THE LIMERICK CHRONICLI—WATSONS, PROPRIETORS

E LONDON GAZETTE.

Office of Ordnance, March 7, 1823. toyal Regiment of Artillery-Second Cap-Josiah Grant, from half-pay, to be Second tain, vice Marlow, retired on half-pay; ond Captain John Gordon, from half-pay, to Second Captain, vice Walsh, retired on half-

FROM

LONDON, MARCH 11. is on the 15th of March, decidedly, that the

ke de Angouleme will set out for the Army he Pyrenees. Madame is to go to Bordeau, ersing a part of La Vendee.

20th February.

n the Sheriffs Court on Saturday, Mr. Orme, orney, was awarded £250 damages for an alt committed by Joshua Paul Meredith, a native of Ireland,

Testerday, Captain W. Wallace of the 10th ssars, was charged at Bow-street, for attemptto cane Lord Clanmorris, and calling his dship a coward-ordered to find bail.

DURETN-MARCH 13

t is generally reported, that a duel was fought w days ago, by the two officers of the Staff lately left Dublin, and that the senior in mand received a slight flesh wound.

Master Thomas, a fine boy, was killed on day by falling down the stairs at a Chapel in wav.

RISH STOCKS-Gov. Deb. 31 per Cent. 88 v. Stock 31 per Cent. 854; Gov. Deb. 5 Cent. 9945; Gov. Stock, 5 per Cent. and Canal Loan, 6 per Ct. 62; Royal Canal ck, 191; Bank Stock 2391.

Exchange-Dublin on London-81.

TO BE LET,

From the 25th day of March next, DURING THE MINORUTY OF JOHN REEVES, NOW AGED ABOUT 12 YEARS. following Lands, part of the Estate of said Minor.

HE House, Offices and Demistre Lands of NEWPARK, containing thenty acres, now in the possession of Mr.

be part of said land of XEWPARK, now in the pos-non of John Bohan and William Hendy, containing 30 seeds. These Lands are kinear within you miles of cleville and 3 of Kumaltok, and are remurkably fertile. LIREMORE, MERCHANA, now in the tenancy Mr. Timothy Moune, containing about 40 days. These Mr. Timothy Moune, containing about 40 days. These

ds are situate within 2 miles of the City, and are well ulated for dairy or tillage.

COUNTY OF CORK. bat part of the Lands of BELFORT, now in the tenancy Owen Sullivan containing about 30 acres, situate within minutes' walk of the town of Charleville toposals, in writing, to be addressed to JOHN FRANKS

MAS LELAND and WILLIAM FOSBERY, Esqrs recept to W. J. MASON, Esq., Thomas-Street rick. A MASON, Esq., Thomas-Street

COUNTY TIPPERARY. TO BE LET, OM THE PIRST DAY OF MAY NEXT,

THE LANDS OF RUPARY.

Alking 78 Acres, Plantation MEASURE.

Also part of the Lands of GARRYHU,

CONTAINING 88 ACRES, PLANTATION.

to JOHN M. WHIXON, Esq. Ballygiblin tell sub white is.

EQUITY EXCHEQUER Sullivan, Esq. DURSUANT to the De-tor of Elizabeth cree of his Majesty's therwise Knight, Court of Exchequer in Ire-

OILS AND COLOURS.

MATTHEW J. MOORE, HAA THEW J. PICOUKES,

HAS ON sale rating 01, to logfor, and Dye-Stuff Store,
passage to Custop-Hous, a well selected assortment
of DHY and PREPARRE P STUTS. DRYING OIL, and
SPIRITS TURPENTINE engaged best quality, and on
as moderate terms as my Hodge in the Trade.
Country Gentlemen cushave any shade of Colour mixed
at a ware short pagic.

at a very short notice. MOORE'S GROCKRY and WINE CONCERN at Bank-Place, is as usual paid the strictest attention to, His Fine and Best Middling CONGOU TEAS continue to be sold at the Duhin Companies Prices.

R An APPLENTICE would be taken.

Limerick, Bank-Place, March 15, 1823

KELP MATTHEW MOORE,

CHANGER,
CHANLER,
NO. 26, PATRICK STREET, LIMERICK.
TAS a few Tops of PRIME GALWAY KELP to
disquess of, which he recommends to the notice of
Eleuchers, and the in his trade.

FROM \$700 TO \$800. ANTED, on the Assument of a Bond of a Gentleman possessing a fee-sample, unincumbered Estate of £4000 a year, in the county Liberick. Interest Six per Cent. paid punctually.

Apply to A. B. Limerick Chronicle Office - Letters post

March 14th, 1823.

₽3000 WANTED AT INTEREST.

THE INTEREST WILL BE PAID PUNCTUALLY. WALP-VEINTY.

A DOUCEUR and most unexceptionable security will Application to W. J. MASON, Esq. Thomas-st. Limerick

The Limerick Chronicle

SATURDAY, MARCH 15.

ASSIZES INTELLIGENCE.

