Second English Mail for October.

The Steamship *Europa* arrived at Halifax on Monday the 23d instant, having made the voyage from Liverpool in 8½ days. On Friday morning the Mail for this Island arrived in the *Peri* from Pictou. The conviction and sentence of two of the State Prisoners in Ireland, (Messrs. O'Brien and McManus), and the spread of the Asiatic Cholera in England and Scotland, are the principal events of the week.

CONVICTION AND SENTENCE OF DEATH ON MR. SMITH O'BRIEN.

About half-past five o'clock the Judges returned to court, and took their seats on the bench, when the Jury entered, and the Clerk of the Crown called over the roll, each man answered to his name.

Clerk of the Crown: How say you, gentlemen of the Jury, on the first count, guilty, or not guilty?

Foreman: Guilty.

The word caused a perceptible sensation in every corner of the court. Mr. O'Brien slightly nodded his head to the Jury.

The same general verdict was returned on the other counts except the sixth, which had been withdrawn.

The Foreman said, in tones which were nearly inaudible, 'My Lord, there is a recommendation from the Jury. I really cannot read it, my Lord. Mr. Pedder, can't you read the rest?'

The Clerk of the Crown then read from the paper what follows:—'We earnestly recommend the prisoner to the merciful consideration of the Government, the Jury being unanimously of opinion that, for many reasons, his life should be spared. For self and fellows, Richard M. S. Manseragh, Foreman.

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

Chief Justice Blackburn said, in a low voice, 'Adjourn the Court until ten o'clock on Monday morning.'

The prison van which contained Mr. O'Brien was guarded by a strong body of police, but there did not seem much necessity for their attendance. About sixty poor persons were assembled round the court, half of whom were women, and but few of those assembled followed the van to the gaol. The greatest silence prevailed in the streets of the town.

Monday.—At the sitting of the Court, Mr. Whiteside having made a motion in arrest of judgment, which was opposed on the part of the Crown and refused by the Court, the Clerk of the Crown asked Mr. O'Brien what he had to say why the sentence of the law should not be passed upon him?

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

The Lord Chief Justice then proceeded, amidst the most profound and painful silence, to pronounce the extreme sentence of the law upon the prisoner. He said: William Smith O'Brien, after a long, painful, and laborious trial, a Jury of your countrymen have found you guilty of high treason. Their verdict was accompanied by a recommendation to the mercy of the Crown. That recommendation, as is our duty, we shall send forward to the Lord-Lieutenant, to whom, as you must know, exclusively belongs the power to comply with its prayer. It now remains for us to perform the last solemn act of duty which devolves upon us—to pronounce that sentence, by which the law marks the enormity of your guilt, and aims at the prevention of similar crimes, by the example and infliction of a terrible punishment. After an exhortation to the prisoner to repentence, 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 be dead; that afterwards your head shall be severed from your body, and your body divided into four quarters, to be disposed of as her Majesty shall please; and may God have mercy on your soul!' (A profound sensation followed the sentence, and continued to manifest itself for several minutes afterwards.)

After a pause, several persons rushed forward to the dock to take farewell of the prisoner. He shook them warmly by the hand. His manner was calm. He left the dock with a steady step and smiling countenance, and was conveyed to the cell or waiting-room adjoining the dock. When the intelligence reached the streets that he had been sentenced to death, crowds of persons collected about the court-house, and a great sensation was manifested. Several women ran to the gates shrieking and throwing up their arms in violent grief. A large body of the constabulary, with bayonets fixed, were at once marched into the square before the court-house. The gaol van (drawn by two horses) was then admitted inside the gates, and the prisoner having been placed in it, the vehicle was driven to the gaol, surrounded by the constabulary, and the prisoner reconducted to his cell. The excitement in the streets was intense, and it was not till a considerable time had elapsed that it subsided.

