

The Week In Ireland.

Directory United Irish League.
Dublin, July 5, 1902.

LAND POLICY VINDICATED.—The Congested Districts Board have just completed negotiations with the Earl of Lucan for the purchase of his property in the baronies of Galen, Murrisk, and Burrischoole, in the County Mayo, which comprises about three hundred tenancies and eight to ten large grazing tracts.

Mr. Conor O'Kelly, M.P., chairman, presided at to-day's meeting of the Mayo County Council.

The following resolution was passed: Messrs. Garvey, Tighe, and Colonel Blake dissenting, congratulating Mr. O'Brien on the success of the United Irish League in compelling the Congested Districts Board to buy the Lucan estate:—

"Resolved—That we tender to Mr. William O'Brien, M.P., our warmest congratulations on the latest result of the magnificent struggle he has been making for the past five years in favor of the poor people of the congested districts of the County of Mayo for the purchase of the Lucan estate, and we are thoroughly convinced that were it not for his efforts a perch of that property would never be in the possession of the people."

The Chairman said he had great pleasure in supporting the resolution. No doubt, only for the great exertions of Mr. William O'Brien, as the resolution stated, one perch of the land would not be divided amongst these poor people. Mr. Wyndham threatened that any place the United Irish League existed he would not allow the Congested Districts Board to purchase the land; but, like many now of his predecessors, that gentleman was brought to his knees by the people of Ireland. So long as the people had a leader like Mr. O'Brien, and the courage to follow their convictions, they would be successful in the end.

ARREST MEMBERS OF LEAGUE.—Mr. David Sheehy, ex-M.P., who was sentenced to five weeks' imprisonment by a Coercion Court at Borrisoleigh on the 9th April, was arrested on Monday morning by two men of the G. Division of the Metropolitan Police when he was leaving his residence in Belvedere place to go to the United Irish League offices in O'Connell street. He was lodged in Mountjoy Prison, where, it is understood, he will complete the term of his sentence. Mr. Sheehy was first tried by Messrs. Bourke and Heard, R.M.'s, at Borrisoleigh, on the 9th April, on a charge of having taken part in an unlawful assembly at Borrisoleigh on the 16th February. From this decision Mr. Sheehy appealed; but Judge Moore, at the Thurles Quarter Sessions on the 10th inst., upheld the decision of the Removables. He decided that the judgment did not involve hard labor.

THE LAW IN FORCE.—It is not, perhaps, generally known that we owe the notorious statute of Edward III., under which the Removables claim the right to commit to prison persons who decline to enter into recognisances to be of good behavior, to our old friend the Law of Poynings, which subordinated the Irish to the English Parliament by a series of provisions which the genius of Grattan succeeded in sweeping away on the establishment of the independence of the Irish Parliament in 1782. Poynings' Act was not altogether repealed in 1782. By a provision in that Act which was not touched all the laws of England antecedent to the date of Poynings' Act, which was passed in 1495, are deemed good and effectual in Ireland. The Act of Edward III., passed in 1361, one hundred and thirty-five years afterwards, became applicable to Ireland by the passing of an "omnibus clause" in Poynings' Law, so named from the Lord Deputy in whose administration the statute was enacted. It would be difficult to adduce a more glaring instance of the application of a statute to a series of circumstances never remotely contemplated at the time of its enactment.

In order to fully appreciate this beneficent Act, the following translation has just been published:—
"A Statute passed at a Parliament held at Westminster on the Sunday next before the Feast of the Conversion of St. Paul, A.D. 1360-61.
"34 Edward III.—That in every county of England there shall be assigned for keeping of the peace, one lord, and with him three or four of the most worthy of the counties, together with some learned in the law; and they shall have power to restrain offenders, rioters, and all other disturbers, and to pursue, arrest, take, and chastise them according to their trespass or offence; and

to cause them to be imprisoned and duly punished according to the law and customs of the realm, and according to that which to them shall seem best to do by their discretions and good advisement; and also to inform them, and to inquire of all those that have been pillagers and robbers in parts beyond the sea, and be now come again, and go wandering, and will not labor as they were wont in times past; and to take and arrest all those that they may find by indictment, or by suspicion, and to put them in prison; and to take all them that be of good fame,

"The authorized translations here insert 'not.' The Government, in its interpretation of the Act, adheres to the original.

where they shall be found, sufficient surety and mainprize for their good behavior towards the King and his people, and others duly to punish; to the intent that the people be not of such rioters troubled nor endangered nor the peace blemished, nor merchants nor others passing by the highways of the realm disturbed, nor beset by the peril which may happen of such offenders; and also to hear and determine at the King's suit all manner of felonies and trespasses done in the same county according to the laws and customs aforesaid; and that writs of over and determine be granted, according to the statutes thereof made, but that the justices which shall be thereto assigned be named by the court and not by the party. And the King willeth, that all general inquiries before this time granted with any seignories whatever, for the mischiefs and oppressions which have been done to the people by such inquiries, shall utterly cease and be repealed; and that fines which are to be made before justices for trespass done by any person, be reasonable and just, having regard to the quantity of the trespass, and the causes for which they be made."

