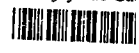


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DANIEL O'CONNELL

VOL. II.

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CORRESPONDENCE
OF
DANIEL O'CONNELL

THE LIBERATOR

EDITED WITH NOTICES OF HIS LIFE AND TIMES

By W. J. FITZPATRICK, F.S.A.

AUTHOR OF 'THE LIFE, TIMES, AND CORRESPONDENCE OF BISHOP DOYLE'
'LIFE AND TIMES OF LORD CLONCUNRY' ETC.

IN TWO VOLUMES—VOL. II.

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APPENDIX.

CATHOLIC AGITATION IN 1812.¹

THE papers of the Home Department are closed to historic inquirers after 1760, though in the case of Mr. Froude and Mr. Lecky special facilities of access were granted up to the year 1800. Permission to examine documents of the present century is rarely given. The following letters, however, afford evidence of a not uninteresting exception to the rule. Mr. Secretary Pole, writing to the Home Secretary, encloses a letter from Hamilton Rowan,² addressed to Lord Fingall, referring to his Lordship's arrest as chairman of a Catholic meeting. 'I was a spectator of that disgraceful scene where legal quibble was tortured to entrap the feelings of a man of honour unaccustomed to disguise because his pursuits were honourable, legal, and constitutional.' Rowan adds that the object of the meeting had been to debate whether a petition to Parliament or an address to the Prince Regent should be adopted. He argued that appeals to persons were not equal to appeals to principles. Further, he published a document maintaining the rights of the people to public meeting and discussion and condemning the unconstitutional interference of the Executive. Among the State papers is a long letter marked 'Private,' dated 'Dublin Castle: 6 August, 1811,' from Mr. Wellesley Pole to the Home Secretary. It commences 'My dear Ryder,' and is principally taken up with the question of the delegates. At the end he says, 'Mr. Hamilton Rowan's advertisement I send you, as a proof how cautious Government ought to be of pardoning an Irish traitor.'—*Ireland*, 1811, July to September, No. 653.

The difficulty alluded to in the letter of Hamilton Rowan as to whether the rival plans of an address to the Prince Regent or a petition to Parliament should be decided on was solved by the adoption of both. A petition and an address, which, however, were almost the counterpart of each other, were prepared, and an aggregate meeting was summoned for Friday, February 28, 1812, to receive and adopt them. The importance attached

¹ See vol. i. p. 18.

² See notice of Hamilton Rowan, vol. i. p. 97.

by the Government to this resolution of the Catholics to assemble again and exercise what they considered to be their constitutional right may be inferred from the following important letter of the Lord-Lieutenant to the Home Secretary, among the records of whose office it is to be found, endorsed 'Ireland, No. 655.'

(Secret and Confidential.)

Dublin Castle: 20th Febr. 1812.

Sir,—Having learned from secret information³ that the Roman Catholic Board appointed at the aggregate meeting of the 26th December last, as mentioned in the letter which I had the honor to address to you on the 27th of that month, had been summoned to assemble on Saturday [Friday] next, I thought it necessary to be prepared with the opinion of the Lord Chancellor and the law officers of the Crown on the legality of the intended meeting, previous to deciding on the conduct which it might be advisable to observe towards it.

As they unanimously concurred in the opinion that the Board, constituted as it was by the nomination of an aggregate meeting for the declared purpose of preparing and presenting an address to His Royal Highness the Prince Regent relative to the subjects' right of petition to Parliament, and not having for its object the alteration of matters established by law in Church and State, did not appear to militate against the provisions of the law, I was glad to find there existed no obligation on the part of the Government to interfere for the dispersion of the meeting; more especially as the secret manner in which it seems intended to convene it, and the difference of opinion that is understood to prevail amongst the principal members of the Roman Catholic body with respect to the propriety of convening at the present moment, have taken from it much of the mischievous character and tendency that belonged to the meetings of the General Committee. With respect to the meeting of that committee which was appointed by the same aggregate meeting to assemble on the 28th instant, I apprehend there can be no hesitation as to the line of conduct which it will be incumbent on me to pursue, constituted as that body is, and acting in open defiance of the law as it has been recently pronounced by the judgment of the Court

³ Fredk. W. Conway, afterwards editor of the *Dublin Evening Post*, was furnishing secret information to the Government at this time, as appears from the same State Papers, No. 657. From newspapers of the

day I perceive that he acted sometimes as secretary and sometimes as chairman at meetings of the Catholic Association. See vol. i. of the present work, p. 371.

of King's Bench and the verdict of a jury; and I propose, unless His Royal Highness the Prince Regent should see reason to vary the repeated instructions which His Royal Highness has been pleased to convey to me on this subject, to act against it by resorting, as on former occasions, to the powers with which the Government is invested under the Convention Act, taking care to carry its provisions into effect with all the lenity and forbearance that may be consistent with the necessary repression of such persevering endeavours to act in violation of the law.—I am, with great truth and regard, Sir,

Your most obedient and humble Servant,

RICHMOND.

The Right Honorable Richard Ryder.

The Viceroy and Mr. Wellesley Pole have hitherto incurred the odium of having dispersed the Catholic meetings of 1812; but it now appears from the private correspondence before us that they acted under secret instructions issued by the Prince Regent himself. Long had it been customary with the Catholic leaders to regard and hail the Prince of Wales as the best friend to their emancipation. Nor was this impression adopted on any light grounds. O'Connell's speech at a great meeting of the Catholics of Ireland in Fishamble Street Theatre on June 18, 1812, enumerated a number of pledges given by the Prince. They occupy some pages of the 'Speeches of Daniel O'Connell,' edited by his son, Dublin, 1846, vol. i. pp. 174-5.

In addition to these private and special reports, the Lord-Lieutenant forwarded to the Home Secretary in London a copy of the *Dublin Evening Post* of February 29, 1812 (a leap year), which contained the fullest printed account which was then published of what took place at the meeting. All these documents, printed and manuscript, with the letter of the Duke of Richmond which accompanied them, are preserved among the State papers of the time. As these official documents are necessarily of much greater interest than any already printed reports, they are here given as descriptions of the meeting—an important one in the history of Ireland, and the presence of Shelley at which would alone have made memorable.

From the Lord-Lieutenant of Ireland to the Home Secretary.

(Secret and confidential.)

Dublin: 1st March, 1812.

Sir,—Enclosed I have the honor to transmit such accounts as I have been able to procure relative to the proceedings of an aggregate meeting of the Roman Catholics which was assembled at the Fishamble Street Theatre in this city.

In order to lead to a more distinct view of the character of

that meeting, and the feelings and objects of those who were most conspicuous on the occasion, it may be necessary to advert to the conduct of the Catholic Board which had been nominated at the aggregate meeting of the 26th December last, and which having met for the first time on the 28th ultimo agreeably to the determination noticed by my letter of the 20th ult. continued to sit daily from that time without, however, giving to the public any other authenticated account of its transactions than that which is comprised in the enclosed publication of the resolutions of the 22nd.

I propose, therefore, to enter on a short statement of what I have learned by secret information (for none but members were admitted to the Board) respecting its proceedings antecedent to the aggregate meeting of the 28th ultimo.

It seems that Lord Fingall and several other gentlemen of rank and consequence in the Catholic body, who had hitherto acted in concurrence with the general committee of the Roman Catholics, were indisposed to the assembling of the Board, feeling that altho' it should not assume to be a continuance of the Committee (its members being identically the same) it yet would carry that appearance, and unwilling, after what had taken place both at Mr. Kirwan's trial and subsequent to that event, to be considered as pertinaciously adhering to a line of conduct which the Judges of the King's Bench had announced to be a violation of the law, until that judgment should be reversed by the sentence of a superior tribunal.

