

THE CASE OF MICHAEL M'CABE.

SENTENCE COMMUTED TO TRANSPORTATION FOR LIFE.

Our readers are aware that great exertions have been made by Mr. Jackson, of York, the solicitor for Michael M'Cabe, who was convicted at the late Yorkshire Winter Jail Delivery, and sentenced to be executed along with Patrick Reid, for the murder of Caroline Ellis, at Mirfield, to obtain a remission of his sentence. The matter has frequently been under the consideration of Sir George Grey, the Secretary of State, and Mr. Justice Patteson, the Learned Judge before whom the case was tried, and on Wednesday morning Mr. Jackson received the following official communication upon the subject:—

“Whitehall, 1st Feb., 1848.

“SIR,—I am directed by Secretary Sir George Grey to acknowledge the receipt of your letter of the 27th ult., respecting the case of Michael M'Cabe, who was convicted at the winter assizes holden for the county of York in Dec. last, of murder, and sentenced to death. And I am to acquaint you that, since the trial, the case of M'Cabe has been frequently under the consideration of the Judge before whom the prisoner was tried, and he is of opinion that M'Cabe was a participator in the crime to a certain extent, and has recommended that his sentence should be commuted to transportation for life, and that Sir George has thereupon recommended the prisoner to her Majesty for the grant of a pardon upon that condition.

“I am, Sir, your obedient servant,

“G. M. PHILLIPS.

“David Jackson, Esq., No. 1, Goodramgate, York.”

We understand that further efforts will be made by M'Cabe's attorney and others, to obtain a free pardon for him, if possible.

MR. MATTHEWS'S LETTER RELATIVE TO THE CASE OF MICHAEL M'CABE.

Since the commutation to transportation for life of Michael M'Cabe, Mr. Matthews (M'Cabe's counsel) has forwarded the following letter to Mr. Jackson, the attorney for that individual:—

“4, Brick-court, Temple, 2nd Feb., 1848.

“REG. v. M'CABE.

“DEAR SIR,—I have been at the Home Office. I have also had another long conference with Mr. Justice Patteson upon this case. It appears that some further inquiries have been made, I believe by the Magistrates in Yorkshire, and sent to the Home Office, the effect of which is unfavourable to M'Cabe; and though the Judge is still of opinion that the verdict is wrong, and ought to have been on the other side, yet as there is a verdict of guilty, he feels difficulty in saying—taking the fresh information to be correct—that M'Cabe may not have had some participation in the transaction, though not in the actual perpetration of the murders, and hence he feels it a difficult matter to sustain his former requirement that M'Cabe should have a free pardon. This is precisely the thing I have all along been fearing, that something would be raked up which, if true at all, ought to have been discovered before and produced at the trial, and which we can have no means of rebutting. Whether such inquiries have been made with a view to elicit the real truth, or to confirm the verdict, is not for me to say; but I understand that one part of the new evidence is that, upon examination, the *basket*, which is now in the possession of Mr. Ingham, the Magistrate, can be carried on the arm. I am very sceptical on that point, and must see it myself before I can believe that it could, in the ordinary sense and way, or perhaps in any sense, when filled with “pots, cups, and earthen vessels,” be so handled. The newspaper you kindly forwarded is now in the hands of Mr. Justice Patteson.

“I fear the result will be that M'Cabe must leave the country, poor fellow. I say poor fellow, for I still believe him quite clear of this offence.

“If anything else transpires, I will let you know.

“I am, dear Sir,

“Yours truly,

“R. D. Jackson, Esq.

“R. MATTHEWS.

“M'Cabe's life is safe—there is no fear on that ground.”

A month previous to the above, Mr. Jackson received the subjoined communication from Mr. Matthews, but being a private communication, it was not then made public:—

“4, Brick-court, Temple, London, 31st Dec. 1847.

“DEAR SIR,—I beg to thank you for your communication received this morning, inclosing Reid's statement. You have already learned that M'Cabe is reprieved. This is all that could be expected in the first instance; but I have good reason for believing, though I have no authority to say so, that the reprieve will be ultimately followed by an entire pardon.

“I have a communication from Mr. Justice Patteson, in which he states that he expected an acquittal, and was disappointed by the verdict, and that he believes M'Cabe to be innocent. As this is a private communication to me, you will oblige me by not making it public for the present.

“I am, dear Sir, yours,

“R. D. Jackson, Esq.”

“R. MATTHEWS.