

and who are united, organised, and determined are the Irish nation. The Irish Catholics and the Irish Protestants are both in the wrong. Neither constitute the Irish nation. Both do. And it was the sustinment of both that Mr. Grattan considered it to be indispensable to make the proposition in Parliament either prudent or possible. That just object—the combination of all classes and of all parties in this country—Mr. O'Connell has laboured to attain. You may think that he has laboured, and will labour in vain, to attain it; but you cannot consider it criminal to toil for its accomplishment; and, if you conceive that that was his object, and the object of his son—or if you have a reasonable doubt upon the subject, you are bound to acquit. In 1812, Mr. Perceval lost his life, and efforts were made to construct a cabinet favorable to emancipation; the project failed, and a state prosecution against the Catholic board was resolved on. Mr. Burrowes was counsel for the defendants, and at the outset of his speech, he boldly avowed to the fact that not a single Roman Catholic was upon the jury. He said: "I confess, gentlemen, I was astonished to find that no Roman Catholic was suffered to enter the box, when it is well known that they equal, if not exceed, Protestant persons upon other occasions; and when the question relates to privileges of which they claim a participation, and you possess a monopoly. I was astonished to find twenty-two Protestant persons of the highest respectability, set aside by the arbitrary veto of the Crown, without any alleged insufficiency upon the sole merit of suspected liberality. I was astonished to find a juror pressed into that box who did not deny that he was a sworn Orangeman, and another who was about to admit, until he was silenced, that he had prejudged the cause. These appearances, at the first aspect of them, filled me with unqualified despair. I do not say that the Crown lawyers have had any concern in this vexatious process, but I will say that they ought to have interfered in counteracting a selection which has resulted some of the most base men of this city; and must disparage any verdict which may be thus procured. But, gentlemen, upon a nearer view of the subject, I relinquish to despair, by which I was acceded. If rest, my hopes upon your known integrity, your deep interest in the welfare of your country, and the very disgust which yourselves must feel at the manner and motive of your errand. You did not press forward into that jury box; you did not seek the exclusion; the total exclusion of any Roman Catholic—you, no doubt, would anxiously desire an intermixture of some of those enlightened Roman Catholics whom the Attorney General declared he was certain he could convince, but whom he has not ventured to address in that box. The painful responsibility cast upon you is not of your own wishing, and I persuade myself you will, on due reflection, feel more indisposed to those who court and influence your prejudices, and would involve you in an act of deep responsibility, without that fair intermixture of opposite feelings and interests, which, by inviting discussion, and balancing affections, would promise a moderate and respected decision, than towards me, who openly attack your prejudices, and strive to arm your consciences against them. You know as well as I do that prejudice is a deadly enemy to fair investigation—that it has neither eyes nor ears nor justice—that it hears and sees everything on one side—that to relate it is to exasperate it; and that when it predominates, accusation is received as evidence, and calumny produces a conviction." It might, at first, appear likely that a Protestant jury would take an address so bold in bad part; but they gave Mr. Burrowes credit for his manly frankness, and they acquitted the Traversers. The Crown resorted to a second prosecution; means more effectual were adopted and a conviction was obtained. Mr. Sturin did not deny that the Roman Catholics had been excluded. He was of opinion that Protestant ascendancy should everywhere prevail, and not least in those public tribunals, which are armed with so much authority, and exercise so much influence over the fortunes of the state—I do not blame Mr. Sturin. He acted, in all likelihood, conscientiously, and whatever was his fault, duplicity was certainly not among the number. I saw him in the height of his power and in his fall; he was meek in his prosperity, and in adverse fortune he was serene.—The lustre of adversity shone in his smile; for his faults, such as they were, his name, an almost inevitable inheritance of antipathy, furnish an excuse. How much more commendable was his conduct, and the conduct of the government of the day, than if they had been profuse of professions they never meant to realize, and had offered an insult to the understanding, as well as a gross wrong to the rights of the Irish people; and yet I shall not be surprised if, notwithstanding all that has happened, the same cant of impartiality shall be persevered in and that we shall hear the same protestations of solicitude to make no distinction between Catholics and Protestants in all departments, but more especially in the administration of the law. The screen falls—the "French Milliner" is disclosed—"by all that