It has not been thought necessary to translate other section of the statute—under which laborers departing from their service into another county are to be branded F on the forehead with a red hot iron; and under which any person who conceals a hawk, is liable to two years' imprisonment, and the price of the hawk, or a longer term, of imprisonment—these sections not for the present being enforced.
As the above Act (obsolete regarding England and Scotland) has been resuscitated and is now being put in force in Ireland this year of grace 1902, and as under it many persons are, at the summary jurisdiction of Police Magistrates, suffering terms of imprisonment, the same has been diligently transcribed from the copy in the Library of Trinity College, compared with others in the Library of the King's Inns, Dublin, and is now printed for the information of His Majesty's lieges.
God Save the King.

CORONATION HONORS.—His Majesty has been pleased to confer a Peerage of the United Kingdom upon the Right Hon. Arthur Smith-Barry.

The foregoing Salisbury "honor" list for Ireland is an epitome and an exposure of the system on which Ireland is governed. The list is brief but significant. There is one peerage. If anyone were to ask what was positively the most indecent promotion to the peerage, the most insulting to Ireland that was possible for Lord Salisbury to make, the name of Smith-Barry would instantly obtrude itself as the answer to the conundrum. The Marquis of Clanricarde might, indeed, if he were a commoner, run him hard in the contest; but Clanricarde is already the Most Noble. If he were elevated to a dukedom the list would be complete. Mr. Smith-Barry is raised to the peerage as the champion Irish exterminator, as the head of a landlord conspiracy for the extortion of rackrents. In the agrarian controversy in Ireland the man that aids a landlord combination is made a peer; the man that aids the tenant in self-protection is made a convict. While the Castle is struggling to suppress the tenants' legal combination, while Removables are working to cram the jails with members of Parliament, presidents and members of County Councils and District Councils who have been guilty of sympathy and support for the tenants in their struggle for existence, it was a masterpiece of insulting irony worthy of Lord Salisbury, to create the ringleader of the landlords' campaign a peer.

His is not the only name from Ireland on the list. Irish Nationalists do not quarrel with coronation honors merely because the recipient is a Unionist. They recognize that it is amongst Unionists such distinctions are naturally distributed. The Lord Lieutenant in his wisdom went one better in the dispensing of coronation honors by the sudden pitchforking of Judge Ross and Judge Kenny, in conjunction with a number of

Irish landlords, into the Privy Council, which in the frequent absence of the Lord Lieutenant represents the Executive Government. These two judges have made themselves particularly obnoxious to the people of Ireland. Judge Ross—with no motive, of course, of which he is conscious, except a desire to administer the law—has assiduously striven to run up the price of land on purchasing tenants, and denounced Judge Bewley when head of the Land Commission for refusing to make himself a party to that policy. Judge Kenny still more conspicuously distinguished himself by a Jump-Jim-Crow decision the other day in a Coercion appeal, in which he promptly reversed his own judgment, delivered the day before, the moment he understood (he is not quick in understanding) that the maintenance of the first judgment must mean the release of the Coercion prisoners. Verily he has had his reward. These distinctions conferred on Judge Ross and Judge Kenny are hardly likely to enhance the public confidence in the administration of the law.

No Peerage, Baronetcy, Knighthood, or even Commandership of the Bath has been found for Mr. McCabe, the High Sheriff of Dublin, in reward for his unique services to the cause of loyalty and his betrayal of Nationalist principles.

ANOTHER LEAGUE VICTORY.—After negotiations which have absorbed two long years, the purchase of the Guinness and Day estate by the tenantry of that property is now practically completed. The estate is situated in the neighborhood of Ballygarrett, and the terms of purchase are regarded with satisfaction by the tenants generally.

COERCION IN THE WEST.—At Freenpark, 25th June, a special court under the Crimes Act, Messrs. Brown and Harrel, R.M.'s, heard the charge of "criminal conspiracy" against Mr. J. P. Farrell, M.P., Longford. The summons also included a charge of "unlawful assembly with the intent of inducing the tenants unlawfully to continue to take part in carrying out a criminal conspiracy not to pay rents to Lord De Freyne and Mr. J. C. Murphy.

