

ed by Providence on the faithful people of Ireland. (Hear, and cheers.) There is no superstition in representing it as the gift of Providence; no submission in bowing before the throne of God and accepting it as his act. I would not introduce such a topic here if it were contrary to the principles or doctrines of any religious sect represented here. But it is not. It is the doctrine of the Protestant Church as well as of the Catholic church, that God interferes with the affairs of man."

After commenting upon the judgments pronounced by those English Judges who were in favour of the confirmation of the sentence, O'Connell characterized their opinion in these terms:

"Their decision is, in fact, founded on a lie. (Hear, hear, and cheers.) There is no other way of calling it. They called it a presumption of law. I will not waste so much of my breath as to describe it in so roundabout a manner. It was a lie, and I will call it so. It was known to be a lie, and yet the judgment so founded was sought to be supported by Lord Lyndhurst and that indescribable wretch Brougham (groans) on this footing, that the lie was supposed to be true, and that we were to be punished against the fact, and in contradiction of the record itself; for the sentence was set forth in the record, "for the offences aforesaid."

Next came a recantation of his abuse of the Whigs:—

"And now I am going (said Mr O'Connell) to make an atonement to a class of public men whom I have often assailed, and who certainly in some things, deserved to be assailed—namely, the Whigs. But, after all, how infinitely superior are they to the Tory party! The principle of Toryism is double. It takes away as much of public right from each individual as it can, and it amalgamates all together for the benefit of the aristocracy; but where Toryism is most terrific is in its anxiety to do the great injustice of putting partisans upon the bench of justice."

The next part of Mr O'Connell's speech was a comparison between Whig and Tory judges; and, after praising the *Morning Chronicle*, he alluded to what had taken place between Mr Sheil and Sir R. Peel. He said:—

"I confess I was angry at my friend Mr Sheil asking a request for me from Peel, that looked like asking a favor; and he ought to have known me better than to think I could possibly receive anything having the appearance of a boon from such hands. No; I would rather have rotted in the gaol than owe my liberation to the pretended clemency of Peel. (Loud cheers.) From this spot I told you, before entering the prison, that there should be no compromise or shrinking; and there has been none. (Renewed cheering.) The entire of us would perish in gaol rather than receive as a favor the slightest concession from the present Ministers." (Cheers.)

Mr. O'Connell talked then of the power of the Repealers, which, he said, was greater than that possessed by any monarch in Europe; and next indulged in a philippic against Mr. Smith, the Attorney General for Ireland, and gave this interpretation of the reason for inciting his son John O'Connell in the indictment:—

"Oh, malignant vinegar-cruet on two legs (loud laughter and cheers,) it was John O'Connell's opposition to you at Youghal—his defeat of you at Youghal—his opposition to you before the committee, and his overthrow of you there, that caused him to be placed in the indictment! I saw that he had reasonable grounds for his animosity to me. I had impeached his father, and I succeeded in one stage of that impeachment, and I respect his filial piety (great laughter) that made him persecute me; but the very spirit that would animate such enmity should make him leave out my son."

Mr O'Connell accused the Government of great folly for circulating the idea that Ireland was in a perturbed state, and said some of the speeches of the Ministers emboldened France.

"Think you that they had no effect on the old diplomatist Louis Philippe? or that if they had not been used, and if the weakness of England with regard to Ireland were not known in France, that Tangier would have remained untouched—that Mogador would not still be stained—and that the plains of Ouchda would not be tainted with Moorish blood." (Hear, hear.)

Sir Edward Sugden then came in for an epithet.

"I want to know (said Mr O'Connell) will Sugden, that cursed, contumelious little English dog—will that curish, contumelious little gentleman, I ask, venture to supersede Mr Grey Porter? I call him a cur, because he barked at us when he dared not bite. [Cheers] He has not the courage to supersede Mr Porter for writing his pamphlet. He won't venture to act towards a gentleman of that high station as he has done towards some poor country magistrate." [Hear, hear.]

