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IN JUNE WILL BE PUBLISHED,

TALES OF THE MUNSTER CIRCUIT.

EDITED BY THE AUTHOR OF

IRELAND AND ITS RULERS,

INCLUDING :—

1. THE ELOPEMENT FROM ENNIS.
2. NIGHTS ON THE SHANNON.
3. THE WHITE ROSE OF EAST MUSKERRY.
4. FATE OF A GENIUS.
5. THE BRIDE OF DUHALLOW.
6. THE KERRY HERO.
7. THE DROWNED JUDGE AND HIS GHOST.
8. THE BREACH OF PROMISE.
9. FAIR FANNY, AND
10. CURRAN'S LAST CIRCUIT.

# ERRATA.

- Page 34, Four lines from end, for *smuttily* read *smutty*
- Page 70, at line 13, for *required* read *acquired*
- Page 78, at line 8, for *Barton* read *Byrton*
- Page 124, at line 11, for *short* read *stout*
- Page 113, at line 12, for *ultimately* read *alternately*

I R E L A N D

AND

I T S R U L E R S :

SINCE 1829.

PART THE SECOND.

“ ——— sentire quæ velis, et quæ sentias dicere——— ”

TACITUS.

L O N D O N :

T. C. NEWBY, 65, MORTIMER ST., CAVENDISH Sq.

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1844.



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# P R E F A C E

TO THE

## S E C O N D    P A R T .

The AUTHOR having, in the Preface to the Second Edition of the first part of this work, stated at some length his view in writing it, thinks it only necessary to add that in the Third Part (to be published in April,) will be found some remarks on the Irish PEOPLE as distinguished from their politicians—and on Irish character in general. In concluding his account of the “Rulers,” he will feel it necessary to state explicitly his own opinions on the government of Ireland.



## CHAPTER I.

### MEN AND MEASURES IN 1833.

“ Let us encourage moderate opinions—find the proper medium in all disputes—persuade each that its antagonist may possibly be sometimes in the right, and keep a balance in the praise or blame, which we bestow on either side.”

DAVID HUME.

THE reader will have perceived from the first part of this work, that the administration of Irish affairs by the Grey Cabinet, had been, up to the year 1833, attended with ill success. His attention will now be directed to the gradual change that took place in the views and opinions of the Whigs with respect to the politics of Ireland.

When the time shall arrive for unveiling the conduct of Lord Grey's Cabinet, it will be found that even from its formation there

had been an extreme dissimilarity of opinions amongst the distinguished persons who composed it. There have been few administrations which numbered so many statesmen with acknowledged claims to confidence, on the score of great social influence—long public services—and personal worth of character. Earl Grey himself was a notable specimen of a thorough Whig statesman. You forgave him his arrogance, when you remembered his stainless honour, and you felt disposed to forget the want of chivalry in his cruel assault upon the gallant and high-souled Canning, on recollecting the uncrouching attitude which he had for fifty years exhibited towards the parasites of a debauched Court, and the pauders of a reckless multitude. Brougham was then at the zenith of his popularity and power. He was at that time the theme of admiration amongst all sections of the Liberal party, except in a certain select coterie of the Benthamites, and in *his own Cabinet*. His colleagues were quite in earnest when they whispered that they dreaded him, but the Utilitarians were rather affected when they said that they despised him. All who knew the man felt that he was truly formida-



ble to his friends—his enemies—and to himself. His intimate associates perceived that he had the habits of a demagogue, and a morbid desire for false glory, and even his merest toady was compelled to admit that the Whig Chancellor had not the temper of a statesman.

This is not the place to discuss the quarrel of Lord Brougham with the Whig party—a quarrel unhappy in its origin, and disastrous in its results. Since Burke (fully justified by the circumstances of the times) rent asunder the Whig party in 1790, no secession had ever injured it more than that of Brougham, who, unlike Burke, had only *personal* reasons for assaulting his former associates. It would be difficult to write with calmness on the original causes, and the real motives of this deplorable contest. That Brougham was most unjust to himself—that he betrayed want of true dignity in making the whole Whig party responsible for the paltry spite, which certain individuals exhibited towards him, must be readily admitted, as well as that he confounded the haughty self-assertion of genuine pride, with the indiscriminate recklessness of the wild spirit of revenge. All this may be admitted, but every

one who had really the permanent good of the Whig party at heart, was sorry that no means were taken *to manage him*; and that the characteristic dread of popular talents, which had excluded Burke and Sheridan from former Cabinets, was felt by a large part of the Whig leaders towards Brougham.

The answer to Lord Grey's ill-judged offer of the Attorney-generalship in 1830, rankled in the recollection of certain proud Whigs; and some noble persons of mere hereditary celebrity, and mere corporate distinction, were envious of the vast talents of him, who would possibly have been the greatest, if he had not certainly been the strangest man of his age. For to Brougham, far more than to the original subject of the remark, is the fine saying of Lord Wellesley upon Napoleon, truly applicable—"He was of that order of spirits, who make unto themselves *great reverses*."

That was certainly a great Cabinet which could boast of the honourable consistency and vigorous character of Grey; the oratorical genius and far spread fame of Brougham; the social weight and substantial popularity of Althorp; the extensive influence and marked principle of Durham; the moral worth, ex-

cellent sense, and well-considered views of "Lord John;" the debating powers of Stanley, and the administrative talents of Graham, without reckoning up the respectable abilities of Ripon, the amiability of Lansdowne, and the cleverness of Palmerston. In the Ministry of "all the talents," there was not so great a mixture of wealth, aristocratic influence, and public talent ability, as in the administration of Lord Grey: yet strong as was that Cabinet, it was broken up by—Ireland.

In the commencement of 1833, when the Irish Question came more immediately under the cognizance of the whole Cabinet, than it had done previously, (for the Reform Bill agitation had been all absorbing in its interest) the first appearance of a schism in the Grey Cabinet, began to be visible. It was then felt that a Cabinet could not last long with Ministers so opposed in their views as the Duke of Richmond, and the Earl of Durham; as the rather querulous Lord Grey, with the very overbearing Brougham, not to speak of other members whose incongruity became apparent, owing to the juncture of affairs at that particular time. The steady friends of the Grey Cabinet were by no means sorry when Lord

Durham tendered his resignation of the Privy Seal. They thought that the noble Earl would do more good to his own reputation, and less harm to the public cause, when he retired from the Cabinet.

There was just at that time, (in the Spring of 1833,) a difference of opinion in the Cabinet upon the best mode of conducting Irish affairs. *The question was simply whether it would be right to make advances towards O'Connell, and come to some terms with the agitators?* The Repealers were then making strong head in the House of Commons, and were reinforcing the Radicals, who were pressing hard upon the Whigs. Some of the Cabinet utterly loathed the notion of having any compromise with O'Connell, and deemed the idea most dangerous, but others who were quite as hostile to the ostensible purposes of O'Connell, thought that probably his real views were very different from those which he avowed, and that to enter into some arrangement with him would be favourable to the peace of Ireland, and advantageous to the integrity of the empire.

Between the two parties in the Cabinet, a compromise was effected, for just at that time, the Ministers were tolerably in accordance with

each other upon most political questions. An arrangement was effected which satisfied both parties. The Privy Seal was accepted by Lord Ripon, who resigned the Secretaryship of the Colonies in favour of Lord (then Mr.) Stanley. Thus it was hoped that by the removal of an obnoxious Irish Secretary, and by the appointment of a more popular one, to smooth the way to a better understanding between the English Cabinet and the popular leaders of Ireland.

SIR JOHN HOBHOUSE was appointed Secretary for Ireland, and his nomination was considered a decidedly liberal indication on the part of the Cabinet, though most of the Reformers considered it an inconsistent step on the part of the Radical Baronet to take place from a high, Whig Ministry.

Many remarked that the quondam hero of the Westminster hustings, would find himself in an awkward position, when placed in juxtaposition with those very men, who in former times had been visited with such unsavoury showers from Sir John's staunchest partizans; and the fact of a Palmerston and a Hobhouse being seated side by side members of a Whig Cabinet, was wittily compared to the meeting, (in a farce of Garrick)

between the prostitute and the puritan, on the banks of Lethe.

Sir John Hobhouse was popular amongst a large class of the Liberal Party, and from his long experience and activity in public life, he had worked himself up to a very fair reputation for Parliamentary ability. It was feared, however, that he wanted the decision requisite at that time for an Irish Secretary. It had been observed that he had acquired the best part of his celebrity by having been contiguous to some person greater than himself, and that he shone with the dubious lustre of reflected light. As he had enhanced his reputation by having been the associate of Byron, so he had increased his democratic popularity by his co-partnership with the "Old Glory" of Westminster. It was supposed that such a character would in Ireland have been more of a follower than a minister, and that he would have been dragged along by the chivalric spirit of Lord Anglesey, or been kindly run over by some "damned good natured friend" amongst the demagogues.

However all speculations concerning Hobhouse's merits as a Secretary for Ireland were soon set at rest by his resignation of the office

under very peculiar circumstances. He had pledged himself to vote for the abolition of the House and Window Tax, and had accepted office—his constituents still supposing that he intended to redeem his pledge. But it so chanced, that one night, the Ministers were left in a minority upon a motion of Sir William Ingilby's, by which two millions were knocked off the Malt Tax, and the Chancellor of the Exchequer was obliged forthwith, to give up all hopes of repealing the House and Window Tax. . In these circumstances, Hobhouse thought that from his previous arrangements with his constituents, he could not decently be counted amongst the followers of the Minister, upon the motion of Sir John Key, for the Repeal of the House and Window Taxes, which motion it was supposed, at one time, Sir John Hobhouse would have seconded. Under these circumstances, he thought very rightly, that the best way of preserving his political reputation, was to resign both his office and his seat for Westminster. Opinions were very divided upon the whole of his conduct relative to the entire transaction. Some sour and snarling Radicals were but too successful



in ousting him from Parliament, and enabling Sir George Evans, K. C. B. to achieve the greatest victory he ever gained, thereby giving a colour to the charge that Sir John had deceived his constituents—an accusation which could have originated only in the minds of blockheads, or been brought forward by electioneers. Hobhouse's conduct, in the whole transaction, was honourable, and marked with high spirit, though in the particular juncture of affairs at that time, it is certain that with his previously avowed political opinions, he was far too hasty in joining the Ministry of Earl Grey.

In consequence of that unpleasant affair, the Grey Ministry were placed in a dilemma about choosing a Secretary for Ireland, and after considerable delay the present Lord Hatherton, at that time member for Staffordshire, was nominated to the office.

EDWARD JOHN LITTLETON was one of the best Secretaries that ever held power in Ireland. He was manly—frank—and sincere. His frankness was perhaps pushed too far for an official personage, but having all the ideas of propriety inherent to the nature of a thoroughbred English gentleman, he knew not how to

deceive, and did not even suspect that others would stoop to political chicane.

When he was appointed by Earl Grey to the Irish Secretaryship, he was very much respected in the House of Commons. He was no mean, sycophantic place-hunter; he was no seeker after a share of the public monies for his brothers and his cousins; he was no dishonest Radical, bawling out democratic opinions on the hustings, and laughing at them in the club! The eminence of his rank in the English Commonage, made the title of "M. P." of little value to him, in times when that appellation was shared by a retired prize-fighter, and an Irish Tithe proctor. His public reputation was better than brilliant; he was influential from the sincerity of his politics, and from the personal worth of his character.

It was thought by the Grey Cabinet that such a man would be valued in Ireland, after the fierce and contentious spirit of Lord Stanley, so active and eloquent, but alas! so impulsive and headstrong. The expectations of Mr. Littleton's many friends were not disappointed in his general conduct as an Irish Minister, though by the most disagreeable circumstances at the termination of his career, he

was partly the means of bringing the Cabinet into an unpleasant situation.

In the Irish office, it was impossible for any Secretary to have shown more of the qualities attributed to the "honest Shippen" class of public men. He was singularly straightforward; it was just as hard to bully him as his predecessor, but unlike Lord Stanley, Mr. Littleton appeared careless of the honour of being "good at a fight." The flattery of the baser Irish gentry, and the fury of the more reckless Irish demagogues, were equally harmless to his heart and head. He was endowed with one pre-eminent qualification for an Irish Secretary, namely—the disposition to put the best face upon matters—to look at things hopefully—and not to construe every idle exaggeration *au pied de la lettre*. He was neither quick nor penetrating, but he was generally accurate in his observations, and for the most part correct in his judgment. His temper more than his talent fitted him for the office to which he was appointed.

Scarcely had he been nominated to the Irish Office, when the political current began to run with much less violence. All those who had any transactions with the government officials,

whether as Magistrates, or Barristers, or Members of Parliament, cannot fail to remember ; how things seemed to go, and really did go, much better than before. The doors of the Irish office opened with oiled hinges, and access to justice was freer, and attended with less difficulty. Much of this change arose from the very friendly feeling which subsisted between Mr. Littleton, and many of the Radical representatives.

Still, however, it was undeniably true that the best man, without good measures, could not make much impression upon the political public of Ireland. The country wanted genuine Reforms, but what should be their nature it was then, as it is now, extremely difficult to ascertain—and still more difficult to carry through Parliament.

The Tithe question was then the *cheval de bataille* of the Irish Liberal party. The system under which the Church had received its revenues, had been excessively vexatious for many years, and consequently a theme fertile of philippics to the agitators. Down to the year 1833, the system under which Tithe was levied was nearly as bad as in those days, when Grattan, in the Irish House of Commons, made

a wonderful effort of genius, in discussing and anathematizing the whole system.\*

Many of the Irish Whigs, who were decidedly opposed to the machinations of the Repealers were quite ready to agitate against the system of Tithes, though they were not prepared to go to the extreme length of desiring that the Church should be wholly taken away. They felt that the annihilation of the Establishment would destroy the most powerful link that bound England and Ireland. They considered that the permanence of property in Ireland, was associated with its political incorporation with England; and several thought, that if the Church were to be levelled, that property and existing interests would be much endangered. They were besides, desirous for union with England, in preference to such a domestic Parliament, as they saw they had the chance of getting in a land of fanatical Parsons, and fierce, agitating Priests; of a broken down gentry, with dilapidated fortunes, and

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\* All the subsequent orators, who expatiated upon the evils of the Irish Church, drew their inspiration from that extraordinary speech, confessedly in the opinion of the best judges, one of the five great speeches of modern times.

of mercenary patriots, with habits of political pravity. They might *in other circumstances* have been desirous enough for an Irish Legislature, but they were by no means anxious to obtain it, on the terrible alternative of being governed by the *infima plebs* of a country, with the most corrupt gentry, and the poorest peasantry in the world. In such a state of things they were ready to concur in the views of their great representative, and eloquent spokesman, Lord Plunket, who had repeatedly affirmed, that the destruction of the Protestant Church in Ireland would be the immediate precursor of the dissolution of the Legislative Union.

Still however the Whigs of Ireland were anxious to have the galling evils of the Tithe system done away with, and to have the Church placed more upon the real property of the country. They wished also that the Irish Church should be reformed from within, for the sake of its own spiritual character. The monstrous abuse of four Archbishops in Ireland, while England had only two; with other gross abuses, they all, as Protestants and Liberals, were anxious to see removed. The measures, therefore, which Lord Althorp had introduced in the Session of 1833, purporting

to be an Irish Church Reform, under the name of "The Temporalities Act," received from the Irish Whigs hearty and sincere support. And with one or two exceptions, they were all ready to support the celebrated "hundred and forty-seventh clause."



## CHAPTER II.

### MEN AND MEASURES IN 1833.

“ All governments and societies of men do in process of long time gather an irregularity, and wear away much of their primitive institution. And therefore the true wisdom of all ages hath been to review at fit periods those errors, defects, or excesses, that have crept insensibly into the public administration,—to brush the dust off the wheels, and oil them again;—or, if it be found advisable, to choose a set of new ones.”

ANDREW MARVELL.

In order to shew the extreme difficulty of a Whig Ministry legislating with effect for Ireland, so long as the House of Lords identifies itself with the Tory party, it may be useful to glance at the history of the Irish Church Temporalities Act.

The Act thus passed (3 and 4 William IV. c. 371,) is entitled "An Act to alter and amend the laws relating to the Temporalities of the Church in Ireland;" and consists of 154 clauses. Its leading provisions may be shortly stated. The number of bishops was reduced from twenty-two to twelve, by the union of sees, as the present incumbents die off. After the death of the present incumbents, also, the income of the Archbishopric of Armagh is to be reduced from its present amount of £14,500 to £10,000, and that of all the other sees which may be worth more than £4,000 a year, to that sum, with the exception of the Bishopric of Derry, the value of which was then about £12,000, and which was to be reduced immediately to £8,000, and eventually to £6,000. The leases of the bishops' lands were converted into perpetuities, by which it was supposed that a sum of about £1,000,000 sterling (it was originally calculated at three times that amount) would be realized. The exaction of vestry cess was abolished. So also that of first-fruits, in the stead of which there was imposed upon all livings above the actual yearly value of £300, an annual tax, varying in its rate according to the value of the living. The money

arising from these different sources is paid to a board of commissioners, consisting of the Lord Primate, the Archbishop of Dublin, and four of the other bishops, together with the Lord Chancellor, and Lord Chief Justice of Ireland, when the latter is a member of the Established Church; and is, under their direction, applied to the augmentation of small benefices, the building of churches and glebe-houses, the meeting of those expenses which had hitherto been defrayed by the vestry cess, and other purely ecclesiastical objects. The board has also the power of suspending the appointment of ministers to parishes in the gift of the Queen, or of any ecclesiastical corporation, in which no service has been performed for the space of three years.

This measure of Irish Church Reform was the source of constant trouble to the Ministerial party throughout the session of 1833. It had been originally brought in, and read a first time on the 11th of March, but Mr. Wynn, by taking technical objections, contrived to get the order for the second reading, which stood for the 14th, discharged. It was proposed anew on the 1st of April, and it remained in committee until the 5th of July.

In the mean while, on the 21st of June, Lord Stanley proposed to leave out the celebrated 147th clause, by which it was enacted that the money accruing from a new arrangement of Bishops' lands might be applied in any way that Parliament chose. That one clause involved great principles, and undoubtedly merited the gravest political consideration.

The conduct of the Grey Ministry in reference to this famous clause, was exceedingly weak. Under the circumstances of the case, the point in dispute was raised most unskillfully. They managed matters so as to embarrass the Reform party very considerably—to introduce sources of dissension, and to give no compensating principles of strength. For example, the clause appeared to sanction the principle of the State's right to direct the Church's property to other than ecclesiastical uses. The Ministers by introducing this clause exposed themselves to almost as much Tory hostility, as if they had affirmed the propriety of abolishing the Irish Church. In fact the keen-sighted men at each extreme, saw that the whole question was raised, concerning the right to deal with Church property. The Grey Cabinet, from nervous timidity, and a

desire for quiet proceedings, evaded the question of "what they actually meant by this clause?" and "How far they were disposed to apply it?" Mr. Hume, and other politicians of his stamp, considered that if this clause were passed, they would soon be able to drive a wedge through the Irish Church.

The Ministers protested against the interpretation which had been put upon the clause. They contended forsooth that the money proposed to be dealt with by Parliament, did not belong to the Church at all, because it was the creation of an act of the Legislature. But it was evident that the Radical party did not concur in this forced interpretation of the Ministers. They were quite ready to wink at the Cabinet smuggling a forbidden principle through Parliament, and afterwards availing themselves of it, as a means for assaulting Church Establishments. The Tories considered that the Irish Church should be defended as an outwork of the English Establishment, and their dread of the clause was encreased by the earnest anxiety of the Radicals to have it passed.

It was evident, however, that the clause would pass the Commons, if Ministers desired.

Sir Robert Peel could only bring to the rescue some hundred and thirty Conservatives, aided by a score or thereabouts of nondescript members. There was, however, the House of Lords, the vast majority of which were opposed to the whole Bill. But would it be sound policy, to bring the two Houses into violent collision?

Persons now look back with great calmness to the transactions of ten years ago, and will even smile at the exaggerated feelings that pervaded the ultras of each party. The fears of one extreme were as foolish, as the hopes of the opposite were absurd. While one class of reckless levellers, and conceited Revolutionists, hoped to find in turbulent times, the means of satisfying their morbid vanity, and rejoiced in believing that England was fast progressing to a Republic, the other extreme were almost inclined to fear the same consummation, but they resolved not to be swept away without a struggle. There can be no doubt that the Aristocracy in 1833 would have fought hard for their properties and privileges, if the leaders of the Masses, had been either sufficiently criminal or audacious to dare it to the field. The English Aristocracy, unlike the old French *noblesse*, was not worn out, or debauched. On

the contrary, it was as remarkable for the union of moral and physical vigour, as any other portion of the Anglo Saxon race. And if the movement had unhappily gone too far, it would have been found that in the end, the English people would have been coerced by an oligarchy, instead of arriving at the imaginary Republic, which the fantastic and absurd levellers had dreamed of.

In such times the question of the Irish Church was certain of being the cause of more contention than it really deserved. For example, the sour English Radicals wished to destroy it, hoping next to pull down the Church of England, and the Ultra-Tories wished to preserve its grossest abuses, considering that the English Establishment was in danger. From the very large number of Dissenters that had found their way into Parliament, it was generally feared that the Church of England was in peril. Yet the panic was an utterly groundless one. For when Mr. Faithfull, member for Brighton, made a motion for destroying the National Church, he could not find even a seconder for his monstrous proposition, amongst the motley crew of Legislators that were then found in Parliament.

Parties stood in this position. The House of Lords were at heart opposed to so decisive a measure as the Temporalities Act. If hallood on to a collision with the Commons, it would not have shrunk from the contest. The Lower House upon the other hand was determined that the Bill should become law. Lord Stanley and his party wished to pass the Bill, without the 147th clause, and Sir Robert Peel was inclined to the same views, and thought it the best thing that could have been done. The moderate Whigs, and the Conservatives thought it best to have a compromise. Accordingly the clause was withdrawn by the Ministers, as they received very distinct intimation from a large number of Peers, that if the Cabinet persisted in the entire measure, the whole Bill would be rejected by the House of Lords.

After Lord Stanley had succeeded in carrying his point, so much did the Radical party consider the Bill injured, that they voted against it altogether. On the 9th of July, it was read for the first time in the House of Lords. On the 17th, Lord Grey moved the second reading, when the Earl of Roden having moved that it should be read that day six months, a debate arose, which was continued



during the two following evenings. On the division with which it terminated, the numbers were, 157 in favor of the Bill, and 98 against it. The Duke of Wellington and Earl Harrowby, although far from approving all the details of the measure, both voted in the majority. The Bill made its way through the committee without having undergone any material alteration, although the Archbishop of Canterbury carried one amendment against ministers by a majority of 84 to 82; and on the 30th it was read for the third time, and passed, 135 peers voting in its favour, and 81 against it.

The passing of that measure had little immediate effect upon the public mind of Ireland. The Protestants felt humiliated, and the Catholics thought that they had little cause for rejoicing, as they were still compelled to support the Church of the haughty minority, who retained the monopoly of land, rank, and respectability. They considered that Ireland was still obliged—

“ Like sugar loaf turned upside down,  
To stand upon her smaller end ;  
While Popish purses paid the tolls  
On Heaven’s high road for Sassenach souls.”

The Liberal Protestants of the empire, whether residing in England or Ireland, were exceedingly glad at the Reform. They thought that it would contribute to the purity of the established Religion in Ireland, and they have not been mistaken. There is a decided improvement in the character of the Irish Protestant Clergyman. Few drones now enter the Church, and there is a much stricter scrutiny into the characters of candidates for promotion. Undoubtedly the Church is not now considered as a comfortable lolling-place for the lazy scions of the Aristocracy. It presents no longer such an excellent field for speculation, as in days when it had twenty-two Bishops for a million of episcopalians, while England herself had only twenty-six! The effect on Protestant society in Ireland was rather curious. A vast number of divinity students in Trinity College lost their vocation instantaneously, and nearly all of them acquired a great predilection for legal pursuits! During the four years succeeding 1832, the number of law students was trebled beyond former years, and it is beyond all doubt that a young barrister in Ireland in the year 1844, has double the number of competitors that he

would have had in 1834, amongst men of his own standing. Another effect has been, that Protestant Clergymen are now more frequently taken from the middle classes of society, for whom the road to ecclesiastical honours is now far more open than it was fifteen years since. It may be doubted, however, whether this latter change is *altogether* for the better, as the middle class of Protestants are far more bigotted than the Aristocrats. Men of good family, who had extensive acquaintance with general society, were more tolerant and liberal in their social intercourse with Catholics, than many sons of shopkeepers, who take with them into the Church, the petty views acquired behind the counter. In no country more than in Ireland, are the sentiments and habits of gentility so potent in mitigating the harshness of authority, and in reconciling differences of opinion. Poor Paddy actually doats upon, "the rale gentleman." It is a heavy, but true charge against the Protestants of Ireland, that they have contemptuously neglected the deeply seated sense of courtesy that is innate in the Irish mind.

On the whole Protestant Patrick, as well as John Bull, had every rational ground for ap-

proving of Earl Grey's Irish Temporalities Act. But it is not very clear that Catholic Patrick had any cause for lighting bonfires to celebrate an internal measure of Reform in the Irish Protestant Church, which considered as a political institution had been much more fetid than even the rotten borough system of England. Twenty-two Bishops for a million of episcopalians !

Another measure that was carried this session for the advantage of Ireland was one relating to Grand Juries. Under the old system, the Juries had unlimited power of jobbing, and it was by no means an uncommon thing for gentlemen to make avenues to their mansions at the public expense. The Grand Juries in Ireland were, in point of fact, County Corporations, the members of which were nominated by the High Sheriff. They not merely regulated the county funds, but they had also the power of taxing the community at large, for the support of hospitals, lunatic asylums, and other charitable institutions; the making and repairing of several roads and bridges, and various other objects, of which the law consigned them the superintendence.

With such great powers it may be easily

imagined that the Irish gentry were guilty of acts of flagrant jobbing. It was a common practice amongst them to set up dispensaries merely to provide for some needy relations who pocketed some seventy or eighty pounds *per annum* of the public money, and the writer of these pages is himself cognizant of cases where persons had actually become Doctors of Medicine, on the express promise of a dispensary from their friends!

The Grand Jury Act of 1833 (the production of Lord Stanley) did not deprive Grand Juries of the powers with which they were invested, but it introduced several practical reforms, most important in their nature. The High Sheriff has still the power of nominating the Jury, but he is compelled by law, under the present system, to put some one individual upon the panel from each Barony of the County. This simple change annihilated the family compact system, which had hitherto prevailed. Further, all public works must now be executed by contract, and jobbing is thus put an end to. Whenever a public work is executed, a certain number of the highest rate-payers of the district are called upon to sit with the Magistrates, and join with them in

the preliminary discussion of, and decision upon, the bills preferred. Besides those Sessions, there are twice every year GENERAL SESSIONS of the Magistrates of a County, at which all propositions to be submitted to the Grand Jury are publicly discussed, and those propositions that are negatived, are considered as finally disposed of. In addition to those salutary changes, a Public Surveyor is appointed for each County, and no money is paid, until the Surveyor certifies that the work is properly executed.

Those changes in the Jury Laws have worked, for the most part, admirably. None have complained of their operation, except flagrant and incorrigible jobbers. Those reforms acted not merely for the financial advantage of the tax-payers, but they have gone far to quicken public opinion—to raise up a standard of social propriety amongst the gentry, and to create a general sense of indignation at mal-appropriation of public monies: not merely the pockets, but the feelings of the public have been considerably improved. Indeed, it would be hard to point to any Legislation upon Ireland, that has been so completely successful as the Amendment of the Grand

Jury Laws, for which measure the Country is indebted to the much calumniated Lord Stanley.

Lord Plunket carried through Parliament this year a measure for taking from the Sheriff the arbitrary power of selecting Petty Jurors, by establishing certain qualifications, the possession of which entitles persons to have the names enrolled in the Jury Book, from which now-a-days the Juries must be struck. It is not necessary to detail the regulations of this measure, so important to Ireland, as they are nearly similar to those of Sir Robert Peel's Act of 1825.

### CHAPTER III.

## THE SECOND WELLESLEY VICE ROYALTY.

“ Yet I advise thee not to affect, or neglect popularity too much. Seek not to be Essex—shun to be Raleigh.”

LORD BURLEIGH.

NOTWITHSTANDING the useful measures that the Whig Cabinet had carried in 1833, they found themselves as unpopular as previously in Ireland. At the close of the Session it was felt that they should take some other means for conciliating the affections of the Irish towards them. The Irish Whigs were able to do very little for their friends in Eng-



land. They had themselves been disgracefully routed by the Repeal party at the elections of 1832, and many (like Mr. Sheil) who had worn their colours for some time, had *rattled* to the Corn Exchange. There were few Irish Whigs who had any popular influence at the time, and indeed, to speak with strict truth, the name of Whigs was just as odious to the Irish popular mind, as that of Tory. The wholesale vituperation with which O'Connell had covered the Whig party, rendered it most unpopular. He attacked it incessantly with a kind of savage energy, and spared neither the men who composed it, or respected the principles which animated them. He was in point of fact a whole Press in himself, for the disgusting popular newspapers of Ireland only copied the feculent outpourings of his mind. To smear the Whigs all over, with a mass of dirt and rubbish, appeared to be his darling object. Cobbett in his coarsest, and Swift in his smuttiest humour, were not more foul than O'Connell, as he eructated his philippics against Lord Grey. Day after day he attacked the Whigs in his speeches, and week after week wrote lengthy letters against them in the newspapers, in which he represented them

as the most diabolical of tyrants—the most perfidious of allies—the most contemptible of cheats—the most execrable of caitiffs. No language of oburgation—no epithet of venom—no sentiments of antipathy were too harsh—too galling—or too revolting for O'Connell to decline employing. He literally seemed to revel in coarse language, and in violating every decent feeling of social life. His philippics resembled those of an infuriated fish-woman, or a demented harlot. And in all this ferocious abuse, there was so little genuine talent. There was constant violence, but no genius ; much ribaldry, but no racy wit ; much filth, mingled with a very small portion of fun. Everybody in power came under his lash, for he appeared to have entered into a covenant, not merely against the men in power, but against *power* itself, whether it sprung from society at large, or the conscience of the individual.

So rapid, and so violent—so dirty, and so disturbing—so noisy and smuttily were the speeches of O'Connell against the Whigs, that his eloquence at that era can only be assimilated to the noisome sewer of Guinness's

Porter Brewery tumbling down the Powerscourt Waterfall

The man had actually raised himself to such enormous influence, that it became a matter of vital necessity for the Government to have some understanding with him. Some very intelligent men amongst the leading Whigs boldly proposed that O'Connell should be taken into employment and confidence, on the same or similar terms to those upon which Mirabeau had been engaged by the French Court. The Whigs found that they could neither write nor talk him down. They had done their best against him, but his social influence was probably greater than ever. His vast following of relations and friends, which had been before indicated,\* did much to sustain him, for partly through fanaticism, but still more from family friendship, they tolerated his coarseness, and sanctioned his virulence. In fact an *O'Connell family party* had begun to be set up. He commanded forty servile members of the House of Commons, and had indirect influence over a dozen more! he wielded the whole political influence of the priests; the newspapers of the

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\* Vide Part I. Page 27.

populace dared not disobey his orders—in fact persons such as traders and shop-keepers of a low kind, throughout the three Catholic Provinces were his satellites and vassals.

Was it right in such circumstances, to have some understanding with a man wielding such enormous authority? This was the question for the Grey Cabinet in the autumn of 1833.

They had tried coercion, and they had put down the ruffianism of prædial agitation, by means of the strong arm of the law, but they had in nowise mitigated the fury of the mere political disturbers. They had succeeded in paralyzing the murder associations, but the Repeal Party was powerful as ever, and threatened even to increase in resources and enthusiasm. From the year 1830 to 1833 no want of vigour could be imputed to the energetic Executive of Ireland. Was it possible that mild means—in short a friendly and familiar understanding with the agitator would reduce the turbulence of the Irish Opposition?

All the proud, and nearly all the wary minds of the Whig party were averse to any such measures. But some of the shrewder and less fastidious Whigs, thought it impossible to carry on a Whig Government in Ireland,

without taking O'Connell into Counsel. And they were right in thinking so. So long as DANIEL O'CONNELL lived he had it in his power to cover with unpopularity any *Whig* Administration. The Tory Party relied less on popularity for retaining its power, and consequently was comparatively indifferent to his philippics, but the Whigs stood between two fires, and were assaulted on each flank by furious opponents. Yet it was very galling to the Whig pride, ever to think of humiliating the party by any arrangement with such a man as O'Connell. The Cabinet wavered to the last before it would venture on so decided a step. It clung to the hope of being able to manage Irish affairs, without taking O'Connell into its confidence.

In September 1833, the Marquis of Anglesey, thoroughly exhausted with his vain efforts to recover his popularity, resigned the office of Lord Lieutenant. He found it useless to persevere against the tide of opinion, which the Agitator had caused to run against him. He found himself deserted by some of those in whom he had placed implicit confidence, and there were not a few who had experienced heavy favours at his hands, who, with con-

temptible lubricity, deserted him in his hour of need. All the fine things that he had once imagined of the Irish character, embittered his spirit as he found himself, not merely neglected but brutally abused by persons, on whose behalf he had once encountered obloquy and censure. Yet the hearts of the Irish were not utterly steeled to compunctious visitings of conscience, for the ignoble ferocity with which he had been treated by those cruel calumniators, who had once been his basest flatterers.

When it was announced that he had determined finally to leave Ireland, very deep was the regret felt by a large portion of that Dublin populace, which had a few months before pelted him in the streets. On the day of his embarkation for England, a vast concourse of people attended him to the shore, and kept a respectful silence, until he reached Kingstown, when they gave him a few hearty cheers, that shewed the dastardly abuse of the demagogues had not deadened their natural feelings of courtesy towards a gallant and high souled Nobleman who had often led their countrymen in the field of glory. They were most anxious that the Marquis should address them even a

few parting words, but he declined doing so, as undoubtedly his heart was full of emotion at the time. There are but few who thoroughly know the generous ardour of Lord Anglesey's character, where his feelings are engaged; those few can appreciate his state of mind at witnessing the untaught regret of the people at bidding him a long farewell.

There was much deliberation in the Whig Cabinet concerning the choice of Lord Anglesey's successor. It was not without many doubtings, and some opposition, that the Marquess Wellesley was for the second time nominated Lord Lieutenant of Ireland.

THE MARQUESS WELLESLEY was a man characteristically fitted for the task of administering regular laws, and as essentially unsuited to the business of propounding new ones. In a trite quotation of Pope might be found his views of Government, which he deemed a matter of personal skill, and not of political science. In politics (strictly so called) he might have been pronounced a sceptic. He appeared not to be aware that the contest even in agitated times, is as much between principles as between parties. As there never was a man of his personal resolution, with so little of what was

overbearing or tyrannical, so probably there never was a governing mind with so much toleration of fanaticism, and at the same time such little respect for popular convictions. Lord Wellesley—the fact is curious—was liberal, because he rated very low the moral power of the multitude. It was not in his disposition to be splenetic or contemptuous, and his views of Human Nature were rather generous and noble, but for men huddled together in masses, or for what crowds of any kind thought, he had not the slightest feeling of respect. He cared little for general opinion, except so far as it was entitled to a conventional respect, but his indifferency did not so much spring from a philosophical contempt for prejudices, as from his depreciating the worth of the mere multitude of men.

