

ENNIS SUMMER ASSIZES—YESTERDAY.

[FROM OUR OWN REPORTER.]
At half past two o'clock Mr. Prime Sergeant Howly, accompanied by James Butler, Esq. high sheriff of the county of Clare, and escorted by a numerous retinue of mounted Constabulary and javelin bearers, arrived in Ennis to open the commission of assize. Henry O'Shea, Esq. registrar, was also in attendance upon his lordship, who drove direct to the Judge's lodgings in Bindon-st.

OPENING OF THE COMMISSION.

At 4 o'clock precisely Mr. Sergeant Howly proceeded to court, and having taken his seat on the bench in the new criminal court, proclamation was made, and the precept for holding the commission read, by George Sampson, Esq. clerk of the crown.

The court was filled with a crowd anxious to see the learned Sergeant on this, the first occasion of his acting as Judge of assize. He bowed with courtesy to the gentlemen in attendance, and took his seat on the bench with an ease and dignity characteristic of a superior mind, so that his lordship appeared quite at home in his new position. All persons were gratified to observe the learned Sergeant in good health and spirits.

The Grand Jury, whose names appear in first page, were then called into court from their room, and sworn for crown duties.

In addressing the grand panel, his lordship said—Mr. Foreman and gentlemen of the grand jury of the county of Clare, from the calendar now before me, I am very happy to say that on the present occasion your duties will be extremely light. It contains 30 cases—30 cases will come before you; and the number of prisoners charged in these thirty cases, is only 35. There is one very serious case for trial, but in which the bills having been found at last assizes, will not come before you at this commission. This state of things is exceedingly gratifying, and I shall say, highly creditable to the county of Clare. There is a total absence of all the higher crimes which bring disgrace upon our country, and condign punishment upon the perpetrators of evil and wicked deeds. There are, gentlemen, a few cases of rather a serious nature, and which, I understand, have arisen out of disputes about property, but may, after all, be traced to the fearful calamities which from time to time have fallen upon the land, and frustrated the efforts of the people. Upon the whole, gentlemen, there is nothing with respect to the calendar or peace of your county that calls for particular observation—on the contrary, everything that presents itself is a subject for congratulation. I, of course, cannot speak of my own knowledge as to whether the calendar is lighter than before, for owing to circumstances our connexion has for some years ceased; but relying upon those whose experience enables them to form a correct opinion, I can state that it is the lightest for the last 20 years. Gentlemen, this is cause of congratulation, and let us hope that it is an omen of returning prosperity to the country, the harbinger of better times—let what has happened make us more cautious for the future, and more anxious to provide for emergencies which may hereafter arise. I am proud to reiterate that everything gives hope and promise of better times, and returning prosperity to our country. Gentlemen, I now have to direct your attention to another subject. I have before me the report of the Inspector General of Prisons, and in reference to your gaol, I am pleased to perceive that no prison can be better conducted. It appears that a system of reproductive labour is being carried out by which a great saving is effected, and the system of hard labour is of such a nature as not to induce those who have once been subjected to it, to be anxious to return again to the gaol. I have, however, been directed by the Lord Lieutenant, to call your attention to the fact that you have no local gaol Inspector. I am quite sure that under your supervision, and the efficiency of your excellent governor, Mr. Darcy, everything is carried out with economy and advantage, but then we are to see whether the legislature has not provided that this office should be filled up, as with two or three exceptions, there is a local inspector for every gaol in Ireland. The act of parliament gives to the board of superintendence power to transact all the ordinary business of the gaol, and I feel satisfied everything requisite is diligently and carefully done; but, the very same act, clause 65, provides for the appointment of a local inspector. Hence, we infer, that the gaol board are not considered to have the whole superintendence of the prison. Local inspectors are indispensably necessary. I know the grand jury of this county are anxious, and laudably so, that money should not be wastefully expended, or taxation increased, to effect which they do everything in their power, and therefore it is that they have not up to the present thought proper to appoint such an officer. To be sure, the board of superintendence have faithfully discharged the duties of the trust reposed in them, but they may not be able to assemble more than once a week, or once a fortnight, and therefore it is the more desirable that there should be one to enter the gaol daily, and see the interior arrangements and discipline carried out. Mr. Darcy is, no doubt, an excellent public officer, but it is necessary, in every public department, that there should be a check, and I can't see why the Grand Jury should not make the appointment. [His Lordship then read the 65th clause relative to the power of the grand jury, to make this appointment]. So, you see, it gives ample power, and assigns important duties to the local inspector. It is assumed that there is a discretion with the grand jury, whether or not to appoint such an officer, because the words 'it may or shall be lawful,' are introduced. Now, gentlemen, it occurs to me that though it may not appear to you to be imperative, there is in this act sufficient to make it mandatory on the grand jury. Such was the intention of the Legislature, and though the words may be differently construed, there is no doubt they should be taken as "imperative." The act provides for the appointment of an Inspector General of prisons, and other officers, and most assuredly a local Inspector is indispensable. It may be possible, that with such a board as you possess, and having such an excellent governor, you may not deem it necessary to make this appointment, still, it is my duty to explain to you the law, and add, that I consider such appointment would be of public advantage. I should, at the outset, have mentioned why the duty of addressing you has devolved upon me. The Chief Baron is detained in Dublin in a very important case which is not likely to close before to-morrow

