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"MAGNA EST VERITAS ET PRÆVALEBIT."

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THE STATE TRIALS.

TRIAL OF WM. S. O'BRIEN.

FRIDAY—EIGHTH DAY.

At a quarter past ten o'clock the judges took their seats on the bench. The jury were then brought into court, and Mr. O'Brien was placed at the bar. He exhibited his usual composure and fearless demeanour, and continued to pay marked attention to the proceedings.

Mr. Francis Fitzgerald proceeded, at twenty minutes past ten o'clock, to address the jury for the defence, in a powerful strain.

Chief Justice Blackburne told Mr. O'Brien that he was at liberty to address the jury.

Mr. O'Brien—My lords, I am able to answer that question at once. I am quite content to leave the case as it now stands to the decision of the jury; and I have only to add my thanks to them for the patient attention they have given to the evidence and arguments in the case.

The Solicitor-General then proceeded to address the jury in reply on behalf of the crown. He said the case was now drawing near to a close, and then he commenced reviewing the evidence.

The Solicitor General then referred to parts of a speech delivered by Mr. O'Brien after returning from France on the 15th of April, and proceeded to read a portion of the speech to show that though the French Minister had stated that no armed succour would be afforded by France, Mr. O'Brien gave it to be understood that private assurances had been given him to the contrary effect.

Mr. O'Brien—Read the whole of it—I was the bearer of no such messages.

The Solicitor-General would leave the jury to draw their own conclusions. He was sorry that Mr. O'Brien had listened to the diabolical suggestions of Mr. Duffy.

Mr. O'Brien—Mr. Duffy is absent, and it is not fair to speak of him in this manner.

The Solicitor-General—The jury would have to ask themselves whether the security of his person was the real object or whether his whole proceeding was not based on the object set out in his speeches. Mr. Maher stated in his evidence that Mr. O'Brien brought that large portmanteau to his house.

Mr. O'Brien—I beg your pardon—he said "a portmanteau."

Solicitor General—Quite right. He then proceeded to detail the history of the portmanteau.

Mr. Whiteside objected to the Solicitor General commenting on the evidence of his own witness in such a manner.

Chief Justice Blackburne then proceeded to charge the jury amid the most profound silence:—Gentlemen of the jury, it now becomes my duty to offer you the assistance which you have a right to ask, and which it is our duty to accord in the investigation of this most momentous case, that it should receive from you that calm, dispassionate, and conscientious consideration which its importance demands; and your conduct since you were empannelled in that box gives me the most perfect and entire assurance that it will do so. I will not impress, or attempt to impress, because I know it is unnecesary, the importance of the case, or its claims upon your patient and anxious consideration. I will, therefore, pass immediately to the discharge of my duty by expressing the confident hope that your attention will be fixed exclusively upon the evidence which you have heard, and that whatever you know, or may have heard before you entered the court and undertook the high trust now confided to you will not have the slightest influence upon your conclusion, but that your conclusion will be founded as it ought to be, upon a conscientious view of the evidence you have heard in the case. The charge against the prisoner is that of high treason, and it will be my duty in the first instance to simplify the subject so as to enable you to apprehend what the law upon the subject is, and having understood that, to enable you to apply it to the case before you. There are two distinct species of treason stated in the indictment and the first five counts are for levying war against the Queen in her realm, and the last for compassing the death of the Queen. I will at once relieve your minds from any consideration of the last count—for, although there is what, in strictness of law, might be considered evidence to sustain that count, that evidence is also so applicable. To a count for levying war, your attention may be confined to the charge of levying war against the Queen in her realm. In order to sustain that charge you must be satisfied that there was an insurrection—an insurrection with force—and that the object of that insurrection was a general object. It has been contended, on the part of the prisoner, that there has been some extension of the doctrines of high treason to cases which more properly, as it is said, come within the meaning of levying war against the Queen. I don't enter into any consideration of that argument, whether the words of the acts of Edward III, may or may not have been extended in certain cases, but the strict construction is not the question now before you, because if the evidence which the crown relies on sustained any of the allegations which they adduce, there is an object of a general kind in the case before us. For whether the movement was to effect a repeal of the act of union, or whether it was to effect any change in the constitution of the government or the realm, or whether it was to dismember the empire by effecting a separation of the United Kingdom, and constituting Ireland into a distinct sovereignty—whether any one or all of these was the objects, it is plainly within the meaning that I before stated to you, and it is evident any plan for its attainment would be plainly high treason. I need not advert to the authorities cited in the course of the consideration of this case: but there is one passage from a judgment of my Lord Tenderden, which is very distinctly applicable to the case before us. He says that "movements and risings for the purpose of effecting by force of numbers, however ill-managed, provided or organised that force may be; any innovation of a public nature in which the parties engaged have no special or particular intent or concern, have been considered instances of the actual levying of war." Gentlemen in stating the definition of high treason, and in stating the words of this authority, I have probably led your minds to the consideration of the distinction which it will be of importance to you to bear in mind, and on which distinction the defence is vested. It is asserted for the prisoner that the object of recurring to the use of force and the end and object of all the movements and exertions which have been detailed in the course of the evidence was not to effect any general object or political purpose, but that it was solely and exclusively to protect his person from arrest, and I have to tell you that, if the object of all the speaking and all these matters was solely and exclusively to protect Mr. O'Brien or the persons of those with whom he was associated, from arrest, that he is entitled to your verdict of acquittal. Gentlemen, the question, no doubt, is one of intention—did Mr. O'Brien, and those who were associated with him, did he and they resort to those measures intending to effect his own personal security from arrest, or did he intend to effect by this force and this movement a result of a change in the government or a separation of Ireland from England? It has been complained on the part of the prisoner that this indictment does not set forth the evidence upon which the crown relies in support of that intention which it imputes to Mr. O'Brien, and which it is bound to establish. The law does not require that it should; but it does require the crown to state what acts were done; and it requires that the crown shall not only state the acts that were done, but it requires that one or more of those acts should be established by two or more witnesses. He then commenced reviewing the evidence, which we have already published. Gentlemen it is for you exclusively to form an opinion and decide upon the matter.

Here a conversation arose between Mr. Whiteside and the Chief Justice relative to Dobbin, when

Mr. O'Brien observed—May I be allowed to call the attention of the jury to one observation which fell from your lordship with respect to the possibility of bringing evidence to contravene what was stated by the witness Dobbin. The jury must know that every member of the Council of the Confederation has been hunted down by the government, and they are all now endeavouring to protect themselves from arrest, and it would therefore be impossible to produce any person who was present at that meeting.

The Court then adjourned until nine next morning.

SATURDAY.

CONVICTION OF SMITH O'BRIEN.

Their Lordships entered court shortly after nine o'clock; after the jury had been called over and answered to their names,

Mr. O'Brien—Before your Lordships resume a review of the evidence, perhaps I may be allowed to say a few words in explanation of an expression of Mr. Hodges. Mr. O'B. then withdrew the expression of "spy" which he had used towards Mr. Hodges.

Chief Justice Blackburne then resumed his charge to the jury, and in the course of his observations he was interrupted by

Mr. Burton, counsel for Mr. O'Brien, who made an application to the Court with a view to postpone the proceedings, as there was a very important discussion progressing on the part of the Counsel for the prisoner—

The Court did not appear inclined to act upon the application, and Chief Justice Blackburne was about resuming his charge, when

Mr. O'Brien said—My lord, as one of the Judges (Mr Justice Moore) has retired, perhaps your lordship might consider it advisable to defer your address until his return.

The Court then stopped the proceedings until the arrival of Mr. Justice Moore, when the charge was continued. After a slight allusion to the evidence of John Hamilton,

Mr. Whiteside, who had been absent for some time before, entered court, and, addressing their lordships, said—My Lords, in the case of the Queen against O'Brien, I have to apply that your lordships will permit the examination of a witness who has important evidence to give regarding the witness Dobbin, who was examined for the crown, the existence of which evidence has only just now come to light.

The Attorney-General—As the counsel says that matters have come to his knowledge since the cross-examination of Dobbin, we have no objection to its being put upon the record.

The business of the court was suspended for about half an hour, during which the greatest anxiety was manifested regarding the nature of the promised evidence, and the effect it would have on the witness Dobbin.—After the lapse of half an hour,

Dobbin was produced on the table, and cross-examined by Mr. Whiteside.

At the conclusion of Dobbin's evidence,

Mr. Whiteside said—Call the witness, Henry Dalton.

A young man, apparently about thirty years of age, came upon the table, and, on being sworn, gave his name as Henry Dalton; he said—I left Dublin yesterday and came down here. My father belonged to the Cathedral of Cashel—he was a vicar choral; and I am a literary teacher belonging to Trinity College. I taught at Hulldon's school, and at the school of Dungannon boys; and I have had a tuition in this county at the house of Mr. Pennefather. I recollect being engaged in reading a newspaper at a house in Stephen-street, and while so engaged three persons came in. I was reading the history of the outbreak in France. My attention was directed to three persons who came in about four hours afterwards, and that gentleman (Dobbin) was one of them upon my oath.

Dobbin here raised both hands apparently with great astonishment, and laughed at the testimony of the witness Dalton.

Dalton continued—Two of the gentlemen had been advocating a Repeal of the Union, and said it could not be by any other means obtained than by the system of O'Connell. This gentleman (Dobbin) then said he was a Protestant and an Orangeman of the North, and, unless by force of arms the independence of Ireland could not be achieved. The first two contended that the Repeal of the Union could be obtained by peaceable means, and they gave reasons for it. Dobbin said it was useless to work for it in that way, for it could only be obtained by force of arms, and unless the Irish people exerted themselves there was no use in depending on France and America. He also advocated a republican government on the principle of the United States. Those men then asked me what was my opinion, and I said it was my opinion that agitation was the bane of Ireland. I noticed Dobbin then distort his face, but I could not say whether it was at me.—The two men walked out of the house, and I was going home, when Dobbin accosted me, and said the men wished me to have a supper; I said it was too late, that I must go home, but he insisted I should go with him, and, when I went to the house with him, he told me I was a ripe fellow—(laughte.)

Judge Moore—Did all the men go in? Yes, all four went in.

Witness—But on leaving the house he said I was a ripe fellow; he then said that the two fellows who went before me were damn papists, and that I should have humoured the conversation as he did.

Mr. Whiteside—Did he afterwards say anything to you about joining a club?—He asked me if I had joined a club, and I told him I could not join any club because notices were posted up on the gates of the College stating that any student who did so would be expelled, and I intended going in for scholarship the following year. He then said that a government situation would be a great deal better for me, and, if I took his advice, government would probably appoint me to the head of some colonial college—

Mr. Whiteside—See, Mr. Dobbin, you need not be making those faces that have been already complained of [The witness Dobbin, who sat behind Dalton, amused himself during nearly the entire of the examination by indulging in grimaces and singular contortions of his face, according as the evidence of the witness impaired his testimony].

