

viz., that the demurrer thereto should be overruled would govern; the third, and the judgment on the second would govern the fourth. The fifth and sixth counts were essentially similar. The general demurrer was therefore overruled. Baron Richards concurred. The Attorney-General then applied for summary judgment on the prisoner without going before the jury! The court said the law on that point was doubtful, and they were unwilling to act in a matter of such importance without consulting the twelve judges. The crown lawyers wished for an adjournment that they might consider what was best to be done, and the court consented to adjourn to the following Thursday, January 11. The next day, at eleven o'clock Judge Perrin and Baron Richards entered the Commission Court, and having taken their seats on the bench, Mr. Duffy was placed at the bar.

The Attorney-General rose, and addressing the bench, said that there was some difficulty as to whether or not he should call upon the court to pronounce final judgment in this case. He would, therefore, be glad to hear from the court the judgment that ought to be pronounced in accordance with the decision they had arrived at on the last day of sitting.

Judge Perrin said that before the court could pronounce judgment on the points referred to on the record, they (the judges) should hear counsel as to what judgment should be given on the general demurrer.

Mr. Butt, Q. C. said that he, perhaps, would save the court the trouble of hearing the case argued. If the court would permit him, he would withdraw the demurrer, plead over, and be ready to go to trial without further delay, if the Attorney-General would enter a *nolle prosequi* on counts declared by the court to be defective, and refrain from giving evidence on those counts at the trial.

The Attorney-General said he was quite taken by surprise by the proposal of the prisoner's counsel. He had not had any notice of the intention of the prisoner to withdraw his demurrer, and, in that case, he could not consent to the motion of counsel on that question.

The court then ordered that counsel should be prepared to argue the question as to what judgment should be pronounced upon the general demurrer, and for that purpose they (the judges) would adjourn the case until Saturday next (this day).

The court was accordingly adjourned.

Judgment in the case of Mr. W. Smith O'Brien and others in error v the Queen, will not be pronounced by the Court of Queen's Bench until Tuesday next.

The estate of Lord Glengall, in the counties Tipperary and Waterford, will be brought to the hammer on the 29th instant by the trustees.

Mr. Smith O'Brien has recently sent a most beautiful prayer-book to the wife of Mr. John O'Connell, of Ballygarry, in token of the fidelity of her husband.—The book was richly ornamented.

The *Limerick Reporter* contains the following:—"We are informed, on good authority, that so extreme is the destitution of most exemplary parish priests, in the diocese of Kerry, that several of them would be compelled to abandon their parishes altogether, were it not for the assistance afforded by the bishop from his own scanty resources."

The last number of the *Londonderry Journal* contains the following:—"It is with feelings of no ordinary pain that we have to announce that the cholera has made its appearance in our workhouse. Only one case there occurred, but it was a very decided, and, it is to be feared, will prove a fatal one, the patient being a young man of twenty-two years of age, who had been previously healthy, and in the house for eighteen months. We have heard of two fatal cases having occurred in the suburbs on this side of the river, but all that we can confidently assert of them is, that in each the disease terminated suddenly."

DISTRESS IN MAYO.—That distress must exist to a very alarming degree in this country, is apparent from the following fact. A poor weaver, an inhabitant of Ballinrobe, was obliged, some short time since, to travel to this town in search of employment. He applied at the factory of the Ballina and Ardnaree Industrial Committee for a job, and was fortunate enough to get the materials necessary for a web of linen. With these he returned home, and after the lapse of some days, again made his appearance at the Factory with the web. For this piece of work he received a few shillings, about seven or eight we believe, and in order to obtain that small sum he had to travel, at least, fifty Irish miles! And yet the poor man felt bappy at being relieved even in that trifling way by the conductor of the Factory. If the distress of this unfortunate creature were not most intense, he certainly would not have travelled such a long distance in search of merely temporary assistance. This wretched man may be considered a type of the class to which he belongs, and, from viewing his case, we may picture to ourselves the extent of the poverty by which his brethren are afflicted.—*Ballina Mayo Intelligencer*.

REPEAL ASSOCIATION.—John O'Connell, Esq., M.P., has forwarded five guineas, his renewed subscription to the Repeal Association for 1849.—*Freeman*.

REPEAL MEMBERSHIP.—John Reynolds, Esq., M.P., has forwarded five guineas, his renewed subscription to the Repeal Association for 1849.—*Freeman*.

FRANCE.