Those who knew him most intimately in Ireland, and who had occasion, whether in military or legal capacity, to listen to the expression of his wishes, will assuredly concur in the ascription to Lord Wellesley of a certain Orientalism of bearing, more suitable to an Asiatic Dignitary than to a British Peer. Not that he was pompous, bombastic, or absurd; his taste and great mind preserved him from the



ridiculous, but it was evident to those around him, *in lesser authority than himself*, that he affected a subdued majesty of carriage, and that at heart he preferred the elevation of a splendid despot with arbitrary power, to the rank of a mere constitutional statesman acting in a responsible capacity.

In Politics he was too much of a connoisseur, and in forming his opinions upon men and things allowed too great a sway to his feelings of refinement. For racy and simple nature he had no appreciation, and he wished that everything should be in full costume. His Liberalism, (such as it was) sprung from no quick resentment of wrong, but from the acquired feelings of a man mingling in political strife. He was deficient in some of the finest qualities, that are necessary to a first class English Statesman. His character wanted the charm of earnestness, and his low opinion of the multitude contributed to deaden his feelings on party politics, into a stoical and well-bred *insouciance*. As he had nothing of the austerity or puritanism of Grey, so neither had he any of the haughty Earl's moral obstinacy and pertinacity of disposition.

What then was it that impressed all who

approached him, with such lofty notions of the greatness of his mind and character ?

It was his personal superiority to the mob of politicians, whether composed of Peers or paupers ; it was his majestic calmness of soul, unruffled by a single paltry feeling ; it was his classical simplicity, the result of careful training, and familiarity with lofty historical models ; it was the artistic candour of his manners, and his directness in all affairs of business ; such were the qualities, united with his high breeding, and extensive acquirements, that dazzled those who approached him. There was a certain greatness in his mien also, which was particularly striking, for assuredly none of his contemporaries, whether Sovereigns or Statesmen, could assume the august with such perfect propriety, as Lord Wellesley. His deportment, when he chose, was inimitably impressive, and he possessed the art of making it appear perfectly natural.

Besides it was evident, even from his ordinary conversation on politics, that he was a man who could be roused only by great things. The idea of vastness appeared to have taken possession of his mind. What “ utility,” “ patriotism,” and “ philanthropy,” are to or-

dinary men—*magnitude* was to Lord Wellesley. In short, his mind dwelt more upon the idea POWER, taken abstractedly or practically, than upon any other subject matter of thought. To rule a large territory ; to have swarms of men, subject to his control ; to influence future generations, and to leave traces of his existence during a vast tract of time—constituted the objects of his splendid ambition. He never had much of an ethical purpose in his designs ; he was never carried away by the fanaticism of generosity, and he rather guarded his mind from all feelings of intensity, for he deemed all violent emotions inconsistent with the calm grandeur at which he aimed. In short, to enjoy the luxury of vastly governing was his greatest purpose, as far as his own ambition was concerned.

He completely redeemed his character from the imputation of selfishness, or personal pride, by his noble sense of public duty, his ideas upon which he had learned from Mr. Pitt. Never had Sovereign a more dutiful and loyal subject, and never had State a more faithful, pains-taking, and trust-worthy public servant. He not had merely himself the sense of public duty, but he also possessed the power of ani-

mating with kindred feeling those with whom he was in close contact. This sense of duty was chiefly visible upon all matters connected with administrative government. On problematical questions—such as the reform of a political system, and similar topics—he was apparently apathetic, and his mind was never quickened by the eagerness of hope, or agitated by any speculative alarms. He thought that so long as the British Constitution would stand, that our political affairs would always go on much in the same way, and that nothing but the entire subversion of the constitutional system would make any sensible difference in English Society. Hence the perfect calmness with which he viewed changes that roused the fears of his wisest contemporaries.

He was indeed an admirable administrator of affairs, for his habits were regular, and he was constant in purpose; his mind was tranquil, and he was sagacious in his views. He never was popular or unpopular. He followed Burleigh's advice—"Seek not to be Essex—shun to be Raleigh." His conversation was by no means so interesting as might reasonably have been anticipated. He seldom dropped any re-

markable expressions. He appeared to be more at home with military men, than with lawyers, or active politicians. It is also a curious fact, that the military officials in Ireland understood his character, and appreciated his abilities, far more than the members of the learned professions.

Such was the man chosen by the Grey Cabinet as successor to Lord Anglesey. When he came to Ireland in the autumn of 1833, he was *un peu blasé*, and it was evident that he was beginning to feel the lassitude of a veteran statesman. His arrival did not produce the slightest excitement in either party; he aroused neither feelings of sympathy or hatred. He appeared to enter upon his functions with some degree of languid indifference, and it was easy to learn from his casual remarks, that he did not think the country changed in anything since he had last governed it, (from 1822 to 1827)—and that Catholic Emancipation had done little or nothing for it. In fact he knew Ireland and mankind too well, to think that any measure could immediately act upon a state of society, that had been so long suffering from disease. In his former administration of Irish affairs, he had effected more than any

previous Lord Lieutenant; without pandering for popularity, he had considerably reduced the pride, and stayed the misrule of an odious oligarchy; he had confronted the haughty Protestant faction, and stripped it of its prescriptive right to insolent domination over the Catholic people; without flattering the masses or meanly succumbing to the demagogues, he had administered justice with admirable impartiality, and had gone far to mitigate the fanaticism of the Irish politicians.

The progress towards Liberalism in Irish Politics dates from the advent of Lord Wellesley's first administration. It is not paying him any bright compliment to say that he was by many degrees the greatest Lord Lieutenant that Ireland ever had. The honor (such as it is) has been untruly claimed for others. There have been many more popular rulers, but they were followers of opinion and prejudice, and hunters after applause, rather than *governors* in the true meaning of the word.

## CHAPTER IV.

### THE SECOND WELLESLEY VICE ROYALTY.

“ The spirit and principles of a confirmed constitution will ultimately prevail. If one be unnatural, and the other absurd, and that is the case in many governments, a vigorous exercise of power, signal regards, and variety of other secondary means, which in such constitutions are never wanting, will however maintain, as long as they are employed, both the spirit and principles”

LORD BOLINGBROKE ON PARTIES.

NOTWITHSTANDING the abuse which the Agitator continued to pour forth upon the Whigs, there was on the part of many of the popular party, a growing desire for a truce with the Government. In truth some of the popular leaders began to find that keeping up the

Repeal Cause was very expensive to themselves. Several of the Tail M. P.'s were very desirous of a good understanding with the men in power. They found themselves hard pinched to keep up a senatorial appearance. Some of them had a little professional practice previous to their parliamentary election, and they had lost it altogether. Others of them had hoped to achieve eminence in the House of Commons, and had been heartily laughed at for their pains. Elevated to situations that had once been highly honourable, they found the *res augusta domi* excessively disagreeable ; for their cold mutton was particularly flavourless to men who had little resemblance to honest and witty Andrew Marvell, except in their straitened circumstances. They found themselves beset by a horde of place-hunters—followers—electioneerers—and hungry half starved adventurers. Most persons despised them, but the truly charitable pitied them ; and really they had got into such a plight, that their own feelings were sufficiently hard to bear without being exposed to the contumely of others. The mere vulgar John Bullish public, at witnessing their shabby appearance, despised them as poor in purse. The men of the world



when they saw them crawling at the heels of O'Connell, condemned them as poor in spirit ; and politicians, at observing their want of wit, acquirements, eloquence, and information, decided them as poor in talent.

Their position with their followers was excessively embarrassing. They were excruciated by constant appeals for the patronage, which they did not possess—for the money of which they had so very little—for recommendations to their “high acquaintances,” who dwelt not in May Fair, but in the Irish fancies of the needy applicants. Every post brought them urgent requests from some of their most active supporters, and influential constituents. Not a day passed over their heads without some Irishman of “decided genius,” or “wonderful talents,” or “unparalleled acquirements,” being recommended to their especial friendship and favour. And then the dreadful difficulty of having to maintain appearances in London ! Imagine the situation of persons who had been nobodies at home, trying to be somebodies in England ! And then when they returned home, it was so particularly incumbent on them, to keep up

their dignity, and they were only coming closer to their clamorous and needy friends.\*

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\* Some years since a very high-spirited and honourable Whig had opened up a rotten borough in Ireland. Scarcely had he begun to distinguish himself in political life, when he was beset by a legion of applicants for his assistance. He resided close by the Borough upon which he had conferred political freedom, and swarms of needy applicants clustered round him as he appeared outside his door. He was a person of refined and elegant tastes, and also of very manly, sportsman like habits. He found his private happiness so much abridged by the supplications to which he had rendered himself obnoxious, that with much regret he began to think of resigning his Parliamentary honours. Still however, he allowed himself to hope, that when people found that he could not actually rain places upon their heads, perchance they might become less harassing, and cease to dog his morning walk, or afternoon ride. One day, however, on coming home from hunting, just as he was trotting up his avenue with some brother sportsmen, he descried a considerable crowd collected before his door. Greatly alarmed lest something serious had occurred, he pushed on briskly, when to his great disgust he recognised an aggregate meeting of the petitioners for his assistance! He could bear the thing no longer, his feelings overmastered him, and with a bitter grim politeness he returned the salutations of the crowd. Dismounting at his door, he took off his red coat, and gave the servant who appeared, his pocket handkerchief. He then with gloomy calmness turned towards the crowd, most of whom had doffed their "canbeens" for his honour, and in a low voice addressed them. "Here," holding up his hunting coat, "is

There were other persons, also, amongst the Repealers, who were very anxious for a truce with the Government. These were certain proprietors of newspapers who lived under terror of the Attorney-General, and whose profits in their business were by no means supposed to compensate the hazard of their vocation. A vast number, also, of hangers on upon the Repealers, who would follow any party provided it was popular, such as country attornies—country doctors—and a miscellaneous herd of dabblers in local politics—were desirous that some accommodation should take place between the Government and the popular party. Indeed, it was perfectly true, that the Catholic public of Ireland, wished very much

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the last thing you shall ever get from me, for you have really left me nothing else to give. You have taken all that you could of my purse—my time—and peace of mind. Accept this as the very last thing I can bestow,” and he flung the red coat upon his gaping auditors, who began to regret that they had overshot the mark. He then walked into his library and instantly wrote his resignation to the electors of ——. Never since, though other constituencies have solicited him, did he covet the honours of being an Irish M. P. His conduct was not produced by effeminacy, for he was a man of active habits, and is still the best Grand Juror in Ireland.

for close communication with the Government. *Whenever such a wish really exists, it ought not to be difficult to govern.*

Mr. Littleton, the Chief Secretary, felt most kindly disposed towards the popular party, but Lord Wellesley, with his long experience of Irish affairs, was rather distrustful of *any close connection* with the Agitators. It is believed that the private opinion of the Marquis Wellesley was "for an Irish Government to be too popular, is in the long run more dangerous than to be moderately unpopular for a continuance!" Still he was not opposed to overtures being made for an arrangement with the Irish Repeal party. But he was decidedly hostile to the plan of governing *through* and *by* them, and it must be confessed that time had not removed from his mind, the absurd notion of having a Medley Ministry to conduct Irish affairs.

On the very day of his arrival in Dublin, he was entertained by the Corporation. Curiously enough the Lord Mayor, Sir George Whiteford, had been the Foreman of the Orange Grand Jury, that a dozen years previously had ignored the Bills in the case of the Bottle Riot Treason. On the Lord Lieutenant's health,

having been drunk, he made a most significant speech, in which he made free use of the name of King William the Fourth, who commanded him to administer Irish Affairs without regard to sectarian or political animosities. The speech was well delivered, and told with effect upon a few members of the very bigotted and narrow-minded company present. But after the Lord Lieutenant's well turned platitudes in favour of "mutual toleration," "respect for each other," "Christian charity," after he had used even the name of his royal master as an authority for his sentiments—scarcely had he left the company—scarcely had the Lord Mayor returned to the room after having waited on his Excellency to the State Carriage, when the insulting toast of "The Glorious—Pious—and immortal Memory of the great and good King William the Third," was drunk amid vociferous cheers. Such was the characteristic loyalty of the ultra-Tories of Ireland!

Lord Wellesley determined in no wise to relax the severity, which his predecessor (much against his will) had been forced to employ. It was thought at first that the prosecutions against the press would be discontinued, but on mature consideration, it was determined not to

give them up. The Pilot, a very fierce newspaper in the popular interest, was prosecuted for having published one of O'Connell's most violent philippics against the government. An offer was made by the Crown to the proprietor, Mr. Barrett, to the effect that if he gave up the author, the government would forego the prosecution, but it is needless to state that the offer was declined. After some delay the Attorney-General brought on the case in November Term, and great interest was excited.

It had been previously arranged that Mr. Sheil should defend Mr. Barrett, and it was not until a very few hours before the trial, that O'Connell resolved on appearing as leading Counsel for the Traverser. The case was brought on before the full Court of Queen's Bench; the Lord Chief Justice Bushe presiding. The Attorney-General was Mr. Blackburne (now Master of the Rolls). He had been nominated to his high office by Lord Anglesey.† He was acknowledged to be in the first rank of his profession, even by his

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† Vide Part I. Page 136,

bitterest opponents, and there can be no second opinion as to the fact of his singular professional ability. As he was one of the most powerful, so also was he perhaps the least *flashy* man, that ever challenged great professional admiration at the Bar of Ireland. He had been called in the year 1808, but had been outstripped in the race, by many men who had none of his genuine prehensions to forensic eminence. He had nothing of that quick, eager temperament—vehement delivery—vividly brilliant manner—and inflated style, which are popularly associated with the idea of “a celebrated Irish Barrister.” Unlike most eminent Irishmen, he had nothing volcanic in his composition. Calm in the hurry of business, he was tranquil under the most violent opposition. Of the middle stature, his appearance was nevertheless commanding, from the stamp of intellect impressed upon his penetrating countenance. He had a face which the old Italian masters would have gladly copied. Fuseli said of Lawrence—“By Chreest he paints eyes better than Titian;” but if he had seen the large, lustrous, liquid black eyes of Blackburne, with their calm, penetrating expression, quite free from any furtive character,

he would have sworn—"By Chreest, neither Titian nor Lawrence could paint such eyes!" His forehead was high, wide, and full; his voice even, strong, and sonorous; his delivery, a model of propriety; and his style, correct and pure. Few men ever spoke with such briefness. Not that he affected a sententious brevity, but unlike nearly all other leading lawyers, he was never prolix in matter, or diffuse in statement. He never said more than he thought was necessary to produce conviction in an intelligent mind. Even when taken special to the provincial Courts of Assize, an hour and a half was rather a long time for Mr. Blackburne to consume to speaking.

He was a perfect model for an Equity Barrister. Inferior to Mr. Pemberton Leigh in acquired learning, Blackburne was fully his equal in legal genius, and certainly his superior as an advocate. There was more demonstrative talent, and less studied mannerism in Blackburne. His mind had more volume and natural vigour than that of his great English contemporary, while his style and deportment were equally remarkable for good taste, and calm impressiveness.

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“Blackburne,” said one who thoroughly knew his abilities, and had reason to dread their exercise, “is just the sort of man for counsel to *an Aristocracy in danger*.”

His conduct in Court as Crown Prosecutor in Barrett’s case was very striking, and presented a contrast to the ordinary demeanour of the Irish Crown Lawyers. He was cool, and collected, and refrained from any attempt to excite the feelings of the Jury by declamation.

O’Connell’s speech in that case was considered as one of his greatest professional efforts, and from the course he adopted, it was a most striking exhibition. The Jury were “packed”—four Catholics that had been on the panel, having been removed. If not an Orange Jury, it was certainly a very bigotted Protestant one. It was composed of Dublin Traders and shopkeepers, who are most narrow-minded zealots in religious matters. They were taken from a class who hated the Whigs, on account of their liberal tendencies, and who detested and feared the Repealers, on account of their inclination to violence. They were of the ordinary material of which the “Upper Irish nation” is composed. As they had little

genuine Irish nationality, so had they none of that comprehensive toleration, which springs from a lofty Imperialism. They were traders—bigots—and Tories, with the grovelling prejudices of Irish Protestant upstarts. It would be far better for an Irish political offender of the popular party to be tried before any Jury from any class of Englishmen—than be placed before a Jury of Dublin Protestants.

Having such a Jury in the box, O'Connell determined to—*blarney* them.

He accordingly paid most amusing homage to their social—political—and religious virtues;—addressed them by the endearing title of his countrymen—and affected a kind of deference to their great respectability! He then boldly dashed into a furious philippic against the Whigs, and Whiggery—far more violent, and executed with greater ability, than the original libel, for which his client was put upon trial! He next declaimed upon every grievance Ireland had, and enlisted the sympathies of the whole Court as he dwelt with much pathos on the unhappy state of the people. He reiterated his appeals to the Jury to assist him in giving a blow to the Whig party, which he held up as

perfectly detestable, and he then launched upon the endless topic of Repeal of the Union.

For the ten thousandth time he began to read from the splendid speeches which had been made against the Act of Union, thirty years previously. Then there was dead silence in the Court. For upon the Bench were seated Judges, who had signalised themselves, and earned their first honours by their eloquent hostility to the union of the countries. First he read from an able pamphlet which had appeared against it written by Richard Jebb. As O'Connell slowly perused his extracts, every eye was turned towards the third Judge of her Majesty's Court of Queen's Bench in Ireland. For Jebb, the pamphleteer, had in the process of time reached the Judicial Seat. He had produced the ablest piece of writing that had appeared against Mr. Pitt's measure, but after the Union had taken place, he became an ordinary barrister, and ceased to meddle with political matter. He had nice powers of reasoning—a correct style—and a very neat method of stating a case. But from the time of his early efforts, he had never exhibited any remarkable ability. He was addicted to religious speculativeness, and inclined to Predesti-

narianism, in his reasonings on which he displayed little philosophical acumen. He was a man of cold and rather gloomy demeanour, and seemed,

“ A sly slow thing with circumspective eyes.”

He realized the description of Shenstone's reserved man, who was “in continual conflict with the social part of his nature, and who grudged himself the laugh into which he was occasionally betrayed.” It was Jebb uttered the remarkable expression that “you might track Ireland through the Statute Book, as you'd follow a wounded man through a crowd by blood.”

While O'Connell read the passages from Jebb's writings, the Lord Chief Justice BUSHE was evidently agitated. He foresaw that he would be subjected to hearing his own brilliant speeches referred to; and the recollection of old times, in which he had won great distinction, came powerfully on the old man's mind. The bye-standers could see that he had become nervous and agitated, and his emotion was increased by the artful and dramatic manner in which O'Connell kept the Chief

Justice for his very last citation. He was obliged to listen to a few withering sentences from Plunket's famous philippic against the Union, and he looked as if he would have given much that O'Connell would spare his feelings. "Who was it spoke thus?" cried O'Connell—and answering his own question proceeded—"Why, gentlemen, that very Lord Chancellor Plunket, under whose special auspices this prosecution has been got up against my client. But do I rely on his testimony—shall I conclude my list of authorities with him? No—there is another witness I will call to stand forward, to testify against the means by which this abhorred measure was carried. Listen, gentlemen, to this passage—" and he then read the glowing and beautiful language, in which the Chief Justice had dazzled the Irish Parliament previous to its extinction. He quoted the well known peroration—commencing—"Stripped of all its disguises. I see in this measure of Union, but one single proposition—*Will you give up your country?*"

All eyes were rivetted upon the Chief Justice, and when the Speaker brought his climax to a conclusion. "By whom were these words uttered? By the illustrious Member for Callan

— *Charles Kendal Bushe.*” The feelings of the Chief Justice gave way, and he was powerfully affected. There were many private reasons why the recollection of old times should thrill him with emotion. He looked towards O’Connell as if he would fain address him in the spirit, if not in the words of the dramatist—

“ I have long laboured to forget myself,  
“ To think on all time backward like a space,  
“ Idle and void, where nothing e’er had being;  
“ But thou hast peopled it again !  
“ Oh ! thou hast set my troubled brain at work,  
“ And now she numbers up a train of images,  
“ Which to preserve my peace I’d cast aside,  
“ And sink in deep oblivion.”

O’Connell’s speech was certainly a very splendid effort under any circumstances, but the brief preparation for his display increased the admiration with which all parties read his address. The Jury however were staunch to their colours, and convicted Mr. Barrett, hardly with the ceremony of consultation.

By his prosecution of the Press—Lord Wellesley very plainly showed that he would not have recourse to the hazardous experiment of governing by agitators. Up to the very

day of trial there had been rumours of an accommodation between the Castle and the Corn Exchange, and there can be no doubt that a large portion of the O'Connellite party was most anxious for a truce. Their pockets had been heavily taxed by the "Tail;" they had been drawn on for innumerable subscriptions; society was in a wretched state of factious animosity; the discomfited Whigs contrived to make the trumpery honours of the Tail a matter for ceaseless ridicule; bickerings of various kinds envenomed the various *coteries* of the Liberal party; people began to wish for peace, as much for the sake of novelty as anything else. Feelers were thrown out by the Courtiers on the one side, and by the Demagogues upon the other. Discussions preliminary to a treaty of peace, were entered upon by the various retainers of the Castle, and the moderate Repealers. None of the influential persons of the contracting parties ventured to commit themselves in anywise. The affair was conducted by go-betweens.

It was stated on the popular side that there would be a fair chance of putting Repeal in abeyance "for the present," of ceasing to agitate it for a time, and it was offered on the

government side, that with a proper understanding there would probably be a mitigation in the severity with which the Executive Power had been used. Then the questions came—"How many popular measures will the government give if Repeal be placed for a time upon the shelf?" and on the other—"What amount of concession will the Corn Exchangers be satisfied with?" The demands on the popular side were an improved Reform Bill for Ireland, and the Repeal of the severest parts of the Coercion Bill—the promotion of Catholics and Liberal Lawyers—the annihilation of the Corporation system—and a change in the system of Tithes. The Government men seemed as if they could only promise an excellent Corporation system for the country, and inquiries upon most of the other prominent grievances; but it was hinted rather injudiciously that the Whigs would assist the Tribute, if certain events should turn out favourably. The Poor Law question was found to be an apple of discord, and on the whole matters did not proceed satisfactorily, for it seemed that the Castle party were by no means very anxious for accommodation, *except on the most favourable terms.*



Matters had been pending, but would (not at that time) have come to any definite settlement, when the attention of the Irish political public was diverted by the affair of "Who is the traitor."

The name of Mr. Bushe having been mentioned in this chapter, a fitter opportunity may not present itself for giving an account of that celebrated person.

## CHAPTER V.

### CHARLES KENDAL BUSHE

BELONGED to that order of men whom nature has meant to adorn a country, and illustrate its society, rather than to create its literature, or to sustain its institutions. He was endowed with nearly all the gifts that contribute to charm and delight.

His person, though not commanding, was dignified, and none of his contemporaries possessed so ingratiating a presence. His fine lustrous eyes kindled with generous emotion—his voice was harmonious in tone and varied in its compass—his features, under excitement, were radiant with spirit, and an enthusiasm, which often vehement, was always graceful, and which though occasionally artificial and theatrical, was never hypocritical or stilted. Those who have once seen him in the act of breathing forth the effusions of his genius, cannot easily forget the union of so much grace with so much ardour, and such strong persuasive power linked with an imaginative faculty that made even the tamest subject glow with the bright reflections of its fancy.

In an age fertile in great and distinguished men, he was admitted, by those competent to pronounce an opinion, as being the most finished gentleman, the politest scholar, and the most graceful orator who adorned the profession of the Law in this great empire. There have been several lawyers who excelled him in power of mind and force of understanding ; some few who have transcended him in dazzling and impassioned eloquence, and others whose intellectual

attainments have been of a more profound and varied character; but for a union of lively fancy, good taste, scholarship various as it was elegant, and a certain imposing dignity which heightened the effect produced by his graceful bearing and genial disposition, he was altogether matchless. Never was a *nisi prius* lawyer so vivid an impersonation of grace and beauty as Charles Kendal Bushe.

Nor was he conspicuous merely by the refinement of his genius or the sustained brilliancy of his career. His intellect possessed a versatile aptitude of no ordinary character. If the fortune of events developed his power as a forensic advocate, to the exclusion of other manifestations of his mind, the political critic will confess that his immortal speech against the Union is of itself a sufficient testimony that he was able —

“ Th’ applause of listening senates to command,”

and that if circumstances had permitted his appearance in St. Stephen’s he would have run a career which might (as in the case of his illustrious surviving contemporary) have enabled him—

“ To read his history in a nation’s eyes.”

He was born at Kilmurry, near Thomastown, in the County of Kilkenny, on the 13th of January, 1767. His family was a branch of a House eminent in the Irish Commonage. His father was rector of Mitchelstown, in the County of Cork.

Young Bushe was educated at the Reverend Mr. Craig's school in Henry Street, Dublin, and amongst his school-fellows were Dr. Millar, author of "Philosophy of History," and Theobald Wolfe Tone. In 1782 he entered Trinity College, when his career was most distinguished. "In the College Historical Society," his only superior was Plunket, with whom throughout life, he maintained an amicable rivalry. It was within the walls of that celebrated Debating Club, that most Irishmen of distinction formed their minds, and it has exercised a greater influence upon thought and political action, than any other institution in that country. It has been in Ireland what the "Speculative Society" was in Edinburgh, but its influence was more immediate, and even creative than the latter, and its duration has been more considerable. It was established in the middle of the last century, and Henry Grattan was amongst its principal founders and

supporters. With the exception of Daniel O'Connell, there has not been probably one Irishman, of professional or political distinction, who was not an active member of that brilliant society. Plunket—Bushe—Thomas Moore—Wolfe Tone—the two Emmetts, (Temple and Robert)—Miller, the Historian—Charles Wolfe—John Wilson Croker—Sheil—North—Doherty—the Pennefathers—Stephen Woulfe—Blackburne, have all figured prominently in its proceedings. It is to be regretted that eloquence alone was the chief end of the Society. If the young mind of the country had required a thirst for enquiry, and a love for philosophical pursuits, the development of the national intellect would have been fourfold.

It has been repeatedly admitted that the Society never had such speakers as Plunket and Bushe, and their contemporaries have even said that their youthful displays were fully equal to their efforts in after years. The Irish Parliament encouraged all the young collegians by assigning them a special seat in the House of Commons. It is no wonder that the Plunkets and Bushes, with their great natural powers, should have become great orators, when they had frequent opportunities of hearing such

men as Henry Flood and Henry Grattan—and such able debaters as Hussey Burgh—Yelverton—and Daly.

The rage for private theatricals helped also to stimulate the declamatory taste of young Irishmen of talent. Kilkenny, Bushe's native county, was pre-eminent in Ireland for the histrionic pursuits of its gentry. At Knocktopher, the residence of Sir Hercules Langrishe—at Farmly, the seat of Mr. Flood—at Kilfane, where Mr. Gervase Parker Bushe then dwelt—the lovers of the Drama were delighted with the sight of persons of the highest political celebrity, exhibiting their talents on the stage.† That theatrical deportment, common to most Irish public characters, was first reduced to system by Flood, who (with the exception of Wolfe Tone) was (in spite of his artificial habits) the most earnest public man that Ireland has produced.

Charles Kendal Bushe was pronounced by John Kemble “to be the greatest actor off the stage.”

In 1793 he was called to the bar, and in the following year delivered his celebrated ad-

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† For example Grattan acted *MACDUFF* to Flood's *MACBETH*.

dress to the Historical Society, which had been expelled from the walls of College. That address has been repeatedly honoured by quotation in English Journals. His defence of the Society against the charge of Jacobinism, which *inter alia*, he refutes by the assertion, that “the old woman who swept the room was the only *sans culottes* amongst them;” his characters of Kirwan and Grattan; his spirited vindication of the art of oratory from the aspersions of the Utilitarians, are executed with great brilliancy and vigour. In his conception of a pulpit orator, he finely bursts out—

“ Bring me then the cold-hearted theologian  
“ who tells me that oratory is anti-clerical, and I  
“ will tell him that he is unfit for his high  
“ calling, because his soul warms not his intel-  
“ lect in the discharge of it. He will never do  
“ that good to others which is the essence of  
“ his duty. He may serve out homilies with  
“ the phlegm of a Dutchman—he may labori-  
“ ously entangle the simple duties of the gospel  
“ in the embarrassing mazes of a learned con-  
“ troversy, and profane its mysteries by pre-  
“ sumptuous explication. He may make the  
“ prophecies a riddle, and the revelation a



“ conundrum, and think himself, like Œdipus,  
“ in virtue of his blindness entitled to solve  
“ the enigma; but he is not the sanguine—the  
“ zealous—the efficient officer of God, who is  
“ to turn many to righteousness, and whose  
“ reward is, that he shall shine like the stars  
“ for ever and ever.”

His contributions to the *belles lettres* were such as might have been expected from a mind endowed with so much taste and enriched with so many accomplishments.\* They displayed to perfection the agreeable and ingenious faculties of the polite essayist. A refined perception of the minor morals of society; a benevolent serenity of disposition; a spirit of playful and elegant humour, instinctively shrinking from the acerbity of sarcasm and the malignity of satire—though it revels in the sportive portraiture of whatever is whimsical and eccentric, are most strikingly displayed in the productions of his pen. Nor were these the only excel-

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\* Vide the Periodical called “The Flapper,” principally written by him. His various Pamphlets “Cease your Funning,” “On French Affairs,” &c., display all the elegance of his accomplished mind.

lences that gave to Bushe's style so much sweetness and expression. He abounded in a choice felicity of diction, by which, without torturing language for the invention of new words, he invariably placed his ideas before the reader with a suggestive vividness, equally remote from mere conventional purism, or from an affected originality of style. All his writings are executed in the spirit of classical propriety; his ear was exquisitely apprehensive of all the curious niceties of rhythm; and in every sentence that came from his fluent pen, the ease and brilliancy of his composition were only equalled by the accuracy and force of its expressions.

Having rapidly obtained success at the Bar, he was returned in 1799 for the Borough of Callan, in order to give the Anti-Unionists the aid of his eloquence. His well known defence of the Irish Legislature is second only to one of the speeches recorded upon the Union. It would be difficult to point to a finer specimen of chastened Irish eloquence. It is no mere effusion of sentiment--no mere galaxy of sounding thoughts bedizened with fine words. It is a manly and sustained argument, without

the tediousness of dissertation, or the petulant smartness of debate. Its anger is not the melodramatic wrath of a rhetorical pretender to love of country, it is rather the honest ire of a patriotic senator, defending the cause of legislative independence with the most keenly tempered weapons that oratory could supply. Its matter is full and well selected, and each topic is skilfully brought forward, and dilated upon copiously; the understanding of the audience is strenuously plied with arguments that enforce conviction, and a glowing feeling of national honor pervades and gives warmth to the whole oration.

After the Union took place, Bushe attended closely to his profession. He was made a Serjeant of Law in 1805, and was appointed Solicitor-General under Lord Hardwicke's Administration. When "All the Talents" came into power—he remained in office with them, holding his official rank under Plunket, who was appointed Attorney-General by Lord Grenville. In 1807, on the accession of the Tory party, (nominally led by the Duke of Portland), Saurin, the champion of Protestant Ascendancy, was made Attorney General, and

Bushe incurred much censure by continuing to hold office under the High Tory *regime*, but the fact was that Bushe was neither a Liberal or a Whig. He was an Irish Tory, favourable to Catholic Emancipation, and the fact of his opposing the Union was no proof of "Liberalism." Mr. Saurin—Mr. Jebb—Sir Lawrence Parsons\*—the Shaws—the Latouches,

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\* Sir Lawrence Parsons (the late EARL of ROSSE, father to the present Peer) was a very eminent member of the Irish Parliament. He was a most accomplished man, and his work on "Christianity, consistent with Natural Science," is highly creditable to his reasoning powers. Few persons had so great a knowledge of the history of his own times as the late Lord Rosse. His memory was retentive; he had been on terms of intimacy with the prominent leaders at both sides; and he had naturally a strong taste for observation and reflection. His conversation was equally entertaining and instructive. One of the most remarkable of his numerous anecdotes was the following:—

John Fitzgibbon (Lord Chancellor of Ireland), Earl of Clare, and Lord Rosse had been, up to the period of the Union, enemies of no ordinary character. Though they had common friends, they never met in social intercourse, and their feelings of enmity were most intense. Not long after the Union had taken place, they found themselves in each other's company at a levée at Carlton House. There was a very great crowd, and it so chanced that Lords Rosse and Clare did not know a single one of the noble persons around

and other politicians of that school were as violently opposed to the measure of Union as Mr. Bushe had been.

The Tory party finding Bushe so moderate in his opinions, were glad to retain him in conjunction with Saurin, as in those times the absurd idea of governing Ireland by a Medley Ministry was the favourite principle of Administration.

After the Union, Bushe ceased to attend to politics, and became a mere professional celebrity. It may indeed, with considerable justice, be made matter of regret that one with such fine powers should not have done more for the world; but those who know the exorbitant demands of professional success cannot be surprised that Bushe had not much time or energy left for the service of literature.

them. They remained apart—isolated, and disregarded. No one even saluted them. By the jostling of the company they were brought into close juxta position at the head of a staircase, and Fitzgibbon addressed his old enemy in these words —“ Well, THERE WAS A PLACE where you and I would have met a different reception.” After that day they were both friends up to the time of the Chancellor’s death, which soon occurred.

For about sixteen years he was Solicitor-General, and in the possession of a fair private practice. The vexatious bustle of professional life, though it never vulgarized his high-toned bearing, distracted his mind; and the many great trials in which he came into contact with such orators as Plunket and O'Connell, and such lawyers as Saurin and Barton, afforded much exercise for his emulative talents.

In the year 1811 the case of the Catholic Delegates were tried, and Bushe addressed the Jury for the Crown. In vindicating the policy of the Convention Act, he made the following observations, which seem to have suggested a vigorous passage in the late political work of a noble and Learned Lord:—

“ It is not from such men as Lord Fingall,  
“ and Lord Southwell, and Sir Edward  
“ Bellew, and the other honourable men of  
“ the Catholic persuasion, that danger is to be  
“ apprehended: short-lived indeed would be  
“ their influence. Perhaps the worst men  
“ would not be the most numerous in this as-  
“ sembly—it signifies not—a *small majority of*  
“ *agitators is always sufficient for mischief.*  
“ The history of mankind shows that they have  
“ always prevailed; in every such assembly

“ they float, and the good are precipitated.  
“ But the policy of this Act is not merely  
“ pointed at the intermixture of the bad, *but*  
“ *at the degeneracy of good characters. What*  
“ *man can answer for himself on going into a*  
“ *a self-constituted political society?* His first  
“ steps are deliberative—his first motives are  
“ good ; his passions warm as he proceeds ;  
“ the applause never given to moderation in-  
“ toxicates him ; the vehemence of debate  
“ elates, and the success of eloquence inflames  
“ him ; he begins a patriot, he ends a revolu-  
“ tionist. Is this fancy or history ? I well  
“ remember (who can forget ?) the first Na-  
“ tional Assembly of France—composed of  
“ everything the most honourable, gallant,  
“ venerable, and patriotic in that kingdom—  
“ called together for the noblest and purest  
“ purposes, the nobility and the prelacy united  
“ with the representatives of the people, and  
“ the three estates promised the regeneration  
“ of the country. What was the result ?  
“ The wise, and the good, and the virtuous,  
“ were put down, or brought over by the up-  
“ start, and the factious, and the demagogues ;  
“ they knew not the lengths they were going ;  
“ they were drawn on by an increasing attrac-

“ tion, step after step, and day after day—to  
“ that vortex, in which have been buried even  
“ the ruins of every establishment, religious  
“ and political; and from whose womb has  
“ sprung that colossal despotism which now  
“ frowns upon mankind. What has become of  
“ that gallant nobility? Where are the pious  
“ prelates of that ancient kingdom? One by  
“ one—and crowd by crowd—they have fallen  
“ upon the scaffold, or perished in insurrec-  
“ tion. Some—less fortunate—drag out a  
“ mendicant exile in foreign lands; and others  
“ condemned to a harder fate, have taken  
“ refuge in a tyrant’s court, and are expiating  
“ the patriotism of their early lives, by the  
“ servility of their latter days.”

