

The Standard,

OR RAILWAY AND COMMERCIAL RECORD.

No 61. SAINT ANDREWS, N. B. SATURDAY, OCTOBER 28, 1848. [Vol. 15]

European Intelligence.

FROM PAPERS BY THE EUROPA.

IRELAND.

TRIAL OF MR. SMITH O'BRIEN.—THE VERDICT.

On the 7th, the court sat at nine o'clock, and the Lord Chief Justice proceeded with his charge till a quarter past ten, when an adjournment took place in consequence of the arrival of Mr. Darlton, a Protestant student of Trinity College, Dublin, to prove, it was said, that Dobbin, the informer, had perjured himself, and told him of his intention to convict Mr. O'Brien by this course if no other offered. The evidence was heard by the judges in chamber, and afterwards reheard in court, the intended effect being to demonstrate the alleged perjury of the approver, and thus render his evidence unworthy of belief. A few observations having been made by counsel on both sides, the judge resumed his charge, at the conclusion of which, about four o'clock, the jury retired to their room.

At twenty minutes past five their lordships resumed their seats in the Court-house. A profound silence, lasting for a few minutes, succeeded their entrance, but was soon broken by a slight rustling noise near the door of the jury-room, from whence the jury entered, headed by the foreman, who held the issue paper in his hand.

When the jury were seated the foreman handed the verdict to Mr. Pedder, Clerk of the Crown, who commenced calling over the names of the jury.

The clerk, having completed the calling of names, asked, in rather a nervous and indistinct tone, manifestly sensible of the painful effect about to follow, "Gentlemen, have you agreed to your verdict?"

The Foreman—"Yes."

Clerk of the Crown—"How say you? Is William Smith O'Brien guilty or not guilty?"

After a considerable lapse of time, the foreman, in a low, suppressed murmur, pronounced "Guilty." Tears might be seen and sobs heard in every part of the court. Mr. O'Brien alone maintained a composed aspect, and acknowledged the verdict by a slight inclining his head to the jury.

The foreman of the jury essayed to say something, but his self-possession seemed to fail him, and he said, in a harsh under tone, to the Clerk of the Crown, "Mr. Pedder, can't you read the rest?"

The clerk then read from the paper what follows:—"We earnestly recommend the prisoners to the merciful consideration of the Government, the jury being unanimously of the opinion that, for many reasons, his life should be spared."

The Clerk of the Crown then resumed his seat; and for about five minutes an unbroken silence prevailed, the eyes of all being fixed on the calm, self-possessed countenance of the prisoner.

Chief Justice Blackburn said in a low voice, "Adjourn the court to ten o'clock on Monday morning."

Proclamation to this effect was made. Mr. O'Brien was then removed from the dock, and the building was soon empty.

At a quarter past ten o'clock on Monday morning the judges entered the court. The Court-house, from an early hour, was densely crowded in every part, and great anxiety was visibly depicted on every countenance, as it was rumoured that Mr. Smith O'Brien was to be brought up for judgment. The only gallery vacant was that in which the friends of Mr. S. O'Brien were accustomed to sit during the protracted trial. That gallery was entirely empty, and formed a melancholy contrast to the other portions of the court.

The Attorney-General entered the court about five minutes after the sitting of the court. All eyes were directed towards that learned functionary, who said—My lords, I have to move that in the case of her Majesty against William Smith O'Brien the prisoner be called up for judgment.

Chief Justice—Very well.

Soon afterwards Mr. Smith O'Brien made his appearance in the dock. His manly bearing, his calmness, composure, and firmness, as he stood in front of the dock, were the theme of observation throughout the court.

The Clerk of the Crown then asked Mr. O'Brien what he had to say why the sentence of the law should not be passed upon him.

Mr. O'Brien said—My lords, it is not my intention to enter into any vindication of my conduct, however much I might have desired to avail myself of this opportunity of so doing. I am perfectly satisfied with the consciousness that I have performed my duty to my country—that I have done only that which, in my opinion, it was the duty of every Irishman to have done, and I am now prepared to abide the consequence of having performed my duty to my native land. Proceed with your sentence.

(Cheers in the gallery.)

THE SENTENCE.