Mr. Dalton continued—We remained in that house until one o'clock, and then separated, when I went home; he followed me a second time on my way home, and asked me for my address, which he took down by the lamp-light with a pencil, and said he would call to me next day (Sunday), and arrange about what club I would belong to; I met this man again in about three or four weeks at the corner of Trinity-street; he tapped me on the shoulder, and asked me did I not know him? I said I did not; he replied that his name was Dobbin, and he asked me if I did not remember the discussion at the tavern? I said I did, and he then asked me to take a glass of punch; I went with him, and on that occasion he spoke of many things; he asked me was Dens' Theology read in College, and I said not; he said by that Roman Catholics were qualified to swear and get absolution from their priest for any false swearing they might be guilty of, and the only way to counteract that, he said, was by swearing against it; he then said if I joined a distinct club from him, and if our statements or information agreed credit would be attached to it, and the more the better; he likewise said this could be well managed by my drawing out what I will call propositions.

Mr. Whiteside—Resolutions.

Mr. Dalton—Yes, resolutions—getting signatures to them, communicating them to him, and he would communicate the names to the detectives. When he made that proposition I called him a rascal and a blackguard, and told him to leave the place. He went out then, and came in again, and smiled, and said he was surprised that a man of my learning could not perceive he was humbugging (laughter). He said he thought I was a very useful person, and it would be well if such persons were encouraged. He then said it was a plan that he followed in order to take true men into the club to sound them, as there were spies in all directions. He then observed the landlords were the bane of Ireland. On reading the account of the trial in the Dublin papers I said to some parties—"Oh, can this be the same Dalton?"

The Attorney-General cross-examined the witness at great length, endeavouring to shake his testimony. He questioned him closely as to his former mode of life.—His residence in England and Ireland at different times he drew forth, and examined him closely and rigorously as to the streets he lived in, and the names of the parties in whose houses he lodged, but did not shake the witness's direct examination.

The Attorney-General (pointing to Dobbin)—Is that the man you mean?

Mr. Dalton (turning round, and confronting the prisoner)—Yes, that's the man.

Attorney-General—Ah! Dobbyn, did you ever see this man before?

Dobbyn here clasped his hands, and bent forward—he was very pale. He said (with his hands upraised, and his eyes turned up), in what he evidently conceived to be a most impressive manner:—"I solemnly declare I never saw him before." The whole court burst into a roar of laughter.

Mr. Dalton and the approver were then removed, and the Chief Justice then proceeded with his charge. He said if the jury believed the story of Dalton they would altogether exclude the evidence of Dobbin; and even if that story were false, it still remained for them to say whether the evidence were true.

The jury retired at half-past three.

At four o'clock their Lordships and the jury entered Court.

The Foreman of the jury asked if they could convict the prisoner on some of the counts, and find a verdict of Not Guilty on the rest?

Chief Justice Blackburne said they should find a general verdict, Guilty or Not Guilty.

The jury again retired.

At a quarter-past five they returned.

Clerk of the Crown—How say you—Guilty or Not Guilty?

Foreman—GUILTY! (Great sensation in Court).

The Foreman handed in the following, which was read by the Clerk of the Crown:

"*We earnestly recommend the Prisoner to Mercy, the Jury being unanimously of opinion that, for many reasons, his Life should be Spared. Signed, for Self and Brother Jurors,*

"R. C. MANSERGH, Foreman."

Chief Justice Blackburne (after a pause of a few minutes)—Adjourn the Court to ten o'clock on Monday. Adjourned.

MONDAY.

THE SENTENCE.

Shortly after ten o'clock, their Lordship's took their seats.

Mr. O'Brien was sent for, and placed at the bar. He appeared calm and cheerful, shook hands with his solicitor, saluted his counsel, and smiled to his friends.

Clerk of the Crown—William Smith O'Brien, you heretofore stood indicted—

Mr. Whiteside—I believe this is the proper time for an arrest of judgment in this case. I believe that the proper time is after conviction has taken place, and I therefore have three objections to make. The first is the speeches delivered by Mr. O'Brien previous to the 21st of July was admissable against Mr. O'Brien—on two grounds; second, that Dobbyn had not confirmed; and the third is, the admissability of the contents of portmanteau, as there is no proof tracing them to the possession.

Mr. Fitzgerald followed Mr. Whiteside for the prisoner, and was replied to by the Solicitor-General.

The Court, after viewing the arguments of counsel on both sides, overruled the application, and stated that they had reserved some of the objections raised by the prisoner's counsel for the opinion of the 12 judges.

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

Mr. O'Brien, in a firm, and manly tone, replied—It is not my intention to enter into any vindication of my conduct, however much I might desire to avail myself of this opportunity for so doing. I am perfectly satisfied with the consciousness of having performed my duty to my country, and that I have only done that which was in my opinion what every Irishman ought to do. I am therefore prepared to abide the consequences of my having done my duty to my native land. PROCEED WITH YOUR SENTENCE.

[The bold determined tone in which the last few sentences were uttered, and the noble posture assumed by Smith O'Brien in giving utterance to the words "Proceed with your sentence," evoked a loud expression of feeling from all present, while many a stifled sob escaped from hearts that felt the awful position in which the patriot was placed more than he did himself. After a brief interval, was

THE SENTENCE.

The Lord Chief Justice then proceeded, amid the most profound and painful silence, to pronounce the extreme penalty of the law upon the prisoner. He said—William Smith O'Brien, after a long and painful trial, a jury of your countrymen have found you guilty of High Treason. Their verdict was accompanied by a recommendation to mercy; that recommendation, as was 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. Oh! 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 which 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 forbid me any further proceeding with this subject. [Here his lordship assumed the black cap, and amid a silence at 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 are dead; that afterwards your head shall be severed from your body, 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 the sentence.

Several persons then rushed forward to the dock to shake hands with the prisoner. He left the dock with a steady step, and was soon placed into the black van (drawn by two horses) which conveyed him to his cell.

Several women ran to the gates of the prison shrieking most awfully.

The excitement in the streets was intense.

MR. M'MANUS.

Terence Bellew M'Manus was placed at the bar charged with High Treason.

Mr. Butt, Q.C. and Mr. Callaghan appeared as counsel for the prisoner.

A plea was put it on the part of the prisoner in reference to the names not having been given to him ten days before he was put on trial, to which the Attorney-General demurred.

The Clerk of the Crown then proceeded to call over the names of the jurors who had answered.

James Willington, Castle Willington, challenged by the prisoner.

Richard E. Phillips, Mount Phillips, challenged by the prisoner.

Charles Clarke, Graignoe Parke, challenged by the prisoner.

Henry Kangley challenged by the prisoner.

Henry W. Briscoe, Tinvane House, challenged by the prisoner.

John Lloyd, Lloydsboro' challenged by the prisoner.

Samuel Cooper, Kilmore, challenged by the prisoner.

Jacob Sankey, Coolmore, challenged by the prisoner.

The following jury were then sworn:—S. Barton, J. R. Minnett, Solomon Cambie, George Gough; William Smith, W. C. Gason, W. Butler, Jeffry Prendergast, F. Massey, R. M'Grath, W. B. Armstrong, John Harden.

The first witness called was a Liverpool Coustable named Wilcock, who deposed that he heard Mr. M'Manus state in his speech that all who would fight for Repeal would have a portion of land allotted to them—that Mr. M'Manus was a respectable man and had a good business.

Serjeant Gorgan (of the Dublin police) produced a tin box, which contained a beautiful uniform of the prisoner's.

The steward of the Iron Duke proved that he gave the box to the policeman.

TUESDAY.

TRIAL OF MR. M'MANUS.

The Court opened at half-past nine this morning, when the prisoner, who looked calm and collected, was

put to the bar.

The first witness called for the crown was

William Egan, examined by Mr. Lynch—Resides in Ballingarry; saw Mr. O'Brien there in the latter end of July; saw him first in the town of Ballingarry; after I saw him first I saw other people coming into the town the same day; saw Mr. O'Brien afterwards making a speech.

Thomas Burke examined—He was a summons-server and deposed to his having been in Ballingarry upon Thursday, the 27th of July, where he saw a large crowd of persons; some of them had guns, others pikes and pistols; saw the prisoner there with a belt round his waist, and a pistol in it; he was on horseback for two hours; did not see the prisoner dismount at all; saw the men march up and down the street three deep;—those who had guns went into a garden, and pointed them out towards the road; those who had pikes were running up and down the road; heard Mr. M'Manus tell the people to march three deep; remembers the Wednesday before that; saw a crowd assemble early in the morning at Ballingarry; met Mr. O'Brien and the people on the same day, after leaving Ballingarry, going to Mullinahone; they were armed—some had guns, pitchforks, and pikes; they marched regularly like soldiers; heard Mr. Smith O'Brien addressing the people at Ballingarry; heard him tell the people to keep their arms, and to take by force those which were not given freely, as the time was come when they wanted them; (witness then described the attack upon Trant's party on Saturday, the 29th of July;) saw the prisoner there; he was armed; he had a pistol, and was standing at an outhouse breaking in a window shutter with a stick; he was accompanied by a number of armed men, who were standing in the haggard, and as witness was coming from the front of the house he heard him say that the house should be burned; the firing and attack upon the house lasted an hour, or something better; saw two or three persons wounded: one was killed near him; after or near the close of the attack saw the prisoner on the road.

Cross-examined by Mr. Butt—Was one of the party; was armed with a pitchfork; after he saw the prisoner in Farrinrory, saw him in Dublin, where he heard his name was M'Manus; was himself arrested; thought it was because he had been concerned in the affair.

Mr. Butt—Then you turned informer.

Witness—Then I gave information; was five months in Liverpool for the purpose of working; went there also in consequence of a decree having been stolen from him while drinking; got £2 from the defendant in the decree, and then went to Liverpool; was examined upon Mr. O'Brien's trial; could not swear whether he said upon that trial that M'Manus broke the shutter; swore informations, and he thought the fact was set forth in them.

To Mr. Butt—I did not say anything in my first information about what took place on Friday.

The Clerk of the Crown then read his sworn information, dated 7th August, 1848, in which no word of Mr. M'Manus appeared. He then read the second informations sworn by the same fellow, in which he made allusion to Mr. M'Manus having broken in the shutter, and his having wore a sash round his waist, with pistols in it, while drilling the people.

Cross-examination resumed—Never offered to take a false oath; I know Mathew Sullivan; never offered to prove for him that a certain promissary note had been paid, which had not in point of fact been paid; got money from the police in Dublin to pay my expenses; only received 5s. 10d. for that purpose.

