# The Evening Freeman.

NUMBER 2,867—NEW SERIES. DUBLIN, SATURDAY, MAY 11, 1867. PRICE ONE PENNY [STAMPED TWO PENCE.


## THE FENIAN TRIALS.

### THE SPECIAL COMMISSION.

A portion of the following appeared in the *Evening Freeman* of yesterday:—

THE TRIAL OF WILLIAM NOLAN AND DANIEL CRAVEN.

The prisoners were placed at the bar, and indicted under the Whiteboy Act.

They pleaded not guilty, and stated that they were ready for their trial.

They were defended by Mr. Butt, Q.C., and Mr. Curran, instructed by Mr. Ennis.

The following jury were sworn in to try the case:—

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| John Cheatham | William M'Ghee |
| James Weir | James Robinson |
| Rosslie Wallace | Gerard Tyrell |
| Robert Rollin | Edward Sisker |
| William Bloxam | Guy Lasher, sen. |
| Carles Fox Goodwin | Jacob Sparrow. |

Mr. Longfield, Q.C., in stating the case, said it would be proved that the prisoners had taken a van belonging to a respectable tradesman named M'Donogh, the object being to use it as an ammunition van, on the night of the 5th of March. On the morning of the 6th they were arrested in the van, coming to Dublin by the Naas-road.

Inspector Skelly deposed that he was in charge of a party of policemen on the Naas-road, near Inchicore, on the morning of the 6th of March; they met this van, and Nolan was driving; on stopping it and searching it, he found several men lying in the bottom; the prisoner Craven was one of them.

Police-Sergeant Ennis deposed to having seen the van on the morning in question; the prisoner was in the van; he arrested Nolan, and another constable arrested Craven; he searched the van, and found in it a small quantity of gun wadding and percussion caps; the van was brought to Kilmainham and sent into livery.

Acting-Sergeant Magee deposed that after the arrest of Craven he searched him, and found some gun wadding in his pocket. The prisoner said it might be there, as he had bought the coat only a short time before; witness asked Nolan what he had in the van, and he replied that he had some hay, it whom he picked up on the road, and that he had been out delivering meat.

Mr. M'Donagh, 115 Stephen's-green, victualler, deposed that his van was removed from his stable on the evening of the 5th of March; Craven had been in his employment up to the Saturday before, when, in consequence of a misunderstanding he left; he (witness) next saw the van in livery; he had a great deal of trouble in getting it back, and it was not returned for a fortnight.

To Mr. Curran—I had to pay the livery, and the expense altogether was about 30s.; I had to employ an attorney and I had a great deal of trouble.

Lawrence O'Toole deposed to the existence of the Fenian Brotherhood in Dublin; he knew Daniel Craven, and saw him at a Fenian meeting in Phœnix-hollow, in Marlborough-street; saw him on the morning of Tuesday, the 5th March, at the corner of Bishop-street; he said he would be away M'Donagh's car to Tallaght to carry arms, ammunition and men; he (witness) knew that the Fenians were to assemble that night for the purpose if possible of establishing an Irish Republic.

Cross-examined by Mr. Butt—To the best of my knowledge Craven was at the meeting when the green flag was produced; I would not like to swear positively that he was.

The witness was then cross-examined at some length for the purpose of showing that, although he now stated that Craven had attended the meeting at Whelan's public-house, he did not when making his informations at Kilmainham mention anything whatever about it; he said he forgot it then, but that the prisoner was there; he thought he told Mr. Peake when he was making his informations that he was there; he told Mr. Peake the names of the persons who had been at that meeting; he had conversations with Mr. Peake about the public-house at Jobstown; he had those conversations when he was not swearing. The witness was put over a good deal of the evidence he gave on Nolan's trial. Mr. Connolly, and Clarke which took place a few days back; on one occasion at Whelan's public-house, he heard Craven sing songs, which he believed were Fenian songs; Mr. Whelan sang four songs; Hughes sang and so did Thomas Clarke.

The Chief Justice—Do you sing yourself? Yes, my lord.

Did you sing them? No.

To Mr. Butt—Did not tell Mr. Price, or Mr. Peake, or the governor of Richmond Bridewell that Craven had kept quiet; I swore at the trial that I did not; was asked.