In this opinion it seems that Mr. Hay, who usually acted as secretary to all the Catholic meetings, whatever denomination they might assume, concurred, and consequently refused to summon this Board unless he could be satisfied by the opinion of some of the first law authorities at the Bar that it was not a body so constituted as to come within the prohibitions of the Convention Act. From this opinion, however, Messrs. O'Connell, Dromgoole, and Scully, who have usually taken the least temperate line in all these proceedings of the Committee, and indeed in almost all other Roman Catholic meetings, dissented, and under their three signatures announced a meeting of the Board to be held on the 22nd ult. That meeting, of which the resolutions as they were advertised will be found in the enclosure (No. 1), was not attended by Lord Fingall, Sir E. Bellew, and others of the most respectable of those gentlemen who had usually been put forward in behalf of the Catholic body. However, notwith-

standing their absence, a motion made for appointing a day of meeting for the Board was not carried without much debate and opposition, and in truth, altho' the terms of the first resolution are said to have been considered and acquiesced in, if not as an abandonment of the measure, at least as a sort of compromise between the contending opinions, nevertheless the first resolution was by the dexterity of Mr. O'Connell ultimately made an argument in support of the third, it being insisted on by him that a meeting in conformity with the resolutions of the 26th of December ' was in effect and by reference an admission of the meeting of the " Board " thereby appointed ' ; and this construction being admitted on a division by a great majority of the members present, an adjournment of the Board, *eo nomine*, to the 26th was accordingly resolved upon.

The Board which, I have before observed, having once met, continued to assemble from day to day, appears to have been chiefly occupied in discussing and framing the intended address to the Prince Regent and the petitions to the two Houses of Parliament, and in preparing the resolutions that were brought forward and passed at the aggregate meeting of the 28th.

The proceedings of that meeting, as they are to be collected from the enclosed accounts, appear to partake of the various feelings and opinions that are stated to have presided at the antecedent meetings of the Board; they lead also to a strong presumption that, notwithstanding the air of moderation with which the Committee [had at first acted and which⁴] appears to have been abandoned for the present, there exists the disposition to revive it under the denomination of a Board, and it may be expected that attempts will be made for the gradual accomplishment of that object.

The readiness with which Lord Fingall and the other members of the Catholic body who seem to have been anxious for the discontinuance or suspension of the Committee have lent themselves to a measure bordering so closely on the repetition of an offence, on account of which he has so recently experienced the lenity of Government, is much to be regretted, more especially as past experience has given proofs as well of the stratagems that will be used to commit them to the same extent with the most violent partisans of the Committee, as of their inability to oppose or control the violence of those whose measures, however

⁴ These or some similar words have been inadvertently omitted in the transcript.

intemperate, they will surely be called on to countenance and approve.

Under these circumstances I am deeply impressed with the necessity of watching the conduct of this newly assembled Board, and taking care lest, consisting of the same individuals as the Committee which, agreeably to His Royal Highness the Prince Regent's instructions, I have felt it incumbent on me to disperse, and differing only in the manner of its appointment, it should assume a delegated capacity, profess to have the same objects and arrogate the same mischievous powers as the assembly for which it has been substituted.

Should any apprehension of such consequences be unfortunately realised, it will become my duty to manifest, by exerting the authority with which the law has entrusted me, that such an assumption of the representative character, as made in the election or constitution of such a representative body as the General Committee, under whatever name they may pass, are alike repugnant to the spirit and the provisions of the Convention Act.—I am, with great truth and regard, Sir,

Your most obedient

RICHMOND.

Right Honourable Richard Ryder.

[Record Office: No. 655.]

The three enclosures which accompanied the letter of the Lord-Lieutenant are marked Nos. 1, 2, and 3. No. 1 contains the resolutions of December 26 referred to by his Grace. Contrary to the expectations of the Duke, they are signed by the secretary, Mr. Hay. No. 2 is Mr. Manning's report of the aggregate meeting, February 28, 1812. No. 3 is endorsed thus: 'Copy of Mr. Farrell's (Peace Officer) report.'

O'CONNELL AS COUNSEL.

One of O'Connell's earliest displays of forensic acuteness took place at Tralee.

The question in dispute touched the validity of a will which had been made almost *in articulo mortis*. The instrument seemed drawn up in due form, the witnesses gave ample confirmation that it had been legally executed. One of them was an old servant. O'Connell cross-examined him, and allowed him to speak on in the hope that he might say too much. Nor was the hope disappointed. The witness had already sworn that he

saw the deceased sign the will. 'Yes,' he went on, 'I saw him sign it, and surely there was life in him at the time.' The expression frequently repeated led O'Connell to suspect that it had a peculiar meaning. Fixing his eye on the old man, he said, 'You have taken a solemn oath before God and man to speak the truth, and the whole truth; the eye of God is upon you, and the eyes of your neighbours are fixed on you too. Answer me by the virtue of that sacred and solemn oath which has passed your lips, Was the testator alive when he signed the will?' The witness quivered; his face grew ashy pale as he repeated, 'There was life in him.' The question was reiterated, and at last O'Connell half compelled, half cajoled him to admit that, after life was extinct, a pen had been put into the testator's hand, that one of the party guided it to sign his name, while, as a salve for the consciences of all concerned, a living fly was put into the dead man's mouth, to qualify the witnesses to bear testimony that 'there was life in him' when he signed the will. This fact, literally dragged from the witness, preserved a large property in a respectable and worthy family.

An incident in Miss Edgeworth's 'Patronage' was suggested by this occurrence. I have often heard it said that the Cronin family were the parties interested, but it appears from an old number of the *Liverpool Journal* now before me that it was two sisters named Langton to whom the property had been miraculously preserved.

Perhaps no great advocate ever had the same relish for his work. It was remarked by Owen Madden that O'Connell hunted down a case with the gusto of a Kerry fox-hunter in pursuit of reynard. His great knowledge of character enabled him to dissect motives with skill. He was an Irish Garrow, just as Sir Thomas Wilde, if he had had pathos and humour, would have been an English O'Connell. A spice of the latter quality is found in the case of the Corporation of Cork *versus* Boyle. One fails to find it noticed in the various memoirs of O'Connell; and I owe to an old newspaper report what is known of it. Boyle, in a print called the *Freeholder*, subjected the Corporation of Cork to some personal remarks highly caustic. Owing to precautions in the mode of publication it was impossible to proceed against him for libel. If they could have done so his punishment was certain, for in those days there were none but Corporation juries, and the fact that Boyle was hostile to the municipal junta was enough for them. It happened on the occasion of a crowded benefit that Boyle and one of the sheriffs were coming out of the theatre at the same moment. A sudden crush drove the scribe against the sheriff, and the concussion was so violent that the latter had two of his ribs broken. The incident was clearly accidental, but it was too lucky not to be turned to advantage. Boyle was prosecuted for assault. O'Connell (who

