

and pulling his hat over his eyes, give way to the melancholy reflections which pressed quickly upon him. To have committed no fault, and yet to be so entirely alone in the world; to be separated from the only persons he loved, and to be proscribed like a criminal, when six months ago he had been surrounded by every comfort, and looked up to as the chief hope of his family—this was hard to bear. He had not deserved it neither. Well, there was comfort in that; and poor Nicholas would brighten up again, to be again depressed, as his quickly-shifting thoughts presented every variety of light and shade before him.

Undergoing those alternations of hope and misgiving, which no one, placed in a situation of even ordinary trial, can fail to have experienced, Nicholas at length reached his poor room, where, no longer borne up by the excitement which had hitherto sustained him, but depressed by the revulsion of feeling it left behind, he threw himself on the bed, and turning his face to the wall, gave free vent to the emotions he had so long stifled.

He had not heard anybody enter, and was unconscious of the presence of Smike, until, happening to raise his head, he saw him standing at the upper end of the room, looking wistfully towards him. He withdrew his eyes when he saw that he was observed, and affected to be busied with some scanty preparations for dinner.

"Well, Smike," said Nicholas, as cheerfully as he could speak; "let me hear what new acquaintances you have made this morning, or what new wonder you have found out in the compass of this street and the next one."

"No," said Smike, shaking his head mournfully; "I must talk of something else to-day."

"Of what you like," replied Nicholas, good-humouredly.

"Of this;" said Smike. "I know you are unhappy, and have got into great trouble by bringing me away. I ought to have known that, and stopped behind—I would, indeed, if I had thought it then. You—you—are not rich: you have not enough for yourself, and I should not be here. You grow," said the lad, laying his hand timidly on that of Nicholas, "you grow thinner every day; your cheek is paler, and your eyes more sunk. Indeed I cannot bear to see you so, and think how I am hardening you. I tried to go away to-day, but the thought of your kind face drew me back. I could not leave you without a word." The poor fellow could get no further, for his eyes filled with tears, and his voice was gone.

"The word which separates us," said Nicholas, grasping him heartily by the shoulder, "shall never be said by me, for you are my only comfort and stay. I would not lose you now, for all the world could give. The thought of you has upheld me through all I have endured to-day, and shall, through fifty times such trouble. Give me your hand. My heart is linked to yours. We will journey from this place, before the week is out. What, if I am steeped in poverty? You lighten it, and we will be poor together."

THE PEARL.

HALIFAX, FRIDAY EVENING, NOVEMBER 2, 1838.

PUBLIC EXECUTIONS.

"This only is desired of them who are minded to judge hardly of this maintaining, that they would be still, and hear all out, nor think it equal to answer deliberate reason with sudden heat and noise; remembering this, that many truths now of reverend esteem and credit, had their birth and beginning once from singular and private thoughts, while the most of men were otherwise possessed; and had the fate at first, to be generally exploded and exclaimed on by many violent opposers."—MILTON.

In looking over our file of late English papers, we met with an incontrovertible proof of the impolicy of those sad exhibitions. For the perpetration of murder under circumstances of the foulest atrocity, William Mernin was executed on the 4th of August, in front of the county goal, Waterford. Concerning his execution the following facts are related. "Notwithstanding the dreadful scene that was enacted, and its unfrequency in this city, we have to observe with regret, and in addition to the 10,000 proofs against these sanguinary offerings, that it appeared to make little or no impression, or at most a very transient one, on the immense crowd that bore witness to it. The unfortunate being was yet hanging a painful spectacle, when reeling drunkards were to be seen within a few yards of the scaffold, gloating their frantic senses on the exhibition before them. Ragamuffins of the lowest description shouting at the pitch of their voice, 'the last words and dying declaration of William Mernin, who was hanged, etc.' went through the streets before the strangled body was cut down, and reaped a plentiful harvest from the uncouth sentences put into the mouth of the victim by some speculative artist. The ballad singers also were in good request, and made the air ring with their elegiac addresses, following the crowd who had surfeited their eyes on the gibbet. Beneath the drop young boys were playing, without suffering the idea that a human being was suspended above them to interfere with their pastime. In truth, if an argument were required to show that these bloody sacrifices do any thing more than harden and brutalise the heart, instead of making it more pervious to moral feeling, this is triumphant."

