postponement, and would support the original motion.

The House subsequently divided, when the amendment was carried.

Yesterday the subject was resumed, and an amendment offered that the House deem it inexpedient to proceed to extremities in the case before it—that Mr. KIELLEY be had before the bar of the House, that he be required to made an apology, and that in the event of his compliance with the terms of an apology, he be reprimanded by Mr. SPEAKER, and discharged. A letter from Mr. KIEL-LEY to the Speaker had been previously read, apologising for his conduct before the House on the preceding day, which apology was received, and the offence therefore now only consisted in the original matter of dispute-the paltry squabble in the street.]

Mr. KIELLEY was then recalled, and the terms of the apology read to himthey were to the effect that he was sorry for having used any language or expression which the House may have construed into contempt. He was required simply to express his adoption or rejection of the apology, and upon hesitating, thinking himself aggrieved, and to "mark, learn and inwardly dihe was on motion permitted to retire, to consider of it; and being again before the bar of the House, he declared that to make the apology required would be contrary to his feelings and to his own sense of honour. The House thereupon adopted the order of the day, which was the original motion, and Mr. KIELLEY was then committed to the custody of the Sheriff and lodged in the common gaol .- From Friday's Ledger.

THE STAR

WEDNESDAY, August 15, 1838.

To Correspondents.

"Commentator" must surely be aware that whenever we have referred to the character of our Representatives we have always expressed ourselves in general terms: that there may be two or three "persons of respectable princias to his remarks upon Mr. Power's "honesty and good sense" we beg to observe that we have never called them in question.

DICKY HORNBOOK'S "One fool makes many," though humorous enough, is inadmissible: Editors of English newspapers are not bound to understand French: we agree with our Corres pondent however in opinion that in giving Official Documents to the world the utmost care should be taken to have them correct; for the want of this the French Governor's letter, as published in a recent number of the "Patriot" and of the "Times," is rendered unintelligible, and perfectly ridiculous.

"CURIOSO" had no need to preface his query with an apology, for we shall, at all times, deem ourselves highly favored by communications of this nature. With respect to the "remark-able substance" which he states as having lately seen in the possession of a person at Heart's Content, and of which he is desirous of knowing the name, we have no difficulty, from his description, in pronouncing it amianthus or flexible asbestos,—a species of stone composed principally of silex, and found in various islands of the Mediterranean and in England: it was well known to the ancients by whom it was drawn into threads and wove into a kind of cloth; in this they wrapped the bodies of their dead in committing them to the flames; as the asbestos is is perfectly incombustible no mixture of extraneous ashes took place. It is said to be used by the Chinese in the fabrication of furnaces. We should feel obliged to "Curioso" by his informing us how and, where this specimen was obtained, and by his procuring a small fragment of it for our own

Most of our readers we presume are by this time, in possession of the general facts connected with the very unbecoming affray which took place last week in St. John's, between EDWARD KIELLEY, Esq. Surgeon, and JOHN KENT, Esq. a Member of the House of Assembly; and which from an affair of trivial importance is daily assuming a most serious aspect.

For the gratification of some of our subscribers an account of it

conflicting upon some material | no right to assume. points, that there is no little diffiaspersions which Mr. KENT, in ed against it. his place in the House, thought treatment, at the Hospital. A few days subsequently to this ealumny, the gentlemen in question happened to meet together in the street and upon some childish provocation which they ought to have had sense enough to despise began to call each other names, and to conduct themselves in a manner most discreditable to the lowest. words," with a littleness for which REMEDY. we fear he is but too remarkable, and with an inconsistency for which his own party (the advocates of Freedom) in this Bay, to a man decidedly condemn him flew to the Assembly, preferred his disments caused the Doctor to be apprehended and dragged to the bar of the House to answer for a breach of privilege.

We have designated this procedure of Mr. Kent's as little et, that His Excellency the Goples" among them we don't deny, and | the whole rencounter began and ended, to use a vulgar phrase, in a broad-side of "dirty butter;" and inconsistent, inasmuch as it is the act of one whose tongue never tires in the cause of liberty, and who for some years past has been denouncing others as despots and tyrants and tramplers on the rights of Freedom, for measures not half so despotic as those which he himseif now deliberately and most unnecessarily adopts.

