

## Erskine May, Vol. II, Chapter X, pp. 393-404

### Ireland—Repealers and Orangemen

At the very time when this popular excitement was raging in England, an agitation of a different kind, and followed by results widely dissimilar, had been commenced in Ireland. Mr. O'Connell, emboldened by his successful advocacy of the Catholic claims, resumed the exciting and profitable arts of the demagogue; and urged the repeal of the legislative union of England and Ireland. But his new cause was one to which no agitation promised success. Not a statesman could be found to counsel the dismemberment of the empire. All political parties alike repudiated it: the press denounced it: the sense of the nation revolted against it. Those who most deplored the wrongs and misgovernment of Ireland, foresaw nothing but an aggravation of those evils, in the idle and factious cry for repeal. But Mr. O'Connell hoped, by demonstrations of physical force, to advance a cause which met with none of that moral support which is essential to success. On the 27th of December, 1830, a procession of trades' unions through the streets of [394] Dublin was prevented by a proclamation of the lord-lieutenant, under the Act for the suppression of dangerous assemblies and associations in Ireland,(1) as threatening to the public peace. An association was then formed 'for the prevention of unlawful meetings:' but again, the meeting of this body was prohibited by proclamation. Mr. O'Connell's subtle and crafty mind quickly planned fresh devices to evade the act. First, to escape the meshes of the law against societies, he constituted himself the 'Pacifator of Ireland,' and met his friends once a-week at a public breakfast, at Home's hotel. These meetings were also proclaimed illegal, under the act. Next, a number of societies were formed, with various names, but all having a common object. All these,—whatever their pretexts and devices,—were prohibited.

#### O'Connell Tried

Mr. O'Connell now resorted to public meetings, by which the acts of the lord-lieutenant were denounced as tyrannical and unlawful: but he was soon to quail before the law. On the 18th of January, 1831, he was apprehended and held to bail, with some of his associates, on informations charging him with having held various meetings, in violation of the lord-lieutenant's proclamation. True bills having been found against him, he pleaded not guilty to the first fourteen counts, and put in demurrers to the others. But not being prepared to argue the demurrers, he was permitted to [395] withdraw them, and enter a plea of not guilty. This plea, again, he soon afterwards withdrew, and pleaded guilty to the first fourteen counts in the indictment; when the attorney-general entered a *nolle prosequi* on the remaining counts, which charged him with a conspiracy. So tame a submission to the law, after intemperate defiance and denunciations, went far to discredit the character of the great agitator. He was, however, suffered to escape without punishment. He was never brought up for judgment; and the act of 1829, not having been renewed, expired at the end of the short session, in April 1831. The repeal agitation was for a time repressed. Had its objects and means been worthier, it would have met with more support. But the government, relying upon public opinion, had not shrunk from a prompt vindication of the law; and men of every class and party, except the followers of Mr. O'Connell himself, condemned the vain political delusions, by which the Irish people had been disturbed.

#### 'Monster' Meetings

This baneful agitation, however, was renewed in 1840, and continued, for some time, in forms

more dangerous and mischievous than ever. A Repeal Association was formed with an extensive organisation of members, associates, and volunteers, and of officers designated as inspectors, repeal-wardens, and collectors. By the agency of these officers, the repeal rent was collected, and repeal newspapers, tracts, poems, songs, cards, and other devices disseminated among [396] the people. In 1843, many 'monster meetings', assembled by Mr. O'Connell, were of the most threatening character. At Mullingar, upwards of 100,000 people were collected to listen to inflammatory speeches from the liberator. On the Hill of Tara, where the rebels had been defeated in 1798, 250,000 people were said to have assembled<sup>(2)</sup> for the same purpose. These meetings, by their numbers and organisation, and by the order and discipline with which they were assembled and marshalled, assumed the form of military demonstrations. Menace and intimidation were plainly their object,—not political discussion. The language of the liberator and his friends was designed to alienate the minds of the people from the English government and nation. Englishmen were designated as 'Saxons:' their laws and rulers were denounced: Irishmen who submitted to the yoke were slaves and cowards. Justice was to be sought in arbitration courts, appointed by themselves, and not in the constituted tribunals. To give battle to the English, was no uncommon theme of repeal oratory. 'If he had to go to battle,' said O'Connell, at Roscommon, 'he should have the strong and steady tee-totallers with him: the tee-total bands would play before them, and animate them in the time of peril: their wives and daughters, thanking God for their sobriety, would be praying for their safety; and he told them [397] there was not an army in the world that he would not fight, with his tee-totallers. Yes, tee-totalism was the first sure ground on which rested their hope of sweeping away Saxon domination, and giving Ireland to the Irish.'<sup>(3)</sup> This was not constitutional agitation, but disaffection and revolt. At length, a monster meeting having been announced to take place at Clontarf, near Dublin, the government issued a proclamation<sup>(4)</sup> to prevent it; and by necessary military precautions, effectually arrested the dangerous demonstration. The exertions of the government were seconded by Mr. O'Connell himself, who issued a notice abandoning the meeting, and used all his influence to prevent the assembling of the repealers.