was personally inimical to the Corporation) scarcely cross-examined a witness, and called none in defence. He proceeded to reply, paying, as he went, some hyperbolic compliments to the 'well-known impartiality, independence, and justice of a Cork jury.' 'I had no notion that the case is what it is, therefore I call no witnesses. As I have received a brief I must address you. I am not in the vein for making a long speech, so, gentlemen, instead of it I'll tell you a story. Some years ago I attended Clonmel Assizes and witnessed a trial which I shall never forget. A wretched man, a native of Tipperary, was charged with the murder of his neighbour. An ancient feud had existed between them. They met at a fair and interchanged blows; again, that evening they encountered at a low pot-house, and the physical interference of friends alone prevented a fight. The prisoner was heard to vow vengeance against his rival. The wretched victim left the house, followed soon after by the prisoner, and was found next day on the roadside murdered, and his face so barbarously beaten in by a stone that he could only be identified by his dress. The facts were strong against the prisoner; in fact, it was the strongest case of circumstantial evidence I ever met. As a matter of form—for of his guilt there was no doubt—the prisoner was asked for his defence. He called, to the surprise of every one, the murdered man. And the murdered man came forward. It seemed that another man had been murdered, that the identification by dress was vague, for all the peasantry of Tipperary wear the same sort of clothes; that the presumed victim had got a hint that he would be arrested under the Whiteboy Act, had fled, and only returned, with a noble and Irish feeling of justice, when he found that his ancient foe was in jeopardy on his account. The case was clear; the prisoner was innocent. The judge told the jury that it was unnecessary to charge them. They requested permission to retire; they returned in about two hours, when the foreman handed in the verdict "guilty." "Good God!" said the judge, "of what is he guilty? Not of murder, surely!" "No, my lord," said the foreman, "but if he did not murder that man, sure he stole my grey mare three years ago." The Cork jurors laughed heartily at this anecdote, and, ere their mirth had time to cool, O'Connell continued, with marked emphasis, 'So, gentlemen of the jury, if Mr. Boyle did not wilfully assault the sheriff he has libelled the Corporation. Find him guilty, by all means!' The application was so severe, that the jury, shamed into justice, at once acquitted Boyle.

A man named Pat Hogan was tried for murder. O'Connell defended him. A hat, believed to be the prisoner's, was found close to the murdered man, and this was relied upon as the principal clue to the perpetrator. The state of the body clearly proved that the deceased met with a violent death, and O'Connell felt that the case would tax his powers to the utmost. The

Crown counsel made a strong point on the hat, which was produced in court. O'Connell cross-examined a neighbour of the prisoner, a Crown witness, who identified it.

'By virtue of your oath, are you positive that this is the same hat?' 'Yes.' 'Did you examine it carefully before you swore in your informations that it was the prisoner's?' 'Yes.' 'Now let me see,' said O'Connell, and he took up the hat and began carefully to examine the inside. He then spelled aloud the name slowly, thus, P-a-t H-o-g-a-n. 'Now do you mean those words were in the hat when you found it?' 'I do.' 'Did you see them there?' 'I did.' 'This is the same hat?' 'It is.' 'Now, my lord,' said O'Connell, holding up the hat to the Bench, 'there is an end to the case—no name whatever is inscribed in the hat.' The result was acquittal.

Great was the gratitude lavished on O'Connell by many a peasant who had got into trouble. In the case of an unexpected acquittal the prisoner exclaimed, 'Och, counsellor! I've no way here of showing your honour my gratitude, but I wisht I saw you knocked down in my own parish, and, maybe, I wouldn't bring a faction to the rescue!'

Horse and cow stealing earned capital conviction in those days. O'Connell detected a flaw in the indictment under which a client of his was charged. It turned on a law point which may be found in Roscoe's 'Criminal Evidence,' p. 77. The prisoner, an old hand, was acquitted on a charge of stealing a cow. The grateful thief came to O'Connell's lodgings to thank him for having saved his life, exclaiming with emotion, 'May the Lord spare you to me!'

I owe to Father McMahon, P.P. of Doonas, County Clare, the following curious anecdote:—In a case known as 'The O'Grady Case' O'Connell having examined the hostile witness, who was a woman, came to the conclusion that she swore falsely. The trial took place on Good Friday. O'Connell, calculating on the soft and impressionable character of a woman, preached a short sermon on the sufferings of Christ, and then suddenly and in the Name of that Blood, by which, on that day, she had been redeemed, charged her to retract her perjured words. The woman shrieked, burst into tears, pointed to a man in Court, whom she accused of instigating her by a bribe, told the truth and turned the tide.

Mr. D. O. Madden, in his 'Revelations of Ireland' pronounces O'Connell to be not only a 'very heavy feeder, but also a coarse one.' O'Connell's daughter, Mrs. FitzSimon, writes:—'He never ate more than twice a day—before 8 A.M., and often not till 8 in the evening.' Mr. Madden describes O'Connell at a Bar dinner, putting his own spoon into some dish to which an exquisite desired to be helped (p. 127). Mrs. FitzSimon writes:—'He was sometimes absorbed in thought at dinner, and might, perhaps,

at such a time make a mistake by helping himself with his own spoon.'

The most piquant thing in Madden's 'Revelations of Ireland' is a dialogue in outrageous Billingsgate between the Tribune and a virago named 'Biddy Moriarty,' famous for the use of foul words. The scene (which fills several pages) has been often quoted, and made the subject of very amusing pictorial illustrations. Even Canon O'Rorke has filled with this vituperation five pages of his Centenary 'Life of O'Connell.' It is a pity to pull down a fabric to which both historian and artist are indebted, but there is now before me a memorandum by O'Connell's daughter saying that 'there is not one word of truth in the scene so sensationally described by Mr. Madden, though something similar to it has been told of Curran.'

A graphic account of one of the illiterate judges before whom it was his fate to plead was communicated by the Liberator to R. O'Connell, B.L., Tralee, who has included it in the jottings he has been good enough to make for my use.

'A case came on before Judge Henn on circuit,' writes Mr. R. O'Connell, 'which excited great interest in the locality. It was an action brought to try the right to levy tolls at fairs and markets under a patent. Henn saw from the array of counsel employed, the size of the briefs and the crowd in Court, it was a case likely to occupy much time. The counsel opening the case stated it was brought for the trifling amount of *seven and sixpence*, but that though for so small a sum it was in effect to try the right to an important and valuable *Incorporeal Hereditament*. "A what?" interrupted Henn, who had never heard the word before. "An *Incorporeal Hereditament*, my lord," said the counsel. "How much do you say 'tis for?" inquired the judge. "Seven and sixpence, my lord," was the reply. Henn pulled out his purse, counted out *7s. 6d.*, and said, "Here's your *7s. 6d.* for you, and to the Devil I pitch you and your *Incorporeal Hereditament*. Do you think now I am to be shut up in this hot Court for maybe two or three days trying a case for *seven and sixpence*?"⁵

'The Liberator said that all remonstrance with such a judge was in vain; his fixed idea was that it was scandalously *infra dig.* for him to sit two long summer days trying a case for *7s. 6d.*, and that in every point of view 'twas the wisest and best course to pay the *7s. 6d.* out of his own pocket, rather than lose his time trying such a case.

'I heard the Liberator tell that, on his first circuit, Mr. Hoare and the celebrated Bully Egan were then leaders on the circuit, and in an important case where they were pitted against each other, Hoare, for the plaintiff, made a deep impression on the jury by his speech; in fact, carried the jury with him. Egan saw

⁵ Sir Jonah Barrington tells one anecdote of Henn (*Personal Sketches*, i. 257), but this is perfectly new.

this, and when it came to his turn he put forth all his energies to remove the impression Hoare had made, and the conclusion of it was : " Mr. Hoare evidently thinks that his loud declamation has secured for him your verdict, gentlemen, but I know you well, and I know you long, and I know that never were there twelve men in a jury box less likely to be led away by the *dark oblivion of a brow.*" As Egan was going out of the Bar-box some of the Bar said to him, " Why, Egan, what rank nonsense the concluding sentence of your speech to the jury was ; surely there was no sense or meaning in '*the dark oblivion of a brow.*'" " To be sure there wasn't," said Egan ; " I know that as well as you, but I knew it would do very well for that jury." The inimitable richness of tone and manner with which the Liberator used to tell this can only be conceived by those who heard him ; to convey a full idea of it to those who did not would be hopeless.

