

[Robert Redfern (1769-1853), brother of William Redfern, was on the Belfast divisional military committee of the Society of United Irishmen. He was imprisoned from 1797 to 1801 in Dublin and subsequently “bailed and transported” to the United States. His name was listed in the following Act.
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Irish Legislature “Banishment Act” 38 George III c.78

March 24, 1798

The thirty-eighth Year of George III

CHAP LXXVIII

An Act to prevent Persons from returning to His Majesty’s Dominions, who have been, or shall be transported, banished or exiled, on Account of the present Rebellion, and to prohibit them from passing into any Country at War with His Majesty.

Whereas during the wicked and unnatural rebellion which hath broken out in this kingdom, several persons who had taken up arms against his Majesty, or had traitorously and wickedly corresponded with, and adhered to his enemies, or were otherwise engaged in fomenting the said rebellion, and acting therein, have been apprehended and committed to prison, for such their treasons, several of whom being conscious of their flagrant and enormous guilt, have expressed their contrition for the same, and have most humbly implored his Majesty’s mercy, that he would be graciously pleased to order all further prosecution against them to stop and surcease, and to grant his royal pardon to them on condition of their being transported, banished, or exiled to such foreign country as to his Majesty in his royal wisdom shall seem meet: And whereas his Majesty may, of his royal clemency, be most graciously pleased to grant his pardon to such of the said persons as have already confessed their guilt, as aforesaid, and to others who may hereafter in like manner throw themselves upon his royal clemency, upon such conditions as his Majesty may be pleased to prescribe: And whereas it is necessary for the public safety, and for the better enabling his Majesty to exercise his clemency towards such offenders, that the terms and conditions of their respective pardons should be punctually performed, in case his Majesty shall be pleased to comply with such their humble suits: And whereas the following persons, Thomas Brady, in the county of Wicklow, minor; Michael Mulhall, of the town of Wicklow, plaisterer; John Dorney, of Tiglin, in the county of Wicklow, slator; Richard Byrne, of Castletown, in the county of Kildare, bricklayer; Joseph Davis,

of the city of Dublin, cutler; Patrick Madden, of the city of Dublin, huxter; Farrell Cuff, of Edenderry, in the King's-county, school-master; John Lacy, of city ,of Dublin, founder; John Castles, of Curtubber, in the county of Roscommon, land-surveyor; John Kinkead, of Carvanreagh, in the county of Tyrone, farmer; Robert Goodman, of the city of Dublin, sawyer; Rowland Goodman; of the city of Dublin, slator; Denis Carthy, of the city of Dublin, writing-clerk; John Gorman Kennedy, of the city of Dublin, brewer; Samuel Neilson, of Belfast, in the county of Antrim, merchant; Matthew Dowling, of the city of Dublin, attorney at law ; Henry Banks, of the city of Dublin, cabinet-maker; the reverend John Barrett, of the city of Dublin, popish priest; Edward Crookshank Keane, of the city of Dublin, attorney at law; Patrick Byrne, of the city of Dublin, printer and bookseller; John Young, of Belfast, in the county of Antrim, inn-keeper; William Houlton, of the city of Dublin, dentist; John Keenan, of Lisburn, in the county of Antrim, taylor; Thomas Russell, of Belfast, in the county of Antrim, esquire; Francis Meagher, of the stamp-office, in the city of Dublin, gentleman; John Greene, of the city of Dublin, pipe-maker; prisoners confined in his Majesty's gaol at Newgate; John Lynch, of the city of Dublin, merchant; Patrick Divine, of Baltymun, in the county of Dublin, farmer ; Israel Millikin, of Belfast, in the county of Antrim, muslin manufacturer; Daniel Toland, of Belfast, aforesaid, muslin spinner; Thomas Addis Emmett, of the city of Dublin, esquire, barrister at law; William James McNeven, of the city of Dublin, doctor of physic; Henry Jackson, of the city of Dublin, iron-founder; John Sweetman, of the city of Dublin, brewer; George Cumming, of the town of Kildare, in the county of Kildare, apothecary; Edward Hudson, junior, of the city of Dublin, dentist; Thomas Reynolds, of Culmullen, in the county of Meath, farmer; the reverend James M. Bushe, of the city of Dublin, popish priest; Richard Dillon, of the city of Dublin, linen merchant; Christopher Martin, of Colestown, in the county of Meath, farmer; Peter Bannen, of Rathmines, in the Queen's county, farmer; Hamden Evans, of Mount Evans, in the county of Dublin, esquire; James Rose, of Windy Harbour, in the county of Dublin, calico printer; Thomas Dry, of the city of Dublin, clothier; Robert Neilson, of Belfast, in the county of Antrim, painter; John Harrison, of Belfast, in the said county of Antrim, nailor; Alexander Astley, of Belfast, aforesaid, publican; John Kennedy, of Belfast, aforesaid, cutler; Peter Ivers, of the town of Carlow, in the county of Carlow, carpet-mat-maker; Lawrence Kelly, of Mountmellick, in the Queen's-county, farmer; James Haffey, of Belfast, in the county of Antrim, taylor; Joseph Cuthbert, of Belfast, in the county of Antrim, aforesaid, taylor; Henry Speers, of Belfast, aforesaid, woollen-drapeer; Robert Redfern, of Belfast, aforesaid, sadler; prisoners confined in his Majesty's gaol of Kilmainham; Arthur O'Connor, of the city of Dublin, aforesaid, esquire, barrister at law ; John Comyn, of Leighlin-bridge, in the County of Carlow, apothecary; Richard O'Reilly, of Newtown Mount Kennedy, in the county of Wicklow, miller; John Swiny, of the city of Cork, woollen-drapeer; Lawrence Griffin, of Tullow, in the county