Nothing of importance has occurred in France since our last. The President held a levee on New Year's Day, the attendance at which was so numerous that he was obliged to receive his visitors in the gardens of his official residence. The great distress of the French people, and the omission on the part of Government of any plan for relieving that distress, appear to be acting injuriously for the popularity of the new President.

THE PALACE OF THE FRENCH PRESIDENT.—The palace of the Elysee Bourbon, where the President is to reside, was built in 1718, and was then called the Hotel d'Evreux. Mme. de Pompadour purchased it from the Evreux family, and kept possession of it till her death, in 1764. It then became the property of the financier Banjon, who sold it in 1786 to Louis XVI. It next became the property of the republic, but it was not turned to any use. Under the Empire, Murat purchased it; and at the second restoration the state seized on it, without paying attention to the claims of Murat's family. The law which, after 1830, fixed the civil list of Louis Philippe, had appropriated the Elysee Bourbon as the residence of Queen Amelia, in case she should survive her husband. This palace was the last place inhabited by Napoleon, before he took his departure in 1815; it was there he alighted in June 21, after the battle of Waterloo; and it was there he signed his abdication in favour of the King of Rome.—*GALIGNANI*.

ITALY.

The Pope is still in Gaeta, and even his greatest friends are beginning to lose hope of his returning to Rome. The last accounts left him preparing to celebrate the Christmas solemnities with great pomp, and for this purpose he had sent to Rome for his vestments. The Roman Ministry have been formed, and have resolved to present a project of law to the Chambers for the speedy convocation of a Constituent Assembly. Austria is reported to have declined being a party to the projected Congress at Brussels on the affairs of Italy. She contemplates no appeal but to the sword. An official despatch of Windischgratz announces the voluntary surrender of the town of Raab to the imperial forces.

The following is the protest of the Pope, made at Gaeta on the 17th ult., against the creation of a Junta at Rome:—

"Raised by divine dispensation, in a manner almost miraculous, in spite of our unworthiness, to the Sovereign Pontificate, one of our first cares was to endeavour to establish a union between the subjects of the temporal State of the Church, to make peace between families, to do them good in all ways, and, as far as depended upon us to render the state peaceable and flourishing. But the benefits which we did all in our power to heap upon our subjects, the wide-founded institutions which we have granted to their desires, far as we must in all candour declare, from inspiring that acknowledgment and gratitude which we had every right to expect, have occasioned to our heart only reiterated pain and bitterness, caused by those ungrateful men whom our parental eye wished to see daily diminishing in number. All the world can now tell how our benefits have been answered, what abuse has been made of our concessions; how, by denaturalising them, and perverting the meaning of our words, they have sought to mislead the multitude, so that these very benefits and institutions have been turned by certain men into arms, with which they have committed the most violent outrages upon our sovereign authority, and against the temporal rights of the Holy See. Our heart refuses to repeat in detail the events which have taken place since Nov. 15, the day on which a minister who had our confidence was barbarously murdered by the hand of an assassin, applauded with a still greater barbarity by a troop of infuriated enemies to God, to man, and to every just political institution. The first crime opened the way to a series of crimes committed the following day with sacrilegious audacity. They have already incurred the execration of every upright mind in our State, in Italy, and in Europe; they have incurred execration in all parts of the earth. This is the reason why we can spare our heart the intense pain of recapitulating them here. We were constrained to withdraw from the place in which they were committed, from that place where violence prevented us from applying any remedy, reduced to weep over and deplore with good men those sad events, and the still more lamentable want of power in justice to act against the perpetrators of these abominable crimes. Providence has conducted us to this town of Gaeta, where, finding ourselves at full liberty, we have, against the authors of the aforesaid attempts and acts of violence, solemnly renewed the protests which we issued at Rome at the first moment, in the presence of the representatives accredited to us of the Courts of Europe, and of other and distant nations. By the same act, without in any manner departing from the institutions we had created, we took care to give temporarily to our States a legitimate governmental representation, in order that, in the capital and throughout the States, provision should be made for the regular and ordinary course of public affairs, as well as for the protection of the persons and property of our subjects. By us, moreover, has been prorogued the session of the High Council and Council of Deputies, who had recently been called to resume their interrupted sittings. But these determinations of our authority, instead of causing the perturbators and the authors

