

POETRY

DULCE DOMUM.

Sing a sweet melodious measure,
Walt enchanting joys around;
Home, a theme replete with pleasure,
Home, a grateful theme resound!

Chorus.
Home, sweet home, an ample treasure!
Home with every blessing crown'd!
Home! perpetual source of pleasure!
Home! a noble strain resound!

Lo! the joyful hour advances,
Happy season of delight!
Festal songs and festal dances,
All our tedious toils requite,
Home, sweet home, &c.

Leave, my wearied muse, thy learning,
Leave thy task so hard to bear,
Leave thy labor, ease returning,
Leave my bosom, O! thou care,
Home, sweet home, &c.

See the year, the meadow smiling!
Let us then a smile display;
Rural sports our pain beguiling,
Rural pastimes call away,
Home, sweet home, &c.

Now the swallow seeks her dwelling,
And no longer loves to roam;
Her examples thus impelling,
Let us seek our native home,
Home, sweet home, &c.

Let our men and steeds assemble,
Panting for the wide champaign.
Let the ground beneath us tremble,
While we scour along the plain,
Home, sweet home, &c.

Oh! what raptures, Oh! what blisses,
When we gain the little gate!
Mother's arms and mother's kisses,
There our blest arrival wait,
Home, sweet home, &c.

Greet our household gods with singing,
Lend, O Lucifer thy ray;
Why should night, so slowly springing,
All our promised joys delay!
Home, sweet home, &c.

SONG.

Shall I wasting in despair,
Lie because a woman's fair?
Shall my cheeks look pale with care
Because another's rosy are?
Be she fairer than the day,
Or the flow'ry meads of May,
If she think not well of me,
What care I, how fair she be,
If she think not well of me, &c.

Shall a woman's goodness move me
To perish for her love,
Or her worthy merits known
Make me quite forget my own?
Be she meeker, kinder than
The Turtledove or Pelican,
If she be not made for me,
What care I, for whom she be.

Be she kind, or meek, or fair
I will never more despair,
If she love me, this believe,
I will die, ere she shall grieve,
If she slight me, when I woo
I will scorn and let her go,
If she be not made for me,
What care I, for whom she be.

(From the *Novascotian*, Dec. 14.)

Court of Chancery, Wednesday, 9th Dec. 1835. In the Council Chamber, before His Excellency the Lieut.-Governor, assisted by the Hon. the Chief Justice, and J. W. Nutting, Esq., M. C.

MARSH, vs HAGUE.
MR. GRAY, for Defendant, moved to discharge a Writ of Ne Exeat Provincia (under which the Defendant had been arrested for £500 Sterling) as having been improvidently issued. It appeared by the Affidavits read, that a suit at law had been for many years depending between the parties, in which the Defendant had been held to bail in the Supreme Court for the same Cause of action; that in such suit a trial had taken place, and when the verdict was about to be pronounced in favour of the Defendant, the Plaintiff had elected to become nonsuit; that the Plaintiff resided in Liverpool, G. B. and that the claim was for the value of a quantity of Oats alleged to have been sold and delivered in the year 1815

to the Defendant by the Plaintiff, and one Sparkes his Copartner, since deceased, which was denied by the Defendant.—The trial in the Supreme Court appeared to have turned upon the question of the identity of the Defendant.

The objections urged by Mr. Gray and his Counsel were:—

1st.—That the claim of the Plaintiff was on a contract alleged to have been made with the Defendant, which, (if it had been made,) could be enforced at law, and was, therefore, not within the jurisdiction of this Court.

2nd.—That the Defendant could not be arrested twice for the same cause; and

3rd.—That the Plaintiff, residing without the jurisdiction of the Court, was not entitled to the Writ Ne Exeat for an account.

Several cases were cited in support of these positions, and it appeared clear by the authorities that no person could be arrested in Chancery who had been previously held to bail for the same cause at law. Cases were also adduced, from which it appeared that where the claim is one which can be recovered in a Court of Law, a Court of Equity has no jurisdiction over it; and, also, that a Plaintiff residing in a foreign Country calling upon a Defendant to account in Chancery, is not entitled to the benefit of the Writ of Ne Exeat, because, upon the accounting, it might appear that the Plaintiff was indebted to the Defendant, and the Court in such case would have no power over the Plaintiff to compel security on his part, or to enforce its decree against him.