Sub-Constable Michael Henry Kelly examined by Mr. Murphy. He deposed that he left Rathfarnham about eight o'clock on the evening of the 5th of March last; he had been with the party of police who were under the command of Sub-Inspector Burke, at Tallaght on that night; he gave evidence as to the collision which took place between the police, and the insurrectionary party at Tallaght on that night.

Sub-Inspector Burke was then examined as to the direction of the several roads leading from Tallaght.

Mr. Butt, Q.C., then addressed the jury on behalf of the prisoners. He submitted that there was no evidence in the case to show that the prisoners were with the armed party at Tallaght on the night of the 5th of March last. He requested the jury to disregard the evidence of the informer O'Toole, who now stated that Craven had attended a meeting at Whelan's, although he had not spoken a word about it in his informations. He commented on the other evidence in the case, and asked them not to act on evidence which had been moulded by O'Toole since he had given his informations. It was entirely a question for them whether the evidence and all the circumstances of the case were sufficient to bring home conviction. He freely admitted the leniency of the crown in putting those prisoners on their trial for a minor offence, and observed on the lightness of the sentences on their forbearing friends, the parties who were under the command of Sub-Inspector Burke, at Tallaght on that night; he gave evidence as to the collision which took place between the police, and the insurrectionary party at Tallaght on that night.

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Mr. Curran also addressed the jury on the part of the prisoners.

Mr. Murphy, Q.C., replied on the part of the crown.

Mr. Baron Deasy then charged the jury.

The jury returned into court shortly after five o'clock with a verdict of guilty against Daniel Craven, and not guilty against William Nolan.

Craven was ordered to be kept back till to-day, and there being no other charge against Nolan he was discharged.

SENTENCES ON THE PRISONERS.

John Walsh and Edward M'Affrey, who pleaded guilty to an indictment for rising in arms on the 5th of March, to the terror of her Majesty's subjects, were then placed at the bar.

The Chief Justice, addressing the prisoners, said they had pleaded guilty to a charge that had arisen out of a conspiracy with the revolutionary party on the 5th of March. The charge to which they had pleaded guilty was only a misdemeanor, but such an offence could be committed by a subject against the crown. Many of those who connected and planned this treasonable conspiracy were foreigners and mercenaries, but the prisoners joined the movement, and by so doing they had placed their lives in peril. Not a single inhabitant of the county of Dublin had joined in the movement. On the contrary, they appeared to have regarded the proceedings with horror. The purpose of this rising was proclaimed to be the getting rid of tyranny and grievances of which the parties complained; but no tyranny existed, and no grievances it had been proved the artisans who had been examined were in receipt of good wages. It seemed incredible that men of a certain degree of intelligence could be induced to hazard their lives in so hopeless and reckless an enterprise. If it was intended to obtain possession of the land the occupiers of the soil would not yield it without a struggle, and before it could be transferred to the new owners it would be saturated with blood. This revolutionary movement was foreign to us. American emissaries had introduced it, and with what success the result of that wretched insurrection would tell them. The law prevailed over conspiracy, and he warned the prisoners that a repetition of such scenes could not be endured. In no unfriendly spirit he told them that society would turn on them and their confederates if, untaught by the events which had happened, they repeated their crimes; and he told them that no Government would be able, no matter how mercifully disposed, to save them from the last penalty of the law. They should consider their relief repent the past and amend their lives in future. The prisoners had done all they could at present to show their penitence for their conduct by pleading guilty, and the court had taken that fact into consideration. If they had been tried and convicted it would have been the bounden duty of the court to have awarded the utmost penalty short of transportation. The sentence of the court on the prisoners was 18 months' imprisonment with hard labour. The only difference they could make was that as Walsh was a boy of sixteen, and recommended by M'Affrey, the sentence of the latter would date from that day, and the sentence of the former from the day of his conviction.

The prisoners were then removed.

Michael Patrick O'Neill and Ann Woodhurse, who had been found guilty on a similar charge, were placed at the bar.

Mr. Justice Fitzgerald, addressing the prisoners, said, that in his opinion the jury were justified in coming to the conclusion that they were connected with the parties who were concerned in the rising at Tallaght. They had both shown remarkable intelligence in conducting their defence, and he regretted exceedingly to be obliged to pass sentence on young men like them. They had joined a banditti and silly movement. The sentence of the court was that they be imprisoned for twelve calendar months and kept to hard labour.

John Mulcahy was then put forward.

