

IRELAND.

Our accounts from Dublin are to the evening of the 9th ult.

STATE TRIALS.

O'Connell finished his speech at 4½ o'clock, on Monday afternoon, 5th ult.

ON TUESDAY, 6th.—Twentieth day.—The court met at half past ten o'clock when, amidst considerable discussion, several witnesses were examined, and papers put in to prove that Mr. O'Connell's recent speeches against the act of union were only repetitions of what he had said 30 or 40 years ago; that the arbitration system was adopted by the Society of Friends, and no objection taken to its legality; and that Mr. O'Connell had always expressed the greatest respect for the law and constitution, and of his wish that the struggle in which the repealers were engaged might be carried on in a peaceable manner.

This closed the case for the defence.

ON WEDNESDAY, 7th.—Twenty first day.—The court assembled at ten o'clock. The Solicitor General addressed the jury in reply to the case for the traversers. He spoke of the arduous nature he had to perform, the talent, eloquence, and ingenuity of the counsel against whom he had to contend, the consequence of the verdict as affecting the peace, tranquility, and happiness of the country, the obligation of the jury to find a verdict according to the evidence, uninfluenced by anything political, sectarian, or religious, by favor or affection, or any consideration but the truth and justice of the case. He alluded to the eight different but inconsistent speeches for the traversers, all of them, however, coinciding marvellously in the absence of any reference to the evidence. If they had not violated the laws they must be acquitted; if they had, what sort of defence was it to make that the government had delayed to prosecute them? No connivance was resorted to for the purpose of seducing them into crime, but on the contrary, every warning was given which could have been given—every intimation was held out, that this course would in the end be resorted to. The prosecution could not have been brought forward earlier; it was not a prosecution against the people of Ireland for exercising a legal right, it was not against those unfortunate deluded people who attended the various meetings through the country, nor was it an attempt to put down free discussion. They were not prosecuting any person for his political or religious opinions: * * * and he denied the right of any person to attempt to bring about such an object by the means charged in that indictment. Nor was that a prosecution against the liberties of the press. It was quite true that three gentlemen proprietors of newspapers, were in the indictment, but these are not included as such proprietors, but as conspirators. Why were not the editors of other liberal papers, who, as they all knew, advocated the same views throughout the country, as Mr. Barrett, and Mr. Duffy, and Dr. Gray, included in that prosecution? Because they did not become the agents or instruments in carrying out the designs of the traversers. Were two or more persons concur in the execution of a common design, and use any proper means for the attainment of it, they are guilty of a conspiracy. It did not require that the proceedings on the part of the accused should be private in order to make them liable to the charge for which they were prosecuted. No matter whether their proceedings were open or secret, the charge of conspiracy was equally sustained when the evidence satisfied the jury of one or other of two things—namely an attempt to do that which

was illegal in itself, or to accomplish by illegal means, a thing lawful and legitimate. The crown said that the traversers had conspired together to do that by intimidation which should be done by the unbiased will of the legislature itself. The indictment charged that the traversers had entered into a common plan to effect by multitudinous meetings, speeches, and seditious articles published in newspapers, that which should be the result of discussion and deliberation in the House of Commons, and be finally settled by an act of parliament. It was absurd to say, that because newspaper reporters were present at these meetings, and that every thing was done openly and above board, there could be no conspiracy. Why, one of their principal purposes was to disseminate those speeches, and give to the world an account of the great array of physical force that all those meetings presented. He entered at some length into the nature of the law of conspiracy. He did not contend for a moment that meetings to any amount, when held for legitimate purposes, were illegal, or that speeches made fairly for the propagation of political opinions were illegal; but what he contended for was, that meetings held ostensibly for one purpose, that is discontent, dissatisfaction, and disaffection to the constituted authorities of the country, were illegal, and that these were the means which the traversers had recourse to for the purpose of accomplishing that which should be done by any act of the legislature. He on the part of the crown, alleged that the traversers had excited animosity and ill will between different classes of her Majesty's subjects, but more particularly between those of England and Ireland—He alleged, too, that they attempted to excite in the army a spirit of discontent, and that these, too, were amongst the means resorted to in order to bring about their ultimate object. They were told that all the evidence went to show the peaceable character of all their meetings; no doubt it did, for it was part of the conspiracy to be peaceable—or it was by such means only that a plan of the kind could be carried out. It was, therefore, absurd to say, that because all their proceedings were peaceable there could be no conspiracy. The charge against the traversers was not for assembling, but they were prosecuted for procuring assemblages of persons, and uttering and publishing seditious and inflammatory speeches and articles, for the attainment of one common purpose. The crown lastly charged the traversers with combining together to cast discredit and odium upon the legal tribunals and administration of justice throughout the country. The charge was not that they had caused arbitrators to be appointed here and there to settle isolated disputes—no, the charge was that they, or the association of which they were members, assumed the prerogative of the crown, by appointing persons to act in the room of those who had derived their authority from the Queen's commission. They could find guilty on any one of the counts, or if they thought that the charge was not sustained against any one or more of the traversers, and proved against others, they could acquit or find guilty accordingly.