' He said that one of Bully Egan's duels was fought with a Mr. O'Reilly, who fired before the word was given, but without inflicting hurt. " Well, at any rate, my honour is safe," said O'Reilly. " Is it so ?" replied Egan. " Egad, I'll take a slap at your honour, for all that."

' He fought another duel with Curran, and when on the ground complained of the disadvantage in which he stood, Curran being like a blade of grass, and he as broad as a haycock. Curran declared that he scorned to take any unfair advantage. " Let my size be chalked upon your body," he said, " and any shots of mine which hit outside the chalk shall not count."

' Judge Day had been M.P. for the nomination borough of Ardfert before the Union, and having been an active supporter of that measure, was rewarded first by the Chairmanship of Kilmainham, which Bully Egan so nobly forfeited when, in voting against the Union, he uttered the memorable exclamation of " Ireland for ever, and damn Kilmainham!" Having been for some time in the chair of Kilmainham,⁶ Day was promoted to a Judgeship of the King's Bench. Conscious what a set of stupid ignoramuses the First Judges of the time were, Day set up for knowing *something* of law, and accordingly read some law books, and got over several volumes of the Reports of Cases decided in the English Courts ; but the foundation of an early study of the principles of law was not well laid, hence his superficial smattering, which he was so fond of parading, was seen through ; and being a roundabout, heavy speaker, his ludicrous attempts to elucidate nice points of law were described as "*re-minding one of a man attempting to open an oyster with a rolling pin.*"

' I spent far more time in the Liberator's society than even Daunt did, who has written a book about him,' proceeds Rickard

⁶ An office equivalent to that of county court judge for Dublin.

O'Connell. 'He held me at the baptismal font, and from that hour to his death I was on the closest intimacy with him.

'The Liberator thought not over highly of John Keogh's exertions in the Catholic cause. I heard him tell that, soon after he entered the political arena, Keogh one day said to him, "'Twas I made men of the Catholics." "If you did," said O'Connell; "they are such men as realise Shakespeare's idea 'of Nature's journeymen having made them, and made them badly,'"⁷ &c. At that time he said a Catholic could be known in the street by his subdued and slavish look and gait, and he felt a prophetic inspiration that 'twas reserved for *him* to really make *men* of them. A keen observer (W. H. Curran) described O'Connell marching to court shouldering his umbrella as if it was a pike, and flinging out each factious foot before the other as if he had already burst his bonds and was kicking the Orange ascendancy before him. Indeed, a Dublin jury of that day, if judiciously chosen, would have found his very gait and gesture to be high treason by construction, so explicitly did they enforce the national sentiment.'

It has been said that O'Connell was implicated in the Rebellion, but the following seems to show an opposite sympathy. Rickard O'Connell remarks that the Liberator said many curious things not recorded by Daunt.

'I think Daunt was in the parlour at Merrion Square one evening in 1842, when Emmet's name turned up in conversation. The Liberator said, "There was never a more rash or foolish enthusiast. At the head of eighty men, armed only with pikes, he waged war on the most powerful Government in the world, and the end of the mad *fasco* was the murder of the best of the then Irish judges, Lord Kilwarden, a really good and excellent man. His nephew, Wolfe, who happened to be in the carriage with him, was also murdered; for this murder, even if it stood alone, Emmet deserved to be hanged;⁸ and but for the romance which his attachment to Miss Curran threw around the case he would have long since been forgotten."

'During the struggle for Emancipation letters often reached the Liberator from men of seditious bias suggesting a rising and enclosing plans of proposed operations. He invariably sent them at *once* to one of the law officers. Whether genuine or intended as a trap, that was the right course to pursue, and he did it.

⁷ 'I have thought some of nature's journeymen had made men and not made them well, they imitated humanity so abominably.' — *Hamlet*, act iii. sc. 2.

⁸ Had O'Connell studied Emmet's life and character, he would have held him guiltless of Lord

Kilwarden's murder. From the 'State Trials' I find that Emmet led the van of his men; but Lord Kilwarden's carriage arriving from Tallaght in the midst of some tipsy stragglers at the rear, a man named Shannon drove a pike into his groin.

'The Liberator's anecdotes of the past were very pleasant. I proceeded to give you a few not mentioned by Daunt.

'Lord Buckingham, when Viceroy here, at a dinner party in Dublin Castle asked, "Where shall I get a good History of Ireland? I want to understand the history of this country." "Your Excellency will find it," said Sir Hercules Langrishe, "*in a continuation of Rapin-e.*"

'Sir Frederick Flood was in London as a delegate from the Irish Parliament to Mr. Pitt on some great question of the day, when one evening, dining with Mr. Pitt, the conversation turned on the drinking powers and habits of the Irish gentry. Sir Frederick said his usual allowance was four bottles of claret every night, and that he often drank five. "What! Sir Frederick," said Mr. Pitt, "do you mean to say you could drink five bottles of claret *without any help?*" "*I had the help of a bottle of port!*" was the reply.'

Rickard O'Connell continued for many months to send to the present writer various *ana* that he had gathered from his chief, and some of which are elsewhere embodied. At last, on September 20, 1880, poor Rick's right hand lost its cunning.

THE IRISH COERCION BILL OF 1833-34.

The autobiography of Lord Brougham, published in 1872, when treating of Earl Grey's retirement from the Premiership in 1834, owing to disputes about the Irish Coercion Bill, and the highly awkward scene between Littleton and O'Connell, seeks to throw the *onus* on Littleton. Littleton, better known as Lord Hatherton, had prepared a memoir of the case, which, in 1862, shortly before his death, he confided to Mr. Henry Reeve. This gentleman published the narrative as an answer to Brougham. Littleton complains that O'Connell violated confidence in the negotiation, and states that for this he was censured at the time by Grattan.

Touching these assertions, Mrs. Ellen FitzSimon, the eldest daughter of O'Connell, addressed some letters to the present writer:—

May 23rd, 1872.

My father's conduct has been so frequently vilified, that to vindicate it would be utterly useless and endless. The fact is, his memory can afford to be vilified. I am sure my father never violated confidence.

Lord Brougham treated my father badly on many occasions,

although at first he overpowered him with civilities and attentions and confidences too.

I open my letter to give you Morgan's⁹ account. He tells me that the Whigs wanted to renew the Coercion Bill in 1834. The *Liberator* and Littleton conferred thereon, and for peace's sake, as it was towards the end of the Session—a long and arduous one—the *Liberator* agreed, on condition that the objectionable clauses which he had always opposed should be struck out. Littleton (a good-natured kindly man, and most courteous to the Irish M.P.s, then quite a tabooed race) engaged that this should be done. Of course it got wind, and old Grey, in the Lords, disclaimed any such agreement. The *Liberator came out* in the Commons (as he had every right to do) and declared that he had been deceived. This affair broke up Grey's Administration.¹ My brother Morgan remembers going on to the steps of the throne in the Lords to hear old Grey announce his retirement, in doing which he alluded angrily to my father as the person of whom he need not more directly speak, tho' largely concerned in the fray. My brother said to my father, 'Do you hear what he says of you, sir?' My father replied, 'What do I care what the blockhead says?' The result proved that Grey was wrong. My brother says he never can forget the furious chastisement Wellington gave Lord Grey on that occasion, reviewing his whole Ministerial career. My brother says his recollection is that Brougham and Lord Duncannon were all along, during the Grey Administration, most anxious that the Catholic (and Irish) party should be conciliated, as was also Lord Durham. When Brougham was on the woolsack he used to be almost *servile* in his adulation of O'Connell, and the latter, my brother remembers, expressing himself as annoyed by the gross flattery of Lord Brougham when he (D. O'C.) was pleading before the Lords in some great cause, and saying it was gross nonsense.'

