THE GALWAY VINDICATOR AND CONNAUGHT ADVERTISER, SATURDAY, OCTOBER 26, 1861.

Local Reports.

PETTY SESSIONS.—Thursday.

Magistrates on the bench:—Captain Francis Blake Forster, Valentine Blake, Charles O'Connell, R.M., Edward C. Burke and Ambrose Rush, Esqrs.

THE SMUGGLING CASE.

In this case, the facts of which were given in Saturday's Vindicator, Mr. Seaver, of Dublin, appeared to prosecute on behalf of the Hon. the Commissioners of Customs.

Mr. Thomson, Collector of Customs, addressing the bench, said he was instructed by the Commissioners of Customs to proceed against the parties accused of smuggling tobacco.

The prisoners, Patrick Flaherty, John Flaherty (Mathias), John Flaherty (Pat), and Winifred Flaherty, were then placed in the dock. They are Lettermullen people, and present in their dress the usual appearance of the natives of Connemara.

Mr. Edmond Concannon defended the prisoners, who pleaded "not guilty" to the charge.

Mr. Seaver produced the following evidence on the part of the prosecution.

Patrick Hession, out-door officer of customs, sworn and examined—On the 17th instant I was at the docks in Galway; I went to the house of Mr. Gilden, tide-surveyor at six o'clock; I told him there was a boat in the dock from Lettermullen, that I suspected had tobacco on board; he desired me to go down to the boat and he would go after me; the name of the boat is rather blotted; there were ten or twelve persons in the boat; Mr. Gilden came up; there were butchers also in the boat, they came out, and Mr. Gilden and I went on board the boat, where there were two men, Pat Flaherty, and John Flaherty (Mathias), whom I identify; there were also two women standing on the gunwale; the two men remained in the boat; when we went on board the tide-surveyor went to the stern-sheets of the boat where the pigs were, and I went into the forecastle, where I pulled a match out of my pocket, put it to a coal of fire which lit, and then put it to my pipe.

Mr. O'Connell, R.M.—When you put it to your pipe you smoked it?

Witness—No I did not (laughter); the match went out; a man and a woman put their heads into the forecastle, and the woman asked me what I was doing there; Mr. Gilden and I left the boat, and John Flaherty (Mathias) locked the forecastle and all the people went away; in some time John Flaherty (Mathias) and John Flaherty (Pat) went again on board and John Flaherty (Mathias) unlocked the scuttle of the forecastle; I went for Mr. Gilden, who came, and when he did Winny Flaherty was standing in the forecastle—half of her up and half of her down (laughter); before she got into that position, and after the men returned, John Flaherty (Mathias) went into the forecastle, who said he wanted to put down a fire to boil potatoes for pigs, but I would not allow him; he came up shortly; Winny Flaherty wanted to go into the forecastle and I would not let her; asked her name and she said Mary Folan after some hesitation; asked her did she come from Connemara in that boat, she said she did not; I then said I would let her into that boat; she then said she did come in it and then I let her in; when Mr. Gilden was coming up she sat on deck with her legs in the scuttle of the forecastle, Mr. Gilden asked me why I was not going down into the forecastle; I saw her while sitting in that position throw a square cake of tobacco over the side and said in Irish "how do you know but that is a stone of kelp;" I was there when it was taken up by the diver.

By the Bench—I was quite close to the woman when she threw it overboard; I did not put my hand on the tobacco; I could not take the tobacco; she had her hands under her clothes, and said her petticoats was caught by a nail, and was trying to loosen them; she then suddenly threw the tobacco over the side of the vessel; it weighed 27lbs when taken up.

Cross-examined by Mr. Edmond Concannon—I was close to the girl when she threw the tobacco over; she pulled it up uncovered as it is now produced; if Mr. Gilden swore it went into the water covered that would not be correct; if he swore it was covered with something white he would not swear what was true; Mr. Gilden said when it was thrown in, "now are you not a pretty boy;" it was in consequence of my suspicions of the boat I went to it; I will tell you nothing of my informations; I did not ask Pat Flaherty the price of his pig when I went to the boat; I did not summon one of the butchers who was there buying the pigs, but I summoned the man who went to sell his pigs; there were both pigs and kelp in the boat; I arrested John Flaherty (Mathias) the first night and kept him in custody all night in the custom house; he was kept in the shipping office that night in my custody; I kept him prisoner that night by direction of Mr. Gilden; we went next day before a magistrate; about three o'clock he was brought by me to the custom house, and then made my first complaint to Colonel Geoghegan and Mr. Pierce Joyce; I and Mr. Gilden arrested the female prisoner that night in the boat, and she was kept in custody all night in the custom house by Mr. Gilden's directions; she was also in the shipping office, and two female friends were allowed to stop with her; I did not, nor did Mr. Gilden apply for a magistrate the first night; I did not get into a box (laughter), but I searched a box and got dilisk; I did not search the boat the first night, but I did the next; Mr. Gilden locked the forecastle; I have no charge against the men but that they were on board a boat having contraband goods; I asked Pat Flaherty if he had any tobacco a board and he said he had not; John Flaherty (Mathias) said he was part owner of the boat; all I know of John Flaherty (Pat) is that he whispered the girl; I arrested him next day opposite the Custom House, and he is in custody ever since; in my information I said he whispered the girl; it was by order of Mr. Gilden I arrested John Flaherty (Pat) outside the Custom House; I had no warrant or order from a magistrate to arrest any of the prisoners.