Head-Constable Williams examined—He proved precisely as on the trial of O'Brien—the visit of that gentleman to the barrack to demand arms. He also proved that Mr. M'Manus was in Mr. O'Brien's company when he entered the police barrack, conversed with the constabulary, and called upon them to surrender their arms.

The following witnesses were also examined, whose evidences were exactly the same as on Mr. O'Brien's trial:—Francis Wiggins, Timothy Sullivan, George Sparrow, William M'Carthy, Dutton Mathew, Laurence Middleton, William Parsons, and James Halpin (8th Hussars), Capt. Longmore, John Tobin, John Pemberney, Owen Cullen, Mr. John Lamphier.

Wm. M'Carthy examined by the Solicitor-General—I remember the Friday before the fight took place at the Widow Cormack's; I was at Killenaule on that day; as I was leaving the town a man came to me and said that he wanted my horse; I said that he should have her (laughter); he said he wanted to see was the army coming; he handed me a pistol, and told me to keep it till he came back; before he came up to me I saw a pistol drop from him; I saw where the barricades were erected on that day; did not know what direction this person took when I gave him my horse, but I saw him in the direction of the barricades; would not know a pike if I saw it; I never saw one in my life; saw Orchard there with something in his hand; heard people there saying it was a pike; it resembled a pitchfork with one of the prongs turned down; it was not a pitchfork; it was placed upon the top of a pole about five feet long; saw two or three of these weapons; it was not a pike Orchard had; it had the appearance of a gun.

Solicitor-General—Turn round and tell me did you ever see the prisoner who stands in the dock before?

The witness having done as he was bid, said there was a doubt on his mind as to whether he was the person who took his horse at Killenaule; I saw the prisoner at the gaol in Dublin; when going there, Sparrow said that I was going to see the man who took my horse, and and that I might lawfully identify him.

To the Court—As an honest man, and in the presence of my God, I cannot swear that he (the prisoner) was the man I saw in the gaol; I identified him in Dublin as the man who took my horse from me; to the best of my belief the man I saw in Dublin was the same I saw at Killenaule; I had less doubt of him then than I have now.

Cross-examined by Mr. Butt—I saw a person in Clonmel who is very like the prisoner; his name is Walpole; he is the dead image of the prisoner.

Justice Moore—Then you have a doubt, because he resembles a man named Walpole, whom you have seen in the town?

Witness—Yes.

To the Solicitor-General—I could not positively swear whether it was Walpole or the prisoner took my horse; Walpole is a police constable; when I saw him he was dressed in the same manner as the prisoner.

Inspector Walpole was brought into Court, and the witness stated that he was the person who resembled the prisoner.

Dutton Mathew examined—Had been head constable in the police; was in Killenaule on the 25th July;—there were four gentlemen there with Mr. O'Brien, and heard the names of Dillon, M'Manus, O'Donohoe, and Stephens; could not identify the prisoner.

Thomas Trant, inspector of police, examined by the Solicitor-General—The evidence was the same as the previous one.

Cross-examined by Mr. Callaghan—During the fight was in one of the front top rooms; fired myself from the window one or two shots; while the firing was going on, I ordered the men to sing the "British Grenadiers" (laughter); I gave the order to Constable Young to sing the song while he was biting the end off a cartridge; he first asked me for leave to sing it; he asked me if he might whistle a march, and when permission was given he and the other constables commenced to sing; Constable Young whistled the song; I considered that if it was a good marching song, it also must be a good fighting one; was not behind the feather bed when he had ordered the men to sing the "British Grenadiers"; if the learned counsel would go and look at that feather bed he would find seven bullet holes in it (laughter); witness wrote a dispatch detailing this occurrence; it was headed by the quotation,

Who takes the foremost foeman's life,
Himself shall conquer in the strife.

Went down to the room where his men were stationed during the fight; that was a desperate risk in doing so to myself.

John Carroll (the mounted policeman) examined—His evidence was precisely the same as on Mr. O'Brien's trial; identifies Mr. M'Manus; it was he who arrested witness.

Sub-Inspector Trant re-called—Father Fitzgerald did come to the front of the Widow Cormack's house after the firing had ceased, and said that the other party would be satisfied on their surrendering their arms to let them depart in safety, and that he would accompany them himself, and guarantee their safety;—witness replied that they would never surrender their arms but with their lives; Father Fitzgerald remarked that "they would burn the house over them;" witness replied that he had five hostages—five children; he then remarked that they had no provisions; witness replied that he could fast and fight 48 hours longer; also remarked that there would be a sufficient force on the ground to avenge them if they fell, and not leave a house in the country standing; he further remarked that they were doing no harm there, that if he could protect them away, he could protect them there, and pointing to the policeman who had lost his horse, he said he would thank him to protect him and get him away; Father Fitzgerald must have heard him; he went and soon returned, and asked him for a pallet for a poor dying man; at first he refused it, on the ground that he required everything in the house to fortify it, but he afterwards gave it: the priest next asked permission to take the dead and dying away; he said there were some people dying whom he wished to remove—that he could not take them away himself, and the people would not assist him lest his men should shoot them; witness replied that if he came with them, and they came unarmed, they would not be fired upon; saw five or six men come round the house to take people away; saw them lift one man; he (witness) was then engaged in fortifying the house.

John Lloyd examined—Was on horseback going from Fethard in the direction of the Commons, and heard a shot behind him a little above a road leading to Kilcooley; he turned round and saw a gun presented at him by the prisoner; they had a conversation, and the prisoner advised him to keep out of danger—shook hands with him, and treated him with great civility.

Head-Constable Crowley examined—He related the fact of his having arrested Mr. M'Manus on board the N.D. Chace; he was the first person he saw on board; he had seen him before in Liverpool; he was altered in appearance for his whiskers and hair were cut; witness did not go on board for Mr. M'Manus; it was accidentally he met him; he had warrants for other persons on board.

The letter of Wm. Smith O'Brien to the Mining Company was then put in as evidence.

The case for the crown here closed, and the Court adjourned to half-past nine next morning.

WEDNESDAY.

Their Lordships took their seats on the Bench this morning a little after ten o'clock.

After some discussion, of little importance,

MR. BUTT, Q. C.

Spoke as follows for the defence—Gentlemen of the jury it now becomes my duty to address you on the part of the prisoner. I knew that there is everything to make you enter that box prejudiced. Gentlemen of the jury I do implore of you of every such feeling to divest yourselves, and it will require an active exertion of your judgment. Gentlemen of the jury I will against all these circumstances that weigh down the prisoner and weigh down his advocate, ask you to bear in mind some unquestioned principles of British law. [Here he proceeded to state the law of the case, which was so often stated before.] The rule of law is, that every man although standing in the dock is presumed to be innocent until found guilty. And, gentlemen of the jury you have listened to this evidence with minds prepared to receive proof of guilt. I speak to you boldly and freely; and if you be the men I am told you are, I know that I will best consult my client's interest with you by not flattering you. I tell you again that if you have listened to the evidence here with a prejudiced notion or feeling, you do an injustice to my client.—The rule of law is—"If the facts proved before you be consistent with any reasonable supposition of the prisoner's innocence, you cannot find him guilty." I do not undertake to satisfy you that my client may not have lent himself to many designs which every loyal man must reprobate; but I do undertake to show that the evidence here does not establish against him the tremendous guilt charged against him in the indictment. Perhaps, my lord, it will not be necessary to refer to the sixth count.

Chief Justice Doherty—I apprehend not, Mr. Butt.

Attorney-General—I don't intend to proceed upon that count.

Mr. Butt continued—Gentlemen there is a sixth count charging Mr. M'Manus with compassing the death of the Queen; but as the Attorney-General has given up that, we have only to consider the five first counts.—If a man on whose word, much less on whose oath you would be disposed to give the fullest credence, were alone to prove the offence of high treason, although the evidence of such witness were to bring conviction beyond all doubt of the guilt of the accused. I am now stating nothing which is not within the very letter of the law. What I propose to you is to take each act separately in the indictment. They are spread over five counts. There is first the charge of levying war, and then there is the charge of each particular act. The first overt act charged is, that on a particular day in July the prisoner did, with 500 more false traitors, wilfully and maliciously levy war against the Queen, and that they did march in warlike array through several towns. The next count is the erecting of barricades on the highway to prevent the marching of the Queen's troops; the third is for an attack upon the constabulary. I think you will agree with me in considering that you will more fairly judge of the guilt or innocence of the prisoner by taking the acts in detail. You have on your oaths to say, if you find him guilty, that he levied war against the Queen. And unless you can put your hand on one of these acts and say—"I do upon my oath, and with the tremendous responsibility of a brother's life at stake, say there is a levying of war brought home to the prisoner," you cannot convict him of the crime of high treason. I ask you to take up the indict and ask what is the crime which constitutes high treason, and levying of war. The prisoner is accused of erecting barricades near Killenaule; but this is not high treason. You will find upon reference to the opinion of that distinguished judge, Sir Edward Coke, that the levying of war must be "probably attained" by open act and deed. And recollect, gentlemen, there must be an attempt to subvert the government of the country in order to constitute the crime of high treason—and the defence of my client is this, that every act charged against him in the indictment is reconcilable with his intention, which was nothing more than to protect himself and Smith O'Brien from arrest. You are not to inquire that he would commit high treason at some future time. But what was the object of erecting the barricades? If the design was to levy war against the Queen the way in which it was made was very peculiar. Here was a troop of 400 only; and if the object were to levy war would not parties have been stationed along the road to keep a covered fire on the troops. But nothing of the kind was done. A barricade was erected to prevent their coming into the town a parley between one of the leaders and an officer in command takes place, and when it is ascertained that the latter has not a warrant for O'Brien, these rebels absolutely pull down the barricades. The troops were then permitted to go through unmolested. We cannot dive into the motives that influences man; but we may guess what were the feelings of an honourable member of the legislature on finding that the Habeas Corpus act had been suspended for himself. If you find a policeman or a detective spying after a man every place he turns, what can exasperate a man more? I confidently assert that I have put on M'Manus's acts a reasonable construction. Revolutionary or despotic tribunals may find it necessary to enforce their authority by hasty judgments. But for centuries the throne of England has existed in safety while the maxim, "It is better that ninety-nine guilty men should escape than that one innocent man should suffer," has been observed and acted upon by judges and juries. Because the authority of that throne has been based in the affections of the nation, the law can afford to be lenient. It has been said and beautifully said of the great judge of the earth that he most exhibits the Almighty power in showing mercy and pity, and the strength and majesty of British law is seen in this, that it requires no verdict of passion or hasty consideration to support its authority: but it tells a man that he holds his life by the law. As to the document concerning the Mining Company gentlemen of the jury it does appear to me that Mr. O'Brien, and Mr. M'Manus, hunted down as they were to desperation, became reckless and careless of results. You must not only be satisfied that Mr. O'Brien was contemplating a revolt on himself, but that Mr. M'Manus was contemplating—and not only contemplating it but that he was carrying out the identical acts charged in this indictment. I ask you again, gentlemen, will you determine the fate of my client and take away his life because Mr. O'Brien has been convicted? In your hands, gentlemen, is the case, and in your hands alone—you are the judges, and no judge on earth can force the consciences of a jury to take away life unless they are positively, and beyond doubt satisfied of the unquestionable guilt of the party accused. If you can reconcile the facts proved of his innocence of high treason—and I believe you can—I do call upon you in the name of the laws of the country, of justice and humanity, to acquit Mr. M'Manus and send him to his home and to his family. I feel how inadequately and how imperfectly I have discharged the solemn duty imposed on me. On you I rely. In your honesty and integrity I have the fullest confidence. I have, to the best of my abilities, submitted his case before you, without seeking to draw your attention from the substantial questions you have to try, for we have all a deep interest in the administration of justice. I have endeavoured to keep my argument within the law, and to assist you in the investigation of the case submitted to you; and I do now leave my client's life into your hands, and in the name of the law I demand your verdict of acquittal.—The learned counsel, on resuming his seat, was greeted with a cordial cheer and other manifestations of applause and admiration from the occupants of the body and gallery of the court, which the criers suppressed after a short time.