In the same speech occurs the following passage, which has repeatedly been imitated by various speakers.

“ The very nature and constitution of the  
“ Assembly of Delegates generates danger and  
“ encourages excess. Compare such a constitu-  
“ tion with the established authorities of the  
“ land, all controlled, confined to their respec-  
“ tive spheres, balancing and gravitating to  
“ each other; all symmetry—all order—all  
“ harmony. *Behold on the other hand that pro-*



*“ digy, in the political hemisphere, with eccentric  
“ course and portentous glare, bound by no attrac-  
“ tion—disclaiming any orbit — disturbing the  
“ system—and affrighting the world.”*

In this last brilliant sentence many persons would discern the character of an erratic Whig of our own days !

## CHAPTER VI.

### CHARLES KENDAL BUSHE

Admired by all, and by the best approved,  
By those who best had known him, best beloved.

Epitaph on Canning,  
BY MR. HOOKHAM FRERE.

No delicacy need now hinder the publication of the fact, that the state of Bushe's private circumstances forbade him entering the Imperial Parliament. One of the worst consequences of the Union has been, that Parliamentary life is closed to any Irish Lawyer who is not so rich as to disregard the consequences of absence

from the Four Courts, or so reckless as to plunge into political gambling for a seat upon the bench. Lord Plunket quitted the English parliament in 1807, on the express ground that he could not afford to remain away from Dublin after he had ceased to hold the office of Attorney-General.\* Bushe was never at any period of his life in very affluent circumstances; and yet, from the prominence of his social station, he was obliged to live with the hospitality and style congenial to his disposition, and natural to one occupying so large a space in the public eye.

Hence his fame has never attained to that Imperial notoriety, which men of a lesser order of mind, like Croker and Sheil, have on each side of politics, so decisively obtained.

It is believed, however, that Bushe himself was never very anxious to enter actively into the turmoil of political contests. His character was averse to the rancorous malignity and fierce prejudices that reign over the politics of

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\* In 1812 he again entered St. Stephen's, but in the interval he had been bequeathed a large fortune by his brother.

party. His ambition was tranquil, and his passions did not predominate. He lived in a sort of æsthetical enjoyment of existence—adopted the tenets of an amiable epicurean—was content with the dignity of his own character, and the respect which he was universally paid in Ireland. Without repining, he saw his contemporaries obtaining honours in England, and was the first to applaud the “Wellington of the senate,” his friend Plunket. He keenly enjoyed the pleasures of private society. He was never ambitious of the distinction of “a good fellow;” but at the convivial board, the mellow benignity of his nature, if not so wonderful as the tide of Curran’s wit, was, perhaps, more captivating. Indeed, every one must admit that there was something loveable and fascinating about Bushe. His manners, it is true, were artificial; but his amiability, his invariable courtesy, the suavity and blandness of his deportment, were very delightful, especially when contrasted with the arrogance of other celebrities in the worlds of literature and law. Without the intensity of Grattan, and austerity of Plunket, he was, perhaps, the most agreeable conversationalist of any of his

contemporaries; and those who have heard him, in a circle where he was "at home," give loose to his genial fancy, will never cease to recollect the *gaieté du cœur*, so agreeably blended with the deeper qualities of the most accomplished Irish gentleman of his age. His humour, it may be said with truth, was *exquisitely* Irish—that is to say, it was wholly defœcated of that spirit of buffoonery which made the social effusions of Toler, O'Grady, and their imitators, so disgusting to all persons of real taste and judgment. Bushe's humour was thoroughly Irish, but it was never low or offensive—he was a wit and *homme d'esprit*, and never degraded himself, in his most excited moments, to a level with a Jack Pudding or *farceur*. It is greatly to be regretted that some of his contemporaries did not imitate his refinement, and their successors would have been spared the painful sight of noisy vulgarity affecting the talents of a *raconteur*—Irish fun exaggerated into Jonathanisms—peripatetic jest books—Joe Millers all alive, and all made up!

The following passage, taken from his speech in the case of *Mansergh v. Hackett*, is a specimen of his humour. It may be cavilled

at as too broad, but the case was the cause of that fault. It was an action for *crim-con*, and Bushe was for the defendant :—

“ Permit me, Gentlemen of the Jury, to  
“ present to you the reverse of the portraits  
“ which have been drawn of this husband and  
“ and his mate, or to quit the style of me-  
“ taphor, which does not become the language  
“ of truth, let me tell you in a few words,  
“ what are the facts. Lucretia, stripped of  
“ her Roman garb, turned out to be neither  
“ more or less than Miss Shields, of whose  
“ talents and accomplishments you have heard  
“ so much, and of whom you are just going  
“ to see a little. Possessed, as we are in-  
“ formed, of every virtue, we cannot suppose  
“ her deficient in *prudence*, the parent of the  
“ whole moral tribe ; and of this she gave an  
“ early and striking proof. Finding her per-  
“ son of marriageable age, and feeling herself  
“ little disposed to celibacy, she yet thought it  
“ prudent before she entered on the awful  
“ state of matrimony to see how she would  
“ like it, and by taking earnest of a spouse  
“ to know by anticipation, what were to be  
“ its consequences. She made the experiment,  
“ and liked it, and her marriage with Mr.

“ Mansergh followed. Too liberal in her  
 “ temper to confine her favours, and a *philan-*  
 “ *thropist* in the most extensive meaning of  
 “ the term, it would require a greater com-  
 “ bination of the power of memory and lungs  
 “ than I am blessed with, to give you a list of  
 “ the individuals who have been honoured by  
 “ her embraces. I shall reduce them under  
 “ certain general heads ; the *navy*—the *army*  
 “ —the *bar*—and the *pulpit*—have paid homage  
 “ to her charms. And such was the admirable  
 “ congeniality of temper between her and her  
 “ mate, that he exulted in her triumphs—  
 “ boasted of her success—and when he be-  
 “ held a hoary Divine tottering at the tail of  
 “ her conscripts, he has been heard at the  
 “ edifying spectacle to ejaculate in a strain of  
 “ religious enthusiasm—‘ Praise be to Heaven,  
 “ I have got the grace of God in my train !’  
 “ Children were the natural consequence of  
 “ this diffusive intercourse with the great  
 “ world, and that they were *her own children*  
 “ is certain, but further the most zealous of  
 “ her deponents sayeth not, for—

“ Though troops of heroes did attend  
 “ Her couchée and her levée,—  
 “ The piebald breed was never owned  
 “ By light horse or by heavy.”

The eloquence of Bushe would be held in more respect if he had applied himself to great subjects, possessing a historical interest. Since the Union, none of his speeches (with three or four inconsiderable exceptions) were delivered on stirring public topics.\* The fact has already been observed that he was not a man of strong political ambition. The life of Bushe glided on tranquilly, but with honor, and a considerable degree of public applause. Connected for many years with a high Tory government, he never was unpopular or the subject of odium; and in times when bigotry was ascendant, his manners and conduct to Catholics were kind, respectful, and conciliating. He was a Tory of the school which found so illustrious a representative in Canning.

As Chief Justice of Ireland, he was, although not a good lawyer, fair, equitable, and dignified; and when in the full possession of his faculties, might have been considered equal to the onerous duties of that distinguished

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\* One of his greatest displays was in the famous case of the Crown against Chief Baron O'Grady, when he was pitted against Plunket. On that occasion he surpassed Plunket in the opinion of most persons.



office. But he committed one great fault, which must be marked with severe condemnation—he continued to occupy the foremost place in the Queen's Bench long after he had ceased to be even decently adequate for the discharge of such important judicial duties. He gave the public the bad example of a Chief Justice lingering upon the bench in order to resign his office into the hands of a particular political party.

Yet let us not heap reproach on the memory of the dead for this solitary act of impropriety. The old man, cajoled by one, and intimidated by another set of friends and political acquaintances, erred rather from weakness than pravity. But assuredly, whatever may have been the amount of his impropriety, that venerable person tottering on the brink of the grave, suffered (if we are to believe the reports current a few weeks after his resignation) the acutest pangs of disappointment, in themselves too severe a chastisement for the culpable tardiness of his resignation. He had confidently looked to the honors of the peerage—naturally thinking that after having been for sixteen years Solicitor-General, and twenty years

Chief Justice of Ireland—after ranking for all his life amongst the foremost men of his native country, he might expect that a British Prime Minister would not be loth to confer the honour of an imperial coronet. But it has been stated Sir Robert Peel, so far from tendering a peerage, actually refused to bestow it; and when further solicitations were made upon the point, answered, that he “*would make no promise*” of an Irish peerage on one falling vacant during the life of the ex-chief justice!

The cynical moralist may say that Bushe was treated as he deserved, but no person of generous or liberal mind will say *ditto* to the cynic. People may differ about the honour of peerage; democrats may deride it, and lofty republicans *affect* to condemn it with *hauteur*: but when a particular kind of public honours is awarded by the state, and when, in the sister country, the Bests, Campbells, Bickersteths, and Scarletts, obtain these honours, it is “too bad” that an Irish lawyer and celebrated public character should, at the end of a long career, be ignominiously baulked of the object of his ambition.

“Your great men,” cried Sir R. Peel, in 1834, when defending the Union, “are ad-

mitted to our most dignified stations. Your Pakenhams and your Ponsonbys have led British troops to victory ; while your Cannings and your Plunkets have won, the first places in our senate."

A Repealer might answer thus:—Forty years since two Irishmen were friendly rivals at the Irish Bar. They were men of a dissimilar order of talent, but both were men of dazzling powers. One was a moderate Tory, and the other a moderate Whig. They both reached the first rank of their profession. To the Conservative and Whig parties of England each in his own way had rendered service ; and in the year '41 of the Union the Whig Irishman was rudely pushed off the bench, in order to make room for a journeyman lawyer from England ; and the Conservative Irishman was bluntly refused, when he asked for the honours that have been freely given to third-rate Englishmen, like Bickersteth and Best.

" Nothing is a trifle which men by common consent agree to consider otherwise." Such were the words of a British statesman of the first class, and they sufficiently answer those who may cry, " Pshaw ! what signifies a peerage ?" Abstractedly it does not signify more

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than wealth, place, power, &c. ; but this world is not governed by abstractions, and a peerage is *considered an honour* by society in these kingdoms. Whether it *ought* to be so may be questionable. That being the case, it certainly was harsh in the British minister to refuse such an Irishman as the late Chief Justice an honour to which he had such legitimate claims.\*

But though the old man died without a coronet, his name will shine in Irish annals with a radiance of its own. The mind of Ireland will not disregard—

“ His clear precedence, and the warrant given,  
Of noble rank, stamped by the hand of heaven,  
In every form of genius and of grace—  
In loftiness of thought, figure, and face.”

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\* Sir Robert Peel may say he has consistently declined all applications for the peerage ; that it was not *HE* who recklessly gave away coronets to Lord Langdale, to Lord Campbell, Lady Stratheden, &c. ; that *HE* made peers only when he could not help it, and in the case of valuable allies like Ashburton and Abinger. But this is no answer to the charge that a man of Bushe's celebrity and long official service was refused a peerage. Admitting that Peel is right in declining to facilitate admission to the Upper House, every rule has its exception ; and Bushe was fairly entitled to an honour which, if he had been an Englishman, would have been readily accorded.

And though Ireland can never cherish his memory with the enthusiasm reserved for the spirits who have inspired her people, yet, even in these turbulent times, she can feel nothing but affection for the name of one of the brightest of those "who connected the ambition of the age which is coming on, with the example of that going off, and formed the descent and concatenation of glory."

Most brilliant undoubtedly he was. Even if all recollection of the days when he "shed exceeding light" should pass away, it would be generally acknowledged that the man whose deportment dazzled George the Fourth,\* when

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\* The first place where George the Fourth met Bushe in private society was at ——— Castle, in the north of Ireland. Bushe had been previously presented to him, but had been overlooked or forgotten in the crowd of new faces and strange characters that were brought before the Royal Traveller. At dinner, at ——— Castle, Bushe sat right opposite to the King, who was greatly struck by the captivating appearance and manner of the Chief Justice, whom he actually stared out of countenance. Bushe, with all his dazzling powers, was a modest man, and felt rather awkward at being scrutinized with so much attention, especially when he perceived that Lady ———, who sat next the King, was filling the Royal ear with conversation relating to himself. The King after dinner, with the most winning frankness, spoke across

the fastidious monarch had, by age and infirmity, become almost impossible to please—who delighted by his talents and acquirements

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the table to Bushe, whom he familiarly addressed by his surname, leading the conversation by saying—"You would hardly suppose that Lady —— has just been reminding me of your celebrated speech against the Union." After some complimentary observations he continued to say that his early opinion on the Union had been that—"Your and the Attorney-General's opposition had been well founded ; but now that the Union has taken place," addressing himself to Bushe and Saurin (who was also present), "I am sure that you would feel it your duty to oppose any attempt to repeal it with as much zeal as you formerly opposed its taking place." Saurin and Bushe bowed assent, and the King then turned to the Scotch Union, the history of which he referred to with some minuteness. He then remarked that the Irish should have made conditions---"You could have got any terms." The conversation then became highly interesting, but was abruptly terminated by a remark of Mr. Saurin, who said that the Scotch had stipulated for the establishment of their National Religion, on which the King said---"Yes ! they did, but then," correcting himself, added---"you must give no weight to what I have just said. It should not be supposed that I entertain an opinion from which inferences might be drawn." By "National Religion" Mr. Saurin had meant Protestantism, but the King left upon the company the impression that he understood the Catholic Religion by the "national one ;" the emancipation of which should have been distinctly stipulated for in the Act of Union.

honest Sir Walter, and who was the original of one of Maria Edgeworth's finest portraits, must have been cast in no common mould, and must have received from Nature a mind "pregnant with celestial fire." Let no one, from what has been said, suppose Bushe to have been merely a fascinating conventionalist. He had deep feelings of a true and holy character, which did not respond to the vulgar fanatic, or common-place enthusiast. Many proofs might be offered of this fact. Those who have heard that charming songstress, whose latter chequered days were passed in Ireland, offering the heartfelt tribute of her respect to the deceased Chief Justice, will be no more likely to forget the fairy brilliancy with which she flashed light upon his character, than the generous and soaring emotions which familiar intercourse with Bushe called forth in the susceptible soul of Felicia Hemans.

If he was not of the order of commanding intellects—if he set an excessive value upon refinement, to the neglect of energetic action and free development of mind—if his manner was too artificial, and if his speciousness bordered on monotonous though elegant insipidity—if racy homeliness was wanted as a foil to

his polished genius—in short, if he were too much the creature of culture, still, the winning beauty, the rare suavity, the refined humour and brilliancy of his mind, considerably atoned for the absence of those hardier qualities from which true greatness derives its origin and draws its sustentation. Of many men it has been said, “*Si non errāset, fecerat ille minus;*” but the converse of that remark is strictly applicable to Charles Kendal Bushe. If his soul had been seized upon by some darling passion—if political hatred, or envious desire of casting the characters of his rivals into shade, had roused up the latent powers of his being, and, in the spirit of an ungenerous ambition, had thrilled all his intellectual fibres with convulsive emotion, then it is quite possible that he would have done more, and been loved less—that he would have been more famous, and less amiable—and that his celebrity would have been noted by the victims he had crushed, the friends he had lost, the enemies he had made, perhaps the hearts he had broken! But if, without surrendering himself to that savage rage which is the inspiration of a political gladiator, he had applied his mind to some of those high questions which divided the opinions



of his time, and had sought to achieve a moral power over his contemporaries, then his name would be stamped more indelibly in the history of the British Empire, and its mere enunciation would call forth more lofty feelings in posterity than the qualified applause bestowed upon the choicest specimen of the Augustan age of Irish life.

## CHAPTER VII.

### BARON SMITH.

“ A strange piece of politician—speaking under rule and prescription---not daring to shew his teeth without Machiavel.”

BISHOP EARLE.

EVEN if other reasons were wanting to arrest the attention of the English reader to the case of Baron Sir William Cusack Smith, the simple fact that the consideration of the charges against him led to the first public manifestation of the schism in the Grey Cabinet, will probably induce him to attend to the circum-

stances of this very curious case, which of itself throws light in various directions on the nature of public feeling in Ireland. In another part of this work it may be referred to for the purpose of corroborating some remarks on the Irish political public.

Sir William Cusack Smith, late Baron of the Irish Exchequer, was son of Sir Michael Smith, Master of the Rolls in Ireland. His family, though not illustrious or far descended, was of good rank in the Commonage, and had a fair pedigree of two centuries. It had become as Hibernicized in constitutional disposition, as if it had been contemporaneous with Ollam Fodlah. Sir Michael Smith was a very good lawyer, and enjoyed a creditable reputation in his day. His son William, however, if not entitled to the epithet of remarkable on account of his talents, was certainly one of the most *noticeable* men that modern Irish Society could point to. He was such a compound of personal oddity, and acquired subtlety—such a living compromise between great absurdity and greater ability—such a mixture of whim—of wit—of wilfulness—such a jarring medley of metaphysical poetry, and

fanciful metaphysics; he was so learned, and so sceptical—so acute in discrimination—so searching in objection—so enterprising in his intellectual pursuits, and yet withal so hard to be relied on—so hard to trust with implicit confidence—so scarcely deserving of the admiration which, in spite of his great eccentricity, the extent of his acquirements and native ability of his mind extorted from his most indifferent acquaintances—that if he were described at length, the reader would suppose that he was told of a character in fiction, and not about a man, who had occupied no small place for many years in the attention of the Irish public, as well as the affection of the Irish nation.

At a very early period of his life young Smith displayed no ordinary talents in various compositions, which he addressed to the public at the time of the French Revolution. It is enough to say of their ability that they secured for him the marked attention of so profound and masterly a judge of literary merit as Mr. Burke. They gained what was even more honourable than the praise, the friendship of that illustrious philosopher for young Smith,

who was invited by Burke to his house, and treated with the greatest consideration. Nor was Smith undeserving of the honour, for he was decidedly one of the most acute and profound speculators on that fertile subject of conjecture—the French Revolution. His tracts against it, abounded in metaphysical objections to the philosophy, which had been so instrumental in originating and urging the movement of the Revolution. His writings against that mighty change were often searching—always ingenious—occasionally very odd ; but they had one fatal defect, namely, that the writer appeared to consider the affairs which he discussed, as the means of displaying his own ingenuity and great acquirements. He spent evidently too much time in curiously fashioning his far-fetched weapons. Like some military eccentric, who instead of arming himself according to “the regulations,” would equip himself from the museum of an antiquarian *virtuoso*, so the Baron entered upon his contest with Tom Paine, relying upon curious subtleties and quaint wisdom, which though very pointed, was rather rusty. His great merit was, that he appreciated the full extent to which wrong philosophy had entered in the

French mind; instead of canting about unbelief, and ringing the changes upon the *isms* of the sceptics, he argued that the Revolution was the fruit of *misbelief*; that the French mind was more mistaken about the application of philosophy, than about philosophy itself. His reply to Paine was most ingenious and acute, though spoiled with the affectation of subtlety, and some parts of his demonstration—that on the known principles of Human Nature—a government *a la* Tom Paine, could never stand, may be said to show considerable talent for original speculation. Indeed, his great merit was as a philosophical speculator.

Smith's writings, though designed for general readers, were too full of abstraction; they were not sufficiently profound to obtain permanent celebrity with the few; they were not hearty and racy enough to win contemporaneous popularity with the crowd of readers. Nevertheless they had considerable merits.

It was a curious trait of his mind that he urged Burke to be more analytical in his literary warfare against French principles. Young Smith, as a metaphysician, wished that the pernicious dogmas of Jacobinism should be refuted *secundum artem*, but Burke wisely

reminded him that the speculative philosophy had so practically entered into the French mind, that it became a matter of necessity to deal with Jacobinism as a concrete element in the politics of his time.

The high consideration with which Burke treated Smith in their intercourse and correspondence, were enough to mark the latter as a man of no ordinary stamp.

What rank he might have taken at the Bar, it is difficult to conjecture, as in his thirty-fourth year, or thereabouts, he was seated on the Bench, as one of the Barons of the Exchequer! This rapid elevation, which even in those days of reckless patronage caused a great outcry, was the official reward of his services upon the Union question. He was almost the only man of intellectual celebrity, and excellent character, who gave his support to Lord Castlereagh. His views on the question were more philosophical than most of the ideas entertained amongst the Unionists or the popular party.

Smith was then sincerely in favour of a Union between the countries, and age only made him cling closer to his early opinions.

He reasoned to the day of his death on the whole question somewhat after this fashion.

A mixed Government (corresponding with the British Constitution in its fundamental, if not in its particular elements) is immeasurably the best kind of political institution, for a being like man, with such various gifts, and such boundless desires. It is only under such a Government that he can fully develop all his powers. Without order, man will be the creature of licence, and the slave of impulse; without freedom he will be the minion of superstition, or the vassal of despotic authority. Hence the necessity in Government of two things—a powerful executive—and a recognized popular institution to conserve man's liberties, whether given to him at his birth, or acquired by him in his progress. But these forces would clash if there was no regulator to interpose between the blows of mere authority, and the wholesale violence of an uncontrolled popular assembly. Hence the necessity for a Senate.

This however is but an analysis of the fundamental idea of mixed Government—other elements must be sought to invest it with



permanence. Society itself throughout its various ranks and classes must be fashioned in accordance with the idea of the Government itself, else the latter will become a mere abstraction. For example, a Senate will be of little use, unless there is an Aristocratic spirit in the community; it will not have political power, unless backed by Aristocratic classes, and so on. The idea of a mixed Government, or in other words rational freedom must be diffused through the whole community at large, who by the processes of partial obedience, and partial liberty (or licence), will become habituated to such a Constitution, just as other people hug the bondage of unmixed despotism.

But England as yet is the only country in possession of such a blessing. Her Constitution alone is that in which order and freedom are found united.

In Ireland, contended Smith, the Tory Oligarchy monopolized everything prior to the Union. The Catholics were their slaves, but assuredly they could not have remained so much longer. Leaving England out of the argument, and supposing Ireland alone concerned what would have been its state, if

either the Protestants, or Catholics completely triumphed? The first would have had a cruel and heartless despotism, and the last would have sought to erect a Democracy, and have succeeded in plunging into Anarchy. As an Irishman, and lover of liberty, he would have preferred the Government of England, to the uncontrolled domination of the Irish Oligarchy. On the other hand, as a man, he would have also preferred the rule of England, to the anarchy of a Hibernian Democracy; as a Protestant, or lover of free thought, he preferred to live in a social atmosphere, where his mind might expatiate, without the dread of the overspreading cloud of Roman Catholicism, accompanying a Democracy in Ireland. As an Irishman, he rejected the idea of living in a Democracy. He maintained that no kind of Human Nature is so unfitted for mere Democracy as Irish Nature; that the Irishman loves distinction—and social graduation; that he likes to look up to his superiors, and does not feel himself abased; that he also likes to look down on his inferiors, and does not feel himself proud—in short the Baron thought that the true—incorrupt—natural—and national Irishman loves Aristocratic notions.

If therefore, reasoned the Baron, Ireland were separated from England ; its inhabitants would either be slaves to an Oligarchy, or the mere creatures of democratic fanaticism, which would acquire a gloomier tinge, than is natural to it, by the presence of the Catholic Religion. He used to take a distinction between a Protestant and a Catholic democracy, and always contended with considerable ingenuity, that the difference of religion, had a much greater effect on the characters of nations, than most political reasoners would affirm. Holding upon general principles, that Government is a question of age and period rather than of rights, he did not think that the Irish people were at all fitted for the self government, which separation from England, would necessitate. He constantly referred to Spain as an instance to prove that a nation must have other elements, than the power of self-legislation, before it can become great.

After Smith had ascended the Bench he turned with great interest to the study of the laws. He was not ignorant of his Profession, at the time of his promotion—indeed—he was fully equal to his judicial duties, but he was

desirous of making a reputation as a *great* lawyer. He published some of his judgments, and some law Tracts, which are the best specimens of his composition. One lengthy dissertation on the rights of cross-examination, will repay the curious reader, or the jurist. The Baron was wholly opposed to the brow-beating system, and averse from the latitude which is given to Counsel. It may be observed here, that the system of cross-examining at the Irish Bar, would not be endured by the English public, for a single term. It would be frowned down by public opinion. The latitude permitted to Counsel, is grossly abused by them, and their witty insolence, and professional bullying would never be tolerated in England, except perhaps in some of the lower Courts.

But Smith signalized himself in Ireland, by nobler means than the display of intellect and the parade of philosophy. He was the most humane and clement Judge, that ever wore the ermine in Ireland ; and he was so in times when it required high moral courage to differ from the sanguinary buffoons, who thirty years since disgraced the Irish Bench. He insured to

every prisoner tried before him, the fairest trial that the laws of England could give **him**. He scrutinized the evidence for the **Crown**; he restrained many an overheated Jury; he mitigated the harshness of many a heartless prosecution; he was patient in hearing the defence, and gave himself an extra portion of trouble in sifting the merits of a case. And he did all this, in times when professional ignorance, disgraceful levity, and hardened arrogance were the pervading characteristics of the Bench. He did it in times, when he was laughed at for his pains! He acted thus a part of noble humanity, when the disgusting O'Grady, and the loathsome Toler (Lord Norbury) were in society esteemed as the chief ornaments of the bloody Bench of Ireland! It is to be hoped that the good man has had his reward before that dread Tribunal, for which he had such unaffected reverence. Many and many a poor peasant has cause even to this day, for blessing the memory of "Baron Smith."

Nor was this all; the Baron was most kind and conciliating to the Roman Catholics. The sentiments entertained by his illustrious master

in Philosophy for the Irish "Papists" the Baron fully shared. Amongst his friends and acquaintances, he never made the slightest distinction on the score of Religion, and though he took no part in politics, he plainly showed in society that he was strongly inclined to the political cause of the Catholics. He had married one of the co-heiresses of the ancient Catholic family of Cusack, and was in everywise free from the political religionism, that pervaded the Protestant party in Ireland.

On all trials when the Protestants or rather the Orangemen were at one side, and when the Catholics were at the other, the Baron was sure to place his shield over the weaker party. He showed one very strong instance of this habit, at the trial of a case brought against the redoubtable "Father Tom," under the following circumstances.

A short time prior to Emancipation, the New Reformation (as it was called) was begun in Ireland, and a desperate effort was made to convert the Catholics to the Protestant Religion. Various means were employed for the purposes of the New Reformation, and amongst others a horde of controversial fanatics were let loose upon Society. Several of them were scholars

and men of education; others of them were blatant zealots and canting chatterers about the "Bible—the whole Bible—and nothing but the Bible."

Some assisted by the stout and hearty Tory Landlords, represented "The Bible and Bully School," their practical preaching being to the same effect, precisely as that of the Catholic Priests in Spain, and other *exclusively* Catholic countries—*viz.* "Embrace the true Faith, or quit." Others assisted by large donations went about as agents of the "Bible and Blarney School," hoping by pecuniary compliments, and a profusion of "Soft Sawder" to bring the peasantry to "the true Faith." Others again by the help of platforms—aggregate meetings, and constant effusions of fanatical cant tried how far "The Bible and Balderdash School" would be effective in converting the "Papists" to "the ways of the Lord." Some more by the aid of Tea and Tract Associations—by the help of prayer meetings, and the sweet countenance of the fair sex, tried their powers against the "Holy Catholic and Apostolic Church." But all in vain. For though they discomfited a few pupils of Maynooth, who were rash enough to

enter the theological lists against them ; there suddenly rose a Catholic Champion, the Reverend Thomas Maguire, a country Priest, who challenged the Reverend Mr. Pope, the most celebrated of the Protestant controversialists. Maguire was vastly superior to Pope in natural vigour, and intellectual power. He seemed to have been born a logician, and where he amassed his learning, nobody knew. At Maynooth he was fond of disputation, and during the theological exercises that occur there in Lent, he was certainly the best of all his contemporaries in *extempore* argumentation. He was a stout, burly Hibernian, very “racy of the soil”—heartly—joyous—and impulsive, and apparently hugging his religion to his heart, more because it was the national creed, than on account of its objective theological truth.

He had been settled in a remote Country Parish, for some time after his ordination, and when he entered the lists with Mr. Pope, the Catholics trembled ; not without cause, for Pope had annihilated several disputants. But never was there a result so different from what had been anticipated. Maguire, in the opinion of impartial and indifferent spec-



tators, carried the palm from his adversary, when the discussion had such effect that he retired from the Theological Arena. The Catholics of course shouted with joy at the triumph of their champion, and Maguire became a popular hero for some time.

But some of the crest fallen fanatics greedily seized on some low dirty tale of scandal, trumped up against Maguire, against whom an action for seduction was brought by Miss Anne Mac Garrahan. The fanatics at both sides were ultimately flushed with joy, or rage, as from day to day the public mind was stimulated with select *morceaux* of the evidence that was to be produced. The case came on before Baron Smith, who delivered a charge never to be forgotten in Ireland, for its noble impartiality. The Jury might not probably have agreed, if a Judge of the right sort had tried the case, but Smith's charge carried a verdict from the Jury in favour of Maguire.

Many other instances might be cited in which Baron Smith rose superior to the atmosphere he was placed in. He was the popular Judge of his time, and his virtues were perhaps unreasonably glorified, by those who admired

him, because he assisted them in the hour of difficulty.

The Baron, however, was no sneaking sycophant—no mean cringer to the stronger side. He acted at times with a favourable leaning to the popular party, because the legal \* circumstances of the cases before him entitled him to do so. But he was at all times ready to vindicate the laws that he was sworn to administer.

It has been previously remarked that he was eccentric and whimsical ; amongst his most noticeable peculiarities was his strange *penchant* for living by night. He seemed to detest the daylight, and delighted to be awake and active in his study when the rest of the world was fast locked in sleep. He sat up habitually during the greater part of the night, and alleged that he never could sleep until after morning broke. His face bore all the marks of a man of late hours. He used to lie back on the cushions of the Exchequer Bench—pale—bleached—and withered—one of the ghastliest and most nerveless of his Majesty's official servants. He appeared to have no life in him. His frame appeared contracted and shrivelled

like an autumnal leaf. And yet he would suddenly rouse himself up—manifest the greatest physical excitability—speak with bitter sharpness—and show himself ready for disputation with any of the Bar before him. He was most peevish in his manner—and particularly kind in his conduct; he could be within the same hour, and to the same company the most disagreeable and fascinating of men; he would be very witty and very dull; now morose and miserable, anon dazzling and delightful; at nine or ten o'clock at night you could not extract a word from him of his multifarious reading, and perchance at three hours after midnight, his memory would apparently thaw—his stores of scholarship would be opened up, and he would discuss an intellectual topic with the keenest zest. He was decidedly the crossiest, and the most amiable being in the British Empire; the most profound oddity—the most fantastical scholar—the most whimsical philosopher—and the most ingenious philanthropist (for he loved human nature) of his age.

There can be little doubt that he suffered at times from some strange nervous delusion. At times he certainly seemed like a man who

was goaded by his mind. It was said that he once had sentenced a man to death, and some time after the execution it was discovered either that he had been illegally convicted on inadmissible evidence, or that more time should have been allowed between the sentence and the day of execution. Whatever may have been the error, the story went that the Baron suffered great mental agony (for he had a most tender and sensitive heart) in consequence of the affair. He had been in no wise morally to blame, and not one of his contemporaries on the Bench (save Fletcher) would have thought a second time on the matter, but Smith was deeply stricken with compunction, although it appeared that no serious error could have really been imputed to him.\*

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\* Lawyers and other persons have often obtained hereditary titles under very curious circumstances. There is one instance in Ireland, where a hereditary honour was bestowed upon a family, because its founder HANGED A MAN BY MISTAKE! The late Mr. Serjeant ——— was an eminent member of the Irish Bar. His practice, which was considerable, lay chiefly in the Equity Courts. Owing to the illness of a Judge, he was suddenly placed in the Commission, and went Circuit. He committed a flagrant error in a criminal case, in which he sentenced to death a prisoner, who was accordingly executed. The Government could not venture upon

It is important to observe, that it was after that event he became so nervous, and addicted himself to late hours. So long ago as 1809 and 1810, when he went the Munster Circuit, he actually at times kept the Court open at midnight. He would not go into Court until twelve or one o'clock in the day; sometimes he would be found entering on his duties at two o'clock. Once that he had taken his seat, he discharged his office with the greatest impartiality and ability, but it was exceedingly difficult to get him into Court.

Most strange of all, he was so popular and beloved by the profession, and all who knew him, that the Bar never murmured against his conduct. The public acquiesced in his oddity, and sanctioned his eccentricity. With all his queerness, no judge was so respected and looked up to as "Baron Smith."

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afterwards raising the learned gentleman to the Bench, though he was esteemed as a good lawyer, and a very excellent private character. They accordingly made him a Baronet, and his family now enjoys the title so acquired.

## CHAPTER VIII.

### BARON SMITH.

“ The faults of the mind, like those of the face, grow worse by age.”

ROCHEFOUCAULT.

AFTER the Reform Era had commenced, and when political power seemed to be bending to the hands of the mere multitude counted *per capita*, the Baron, then an old man, became alarmed, and visions of another French Revolution glared upon him. He found that he had (like many others) expected entirely too

much from the so called Catholic Emancipation scheme. The dreadful agrarian disturbances of the years 1831 and 1832 acted upon his mind, and he fancied that civil society was in Ireland upon the eve of total dissolution.

Accordingly in his own words he determined "to sound the tocsin," and commenced a series of charges to the Grand Juries of Ireland, unexampled for the familiarity with which he introduced undisguised politics into a Court House. The charges were carefully composed in his study, and were so many epigrammatic dissertations on O'Connellism—the habits of agitators—factionous Priests, and the ordinary staple of Irish Conservative harangues. They were very clever—very pointed—occasionally very terse, and dealt very hard blows against (to use his own phrase) "the Cerberus of agitation." The querulousness of old age had given the Baron a painful obliquity in his moral vision, and he was content to censure in the most stinging terms only one party of the social malefactors. The arrogance of the Irish Oligarchy—the hard-heartedness of exterminating landlords—and the exactions of Tithe Proctors—never came under his assumed

censorship. He only looked at the faults of the populace and their leaders, and never administered any brilliant rebukes to the absentee Aristocracy, or the Protestant incendiaries, who tortured the country with their rancorous and brutal abuse of the venerable religion of the Church of Rome.

Such conduct on the part of the Baron, was decidedly very bad as a mere matter of taste, but it was most unconstitutional in a Judge. Indeed his conduct in that respect can hardly be reprehended too severely. He evidently thought that a judge should be a leader of the public mind—that he should contribute to the formation of opinions on ordinary politics. If such a precedent should be followed in a Democratic age, how terrible would be the consequences to law and order! Imagine some Republican Smith, or Chartist Abinger, justifying the passions of the populace, and reducing to a dogmatic science by the judicial approbation—the whims—caprices—and violence of a fanatical community!

The Baron's conduct was very bad, but how could he be punished? The Whig Government dared not remove him from the Bench. If they attempted to do so, they



could not have carried public opinion with them, even in quarters where Smith's conduct was openly condemned. However his late hours and eccentric habits gave them some power over him, and it was thought that he might soon be reduced to silence.