### **O'Connell's Second Trial and Imprisonment**

This immediate danger having been averted, the government resolved to bring Mr. O'Connell and his confederates to justice, for their defiance of the law; and on the 14th of October, Mr. O'Connell, his son, and eight of his friends were arrested and held to bail on charges of conspiracy, sedition, and the unlawful assembling of large numbers of persons for the purpose of obtaining a repeal of the Union, by intimidation and the exhibition of physical force. [398] From this moment, Mr. O'Connell moderated his language,—abjured the use of the irritating term of 'Saxon,'—exhorted his followers to tranquillity and submission; and gave tokens of his readiness even to abandon the cause of repeal itself. At length the trial was commenced: but, at the outset, a painful incident, due to the peculiar condition of Ireland, deprived it of much of its moral weight, and raised imputations of unfairness. The old feud between Catholic and Protestant was the foundation of the repeal movement: it embittered every political struggle; and notoriously interfered with the administration of justice. Neither party expected justice from the other. And in this trial, eleven Catholics having been challenged by the crown, the jury was composed exclusively of Protestants. The leader of the Catholic party,—the man who had triumphed over Protestant ascendancy, was to be tried by his foes. After a trial of twenty-five days, in which the proceedings of the agitators were fully disclosed, Mr. O'Connell was found guilty upon all, or parts of all, the counts of the indictment; and the other defendants (except Father Tierney) on nearly all. Mr. O'Connell was sentenced to a year's imprisonment, to pay a fine of £2,000, and to give security for good behaviour for seven years. The other defendants were sentenced to somewhat lighter punishments; and Mr. Tierney was not called up for judgment.

[399] Mr. O'Connell was now old, and in prison. Who can wonder that he met with compassion and sympathy? His friends complained that he had been unfairly tried; and the

lawfulness of his conviction was immediately questioned by a writ of error. Many who condemned the dangerous excesses of the repeal agitation, remembered his former services to his country,—his towering genius, and rare endowments; and grieved that such a man should be laid low. After four months' imprisonment, however, the judgment of the court below was reversed by the House of Lords, on the writ of error, and the repealers were once more at liberty. The liberator was borne from his prison, in triumph, through the streets of Dublin. He was received with tumultuous applause at meetings, where he still promised a repeal of the Union: his rent continued to be collected: but the agitation no longer threatened danger to the state. Even the miscarriage of the prosecution favoured the cause of order. If one who had defied the government of England could yet rely upon the impartial equity of its highest court, where was the injustice of the hated Saxon? And having escaped by technical errors in the indictment, and not by any shortcomings of the law itself, O'Connell was sensible that he could not again venture to transgress the bounds of lawful agitation.

Henceforth the cause of repeal gradually languished and died out. Having no support but factious violence, working upon general discontent, and many social maladies,—it might, indeed, [400] have led to tumults, bloodshed, and civil war,—but never to the coercion of the government and legislature of England. Revived a few years later, by Mr. Smith O'Brien, it again perished in an abortive and ridiculous insurrection.

