

THE NORTHERN STAR

FRIENDS AND BROTHERS—The day has at length arrived, when those who hold your confidence must appeal to you for wisdom; when those who have struggled for the infant's birth to the giant's maturity, will have to rest their claims and confide in you upon one solitary act, but upon their every prayer.

Perhaps there never was a time in the history of this, or of any other country, when the fate of millions, living and yet unborn, so entirely depended upon the prudence, the wisdom, and the courage of those whom the people have selected to conduct the mind's volition on a successful issue; and while many will tell you that they are tired of agitation, and demand the looked-for change, ask those men where they were when we braved the tyranny of persecution and were solaced with dungeon as our reward?

The mighty mind of England—say, and Ireland too—is looking to us all, and especially to me, for the promised fruits of our long arduous labour; and, as far as I am concerned, I am resolved, that, whether my days in this world be long or short, not to abate my ardour—not to diminish my demands—or to pervert the cause which is nearest to my heart—by throwing away a single opportunity which may lead to its accomplishment.

If I had trafficked in your confidence, and made merchandise of your credulity, I might perhaps, be induced to cry

WAIT! WAIT!! WAIT!!!

But your poverty—a your destitution—a misery—and my own feeling and sense of humanity—the love of truth and justice—you do not allow my lips to utter the delusive word and, therefore, it is that I tell you, that in my soul I believe the propitious hour has arrived when our long suffering and martyrdom may be crowned with the laurels of victory.

On Saturday morning you will receive this letter, and still continue to send up your twigs to increase the bundle representing the National Will, and let him who refuses to sign be looked upon as a traitor to freedom's cause.

Old Guards, spur the recruits to the proper performance of their duties, and tell them whose names are not to be found in the national master-roll, that they are not deserving of their freedom.

With the many, the arduous, and anxious duties, now imposed upon me, and the various occupations that you have assigned to me, together with the crowded state of our columns and after my fifteen years' incessant preaching you will not require a longer letter from this week; and, in conclusion, I have only to add, that if the peace is broken on Monday the Government, and not the people, will be the aggressors, as the Convention has passed unanimous resolution to respect property, to observe perfect PEACE, LAW, AND ORDER! Ever your Faithful Friend
and Representative,
FEARGUS O'CONNOR.

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SATURDAY, APRIL 8, 1848.

“THE CAUSE OF JUSTICE IS THE CAUSE OF GOD.”

Such were the memorable words with which Arthur O'Connor, now in his fiftieth year, his exile, concluded his memorable speech in the Irish House of Commons, in May, 1798, and presuming that the cause of the English people and the Irish people in their present struggle for liberty is just, their cause is God's cause, and for it they must struggle though present defeat should be their portion.

We have nursed, have nurtured, and trained the mind of this country to a religious belief in its own omnipotence; we have silently rocked it in the cradle—have anxiously watched its growth, and now exultingly rejoice in the giant strength it has achieved.

We cast an anxious but not a desponding glance to the history of the past; we look over the names, and feed upon the valiant deeds of departed heroes, and, in silent communion with ourselves, we ask, whether we would rather participate in their posthumous fame and eternal glory, or passively and summissively crawl through life, evading the oppressor's foot, and the tyrant's yoke—our past beset with the law's snare, and the tyrant's pitfall—and we exclaim, “What is liberty? Liberty? and what is liberty but the fullest enjoyment of life?” We look upon the past as the damning evidence of willing slavery, and we look to the budding future as portentous and promising, if we avail ourselves of passing events to solve us from bygone transgressions, and to lead us to a new birth unto righteousness. The world rocks around this sea-bound dungeon—the howl of famine, of vengeance, and despair, rages throughout the sister Isles—the people of both countries—always identified in interest, but divided in feeling, have at length awakened to a knowledge of the great fact, that

“Duties they stand,
Divided thy fall,”

and, though divided by the ocean, the electric spark of freedom has passed from breast to breast, and they have sworn to achieve their liberties. And is the resolve of nature or illegal? Reason answers, no; it is not unnatural—power answers, yes, it is not illegal; because the Will of the majority should be the law of the land and basis of the constitution.