In turning to the deportment of Doctor KIELLEY we are sorry to say we see little room for commendation; at the bar of the General Assembly of the Island, whatever may be the character of the Representatives, his conduct ought to have been decent and respectful, and, without any abatement of his "honor," he might have been cool and dignified and manly; thus would he have formed a striking contrast to his petulent opponent, and gained over the majority of the House. By a contrary course he unfortunately turned the tide against himself, and reduced the Assembly to the dilemma of either going to the utmost extent of their prerogative, or of brooking the alleged affront. But while we reluctantly pass this condemnatory sentence upon the deportment of Dr. Kielley, we are not to be understood as the apologist of his judges: we pronounce their procedure to have been injudicious at the onset, and harsh and arbitrary at the close. It was absurd to countenance Mr. Kent in his moments of passion, with his heart burning for revenge,-it was wrong for them to determine the case upon a partial hearing of evidence, and unjust to commit their prisoner to the common jail, without the formalities of a trial or the semblance of law. Had they gone merely to the full extent of their prerogative we should perwill be found in our first page, haps have withheld our remarks; but the statements which have but they have outstripped their

That they dealt disingenuously culty in forming a correct idea of and artfully with Dr. Kielley there the matter. However, we can can be no shadow of doubt, some have no hesitation in referring the of their own body having testified origin of the quarrel to some foul to the fact, and honestly declaim-

It was under these views and proper to cast upon the character | considerations of the case, we have of Dr. KIELLEY, relative to the no doubt, that the Honorable manner in which he had discharg- Judge Lilly, with the precedents ed his duty to the patients, under and opinion of the great CHIEF JUSTICE HOLT for his guide, took upon himself the responsibility of liberating Dr. Kielley, when brought before him by his Habeas Corpus. We applaud the Judge for his firmness, and we hope and trust that the Assembly with the Speaker at their head will be lead to an immediate re-perusal of their favorite De Lolm, and that they members of society. Mr. Kent may be induced at the same time, that not only his proper person gest" that THE CONSTITUbut his Official dignity had been TION OF BRITAIN KNOWS grossly insulted in this "war of NO WRONG WITHOUT A

Since the above, it is currently reported that the Speaker has had the temerity to arrest the Judge upon the Bench; that the High Sheriff has been apprehended, mal complaint, and in a few mo- and that they are both handed over to the Sergeant-at. Arms!! Bradchaw is alive again; Cromwell name or allude in any way to the House of must be at hand!!

> received information by the Packvernor had prorogued the House for a week---Good! What will be the amount of charge for their valuable services this Session we wonder?

We have now, as briefly as we could in justice to this important subject, given the proceedings upon it; and we must declare our conviction that except in the history of the Court of Star Chamber or in that of the Spanish Inquisition, we have never met with a more DIABOLICAL ACT OF TYRANNY than that of which the House of Assembly has been guilty. The community is, as it ought to be, filled with unutterable indigna-

We will endeavour to show in a very plain and simple manner, the iniquitous principles involved in the proceedings and the decision of the House

of Assembly, in this most extraordinary case. We will suppose that a brawling, foul-mouthed puppy, belonging to this or to any other House of Assembly in Newfoundland, should desire, either from political animosity, or private pique, or personal hatred, to glut his revenge upon some honest, peaceable, and respectable member of this community; - the course which he has to pursue is simply this-to lay wait for him in the public streets, and, in the presence of a hundred spectators, there wantonly and maliciously to insult him, with the intention of provoking him to a breach of the public peace. He knows the proneness of human nature to resent injuries, and he coolly calculates upon it; and having artfully drawn his victim into the use of uncourteous language, and perhaps to something which might be construed into a threat, away he hies to the House of Assembly, and there in furtherance of his lawless and infamous design, he wholly perverts the facts of the affray, and pleads his privileges. To support his case, he selects from the crowd a couple of scoundrels, and drills them into a series of statements, which, upon the promise of reward, they formally make in their examination before the House. Upon such testimony, not taken in the presence of the defendant, the House pronounces the character of the offence, and straightway brings the defendant before the bar of the House, for judgment.

Well, the examinations having been read, the defendant is required to apologise, and it is only after much difficulty that he procures even a hearing. He pleads that the accusing member and his two witnesses have stated falsely, and that he can bring no less than 98 respectable individuals who witnessed the whole transaction to prove it. He is peremptorily denied the benefit of their testinony, and labouring under a strong sense of indignation at so vile a piece of injustice, he gives a scope to his naturally excited feelings, by the use of expressions which ought not to be tolerated, but in which for the purpose of still further entrapping him he is ENCOURAGED to proceed; and this new offence is to be made the occasion of still heavier punishments, unless some one member of the House more bumane than the rest, and with penetration enough to discover the rascality of the scheme, fortunately intercedes. Finally he is committed to the custody of the Sheriff and lodged in the common gaol for nobly refusing to apologise for an offence which he is ready upon incontestible evidence to shew that he has never

