

ting on his hat and cloak, he sallied forth upon an expedition, of the last importance to his plans.

It was drawing towards evening, upon the same day, when a servant called at my lodgings with a note, and sent up word that he waited for an answer. I did not know the hand, but expecting an invitation, nevertheless, I broke the seal eagerly, and read the following—to a very different purport, as you may perceive:—

‘Kildare-street.

‘Captain Jennings presents his compliments to Mr. —, and trusts that he will pardon the liberty which, under very peculiar circumstances, he takes, in venturing to entreat the favour of his (Mr. —)’s presence for a few moments upon a matter of the utmost importance, as respects an affair in which he has already evinced an interest. Captain Jennings has an engagement for this evening, but will be at home till seven o’clock; and will esteem it a real obligation if Mr. — will honour him with a call at any time before that hour.’

I instantly wrote a civil answer, complying with his request; and full of impatience for the result, I prepared to follow the messenger without losing a moment.

My preparations were quickly made, and I was soon in the street, and traversing the intervening space between mine and Captain Jennings’ lodgings, at a rapid pace. As I turned the corner of Nassau-street, I met my friend —, a notorious gossip in his day. I perceived, by his at once taking my arm, and turning about with me, that he had a story to tell, and was rather shocked at his opening sentence—

‘Well, what do you think of the affair in Stephen’s green?—of course you have heard it all—about the Chadleighs; a shocking piece of business, upon my life—a devilish fine girl, too—a great pity.’

I affected surprise, and asked the particulars.

‘Somewhere about twelve o’clock to-day,’ he said, ‘old Sir Arthur received an invitation—at least so I’m told, for I have not yet had time to sift the matter myself—an invitation for himself and Miss Chadleigh, they say, to old Lady —’s, down in what-d’ye call-it—that place in Kildare, you know; and they say—egad, I can scarce help laughing though I’m devilish sorry too—they tell me her ladyship mentioned, by way of inducement, that young Lord Dungarret, an admirer, as it was thought, of Miss Chadleigh, was to be there; and this consideration determined the old boy to accept it, come what might, though his daughter had been ailing for a long time. And so he took his crutches, and hobbled up to her room, where he had not been for a month before, to tell her—ha! ha!—his sovereign will and pleasure; but, egad, the old boy had his hobble for nothing, for, rat me, the bird was flown, the cage was empty; the invalid had absconded, the fair lady had fled; how, why, whither, or with whom, remains a profound secret.’

‘And when did she go?’ I asked, anxious to ascertain how far the particulars were known.

‘Oh, last night, and it is supposed by the way,’ he replied; ‘it was devilish well managed—a clever girl, sir—a deep scheme.’

‘Do they suspect the purpose or the companion of her flight?’ I inquired.

‘The purpose!—pooh, pooh! that’s plain enough; I have not heard yet who was the gallant gay—but I forgot to tell you, by-the-by, the old fellow—old Sir Arthur—put himself in such a devil of a frenzy, when he found it out, that he got a sort of a fit—a devilish bad fit, I am told. Poor old fellow! he is a deuced deal too purple and bull-necked to stand excitement. I should not be a bit surprised if he’s done for—regularly done for. There goes Dr. Robertson’s carriage—egad, direct to Stephen’s-green too; I venture an even guinea, he’s going straight to shave, and blister old Chadleigh. You know he’s their family physician; a great oddity, a perfect character. I’m told Lady Chadleigh, poor woman, used to say, whenever—by the way, it’s odd how things run in the blood—there’s Miss Chadleigh just taking after her mother, a run-away already.’

Here he broke off, for, seeing a friend at the other side of the street, he hastened across to tell the news to a fresh listener, and leaving me opportunely enough, for we had just reached the corner of Kildare-street, and for many reasons, I had no wish that he should see me enter Jennings’ lodgings.

## POLITICS AND NEWS.

### TRIAL OF JOHN MITCHEL.

#### SPEECH OF MR. HOLMES.

The following is given in the Irish papers as a correct report of the speech delivered by the venerable Holmes, in defence of Mr. John Mitchel on his trial for felony:—