PORT OF LIMERICK—1851.

Quarter's Gross Revenue of Customs.	
5th July inst, ...	£41,992 8 8
5th April last ...	40,086 5 9
Increase, ...	£1,906 2 9
As compared with corresponding Quarters of last year viz. 1850.	
5th July, ...	£40,094 0 6
Increase, ...	£1,898 8 2

The Countess Dunraven has arrived in Dublin.

The announcement of the birth of a son and heir to Frederick C. Trench, Esq. was the occasion of universal rejoicing in the town of Kilsnane, the villages of Ballyvorgan and Glensheen, and the several hamlets on the Oliver Gascoigne estates, in this county. The houses were brilliantly illuminated and tastefully decorated. The mountain tops blazed with bonfires, and the valleys resounded with the merry voices of a happy people. The general demonstration of unaffected joy at this auspicious event clearly shews the high esteem in which these truly kind-hearted and indulgent proprietors are held by their numerous tenantry in this county.

There is no truth in the statement that a peer connected with Limerick has embraced the R.C. faith.

John Harvey Astell, Esq., was on Wednesday elected a Director of the East India Company.

STROLLING VAGRANTS.—Notwithstanding that the City swarms with mendicants, decrepid objects, and destitute creatures, bearing their wretched offspring, almost in a state of nudity, and who have been chiefly hunted in from the rural districts of this and other unions, to contaminate and annoy the citizens, whose residences are besieged from morn to night by this deplorable class, and to prevent which, without recourse to severity, the local magistrates have been unceasing in action, yet merciful and considerate, by their decisions at the daily Police Court and petty sessions, from whence, when brought before the bench, the unfortunate starving creatures are either committed to gaol, sent back to the districts to which they belong (on being supplied with food for the journey), or, should they claim a right to be maintained at the expense of the union, ordered to be conducted to our workhouse; yet certain individuals have ventured to impugn the Justices for having thus acted in a spirit of charity and humanity. It is a mistaken notion to suppose that the city magistrates commit vagrants to the workhouse—no such thing; although there is a resolution upon their books authorising the Master to receive all paupers sent from the sessions. The city authorities are as mindful of the interests of the ratepayers of Limerick as any other public body; but if parties come before them and state they are starving—that they belong to the union—is it not just and reasonable to direct the police to escort them to the workhouse, where it is the duty of either the relieving officer or the master to ascertain whether or not they are entitled to be maintained in that establishment. We question if it is not the bounden duty of the master to receive, and give provisional relief, in every urgent case, no matter to what union the applicant belongs? Frequent complaints have been made of gross neglect, indeed, of pure barbarity towards poor creatures who have applied under such circumstances; and it matters not whether in the gaol or workhouse, the law provides the destitute must be fed. The magistrates have often contributed from their private purse to raise a fund by which numbers have been sent, free, per steamer, to Foyens, Glin, Tarbert, Kerry, and Kilrush, rather than commit them to gaol, there to be maintained at the public expense; and assuredly it is bad recompense for their benevolence and assiduous attention to be taunted by any body of men.

On Thursday afternoon Dr. Murphy, coroner, held an inquest at Boherbuoy on the body of a poor man named Michael Sullivan, who was found dead in an unoccupied house in that neighbourhood. A woman, Catherine Holmes, deposed that she saw deceased a few days before; that he was in a very weak state from hunger; that she gave him milk; he said he was from Ballynanty, and that the relieving officer refused to give him a ticket to the workhouse! The shrivelled and emaciated appearance of the mortal remains of the deceased would strike terror to the stoutest heart, and the jury returned a verdict "that he died of destitution, and exposure to cold and hunger!" Had the unfortunate man been afforded an asylum in workhouse or gaol, his melancholy fate would not so soon have been sealed, and no better evidence can be adduced in support of the humane course pursued by the city magistrates.