Robert Carleton, Esq., examined by Mr. Butt—I am am a trader, residing in Waterford, and I have known Mr. M'Manus several years; he was our agent at Liverpool, and bore the highest character for honour and integrity; he was the most rising forwarding agent in Liverpool, and all the forwarding business was going into his hands, such was the respect entertained for him and the confidence reposed in his honour, integrity, and correctness; he had extensive business in Dublin, and was called there frequently relative to its transactions; I have seen him in Waterford, when he stopped at my house.

The three last witnesses cordially shook hands with Mr. M'Manus on passing the dock.

Maurice Leahey, Esq., of the *Tipperary Vindicator*, Sir Colman O'Loghlen, Bart., John George Hodges, Esq., and Horace Fitzgerald, Esq., were then severally examined, and proved the wearing of the uniform of the '82 Club at various other places besides the '82 Club meetings.

Mr. O'Callaghan then proceeded to sum up the evidence on the part of Mr. M'Manus. He said it became his duty to address the jury on the part of the prisoner at the bar; and in doing so, he would not seek to address himself to anything but their reason, conscientiously exercised. The learned counsel then proceeded to recapitulate the evidence, and argue the law of the case at great length. The jury had heard from most respectable witnesses that he was a man of honour, integrity, and station; and it was such a man that he called upon them with confidence to pronounce not guilty of the serious crime of high treason, a conviction for which brought with it the most awful penalties of the law.

Chief Justice (addressing Mr. M'Manus)—This is your opportunity, and if you wish to avail yourself of it as you have a right to do, you can now address the jury.

Mr. M'Manus—My lord, I have nothing to say to the jury after what my counsel have said, but endorse what has been stated by both of them—that is that I never did belong to a Chartist society; I pledge you my honour I never did. I never attended any of their meetings, or was connected with them in any shape or form.

The Solicitor-General said he would reply in the morning.

The court then adjourned to Thursday morning.

[For final result of Mr. M'Manus's trial see our correspondent's letter in another part of our paper.]

Messrs. Eugene O'Reilly and O'Rorke, state prisoners, were transmitted this week from Belfast prison to Dublin, the former to be admitted to bail, and the latter to be tried at the Commission.

On Tuesday night a young man named Reilly (not T. Devin Reilly, but answering his description), was arrested in Belfast on a charge of high treason, and consigned to Bridewell, Dublin. It is supposed that Mr. Reilly is one of the parties whose handwriting has appeared in the balloting papers produced at the special commission at Clonmel.

A FACT—Lady Beresford has left Boulogne for Paris! *Evening Mail.*

Mr. Hamill, who holds the situation of Inspector of National Schools, at £1,000 a year, graduated from the sub-editorship of the *Nation*. He was an active member of the Confederation.

An address has been drawn up in Dublin, to be signed by the noblemen, gentlemen, clergy, bankers, merchants, and inhabitants of that city, praying the Queen to extend clemency to those engaged in the late insurrection.

PRICE OF IRISH STOCKS.

Bank Stock	——
3 per Cent Consols	85⅛
3½ per Cent Stock	85
Grand Canal Debentures	30
Grand Canal Stock	——
3½ per Cent Debentures	——

THE WATERFORD NEWS.

FRIDAY EVENING, OCTOBER 13, 1848.

THE COMMISSION.

THE VERDICT ON MR. M'MANUS.

(From our Correspondent.)

CLONMEL, THURSDAY NIGHT—The jury have returned a verdict of GUILTY OF HIGH TREASON against T. B. M'MANUS. At five o'clock this evening they entered their box with the verdict. There was great sensation, as no one expected any such verdict. Mr. M'MANUS was the only one who stood unmoved at hearing the sentence. There are few (if any) as brave men as M'MANUS. He will receive the same sentence as O'BRIEN to-morrow (this) morning. Mr. O'DONOHOE is on his trial.

The following was issued from this office at half-past seven o'clock this morning:

We have just time to inform our readers that our Clonmel Correspondent informs us that Mr. M'Manus was FOUND GUILTY of the Crime of High Treason: little before the adjournment of the Court on Yesterday (Thursday) Evening.

Mr. O'Donohoe was, on same evening, arraigned at the Bar.

Mr. Meagher, it is believed, will not be brought to trial now for want of evidence.

CLONMEL, WEDNESDAY.—Our Special Correspondent writes to say. "I am most happy to inform you that Mrs. S. O'Brien was strongly assured on yesterday that the extreme sentence of the law would not be inflicted on her heroic husband. The assurance was given her by one of the leading government functionaries engaged on the trial, and may be considered as authorative and decisive."—*Limerick Examiner.* [We hope this is true. The Dublin papers say that he is to be executed.]

A GOOD SIGN OF THE TERMINATION OF THE WAR!

At length the Marine Artillery and Police, who have been so long in the Town-Hall, have retired to some other quarters. Hence the Hall assumes its wonted appearance.

ASSAILING WITNESSES.

Several witnesses who gave testimony on the trial of William Smith O'Brien (says the *Tipperary Free Press*), and some gentlemen who were mistaken for witnesses, were assailed and very roughly handled by the people, who appeared greatly excited; which being intimated to Mr. O'Brien, he addressed the following letter to his law agent;

Clonmel Gaol, October 9, 1848.

MY DEAR POTTER—I entertain the most sincere and anxious desire that no insult or injury should be offered either to the jury, or to the witnesses through whose instrumentality I have been convicted; and I shall be very much obliged if you will use your utmost efforts to make known my sentiments upon this subject.

Believe me, yours most truly,
WILLIAM S. O'BRIEN.

R. Potter, Esq.

AFFAIR OF HONOUR.

A pompous little Sub-Inspector in the vicinity of Cork was lately heard to say that Mr. Meagher before he was arrested, was in the neighbourhood of his station, and upon his (the Inspector's) *honor* he would not wish for £500 he had slipped out of his hands. A young barrister, an ex-member of the Confederation, who was present, told him that none but a thief-catcher would use such language, upon which high words arose, and an "affair of honour" was imminent, but somehow or other, to obviate a *post mortem* examination, the friends of the Sub-Inspector managed to communicate with the force under his command, and had himself and the "limb of the law" duly arrested and bound over to keep the peace, *towards each other particularly*, and generally towards all her Majesty's subjects. *The Limerick Examiner.*

EX QUARTER MASTER HANRAHAN.

There is no truth in the report emanating from a Limerick contemporary, that Bryan Hanrahan, ex Quarter-Master of the 13th Light Infantry, has been arrested near Shevnamon, with a commission of General in the Rebel Army in his pocket, and lodged in Clonmel gaol. He absented himself from his regiment, it is true, and was superseded; but it is not true that he took with him a large sum of the regimental money. *Clonmel Chronicle.*

There are many fields of oats and barley in the neighbourhood of Bruff perfectly ripe and drooping, but still left uncut.

A man named Butler was attacked by Blackboys, near Bruff, on Friday night last; his leg broken by a stroke of a gun.

A man named Patrick Sheehy fired two shots at William Dundon, a steward on the Great Southern and Western Railway, at Bansha. Sheehy, who is a native of Limerick, effected his escape.

Mrs. S. O'Brien is exceedingly unwell. Her accouchment is daily expected.

By the death of his father, the Earl of Carlisle, Lord Morpeth succeeds to the Title and estates. He takes his place in the House of Lords, and, of course, vacates his seat for the West Riding of Yorkshire.

It is currently reported that the trials of Messrs. M'Manus and Meagher will terminate the Commission for the present, as several witnesses of the crown in attendance here had been subpœnea as witnesses to attend the trials of state prisoners at the Dublin Commission on the 20th inst., and consequently the inquest at Clonmel will be adjourned to the 16th of December.—*Tipperary Free Press.*

The writ of error will, it is said, be withdrawn in Mr. O'Brien's case, the sixth count upon which it was based not having been sustained in evidence, and was not, in fact, pressed by the Crown.—*Limerick Chronicle.*

Sir Lucius O'Brien, Bart., M.P., with his father-in-law, Wm. Fitzgerald, Esq., left Clonmel on Monday last, after the sentence was passed on his brother, for Dromoland.

Births, Marriages, and Deaths.

BIRTHS.

At Ballina, county Mayo, the Lady of Capt. Hamilton, 99th Regt. of a son.

At Carton, Longford, the Lady, of John Crawford, Esq., of a son.

MARRIAGES.

At St. Olave's Church, on Wednesday morning, Mr. James Mosley, to Miss Jane Bowman.

In August last, in New York, by the Rev. Mr. Chase, Mr. William P. East, to Miss Mary Anne Palmer, both of the city of Waterford.

DEATHS.

Suddenly, at Birmingham, Mrs. Armitage, the monster giantess.

In Clonmel, Prudence, daughter of the late Mr. John Prosser.

At Ennis, Mr. James Curtin, Printer.

MR. M'MANUS.

CLONMEL, Thursday Evening.

(From a Correspondent.)

Whilst I write the jury are sitting to decide on the fate f this fine, good-natured looking man. No matter what is fate may be, he has lost his ALL!

He complains of being greatly deceived by the "leaders" of the movement, and broadly asserts that "he could not now be in the dock if THEY had energy to act—hat they lost the game by their own pusillanimity," &c.

O'Donohoe was arraigned this evening; and it is supposed that Meagher will not be brought to trial now from ack of evidence.

There is not that excitement here that you might imagine.

Rumour has it that Smith O'Brien will not "cross the vater;" but this I doubt.

