

# The Examiner.

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EDWARD WHELAN]

This is true Liberty, when free-born Men, having to advise the Public, may speak free.—EURIPIDES.

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## Literature.

### UNDER THE MOON.

Under the moon as the twilight breeze  
Ripples the water in pulses of light,  
We stand on the bridge by the sycamore trees  
And list to the voice that comes thro' the night.  
Under the ebon-roof misty and dark,  
Love's sweet laughter rings from the bark—  
Sprinkled with many a dim red lamp,  
Stretching away through the distance damp,  
Hark! 'mid the foliage blossomed with June,  
Tinkles a serenade under the moon.

Under the moon in the village street,  
Gossiping crowds in the shadow meet.  
Seated at dusky doorways there,  
Red-lipped maidens taste the air;  
Whispering now of their lovers' eyes;  
Blue as the beautiful summer skies;  
Whispering now of their flattering sweet,  
As summer fruitage dropped in the heat;  
Until they cadence a trembling tune—  
Soft as their pulses under the moon.

Under the moon, by the soft sea shore,  
The wind walks over its precious floor,  
Courtin' the snow-bosomed sails,  
Daintily dipping through azure vales,  
Over the crisp foam bearing along  
The musing mariner's midnight song;  
As by the rising helm with bands  
Lit in the compass lamp he stands,  
Thinking those he left at noon,  
Away he is bearing under the moon.

Under the moon by the dusky road,  
Pace we on to the old abode;  
The listless splendor floating falls  
O'er its sycamore roof and walls.  
Peering into the casement nook,  
Piled with many a brown old book;  
Spirits are they who picture team  
With thoughtful ditty and pictured dream;  
Spirits amid whose silence soon  
Our own shall slumber under the moon.

Dublin Nation.

### IRENE.

Have you not seen our idol child—  
Our beautiful Irene?  
She hath an eye so blue and mild—  
A cheek on which the rose hath smiled—  
A brow by care nor grief defiled,  
But smooth and white serene?

Her tiny ringlets, golden hair,  
In loved profusion curl,  
They cluster o'er a forehead fair,  
And alabaster shoulders bare,  
Such as with lilies would compare,  
Or vie with snow-white pearl!

And have you never heard her try  
To speak her childish will,  
No ear to her could need deny,  
For she would prattle constantly—  
Till you with her requests comply,  
Her tongue cannot be still!

Could you reprove her and look stern,  
When she climbs on your knee,  
And fail to kiss her in return,  
When she would for your embrace yearn,  
With angel's voice, and eyes which burn  
With love's own light for thee!

Were it not for the fount of Joy  
Our lives were a drear scene,  
What would our lonely hours employ—  
What would our thoughts of earth destroy—  
Were we not blest without alloy  
With our beloved Irene?

(From the London Literary Gazette.)

### O'CONNELL AND HIS COTEMPORARIES.

Sketches of the Irish Bar; with Essays, Literary and Political. By William Henry Curran, Esquire. Hurst and Blackett.

These Sketches and Essays by Mr. Curran form a companion work to the recently published 'Legal and Political Sketches by the late Mr. Sheil.' The two writers were associated in the production of the series of papers, as they originally appeared in the 'New Monthly Magazine,' when under the editorship of Thomas Campbell. Although the names of Curran and Sheil were mentioned conjointly as authors of the 'Sketches of the Irish Bar,' with which the series of contributions commenced, each separate article was the sole production of the particular writer to whom it is now assigned in this authorized reprint. It is necessary to mention this, as an American edition of the Sketches has mixed up the papers and confounded the authorship. A number of miscellaneous essays, entitled 'Literary and Political,' accompany Curran's legal and biographical sketches, and occupy a large portion of the second volume. Prefixed to the first volume is a new contribution, a notice of the late Chief Baron Woulfe, a biographical memoir of a more elaborate character than the magazine articles which it introduces. Woulfe's public life was one of little incident, and it is chiefly the partiality of private friendship that has given such prominence to the present memoir. An account of his pamphlet on the catholic question, which had much influence in its day, occupies a considerable part of Mr. Curran's narrative. The professional career of Stephen Woulfe was one of smooth prosperity, and his estimable character is expressed in his biographer's assurance that 'Stephen Woulfe never had an enemy.' Appended to the memoir of Chief Baron Woulfe are Notes of Conversations with Chief Justice Bushe, with some prefatory remarks, in which occurs the following personal sketch:—