Mr. Holmes rose to address the jury for the defence, at a quarter-past twelve o’clock. He said—May it please your lordships, and gentlemen, I am counsel for the prisoner, John Mitchel; and I am well aware of the important duty which devolves me this day, as counsel for that gentleman, and also of my inadequacy to discharge that duty; but I feel pride at being selected on this occasion by Mr. Mitchel, because I believe in my heart that he is an honest man, sincerely attached to

the principles he avows—and, no doubt, which he avows boldly—and although the government of this country may fear him or hate him, they cannot despise him. Gentlemen, having thus said a word respecting the prisoner as to character, I shall now proceed with his case. The Attorney-General has fairly stated the case on behalf of the crown, and has read very fairly all the publications respecting which Mr. Mitchel stands indicted; and there is only a part, and one part only, of the Attorney-General’s statement to complain of, and that is the conclusion. I do not think he was warranted in stating in this court what instructions he, or those connected with him, received from the Chief Governor of this country with respect to the striking of the jury; I think the crown should never know anything of striking juries—not a word—or give any instructions on the subject; for, if the crown can do it, with respect to give fair instructions, it—

The Attorney-General—What I said was, that the instructions I gave to the Crown Solicitor were as I stated.

Mr. Holmes—I may be mistaken, and would be very sorry to misinterpret any thing said; but I understood that you intimated your instructions from the Lord Lieutenant.

The Attorney-General—Most certainly not.

Mr. Holmes—Then I am mistaken. That is quite sufficient.

Baron Lefroy—If the Attorney-General’s statement, on this point, had not been made with a view to vindicate himself personally from charges made against him, I would have felt it my duty to have interrupted him. It was with that view alone that we allowed him to proceed.

Mr. Holmes—Well, my lords and gentlemen, I may be mistaken in that, but there is yet something in the Attorney-General’s concluding statement I cannot be mistaken in, and which I find fault with. There was, as you are aware, a challenge to the array in this case on the part of the accused, in consequence of information he had received to the effect, that those whose duty it was to empanel an impartial jury, had not in all instances done so, particularly with respect to Roman Catholics. That issue was raised and questioned, and the triers found on their oaths that the panel was a fair and impartial one; but what do I find then? I find that of this fair and impartial jury—found to be so by two respectable citizens—the crown strikes off no less than thirty men, eighteen of them Roman Catholics. There can be no doubt on that subject, therefore I will at once dismiss it. In this case, gentlemen, the prisoner, John Mitchel, stands charged with two distinct offences—and it is somewhat remarkable that, in support of those two distinct offences, the same identical evidence is given to support both. The Attorney-General will be very well satisfied, no doubt, if you give your verdict on both or either charges, or for anything, like the foreman of the grand jury who found the bills. The foreman of the grand jury, gentlemen, having been asked, if the jury had found bills against the prisoner? replied—‘oh, yes, we find him guilty of sedition.’ ‘Gentlemen,’ said the officer of the court, ‘he is not indicted for sedition.’—‘Well,’ said the foreman, ‘we find him guilty of treason.’ ‘But, gentlemen,’ again interrupted the officer, ‘the charge against Mr. Mitchel is for felony.’ ‘Oh! no matter,’ said the foreman, ‘sedition, treason, or felony, it is all the same to us;’ and so with the Attorney-General, if you convict the prisoner, that is all that he wants. Gentlemen, as the court will tell you, the question in this case is not whether Mr. Mitchel may have committed in these publications other offences, if you think him guilty of high treason, you ought not to find him so, for you must believe him guilty of one or both of the charges made against him, to find a verdict of acquittal. The first charge is ‘that he compassed, imagined, invented, devised, or intended to deprive, or depose, our most gracious Sovereign the Queen from the style, honor, or royal name of the imperial crown of the United Kingdom,’ and that this was evidenced by overt acts of his, namely the publication of the different articles in the newspapers that were read for you. Now, really, I may be very dull, but I do not rightly comprehend this part of the act of parliament, or the meaning of the words, ‘to depose the Queen from the style, honor, or royal name of the imperial crown of the United Kingdom.’ I can understand deposing the Queen from the throne perfectly well. I can understand an attempt made on the life of the Queen perfectly well, or expelling her from her dominions; but I do not, for the life of me, know what it is to depose her ‘from the style, honor, or royal name of the imperial crown of the United Kingdom.’ If Mr. Mitchel was indicted upon another section of this statute for ‘intimidating both or either of the houses of parliament,’ I could understand the evidence here as applicable perhaps, if it were alleged, and by so doing, he got them to pass an act to increase the Irish representatives from one to two hundred, and I cannot understand this charge, for notwithstanding that he did so, the Crown would not be effected in the least ‘in the style, honor, or royal name of the Imperial Crown of the United Kingdom;’ she would be still as she is, and have the same title. I am not accusing the Attorney-General of a blunder in drawing the indictment, for he has followed the act, but we must have acts of parliament that we can understand, and I defy any man to understand what it is to deprive her Majesty of the style, honor, and royal name of the imperial crown of the United Kingdom. The importance of this consideration would appear from the first section