At the Dublin Commission Court, in the autumn of 1833, there were fourteen prisoners only to be tried, and yet the Baron seized the opportunity of delivering a long discourse upon the politics of the day, in which he censured the conduct of the Ministry. "When, cried he, the general situation of the country did not seem to be properly understood, I sounded the tocsin, and pointed out the ambuscade." This charge gave very great offence to the officers of the Crown, but how was Baron Smith to be punished?

The Government acted with great weakness in the affair; they ought to have induced one of their Parliamentary supporters, such as Mr. Shapland (now Lord) Carew, or Mr. Lambert, or Sir Denham Norreys, to bring the Baron's conduct before Parliament. And yet Sir William Smith was so universally beloved, that probably not one of the three

gentlemen just named would have consented to act the part of accuser. However, the Ministry (which felt very sore at his attacks, for the Conservative Press circulated them throughout the Empire) should have induced some Ministerial member to take up the matter. Instead of doing so, they left the Baron to O'Connell! And now let us see how signally the Baron triumphed in consequence of the injudicious manner in which he was attacked.

First, it may be stated that even amongst the Irish Liberals, the feelings towards the Baron were so affectionate and kind, that few could bear the idea of dragging him before Parliament. O'Connell, however, had no fastidious scruples about the matter. He saw that Government would not object to have the Baron placed in the public stocks as a judicial delinquent, and he resolved to act as the Beadle of the Ministry. But very many Irish Catholics, and *even Repealers* were sorry to see O'Connell consenting to act as the Baron's executioner. They thought his former services—the patronage in private, and protection in public, that he had always afforded to the

Catholics, should reckon as a set off against his modern misdeeds.

On the 13th of February, the Agitator brought the whole matter before Parliament. His two charges against Smith were neglect of duty, and indulging in political manifestation. He enlarged at length upon those topics, and handled the Baron in a very rough manner. Anticipating that a plea of old age would be raised for Smith, he bluntly said that "if the Baron was too old for responsibility, he was too old to remain upon the Bench." Originally he had given notice of motion for enquiry into the Baron's conduct, with a view to his removal from the Bench, but he prudently altered it into one of asking for Committee of Enquiry into the learned Judge's conduct.

Chief Secretary Littleton supported O'Connell's motion, and alluded to the unseemliness of a political Judge. He however dwelt most upon the late hours and irregularity of the Baron's conduct. Mr. Shaw made a bold, dashing *nisi prius* defence of the Baron, but all to no avail. He contended that the times at which the Baron entered court were the usual hours in Ireland for transacting business!

Lord Stanley\* followed him in an excellent speech in which he reminded the House that under similar circumstances an English Judge would be sure of being subjected to a severe examination. Peel with his habitual tact resisted the motion, on the ground that if there were any real charges, the Baron should be brought to the Bar of the House, and not subjected to an inquisitorial committee.

Sir James Scarlett, (now Lord Abinger) made a very short speech in defence of the learned Baron—he seemed quite astonished that Ministers would accede to such a motion as that of O’Connell’s. He instanced the political charges that had been delivered during the war, but was immediately taken to task by Lord John Russell, who fell with great fury, like a terrier upon a rat, on the “recreant whig,” whom he handled very roughly.

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\* In the First Part of this work, at page 120, the speech delivered by Lord Stanley in 1834, in the case of Baron Smith is placed to the noble Lord’s credit as having been delivered while Chief Secretary. The mistake was merely accidental, as the present writer had many reasons to remind him that Mr. Littleton was the Irish Secretary in 1834. By quoting it as an example in Lord Stanley’s favour, he meant to give evidence of that noble Lord’s views with regard to Ireland in all times.

Then the late Mr. Serjeant Spankie, who was an odd sort of man, made a very able defence of Smith, in the forensic style. He made a great deal of "the independence of the Judges," "the illustrious friend of the immortal Burke," &c., &c. Spankie at that time represented Finsbury. He was in his own line of practice, rather an able man, though he was thought to have been too jealous of those who outstripped him. On Peel's returning from Rome in the end of 1834 Spankie was one of the first of the Reformers to join Sir R. Peel. His speech on the motion against Baron Smith was the most elaborate that he ever delivered, and he certainly appeared to be quite sincere, as far as a man could be judged by his manner. On Sir James Graham his oration told with great effect. The Right Honourable Baronet appeared to consider Spankie as a luminary of the first magnitude, and detailed to the House the effect produced in him by the eloquent Serjeant. The tone of Sir James's speech is very deserving of remark, when we recollect what his conduct was in a few weeks afterwards, and especially also the part that Spankie played in the en-

suing November. The Right Honourable Baronet in supporting Sir R. Inglis's amendment, "that the House now do pass to the previous question," said "That he had come down to the House with an understanding that the Government was to oppose the motion; and he, for his part, had not changed his opinion. It was his intention to vote with the Honourable Member for the University of Oxford. Beyond almost every thing dear to him was the independence of the Judges of the land; but he must be permitted to say on this occasion that there was one thing still dearer to him, namely, *his own independence and character*. He therefore felt himself called upon to give the most painful vote, and to discharge the most painful duty which had ever been exacted from him, *in severing himself from those with whom he had so long acted*. Having had no communication with his colleagues, but feeling the arguments of the Honourable Member for Finsbury to be *irresistible*, he should betray his trust, and should never forgive himself if he shrunk from the painful duty of dissenting from his colleagues. He could not argue the question. *He was not in a state of mind to do so*. He could only discharge his duty, and

that duty could only be discharged by voting against the motion."

After several had spoken to the question, the House divided, and the numbers were for O'Connell's motion for the Committee 167, and against it only 74!—leaving a majority of 93 against the Baron.

When this vote however was carried some persons got alarmed. The Conservative reaction was just then commencing in England, and a suspicious feeling towards the Reformers was gradually becoming prevalent in society. It was determined by the Tory Opposition to make a grand stand for "the independence of the Judges," and accordingly it was resolved to bring the Baron's case again before Parliament, and ask the House of Commons to reverse its previous decision. Some rumours prevailed that Lord Wellesley was averse to the conduct that Government intended to pursue towards the Baron, but those rumours (*although the Tories contrived to turn them to great account*) were unfounded. It would have been nearer the truth, if it had been said that Lord Grey had some misgivings concerning the wisdom of dragging the Baron before Parliament. It may be added that Irishmen felt very kindly

towards Sir William Smith, and so popular and respected was he in his native land, that only one Irishman of consideration (O'Connell) attacked him.

Sir Edward Knatchbull gave notice for the 11th of February, that he would move the rescinding of the order for the Committee. When the night for his motion came, the House was at first occupied by the consideration of the Agricultural Distress, and in reply to some statements of Lord Althorp, O'Connell made a Speech that would have delighted the "drab-coloured men of Pennsylvania." In fact he "repudiated" the interest of the National Debt, and boldly cried "Talk of the Cant of National Faith indeed! *National Faith, so called, was national injustice.* Reduce the interest of the Debt one-sixth, and if at the end of twelvemonths that reduction should be found insufficient, come forward again, and propose a reduction to a like amount!!!"

The crafty and cool Sir Robert saw in an instant that he had Baron Smith's accuser on the hip, and determined to set the House at him with his usual adriotness when combating a reckless adversary. Recollecting also that a



Repeal debate was pending, Sir Robert reminded the House that when it came to consider the question of the Union between Great Britain and Ireland, it would be able to collect from the speech just uttered what political principle would be likely to prevail under the auspices of O'Connell. "Oh," cried Sir Robert in his most dramatic manner, "all you who are interested in the public funds, all ye Protestants who hold lands, or other property in Ireland, learn from this indiscreet declaration of the learned gentleman, what you have to expect when you shall be handed over to the tender mercies of a popular assembly, in which the influence and principles of the learned gentleman shall prevail. 'Cant,' exclaims the learned gentleman, 'Cant,' turning round and fixing his eyes on Mr. O'Connell. 'I thank thee, Jew, for teaching me that word,' you have decided the question of Repeal of the Union by this preliminary declaration! Know every man who has any property of any description—who has any interest in the national funds, that on such slender pretences of state necessity rests the doctrine which justifies a violation of national faith—a doctrine, under which, if once

established, no description of property is any longer safe."

Peel completely succeeded in his object; he raised so strongly the indignant prejudices of the House of Commons against the accuser of Baron Smith, that the House was very ill prepared to listen to any attacks from O'Connell upon an Irish Judge. Nay, several members began to consider that it was just possible that the conduct of a man who could so scorn National Faith might have been so outrageous in Ireland, as in some measure to palliate, although not to excuse the conduct of Baron Smith. Such were the feelings entertained by many members, who left the House determined not to vote against Smith, although at the same time they would not vote for his acquittal. Sir Edward Knatchbull brought forward his motion; he was replied to by Lord Stanley who made a very "stout" speech against the Baron, and argued very strongly, with all his ability in favour of the necessity of enquiring into the Judicial conduct of Sir William Smith.

Up then rose Mr. Shaw, who for once delivered a speech, which the most powerful

Parliamentary Orator might have been proud of having uttered. The effort may be considered a remarkable one, as it is the only really great speech that any Irish Tory has delivered in the British Parliament. Canning, Croker, and others belonged to the *English* Tory party, but Shaw was a red-hot *Irish* Conservative. His defence was well got up, and so admirably delivered as to obtain repeated marks of applause from his auditors. He appealed to generous feelings, and spoke under the influence of what Grattan called "the genius of the Irish people—affection." After defending Sir William Smith, he turned with great effect upon O'Connell, and raised the question—"Who is his accuser?" A query which told upon the House, after the disgraceful speech of "the cant of National Faith."

The speech produced an effect rarely witnessed in the House of Commons. While delivering it, the speaker seemed changed into another being; his countenance lightened up with extraordinary animation, and it was very evident that he was inwardly thrilled with emotion.

He had to plead besides before an adverse audience (for it was the first Reformed Parliament), and he seemed determined to carry its passions by storm. He uttered many a sentiment tinctured by local bigotry, and expressed feelings that an Irish Whig could not admire, but the speech was certainly a fine one taken on the whole, and it was admitted to have produced a greater sensation within the walls of Parliament, than any oratorical effort during the sessions of 1833 and 1834. It was a very *Irish* speech ("and none the worse for that," as my Lord Melbourne said to Lord Brougham) in its intensity and vehemence, but there was no tawdry tinsel in its rhetoric. If it was diffuse, it was also nervous—if it was declamatory, it was strikingly earnest. Take the following passage as an example of what Shaw could do with a good subject to rouse him:—

"I challenge the boldest adventurer in Irish agitation to stand forward before an assembly of English gentlemen, and bring a charge of the slightest corruption, partiality, oppression, or any other species of criminality against

Baron Smith. Let them betake themselves to the veriest haunts of faction, turbulence, sedition, and cater in the fetid atmosphere of the most squalid misery and vice—let them include, nay, I should wish they would, every criminal that learned Judge (who, if he had a fault, it was that he was too humane) has ever tried, and I defy them to carry thence one single breath wherewith to sully the pure and untarnished reputation of that distinguished man. Has one individual dared, throughout the two nights of this discussion, to cast the shadow of an improper motive across the long and honourable path of his judicial life? What then! will this House—the question is not whether they approve or disapprove of some particular phrase or figure, or some trifling unpunctuality—but without the imputation of a crime—without the charge of an offence—drag that venerable man—the father of the Irish Bench—the head and ornament of Irish society—the pride of Irish literature—him who, in the days of his youth, his vigour, his health, had illumined the brightest pages of Irish history; now, when the brightness of his former fame and great attainments was sinking into the peacefulness of retirement, full

of years, covered with the honour, respect, and esteem of his entire country, and place him a criminal at that bar? Forbid it justice, honour, truth! Is there a generous mind, a feeling heart, a noble sentiment in Ireland, that would not revolt against an act of such grievous injury—such wanton, crying, cruel, unprecedented injustice? *And who is his accuser? who is it*—that asks you without evidence, and upon his mere statement, to condemn that aged and venerated Judge? The factious—turbulent—and seditious agitator; the man who caused the passing of a special Act of Parliament against illegal associations—violated its provisions, and escaped its penalties by its accidental expiration—*who is at this moment vicariously suffering in the person of another the punishment of that sedition of which he is this night the advocate\**—and whom you, this very Parliament, are now holding within the bounds of allegiance and the limits of the law, by the provisions of an extreme and extra constitutional statute. Is this the man at whose feet you will prostrate the laws of the

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\* The Editor of the *Pilot* had been sentenced to six months imprisonment, for having published one of O'Connell's letters to the Irish Democracy.

land, and in place of their mild and salutary sway, set up the iron rule of his dictation?

Will you subvert the judicial Bench, and for it substitute the arbitrary will of one despotic tyrant? If you confirm the vote, you set the most fatal precedent that ever was established in a British House of Commons. You abrogate the boasted charter of judicial independence, passed, not to uphold the personal rank and dignity of the Judge, but as the security of the rights and liberties of the subject. And as to Ireland—you will stab to the heart her laws, her liberties, her peace, and her prosperity; and with them will fall withered to the ground every hope of amelioration in the unhappy condition of that unhappiest of countries."

Another passage in the speech, in which he pourtrayed the state of Ireland, if agitation was permitted to last unchecked, and if a Catholic rebellion should succeed—"with the altars of our religion overthrown—our property confiscated—peace and safety driven from our homes—and *our wives and children a prey to the midnight murderer and voluptuous assassin*"—derived the whole of its effect from O'Connell's earnest repudiation of National Faith in the previous part of the evening. Baron Smith

had reason indeed to thank the evil genius of O'Connell for his deliverance from the punishment to which the Ministry might otherwise have brought him.

O'Connell followed Shaw in a very ineffective speech, and Peel then came forward and spoke with a degree of earnestness and anxiety that are by no means usual accompaniments of his speaking. The Tory party (it was notorious in the political circles at the time) had determined to make a grand *coup* in the case of Baron Smith. It certainly was an excellent subject to give battle upon, for the Tories entrenched themselves behind "the independence of the Judges," and they reinforced themselves also by the various antipathies to O'Connell, whether produced by Tory hatred—Whig aversions—Radical jealousies—or John Bullish dislikes. Sir Robert Peel 'with his habitual tact' saw that so fine a question had not presented itself for the Tory party to unfurl its banner, as on the case of Baron Smith. And the wily Baronet calculated well. He has made many an ingenious speech during his career, but he never shewed himself so "cunning of fene" as when shielding the Irish Judge. He entreated and warned the House by turns; now he made light of the learned Baron's notorious irregularities, and



now he declaimed in his best and most plausible style about the independence of the Bench. He indignantly repudiated Lord Althorp's proposition that the Baron should make an apology, and said—

“ That he had that conviction of the learned Judge's integrity, that he hoped he would not demean himself *by anything which could be considered tantamount to an apology.* The learned individual was far advanced in years, and the infirmities of age might have somewhat quenched the energy of character for which he was once so remarkable ; but he hoped that the learned Baron would feel that in his person he was fighting the battle of the independence of the Judges, and if he were conscious that no public inconvenience had arisen from his late hours— if he had continued to deliver political charges, partly because he thought he was maintaining the cause of good government, partly because he thought he was encouraged and sanctioned by Ministers, partly because he was proud of seeing the appendices to the reports of the House of Commons graced by the publication of his compositions, and by doing so should draw upon himself the wrath of that House, he trusted that, if fall he must, he would fall without

having submitted to the voluntary degradation of an apology."

Lord Althorp, the leader of the House, strongly besought honourable Members not to rescind the order for a Committee of Enquiry. Numbers of the Ministerial party went away without voting, and the Conservative Opposition won its first triumph over the Reform party, the numbers on the division being, 161 for Sir E. Knatchbull's motion, and against it 155—leaving a majority of six against the Ministry.

That the Conservative party felt they had achieved a most important triumph, is beyond any cavil. Those who recollect the exultation in the Tory circles at Baron Smith's escape, can have little doubt in assigning his case to have been the turning point in the counter movement against the Whig party. It was a successful *hit*, and it was felt so by the country. The most sagacious Tories were known to say that the Baron's escape was a mortal blow to the Ministry. For it too plainly revealed to the country the vacillation and internal schisms of the CABINET. The great anxiety which Ministers shewed to punish Sir William Smith was strikingly con-

trusted with their want of *savoir faire* in handing him over to O'Connell.

The case, however, shews more than the bad management of the Government ; it exhibits in a striking manner the tact and political dexterity of Sir Robert Peel. His assault on O'Connell was excellently timed. In other circumstances he would probably have passed by the Agitator's extravagance, but having Smith to defend, and a party movement to carry through, he raised the prejudices of the House against the Baron's accuser. In accounting for the defeat of the Ministry, a Whig well exclaimed that "it was the force of Daniel's character (exhibited as it was on that night) that came to the learned Baron's aid, and induced the House of Commons to connive at his escape."

If the English Conservatives exulted in having given a heavy blow to the Whig Government, the feelings of the Irish Conservatives knew no bounds. The unhappy case and chronic disease of Ireland were very plainly exposed in the simple fact that *every Grand Jury in Ireland* addressed the Baron, and warmly congratulated him on his escape!! Even the Irish Whigs addressed him, and to each Jury, the Baron returned an elegantly

written epitome of Conservatism in the shape of a reply.

And last of all, the affectionate nature of the Irish character was shown in the fact that several Irish Radicals and Repealers also rejoiced at the Baron's deliverance from the disgraceful ordeal of public inquisition. Even the Repealers' newspaper the *Freeman's Journal* took the Baron's part, and uttered the sentiments of many Catholics, when it lauded the character of the learned Judge, and expressed its regret that a public enquiry should give him a single moment of pain. . . . Irish have been often blamed for not being sufficiently *abstract* in their politics, and for allowing friendship and hatred to influence their decisions on public matters. Their feelings towards Sir William Smith strongly exemplify their national peculiarity. They forgot his faults in their recollection of his virtues, and when the Radicals of the Empire wished to sacrifice him, the Irish preferred the man to the principle, and chose to act generously towards an opponent, rather than consistently with popular doctrines. And surely it redounded more to their credit to act with forbearance towards him, who had been the

merciful Judge in times when the Courts of Justice were like a Shambles; who had been the powerful advocate and efficient protector of the Catholics in days when the Protestant Ascendancy was most rampant; and who had for fifty years been a conspicuous ornament of Irish Society—surely to forget the faults of such a man in his old age, was more creditable to the Irish, than to have rigidly adopted the heartless routine indicated by a sour and vindictive public spirit, that would make no distinctions between persons.

The Irish felt that the Radical principle of judicial responsibility was right, but they were hostile to making William Cusack Smith its victim. They would gladly have seen other Judges punished, but Smith was not an O'Grady—or a Toler—or a Torrens; he was a generous and loveable Irishman, with high spirit and brilliant accomplishments, and was the subject of many honourable recollections.

There can be no doubt, that with all his eccentricities, Baron Smith was a fine old fellow, and to be "rated a fine fellow" in Ireland, is to take a high degree in the national affections. The Irish defend themselves from the

sneers of the mere abstract school of political thinkers, by bringing the favourite dogma of "general consequences" to their aid; they think it easier to reform mankind by encouraging the noble and generous, than by following with arithmetical precision the mechanical rules of a tyrannical and disgusting Utilitarianism.

## CHAPTER IX.

### THE PARLIAMENTARY REPEALERS IN 1834.

Politicians are of various sorts. Some are angry with the Government, but prepared to maintain the Constitution. Others would subvert the Government to change the Constitution; others again would sacrifice the Constitution to change the Government.

LORD BOLINGBROKE.

THE Tail party was very active in politics in 1834. It contrived to occupy a considerable share of public attention, and its opposition to the Grey Cabinet was considered by the Tories as being highly advantageous to Conservative interests. At the first opening of the Session, the Ministry and the O'Connellite members

were in collision upon the question of "Who is the Traitor." It was easy to see from the positions assumed by the Ministerialists, that all ideas of a truce with the Tail had vanished. In the Government circles there seemed to exist a desire to get rid of the Irish party by *any* means, and the cry of "Who is the Traitor," was in point of fact directed more against the Tail than against Mr. Sheil.

From the fact of the Repealers having routed the Whig party in Ireland, very great dislike was felt towards the Tail members throughout most sections of the Ministerialists. Mr. Sheil, though his great superiority in talent, removed him from the contemptuous odium in which "the joints" were regarded, was nevertheless treated with some aversion by the English Whigs. Many were disappointed when he was found to truckle to O'Connell, and the amount of bitter cleverness and rhetorical dexterity, which he brought to bear against the Government, made him the object of much ill will amongst the thorough going supporters of Lord Grey.

It was not however very creditable to some of the Whigs, that they threw every difficulty



in the way of Mr. Sheil's vindication of himself. When the subject matter of the charges made against him, was brought under the attention of the House of Commons by O'Connell, the Ministerialists showed every possible desire to get rid of the whole question, and prevent its discussion. Considerable opposition was offered to granting a Committee for investigating the *Hillabulloo* charges; every petty pretext was alledged in favour of not entertaining the question of Mr. Sheil's guilt or innocence; he was menaced with the consequences of attempting to persist in clearing his personal character. Nor was it merely inside the House that he was dealt with unfairly. The Ministerial Press appeared to have been set upon him. One portion of it cried down the demand for a Committee, and another sought to intimidate Mr. Sheil from proceeding. In fact the Ministerial party behaved so unfairly to the honourable gentleman, that but for the assistance of Sir Robert Peel, it is extremely improbable that the House would have consented to grant a Committee, under the circumstances, as there was no precedent for such a course.

Indeed the *Hillabulloo* business shows very plainly the advantages of having two recognized and powerful political parties to conduct affairs, by means of the reciprocating influences of Ministerial authority, and oppositional animadversion. The Tory party represented on that occasion by Sir Robert Peel and Sir Henry Hardinge, interposed between Mr. Sheil, and the extirpating propensity which the Ministerialists too evidently displayed. There cannot be the slightest doubt that Sir Robert Peel and Sir Henry Hardinge greatly facilitated the purgation of Mr. Sheil's character from the charges which were then cast upon it. Peel's speech actually got him the Committee, in spite of the opposition of Lord Althorp's backers, and the unprecedented nature of the inquiry; and Sir H. Hardinge's statement, delivered with his characteristic chivalry, completely stifled the snarls with which the report of the Committee was received in certain sections of the Government supporters.

But though the advantages of Party were made manifest, its evils were rendered very

glaring. Not merely was shown the extirpating propensity of partizans—not merely was displayed the desire of destroying an opponent by any means, but the basest imputations were cast upon some of those who took part in the discussions on that curious affair. O'Connell acted as Sheil's friend throughout the whole business, and some of the Tories attributed his conduct to his anxiety to destroy a rival Tribune, while some of the Radicals boldly averred that Sir Robert Peel urged the House to grant a Committee, because he thought that the result would be fatal to Mr. Sheil's reputation. Such is the manner in which party animosity blinds the eyes of men.

Throughout the entire of 1834, the Tail party figured prominently in Parliament. It would be an endless labour to record the constant bickerings—incessant personalities—and frequent recriminations that took place between the Ministerial party and the O'Connellite Members. There was a very bad feeling between them, and it is known that a portion of the Grey Cabinet (including some who still remain Whigs) felt very great personal aversion

to the Irish party. It is perhaps only right to say that the O'Connellite Members were disliked, not because they were *Irish*, but because they were so fierce in deportment, and so *brusque* in their manners. The House of Commons felt that they literally forced themselves on its attention, and that they sought to supply the want of talent, by the adoption of an offensive demeanour. O'Connell and Sheil were always heard by the House, but it was not much to blame for its disinclination to listen to the frothy tirades, delivered with clumsy gesticulation by the "joints." Every Tailman appeared anxious to become a celebrity; he sought to sharpen his wits upon the House, and to become a speaker at the expense of time and patience, and to the interruption of public business. They brought forward few practical motions; they raised many personal discussions; they suggested no feasible schemes for improving their country; they abused England, and clamoured without exhibiting any powers of producing public effect. It is enough to say of them, that not one single man of the Tail party (O'Connell and Sheil of course excepted)

achieved a reputation for talent in the House of Commons.\*

The inefficiency of the Tail Members was strikingly manifested on the Repeal discussion that took place in April 1834. For six nights the House of Commons was occupied with the discussion of the whole question, and certainly the inferiority of the present race of public men was evident on that occasion. Never was a question of the like magnitude so badly discussed. The speeches on both sides were long

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\* The fierceness which the Tailmen exhibited on political questions was happily caricatured at the time when Mr M. D. Hill was engaged in answering the epistolary communication which he received from the O'Connellite Members. The tone of those letters was thus felicitously described by—

“ Who is the Traitor ? ”

To M. D. HILL, Esq., M. P. FOR HULL.

“ SIR,

“ I'm not the man. Am I? Your friend or foe, according to your answer.

“ PETER O'GALLAGHER,

Member for Mum.”

and tiresome. Only one speech worthy of the occasion was delivered, and whatever be thought of his views, it is certain that Peel seldom made an abler speech than in combating the Repealers. He was the only man at either side of the House who rose to the height of the argument, and he grappled the whole question with conspicuous ability. O'Connell's opening was flat, prolix, and prosaic. He shewed no masterdom over his subject. He said nothing new or remarkable. It was a statement fitter for a Corn Exchange audience than for a deliberative assembly. He tried to prove that Ireland had never been conquered; he recited whole passages from the speeches of Saurin, Bushe, and Plunket; entered into statistical statements, and alleged that Repeal was quite feasible, "for they had the King, and the Irish Lords, and all they wanted was the House of Commons at College Green!" In short there was a want of political ideas in his lengthy and laboured attempt to expound the higher laws which should govern Irish politics. Every body thought his speech full of the merest clap traps. He exhibited no profound truths, or put old ones in a new form. It was a mere Corn Exchange *ding dong*, recapitulative of all the

grievances of Ireland, past and present, and the simple remedy proposed was to restore the Parliament.

The fallacy of O'Connell's political exposition of the Repeal Creed consisted in this; that he affected to speak the wishes of all Ireland—that he argued as if there was only one nation there—that he really stated only Catholic grievances, while he took upon himself the office of being the regenerator of the Protestants as well as the Catholics. It was very plain that the Protestant Irish Nation by no means concurred in any of the views of the Irish Catholic Nation. It did not wish to be placed under the ascendancy of mere numbers. It was not anxious that its Church should be overthrown, nor desirous that its wealth and respectability should be rendered subservient to an overwhelming Catholic majority. In fact if the principle of national regeneration was to be applied to Ireland, it was evident that it should be modified so as to meet the wants of each nation.

The Protestant nation was Aristocratic by prejudice—by political institutions—and by necessity. The Catholic nation was equally

democratic in its ambition, and averse from Aristocratic notions. For though each individual Catholic was true to the national taste for whatever is imposing in form—exalted in station—and high sounding in title, the aggregate body of Catholics were in favor of social equality. The Protestant nation cherished the ideas of the British Constitution; the Catholic desired a more democratic government. A deference to authority was as characteristic of the Protestant country of Ireland, as a hostility to power was habitual to the Catholic one. The first clung to England from its fear of its rival country on the same soil; the second looked to France—to America—any where rather than to Britain for association and sympathy. The Protestant Ireland felt little for the far past; it laughed at the pretensions of Milesian glory; cared nought for the historic glory of Brien Borrhoimbe; the pulse of its heart never throbbed over the fate of the gallant Owen O'Neill; nor a tear moistened its eye on reading the fall of the Desmond, or the exile of the heroic Saarsfield. It had no history save that of the one Protestant eighteenth century, and it dated its annals of Irish glory,



from the time when Swift, “ saved her by his courage, improved her by his authority — adorned her by his talents, and exalted her by his fame.”\* But the Catholic nation of Ireland

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\* The following is Mr. J. W. Croker’s character of Swift, it is RATHER different from that drawn by Lord Jeffrey.

“ On this gloom one luminary rose; and Ireland worshipped it with Persian idolatry ; her true patriot, her first, almost her last. Sagacious and intrepid, he saw, he dared ; above suspicion, he was trusted ; above envy, he was beloved ; above rivalry, he was obeyed. His wisdom was practical and prophetic, remedial for the present, warning for the future : he first taught Ireland that she might become a nation, and England that she might cease to be a despot. But he was a churchman. His gown impeded his course and entangled his efforts : guiding a senate or heading an army he had been more than Cromwell, and Ireland not less than England ; as it was he saved her by his courage, improved her by his authority, adorned her by his talents, and exalted her by his fame. His mission was but of ten years : and for ten years only did his personal power mitigate the government : but though no longer feared by the great, he was not forgotten by the wise ! his influence like his writings, has survived a century ; and the foundations of whatever prosperity we have since erected, are laid in the disinterested and magnanimous patriotism of Swift.

This is not digression it is instruction : justice to the dead, example to the living ; it is the debt we owe, and the precept we should inculcate ; when he is emulated, his country is redeemed.”

cherished with romantic ardour the spirit of an antiquarian patriotism. In its eyes the upstart Protestant country appeared neither venerable or grand. It loved to relieve itself from the present by dreaming of a glory, that at the best was equivocal; it avenged the slavery of its political existence, by the sublime fancies of an ancient being; it enjoyed a vague and ideal life in the midst of all its sorrows and depressions; its thralldom was sad, but it was not abject; its bondage was miserable, but it was not ignoble, for the iron had not manacled its soaring soul, which mounted far and far beyond the reach of modern Parliaments, and Whig or Tory statesmen. The trading Englishman sneered at the rags of Catholic Ireland, but the spirit that lived beneath those rags was not to be measured by Birmingham cotton-twisters, or be appreciated by phlegmatic Bullism. That spirit was grand, for it lived through all difficulties; misfortune and treachery at home; progression and civilization from abroad—yea! even fate conspired its destruction, but no! there it was (and is) flaming forth in the face of proud England, unquenchable by Imperialism, indestructible by Utilitarianism, and shooting

up in its fierce rage with all the irregular brilliancy of its volcanic nature.

With two such nations on the Irish soil, and aspiring to the office of being the regenerator of Ireland, it must be said that O'Connell was more formidable, than sublime; more energetic than grand; more overbearing in manner, than successful in object; and that he exhibited on the largest scale rather the strenuous talents of an unrivalled demagogue, than manifested the commanding powers of a creative statesman. He did not like Flood ply the intellect of his country's mind with the profound arguments of an inquisitive understanding – nor like Grattan did he launch forth into a rapturous utterance of the feelings that thrilled in the Irish soul. He impersonated popular prejudices, rather than national aspirations; he appealed to democratic hunger, and to physical wants, rather than to political foresight and moral expectations; he was an agitator for the present rather than a statesman for the future; he represented the feelings and prejudices of one nation in Ireland, and he did not exhibit that witchery over the affections and aspirations of both, that the Irish regenerator must pos-

sess. If ever there will be a mere Catholic Nationality in Ireland, the glory of having laid its foundations will with justice be attributed to Daniel O'Connell, but if there is to be that regeneration, in which the mingled feelings of Ireland's sons will be blended—for such a national resurrection some other kind of man than O'Connell would be required.

But the great good that O'Connell achieved for his country was in giving European publicity to the miseries and oppression of the Irish “lower nation.” He made the whole world hear of Ireland, and rendered his countrymen formidable. He chased from the peasantry the servility that remained from the Penal Times, and taught them to rely on the results of political combination. He made their hereditary tyrants tremble, and he roused the apathy of Englishmen. He did more than this—he made an Irish party in Parliamentary politics. That party of Tailmen reminded one of Coleridge's description of Frenchmen “like gunpowder, each grain insignificant in itself, but *mass them together, and they are truly formidable.*”

Mr. Rice's reply to the Repealers was extravagantly overpraised. It was the laborious

concoction of two years of study—it occupied six hours in delivery, and judging it by the columns of its statistics, and its space in the newspapers, it was undoubtedly a *great* speech. But three-fourths of his arguments did not tell upon the public, for though his conclusions may have been right, he adopted a fallacious method of arguing the whole question at issue. He considered it rather as a financier than as a statesman, and his assertions of Irish prosperity were refuted in four years afterwards by the reports of Mr. Nicholls and Thomas Drummond. The best passage in his speech was that in which he described the consequences of Repeal, and pictured the fierce democratic Republic, which would necessarily ensue in Ireland, on its severance from England. He quoted with considerable effect Grattan's dying words "My last advice is that the people of these countries should not look for a democratical government. *They are not fit for it.*"

Sir Robert Peel's demonstration of the impossibility of any British Minister, whether Whig, Tory, or Radical, ever consenting to the severance of Ireland from England was most able and argumentative. More clearly than all

the other speakers or writers upon the question, he showed that Repeal involves the existence of the whole British Empire—that it is not merely a question between England and Ireland—nor between Great Britain and Europe, but between the British Empire and the World. He demonstrated that not merely the honour of England would be destroyed amongst nations, but that her existence, national and commercial, would be placed in jeopardy. He successfully exposed the retrospective and retrograde principles on which the Tail Repealers argued *their* case, and he showed the absurdity of falling back in the nineteenth century on mere Milesian ideas.

One topic, a very dangerous one, he touched upon slightly. He appealed to Irish pride, and flaunted in the eyes of the Repealers, the glory that Irish ambition might achieve in the British Empire. He talked of the Cannings and Plunkets in the Senate—of the Pakenhams and Ponsonbys in the field, and he hazarded an allusion to the Duke of Wellington's renown. But the "lower nation" of Catholic Repealers cared little for the military and senatorial celebrities of the upper nation. Its pride was as little animated by thinking

of Ponsonby and Pakenham, as if they had been Scotch heroes,—like the Moores—the Gordons—and the Grahams. Then as to the senatorial celebrities, the difficulties of an Irishman reaching political distinction, are as four-fold compared with an Englishman. The Irish gentry are restricted in the number of seats. What signifies one hundred and five members for Ireland? And the Irish Barristers cannot absent themselves from the Four Courts, unless they have large patrimonies. They cannot expect to obtain a “Tribute” like O’Connell, and they must never look beyond their profession. Any of them possessed of the talents, which succeed in public life, migrate to England, where for want of connections, and for the inspiring instinct of nationhood, they vegetate in comparative obscurity.

If the Union between the countries be dissolved, it will be found that *personal ambition* will have as large a share in the accomplishment of that measure, as the passions of the multitudes or the policy of public bodies. Under the present state of things, there can be little doubt but the Union is “a heavy blow, and great discouragement” to Irish ambition.

It might have been gathered from O'Connell's reply on the Repeal Debate, that he was anxious there should be a truce with the Government. At that time, in April 1834, the Cabinet was on the eve of a serious disunion. One party was proud and stiff as ever to the Repealers—the other was more conciliating. Lord John Russell was known to look with considerable indulgence on the Irish party ; but there were others who were ready to forbid the banns of any proposed alliance with the Tailmen. The Ministry could not avoid making some movement on the Irish Church Question. It appointed a Commission to enquire into the Revenues of the Irish Church, with a view to legislation. Lord Stanley and Sir James Graham left the Ministry, and in doing so, shattered the Whig party. The movement was stopped ; Lord Stanley's electrifying harangues roused the Protestant prejudices of England ; the frightened Conservatives began to take heart and gather confidence. At the General Election in 1834, on Peel's return from Rome, a small majority was obtained for the previously potent Reform party ; and what was more significant of Tory re-action, the



polls throughout the country were exceedingly close.

Since that time the Irish Church question has been the cause of many stormy discussions. It is still as unsettled as ten years ago. Half its attendant difficulties are not understood by the public. A straightforward statement of its case, plainly put forward, may not prove useless.

