

States, signed at Washington on the 9th August 1842, there is any objection to the confirmation of the act above mentioned by the Queen in Council.

Mr Addington states that he is at the same directed to transmit to us for our further information the enclosed extracts from that portion of Lord Ashburton's correspondence with the Foreign Office and with the Government of the United States, which preceded the negotiation of the third article of the Treaty of Washington.

In obedience to your Lordship's commands, we have taken the papers into consideration, and have the honor to report that the act in question does not appear to us to contravene the article of the Treaty referred to, and consequently that there is no objection, in that respect, to its confirmation by Her Majesty in Council.

The construction however which has been put upon the third article of the Treaty by the British Government, is that the produce of those parts of the State of Maine which are watered by the River Saint John or its tributaries, after it is brought within the Province of New Brunswick, shall be dealt with in all respects as the produce of that Province; and it appears to us therefore the provision at the end of the first section of the proposed act, excepting from Duty all Timber cut on any part of the United States, and passed down the River Saint John, and there shipped to the United States, may be considered to be inconsistent with the stipulation of the Treaty, and as affording an objection to the confirmation of this act, although it may not be a contravention of the Treaty, of which the United States would complain.

We have, &c.

J. DODSON,
FREDK. POLLOCK,
W. W. FOLLETT.

February 10.

Read a second time—A Bill to repeal all the Laws now in force relating to Bankruptcy in this Province.

Mr End moved for leave to bring in a Bill to authorize the Justices of the Peace for the County of Gloucester to raise a sum of money for paying off the County Debt. Leave granted. The said Bill being brought in was read a first time.

Mr End moved for leave to bring in a Bill to empower the Justices of the Peace for the County of Gloucester to regulate the Fisheries in the said County. Leave granted. The said Bill being brought in was read a first time.

Mr Hill moved for leave to bring in a Bill, explanatory of an Act, intituled "An act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of Church of England in the several Parishes in this Province." Leave granted. The said Bill being brought in was read a first time.

On motion of Mr Barberie, The House went into Committee of the whole on a Bill to lay a Tax on Dogs in the Towns of Dalhousie and Campbellton, in the County of Restigouche. Ordered, That the Report be accepted and the Bill engrossed.

European News.

From British Papers to the 4th February, received by the Hibernia, Steamer.

From Charles Willmer's American News Letter February 4.

IRELAND.

TRIAL OF O'CONNELL AND OTHERS.

The trial of Mr O'Connell and the other traversers commenced on Monday the 15th ult., when James Hamilton, of Ormond Quay, was about to be sworn as the foreman of the Jury Sir Coleman O'Laughlin handed in a challenge to the array on the part of the defendants. This gave rise to a lengthened argument, at the close of which the chief justice said the majority of the court were of opinion that the demurrer should be allowed, and consequently that the challenge to the array could not be sustained. On Tuesday morning the jury was sworn; and the Attorney General proceeded with his opening speech. He continued his statement up to 5 o'clock, at which hour he said he would not proceed further, as it was impossible he could finish that day. After a short conversation between the counsel for the crown, the court and the traversers' counsel, it was agreed to allow the jury to their own homes, at the same time giving them strict injunctions not to hold communication with any person on the subject. The court adjourned to tea the following morning, when the attorney General resumed his address to the jury, and spoke during the whole period of the sitting of the court. He dwelt principally upon the evident attempts of the traversers and their instruments to undermine the fidelity of the army, and after referring at some length to the Mullaghmast and other "monster meetings," concluded by impeaching the resolutions which it has been intended to submit to the prohibited meeting at Clontarf. The hon. and learned gentleman exhorted the jury to discharge their onerous duties firmly but moderately—with caution, but without fear—On Thursday, the Lord chief Justice and his learned brethren took their seats on the bench at ten o'clock. The first witness examined was Mr F. B. Hughes, the government reporter, who stated that he had been a reporter for 17 years, and came so Ireland for the first time on the 30th of September last. Attended the meeting at Mullaghmast, on the first of October. He described the proceedings at that place, and read from his notes, a description of