'In thus giving publicity to these fragments of Charles K. Bushe's familiar conversation, I should be doing a grievous injustice to the memory of that accomplished man, if I were to intimate that, in themselves, they can convey any but the faintest idea of what the conversation was. They may lead his surviving intimates to recognize him, but they never can enable a stranger to him to know him. Even if I could offer a literal transcript of every word that fell from him, how much would still be wanting? His imposing figure and deportment, his graceful, persuasive gestures, his manly, pliant features, so easily seduced from their habitual dignity by a love of gentlemanly fun, his fine, sonorous voice, his genial laughter; such were some, though not all, of the ingredients in that combination, which made Bushe the most fascinating of companions. It was in the profusion of materials, and in the power of pouring them out for hours without cessation or fatigue, that the Chief Justice appeared to me to be so peculiar, and in his own time and country, unrivalled. It was that ever-running stream of mind, such as Johnson had found, and so much

prized in the conversation of Edmund Burke. I may just add, that his manner, whether the subject was grave or otherwise, was somewhat higher than the ordinary tone of familiar conversation, but no one ever wished that he could change it. With him it was unaffected, and well assorted with the natural dignity of his mind and person. It was only upon one or two occasions while I was with him, that his subject led him to assume for a moment that more stately manner which distinguished and adorned his public efforts.'

'Some of the fragmentary recollections and anecdotes we subjoin:—  
'The Chief Justice spoke a good deal of the Bar. He said the profession had materially improved in respectability within his recollection. When he first came to it, a class of persons, without legal qualifications, had pushed themselves into business by the mere force of vulgar, bustling activity, which would not be tolerated at present. Three persons, I consider, to have greatly contributed to produce the change. Curran (who had ignited the Bar), Plunket and Saurin. The last brought legal knowledge into repute. Egan, were he now at the bar, would not make half-a-crown in the year. The change may also be, in some degree, attributed to the Union. Since the Union, a better class of men have been raised to the Bench, and able judges will always compel the Bar to be good lawyers.'

'The Union has done some good. It has purified the administration of justice by leading to the appointment of a better class of judges, and by putting them more under the control of the English Press. He frequently resorted to the influence of public opinion as expressed through the press, and called it 'that useful rod, suspended over the heads of men in authority.'

'He spoke with disgust of the pedantic obscurity of the old law-writers. I was working this morning at a judgment of Lord Coke's, reported in Bulstrode. It took me two hours to discover its meaning. I would rather have sat down to as much Greek. All the difficulty arose from the absurd mystery of the style. The moment I caught the reasoning, I, without any trouble, condensed the whole into six or eight lines. The great object of the early law-writers seems to have been, to be as incomprehensible as possible. Sir William Blackstone was the first great reformer in this respect. He simplified the study of law, as Bacon did that of Natural Philosophy.'

'I cannot bear to hear barristers calling one another their learned friend. Why not say, the argument of Mr. Wallace, or Mr. Gilmore, or whatever the name may be?'

'August 10th. He asked me if Sheil had ever written any poetry besides his tragedies, and upon my answering that he had not, expressed his regret. 'His mind is one of the richest in poetry and eloquence that I ever met. Of the poorest of producing an effect upon a popular audience in Ireland, I consider him as standing in the very first rank. In England it might be considered (though perhaps unjustly), that he attempted to impose upon his hearers by ornament. He seems to me to have high powers for his didactic poetry. The rich poetical images with which his speeches abound, if versified, would be fine satirical poetry.'

'Grattan was near failing in the English House of Commons. The strangeness of his gestures, intonations and style, were prejudicing the house against him, and beginning to produce signs of impatience, when he called Dr. Duigenan the 'gentleman of the fifteenth century.' The phrase took, and the remainder of his speech was loudly cheered.'