At the Police-office, this day, Mary Hogan was ordered to be imprisoned for one month for stealing a watch from a Greek sailor; James O'Neill fined 1s. or 24 hours, both for drunkenness; John Byrnes and John Lyddy, for furious driving through the street, fined 1s each; Patrick Hewitt and Michael Hannan, fighting in the streets, fined 1s or 24 hours; five vagrants for stealing hay at the market, 21 days each; Thomas Noonan, stealing a pair of trousers from the workhouse to be imprisoned for one month; Anne Hannan and Timothy Leahy, stealing ropes from a ship on the North-strand, remanded.

The *Chronicle* reflects upon the Corporation of Limerick for not clothing their town criers, one of whom is said to be in rags. We assure our cotemporary that all the civic officers get new uniform every year, and of a respectable substantial fabric. Their new outfit is now in hands, including that for the town criers.

Sub-Inspector Galwey is transferred from Castlebar to Athy, vice Judge, retired on pension.

Mr. Matt Colgan was yesterday committed to Maryboro' gaol for poisoning his wife.

Mr. Thomas Behan, assistant surveyor of Queen's County, was killed by a fall from his horse on Tuesday.

The monthly auction of horses at Hartigan's repository, this day, went off well, and higher prices were obtained for good steeds than could be got at the recent fairs of Spencil Hill or Hospital.

The highest price obtained at Hospital fair, was by Mr. R. H. Mason, Cooleen, one hundred guineas for his celebrated weight carrying hunter the (Wizard), by Cregane, sold to Mr. Crosdale, of the Queen's County. The generality of horses at the fair was inferior.

In re National Bank v. O'Donnell, the Recorder of Cork yesterday decided against plaintiff that the bill was void and illegal, not being properly drawn.

The Cup (£200) and sweepstakes of £25 each, was won at Liverpool races, on Thursday last, by

STATE OF THE CAPE.

Major Wilmer, Royal Artillery, has received the marked thanks of Col. Mackinnon, and of Major-General Sir Harry Smith, for his repulse of the Kaffers on the frontier, and recovery of cattle taken from the colonists. This active and experienced officer will get brevet rank of Lieut.-Colonel.

Rations are issued to the Widow and three children of the late Ensign and Adjutant Fletcher, 73rd. until opportunity occurs for their embarkation to England.

The drafts of the several regts. now serving on the frontier, to the number of 300, and the 74th Regt., have arrived at the seat of war. With their assistance his Excellency will make a decisive movement.

The Vulcan steam frigate, after landing the 74th, returned to Table Bay, and sails direct for England, taking invalids and condemned naval stores.

An intelligent military settler and correspondent of the LIMERICK CHRONICLE on the Cape frontier, who has no faith in the Cape Rifles, or Hot-tentot levies, all rebels in heart, asks—What would the French, Americans, or any other nation do, in a war of this kind? Send out 10, 15, or 20,000 men, and by one expense and one expedition settle the matter for ever. Sir Harry said he only wanted 1500, and double that force is now inadequate. His information as to the break out was bad, as far back as August, 1850, he was told of it, but called us fools and alarmists, and the Sunday before it broke out he told me that we would have no war, and Tuesday we were in the heart of it. My losses last and this war will not be covered by £3,000, out of the hard earnings of 52 years service—Thus are we rewarded by tom foolery and humbug. I am now a beggar, after my long service, as well as others.

The 74th were astonished on landing at the Cape, to find the interior covered with snow.

Lt.-Col. Michel has taken the command of the 6th Regt. in the field at the Cape, and Major Pinckney has joined the 73d, under Lt.-Col. Eyre.

A detachment of Royal Marines from the ships of war on the station has been landed and attached to the 73d Regt. at Grahamstown.

Lieut. Stacey, late 45th Regt., and civil superintendent of Woburn, was massacred with fourteen of his party by the Kaffers, on Christmas day, when he had barricaded the Church against the assailants and defended until their ammunition was exhausted, when they fell a prey to overwhelming numbers.

Several moves are about to take place among the officers of the Carabiniers.

Dr. Carte 14th Regt. has arrived on a visit to his brother in this city.

Color Sergeant John Williams, 63d Regt. dropt dead this day, at the Castle Barracks in an apoplectic fit. He was a man in the prime of life and robust health to the fatal moment. Dr. Murphy, coroner, held an inquest on the body, when the jury returned the following verdict:—"That Color-sergeant John Williams, 63d Regt., died of a fit—but what that fit was, or how caused, there is no evidence to show."

Major General Bowles is to be Lieut. Governor of the Tower, vice General Wood, deceased.