Mr O'Connell proceeded to allude to what was now necessary to be done to procure Repeal. There were three subjects on which he said some decision must be made:—

"The first relates to the meeting at Clontarf. [Cheers for some minutes.] That meeting was called legally. It was illegally suppressed. [Cheers] We are bound to adhere to principles, and it is now to be considered whether that rule extends so far, or whether it has been sufficiently vindicated without calling the meeting. [Cheers] For some time I did think it absolutely necessary to call it to vindicate a great principle, but on reflecting deeply on what has occurred in the House of Lords,

and the vindication of its legality put on eternal record by Denman [cheers], Cottenham [cheers], and Campbell [cheers], I began to doubt that it was necessary. What I mean to do is this, upon this day week to propose that it be referred to a select committee whether or not it is necessary to hold the Clontarf meeting. I do not wish to prejudice their decision, but I must say, that my opinion is against the calling of that meeting. The next point I wish to lay before you is with reference to a plan which I frequently proposed last year. I mean the collection of the Preservative Society for Ireland, consisting of a body of 300 gentlemen sitting in Dublin. (Great applause.) My plan, which I have deeply considered, is shortly this,—that 300 gentlemen from the various counties in Ireland should meet on a certain day in Dublin, (cheers), and that their title to meet should be the handing in of £100 each—that they should have a treasurer of their own, and have the working of their own funds. I do not intend that they shall initiate anything, but that they shall control everything, and that the Repeal Association shall be completely governed by them, and not to venture upon any act without their previous sanction. And now I come to my third plan, and it is one to which I am greatly attached. I want to procure impeachments of the judges the Court of Queen's Bench, and of Her Majesty's Attorney General in this country; on these grounds [great applause for some moments] The first ground is that of the monster indictment which was preferred against me—36 yards of an indictment. Lord Denman has well described it as a document calculated to prevent a man from defending himself. Such an indictment no poor man could escape from. We were backed by the Repeal rent, but if such an indictment were preferred against a poor man, where could he get a brief of it for his counsel? Why it would cost him ten times more money than ever he saw to do so. Sugden planned it—Peel has adopted it [Groans and hisses] Impeachment, I say, then is our only remedy. No man is safe from such a monster indictment. What ought the Court to have done with it? I say an honest court should have quashed it again and again, if necessary, and have said to the Attorney General in the words of Lord Denman, 'Pick out your counts and do not suffocate them beneath the number of your accusations?' The judges of the Court of Queen's Bench did not refuse to receive it; nay, more, they countenanced it; and proceeding as they commenced refused us copies of the witnesses' names, the caption of the indictment, and other privileges which we should have received as a matter of course in England. (Groans.) By their conduct they made this monster indictment a babe of their own luck, and I say there is no use whatever in the doctrine of impeachments if we have not the judges of the Queen's Bench brought before a proper tribunal to answer for their conduct. (Cheers) Ah! I do not fear their prisons. (Tremendous cheering.) I am a free-born British subject, standing in this place defending my rights, and I do accuse these men of injustice. (Renewed applause.) I am here to call upon the people of England to aid me in impeaching these men." (Cheering.)

Mr O'Connell then bitterly condemned the conduct of the Irish Chief Justice:—

"I ask you" said he, "did it ever occur at any trial before this, that the Chief Justice borrowed the Attorney General's brief to make his case and charge from? (Cries of "No," and groans.) You saw him do so. [Loud cries of "We did," and groaning.] Now, I do say that this is a fact which must and shall be heard. [Cheers] I care not—not!—for the authority of the Lord Chief Justice. [Loud cheers.]

He then put forth the following statement in support of impeachment, which made great sensation:—

"One of the articles of impeachment shall be this fact. Perrin did well oere. (Cheers) But here, I have something for you. I know a man who was offered to have his fortune made, it he would give some particular information. (Sensation) The information did not exist, and therefore he could not give it; but I shall be able to prove that the expression, "Your fortune shall be made," was used on the occasion, and that by a witness of the first credit and respectability. (Cheers.)

Mr O'Connell announced his determination to have atonement for his imprisonment.

"I have been three months in gaol. (Cheers and laughter) I want to know, do they think I am to submit patiently to this? I am not acting from any feeling of resentment or revenge. I spent an exceedingly pleasant three months (cheers); pleasanter because, after the first fortnight, I was secure from those apprehensions of an outbreak which had disturbed my rest for five months previously [cheers,] during which time I never slept quietly. [Renewed cheers.] I do not complain of my imprisonment—pleasanter companions no man ever had. We had, too, the blessing and the honour of the sweet companionship of our fellow captives' wives—the talent and the power of facetious entertainment. No set of men ever lived in more social harmony. Well, I am not vexed for this, but I am determined on atonement. [Cheers.] I defy Vindgar Smith to wipe away his injustice. I defy England to do us justice here, or compensate for the harassing of our families, and our and their hours and days and weeks of suspense. Will they do nothing to remedy these things?"

In the concluding part of his address, Mr O'Connell announced his intention to ascertain if the English people would back him in his attempt at impeachment.

