

Eleven years afterwards, by the statute 26 G. 3, c. 26, s. 25, * the jurisdiction given to the Vice-Admiralty Court, relative to fishermen's and seamen's contracts, wages, &c. was taken away, and left altogether with the Sessions of Justices of the Peace. "But, although Parliament had thus taken away, from the Vice-Admiralty Court the authority which had been vested in it by law, it still continued to exercise that which no law had conferred on it, and both that Court and the Sessions of Justices of the Peace, were resorted to, in the absence of the Governor, and Surrogates, for the administration of justice in all civil cases whatever."† I pass over these usurpations of authority, together with the questionable expedients resorted to by Governors in erecting courts of common pleas. These irregularities manifested the necessity of establishing a Court of Judicature, on a basis not to be impugned, and directed by principles less obnoxious to error and abuse. The act of 31, Geo. III., c. 29,‡ for establishing a Court of civil jurisdiction only, was passed, as an expedient, for one year. Under its provisions, this Court was invested with the jurisdiction of holding plea, in a summary manner, of all debts, accounts, contracts respecting personal property, and all trespasses committed against the person, or goods and chattels, in the Island of Newfoundland and dependencies.

The Court to consist of a Chief Judge, appointed by His Majesty, and two Assessors, appointed by the Governor. And to be a Court of Record, with all such powers as, by the law of England, are incident thereto.

Proceedings of Court to be by complaint, in writing, and summons of defendant, when sum sued for be under £5.

And when above £5, by arrest of defendant and attachment of his goods, and debts, or effects, in the hands of any other person. Court empowered to give costs, and levy sale of goods, &c., or arrest of the person of either plaintiff or defendant, and also of the goods, debts, &c.

Appeal allowed to His Majesty in Council, under security given by appellant, to the satisfaction of the Chief Judge, against any judgment given by the said Court, for any sum exceeding £100.

During the Governor's residence in the Island, the jurisdiction of the Courts of Sessions of Justices of the Peace, in suits relating to wages of seamen and fishermen, to be suspended; and such suits to be heard only in this Supreme Court of Civil Jurisdiction, but, saving to such Courts of Sessions the said jurisdiction, at such times as the Governor shall not be resident, &c.

Limitation of actions to two years from commencement of cause of action, and the jurisdiction of court limited to holding plea only during the period of the Governor's residence within his government.

This experimental act was put upon trial by that eminent person, Mr. Reeves, who for that purpose was appointed by His Majesty Chief Justice of Newfoundland; and to his keen and accurate perceptions, sound judgment, and indefatigable application of great talent, the colony stands largely indebted for the reform of many gross abuses.

See last page.

* A.D. 1786.
† Vide Reeves' History of Newfoundland, p. 157.
‡ A.D. 1791, statute 31, Geo. III., c. 29. The first local judicature law.
§ This Court had no jurisdiction in any matters relating to lands or houses, unless such were then deemed personal property, and which construction, it seems, the government wished to support in its consideration of the rights of occupancy, derived by the occupiers of land, &c. under the fishery laws.

Legislature of Newfoundland.

**HOUSE OF ASSEMBLY,
Monday, Jan. 28.**

A Bill "to restrain any person concerned in any contract, agreement, or commission, made and entered into for the public service, or holding an office of emolument under Government, from sitting or voting as a member of the House of Assembly of this Island," was read a second time; upon which

Mr. BROWN moved that the said bill be committed to a committee of the whole House.

Mr. HOYLES moved by way of amendment, that the future consideration of the Bill be deferred to that day six months.

The House divided, when there appeared a majority for the original motion.

Mr. BROWN moved that the committee appointed to search for precedents touching the right of the House to appoint its own officers, be ordered to report thereupon tomorrow.

Adjourned.

Tuesday, Jan. 29.

Mr. THOMAS, chairman of the committee appointed to search for precedents, with regard to the appointment of the officers of the House, acquainted the House that the committee were not yet fully prepared to report to the House.

On motion, the House resolved itself into a committee on consideration of the Bill for training persons entering into contract or

agreement for the public service from sitting or voting in the House.—Mr. HOYLES in the chair.