My brother recommends you to look up the Liberal papers of the day and Hansard.

Ever yours, in haste,

E. F. (*née* O'CONNELL).

⁹ Morgan O'Connell was in Parliament in 1834, as member for Meath.

¹ Since the above was written,

O'Connell's letters in respect to this affair have been found, and are now added to the present collection.—W. J. F.

THE SCHEME OF FEDERAL PARLIAMENTS.

'To the Secretary of the Loyal National Repeal Association.

'Darrynane Abbey, Caherciveen, 12th October, 1844.

'Sir,—I am extremely anxious to bring the emphatic attention of the Association to that which I deem the most important of all the duties they have to perform at the present most auspicious period. We have obtained the most valuable victory that ever was achieved, by purely moral means. The victory of Waterloo was the mere triumph of physical force, combined with military organisation: it was a brutal and a bloody scene, and much of what are called its glories depended upon chance and accident.

'Ours, on the contrary, was the triumph of the first principles of civil liberty, and of the judicial merits of our glorious cause. That which triumphed was the great constitutional principle which sanctions the right of free discussion to the inhabitants of these realms. It was that principle which battled with, and triumphed over, the well-arranged conspiracy to extinguish popular sentiment, and to limit and restrain the efficacy of peaceable popular exertions.

'The object we had in view was perfectly legal and perfectly constitutional—the repeal of an Act of Parliament; and the efficacy of our struggle ought, in constitutional reasoning, to depend on the numbers of those who were convinced of the necessity of such repeal. The effort of Ministerial despotism was, by the prosecution, to prevent the exhibition of that multitudinous public sentiment which could alone require or obtain success. It was a struggle, on the part of our governors, to make the exhibition of the extreme pressure of a grievance stimulating multitudes to call for redress, a conspiracy and a crime. It was the manifest design of the Irish Government to introduce a new doctrine into our law—the doctrine that numbers constituted crime; so that when the oppression of a tyrannic law affected the great majority of the nation, that very majority should be treated as *essentially* criminal, and be used as a legal instrument to prevent the redress of the grievance. The more

universal the cry for relief, the more impossible would a successful prosecution have made it to obtain redress.

'Our triumph on the Jury question was, if possible, still more vitally important. If it were once established that the jury list might, with safety, be fraudulently spoliated or arranged, on the ground that the fraud was not committed by the Sheriff himself, then, indeed, the trial by Jury would have become "a delusion, a mockery, and a snare!"

'We have, in truth, gained a great victory. Yet there has been nothing of the insolence of triumph in our demeanour. We have borne our success with meekness, and in the fullest spirit of conciliation.

'But we should be guilty of a criminal neglect of duty if we did not avail ourselves of that success in order to achieve the great object of our desires—the restoration of an Irish Parliament.

'Our business is not to irritate or provoke any portion of our fellow-subjects. Our duty—our sacred duty—is to conciliate all classes and persuasions; and, if possible, to procure the entire Irish people to join in the struggle to obtain the right of Irishmen to legislate for themselves.

'Upon the subject of the Repeal near nine-tenths of the Irish people are perfectly agreed. They are convinced of its necessity. They have no doubt of its practicability. The monster meetings have placed beyond a shadow of doubt the determination of the overwhelming majority of the Irish to obtain the restoration of their own Parliament. If that fact had not been demonstrated by the meetings of last year we should continue to hold similar meetings, now that the legality of the largest possible peaceful assemblages is fully established by the unanimous opinion of all the English judges. It was in the 6th and 7th counts that the holding of those monster meetings was alleged to be a crime; and all the English judges were unanimous that those counts were essentially and radically bad. We could, therefore, hold more monster meetings if it were at all necessary; but there is no such necessity. The opinion of the Irish people was emphatically pronounced in the forty-one monster meetings we held last year; and as it is not necessary to hold any more such meetings, it would appear to be an insulting braggadocio to revive them. We will revive them only in the case that it should, with any plausibility, be hereafter

asserted that the mass of the people had changed their minds on the subject of Repeal, and were no longer in favour of the Irish making laws for Ireland.

‘Having thus in favour of Repeal the overwhelming majority of the Catholic population—clergy and laity—and having also been joined by many, very many, Protestants—by a large body of Presbyterians, and by some other enlightened Protestant dissenters, it only remains for us to conciliate and combine the residue of the Protestants of every class and description. This, I repeat, is our task, our duty—our pleasing duty.

‘What is it which prevents the remainder of the Protestants of all descriptions from joining for the Repeal? Not any disinclination to have Ireland legislated for by an Irish Parliament; upon that subject Mr. Porter’s letter is a demonstration that all the Irish, of every class, are agreed. But the combination of all is prevented by idle jealousies and unfounded fears.

‘It is our business to remove these jealousies and absurd fears. We should entreat, implore, conjure our Protestant fellow-countrymen to listen to us. We should solemnly assure them that the Catholics desire no civil or ecclesiastical ascendancy; all they desire is perfect equality—that perfect equality which the Repeal of the Union alone can produce.

‘We can most confidently assert that the Irish Protestants ought to place unlimited confidence in their Catholic fellow-countrymen; and, above all, that they ought not to retain any jealousy or apprehension. This is our solemn, unequivocal, and most conscientious conviction and assertion, and we are entitled to be believed. But we will not place the cause of conciliation upon mere assertion: we appeal to facts to prove that confidence should be reposed in the Catholic Repealers by Protestants of all classes.

‘The FIRST proof is adduced from Protestant historians. It is the historic fact that the Irish Catholics were, since the Reformation, three times in possession of political power—in fact, of the government of the country—yet they never passed one single penal law, nor persecuted one single Protestant. I have one thousand times challenged the libellers of the Irish Catholics to give me the name of any one Protestant who was persecuted by the Catholics while in power; no such Protestant has ever been named, simply because none such ever existed.

‘The SECOND proof arises from the language of the Catholics

during the many years of our struggle for Emancipation. We had tens of thousands of meetings, in all of which our claims were placed upon the principle that conscience should be free. Free for others as well as for us. And in not one of these meetings, although guilty of many an indiscretion, yet not one single word of a bigotted or excluding nature was uttered, save upon one occasion, when a phrase considered to be of a bigotted nature having been used, that phrase was emphatically condemned by the all but unanimous vote of two public meetings; there was, indeed, but the single negative of the utterer of the phrase himself—HE STOOD ALONE.

'The THIRD proof arises from the *conduct*—that is, the acts of the Catholic people during the agitation for Emancipation. We had our tens and our twenties of thousands of meetings. We had our Catholic Boards, and Catholic Committees, and, finally, our great Catholic Association. But, there was no riot, no violence, no tumult. No Protestant was injured in person nor in property by the Catholics in their struggle for Emancipation. No Catholic Associator was ever accused of any crime, committed in the struggle for relief, with the exception of myself; and then the charge of sedition was so frivolous that the bill of indictment against me was ignored by a grand jury—the foreman and two-thirds of whom were Protestants, and several of them Orangemen. There was not one single assault committed in the agitation for Emancipation. I, one of the most prominent among the agitators, and, probably—may I venture to say it?—one of the most popular, repeatedly declared that I would abandon the pursuit of Emancipation if it were stained with one single drop of human blood. And, blessed be Heaven! no such stain taints that cause.