the banners, fancy dresses, and costume of "O'Connell Police;" also the dress of scarlet velvet worn by Mr O'Connell, &c. &c. as well as the national cap adopted on the occasion. The witness went on to read several passages from his notes, at great length, at the desire of the court. He further described being present at other meetings, and identified the various traversers who were present on those occasions. Mr Hughes was cross examined on the part of the defendants, but little of moment elicited.—Henry M. Jatham was next called:—He came to Ireland as Mr Hughes's assistant. The examination of this witness seemed to afford much amusement; but little beyond a corroboration of the previous testimony was obtained.—Charles Ross, also a government reporter, was then called; but after a few preliminary questions, as to being present at the meeting of Donnybrook, in June last, the Judges said, as the witness was entering into new matter, and as it was already half past five, he would adjourn the court until the next morning, [Friday,] to meet at ten o'clock precisely.—On Friday morning Mr O'Connell, attired in the bar costume of the Queen's Counsel, entered court shortly before ten, and took his seat in the inner bar. The other other traversers were also punctual in attendance. The whole of the day was occupied by the examinations of Mr Ross. Mr Ross gave evidence of the proceedings at a meeting of the Repeal association, on the 28th of August, at which Mr O'Connell, John O'Connell, and Mr Ray were present. After reading various portions of Mr O'Connell's speech, in reference to a plan, which he had introduced at a previous meeting, for remodelling the Irish parliament, he was asked by Mr Henn if he had taken full notes of what had occurred? He replied, that he had not a full note of all that occurred. A cross examination here ensued, and it was at length stated by the witness, that he took full notes of all that he thought material, omitting what was, in his estimation, unimportant. The objection was overruled, and the examination proceeded. The witness read such passages as he had taken down of O'Connell's speeches at the several meetings of the Repeal association, at the Roughrae, Clifton, and other meetings and dinners. He was then cross-examined at great length by Mr Henn. He stated that he came to Ireland in July, 1843; that he was a little frightened at first, but his apprehensions soon subsided; that he came as reporter for the Standard, and was also employed by the government, and that he had received £400 for his series up to the next session of parliament.—On Saturday, the first witness called was John Jackson, who stated, that he was the Irish correspondent of the Morning Herald during the last summer and autumn; had attended the association meetings, and transmitted to London his reports. Several notebooks were successively handed to the witness, who stated that they were the original accounts which he had transmitted to the Morning Herald, and which had been sent back to Dublin for use on those trials. He had, since they arrived in Dublin, had them from Mr Kemmis to put his initials to them.

The witness proceeded to read from these note-books extracts from the speeches of Mr O'Connell, delivered at various meetings, and he stated which of the traversers attended. The witness went through his reports of all the meetings to the 4th October, at which, he said, he saw the Rev. Mr Tierney, with Mr O'Connell, Mr John O'Connell, and the other traversers. He continued to say, in reply to Mr Brewster, that the meetings were generally well attended, sometimes more and sometimes less. The cross examination was then commenced by Mr Fitzgibbon, who seemed determined to interrogate the witness harshly. The witness said he was an Irishman, and, though a correspondent, to which term the counsel would not let him confine himself, when he said though a reporter of public proceedings, he was not a stenographer. He had been in the habit of reporting petty sessions proceedings for several papers, transmitting them from his native town Kilrush. John Brown, a printer, proved that Mr Ray was secretary of the association that he had printed "Reports" of the association, instructions for the Repeal Wardens, Rules for the arbitrators, placards, sometimes by letter, sometimes verbally. Some of the documents which he produced were signed Daniel O'Connell. Mr Whiteside submitted to the Court that the documents proved by the last witness should not be received as evidence against the traversers in the present case. Justice Perrin called the attention of the counsel to the charge in the indictment, that of conspiracy, which was to be sustained by certain documents prepared or printed by some or one of the traversers. If proved to be printed by one of the parties surely it should be received in evidence against that one. After a discussion of an hour and a half, the court decided unanimously on admitting the document "instructions to Repeal Wardens," signed by Daniel O'Connell. Mr McDonough intimated his intent or to take a bill of exceptions against this decision.—On Monday, three of the judges only were in attendance. We regret to state that Judge Burton's absence was owing to indisposition. An attempt was made on the part of the traversers to suspend the investigation pending the illness of Judge Burton, but the objection has been overruled. The first witnesses examined were Thomas Packer, John and Joseph Annisley, all persons in the employment of Mr Kolbrooke, Crow street, who were questioned in reference to the engraving and printing of the different cards used by the Repeal association, and the source from which Mr Holbrooke had received the order. In the course of the day Messrs. O'Connell and Steele left the court for the purpose of attending a Repeal meeting at Conciliation Hall. The circumstance having become known to the attorney general, the right hon. gentleman very

properly insisted on the traversers appearing in court. Messengers were accordingly despatched, and after a short interval, both the traversers resumed their places, and continued to occupy them the remainder of the day. After a lengthened examination of several witnesses, the court adjourned at a quarter before five o'clock.