The hon. the Speaker having resumed, the chairman reported from the committee that they had gone through the said bill, and had made several amendments thereto, which they had directed him to report.—The bill was then read a first and second time, and ordered to be engrossed.

On motion, the House then resolved itself into a committee of the whole House, on the consideration of the present state of the Judicature of the Colony.—Mr. HOYLES in the chair.

Wednesday, Jan. 30.

The Quarantine Regulation Bill was read a third time and passed.

Mr. THOMAS presented petitions from the members of the Congregation of the Wesleyan Methodist Society, and of the Congregation Chapel of St. John's, for the repeal of the Marriage Act relating to the Colony.

Mr. PACK presented a similar petition from the Inhabitants of Carbonar.

Mr. KENT presented a petition from the Right Rev. Dr. Fleming, in support of the foregoing petitions.

Mr. BROWN presented similar petitions from the Methodists of Harbour Grace, and from the Inhabitants of the North Shore of Conception Bay.

Mr. THOMAS gave notice that on an early day he would move for leave to bring in a bill to regulate the celebration of Marriages in Newfoundland.

Council.

Tuesday, Feb. 5.

The Honourable the COLLECTOR OF THE CUSTOMS gave notice of his intention, on an early day, to move for leave to bring in a "Bill for the establishment of a Savings' Bank in this Island."

The House then resolved itself into a Committee on the "Gunpowder Bill." Mr. Secretary CROWDY in the chair. Several amendments were proposed and adopted. In the course of the debate to which they gave rise, a message was announced from the House of Assembly, when the Committee adjourned. The House having resumed,

Mr. PACK and another member of the Assembly appeared with a "Bill to limit the duration of the present and all future Assemblies of this Island," which, on the motion of the PRESIDENT was read a first time.

The House went again into Committee, and proceeded with the Gunpowder Bill.

The Committee having adjourned, the House resumed, when the Chairman reported progress, and obtained leave to sit again. After which the Council adjourned until tomorrow.

Wednesday, Feb. 6.

A message was sent to the House of Assembly, requesting to be furnished with any documents relative to the magazines for gunpowder near the Crow's Nest.

The House then resolved itself into a Committee for the consideration of the Gunpowder Bill, Mr. Secretary CROWDY in the chair.

The Clerk of the Assembly brought up several papers, having reference to the Bill under consideration, which were read. Several amendments were proposed, and the House having resumed, the Chairman of the Committee reported progress.

The Council then adjourned to Monday next.

Miscellaneous.

At a meeting, held in the borough of Southwark, Mr. William Brougham, the brother of the Lord Chancellor, and who has usually been supposed to speak the latter's sentiments, declared that tithes must be abolished, and that the Bishops must resign their claim to sit in the House of Lords.

It is now certain that Mr. Stanley, Lord Uxbridge and the Marquis of Tavistock will be called up to the House of Lords.

It is stated, in the *Courier Francais*, that the Emperor of Russia has lately granted to Charles X. a pension, to be paid out of funds arising from confiscated property in Poland, lately belonging to the friends of liberty.

Accounts have been received from Canton to the 8th of April. The rebels had again defeated the imperial troops, and were making rapid progress.

WILLIAM AUSTIN.—The Brighton Gazette, in reference to a paragraph which appeared in a morning paper a few days ago, stating that Austin is now in a mad-house at Milan, "his understanding having been affected by the sufferings of his magnanimous mistress," and that Theodore Majocchi was "living in affluence on British gold," says, "We hope the public will not be cajoled by this attempt to excite a spurious humanity." The facts, as we have them from a gentleman who visited Milan in 1827, are, that Austin had then just succeeded in a law-suit against Bergami, which placed him in possession of Queen Caroline's palace at Como; that he was living a life of profligacy and drunkenness, to which his

present state of destitution (if really such as described) must be owing; and that Majocchi, instead of "living in affluence on British gold," was so reduced as to "apply for the situation of waiter in a hotel where our informant resided at Milan."