Mr. SMITH followed on the same side with Mr. Gray, and Mr. PRIMROSE was heard in answer on behalf of the Plaintiff. The ATTORNEY-GENERAL replied for the Defendant, when his Lordship the CHIEF JUSTICE emphatically expressed his opinion in favour of the 1st and 2nd objections, intimating also that the 3rd was sustainable; observing with much force upon the first point, that the trial by Jury was dear to an Englishman, and that it had never yet been held, that he could be forced from that tribunal before the Court of Chancery, upon a mere question of goods sold and delivered. His Lordship declared that the Writ ought to be discharged as having been improvidently issued, which was accordingly ordered by His Excellency. Writ discharged.

The late John Philpot Curran instanced to the writer of this, as true and genuine specimens of the Irish Bull, or confusion of mind, the two following:—
Curran was one day proceeding to a Grand Drawing-room at this castle.—Upon that occasion there was much confusion and jostling amongst the carriages. Suddenly, Curran let down one of the front glasses of his chariot, and cried out to his coachman—'stop! stop! the pole of the carriage behind us has just forced in the back of ours.' 'Then be ASY, your honour; it's all right again; our pole has just gone into the back of the carriage before.' Such of the inhabitants of the villages and small towns distant from Dublin as can afford to purchase shoes, prefer to get themselves supplied with that article of costume from the capital. For this purpose each person has a last (or, as they call it, a form,) made of the exact size and shape of his foot; and one in want of shoes will take advantage of a journey to Dublin, by any friend or neighbour, to send the form, in order that a pair may be fitted to it. Curran's servant happened to be going to Dublin on business for his master, and was charged by several of his acquaintances with commissions of this nature, each furnishing him with his form accordingly.

'And be sure,' said Curran to his man, 'be sure you buy shoes for yourself at the same time; I shall be very angry if you don't, for you are much in want of them.'

'Sure and I will, your honour,' was the man's reply.

On his return home Curran enquired whether he had brought himself any shoes.

'No, and indeed, but I did't, your honour.'

'And why did you not, sirrah? Did't I give you positive orders to do so?'

'And PLEASE your honour, and did't I go to Dublin and forget to take my form along with me?'

It need hardly be remarked upon this, that it had never occurred to the poor fellow that his own foot would have serv-

ed his purpose at least as well as the model of it.

There are some objections to the new method of paving the streets with wood, as will be seen from the subjoined extract from a communication in the New-York American.

'In the Harleian Miscellany, (the volume I do not recollect, and I write from memory) will be found an account of the destruction of the city of Moscow, attended with the most appalling loss of human life, by a fire which consumed the whole city, and 2,000 or 3,000 of its inhabitants. The streets were paved or covered, with pine logs, and the fire occurring at a season of great drought, the whole city became a mass of living flame, and thus rendered the escape of the inhabitants extremely difficult. This memorable conflagration occurred about one hundred years since; but perhaps the master spirits of our firemen are adequate to the extinguishment of the streets as well as the houses, although our streets are rendered even more combustible by a covering of tar.'

ZINCOGRAPHY.—A new discovery, says the New-York Sunday Morning News, has been made in England, by which the art of Engraving is wonderfully facilitated. The art is called Zincography, from the circumstance of the drawing, or rather transferring, being executed on thin plates of zinc. By this process an immense amount of labour is saved, and the progress of the work facilitated to an incredible extent.—Some of the prints we have seen, which were executed in this way, and we find them to possess all the sharpness and firmness of the best specimens of stone drawing. An improvement also has been made in the manufacture of transfer paper, on which any person who can draw at all may make a sketch, and have it transferred to the zinc plate, and printed from, to the extent of six or seven thousand copies.—We saw part of a sheet of a newspaper thus transferred, the impression of which was as clear as the original print. The universality of its application to maps, surveys, book-prints, &c. will make this, in a few years, one of the most extensively employed of the arts; and the discovery will undoubtedly rank among the most wonderful of the nineteenth century.

THE NEW-BRUNSWICK MILL COMPANY.
The last No. of the *Miramichi Gleaner* contains the Prospectus of a Company, recently formed, and to be incorporated by the Legislature under this title. The capital stock is to be £100,000 currency, with power to double it if necessary—and divided into 5000 shares of £20 each, 25 per cent to be paid in advance.

This Company has been formed in connexion with persons of capital in England, the United States and British America, for the purpose of erecting extensive Saw Mills on the South West Branch of the River Miramichi, and on its Tributary the River Teatis.

