

attention. "Deteriora sequar," however much it may be the motto of frail mortality, will never give real pleasure to him who can with truth say, "Video meliora, proboque."

## THE EXAMINER.

MONDAY, JUNE 5, 1848.

### STILL LATER FROM EUROPE.—THIRD ENGLISH MAIL FOR MAY.

The frequency and rapidity which now-a-days characterize the communication between the Old World and the New, no longer renders the arrival of an English Mail an event of such paramount importance as it was considered in those days when there was but one Packet in the month; or, still further back, when a period of three months not unfrequently elapsed before an English Newspaper reached our ice-bound shores. Who is there that does not remember the enthusiasm which brightened many an eye—the anxieties, the hopes and fears which swelled many a breast, when the intelligence was duly heralded on the Post Office window that "an English Mail had just arrived!" The rough blasts of old Winter, let them be ever so rough and keen, could not dispel the anxious crowd which besieged the Post Office until the common curiosity would be gratified by the distribution of the various papers and letters. "What's the news from England?" was the only question to which most people seemed ready to give utterance. "Has Trade improved or grown dull? Have there been any changes in the Ministry?—any disturbances in Ireland? any wars or rumours of wars upon the Continent? Has Louis Philippe been shot at? Have any "infernal machines" been invented in Paris? Has the Duke of Wellington made a speech in the House of Lords? Has Sir Robert Peel triumphed over the Whigs, or the Whigs over Sir Robert Peel?" These or similar ones were the common enquiries of the time, which lasted not merely for an hour, or a day, or a week, but very generally until we turned from our blankets on some cold frosty morning to learn that another Mail had arrived, and to repeat again the same catechism and manifest the same anxiety. An English Newspaper was in those days no mean or unimportant acquisition to our intellectual enjoyment—it was a thing which no entreaty from the rosiest of lips could induce us to give for curling paper—a thing which we could never think of giving up to the scissors of the mantua-maker; and to use it for the base purposes of lighting our cigars, or taking the lather from our razors, would be an excess of extravagance, the very thought of which would turn us pale. Papers now come so often, however, they almost cease to interest; and before we have had time to examine their contents, we are compelled to throw them aside as so much trumpery, and prepare for the perusal of their successors.

Another English Mail arrived in Halifax on Wednesday last, brought by the new Steamship *Nagara*, having accomplished the voyage in 11 days. This Mail reached Charlottetown on Thursday night, and we are fortunately enabled to present our readers with all the interesting intelligence which it supplies, earlier than we could have done, had the Mail been delayed till the usual day (Sunday.)

#### ENGLAND.

It is proposed to open the St. Lawrence to the free navigation of the world. "It seems," says the *European Times*, "inevitable that the future policy of the country having declared to be upon an entirely free trade footing, it is quite impossible, as regards Canada and the West Indies, that the restrictions of the colonial trade can be any longer maintained."

Trade in the Manufacturing Districts is reported as improving.

Lord Ashburton is dead. He died at the residence of his grandson, the Marquis of Bath, on the 14th inst.

#### IRELAND.

Strange and startling news has been received from Ireland. Mr. Mitchell has been arrested and sent to Newgate on a charge of treason, said to be committed in his paper, the *United Irishman*, of May 6th and 13th. Our advices from Dublin state that, on being handed over to the gaoler at Newgate, he was taken into a room on the upper story of the prison with a single window looking into Green street. It contained no bed or bedstead, and he was informed that such was the apartment assigned to him, and that he might have straw to sleep on—but that they had nothing else. He indignantly refused

this 'kind accommodation,' and resolved to spend the night walking about his cell. He was informed that any further convenience he might require he would be permitted to have, if brought to him; he sent to his own house for a hair mattress, which was at once brought to him, and having settled it on two or three forms, he passed the night there. On Sunday morning, at an early hour, Mr. Mitchell's lady came to the prison, and was permitted to see him. When it became known through the city that Mr. Mitchell was an inmate of Newgate, numbers of his personal friends, and many whose political doctrines did not agree with his, visited him. He was allowed to receive his friends and legal advisers in the prison yard—a narrow flagged square.