On Monday next the matured Will of the producing classes of this country will be carried in triumph to the Senate and will be presented to the Representatives of worn-out prejudices and exploded privileges—prejudices and privileges which allow the idle few to lord it over the industrious many, and to live sumptuously on the sweat of the producer. This might monster may be, and probably will be rejected by those who feel strong in the possession of power; but we would warn them gravely, and warn them in time, of the fallacy and folly of any attempt to resist the flood of mind and free resolution manifested in the people's law applied. It may be told sacrifices—bloody sacrifices may be demanded by the confident—and self-relying oppressor; but, should it be so, the hot blood flowing in the veins of freemen, will come for the prize and the honour of martyrdom, and the greater number of victims to more profuse will be the seeds of freedom, from every drop of the martyrs' blood spring ten thousand patriots to avenge the martyrs' death—for

“Labour's battle once begun,
Bequeathed by bleeding sire to son,
Though baffled oft is overcome,
So will it be with the noble army of Chivalrists, who have sworn to bequeath liberty to their successors. They look to the voice of knowledge to silence the cannon roar; they demand their just rights, and their rights and liberties without trenching upon the rights or liberties of others. And, whilst engaged in this holy ardent-like undertaking, should lewd power lodge the dogs of war, power must take the consequence; and great and dreadful will be the consequence, if vengeance and despair should once possess the minds of the millions of freemen who pant for liberty, and demand restoration of their long-withheld rights.

The right to petition—to commence a petition humbly and conclude it with prayer, and to convey that prayer to the

arose between the weavers and their employers which dispute he also succeeded in adjusting to the entire satisfaction of the trade.

Notice.—The March report can be had from the Central Committee, price one penny; it can be sent post free, either singly, or in parcels to any part of the kingdom. We trust members will make use of this privilege.

The Central Committee deem it an important part of their duty, and a part they are very much disposed to fulfil to the utmost of their power, to act as sentinels over the generally acknowledged rights and privileges of the trades of England, whether such

'There are certain acts of parliament which limit and define the extent to which trades in combination may proceed in defending themselves against the op-

the present time to contain all the essential features of the criminal law of England, as between labor and capital. It is generally considered in England

On this day, that this act fully recognises the undeniable right of any number of working men to unite and combine, by mutual consent, for the open and avowed object of raising their wages, and resisting a reduction of wages, or any encroachments upon their local or trades usages or customs; provided the means employed in the prosecution of such objects is unattended with violence, or threats of violence to individuals not being members of such combination or society. This construction of the act was most distinctly laid down by Baron Rolfe, in the celebrated trial at Liverpool in the summer of 1842.

Potts v. Selaby; and the issue of the material has been
 looked on as a triumphant recognition by one of the
 first common law judges of the day, of the undoubted
 right of the working classes to combine, to strike,
 to raise money for the purpose of such strikes, with-
 out view of resisting a reduction of, or raising their
 wages, of limiting or altering the hours of labour;
 in fact, resisting any and every encroachment of their
 rights upon their work, at least, according to what
 is supposed to be the law, at least according to the
 judgment and commentaries of Mr. B. on the subject.
 beheld a second Daniel has come to judgment.
 Judge Colquhoun, Sheriff of Invernesshire, has or-
 dered in *Rolf's* decision, if he has not absolutely
 ruled in *Rolf's* the above recited act of parliament.
 6 George 4, cap. 129.

before the Sheriff of Inverness, who in this court forms the somewhat anomalous functions of judge and jury. The victims in this case being some unfortunate shoemakers of Inverness. The press of matter precludes us from giving a report of the trial, but the following extracts will place the thing in its true character before the trades of England:—

Sheriff Colquhoun presided. The cases for Crown were conducted by George Young, Esq., procurator-depute (who had come from Edinburgh previous), and John Mackay, Esq., procurator-at-law Messrs Dallas and Simpson, solicitors, were agents for the accused.

FIRST TRIAL—INTIMIDATION OF MASTERS.

John Noble, Robert Fletcher Macwhinney, Alexander Munro, and John Mackenzie, shoemakers, were charged with conspiracy to defraud the bank and the indigent against their separate and joint property. There were four separate trials of the prisoners. First with Havel and Mackenzie of 'The United Operative Boot and Shoemakers' Friendly Society of Inverness,' on the 3rd of November, molested or obstructed the firm of McDugald and John Macqueen, boot and shoemakers, in ready-made boots and shoes in London, by threefold increase of refusal of work. The part of the aforenamed Macqueen, who was the defendant did not dismiss a journeyman named Alexander Rose Polson, from their employment; in consequence of which, John Macqueen was forced to delay to pay the sum of 5s., with a view to proceed in the execution of the threat. Secondly, with

having, five days afterwards, caused the Messrs Macneil to dismiss Alexander Ross Polson from the firm. *Thirdly*, by threatening a strike, refusal to work, or mobbers or murders for the firm of Messrs Macquie, if it did not discontinue importing ready-made boots and shoes from Dublin, and Glasgow, or other places, and afterwards having all the boots and shoes for their business made in Inverness. *Fourthly*, with having, in like manner, threatened Duncan Cameron, Inverness, by a strike or refusal to work, if he did not also discontinue practice of importing ready-made boots and shoes and having all the boots and shoes for his said manufacture, trade, or business, made or manufactured in Inverness or the neighbourhood thereof.