MURDER OF MAJOR GOING.

James Fitzgibbon and Patrick Neville were put to th ar, charged with the murder of the late Richard Going, Esq. Chief Magistrate of Police in this County, on the 14th o October, 1821, to which the prisoners pleaded "Not Guilty."

M: Quin stated the case for the Crown. He said, that the two men at the bar stood indicted for the murder of the late Major Going-he observed, that adverting to the case for a moment, in a private point of view, it might, perhaps be permitted to one who had known him in early life, intimately and long, to pay so much tribute to his memory as to say, in common, he believed, with every man who knew him, that a more single-hearted, amiable, or inoffensive character, never breathed, than that ill-fated Gentlemanbut, when the principle and ground of the transaction were considered, the subject swelled into an importance far beyond the limit of private regret, as most deeply affecting the very foundations of order and society. The condensed state of the case (upon which he should not much dilate,) was thisthe Chief Magistrate of Police of this County was murdered in the noon-day, upon the high road, on a Sunday, in the immediate vicinity of a populous village, by four assassins denuted from a conspiracy, sworn to destroy him, because h. deputed from a conspiracy, sworn to destroy had dared to execute his public duty. This borrid act sook place so long since as the 14th of December, [82]—and a feature more remarkable (if that he possible), than its attacks was, the interval which he elapsed without the means of proceduing the perpetators of a clinic committed in so audicious and undisquised a manufacture, too, notns so and acrous and undisquired a manner—trait, too, not-withstanding a reward of act fees than £2000 offered by the Government of the Country lo, induce discovery. But no difficulty in accounting for it—terror pelyaded all those who might otherwise have felt disposed to come forward on the occasion. When such an act had been committed in such a manner, and for such a cause, the persons resident in that quarter, disposed and capable of throwing light upon it, felt, and not unnaturally, that disclosure would lead to inevitable death. The discrepard of such a reward demonstrates the

road from the Cross beforthey turned into the fields. At different places, they demoded coats from two persons, and Their faces sempted to be disguised by bogdirt; and by one of thoseersons from whom the coat was got, the two prisoners w be identified as two of the four-From thence they will be aced through different stages to Hollywood, and so near round to the neighbourhood of Fitzgibbon, and, in effe, to the place from whence they came. In proof of the aspiracy, an accomplice in that, having, however, no part the murder, would, of necessity. be produced. The law wh regard to such had been frequently laid down from at Bench in a manuer too clear to be misunderstood. An complice was competent, because the highest crimes wod frequently escape punishment without resorting to hir He may be perfectly credible, and of that the Jury areo judge. But here he will h reinforced by a mass of croborative evidence, too powerful to be resisted, demonstring, that those who conspired to murder him did perpetra it-the positive identification of one of the conspirators (tzgibbon) as actually engaged in the murder, and of anoth of those conspirators (Neville) as being, together with the rmer, immediately after the act, under circumstances leang no doubt of their companionship in guilt-evidence opccurrences happening at different times and places, givenby persons unconnected with each other, and their corresponence not to be traced to any thing like pre-concertment. be magnitude and great public interest of the case weld, he trusted, be accepted as his apology for trespassing pon the Court and Jury at greater length than, perhaps, he hould, or than himself had origi-

Edward Collins sworn-Is by trade a Linen Weaver resided five years in Capp, and some time after in Rathkeale is pretty well acquainte with that country; in the month of September, 1821, about two weeks before the murder of Major Going, he was inved by one Madigan to accompany him to a public house in Cappa, which he did, and was in troduced into an inner pom where there were five or six people drinking; he knew several of the persons present, among whom were the disoners at the bar; Madigan filled a numbler and drank "onfusion to Major Going, and all who takes his part," an remarked that the country was wrong in allowing such a villain to live; another said, it would be a credit to the country to put such a tyrant out of the way; three others oncurred, Fitzgibbon and Neville also concurred; and ultimately the whole of the party entered into a conspiracy aid fround themselves by an oath to murder Major Going the first opportunity; witness was then informed that different parties would be formed in different parts of the country to watch Major G.; the person who administered the eath is not in the dock ; knew James Bridg man who was one of the conspirators; witness was swort about twelve months before this as a whiteboy; knew of the conspiracy all that time, but did not divulge it, being fully persuaded that in a short time there would be an open rebellion as Government had not checked it in time, and wished in the mean time to carry his eard among them as well as be could; first divniged it to Colonel Dick of the 42d, after he (witness) had got settled in Rathkeale, and

when the country was restored to a state of peace.