The late execution of Maurice Doyle, for an atrocious murder, we are informed, was attended by a vast concourse of people. Amherst was deluged with persons assembled to witness a fellow-mortal hurried into eternity by the hands of his fellow-mortals. With the poet Campbell, we cannot refrain from the exclamation, "Oh God! that man, who cannot put life into a fly, can have any excuse for taking it from a fellow-creature!" And yet nothing is more common than to hear it asserted that this is according to the laws of God. We would fain hope that those who are so ready to give utterance to such a declaration, have not duly considered the matter; at least we have never yet found the man who avowed it, who could conscientiously aver that he had made the question a distinct subject of examination, or had given it the patient, diligent investigation which its great importance demands. And we put it to our readers and ask in all seriousness, which of them, or what ten persons amongst them are so satisfied, and from examination, that death-punishments are lawful and right under the Christian dispensation, that they would be willing as individuals to incur the responsibility of inflicting them. Here is a case in point. Upon the introduction of Christianity in the South Seas it became desirable to abolish all their pagan laws and customs, and to adopt a new code of laws consonant with the Christian religion. The missionaries were consulted on the occasion. "What punishment was to be awarded to the crime of murder?" The London missionaries, it may be presumed, had left the land of their fathers prejudiced in favour of death-punishments. But now if such punishments are imposed it must be by their advice, and hence it became a matter of deep responsibility. As wise, considerate men they held a long consultation on the subject. The result of their deliberate inquiry is given in Ellis's *Polynesian Researches*. We quote the passage in full:—"In the first law prohibiting murder and every species of infanticide, the penalty annexed to its commission, instead of being death, is banishment for life to Palmerston's, or some other uninhabited island. This was in consequence of our particular recommendation. We were convinced, that if, under any circumstances, man is justified in the infliction of death, it is for murder alone; but an examination of those parts of the Bible which are generally supposed to authorize this punishment, DID NOT FIX ON US THE IMPRESSION THAT THE ALMIGHTY HAD DELEGATED TO MAN THE RIGHT OF DELIBERATELY DESTROYING A HUMAN BEING, EVEN FOR THIS CRIME. In our views of those parts of the sacred writings, we may perhaps have been mistaken; but in reference to the great principles on which public justice is administered, the plan recommended appeared in every respect preferable. Death is not inflicted, even on the murderer, from motives of retaliation or revenge; and if it be considered that his life is forfeited, and is taken to expiate his crime, the satisfaction which the injured party derives from such expiation must be of a very equivocal kind. At the same time, the very execution of the sentence imparts to the executioner somewhat of the character of an avenger, or excites the apprehension that it is done under the influence of irritated and vindictive feelings.

"The great design of capital, and even other punishments, is the security of society, and the prevention of crime. The death of the criminal preserves society from any future injury by his means; and the fatal punishment inflicted, it is presumed, will deter others from the commission of similar offences. The security of the community from all future violation or outrage, is certainly obtained by the death of the criminal; but experience and observation abundantly demonstrate the inadequacy of public executions to restrain from the most appalling deeds. Every repetition of the awful spectacle appears to diminish its horrid character, until those habituated to felony become familiar with its heaviest punishment. The principal end of public executions is thus defeated, and the general tone of public feeling lowered, and that which was designed to be the most effectual moral barrier, is at length converted into an occasion, or sought for as an opportunity for the commission of crime. By recommending the omission of capital punishments, we avoided this evil. The existence of a number of islands uninhabited, but capable of cultivation, and from the cocoa-nut trees growing on their borders, and the fish to be found near their shores, capable of furnishing the means of subsistence, and yet too remote to allow of the convicts returning, or proceeding to any other island in any vessel they could construct, appeared to afford the means of answering every end of public justice. The community would be as safe from future injury, as if the offender had been executed; and we had a firm conviction, that a life of perpetual solitude, and necessary labour, would be regarded by many as more intolerable and appalling than speedy death."