You see there were nearly as many slain at Bansha, a couple of days ago—I regret to say—as there were in he entire Rebellion of'—48! L.

TO THE EDITOR OF THE WATERFORD NEWS.

PUBLIC FILTH!

SIR—Through your very popular journal permit me to all the attention of the Mayor, Dr. Mackesy, Mr. Carleton, and the other gentlemen who make themselves active n the sanitary improvement of our City, to the filthy gutter in High-street, opposite Keyzers-street.

Waterford, October 13. DELTA,

ESSAY AND DISCUSSION SOCIETY.

A well-attended meeting of this Society took place at the Town Hall on Tuesday evening,

DR. ELLIOTT in the Chair.

Amongst those present we noticed Mr. R. A. Carleton, Mr. Edward O'Mara, Mr. W. B. Jacob, Mr. Adams, Mr. Whitney, Mr. Hudson, Mr. J. G. Davis, Mr. Ambrose, solicitor), Mr. Nevins, Mr. Linehan, &c. &c.

Counsellor Peet read a very instructive and interesting essay on "Mental Culture,"

When a discussion arose, in which Messrs. Nevins, Martin, Hudson, and Carleton took part.

Mr. Martin, in the course of his remarks, paid a high compliment to Franklin and other men of learning and genius, and said that their talents and exertions were more to be appreciated—as they were more lasting—than all the glories of the most renowned warriors.

After Mr. Peet had reviewed the remarks of the different speakers—which he did in a clear and pleasing manner—the meeting separated.

We should have remarked that there were several ladies present.

AMERICA.

We have received from an intelligent friend, who emigrated this year with a capital of £600 or £700, one of the best and most practical letters we have ever read on the present state, prospect, and manners of America. It reached us in about a fortnight from a place some thousand miles from New York. We shall, if possible, give the letter in our next.

EMIGRATION STILL.

Last night many persons were disturbed in their slumbers by the noise of vast numbers of country people rushing towards the steam packet which sailed for Liverpool this morning. What would the poor Irish do but for America? Is this emigration, which has been lauded by some and condemned by others, making the country a whit more prosperous or happy?

DUBLIN.

(From a Correspondent.)

THURSDAY.—The fashionables of all Ireland, and the aristocracy of Dublin—bless the mark!—are all on the *qui vive* respecting Jenny Lind. Many poor, half-paid, narrow-hearted proprietor will give his all to let his "little girls" see and imitate (if they can) the famous Swedish Nightingale!

There is so much "bother" about her in Dublin that no one would ever imagine that Smith O'Brien was sentenced to be drawn on "*a hurdle!*"

Apropos of State Trials—every one is beginning to get sick and tired of them. Indeed I believe the Government itself is all but tired of them.

It is rumoured here that Smith O'Brien will be transported—*for a while!* Quere?—if Daniel O'Connell had been found guilty of High Treason would he not be hanged?

Dobbin, I learn, is a fellow that used to be "sponging" about public houses, and even worse houses, in this city.

A SWEEPING-BRUSH CAPTURED FOR O'MAHONY!

In the course of the week a diligent search was made by the police for Mr. O'Mahony in Tramore. After ransacking many houses, to no purpose, they came o the lodgings of a gentleman who had made up his mind 'to be up to them"—who had, in fact, dressed up a very *bar*-like-looking sweeping-brush in a tasteful manner *a-la* Bond-street), and laid it under his sofa. The police ntered—they looked elated at the prospect of the reward nd the promotions, &c.—they lost no time in searching he rooms, upsetting beds, overturning tables, &c. At ength they came to the sofa—to O'Mahony!—and, on ne of party having detected the notorious insurgent, he auled out in exstacy, "Oh! here he is, here he is!"—But lo! they soon discovered their mistake, when they *unrobed* the "traitorous" sweeping-brush!

This, we have heard, put an end to the search.

Mr. O'Brien's worldly estate is forfeit to the crown under the penal statute of high treason.

The *Limerick Chronicle* says a man named John Carroll, returning from Dunkerin to Roscrea, on Wednesday evening, was waylaid and murdered, his brains being scattered on the road!

The representation of the county of Limerick is vacant by the conviction of Smith O'Brien.

WATERFORD AND LIMERICK RAILWAY.

In a late publication we passed some comments upon the position of the Waterford and Limerick Railway Company, and we contended that the undertaking was one that deserved the fullest confidence, and that although unavoidable circumstances had tended to throw obstacles in the way of continuing the works, the Company had a fair claim on Government for assistance to finish the line to Waterford.

The Company having already realised over £40,000 by the forfeiture of Shares, let us see what is their present position:—

They have a line open for 25 miles, a portion of the great trunk from Dublin to Limerick, and by far the best portion of it; for if the passenger traffic on the other end going into the Capital is better, the goods traffic on their own end more than compensates for it—the effect of the making of that end being to draw all the expert trade from the heart of the country in that direction. The line completed will act with termini, and a large unrequired space of ground in Limerick, which will be resold, and is calculated to produce £11,000 or so. The line thus complete has cost £17,000 per mile, with a proprietary of 10,000 shares owing nothing; or of 18,000 shares owing £50,000; but a sum fully equal to this has been expended between Tipperary and Cahir—and there are materials, we are informed, such as rails and sleepers, sufficient to run a single line to Clonmel.

Should the Government advance the Company a loan to the extent of their borrowing powers yet untouched—say £250,000—we feel no hesitation in saying the traffic will increase so rapidly that the shares will rise from their present to their nominal value, and the dividends will certainly exceed 6 per cent. In such an event the forfeited and reserved shares vested in the Company will produce a sufficient sum to finish, (if not go close upon completing) the line to Waterford.

With respect to the Traffic—when the Great Southern and Western Company will have completed their line to Cork, which it is expected will be in or about 9 months, it is calculated that the whole intercourse between Cork and Limerick—being over this line from the junction—will increase over one-half. Now if we average the traffic as it is at present at £100 per week, exclusive of mails, which we cannot fairly estimate, but we would say £110 more, producing in or about £28080 per annum. Thus it clearly shows that it will leave a full surplus when open to Cork, amounting to 4 per cent; to Clonmel, 6 per cent.; and to Waterford, 8 per cent.

We have endeavoured, in the foregoing remarks, to place the case of this Company before the public in as clear and simple a light as possible. To the Shareholders we say, give your present efficient Board of Management all the assistance in your power. We hope that those who are the REAL FRIENDS OF IRELAND will use their influence to induce the Government to afford help to such a *bona fide* undertaking as the Waterford and Limerick Railway, which now languishes from temporary causes, and which if completed would tend more to promote commercial enterprise and public tranquillity than any measure the Legislature could enact.

To the Government we say, from our hearts, encourage such undertakings—more glorious, indeed, will Britannia be than when her cannon rolled over every sea, and her lightnings glanced on every shore. The departed shades of her brightest sons—her Miltons, her Newtons, her Boyles, her Gibbons, her Watts, will reflect the lustre of their glory on the laurels which grace her brow—brighter than those of her proudest warriors. We shall refer to this subject again.

SHOCKING MURDER OF THREE BAILIFFS!!

The following is an account of the murder which we briefly noticed in our second edition on Monday night last:—Mr. Dalton, rate collector of the Tipperary union, after frequent useless efforts to obtain the poor-rate due of a farmer named Brien, at Ballydoura, near Bansha, county Tipperary, on the estate of the Rev. Mr. Ashe, was obliged to execute a warrant of distress at the suit of the guardians, and placed three keepers named Regan, Walsh, and Dwyer on the premises last Saturday, shortly after which they were warned off, but refused to leave their charge. Next morning, while walking on the farm, they observed several men, three of them armed and disguised, approaching the house, and the keepers retreated, fastening the door against the intruders. This defence was of little avail, for the windows were burst in, and one of the keepers, who endeavoured to defend himself with a spade, was shot on the spot, while the second was felled to the ground with a scythe, and the third took refuge in the chimney. One of the party ascended the roof, and shot the man in the chimney, who fell upon the floor, and was there cut and quartered with the scythe! The third keeper was dragged outside the door, and two shots were fired at him, after which the miscreants cut the throats of their victims with the scythes, and so mangled their remains as not to leave a vestige of the features, and the heads were hanging by the skin only to the trunks.

An inquest was held, and the verdict was—"Barbarously and brutally murdered by some person or persons unknown."

MR. T. F. MEAGHER.

I am this moment after returning from a brief visit to Thomas Francis Meagher, in his prison. He looks and indeed is, as well as ever I remember to have seen him; and his courage is as high as it was in the glorious days of his short but brilliant career. What ever may be his sacrifice—and Heaven grant he may not be called on to seal his devotion to liberty by martyrdom—he has the fondest hopes of his country's ultimate freedom. There is not about him the slightest appearance of a man lying in prison under a heavy charge, and soon to be summoned to the tribunal which has already decided the fate of his dear friend. He is just the same as ever—gallant and generous, kindly and unselfish, honest and truthful.

He speaks of Smith O'Brien as being sustained by the same cold, calm self-possesion, the same quiet heroism that ever animated him, and especially during the trial. He is absolutely stoical in his heroism, while the hearts of his friends are wrung with grief. I could not deny your readers the melancholy satisfaction of learning that one whose genius is only to be matched by his truthfulness and unselfish devotion to country, has a brave heart to sustain him in his hour of trial.—*Correspondent of the Cork Examiner.*

MONEY.

WANTED ON LOAN, at 6 per Cent. the Sum of £1500 on Landed Security of upwards of £800 per Annum.

ALSO,

The Sum of £1000, on Landed Security of £500 per Annum.

ALSO,

The Sum of £400, on the Security of £150 per Annum.

Application to be made to

JAMES DELAHUNTY,

Land Agent, Mall, Waterford.

CITY QUARTER SESSIONS.

At eleven o'clock on Wednesday morning his Worship opened the Court. Amongst the magistrates on the Bench we noticed Mr. Tabiteau, R.M., William Morris, J.P., Captain Newport, J.P., D.L., Thomas Carew, J.P., and Sir Benjamin Morris Wall, J.P.

The court having disposed of a few trifling cases, the criminal business was proceeded with.

John Phelan was placed at the bar, charged with stealing two pounds of flour the property of Mr. Grubb. The prisoner pleaded guilty, and was sentenced to six months' imprisonment.

James Walsh was next indicted for throwing down a gate on the Tramore new road, and stealing therefrom an iron bar the property of Samuel Woods, of Barronstrand-street. Mr. Woods identified the bars as his property, and the prisoner was found guilty. Sentenced to be transported for 7 years.

Dan'l Ryan was indicted for stealing plate, the property of Mrs. Moore, of Kilkenny. The prisoner stated that he received the plate from a man on the Clonmel road, but not being able to produce him, he was found guilty, and sentenced to be transported for 7 years.