Cross-examined—War once a loval soldier; was in the
conspiracy to merder Major Going, and knew of that dreadful and atrocious act being committed, and yet did not as he was in duty bound to do, either attempt to prevent it or tel the fact till nearly twelve months after it had happened thinks on this account that he is a murderer, and as culpable as those who actually committed the deed; was obliged to net as he did or he would have lost his life; did not think that the Government would actually be put down, yet bad no doubt that there would be a general rebellion; thinks that he is also a perjurer; has been in the pay of Governmen for the last thirty-one (ays, but would rather have been otherwise as he would make more by his trade at home; one reason for not lodging informations sooner was, that he did not wish to put Government to expence; the clothes he now has on are his own; he was much better dressed when it Cappa than he now is ; is very sure of what took place in the public house at Cappa, although he did not take notes of it, which was in September 1821, but in May 1822 he made memorandums ; went to the Jail in company with Serjeant-Major Duff of the 42d, and another Serjeant, and was dis-guised in a soldier's watch coat; did not identify the prisoners that day; was not going to identify another man as being Neville, but the mun be was going to identify as one of the conspirators he had three parts of a doubt about him, and therefore he would not swear against him, in consequence of which the man was discharged; witness went again to the Jail a day or two after and identified prisoners; does not think that their names were called out by either the Jailor or the Serjeant-Major before be identified them Neville was hiding in the rere of the other prisoners who were all paraded in the yard of the prison, which was the reason he did not identify him at once; took six or eigh oaths when a whiteboy, all of which he has broken; adhered to his oath of allegiance till the corps was disbanded; wit to his oath of allegiance till the copys was ausmaner, we may be a seen as a second wist to the Jail sald, that the first was merely a visit of corrisity to see the Jail, and that thibugh he saw and knew the prisoners there, yes did not tell his companions so, the control of the prisoners there, yes did not tell his companions so, the control of the prisoners there, yes did not tell his companions so, the control of the prisoners there are the prisoners that the prisoners there are the prisoners that the prisoners there are the prisoners there are the prisoners there are the prisoners that the prisoners there are the prisoners there are the prisoners that the prisoners that the prisoners there are the prisoners that the prisoners there are the prisoners that the prisoners the prisoners that the prisoners that the prisoners the prisoners that the prisoners t

they were the murderers. They proceeded by the Clough | he had never mentioned it to any person that he knew any of [them; witness denied to the person who gave him this inti-mation that he knew any of the murderers; witness saw a grey pony standing near the place where prisoners were witness returned, but came back afterwards to view the body of Major Going; Mr. White, a Magistrate, was present; Major Going was not quite dead, and his lips were

Cross-examined .- Was in possession of the facts already sworn to; since the time Major Going was murdered he had not told any one of it, because the country was in such a state that both he and his connexions would have been assas sinated had he done so; has relations Magistrates, and yet was afraid to tell them of the circumstance; was examined as a witness on the Inquest held on the body of Major Going, and told the truth as far as he was questioned; some circum stances occurred at the Inquest which prevented witness being further examined; told Mr. Smith, his cousin, that he did not know the murderers, and would have told any person so who might ask him.

Maurice Sarsfield-Was living with Mr. Pat. Lewis, of Clough, at the time that Major Going was murdered; was in Mr. Lewis's house when he heard shots fired, and shortly afterwards went out and saw four men coming up the fields; witness met them and they demanded his coat; witness gave them Mr. Lewis's surrout, which he was carrying; the prisoners Fitzgibbon and Neville, were two of the four. [Witness was desired to put the rod on each of their heads, and while he was doing so, Fitzgibbon said to him, "the day will come when money won't save you, and you will answer for this another day," to which witness replied, " it is not my fault, I cannot help it."] Is sure prisoners were among the four; has known Fitzgibbon 16 or 17 years, and knew Neville about a quarter of a year before the murder.

Cross-examined-He admitted that he had been examined on oath relative to the murder, and had perjured himself by denying any knowledge of it; and had been turned off by his muster for stealing corn, but that he had paid for the corn since; he heard that Fitzgibbon was not liked by the Whiteboys, and that be had been flogged by them.

Michael B. White, Esq. sworn-Recollects the day of which Mr. Going was murdered, and saw his body near the outp of the road leading to witness's house ; the lying across the road; the appearance of his face altered that he did not at first think it was Major Going, but took him for another gentleman; on a closer inspection he recognised him; witness called out to 3 or 4 persons on the road for assistance, but they refused to come; he, Major Going, made several ineffectual efforts to speak ; he muttered something so indistinct that witness could not ascertain what it was t witness thinks he lived about half an hour after observed that he was shot through the head, near the temples, and that his arm was broken, and that there was a mark on his thigh as if a newly shod horse had trampled on him; he also observed several other shot wounds about his body, but saw very little blood; the Major had his whip in his hand; witness could get no assistance for a considerable time; Mr. Stevenson and others came up, on which he examined his pockets, and found £180; witness requested that some one would go to Mr. Lloyd's, at Beechmount, to acquain him with what happened; but none were willing to go, and on witness threatening to take a person into custody unless be went, the person's wife stricked, and begged of witness not o insist on her husband's going, else they and their family would be murdered; witness was in consequence obliged to go to Beechmount himselfand afterwards to Rathkeale, from go of Decembrate unineritand atterwards to tattagene, from whence he brought a party of police, who removed the body to Rathkeale; witness saw some loose powder on the road, as if it had been recently let full. s if it had been recently let fall.