is horrible, Lady Teazle;" yet Joseph preserves his self-possession, and deals in sentiment to the last. But if, after all that has befallen, my Lord Eliot shall continue to deal in sentimentality in the House of Commons, the exclamation of Sir Peter Teazle, "Oh, damn your sentiment!" will break in upon him on every side!—The government, as I told you, in 1812 succeeded in their state prosecution. What good for the country was effected by it? Was the Catholic question put down, or did a verdict facilitate the government of Mr. Peel, who was soon after appointed secretary of Ireland. He was an Irish member. You are surprised at the intimation. He was returned for the borough of Cashel, where a very small, but a very discriminating constituency—under the influence of some very weighty arguments, though they had never seen him, and I believe he had never seen the chapel of St. Cornack—were made sensible of his surpassing merits. It has been remarked that young statesmen who are destined to operate upon England are first sent to dissect in this country. Mr. Peel had a fine hand and admirable instruments; and he certainly gave proof that he would give the least possible pain to any amputations which he might afterwards have to perform. He was decorous—he avoided the language of wanton insult; he endeavoured to give us the advantage of a mild despotism, and "dwelt in docencies for ever." Yet was his Irish government, and he must have felt it, an utter failure. He must have seen, even then, the irresistible arguments in favor of Catholic Emancipation; but he had not the moral intrepidity to break from his party, and to do at once what he was compelled to do afterwards.—The insurrection act was renewed, the disturbances of the country were not diminished, and Ireland continued to reap the bitter fruits of imperial legislation. A new policy was tried after Mr. Peel had proceeded to England, and the noble expedient was adopted of counteracting the Secretary with the Lord Lieutenant, and the Lord Lieutenant with the Secretary. We had Grant against Talbot, and Wellesley against Goulburn. It is almost unnecessary to say that a government, carried on upon such a principle was incapable of good. The Roman Catholics of Ireland had been led from time to time to entertain the hope that something would be done for their relief. Their eyes were opened at the by the disingenuous dealing of George IV, who only smothered his laughter with the bankerchief with which he affected to dry his eyes; and Daniel O'Connell feeling that liberty could never be achieved by going through the miserable routine of supplication, founded the celebrated society by which results so great were almost immediately produced—the Catholic Association was created by him. He constructed a gigantic engine by which public opinion was to be worked—he formed the smallest wheels in his complicated machinery, and he put it into motion by that continuous current of eloquence which gushed with an abundance so astonishing, as if from a hot well from his soul. A vast organization of the Catholic millions was accomplished—the Catholic aristocracy—the middle classes—the entire of the clergy were enrolled in this celebrated confederacy. The government became alarmed and in 1825 a bill was brought in for the suppression of this famous League. Mr. O'Connell proceeded to London, and tendered the most extensive concession to the government. An offer was made to associate the Catholic church with the state. If the Catholic question had been adjusted in 1825, and upon the terms proposed, it is obvious that the fearful agitation that disturbed the country during the four succeeding years would have been avoided. Not only were the offers rejected, but the bill for the suppression of the Catholic Association was carried. It was, however, laughed to scorn, and proved utterly powerless and inoperative. The energy of Mr. O'Connell now redoubled. The peasantry were taught to feel that the elective franchise was not a trust vested in the tenant for the benefit of the landlord. A great agrarian revolt took place, accompanied, beyond all doubt with great evils, for which, however, those by whom justice was so long delayed were to be held responsible; the Beresfords were overthrown in Waterford, in Louth the Posters received a mortal blow, and at length the great Clare election gave demonstration of a moral power, whose existence had scarcely been conjectured. I remember to have seen the late Lord Fitzgerald—an accomplished and enlightened man—looking with astonishment at the vast and living mass which he beheld from the window of the room in the Court House where that extraordinary contest was carried on. There were sixty thousand men beneath him—sober, silent, fierce! He saw in it something far more important than his return to Parliament was at stake. Catholic Emancipation was accomplished; and here I shall put two questions. The first is this:—Do you think that up to the 13th of April 1829, the day on which the Royal Assent was given to the Catholic Relief Bill, the system of government instituted and carried on, under the auspices of an Imperial Parliament, was so wise, so just, so salutary, so fraught with advantages to this country—so conducive to its tranquillization