Johanna Doyle was placed at the bar, charged with stealing a silver watch, the property of John Doran. The prisoner stated the prosecutor gave her the watch. Guilty. To be imprisoned for three calendar months and hard labour.

THURSDAY.

His Worship took his seat on the bench at nine o'clock.

John Sullivan (*alias Chance*) pleaded guilty to breaking into the house of a poor woman named M'Grath, and stealing her pocket (*which contained four pence!*) and some pawn tickets. The prisoner was well known to the police. He was found guilty, being his last *chance*, he was transported for fourteen years.

POLICE ASSAULTS.

Samuel Waters, a sawyer, was charged by Constable Hamilton, with having obstructed him in the discharge of his duty, by holding him by the pantaloons, while he was conveying him to the Tower. Waters stated that Hamilton struck him several times with his bayonet. Guilty.

The Barrister then addressed the prisoner—Samuel Waters, you have been found guilty of a grievous assault on one of the police, and I shall take care that the police must be protected; and, if neglecting to do their duty, they will be severely dealt with. The sentence of the Court is, that you be imprisoned for three calendar months.

FRIDAY.

John Brien was charged by Police Constable A'Hearn, for assaulting him. The prisoner stated he was drunk, and did not know what occurred until next morning.—Guilty. Sentenced to be imprisoned for two calendar months.

A few other cases were disposed of, when his worship adjourned to the Registries in the County Court.

DISCOVERY OF PIKES!

From private information received by Constable Harty on Tuesday evening, he proceeded to the residence of a man named Ready, on the Miller's Marsh, a lime burner, where he succeeded in finding three pikes, which were concealed in the bottom of the kiln. Ready was soon afterwards apprehended, who gave security in the sum of £20, to be forthcoming when called upon.

EXECUTION OF THE SENTENCE.

It was rumoured yesterday throughout the city that the warrant to execute Smith O'Brien on Saturday next, had just been actually transmitted to Clonmel.—*Dublin Freeman.*

The annual meeting of the Irish Bishops was adjourned on Wednesday to the corresponding week in the ensuing year.

Some philanthropic persons in Dublin are about petitioning for pardon for the prisoners in Clonmel.

Rumours are in town that Messrs. Meagher and M'Manus had a "shindy" in prison, touching the late movements.

The hotel proprietors and lodging-house keepers of Clonmel are making their harvest during this present Commission.

General Macdonald has purchased, or taken, Mr. Smithwick's house near Kilkenny.

Several persons have been fined in Limerick for not attending to the sanitary state of their concerns.

About 300 recruits have joined the constabulary since the recent order for augmentation.

Two policemen, of Ballycalleen station, have been dismissed the force for drunkenness.

It is reported that either the Marquis of Westminster or the Earl of Clarendon will receive the Blue Ribbon vacant by the demise of the Earl of Carlisle.

The Lucan and Newmarket races went off very well this week.

A Correspondent informs us that there is more talk in Waterford about the trials in Clonmel than there is in Clonmel.

Crowds still assemble on our quays, each night, to hear the news from Clonmel.

The excitement, so prevalent some time since, is subsiding in a great degree.

The Dublin sugar market is rather dull; but Tallow is firm.

The Cholera is reported to have reached Hamburgh, in consequence of which the English Privy Council have given orders to place all vessels trading from that and other northern ports under the quarantine laws.

The state of Europe is still most unsettled, and war, with all its horrors, threatens to rage throughout the nations boasting of civilisation, with all the ferocity which generally characterises its bloody and desolating course in barbarous climes. The arrival at Pesth of Count Lamberg, the new Governor of Hungary, appointed by the Austrian Government, was no sooner known than it became the signal of insurrection; his carriage was surrounded by the people, and he was literally hacked and hewed to pieces by a number of men armed with spades and scythes. Austria has declined the intervention of France and England. The Gardes Mobile of Lyons rose the other day, and demanded a months pay.

The Teeth!

To be in Waterford on next Monday, the 16th Instant.

MR. LALOR,

SURGEON-DENTIST,

WILL commence his Professional Attendance in Waterford on MONDAY, the 16th Instant, and may be consulted on all Diseases incidental to the Teeth, Gums, and Palate, until 12 o'Clock on next SATURDAY, the 21st OCTOBER, at

Mr. SUPPLES, Glover, 98, Custom-House, Quay.

His Fees continue at the same moderate standard, which, during several years of successful practice, has established him in the extensive practice he enjoys in Waterford, Kilkenny, Clonmel, and their surrounding districts, and which will be found not one-half those usually charged, viz:

Stopping a Decayed or Tender Tooth with Foil or Succedanium	6s.
" *With Gold, Platinum, or Anodyne Cement*	10s.
Scaling	5s.
Extracting a Tooth	5s.

His practice embraces the cure of the different diseases incidental to the Teeth and Gums, the correcting of Irregularities in Children's Teeth; the Fastening of Loose Teeth; the Cure of Tooth-ache generally, without extracting; the permanently preserving of Hollow, Tender, or Decayed Teeth, by an Anodyne Cement, not requiring heat or pressure; or by filling with Gold, &c.

☞ *Children's Teeth carefully Arranged during the important period of Dentition.*

Friday Evening, October 14, 1848.

Notice to Spirit Dealers.

STOCK BOOKS.

A LARGE Quantity of those Books to be had at the Office of *The Waterford News*, at moderate prices. Country Dealers supplied at the shortest notice. Early application is necessary.

Mr. Thomas Young, the Whig official, who wrote the rebellious letter to Major General Napier, enjoys a public office of £12000 a year.

Famed throughout the Globe!

HOLLOWAY'S PILLS.

A Case of Dropsy.

Extract of a Letter from Mr. William Gardner, of Hanging Houghton, Northamptonshire, dated Sept. 14th, 1847.

TO PROFESSOR HOLLOWAY.

SIR,—I before informed you that my wife had been tapped three times for the Dropsy, but by the blessing of God upon your pills, and her perseverance in taking them, the water has now been kept off 18 months by their means, which is a great mercy.

(Signed) WILLIAM GARDNER.

WILLIAM BROWNE.

The Earl of Aldborough Cured of a Liver and Stomach Complaint.

Extract of a Letter from his Lordship, dated, Villa Messina, Leghorn, 21st Feb., 1845.

TO PROFESSOR HOLLOWAY.

SIR,—Various circumstances prevented the possibility of my thanking you before this time for your politeness in sending me your Pills as you did. I now take this opportunity of sending you an order for the amount, and, at the same time, to add that your Pills have effected a cure of a disorder in my Liver and Stomach, which all the most eminent of the Faculty at home, and all over the Continent, had not been able to effect—nay, not even the waters of Carlsbad and Mariendab. I wish to have another Box and a Pot of the Ointment, in case any of my family should ever require either.

Your most obliged and obedient Servant,

(Signed) ALDBOROUGH.

Sold at the Establishment of Professor Holloway, 244, Strand, (near Temple Bar), London, and by most all respectable Druggists, and Dealers in Medicines throughout the civilized world, at the following prices:—1s. 1½d., 2s. 9d., 4s. 6d., 11s., 22s., and 33s. each Box. There is a considerable saving by taking the larger sizes.

N.B.—Directions for the guidance of Patients in every Disorder are affixed to each Box.

The National Assembly of Paris, on Saturday evening, virtually declared that the President of the Republic should be elected by universal suffrage.

The present impression in Clonmel is, that Meagher will be the last brought up—if he be brought up at all—this commission.

Sub-constable James Hyndman, of Roscrea, has deserted the police force, for the purpose of taking with him to America, a farmer's daughter of Borrisoleigh. Good.

Jenny Lind has subscribed £20 to the German Church at Hull.

Potatoes and other vegetables are nightly stolen from the fields near Limerick. Two fellows in the act of plundering the meadows of a man named Ferrell, were apprehended on Friday night.

In Liverpool, it is reported that the supply of grain from Ireland was considerable during the week. Prime malting barley was saleable from 40s to 42s per qr.

THE WATERFORD MARKETS.

Waterford, October 13, 1848.

Supplies of Wheat and Oats are fair; but prices of both are receding. Indian Corn is in fair request; but no advance can be established on former rates.

Wheat, Millers	...	...	27s 0d to 28s 0d
Shipping Wheat	...	...	23s 0d to 26s 0d
Prepared Wheat	...	...	00s 0d to 00s 00
Black Oats	...	...	10s 3d to 10s 6d
White do	...	...	10s 6d to 11s 6d
Barley	...	...	12s 0d to 14s 6d
Bran, per barrel	...	...	00s 0d to 3s 9d
Oatmeal, per cwt	...	...	13s 0d to 13s 6d
Indian Meal, per brl	...	...	24s 0d to 25s 0d
Indian Corn, per brl	...	...	23s 3d to 23s 6d
Flour (superfine)	...	...	43s 0d to 45s 0d
Seconds	...	...	39s 0d to 40s 0d
Thirds	...	...	22s 0d to 35s 0d
Hay, per ton	...	...	35s 0d to 38s 0d
Straw, per ton	...	...	18s 0d to 20s 0d
Beef, per lb	...	...	00s 4d to 00s 7d
Mutton, per do	...	...	00s 6d to 00s 7d
Lamb (per quarter)	...	...	3d 0d to 00s 4d
Veal do	...	...	00s 4d to 00s 6d
Pork, per do	...	...	00s 5d to 00s 6d
Heads,	...	...	35s 0d to 36s 0d
Bacon Flitches	...	...	51s 6d to 00s 0d
Barrel Lard	...	...	45s 0d to 46s 0d
Offal, do	...	...	34s 0d to 35s 0d
Feet	...	...	12s 0d to 14s 0d
Scotch Herrings, per brl		...	19s 0d to 21s 6d
Coals	...	...	14s 6d to 15s 0d
Potatoes	...	...	00s 7d to 00s 9d
Tallow	...	...	48s 6d to 49 0d
Whiskey, per gal (wholesale)		...	6s 6d to 6s 8d
Do. (retail)		...	6s 8d to 7s 0d

BUTTER.

FIRKINS, (Oct. 6,) 60—PRICE, 77s to 79s.

Saturday.....184	.....	75sr to 78s.
Monday 76	.....	74s. to 75s.
Tuesday.....176	.....	74s. to 77s.
Wednesday...384	.....	75s. to 78s,
Thursday ... 354	....	75s. to 78s. 6d.
Friday 86	.....	79s.

Original Poetry.

THE WINTER'S NIGHT.

The winter's night, oh! the winter's night,
With its sable veil o'er unfriendly light,
When 'mid hopes and fears I speed my way
To that spot where my love is wont to stay;
And tho' dark be the gloom, I can see her smile,
And her voice thrills deep in my soul the while,
And her *welcome*, how dear to my throbbing breast,
While her silken hand in my own is press'd!