Cross-examined -Witness has often been threatened by the

insurgents and his house broken open several times, and not long ago was burned, together with a considerable part of his property, and has been obliged to leave that part of the country; and all this because he was active in the performance of his duty as a magistrate; believes that if any one who knew had informed at the time against the murderers, who had not the means of self-defeace, that such person would without doubt have been assassinated.

John Moore sworn-Saw four men shortly after the murder, passing through Hollywood, but could not identify them. The evidence for the Crown here closed.

DEFENCE.

John Madden sworn .- Knows the prisoners, and is not related to them; recollects the day on which Major Going was murdered; was going on the road from Clough to Rathkeale, and heard several shots fired ; was afterwards met by keele, and heard several shots fired; was sire wards met Dy four men, three of whom were dressed, and now with his cost of; they ordered him to annad, and posented their guine at him; they then demanded his oest, which he immediately gave them; neither of the finisher were there; it was about a quarter of a mile from shere Major Going was shot that he was met by the four me; does not live far from prisoners; is well acquainted with them.

Cross-examined.-Never told a person of the name of Dwyer that it was Fitzgibbon he gave the coat to; the four men that witness met were going on towards Mr. Lewis's

awful sentence of the law in the usual form, and order them for execution on Friday (yesterday.)

Fitzgibbon, who it appears is above the lower class, do amination of witnesses

THURSDAY, MARCH 13. Baron Pennefather concluded this day's proceedings pronouncing sentence of death on eight unfortunate wretch who were tried for various offences, viz.:

Thomas Ganey and Denis Guinan, for a rape Michael Cagney, for steeling thirty-two hend of catt

from Newcastle, the property of John Meagher, Esq.

Patrick Kelly, David Kelly, John Kelly, and Den
Duhigg, for attacking the house of James M Inerney, Brickfield, in October last.

John O'Connor, for seizing arms on the 19th of October. FRIDAY, MARCH 14.

This day was chiefly spent in discharging prisoners by Proclamation. Maurice Leady, James Leady, and David Leady, jun. for the abduction of Miss Goold—trials postponed Leany, jun. to the annatution of prevention of artist persponent until next Assiges, and prisoners liberared on giving bill in the sum of £500, and two sureties in £250 each, which they immediately procured. At the cless of the day, the Grand Jury delivered in their 'Presentments, which closed the County Assizes. COUNTY RECORD.

Creed a. Creed .- Verdict for the Defendant, with costs. Counse! for Plaintiff, Messrs. Goold and O'Loughlin; Agent, Mr. John Creed. Counsel for Defendant, Messrs, O'Conneil, Cooper, and Jackson; Agent, Mr. James Keane,

CITY RECORDS. THESDAY, MARCH II.

Nash v. Guerin.—This was an action for defamation, brought by the Plaintiff against the Defendant, his next door-neighbour, under the following circumstances :- Mr. Guerin, who is a shopkeeper in Patrick-street, being in Dublin, in the month of December last, Mrs. Guerin had occasion to remit two ten-pound notes to Mr. G. to pay a bill. Mrs. G. not wishing to superscribe the letter berself, which was to cover the notes, sent for Mr. Nush, who wrote the superscription, and sealed the letter with the notes in it, and wrote over the seal, "To pay a bill." Mrs. G. gave the letter to Mr. Nash, in order that he should hand it to Mr. Mat. Ryan, of Charlotte's-quay, who was to go to Dublin the pext day, to take the letter with him; the letter was banded to Mr. Ryan, in the presence of Mr. Collips; Mr. b. Ryan, when he got to Dublin, instead of delivering the letter himself, to Mr. Guerin, sent it by a boy to the penny post-office in Bridge-street, and finally it reached Mr. Gueria but no bank notes were in it; he wrote to Mrs. G. stating the" pur no bank notes were in it; ne wrote do airs, o. stating toa-fact, and in a few days after, be returned to Limerick, and a in a conversation with Mr. J. Caulfield, aid, "it was Nosla, that took the notes out of the letter," For these words an action was brought, and damages laid at £1.000. When Mr. Guerin received the letter in Dublin, the seal was altogether different from the state in which Mr. Nash handed it ! to Mr. Ryan, which was proved by Mr. Collins, who stated that he was present when he saw Mr. M. Ryan put the letter in his pocket, and upon the letter being shewn to him in Court, Mr. Collins said, "that the seal must have been altered after the letter left Limerick." It appeared in the course of evidence, that the letter, from the time it quitted the possession of Nash till it reached Guerin, had passed through the hands of eight or ten persons. This trial, which lasted several hours, excited a considerable share of interest The result we stated in our last.