'The FOURTH proof is derived from this, that my principle has been throughout, and is, that "*every change of political institutions should be effected by exclusively moral and peaceful means;*" and "*that no amelioration, however in its nature valuable, in the laws or government, should be purchased by any one crime or sin of ever so small a degree—and, above all, is not worth the purchase by the loss of one single life.*"

'This doctrine I have preached and practised. By the assertion and practice of it the Irish people carried the Emancipation—and I, who am the original apostle of this doctrine of peace, possess, it is manifest, the unlimited confidence of the Irish

people. Oh, how idle must be the jealousies and fears of any of our Protestant fellow-countrymen !

'My FIFTH proof is to be found in the conduct of the Catholics after Emancipation. There was no insolence of triumph ; no insult to our former opponents. The usual demonstrations of public joy were forborne. There were no bonfires, no illuminations, no exhibitions of public delight, lest they should be deemed insulting to the defeated Orange party. The active Catholics courted the good-will of the Orangemen ; we entwined the Orange round our Green ribbon ; we did all we could to conciliate. We combined both colours, and we did all we could to combine both populations. I, myself, for more than six years, courted the Orangemen in every way in my power. I was laughed at for my pains. Though no man likes to be the object of ridicule, yet I bore it, and persevered in my efforts to conciliate the Orangemen. They refused to be conciliated, and yet they were suppressed by an Act of Parliament brought in by their own friends, the Tories, an Act which we, the Catholics, did not call for, and which many of us opposed.

'My SIXTH proof is also derived from the conduct of the Catholics since Emancipation, with respect to the parliamentary and municipal elections. In no instance, at any parliamentary election, was a Catholic preferred to a Liberal Protestant. In every instance of parliamentary elections a Liberal Protestant has been preferred to a Catholic. The same principle and practice have prevailed in our municipal elections. In every instance the Liberal Protestants have been preferred to Catholics. The office of Lord Mayor of Dublin has been filled by three gentlemen since the Municipal Reform Bill. The first was a Catholic ; the second a Protestant ; the third is a Catholic ; but his successor, the Lord Mayor Elect, is a Protestant. This evidence of a total absence of a bigotted feeling among the Catholics is the stronger in Dublin, where the Catholics had been, for near forty years before Emancipation, and for several years after, capable, in point of law, of being freemen of the Corporation ; yet, not one single Catholic was allowed to attain even that small benefit. It is not, therefore, from the conduct of the Catholics that these idle jealousies and fears arise ; but, unhappily, from some self-condemnation on the part of several Protestants. It is in human nature that some of them should be unable to believe, even from the most distinct proofs, that others are more liberal than they are themselves.

'The SEVENTH proof that unlimited confidence may be reposed in the Catholic people of Ireland, I draw naturally and forcibly from the conduct of the people at the monster meetings last year; meetings at which not only no violence was committed, but not even one single accident occurred. At the lowest calculation, one million of Irish assembled at Tara; yet not one single person was pressed upon, or trodden upon, or hurt, or injured—aye, even by accident! Are not these a people fit to share in the government of their native land? Oh! how idly are jealousies and fears entertained of such a people.

'The EIGHTH proof is derived from the mighty Temperance Movement. More than five millions, principally Catholics, have taken the pledge. A very small percentage, indeed, have violated it—a percentage so minute as to be almost incapable of enumeration. Temperance carries in its train to the house of the poor man many and many a social virtue. Vice of every kind flies before Temperance. Amongst the Temperance men the religious feeling is easily predominant. The public-houses are deserted; the altar-rails are thronged. Oh, blessed be God! The Irish people are fit to be a nation. Who so fit as they?

'The NINTH proof that the jealousies and fears of Catholic ascendancy are unfounded and preposterous, is grounded on the number and strength of the Protestants themselves. If any attempt were made to establish a Catholic ascendancy, all the Protestants would naturally and necessarily rally against such an iniquitous proceeding. They would be joined by all the liberal and enlightened Catholics, and by all the just, generous and humane Catholics. They would be backed and supported by Protestant England. Their enemies would have all the weakness belonging to injustice. The Protestants would have on their side the powerful moral force of being in the right and suffering unjustly wrong. I do firmly repeat it, that nothing in nature can be so absurd as for the Protestants of Ireland to apprehend a Catholic ascendancy.

'My TENTH proof of the idleness of any such fear is the fact that, from the state of property in Ireland, a very great number of the members of the House of Commons *must* be, and probably a majority *would* be, Protestants. In the Irish House of Lords the Catholic peers are about five per cent. of the entire. How is it possible to apprehend that any ascendancy law could pass such a parliament? And it is still more impossible that such a

law should receive the assent of the Protestant Monarch of Great Britain and Ireland.

‘My next proof is deduced from the conduct of the Repeal Association and its agitators, on the triumphant event of the reversal of the judgment against leading members of the Association. There never was a prosecution more vexatiously conducted. The usual courtesy—a slight one in itself—of allowing us to appear by attorney, was refused. We were compelled to be in readiness to appear in court every passing hour. I will not dwell upon the one-sidedness of the charge of the Chief Justice, whose nephew has got an excellent place in the Castle, and whose son-in-law has got that excellent thing, an Irish bishopric, from the prosecuting Government; neither shall I dwell on the now-for-ever-admitted on the face of the record, fraudulent management of the jury list; nor shall I dilate upon the unjust imprisonment which we have sustained for no less than three months: an imprisonment for which, as the record now demonstrates, there is no kind of justification or palliation; an imprisonment which the Court itself offered to suspend if the Attorney-General, that is, the Irish Government, would consent. I pass over, also, without comment, what Lord Cloncurry has called the “projected massacre at Clontarf.” I pass these by for the present as materials, I trust, for parliamentary inquiry and impeachment. But I avail myself of them for the single purpose of showing that never were men so provoked, so unjustly stimulated to irritation and revenge, so excited to break out into an exuberance of revengeful joy; never were there a set of men more entitled to all the violence of triumph at the ultimate reversal of the judgment; yet, Protestant Non-Repealers, we appeal to you whether passion was not suppressed, irritation and excitement mitigated and soothed, every species of insult avoided; agitation, instead of being inflamed, cooled down into something that has been reproached by our enemies as timidity: yes, we have preferred the appearance of what we could not feel, timidity, by the excess of our meekness, to anything that could prevent a single Non-Repealer from joining the ranks of his country.

‘Non-Repealers, reflect deeply upon these different topics; you have everything to gain, you can have nothing to lose, by the Repeal. The Repeal will restore to Ireland a circulation, in employment, wages, and business, of not less than six millions per annum; but I am not at present arguing the question; every

man in Ireland intuitively knows that the Irish ought to make laws for Ireland, and that no country was ever governed for the benefit of its people by another country.

