

son was followed by a camel bearing a small canopy or houndah, probably indicative of his office, as it appeared too small for use. Numerous jesters, or buffoons, the original type of our professed "fools" of Europe, moving on among the saints, making strange grimaces, and uttering studied absurdities for the amusement of the populace. Of these motley personages, some were borne on men's shoulders, others rode upon camels; while the less distinguished, like the renowned Martinus Scriblerus, made their own legs their compasses. Their fantastic dresses and quaint appearance defy description; but the principle fool wore a capote of sheepskin, dressed with the wool on, and possessed a prodigious pair of mustachios, at least six or seven inches long, painted of divers colours, and sticking out on either side like leeks.

When the procession had passed, we followed among the throng, and going out through the gate of victory, pursued the track of the pilgrims along the skirts of the extensive cemeteries, where the populace were engaged with their noisy amusements, drums, monkeys, and dancing girls, whose performances called forth frequent bursts of applause. The more ordinary species of courtizans had taken possession of the ruined tombs, and other old buildings, where they were at home to visitors of all descriptions. Ascending the lofty mounds of rubbish beyond the cemetery, we watched the long line of pilgrims winding its way through tombs and gardens to a section in the desert, where the tents of the Turkish escort had been pitched for several weeks. Of the numerous individuals forming this remarkable procession, the greater number, in all probability would never return; since in these expeditions many perish on the road from fatigue, or are cut off by the Bedouins; others fall victims to the delirious climate of Mecca; while others, embarking in frail, ill-manned vessels, are drowned on their way home in the Red Sea. On all sides small parties of Arabs, dispersed over the sands, some with their wives and children, others with a knot of dancing girls, were enjoying the delights of idleness or listening to the marvellous relations of the story teller. The view, comprehending all these groups, and extending over the whole of Cairo, was strikingly interesting; but it became more so when descending from the hillocks, we mingled among the multitude, pouring like bees along the plain. Most persons appear to advantage on a holiday; for pleasures, at least such as may be enjoyed in the open air, have an irresistible tendency to foster habits of benevolence and toleration, men being exceedingly disposed when melted by the warmth of enjoyment, to behold whatever comes before them in glowing and agreeable colours.—And this appears particularly to be the case among the Arabs, whose lively excitable natures, receiving with facility the impulses of voluptuousness, have, at the same time a proneness to conversation and to sociability.

(From the North American Review.)

UTILITY OF LAW REPORTS.

The sole avowed object of codifying is to give certainty and simplicity and consistency to the law. But we know that it can never in this way be accomplished, even with the greatest power, genius, and facilities for carrying it into effect. The various and growing wants and occasions of the law, no human prescience can anticipate. We can approach the nearest to that highly desirable end, which codifiers so earnestly seek for in vain, by publishing promptly and regularly faithful reports of fully investigated cases. Submit them fairly to public examination, and the false principles will soon be laid aside, and the truly valuable ones have the full force of law without the sanction of a code. It is impossible for us to over estimate (we cannot repeat it too often) the importance of doing this. A remarkable proof of the absolute necessity of it, occurred to us on reading the volume now on our table. It was under a case too arising on the promulgation of laws. We do not know that we can do better than bring it before our readers, partly for the purpose of supporting what we have stated, and partly as a slight sample of the interesting character of the Reports, here presented to us by Mr Paine. For we think we can see in this, and the other written opinions of Judge Livingston, the pen of a fine scholar, and man of fine taste, and the matter of a bold and elevated, though sometimes erring mind. The facts in the case alluded to are briefly these.

The Act laying an embargo on the ports of the United States, was passed on December 22, 1807. On the ninth of the following January, the supplemental Act received the signature of the president. A vessel sailed from the port of St Mary's, in Georgia, on the fifteenth of the same month, and was afterwards seized by a collector for a violation of the law. The official intelligence of these acts did not reach St. Mary's until the evening of the fifteenth, and was not publicly announced until the next day, although it had been known about them had

been in circulation for some time before.—The only question was, whether there was such a promulgation of the laws as to give them the force of a statute, and thus work the condemnation of the vessel. Judge Livingston decided there was not. The vessel was accordingly restored. The following are some of his remarks.