WEDNESDAY, MARCH 12.
Philip White Taylor a. J. M. Pike. - It was an actic for mesne-rates. After occupying the attention of the Counad Jury for nearly three hours, it was agreed to let 15 Plaintiff have a verdict for the full amount stated in declaration, subject to the deduction and allowances clair by Defendant, and to leave the further arrangement to arbitration of two Counsel, Mr. Jackson and Mr. Moore, have since been occupied with the case.

Tuthill n. Bernard.—This was an action of Trover to

Tuthit's, Remard—This was an acith of Trover to cover the amount of 37 rolumps of Revis Rayclopedi. The Defendant seized and sold the goods of the late Jeer Langley, under a Tholsel Action, among—shich were o'd books. The Plaintiff claimed these bafors and as they shortly, being mortgaged to him by acid. Verdict for lift of tiff, 227 los, being the amount of the the books of the control of the the books of the control of t

John Norris Russell a. William Taylor. in res-Juny.—Hon. John Massy, Colonel O'Donnell, n said William Roche, Thomas M. Rose, Major Maunsell, more Perrott, William White, Francis Spaight, Thomas Gher to Michael Guvin, Captain Hickie and Captain Sayers.

This was a Criminal Information filed by the Phished against the Defendant, for a Libel contained in two lease of published in the Limerick Chronicle, the first bearing a; the 12th, and the second the 19th of October, 1822, tendia to provoke a duel. The Defendant pleaded the general issue.

The Counsel for the Plaintiff stated the circumstances of the case. Petitions had been sent to the House of Commons from the Inhabitants of this City, complaining of abuses, in consequence of which the House of Commons appointed a Select Committee to enquire into and report upon these alleged abuses-the Plaintiff had received a summons in a

EMULTI EXCHEQUER Sullivan, Esq. PURSUANT to the Detor of Elizabeth Peres of his Majesty's herwise Knight, - Court of Exchequer in Ireland, made in this cause. bearing date the fourth day Administratrix of December, 1822, I bereby er Knight, Esq. require all Creditors and Legatees, of Christopher Knight, deceased, in the pleadings named, and all s having charges or incumbrances affecting the real chold Estates of the said Christopher Knight, to come ore me, at my Office on the Inn's-quay, Dublin, on or the nineteenth day of April next, and prove their tive demands, otherwise they will be precluded all t arising from said Decree .- Dated this 12th day of MARYBOROUGH forther particulars apply to WALKER JACKSON

Atterpey for the Plaintiff, 33, Kildare-street,

SHERIFF'S SALE. County of the City of Limerick to wit. and Clanchy, IT TO BE SOLD by Public Auetion, on WEDNESDAY the mingham. 12th of MARCH Inst. at the Defenant's House in Mary-street, several of HOUSEHOLD FURNITURE, GROCERIES, IRITS, seized under a writ of Fiera Facias, in this Dated this 10th March 1823.

WILLIAM TAYLOR, Sheriffs. above Sale is adjourned to SATURDAY next, the 15th H, at Twelve o'Clock-Dated this 12th day of above Sale is further adjourned to WEDNESDAY

e 19th just Dated this 15th Day of March 1823. NOTICE.

E several Annuitants claiming under the Will of th te Mrss WHITE, of the City of Limerick, are hereby d to meet at the MAIL COACH HOTEL, George's at noon on MOYDAN, the 7th day of April next to Investigate the state of the Property of the de-and to make such arrangements as may be necessary quence of the great depreciation of that Property. A satisfactory statement will be laid before the Annuind the best methods they can themselves devise, for erests, will be readily adopted

ick March 5 Arting Trustee and Thecome COUNTY INFIRMARY. Governors and Governesses of the County o merick Infirmary, are requested to attend a General to be held at the Infirmary, on THURSDAY, the for the purpose of examining the Treasurer's

DANIEL O'CONFELL

electing a Committee for the ensuing year, and other business. JOSEPH FISHER AND SONS, Treasurers.

r. GEORGE'S DAY SCHOOL. Rev. William . Houre, Treasurer to St. George's y School, acknowledges the receipt of £37 2s. Obd. f Collection made at St. George's Church on Sunday uding the following donations :- The Mayor, £1; ch, £1; H. O'Callaghan, £1; John Piercy, £1; s.; Three Ladies, 5s. Dd.; A Gentleman, £1 2s.

easurer on behalf of the Prustees, returns thanks owing named Lames and Gentlemen who collected Casion : - The Hon. Mrs. J. Massy, Mrs. Maunsell ges Mannsell, Mrs. Joseph Gabbelt, The Hon. sy, Robert Maunsell, Alderman Gabbett, and Drought. The Treasurer also acknowledges the £1 2s. Rd. Mass Mannsell's, (Plassy) Subscription John Harrson, £1.

