

Mr Howe replied in a speech which occupied the Court till nearly six o'clock in the evening. In his defence, which was impressive, eloquent, and caustic, enlivened often by witty sallies, which proved at times too exciting for even the gravity of the bench he detailed the preceding circumstances—the presentation of the Grand Jury, the Message of His Excellency, the Report of the Council, his own knowledge, and the general extension on the subject—which carried conviction to his mind that the allegations contained in the article complained of, were well founded, and operated on him to cause its insertion; he would have deserved the severest reprobation had he withheld from the public what it was so evidently his duty to publish. To the proceedings by indictment, he repeatedly alluded, as a method their Workings had taken by which to dispute him from calling witnesses to prove the truth of the assertions he made, which if allowed could be substantiated by oath, and he referred to the resolution which was passed unanimously by the Board of Magistrates, requesting the Chief Justice to allow him (Mr Howe) every opportunity of defending himself, as an act which they knew his Lordship could not allow, in accordance with the principles of the British Law. He considered the wording of the indictment too, as very singular. There he was held up as a disseminator of sedition, and dangerous to the peace of society; which was contradicted not only from his writings, but by the general tenor of his life. In allusion to a statement in the article complained of, he showed that the peninsula of H. was in fact, assessed, and that the several parts of the District of Adifex—Mangobah, Cuzenok, and Margat—had, since the high tide and population of the County rates had not been collected and not accounted for, which showed a gross neglect or gross corruption, and fully proved the bad system which had hitherto been pursued in making the assessments.

While Mr Howe fearlessly exposed the malpractices of individuals in the Magisterial body, he did not implicate the whole, though even as a whole they had not acted with the sternness, which they should have exercised as men jealous of their purity and integrity. Many of them were honest and independent, above the petty peculations which influenced the conduct of others, of whose proceedings they had no knowledge. He however blamed them for a want of manliness, which suffered rather than wished these proceedings instituted against him, as a means of doing that to which their own inclinations were averse. The duty had devolved upon him, and he would not shrink from it, however painful, and he would indeed be mistaken if before he had done with them, he did not give them cause to regret having thus dragged him before the bar of justice, for performing from the purest of motives a public duty.

The attention of the Court and Jury was then called by the defendant to the management of the Bridgwell, as well as at a former period as now—in which instances were related which caused a general expression of horror throughout the crowded Court—and the conduct of Commissioners was commented on, in no very measured terms—the doings of the Commissioners Court and at the Police Establishment, were also laid open with an unsparing hand.

In conclusion, after quoting the opinions of celebrated lawyers, on the law of libel, and the liberty of the Press, he desired the Jury to consider the intention of the publication for which it had been thought necessary to persecute him; and not for an act which was intended for the benefit of the public, to inflict on him an undeserved punishment. He entreated them, to preserve to Nova Scotia the liberty of the Press—the cause of the Press was in their hands, and he looked with confidence to their verdict, to preserve that liberty as established by the British law, and preserved by the firmness of our ancestors.

It being late, immediately after Mr Howe had concluded, the Court adjourned till tomorrow, Tuesday at 10 o'clock.

Tuesday morning.—The above was written last evening. The Jury this morning have nobly done their duty, by pronouncing an almost immediate verdict of acquittal.—This is what we expected from them. On leaving the Court, Mr Howe was triumphantly borne by the assembled multitude to his own home, amid deafening cheers and acclamations. — *British Royal Gazette, April 13.*

(From English Papers.)

ROMPEU.

The excavations at Pompeii have again produced very important discoveries. In the house called that of Ariadne a magnificent sarcophagus has been found. The nich for the image of the tutelary divinity is at the back. On the side are paintings of a Leda and her mistress, who is in the act of offering a sacrifice, assisted by a girl, who has the sacred utensils in her hands. Some ornaments in a very elegant and delicate style, of a yellow colour on a red ground,

are introduced as borders in the intervals of these representations.

