not know?

Mr. O'Malley—When all the witnesses on a bill of indictment are not examined, the usual course is to submit those who are not examined for cross-examination, should the counsel for the defence desire it; and I take it that the same ought to be done here.

Mr. Buchanan—I deny that to be the law.

Mr. O'Malley—It is the law, and the law laid down in every work.

The court were in consultation for some time, and Mr. O'Malley and Mr. Cavendish sat waiting for the opinion of the court as to whether the other parties would be produced for examination.

Mr. O'Malley rose and said—I perceive the court is not about to give an opinion upon the point—I have just submitted to them, and the court is premature in coming to a decision on the entire case. I have not gone into any defence yet.

Mr. Singleton—You are late now. You can go into no defence now. I asked you before had you any defence.

Mr. O'Malley—No, Sir, you did not ask me had I any defence. Such a course as this I never before saw. I was waiting for the opinion of the court on the point I submitted, and now you turn round in the most unfair manner and say I am late in my defence. I have a defence, and I will go into it.

Mr. Buchanan—You cannot go into any defence in this case. The case has been before argued in Achill.

Mr. O'Malley—This is a summary proceeding, and there can be no doubt whatever but a defence can be gone into, whatever doubt there might be in a felony case.

Mr. Singleton—I am of opinion that the law is against you. You cannot go into a defence.

Mr. O'Malley—The law is entirely with me. I can go into a defence; and it would be very strange law, indeed, if I could not—if I should be prevented from showing that Mr. M'Guinness never used the words imputed to him, or was not at the place in question on that day, and that every word sworn by the witness was false and untrue.

Mr. Singleton—I can hear no defence.

Mr. Henry Browne—If the parties have sworn false let them be prosecuted for perjury; but we will hear no defence.

Mr. O'Malley—Is that the only remedy you will give, Mr. Browne, for depriving this gentleman of his liberty?

Mr. Browne (laughing)—That is all.

Sir T. O'Malley said he was for hearing the defence.

Mr. H. Browne—I move we dispose of this case.

Mr. O'Malley—You cannot dispose of it while I have to refer you to the law, if it be of any use to do so.

Mr. Singleton—I will be happy to hear you on the law.

Mr. O'Malley—Mr. Browne laughs, I wonder at what? I think justice should be done. You say, Mr. Singleton, you wish to hear me on the law, and I shall now apply myself to the law of the matter. The learned gentleman then entered into a long legal argument, for which we have not space, to show that there could not be the slightest doubt about the absolute right of the defendant to have his defence heard by the court. He said he could prove to the court that "not one word of truth had been spoken by the witnesses for the prosecution." "Lastly," he said, "I now call on the court to hear the defence, to send the case for trial, or to submit a case for the law advisers of the Castle.

Mr. Singleton—I have got the opinion of the law advisers before.

Here Mr. Singleton read the opinion at Mr. O'Malley's request, but would not read the case. The opinion was to the effect that Mr. M'Guinness should be bound to keep the peace, and that he was not quite sure but that he ought to be indicted under the Whiteboy Act.

Mr. O'Malley—Then, the court was prepared beforehand.

Mr. M'Guinness was bound to keep the peace without being allowed to be heard in defence.—Protestant justice!—*Abridged from the Castlebar Telegraph*.

**DEATH OF COLONEL BRUEN, M.P.**—The representation of Carlow has been left vacant by the death of the above named gentleman, which event took place at his residence, Oak Park, on Friday, November 5th, after a few days' illness. Colonel Bruen entered public life at an early period, as representative of his native county in parliament, in the year 1812, which position he occupied, with the exception of a brief interval, until the hour of his death, in the sixty-second year of his age. In politics he was a decided Tory. It is mentioned, however, that he supported the Roman Catholic Relief Bill of 1829. Several names have been mentioned of candidates to contest the vacant seat on the popular interest, amongst which we are glad to see that of Sharnan Crawford, the veteran advocate of the rights of industry and of the tenant farmer. It is said that the Liberal interest is now the stronger in the county Carlow, the death of Colonel Bruen being a heavy blow to the Orange faction there.

**REPRESENTATION OF CARLOW COUNTY.**—It is stated to be the intention of the Liberal electors of the county of Carlow to put Captain Keogh in nomination at the approaching election for their county. The spirit with which Captain Keogh carried on the contest at the recent general election has earned for him the warmest esteem among the whole Liberal party, and established the strongest claims to their support.—*Freeman*.

**REPRESENTATION OF LISBURN.**—Mr Inglis, the Lord Advocate of Scotland, had issued his address. The hon. gentleman refers to his connection with the government as a guarantee that his principles are those great principles of Conservative policy of which Lord Derby is the recognised representative. Mr Inglis is of course a zealous supporter of the Established Church nuisance. As to the tenant and landlord question he reposes confidence in Mr. Napier. Mr. Roger Johnston Smyth has also addressed the electors. He is a resident of the borough.

**INCREASE TO THE ROYAL ARTILLERY IN IRELAND.**—The four companies stationed in the Dublin district, under the command of Colonel Dyneley, C. B., are to be increased to 40 non-commissioned officers and 400 gunners and drivers. The companies stationed in the Belfast district (head-quarters, Charlemont Fort), Ballycollig (Cork district), Limerick and Kilkenny districts, are to be increased to nine non-commissioned officers and 100 gunners and drivers.—*United Service Gazette*.