The winter's night, oh! the winter's night,
With its sable veil o'er unfriendly light,
When the moon sheds not one lucid beam
For the prying eyes of the watchful dame::
And the children smile 'round the cheerful blaze,
As they list to some tale of her childhood's days,
And the fugitive steps of my love and me
By the half-closed door pass heedlessly.

The winter's night, oh! the winter's night,
With its sable veil o'er unfriendly light,
When we walk alone, with our hearts inclined,
And the shades leave no trace of our path behind;
And she calls me "the love of her guileless heart!"
And she sighs, oh! she sighs, that we e'er should part,
And she looks in my face with a beaming eye,
While the spirit of solitude lingers nigh!

The winter's night, oh! the winter's night,
With its sable veil o'er unfriendly light,
When, with sorrow far deeper than tongue can tell,
We breathe a long, lingering, sad farewell;
Oh! the cold world knows not such jubilee
As those dim hours wreathe for my love and me,
When we walk alone, with our hearts inclined,
And the shades leave no trace of our path behind!

Waterford. C. P.

THE COMING WINTER.

(From our Correspondent.)

Kilkenny, Oct. 12.

The Irish rebellion of '48 is absolutely over—that great commotion which shook the stoic nerves of the government—turned my Lord Marquis of Waterford's Castle into an ordnance magazine—sent a few hungry and naked peasants into a premature grave—and gave many a poor soldier the fever and ague—that tremendous attempt to deprive the Queen of her lawful style and dignity, &c. and which, in the opinion of the *Times*, nothing less than martial law could quell—I repeat is ended. Nothing remains of it claiming public attention but the great open for the display of legal talent which the trials of a few unfortunate men have given to the Irish bar, the result of these trials, and the consequent fate of the parties concerned.

But though this may be a subject well worthy of attention, yet there is one far more engrossing—the coming winter, with its blighting prospect of famine and its fearful consequences, it needs not prophet to predict. It will be of a more devastating nature than that of '46, or '47, unless some prompt and powerful measures be adopted by the government and the landlords to withhold the impending calamity. The poor man's only hope (the potato) is irretrievably gone, and corn on the whole is but an average crop (if so much) would be, generally speaking, amongst the small farmers, barely sufficient to support their families without meeting any other claim; but the landlord's call must be obeyed, and the unfortunate holder, to satisfy it, must dispose of the only barrier which would keep himself and his family from actual starvation. Fearful will be the consequences, I repeat, unless the government and the landlords (for their interests are the same) step forward to the rescue.

The poor people want nothing but employment. Give them that, and you shall hear very little of camps and rebellions; but whilst they are idle and in a state of starvation, they are fit tools for any designing man to work with. . . . Men will join in anything to avoid the fearful certainty of death from starvation.

Let any man go through the Main-street of this City on the Sabbath and see the immense number of strong, able-bodied, yet poverty-stricken labourers, who are there seeking employment but in vain—no doubt the same are to be seen through all the towns in the southern and western part of Ireland—let any man observe this and he must be convinced that there is something wrong in the social system when such things exist.

VERITAS.

HOAX ON THE MILITARY IN KILKENNY.

(From our own Correspondent.)

A while ago when the talk of meetings, camps, and battles was at its height, a couple of gents. in this town who are fond of their joke, put it into the head of a raw country fellow to go and tell Captain Roberts he had just seen, when coming in from the country, nine or ten thousand rebels assembled on the Johnswell mountains in battle array, with flags, banners, &c.

General Macdonald was immediately sent for, who, with Captain Roberts, at once proceeded to the Cathedral tower, provided with a powerful telescope, to get a good view of the insurgents' position; in the meantime the word got afloat amongst the officers that they were ordered to be in readiness to march out in a few minutes, and the most of them being scattered through the town the bugle was put into requisition to collect them. The bugler turned out in the Main-street, and sounded *assemblee* and such running of officers and soldiers to prepare for the affray was never witnessed here before. In a short time the look-out party at the Cathedral returned; but though the Tower commanded a perfect view of the mountains, and the telescope made everything plain, no camp could be discovered, unless a few men digging potatoes might be converted into such. The gallant Sons of Mars returned their swords to their scabbards (some of them not unwillingly), and old General MacDonald, more than a little chagrined, vowed all kinds of vengeance against "*the damned country scoundrel.*"

SENTENCE ON SMITH O'BRIEN.

The following appeared in a second edition of *The Waterford News* on Monday evening last:

A Person who has just arrived by the Eight o'Clock Car, and who was in the Court-House of Clonmel to-day, says that sentence of DEATH was passed on Smith O'Brien, (at eleven o'clock) by Chief Justice Blackburne, in the usual manner. He says that the prisoner stood unmoved in the dock, although the lamentations in court were most appalling.

Parties who seem to be well informed on the subject still assert that the sentence will be commuted.

Immediately after M'Manus was brought up for trial which is expected to terminate soon, with a similar result.

There is a report in town, which was corroborated by the car, that Three men were shot at Bansha (Co. Tipperary) whilst making a distress for Poor Rates.

TO THE EDITOR OF THE FREEMAN.

SIR—I am sure you will not refuse insertion to a line or two from me in your widely-circulated journal. I can remain silent no longer. Whilst the whole press of the kingdom was circulating charges of the vilest, most infamous description against me, my mind was too much occupied with thinking on the sad fate which awaits the noblest of the Irish race, to suffer me to bestow a thought on my own unhappy condition. So far, indeed, have I been from meditating treason against O'Brien, for whose safety I would willingly sacrifice my life if it would avail him, that night and day I have not ceased to lament, in the bitterness of my soul, his sad and melancholy situation. I read in your journal, a few days since, a paragraph from your Clonmel correspondent, pointing me out as a person whose name would be classed in the same category as the Newells and Reynoldses of other days. Were I capable of the baseness thus attributed to me, no hell would be too deep to bury in its tomb so infamous a monster. I have listened in silence and affliction to all that was said and written of me, expecting that a few days would suffice to unbury the informers, and hold them up to infamy. And it was not until I read the paragraph in your paper (this day only did I see it) I came to the resolution, no matter at what risk to myself, to declare publicly through your journal, that I never had either directly or indirectly, the slightest communication with any *person* concerned with the oppressors of my country, either in the law, military, or police departments of the government, or any other department—that I have always been, and ever will be, true to what I hold to be the cause of my country, and that no terror, punishment, or persecution, favours or rewards, ever could, or ever shall, seduce or induce, me to abandon my duty, as an Irishman, to the land of my birth.—I remain, sir, your obedient servant, PATRICK JOHN BARRY.

October 3d, 1848.

N.B.—I trust other papers will also insert this note.

FROM OUR LONDON CORRESPONDENT.

There is a natural tendency in the human mind to exaggerate everything coming within their perception of our senses, more especially with reference to things of difficulty and danger. Why this is so, I may leave to the philosophers to determine; but without diving very deeply into the mysteries of æsthetics, the most casual observers can see daily instances of this truth.

Sometimes such a universal sentiment may be productive of good; more frequently, because then it is more sincere and wide-spread, it is productive of evil. There cannot be a better illustration of this than is afforded to us by the national terror generated of the rumour, that the cholera is again amongst us.

Now, I say emphatically, and I have taken some pains to ascertain the truth, that the cholera is NOT amongst us—NOT in the United Kingdom at all,—NOT even in Paris. True, it has burst its bounds from the remote regions of Turkey, and of Prussia,—true, unlike the armies of the greatest human potentates, no Thermopylæ can stop its path, no human power arrest its avenging arm; but courage, care, and vigilance are all that can be exercised to mitigate its devastation; and no timid expression of alarm can stay its progress for a moment.

Since the cholera appeared in Russia last winter, there have been false cries enough in London about its being amongst us; and the cholera-mongers have been busy getting up cases now and then in several districts to give a variety to the Registrar-General's Quarterly Report.—But this report is no more to be depended on in a matter of this kind, than the Chancellor's Budget is for the price of woollen stockings in the moon. The Commissioners of Health positively assert the non-contagiousness of the disease; yet, strange to say, a vessel was put under quarantine in Hull last week on suspicion of being affected.—However passing this paradox, it will be no harm to have the sanitary bodies throughout the empire a little stirred up to the performance of duties which they have so palpably neglected, by inattention to sewerage, drainage, supplies of water, and soforth, things of vital consequence to the health, to the comfort, and to the prosperity (which is of no use without health and comfort) of the inhabitants of large towns.

The termination of the trials, with the conviction of the Chartists, Dowling, Cuffy, and Fay, has revealed the whole of the conspiracy that filled the metropolis with so much alarm, in the threatened irruption of the 10th of April.—Treason has had its punishment, and treachery its reward. The poor deluded fools, who, with glass bottles, gunpowder, and rusty nails, prepared in a few beer-shops, to dismember the British Empire, hurl Victoria from the throne, and put a guinea-a-week President over their new Republic, have been ignominiously condemned, and sent across the water for the term of their natural lives. Fools, were it in this alone,—most incomprehensible fools,—that they allowed themselves to be entangled in the meshes of bloodthirsty informers, who not only noted all their doings as spys, but urged them on in their folly, supplied them with arms, made arrangements and regulations for carrying out their diabolical projects, and were themselves, as traitors always are, the most seemingly enthusiastic, sincere, and courageous. Will men never learn wisdom by experience—or is such folly but part and parcel of man's hereditary failings?

So much accomplished here by the strong arm of the law, turn we now to contemplate the exercise of its power in our own unhappy land. Far-seeing prophets, big with mysterious knowledge, tell you of their discoveries of the secret intentions of the government; and that it is intended to dispatch the insurgent chieftains right off hand, as soon as they are convicted. Shut ears and eyes against all such confidential rumours. They are forgeries; base, open, staring, palpable forgeries; there is not even the odour of truth about these coinages of the brain. Those who have reason to know, yet who pretend not to secret sources of knowledge, believe that the Ministry have determined that sentence of death shall be recorded against the the heads of the movement, in order that the Queen's mercy shall be graciously extended to them as a sop to the Irish Cerberus; but that the ultimate fate of all included in the treason indictments, will be banishment from their native land for ever, and for ever!

There is but the one feeling throughout all England for Smith O'Brien and his associates—sympathy for the men and for their sufferings; but no sympathy for the rash and headlong folly of their acts. The truculence that pants for their blood exists only in the columns of a venal press, and has no home in the hearts of the English people—of that the people of Ireland may rest fully assured.