## CHAPTER X.

### REAL CASE OF THE CHURCH OF IRELAND.

“ The State—the Church—the Administration, and the property of that unhappy Island, are bound together by such unnatural ties, and placed upon such weak foundations that every rumour of alteration in the one spreads alarm for the safety of the whole.”

SIR JAMES MACKINTOSH.

IF the CHURCH of IRELAND be abolished—the Union of the two countries will not be worth ten years' purchase.

The assertion here made will by some parties be considered as mere dogmatism, but nevertheless it is capable of proof. When a man of Lord Howick's hereditary and personal

claims to consideration, boldly proposes to annihilate the Protestant Church of Ireland, it may be well for some one, who is free from prejudices, to explain calmly the connection subsisting between the Protestant Church and the Union with England.

Much loathsome cant—much disgusting nonsense — much unchristian language — much gross and vulgar ribaldry have been poured into the public ear by those itinerant ecclesiastics who have discredited the Conservative party, while by their hateful expressions, they have insulted the Roman Catholics. Those persons acting on crowds of excited fanatics, have represented the meddling with the Church of Ireland as sacrilege—as impious—as a sin crying to Heaven for vengeance, and in their prophetic fury have admonished the credulity and bigotry of the more prejudiced portion of the British public.

Nevertheless, in spite of the ravings of those missionaries of discord, it may be fearlessly pronounced that the British Statesman, who levels the Church of Ireland, will not be impious or sacrilegious; he will commit no criminal misdeed, but as a politician, he will be short-sighted—as a ruler, incautious—as a

statesman blind—as a Minister rash even to audacity.

Abolish the Church in Ireland, and you will only defer to a more disastrous period, the legislative severance of the two countries.

Why ?

Because, firstly, and it is most important to understand this point clearly, the abolition of the Protestant Establishment would give *a shock of a moral nature* to the Union. It would have such an effect, not merely in the upper nation, but it would influence the minds of all the Catholics, and of the entire lower nation in Ireland. Such a measure as the destruction of the Church would be visibly proclaiming to universal Ireland, that England made very light of the Act of Union—that she considered it had no binding force—that it was not to be considered as a solemn treaty, but that it should be considered merely as a trumpery Act of Parliament—in itself not more entitled to respect than a local Bill concerning a Turnpike Trust.

The Act of Union may externally—or taken *merely* in its instrumental sense—not be more than any other Act of Parliament. Its wax and parchment are not of themselves more

venerable than those of the Act of Settlement, or of any other Act of Parliament, but the Union between the countries was a moral transaction, involving the highest national considerations, and if the English Legislature sets no value on its essential and (almost) fundamental agreement, that the Church of Ireland continue established by law, how can the Union itself be entitled to any consideration—any reverence—or respect from *any* portion of the *Irish* people?

Again—the Protestant Church of Ireland was strictly entailed upon the British Empire, by the express terms of the Act of Union. If the British Legislature cuts off that entail, and commits waste upon the stipulated inheritance of the Irish Protestants, then the whole people of Ireland will be taught that they may at their pleasure destroy the whole fabric of the Union. If the solemn contrivances and exact regulations of the Union be disregarded by England, why should the Institution of Political Incorporation be considered as valid?

Secondly—by abolishing the Irish Protestant Church, you will cut away the

strongest link that binds the Upper Nation with England.

It is difficult enough to govern Ireland, with the Lower Nation, aspiring to self government, but how is Ireland to be kept, if the hold on *both* nations be lost ?

The Church is far more dear to that UPPER NATION in Ireland, than its sister Establishment is to any of the English people. It is connected with all that the Irish upper nation holds most venerable and dear. Whatever of historic pride—whatever of transmitted associations—whatever of inspiring recollections are common to the Irish Protestants, are clustered around the Establishment. It is the proudest boast of their Imperialism, and is the chief object of their political prejudices. Next to their monarch they give their political affections to their Church. Take that Church away, and what reasons would the Protestants have for remaining Imperialists? The Protestant Peers and Protestant Landlords might continue attached to the Union, from the feeling that such classes will always have, but the mass of the Irish Protestants would care little for mere Aristocratic interests; they would

find their own interests promoted by becoming Nationalists—by coalescing with their Catholic countrymen—by fraternizing with their brother Barristers—Doctors—and Shopkeepers—and Mechanics.

At present the Irish Protestants have a great deal of smothered national feeling. They may be distinct from their Catholic countrymen—they are equally so from the natives of England. Their psychology is national, though their politics are Imperial. They have more self-control—more self-reliance than their Catholic countrymen, but who that is familiar with their minds, but knows that they are full of Irish ardour—of Irish love for whatever is dashing and splendid, and that in favourable circumstances they are just the body, who, backed by the Catholic multitudes, would achieve a revolution in Ireland, whose vibrations would be felt wherever a single foundation of British Empire has been laid? It would certainly be a most magnificent consummation of Irish history, if that proud and fiery body, the Protestants of Ireland, should, inflamed by a generous nationality—marshal in the ranks of their Catholic countrymen—unfurl the standard of ORANGE and GREEN, and in casting off the shackles of England, dis-

play their hereditary valour in fields that would eclipse the glories of Derry and the Boyne. If the Protestants should place themselves at the head of the Catholics, the enthusiasm of the Irish would know no bounds, but it would not escape idly—directed by phlegmatic caution it would be the impulse to deeds of patriotism and glory. A grand new nation would result from the combination of both, and that lovely Island would at length be inhabited by an entire people—rejoicing in their nationality, and aspiring to a place amongst the powers of Europe.\*

Thirdly. The whole history of Ireland appears to be nothing but repeated confiscations. Constantly pulling down—seldom raising up any solid or permanent social institution—such seems to be the whole history of that ill-fated land. If the British Parliament will confiscate the Irish Church, what else will it have done, but given a speaking lesson to the Irish of the normal law of reprisal and spoliation—of destruction and political dilapidation, which is unfolded throughout the political career of Ireland. Such conduct would familiarize the mind of Ireland with the notion that the union

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\* The most sensible Repeal Statesmanship is to attack the Church.



was not a permanent measure; that it could easily be set aside.—that,

“ A breath could make it, as a breath has made.”

Besides the abolition of the Irish Church would recognize so glaringly the differences between the countries, that it would become questionable whether even a Federal connection should subsist with England?

So much for Imperial considerations. Now mark the *local* consequences of the destruction of the Protestant Establishment.

First.—By its abolition, you would unfix a vast amount of that most dangerous and explosive of all political elements—*mind*. Those only who know the state of Ireland can be aware of the number of *minds dangerous to England* that are now quietly muzzled by the Protestant Establishment. Three-fourths of the intellect—acquirements—and energy of Trinity College, with all its auxiliary classes are completely imperialized, merely in consequence of the Church Establishment. The MIND of Ireland has never yet fairly inflamed the brute force of the country. All the movements against England have for the most part been directed by mere agitators, with their

half braggadocio style of patriotism—persons often of patriotic sensibilities, but without the heads to conceive the methods for regenerating a nation in such a complicated mass of difficulties. Aye! or without the genuine moral power that springs from cool convictions—sceptical intellects devoted to ambitious ends—from acquirements, from educated ability—from judgment quickened by noble ambition—from knowledge inflamed by national passion. What the masses of Ireland want in order to enable them to rock the British Power to its very base, is a well trained corps of noble—gallant—and ambitious minds—filled with exalting ideas gathered from a generous view of things, and disciplined by intellectual pursuits—by philosophical studies—by scientific habits. Four or five men trained in the Carnot school of statesmanship would do more damage to the power of England than a popular orator like O'Connell, or a troop of domestic demagogues of the Cobden-Bright *genus*. What a splendid opportunity a few such men of the Carnot school would have—perhaps—*will* have in Ireland.

Abolish the Church in Ireland in order to afford them a better field of battle! In the

van they will place the miseries of the mass of the Irish people—and flank them with the discomfitted pride of the Protestants, and the hereditary animosity of the Catholics. They will sedulously avail themselves of all the means of organization so facile in a country where the concursive instincts of a semi-celtic population precipitate the people into associated bodies. They will avail themselves of all the means open to them by oratory—by verse chronicling the glories of their own race, and the infamy of the foreigner—by religious enthusiasm at one side, and religious acerbity at the other—for creating such a spirit of *consentient discord*! (a thing which as the words convey could occur only in Ireland) as to blast every hope of permanently maintaining a connection with England.

Well does Bacon say, “When poverty and broken estate of the greater sort are joined with want and necessity in the mean people, the danger is imminent and great.”

Even as it is what a vast amount of political effect a few *minds* have had in that country!

[ Much of the fury with which the cause of Nationality has raged in the last four years might be traced to the impulse given it

by Trinity College men. Who was it that during the Vice Royalty of Lord Ebrington raised the Green Flag? Who was it that urged the public mind to give up all Whiggery and adopt broad national politics? Who was it that gave the late national movement *such a peculiar turn*? Why Trinity College men to be sure. The mere Corn Exchangers with their vanity, and the conventional agitators with their personal prejudices will not have the effrontery to deny the vast influence which men of ideas inspired with far nobler purposes than any mercenary ends could supply, have exercised over the masses of Ireland during the last three years?) And yet there may be counted dozens of men of genius who are at this moment Imperialized by the force and power of the Church Establishment alone. Every one in Ireland acquainted with society knows many such men who dream on their lives of literary leisure, and occasional religious excitement, men, who in other circumstances would be splendid engines for public commotion, but who are at present submerged in the Establishment, like sunk ships of war. One such man there is at all events athletic in figure—Irish in heart—in

character “fresh, vehement, and true,”\* the boast of his College—and ornament of his Church, who, if the Establishment of which he is a dignitary were razed by a British Legislature, would most certainly be found in the ranks of his Catholic countrymen, striving might and main to vindicate the Protestant pride of Ireland by the glorious vengeance of regenerating his native land on the broad principle of union of races, and separation from England.

And is *he* a solitary instance? No! there are numbers, who wanting his commanding powers, would rally for the same purposes, animated by precisely the same principles. In patriotism, if not in talents,

——“ The Realm contains  
Five hundred good as he.”

But the further consideration of the changes that would result from the abolition of the Church Establishment in Ireland leads us to the *second local* consequence of such a measure, namely—

By levelling the Protestant Church, you would degrade the Protestants without ren-

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\* And Fontenoy—famed Fontenoy—had been a Waterloo,

“ Were not those Irish exiles there, fresh, vehement, and true!”

dering them at all more popular in the estimation of the Irish masses. In spite of your attempt to equalize them with the "lower nation," you could not do so. They would still remain in many things (supposing that matters should remain *in statu quo*) the favoured nation. They would still be provocative of enmity, jealousy, and heart-burnings. Supposing that the Union should last, and that the connection between the countries should survive the downfall of the Church—the property almost exclusively Protestant—the respectability principally so—the education considerably so—and the prescriptive rank of Protestantism would still leave them a proud, elevated, and superior race to their rival countrymen.

It may, fairly enough, be asked—"And have they—the Protestants—not quite enough to be proud of in Ireland, without insisting or domineering in religious matters, over their Catholic countrymen?"

One would think so; but what is of more consequence to the matter in dispute, they do not think so themselves. Besides they could not reckon with any certainty on the continuance of their social superiority, once that the Esta-

blishment was taken away. Their Church, from the peculiar circumstances of their history, is first and last, and midst in their thoughts—affections—and associations. Destroy *that*, and every visible link connecting them with England would be gone. At present they prefer their sectarianism to their nationality; that is to say, while their religion is upheld, they set a greater value on its public maintenance, than on the profession of patriotic principles, from the successful development of which they instinctively know, that their religious Establishment would be destroyed.

To speak philosophically, the religious idea is at present a far higher abstraction with the Irish Protestants than the national one. The religious union is at present preferred by them to the civil one. Under the circumstances of the case, they set more value upon it. It may be foolish of them to think so, but they *do so*, and that is sufficient for our argument. They dread a Parliament at College Green, because they know that it would immediately abolish their Church; hence they are opposed *now* to Repeal, but let England take away their Church, and how would their position be ren-

dered worse if a Parliament should be assembled in Ireland?

The third local consequence of the abolition of the Establishment, would be *the adoption of high national politics* by the Protestants, as a means of retaining their moral supremacy in Ireland, and counteracting the effects of their degradation (as they would consider it). They would strive to obtain a popularity for their religious creed by the patriotism of their politics. The Landlords and Peers would not do so, but the Protestants of Ireland are not Landlords or Peers. They are a vast body of men, with violent prejudices, strong local feelings, considerable national bias, and proud and indomitable spirit. They would gradually blend in politics with their Catholic countrymen, in the course of a few years. They would perhaps have a chance of adding to their numbers in most parts of the country.

Bear in mind therefore the consequences which will result from the abolition of the Establishment. They have been shown to be two-fold in their nature—Imperial and local. Amongst the former, are—

1. A moral shock to the Union in the opinion of all Ireland, Catholic and Protestant.



2. The strongest link that binds the Irish Upper Nation with England will be cut away.

3. The uncertainty of all tenure in Ireland, and instability of the constituted order of things, will be considerably augmented.

And amongst the local consequences are—

1. The unfixing a quantity of mind and talent that are at present Imperialized by the Establishment. Ambition would be unloosed from “interest begotten prejudices,” and probably inspired by the sublime feelings of nationhood.

2. The Protestants would consider themselves degraded by the Catholic triumph on the fall of their Establishment, a feeling which would produce,

3. The adoption of high national politics by the Protestants.

## CHAPTER XI.

### REAL CASE OF THE CHURCH OF IRELAND.

“ If there be fuel prepared it is hard to tell whence the spark shall come that shall set it on fire.”

LORD BACON.

THUS far we have considered the abolition of the Irish Church Establishment in a political point of view. The reasoning in the last chapter will show very plainly to any unprejudiced thinker, that the existence of the Church, and the maintenance of the Union are closely identified. In fact just as the question

of Repeal involves the right of supporting a British Empire, so the question of the Irish Church involves Repeal.

But there is a class of preaching politicians, who insist upon trying all governmental questions not practically, and not by state expediency. Those persons insist on deciding ethically on questions to which the rules of abstract philosophy are not properly applicable. For assuredly if every political question be tried by an immediate application of ethical rules, the consequence would be productive of an amount of visionary speculations, and would be finally productive of a political scepticism, under whose influence nothing would be attempted, lest perchance the practical conduct of obvious expediency would not square with the *formulæ* of a board of political doctors, and self-styled philosophical legislators.

But suppose the maintenance of the Irish Church is to be tried ethically, what then?

If some loud-tongued, and snarling dissenter, drenched with Hackney ideas, should cry, "Is it right, and is it Christian to keep up a Church of the minority?" The answer may be given at once, by asking him to extend the applica-

tion of that mode of reasoning on a purely political question.

For example, is it right, and is it christian, that fifteen-seventeenths of the Irish soil should belong to a Protestant minority? Is it right, and is it christian, that three-fourths of that thing (so much prized in Hackney—Clapton—Islington—and the other breeding places of Dissent)---that comfortable and desirable thing, called “respectability,” should belong to the minority and upper Irish nation? Is it right, and is it christian, that nine-tenths of the Irish Peerage---four-fifths of the Professional honours---and the decided superiority of cultivated mind should belong to the minority in Ireland? It may be frankly admitted that it is not right that the Protestants should monopolize nearly all the social blessings in Ireland. What then? Is the argument much advanced by the abstract affirmation that it is very wrong to have the minority possessing the soil and wealth of the country? What has the statesman to learn by this scholastic mode of treating politics?

But further, it may be asked of the ethical enquirer, supposing him to be a Protestant Dissenter, is it right that the Church of Rome

should obtain a virtual ascendancy, will be given to the rival religion, which will then have no antagonism to counteract its ambition, and modify its purposes. Even if it were right to take away the Establishment, and leave no antagonism to the Church of Rome, would *this* be the proper time for making the change? Would it not be more judicious to wait, until the Roman Catholic ecclesiastics become less hostile in their feelings to the British Power?

Listen to the howl which the CLERGY in France have raised against the UNIVERSITY. Hearken to the absolute demands for monopolizing the instructions of youth. Observe how they seek to abrogate the lay authority, and erect upon its ruins a Priestly Ascendancy in the State. View Belgium, over-run with Priests. No doubt it is physically prosperous, but where is its moral energy—its mental genius—where is aught that is noble, and exalting in that tame—fat—vegetating nation. Let the Liberal—let the friend to progression—let the Dissenter, who dreads even a *Protestant* Priesthood—let the friend to civilization—let the admirer of the free mind and un-

trammelled soul of Northern Europe, and the contemner of the graceful and picturesque servility of the Southern nations—let all such think of these things, before in the present age, and in the present state of education and ideas in Ireland, they insist upon the subversion of the Protestant Establishment.

But it is urged as a powerful reason for destroying the Church in Ireland, that it would certainly be taken away by an Irish Parliament at College Green.

If the British Minister is to do everything which an Irish Parliament, supposing it to be sitting *now* at College Green, would propose, pass, and ratify, why not repeal the Union at once? For really the last argument makes completely for such an end. Do whatever an Irish Parliament would enact! or in plain language, obey the commands of the Corn Exchange party. Lives there the Whig in England or Ireland, who would assent to such a political principle? The Corn Law Leaguers—the Chartists—and the Corn Exchangers, may assert the justice of such a principle, but no Whig—no friend to Constitutional authority—no partizan of a mixed Government, could give his sanction to such a proposition.

If, indeed, the proposition was “Do whatever a Parliament sitting in Ireland would enact, supposing that a mixed Constitution (in which the property, intellect, education, and civilization of the nation, or two nations, would predominate), was rooted in Ireland.”—If, indeed, such a proposition were made, no reasonable person could gainsay it. But once confound the Corn Exchange party with the idea of a genuine Irish Parliament, and listen to its demands as invested with a *quasi* authority, and there is no kind of outrageous legislation, which consistently on such a principle, you might not be called on to sanction and sustain.

A moderate Irish Parliament would be glad enough to give two separate religious Establishments to the two nations in Ireland. The Ministers of such a Parliament would seek gradually to influence the public mind, so as to attain the desirable consummation of a high-toned—accomplished—educated—and orderly body of Catholic Clergy, amongst whom would be found a large part of the respectability and honourable persons of the Catholic community.

When therefore some hearty Radical exclaims—"Do as an Irish Parliament would," ponder well what sort of an Irish Parliament he means. Act as an Irish mixed Government would, one built upon a compromise between popular authority and aristocratic influence, and there can be little fear of doing wrong, with regard to the interests of civilization and progression in Ireland.

As for the argument that the Irish Church is the cause of the misery of the country, what can be said of it? Why, another question may be asked in reply, namely—does the abstraction of some four hundred and sixty thousand pounds *per annum*, devoted to the maintenance and education of a body of gentlemen, permanently resident in Ireland, and scattered all over the country, bear the remotest proportion as a grievance, when contrasted with the mighty drain of Absenteeism? It would be wiser to begin with the greater grievance, and there can be no doubt, but that Absenteeism is a greater moral and fiscal grievance to the Irish, than the asserted misapplication of Church property.

It may be thought that these remarks have



been made by a partizan of the Irish Protestant Church. Quite the contrary, as he will now show. There are few persons in Ireland, who are more sensible of the faults of that Establishment than the present writer. But he knows his country, and its present state of society too well to suppose that the abrogation of the Church would heal the discord between races—and religions that now prevails in Ireland. That the Church has grievous faults, there can be no doubt; some of the most prominent of them have never been properly indicated.

First—the Religion of the Church of Ireland is Puritanism rather than Protestantism.

The tone of its clergymen is much in the same key as the voice of Dissent in England. They preach a sour and bitter morality, and do not take liberal views of life. That barking spirit so peculiar to those who occupy Dissenting pulpits is very commonly found amongst the Established Clergy in Ireland. They are narrow-minded and pedantic in their notions, and are very unlike their English brethren of the Establishment.

Secondly—Its Clergy have zealously opposed the Education of the Irish people. They have

always fanatically refused to ally themselves with the system of National Education. Even Sir Robert Peel could not find a clergyman to elevate to the Episcopal Bench, who had not spoken or written against the system proposed by Lord Stanley, a zealous Churchman, and supported by the Peel Administration. Protestantism which boasts to be a progressive creed is thus opposed to the diffusion of knowledge in Ireland. And yet a national property—the Ecclesiastical Revenue—is set apart for the maintenance of those who are opposed to the spiritual and intellectual improvement of the people. In this respect they are as bad as the French Priests.

Thirdly—How strange is the fact that so few men of celebrity have been produced within the walls of the Irish Church! It has existed free from disturbance since 1688, and where are its mighty names? It is useless to refer to Usher, Swift, and Berkeley. What has the Church done for the last eighty years? Archbishop Magee is its solitary contributor of any great magnitude to divinity. The late Doctor Jebb, Bishop of Limerick, was undoubtedly a most amiable, learned, and excellent character. In mild virtue and a serene

religious character he approximated to the admirable Fenelon. Catholics as well as Protestants subscribed to raise a statue to his memory in Limerick Cathedral. But his character has not found enough of imitators in the Established Clergy. Few of them follow with ardour the humanizing pursuits of Literature or Science. They prefer Toryism to Theology, and love the excitement of politics much more than the contemplations of Philosophy. In genius and eloquence they are not to be compared with the Irish Barristers. Where are their great scholars—and men fit to be named with the Hookers—Chillingworths — Barrows — Halls — Tillotsons — Warburtons — and Butlers, of the English Church. Collect a Library of the Irish Protestant Divines, and contrast its character with the mighty works that have shed lustre on the spiritual and intellectual character of the Church of England. Surely any candid Irish Protestant must admit that there is not the slightest resemblance between the characters of the English and Irish Clergy. It cannot be said that its Clergy are overworked. That plea will not avail the Clergy of the Irish Establishment, although when a similar charge is made against the Clergy of the Church of

Rome in Ireland it can with great truth be pleaded in answer to the allegation that they have not produced many men addicted to intellectual pursuits. The names of Brinkley and Whateley belong to Englishmen, and not to the Irish Clergy. Where shall we seek amongst the Irish Clergy for the compeers of the late Bishop of Cloyne, and the present gifted and philanthropic Archbishop of Dublin? Doctors Miller and Robinson will not weigh them down.

Fourthly—The total dissimilarity of the Irish Church from its English sister is very plainly exhibited in the predominancy of the Calvinistic views of life, prevailing amongst the Irish Clergy. The good, calm, serene old Church of Englandism is not taught by the Irish Clergy, who prefer instructing their flocks in the intense acerbity of an exaggerated system of Calvinism to imparting those ideas which abound in the great English Divines. The great thoughts of Cudworth, Taylor, and Butler find no standard bearers in the Church of Ireland. Notwithstanding the canting misbelief of the English Evangelical Clergy, the Church of England in spite of all efforts to betray it by means of Puseyism, or to fanaticize it by Evangelicism, still wears in Eng-

land, a noble, mild, and dignified aspect. Hypocrites and conventionalists as amongst all large professions may be found in its clerical order, but the immense majority of the Clergymen of the English Church *in England* are men of no narrow sentiments, or sour and cramped opinions upon the Christian Religion. They are a body of men, who upon the whole reflect credit on the country; they are fair specimens of what English gentlemen and clergymen should be; notwithstanding the efforts of one portion of the Dissenters to asperse their characters, they may challenge the investigation of even rival ecclesiastics. The English Clergy are nearly all of them men of liberal minds and manners. They are for the most part kind and neighbourly in their dispositions. But alas! sad is the contrast when one comes to examine into the spirit and manners of the Irish Clergy. They are men more fit to preach in the conventicles of gloomy and bigotted Dissent, than to expound that calm but sublime view of Human Nature and its destiny, which with so much learning and eloquence has been set forth by the great English Divines. To Science and Literature they

have made few contributions. In the Art most closely allied to Religion, Poetry, they have not a single name to boast of, unless that of Charles Wolfe,\* whom the Establishment permitted to expire in the most abject poverty. In their "few and far between" attempts in Literature, a pestilent spirit of Calvinism shrieks its jarring and discordant notes. Protestantism, which should naturally have an open and cheerful countenance, is by its Established supporters in Ireland taught to scowl upon mankind. In the University—in the Cathedral of St. Patricks, and in every Parish Church in Dublin, the changes are incessantly rung, upon the utter worthlessness and total depravity of human nature. To cover mankind with a certain mystical horridness of appearance, seems to be the favourite feat of those Irish Church Ministers, whose envenomed harangues from the Chair of Truth have done almost as much to infect Irish Society with the virulence of a grovelling bigotry, as the incessant efforts of the demagogues of the Corn Exchange have

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\* Author of *Monody on Sir John Moore*, and some other exquisite poems.

effected in fanning the flames of discord and animosity.

The Roman Catholic, when he hears the doctrines denominated Church of Englandism by the Irish Clergy, rejoices that he belongs to the Church of Rome. The scornful infidel laughs in his heart when he sees Christianity made to wear the most repulsive aspect, and the austere and anti-sentimental Unitarian grimly cackles forth his delight at the superiority of *his* favourite doctrines. But those who by study, or education, have learned how the Church of England really feels upon religious subjects, and with how large and tolerant a regard she surveys the aberrations and religious eccentricities of the human mind, can only feel the deepest dejection at the mischievous industry with which the Protestant Religion is exhibited in its most odious and revolting aspect to an Irish people.

The reason why Calvinism has so much infected the Church in Ireland, may be found in the Orientalism which is so ingrained in the mind of the Irish, considered metaphysically. It has spread through the Irish Protestants, not that it seems better supported

by the Scriptures, but because it is congenial with the fatalism of the Irish disposition. There are few sensations more passionately enjoyed by the Irish mind, than those which spring from the fascinations of fear. An Irishman gloats over the horrors of an ideal terrorism. Thus in Ireland, the number of Protestants who entertain dark and terrible views of life here and hereafter is beyond all belief. Some of them, who are perfectly sane on all other subjects, would amaze those who know Protestantism, only as it appears in England. It affords however great cause for congratulation that there is no pantheistic indifferentism amongst the Irish Protestants. Infidelity never had, and never will have, an abiding place in the Irish mind.

It is no wonder that when that vulgar form of Calvinism which Mr. Hallam has branded as "the Caliban of the Pulpit" is so prevalent amongst the Irish Clergy, that neighbourly feelings should be so rare in the clerical body. With very few exceptions the Protestant Clergy do not mix with their Catholic neighbours. Their families rarely visit or interchange the offices of friendship and good will.



The more respectable and wealthy of their Catholic parishioners are seldom noticed by them in a friendly and amiable manner, although by one of those paradoxical contradictions in the human heart, they are frequently most charitable to the poorer Catholics. They are more liberal in money than in manners. They are not good neighbours to their equals, but they are kind employers. Where sickness prevails they are humane, charitable, and generous to the poor around them, but in the ordinary course of society it is singular how little they do for the promotion of good will and neighbourly kindness. The Catholic gentry, and Catholic middle classes have more reasons for complaining of the Protestant Clergy, than the Catholic peasantry.

Yet in spite of all these very great defects, the Protestant Church effects considerable good in Ireland. It works by antagonism on Catholicity, and goes far to mitigate some of the more offensive forms of the Church of Rome. Religious processions—troops of priests—drums and trumpets playing before the Host are not seen and heard in Ireland. On the whole a very chaste form of Catholicism is pre-

sented to the Irish mind. Relics of Saints are not exposed to the superstitious adoration of the credulous devotees, and the apparatus by which in monkish countries the priesthood strikes terror into its followers, is never witnessed in Ireland. The first persons to admit that Protestantism produced some moral effect on Catholicism, would be the Catholic Priests, if they were permitted to declare their sentiments openly. The lay Protestants produce much effect on Catholicity. Mixing with their Catholic countrymen in the various relations of life as merchants, professional men, and tradesmen, they insensibly Protestantize the deportment of the Catholics, who although intensely religious, are not the cowering vassals of the Priests, which the Italian and Spanish Catholics have generally been.

Finally, when the position of the Church is such as has been described, what part can a British Minister take? Will he cut away the link that more strongly than property, language, or aristocracy, connects Ireland with England. He cannot do so. His position would in a few years be worse after the Church had been removed. He would have to meet

discontent at all sides. What else therefore can be done, than to seek to influence the public mind of Ireland to acquiesce in giving a handsome and generous establishment to the Catholic Clergy, upon terms safe for the state, and honourable for the Catholic Religion. This may appear difficult to bring about, but no efforts must be left untried by the moderate Conservatives—by the high Whig, and the low Whig—by the intelligent Radical—by the friend to Government, by lay opinion—by the advocate of progressive views—in short by all who wish the moral advance of Ireland, to seek to create a desire for the liberal and generous endowment of the Catholic Clergy. It may be difficult to bring about this change, but greater difficulties have been surmounted. It is not half so difficult as to carry Catholic Emancipation. The introduction of Poor Laws into Ireland was once thought an impossibility, yet it has been achieved. And thus if there be a moral concentration on this momentous question the means of accomplishing it will present themselves. It must be worked up the hill no doubt, but that very necessity calls for ardour and energy, and not timidity and despair.

On the downfall of popular agitation, and on the rise of Catholic wealth, (which is so rapidly augmenting) on the moderation of Catholic opinions that will be attendant thereupon, there will be a widely diffused desire for a new order of Catholic Clergymen. Various other circumstances will help the call for a Catholic Establishment. Equalize the respectabilities of the two nations in Ireland, and you can only do this by giving the Catholics, and inducing them to accept, a liberal endowment for their Clergy.

It may be thought by some that the importance of the Protestant Establishment in Ireland is overrated by the writer. He reiterates his opinion that its existence involves the continuance of the Union with England, and the stability of social institutions in Ireland. Upon this momentous point he adduces the testimony of the Right Honourable Anthony Richard Blake.

Mr. Blake is an Irish Roman Catholic gentleman of ancient lineage. He was brought over from the English Bar by Lord Wellesley, who had the most marked respect, and entertained the most cordial friendship for Mr. Blake. Perhaps no man is more extensively

informed on the state of Ireland than that gentleman. He is one of the few who are habitually conversant with both nations there. He is a staunch Roman Catholic, and identifies himself with his co-religionists on all fit occasions in a manly and honourable fashion. His character is held in the highest esteem by the Catholic Hierarchy of Ireland, to whom he has often rendered important services. He is equally respected by all that is estimable amongst the Protestants of Ireland. No other man of either party knows more of the government of Ireland than Mr. Blake. He is not merely himself possessed of natural acuteness and discernment, but he has had the advantage of constant and unrestrained intercourse with the very greatest personages that have influenced the politics of Ireland. Mark the evidence given before Parliament by that calm—considerate—and thoughtful gentleman.

“I consider,” said Mr. Blake, “the PROTESTANT ESTABLISHMENT OF IRELAND *a main link in the connexion between Great Britain and Ireland.* The Protestant Church of Ireland is rooted in the Constitution; it is established by the fundamental laws of the realm; it is rendered as far as the most solemn acts of the Legisla-

ture can render any institution fundamental and perpetual, *it is declared so by the act of union between Great Britain and Ireland. I think it could not now be disturbed without danger* to the general securities we possess for *liberty, property, and order* ; and without danger to all the blessings we derive from living under a lawful government and a free constitution."

The real case of the Church of Ireland is just this ; if the countries are to be permanently united, it may be reformed, but it must be preserved.

But if Ireland is to advance to self-government and national glory—why then—AWAY WITH IT—AWAY WITH IT.

## CHAPTER XII.

### CAREER AND CHARACTER OF MR. SHEIL.

“ —Who compared with his bolder, and more lawless colleague, always reminds me of the fustian lieutenant, Jack Bunce, in Sir Walter's tale of the ‘Pirate,’ contrasted with his master, the bloody buccanier, Captain Cleveland.”

MR. SHEIL is a native of Waterford, where he was born in 1794. His father was engaged in mercantile pursuit, and at one period possessed considerable property. Young Sheil was intended for the Church, and was at an early period of his life sent to a Jesuit Establishment at Kensington. He was afterwards re-

moved to Stonyhurst. His British education had considerable influence upon his life, and though he is an Irishman in his oratorical style, he is full of the social prejudices habitual to an Englishman.

Having changed his views, he entered Trinity College, Dublin, as a fellow commoner. From his very boyhood he had exhibited a strong taste for literature, and a love for rhetorical composition. He won several classical prizes during his collegiate course, and was distinguished beyond most of his fellow students by general reading. He attracted, however, most attention to his talents by his displays in the College Historical Society, and Mr. John Wilson Croker once in Parliament alluded to the fact of having witnessed Sheil's oratorical *debut*, on the merits of which, there were very opposite opinions. He jumped into the middle of the floor—knit his brows fiercely—clenched his hand—and stamping violently squealed forth the most inflated rhetoric that had ever been heard, in the most discordant voice that could be possibly imagined. It was evident that in eloquence he was a pupil of Grattan, and the remark of Sir Joshua Reynolds that “servile imitators are invariably



known by their studiously exaggerating the faults of their models," was exemplified in Sheil. Every fault that Grattan had, young Sheil carefully copied, but omitted to imitate the reflective spirit and display of thoughtfulness that are to be found even in the earliest effusions of the great Irish orator.

Sheil was conspicuous in the Historical Society more by the force of his diction than by any other quality. For a collegian of eighteen his language was strikingly powerful, and he turned to great account his knowledge of languages, for even at that period of his life he was familiar with Italian and Spanish. If the present writer is not mistaken, Sheil spent a portion of his early years in Spain, where a branch of his family was eminent in commercial life.\* He was decidedly superior in all liberal

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\* When the Catholic families of Ireland were proscribed by the Penal Laws of the last century, many of them entered foreign military service. But when it became lawful for them to acquire property, and carry on mercantile pursuits, they turned their attention to commercial life.

Younger sons of old Irish families were to be found in 1780 (or thereabouts) at Bourdeaux—Cadiz—Lisbon—Havre, &c., &c. The consequence was, that many of the proscribed Catholics became unmeasurably superior in knowledge and

accomplishments to all the young Catholics of his standing, and may be said to have had besides a precocious knowledge of the world.

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manners to the Irish Protestant Gentry. The last victim to the Irish Penal Laws was a gentleman of that description, and the reader would probably be interested by learning something of him. He was the late Thomas Stephen Coppinger, Esq. He was the representative of a very ancient family in the Barony of Muskerry, in the County of Cork. His family was of Danish descent (Copenhagengers). Prior to the death of an elder brother, Mr. Coppinger was sent to Bourdeaux, where he resided for some years, but on inheriting the family estate, came back to his ancient seat of Carhue, a gloomy romantic demesne, on the banks of the river Lee. Here he resided for several years, and was a fine specimen of a sporting country gentleman, with all the manners of the man of the world, tinged with a strong taste for Continental Literature. He was at any time liable to the loss of his estates, while he remained a Catholic gentleman; but he was too much respected and beloved by the Muskerry gentry, to fear anything from their hostility. What however no hereditary Orangeman could muster up courage to carry with execution, was daringly done by one of his own family. A cousin german of his own—related to him in the first degree, and bearing his very name—conformed to the Protestant religion, and immediately filed a bill of discovery against the excellent proprietor of Carhue, for being a Papist! There was every chance, however, that the Legislature would

About the year 1811, he was well known in Dublin Society, and great things were predicted from his talents. His piercing black

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repeal the diabolical enactment, by which such turpitude was sanctioned, and his friends gathered round Mr. Copping of Carhue, and said—"Can't you become a nominal Protestant for two or three years? You have only to receive the Sacrament once in Church, and then you will be quite safe from molestation." But with the high spirit of a gentleman, he revolted from the proposition, and swore that he would "sooner be a victim to the law, than an apostate to his conscience." His kinsman persevered, and succeeded in becoming master of the demesne and estate of Carhue, with which he also acquired the disagreeable title of "Protestant Tom," by which he was notorious in Muskerry. In two years afterwards the law was repealed, but "Protestant Tom" of course continued to enjoy his honourable acquisition. The forfeiter of the estate, however, retained his stainless pride and honest conscience. He was still in possession of some five hundred a year which had fortunately been protected from the spoiler's hand, by having been conveyed in trust. He lived down to the year 1829, and from his misfortunes, and personal character, was an object of great interest. Tall in figure, with a shrill voice, and the most finished manners, he was a singular specimen of *LA VIELLE COUR*, when he rose to take part, in politics, amongst the motley agitators of modern times. He was treated with marked attention and

eyes—intellectual head—and vivacious deportment made him a good representative of a young genius. Like Moore, he came before the public in mere boyhood, and his friends flattered themselves with the expectation that he would either transcend Grattan in oratory, or surpass Moore in poetry. It was evident from the first that he was pitted to run the race of distinction, and while many vaunted of the abilities of the young orator, there were not wanting others to decry him.