(1) That they had not been competently summoned, in terms of the 7th section of the statute; (2) That the pannels having been apprehended under the act upon the same charge, brought before the court, and imprisoned for an indefinite period on 8th December last, at the instance of the prosecutor, and the period of three months, to which the act restricts the punishment of the offenders, having expired, the defenders must be held to have already undergone the punishment of the offence; (3). The statute confers no power on the court to imprison before sentence, and the commission of the offence of that magistratis, by the decision of the High Court, is not a bar to the proceedings.

of the case of Knox v. Kameahameha, 1st July, 1897, extended to all persons of other authorities, and to the statute to the support of the objections, he moved the court to dismiss the complaint *simpliciter*.

These legal objections were, of course, instantly overruled by Judge-sheriff Coghoun. The prisoner (or as they are termed in the Scotch law,) the penna, severally pleaded guilty, when Mr. Dallas, for the attorney-general, moved for judgment on the sufficiency of the complaint. The offense charged was violation of the 3rd section of the 2nd Act of the Legislature of the 3rd session of the 2d Geo. IV., c. 129, which reads: "Whoever is guilty of violence to the person or property of another, or threats or intimidation, molestation or obstruction for the purpose of forcing any manufacturer to make an alteration in his mode of carrying on his trade, shall be deemed guilty of a misdemeanor." The governing part of the clause being violence to the person or property, formed, as he thought, the

the meaning of threats of intimidation, as the other terms tested, meaning threats of violence. Now, in the present case, violence is alleged, and any threat of violence, and no language of intimidation is averred. In particular, the testimony being that the accused threatened, in a certain event, to refuse to work, or rather that some of the persons, over whom it is not said that the accused had control, would refuse to do so. Here there was no active threat, but an intimation that, unless the time demands were complied with, the threatener or rather others not named, would do what they lay by obviously a perfect right to do, namely, refuse to work. In other words, do nothing at all. He said he would not work, or rather, words, that the threat of refusal to work was not a threat.

This well-stated and very feasible objection having been over-ruled with the same promptitude as the previous ones, the public prosecutor proceeded with

his evidence in support of the charge, which is a necessary report, as it was, in such cases, to be made to the local magistrate, and to the members of the shoemakers' society. It referred chiefly to the fact of a deputation (two of the shoemakers) having been sent to Messrs Macqueen with respect to a man, by the name of Polso (a clicker), who, contrary to the rules of the trade, had been closing boots. The Messrs Macqueen refused to accede to the request of the men, which (as was proved) was only an arrangement, general in the trade, to give the clickers a chance of doing their work. It was fully admitted that the deputation were perfectly civil and courteous in the proceedings, and that no threats or violence were used, nor any obstruction offered further than, that if they persisted in retaining Polso, in violation of the custom of the trade, the men would cease work.

ing for them. Now, there can be no question that all this was quite lawful. Marquæe had a perfect right to retain Polson if he so pleased, and his men had an equal right to agree together and say to him: "If you do so persist, we will no longer work for you." This was the gist of the first part of the case. The second charge was that they threatened to strike if their employers continued to import into Inverness shoes and boots from Dublin, London, and Glasgow to their injury. This charge is entirely false, and against the men. The facts being, that the men agreed that they would not mend and repair boots and shoes so imported, which we consider they always were lawfully entitled to do. The younger Mar-

queen, at the close of his cross-examination said, "I was entitled to dispense with the workmen's service, and when they returned a piece of work finished, and the workmen were entitled to refuse to work, and when the work was returned to the shops unfinished, the consequence of these proceedings." We conclude our report with the words: Mr Dallas's excellent remarks in defence of the prisoner, PERSON.

Mr Dallas addressed the Bench for the pannels, Nobles Macmillan, and John Mackenzie, shotmaker.

Macmillan said, "I wish to impress upon the jury that it would be scarcely necessary for me to impress upon the court the necessity of giving of the case upon the merits. What he claimed for his clients was no more nor less than what was so eloquently lauded by the jury."

learned counsel for the protection of their property, and the action and a right to dispose of their labour, of the poor man's only estate and capital, upon their own terms. The result of giving effect to the views of the learned counsel, in this case, would be to deprive the operative shoemakers of Inverness of this right, and their freedom of action. With regard to the story of the importation, or the cobbling work, it was this great body of journeyman shoemakers in this town depended chiefly, if not entirely, on the making of new