extent of terror that prevailed. Here an observation arose, which he conceived of no small value, as applicable to the purity of the evidence-that not a witness came forward fand every one to be produced will appear to have come voluntarily forward at different times and to different Magistrates,) 'till after the date in the Proclamation had expired, and so frees the testimony from the slightest taint of interest. The reign of terror has ceased -witnesses feel secure- those infatuated people mexpectedly and woefully found, that though a witness should be taken off, the wise precaution of an Act of Parliament made him speak from his grave, through the medium of his information, and established their guilt not less than when alive. Here be begged to congraculate the country, that flagrant as the subject of the present case was, and demanding the most deliberate and serious attention and exemplary punishment, 'twas a fact of so remole a date, that the Jury were not now investigating one of recent occurrence. Public justice might, under certain circumstances, be stayed in its progress but it gradually traces the steps, and ultimately overtakes the murderer. At length, unceasing exertions in all departments, aided by the valuable activity of Mr Vokes, have developed this shocking occurrence, and enabled the Counsel for the Crown to bring the case this day to trial. In the year 1820, the Police were embodied in this County, and the command given to Major Going. In the month of August, 1821, an engagement took place between a patrole of the Police and a body of the insurgents, at Inchirourke. Lives were lost on both sides. A Serjeant of Police was killed, and one of those people, of the name of Callaghan. The Jury would bear in mind as material, that this Callaghan was brother-in-law to a man of the name of Madigan. At the Special Commission here in 1821, some men were convicted for the murder of the Policeman. In the month of September, 1821, a compiracy was entered into at the house of a Publican of the name of Collins, in the village of Cappa, where eight men were sworn to murder Mr. Going. O these, Madigan, the brother-in-law of Callaghan, was one and the prisoners will appear to have been two others. On Saturday, the 13th of October, 1821, Mr. Going left Rathkeale for Limerick, where he remained that night, and on the next day, Sunday, the 14th, he left Limerick in order to return to Rathkeale. He rode on a small grey pony, and had with him a case of pistols. Instead of returning the direct road to Rathkeale, he was disposed to pay a visit to Mr. Waller, at Castle-town, which he accordingly did, and that necessarily led him round by Cappa. This deviation is material -it shows that the persons who assassinated him were not (as may be protected,) strangers in that part of the country—be might have been waylaid where his arrival mas expected, but his appearance at Cappa was utterly unexpected, and 'tis clear, that under such circumstances, the act was committed by men who suddenly seized the occasion that presented itself, of doing what they had sworn to accomplish the first opportunity. Having left Castletown, the course of his progress led him by the neighbourhood in which Fitzgibbon lived, and where Neville was at that time employed in watching distress that had been taken, and also near the houses of the principal witnesses. Between Castle-town and Cappa, he met Captain Heard, who rode part of the way with him towards the village, and then parted. Mr. Going passed on through the village of Cappa on that day (Sunday) uncommonly crowded, and proceeded on toward the Cross of Curraheen. The Jury probably knew that part of the country, but it appeared from the map, and would in evidence, that according to the road, he had to go a mile round the right-hand side of a bog to arrive at the Cross. When he passed through the village, four men, armed with guns, and without their body-coats, were seen running two and two on the left-hand side of the bog-they cut across on him, intercepted him at the Cross, and there shot him, His person, on which there was a large sum of money, was not rifled, but his pistols were taken. Of these four men, Fitzgibbon would be identified as one engaged in the very act at the time, by testimony in his apprehension beyond suspicion. These four men, in the same state, armed, and with their coats off, appeared to other witnesses at different places in their retreat. It was sufficiently plainthat whoseer those butt toen were, annexing under such circumstin

occasion. When such an act had been committed in such a to his oath of allegiance till the corps was disbanded; witness in explanation of what took place at the first and second | house. manner, and for such a cause, the persons resident in that quarter, disposed and capable of throwing light upon it, felt, visit to the Jail said, that the first was merely a visit of and not unnaturally, that disclosure would lead to inevitable curiosity to see the Jail, and that although he saw and death. The disregard of such a reward demonstrates the knew the prisoners there, yet did not tell his companions so, but his second visit was by order of Colonel Dick in order to identify the prisoners, and was accompanied by the Serjeant-Major; is sure that no one pointed out the prisoners or called out their names to him before he identified them

Thomas Howard sworn .- Recollects the day that Major Going was killed, and was in company with him the day before at Rathkenle; the Major had pistols with him, but they were not in holsters; identifies the pistol now produced, as heing one of them.

John Cuthbert, Esq. Sub-Sheriff, sworn .- Recollects the day Major Going was murdered, and saw him in Limerick the morning of that day; he told witness that he was going to Mr. Waller's, of Castletown.

John Thomas Waller, Esq. sworn,-Major Going was with him at Castletown on the day he was killed; he parted with witness about twenty minutes past two o'clock with intention of going to Rathkeale; he rade a grey poney.