‘I shall simply confine myself to a quotation of the most perfect truth from the late Lord Chief Justice Bushe. His words are: “*I forget for a moment the unprincipled means by which the Union has been promoted, and I look on it simply as England reclaiming, in a moment of our weakness, that dominion which we extorted from her in a moment of our virtue—a dominion which she uniformly abused—which invariably oppressed and impoverished us, and from the extortion of which we date all our prosperity.*” He added: “*The Union is a measure which goes to degrade the country, by saying it is unworthy to govern itself. It is the revival of the odious and absurd title of conquest; it is a revival of the abominable distinction between mother country and colony which lost America. IT IS THE DENIAL OF THE RIGHTS OF NATURE TO A GREAT NATION FROM AN INTOLERANCE OF ITS PROSPERITY.*”

‘Now, I take it that no proposition was ever so perfectly clear as this: that Ireland cannot, and will not, submit to that denial of the rights of nature which belonged to her as a great nation and a virtuous people. It is perfectly clear that things cannot remain as they are: there must necessarily be a change. This is asserted as distinctly and emphatically by the Conservative member of the Corporation of Dublin, the talented Dr. Maunsell, as it is by me. The Irish people have more of the virtue of perseverance than the people of any other country on the face of the earth—they have been spoliated of property, it is true, but they have retained—tenaciously retained—their opinions, their sentiments, their affections; and, above all, they have clung to their religion with desperate fidelity. They are, I repeat, the most persevering people on the face of the earth; they never will, they never can, abandon the cause of Repeal; and they will ultimately carry that measure as assuredly as that to-morrow’s sun will rise. Whilst we, leading Agitators, and particularly whilst I happen to live, they will never seek to carry the Repeal by forcible or violent means; but the man is worse than mad who does not perceive, in the conduct of the Irish people, that determination to establish self-government which, when the present leaders, and I amongst them, are removed, may well produce separation, but can never tolerate the continuance of the Union.

'This, indeed, is just the time to carry Repeal, peaceably, quietly, legally, constitutionally. We are arrived at a time when, if the Protestant and Catholic Non-Repealers abandon their apathy or opposition, and join in the agitation for the Repeal, the Union can be repealed without danger, difficulty, tumult, or force; and without, in any way, disturbing the rights of property, or the enjoyments of social life. A bloodless political change, such as that of 1829, can now be achieved without difficulty; a bloodless political change, such as that of 1782, can now be achieved without the least difficulty. Lord Althorp himself, when opposing the Repeal, because called for by only a section, however large, of the Irish people, declared that if the entire of the Irish nation required that Repeal, they were entitled to it. This proposition was full of plain good sense. In fact, if the Irish nation were combined in a peaceable and legal struggle, resistance would be vain or impossible.

'This is just the period when the Union could be repealed in the manner most satisfactory to those Protestants who have hitherto been neutral or adverse, by reason of their fears of tumultuary or violent proceedings. The Repeal Association is ready, I am ready, for one humble individual, to join in the modes of acting most satisfactory to the timid or reluctant. It is a period in which the lead would be given at once to the aristocracy of wealth, and to the persons most extensively interested in the prosperity of the country. The Repeal Association does not require any O'Connellite party. We are all ready to give to the House of Leinster, if, oh Heaven! that family would once again join for Ireland; we are ready to give the illustrious Charlemont family—a family bearing a name to conjure with; we are ready to give to any other of the Irish aristocracy; we are ready to give to Mr. Grey Porter, or Mr. Sharman Crawford, or to any other gentleman of talent and fortune—Protestant or Catholic—the lead in the great movement. Especially we are ready to give, and we are giving heartily and cordially, to Mr. Smith O'Brien, to the Honourable Mr. Hutchinson, and to our other Protestant associates, the lead in the great struggle to reinstate Ireland amongst the nations.

'Indeed, the unlimited confidence which Mr. Smith O'Brien has acquired, and which the Hon. Mr. Hutchinson is daily acquiring, should demonstrate to all right-thinking Protestant Non-Repealers with what facility they would obtain their proper

weight and importance, and consideration, in the contest for the Repeal, and for the reconstruction of the Irish Parliament.

' This is emphatically the time for Catholic and Protestant Non-Repealers to join in the agitation.

' If they wish, as they naturally must, to share in the government of their own country; if they desire to secure their estate from future convulsion, and if they wish to increase tenfold the value of their property, they will join with us in procuring the re-establishment of the Irish Parliament, without which there can be no lasting tranquillity in Ireland.

' This, emphatically, is a period when good-humour, good temper, the disposition to conciliate, and the anxiety to combine all classes, prevails amongst the Irish people; there is nothing revolutionary in the dispositions of the Repealers; quite the contrary, an anxiety to prevent any forcible change, and to maintain the social state unimpaired and improved.

' Never was there a period of more good temper and hilarity; this is the time for peaceful combination of all sects and persuasions; the very fact of there being a large military force in Ireland at present ought to give additional security against the prevalence of any violent or revolutionary disposition; and that army which has been sent here to prevent Repeal would necessarily be protective of the peaceful settlement of the great question.

' Everything favours a combination at the present moment; even the prevalence of the hitherto scattered elements of Federalism now facilitates our great object.

' It is true that Federalism has not, as yet, displayed itself in the strength which, I believe, really belongs to it. I know there are numbers of individuals who have not joined the Repeal Association, and yet are opposed to the continuation of the Union upon its present basis, and desire a Federal connection in its stead.

' In inviting those persons to join in the contest for Repeal, it is incumbent upon the Association distinctly to trace out how far "simple Repealers," and "Federalists" can go together; as also to point out how far the road is common to both; and to show distinctly where a difference, if any, arises between them. It is our duty to canvass the particulars of that difference, and to yield to whatever appears most practical and most useful to Ireland.

‘For my own part there never lived a being who would less than myself claim any species of infallibility. I would yield, for the sake of co-operation, everything but principle. I would follow in the track of any man who seeks for the restoration to Ireland of the power of legislation.

‘Let me, then, state the principles upon which the “simple Repealers” desire to act; and let me show how far the “Federalists” concur in those principles.

‘The **FIRST** principle is founded on the determination, at all hazards, to preserve the connection between Great Britain and Ireland, through the means of the power of a sole executive, and the golden link of the Crown.

‘In this principle both “simple Repealers” and “Federalists” completely agree.

‘The **SECOND** principle results from the necessity of the Repeal of the Union Statute, 50th Geo. 3d, chap. 47.

‘That statute must be put out of the way legally and constitutionally.

‘In this principle “simple Repealers” and “Federalists” equally agree. Both, in fact, being *Repealers of the Union*—because Federalism can commence only after the repeal of that statute.

‘The **THIRD** principle arises from the necessity of a reconstruction of the Irish Parliament.

‘This principle belongs, in common, to both classes of Repealers, “simple Repealers” and “Federalists;” because, the mere repeal of the Union statute would not answer the purposes of either party. The mere repeal of the Union statute would revive the Irish Parliament, without the benefit of any reform schedules—it would give two members to the ruined abbey of Tulske, two members to the round tower of Kilcullen, two members to the SANDS of Bannow, and two members to the churchyard walls of Clonmines. This would never do. “Federalists” and “simple Repealers” agree that this would never do,

‘There must, therefore, be a reconstruction of the Irish House of Commons.

‘The **FOURTH** principle consists in the restoration of the Irish House of Lords in all its integrity.

‘Thus far, all parties, “Federalists” and “simple Repealers,” are agreed.

‘There is one distinction which should be clearly understood,

and all confusion avoided on the subject—that is, a distinction between the *MODE* of reconstruction of the Irish Parliament, and the *POWERS* which shall be vested in that Parliament when reconstructed—

‘First, reconstruct your Parliament; and, secondly, decide what powers that Parliament shall have when reconstructed.