We have introduced this citation for two reasons:—first, to shew that the Bible is not so clear in favour of death-punishments as the popular opinion would lead us to conclude; and second, to prove that few individuals can be so certain of the lawfulness of such punishments as to be willing to become responsible for their infliction. Assuming, however, the propriety of killing for murder, yet we think that private executions would be more beneficial to society than public ones. We have observed with plea-

sure that people are becoming more and more convinced, that public executions are of pernicious tendency. In this we sincerely rejoice, because we have long been of the opinion, that such scenes tend to harden the hearts of men, and that, instead of being means of reformation or prevention, they are, in fact, means of multiplying crimes. If the malefactor at the gallows, displays a remarkable share of hardihood and bravery, glorying in his feats of mischief and despising the terrors of death, others of similar dispositions are emboldened to pursue their career of crime, hoping that in case of detection, they also shall die heroes. On the other hand, if the criminal appears truly penitent and humble, he naturally interests the feelings of spectators in his favor, and against the laws which will not suffer even the penitent offender to live. In either case, public executions tend, as we believe, to defeat the object proposed by human punishments, the prevention of crime. Let the hanging of a criminal be performed in private, and the parade of public executions be wholly set aside. Let the Chief Magistrate of the state, the Chief Justice of the court, the High Sheriff of the county, and one distinguished minister of the gospel, be the only persons to attend an execution. This would render the scene truly solemn and affecting; it would give the criminal and all present, an opportunity for serious reflections, and would probably lead to favorable results. Should a plan of this description be established by law, we strongly suspect that not many executions would occur, before a more excellent way than killing would earnestly be sought for the disposal of criminals and the prevention of crimes. To take human life, under such circumstances, would not be found a light thing; and such officers as have been named, if good men, would not, we believe, be easily persuaded to perform the task a second time. Yet how much to be preferred is such a private, solemn scene, to a public execution, accompanied as it usually is, with frolic, dissipation, revelling and crime. We may probably, at some future time, revert to the inefficiency of capital punishments.

THE INDIANS.—The call of the NOVA SCOTIA PHILANTHROPIC SOCIETY for information as to the numbers, tribes, situation, and present condition of the *Aborigines* of this Province, with a view to some effective system of relief, has awakened within us emotions not of the most pleasurable kind. We are glad to find Nova Scotians alive to a sense of their imperious duty, but we are also sorry, deeply sorry that the wretched condition of the *Aborigines* of this country, demands such interposition. From time immemorial were the Indians always debased, miserable, forlorn? If we mistake not, History replies in the negative. Once they had an abundance wherewith to supply their wants, and by those who are well acquainted with the true character of the Indians, it is admitted, that they were peaceable, sociable, obliging, charitable, and hospitable, among themselves. In their ordinary intercourse they were studious to oblige each other. They did not wrangle or fight, but lived as peaceably together as any people on earth. To the eye of the moral artist, how dark is the picture which they now present! Of all miserable objects they appear to be the most miserable. With but few redeeming traits, they are sunk to the lowest state of degradation, and the whole tribe is disappearing fast as the leaves of Autumn. And does the philanthropist enquire the cause? Alas! truth assigns it to their contact with civilized persons, to their contact with Christians. It is a startling fact, but one we believe which cannot be successfully denied, that their connexion with professed Christians has brought the Indians to their present deplorable state. Apart from experience there would seem no ground for supposing that the establishment of a civilized community in the immediate neighbourhood of a savage race, would be injurious to the latter. We might rather be led to suppose that the reverse would be the case,—that the uncivilized tribes would be gradually weaned from their barbarous practises, and that, convinced by daily observation of the superior advantages of steady industry, and of regulated habits, they would relinquish the usages to which they had been accustomed, and gradually conform themselves to the more elevated standard before them. It requires, indeed, a very large and comprehensive deduction from undoubted facts, to assure ourselves that this is not the case, and when even the actual operation of the colonies of civilized nations upon the uncivilized races within whose territories they are established has been clearly shown, we are irresistibly led to wonder at facts so singular and alarming. There are those, however, who maintain that it is the destiny of the coloured races to be corrupted and destroyed by white people. According to such persons, the efforts of philanthropy are only putting off for a time the day of evil things. But, we cannot admit it to be an inevitable result without denying the capacity for intellectual, moral and social progress of all but those races who have already attained civilization. In the *First Report of the British and Foreign Aborigines Society*, 1838, we find a most wise and valuable declaration in favour of British colonization—not indeed as now managed, but such as it may become. 'It seems to be an opinion founded rather on experience,' says the Report, 'than on any essential principle in the nature of the case, that the coloured races must inevitably perish as civilization and Christianity advance. Whatever past facts,