Mr. Spring Rice, Lord Grey says, is to be the new Speaker, Littleton being to be one of his pledged peers. This saying of Lord Grey's is incautious, for there is a preliminary step to being Speaker, which it will be difficult for Mr. Rice to obtain—we mean that of being a member of the House of Commons.—Sugden will beat him hollow at Cambridge.

The Austrian Government has prohibited the exportation of arms and warlike stores into Egypt, on account of "the rebellion" of the Pacha.

An Insurance Company has been formed at Dusseldorf, under the royal sanction of the King of Prussia, to underwrite cholera risks, in the Rhenish Provinces.

Letters from Petersburg state, that the house of Wm. Brandt and Son, of Archangel, has equipped two ships, at its own expense, commanded by officers of the Imperial navy, to sail on a voyage of discovery, to the great gulf of the icy Sea, between the Government of Archangel and Tobolsk, to explore the entrance of the river Jenissey. Should this undertaking succeed, the attention of our merchants will be drawn to the opening of a new, and hitherto unknown, course, nay, of a great part of the long-desired north-east passage.

The auto-biography of the late Dr. Adam Clarke, is to be forthwith put to press, with a continuation to the time of his decease, by a member of his own family.

PIRACY AND MURDER BY CONVICTS.—The following is an extract from a private letter, received from Sidney, dated the 17th May last:—"On the 31st of December last, while the *Caladonia*, a merchant brig, belonging to Messrs. Mackay and Co. merchants of Sydney, was lying at Moreton-bay, a penal settlement, it was boarded by 11 desperate convicts, who, having secured the crew, sent them all on shore, with the exception of Mr. Browning, the captain, an intelligent and respectable young man. They then hoisted sails and put to sea, commanding the captain to take charge of the vessel, and to steer for some of the islands in the South Seas, frequented by English vessels, expressing their determination to stow themselves away in some of their ships, and thus obtain a passage to their native shores. Mr. Browning denied that he was competent to undertake such a task, but the pirates said they had made themselves acquainted; not only with his character, but his competence, and threatened him with instant death if he did not comply with their wishes. Finding there was no alternative, he took charge of the vessel, and steered in a southerly direction. It was not long before he discovered the desperate characters with whom he had to deal, and in a short time six of the most atrocious entered into a conspiracy to murder the other five, a diabolical purpose which they soon carried into effect. The first four were soon despatched, but the fifth endeavoured, by every possible expedient, to escape, running round the vessel, and up the shrouds on one side and down on the other. As a last refuge he ran out on the bowsprit, where he begged for mercy, but in vain. Some of the monsters pursued him with cutlasses in their hands, and upon approaching near to him, he slung himself from a rope, banging from it with both hands, and again most piteously begged for life: but the monsters, with demoniac laughter, scoffed at his entreaties, and, cutting the rope by which he was suspended, thus consigned him to the watery deep, where, after a few struggles, he sank to rise no more. Mr. Browning, with this example before his eyes, found it necessary, by a resumption of confidence and kindness, to gain the good opinion of the remaining miscreants, and ultimately ran the vessel ashore on one of the small islands in his track, where the natives came on board, and treated them with great kindness. He then discovered that a conspiracy had been formed, by this infamous crew, to murder him, as the only means of preserving their own lives, should they by possibility be secured. Finding his danger, he threw himself upon the protection of the chief of the island, and was thus rescued from impending danger. The ruffians then broke up the vessel with crow-bars, thus cutting off the chance of escape, as they were unable themselves to take charge of the vessel, and Mr. Browning refused again to embark with them. Shortly afterwards an English whaler came to the island, to whom he related the situation in which he was placed; part of the crew went on shore, for the purpose of securing the murderers, but they fled inland, and Mr. Browning was taken on board the whaler; the chief, who had treated him in the most hospitable manner, deeply deplored his departure. He was, subsequently, put on board the *Milo*, an American vessel, on the way to Sydney, where he arrived safely on the 14th of May, the owners of the *Caladonia*, and all his friends, having given him up for lost."