and to the development of its vast resources—that for nine and twenty years the Union ought to have been regarded as a legislative blessing to this country? The second shall be, you will say:—Does it not occur to you, that if the present indictment for a conspiracy might be sustained, an indictment for a conspiracy might have been just as reasonably preferred against the men who had associated themselves for the attainment of Catholic Emancipation? There is not a count in this indictment which, by the substitution of "Catholic Emancipation" for "Repeal," might not have been made applicable to the great struggle of the Irish Catholics in 1828 and 1829. Money was collected by the Catholic Association.—In America, and more especially in Canada, strong sympathy for Catholic Ireland was expressed. In the Chamber of Deputies M. Chateaubriand adverted to the state of Ireland in the language of malicious intimation. Enormous assemblages were held in the south of Ireland; but more especially in Kilkenny. Speeches were delivered by Mr. O'Connell, and by others, fully as inflammatory as any which have been read to you. Yet, what would have been thought of an indictment for a conspiracy against Mr. O'Connell against the *Evening Post*, the *Freeman's Journal*, the *Morning Register*, Dr. Doyle, my friend Tom Steele, who was at that time, he is now a knight-errant against oppression in every form.—Would it not have been deemed a monstrous thing to have read a very exciting article in three Roman Catholic newspapers, against the men by whom perhaps they never had been perused? Such a thing was never thought of.—There were, indeed, prosecutions. The individual who now addresses you was prosecuted for such a speech on the expedition of Wolfe Tone. The bills were found; but Mr. Canning declared in the cabinet that there was not a single line in the speech, which, if spoken in the House of Commons would have justified a call for order, and he denounced the prosecution as utterly unjust. The prosecution was accordingly abandoned.—But, gentlemen, if I had been prosecuted for a conspiracy, and held responsible not for my speeches, but for those of others, in how different and helpless a situation should I have been placed.—Have a care how you make a precedent in favour of such an indictment. During the last nine months, the Attorney General had ample opportunities, if his own statements be well founded, of instituting prosecutions against individuals for what they themselves had written or done.—In this proceeding, whose tardiness indicates its intent you will not, I feel confident, become his auxiliaries. A coercion bill, if the repeal of the union is to be put down, would be preferable for it operates as a temporary suspension of liberty, but the effects of a verdict are permanently deleterious. The doctrine of conspiracy may be applied to every combination of every kind. It is directed against the Repeal association to day; it may be levelled against the Anti-Corn Law League tomorrow. In one word every political society, no matter how diversified their objects, or how different their constitution, is within its reach.—The Catholic question having been considered, the Tories were put out by a conspiracy formed among themelves. The Whigs come in, and the reform bill is carried—how? A hundred and fifty thousand men assemble at Birmingham, and threaten to advance on London—a resolution not to pay taxes is passed and applauded by Lord Fitzwilliam. Lord John Russell and Lord Althorpe become the correspondent of the Birmingham Union. Cumber is reduced to ashes; Bristol is set on fire; the peers resist, and the Whig cabinet, with one voice, exclaims, "swamp the House of Lords!" And who are the men—the bold, audacious men—conspirators, indeed! who embark in an enterprise so fearful and, which could be only accomplished by such fearful means? You will answer, Lord Grey. Yes, Lord J. Russell? To be sure, Lord Althorpe? No doubt about it. But is our list exhausted? Do you remember Mr. Hatchell asking Mr. Ross, "Pray, Mr. Ross, have you any acquaintance with Sir James Graham?" It is not wonderful that the Attorney General should have started up and thrown his bucket over the secretary of the home department. Sir James Graham has Ireland under his control.—From the Home-office his prosecution directly emanates. Gamblers denounce vice; drunkards denounce debauch; against immorality let wenchers revile. When Graham complains of agitation, his change of opinion may, for ought I know, be serious; nor have I from motives of partisanship, the slightest desire especially behind his back, to assail him; I will even go so far, for the sake of argument, to admit that his conversion may have been disinterested; but I do say that