The Judges took their seats on the bench a few minutes past ten o'clock on Tuesday morning. Mr Justice Burton was absent from indisposition.—The first witness called was John Maguire, Head Constable of Police at Sligo. He deposed, that he attended the Longford meeting on Sunday, the 28th of May. There were several bands of music there, dressed in military caps. He calculated the number of persons present to be about 40,000. Some of them came into the town in military array, led by a person he believed to be a Roman Catholic Priest. Bishop Higgins was in the same carriage with Mr O'Connell. Messrs. O'Connell and Steele were the only traversers the witness could identify who attended the meeting. The last sentence of Mr O'Connell's speech on that occasion was "Go home quietly, and tell your friends what was said, and when we want them here again, to be ready."—John Jolly, a head-constable of police, said he attended at the Malton meeting in June last. There was a large procession, about six deep, headed by persons who seemed to command, carrying wands with ribbons attached, in their hands. Messrs. O'Connell and Steele were in the procession. Mr O'Connell, in addressing the meeting, said they should have Ireland for the Irish, and he defied the English to withhold it, for the Irish were too strong, too virtuous, and too temperate to be kept in slavery.—Henry Godfrey, a policeman, was the next witness. He was examined by Mr Freeman, in reference to the Balinglass meetings in August last, and deposed, that Messrs. O'Connell and Steele were present, and that some violent language was used. An interruption on the part of Mr Cantwell, during the examination in reference to a leading question, led to an altercation between the counsel on both sides, which terminated by a threat, on the part of the chief Justice, to have Mr Cantwell removed on a repetition of such conduct.

Nothing interesting was elicited by the cross examination. Patrick Lennaghan and Manders Hughes, constables, corroborated the testimony of the previous witness, and added, that previous to the meeting they had heard several persons declare "that Mr Saunders's house should be attacked, because it was once the scene of blood."

The two following days, Wednesday and Thursday, were occupied with the reading of newspaper extracts, and the hearing of law arguments; and on Friday the case for the prosecution closed. On Saturday Mr Shiel delivered his address on behalf of John O'Connell, and occupied the whole day in doing so. The language was sometimes very roaching, but he did not attempt to grapple with the law so lucidly and calmly had down in the opening address of the attorney General. At the opening of the court on Monday, John O'Connell, one of the traversers, rose and said that something had dropped from Mr Shiel in his speech on Saturday, which might convey the impression that he was disposed to accept an occasional or an annual visit of the Imperial Parliament to Dublin as a satisfactory concession to the present agitation for repeal. He was not of such opinion. Whatever might be the consequences of the avowal, he would not allow it for a moment to be supposed that he gave up the inalienable right of his country to a free legislature. Mr Moore, q. c. then proceeded to address the court on behalf of the Rev Thomas Tierney, and remarked at great length upon the unanimous resolve of the Irish people in favor of repeal, and the harshness with which the defendants had been pursued by the attorney General. Mr Hatchell then rose and said, that he appeared as counsel for Mr Ray. He admitted that Mr Ray was a repealer, and the paid secretary of the association, but the jury were not to try him as such, but whether or not he had in conjunction with the other traversers entered into a preconcerted plot to excite discontent against the government and constitution. The learned counsel then proceeded to argue at some length against this allegation, and closed his address at two o'clock, when Mr O'Connell, who had been present in the course of the morning at Conciliation Hall, had the court adjourned until Tuesday morning, in consequence of the illness of Mr Fitzgibbon, counsel for Dr Gray, and the honorable and learned traverser forthwith transported himself to the scene of agitation. On Tuesday, Mr Fitzgibbon addressed the jury on the part of Dr Gray; and about two o'clock a scene of an almost unparalleled nature occurred in court. It seems that the attorney General felt exceedingly irritated at some of Mr Fitzgibbon's personal remarks, and that he wrote a note to that gentleman, requesting that he would name a friend. The mention of this circumstance caused considerable sensation. Mr Moore, q. c. acted as a sort of mediator on the occasion, and eventually the attorney General withdrew the note, and Mr Fitzgibbon assured him that he had meant nothing personal, and that he had merely spoken of him in his official capacity. Thus the matter ended. On Wednesday, Mr Fitzgibbon resumed his address by apologising to the court for the length of time he found it necessary to address them; but assured them that he felt, in justice to his client, that the whole history of these transactions should be laid in detail before the jury. He then proceeded to go over the whole of the charges and evidence adduced, reading parts of many of Mr O'Connell and the other traversers' speeches, parts of which had been quoted by the attorney General, to show

that the context qualified the meaning urged by the attorney General. The learned and eloquent gentleman concluded with an explanatory statement in reference to the fracas of yesterday. Sergeant Warren attempted to stop the learned gentleman when entering on this subject, but Mr Fitzgibbon proceeded. His remarks produced a deep sensation in court, and occupied the whole day. The Attorney General made no reply.