THE EXPEDITION TO THE NIGER.—Extract of a letter from Mr. Richard Lander, dated Isle de Loz, coast of Africa, September 6,

1832, on board the *Quorra* steamer:—"I write merely to inform you we arrived on the 3d instant, all well, and leave for Cape Coast this evening. All the vessels have behaved very well; we have had several tornadoes; the lightning was felt more on board the *Quorra* than the iron steamer; it remained on our decks; but it merely struck the sides of the latter, and glided off into the water. This will give you an idea, that an iron vessel is even safer than one built of wood. On board the *Quorra* we suffered much from the smell of bilge-water, while the iron boat has not made one inch of water since she left Liverpool, and she is never warmer than the water she floats in. The most important part of my work will soon begin, when I hope to send you some very favourable news."—*Liverpool Times*.

Sir James Scarlett furnishes a solitary instance of legal raving not prospering; and, even should the Tories return to office, the age of those who now fill all the highest offices in the courts, leave Sir James but little prospect of preferment.

Sir Herbert Taylor, has, by command of his Majesty, written a very kind letter to the present Sir Walter Scott, informing him that a pension of £200 a year has been granted to Miss Scott from the civil list; and as this, it is supposed, required the concurrence of his ministers, we may consider it as secured to her for life.

The *Western Times* says, "Bishop Phillips has 18 children; seven sons of his are in holy orders."

SINGULAR OCCURRENCE.—A few days since an elderly lady and two young ladies, having all the appearance of fashionables, drove in an elegant carriage to the St. James's Bazaar, where they walked through the rooms, and inspected various articles on sale. At one of the counters, at which jewellery was sold they purchased a small article for 3s. 6d. Soon after their leaving the counter, the young female who attended it, missed two gold seals, two gold pins, a locket and bracelet, together of the value of £7. She communicated her loss and her suspicions to the lady who superintends the bazaar. The ladies were followed to another jeweller's counter, where they were engaged in inspecting the stock, and, in very delicate terms, informed of the disappearance of the articles from the counter at which they had been, and requested to examine their reticules, in which it was possible they might have put them by mistake. They readily made the examination; after which they assured the parties that no such mistake had been made. This was not deemed satisfactory, and the young ladies were conducted back to the counter, that a further examination might be made. Almost immediately one of them was seen placing a gold seal on the stand from which the articles had been stolen. They were then taken to the office of the bazaar, where a strict examination was made; and in a pocket, in the back part of the dress of one of the young ladies, was found a gold pin and four small doily mats, which she said she had purchased at the Western Exchange. It was observed she kept her hand closed; she was requested to open it; another gold pin appeared. The mother, who had gone to her carriage, was sent for, and, on entering the office, offered to pay for the articles, which, however, was refused. She then gave her card, and, with her two daughters, left the bazaar. An officer was employed to follow the carriage, which he did to Richmond, and saw it drive up to a magnificent mansion, which, on enquiry, he found was the ladies' residence. It appeared that they were really a family of high rank; and, in consequence of the influence used on the occasion, the matter is kept quite a secret at the bazaar.—*London Paper*.

The young ladies concerned in the above affair, are the daughters of one of the clerks in a high court of equity. He is himself a gentleman highly respected for the strictest integrity, the most unblemished honour and the sincerest politeness. The daughters are extremely fine girls; the eldest has just attained the age of 21, and has recently come into possession of £12,000, left by a relative; the youngest is about 18, and will be entitled to the same sum when she is of age. They are related—that is, they are nieces, either by the mother or father's side, to a distinguished secretary for a certain department.

The total of the fines inflicted on the absent jurors, at the Assizes of Clonmel, amounts to over £30,000.

The accounts from the frontiers of Poland confirm the reports of the Russian forces in that country being in motion, as if to sustain the Prussians, who are taking up their "precautionary" position on the eastern frontiers of Belgium. It is added, that a Russian reserve is to enter Poland, for which there can be no necessity, but on the supposition, that the regular Russian army is to march beyond the western frontiers of that country, to take an active part in support of Prussia, if those "eventful consequences" of the French invasion, to which the latter power, in her manifesto, alluded, as justifying her warlike interference, should unhappily occur. These are indications deserving of great attention at the present moment.—*Liverpool Albion*.