of the acts of sacrilegious violence of which we have spoken to return into the path of duty, have urged them to make still greater attempts. Arrogating to themselves the rights of sovereignty, which belong only to us, they have, by means of two Councils, instituted in the capital an illegitimate governmental representation, under the title of Provisional Supreme Junta of the State, which they have published by an act dated the 12th of the present month. The duty of our sovereignty, in which we cannot fail, the solemn oaths by which we have, in the presence of God, promised to preserve the patrimony of the Holy See, and to transmit it in all its integrity to our successors, obliges us to raise our voice solemnly, and protest, before God and in the face of the whole universe, against this grand and sacrilegious attempt. Therefore we declare to be null and of no force or effect in law the acts which have followed the violence committed upon us, protesting, above all, that this Junta of State, established at Rome, is a usurpation of our sovereign powers, and that the said Junta has not and cannot have any authority. Be it known, then to all our subjects, whatever be their rank or condition, that at Rome, and throughout the whole extent of the Pontifical States, there is not, and cannot be, any legitimate power which does not emanate expressly from us; that we have, by the sovereign *motu proprio*, of the 27th of November, instituted a temporary commission of Government, and that to it belongs exclusively the government of the nation during our absence and until we ourselves shall have otherwise ordained.

INDIA.

The Indian intelligence, with dates from Bombay to the 3rd December, indicates that Lord Gough would have some sharp work to perform before the Punjab is annexed to the British crown, which it seems, beyond a doubt, has been predetermined. His lordship, having crossed the Ravee at the head of 2000 men with seventy pieces of artillery, reached Ramnegur on the Chenaub on the 21st November, in quest of the enemy. It seems doubtful where Chuttur Singh is stationed, but he is said to be near Peshawur. The troops at that station had mutinied, and Major Lawrence, at the imminent danger of his life, made his escape, and is now at Kohat. It is fortunate that the troops at Attock remained faithful, and Capt. Abbot maintained his position in the Hazareh. There can be no doubt whatever that the rebellion was of the most extensive character, but as far as we can judge, the insurgent chiefs had organised no combined scheme of action, and Lord Gough being now at the seat of action, it seems scarcely possible for Chuttur Singh and his confederates to accomplish their designs, whatever they may be. At Moulton there had been some sharp skirmishing, our troops having suffered severely from the batteries of the enemy, and one sepoy regiment having further gone over to Moolraj, leaving the British officers in a most critical position, it was determined to make an attack upon the outworks erected; and after a most gallant hand to hand fight, when the British columns moved up to the rescue, the enemy was beaten at all points, the guns captured, and the glory of our arms amply vindicated. The enemy is supposed to have lost five hundred to one thousand men in all. Major Edwards' gallant conduct seems still beyond all praise. Since this encounter the siege of Moulton has remained *in statu quo*; it is not supposed that Moolraj will yield until a sufficient force is brought before Moulton so as to batter the place about his ears. Long before this a decisive action will have been fought in the northern districts of the Punjab, wherever the enemy may have given battle. The Governor-General had nearly reached Umballah on the 23rd November. The next arrival will probably bring us the news of the exact position of Chuttur Singh, and by that time the various columns of troops now advancing to head-quarters will have arrived at their destination, and the opening of the campaign will be sharp, short, and decisive. The troops altogether in the field are already 42,000 men, and will probably amount to 50,000 men when they are all collected. With this force there can be no doubt of the ultimate issue of the war, and the confederacy of the Sikh chief being once broken, care must be taken to prevent a recurrence of this more than Asiatic perfidy: the doabs of the Punjab must henceforth be governed by British authority. Trade seems in a satisfactory state: our commercial report will furnish the latest intelligence of the state of the markets.—*European Times*.

THE "TIMES" NEW PRINTING MACHINE.—The *Times*, in a long leading article, gives a description of a new printing machine, which has been for the past two months in use in that office, whereby the extraordinary number of 140 copies can be thrown off in a minute. It is a machine having eight cylinders. Hitherto, the rate at which it has been worked is about 1000 revolutions per hour, or 8000 impressions; but it is probable that it will be ultimately worked to 12,000 copies an hour. The name of the gentleman who constructed this wonderful piece of mechanism is Mr. Augustus Applegarth of Dartford.

THE "DAILY NEWS."—It is said that Mr. Bright, M. P., and two or three other persons, have bought the *Daily News*. Mr. George Wilson, the Chairman of the late Anti-Corn Law League, is to be manager in conjunction with Mr. Dilcke, the present editor. The paper is to be made the full size of the London morning journals.