Mr. Justice Fitzgerald addressing him, said that he had pleaded guilty to an indictment charging him with having been in an armed party, and had appeared in arms to the terror of her Majesty's subjects. The counsel for the crown had stated in open court that they had no evidence against the prisoner, and that they thought he might be discharged on his own recognizance, but some up when called upon. Of the circumstances of this case, he Mr. Justice Fitzgerald was entirely misinformed, but no doubt, the engagement by which he should now be discharged was a wise one. No sentence would be imposed upon him now, but it would depend entirely on his future conduct, whether the sentence would not to the fullest extent be passed on him some future day. The prisoner then entered into his recognizance and was discharged.

Andrew O'Rourke, a carpenter, who was indicted under the Treason Felony Act, for having arms in his possession, pleaded guilty.

Mr. Curran, who was instructed by Mr. E. A. Ennis, appeared for the prisoner. He said that he had advised his client to plead guilty, and now, on his parths (Mr. Curran) begged to express his regret that he had ever consented to do so, and also to give the court his undertaking that he should not so offend again.

Mr. George Moyers, builder; Mr. Wm. Collins, of Rathmines, and Mr. Patrick O'Rourke, the prisoner's father, were examined in character.

Mr. Longfield said he would not press for punishment, but would leave the case to the discretion of the court.

The Chief Justice said the whole case against the prisoner was that he had been found with a sword on his person. Under the circumstances of the case he would only pass a light sentence, which was that he be imprisoned for three months, but without hard labour.

Edward O'Hanlon, who was indicted for having arms in his possession, pleaded guilty by the advice of his counsel, Mr. Curran, who was instructed by Mr. Ennis.

Mr. Curran addressed the court on his behalf.

The Rev. John Maxwell, of the Augustinian Fathers, John-lane, gave evidence as to the prisoner's good character, and stated that he was personally aware of the fact that the prisoner's passage money to Australia was paid when he was arrested.

The Chief Justice said that he had looked into the informations, and he and his learned brother were perfectly satisfied that the charge against the prisoner who, it appeared, bore an excellent character, was entirely unconnected with the insurrectionary movement of the 5th of March last. They would now discharge him on his own recognizance to appear when called on.

The court was then adjourned to ten o'clock this morning.

Both the grand jury and county special jurors are required to be in attendance at the sitting of the court.

FINDING TWO BILLS.

The county grand jury entered court shortly before two o'clock, and handed in true bills, under the Peace Preservation Act, against the parties who were charged with having been found with arms in their possession.

### FENIAN RIOT IN KILLARNEY.

KILLARNEY, WEDNESDAY EVENING.—On the night of Monday last, a riot of a very serious nature, such as has very rarely, if ever before, been heard of in this town, and, for the reputation of Killarney, it is to be hoped will not again occur, took place here. It was supposed to have had its origin in Fenianism, or at least to have taken its rise out of the arrest of a Fenian, which was recently made in England. It appears that a young man named Joseph Sullivan, who was arrested a few days ago at Stafford, on the charge of being implicated in the Chester outrage, is Cahirciveen, is a builder from this town. With his desperate leap from the train while being conveyed from Stafford to London, the public are too well acquainted, as also with his subsequent arrest, to speak on them now. However, on Monday last, his relations entertained a meeting at Whelan's, which was to be brought into that town on that evening by the late train. Amongst the lower orders this intelligence was particularly calculated to excite their interest, and the determination was come to by large numbers of them to await Noonan's arrival in the evening. The police of the town of Killarney also became aware of the fact. About half-past eight o'clock Head Constable Ardile, and thirteen Killarney police, repaired to the platform in Killarney, and there awaited the train's arrival. This second party of police had not long to wait, for the train to be out, and they directed their steps at intervals to the railway, so that long before the arrival of the train many hundreds had collected in and around the platform. When the train did arrive it was found to the disappointment of all that Noonan was not with it. The intelligence was received with shouts of anger, and the crowd began forming the outlet from the platform. The police, however, who were now joined by Mr. Thos. Gallwey, J.P., succeeded in making their way out from the platform and through the midst of the mob, and walked without any interruption as far as the Railway Hotel. Here the mob thickened around them and began to hoot and groan, and to call out for some of the more mischievous of the party to come up to them and throw them at the police, four of whom, one and one of them was constantly assaulted by shot. Again there was a cessation, and the police walked on, and there was no further disturbance, at least further—at least so thought the authorities. They were disappointed. Opposite the courthouse the police were assaulted for the couple of times