'Grattan was utterly incapable of writing the simplest thing with rapidity. Upon one occasion he lost an important motion in the Irish House of Commons, by his defect in this respect. The house being with him, the Speaker asked him to commit his motion to writing. Five lines would have embraced it, but Grattan wrote and tore, and wrote and tore, till the House, losing its patience, a ministerial member proposed, that instead of a formal resolution of the house, the minister should give a verbal pledge, to which Grattan assented, and thus his motion was lost.'

'Grattan was firmly persuaded, from the internal evidence of the style, that Burke was the author of 'Junius.' Among other instances, he used to insist upon it that no living man but Burke could have written that passage in one of the letters to the Duke of Grafton. 'You have now fairly travelled through every sign in the political zodiac, from the Scorpion, in which you stung Lord Chatham, to the hopes of a Virgin in the house of Bloomsbury.'

'My last scene with Grattan was interesting beyond expression. It lasted an hour, and I have never ceased to regret that I did not commit the particulars to paper, as I might easily have done. The details of that one hour would fill a volume.'

In one of these memoranda George IV. appears in a more respectable intellectual light than he usually has credit for:—

'The Chief Justice related to me the particulars of his meeting with the King at Sloane Castle.

'Saurin and I went down together, and arrived barely in time to dress for dinner. I had never been seen by the King, but once at the levee. On going down stairs I met him coming up. The rencontre was most embarrassing, for I imagined that he would not recognise me, but I was at once relieved. He said, 'Bushe, I believe you don't know the ways of this house,' and taking me under the arm, conducted me to the drawing-room. In one moment I was as much at my ease as if I had been his daily companion.'

'I sat opposite to him at dinner. The first words he addressed to me were these (Lady Conyngham, who sat next him, had been whispering something in his ear.)—'Bushe, you never would guess what Lady Conyngham has been saying to me. She has been repeating a passage from one of your speeches against the Union.' He saw that I started, and was rather at a loss for what to say, and instantly changed the subject by recommending me to try a particular French dish, from which he had been just helped. 'This (said he) I can recommend as the perfection of cookery. My cousin, the Duke of Gloucester, often produces it for his guests, but always fails in it. It is the same with all his dishes. He has a remarkable talent for giving bad dinners.'

'The king soon after returned to the Union. 'My early opinion was (said he, addressing Saurin) that you and the Solicitor-General's opposition to the measure was well founded, and since I have seen this glorious people, and the effects produced by it, that opinion is confirmed; but (he added, as if correcting himself) I am sure you will agree with me in considering that, now the measure is carried, you would feel it your duty to resist any attempt to repeal it with as much zeal as you originally opposed it. But you all committed a great mistake. Instead of direct opposition, you should have made terms, as the Scotch did, and you could have got good terms.' He then summed up some of the principal stipulations of the Scotch Union, (he had history at his fingers' ends.) 'said Saurin, (a very odd remark, as it struck me, to come from him), and the Scotch further stipulated for the establishment of their national religion.' 'You are quite right,' said the king; 'they secured that point also—but, no, no,' he added hastily checking himself, 'you must pay no attention to what I have just said. It would not be right to have it supposed that I entertain an opinion, from which an inference might be drawn that would afterwards lead to disappointment.'

'In the evening despatches arrived from England, containing an account of the tumultuous proceedings at the Queen's funeral. The king expressed, without the slightest reserve, his dissatisfaction at the want of energy shown by the government on the occasion, and contrasted with it the firmness of his father during the riots of 1780. He detailed the particulars of the late king's conduct upon that occasion, who, he said, expressly sent for him to be a witness of it, for the regulation of his own conduct upon any similar emergency. He concluded by suddenly saying, in an altered and broken voice, 'I shall never again see such a man as my father.'

'The king spoke of the run of look that he had lately had—his getting round the Land's End just a few minutes before the wind changed, and his consequent arrival at Holyhead two days before the other vessel—his landing in Ireland on his birth-day, which had been the wish of his heart—and finally, his glorious reception of the Irish people.' Among the lucky incidents he suppressed the news of the king's death.