"From this spot I call on England to join me. I mean to propose that a select committee be formed, of which I shall cheerfully make one, to go through all the principal towns of England, about two months before the meeting of Parliament, to obtain an answer to this appeal. We will say, here is injustice done. A packed jury, an unjust judgment, sentence inflicted before its right is ascertained, and innocent men imprisoned. Englishmen, I will test you; I will see whether you will join me, one and all. If not, I will come back, and say to my countrymen—Look no more to the pretences of John Bull, look alone to your Parliament in College Green. (cheers) If they did not approve of this, I will go at any rate: I ask you are the Ministers to escape? (Groans and yells.) Is Sir James Graham to escape? (Loud cries of no, no, and groaning and hissing.) He who had the unparalleled impudence in the absence of two members of the house, to call them convicted conspirators. (A voice 'he's a liar'—cheers.) Why you seem to be as unconvincing as Sir James Graham himself. (Laughter.) I do not call him that, but I do term him a foul-mouthed letter-breaker. [Shouts of applause and laughter.] I come to what Sheil did in the House. He produced Peel's declaration before his face. He had that paper before his eyes, and yet he had the power of farce, the audacity, the intensity of falsehood to say, according to newspaper reports, that he had a fair trial. (Severely voices—"He's a liar.") To be sure he is. There's a British Minister for you—the Premier of the first country in the world. With a packed jury, a one-sided Chief Justice, the exclusion of jurors and evidence of justice, he ventured to say we had a fair trial. Oh, a very fair trial sweet Sir Robert! Ah, my good man, you were wrong to call him a liar. He thinks what we got was a fair trial for an Irish Catholic. That foul falsehood, however, identified him with the whole of the proceedings here, and the Union is but a mockery indeed if the English people do not join us in hurling Peel from office, and driving him from power, as Ministerial leader in Parliament."

The British Press:

From the London Times.

FRANCE AND MOROCCO

Peace is re-established between France and Morocco; and the island of Mogador, which the French had temporarily occupied, is evacuated. This termination of hostilities has taken place upon the conditions which the French have insisted on from the first having been at last acceded to by the Moors. Those hostilities commenced in consequence of certain complaints on the part of the French of the violation of neutrality which the Emperor of Morocco had been guilty of in countenancing the incursions of Abd-el-kader. The French pledged themselves not to enter upon hostilities with the Moorish government; provided certain conditions were complied with. These conditions were refused, and the consequences were the demolition of the fortifications of Tangier, the victory of Isly, and the bombardment of Mogador, and the occupation of an islet in its harbour. In the interval since this last lesson, the Moorish Emperor has thought fit to alter his mind, and sue for peace. And peace accordingly has been granted on the very same conditions which were offered before hostilities commenced. No advantage whatever has been taken by the French of their achievements. Peace is established and Mogador is evacuated; and the territorial relations of France and Morocco are exactly the same as they were before the hostilities.

It is to be hoped that the alarmists, who saw in the temporary occupation of a little island the commencement of a whole system of territorial aggression, which we should have been the first to resist, and who proclaimed Mogador to be only the first mouthful of that French glutteny of which the whole Moorish empire was finally to be the victim, are now appeased; and that the event satisfies them that their fears have been those only of the imagination, and unnecessary. We have been told over and over again that Mogador never would be evacuated, that France had made these hostilities a pretext for commencing a course of conquest; that once in possession of Mogador she would never leave it; and have been well abused because we could not see in this little island a whole kingdom, and would not denounce its seizure as a *casus belli*. We said all along, on the other hand, that France's only object in commencing these hostilities was to get certain specific and reasonable conditions complied with; that the bombardment of Tangier and occupation of Mogador were only steps and means for procuring this compliance, and that as soon as this compliance was given she would withdraw her troops.

The event has now decisively and uncontrovertibly justified the view we took, and we hope the alarmed and alarmist party will be able now to enjoy that tranquillity and confidence which, on this point we have felt from the first. It is not pleasant, indeed, to see our predictions falsified, but patriotism, we have no doubt, will triumph on such occasion over disappointed acumen; and to discover a mistake must be a pleasing task, when the result of the discovery is, that an evil which was apprehended does not take place, and that the imaginary aggrandisements of France are not begun.