### **The Orange Order Revived**

During the repeal agitation in Ireland, other combinations, in both countries, were not without peril to the peace of society. In Ireland, Catholics and Protestants had long been opposed, like two hostile races;(5) and while the former had been struggling to throw off their civil disabilities, to lessen the burthen of tithes, to humble the Protestant Church, to enlarge their own influence, and lastly, to secure an absolute domination by casting off the Protestant legislature of the United Kingdom,—the latter had combined, with not less earnestness, to maintain that Protestant ascendancy, which was assailed and endangered. So far back as 1795, Orange societies had been established in Ireland, and particularly in the north, where the population was chiefly Protestant. Early in the present century they were extended to England, and an active correspondence was maintained between the societies of the two kingdoms. As the agitation of the Catholics increased, the confederation expanded. Checked, for a time, in Ireland, together with the Catholic Association, by the Act of 1825, it assumed, in 1828, the imposing character of a national institution. The Duke of Cumberland was inaugurated, [401] in London, as grand master: commissions and warrants were made out under the great seal of the order,—office-bearers were designated, in the language of royalty, as 'trusty and well-beloved:' large subscriptions were collected; and lodges founded in every part of the empire, whence delegates were sent to the grand lodge. Peers, members of the House of Commons, country gentlemen, magistrates, clergy, and officers in the army and navy, were the patrons and promoters of this organisation. The members were exclusively Protestants: they were admitted with a religious ceremony, and taught secret signs and pass-words. In the following year, all the hopes of Orangemen were suddenly dashed, and the objects of the institution frustrated, by the surrender of the Protestant citadel, by the ministers of the crown. Hitherto their loyalty had scarcely been exceeded by their Protestant zeal: but now the violence and folly of some of their most active, but least discreet members, brought imputations even upon their fidelity to the crown. Such men were possessed by the most extravagant illusions. It was pretended that the Duke of Wellington was preparing to seize upon the crown, as military dictator; and idle plots were even fomented to set aside the succession of the Duke of Clarence, as insane, and the prospective claims of the infant Princess Victoria, as a female and a minor, in order that the Duke of Cumberland might reign, as a Protestant monarch, over a Protestant people. Treason lurked amid [402] their follies. Meanwhile, the organisation was extended until it numbered 1,600 lodges comprising 220,000 Orangemen in Ireland; and 381 lodges in Great Britain, with 140,000 members. There were thirty Orange lodges in the army

at home, and many others in the colonies, which had been held without the knowledge of the commanding officers of regiments.

## **The Order Condemned by Parliament**

Secret as were the proceedings of the Grand Orange Society, the processions of its lodges in Ireland, and its extensive ramifications elsewhere, could not fail to arouse suspicion and alarm; and at length, in 1836, the magnitude and dangerous character of the organisation were fully exposed by a committee of the House of Commons. It was shown to provoke animosities, to interfere with the administration of justice, and to endanger military discipline. Mr. Hume urged the necessity of prompt measures for suppressing Orange and other secret associations among the soldiery; and so fully was the case established, that the House concurred in an address to the king, praying him to suppress political societies in the army, and calling attention to the conduct of the Duke of Cumberland. His Majesty promised his ready compliance. The most indefensible part of the organisation was now condemned. [403] Early in the ensuing session, the disclosures of the committee being then complete, another address was unanimously agreed to, praying the king to take measures for the effectual discouragement of Orange lodges, and generally of all political societies, excluding persons of different religions, and using secret signs and symbols, and acting by means of associated branches. Again the King assured the House of his compliance. His Majesty's answer having been communicated to the Duke of Cumberland by the Home Secretary, his Royal Highness announced that he had already recommended the dissolution of Orange societies in Ireland, and would take measures to dissolve them in England.

Other societies have endeavoured to advance their cause by public discussions, and appeals to their numbers and resolution. The Orange Association laboured secretly to augment its numbers, and stimulate the ardour of its associates, by private intercourse and correspondence. Publicity is the very life of constitutional agitation: but secrecy and covert action distinguished this anomalous institution. Such peculiarities raised suspicions that men who shrank from appealing to public opinion, meditated a resort to force. It was too late to repel Catholic aggression and democracy by argument: but might they not, even yet, be resisted by the sword? That such designs were entertained by [404] the leading Orangemen, few but their most rancorous enemies affected to believe: but it was plain that a prince of the blood, and the proudest nobles,—inflamed by political discontents, and associated with reckless and foolish men,—might become not less dangerous to the state, than the most vulgar tribunes of the people.

### **Footnotes.**

1. 10 Geo. IV c. 1, by which the Catholic Association had been suppressed (supra, p. 375). It was in force for one year from March 5th, 1829, and until the end of the then next session of Parliament.
2. Ann. Reg., 1843, p. 231. Some said even a million; Speech of attorney-general, *Ibid.*, 1844, p. 310.
3. Ann, Reg., 1843, p. 234; *Ibid.*, 1844, p. 335, et seq. Trial of Mr. O'Connell; summing up of chief justice, etc.
4. The proclamation stated 'that the motives and objects of the persons to be assembled thereat, are not the fair legal exercise of constitutional rights and privileges, but to bring into hatred and contempt the government and constitution of the United Kingdom, as by law established, and to accomplish alterations in the laws and constitution of the realm, by intimidation, and the demonstration of physical force.'
5. Infra, Chap. XVI. (Ireland).