Mr. Muldoon (who appeared for Mr. Farrell) applied for an adjournment of the case pending the trial of the action in the High Courts of Lord De Freyne against Mr. Farrell and other members of the United Irish League. To go on with the case now would be to prejudice the case in the Chancery Division.

Mr. Morphy, for the Crown, strenuously opposed the application. The magistrates decided to go on. Constable McDonagh, a shorthand writer, gave evidence as to speeches delivered by Mr. Farrell.

Mr. Muldoon closely cross-examined the witness as to the bona fides of the notes he produced. Witness swore positively that the notes produced were the original notes he took at the meeting, and were not afterwards changed or copied into another notebook.

Several police witnesses were then examined. The case for the Crown having concluded, Mr. Muldoon addressed the Court for his client. He submitted there was nothing whatever in the speeches which would bear out the interpretation the Crown sought to put on them. Mr. Farrell, through him (counsel), objected to the transcript of his speeches as inaccurate and misleading. The accuracy of every line in the two books was impugned. He (counsel) maintained that the evidence did not uphold the charges in the summons, and the case should be dismissed.

Mr. Morphy replied at length. Mr. Muldoon asked their worships, before coming to any decision, to examine the shorthand writer's books, and to say whether, in their opinion, the notes produced as evidence could have been taken at a public meeting. Their worships retired, taking with them the reporter's books. After ten minutes' absence.

Mr. Harrel said, in this case, while we wish to remove off altogether from the minds of the public any suggestion that we desire to cast a slur on the honor or probity of the shorthand writer engaged here, his evidence as given to us showed such inaccuracy, and was so doubtful in the notes before us, that we do not consider that on it—and it is the only thing to support this charge—we can come to the conclusion that Mr. Farrell should be convicted on the charges in the summons, and, therefore, we dismiss the charge on all counts.

RUSSELL AND LAND BILL.—In the course of a letter to the Executive of the Ulster Farmers' and Laborers' Union, Mr. T. W. Russell, M.P., discusses the Land Bill, and, referring to the proposal for a conference of Irish members to discuss the Bill in committee, says:—Of course a conference without Mr. Redmond and Mr. Dillon is not possible. "Hamlet"

cannot be played without the Prince of Denmark. There must in this case be a deliberate "trafficking with traitors" or a settlement is impossible. I commend a study of this situation to those who for some time back have been denouncing me because I desired to establish amicable relations with our fellow-Irishmen. I do not believe that with the strained relations between the Government and the Irish people a conference is possible. I shall be delighted if I am proved to be wrong. First, there are one hundred Nationalists in the prisons of Ireland. The very men Mr. Wyndham has to meet and confer with are the victims of a Chancery suit, the whole of these proceedings being the result of land trouble. Human nature is human after all, and the outcome of the whole matter appears to be this. The Bill cannot apparently be discussed this session. Next year it must take its place minus the discarded clauses, as one of the first-class measures of the Government, and be threshed out on the floor of the House of Commons. In this course alone safety lies. Should the Government be able to come to terms with Mr. Redmond no one will be more delighted than—Yours faithfully,

T. W. RUSSELL.

Mr. Cockran On Public Questions In American Life.

In the course of an eloquent speech at Tammany Hall, last week, the Hon. Bourke Cockran spoke as follows on the subject of the gigantic combines and trusts which form such a formidable element in the social, industrial and political life of the United States at the present day.

"The Declaration of Independence does not define generosity, but justice. All its essential principles—all that are of general interest—are contained in its second paragraph. All the rest that you have heard read is merely a statement of the reasons which led to the formulation of these fundamental truths, the manner in which they had been violated by the English King on this continent, and a solemn pledge that the sword which had been drawn in defense would never be sheathed until their vindication was complete.

Now, that paragraph declares that all men are created equal, and as a feature of that equality they are born with certain inalienable rights, among them life, liberty and the pursuit of happiness. These rights, according to the Declaration of Independence, are not gifts from man, but from God. They do not spring from human wisdom evolved from the experience of earth, but they descend from Heaven through God's wisdom and established through God's bounty. In addition to declaring the equality of men and the inalienable rights to which they are born, the Declaration of Independence also declares that to preserve these rights governments are organized among men, that they derive their just powers from the consent of the governed, and that they are always subject to modification or control by the people immediately subject to their authority who must enjoy in the widest degree the results of their beneficence and suffer in the harshest extremity the bitter fruits of their profligacy and oppression.