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social respect by the Tory Aristocracy of his neighbourhood. He was himself a genuine Aristocrat in feeling, and understood nothing of the modern Levelling Liberalism. He was a man of surprising activity, and was an expert sportsman, until years and domestic misfortunes afflicted him with infirmity. He never indulged in any bitterness towards the person who had so deeply injured him. He was from various circumstances a very interesting character, and was in modern times, a fine specimen of the old Irish Catholic country gentleman of the educated school. He was more refined and polite than most of his companions.

The ancient family of Coppinger still flourishes in Muskerry—distinguished, as in days of yore, for sport, hospitality and gentlemanly spirit. It finds a worthy representative in the grandson of the gentleman above described.

Sheil, however, was gifted with an unconquerable persistency of purpose—he determined to be a celebrity in spite of all prediction, and no one can deny his great success. The *species* of distinction he has gained, may however be matter for comment hereafter.

In those days Dublin Society was far superior to what it is now. Old habits and associations kept many of the Irish gentry in their national metropolis, and professional life was incomparably more dazzling than it is at present. The Bar was radiant with distinguished characters who challenged the public gaze. Plunket with his master power of reasoning—Bushe with his fascinating talents and captivating character were to be heard at the Four Courts, and O'Connell was with gigantic vigour striding forward to the head of his profession. A Grattan and Curran were then to be met with in daily society. Many young men contributed to the brilliancy of Dublin. John Henry North—Sheil's contemporary and rival—Stephen Woulfe—the late distinguished Chief Baron—with two or three others of as bright talents, but most unhappy fates were emerging from the crowd. The young men had grown

up under the shadow of an Irish Parliament, and they were stimulated by their fathers who talked of the days of 1782—of the Volunteers—of the times when such men as Flood—Grattan—and Hussey Burgh were heard in a Parliament at College Green. Irish life then teemed with persons who were or had been in habitual intercourse with men of illustrious talents, and who had imbibed exalting ideas. The Era of Demagogueism had not blasted all originality, and doomed by its loathsome blight all independent minds to wither. Who could hawl loudest—who could be coarsest—who could play the canter's part with most address—who could abuse with most effrontery—were not then the tests for social distinction? Men were judged by an aristocratic standard—their pretensions severely scrutinized—but the award of praise was honourably accorded. Mediocrity had then no chance of obtaining equivocal admiration by clothing itself with the terrorism that any slave to the populace can win. Besides it would be idle to deny that the influence of the resident Parliament had wonderfully stimulated the public mind of Ireland, for within the same space of time, no country with the same limited population, had ever pro-

duced such a number of commanding intelligences in public life. Demagogueism *alone* is not the cause of the modern sterility in Irish public talent, although it certainly powerfully contributes to extinguish all individual utterance, and repress all original effort. For a genius for eloquence itself demands to be audible in some other fashion, than that of being an echo of the crowd.

Not in times like these was young Sheil reared. He had living precedents of Irish greatness before his eyes, and educated himself by a high standard. He was received everywhere in Dublin, and was *fête* to an extent that would have turned the head of any ordinary young man. There were some literary circles in Dublin, where Literature was cultivated with some assiduity, and Sheil was soon enrolled amongst the best of them.

His first public display was upon the celebrated Veto Question of 1833. One portion of the Irish Catholics—aristocratic and moderate—was ready to give the British Minister a Veto on the appointment of their Bishops, if Emancipation were conceded to them. The other portion led by O'Connell would have no compromise whatever. Sheil attached him-

self to the Vetoists, and his attachment to their party was perfectly conscientious and sincere. In 1813, at a general meeting of the Catholics, being then in his twenty-first year, he came forward to reply to Doctor Dromgoole, whose character has been indicated in a previous portion of this work. Amongst the Catholics Dromgoole was rather a powerful person—and Sheil's reply to his reverend opponent was very fearless and effective. He surprised his audience by the precision and force of his language—and by the fierceness of his delivery. His appearance, and intonations at once arrested attention, and his language sustained it. The speech produced "immense effect," even by his opponent's acknowledgment. O'Connell's jealousy was roused, for he at once perceived that a formidable rival had come forward. From that day there was a furious conflict between the two tribunes, who were not sparing in delivering and writing furious philippics against each other. The battle was certainly an unequal one, for O'Connell had far more experience than his youthful rival, and his personal appearance was also in his favour. What enabled young Sheil to maintain his ground was, his facility in casting



metaphors, and launching pointed sarcasms at his opponents. Sheil was admired as a more brilliant and dazzling orator than O'Connell. But he had none of "the Counsellor's" humour, which was invariably played against him with great effect. After some time he retired from the contest, and left O'Connell, who had the majority on his side, in possession of the field. In Banim's novel of "The Anglo Irish," will be found a very graphic picture of a contest between O'Connell and Sheil, at one of the meetings of the Catholic Board.

As the reader may be curious to see a specimen of Sheil's youthful efforts in oratory, the following extracts are selected from his reply to Doctor Dromgoole. Sheil was then about twenty-one years of age. All the characteristics of his style are to be found in those early efforts :—

"He (Doctor Dromgoole) has come forward with a powerful array of assertion and exaggeration—he has marshalled all our religious fears upon his side, and those fears are the most easily excited, for which men are apt to give themselves credit. It is an undertaking of no small hazard, to venture upon

an encounter with the learned Doctor. He is clothed in a celestial panoply, and is carefully equipped with weapons from the armoury of Heaven ; yet, great as his advantages are, actuated by a sense of public duty, I stand up to meet this formidable gentleman, although I have but a faint hope of success, and it may be but too aptly said,

Infelix puer atque impar congressus Achilli.

I am not, however, afraid to encounter the learned Doctor, even upon his own ground. If he could prove that his apprehensions for the security of religion were well founded, well might he call upon us, in the name of our reverence for that religion, to adopt his resolution ; but if his fears are imaginary—if they are the creatures of a troubled imagination, well may I call upon him, in the name of that religion, not to convert it into a purpose. There is, besides, another sentiment which, I think, will be a powerful confederate in the cause of reason. The learned Doctor bids me remember that I have a religion to preserve—I hope that I never shall forget it ; but does the Doctor remember that he has a country to obtain ? It is, my Lord,

with great reluctance that I enter upon the unfortunate topics which this resolution embraces. But let not the fault be imputed to me—let all the consequences which may result from this discussion, rest upon the head of him who has introduced the debate. It is he who breaks our unanimity. There are many who have assented to the general tenor of our measures, because they thought it better to sacrifice their individual opinions than to dissolve our union. But there is an extreme to which they ought not to be driven. If reason be hunted down by the learned Doctor, reason will turn back and defend herself. Why has he roused this disastrous subject from that sepulchre of oblivion, where it had enjoyed repose? Why has he, in place of staunching the bleeding of the ulcered wound, why has he torn away its bandages, and, in the spirit of experimental adventure, probed it to the bottom? Why, instead of allowing the arrow to extricate itself, has he poisoned it with new resentments, barbed it with new jealousies, and driven it deeper into the heart?

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“Concession will disarm prejudice—it will take away fear from the fool, and pretext from the knave. The learned Doctor says, that securities are but a pretext—deprive them of it—concession, upon our part, will pluck out the roots of the antipathies of England. The English are a nation pampered with glory, and their pride must be flattered. The hinges upon which the gates of the Constitution are suspended, are encrusted with prejudice and bigotry, and concession must be employed to remove their rust, before they are expanded to us. The Constitution, like that ideal monster—the Church and State—has stationed its sentinel; and those phantoms must be dispelled, and that monster must be discomfited, before we can attain that seat of happiness and of freedom. The question is thus reduced to a simple form of practical utility; we are to investigate, not whether it is absurd of them to ask, but whether it is wise of us to refuse.”

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In 1814 Sheil was called to the Irish Bar,

but he had not studied his profession at that time with sufficient attention. He was not in very affluent circumstances, and he returned to London, where he lived for some time. After having yielded to O'Connell in the popular arena, he seemed inclined to devote himself solely to a literary life, and he had not quite decided upon his future plans while he sojourned in England. For some years his pen brought him considerable gains, though most of his productions at that time are unavowed. His most ambitious efforts however were his dramatic works, which obtained some temporary success. It would be unfair to submit them now to any critical investigation. They were written in great haste, and their author had evidently not the best models of composition to be found in Dramatic Literature. Their language was extravagant and hyperbolic to an extent, that one now wonders why the audiences did not occasionally shout with laughter. But the secret of their success lay in the ingenuity of their construction, and in the leading female characters being drawn to exhibit the peculiar declamatory style of Miss O'Neil. They were adopted for telling, and the accomplished actress obtained for them a

success, which without her aid they never could have won. It is only fair to add that there were some few really excellent situations in one or two of the dramas.

Many men of letters in London have still a very lively recollection of Sheil in those days. He was known very well by the *habitués* of the Green Rooms—the political young lawyers of the Inns of Court—and the *flâneurs* upon town. He differed from most of his young contemporaries. He was always at work—and applied himself with persistency to his original object of distinguishing himself by the honourable display of his talents. He was more of an Irishman in his accent and manners than in his personal character, which with all the vivacity had none of the *abandon* and charming levity which makes the society of his countrymen, when they have talents and accomplishments so particularly agreeable.

Amongst other eminent men, whose friendship Sheil obtained at that time, was that most generous and loveable nobleman—the late Lord Holland, who continued to the last period of his honoured life on terms of warm friendship with his early *protégé*. During the time of the Melbourne Administration, when it was known

that Sheil was to make a display, Lord Holland was sure to be found in the Peer's seat in the House of Commons. Amongst orators (and he was an excellent judge) he assigned a much higher rank to Sheil, than the majority of critics would bestow. But few other men of the same scholarship and taste, had such a relish for epigrammatic composition as Lord Holland.

After having spent some years in London, where he occupied himself in the study of law, and literature, Sheil returned to Dublin, and chose the Leinster Circuit. He made two or three displays of his eloquence, which had considerably improved during his sojourn in London. In 1823 during a visit at a friend's house in Weeklow, he met his old political foe, O'Connell, and it was then that they planned the CATHOLIC ASSOCIATION, upon a broad and popular basis. They decided on having a preliminary meeting at the shop of Mr. Coyne, a Catholic bookseller in Dublin, and accordingly on the 25th of May, 1823—thirteen persons constituted the first meeting of the Association. Their first proceedings may not be uninteresting to the reader, when he recollects what enormous power the Asso-

ciation subsequently acquired. The following was the only report published by them at the time.

“ CATHOLIC ASSOCIATION.—Tuesday, a meeting of the Catholic gentlemen was held at No. 4, Capel Street, for the purpose of forming the deputation to present the address to his Majesty, pursuant to a resolution entered into at the Aggregate Meeting, held in Townsend Street Chapel on Saturday; and for the purpose of forming a committee, to make such arrangements as might be deemed necessary, relative to the Catholic Association.

“ At half-past three o'clock, Lord Killeen was called to the chair.

“ Some conversation ensued as to the expediency of limiting the number of gentlemen who were to compose the Association.

“ Mr. O'Connell expressed himself decidedly hostile to a measure of that kind. The crisis was momentous. The rancour of the faction was hourly gathering strength. The assistance of all was necessary to repel its efforts to plunge the country in anarchy and blood. Numbers would give weight to the Association, and assist in more generally diffusing its beneficial influence throughout the country.



“ It was resolved that a committee of eleven should be appointed to frame regulations, and to make a report on Thursday the 22nd instant. The following gentlemen were then named:—

“ O’Connor Don, Sir Edward Bellew, Messrs. O’Connell, Nicholas Mahon, Eneas M’Donnell, Richard Sheil, R. Lonergan, Callaghan, Scanlan, Oldham, and Hayes.

“ Mr. O’Connell proposed that a deputation be formed of Catholic Peers, the sons of Baronets, and a considerable number of gentlemen.

“ Mr. Eneas M’Donnell approved of the order in which it was proposed to form the deputation. The appointment of the Peers was almost of course; but there was one Peer whom he considered entitled to a more particular and prominent distinction. The merits of that nobleman obtained for him the highest station in the Catholic body. The nobleman to whom he alluded was the Earl of Fingall.

“ Mr. O’Connell moved the resolutions, pursuant to the amendment, that the deputation consist of the Right Honorable the Earl of Fingall, attended by the Catholic Peers, sons of Peers, Baronets, sons of Baronets, and

several gentlemen. The resolution was then put and carried unanimously."

It may be necessary to observe that the Association would never have been suffered to exist but for the change that had taken place in the Cabinet. Castlereagh was no more, and GEORGE CANNING was virtually the Premier. Lord Talbot had been removed from the Irish Vice Royalty, and the Marquis Wellesley occupied Dublin Castle. Though he was encumbered with Goulburn as a Chief Secretary, he had an intelligence of the highest order in Plunket, who was then Attorney-General. When Ireland was under such rulers, a large amount of toleration was conceded to the Catholics in seeking to obtain their rights, but there can be little doubt if Castlereagh had been alive in 1825, and that Talbot continued Lord Lieutenant, with Saurin for Attorney, the Association would not have been suffered to exist. Such considerations as these ought not to be forgotten when considering the means by which the Catholic Question was carried.

The peculiar part which Sheil took upon himself in the Association was to cause the Protestant Ascendancy to be regarded with

feelings of contempt and ridicule. He could not have made it more odious than it really was in the eyes of the Catholics ; but by the epigrammatic virulence of his attacks, and the mocking derision with which he treated its principal upholders, he rendered it an object of scorn. He concocted his assaults on the Ascendancy, with inimitable skill, and affected to treat its religious pretensions with the freedom of a philosopher, who was not obliged to maintain even a polite conformity with the religious prejudices of his country. He took especially care however to apply his reason only in one direction, and it was in perfect submission to his own Church, of which he was a firm and conscientious adherent. While lashing the Calvinists and Methodists, he might have been mistaken for a pupil of Voltaire ; but when seen in the Metropolitan Chapel, he would have passed for an unreflecting devotee. He gave the nasty bigotry of the Protestant Ascendancy so bitter a castigation, while he mockingly derided the spasms of the very gouty—very rich—and truly pious sinecurists who writhed under his sarcasms, that Voltaire might have cried—“ *Tres bien ! tres bien ! mon*

*enfant chère chéri !*" Few men could *scoff* down the absurdities of extravagant fanatics as Sheil, and he was very skilful—not to say artful in self defence. He addressed in his speeches a more refined class than O'Connell usually spoke to, and he sometimes rose above his party and his cause to view Emancipation as an Imperial measure. To England he always adopted the *ad terrorem* tone, and after lashing the Protestant Ascendancy with virulence—after describing the Catholic gentry — priesthood — and peasantry as leagued in one confederacy, he would conclude. " So much for Catholic indignation, while we are at peace — and when England shall be involved in war—I pause ; it is not necessary that I should discuss that branch of the question, or point to the cloud which charged with thunder is hanging over our heads."

But when addressing Ireland, and not England, he was violent in matter—exasperating in manner—and rancourous in purpose. He was the Catholic chanticleer, who crowed triumphantly over any fallen champion of the Ascendancy, and if O'Connell was the more scurrilous, Sheil was the most virulent de-

claimer. His bitterness was never relieved by *bonhommie*, and he uttered many a speech which rankled in the minds of his Protestant countrymen. And yet Sheil was not a fanatic! His fierce bigotry was little more than the mannerism of a Demagogue, exerting his rhetorical powers in a country distracted by religious animosities. He was too stoical to be a religious bigot, and too circumspect for a political enthusiast. He did not hate the Protestants, or detest the Orangemen, but he spoke as if his heart was a fountain of gall and bitterness. Noble, grand, and generous bursts of feeling very rarely came from his mind. He was a potent inflamer of the more malignant passions, but unlike O'Connell he had no witchery over the more genial and softer feelings of human nature.

Grattan beautifully said, "The true genius of the Irish people is *affection*," but Sheil has ministered to *that* genius, less than any of his country's orators. He was one of the most exciting, and the least heart elevating tribunes that ever appeared in the Irish political arena. Many of the other popular leaders might have excused their virulence, by quoting the fine ex-

clamation of Lord Plunket, "What! are the Catholics always to parry and never to thrust?" but Sheil was needlessly virulent, and too habitually venomous for a genuine Irishman. The want of a fine feeling made the theatrical artificiality of his style more glaring and disagreeable.

His speech on the deathbed of the Duke of York was one of the most characteristic efforts of his tribunitian style. It strikingly exemplifies the moral blemishes, as well as the rhetorical vices and merits of his eloquence. The mixture of sarcastic commentary, and melodramatic description was particularly *Sheilish*. — *Voila*.

"The Duke of York—(the utterance of his name has fixed your attention, and I own to you that I do not speak it without a palpitation of the heart) the Duke of York, the eldest brother of a childless King, whose hand had almost grasped the sceptre, and whose foot was upon the throne—he to whom Providence appeared to have assigned the performance of so important a part in the concerns of mankind, who had gathered so much expectation around him—upon whom the eyes of three nations

were turned, and who was at once the source of so much hope and of so much despair—but why should I expand the feelings associated with his name into amplification, when that name itself carries its own commentary?—and it is enough to say, that while I am speaking, the Duke of York is dying—perhaps the Duke of York is already dead. The last struggle of human agony may be over—the last gasp may have been heaved—the tongue by which God was evoked, may be silent; and ere this the arm that was raised to heaven against my country, may lie stiff and cold for ever.

What then shall I now say of him? This:—

“Thou art dead, Alonso,  
So is my enmity.”

The day of his solemn obsequies will arrive—the gorgeous procession will go forth in its funeral glory—the ancient Chapel of Windsor Castle will be thrown open, and its Gothic aisle will be thronged with the array of Royalty—the emblazoned windows will be illuminated—the notes of holy melody will arise—the beautiful service of the dead will be repeated by the heads of the Church, of which he will

be the cold and senseless champion—the vaults of the dead will be unclosed—the nobles, and the ladies, and the High Priests of the land, will look down into those deep depositories of the pride, and the vanity, and the ambition of the world. They will behold the heir of the greatest empire in the world taking possession not of the palace, which was raised at such an enormous and unavailing cost, but of that “house which lasts till doomsday.” The coffin will go sadly and slowly down; they will hear it as its ponderous mass strikes on the remains of its regal kindred; the chaunt will be resumed, a moment’s awful pause will take place—the marble vault, of which none but the Archangel shall disturb the slumbers, will be closed—the songs of death will cease—the procession will wind through the aisles again, and restore them to their loneliness. The torches will fade again in the open daylight—the multitude of the great, who will have attended the ceremony, will gradually disperse; they will roll again in their gilded chariots into the din and tumult of the great metropolis; the business, and the pursuits, and all the frivolities of life will be resumed, and the heir to three



kingdoms will be in a week forgotten. We too, shall forget and pardon him.”\*

Enjoying the celebrity of being second to O’Connell in the Catholic Association, Sheil also maintained a respectable place at the Bar, and though he could not rank with the leaders of the profession, he obtained very considerable practice, and but for his entrance to Parliament, would undoubtedly have ranked sufficiently high for the Mulgrave Administration to have raised him to the Bench. Before he quitted his Profession, he was one of the leaders on his Circuit. He had not sufficient legal versatility for *nisi prius* practice—his legal knowledge was limited in extent, though accurate within its compass. He was a neat Equity Draftsman, and unlike many other politico-literary lawyers, he was decidedly equal to the duties of general legal business.

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\* Sir Robert Peel has occasionally been very severe on Sheil’s style of eloquence and composition. Talking of a petition for Catholic Emancipation drawn up by Sheil, he told the House, “That it was written in the style of a damned tragedy.” On another occasion during the Reform Era, when Sheil made a personal attack on the Tory leader, Sir Robert said “That the honourable and learned gentleman had “the contortions, but not the inspiration of the Sibyl,” a remark more applicable to Sheil’s genius than to the original subject of the quotation.

When Emancipation was carried, Sheil for a time retired from the ways of Agitation, and appeared ready to act with the Whig party. He stood for Louth, and was defeated by one of the Bellew family, and then became member for the Lord Lieutenant's (Anglesey's) rotten borough of Milborne Port. He identified himself in some respect with Administration, and consented to accept a silk gown---a professional compliment which the Government refused to O'Connell, who was however compensated for the delay by afterwards receiving a patent of precedency. Sheil was much blamed at the time, for consenting to be a King's Counsel, while O'Connell was excluded, and the agitator's "Make way, there, for the Queen's Counsel," sounded very disagreeably in the ears of "the rhetorical phenomenon."

At first his speeches in Parliament did not *tell* in the House. He was not sufficiently formidable to stand up of his own free accord, without consulting others, and drag a hundred members after him, as Brougham had often done in days of yore. His speech on the Reform Bill was miserable, when compared with the efforts of Lord John Russell---Stanley---O'Connell---Macaulay---on the one side,

or those of Peel and Croker on the other. Even amongst his own class---the set speakers --he was excelled by Messrs. Henry Lytton Bulwer and Hawkins (*single speech the second* in Parliamentary History) amongst the Whigs; and the *flash* speech of Mr. Horace Twiss against the Bill, was much more eloquent and telling, than Sheil's *effusion* in its favour. His speech, ranked with Mr. Praed's\* clever, but

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\* Mr. Praed was generally considered a failure in political life by his friends, but if he had survived a few years longer, he would have gratified their expectations. At the "Union" he displayed uncommon liveliness of mind, and sprightly gracefulness of wit. He was by no means suited for political life, as he wanted earnestness and the requisite physical organization. His failure in the House of Commons was caused by the wretched state of his health. It did not require much discernment to perceive that on the night of his maiden speech he had strong symptoms of incipient consumption. In fact he ought to have been in his bed on the night when he first spoke, which he did merely because everybody expected him to do so. He changed his political opinions rather suddenly, but he never held himself responsible for all the light and laughing sentiments he uttered at the Union. One fact shows his mental energy and elasticity. He had the good sense to perceive his failure as an orator, and immediately struck out a new line in political life. He amassed a greater quantity of minute and accurate information on English general politics, than any man of his political standing could boast of, and if his party had been once in power,

unsuccessful effort. The politics of those days were very earnest and vehement, and mere gladiatorial talents were not very useful when

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he would have rapidly ascended through the gradations of Ministerial office. But in the fall of Tory Government, in 1835, he saw then the "game was up" for some time, and turned with great resolution to the dry pursuit of the law. He had mastered the difficulties of his profession, and when he died, 1839, was making a considerable income. But Praed missed his real vocation. He should have remained a man of letters all his life, for he had an exquisite fancy, and considerable poetical powers. He had contributed (still uncollected) some choice poems of a graceful, amatory kind, distinguished for a delicious strain of fanciful tenderness. A gentle heart—considerable ideality—and a gay disposition—were to be found in Praed, in connection with very great literary accomplishments. His poetical diction is in itself a proof of the elegance of his studies. His "Red Fisherman," produced on one of the most poetical minds of the age, the same effect which Scott said he experienced on reading "Lenore." His invocation to Madeline (not generally known) is one of his most graceful poems, but the whole man is revealed in his Law Student's verses, after leaving the Huntingdon Ball. In the House of Commons Praed was almost as much out of his sphere, as Charles Lamb would have been when Abbot of La Grande Chartreuse. He was a tender—affectionate—and generous man—of a disposition truly amiable, not unmixed with gay levity---and in private life was a most interesting character.'

the struggle was about principles and their application.

During 1831 and 1832 Sheil continued to talk Whiggery, but after the Reform Bill had become the law, and when O'Connell announced that all Liberals should be ejected who would not swallow the Repeal Pledge, lo! to the astonishment of all Sheil became a Repealer—joined the Corn Exchange—and in the opinion of all who heard him speak, nailed up his colours as an uncompromising Repealer. His Whig friends were naturally much surprised at this bold step, and still more so when they read his “whole hog” speech, in which he stated “that the very sea which broke upon the shore murmured against Union with England!” He met in consequence of his conduct a fate different from that of Lord Killeen—Wyse—Leader, and Norreys. He was returned as member for the important County of Tipperary, and entered the House of Commons as the brightest ornament of the Tail.

In the Session of 1833 he was quite a new man. He was all bitterness and spleen, and he manifested the peculiar scoffing powers,

while deriding the Whig Cabinet, that a few years before he had shown in Ireland against the odious Protestant Ascendancy. Some of his speeches were uncommonly clever, and though he spoke under the serious disadvantage of belonging to a mere section of the House, he contrived to produce considerable effect with Parliament. Cobbett was delighted with the powers of "the rhetorical phenomenon," and pronounced Sheil's reply to Lord John Russell on Tennyson, D'Eyncourt's motion for short Parliaments, to be the most effective speech he ever heard.

On the Address Debate in 1833, and on the Coercion Bill, Sheil was undoubtedly very telling and skilful, and he exposed the inconsistencies of the Ministers with great effect. In that Session, the Tories were so much disheartened that the real oppositionists were the Radicals and Repealers, amongst whom Sheil was particularly efficient.

In Ireland, he was not however very popular in his party, and though of course he was received with cheers at the Agitation meetings, his personal influence was very limited. He was supposed to be a great aristocrat at heart and to be intent on his own aggrandize-

ment. His opinions on Repeal were thought to be very plastic in their nature, and the manner in which he argued the question, led persons to suppose that his relative to Repeal was like Sheridan's to Parliamentary Reform.

His career since 1835 being tolerably fresh in the public mind, let us pause here to make some general remarks on his political character.

## CHAPTER XIII.

“ To glorious ends thine aim be wrought,  
Play not the tinkling zany’s part,—  
Sound intellect, and earnest thought,  
Express themselves with little art.

If earnestly on saying something bent,  
Need time in hunting out for words be spent ?  
Your polished speeches that so coldly shine,  
Where nature cut in shreds you crisp and twine,  
Are unrefreshing as,—”

FAUST.

Few men have been able like Sheil to make mere Rhetoric so powerful an instrument to ambition. Not popular in Ireland—not swaying or representing large classes of his countrymen, he has raised himself to considerable eminence in British political life—and stood upon the very threshold of the Cabinet.



In politics Sheil is a sparkling Sophist—in eloquence he is a brilliant rhetorician. With the habits of a courtier, he shouts as if he had the heart of a rebel; and with the objects and prejudices of a right honourable landlord—he composes philippics against the Oligarchy—as if he were a desperate leveller. Proverbial for caution in committing himself to acts—when he speaks he affects “a proud precipitance of soul.” He plays the part of an inspired man, and yet in oratory, he is the merest creature of deliberation.

His talents are far more considerable than Utilitarians suppose. He appears to rely on his eloquence as his only weapon, but in reality he has more formidable qualities. He has an admirable talent for knowing—how—when—and where to be factious, and he has an incomparable tact in timing his bitter epigrammatic philippics. He is thoroughly familiar with the *arcana* of party politics, and standing on very narrow political ground, he hurls his missiles against his opponents with considerable effect. A work from his pen on the “Science of Faction” would be as valuable a contribution to political literature as “The Whole Art of

Ratting, familiarly explained by Mr. Emerson Tennant."

Looking at him from an Imperial point of view, Sheil may be considered as belonging to a species of public men now almost defunct. He belongs to that School represented in the last century by Colonel Barré—Sir Philip Francis—and Courtney the orator. He must be classified with the sayers of eloquent, and not the doers of great things. To torment an obnoxious Cabinet, and act as a goad upon an irritable Minister—to relieve the tedium of debate with smart, flippant, rasping speeches—to utter good, lively, epigrammatic repartees—to furbish up some of a party's faded common-places—to be ready for hacking and tearing whatever measures are brought forward on the opposite side—to puff with due modesty the mediocrity of "my noble friend, whose splendid speech last night," and artfully disparage the well earned celebrity of "the honourable gentleman who has just sat down"—to become hoarse, like a zealous auctioneer, in bawling out the perfections of what is now offered "for the third and last time"—to be easy about public matters, and yet seem in an

agony of horror at the downfall of the nation—are amongst the many ingenious, and brilliant, and formidable accomplishments of that pungent class of politicians, amongst which Sheil holds a conspicuous and well-earned place. Ireland having given the Tories a Croker—restored the balance by bestowing a Sheil upon the Whigs.

Considering him by an Irish Standard—Sheil may be pronounced a man who, with considerable talents, aims at paltry things, and prefers to be formidably factious as an expectant partizan, than morally influential as an Irish regenerator. If he had moral courage, and a noble purpose, he might have been the Parliamentary leader of the Irish Whig party, which now considers him as its mereretained advocate. But he has no pretensions to the character of a statesman, and aims only at the reputation of a mere orator. He is a political hybrid—neither Whig, or Repealer;—he has all the factiousness with very little of the principled consistency of the first, and nearly all the violence, without any of the generous enthusiasm of the second. He sneers at Lord Stanley for having seceded from the Melbourne

Whigs, and yet not one man in public life has, during the last fourteen years, led so devious a political career as the right honourable gentleman himself! In 1829, after the Emancipation Bill had become law, he was so eager for the downfall of agitation, that from "the bloody Beresfords" he accepted a retaining fee of three hundred guineas for his services as an electioneering counsel; and in 1844, after having left off professional life, he volunteers as counsel for the Corn Exchangers, though their avowed purposes have been condemned by the Sovereign, of whom he is the sworn servant—and though their principles have been repudiated by the party amongst which he is enrolled. He was a neutral in 1830—and a partizan in 1840. He was a Whig in 1831—he was a Radical in 1833. He was a Unionist in the summer of 1832—and a Repealer in the autumn of the same year. In 1834 he spoke and voted for the dissolution of the Union, and in 1843 he kept aloof from the party whose principles he had formerly espoused. And yet, forsooth, the vacillating Whig of 1833, and the renegade Repealer of 1843, is the man who delights in harshly taunting others with inconsistency!

There is great want of political dignity about Sheil. Imagine any other man in public life, with Sheil's talents and position, accepting a Greenwich commissionership! What other Irishman, so associated with O'Connell, would have taken a silk gown under the circumstances in which Sheil accepted the honour?? from Lord Anglesey?

Again judging him by an Irish standard, he represents the manner, rather the mind of his countrymen. He is essentially a calculator, though affecting to be impulsively national; and though he is politically inconsistent, he has nought in his *personal* character of the charming levity and gay *abandon* of a Hibernian. In his speaking there is a good deal of the flash, but in his conduct there is nothing of the *dash* that is to be found in every true Irishman from Burke down to Canning.\*

\* Canning though not born in Ireland, was full of the national peculiarities of the country. His constitutional irascibility, and his genial tenderness were charmingly blended together in Irish fashion. In a letter to Scott, he strenuously calls the Irish "his countrymen," and goes out of the way to assert himself an Irishman.

But Sheil ought to have been a Frenchman. He essentially belongs to the country where fervour of manner is confounded with ardour of passion, where there is much vivacity but no humour. Sheil's wit, such as it is, depends upon the dexterous collocation of words; it is liveliness—it is sarcasm—it is epigrammatic manner rather than wit. Irish wit is peculiarly genial, but Sheil's is essentially acrid. The tang of acerbity is to be detected in all his effusions.

And yet, leaving Brougham and Stanley out of the question, as a speaker he is perhaps better worth hearing *once* than most other contemporary politicians. The first time that he is heard he cannot fail to strike, and dazzle for an hour. His voice—the hyperbole of cacophony—would in itself arrest the attention of the most apathetic auditor. Then the simulated fierceness of his manner, and factitious fury of his delivery, and the horrible discord, and grating vehemence of his elocution, defy all description! His ear-piercing intonations amid the rattle of his utterance, and his clattering articulation produces

a dissonance, so whimsically harsh, and fantastically disagreeable, that it can only be likened to the squeal of a singed terrier tied to a tumble-down Irish post-chaise, of which the horses are taking head down a precipitous and jagged hill !

The right honourable little gentleman is about to speak after Sir James Graham. Writhing with nervous action, he bobs backwards and forwards, convulsively clutching the notes of his oration. Now Graham is concluding, and mark the eagerness of Sheil. Hah ! up he springs, like an Irish volunteer rushing to the breach. What a voice ! what vehemence of gesticulation ! what furious passion !

*Passion ?* He never was in a better temper during all his life, for he is excellently made up, and he is sure of producing an effect, most brilliant, though very transient, in its nature. The artistical asperity of a rhetorical gladiator must not be confounded with the rancour of antipathy. He has now to act the part of a raging patriot—how inimitably he storms, harshly bawling out his facts with furious

vehemence, and shrieking his philippic against the Government with as impassioned spirit, as if the fate of worlds depended on the success of his oration!

And now up go the rockets. Dear me, how very pretty! Ah! there goes another—and another—and another! And crackers too! See now he's letting one off right in the face of Sir James Graham! Ha! the "Cumberland Yeoman" did not much like the explosion, for though it was so brilliant, it left him surrounded with a stench! And oh! there goes another rocket—now he's going to let off some Catherine wheels at Lord Stanley. Why the right honourable little gentleman is positively talking fireworks—it is surprising that he does not *go off* himself—(no fear of that while he *goes down* so well with the excited House!) See how Lord Stanley scornfully laughs at him—what cares Sheil for that, as *whiz—whiz—whiz*—he blinds the noble Lord with his "blue lights," makes him smell "Roman candles," whether he likes them or not, and with audacious venturesomeness whisks a "leather devil" right round the shoulders of the haughty descendant of Charlotte de la



Tremouille ! Well the exhibition is wonderful, but he is now going to wind up—and—whoom-boom—there goes a blast against the whole Conservative party—and down he bobs into his seat amid a whirlwind of applause, and the quick throbbing of every Irish pulse in the House, for such a display has great influence upon the physical temperament, but not the heart of an Irishman.

And now that it's all over—you could hardly tell what it was about, but for the moment you have been greatly excited—he has carried you away. With sparkling eyes, you cry—"What a wonderful speech ! Sheil is a splendid little fellow !" As to what he said—the arguments adduced, or reasoning adopted by him, you are quite indifferent. But a powerful impression remains on your mind of the merciless lashing he gave the Ministry—how he held up to ridicule Sir James Graham—aye, and how he denounced the whole Conservative party, and bearded them bravely in the Commons of England.