Robert Gilden, examining officer H. M. Customs, sworn and examined—On the evening of the 17th October I went to the boat in question and saw Pat Flaherty and John Flaherty (Mathias) on board; went away and came back when I found the boat was near Mrs. Coleman's close to the dock; Hession was standing over the side scuttle; I asked him why he did not go down; John Flaherty (Pat) was also there; Hession said he could not go into the forecastle on account of the woman being in the way; I then went on board the boat and got behind the woman who was in a sitting posture; I requested her to get up or down; her legs were in the scuttle; she spoke in Irish and moved to and fro as if to extricate herself, and get up her legs, when suddenly she jerked the square piece of tobacco into the water of the dock; I saw the tobacco clearly, and swear it was tobacco; there was nothing on it, nor was it covered by her petticoats or apron when she was bringing it up; I sent for the diver and described to him particularly, the tobacco and the spot where he would likely find it; he went down in my presence, and in less than two minutes brought up the tobacco; it was a bright moonlight night; the diver went down again and brought up a few loose sticks; I detained Winny Flaherty and John Flaherty (Mathias) in custody; the second time I found Winny Flaherty and John Flaherty (Pat) in the boat; the first time I found Pat Flaherty and John Flaherty (Mathias); I directed Pat and John Flaherty (Pat) to be detained; they were arrested next day.

Cross-examined by Mr. Concannon—Mr. Cullen, S.I., and the police, accompanied me in removing the prisoner; I am positive the woman who threw the tobacco had a red petticoat on, and a white one round her shoulders; I saw none of the garments under the red petticoat (laughter); she had no crinoline on her (laughter); if the tobacco was not found I might have had a doubt of its being tobacco she threw over, but inasmuch as it has been found and answers to my description to the diver, I will swear to it; the diver having brought it up confirms me; if no tobacco was brought up I would swear it was tobacco; you have wrung it out of me at last; I say that because any other gentleman in Galway—or James O'Shaughnessy, who was an honor to Galway, would have been satisfied with the way I have given my evidence.

After considerable discussion and deliberation the bench decided on liberating Patrick Flaherty, and fining John Flaherty (Mathias), John Flaherty (Pat), and Winifred Flaherty in the sum of £100 each, or in default of payment six months imprisonment.

When Winifred Flaherty, who is a young girl about 19, heard the sentence she screamed loudly, and continuing to do so had to be removed to the police barracks.

Mr. O'Connell R.M., said that if a memorial was forwarded to the Board of Customs on behalf of the prisoners it might be listened to.

Mr. Concannon said he did not know that—the last man he defended got his full time.

Mr. Thomson, Collector, H.M. Customs—I beg your pardon, sir, he only got two months. I will be prepared to forward any recommendation coming from the bench. As to the forfeiture of the boat the bench could not interfere—that would be for the Commissioners of Customs.

Mr. Concannon—What can the Collector state about the boat.

Mr. Thomson—I can state it is liable to forfeiture.

Mr. Rush suggested that the owner should forward to Mr. Thomson proofs of ownership, and he was sure he would forward them.

Mr. Thomson said he would.

Some cases of drunkenness and assault being disposed of, the court adjourned.

GALWAY UNION.

The Board held its usual weekly meeting on yesterday. Anthony O'Flaherty, Esq., in the Chair.

Other members present.—Thomas Comins, John Hartner, James Clarke, Joseph Grealy, Anthony Donnellan, Thomas Fahy, and Edwd. C. Burke, Esqrs.

Dr. Brodie, P.L.I., also attended.

There were 18 applications for admission, 16 of which were granted.

The Clerk read minutes of last meeting which were confirmed.

STATE OF THE HOUSE.

No. in House last Board-day,			383
Admitted,	22		22
Born,	0		
			405
Discharged	19		21
Died,	2		
Gross number in House, 26th Oct., 1861,			384

In hospital, 112.

	£	s.	d.
Cost of provisions and necessaries received,	53	13	4½
Do. consumed,	48	1	8
Average cost, general,	0	2	4
Do. healthy,	0	2	1
Do. hospital,	0	3	1

AN OLD SINNER.

Among the applicants was a decent looking woman

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