of the article which declares—‘that from the 1st of January, 1801, the kingdom of Great Britain and Ireland, shall be for ever united by the name of the United Kingdom of Great Britain and Ireland, and that the royal style and title appertaining to the imperial crown of the United Kingdom, and all the armorial bearings, &c., shall be such as his Majesty, by his royal proclamation, under the great seal, shall appoint.’ Now I can understand anything done to deprive the Queen of her title of sovereign of the United Kingdom; but, as I said before, I cannot understand, depriving her ‘of the style, honor and royal name,’ as laid in this indictment. What the deprivation is I cannot comprehend, therefore I cannot understand this charge against the prisoner. What is the other charge? It is advising or intending to levy war against her Majesty, her heirs or successors, living in any part of the United Kingdom, by force or constraint, to compel her to change her measures or councils.’ What measures? What councils? Is there the slightest evidence here as to what measures or councils these publications purported to change. Are you, gentlemen, as a jury, to grope in the dark? Are these publications calculated to force the Queen to alter her measures with France or America, or any other country on the face of the earth? What the measures are the prisoner wants to change I cannot understand? What have been the measures of this session of parliament for the improvement of Ireland? The poor law. That is the only measure I know of, and has Mr. Mitchel endeavoured to change it? Not in the least; therefore I ask my learned friend, the Attorney-General, or the gentlemen who will follow me for the crown to tell you, on your oaths, what course or measure it is my client has endeavoured, ‘by advising the levy of war,’ to force the Queen to change. I would be glad to hear, even now, if the Attorney-General would condescend to inform me. I have no objection to let him mend his speech, if by doing so, he can tell you any measure or council Mr. Mitchel endeavoured to compel her Majesty to change by trying to levy war. Gentleman, this is a criminal case, and it is incumbent on those who make the charge to prove it is as clear as light—to prove a specific offence under the statute. The crown, I admit, have done all they could—they have followed the act of parliament, but they have not proved that Mr. Mitchel has tried to levy war against the Queen, ‘to compel her by constraint to change her measures or councils.’ I put it to your lordships that, under this act, unless the crown prove a specific measure or council that the prisoner wanted to have changed by these publications, he is entitled to an acquittal; and, therefore, I apply myself further to the case—I wish to have your lordships’ opinion on the subject as to what is to be left to the jury. If your lordships do not wish to interfere at this stage of the trial, I will, of course, proceed.

Baron Lefroy—Whatever the charge is appears on the record, and the court will refer to it.

Mr. Holmes, in continuation, proceeded to observe—Will the learned gentleman tell the jury what measures, what councils are those laid in this act of parliament which Mr. Mitchel has conspired against, and upon which, if you convict him, he will be transported for life? Will he leave the jury in a state of uncertainty? and, if he does not think otherwise, it will be my duty to go fully into the case. It is not my duty here to tell you, gentlemen of the jury—and, if I did, you would not believe me, that there are very strong expressions used by my client in those publications. There are, and he avows them, and many of those expressions I also avow; and I want to try this case of felony between the crown and the accused, which I cannot do without calling your attention to something of the history and the present state of Ireland, and with that view I tell you, in the first instance, that Ireland is an enslaved country. A great mistake is entertained by many persons to the effect that there cannot be slavery—that no man can be a slave unless he be in chains, or subject to the lash of the planter, like the negroes; but the slavery of which I speak is the slavery of the people, which consists in this, that they do not make their own laws themselves—that they do not make the laws by which they are governed, but that those laws are made by others, and I say it boldly, that a people so circumstanced are in a state of slavery.

Baron Lefroy said the court were very reluctant to interpose; but the course pursued by Mr. Holmes was calculated to embarrass them in the situation they occupied by introducing objectionable matter, to which if they did not express their dissent, it might make them liable to the imputation of having approved of the line of argument advanced by Mr. Holmes.

Mr. Holmes—I am the last man to press upon the court that which I had not a right to do; and I think it impossible to do justice to my client without doing justice to Ireland also. (Loud cheers.)

Baron Lefroy called upon the sheriff to give orders that persons who would again create disturbance in the court, should be taken into custody. The learned baron commanded that the person would commit such a breach of public decorum, should be instantly reported to the court, and it would be his duty to commit him.

Mr. Holmes—The act of parliament under which Mr. Mitchel stood at the bar, does not prescribe one punishment—it might be for two years imprisonment, or seven years transportation, or transportation for life—and if there should be a verdict of conviction, it is not important to show all the circumstances of the case, and the provocations under which my client has acted in those