Good God! do we live in a Christian country, and under the administration too of British laws which have so tender a regard for the liberty of the subject! Is the practice of the Imperial Parliament, of committing, upon extreme cases and for crimes seriously affecting the State, either to Newgate or to the Tower-a practice rarely, indeed, resorted to, - to be quoted as a sufficient

semblance of trial, depriving him of his liffrty by committing him to the common gaol! Why, what man is there in the whole community, whose personal liberty would be secure under such a flagitious state of things! Are the privileges of the House of Assembly of Newfoundland so high and mighty that neither the subordinate nor the superior law courts of the Island are competent to supply any remedy for a violation of them! Are they only to be conserved by a breach of the ordinary principles of common

But the House of Assembly has the power to perpetrate these enormities, or it has not. If it has not, then has it laid itself fearfully open to the operations of the law, which we cannot doubt will be appealed to. But if it does possess this power, then is it very clear that it is the duty of every man in the colony to lend his aid in the riddance from it of such a DANGEROUS AND INTOLERABLE NUISANCE.

The PLOT thickens, and we are not sorry that it does; the sooner will the inhabitants be aroused to a sense of the imperative necessity which there is for praying that the imperial Parliament wall relieve us from a system of things which has already worked so many evils.

Since the above, we learn that a writ of Habeas Corpus has been sued out to bring up Mr. Kielley, and that the arguments upon it will come on in Chambers this morning at 10 o'clock. We have seen a copy of the affidavit upon which the writ has been issued, but we cannot find space for it to-day, One paragraph of it, however, runs thus:--

And this deponent further saith that on Monday last deponent saw Mr. John Kent, one of the members of the said House of Assembly, in the public street of St. John's, when he, this deponent civilly asked the said Mr. KENT if any relief could be afforded to a poor person to whom this deponent was then speaking, or words to that effect, shewing at the same time to Mr. Kent a written paper wherein deponent recommend the pauper to the protection of the magistrate. That Mr. KENT then said to this deponent—" Is this all you can do, you cormorant and robber of the poor," and that he this deponent should relieve the pauper; and then and there used other and most abusive language towards this deponent. The defendant being exasperated by the conduct and abusive language of the said Mr. Kent, was led into the use of strong language towards him, but deponent solemnly swears that he did not Assembly, or in any manner or way refer to the fact of Mr. KENT being a member of the said House, or use the word "Privilege," or allude At a late hour last evening we to any act or word of the said Mr. Kent in the said House, nor did deponent intend to infringe the privileges of the said House of Assembly, and ascious of having done so throughout the whole altercation, nor did deponent lay hands on the said John Kent, or obstruct or in any manner retard his going whithersoever he

[TO THE EDITOR OF THE STAR.]

Sir, - One of the most proper subjects which the House of Assembly could just at this moment bring under consideration is the multiplicity of Dogs with which the Island of Newfoundland, above all other places in the world, is leterally overrun and infested. There is not a town or settlement in the Colony, in which Dogs. of all sorts and sizes-

' Mastiffs, Lurchers big and small And Curs of low degree"

have not become an INTOLERABLE NUISANCE. If there could be any means devised for the reduction of their numbers, consistent with humanity, I am sure the

country would be eminently benefited by the measure. Nothing else prevents our hills from being covered at this moment with flocks of sheep but the unfortunate preference we have uniformly given to a breed of dogs. It is true that our woodmen derive great assistance from them, but not half so much as they would from a race of Donkeys if bred up for the same purpose. These are harmless animals; and would subsist upon a mere trifle; whereas dogs are destructive in many respects, and a single one will devour more in the course of a winter than a houseful of children. I am glad therefore to observe that H. A. EMERSON, Esq., is about to introduce a Bill upon the subject;—he might, to be sure, have selected a more pompous measure; but a more useful and necessary one than the prevention of puppyism (if I may be allowed the expression), I do not think he could have conceived: why John Kent, Esq. should have objected to it I am utterly at a loss to imagine! but to use a theatrical expression of Mr. DANIEL O'CONNELL "The cat will mew—the dog will have his day."

I am, Sir,

Your obedient Servant,

A PATRIOT.

The Queen Dowager has determined on going to Malta before equinox, for eight months, and her Majesty intends applying for the use of a man-of-war for the occasion. Madeira was at one time spoken of; but the preference is given to Malta, her Majesty not wishing to spend her income out of the British dominions. The Queen Dowager, who is very well at present, fears the winter in Eng-

Married

but the statements which have reached us through the medium of the St. John's Papers are so welves with a power which they had but they have outstripped their lawful authority and clothed them- warrantry for waylaying a man, for dragging him before the House of Assembly, and there, upon the testimony of two or three hired and worthless vagabonds, without trial or the lict of the late Mr John Mulcay.

At Carbonear, on Saturday last, by the warrantry for waylaying a man, for dragging him before the House of Assembly, and there, upon the testimony of two or three hired and worthless vagabonds, without trial or the lict of the late Mr John Mulcay.

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