In the house called that of Dædalus, the walls of a garden have been discovered.—They are covered with magnificent landscapes. The first gives the prospect of a temple—which is extremely interesting on account of its details, and which seems to be dedicated to Apollo, whose statue stands near the entrance. On one side is a pond in which many wild ducks are swimming; and on the other a river, in which are seen some cows. The second landscape is a delicious marine view in Sicily. Polyphemus is on the shore. Galatea, seated on a dolphin in the midst of the waves, seems to be listening to the singing of the Cyclops.

A combat of wild beasts in an amphitheatre is painted in large dimensions. A majestic bull is running from a lion which pursues him; but a tiger more swift has already seized him under the belly. Meanwhile a courageous bestiarius strikes with his lance, a wild boar upon the snout, from which the blood spurts up. A little further off, a second huntsman has laid at his feet, a bear, in whose body a spear remains, while another bear flies in terror. Two stags are standing still, as if contemplating the destruction of their enemies. The compartments between the landscapes and the hunting piece are filled with figures of helmets, drums, and two small palms. The top of the wall is finished with some cornices of stucco, of elegant workmanship, and painted with various colours, which produces a wonderful effect.

The dinner in honour of Lord John Russell, took place as will be seen by our report at the Freemason's Tavern on Saturday. It was said of a celebrated writer of the last century that his text was only a peg to hang his notes upon; and on this occasion Lord John Russell's name appears only to have been used as the text from which a certain number of set speeches were to emanate, all having one sole object—the restoration of the Whigs to office. Never was *Hanlet's* advice to the players more strikingly exemplified and, with one exception (that of Mr O'Connell) religiously adhered to on that occasion; and, indeed, lest any one of the numerous assembly should be induced to intrude himself upon the meeting who had not a part assigned him in the drama, or lest those who should say more than was down for them, the noble Chairman, Lord Morpeth, took especial care, in the outset, to remind the company that the "notice paper being very crowded, he must request they would confine themselves to the toasts set down in the order of the day." And under this admirable regulation the whole performance appears to have gone off as private theatricals generally do, to the entire satisfaction both of the audience and performers. After the healths of the Royal Family had been given and toasted with due honour, the noble Chairman gave "The People—for whose benefit Government was instituted and ought to be exercised," a truism which no one can be inclined to dispute, but which has been strangely illustrated in Whig practice by that singular "boon" the Malthusian Poor Law Bill. In apparent echo of this toast, Lord John Russell described the meeting as "an assembly for the great and solemn purpose of recording those political sentiments which will tend to the welfare, the improvement, and happiness of the country." These are noble objects—objects at the mention of which every patriot's bosom must glow with animation; but what proofs did this meeting afford, or what proofs have four years of Whig rule afforded, that there is any prospect of these objects being affected by the return of that party to office, than by the continuance of the present ministers in power? To all but the mere slaves of party it must be a matter of great indifference from what hand "the welfare, the improvement, and the happiness of the country" comes; and therefore unless Lord John Russell is able to offer us something which Sir Robert Peel withholds, we know of no fair ground of preference which the former possesses.—Meetings of this kind are often as fairly tested by what they omit as by what they say. And though a great deal, in the way of generalizing, was said as to the state of England and Ireland, we ask any dispassionate man whether the two great evils under which "the people" of these two countries are labouring, were so much as touched upon by any of the performers in the parts assigned them upon the occasion?—In one country, the state of the currency; in the other, the absence of all suitable means for the relief of the poor, the decrepitude, and the aged. These objects are severally of infinitely more consequence to these two countries, than whether the Whigs shall return to office; but who would create the strongest grounds for that return, by adopting objects with which the "welfare, the improvement and happiness" of "the people" are so inseparably connected? One word in relation to another omission at this meeting, and we have done with it for the present. Where was the once celebrated Whig Toast, "The Liberty of the Press—the air we breathe; without which we die!" How came this toast omitted from the crowd-

ed "Notice Paper," from the well regulated "Order of the Day?" Must we say that it was because the inconsistency between the sentiment and the practice would have been too glaring even for Whig gullibility to swallow? For it must have been given in the presence of, and drank by the very Whig Attorney General who had prosecuted the Press for only repeating what a Whig Lord and a Whig Commoner had said with impunity. It must have been given in the presence of, and drank by the very leader of the party in whose honour the company were assembled, and who had himself, within eight and forty hours of their meeting, meditated an attack upon the Press, which prudence, not inclination, had compelled him to abandon.—*Morning Herald, March 31.*