'The king's accent had the slightest intermixture of the foreign.'

'He has been known to say, 'I wish these Catholics were damned or emancipated.'

'The description of the Hall of the Four Courts, at Dublin, is a capital sketch:—

'The building itself is a splendid one. Like the other public edifices of Dublin (and I might add, the private ones) it is an effort of Irish pride, exceeding far in magnificence the substantial wealth and civilization of the country. In the centre of the interior, and o'eranopied by a lofty dome, is a spacious circular hall, into which the several courts of justice open. I was fond of lounging in this place. From the hours of twelve to three it is a busy and a motley scene. When I speak of it as the place of daily resort for the members of the legal profession and their clients, I may be understood to mean that it is the general rendezvous of the whole community; for in Ireland almost every man of any pretensions that you meet, is either a plaintiff or defendant, or on the point of becoming so, and when in the capital, seldom fails to repair at least once a day to 'the Hall,' in order to look after his cause, and by conferences with his lawyers, to keep up his mind to the true litigating temperature.'

'It is here, too, that the political idlers of the town resort, to drop or pick up the rumours of the day. There is also a plentiful admixture of the lower orders, among whom it is not difficult to distinguish the country-litigant. You know him by his mantle of frieze, his two boots and one spur, by the tattered lease, fit emblem of his tenement, which he unfolds, for his attorney's inspection, as cautiously as Sir Humphrey Davy would a manuscript of Heruleumum, and best of all, by his rueful visage, in which you can clearly read that some clause in the last ejectment-act lies heavy on his heart. These form the principal materials of the scene; but it is not so easy to enumerate the manifold and ever-shifting combinations into which they are diversified. The rapid succession of so many objects, passing and repassing eternally before you, perplexes and quickly fatigues the eye. It fares still worse with the ear. The din is tremendous. Beside the tumult of some hundred voices in ardent discussion, and the most of them raised to the declamatory pitch, you have ever and anon the stentorian cries of the tipstalls bawling out: 'The gentlemen of the Special Jury to the box,' or the still more thrilling vociferations of attorneys, or attorneys' clerks, hallooing to a particular counsel, that 'their case is called, and all is lost if he delays an instant,' whereupon the counsel, catching up the sound of his name, wafted through the hubbub, breaks precipitately from the circle that engages him, and bustles through the throng, escorted, if he be of any eminence, by a posse of applicants, each claiming to monopolise him, until he reaches the entrance of the court, and plunging in, escapes for that time from their importunate solicitations.'

'The bustle among the members of the Bar is greatly increased by the circumstance of all of them, with very few exceptions, practising in all the courts. Hence at every moment you see the most eminent darting across the hall, flushed and palpitating from the recent conflict, and no breathing-time allowed them, advancing with rapid strides and looks of fierce intent, to fling themselves again into the thick of another fray. It daily happens that two cases, to be heard in different courts, and in which the same barrister is the client's main support, are called on at the same hour. On such occasions it is amusing to witness the contest between the respective attorneys to secure their champion. Mr. O'Connell, for instance, who is high in every branch of his profession, and peculiarly in request for what is termed 'batting a motion,' is perpetually to be seen, a conspicuous figure in this scene of clamour and commotion, balancing between two equally pressing calls upon him, and deploring his want of ubiquity. The first time he was pointed out to me, he was in one of these predicaments, suspended, like Garriek in the picture, between conflicting solicitations. On the one side, an able-bodied, boisterous Catholic attorney, from the county of Kerry, had laid his athletic gripe upon 'the counsellor,' and swearing by some favourite saint, was fairly hauling him along in the direction of the Exchequer—on the other side a more polished town-practitioner, of the established faith, pointed with pathetic look and gesture to the Common Pleas, and in tones of agony implored the learned gentleman to remember 'that their case was actually on, and that if he were not at his post, the Court would grant the motion, costs and all, against their client.'