#### MR. SMITH O'BRIEN'S TRIAL.

The trial of Mr. Smith O'Brien for sedition took place on Monday, in the Court of Queen's Bench.

The Four Courts presented a scene of much interest and excitement. Long before nine o'clock the doors of the Queen's Bench were beset by a number of barristers and the public generally, anxious to get possession of convenient seats. When the doors were opened there was a general rush for places, and in a very short time the body of the court and the gallery were crowded. A very numerous array of ladies graced the galleries and other parts of the court. When Mr. Smith O'Brien entered the court, he was cheered by a number of barristers from the front benches of the junior bar and the galleries. Mr. Meagher was also cheered. The traversers had pleaded not guilty.

The Attorney General stated the case on behalf of the Crown in a long speech, chiefly made up of extracts from Mr. O'Brien's speech. The witnesses for the Crown, Mr. Hodges, the Government reporter, and a Mr. Bannon, of the constabulary force, were next examined in support of the prosecution. Mr. Butt, Q. C., addressed the jury on behalf of the traverser, in a most powerful speech, which was frequently applauded despite the efforts of the court to repress any manifestation of the kind. Mr. Sergeant Warren replied on the part of the Crown. The Chief Justice then charged the jury, not only laying down the law of the case, but pronounced the speech most seditious. The jury retired shortly after six o'clock. A little before seven they returned into court, when the foreman intimated that they had not agreed to a verdict, when the Chief Justice sent them back, and appointed to meet them at ten o'clock that night. At that hour they were again called into court. The foreman stated that there was not the least probability of their agreeing to a verdict. They were then locked up for the night. On the following morning at ten o'clock precisely, the Chief Justice came into court, and addressing the Attorney General—said: I think, Mr. Attorney, I had better send for the jury to see if they agree; and in the event of their not agreeing, what do you propose to do?

The Attorney General said, that he thought that if, after having been so long confined, the jury could not agree, his lordship might, in the exercise of his discretion, discharge them.

Chief Justice.—I am quite prepared to say, Mr. Attorney, that if they do not agree I will myself discharge them. It is satisfactory to me to think that the same view is taken by you of the circumstances.

The jury having been called into court, the Chief Justice inquired if they had agreed on a verdict? Foreman: No, my lord. Chief Justice: Then, gentlemen, you are discharged.

During the entire evening immense crowds continued outside the courts.

Shortly after seven o'clock Mr. Smith O'Brien and some friends appeared outside, and the disagreement of the jury being then known, tremendous cheering arose. As Mr. O'Brien proceeded along Ormond quay, vast crowds followed, cheering all the way to his residence in Westland Row, where he appeared at a window of Gilbert's Hotel and addressed the populace, congratulating them on the prospects of the popular cause, and the good order that had prevailed during the day.

#### MR. MEAGHER'S TRIAL.

At nine o'clock on Tuesday morning the several confederation clubs assembled opposite the Council Rooms of the Irish Confederation, in D'Olier street, and proceeded in marching order, led by Mr. S. O'Brien and Mr. Meagher, to the Innis quay. They continued to interchange cheers with the multitude by which the streets and quays were thronged. A tri-coloured flag suspended from a pike, floated from one of the windows of the Council rooms. The court, as on the previous day was crowded.

The information contained several counts. The case on behalf of the Crown was stated by the Attorney General. As in the case of Mr. O'Brien, it was a mere detail of the statements contained in the speech of Mr. Meagher. Two witnesses were examined, including Mr. Hodges, as to the delivery of the speech, and a Major Drew, to prove the innuendos. Mr. Butt, Q. C., addressed the jury for the defence, in the course of which he castigated the Attorney General for his presumption in dictating the course he (Mr. Butt) should pursue on that occasion. He also twitted him on his want of legal knowledge in criminal cases, and then proceeded to vindicate his client from the charge of sedition brought against him by the Attorney General. After his address to the jury he was, as on the previous day, hailed with loud and enthusiastic cheers, which the Chief Justice would not repress. The Chief Justice

having charged the jury, they retired to consider their verdict: but, as in the case of Mr. O'Brien, they could not agree; and after spending the night locked up, they were discharged on the following morning (Wednesday.)