of Carlow shop-keeper ; Michael Flood, of Newhall, in the county Kildare, miller; Michael Doyle, of Kilcullen, in the county of Kildare, victualler; William Sampson, of the city of Dublin, esquire, barrister at law; William Aylmer, of Painstown, in the county of Kildare, esquire; Edward Fitzgerald, of Newpark, in the county of Wexford, esquire; Garret Byrne, of Ballymanus, in the county of Wicklow, farmer; Edward Boyle, of the city of Dublin, wine-cooper; Hugh Ware, of Rathcoffey, in the , county of Kildare, surveyor; Joseph Cormick, of the city of Dublin, goldsmith; George Lube, of Corkeranstown, in the county of Kildare, grazier; James Tiernan, of Clane, in the county of Kildare, grocer; Andrew Farrell, of Downings, in the county of Kildare, farmer; Denis Farrell, of the same place, farmer; Bryan McDermott, of Hodgestown, in the county of Kildare, farmer; Michael Quigly, of Rathcoffey, in the county of Kildare, bricklayer; John Reilly, of Kilcock, in the county of Kildare, shoe- maker; Patrick Hanlon, of Balynagapoge, in the county of Kildare, farmer; Richard Daly, of Sallins, in the county of Kildare, innkeeper; Peter Corcoran, of Landanstown, in the county of Kildare, gardener; Patrick Mowney, of Downings, in the county of Kildare, farmer; Thomas Andoe, of Brackenstown, in the county of Kildare, farmer; James Smyth, of Leixlip, in the county of Kildare, callico printer; Patrick Lynch, of Lucan, in the county of Dublin, carpenter ; Patrick Macan, of the city of Dublin, apothecary; William Putnam McCabe, of Belfast, in the county of Antrim, watch-maker; Morgan Kavanagh, esquire; Hugh Wilson, late a clerk in the bank of Messieurs Finlay, in the city of Dublin; John Kinselagh, of the city of Dublin, army accoutrement-maker; Patrick Byrne, late steward of Wogan Browne, of the county of Kildare, esquire; John Chambers, of the city of Dublin, printer; James Geraghty, of the city of Dublin, gentleman; who are now in actual custody, and stand charged with high treason, have confessed themselves to have been guilty of the same, in having taken up arms, and levied war against his Majesty; or in having wickedly and traitorously corresponded with, and adhered to his enemies; or in fomenting, promoting, and otherwise acting in the said rebellion; and have most humbly besought his Majesty, in his royal wisdom and clemency, graciously to order all further prosecution of them, for such their treasons, to stop and surcease, on condition of their transportation, banishment, or exile, respectively, from his Majesty's dominions, to such foreign country, not being at war with his Majesty, as to his royal wisdom shall seem meet: And whereas his Majesty may, of his great clemency, be pleased to comply with such their humble suit, and it is necessary effectually to guard against any violation of such conditions as his Majesty may annex to any pardon which he may be pleased to grant to the said persons, or to any of them, or to any other person or persons who now are, or hereafter may be in the like predicament; be it therefore enacted, That if any of the persons aforesaid, or any other person or persons, to whom his Majesty shall be graciously pleased to grant his most gracious pardon for the said treasons, or any of them, before their trial and conviction, respectively, shall at any time violate the conditions of such pardon,

or any of them; or being transported, banished, or exiled, as aforesaid, shall return, or come into, or be at large in any part of his Majesty's dominions, or shall be found on board any ship, vessel, or boat, with intent to land in any of his Majesty's dominions, or shall violate any of the conditions of their respective pardons; or shall voluntarily, during the continuance of the present war, go into or remain in any part of France, Spain, or of the United Provinces, or any country or place in Europe, or elsewhere, which is or shall be under the government of the persons exercising, or who shall exercise the powers of government in France, or of the king of Spain, or of the persons exercising, or who shall exercise the powers of government in the United Provinces, or any country occupied by the armies of France or Spain, or of the United Provinces, he, she, or they so offending, respectively, being lawfully convicted, shall be deemed traitors, attainted of high treason, and shall incur all the pains and penalties to which they would have been respectively subject, if they had been respectively convicted and attainted of high treason by due course of law.