From the personal recollections and sketches of the Irish bar we have space for only one extract, about Daniel O'Connell as he appeared at the bar in 1825:—

'Mr. O'Connell is in particular request in jury cases. There he is in his element. Next to the 'harp of his country,' an Irish Jury is the instrument on which he delights to play; and no one better understands its quality and compass. I have already glanced at his versatility. It is here that it is displayed. His powers as a nisi-prisus advocate consist not so much in the perfection of any of the qualities necessary to the art of persuasion, as in the number of them that he has at command, and the skill with which he selects and adapts them to the exigency of each particular case. He has a thorough knowledge of human nature, as it prevails in the class of men whom he has to mould to his purposes. I know of no one that exhibits a more quick and accurate perception of the essential peculiarities of the Irish character. It is not merely with reference to their passions that he understands them, though here he is pre-eminently adroit. He can cajole a dozen of miserable corporation-hacks into the persuasion that the honor of their country is concentrated in their persons. His mere acting on such occasions is admirable: no matter how base and stupid, and how poisoned by political antipathy to himself he may believe them to be, he affects the most complimentary ignorance of their real characters. He hides his scorn and contempt under a look of unbounded reliance. He addresses them with all the deference due to upright and high-minded jurors. He talks to them of 'the eyes of all Europe,' and the present gratitude of Ireland, and the residuary blessings of posterity, with the most perfidious command of countenance. In short, by dint of unmerited commendations, he belabours them into the belief that, after all, they have some reputation to sustain, and sets them chuckling with anticipated exultation, at the honours with which a verdict according to the evidence is to consecrate their names.'

Of the other legal sketches that of Plunket is the best. Among the tales of the Irish circuit one paper gives an account of a remarkable trial for murder on the river Shannon, which was taken as the foundation of Mr. Gerald Griffin's successful novel, 'The Collegians.' The contents of the second volume are of a very miscellaneous kind, and some of the papers are on subjects which have lost none of their interest in our own day, such as on the Complaints in America against the English Press, on German Criticism, and The Napoleon Memoirs from St. Helena. In his remarks on the feelings of America towards England, Mr. Curran, with all his Irish enthusiasm, writes with a loyalty and patriotism that ought to put to shame the O'Briens and Duffys of the 'Young Ireland' school. Although written more than thirty years ago, this paper deserves wide circulation both in Great Britain and America, as an admirable statement of the real relations of the two countries, full of sound truth and genuine humour, and equal to the best of the many sketches that have appeared on American character and feeling with regard to the mother country.'

## Gleanings from late Papers.

### NEWS FROM THE CAMP.

The following intelligence is of course old compared with the despatches of the capture of Sebastopol; but the details of some of the small struggles which preceded the opening of the final bombardment, are not without interest:—

### TERRIFIC EXPLOSION IN THE MAMELON.

A few days before the assault on the Malakhoff, the explosion of a French magazine occurred near the Mamelon, by a Russian shell. The whole of the camp was shaken by a prodigious explosion, which produced the effects of an earthquake. A tumbrel, from which the French were discharging powder into one of the magazines, was struck by a shell from the Russian batteries, which burst as it crashed through the roof of the carriage, and ignited the cartridges within; the flames caught the powder in the magazine, and with a hideous roar, 14,000 lbs. weight of gunpowder rushed forth in a volcano of fire to the skies, shattering to atoms the magazine, the tumbrels, and all the surrounding works, and whirling from its centre in all directions over the face of the Mamelon, and beyond it, 150 officers and men. Of these 40 were killed on the spot, and the rest are scorched and burnt, or struck by splinters, stones, and by the fiery eruption. Masses of earth, gabions, stones, fragments of carriages, and heavy shot, were hurled far into our works on the left of the French, and wounded several of our men. The light of the explosion was not great, but the roar and shock of the earth were very considerable. The heaviest sleepers awoke, and rushed out of their tents. There was silence for an instant, and but for an instant, as the sullen thunder rolled slowly away, and echoed along the heights of Inkermann and Mackenzie; then the Russians, leaping to their guns, cheered loudly, but their voices were soon smothered in the crash of the French and English batteries, which opened all along the right of the attack, and played fiercely on their works. The Russians replied to our fire, but they were unable to take any advantage of our fire, chance, owing to the firmness of the French in the advanced trenches, and the steadiness of the cannonade. A bright moon lighted up the whole scene, and shed its rays upon a huge pillar of smoke and dust, which rose into the air from the Mamelon, and which, towering to an immense height, unfolded itself, and let fall from its clustering waves of smoke and sulphurous vapours a black precipitate of earth, fine dust, and pebbles, mingled with miserable fragments, which fell like rain over the works below. The dark cloud hung like a pall for nearly an hour over the place, reddening every moment with the reflection of the flashes of the artillery, which boomed incessantly till dawn. Four officers lost their lives by this deplorable accident.