The Message of the President of the United States of America to Congress on the 25th ult., which was published on Thursday last, appears to have produced less alarm even in Paris than in London. The reason for this difference may be traced to the generally prevailing impression in the French metropolis that, although it may be accompanied by some vapouring, the money for the indemnity to the United States will be voted by the Chamber of Deputies, the report of the Committee on the Bill was presented on Saturday, and it recommended that it be adopted.—*Ibid.*

TURKEY AND EGYPT.—Our letters from Constantinople reach to the 4th instant and are very important, Mehemet Ali has at last sent the tribute so long expected, and so long in arrears, to the Sultan. The sum thus transmitted amounts to £140,000 sterling, and was brought by an Egyptian frigate which anchored in the Bosphorus on the 4th. Many reasons are assigned for this sudden submission of the Egyptian Pacha. Some say that the money was sent at the special instance of Ibrahim, his son, who feels that he cannot maintain his ground in Syria; others, that the old Pacha has been alarmed by the late preparations of the Porte. Whatever the motives, the offering appears to have been too long delayed, and perhaps too ungraciously yielded at last to propitiate the Sultan. His cabinet is for war, with the exception of the Seraskier.—The despatch of troops to Asia had not slackened, nor had the bustle ceased in the dock-yards. There is not a word in these letters of the alarm which the *Augsburg Gazette* affected to say was produced at Constantinople by the advent of the British Fleet. This latter, had it been thought, received orders to return to Malta. Great activity was still observable in the navy yard, and it was confidently asserted that the entire Ottoman fleet would soon proceed to the Dardanelles, whence the squadron ordered for Tripoli would sail for its destination. The British merchants had held a general meeting on the 27th Feb., and drawn up a memorial to our Ambassador respecting the new Customs regulations.

(From the London Morning Herald, April 8.)

Extract of a letter from Toulon, dated the 1st inst. — "The *Caster* steam packet arrived last night with the mail from Algiers.—She left that port on the 29th ult., when the town and environs were in a state of great commotion. In consequence of the assassination of several Frenchmen, the Governor had sent a small body of troops towards Bouffarick; but as the Arabs appeared in numbers at different points at once, he was, on the 27th, compelled to direct the whole of his force to march to the support of their comrades in the field, leaving the posts of the town to the charge of the veterans and a few artillerymen. It is said that near Torre Chica a large body of Bedouins are so completely surrounded by the French that their only means of escaping from them is by throwing themselves into the sea. Despatches were arriving every hour, and the inhabitants of the country were flying for refuge to the town. It appeared that the Arabs had approached near the town; for, during the night of the 27th and on the 28th, reports of cannon and musketry were distinctly heard at Algiers. The probability is that a sanguinary conflict has taken place between the Maison Carée and the village of Mustapha, as it was rumoured that the Arabs had declared their resolution to attack Mustapha and the camp at Douera, and that they were then storming the Camp d'Erlon.—These accounts are, however, no doubt exaggerated. Several convoys of ammunition, and provisions have been sent towards the points occupied by the French troops. The packet was to have sailed on the 28th, but it was detained by the Governor till the 29th; but it was believed that when she sailed no accurate details had reached the city. It was said that the gendarme who was killed a few days before, was struck by a French ball, and that a Bedouin, who was taken, had about him several French cartridges. These incidents show that the natives are commanded by Frenchmen. At all events they flatter themselves they will shortly regain Algiers, and expect to reach Fort Empereur without opposition. The *Caster* has brought over the American Consul, who is on his return to his own country."

