

European News.

From British Papers to the 4th of June, received by the Stamer Acadia.

From Charles Willmer's American News Letter, June 4.

IRELAND.

The State Prosecutions—Sentence upon the Traversers.—The Court of Dublin was crowded on Friday to hear the decision of the Judges on the new trial motion, and in anticipation of sentence being passed on the repeal agitators. The traversers having been called on,

Mr. Justice Perrin read his judgment, which was that Mr O'Connell and Father Tierney were entitled to a new trial there being no evidence whatever against the latter.

Mr Justice Crampton decided that Father Tierney alone was entitled to a new trial, and that the verdict should stand as regarded all the other traversers.

Mr. Justice Burton and the Chief Justice Pennefather thought some of the traversers entitled to a new trial.

The Attorney General called on the Court to fix Saturday for final judgment, and in answer to some queries from Mr. Justice Crampton, stated that the Crown would not call up Mr Tierney for judgment, though he could not state whether they would enter a *nolle prosequi* against him.

Mr Hatchell, Q.C., rose to state that there had been notice served for a motion to amend the *postea*, preparatory to making a motion in arrest of judgment.

Mr. Justice Crampion said, the latter motion needed not to depend on the former, and declared that the Court would not listen to the same topics over and over again.

The Attorney-General gave the traversers notice, that he would call upon them to proceed in support of their motion in arrest of judgment without delay, altho' he much doubted their right to move it; and, at eight o'clock, the Court adjourned till Saturday.

On Saturday, Mr. Whiteside applied to have certain amendments made in the *postea*, by inserting therein that the jury had been allowed to separate from day to day, and by such alterations in the words as would make it strictly in accordance with the finding of the jury upon the several issues sent before them. After some discussion, the Court declared that they would not hear any motion grounded upon points already argued and decided on.

Sir C. O'Loughlin, who came into court at the close of the discussion, said that he had fresh points to go upon. He intended, first, to take a technical objection to the caption of the indictment, and next, he would object to the first five counts, as bad for duplicity. He would also object, that all the counts were too general and vague. He prayed the court to allow him until Monday to proceed with his argument, as he was taken by surprise.

The Attorney General protested against being a party to any further postponement of the arguments upon an indictment found so far back as November last. If the traverser's counsel did not proceed until Monday, it would be difficult for his learned friend, the Solicitor General, in the hurry of sending for books of reference to the library, to see the accuracy of the authorities which they might quote.

Sir C. O'Loughlin, having undertaken to furnish that evening a list of the authorities by which he meant to support his views, at the same time reserving to himself the right of using any other authorities he might discover in the mean time, the Court consented to postpone the hearing of the question until Monday.

On Monday, Sir Coleman O'Loughlin, on rising to address the Court on a motion for arrest of judgment, stated that he appeared on behalf of Mr D. O'Connell alone.

It thus became obvious that the design was, that each of the traversers—seven in number—should successively be heard by counsel to the same effect; and the impression was subsequently confirmed by Mr O'Hagan to be heard for Mr Duffy, and Mr Close on behalf of some other of the traversers.

The proposition was immediately overruled by the court unanimously—even Justice Perrin concurring in the resolution of the Chief Justice not to permit the traversers to transgress the rules of the court, or needlessly to trifle with the public time.

It was consequently ruled that two counsel only were to be heard for the

traversers, and two in reply on the part of the Crown.

Sir Colman O'Loughlin proceeded to address the Court at considerable length.

On Tuesday, the Court was occupied with the hearing of the reply of the Solicitor General.

Mr O'Connell appeared in court on Tuesday, and swore an affidavit before the Clerk of the Crown. Immediately after a rumour was circulated that it was to be offered in mitigation of punishment—but the repeal bar and the friends of the conspirators indignantly denied that O'Connell would ask for mercy in the premises. The affidavit was for the alleged purpose of grounding an application for a writ of error; the deponent avers that he is entitled to it, and that if granted he will prosecute it with all possible speed.

Mr McDonough was afterwards heard in support of the motion.