In the last analysis, the Declaration of Independence proclaims that the object of government is to maintain the equality of men in the pursuit of happiness—not in the enjoyment or possession of happiness—but in the pursuit of it; that the source of government is the consent of the governed, and that the control of government rightfully belongs to those immediately affected by its operations.

I assume nobody will dispute that the pursuit of happiness is the end of life, and that the pursuit of happiness is the effort for prosperity. All men and all parties in every country agree in desiring prosperity, but they differ widely as to the means by which it should be sought. Men are apt to persuade themselves that there are various paths to prosperity, but as matter of fact there are only two, one is by production and the other by plunder. Whatever a man possesses must be the product of his own labor or the labor of some other man, and, therefore, he has but two ways of getting property; he must make it or he must take it. Of course, the thing he may obtain by exchanging it for the products of his own labor is practically produced by himself; it is the product of his own product. Whatever he obtains by violence or fraud in time of peace, by pillage or indemnity in time of war, is the fruit of

plunder. From the very beginning of the world down to this day, the masses of men have been divided into those who seek prosperity by industry and those who seek it by pillage.

The whole history of the world shows that when tribute has once been tasted, pillage arises in popularity, while industry sinks into contempt and the nation which forsakes industry for pillage is hopelessly and irretrievably lost.

The profit of conquest has always resulted in the construction of a few palaces, the profits of industry in multiplying the number of homes. Conquest produces fortunes for a few; industry abundance for a multitude. Conquest creates individual splendor, industry general comfort. Conquest brutalizes, industry humanizes. Conquest always leads to decay and ultimately to ruin, industry to an ever increasing prosperity, moral and material.

The Ship Subsidy Bill reaches its full development and discards and disdains any pretense of moral justification for opening the Treasury doors. The argument in favor of it, if it can be understood at all, is that the business of ocean transportation is highly profitable, and because it is highly profitable, therefore the losses of citizens engaged in it should be borne by the Government. I do not assume to understand this logic; I repeat it only to marvel at it. It is assumed that after these losses continue for a certain time and reach a certain figure—in some way or other they become suddenly metamorphosed into profits, the method of the change being too occult for comprehension by the ordinary intellect.

Of course, the only excuse for a subsidy is that the business would not pay on its merits. But if it be advisable to encourage people to engage in a losing business, why wouldn't it be still more advisable to encourage them to engage in profitable business?

If they are to be paid for building ships and running them at a loss, why shouldn't other men be paid still more for engaging in agriculture and mining which are conducted at a profit. And if those engaged in mining and agriculture should be subsidized, why not those engaged in plumbing and plastering? Why, in fact, is it necessary to frame any excuse for seizing the public funds? Why isn't the mere possession of the treasury sufficient excuse for looting it?

Since the public convenience and necessities are now largely supplied by corporations, their management is no longer a matter of private interest, but of public importance. Indeed, it is the principal subject of public interest everywhere, since the manner of their administration touches more closely the lives of all men than the operation of any municipal, State or Federal Government.

As there are but two ways by which a country can reach prosperity there are but two methods by which a corporation can make profits. One is by efficiency in industry, that is, by cheapening commodities, and the other by plunder, that is, by cheating or oppressing the people. The corporation which depends for profit upon efficiency must be a public benefactor and a source of abundance. If its profits be made by reducing prices, it must increase the volume of its product. It cannot increase its product without increasing the number of persons employed in creating it.

Every increase in the number of laborers at one place must operate to raise wages by diminishing the number of persons competing for employment everywhere. On the other hand, a corporation that raises prices arbitrarily must restrict the volume of production, because its only object in raising prices would be to secure larger profits on a smaller output.

To diminish the volume of any product is to reduce the number of persons employed in the industry, and to lower wages everywhere by compelling the persons made idle to seek employment in other fields where they must compete with the laborers already employed there. Obviously, the corporation which cheapens commodities is a source of profit; the corporation that raises prices of commodities arbitrarily is a source of injury to the community.

If Imperialism, that is to say the pursuit of prosperity by plunder, is to be the settled policy of this country, then Democrats may as well renounce any hope of obtaining control of the government. Were they to renounce their faith they would not profit by their apostasy. They have not the capacity for plunder, even if they had the will for it. Republicans are Imperialists as well by training as by practice.

In that field Democrats cannot hope to compete with them. Even if Democrats tried to become plunderers, their awkwardness would defeat their purpose. A few Democrats

have plundered, but they have always made a pitiable exhibition of inefficiency as well as recreancy. We have seen aldermen who accepted bribes of a few thousand dollars to go to jail amid the execrations of the entire community, while plunderers of thousands and millions sit in high places, serve on grand juries, and institute movements for the reform of municipal corruption.

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