His Honour, Judge BRENTON, on Friday last, in his address to the Grand Jury, complimented the people of this Bay on the present absence of crime, and on the present term of the Court in HARBOUR GRACE being what the Lawyers call a MAIDEN TERM. This, he said he principally attributed to the prompt and efficient administration of Justice, and the proper and necessary enforcement of the Laws.

He alluded to the many and salutary Laws, that had been passed by the Colonial Assembly, for the better administration of Justice, the protection of the Fisheries, and the improvement of the Country; and particularly referred to the Bill for Statute Labour, and the Bill to prevent the taking of Caplin for manure.

He said it was much to be regretted, that the former had not yet been carried into operation, and pointed out how much its operation would improve the comforts of the people, the means of agriculture, and the facility of intercourse. As it regarded the latter, he knew that there existed a great diversity of opinion with respect to the necessity of such a Law; but he thought that at least it ought to have a fair trial; and that the importance of the Fisheries, and the welfare of the Commercial interest demanded that it should at least be tried as an experiment.

He noticed the present very bad state of the Road leading from CARBONAR to HARBOUR GRACE, and expatiated on the discomfort and toll to which Juries and other persons were subjected, who had to travel from the former to the latter place; this, those of the Grand Jury who belonged to CARBONAR, had that morning experienced. But we doubt whether such a Road, leading from one Harbour to another, should be considered of that description of Roads which were contemplated to be made by statute labour. We think it ought to come into the great line of Road that must at some future time, connect the Harbour in this Bay with St. JOHN'S, and that it should therefore be made by means of a grant from the general funds of the Colony.

We have since writing the foregoing, been favoured with the Address, and refer our readers to it with much pleasure.

We love to give our praise to those who deserve it particularly to those whose actions are an example by the imitation of which, hundreds and thousands of their fellow creatures may be benefited.

It is to be regretted, that in many instances, too little perseverance is used in the prosecution of the Seal Fishery; and that for many instances, the Masters of Sealing Vessels when they do not meet with success in the early part of the Spring, give up the voyage as hopeless, and proceed to their respective homes with very few seals, when, in all probability, by a little more perseverance, they may get a saving voyage. WILLIAM DAVIS SENR., of the brig EXETERMENT, is an example of what we state. He arrived from the Ice on Sunday last, with what may be considered a very good trip, having taken two thousand old seals within a very short period of his leaving the Ice. It is supposed that his trip may altogether amount to a thousand or twelve hundred pounds; this he would not have had, if he had given up the voyage as many others did, who were placed in similar circumstances.

The following Address was delivered on Friday last, by the Hon. Judge BRENTON:—

Mr. Foreman, and Gentlemen of the Grand Jury,

At no former period when I have been called upon to address you from this seat, have I experienced the high degree of satisfaction I feel at this moment, in having it in my power to offer to you my congratulations upon the complete freedom from crime which at present characterizes this part of the Northern District.

There is not a criminal confined in your Goal, nor am I aware of anything in the shape of crime which it is intended to bring before you for investigation during this session of the Circuit Court, this singular feature in your community of a "Maiden Term" affords the most convincing proof that the Laws are duly and impartially administered, and that to a firm and vigorous enforcement of them you are mainly indebted for that peace and tranquillity which now so happily prevail amongst you. Under these circumstances I should not have thought it necessary to call you from your ordinary and what are probably at present your pressing avocations, had I not been desirous of affording to you an opportunity of exercising one important part of your public duties, that of presenting to this Court, any matter which may come to your knowledge injurious to the interests of the District, which you may desire to see redressed; or, any object for its advantage or comfort, which this Court may be enabled to promote—the labours of our Colonial Legislature having during their former and late Sessions produced many useful Laws which the well-being of the Colony require to be carried into execution, I trust you will use all the means in your power in order that they may be duly enforced and obeyed.

It not unfrequently happens that Laws which are made for the general good, interfere and conflict with the interest of individuals; in such cases, you must endeavour to