On Wednesday the Attorney General replied to the arguments, and the Chief Justice then proceeded to deliver his judgment. He said that that case had been already so ably discussed by the learned counsel who had argued it on both sides, and had been so long under consideration, that he did not feel called upon to occupy much of the public time with anything he had to say about it, the more especially as the different members of the court concurred, at least substantially, in the view which they had taken of the case, and as he well understood that each of them would take that opportunity to say something at the bar and to the public as to the grounds upon which their opinion was founded. All of them, however, agreed in the opinion, that there was no sufficient ground shown in that case for an arrest of judgment. Two grounds had been put forward by counsel in making that motion, which were essentially different—altogether independent of each other. One was upon the caption of the indictment itself. With regard to the objection to the caption he hardly thought that it was very seriously put, or pressed by the gentleman who made the application. As to that circumstance he might be mistaken, but he had no doubt but that they had not the slightest foundation to stand upon that ground. He then read the several counts of the indictment, and proceeded to say that he could not well understand the arguments that were put forward by Sir Colman O'Loughlin: he did not see that the constitution should be less sacred because it was established by law, and he thought that any violation of the law was more or less an interference of the constitution; he thought, too, that anything that was by law established could not be broken down except by a violation of the law, and whatever was done to that effect was a criminal offence. His Lordship again read over the whole of the indictment, and continued by saying that, in his opinion, the charge of duplicity could not be made at that stage of the proceedings, when the verdict was had, and everything in the way of explanation gone through. There was a mode of proceeding at an earlier period which, if there had been proper reason for adopting, the parties might have resorted to and adopted; they might have applied to the court to quash the indictment for want of simplicity and unity. But as they did not think proper to take that course, the inference was, that they proved they had nothing to complain of, and he considered that it was then too late to make their application; and another reason that would induce him to pause before he would yield to an objection of duplicity was, that he did not at all subscribe to the proposition. His Lordship took a review of the various charges contained in the indictment, and in reply to the proposition, that none of them as found by the jury was a legal offence, he designated the various branches of the conspiracy as criminal in a high degree. He dwelt particularly on the charges of attempting to excite disaffection in the army—those relating to the Arbitration Courts, and the attempts by multitudinous meeting to overawe the legislation of the country.

Judges Burton, Crampton, and Perrin, fully concurred in the judgment passed by the learned Chief Justice. During the progress of the judgment, Mr O'Connell's presence elicited a loud cheer, which was repeated in the hall outside the Four Courts, and manifestly interrupted their Lordships. The streets around the Four Courts, and all the avenues leading to the Queens Bench, were crowded at an early hour on Thursday morning with crowds anxious to catch a glimpse of O'Connell, and learn the final result of these important and long protracted proceedings. As soon as the court was opened, there was

a rush to obtain places, and the bar, boxes, and galleries were filled in an instant.

Mr O'Connell entered the traversers' bar, shortly after ten o'clock, accompanied by his son John, and on his appearance the whole bar rose simultaneously, and cheered him most enthusiastically. Immediately afterwards Mr. Justice Perrin came on the bench, and heard some motions of course. The full court sat at 20 minutes past eleven. The Chief Justice asked the Attorney General if he had any thing to move; and that gentleman having answered in the negative—

Mr. Moore rose and said, that in the case of the Queen v. O'Connell and others, he had to move that the sentence, whatever it might be, should not be carried into operation until after judgment upon a writ of error which the traversers would sue out. His application was founded upon the proceedings which had already taken place, and upon the affidavit of Mr. O'Connell, wherein it was stated that he believed and was advised that four distinct grounds existed upon which error could be founded, and that he and the other traversers would, with all possible speed, proceed with their writ of error. The application was opposed by the crown and refused by the court.

The Attorney-General then moved that the traversers be severally called up to receive the judgment of the Court.

Mr. O'Connell first made his appearance, which was the signal for loud cries of "up, up," amongst his friends of the junior bar, and of loud cheers, which were repeated for a few minutes, and responded to by the crowds outside the building. The learned gentleman, with his son John, took his seat in the inner bar, immediately behind which the other traversers occupied a box.

Mr. Justice Burton, amidst the most solemn silence, and in a very impressive manner, pronounced the sentence of the court. He described the pain the discharge of such a duty had given him, and stated the reasons which influenced the court in pronouncing a greater amount of punishment upon Mr. O'Connell, the principal offender, than upon the other traversers. A wide distinction was necessarily drawn, and the court felt bound to inflict the most exemplary punishment upon him for the greatly aggravated offence of which he had been, after the most mature deliberation, convicted. After expatiating at some length upon the crime of which the traversers had been found guilty, and its dangerous consequences if suffered to pass without such punishment being awarded by the court, as would prevent the repetition of such an offence, he designated the offence as a misdemeanour of the highest character, and that it was not only dangerous to the peace and constitution of the country, but he might say it had brought the people almost to the very verge of a civil war.