In the present excitable state of popular opinion in France, it is a matter of no ordinary satisfaction to see two occasions of misunderstanding between her and this country thus quietly settled; to see the affairs of Tahiti and Morocco removed. The one a quarrel in which we had no direct concern, the other insignificant ridiculous in itself,—yet either

might, under the treatment of quarrelsome and precipitate ministers in either country, have become pegs to hang national displays of feeling and old antipathies upon. But, whatever may be said of the interval career of either the English or the French Cabinet, the pacific character of their foreign policy is pretty evident. We are not likely to be brought into a foolish war by Lord Aberdeen or M. Guizot. The latter has had peculiar difficulties to contend against in the tone of the popular Parisian press, which has been fuming and frothing, complaining and accusing,—full of indignation and morbid sensitiveness alternately, throughout the whole of the period just passed. We see now the temporary clouds that have hovered over the two countries dispersed again; and we cannot help thinking that the good understanding between the two Governments which has caused this dispersion, is an additional pledge of international security, and confidence for the future.

Illustrated London News, September 7.

THE JUDGMENT REVERSED.

All's well that ends well, may be the exclamation of those who till Wednesday last were the Irish state prisoners. On that day the judgment against them was reversed by the House of Lords, much to the surprise of those who had taken it for granted that the opinion of the majority of the English Judges on the legal points submitted to them would have governed the decision of their lordships. But it has turned out otherwise; O'Connell's legal luck has not deserted him; though the chances were against him through all the rest of the game, fortune has made him amend at the end of it; at the very last throw, when it appeared that nothing less than a miracle could save him, the dice have turned up in his favor. The whole trial, from beginning to end, was such an example of the uncertainty of the law, that we are quite justified in borrowing an illustration from the one only thing that is more uncertain still—the chance of the die. Judges, statutes, authorities, dicta, precedents, have all been arrayed against each other, each seeming good and sound, till another was brought forward to contradict it. Every stage of the proceedings has exhibited strange differences of opinion in the highest legal dignitaries. The Judges on the Irish bench were several times divided in opinion in the preliminary stages of the case. The English Judges differed from their Irish brethren, and from each other; and now the Law Lords, whose decision binds the whole House of Peers, have differed from both! If the uncertainty of the law were not already a proverb, what a striking proof of it might be furnished by this case, which will go down in legal history unrivalled among English *causes célèbres*!

Inexplicable as all this seems, there are a few principles involved in the proceedings that render the uncertainty and apparent contradictions less surprising. In the first place, the offences charged against the defendants were not to be defined with anything like accuracy or clearness. Political offences cannot be defined by statute. Robbery and murder have been robbery and murder in all ages; the "overt acts" are things plain to the senses, and open to direct proof. But treason and political misdemeanours are perpetually changing, according to the temper and character of the age. Men have been beheaded and hanged for high treason and conspiracies, on evidence of acts that no Judge or Jury would dare now construe into an offence; yet the law of treason and conspiracy, as far as it can be ascertained by statute, remains the same, or nearly the same; the difference of interpretation arises from the temper of the times, acting on Judges or Juries, as on all the rest of society.

The crime itself being vague and undefined, with no certain line to mark where legal concurrent political action becomes illegal combination, or conspiracy, it followed, as a necessary consequence, that the indictment charging the offence would be long, cumbersome, involved, and intricate. But the Irish indictment exceeded all examples of legal obscurity; it had all the worst faults of a legal instrument, with some additional ones peculiar to itself; it was a legal puzzle placed upon parchment to the confounding of all ordinary understandings, and of none more so than those of the Jury who had to decide upon it. Mr Attorney-General Smith erred on the side of excess; he aimed at making matters safer than was possible; he tried to include everything that could be thought of; he spun the legal web too finely, and, by thus attending the threads, left them too weak to stand the assault made on them; the great fly has broken through, pulling the little ones after him.

The cumbersome indictment has been one great cause of the uncertainty pervading the whole proceedings; it charged all sorts of things in all sorts of ways; the consequence was, that many of them were unsound, bad, and untenable in law. The defects were pointed out by the defendant's counsel in the Dublin Court of Queen's Bench. But the Irish Judges all declared the counts were unexceptionable. When the case is removed to England, the English Judges all declare that the counts are bad; but the majority of them think the indictment is not sufficiently vitiated by it to render a reversal of the judgment imperative. But that opinion not binding the House of Lords, it has decided both that the bad counts do vitiate the judgment, and that it ought to be reversed; so it is reversed accordingly. The mistakes and mishaps that attended the Jury list, and the refusal of the traverser's challenge of the array have also had much to do with the quashing of the decision of the Irish Judges. These last points seem to have weighed particularly with Lord Denman; but the grand vice and radical defect of the trial was the "monster" indict-