

be shipped, upon payment of a stumpage duty of three shillings per ton. The timber connected with this suit was stopped in St. Johns by Mr. Allan, seizing officer, upon which it appears Mr. Tibbets pleaded the virtue of his license from the Crown-Land Office of Canada; but finding this did not avail, he subsequently sent his attorney to Mr. Allan, offering him the amount of duties claimed by this province, *under protest*; and that officer was at length induced, believing that there would be no further difficulty about the matter, to sign a receipt for the amount, as paid under protest. The action was brought for the recovery of this sum. Mr. Allan, it appears, did not see the Canada license, but it was produced in Court, and turned out to be *non-official*, simply purporting to be from the Crown-Lands Office of that colony, *but without the seal of the office attached, and signed by the Clerk!* Of all the instances of swindling on record this is the most *mean, cunning, and outrageous*. For many years this state struggled for her rights against the State of Maine, and was finally deprived of *three-fifths* of the territory in dispute by the Ashburton Treaty. And then Canada, for the first time, claimed nearly the whole of that which was left. Next, instead of waiting until the Home Government could decide between the claimants, she endeavours to pocket all she can out of the territory, and render it valueless to New Brunswick, by granting permits to lumber on it on payment of the pitiful sum of *one shilling and eighteen pence per ton*, while the Americans were paying from *one dollar and a half to two dollars per ton* in the immediate vicinity! This fact is damning evidence against her claims; for had Canada herself placed any confidence in their justice, she would never have thus sacrificed the source of so much revenue. But then, after driving this Province into the measures of self-protection, and creating differences and ill-feeling among our people, and giving rise to law-suits, it turns out that the *license* (so-called) is a non-official document, signed by a clerk. What is this but an acknowledgment that she has no claim to the territory, and that she coolly determined to commit a most disgraceful act of swindling! She determined to swindle New Brunswick if possible; and failing therein, to swindle the lumber merchants who trusted to her good faith. She could easily foresee what the result of a law-suit in this province must be, and knowing that the British Government would never suffer a man to pay *twice* for the same Crown property, and therefore will no doubt make her disgorge the ill-gotten spoils, she shrinks from the responsibility by making it appear as the unauthorised act of a subordinate! Well might Mr. Brown, in his seat in the Assembly, call it a *rascally act*; it is a *rascally act*, and thoroughly disgraceful to the parties implicated. We sincerely hope that Mr. Draper, and the British portion of the Executive Council of Canada, will be able to clear themselves of this stain, and that it may prove to be of *French origin*. Surely Mr. Papineau must stand implicated, for we cannot imagine that any clerk in his office would undertake to grant permits for parties to lumber in New Brunswick, without his knowledge and consent. We have one consolation, however, independent of the honest verdict of the jury, which is, that this transaction cannot fail to influence the Commissioners who are appointed to run the boundary line.—*New-Brunswick Loyalist*.

SINGULAR POLICE CASE.

A rumour lately reached this city that considerable excitement prevailed in the parish of Varennes, in consequence of a murder which was supposed to have been committed there on the 3rd ult. Colonel Ernatinger, Inspector and Superintendent of Police, was ordered to proceed to the spot to investigate the case, which led to the removal of all suspicion against the individual supposed to have committed the crime, and the arrest, for sacrilege, of the individual assumed to have been murdered.

The circumstances are these:—About 8 o'clock in the evening of the third of August, a farmer named Novion, residing at a