The 39th have arrived in Dublin, and the 71st in Newry.

A Regiment on the Irish establishment will shortly lose several of their officers who are obliged to sell out, to meet the endorsement of bills, which they foolishly embarked in for accommodation.

Private P. Morris, 81st, was convicted at Nenagh sessions of having stolen a purse of £2 from the Sergeant-Major at Templemore.

Lt.-Col. Tennant, 35th, has retired upon full-pay, after 42 years service, including the siege of Flushing, in 1809. Major Fraser, who purchased all his commissions, has got the Lieut.-Colonelcy without purchase. Capt. Teddie, an old officer, has succeeded to the Majority, and Lieut. Harris to the company, also without purchase.

Lieut. Owan, 91st, has sold out of the service.

Lieut. Prior, 12th Lancers, as we anticipated last post, is gazetted to his troop.

The Odin, 16, paddle wheel steam frigate, fitting at Portsmouth, takes the place of the Sidon, for the conveyance of part of the 60th Rifles to the Cape.

The 28th have replaced at Liverpool the 91st, moved to Chester and Manchester.

Capt. Evers, 4th King's Owen, and Capt. Stewart, Rifle Brigade, have exchanged.

Lt. Col. Shewel, 8th Hussars, declares that none of his officers were concerned in the egg throwing affair last Epsom day.

The 28th have had a *meele* with the Liverpool police, the evening after their arrival.

An address, accompanied by a testimonial, has been presented by the St. Patrick's Society of Quebec, to Wm. Cronin, Esq. of the Commissariat Department and formerly of this City, on his promotion to Montreal.

Another flag has fallen in by the death of Admiral the Hon. Sir John Talbot, brother of the late Lord Talbot de Malahide. Capt. Sir John Ross, C.B. (1818) the distinguished Polar voyager, now abroad in search of Sir John Franklin, succeeds to his flag on the active list by this vacancy.

Eleven Admirals have accepted the pension of 150l. a year, on retiring to the half pay list, under the recent order in council, and Sir George Cockburn, GCB, is promoted Admiral of the fleet.

SALES OF INCUMBERED ESTATES IN LIMERICK.

Mr. Marshall sold by auction, at his Sales-rooms, the Commercial Mart, on Thursday last, subject to the approval of the Commissioners, two estates situated in the West of the County of Limerick:—

In re George Lloyd, owner; John Watkins, petitioner.—Lot 1, The lands of Barraneige, containing 426 Irish acres, principally mountain land; leaving a profit rent after deducting tithe rent-charge £56 17s per annum, was knocked down to Wm. R. Yielding, Esq. for £900.

Lot No. 2, a small lot near the City, on the Roxboro'-road, containing 4 acres, subject to head-rent and tithe rent charge of £5 7s 4d, was knocked down to Charles O'Hara, Esq. for £130. Nos. 3 and 4 were heuses in the Old Town, which sold at trifling sums.

In re Thomas D'Arcy Evans, owner; Delmege and Ferguson, petitioners.—Lot 1, Ivellyahow, containing 130 Irish acres, in the possession of two tenants; producing an annual profit rent, after deducting tithe rent charge, of £190 11s 8d. After brisk competition between John Forde, Esq., of Cork, and John Hartnett, Esq., it was knocked down to the latter, in trust for Joseph Cussey, Esq., for £2,730.

MYSTERIOUS SUICIDE.

Between seven and eight o'clock on Thursday morning the inhabitants of Colony-street and adjoining neighbourhood were thrown into a state of consternation, by a report that Mr. Charles Browne, formerly Quartermaster-sergeant 32d Regt., had committed suicide by shooting himself through the head with a gun. The alarm of those in the vicinity who heard the report of a gun shot, soon brought them to the residence of Mr. Brown, in Colony-st., and, on searching the garden, found him lying dead on his face and hands, saturated in blood, and a short gun by his side, which, on examination, was found to have been just discharged. The melancholy occurrence was soon made public, and numbers hurried to the spot, the deceased having been held in esteem by all who knew him. His bereaved widow, with relatives and friends, loudly bewailed the deplorable fate of the suicidist, who was a man of irreplicable character, and exceedingly temperate, of strict domestic habits, and an early riser, never being found in bed later than five o'clock in the morning. He served on the City petty jury at quarter sessions, before the Assistant Barrister, on Monday and Tuesday, and nothing occurred even the day previous to give rise to suspicion of his intent to commit so rash an act, nor is it known what prompted him to the fatal deed. The gun with which he shot himself he had borrowed from Mr. Spellacy, who lives in the neighbourhood, and whom he told he wanted it to shoot rats.