‘Upon the mode of reconstruction of the House of Commons, the “Federalists” and “simple Repealers” might and ought to agree. It is true that the “Federalists” have not, as yet, any official organ, and, therefore, there is no statement of their views as to that reconstruction. It is also true that Mr. Grey Porter has, on this subject, thrown out objections to popular plans for reconstructing the Irish House of Commons; and these objections, coming from him, deserve the greatest weight, and merit the fullest and most deliberate consideration. He himself appears to be of that temper of mind, that he will patiently consider the arguments that may be used to solve his objections; and whatever the result may be, the discussion of these objections shall be conducted in the most amicable way and in the best temper.

‘The simple Repealers, on the other hand, have long since laid their project before the public. They propose that the number of members should continue the same as the former number in the Irish House of Commons—namely, 300.

‘They propose that the representation should be based upon the numbers of the population—that being the basis adopted for the English counties by the English Reform Bill. Let this be kept in mind: population, exclusively, was the basis of the augmentation of the representatives of the English counties by the English Reform Bill.

‘Taking up this English basis, the “simple Repealers” submit that there ought to be in Ireland 173 County Members: of these, Antrim would have 6; Armagh, 6; Fermanagh, 5; Londonderry, 5; Tyrone, 6; Down, 7; Monaghan, 5; Cavan, 5; Donegal, 6—total for Ulster, 50. I mention these particulars regarding Ulster to show that in our proposal complete justice is done to the Protestant province of Ulster, upon the same scale, precisely, with the other provinces.

‘There being thus 173 members allotted to the counties, there remains for the towns and cities 127—of which, for example, four are allotted to Belfast, four to Limerick, and two to the Dublin University.

‘The schedule to the report presented to the Repeal Association, on the 4th of May, 1840, will give full details to anybody who takes the trouble of examining our suggestions for the reconstruction of the Irish House of Commons.

‘The Repeal Association has also suggested that the franchise should be based on household suffrage, and that the mode of voting should be by ballot. But these are particulars perfectly open to discussion between the “simple Repealers” and the “Federalists.”

‘As to the vote by ballot, however, I, for the present, shall offer but one observation, and that is, that whatever objections may be started to this mode of voting, it is in its nature a *peaceable* mode of giving the vote, and one that excludes the possibility of violence or rioting.

‘It is now for the “Federalists” to suggest their plan of reconstruction of the Irish House of Commons. It is not unlikely that the “*Federalists*” and “*simple Repealers*” might agree amicably upon the mode of reconstruction; at all events, the discussion upon such points can be, and I doubt not will be, conducted in a fair, impartial, and amicable manner, and in the absence of heat or violence; discussion, instead of being shunned by the “simple Repealers,” is anxiously invited by them; they do not desire to dictate to anybody.

‘The Irish House of Commons being legally constructed, a question of great importance arises: the real question between the “*Federalists*” and the “*simple Repealers*.” That question is, what shall be the extent of the powers of the Irish Parliament?

‘Both parties are agreed that these powers should be sufficiently extensive to enable the Irish Parliament to protect the lives, liberties, and properties of the Irish people; that it should have power to enact all laws to be of force in Ireland; in short, that it should be an efficient parliament for all legislative, financial, and judicial purposes, within her Majesty’s realm of Ireland.

‘The “simple Repealers” are of opinion that the reconstructed Irish Parliament should have precisely the same power and authority which the former Irish Parliament had.

‘The “Federalists,” on the contrary, appear to me to require more for Ireland than the “simple Repealers” do; for, besides the local parliament in Ireland, having full and perfect local authority,

the "Federalists" require that there should be for questions of Imperial concern, colonial, military, naval, and of foreign alliance and policy, a Congressional or Federative Parliament, in which Ireland should have her fair share and proportion of representation and power.

'It is but right and just to confess, that in this respect the "Federalists" would give Ireland more weight and importance in Imperial concerns than she could acquire by means of the plan of the "simple Repealers."

'If there were such a congressional parliament as the "Federalists" propose, one-third, or thereabouts, of the members ought to be Irish; giving to Great Britain the other two-thirds.

'But as yet the "Federalists" have not spoken out; Mr. Grey Porter has promised his project, but the time within which he was to produce it has not arrived. It is to be wished that some authentic statement should be made on behalf of the "Federalists." This, at least, is certain, that any such plan will be received with deferential respect, and canvassed by every honest Repealer, with perfect candour and earnest solicitude to arrive at a just and beneficial conclusion.

'For my own part, I will own, that since I have come to contemplate the specific differences such as they are between "simple Repeal" and "Federalism," I do at present feel a preference for the Federative plan, as tending more to the utility of Ireland, and to the maintenance of the connection with England than the mode of simple Repeal. But I must either deliberately propose or deliberately adopt from some other person a plan of a Federative Union, before I bind myself to the opinion which I now entertain.

'I have laid my thoughts upon this subject before the Association at greater length than I intended; but the importance of the topics I have discussed justifies the length of my commentary.

'I invite my countrymen of every class and persuasion to join us. I invite, in particular, all those who lean to Federalism to propound their plans, and to discuss with us amicably and candidly the respective merits of a "Federative" or "simple Repeal" connection with Great Britain.

'The Federalists cannot but perceive that there has been, upon my part, a pause in the agitation for the Repeal since the period of our liberation from unjust imprisonment; they must

perceive that, on the part of the Repealers, every passion has been hushed, and all the energy of complaint suppressed, in the expectation of a Federal movement. This calm has been made in compliment to the friends of Ireland who have not as yet joined the Repeal standard. We anxiously await their patriotic co-operation.

‘But, should they allow the present favourable occasion to escape, they may hereafter regret not having obtained that influence in the Repeal cause which everybody is now ready to give them; but which they may hereafter find it exceedingly difficult, if not impossible, to obtain.

‘This, therefore, is the propitious moment, especially for the wealthiest classes, to join in the struggle for Irish independence. They can *now* take their natural station at the head of the movement. They can *now* model and regulate proceedings in which they may not, hereafter, find an opportunity to take the part which they would wish and be naturally entitled to.

‘There are two propositions perfectly clear—

‘FIRST—That matters cannot remain as they are in Ireland, but that the Repeal movement must accumulate in power and force, in spite of every obstacle.

‘SECONDLY—That the British Minister cannot conduct the affairs of Ireland upon a Protestant or Orange principle.

‘Violent anti-Poperyism, or violent Protestantism, can no longer be the road to emolument and promotion.

‘The Government can no longer connect itself with a sturdy or active No-Poperyman. On the contrary, the Government must necessarily be driven to prefer renegade or courtly Catholics to over-active and over-zealous political Protestants.

‘In short, the hypocrisy of impartiality towards all will necessarily exclude all the violent amongst the remaining Orange party from Government favour.

‘The government, by or for a mere Protestant party, is at an end; there must be what may be called a “practical pretence of liberality, which will necessarily exclude from patronage the over-zealous or over-active amongst the late ascendancy party.

‘In the meantime, everything bids fair for the prospects of the Repeal Association. The people of Ireland perceive that the game is nearly won, and that success, though it may be postponed, cannot be prevented. The Irish people also perceive that if ALL the Non-Repealers do not join us, many are daily

acceding to our ranks ; and by our combining conciliation with firmness, sincere kindness with unremitting determination and activity, the Repeal must be carried, and Ireland become a nation again.

‘ Let us, then, be active, energetic, conciliatory. Let us, if possible, combine all classes ; but let us not forget that we have already more than moral force enough to render a long resistance to a peaceable and legal Repeal of the Union impossible. It is a mere question of time—the Repeal itself is certain. Hurrah, then, for the Repeal !

‘ I have the honour to be, your faithful Servant,

‘ DANIEL O'CONNELL.’

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