

COURT OF ERROR—WEDNESDAY.
Before the Twelve Judges, in the Queen's Bench Chambers.)

MURDER OF MR. PATRICK SHINE.

The Queen, at the prosecution of the Attorney-General v. Robert Houlahan and Patrick Noonan.

It will be recollected, that at the last Summer assizes of Limerick these men were convicted of having murdered Mr. Shine, at Carrigparson, on the 27th of January, 1842. They were defended by Mr. O'Shaughnessy and Mr. Coppinger, who made several points at the trial, relating to the venue, which were reserved for the decision of the 12 Judges, by the learned Judge Jackson, before whom they were tried. To give time for arguing those questions, the execution was respited till the 20th Inst.

Mr. O'Shaughnessy on this day opened the argument on behalf of the prisoners. His first proposition was, that no evidence was given by the Crown to show that Carrigparson, where the murder was committed, was within the county of Limerick where the venue was laid. The only evidence was that of the Widow Shine and Sir Richard Franklin relative to the venue; and the effect of this evidence was to show that before the Corporation Act Carrigparson was within the Liberties of the City of Limerick. It was, therefore, the duty of the Crown to shew not only when the Corporate Act but the Boundary Act, and 4 Victoria, chapter 108 and 109, came into operation; for, until the election of a Town Council, the Boundary Act did not come into operation. He then urged that the decision of the Court of Queen's Bench, in the case of the Queen v. the prosecution of Martin Honan v. Vereker, reported in 4 v. in Law Reports, 382, in Trinity Term 1842, established that up to that time the new Corporation had no legal existence, it having nullified all the previous proceedings; that therefore the Boundary Act could not have yet come into operation, and that Carrigparson being consequently in the county of the city in January, 1812, according to Mellor's case, 1 R. & R. 144, it should have been alleged in the indictment that the murder was committed in the county of the city, with a suggestion to the county. The learned Counsel thirdly argued that neither at the time of the murder or now Carrigparson was in the county of Limerick; and that even if the Crown had given evidence of the election of a Town Council, it would not have availed them, on the ground that the Corporate Act had yet no legal operation in the city of Limerick. To enforce this argument he first relied on the decision of the Court of Queen's Bench in the Queen v. Vereker. The 44th section of the Corporate Act declares that the Revising Barristers shall be appointed in the October of the first year the act shall come into operation. The 45th sec. declares that the Burgess list shall be revised in the October of the first year, and the 60th sec. declares, that on the 25th of October, in the first year, the Town Council shall be elected. In Limerick, these proceedings were all had in Oct. 1841, but the Queen's Bench decided that all these were a nullity, and that they could not have been legally done until October, 1842, because no burgess was qualified before the 31st of August, 1842. The learned counsel then insisted that the first year of the operation of the act would not have commenced until after the 31st of August, 1842, unless the remedial act 5th and 6th Vict. c. 46, passed the first of July, 1842, gave it an earlier operation. Now he contended, that assuming the judgment of the Queen's Bench to be a sound one—and he was entitled to consider it the law of the land—it did not cure the defect, because the enacting words were these—"Be it enacted that in any borough where the said act (meaning the corporate act) is now in operation" the proceedings had shall be ruled. Now according to the above decision the corporate act was not in operation, that is in legal operation on the 1st of July, 1842, for the Hon. Mr. Vereker was then, de facto and de jure, Mayor of Limerick. If, therefore, the remedial act did not embrace Limerick, the corporate act, and consequently the boundary act, had yet no operation, and Carrigparson was still in the county of the city of Limerick, and the prisoners ought to be tried there. The learned counsel cited several authorities

Inspector of Constabulary, to Elizabeth Mary, eldest daughter of William Stokes, C.E. Black-rock, Cork.
At the Asylum Chapel, on Thursday last, by the Rev. H. D. Willis, Mr. James Large North, William-street, to Miss Margaret Jane Wilson, Queen-street.
At the Cathedral, Waterford, by Archdeacon Kennedy, John Newport Esq. to Sarah, only daughter of Captain Wall, late 99th Regiment.
At St. George's, Hanover-square, George Bulkeley Tattersall, Esq. of the Ceylon Rifle Regt. to Sibylla Jane, daughter of the late Rev. John Baker, Vicar of Thorpe-Arch, York.

DEATHS.