But whether a law thus worded be in force throughout the United States on the day of its passage, or not until after a reasonable time for promulgation of it in the different parts of the union, is a question purely of judicial cognizance, and may be decided without interfering with any other department of government; and this again resolves itself into the simple question, whether in a case like this any promulgation is necessary.

A more abject state of slavery cannot easily be conceived, than that the legislature should have the power of passing laws inflicting the highest penalties, without taking any measure to make them known to those whose lives and property may be affected by them. It is not only necessary, therefore, in a country governed by laws, that they be passed by the supreme or legislative power, but that they be notified to the people who are expected to obey them. The manner in which this is done may vary; but whatever mode is adopted, it should be such as to afford a reasonable opportunity to every person who is to be affected by them, of being as early as possible acquainted with them. Whatever way is made use of, it is incumbent on the promulgators," says the learned commentator on the laws of England, "to do it in the most public and perspicuous manner." The court will not stop to enquire in what manner the laws of congress, relating to different subjects, should be promulgated or whether a mere deposit of them in the proper office, after a reasonable lapse of time, would not amount to a sufficient notification. But as it regards laws of trade, which is the case before it, rendering penalties, although sanctioned by former laws, and done in concurrence and with the consent of its own officers, the court thinks it can greatly err in saying, that such laws should begin to operate in the different districts only from the times they are respectively received, from the proper department, by the collector of the customs, unless notice of them be brought home in some other way to the person charged with their violation. A proposition so reasonable, and so consonant to those principles of justice and humanity which are unchangeable, requires only to be stated to receive our universal assent. That a law which passed at Washington should subject to forfeiture every vessel which sailed from the United States on the very day of its passage, or the day after, however remote the port of departure, and after a regular clearance by the authorized agent of government, is a doctrine leading to such unjust and tyrannical consequences, that nothing but a course of decisions, whose meaning admitted of no doubt, could induce the court to sanction it. There may be a difference in name, but there is none in reality, between an *ex post facto* law, which Congress cannot pass, and one whose operation is to be so universal and instantaneous. The position that the law intends every person to have notice of what is done in parliament as soon as it is concluded, because the whole realm is there represented, is too quaint to require refutation. Indeed, the same learned writer, who would very gravely persuade us that a merchant in Boston, at the distance of five hundred miles, must know every law of Congress the moment it is passed, merely because he may have had a voice in the choice of a few representatives who may all have voted against it, as if not satisfied with his own reasoning, and feeling no doubt, the propriety of affording to the subject some other and better means of information tells us, that he had found upon examination, that not long after the act of printing had found its way into England, which was between three and four hundred years ago, the practice had been to publish acts of parliament in the counties, to the end "that the subjects might have express notice thereof, and not be overtaken by an intendment in law."

LOWER CANADA.

The Legislature of Lower Canada was prorogued on the 18th ult.—The following is his Excellency's SPEECH.

"Gentlemen of the Legislative Council
"Gentlemen of the House of Assembly.

"It appears by the customary official reports transmitted me daily by the Clerk of the House of Assembly, that for some days past the attendance of a sufficient number of members to constitute a quorum has been wanting to enable the Assembly to proceed to business; and as it may be inferred from some recent proceedings of the Assembly, that no further business will be transacted, in that branch of the Provincial Parliament, I can no longer feel justified, notwithstanding my great anxiety to prolong the present Session, in detaining from their houses and usual occupations those members of the two

Houses of the Provincial Parliament who may be disposed to persevere in the performance of their Legislative duties.

"Gentlemen of the House of Assembly,

"I have on this occasion only to express my regret that the present Session should have failed in producing those measures of relief in relation to the Financial difficulties of the Province, which are so urgently required under existing circumstances.