He then explained why it was that the prosecutions had been delayed. Had they interfered earlier, the outcry would have been greater, and the proof more difficult. Warnings had been repeatedly given, in the speech of Sir Robert Peel on the 9th of May, in that of the Queen on the prorogation of Parliament, and the dismissal of magistrates, but government did not proceed against them till they found the agitation an evil of great magnitude, and really dangerous.—Had they brought in a coercion bill, it would have been said that they wished to suppress the free dis-

ussion of political subjects. The question had been put, why, if the meetings were illegal, were they not prosecuted as such, and why were not the persons present included in the indictment? His answer was, that the government, finding the existence of a conspiracy, felt it their duty to arrest its progress in that form, and bring to justice, not the subordinate instrument by which it was intended to effect its object, but those who were the most prominent in the agitation. The conspiracy, he contended, was proved by the number of meetings—their continuity and unity of purpose. Evidence was given of meetings in Waterford, in Galway, in Mullingar, at Tara, and in other parts of Ireland, and if they were to be prosecuted as unlawful assemblages, the consequences would be that bills of indictment would have to be sent before the several Grand Juries, because they should be tried in the counties where they assembled, and the question could not be under discussion in that, the highest court of criminal judicature in Ireland. It was wrong to have insinuated, if not directly charged, that the Jury was selected by the Crown, or that exclusion was the consequence of religious opinions. He would ask the Jury as men of common sense, would it be right, or fair or impartial, to allow members of the Association to sit in judgment on their own leaders? or should not the Crown have taken care to have a Jury free from any undue bias? Mr. Shiel sought to make another point in reference to the constitution of the Jury. He said they were Protestants sworn to decide a case in which the traversers at the bar were Roman Catholics, and he called upon the Jury, in order that their verdict might be satisfactory, to make compensation for the disadvantage under which the traversers labored.

Mr. Shiel said what he wished to convey was, that the jury should be more solicitous, as sixty-five names were suppressed from the panel.

The Solicitor General deprecated any attempt to influence the jury by a fear that their verdict would be liable to imputation on religious or political grounds. He would make the traversers a present of the acts and speeches of 1840, '41 and '42, and for argument would concede, that, so far as they went, there was nothing exceptionable. Whatever the original objects or conduct of those who established the Association in July 1840, was, he contended that the persons promoting its designs in 1843 pursued a course utterly at variance with the law and constitution. The learned gentleman then proceeded to animadvert on the speeches of the counsel for the defence, and to comment upon the various documents, until five o'clock, when the Court adjourned.

On Thursday, 8th, 22d day, at the sitting of their lordships, the Solicitor General resumed his address. As a high legal effort, this speech has not often been exceeded.

Having proceeded with the meetings as far as Mullaghmast, the learned gentleman said he feared he would not be able to terminate his case that evening, and the court was adjourned till 10 o'clock on Friday. Although every caution should be taken in alluding to such a subject as the probable decision of the jury, it may be stated that there are many very curious rumours afloat as to the nature of their verdict, many gossippers strenuously asserting that there will not be any at all, and others—as their wishes lead them—kindly arranging the matter in their own minds for the crown or the traversers. The Chief Justice and Mr. Justice Crampton, are most assiduous in taking notes.

On Friday, the 9th, the twenty-third day, the Solicitor General continued his address this morning at ten o'clock, and concluded about two.

The Chief Justice then proceeded to charge the jury. As far as his lordship has gone up to past hour, his address is most unfavorable to the traversers. He has characterized the opinions broached as to the Queen's prerogative as seditious, and has altogether agreed in the definition of the law of conspiracy, as laid down by the Crown. It was probable the charge would not conclude that night.

ARRIVAL OF THE CALEDONIA.
IMPORTANT NEWS.

By the arrival of the Steamship *Caledonia* at Boston on the 21st, London and Liverpool papers are brought to the 4th and 5th instant.

Mr. O'Connell and the other Traversers have been found guilty, but sentence is deferred till next term. Ireland is perfectly quiet, and Mr. O'Connell has addressed the letter given below to the Irish people, urging them to observe the most peaceable conduct.

Mr. O'Connell had taken his seat in the House of Commons, and made an eloquent and feeling appeal on behalf of his country at the debate on Irish affairs. A public dinner was to be given him on the 12th at which several Peers and leading members in the House were to be present.

STATE TRIALS.

TWENTY-FIFTH DAY.—Feb. 12.

The Chief Justice, Mr. Justice Burton, and Mr. Justice Crampton, took their seats on the bench this morning a few minutes after nine o'clock, at which hour the Court was crowded, but not inconveniently so, as a very large force of police was stationed at the main entrance to keep off the crowd, to clear the various passages leading to the Queen's Bench, and to prevent the admission of persons not duly authorised.

The traversers arrived at an early hour. Mr. O'Connell, who was accompanied by his son Daniel, and Mr. W.S. O'Brien, took his seat at the table of the Queen's Counsel.

Mr. J. O'Connell appeared in his professional robes amongst the juniors, while the rest sat at the traversers' bar.

Mr. Justice Crampton minutely detailed to his brother judges what took place on Saturday evening, subsequent to their leaving the Court, at half past five o'clock, and accounted for the difficulty which the jury had experienced respecting the first and second counts by observing, that they contained five distinct issues, upon which there should be five distinct findings and did not, therefore, admit of a general finding. Having briefly described the nature of the issues, involved in the several counts, and pointed out in what respect they differed one from another, His Lordship suggested that the proper course to adopt would be to put these issues before the jury, in the distinct form in which he had now explained them.

The Court now stands adjourned till the 15th of April and the traversers remain out as usual on their own recognizances. On that day a four day rule for judgment will be served on the traversers, and on its expiration, the Attorney-General will pray the judgment of the Court on them. It is understood, however, that before the expiration of the four day rule, a motion on the part of the traversers will be made in arrest of judgment. Should the Court decide against this motion, judgment will be passed, and then a writ of error will be sued on the part of the traversers, which will be argued before the twelve Judges; and should their decisions be adverse, an appeal will be to the House of Lords. The