On Thursday last, Mr Henn, q. c., on these lordships taking their seats, submitted on the part of the traversers, that the court had no power to proceed with the trial, the term having ended. He requested their lordships to take a note of the objection, which the Lord chief Justice expressed his willingness to do. The jury and the traversers having been called over and respectively answered to their names, Mr Whiteside addressed the jury in behalf of Mr Duffy, proprietor of the Nation. His speech occupied the whole of the day, and he was to resume again the next day. On Friday, Mr Whiteside concluded his address, and was succeeded by Mr McDonough, who appeared as counsel for Mr Barrett.—O'Connell will, it is supposed, commence his speech to-morrow.

REPEAL ASSOCIATION.

There was an immense attendance on Monday last at the conciliation hall: at two o'clock, the chair was taken by Caleb Powell, Esq. Mr. In the side box, usually occupied by Mr O'Connell, there were Smith O'Brien, Mr. Maurice O'Donnell, Mr. and Sir Valentine Blake, Mr. About twenty minutes past two o'clock, Mr O'Connell entered, amidst enthusiastic cheering. It appeared that the court of Queen's Bench adjourned after hearing Mr Hatchell, on the part of Mr Ray, secretary of the repeal association. Mr O'Connell, on taking his seat, jokingly said, that the attorney General had adjourned the court for his accommodation and that of the repeal association; [Laughter:]—McKeon, in handing in handing in repeal rent, remarked on this circumstance as a very gratifying one.

O'Connell—You are not to take my joke for earnest. The attorney General opposed the adjournment of the court; but it was adjourned and here we are; [loud cheers]

The general business of the association proceeded, and various sums of rent were handed in.

O'Connell took occasion to state, that on the sitting of the Queen's Bench this morning, John O'Connell availed himself of the opportunity of explaining, lest what fell from his distinguished advocate, Mr Shiel, might possibly be misunderstood, that he never could, under any circumstances whatever, consent to any arrangement that would involve the slightest compromise of the repeal of the Union; [loud cheers]

Smith O'Brien brought forward a number of resolutions, deprecating any outlay by candidates at elections, or any proceeding whatever interfering in any way with the purity and independence of elections.

The standing order, requiring a week's notice was dispensed with, and the resolutions were adopted. Williams, an American, addressed the meeting, but when indulging in rather strong language, was called to order by O'Connell.

After much business of a routine character, Mr O'Connell announced the repeal rent for the week to be £372 14s 11d; adjourned.

Queen's Speech on opening Parliament.

My Lords and Gentlemen,

It affords me great satisfaction again to meet you in Parliament, and to have the opportunity of profiting by your assistance and advice.

I entertain a confident hope that the general peace so necessary for the happiness and prosperity of all nations will continue uninterrupted.

My friendly relations with the King of the French, and the good understanding happily established between my Government and that of his Majesty, with the continued assurances of the peaceful and amicable dispositions of all Princes and States, confirm me in this expectation.

I have detected that the Treaty, which I have concluded with the Emperor of China, shall be laid before you, and I rejoice to think that it will, in its results, prove highly advantageous to the trade of this country.

Throughout the whole course of my negotiations with the government of China, I have uniformly disclaimed the wish for any exclusive advantages.

It has been my desire that equal favor should be shown to the industry and commercial enterprise of all nations.

The hostilities which took place during the past year in Scinde have led to the annexation of a considerable portion of that country to the British possessions in the East.

In all the military operations, and especially in the battles of Meance and Hydrabad, the constancy and valour of the troops, Native and European, and the skill and gallantry of their distinguished commander, have been most conspicuous.

I have directed that additional information explanatory of the transactions in Scinde, shall be forthwith communicated to you.

Gentlemen of the House of Commons, The estimates for the ensuing year will be immediately laid before you. They have been prepared with a strict regard to economy, and at the same time with a due consideration of those exigencies of the public service which are connected with the maintenance of our Maritime strength, and the multiplied demands on the Naval and Military establishments from the various parts of a widely extended Empire.

My Lords and Gentlemen, I congratulate you on the improved condition of several important branches of the trade and manufactures of the country.

I trust that the increased demand for labour