#### FRANCE.

In Paris there has been a violent attempt on the part of the populace to overawe the National Assembly—the mob agitating for French interference in behalf of Poland. Barbes and Albert, members of the late Provisional Government, appear to have been the chief movers in the new emeute. They were arrested and taken to prison, after some resistance, together with vast numbers of their followers.

#### SPAIN.

In Spain a bloody military Revolution has taken place. It appears that the movement was commenced by one or two battalions of the Regiment *España*, and was soon joined by a portion of the populace. The military was immediately called out, having been prepared for the emergency by previous rumours, and cannon loaded with grape and shrapnell were freely used. The fighting continued for about four hours, after which the insurrection gave way. General Fuigoso, the Captain General of Madrid, and brother in law of Christina was mortally wounded. The capital was declared in a state of siege. The military casualties are said to amount to 600:80 of the insurgent soldiers, and 60 civilians, including many of the upper classes, were taken prisoners. Two chiefs of battalions were killed. Three thousand reals were found in the pocket of one sergeant, and six hundred in that of a private soldier.

#### DENMARK.

Between Denmark and the Duchies hostilities have been suspended for a time, and hopes are entertained that a successful mediation between the parties will be effected.

#### ITALY.

##### THE POPE NOT IMPRISONED OR DEPOSED.

The news from Rome does not confirm the account previously received of the deposition and imprisonment of the Pope, or that he had agreed to declare war against Austria. The Pope, on the one hand, entertains conscientious scruples against levying war against Austria. His subjects, on the other hand, devotedly attached to his person, as they are, and not thankful for the part which he has taken in advancing liberal institutions, are nevertheless inflexibly determined that the Roman states shall not stand passively by while all the other Italian provinces and principalities are uniting in a noble effort to expel foreign rule from the peninsula. In short, they are resolved to drive the Austrians beyond the Alps, and the utmost that will be conceded to the conscientious scruples of Pius IX. is permission to retain the nominal sovereignty of his states, while a laical ministry, exercising the executive power independent of him, shall do that which his scruples forbid him from doing.

In Austrian Italy war still rages. The Austrians had been defeated before Verona, with considerable loss. They also suffered reverses at various other points.

#### BERMUDA.

We have received by Thursday night's Mail papers from Bermuda up to the 17th May. The Legislature of the Island was convened by Governor Elliot, on the 15th ult. His Excellency's speech, which is a very excellent one, felicitates the Colony on its growing general prosperity, and "the improvement in the industry of all classes of the people."

The Right Honorable the Earl of Dundonald, G.C.B. Vice Admiral of the Red, who succeeds Sir Francis Austen in the chief Naval command on the North American and West Indian station, reached Bermuda on the 3d ult., in the *Wellesly* line-of-battle ship. Sir Francis Austen was to leave Bermuda in a few days time for England.

Advices from the West India Islands represent those fine Colonies as suffering severely from a monetary crisis. The Treasury Departments of Jamaica, Barbadoes, Trinidad, and St. Vincent, are declared to be in a state of bankruptcy.

#### NEWFOUNDLAND.

We have received papers from the above Island as late as the 23d May. The attention of the political journals appears to be almost exclusively fixed on the approaching General Election. Responsible Government is eagerly discussed; and some of the candidates in their addresses to the Electors put forward their determination to seek the establishment of that system of Government as the *ne plus ultra* of their political faith. A public meeting had been held in St. John's, at which was adopted an Address to the Queen, praying Her Majesty to cause the introduction of the Departmental System in the Island Government. An Address to the Hon. William Young, Speaker of the House of Assembly of Nova Scotia, was likewise presented and