Captain Thomas Heard sworn .- Recollects the day Major Going was murdered; witness met him about four o'cloc near the hill of Lisnamuck; witness returned and accompa nied him a short distance, the Major went on towards Cappa and parted with him; witness has a very accurate knowledge of the situation of the roads in that Country. [Here a map of it was handed to the witness, who said it was an exact representation of the roads. There are two roads leading to Cappa; if Major Going went one of these roads, he must pass Fitzgibbon's house, but if he went the other, he would be about a quarter of a mile from it; thinks he went on the latter road; witness had returned on his road about a quarte of a mile when he heard either two or three shots fired; after arriving at his house heard of the murder ; Fitzgibbon's house is about one mile and a quarter from where the Major

Daniel Nihill sworn,-Knows the road from Cappa to Rathkeale; Clough Cross, where Major Going was murdered, is nearer Cappa than Rathkeale; there is a high hill at the west end of Cappa called the hill of Lisnamuck at four o'clock in the afternoon of the day on which Major Going was murdered, witness was coming through Cappa bog on horseback ; when he had got on the road he saw two men armed going towards the bog; they crossed him on the road; they were barefooted, and were going towards the cross of Clough; were only about fifteen yards from him, but be could not recognise them; be drew up his horse and turned round to observe them, but they got under cover of a wall, and were running very quick, a few minutes after be wan, and were running very quark, a new immunes and took saw two others coming in much the same manner, and took the same direction the first two had done; ordered the latter who had something concealed under his arm like a sun stood a short time and looked witness full in the face; cannot say

that either of the prisoners is he. James Riedy, a young boy, sworn,-Was in his potatoe garden, near Cappa bog, about four o'clock on the day in which Major Going was murdered; saw a Gentleman pass on a grey poney; afterwards saw four men come from the bog, who had something in their hands; thinks they had

arms; witness went away being afraid. Mr. Patrick Connell sworn, Has a perfect recollection of the day on which Major Going was murdered; witness was in the early part of the day at Cappa, from whence he went to Mr Stephenson's, at Curragheen; he was afterwards on the Rathkeale road, between three or four o'clock, and was beckoned to by one Edward Ryan, who said something to him, which he was anxions to relate, but the Court could not receive it as evidence; witness then went on towards Rathkeale; before coming to the turn of the road he heard two shots fired; witness then walked quick, and in about two minutes heard three other shots fired very near him, and all in the same direction; on getting to the rising ground he looked over a wall, and saw four men armed, and smoke ascending from amongst them; Fitzgibbon, the prisoner, was one of them; Fitzgibbon was looking towards witness, but the other three had their backs turned; witness thinks that Fitzgibbon saw him, but as witness's head only was above the wall, he cannot say positively that Fitzgibbon did see him; has known Fitzgibbon twelve years; has another reason for believing that Fitzgibbon saw bim; for witness brought a verdict of Gringer against bota the prisoners. got intimation that same night that he biaself would be

men that witness met were going on towards Mr. Lewis's

Maurice Scanlan sworn .- Recollects the day when Major Going was murdered; was going that day to Ballinacurra; saw four men crossing the road from Knockdremmin towards Hollywood; they were dressed, and some of them had arms; they were so far off that he did not know them; witness proceeded on to Ballinacurra, and went into a field to see some cows which he had there, had not been long there when Fitzgibbon came into it; Hollywood, towards which prisoners were going, lies North West; Ballinacurra lies North East, and is upwards of six miles distant; it was upwards of two hours after meeting the four men, that he saw Fitzgibbon in the field at Balliqueurra; thinks it would not be easy for any one to have come from Hollywood to Ballincurra in so short a time as had clapsed from his seeing the men, to the time when he saw Fitzgibbon in the field; Fitzgibbon appeared in his usual way, not as if he had been running, nor did he appear at all over-heated or

and it was ritzgiobou he gave the coat to: the four

Cross-examined. - Does not expect to be troubled by the whitehoys, but does not give his evidence on that account; cannot swear that Fitzgibbon could not have taken a short cut and have come round to Ballingcurra,

Patrick Mulcabill sworn. - Knows Neville the prisoner saw him in company with one Nash that day at Argoul where witness lives; Neville told him they were coming from Newbridge, and were going to Ballinacurra; it was about seven in the evening; Hellywood is about four miles from witness's bouse.

John Maher sworn-Was turnkey of the County Gaol and recollects the first witness, Edward Collins, being in the gaol; he was dressed in a soldier's watch-coat and was accompanied by Serjeant-Major Duff, of the 42d; the serjeantmajor told witness that they had come to the gaol to identify the prisoners; all the prisoners were assembled, and Collins did not identify the prisoners at the bar; witness heard the serjeant-major say to Collins that he would be obliged to tell Col. Dick that he could not identify the prisoners; Collins replied that he would come another day; saw them the next time they came and serjeant-major Duff called Fitz-Gibbob; Neville stood behind the rest of the prisoners, and was also called by name by the serjeant-major; all this took place in presence of Collins, and before he identified the

On the part of Prosecution, John Dwyer sworn-Knows John Madden, who was examined on the table ; had a conversation with him about the men that took his coat-when Madden told him that when he met them afterwards drinking in a liouse in Crough, he turned his back to them; the conversation was about three months ago.