After some further remarks he said it only remained for the court to pass sentence. (Here the learned Judge appeared much affected, and after a brief pause proceeded.) Under these circumstances, the court has come to the solemn and deliberate determination of sentencing Daniel O'Connell, the principal of the conspiracy, to imprisonment for the period of twelve calendar months, that he be fined in the sum of two thousand pounds, and further, that he enter into his own recognizances for his good behavior for the space of seven years in the sum of £5,000, and two sureties of £2,500 each. With respect to the other parties, the court are of opinion that the same measure of punishment be allotted to all—viz. that they be each imprisoned for the space of nine calendar months—that they pay a fine of £50, and enter into security for their good behaviour, themselves in £1,000, and two sureties of £500 each.

Mr. O'Connell.—My lords, I and the other traversers have made affidavits, solemn affidavits, that we are guilty of no crime or conspiracy; and I am now under the painful conviction of saying before the world that justice had not been done to us.

The traverser here sat down, when he was greeted with a tremendous shout of applause by the junior members of the bar and by the persons in the galleries, which continued for several minutes, during which took place in court was merely dumb show—the attempts to procure silence being altogether unavailable, for as soon as the noise was in some measure lessened, it was renewed again by shouts of "One cheer more," and cries for "Repeal."

Judge Burton stated that it was the unanimous wish of the Court that the traversers should not be confined in any prison they had an objection to.

Mr. Hatchell suggest the Richmond

Bridewell, South Circular road, to which Mr O'Connell—who had previously arranged with the governor for his apartments there—replied, that he had no objection.

At quarter past four o'clock, Mr O'Connell and all the other traversers were removed in the custody of the High Sheriff to the Richmond Bridewell, conducted by a small escort of police.

They were conveyed in their carriages and were accompanied by Mr. W. S. O'Brien, the Rev. Dr. Meyler, Sir Colman O'Laughlan, &c. and arrived at their destination at six o'clock, when they were admitted quietly, without any demonstration of applause.

Thus ends this "strange eventful history," at least for the present, though Mr. O'Connell has pledged himself to appeal to the House of Lords.

THE ANNEXATION OF TEXAS TO THE UNITED STATES.

The proposed annexation of Texas to the United States has created a great sensation at Paris, and revived the numerous speculations which were afloat during the Canada affair, of the necessity of making common cause with the United States, and of thus directing a powerful blow against the best interests of Great Britain. The National is already in the field, and calls on the nation to disregard the entente cordiale of M. Guizot, and to think only of the great advantages which a good understanding with the American Union most create for France. It says that the annexation of Texas to the States is a new combination, weakening the British Government and its aristocracy in the most sensitive point; that our relations with the Cabinet of Washington cannot be friendly; that our Canadian possessions are in danger; and that the European powers, and particularly France, who have tolerated the insulting yoke of British supremacy, should be prepared to take advantage of the chances which this new combination must ere long afford.

The Journal des Debats thus reproves the language held by the Government of the United States on the question of negro slavery. It says:—

"We believe that France has no occasion to occupy itself about the annexation of Texas to the North American confederation. It is not under that point of view that we regard these papers, but it is that in our opinion a country which, like France, has taken so glorious a part in the abolition of slavery should energetically condemn the language openly held by the Government of the United States. We have before us the correspondence exchanged between Mr Upshur, Mr Calhoun, Mr Everett, and Mr Pakenham, and all the notes written on the part of the United States are, from beginning to end, not only an apology, but an audacious justification of the principle of slavery; while nearly all the rest of the Christian world is making immense sacrifices to deliver society from this hideous leprosy that has so long disfigured it, the United States alone defend it in language of the most revolting nature. These are the terms in which republican and democratic governments understand humanity, equality, and liberty."

DOMESTIC SUMMARY.

The South Lancashire Election has terminated in the return of Mr Entwistle, the conservative candidate, and the discomfiture of Mr Brown, the representative of the Anti-Corn-Law League, by a majority of nearly six hundred voices, out of nearly fifteen thousand that were polled.

The progress that has been made in passing through the House of Commons the new measures connected with the currency, the Bank of England Charter, and the Customs duties, though in some quarters deemed to be rather tardy, has, upon the whole, given satisfaction in commercial and banking circles, as it is now quite certain that no material alteration will be made in the plans as first proposed by her Majesty's Ministers, upon these most important topics. Never, perhaps, were changes brought forward by any ministry, involving such national interests, which have met so little resistance, as those recently made public by the Premier and the Chancellor of the Exchequer. The proposition made on Monday evening, by Sir Robert Peel, relative to making a portion of the silver held by the Bank of England as security against notes issued by the Corporation, is much approved of, and no question is entertained but that it will work well. Not a question appears to be entertained, that the terms upon which the Charter of the Corporation is to be renewed will be advantageous to the general body of the proprietors, as well as to the public.