Filling again with the life and gaiety, which for "the season" retired from its round of bustle, London is resuming its animated appearance. The theatrical campaign is about to open with great vigour; and there seems to be a great effort to revive the legitimate drama, which had nearly sunk beneath the tide of foreign amusements which inundated the metropolis during the last year. The Italians in Covent Garden,—the fair Swede at her Majesty's Theatre,—Madame Shillon at the Princess'—M. Houdin at St. James',—French artistes at Astley's,—and a French company at Drury Lane; this formidable host, patronised and encouraged, not only by the Queen, but by every satellite that followed in her wake, and whose only faith is in the text, "*La reine le veut*," presented a formidable obstacle to the utter overthrow of British enterprise in the drama. Webster, however, has made a stand with the Haymarket, to the loss to his own pocket of nearly eight thousand pounds; the Lyceum and Adelphi, having their regular patrons kept on foot nightly by the attractions of C. Mathews and Harley at one; and of Wright and Paul Bedford at the other, with very faint success however.—And now Bunn is about to commence a glorious season, with a new English opera, and all the available native talent in the market. He has great difficulties to contend with; as indeed every man has in London, except sneaks, swindlers, and mustachioed humbuggers.

CAMILLUS.

In Chancery.

WILLIAM EDWARD STEELE, Esq. *Plaintiff.*
THOMAS DAVENPORT (Assignee of WILLIAM LAMBERT, an Insolvent). WILLIAM HUGH LAMBERT, ANNE RICHARDSON, GRACE ROBINSON, JEMIMA STOYTE, THOMAS O'DELL and JANE, his Wife, LEWIS LAMBERT, and BERNARD LAMBERT, *Defendants.*

PURSUANT to the Decree of Her Majesty's High Court of Chancery in Ireland, made in this Cause, bearing date the 3d day of December, 1846, I will, on FRIDAY, the 3d day of NOVEMBER next, at the Hour of **One o'Clock in the Afternoon,** at my Chambers, on the **Inn's Quay, City of Dublin,** set up, and Sell to the highest and fairest Bidder, the Fee and Inheritance of one undivided moiety of **All That and Those,** the LANDS of BALLINVOHER, situate within the Liberties of the City of Waterford, containing by estimation **39 Acres, One Rood, and 8 Perches,** late Irish plantation measure, at present in the occupation of Sir HENRY WINSTON BARRON.

ALSO, the Fee and Inheritance of **All That and Those,** Two-Third parts of the LANDS OF BARMONY, situate in the Barony of Bantry, and County of Wexford, containing by estimation, **114 Acres,** late Irish Plantation Measure, be the same more or less, now or late in the possession of the Representatives of JOHN and PATRICK KEARIN, or their under-Tenants, in the pleadings in this Cause mentioned, or a competent part thereof, for the purposes in said Decree mentioned.

Dated this 28th day of September, 1848.

WILLIAM HENN.

For further particulars, Rentals and Conditions of Sale, apply to THOMAS SAMUEL SNAGG, *Plaintiff's Solicitor, No. 5, Bachelor's Walk, Dublin.*

Celebrated throughout the Globe!

HOLLOWAY'S OINTMENT.

Cure of Fistulous Sores and Pleurisy.

Extract of a Letter from Mr, Robert Calvert, Chemist, Stokesley, dated Sept. 3d, 1847.

To Professor HOLLOWAY.

SIR,—Mr. Thompson, National Schoolmaster of this Town, desires me to send you the particulars of his son, who had been bad for three years and a half, and has received the greatest benefit by the use of your Pills and Ointment. He is of a scrofulous constitution: a pleurisy had left a large collection of matter in the chest—this eventually formed a passage through the wale of the chest, and ended in three fistulous sores, which discharged large quantities of pus, when he was induced to try your Pills and Ointment. At this date he was apparently in a dying condition; the stomach rejected every thing it took. Your Pills and Ointment had the effect of completely curing both the cough and stomach affections. His strength and flesh are also restored; his appetite keen; and digestion good. There is every prospect that a little further continuance of your medicines will finish the cure.

(Signed) ROBERT CALVERT.

The "Mofussulite" Newspaper, published at Meerut, has, on the 15th October, copied an article from the "Benares Recorder," of which the following is an Extract:

"The Prince of MAHARAJAH BISSONATH SINGH, who was temporarily residing at Chittercote, was suddenly taker ill with Spasmodic Colic, and, during his illness, His Highness often asked for Holloway's Pills and Ointment, as he had heard much of their virtues, but none could be obtained in the neighbourhood, and Professor Holloway, no doubt, unfortunately loses a certificate which would have graced and dignified his list of cures."

The native Princes are now using Holloway's celebrated Pills and Ointment in preference to every other medicine, they being so wonderfully efficacious in the cure of diseases in India.

Cure of Ulcers where there existed Diseased Bone.

Extract of a Letter from Mr. James Wetmore, Hampton, New Brunswick, dated February 10th, 1847.

To Messrs. PETERS and TILLEY.

GENTLEMEN,—I feel it is but due to Professor Holloway to inform you, as his Agents for this Province, of a remarkable cure performed upon my Son. He had been afflicted with Ulcers on his limbs and body for more than three years, from which small pieces of bone had been removed. I tried several medical men in St. John's, but all to no purpose. I was then induced to try Holloway's Pills and Ointment, which made a complete cure. Several months have since elapsed, but there is not the slightest appearance of the cure being the most complete.

(Signed) JAMES WETMORE.

The Testimony of a Physician in the Cure of Skin Diseases.

Extract of a Letter from W. E. Powell, M.D., 16, Blessington-street, Dublin, dated Feb. 9th, 1847.

DEAR SIR,—Having devoted my attention for some time to cutaneous or skin diseases, I think it but right to inform you that I have, in various cases, recommended the use of your Pills and Ointment, and invariably found them to have the most perfect effect in removing those diseases.

(Signed) W. E. POWELL, M.D.

Sold by the Proprietor, 244, Strand, (near Temple Bar), London, and by all respectable Vendors of Patent Medicines throughout the Civilized World, in Pots and Boxes, 1s. 1½d., 2s. 9d., 4s. 6d., 11s., 22s., and 33s. each. There is a very considerable saving in taking the larger sizes.

N.B.—Directions for the guidance of Patients are affixed to each Pot and Box.

CAUTION THE extensive practice of Messrs R. & L. PERRY & Co., the continued demand for their work, entitled the "Silent Friend," (one hundred and twenty five thousand copies of which have been sold), and the extensive sale and high repute of their Medicines, have induced some unprincipled persons to assume the name of PERRY, and closely imitate the title of the Work and names of the Medicines. The public is hereby cautioned that such persons are not in any way connected with the firm of R. and L PERRY, & Co. of London, who do not visit the Provinces, and are only to be consulted personally, or by letter, at their Establishment, 19, Berners-street, Oxford-street, London.

TWENTY-FIFTH EDITION.

Illustrated with 26 Anatomical Coloured Engravings on Steel, on Physical Disqualifications, Generative Incapacity, and Impediments to Marriage,

"The Silent Friend,"

A New Edition, enlarged to 196 pages, Price 2s. 6d.

In order to ensure secrecy, and punctuality in delivery, the work will be sent direct from the establishment, free to any part of the kingdom, in a sealed envelope, on the receipt of 3s. 6d. in postage stamps.

THE SILENT FRIEND is a Medical Work, written in language devoid of professional technicalities on the physical disqualifications affecting the generative system in both sexes. It contains an elaborate and carefully-written account of the anatomy and physiology of the organs in man which are directly and indirectly concerned in the function of generation (illustrated by coloured engravings), and the causes and consequences resulting from the baneful practice by which the vigour and manliness of life are enervated and destroyed, even before nature has fully established the power and stamina of the constitution. Local and general debility, nervous irritability and excitement, consumption, indigestion of the most fearful and exhausting kind, intense melancholy and depression of spirits, and partial or complete extinction of the reproductive powers, &c., are thus produced. In the Silent Friend, the chapter devoted to the consideration of these dreadful complaints, contains also an account of the means by which they may be prevented and removed, so as to restore the sufferer to the full enjoyment of health and the unctions of manhood.

The work is illustrated by the detail of cases, and 26 colored engravings on steel.

By R. & L. Perry, Consulting Surgeons.

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Part the First of this work is dedicated to the consideration of the anatomy and physiology of the generative functions. It embraces a succinct account of all the organs in man which are engaged in the important function of the reproduction of the species, and the mode in which self-abuse operates to the injury of the human frame and the destruction of the special and vital powers. This is illustrated by six coloured engravings.

Part the Second treats of the infirmities and decay of the system, produced by over indulgence of the passions. It shews clearly the manner in which the baneful consequences of this indulgence operate on the economy in the impairment and destruction of the social and vital powers. The existence of nervous and sexual debility and incapity, with their accompanying train of symptoms and disorders are treated by the chain of connecting results to this cause. This section concludes with an explicit detail of the means by which these effects may be remedied, and full and ample directions for their use. It is illustrated by three coloured engravings, which fully display the effect of physical decay.

Part the Third furnishes an accurate account of those diseases which are the result of infection whether in their primary or secondary character and it also contains explicit directions for their treatment. In it will be found evident proof that many persons, either mistaking the nature of the complaint under which they labour, from real ignorance of the subject, or from its insidious and latent character, neglect to obtain the requisite medical aid, and allow the diseases in question to secure their hold upon the system, thereby entailing upon themselves and families a life-time of wretchedness and broken health, which might have been avoided by early attention to the symptoms of disease. This part is illustrated by 17 coloured engravings.

Part the Fourth—The preceding part having been devoted to the consideration of the maladies resulting from contamination and its consequences, next follows an account of the means by which such dreadful maladies may be prevented. This may be effected by the use of a lotion, which is strongly recommended as the only efficient agent by which such an effect can be produced. Its action is immediate and certain by reason of its chemical influence.

Part the Fifth treats of marriage—its obligations and disqualifications. The causes which lead to happiness in the marriage state are dwelt upon, and those which are indicative of misery and domestic inquietude. The nature, origin, and treatment of physical disqualifications also described, and their operation in the causation of mutual happiness or distrust, are shown to be of a most important and certain character. Marriages which are not attended with the anticipated results are frequently, in consequence, the source of continual reproach and mutual dislike. The causes and remedies for this state form an important consideration in this section of the work.

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Waterford Union.

NOTICE

NOTICE is hereby given that Mr. JOHN HUDSON, of Manor-street, has been appointed REVISING VALUATOR for the Electoral Division of WATERFORD—and Mr. PATRICK CARRIGAN, of Dumbrin, Kilmacow, for the rural Electoral Divisions of the Union.

All applications for an alteration in the amount of Valuation must be made in the first instance to the Vice-Guardians, and will be received by them up to the 10th of November, proximo.

Any cases of non-occupation—division of property—or change of ownership, may be addressed to the respective Valuators, who will at once proceed to report thereon.

By order of the Vice-Guardians,
JOHN P. HENEY,
Clerk of the Union.

Board-Room, Waterford,
5th Oct., 1848.

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