"It would have afforded me much gratification, had I been enabled to report to his Majesty's Government, that the responsibility so generously incurred with the view of relieving, in some measure, the urgent wants of the public service, had ceased to exist, by the re-payment from out of the public funds of the province, of the advance equal to thirty one thousand pounds sterling made in pursuance of the Instructions of the late Secretary of State for the Colonial Department, from the Military chest.

"Gentlemen of the Legislative Council
"Gentlemen of the House of Assembly,

"I informed you at the opening of the present Session, that I was then in possession of important communications, and that I expected to receive others from his Majesty's Government, upon subjects of vital importance to the interests of the Province.—The communications which were adverted to on that occasion, as having been received, have been since laid before you; but I have not yet received those which I then informed you I expected to receive, and which I have every reason to believe, must now be near at hand. That the expected dispatches will possess an extraordinary degree of importance to the general interests of the Province, and will require that communications should take place, in relation to their contents, between the head of the Executive Government and the two Houses of the Provincial Parliament, can hardly admit of a doubt being entertained, when it is considered that the Committee of the House of Commons to whom were referred in the last Session of the Imperial Parliament, certain matters relating to the affairs of this Province, including the petition of the House of Assembly, dated 1st March, 1834, recommended with reference to the unhappy differences existing between the two branches of the Colonial Legislature, as well as between the House of Assembly and his Majesty's government, that the practical measures for the future administration of Lower Canada, should be left to the mature consideration of the Government, responsible for their adoption and execution.

"Under these circumstances the premature termination of the Session, which is now unavoidable, is an event deeply to be regretted."

Castle of St Lewis }
Quebec, 18th March, 1835. }

YARMOUTH, MARCH 6.

BRAZILS.—By a private letter received from Captain S. Killam, of the brig Milton, of this port, dated Para, 17th January, we learn that a bloody revolution had just taken place there. The people of the country, on the 5th of that month made an attack on the city, and being joined by the troops, soon obtained complete possession of it. The President Military Governor, the captains of the ships of war, who happened to be ashore, and all the principal personages belonging to the Government—about forty in number—were put to death. Captain Killam was obliged to remove his brig out of the range of the shot, yet he lay sufficiently near to hear the appalling voices of the dying. The plan of revolt had been so well laid that in the short space of two hours, the work was completed, and comparative order, under a change of masters, restored. The new President had been a prisoner (probably for political offences,) and was transported at once from a prison to a palace.—He had a guard of a hundred men. All the rest of the citizens and soldiers had been disarmed. No vessels were suffered to depart till the 17th.

THE SLAVE TRADE.—Extract of a letter dated Ferdinand Po, November 10:—"Yesterday the American ship General Hill arrived here, and reported that there are to the south of the Line 25 slavers; in Wydah to the northward of us 12; in Bony G; in Old Calabar 4; and one in the Cameroons. These vessels will take away about 20,000 poor victims. I am further informed that there are a hundred sail of slave vessels fitting out for the coast. We have but one cruiser now on the station, the Lynx, so that the trade of our merchants will be ruined if steps are not taken to stop these miscreants. Five sail of merchant ships will have to remain at Calabar until next year, for want of cargoes, which will be a great loss to both their owners and the revenue.—Herald.

Upwards of £1600 has already been subscribed towards the erection of a statue or some other memorial of national gratitude, to Earl Grey, for the invaluable services which he has rendered his country by the passing of the Reform Bill.

NAVAL FORCE OF THE DIFFERENT POWERS IN THE WORLD.