Trial of Mr. C. G. Duffy.—The Dublin Commission is to open on the 21st inst. Mr Duffy is to be tried at this commission. In the summonses to the city grand jury, there is a notification that 'a heavy penalty will be incurred for non-attendance.'

Mr. Smith O'Brien.—The recommendation of the jury, that the prerogative of mercy should be extended to Mr. O'Brien, is almost unanimously responeded to by men of all shades of politics in Ireland. As an instance of the right feeling which governs many of Mr. O'Brien's actions, the following letter to his solicitor is characteristic:—'Clonmel Gaol, Oct. 9.—My dear Potter,—I entertain the most sincere and anxious desire that no insult or injury should be offered to either the jury or 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 Smith O'Brien.—Robert Potter, Esq.'

Address to the Roman Catholic Hierarchy on the Apprehended Approach of Famine.—The Roman Catholic Clergy of Meath have published an address to the hierarchy of their church, in which they state, 'That the potato crop may be considered this season almost lost. That the grain crop in their respective parishes is far below an average one, and is, besides, greatly damaged and wasted by wet weather. That the wealthy landlords, with some honourable exceptions, as well as embarrassed among them, are already pressing for rents, as if no failure of the people's food had taken place. That the small holders of land in general are unable to pay rents unless by parting with the scanty produce of this harvest, their only means of sustaining their miserable families. That this entire class, if left unaided, will be superadded to that mass of human misery hitherto supported by public relief. That the Poor-Law, under the present pressure of unexampled suffering, is quite inadequate to meet the difficulties of this awful and protracted crisis; and that, if employment and wages be not given, hundreds of thousands of the labouring classes will perish, whilst the food, by their sweat and labour produced, is carried out of the country before their eyes. This committee most highly appreciates the unceasing solicitude with which each of your Lordships laboured in his own diocese to alleviate distress. It knows well the almost superhuman efforts made by each to save the lives of famishing multitudes; but, at the same time, it is coerced to give expression to the opinion of the clergy and laity, that had your Lordships, with irresistible unanimity, at the famine, taken that position between the starving people and their rulers, the poor would not have been neglected as they were, for no minister could be so unwise as to disregard your Lordship's remonstrances. If this omission was owing, as has been often alleged, to the want of unanimity on other subjects among your Lordships, which has of late years become so painfully public, this committee indulges the fond hope that the distressing want of union, for the sake of the poor, will, by the blessing of God and the counsel of the Holy Father, cease for ever. The last and most important duty of the committee is to implore your Lordships at your next meeting to make one unanimous and vigorous effort to direct the attention of Government, hitherto so ill-advised, to the grinding oppression, unequalled distress, and squalid misery of your faithful flocks, and that in your endeavours to save the country from the impending calamity, now more threatening than ever, you will not content yourselves with the promises of a Viceroy, which he may not be able to fulfil, and which the Premier may distort or disallow, but that your Lordships would consider it your sacred duty to approach the Throne and make known the wants and destitution of her Irish subjects to our good and gracious Queen, and firmly, but most respectfully, to demand of her, as she claims their allegiance and services, to save their lives.

'By the latest news from Dublin, and we may add from the best informed quarters in the metropolis, we deeply deplore to state that there is an increasing alarm respecting the future disposal of Mr. W. Smith O'Brien. In Dublin the most anxious rumours are in circulation, with no little apprehension respecting the final execution of his sentence.

'Mr. T. B. McManus was also found guilty of High Treason, and sentenced to death.

'Mr. O'Donohue was next put upon his trial, the result of which is not known.

'A deputation has awaited on His Excellancy, touching the fate of Mr. O'Brien, and we are glad to say that the rumors which have prevailed respecting his execution are unfounded. The Lord Lieutenant, it would seem, is favourable to mercy.

The Cork Examiner states that an official intimation was conveyed to the mother and wife of Mr. Smith O'Brien on Saturday, that 'the recommendation of the jury was almost certain to be attended to by the Executive.'

PEREMPTORY DEMAND FOR THE RELEASE OF AMERICANS IMPRISONED IN IRELAND.