FURTHER PARTICULARS—THE INQUEST.

At five o'clock same evening Dr. Murphy, coroner, held an inquest on the body of Charles Browne, at his residence, Colony-st., where the melancholy and fatal occurrence took place. The body was stretched in the lower parlour, and had undergone a post mortem examination before Dr. Joseph Knight Carey.

The first witness produced was Private John Murphy, 63d Regt. who deposed that between 7 and 8 o'clock he looked out of one of the windows of the barrack, the mere of which the garden of deceased adjoined, and observed a man lying on his face and hands; thinking he was asleep, he threw a stone to awake him, but he did not stir; he told the Sergeant Major of it, and both went around to the place; found the man lying as before described, with the carbine under his breast; when the body was raised up, the Sergeant Major identified it to be that of Sergeant Browne. I heard no shot; the body was warm.

John Stewart, step-son of deceased, sworn—I saw him yesterday in his usual state of health and spirits; observed nothing about him that would give rise to suspicion; he was of temperate habits, very peaceable and quiet; he lived on the best terms with his wife; he had no family, and was well to do; he had a good pension; he served on the City jury at last Quarter sessions; witness was told by his mother that he said about 12 months ago he would shoot himself; can form no opinion as to the cause of his committing suicide; he was very much attached to birds; on examining the cages this morning, found some of them labelled in the hand-writing of deceased; one marked "for Mr. Mannix, and Mr. Norwell"; another, "for Mr. Wormleighton"; a third "Mr. Petty."

Mrs. Anne Browne, widow of deceased, on being examined deposed that they had been married 19 years, and during that period had not had ten angry words of dispute or altercation; that he would not do any act calculated to fret or annoy her; he took his dinner and tea the evening before, as usual, walked the garden, and went to bed at nine o'clock; he got up that morning about 5 o'clock; didn't hear the shot, nor know of the occurrence until alarmed by the neighbours; he was much annoyed by serving upon the jury in the early part of the week, and complained about it; he used to get up early every morning and feed his birds; he did so that morning, for she knew it by the cages; a man named Sullivan got two birds to sell on Tuesday, but brought them back on Wednesday; when her husband got them he smiled, and said, "I am glad you are come back"; he was not embarrassed in any way, but could and did live as independent as any other man in his sphere.

Dr. Carey, who examined the body, deposed that he was of opinion that the muzzle of the gun must have been close to the abdomen, under the stomach, as the clothes were burnt; the ball, or balls, passed through the lungs, and one came out at the side of the neck (a musket ball was here produced); the spine of the neck was injured between the second and third vertebra; the ball passed through the heart and lungs; I am of opinion death must have been instantaneous.

Anne Ganson, grand-daughter of deceased, was examined, and said he was walking in the garden with her the evening previous, and talking about the flowers. Sergeant Hogan, County Militia, said he heard the shot but didn't mind it.

The jury returned a verdict—"That Charles Brown was found lying dead in his garden, this morning, from the effects of a gun shot wound, but by whom inflicted there is no evidence to show."

There was a very respectable and crowded audience assembled this day, to witness the wonderful feats of Mr. Dessaray's Dogs and Monkeys, which the multitude of juveniles present enjoyed exceedingly. The Diorama of the Overland route to India, which is a beautiful specimen of pictorial art, elicited general admiration, all the geographical features of this great highway to the eastern hemisphere, being distinctly marked, by fidelity of outline and accuracy of minute detail, through the magnificent scenery of alternate sea and land, varying climate and character.

At six o'clock to-morrow morning a pleasure excursion train leaves the terminus in this city for Dublin, and, owing to the charming fine weather, and low fare (5s.), no doubt the carriages will be filled with excursionists.

The Rev Peter Daly declares it was false of Lieut Commander Turnour, of the *Shearwater* steam ship, to have stated before the Packet inquiry commissioners that he was obliged to throw but two anchors for his security in Galway roadshead. The Galway harbour board, of which the Rev gentleman is chairman, have unanimously condemned the report of the commissioners as delusive and unjust, and pledge themselves to send a deputation to the United States to agitate for direct transatlantic steam communication independent of Great Britain.

The *Lydia*, cleared out yesterday for New York with 221 passengers.

Passengers per *Jessy*, returned from Quebec to this port—George R. Westropp, Esq. MD, of Ballystein; Wm. R. Thewet, Esq. MD; Edward Jerne, Esq.

Edward Curling, Esq., agent to the Devon estates, entertained the labourers and their families on Monday to a substantial dinner, at Desmond-hall, Newcastle. The capital of the Cork annuity endowment society