The Lord Chief Justice then proceeded, amid the most profound and painful silence, to pronounce the extreme sentence of the law upon the prisoner. He said—William Smith O'Brien, after a long, painful, and laborious trial, a jury of your countrymen have found you guilty of high treason. Their verdict was accompanied by a recommendation, as is our duty, we shall send forward to the Lord-Lieutenant, to whom, as you must know, exclusively belongs the power to comply with its prayer. It now remains for us to perform the last solemn act of duty which devolves upon us,—to pronounce that sentence, by which the law marks the enormity of your guilt, and aims at the prevention of similar crimes, by the example and infliction of a terrible punishment. Oh! that you would reflect upon that crime, and dwell upon it with sincere repentance and remorse.—Oh! that you would regret it as it is regretted by every rational being—that you would feel and know that it is really and substantially as repugnant to the interests of humanity and the precepts and spirit of the divine religion you profess, as it is to the positive law, the violation of which is now attended by the forfeiture of your life. The few words you have addressed to the court, however, forbid me proceeding any further with this subject. It now only remains for the court to pronounce the sentence of the law. Here his lordship assumed the black cap, and, amid a silence of once solemn and painful, proceeded as follows:—"That sentence, is that you, William Smith O'Brien, be taken from hence to the place from whence you came, and be thence drawn on a hurdle to the place of execution, and be there hanged by the neck until you be dead; that afterwards your head shall be severed from your body, and your body be divided into four quarters, to be disposed of as her Majesty shall please, and may God have mercy on your soul! (The most profound sensation followed the conclusion of this sentence, and continued to manifest itself for several minutes afterwards.)

TRIAL OF MR. M'MANUS.

Shortly after sentence had been passed on Mr. Smith O'Brien, the Court proceeded with the next case, namely, that of Terence Bellow M'Manus for high treason.

The prisoner was accordingly placed at the bar. He is a man about 35 years of age, and exhibited great unconcern.

The jury, after being closed for three hours, returned into court with a verdict of guilty.—The prisoner bore the announcement with great firmness. The jury have recommended him to the merciful consideration of the Crown.

Destructive Fire and loss of property.—*Norfolk, Va., Oct. 13th.*—A most destructive fire visited Wheeling at about 4 o'clock, P.M., and destroyed some 14 or 15 buildings, including Philip's foundry, Hughe's planing establishment, Wingart's carpenter shop, List's cotton factory, 10 dwelling houses and several ships. The loss is doubtless very heavy.

The trial of Mr. Terence B. M'Manus followed, and after a trial of four days' duration, he, too, was convicted of the crime of high treason, and, as a matter of course, sentenced to death in the same form as that pronounced in the case of Mr. Smith O'Brien.

The trial of Mr. O'Donohue then commenced, but had not concluded when the mail left.

The European Times says, that "a deputation has waited on his Excellency, touching the fate of Mr. O'Brien, and we are glad to say that the rumours which have prevailed respecting his execution are unfounded. The Lord Lieutenant, it would seem, is favourable to 'mercy.'"

Frightful murders are still perpetrated in the south of Ireland, and arrest continue to be made. The Roman Catholic Prelates have assembled in Dublin, and their movements are scanned with great curiosity.

A memorial is in progress of signature from the noblemen, clergy, bankers, merchants, and inhabitants of Dublin, expressive of loyalty and order, but supplicating the Lord Lieutenant that mercy in its most liberal sense, where mercy can be shown, may be shown, may be extended to those men of every rank and station committed to the late movement.

CONTINENTAL.

Our continental news is still a record of sanguinary conflicts between Princesdoms and their people, of wars and rumours of wars, and of the still disorganised state of almost the whole of Europe.

The Schleswig-Holstein affairs seems to be now subordinate to the great contest going on in the central and southern part of Germany, and the efforts of Lord Palmerston to compel the belligerents to keep quiet is at present successful. Every thing is quiet in the Duchies, and their eventual pacification depends, as we have always said, upon a totally different concatenation of events.

In Austria the terrible tragedy of war is being enacted with deadly effect. The assassination of Count Lamberg, the commander-in-Chief of Hungary, whilst in the act of bringing about a pacification of the contending Hungarians and Croatsians, has maddened the Emperor of Austria, who has dissolved the Hungarian Diet, and placed Hungary under martial law.

A bloody battle under the walls of Pesth, between the Hungarians and the Croatsians, was expected. Whilst we write, intelligence from Vienna has reached us, that the appointment of the Ban to the post of Royal Commissary of Hungary, and the proposed departure of troops from Vienna to join his army, has led to the most deplorable excesses. An insurrection has taken place at Vienna—the Emperor has fled—the Minister of War, Count Latour, has shared the fate of Count Lamberg and the two Zichys; and Vienna was in the possession of the insurgents on the 7th.

A good deal of interest has been excited by a report from Pell's river that the Esquimaux have seen some vessels to the east of the Mackenzie river, which furnish the hope that the long lost party of Sir John Franklin, in the Arctic seas; have conquered the elements, and may, at this moment, be in perfect safety.

The Consecration of the new Church in the parish of St. Mary's, a few miles below this City, was performed on Wednesday by the Lord Bishop of the Diocese. The day proved unfavourable, and many persons anxious to be present at the ceremony, were consequently detained, but there was nevertheless a large assemblage of Clergymen and others in attendance, while the Bishop consecrated this new edifice to the worship and service of Almighty God. It is called Holy Trinity Church, and will be supplied by the Rev. Mr. Jeffries. [Reporter.]

Snow.—On the 13th inst. all the high lands within view of the town of Pietou were covered with a thick fall of snow, sufficient, in some places, to enable sleighs to turn out.