s, of all men, the last under whose auspices a prosecution of this character ought to be carried on. The reform bill becomes the law of the land; the parliament is dissolved, and a new parliament is summoned and called together under the reform bill; and then very first measure adopted in that reformed parliament is a coercion bill for Ireland. The Attorney General read a speech of Lord John Russell's in favour of coercion. He omitted, to read the numerous speeches subsequently made by that noble person, in which his mistake with respect to Ireland is honorably confessed. Gentlemen, I shall not go through the events of the last ten years in detail. It is sufficient to point out to you the various questions by which this unfortunate country has been successively convulsed; the church question, the tithe question, the municipal bill, the registration bill. These questions, with their diversified ramifications, have not left us one moment's rest. Cabinets have been destroyed by them. The great parties in the state have fought for them. Ireland has supplied the fatal field for the encounter of contending parties. No single measure for the substantial and permanent amelioration of the country has been adopted; and here we are, at the opening of a new session of parliament, with a poor rate on our estates, a depreciating tariff in our markets, and a state prosecution; in her Majesty's court of Queen's Bench. Such, gentlemen, are the results of the system of policy adopted in that imperial parliament whose wisdom, and whose beneficence have been made the theme for such lavish panegyric. Gentlemen, I do not know your political opinions. I do not know, there is any one man among you favourable to the Repeal of the Union; but if every one of you are fearful of the measures becoming ultimately the occasion of a dismemberment of the empire, still its discussion may not be unavailing. If the councils of the state were governed by no other consideration, than those which were founded upon obvious justice, if measures were to be carried by syllogism, and government was a mere matter of dialectics, then all great assemblages of the people should be strenuously reprobated. But it is not by ratiocination that a redress of grievances can be obtained.—The agitator must sometimes follow, the example of the diplomatist, who asks for what is impossible, in order that what is possible may be obtained. It must strike the least observant, that when the government complained most vehemently of the demagogue audacity, their resentment is the precursor of their concessions. Take, as an example, the landlord and tenant commission, which there are some Conservatives think will disturb the foundation of property, and against which Lord Brougham addressed his admonitory deprecation to Sir R. Peel. For my own part, I think it may lead to results greater than were contemplated; for it appears to me to have been chiefly intended as a means of divesting public attention from the consideration of the other great grievances of the country. The main source of all these grievances, I am convinced, is to be found in the colonial policy pursued to this country. The Union never has been carried into effect. If it had, Ireland would not be a miserable dependent in the great imperial family. The Attorney General expressed indignation at the motto at Mullaghmast: "Nine millions of people cannot be dragged at the tail of any nation on earth." That sentiment is taken from a paragraph in the *Morning Chronicle* newspaper, and I have no hesitation in saying that I at once adopt it. To mere members, without intelligence, organization, or public spirit, I for one attach no value. But a great development of the moral powers of Ireland has taken place. Instruction is universally diffused. The elements of literature, through which political sentiment is entirely circulated, are taught by the state. Ireland has, if I may so speak, undergone a species or transformation. By one who had seen her half a century ago, she would be scarcely recognized. The simultaneous, the miraculous abandonment of those habits to which Irishmen were once fatally addicted, at the exhortation of an humble friar is a strong indication of what might be done by a good government with so fine a people. Without saying that the temperance movement affords a proof of the facility with which the national enthusiasm can be organized and directed, I think it is one among the many circumstances which should induce us to think that we have come to such a pass in this country, that some great measure for its security and for its happiness