Judge Pennefather summed up the evidence and addressed the Jury in a verys discriminating and luminous manner; ne recapitulated and compared the evidence for the Crown with the evidence for the prisoners. It would be for the Jury to decide, after mature deliberation on which side the truth lay that Major Going had been murdered was a fact of which there could be no doubt in the mind of any rational man; that he had been murdered in the manner described in the Indictment was apparently equally true, viz. by being shot with a gun, &c. ; but the Jury would have to decide, 1st, Whether the four men seen near the place where the murder was committed were the persons that perpetrated it - and 2d Whether the prisoners at the bar, were two of those four .-With regard to the first of these, although there was no positive proof, yet the circumstances were so strong, so corroborative of each other, and so calculated to produce conviction. that it was bardly possible to conceive but that they were the murderers; the places where they were seen +the arms they carried-the smoke arising from amongst them-and this on the very spot where the murder was perpetrated, were circumstances so palpable as to leave not the shadow of a doubt; with regard to the 2d, and which was indeed the most important, viz. whether the prisoners at the bar were two of these four, they would have to weigh in an even balance the evidence for and against, and laying aside every other consideration would keep themselves entirely and singly to the evidence that had been adduced. After several other judicious remarks relative to the nature, manner and character of the evidence both for and against the prisoners, the Learned Judge concluded by leaving the whole to their decision .-

The Jury retired, and after an absence of about half an hour, Baron Pennefather, in the most solema and impressive

to provoke a duel. The Defendant pleaded the general issue. The Counsel for the Plaintiff stated the circumstances of the case. Petitions had been sent to the House of Commons from the Inhabitants of this City, complaining of abuses, in consequence of which the House of Commons appointed a Select Committee to enquire into and report upon these alleged abuses-the Plaintiff bad received a summons in a letter from Mr. Rice, the Chairman of the Committee, to give evidence relating to such matters as might be connected with the subject of said petitions. The Report of the Select Committee was, on the 31st of July, 1822, brought up and received by the House, ordered to be laid on the table, and to be printed. This report was from time to time published. in the Lamprick Chronicle. In the course of the investigation before the Select Committee, there were several questions put to the plaintiff, relative to an action that had been instituted against the Town Clerk of this City, which action was tried in the Record Court before Judge Day, and on which trial the Defendant was a Juror. The Learned Counsel then read from the report, the questions and answers. These were published in the Limerick Newspapers, and the Defendant conceiving himself aggrieved by their tendency, wrote two letters to the Editor of the Linerick Chronicle. which letters were the present grounds of action.

The fact that the Defendant was the author of these letters, was proved, and was not denied on the part of

The defence set up was, that the Defendant had received provocation sufficient to justify the language used in these letters, which were intended only to justify his character, to act as an antidote where the poison had circulated, and not intended to provoke a duel. To prove provocation seceived by Defendant, the answers to questions above alluded to, given by Plaintiff before the Select Committee, were read by Defendant's Counsel, and commented on at considerable length.

Counsel for the Defendant also stated some variations between the letters in the counts of the indictment, and as they appeared in the Newspapers; which variations be contended were fatal. Two of these variations were admitted on the part of Plaintiff, as being so, but they did not on the whole affect the general charges, the letters being repeated in every count.

The merits of the case were argued with great ability on both sides, after which Judge Burton, in a very elaborate speech, in which he went through the several arguments adduced on both sides, concluded by leaving the fact of the case to the decision of the Jury, exhorting them to divest their minds of every preconceived prejudice, or of any prospective view of what might be the legal consequences of their decision, but to give their verdict conscientiously, and

as men of sense and discernment. The Jury retired to their room, and were occupied in debate for nearly two hours, during which period they found it necessary to return three times to ask the learned Judge for further explanation on some points. On their first appearance in Court, the Foreman stated that they had all agreed to acquit upon the Count charging the Defendant with intent to provoke a duel, but that on the other Count, charging the letters of the 12th and 19th as an inflammatory libel, they had a difference of opinion. Having received his Lordship's view of the case, they again retired, and after

a short absence, found the following verdict : " We find the Defendant, William Taylor, Not Guilty on any of the counts charging him with the intent of provoking a fuel; but we find, that he has written the defama-

tory letter of the 12th of October." It was in that Letter the variations in the Record appeared, which the Learned Judge gave as his opinion would operate

against the prosecution. Counsel for the Plaintiff, Messrs. Goold. O'Connell,

O'Loughlin, and Creed, Agent Mr. John Creed. For the Defendant, Messrs. Bennett, Jackson, and Howley, Agent, Mr. E. Gloster.

CITY CRIMINAL COURT.

PRIDAY, MARCH 14. Patrick Molony, Mary Ryan, and Margaret Reeves, for stealing sheep near Roxborough, Guilty .-- To be transported seven years.

Jeremiah Shea, committed for perjury, was discharged, no bills having been found against him.

After these trials the remainder of the day was occupied by Judge Burton in investigating breaches of the Excise Laws in the County-ten persons were convicted of baving