These Establishments will be situated in the immediate neighbourhood of Boies Town, which place, with the Mills and other extensive improvements already thereon, have been purchased by the Company from its present enterprising occupant, Mr. Thomas Boies.

The erection of all the Mills, building Dams, &c. are already contracted for, and will be completed on or before the 1st day of April, 1837, after which period, it has been estimated, that from the superior machinery they will possess, the great power of water above, and the capability of the persons who will be employed to conduct them, that they will cut annually 30,000,000 superficial feet of Deals and Boards, besides a large quantity of Laths, &c.

A person is to be sent to Britain to examine the new improvements in Mill Machinery—the plans, estimates, &c. are in course of preparation; in the mean time a few shares may be had at Boies Town, and at the office of Joseph Cunard & Co. Miramichi.

GAMING HOUSES IN NEW ORLEANS.—A letter from New Orleans, under date of the 6th instant, says—'Licences of our gambling houses will soon expire, and then you may expect to hear of some splendid scenes. We have, say fifty houses, each of which can command from

five to ten persons, besides their friends out of doors, all of whom will, when combined, make a pretty effective force, and one which cannot easily be put down, should they determine to evade the law.'

LOAFERS.—In Pennsylvania the bush-lawyers alias pettyfoggers, are regarded among the most mean of the *carbonari*, and the title of loafer is applied to them as ordinarily as we confer it upon the distinguished individuals who idle and vagabondise in various parts of this city.

If the appellation was given to a similar description of gentry who hang about several of the law courts of New York, it would not be at all misplaced, but might, on the contrary, if generally used, have the effect of making them so notorious as to prevent their committing, as extensively as they now do, mean frauds, and petit, disgraceful peculations. This peculiar honour, would also tend to separate them at a farther distance than at present from the reputable and honest members of the profession—men who, while they fearlessly and uprightly do their duty to their clients, shrink from the perpetration of base and overt acts, and seek only to accomplish their purposes by strictly legal, constitutional and justifiable means.

ARTESIAN WELLS.—Much light has been thrown of late years on the theory of springs, by the boring of what are called by the French "Artesian Wells," because the method has long been known and practised in Artois; and it is now demonstrated, that there are subter, and in some places, currents of fresh water, at various depths in the earth. The instrument employed in excavating these wells is a large auger, and the cavity bored is usually from three to four inches in diameter. If a hard rock is met with, it is triturated by an iron rod, and the materials being thus reduced to small fragments of powder, are already extracted. To hinder the sides of the well from falling in, as also to prevent the spreading of the ascending water into the surrounding soil, a jointed pipe is introduced, formed of wood in Artois, but in other countries more commonly of metal. It frequently happens that, after passing through hundreds of feet of retentive earth, a water-bearing stratum is at length pierced, when fluid immediately ascends to the surface and flows over. The first rush of the water up the tube is often violent, so that for a time the water plays like a fountain, and then sinking, continues to flow over tranquilly, or sometimes remains stationary at a certain depth below the orifice of the well. This spouting of the water in the first instance is probably owing to a disengagement of air and carbonic acid gas, for both of these have been sent up with the water.—*Lyell's Geology.*

The Buffalo Patriot says, that a delegation of Cayuga Chiefs has arrived at that place, for the purpose of inducing the remnant of that tribe, who remain in New York, to join that portion which has removed beyond the Mississippi. The Chiefs are represented as possessing a fine and noble appearance, and an indication of much intelligence. They have not hesitated to take a journey of two thousand miles, in order to offer to their eastern brethren, now destitute of lands a share of their own western possessions. This step bespeaks a magnanimous mind open to the best impulses of feeling, and may be put in comparison with the most disinterested and praiseworthy actions that are recorded in the annals of civilized nations.

His Grace the Duke of Richmond has established a regular line of steam-pickets between Lisbon and Falmouth, for the more speedy conveyance of letters and intelligence.

Sir William Blizard, at the age of nearly one hundred years, has tendered his resignation as surgeon of the London Hospital.

An advocate of Connor, having bequeathed to the Lunatic Asylum of thirt town a sum of 100,000 francs, concluded his legacy in the following terms—"I gained this money from those who passed their lives in litigation, and therefore it is but an act of restitution."

Thomas Campbell is again about to give his aid to the New Monthly Magazine.