### A MOMENTARY TRIUMPH OF THE RUSSIANS IN THE ENGLISH TRENCHES.

On the morning of the 31st ult., while a party of the 23d Welsh Fusiliers were engaged working in our fifth parallel of the right attack, a body of Russian infantry crept up close upon them, and leaped into the trench almost ere their approach was perceived. The trench guard made a feeble resistance, and the Russians were enabled to occupy a portion of the parallel. They also seized on some tools and arms which the 23d Regiment abandoned. Emboldened by their success, the enemy advanced towards the fourth parallel, which was occupied by the 97th Regiment; but on approaching the parapet they were received by deadly and well sustained volleys of file firing, which checked their march instantaneously, and they retired in confusion, leaving many dead and wounded on the ground, into the portion of the fifth parallel of which they possessed themselves. The 97th, with the aid of the 23d, were ordered to drive the enemy back to their entrenchments, and executed the task with the utmost gallantry and coolness. The Russians, covered by their guns in the rear, fought well, but were driven out at the point of the bayonet with loss. We have to lament the loss of a gallant officer, Lieut. Preston, who was killed by a ball in the act of leading on his men. It is not long since his brother fell, who held a commission in the 7th Regiment, in the same way, and the deceased officer had but recently arrived from home. Captain Brinkley was also wounded, and Lieut. Ware was shot through the arm. The 97th lost 4 men killed and 12 wounded.

### REVOLT IN SEBASTOPOL.

There had been rumours for some days before the attack in the Malakhoff, that the garrison of Sebastopol was in an extremely disorganised state, and there were even positive statements that a revolt took place. A brisk fire of musketry, very irregular, was heard inside the town, mingled with cries and disorderly shouting, and a deserter reported the fusillade of an officer of rank and nearly 100 men, who had disobeyed orders. There is no doubt that the losses in the town were frightful, and that, notwithstanding their official and non-official declarations, the Russians suffered from want of water and of spirits. The army on the Belbe and along Mackenzie's ridge seems to have diminished very much.

### THEATRICALS IN THE CRIMEA.

On the 31st ult. the winter dramatic season of the Naval Brigade was inaugurated by a series of performances. The histrionic artistes, orchestra and stage appointments, all belonged to the ship *London*, and the entertainment came off in the ravine along the summit of which the camp of the brigade is pitched. The performances included three pieces well known to the *habitués* of the Haymarket; and the blue-jacket actors sustained their roles in a manner which would not have disgraced any of the second-rate employes of that house. The theatre consisted of a large appropriately-shaped and decorated tent, pitched in the bottom of the ravine; and the audience looked on and applauded from their *ad fresco* seats along the ascending slope of the hill. Acting, singing, and dancing were all admirable; and if the boisterous satisfaction expressed by the ringing palms and right vigorous lungs of the hundreds who crowded the hill side can be in any way accepted as proof of excellence, Wright and Buckstone never surpassed the nautical knights of the buskin, who gave bodily and vocal shape to the fun contained in the three farces of *Deaf as a Post*, *The Silent Woman* (not Ben Jonson's classical comedy, I need hardly say), and *Slasher and Crasher*.

### INSURRECTION AT KADIKOI.

An insurrection on a small scale has occurred amongst the dealers at Kadikoi. These gentry have clustered the dwellings and bazaars as closely along the hill-side which now goes by this name, as blackberries in spring, and with the