**BRIBERY AT THE LATE ELECTIONS.**—If all parties had acted as promptly as the Athlone Liberal party, we venture to predict that bribery at elections would soon be unknown. At the last Athlone election an under agent of Lord Castlemaine's and one of the coroners for Westmeath—the managing director of the Derbyite committee—was detected in offering a large sum of money to one of Mr. Keogh's supporters, and actually paid a portion on account. Prompt measures were immediately taken, an action was commenced under the statute by Mr. M'Nevin, solicitor, and we are happy to say that judgment has been obtained for the full penalty of £500, against the delinquent. The effect of this judgment will be not only the recovery of the £500, but for ever disqualifies Mr. Edward Lynch, the party in question, as a voter. Informations have also been taken, and Lynch will have to stand his trial at the next assizes at Castlebar. At present he has taken up his quarters in Roscommon jail, having been arrested for the £500.—*Telegraph*.

**ANOTHER GOVERNMENT INVESTIGATION.**—The *Clare Journal* publishes at great length the proceedings of an investigation (not yet concluded) which commenced at Ennis on Thursday, 4th instant, for the purpose of investigating certain charges preferred against Mr. Cornelius O'Brien, M.P.; Mr. John O'Brien, late M. P., for the city of Limerick; Mr. John Macnamara, justice of the peace; and Mr. Andrew Lysaght, justice of the peace; in a memorial forwarded to the Irish executive, and signed by Mr. Francis G. Morony, justice of the peace; Mr. Burdet Morony, justice of the peace; and Mr. M'Mahon, justice of the peace. All these gentlemen were present. Sir Lucius O'Brien, as Lieutenant of the county of Clare, was appointed by the government to conduct the inquiry, with the assistance of the local magistracy. The proceedings were held with closed doors, and no persons were admitted, with the exception of professional gentlemen and the press. Sir Lucius O'Brien opened the proceedings by reading the Chief Secretary's letter ordering the present investigation. The hon. baronet also read the memorial of imputation forwarded to him by the government, together with the report of Mr. Franks, stipendiary magistrate, and a letter of Mr. Cornelius O'Brien, M.P., calling on the Irish executive for a public investigation. The memorial charged the four magistrates above mentioned with partisan conduct in seeking to neutralise and overturn informations already received by the magistrates of the Miltown Malbay petty sessions bench against six of Mr. C. O'Brien's men, who resides in the Ennistymon petty sessions district, and with having, contrary to the usual practice, attended petty sessions without their own district for this purpose. It appears that the six traversers against whom informations had been received at Miltown, had been cited in pursuance of a warrant issued therefrom to appear before the Ennistymon bench on the 13th of September, there to enter into bail to appear at the next assizes. In consequence of some of the magistrates present deciding in favor of hearing evidence on behalf of the accused, previous to returning the case for trial to the assizes, and also as the original information was not in court, it was ultimately agreed to refer the case to the Miltown bench for final decision. On the 16th the case came under discussion at the Miltown Court-house, at which some of the magistrates charged by memorialists attended. It was then discussed whether the case should be sent for trial to the assizes, to which the magistrates from the Ennistymon district dissented, requiring that evidence should be first heard for the defence. The magistrates having been polled on the question, and the numbers having been equal on both sides, the case was further postponed to the 30th at Miltown, upon which day Messrs. O'Brien, J. Macnamara, and A. Lysaght, attended from the Ennistymon district. The memorialists belonging to the Miltown district were present, as also Mr. Franks, stipendiary magistrate, Ennis, and Mr. M'Cullagh, stipendiary magistrate, Kilsrush. The question before the bench on this occasion, also, was as to whether the traversers should be sent for trial to the following assizes, or the case investigated before doing so. The magistrates were four to four on a division taking place, Mr. M'Cullagh giving his casting vote for the inquiries being proceeded with, in consequence of which four of the party accused were acquitted, and two sent for trial. These men were charged with being concerned in a riot at Miltown fair on the 21st of June, and obstructing Colonel Vandeleur in his election canvass.

**ORANGE RIOTS AND WRECKING.**—The *Armagh Guardian* contains a report of the trial of twelve persons who were convicted at Lurgan sessions of having been engaged in "a riot" near that town on the 1st of July last. They were, however, indicted on much more grievous charges, and which, in our view of the case, the evidence fully sustained. The jury, however, thought otherwise, and only convicted for the minor offence; but the sentence of the able and upright lawyer who tried the case showed that he was determined to mark his sense of the shameful and dastardly conduct of the prisoners, in wrecking the house of an unoffending widow, by punishing them in the most severe manner the law would permit. The facts of the transaction show, first—that the traversers, in defiance of the laws were engaged in an illegal procession, playing offensive party tunes on one of the Orange anniversaries; and, secondly, that they went out of their way, off the high road into a loosing leading to the house of Widow Higgins, in order first to insult the Catholics residing there, and having done so, they next became the aggressors, and committed the first assault. Mr. Tickell, the efficient chairman of the county, sentenced the parties found guilty—nine in number—to four months' imprisonment, with hard labor, in the gaol of Armagh, and to find securities to keep the peace. There was a numerous bench of magistrates at the trial, including Lord Lurgan, Colonel Blacker, and Mr. J. Hancock.—*Louth Advertiser*.

**IRISH EMIGRATION.**—From the year 1620, when the Pilgrim Fathers went out, up to the present time, not less than 9,500,000 of Irish have emigrated from England, Ireland, and the Canadas, to the United States of America. From 1806 to 1851 not less than 4,500,000 of the Irish people have emigrated from their native country. From 1844 to 1851 not less than 1,500,000 have left Ireland. In the single year 1851, Irish emigrants amounted to no less than 257,372; and even from the Clyde, of 14,435 emigrants, who in 1851 sailed to America, more than one-third were Irish.—*Wexford Guardian*.

The Mars sailed last evening, and the Admiral this morning, for Liverpool, fully freighted with the staff of life, and 500 passengers; many of whom were in a respectable line of life at home, but, seeing the old country daily doing from bad to worse, and no immediate sign of improvement; they have voluntarily emigrated to the United States and Australia.—*Ibid.*