The American Minister in London through his Consul in Dublin, has insisted upon the immediate release of the two American citizens, arrested some weeks ago on their landing in Ireland, and who have since been confined in her Majesty's gaol of Newgate. In this case the prisoners were not only guiltless of any overt act of treason, but if so disposed, they had no opportunity of offending in any way against the laws of England. It appears the information on which they were arrested came from the other side of the Atlantic, and their arrest and arrival in this country was simultaneous.—Directions have also been given to furnish the particulars and details connected with searches of American vessels.

THE CHOLERA.

We learn from Edinburgh that twenty-three cases of cholera had occurred up to Tuesday, and seven at Newhaven. At Hull another fatal case had occurred on board a vessel from Hamburgh. In the metropolis a few cases were reported during the week. An Official notification published by the General Board of Health contains an extract from a report by Mr. Grainger, the surgeon sent by them to Hamburgh, in which he states that the notion of contagion had been universally abandoned in that city.

On Monday evening the Police Commissioners issued an order directed to each Superintendent of the Metropolitan Police, to make to them (the Commissioners) a daily return of all cases of cholera occurring within their respective divisions every 24 hours; the reports so furnished to be transmitted to the Government and the Board of Health. The Thames Police is to perform the same duties amongst the shipping in the river, and to make a return of all cases which occur that are not taken ashore.

THE CONTINENT.

Continental News is still a record of sanguinary conflicts between Princedoms and their people, of wars and rumours of wars, and the still disorganised state of almost the whole of Europe.

A report prevailed that a great number of German cities are in insurrection. In the insurrection at Vienna 150 were killed and 500 or 600 wounded.

It is thought that King Charles Albert will avail himself of the catastrophe at Vienna to recommence the war in Italy.

Several Generals in Garrison at Paris have been ordered to join the army of the Alps.

The French revolution is again marching with rapid strides. After all the vacillation, intrigues, and excitement of the last week, respecting the mode by which the President of the Republic shall be elected, the National Assembly has decided by an overwhelming majority of 602 against 211, that the President shall be elected by direct and universal suffrage by ballot, and by an absolute majority.

In its final form the vote stands, that the President is to be nominated by secret scrutiny, and by the absolute majority of the voters, by the direct suffrage of all the electors of the departments of France and Algeria.—The vote was in this shape carried by 627 to 130. In the event of no absolute majority, the National Assembly will elect the President by ballot, and by absolute majority, from among the five candidates who may obtain the largest number of suffrages.

The Colonial Mail arrived yesterday morning.

McFadyan, who was recently lodged in the County jail of Pictou, on a charge of Murder, has been tried, convicted, and sentenced to be hung.

☞Several communications received during the last week, will be attended to as soon as possible.

Mr. Whelan presents his compliments to Mr. Somebody, who has written an editorial in last Tuesday's *Gazette*, and begs to say that other engagements have unhappily prevented his giving due attention to the polite notice with which he has been favoured, and of suitably acknowledging the compliment paid him by reprinting his editorial of the 16th inst. in the *Royal Gazette*. Mr. Whelan is happy to congratulate the readers of the Gazette on the good taste displayed by Mr. Somebody, in copying the only thing worth reading that has appeared for a long time in the editorial columns of the *Gazette*.

With respect to the communication signed 'Y. Z.' in the same paper, Mr. Whelan is constrained to say, that under no circumstances could he undertake to answer a correspondent who appears to be shamefully ignorant of the first principles of Grammar—a controversy with whom would be like participating in the disgrace which he brings upon the journalist who is stupid enough to print his intolerable nonsense. Having some compassion on such a wight, 'Y. Z.' is hereby notified that he may borrow at the *Examiner* Office a dog-eared Lennie's Grammar, ditto Blair's Rhetoric, providing he will furnish a certificate from his Parish Clergyman, that he is not a born fool, and incapable of learning.