As it will be interesting at the present time, to know the Naval strength of different nations, we have compiled with care from various sources the following table, showing the number of ships of the line, frigates and smaller vessels, in the naval service of the various Powers of the civilized world:

- Great Britain, 165 ships of the line, 217 Frigates, 324 Brigs Sloops &c., 40 Steam Vessels.—Total 746.
- France, 39 ships of the line, 51 Frigates, 324 brigs sloops &c., 10 steam vessels.—Total 333.
- Russia, 32 ships of the line, 25 frigates, 107 sloops brigs, &c., 4 steam vessels.—Total 168.
- Ottoman Empire, 18 ships of the line, 24 frigates, 90 sloops brigs &c.—Total 132.
- Holland, 12 ships of the line, 33 frigates, 56 sloops brigs &c., 2 steam vessels.—Total 103.
- Sweden and Norway, 10 ships of the line, 13 frigates, 238 sloops brigs &c.—Total 261.
- Spain, 1 ship of the line, 3 frigates, 30 sloops brigs &c.—Total 34.
- Denmark, 4 ships of the line, 7 frigates, 14 sloops brigs &c.—Total 25.
- Portugal, 3 ships of the line, 6 frigates, 37 sloops brigs &c., 2 steam vessels.—Total 49.
- Austria, 3 ships of the line, 8 frigates, 91 sloops brigs &c.—Total 72.
- Sardinia and two Sicilies, 4 ships of the line, 8 frigates, 17 sloops brigs &c.—Total 29.
- Greece, 1 ship of the line, 2 frigates, 25 sloops brigs &c., 2 steam vessels.—Total 29.
- Papedom, 8 sloops brigs &c., Duke of Tuscany, 1 sloop.
- Pussia, 1 sloop.
- United States, 7 ships of the line, 10 frigates, 24 sloops brigs &c.—Total 21.

It is necessary to remark, that notwithstanding this list of formidable navies, the number of ships armed, or in a condition for active service, forms but a very small proportion to the sum total on the marine roll. Sweden, for instance, although possessing apparently such a powerful fleet, has seldom in actual service any but a few insignificant flotillas, merely to exercise her naval officers in nautical tactics. The total number of British ships of all sizes in commission for instance, in January, 1835, amounted to only 182. France has seldom more than 40 ships in commission, manned by 13,000 men, while Russia has always a larger proportion in active service.

The number of vessels building, we have not stated.—Thus, England has 62 of different sizes, besides 13 steam boats on the stocks; France 14; and the United States has 5 ships of the line, and 7 frigates building in her dock-yards. Of the 51 stated in the above list, as belonging to this country, a considerable number are unfit for service. Since the close of the late war, nearly 400 ships of different gradations, have been struck from the list of the British Navy, as unfit for service, and condemned and sold. The present Navy of that country, as well as of France, is almost new.—M. Y. Com. Advertiser.

(From a Copy of Good Hope.)

We have been favoured with a few numbers of the Canton Register, up to the end of September, which says:—"The Bogue was passed by the British ships of war Ionogene and Andromache, on Sunday the 7th inst. Several shots were fired from the war junks and forts before any return was made, but the wind was unfair; it was at length answered by the ships, as their guns would bear, while beating through the Tigris mouth. This partial and interrupted firing, continued about an hour and three quarters, when the frigates anchored on account of the unfavourable weather, and did not pass Tiger island fort until next day after silencing it. The only casualty on the English side, was one man wounded by a splinter. The loss of the Chinese is not known. Those in the fort fought with spirit, but with a bad direction. We cannot but regret that the captains of H.M. ships did not effectually silence the forts, by carrying away or spiking the guns, and destroying their batteries. The trade with the English was renewed on the 27th; but two merchant ships of that nation forced a passage to Canton two days before permission was granted.

Every kind of petty annoyance was inflicted upon Lord Napier—all his Chinese servants were taken away, and he and his family it appears, were dependant upon the British residents at Canton even for food.—His Lordship had taken a cold during the heavy rains which had previously fallen and was suffering under an attack of fever, which being aggravated by the extreme excitement arising from his delicate and peculiar situation; terminated in his death in the early part of October. These facts are not related in the papers we have seen, but the Bellman spoke a shoemaker which left Canton on the 14th Oct. from the captain of which the news of his lordship's death was learned.