Those who form their notions of a great public speaker by the Humes—the Haweses—the Bowrings—and the Brights, would be enraptured with Sheil on hearing him for the first

time. They would think him an amazing orator; but those who have heard a Canning or a *Henry Brougham*—in the Senate, or a *Plunket* or *Bushe* at the Bar, cannot have much admiration for *Sheilish* oratory, between which and genuine Irish eloquence there is considerable difference. One educated to a taste in oratory cannot but perceive that though there is very much talent, there is a great deal too much trick of style in all *Sheil's* speeches. The brilliancy is factitious—the vehemence is spurious, and his straining to produce effects is painfully discernible. There is a hardness in his compositions, and a metallic glare in his colouring that are disagreeable, and he never exhibits that *entrainement* which such orators as *Plunket* and *Brougham*—and such a debater as *Lord Stanley* have repeatedly displayed. In short, *Sheil* is an admirable rhetorician, and not a glorious orator, or a masterly debater. As has been remarked previously few British politicians have made rhetoric so powerful an instrument. With his rhetorical dexterity and knowledge—his filagree diction—and his vehement declamation—he is like a bouncing bantling of old Mother Quintilian, by *Charles Phillips*, with a dash of young *Kean* in it!

To conclude—Grattan, who drew much of his intellectual life from Lord Chatham, taught Sheil his singular and very startling style. But Grattan was a mighty spirit—with grand purposes—a superb genius—and a soaring soul. Sheil, his pains-taking imitator, is merely a very distinguished politician, and a man of remarkable talents; but his artificiality is transparent, and his mannerism is monotonous. Grattan, it has been derisively said, was “a gentleman”—but, his aristocratic refinement was only the outward phase of his natural nobility. Sheil, however, seems always striving to be a personage, and not content with being an undoubted *puissance* in politics, must clothe himself in official robes in order to seem finer to the public. Grattan had a passionate ambition, and thirsted for a world-wide fame, enduring as his native island; but Sheil is anxious for social eminence, and is satisfied with being talked of in the Clubs. Grattan looked to posterity, “the reading and thinking few;” but Sheil only regards the contemporary public. One coveted that his name should stand out prominently amongst the mighty few of time, and the other desires that he might be looked for in the “New Peerage and Baronetage of

the United Kingdom." One was a great man, with an intense sympathy for ideal lustre, who valued the actual as only symbolical of the far grander "things that are unseen;" the other worships puny idolisms, and is sceptical of that glory which is not obvious and palpable to sense.

## CHAPTER XIV.

### THE HADDINGTON VICE ROYALTY.

When Ministry rests upon public opinion, it is not indeed built upon a rock of adamant ; it has however some stability. But when it stands upon private humour, its structure is of stubble, and its foundation is of quicksand.

BURKE.

THE Haddington Government was one of the least successful Ministries that ever governed Ireland. In truth it ought to have been called the SHAW VICE ROYALTY.

In order to understand the political errors of the Haddington Government, we must remember what the state of parties was in that most eventful year 1834. Lord Stanley had seceded from the Whigs, and boldly announced his determination to prevent the British Constitution being converted (to use his own words) "into a naked American Democracy." Friends—political connections—the certainty of high office—all he had given up in order to be just to his own convictions. The abuse of the base—the taunts of every ignoble Whig—the reproaches of his political companions—all those he encountered, when he shouted to the Reform Party of England—"Thus far thou shalt go, but no farther." He revived the spirits of the drooping Conservatives, and shook the faith of every

———"Good old Whig,  
Who never changed his principles or wig."

His speeches showed great Conservative heartiness, and in a few weeks he had done more to resuscitate a Tory feeling than Peel had accomplished in years. Without a Stanley, a dozen of Peels could not have swung the British public round. A Pitt or a Canning

might have done so. A Statesman, with dazzling talents—fascinating character—and daring soul, might without aid have raised the genuine feelings of Old England against the dirty Utilitarian politics that came into vogue after the Reform Bill. But Sir Robert Peel was no Pitt—or Canning. Once that a party was made he could direct its affairs with consummate dexterity ; he could enunciate the *formulæ* of its belief with vague plausibility ; he could adroitly take advantage of the errors of the rival faction—all this he might do without any assistance, but servile indeed must be that flatterer who could say that Sir Robert Peel belongs to that order of spirits, who, with their own ideas and passions can transfuse hosts of their fellow men—who when all have despaired can recover the battle by the exhibition of audacious genius—who of themselves can perform exploits that awaken the enthusiasm of a nation. It is ridiculous to suppose that without Wellington and Stanley, Sir Robert Peel could have brought the Tory party to its present state of prosperity. The credit of having created the Conservative party belongs fully as much to Lord Stanley as to the present Prime Minister.

Of the numerous blunders committed by the Whig Ministry, in the year 1834, Sir Robert Peel availed himself with great tact and prudence. He had also managed to mitigate the English Tory party so much, that Lord Stanley and Sir James Graham were no more to be blamed for inconsistency when they allied themselves with Peel, than Sir Robert himself, for having united with two of the authors of the Reform Bill. But there can be little doubt that Peel exercised no moral influence over the Irish Tory party. In Ireland, nothing could have been tamer than his Statesmanship. One would have imagined that after the Reform Bill, he would have sought to re-construct the Irish Tory party—to assuage its brutal bigotry—to give it new ideas—to infuse some liberal feelings into its leaders. But Sir Robert sought to do nothing in Ireland. He left Irish Tories to themselves, and they helped to sink him in 1835.

In Ireland, to have made any impression on the Liberal public, an English Tory statesman should have been endowed with soul-stirring genius—a gallant bearing—and captivating eloquence. If a Bolingbroke—a



Chatham—or a Canning had been in the place of Sir Robert Peel, they might have gone far to make a Catholic Tory party in Ireland. Bolingbroke would have artistically affected the sympathy, which a Chatham or Canning would have really felt for that large body of Irish Catholics, who loathing agitation, yet found themselves contemned and disregarded by Protestant trading upstarts, and insolent Evangelical Shopkeepers. They—the Chathams and Cannings, would have thrown open the prizes of ambition to the Catholics; they *would have gone out of their way* to show sensibly to the Irish Catholics, that they were emancipated in fact, as well as in name. They would have availed themselves of the Irish love, for whatever is magnificent and splendid. Most certainly those statesmen of grand genius and commanding minds, would not have stood by the old corporations of Ireland; neither would *they* have employed all their Parliamentary talents to prevent the Irish Catholics from enjoying the same system of Corporate Reform that had been given to England and Scotland.

They, the Chathams, the Cannings, and men of

kindred soul and genius, would have set their feet on that mongrel race of *soidisant* Protestant missionaries, who have spent their lives in reviling an ancient creed, which though it may not be credible by those who have derived their ideas of Divine Providence from Protestantism or Philosophy, is assuredly a grander and more humane system of Faith, than the gloomy, morose, superstitious, and scowling Evangelicism that pervades the CHURCH of IRELAND. In trying to construct a Tory party in Ireland, which should conciliate for itself the affections of the Irish Catholics—Statesmen who had hearts as well as heads, would have taken especial care not to work with such an instrument as a venomous Protestant fanaticism. Undoubtedly they would have maintained the Church in its integrity, but it would not have been *their* fault, if that Church had been befouled from within by the Billingsgate school of Irish Parsoncraft.

But as Sir Robert Peel was no Chatham—or Fox—or Pitt—or Canning, it might have been expected that upon the Government of Ireland he would have shown, in 1834-5, some of that prudence and tact on which he not unreasonably

plumes himself. Yet the whole of his Haddington Administration in Ireland was as ill devised a piece of political joinery, as the clumsiest Statesman could have manufactured.

First—Lord Haddington himself was certainly far from being the best Lord Lieutenant that Sir Robert might have given the Irish. He had few of the qualities that are most requisite for that showy office. There was as little of the dashing, or splendid in his habits, as of the great or commanding in his character. To be sure, he had once made a *crack* speech (when Lord Binning) in the House of Commons, on the Catholic question. He was one of the innumerable host who “once made a capital speech upon the Catholic claims.” Yet Canning’s opinion—

What is Lord Binning made of?

Pinch of snuff—

Second-hand stuff—

Such is Lord Binning made of!

Was not very complimentary to the ability of Sir Robert’s or Mr. Shaw’s Lord Lieutenant. He was a nobleman of amiable disposition—milk-and-water Toryism—fair capacity—and good debating talents. But he had none of

the qualities so requisite in a Dublin Lord Lieutenant. Besides he was a Scotchman, and no Scotchman ought ever be employed in any high office in Ireland, especially by a Tory Government. Scotch Stewards if you will, but not Scotch Lord Lieutenants---or Scotch Lord Chancellors.\*

In some respects the appointment of SIR HENRY HARDINGE to the Chief Secretaryship was commendable. He was gallant, dashing, and full of high spirit, “with a generous heart in an intrepid breast.” He had what Irishmen so much admire, the fame of a hero; and

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\* The present writer is very far from participating in the crass prejudice of his countrymen against Scotchmen. He has far too many reasons for loving Scotland, and admiring her gifted sons. Though some Irishmen, as Swift and others, have spoken severely against the Scotch, Curran’s eulogy will be immortal.

“Scotland—a nation cast in the happy medium between the spiritless acquiescence of submissive poverty, and the sturdy credulity of pampered wealth; cool and ardent—adventurous and persevering—soaring in her eagle flight against the blaze of every science, with an eye that never winks, and a wing that never tires—decked with the wreath of every muse, &c., &c.

SPEECH FOR HAMILTON ROWAN.

throughout the island were scattered many of his old companions in arms, who even to this day recount the exploits of the "fiery Hardinge." He had been previously Secretary for Ireland, during the Wellington Administration, and from his Fermanagh connections—from his Irish associations and friendships, he had no small experience of the country. Besides by his spirited conduct in Mr. Sheil's case, he had most deservedly conciliated for himself the respect and esteem of many of his most determined opponents.

Yet there were many objections to his appointment, considered simply as an act of Conservative Administration. A military man, at that juncture of affairs, ought not to have been sent to Ireland to discharge a civil office. The "iron Duke" had rather despotically seized hold of power, and the nomination of Sir H. Hardinge gave a dragooning character to the Irish Ministry, which it would have been most desirable to avoid. With a Military Chief Secretary, and with constant collisions between the Army and the Peasantry—the Government of Ireland bore too martial an appearance. It attracted to itself an *extra* portion of obloquy and distrust.

Mr. SHAW, was at that time believed to be the grand undertaker and manager of the Tory interest in Ireland. His defence of Baron Smith, and his repeated assaults on the Tail party, had rendered him the idol of the Irish Tories. Like most of his Irish contemporary politicians, he was more of a talker, than a thinker, and had rather a talent for oratory, than a capacity for statesmanship. With prepossessing appearance—gentlemanly manners—fluent, nervous, and spirited in his style—and with an amiable character he had made very rapid progress in Parliament, and a splendid career had been erroneously predicted for him. Few young members had in so short a time, and under discouraging circumstances, obtained so much of the attention of the House. Indeed, so badly off was the Tory party in the years 1833 and 1834, before the accession of Lord Stanley and Sir J. Graham, and the entrance to Parliament of that masterly lawyer, Sir William Follett, that Mr. Shaw was positively its most considerable speaker in the Commons, after Sir Robert Peel. At a very early period of his life he had displayed public talents. He was in his twenty-sixth year when made Re-

corder of Dublin —there were nine candidates for the office, and some of them possessed more corporate influence than the Shaw family, yet his speech on the day of nomination was so winning and manly, that he won the office from his competitors, simply by his eloquence. He was a supporter, within certain limits of the Catholic claims, and belonged to that class of Liberal Tories, who would (as Burke says) give the Catholics “ a capacity for every thing, and the enjoyment of nothing.”\* It is now almost certain that his public talents were overrated. He has shown no capacity for wielding or controlling his followers, and he may be quoted as an instance to show the difference between a Protestant Demagogue and a Conservative Statesman. He has often been reproached with insincerity by his *quondam* partizans, but their accusations spring more from spleen, in his not being able to realize their expectations, than from calm belief in the truth of their rancourous assertions. He is very deservedly disliked by the Irish

\* Letter to Grattan, published in Mr. H. Grattan’s Life of his Father.

Whigs and Catholics, for his former violence, and he may be unreasonably distrusted by the Irish Conservatives, who are indignant at his recent moderation, but he is a man of stainless honour, though erroneous views, and of excellent character, though possibly inconsistent conduct. Mr. Shaw has a troop of personal and political friends, who would never be his cordial supporters, if he had been guilty of the charges so malignantly cast upon him by some of his own political comrades. Mr. Pennefather's speech in proposing him at the last University election, and his own gallant vindication of his conduct, ought to have silenced his calumniators for ever.

Mr. Shaw, however, has remained nothing but a public speaker. His mind does not appear to have grown or become sufficiently enlarged for the political horizon of Imperial Policy. He is an eloquent Provincial Tory—more Irish than British (despite of his Oxford education)—and after all his exertions for the English Tory party, he remains Recorder of Dublin. *He* has certainly few personal reasons for admiring the Union.

One of the first acts of the Haddington



Government was to make Mr. Shaw, and Mr. Lefroy, Privy Councillors. Mr. Lefroy's political mark was fairly assigned, when one of his Parliamentary confederates christened him "a heavy bigot." He was an amiable man, but by no means an able politician—most pious in his disposition, but intolerably prolix in his orations ; the brightest notion that ever gleamed through his mind was a dream of the Chancellorship, but nature and education made him more suited for a Bishopric. Sir Robert Peel thought so too, and partly amended his political vision with the operation of a Puisne Judgeship.

The Government were fortunate enough to obtain the valuable aid of Mr. Blackburne, who had served Lords Anglesey and Wellesley. He had shown, despite of his innate Toryism, considerable pliancy ; for when two or three months before Lord Wellesley's finally leaving Ireland, the Government had begun to relax, and when matters were assuming so " Liberal" a complexion, that O'Loghlen accepted the Solicitor-Generalship, Mr. Blackburne, with the most philosophical calmness, was quite

reconciled to the change that was gradually taking place in the Whig ideas.

As of course O'Loughlen could not serve under a high Tory Ministry, the Irish Solicitor-Generalship was conferred upon Mr. Pennefather, one of two brothers who have identified their names, with most of what is distinguished in professional, and all that is admirable in private life. Never before, perhaps, either at the Bars of Scotland, England, or Ireland, did two brothers obtain contemporaneously such eminence in the Law. They had been in the same division in College, and had carried the highest honours of the University, and each of them had afterwards on his respective Circuit, outstripped all rivals of the same standing. One brother (Richard) early ascended the Bench of the Court of Exchequer, whence he has dispensed justice with a judicial ability, a profound knowledge of the law, and a perspicacity of intellect, that mark him as the compeer of the Parkes and Aldersons of England. Benevolent, humane, and considerate, he was not less beloved by the whole Irish Public, than he was respected by all the Irish Bar.

No reasonable person of any party could object to such a man as Mr. Edward Pennefather (who had repeatedly declined a Puisne Judgeship) being made Solicitor-General by the Haddington Government. He was in everywise an ornament to the Bar. Few men had ever so combined the talents of an advocate with the learning of a lawyer. His professional character might be sketched in a sentence. He was Sir William Follett with an Irish accent, and the bluff visage and robust appearance of a country gentleman. In perspicuity of statement, it would be impossible to have surpassed Mr. Pennefather. He had not the style of a Plunket, or the versatility of O'Connell, but as an Equity Lawyer he was superior to either of them, and whether addressing a Jury or the Bench, he would have unanimously been pronounced by Westminster Law, as possibly superior to, and at least the equal (except in prolixity) of Sir Thomas Wilde, albeit that he was an "IRISH Lawyer!"

Neither Blackburne or Pennefather would however consent to entering the House of Commons. The health of one, and the do-

mestic habits of the other, were obstacles to their encountering the late hours, and irritating existence of a Parliamentary career. The Government were therefore obliged to look out for a Parliamentary Lawyer, and they found it no easy matter to obtain one. A seat in the House—a Serjeantcy—and the chance of the Bench, were not enough to tempt Lawyers in full practice from quitting their Profession. Three or four men of considerable legal character, peremptorily declined the offer. Mr. Jackson, who was an Assistant Barrister, and a Queen's Counsel, accepted the proposal.

He was not one of the best selections that might have been made. He had been known all his life as a prominent Biblical—as a zealous propagandist of Scriptural Toryism—and he had been for a great number of years Secretary to the obnoxious Kildare Place Society. He did not stand very high in his Profession, being chiefly known as a Circuit Barrister, as a very zealous and hard working advocate. He was an amiable man, of courteous manners, and prepossessing appearance, with a fine forensic countenance, and a pair

of "leather lungs." Very voluble, and with considerable powers of asseveration he possessed a species of mechanical capacity for talking *ad infinitum*, which some persons confounded with eloquence, to which he had no more pretensions than to profundity of attainments. He was an excellent *stater* of a case---perspicuous---plausible—and consecutive. He had none of the qualities that are usually associated with the idea of "an Irish Barrister ;" he had no wit, or pathos, or imagination ; no brilliancy of language, or literary accomplishments ; but he had considerable Hibernian fervour, which found an escape in awfully long speeches in the House of Commons. He had, however, what goes far to please an audience—a good voice, a fine person, and gentlemanly presence.

In politics, he belonged to what has been called in this work—the *corrosive* school of Toryism. A Biblical Barrister, and a Scriptural Tory, was the very last man that a Conservative Ministry ought to have brought into the House, as its Government Lawyer. Jackson, however, was liked in Parliament, and though on some occasions he was not

listened to by the House, as he abused its patience too much, he contrived to perform considerable service for his party.

His assault on the Mulgrave Ministry in 1837, was the first staggering blow that was given to it in Parliament. For a time he created a sensation by his statements, and the Tories thought they had got a vast prize in him, but a couple more sessions undeceived them. On the occasion alluded to, he stood up to address the House, after Lord John Russell had made one of his very best Parliamentary speeches, in introducing the Irish Corporation Reform Bill. The House would not hear Jackson at first, and shouted "Oh! Oh!" but being plentifully endowed with assurance he insisted upon being heard, and hurled a budget of Protestant grievances at the Ministry. For nearly four hours he kept the House of Commons not only awake but amazed at all the tales he told of Protestant lives recklessly taken — of Protestant property destroyed — policemen massacred — magistrates assaulted — attacks — assassinations whose authors were undiscovered through the carelessness, and agitations whose directors were rewarded through the servility

of the Irish Government. On he went, pouring out horror after horror—tale after tale—the Tories delighted, and the Whigs astounded at him. He told every tale with such plausible particularity, that the House gave him for the time, its entire confidence. The very triviality of some of his statements gave reality to the whole history of Lord Mulgrave's doings, like Crabtree's account in the *School for Scandal* of the duel that had never taken place. "They agreed each to take a pistol, they fired at the same instant—Charles's ball took effect, and lodged in the thorax. Sir Peter's missed, and what is very extraordinary, the ball grazed upon a little bronze Shakspeare that stood over the chimney, flew off through the window at a right angle, and wounded the postman, who was just come to the door with a double letter from Northamptonshire."

In a fortnight after, when Lord Morpeth had procured accurate information from Ireland he refuted most, if not all, of the assertions of the member for Bandon, but in the meantime the accusations had been most effective in England. The Tories hoped that Jackson would do wonders for them, but he had no

versatility—he was unable to deal with English topics, or to debate those problematical questions which occupy so much of the attention of Parliament. He talked himself down and after a time was rated “ tiresome.”

It is only right to add that when by the due course of events, he was raised to the Bench, that he gave general and universal satisfaction. It must be stated to his honour, that men of all religions and politics congratulated him cordially on his elevation; that he was addressed in a most complimentary manner by the principal attorneys, including Catholics and Radicals of the circuit where he was best known, and that by the common opinion of the public, a more humane and satisfactory Judge seldom sat upon the Bench.

But when that learned person was taken up by the Government in 1834, it showed to all Ireland that the ruling power was of a high Tory character. There was little fear of the Tories adopting the notion of a Medley Ministry.

A Scotch Lord Lieutenant,  
A Military Chief Secretary,  
Saint Lefroy made a Privy Councillor,  
Saint Jackson made a Serjeant,

AND

Mr. Shaw made a Sub-Lieutenant.



Such a Ministry was not very likely to gain the confidence of any considerable portion of the independent Irish public, and it presented at the same time several vulnerable points to the Opposition and the Agitators. It could acquire little popularity by its *men*, and as for its *measures* what were they? Why the Bill for the Amendment of the Irish Tithe system was an imitation of the Whig measure brought in by the former Government! Sir Henry Hardinge's Tithe Reform plan involved the following particulars:—That in future, tithes in Ireland should be recoverable only from the chief landlord, or person having the first estate of inheritance in the land; that the owner should be entitled to demand only 75 per cent on the amount to which he has at present a right; that the tithe should be redeemable by the landlord at twenty years' purchase, calculated upon the diminished rate; that the proceeds thus arising should be invested in land or otherwise, for the benefit of the tithe owners; that present incumbents should be indemnified against any loss accruing in the amount of their incomes below the 75 per cent, during the in-

terval between the cessation of rent-charges, and the investment of the redemption money, and also against any such diminution by that investment, but that their successor should receive only the income, whatever it might be, which the investment should produce; that all litigation for the recovery of tithes due should be carried on by and in the name of the incorporated commissioners of the ecclesiastical fund; that the payment of the portion of the sum granted under the Million Act, which had already been distributed among certain of the Titheowners, being about £640,000, should not be called for; and, finally, that the residue of that sum, amounting to about £360,000, should not be further distributed among the Titheowners, in lieu of the tithes due to them for the year 1834, which they had not been able to collect.

A measure of *exactly the same kind*, would not be allowed by the House of Lords to pass during the previous Session! Sir Robert Peel could not carry his Bill through the House of Commons, neither party possessed due legisla-

tive influence, and for years the Irish Tithe Question remained unsettled. Undoubtedly the fault of such a state of things was attributable to the conduct of the high Tory party in the House of Peers.

But the Haddington Administration, though its men were unpopular, and though its measures were nought, was indirectly the cause of much good to Ireland. For it brought together the relics of a Whig party, and the better portion of the ultra-popular faction. What might not have occurred without the advent of the Tories to power, took place on their instalment in Dublin Castle. Repeal was immediately placed upon the shelf, and a compact and alliance took place between the low Whigs and the Agitators. The high Whigs were not very much pleased at the close junction of their supporters with the Corn Exchangers. They did not oppose that alliance, but neither did they give it their confidence. They suspected that Repeal was only let slumber for a time, and that on a fit occasion its energies would be lashed into action as furiously as ever. Still however, a truce, and a cessation of the internecine combat which

had been carried on between the Whigs and the Repealers, was very agreeable to the whole Irish Liberal party, and the news that the Agitators and the Whigs were harnessed to the same principles, was received with much pleasure throughout Ireland.

## CHAPTER XV.

### THE MULGRAVE ERA.

“ How short is the continuance of those auspicious gleams of public sunshine ! How soon are they passed—and perhaps for ever ! In what rapid and fatal revolution has Ireland seen the talents and the virtues of such men give place to a succession of sordid parade and empty pretension—of **BLOATED PROMISE and LANK PERFORMANCE**—of austere hypocrisy and speculating economy ! ”

CURRAN.

SINCE the period when the British Power first obtained authority in Ireland, it never appeared in so popular—that is to say so *Irish*—a light, as when the Marquis of Normanby was Lord Lieutenant of Ireland. Indeed, no Irishman of any party ever expected that for *four con-*

*secutive years, an administration could remain the object of enthusiasm and confidence.* The wonderful success of Lord Mulgrave—and the equally conspicuous failure of Lord Ebrington—the popularity—the political credit, and the triumphs which waited upon the first nobleman; and the coldness—the distrust—and the defeats which were the portion of the latter, form of themselves a remarkable contrast, and teach a deep lesson, easy to be read, by those who are familiar with Irish character, and most profitable to study, by those (of whatever party) who aspire to take part in the future politics of Ireland.

In the circumstances of the times—in the state of imperial parties—in the character of some of the leading politicians connected with the Government—and last, not least, in the character of the Irish people, might be found the causes of the unprecedented and continuous popularity of Lord Normanby's Administration.

FIRST—the time was particularly favourable to a Whig-Radical Government. The Irish public—at least all of it that was sane—had become utterly wearied of the monotonous

agitation, which O'Connell had incessantly kept up for five years. Fond of novelty and excitement, the Irish had for a season become tired of agitation, which had cost them much, and gained them but little of proud distinctions, or useful measures. Very decided indications were becoming manifest, that O'Connell was over-doing the part of a popular leader. A desire for "moderate men and moderate measures" was springing up in Ireland, *not from any calm confidence in the necessity of such means for the amelioration of Ireland*, but as an agreeable relief to the tiresome—clamorous—and undignified politics of the Corn Exchange; as a novelty after the monotony of trite topics, handled in a tedious way by third-rate speakers of the Tail; as a means of giving the country some pleasing relief after the tedium of the agitators, who were already beginning to lose their efficacy as political stimulants. The miserable figure which the Tail had cut in Parliament opened the eyes of many, and a wide-spread feeling, that some new system ought to be entered upon, was extending itself through the most influential portion of the popular party.

SECONDLY—the state of imperial politics was most favourable to the construction of the Irish popular party. In the preceding year, the Tories had suddenly returned to power, and contrary to the expectations of many, had shown unequivocally that they had a deep hold upon the national affections of the English people. Though worsted by a small majority, and by the consummate dexterity with which that able statesman, and worthy Whig, Lord John Russell, had led a discordant and motley Opposition, still the state of the polls, throughout the length and breadth of the land showed how numerous—how zealous—and how determined were the followers of the Tory banner. In several places the numbers were almost equal, a fact in itself sufficient to refute the idle assertion, that the Tory party in England did not command as much of the confidence of the country, as the adverse faction.

A reaction had taken place in the English public mind, or rather, time for breathing was derived, before the British Nation would make up its opinion to *will* any more changes in the Constitution. People wished to look about



them—to see what they had done—to estimate fairly what advantages they had obtained, and after the English fashion to consider all sides, with phlegmatic calmness, and with a cheerful view of things. After the Reform Bill, a very sour and un-English class of politicians were beginning to make head in public life. They had the gloomy manners, without any of the sublimely horrible religion of the Puritans—indeed, they did not much concern themselves about Religion, but it was curious to observe that in their politics they all the narrowness—and bitterness—and splenetic feverishness that are generally attendant upon religious fanatics. They were for the most part sincere, and worthy persons, but their acrimonious harangues, and incessant fault finding sounded in the ears of fair people very like *cant—cant—cant*. Their sour looks—discontented aspects—and querulous characters went far to procure for them the dislike of the British people, who have a characteristic antipathy to a sickly and puny breed of statesmen. They were not a healthy English party, and they were just the kind of men to give Liberalism a bad name in a country, where the jolly Tory

is held more loveable and trustworthy than a lean and hungry leveller.

Besides the howl of Dissent had roused the wholesome prejudices of the Church-loving people of England. The British public knew too well, that if their Church were cast down, that the country would be overrun, with three times more priestcraft—more religious bitterness—more frenzy upon supernatural subjects—more superstition than at present prevail. They feared also that sooner than tolerate a gloomy, austere, and inquisitorial system of religion, that England would learn to extricate itself by plunging for a season into some sort of Infidelity and aversion from all religious feelings. The arrogance and fanaticism of the Dissenting party considerably helped the Tories in recovering their hold upon the Nation.

In such times when the Whig power was on the wane, the Irish party became of considerable consequence. The true English Whigs did not wish to make any inroads on the Constitution, or to commit dilapidation on the system which they had been educated to admire. They were more ready to contract an alliance with the Irish rather than with the Radical

party; their convictions and prejudices were less shocked by "Justice to Ireland," than by "Organic Reform," "No hereditary Legislators," "No Church." They were too circumspect in their politics—too English in their ideas—and too Christian in their aspirations, (whatever their Tory opponents might have said), to overturn the National Polity, and seek to replace it by some crude and trumpery Constitution, invented by those friends to the Human Race, who seek in their politics to unite the *maximum* of democratic power with the *minimum* of religious aspiration. To do justice to the Whigs of England, many of them preferred Catholicism with its rust, to Infidelity with its frost.

Extension of the Suffrage could not be advocated by the Statesmen who had carried the Reform Bill. The Ballot was manfully battled against by the more national, and less Americanized Whigs. Reform of the House of Lords could not be thought of by those who were hostile even to Household Suffrage. What measure, therefore, was large enough, and striking enough, to inscribe in blazing cypher upon the Whig Standard? What idea

could they take up? A better—a more feasible one—could not have presented itself than “Justice to Ireland.”

Except “by the able use of opportunities,” the Whigs have been always the weakest party in England. But for a party with historic names---vast possessions---most able and accomplished statesmen---opportunities are always presenting themselves in England, and from 1835 to 1840, it must be admitted that Lord John Russell, managed with rare political prudence---considerable foresight---and unflinching moral courage (combined with very good, though not surpassing debating powers) to make the best use of the “opportunity” presented to him, by the circumstances of the times.

The Irish party, including all the Tailmen, was heartily glad at the alliance with the Whigs’ Power—patronage—considerations of a personal and political kind—the *entrée* into brilliant society—the prospect of office, are things which would of themselves have whetted the appetite for an alliance with the Whigs. But the Irish party felt more real gratification in helping the Whigs to vanquish Peel, backed

as he was by Stanley and by Graham, than at any personal objects or legislative measures that might be expected from a Britannico Hibernian Administration. Real—hearty—and genuine gratification was felt throughout Ireland at Lord Stanley being out of office. It was generally believed in that country that he thirsted for power, as if he had not resigned as high a post as so young a man (at that time) could have sought for, and the popular opinion throughout Ireland was that O'Connell had vanquished Stanley to the delight of England, Scotland, and certainly to the gratification of the greater number of Irishmen. The Irish delight at the alliance with the Whigs, was expressed when Mr. Sheil in his “compact alliance” speech delivered at Thurles on Michaelmas day 1835, exclaimed, “There Stanley stands, or rather, there Stanley *lies* prostrate at the feet of Daniel O'Connell.”

Thus domestic and Imperial politics combined to render the advent of a Whig-Radical, or to speak with more accuracy, a Britannico Hibernian Vice Royalty exceedingly palatable to the political taste of Ireland in the years 1835—1836-7-8 and 9.

It is one of the necessary consequences of the Vice Regal system, that the characters of the persons employed in it, become of the greatest importance in Irish politics. The Britannico-Hibernian Ministry of 1835 was admirably suited for the occasion, and the country.

First, there was the EARL OF MULGRAVE, who really seemed to have been specially designed by nature for an Irish Lord Lieutenant. In figure — accomplishments — habits — and talents, he was the nearest approximation ever witnessed to the ideal of an Hibernian Vice Roy. His *personnel* as a Lord Lieutenant was perfection itself, and he only wanted two external qualifications for that office—viz., an illustrious lineage—and a vast estate. But the exalted station combined with his manners made the first defect forgotten, and the absence of splendid wealth, like that of the Bedfords and Northumberlands, rendered his dashing generosity—his gay hospitality—and his innumerable acts of kindness more admirable and loveable in the eyes of his enthusiastic followers. Never surely did any Lord Lieutenant exhibit a more amiable—generous—and princely disposition. Without a tenth part of

the resources that former Vice Roys possessed—without the aid of the Irish Aristocracy—he nevertheless by his tact and skill contrived to keep up one of the most showy, and sparkling Vice Royalties, that ever gratified the local pride of the Dublin public, and the provincial tastes of the Irish gentry. He was gay—dashing—and brilliant—always setting something on foot to amuse and gratify the public, who were caught “at first sight,” by his flashy, and semi-military appearance as he gracefully curvetted through the streets of the most brilliant provincial city in Europe. He looked—dressed, and acted the part inimitably. He was a super-excellent impersonation of “his Excellency, the Lord Lieutenant.” And what added to the charm of his appearance and deportment in Irish eyes, was that he really looked and bore himself so like a brilliant and accomplished Irishman. He was not a bluff, red-faced Englishman—or a phlegmatic British Peer—stiff and stubborn as one of his ancestral oak trees. He was full of the vivid and demonstrative character of the Irishman. Fashionable—vivacious—anxious to make all happy—with a relish for pleasure, and a gal-

lant bearing—with a witty head, and a generous heart, he was certainly more like a Milesian than a Saxon Peer. He possessed great quickness for discerning the manners and habits of the country, and instead of preserving the *retenue* of May Fair, he adopted somewhat of a demonstrative and familiar deportment. He looked as if he was some Lord Gerald de Normanby---or some Count Phelim O'Mulgrave---or Sir Corny Fitzphipps, that had suddenly started into life from the pages of one of Miss Edgeworth's or Lady Morgan's novels. He possessed the art of returning public salutations to perfection; the wave of his hand was quite inimitable; his bow was worthy of Mr. Charles Kemble; his eyes sparkled with true Milesian fire; the graceful fluency of his reply to deputations was worthy of a chastened Irish orator, sparing in similes, subdued in diction; the temper with which he encountered his Tory opponents was quite Irish---with dauntless gaiety, and sanguine light-heartedness, he made light of opposition; in society he was affable---condescending---as ready to impart as receive pleasure.

In his politics he acted on the principle that



“Ireland has feelings that must be flattered, and prejudices and habits that to be conquered must be soothed.” His great success---his vast public effect (so far as he was personally concerned) was owing to his wise congeniality with the people and their manners. He made all around him forget that he was an Englishman, and he was looked on as a native “racy of the soil,” not merely by the populace, but by the gentry of the land.

Without commanding character, or dazzling genius, he yet produced considerable effect. Not remarkable for wary forethought, or profound penetration, he was an adroit and dexterous Vice Regal Ruler. Inferior, far inferior to Lord Wellesley in sagacity and administrative skill, he was much more calculated to delight—to win over, nay! even to dazzle the ordinary class of mankind. Without any of the splendid and chivalric qualities of Lord Anglesey---without the fame of military heroism---he yet became a greater idol of the Irish multitude. He thoroughly understood the value of a social principle, which Lord Burleigh has so tersely expressed. “Right humanity takes such deep root in the minds of the multitude, that they are more easily gained by *unprofitable courtesies* than by churlish bene-

fits." Indeed such is the nature of the office of an Irish Lord-Lieutenant, that for a Hibernian Viceroy the writings of Philip Dormer Stanhope contain more valuable and useful information, than the works of a Bacon---Machiavel---and Burke.

His intellectual powers were more sharp, than masterly---more ready and ingenious, than subtle or profound. His perceptions were derived rather from an acquired *savoir-faire*, than from an innate sagacity. In whatsoever things tact, nice skill, and personal address were required, he was unequalled. He was the politest Statesman---the most gentlemanly Governor---and the most urbane Minister of his age.

But though his political talents were more showy than substantial, his personal qualities were entitled to much respect from his opponents, and the sincere affections of his party and his followers. He made a vast number of friends in Ireland, and the good wishes of which he was the object, were certainly produced more by his genuine amiability and good heart, than by the suavity of his deportment, or the grace of his address. In any country he would have been pronounced a loveable man, but in Ireland, where *gaieté du cœur*---an

open liberality of temperament---a generous spirit---and brilliant manner are so much prized ---he was exactly suited to captivate the admiration, not of thousands, but millions. But after all his mere personal qualities would not perhaps have procured for him so much enthusiasm, without his Milesian mannerism. He seemed to be the very model of *a superfine Paddy*.

Yes ! he deserved the hearty love, and the unrestrained enthusiasm of the Irish people, because he was the only NATIONAL Lord Lieutenant that Ireland ever had. It is now very generally admitted that Chief Baron Woulfe's idea that "civilization in Ireland must be made racy of the soil," must be taken more notice of by British rulers---that Cockneydom must not be crammed down upon a people, who have been even in the last century, while Protestantism alone prevailed, essentially distinct in social feelings and tastes from the English---in short, that the notion of making Ireland a tame copy of England---of having everything shaped exactly after an English pattern, must be given up altogether, unless England wish to rouse every feeling of ill will against her. The British Empire can

be better preserved by recognizing and modifying the national feeling of Ireland, than by madly *and vainly* endeavouring to obliterate it, according to the advice of certain insensate and hardened Utilitarians.