place called "Le Grand Coteau," in the said parish, was leaving the village on horseback, and was asked by one Loizeau if he would take him up with him. To this Novion assented; and, as he was to get a cart at about two miles from the village, they both mounted the horse. On the way they met a man on foot, who carried under his arm a black parcel about the size of a hat. Loizeau saluted him saying, "Bon soir, Baptiste." The stranger seemed offended, and used offensive language to Loizeau, who dismounted and went towards him. Immediately Novion, who was still on horseback, heard Loizeau exclaim, "Oh, he has stabbed me in the hand with a knife." The latter then seized a piece of fence-rail, when the stranger took to the fields, followed by the wounded man. Novion then heard several blows struck, and shortly afterwards Loizeau returned, having in his possession the stranger's coat and cap. Novion charged Loizeau at once with having murdered the stranger; but this was denied by Loizeau, who said, "*Oh! I gave it to him in good style, but I left him scampering off: I did not kill him.*" Loizeau then went to the owner of the farm where this had occurred, and there lodged the coat and cap, with instructions that enquiry should be made of the owner as to who and what he was, if he should come and claim these articles. Loizeau then told his companion, Novion, that he would proceed no further with him, but would return to the village. They separated; and Loizeau was not seen in the village at all. This excited a suspicion in Novion that Loizeau was desirous of making away with the body, a belief that soon gained ground, as no stranger appeared to claim the clothes, or was even heard of. The circumstance of Loizeau himself not being of very good repute, and having been seen immediately after with bloody hands, tended much to confirm the suspicion of his guilt.

Such was the state of the case when taken up by the authorities. But on making further enquiry, Loizeau's innocence was fully established, and his supposed victim found among the living. Loizeau proved that he had, immediately after leaving Novion, met one Eusebe Roy, of Longueuil, with whom he had driven to Boucherville, where he had slept at his mother's; that on the fifth of the month, being at home, he had seen an individual (without hat or coat) carrying a black parcel, whom he recognized as the same individual who had stabbed him; that he had again pursued in order to apprehend him; that the party when too hotly pressed had thrown his parcel into a field of grain, and had effected his escape; that he had returned to look for the parcel with one Comptois, an Innkeeper, but could not find it. That one Brunelle, (the owner of the farm,) a few days subsequently had found the said parcel, when mowing his grain, which contained silver vases of value, used in Catholic churches, broken and partially disfigured.

The coat and cap having been brought before Loizeau when examined, there was

found in the coat pocket a small piece of silver, gilt on one side, which had the appearance of having been torn off a larger one. This naturally went far to corroborate the account given by Loizeau in connection with the parcel thrown in the field by the stranger when pursued.

At this stage of the enquiry it was ascertained that two individuals (one of them a German) had been apprehended at Chambly, and sent to gaol by the magistrates of that place for offering silver church ornaments and vases for sale. Loizeau was brought to town and taken to gaol, where the gaoler was directed to bring up four prisoners, and among them the two arrested at Chambly. This being done, Loizeau at once identified the German as the individual who had stabbed him, whom he had beaten at Varennes on the 3d August, and who had thrown the black parcel in the corn field.

The church ornaments so found, have since been identified and claimed by the Curate of Repentigny, whose church was broken into on the 31st July last. The German's name is Henrich Koreng, and he now stands committed for sacrilege. Hence it is seen that Loizeau is delivered from the imputation of murder, and Koreng stands committed for sacrilege.

Thus, had the German not been detected and committed by the magistrates of Chambly, the unfortunate fellow, Loizeau, who by the way rejoices not in the possession of the best of characters, would in addition to having been stabbed by Koreng, have labored through life under the imputation of murder.—*Communicated*.

Too much credit cannot be given to Col. Ernatinger, for the trouble he has taken in eliciting the true facts of the case from a very confused mass of evidence and conflicting circumstances.—E. W. E.

THE DRAMA IN MONTREAL.

Without at all changing our opinion in regard to the high prices of admission to the theatre, but on the contrary, more and more impressed with the belief that a reduced charge would fill the now half-deserted seats, we cannot but qualify our remarks, if not absolutely "read our recantation," in regard to the capability of certain of the actors. Entertaining, as we did, a belief that the company at the Olympic were like all other companies we had seen in Canada, of very mediocre talent, we had never ventured into the house, until the night when Mr. Maywood appeared as Sir Giles Overreach, a cast of character in which we had ever admired the wondrous working of the passions of the inimitable Kean, and some parallel to which we sought to trace; and here we may remark that we differ from our contemporaries who have described the representation of the character by Mr. Maywood, as a total failure. He was certainly far from being equal in the piece as a whole, but there were one or two scenes in which the wily and honor-sacrificing ambition of the knight, were portrayed with much truth. —We allude particularly to the scene in which he counsels his daughter as to the