II. And be it enacted, by the authority aforesaid, That in case any person or persons whatsoever, shall knowingly aid or assist any such person or persons so pardoned, or to be pardoned, on the condition of transportation, banishment, or exile, as aforesaid, in his, her, or their voluntary and unlawful returning or coming into any part of his Majesty's dominions, or being on board any ship, vessel, or boat, with intent to come into the same, or in voluntarily going into or continuing in any of the countries and places herein before specified, during the present war, such person or persons, so offending, shall be guilty of felony, and shall on conviction, respectively, suffer death, and forfeit as in cases of felony, without benefit of clergy.

III. And be it further enacted, That if any of his Majesty's subjects of this kingdom, or any other person resident or being within the same, shall, directly or indirectly, hold any communication or correspondence, by writing or otherwise, with any person who shall be so transported, exiled, or banished, in pursuance of the conditions of such pardon, respectively, during the time of his or her exile or banishment, without license for that purpose first had and obtained from the lord lieutenant, or other chief governor or governors of this kingdom, or from one of his Majesty's principal secretaries of state in Great Britain, then, and in every such case, every such person, so offending, shall be guilty of felony, and on conviction thereof, shall be transported for the term of his or her life.

IV. And be it enacted, That as to all persons who shall be so pardoned, as aforesaid, it shall be sufficient upon any trial of them, respectively, for any offence against the provisions of this act, to prove the identity of such person or persons, and that they have been respectively at large in some part of his Majesty's dominions, or have been found on board any ship, vessel, or boat, with intent to land in any of his Majesty's dominions, or have broken or violated any of the conditions expressed

in their pardons respectively, together with the charter of pardon granted to such persons respectively, on the enrollment thereof.

V. And whereas during the said rebellion, several persons who had been in arms against his Majesty, or had otherwise acted in the said rebellion, being made prisoners by his Majesty's forces, have by the orders of the general officers commanding his Majesty's forces employed for the suppression of the same, been brought to trial according to the laws of war, some of whom have, on circumstances of alleviation or compassion, been saved from the punishment due to their crimes, and ordered to be transported or banished from this kingdom: And whereas it is essential to the public safety and welfare to carry into effect such orders, and to provide against the return of such persons into this kingdom; be it therefore enacted, That the said several persons shall be transported or banished accordingly, as fully and effectually to all intents and purposes, as if they had received judgment to be transported by due course of law; and that if any person or persons who have been so transported or banished, or ordered for transportation, or banishment from this kingdom, at any time since the twenty-fourth day of May, one thousand seven hundred and ninety-eight, for having taken up arms against his Majesty, or having otherwise acted in the said rebellion, shall return to, or be at large in this kingdom, within the time limited for his or her transportation, banishment, or exile, unless by a license for that purpose first had and obtained from his Majesty, his heirs or successors, every person so returning, or being at large, shall be deemed a felon, and shall on conviction, be transported for his life.

VI. And be it enacted, That all general officers who have commanded his Majesty's forces for suppressing the said rebellion, shall, within two months from the day of passing this act, give in and sign a list of the persons who have been so transported or banished, or ordered to be transported or banished, by them, respectively, setting forth the name and description of each person, and the term for which they have been so transported or banished, respectively, since the said twenty-fourth day of May, one thousand seven hundred and ninety-eight, to the clerk of the crown of his Majesty's court of King's Bench, together with the attestation, on oath, of the person who may have acted in the character of judge advocate, or president of the tribunal by whom the said persons were tried and ordered to be so dealt with; and such list shall be filed in the office of the said clerk of the crown, at the city of Dublin: And upon the trial of any person for returning into this kingdom, or being at large within the same, without license, as aforesaid, such list so filed as aforesaid, or a copy of the same duly proved, shall be admitted as evidence of his or her having been so transported or banished, as aforesaid.

VII. And be it further enacted by the authority aforesaid, That all offences constituted treason or felony by this act, shall and may be enquired of, examined, tried, and determined in his Majesty's

court of King's Bench, by a jury of the county, or county of the city of Dublin, or any other court of competent jurisdiction, in any county, or county of a city, or county of a town in this kingdom, in such manner and form as if the offence so constituted treason or felony had been therein committed.