It is because Lord Normanby was so congenial with Ireland, that he obtained such applause, and that he retained his popularity to the last.

During his Administration the chains of the Empire were hardly felt by Ireland. She recovered all her good humour, and trusted herself once again to the British Power---forgetful of her sorrows, and her insults, and determined *for a while* to abandon the cry of Repeal.

Of course it must be admitted without detracting from the *savoir-faire* of Lord Normanby---from the virtue of Lord Morpeth---or from the admirable powers, and not less admirable virtue of the incomparable Drummond (of whom more will be said elsewhere), that no Ministry could have obtained so much applause, unless the wind of popular favour was blowing fair after them. It will be said that they made the wind to blow, but no!

there was at that time an indigenous party in Ireland, which determined that the then Whig Government should be popular in any case. Even if the Vice-Regal Government had been composed of very middling men, still from the circumstances of the times, any Whig Radical, or Britannico-Hibernian Administration would have been popular.

The political means with which the Government carried out its Statesmanship require to be particularly noticed.

Firstly—The Lower Nation became the chief object of its care. For the first time in the history of Ireland since its annexation to British Power—the Lower Nation was regarded by Government with greater feelings of favour and friendship than its hostile nation. Lord Normanby determined that his appointments should palpably show, that he did not agree with Lord Wellesley's idea of having a medley Ministry. He resolved to treat the Tories and Conservatives as a constitutional opposition—to give them all the privileges of subjects and citizens, but to withhold from them the favours of party. His Administration has been blamed for its decided preference of the Lower

Nation, but the simple fact was that he merely towed it within the range of Ministerial influence, and made it hoist the Standard of Whiggery. The Lower Nation became furiously ministerial—patriotically servile—and constitutionally hostile to “His Majesty’s Opposition.” It became for a season thoroughly identified, with British party politics, and the Normanby Ministry governed Ireland, on the professed principle that has been confirmed in England since the Revolution—of recognizing that there are two sides—of making a distinction between them---of treating both with justice---but only one with the favours---honours---and rewards of office.

This principle had never before been applied to Ireland. The system previously had been for the Tories, to disregard the Lower Nation altogether---to consider it not as an Opposition, which should be recognized, but rather as an “alien” force, which should (if possible) be extruded from the soil---and to confer a monopoly of rewards on the Tory party alone. On the other hand, the Whig system had been to blend the parties together---to recognize that there were two sides---and to have a Medley

Ministry. Thus for example---during the Fox-Grenville Ministry of 1806---and during the Vice Royalty of the Duke of Bedford---the Whig, Mr. Plunket, was made Attorney-General, and the Tory, Mr. Bushe, was made Solicitor-General. During the Tory Vice Royalties from 1807 to 1822---the Tory, Mr. Saurin, and the Tory, Mr. Bushe were the leading law officers of the country. In 1822, when Canning became virtually Premier, *his* system was that Ireland should have a Medley Ministry, accordingly the Whig, Lord Wellesley was Lord Lieutenant---the Tory, Goulburn, Chief Secretary, the Whig Plunket, Attorney-General, and the Tory Joy Solicitor. Again---Wellington governed Ireland by a pure Tory System---thus the Tory Duke of Northumberland was Lord Lieutenant---the Tories, Lord Gower and Sir H. Hardinge were Chief Secretaries---the Tory Joy was Attorney-General, and the Tory Doherty was made Solicitor.

Again on the advent of a Whig Ministry, during the successive Vice Royalties of Lords Anglesey and Wellesley from 1830 to 1834, the Medley System was again resumed, thus the Tory Blackburne was Attorney General—and the

Whig Crampton (and the Whig O'Loghlen for a few weeks) Solicitors General. Then on the return of Peel to power—the Tory Blackburne received for his colleague the Tory Pennefather.

And such had been the invariable rule in Ireland. The Medley system had always been adopted by the Whigs, and the thorough party plan by the Tories. Lord Normanby did nothing more than discard the Medley System, adopt the thorough party one, and in short apply to the Irish Liberals the same political ethics, which are adopted in the code of British party-politics. Thus during the time that he was Vice Roy he successively selected for the law offices of the Crown the following gentlemen—viz., Perrin, a Whig—O'Loghen, a Whig—Richards, a Whig—Woulfe, a Whig—Brady, a Whig—Ball, a Whig—and Pigot, a Whig.

But some of those appointments had far more local significance than may at first sight appear. Out of those seven gentlemen, four, viz. Messrs O'Loghen, Woulfe, Ball, and Pigot, belonged emphatically to the Lower Nation, by the ties of race and religion. Their



appointments were therefore doubly interesting and of far more political and Imperial importance than if whole troops of Bradies and Richardses had been appointed on the score of their Whiggery. One of them, Woulfe, the most remarkable Whig lawyer in Ireland since Lord Plunket, was known universally by his bold and manly advocacy of the Catholic claims. Those four gentlemen were "racy" of the Lower Nation, consequently their appointments caused more satisfaction than men of equal abilities who belonged to the Upper Nation.

Yet, perhaps (after O'Loughlen and Woulfe) Mr. Perrin's nomination was received with greater favour by the public. He had distinguished himself by great fearlessness, and much political self-respect and moral courage. Although an adherent of the Whig party, having gone into Parliament for the county of Monaghan in 1833, he voted and spoke against the most obnoxious clauses of the Coercion Bill. The independence which he then showed he even surpassed in 1834. For when Lord Wellesley pressed on his acceptance the Solicitorship, vacant by the promotion of Mr.

Crampton, he resolutely declined upon principle to serve under the Tory Mr. Blackburne. The extent to which he carried his principle may be judged from the fact that O'Loghlen\* accepted what Mr. Perrin declined. Both were animated—one in the refusal—and the other in acceptance of the office, by public principle alone.

Secondly.—The means by which the Government carried out its system was by disjointing the Tail—by mollifying the agitators, and softening them down into adherents of administration. The Government succeeded to a considerable extent in pulverizing the Parliamentary Repeal Party. Mr. Sheil, one of the tellers on the Repeal division in 1834, was made successively a Greenwich Commissioner—Vice President of the Board of Trade—Judge Advocate, and a Privy Councillor. Mr. Christopher Fitzimon, son-in-law of the Liberator, and Repeal Member for Dublin County,

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\* In accepting the Solicitorship O'Loghlen was guided by the purest purpose. He conferred a much greater favour than he received; in fact he was entreated by Lord Wellesley to serve the Whig interest by its acceptance.

was made Clerk of the Hanaper. Mr. Morgan O'Connell, Repeal Member for Meath was also appointed to office in Dublin. Mr. Winston Barron, Repeal Member for Waterford, was made a Baronet; Mr. David Roche, Repeal M. P. for Limerick, was made a Baronet; Mr. Nicholas Fitzimon, Repeal M.P. for King's County, now knighted, and made a Police Magistrate; Mr. Andrew Lynch, Repeal M. P. for Galway, was made a Master in Chancery; Mr. O'Dwyer, Repeal M. P. for Drogheda, was made Filacer of the Exchequer, and so on.

The influence and patronage thus conferred on some of the Tail had very great political effect, and several constituencies became very Whiggified. Every Repeal Member became more or less invested with a *leetle* Parliamentary influence, and a strong desire for influential men was felt throughout Ireland. Most of the Parliamentary vacancies were filled by Whigs. When Doctor Baldwin gave up the City of Cork, his seat was conferred upon Mr. Beamish, a Whig and non-Repealer. When Mr. Blackney declined contesting Carlow, Mr. Ashton Yates, a Radical and anti-Repealer,

was elected to the honour of contending against the formidable Colonel Bruen; in Dublin County, the Brabazons and Evanses again received the popular support; in Waterford and Mallow, Mr. Wyse and Sir Denham Norreys were returned by the popular party; the boroughs of Clonmel and Cashel were presented to the Whig Ministry for their law officers; in Dublin City Mr. Hutton, an anti-Repealer, took the place of Ruthven; the County of Kerry returned two non-Repealers—Drogheda returned Sir William Somerville in place of Mr. O'Dwyer, and Mr. Corbally was elected for Meath. Thus the Irish Liberal party was re-organised on a very fair Whig system, and the Irish Parliamentary Liberals now present a very different order of representatives from the Tail party.

Another means of carrying out the policy of the Government was the attack on the Orange System. Lord Normanby showed a most praiseworthy disposition to extirpate the Orange Society. Mr. Deane, a Barrister and most respectable gentleman, was elected Mayor of Cork, but on a memorial being addressed to the Lord Lieutenant, stating the Orange-

ism of Mr. Deane, that gentleman was immediately dismissed, and became an Orange Martyr. So too Mr. Smith, of Annesbroke, was refused a Deputy Lieutenancy, to which he had been nominated by Lord Dunsamy. So also reputed Orangemen returned on the Judges' Lists for the office of High Sheriff were passed over, and other names put in their places.

For a time everything was calm, serene, and delightful in Ireland. The Agitators were the staunchest supporters of the Government. The question became not who would be most Liberal, but who would be most Loyal. In short it must be owned that loyalty became a sort of cant. Patriots became place-hunters to such an extent, that in a series of letters in the year 1837, Mr. Sharman Crawford told the *Liberator* that he was "agitating to convert Ireland into a depôt of castlehacks." The late Reverend Mr. O'Brien Davern, a Catholic Clergyman, followed in Mr. Crawford's wake, and a party was beginning to appear in Ireland like that of the Molesworths, and Leaders, and Swynfen Jervises in England. But the opinion of the middle classes in Ire-

land was thoroughly in unison with O'Connell's hearty support of the Melbourne Ministry, and all the Irish popular party rejoiced at beating Peel, and Stanley, and Wellington, and Lyndhurst, and Graham. Nothing shows the fatal antagonism between England and Ireland more strongly—nothing more clearly proves their irreconcilable differences, than the simple fact, that Lord Melbourne's Ministry was deservedly a favourite with the people of Ireland—an object of their confidence and good wishes, and exactly in the same proportions the subject of the distrust and aversion of the British Nation.

Certainly, the days of Lord Mulgrave's Government were the happiest that Ireland, or rather that the Lower Nation had ever known. With the Liberals and Catholics everything was in those times quite *couleur de rose*. *The whole people went to Court*. The Aristocracy *cut* Lord Normanby, but the people enthusiastically paid him homage, and if Dublin Castle was deserted, his Excellency held monster Levées throughout the country. The joy of the "Lower Nation" was enhanced at witnessing the moroseness and sulky rage

of the "Upper Nation," for between those two Irish countries—the spleen of one produces the satisfaction of the other.

But during all the ministerial enthusiasm—some few there were who thought of the wary Lord Wellesley, and his inherent distrust of governing by popularity. Others also shrewd and farsighted, and familiar not merely with the character of the Irish people, but able to estimate their grievances—asked "How long would it last." Others again, circumspect and cautious—hinted that by and bye, very different results would follow from what the Whigs had predicted. Those Nationalists, who thought for their native land, laughed at the Whigs who supposed, forsooth, that they had bought up Repeal—and they laughed more bitterly at the indignation of the British Tories, and their hatred to a Ministry kept in place, by Irish votes—and supported in Downing Street mainly by Irish influence. They laughed with scorn at the notion of identification with the country that denounced in the most unmeasured terms the popular religion, the habits, the character of the great mass of the Irish people. They knew that a mere lull had taken place for a season between England and Ireland, and they

did not argue from the good humoured deportment of their countrymen—that a high-souled people would content itself with the courtier's part, and with tame servility adopting the manners of the ante-chamber. *They* no more thought that moral and political strife had ceased with England, because the gallant Normanby was received with hurrahs, than they would have imagined on beholding the opposing heroes at Talavera, slake their thirst at the same brook, and grasp hands in a fit of generous enthusiasm—that the brave men would therefore desert from rallying for their national flags, and fighting the glorious combat to the last.



## CHAPTER XVI.

### CHIEF BARON WOULFE.

——“ Thy reasons were too strong,  
And driv’n too near the head to be but artifice;  
And after all, I know thou wert a statesman.”

DRYDEN.

THE late Right Honourable STEPHEN WOULFE, who successively filled the offices of Attorney-General and Chief Baron of the Court of Exchequer, in Ireland, was one of the most gifted men that country has produced; but

unlike most of his remarkable predecessors and contemporaries, he has never received the appreciation justly due to his distinctive and peculiar talents, or to his character so strikingly original. It is very true that his obvious qualities were discerned and eagerly commended by "the great vulgar and the small," his facility in speaking, his courage, and his energy were held in due respect. His political integrity was also cordially acknowledged, for calumny never sullied his fair fame; but the finest parts of his character escaped the notice of the lounging *quidnuncs* of the clubs, and the common herd of vulgar politicians.

What in his character was *untold*, was never even suspected by many who thought they knew him well. And undoubtedly the outer man of Mr. Woulfe was well known throughout Ireland. The zealous adherent of Lord Plunket, and eloquent opponent of O'Connell in the Catholic Committees; the ingenious *nisi prius* lawyer, making a subtle intellect and rapid perception atone for the want of profound knowledge of his profession; the charming social companion—the warm friend—the accomplished gentleman,—these phases of his

character were notorious to all who knew him but slightly. But the inner mind of Stephen Woulfe was appreciated but by a few. His fondness for philosophical speculation — his proneness to reflection on the mighty problem of human destiny—his love of reverie, and his yearning soul, were unknown to the many, and received sympathy from very few of his political or professional acquaintances. His passions were preternaturally strong, and the morbid energy of his physical system lamentably fettered the aspirations of his heart:—

“ Oft when his spirit did spread its golden wings,  
In mind to mount up to the purer sky,  
It was weighed down with thought of earthly things,  
And clogged with burden of mortality.”

One fact will show how ignorant the public were of the capacity for affairs which so eminently distinguished him. The celebrated letter to Lord Donoughmore and the magistrates of Tipperary, [*Dublin Castle, May 22nd, 1838. Parliamentary papers, August, 1838, moved for by Mr. Hume,*] in which is the memorable aphorism, “Property has its duties as well as its rights,” was from

the pen of Mr. Woulfe. Of the effects produced by that letter it is needless to speak. It never can be forgotten in Ireland. Seldom was a public document conceived in a happier spirit. Equal to the occasion which called it forth, its moral power can be best estimated by the stricken spirits of those whose arrogance and injustice were rebuked therein with stern dignity.\*

Those who were acquainted with Woulfe, cannot be surprised at his having been the

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\*The lamented Thomas Drummond, whose name is signed to that document, has hitherto enjoyed the credit of having been the author of that justly celebrated letter. With the spirit in which that document was dictated he was completely identified. During his honourable career of office, too short for his adopted country, though quite long enough to make his memory revered, Thomas Drummond unflinchingly sought to carry out those ideas of government, of which the letter to Lord Donoughmore is the tersest and most suggestive exposition. It is therefore not detracting by any means from the justly-earned fame of the lamented Under-Secretary, to transfer to Mr. Woulfe the honour of having been the writer of that letter. A slight, but sincere tribute to Drummond's memory will be found in the third part of this work.

writer of the *Donoughmore Despatch*. The faculty of saying the right thing at the right time belonged to him in a very eminent degree. He hardly ever could be taken unawares, where a demand was suddenly made upon his mind he was always equal to the occasion, and what he said was pregnant with meaning, instinct with argument. Beyond most men, he possessed the power of impromptu analysis. In that direction lay the genius of his mind. He was an intrepid thinker, and was always eager to grapple with the difficulties in an argument or a system—whether of law or philosophy. His mind was accustomed to *think broadly*—hence his logic was not that of the schoolman, but of the statesman—comprehensive in its grasp, crushing in its application. For example, what can be more clenching than his reply to those crafty and canting Tories, who proposed to do away altogether with Corporations in Ireland, and who argued that the Irish Catholics could not complain, inasmuch as they would be placed on a level with Protestants? “You gave them equality of rights in 1829, but when did you confer upon them equality of privation?” Nor

should his reply to Peel ever be forgotten, when the wily Tory leader raised the question, “*Cui bono* Corporations? What good will they do in Ireland—a poor country, with little trade?” “I will tell the Right Honourable Baronet,” answered Woulfe; “they will go far to CREATE AND TO FOSTER PUBLIC OPINION IN IRELAND, AND TO MAKE IT RACY OF THE SOIL,” words which embody with inimitable terseness the objects of an Irish patriot-statesman.

Perhaps the most perfect monument of Woulfe’s mind, and that most likely to carry his name to posterity, is his famous dissertation on the Catholic Question. It was published in the year 1819, and dedicated to H. Brougham, under the title of a *Letter to a Protestant on the Balance of Evils*. It was republished in 1825. It is a fine specimen of philosophical politics, and is pregnant with the profoundest observation. A masterly critic has written of this work in a private letter to the present writer.

“I had never before seen Woulfe’s argument on the Catholic Question, and I have been perfectly amazed at the ability of some portions of it. The permanent value and universal appli-

cability of the arguments chiefly rested on, and the intimate familiarity with ancient and modern history displayed throughout, struck me very much. It is plain that he had been a deep student of history. But it is absurd to look upon the work as a pamphlet. It is a grand oration, undelivered for want of a fit arena to speak it in, like Cicero's famous Second Philippic. You may, if you like, class it as a piece of political reasoning, with Mackintosh's disquisition on the Reform Bill, or any other essay of that description. That is ware with which I do not meddle. I would rather compare it to Burke's great speech on conciliation with America. It evinces the same power of surveying the question from an exalted height, and looking down upon the contending principles on both sides. Woulfe's subject is not less grand than Burke's, and his treatment of it hardly less comprehensive and dignified; it is a plea for national integrity, universal tolerance, and the supremacy of law, unstained by even the pretence of partizanship."

In the Catholic meetings Woulfe was one of the leading men. He may be said to have

been the organ of the Vetoists. From a very early period of his life, a close political connection subsisted between him and Lord Plunket. His talents first received notice and their due appreciation from the late Chancellor, who (for various reasons) was never very popular with the great mass of the Roman Catholic body. Woulfe was looked upon as a partizan of Mr. Plunket; but whatever connection subsisted between them was of an honourable kind. When Mr. Plunket prosecuted the Catholic Association, Woulfe was one of the foremost of that body to reprobate the conduct of the Attorney-General. Popularity was never an idol of Woulfe. He had much of the talents, but not a particle of the character necessary for a demagogue, and never was there a man less adapted for the ante-chamber. To the *role* of a courtier he had a characteristic aversion. He never fawned upon the great; he never flattered the people. Unlike those who are "always valiant on the stronger side," Woulfe never spoke better or more fearlessly than when struggling in a minority.



Who that has seen him, when battling against what he believed to be injustice, can ever forget the man? How his eye used to glare!—the sharp rigid features of his sinewy visage, working in convulsive sympathy with the vehement emotions of his mind! His enunciation was rapid—his delivery violent to excess, and his voice cannot be described nor imagined by those whose ears it has not *pierced*. Scald an eagle in melting lead, and its screams will give an idea of Wolfe's voice at its highest pitch.

His defective articulation of the letter *r* added to the peculiarity of his voice; but when he had been speaking for some time, you forgot the voice; the intense earnestness of the orator absorbed you. He darted fiery glances, as if he would pierce through his audience. If the meeting were decidedly against him, he hurled himself against it with fury, and sought to carry his point by a *coup de main*. No man could charge at a hostile audience with such fearless spirit. Failures—once—twice—thrice—never disheartened him. If he believed that he was in the right, his heart never quailed,

though a multitude were against him. He could not coax or wheedle; he could not lull prejudices to sleep; he could not artfully compromise; in short, nature never intended Wolfe for a demagogue. Although, with one or two exceptions, he was thoroughly in unison with the feelings of the majority of his countrymen, on most political questions, such as those of social monopoly—the tithe system—the franchise question—he never sought by an artful exhibition of his sympathies to curry popular favour, so as to invest himself with a greater share of political influence, than accorded with his position as an eminent and accomplished member of the Bar.

Many indeed thought that his error lay in another direction, and that he abstained too much from political action; but Wolfe was placed in a peculiar position in Irish politics. On principle he was opposed to the course which O'Connell and the majority of the Irish Liberal party pursued after the passing of the Emancipation Bill in 1829. Deeply as he sympathized with the oppression of his countrymen, he never was a Repealer; and, on the other hand, he could not actively espouse the

political opinions of the Castle Liberals; so that from 1829 to 1835 he had virtually seceded from politics. Had he been in other circumstances, he might have hoisted his own banner, and sought to rally a determined party around him, which, without committing itself to extreme measures, might effectually have checked the misrule of the Stanley section; but Woulfe's position forbade his attempting such a course. The party which he might have wished to join should necessarily have bid for popular support, and thereby come into collision with O'Connell and the Repealers. But though a man of reckless and daring ambition might have gloried in attempting to prostrate the gigantic influence of O'Connell, and to have inscribed on his tomb—" *magnis tamen excidit ausis*,"—Woulfe was neither urged to such a course by infatuated vain glory, nor by a profligate anxiety to ingratiate himself with the ruling powers; he retired nearly altogether from the public scene, and concentrated his energies on his profession.

As a lawyer, Mr. Woulfe never stood in the front rank—not from want of a legal mind, but from his inability to devote himself reso-

lutely to the necessary drudgery and tiresome routine of his profession. To a mind like his, inquisitive and discursive, the practice was far more irksome than the study of his profession. His legal attainments were accurate, but not extensive. What he did know, he knew well. He had thoroughly mastered some leading principles, and on those he mainly depended. In their application he was always remarkably ingenious, but where there was a necessity for much legal learning, he was deficient. His practice in the Four Courts was not large, but after the withdrawal of Mr. O'Connell, Serjeant Goold, and the late William Wagget of Cork,\*

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\* Mr. Waggett was an eccentric genius, whose merits can be felt only by those who knew the man, and whose powers of oratory could not be believed, except by those who have heard him address a jury in a case of slander or seduction. He was an enthusiast and a visionary. Gifted with extraordinary talents, he spent all his life in dreaming by the banks of the Lee. He was admired by some; by others he was laughed at; to all he was an object of curiosity. It cannot be said that he received no appreciation. Of his splendid powers as an advocate, there was but one opinion entertained on the Munster circuit. He might have occupied the very first rank

he became one of the leaders on the Munster circuit.

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at the Bar, and yet so completely devoid of ambition was the man, that he busied himself as a local practitioner. He was an enthusiastic lover of poetry; indeed he was himself a poet, if thick-coming fancies, aspirations after the ideal, and crowding images with passionate feeling can make one—

“ Oh! many are the poets that are sown  
By nature; men endowed with highest gifts—  
The vision and the faculty divine—  
Yet wanting the accomplishment of verse.”

Music excited him violently; his love for it bordered upon phrenzy. His language was rich; too much so for those of severe tastes. In his intellectual caste he was emphatically an Irish genius. His glowing imagination, his gorgeous rhetoric, and the unaffected vehemence of his passionate effusions to a Jury, stamped him as an Irish orator.

He was also a Shakspearean enthusiast, and by the river side, while strolling by “the pleasant waters of the river Lee,” with his glorious organ-like voice often rehearsed to Nature the inspired ideas of him whom the Germans call “the poet.” To a very late period of his life—so long as his mind retained its vigour, he retained all his sympathies fresh and undebauched. He had his days and weeks of sorrow and fitful gloom, for he was a brilliant and miserable hypochon-

Mr. Woulfe, however, was but indifferently qualified for his profession. He had a great contempt for trifles, and the tiresome triviality of routine wearied him. He was a very bad *hack* lawyer, and was not the sort of man to whom an attorney could give much business. He was guilty of being *beyond* his profession,

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driac, but he had his hours of sublime elevation, when his spirit "hied" upwards "to its confine:" when the things of earth melted in poetical abstractions before his entranced soul. He was a most singular character, and only wanted notoriety to be recollected as one of the most remarkable men of his time. But he had a sovereign contempt for *éclat*. He was remarkably penurious in his habits, and yet had a scorn for money. With an extensive practice within his reach, he would not raise his voice for it. But there is not space to describe his character, which was charmingly suggestive. The oddity of his dress, for his garniture would have delighted persons of antiquarian pursuits, added to his eccentricity of appearance. Mounted on a sorry nag, to which oats were a luxurious rarity—dressed in a moth-eaten sexagenarian sur-tout of brown cloth—clumsy yellow gaiters on his legs—a battered oil-cloth hat, "shocking bad," upon his head—with unkempt locks of grisly grey, sharply contrasting with his glittering eyes and carbuncled face, he would wend his way at a slow pace homewards from his Court of Record in the city of Cork, to his country place, a gloomy, lonesome, ghost-haunted mansion, on the banks of the Lee. The sou-

the most fatal of all faults in a lawyer. Only in cases of more than ordinary interest, his mind was roused, and his energies called forth. In a case where character was at stake—where feelings clashed and passions struggled for mastery—he was all alive and thoroughly excited. His speeches to evidence were admirable, and of a very high order of eloquence. Some of them were not unworthy of an Erskine in matter and diction. Unlike those wretched copyists of Sergeant Buzfus, who weary a suffering jury with the constant iteration of the same arguments and phrases—Woulfe was brief and direct when pleading as an advocate. What he had to say he always strove to put as strongly as possible before a jury. He did not talk against time, like many of the wearisome

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briquet of the "Ancient Mariner," that a witty Cork Attorney gave him, was most descriptive of his character, which was exactly of that sort that Mr. Coleridge would have rejoiced to analyze for the purpose of embodying in poetry. Indeed Coleridge would have been delighted with the quaint reality, the antique genius, the unaffected inspiration of the strange being so imperfectly sketched in these few hasty lines.

twaddlers one could name. He did not puff, and blow, and snort; wipe his forehead, thump the bar box, flourish his brief, blow his nose, and recommence with the same topics, blustering, bullying, roaring, and resorting to those practices which so often make an address to a jury a most absurd caricature. His intellect and character preserved him from seeking to acquire that popularity, which proficiency in the leather-lungs style of oratory is sure to give a lawyer amongst certain classes of attornies.

Woulfe was one of the very few men at the Bar, who would have risen to a level with a State Trial. Upon a great case, affecting vast public destinies, he would have shone with surpassing lustre. Nor would it have been merely as an orator that he would have figured upon such an occasion; in the conduct of the case, his ingenuity and acuteness would have been probably as conspicuous as the boldness and daring energy of his eloquence.

Mr. Woulfe sat for only three years in St. Stephen's. During his stay in Parliament he suffered miserably from bad health, dying with protracted torture from an internal com-



plaint. Short, however, as was the period of his parliamentary career, it was sufficiently long for him to have displayed his immeasurable superiority over the official lawyers whom Ireland has sent to England, since the days when Plunket "challenged comparison" in his own person with the greatest orators of the age. Mr. Woulfe's parliamentary efforts, though few in number, and restricted in subject, were of a nature sufficient to stamp his character as one who, under favouring circumstances, would have been a distinguished senator. It is paying him but a poor compliment to say that he belonged to an order of spirits superior to the Jacksons, the Littons, *et hoc genus omne*. His mind was precisely of that *caste* which would have found its healthiest exercise in the various political problems daily brought before parliament.

Sir Robert Peel was never known to pay any Irish lawyer (since Plunket's time) such attention as he gave Woulfe. To be sure they had both come in contact in early life, but Peel respected Woulfe on other grounds. The manliness of his bearing in parliament raised him much in the opinion of the House.

Sir Robert congratulated Woulfe on the evening when the writ was moved for Cashel, on his nomination to the Solicitor-Generalship ; a slight, but unusual piece of courtesy. But one is not surprised at any compliment to him, when the fact is remembered, that the bitter Sir James Graham heartily congratulated him, on the ability he had displayed in one of his speeches on the Corporation question. Sir James spoke of Woulfe as one "who had won his way to the Attorney-Generalship by his legal talents, and maintained the credit of his appointment by the ability of his speeches. (*Hansard*, N. S. 36. 890.\*

His speeches on Irish Municipal Reform were most profound and suggestive. They may be commended to the perusal of those who love masculine eloquence and stringent reasoning. What a brief space they occupy in *Hansard*, amid the voluminous rubbish of our sapient Legislators, and yet what a mass of argument ! How pertinent they are to the

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\* Lords Wellesley and Stanley had the highest opinion of Woulfe's character and mind.

question, and how original in reasoning and style ! There is nothing of common-place in them. They were the speeches of a political thinker, and not of a hireling pleader in the cause of Liberal *versus* Tory. His maiden speech is quite inimitable in its peculiar style. It is one of the best specimens of his powers. His three speeches on the Corporation Question (*March 7th*, 1836 ; *Hansard, N. S.*, vol. 31, p. 1357 ; *February 22nd*, 1837 ; *Hansard, N. S.*, vol. 36, p. —, and *April 10th*, 1837 ; *Hansard, N. S.*, vol. 37, p. 973) are worthy, not of perusal but study. It would be impossible to surpass the vigour of their dialectics. Even his hustings speeches at Cashel, in which he dwelt on the policy of the Irish Government, were commented upon by all the English Press.

Personally he was much liked by the members of the House generally, as indeed was the case with all who ever knew the man ; for he was good-natured and unaffected, and had the heart of one who would faithfully serve a friend and spare an enemy.

In Politics, with the general science of which, as his writings and speeches testify, he

was intimately acquainted, he wanted a high and animating purpose. After the concession of Emancipation, there was no great political question which aroused his hopes. He did not care much for the common objects which interest party politicians; he was not a violent Anti-Tory, neither was he a vehement Whig. He had very little faith in the formulæ which are deemed of such importance by the Utilitarians. The peculiarity of his political position with regard to the two sections of the Irish Liberal party has been already indicated.

Although there can be no doubt that at a political conjuncture of awful exigency, Woulfe would have sided with his countrymen, still he was of that cautious character which would recoil from hazardous counsels. The shout and the hurrah would not have made him waver in the avowal of unpopular opinions. He was an out-spoken, straightforward, and fearless politician.

In a country circumstanced like France, where men of *esprit* become powerful, Woulfe, (had his destiny been so cast) would have fully developed all his talents, which were precisely of that order likely to meet with rapid appre-

ciation in such an assembly as the Chamber of Deputies. In the French legislature, the theorist and political thinker occupy a far higher rank than they could win in St. Stephen's. Burke would certainly not have talked to empty benches in a French chamber of legislature, and Mackintosh would not have been voted a parliamentary failure, by audiences who have attentively listened, upon repeated occasions, to the elaborately scientific demonstrations of Arago, or the metaphysical disquisitions of Cousin. Aptness for the speculative parts of political science, conjoined with skilful energy in the transaction of political business, and the management of public questions, form the character of most value in the French senate. In such a field Woulfe's abilities would have worked well. His powers of action, and his capacity for sustained scientific thought, would have placed him high in a country which selects its ministers from its *literati*.

But what did Woulfe do that Irishmen need care for his memory?

Ah! it is a great thing in this dreary age of Ireland, when the country is provincialized,

and the genius of the people not permitted to develope itself, to be a genuine Irishman in heart and head—to be a real, incorrupt son of the soil. It is a great thing in such a time, under withering influences, to grow up a hardy, vigorous Irishman, and give a living argument for the inextinguishable vitality of the Irish character. While too many Irishmen ape the bearing of the Englishman, and become his servile imitators in political, literary, and the more transient social fashions, it is no small thing to be a Stephen Woulfe, overtopping the crowd of copyists—giving one the cheering sight of a man of genius, whom all are proud to hail as a fellow-countryman.

And Woulfe was undoubtedly an Irishman of genius. The volcanic nature, which many erroneously deem the invariable accompaniment of Irish genius, he very largely shared. He cast up his best thoughts in eruptions. The vehemence of his delivery, and the rapidity of his argument, plainly show in what country he had learned his oratory. A peculiarity common to Irish artists, whether painters or orators, of treating even common subjects after a certain grand fashion, was very visible in Woulfe.

Not that he was stilted or bombastic, but like many brilliant Irishmen, he was not master of a good middle style.

He was not in the popular sense a witty man. He had not much Irish humour, and though few possessed a keener insight into the false, he had little sympathy with the ludicrous. His mind affected the grand and sublime rather than the pathetic or droll. His wrath, however, was Irish, bursting out suddenly with startling vehemence. He was a powerful and accomplished Celt. Though bred in times of great popular ferment, he was not even tinged with the vile spirit of vituperation.

His appearance was most striking. His physiognomy was such as Shelley might have assigned to his

——“ Inspired and desperate alchemist,  
Staking his very life on some dark cast.”

His face was that of a dark character. It was strangely fierce and penetrating. He looked like one of the personages in a drama, of which the scene is laid in Venice.

His form in latter years was gaunt and spectral, and his voice in conversation croaked

like a raven. Upon the whole, there was something very fearful in the appearance of Woulfe. Never before probably had so amiable a man such a formidable aspect. He looked like one who was ready to do something great and terrible.

While in his reveries, which were frequent, his face had quite another caste. Then all traces of the fearful vanished, and you saw only a strange, wild, absorbed man, with a mystical expression on his features. At such moments he appeared to be entirely forgetful of what was passing around him. He seemed like one pondering on some metaphysical form of the *clair obscur*, or rapt by a floating vision of fantasy. Then you would have said "surely this man must have something to tell the world. Here is a mind at work." He had a curious trick at such times of violently thrusting his fingers through his long dark hair, pushing it off his forehead. He would continue to do so for several minutes, and then he would, as it were, waken up from his trance, and plunge again into the scene around him.

It was at such moments that he looked like a man whose spirit was striving for utterance.



He always gave one the idea that he shrunk from wakening the echoes of his thoughts. He might have truly cried in the poet's words—

——“ I would speak,  
But as it is, I live and die unheard,  
With a most voiceless thought, sheathing it as a sword.’

It has been well said by a consummate judge of character, that “ Woulfe was the first mind amongst the modern Irish Catholics.” He was the first amongst the laymen of that body, who gave incontestable evidence of a profound thinker, endowed with a philosophical grasp and a penetrating spirit. His theological training (for he was partly educated at Maynooth, having been originally intended for the Catholic Church) did much to sharpen the intellect, and invigorate the reasoning powers of one whose faculties, without some constraint, would have been erratic in their tendency, from the discursive character of his mind. Had he taken orders, and engaged in controversy, he might have been the Bossuet of Ireland.

Nature, however, formed him for a statesman ; but circumstances, which have been faintly

indicated, prevented his coming into more active life. Had he been born thirty years sooner, or thirty years later, he might have stamped his name indelibly in the history of his race ; but, as things were, he lacked ambition.

Upon the whole, there was something lofty and towering about Woulfe's mind, that spoke the power of genius. He was great enough to have lived in the days of Flood and Hussey Burgh. One can easily imagine what he would have been in an Irish House of Commons. Even though an undeveloped man, he always refreshed the eyes with the sight of an original character, breaking the dreary uniformity of commonplace which pervades the modern Irish bar.

To conclude—singularly “unhating” for one bred in times of agitation—a sterlingly honest politician, who strove “for the supremacy of reason and honesty” in the government of Ireland—a scholar and philosopher without literary pride—with a magnanimous heart, and the manners of a gentleman ; a genius for investigating the phenomena of politics, and reducing government to science ; and a soul that respon-

ded to the sentiment of country, Stephen Woulfe was to be admired as one of "the few, fine, bold original spirits, who might give the world a new character, and a more majestic aspect to crouching life. But we look abroad, and see strutting to and fro the sons of little men, blown up with vanity, in a land where tradition, not yet old, tells of a race of giants.

"Brush these away, and let us think of the great dead, let us look to the great living, and strong in memory and hope, be confident in the cause of freedom."

END OF THE SECOND PART.