On the 11th inst. aged 70, Anne, the beloved wife of Thomas Apjohn, Esq. of Pallasgreane House, in this county. Few persons have departed this life more universally and deservedly regretted.
On Monday last, very much lamented, rather suddenly, Mrs. Carleton, relict of the late Rev. Oliver Carleton, Dean of St. Patrick's, and mother of George S. Carleton, Esq. of Eustace-street, Dublin.
In Dublin, Patrick Simon, son of Patrick Lawlor, Esq. late of Clariana, county Tipperary.
On Sunday last, at the King's Island, after a lingering illness, Sarah, third daughter of the late Mr. P. F. Tuohy, sincerely regretted by all who knew her.
At his residence, Slaveen, near Macroom, Cornelius Lucy, Esq. aged 87 years.
Mr. Andrew O'Loughlin, of the Stamp-office, Dublin, of which he was an officer for twenty-eight years.
At the residence of her uncle, Edward Colburn, Esq. South-mall, Cork, Anna, daughter of the late William Loane, Esq.
Kate, daughter of Robert C. Bullen, Esq. of Ballythomas-house, county Cork.
In Coloony-street, Maria, daughter of Mr. Smith, Clerk of works in the Engineer department.
At Cove, of consumption, Alice Jane, wife of Captain Pyner, 5th Fusiliers, and eldest daughter of John Bolden, Esq. of Hynning Hall, Lancashire.
At Kingstown, Edward Lawless, Esq. youngest son of the late John Lawless, Esq.
In his 20th year, Frederic Morris, eldest son of M. Blood, Esq. of North Audley-street.
Michael James Charles, son of Edward Brady, Esq. Navan.
In Trim, at the residence of her father, David Thompson, Esq. Ellen Georgina, wife of the Rev. Arthur P. Irwin, M.A. of Waver-tree, Liverpool.
In Dungannon, Mr. William Ogle, for many years the faithful servant of the late Earl of Ransfurly.
In Corn-market, Wexford, James, son of Captain S. Lambert.
In Liverpool, Mr. Richard Joyce, of Athlone, for some time attached to the Custom department of that port.
At Chedzoy, in the house in which he was born and had always resided, aged 93 years, Francis Adam Stradling, Esq. the oldest Freemason in Somerset.
Henry William, eldest son of Mr. Henry Dodd, Bold-street, Liverpool.
Mr. James Everard, master of the Newcastle Lazaretto, of Liverpool.
At the Albion Hotel, Leeds, Mr. William Griffiths, of Manchester, inspector of mail coaches.
At his residence, at Kirkcubbin, in the 77th year of his age, William Bourne, Esq. one of her Majesty's Justices of the Peace.
Jacobus, eldest son of Mr. Patrick Regan, of Liverpool.
Matilda Sarah, wife of Anthony Pike, Esq. of the Royal William Victualling Yard, Plymouth.
Mr. David Ryall, of the White Horse Inn, Plymouth.
At Chichester, John William Wilkinson, Esq. aged 76.
Mr. William Moore, of Peel's Coffeehouse, Fleet-street.
At Clandearg Cottage, Roseneath, James Kibble, jun. Esq.
In Glasgow, Mr. William Vessie, Surgeon.
At Edinburgh, Captain James Sibbald, RN.
Mrs. Edgeland, Matron of the Plymouth Dispensary.
At Edinburgh, John M'Dairmid, Esq. Chief Clerk of the Board of British White Herring Fishery, &c.
At Stirling, Janet Henderson, wife of Mr. George Thompson, of the National Bank of that place.
Mr. Thomas Hussey, confectioner, one of the oldest tradesmen in Devonport.
At Stourbridge, in her 82d year, Ann, relict of Edward Oliver, Esq. of Wollescote House, Worcestershire.
At Florence, Anthony Deany, Esq. of Barham-wood, Herts.
At Rome, Eliza, wife of William Pennell, Esq. of Cumberland-terrace, Regent's Park.
On the 5th of October, at St. George's Island, Bermuda, to the extreme regret of his afflicted parents, Robert Ellard, the infant son of Captain R. Sherbourne Murray, 20th Regt.
At Montego-bay, Jamaica, Mr. Thomas Speller, harbour-master.
In Wickham-street, on Friday, deservedly regretted by his family and friends, Mr. Edward Parker, pawnbroker.
At Rathmines-road, the Rev. John Ashe, Rector of the Neale, county Mayo.
In York-street, Miss L'Estrange, eldest daughter of the late John L'Estrange, Esq. of Keelstown, county Westmeath.
At Temple Brady Glebe, Charlotte, daughter of the Rev. Samuel Sandford.
In Montague-place, Russell-square, Benjamin Shaw, Esq. in the 74th year of his age.
In Lansdown-crescent, Cheltenham, aged 85, Charlotte, relict of George Charleton, Esq. of Roston, county Donegal.
At Torquay, George Hart Dyke, Esq. formerly Lieut-Colonel in the Coldstream Guards, and son of the late Sir John Dixon Dyke, Bart. of Lullingstone Castle, Kent.
In Charles-street, Berkeley-square, Lady Mary Cavendish Bentinck, sister of the Duke of Portland.
Mrs. Sarah Appleyard, widow of the late Flather Appleyard, of Duke-street, Adelphi.
Mr. Edward Rumaden, bookseller, Finch-lane.
In York-street, Gloucester-place, Margaretta Diana, widow of the late Captain Edward Pelham Brenton, RN.
Mary Ann, the wife of Thomas Fry, of Cannon-street, City.
At Bath, Henry Pooley, Esq. Captain RE.

In returning thanks to his friends for the very liberal support he has established GUN AND PISTOL MANUFACTURER Merchant's-quay, (opposite the County Court) respectfully begs leave to call the Sportsmen to his stock of Double and Single Shot Guns, which, for Workmanship, elegance of finish, and close shooting, excelled in any House in the trade in Ireland with his assortment of Rifles, Blunderbuss, variety of Pocket Pistols, he is resolved to sell at prices unprecedentedly low.

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NOTICE

IT IS HEREBY GIVEN, that application is to be made to Parliament in the next Session, for an Act to enable the IMPERIAL SLAVE COMPANY, in Great Britain and Ireland, to Sue any person in the name of a Director, or the Secretary of the Company, and also to make other provisions in relation to the said Company, and to the Shareholders thereof.

WILLIAM HEADECOCK

5, Robert-street, Ad

Dated this 8th day of November, 1842