

likes backy, your worship." The Magistrate said, that it was quite ridiculous to observe the boys who promenaded some of the principal streets with cigars stuck in their mouths puffing out smoke to the right and left, to the annoyance of females and other persons who were unaccustomed to such an effluvia. The Magistrate then questioned the boy's mother, and asked her whether she would prefer having him committed to gaol, or undergo the punishment of flogging at the rear of the office? The prisoner, on hearing the question about the flogging, burst out crying, and afterwards exclaimed, "For God's sake, your worship, don't flog me, and I'll never smoke a cigar again as long as I live." The mother thought a good whipping would do her son more good than sending him to gaol amongst other persons worse than he was himself. At all events it would sicken him of smoking his master's cigars. The boy was then taken into the yard and well whipped; after which he was again brought into the presence of the Magistrate, who gave him a severe lecture, and then discharged him. If Mr. Murray's example were generally followed by magistrates, there would be fewer hardened juvenile delinquents.—*Liverpool Albion.*

Foreign Intelligence

(From the Times, September 14.)

BREST, SEPT. 5.

The Hermione frigate, lately arrived here, as she sailed pretty close to the coast of Algarves, saw the flag of Donna Maria every where flying. Two of Napier's ships, one of them of the line, were at anchor in the bay of Lagos, and several others were seen cruising on the coast.

The Hermione having cast anchor for a short time in the bay of Algesiras, some officers went on shore; they there learned that some persons, whose names are well known in Lower Brittany, had just embarked in a coasting vessel for Portugal; they were Messrs. de la Houssaye, Gustavus and Adolphus Dudore, Dudandiere, and a fifth, whose name escaped them; all had assumed the title of Colonel at the least. The Chouan de la Houssaye, who seemed to take the lead, had with him his young wife and two servants. They came from Gibraltar on board an English packet-boat.—*Moniteur.*

The Marquis and Marchioness de Loule do not accompany Queen Donna Maria to Portugal, as the Marquis is charged to carry on negotiations which have been opened with the French Government. They have taken up their residence near Paris, at Passy.

Extract of a letter from Florence, addressed to the *Garde National* of Marseilles:—"Madame Lucchesi Palli intended to have remained here some days, but the Grand Duke refused her permission to do so, and caused it to be notified to her that she must continue her journey within 24 hours after her arrival."

The *Augsburg Gazette* of the 7th instant, contains the following of the 2d from Vienna:—"The last accounts from Prague confirm the report that the interview between the Monarchs of Russia, Prussia, and Austria, will not take place at Troppan, but at Friedland, a small town in the circle of Bunzlau, in Bohemia. Business continues to be very flat on our Exchange, which is partly owing to the apprehensions of many speculators, who imagine that the decisions of the approaching Congress of Sovereigns may lead to war, and partly to the stagnation and uncertainty now prevailing on all the questions connected with the general interests of Europe. Among these are the affairs of Portugal, Belgium, Switzerland, Italy, and Germany, to which some add those of Turkey and Egypt, asserting that the envoys from France and England at Constantinople are constantly endeavouring to disturb the close alliance of the Porte with Russia, which gives them so much umbrage."

The *Berlin State Gazette* of the 5th inst. says:—"According to the last accounts from Stettin, which come down to the evening of the 3d, the Emperor of Russia had not yet arrived in that town. The Crown Prince was still at Swinemunde, waiting to receive the august visitor on his arrival. At Stettin part of the garrison was stationed along the streets between the landing place and the hotel Toussaint, where His Majesty is to alight. The weather continues very unfavourable; wind and rain succeed each other in turns. According to the most recent letters from St. Petersburg, the Emperor sailed from that port on the 28th ult."

The *Hamburg Correspondent* of the 5th instant says, that according to a letter from Berlin, the Emperor of Russia will return to his states by Prague and Vienna.

According to letters from Berlin, the Duke of Cambridge, who is still in that capital, will accompany the King of Prussia to the camp at Magdeburg, and then return to Hanover. The Duchess, previously to her return home, intends to proceed from Berlin to Rumpenheim, on a visit to her father, the Landgrave of Hesse.

Extract of a letter from Thorn, on the frontiers of Poland, dated August 27:—"The

late disturbances in various parts of Poland have subsided. Such of the insurgents as have not made their escape across the frontier have fallen into the hands of the Russians, who, relieved from their fears, now give themselves up to vengeance. More than 4000 persons, the greater part of them belonging to the most distinguished families, gorge the prisons of Poland; the mere suspicion of an insurgent having touched the estate of a proprietor is sufficient for the latter to be treated as a criminal, and many whose innocence is fully established are still detained in confinement; among them are many old men and even women. Their number increases daily, and the only diminution it experiences is by those who undergo the capital punishment, to which they are condemned, and which has been inflicted upon a great many. The most inquisitorial measures are resorted to in order to extort from the prisoners confessions as to their relations with the inhabitants, and as to the means by which the insurrection was excited and upheld. The Prussian Government vies in cruelty with the Emperor Nicholas.—M. Flotvel came to Posen in April last with a pretended amnesty for such of the Polish subjects of Prussia as during the late war for independence joined the ranks of their brethren; but this, after all, was nothing less than a confirmation of the doom denounced against them, for it did not abolish the pain of imprisonment inflicted upon minors, nor the confiscation of property; men who were free from military duty on account of their age or the state of their health have been enrolled as private soldiers. It is announced that the Prussian Government is about to make forced purchases of estates to a great extent, and transfer them to Prussians, in order by degrees to extirpate the Poles from the province. The prisoners confined for political offences are treated with great rigour."

Miscellaneous.

COMMERCIAL INTERCOURSE WITH FRANCE.—The Right Hon. Paulett Thomson has taken his departure for the continent, where he has long been negotiating a commercial treaty with France, calculated to cement the good understanding between the two countries, by improving a free commercial intercourse, equally advantageous to both.—*Globe.*

IRISH TOBACCO.—The Board of Excise and Customs mean to buy up, next month, all the Irish tobacco now on hand, at a valuation by their own officers. The Crown will apply it for the use of the navy. All Irish tobacco is to be forfeited from the 1st of January next, and the holder incurs a penalty of £100.

MORTALITY AMONG THE ARISTOCRACY.—The mortality in some of the branches of what is denominated the high aristocracy, has of late been singularly great. We believe the Buccleuch estates have passed through three generations in little more than thirty years. In the same period there have been three generations of the Abercorn family.

ROYAL MUNIFICENCE.—His Majesty, who has been accused of a want of regard to his family, lately presented the female members with a most magnificent mark of his paternal affection, £5000 each.

ULSTER CANAL.—We have the pleasure to inform the subscribers to the Ulster Canal that the Lords of the Treasury have issued their warrant to the Exchequer Loan Commissioners, for the first advance of £20,000, under the provisions of the Ulster Canal act.—*Dublin paper.*

THE GRANDFATHER OF THE BAR.—In the list of barristers of the Post-office Directory for the present year, there appears the name of Henry Humphreys, who was called to the bar so long ago as the year 1715!!! So that this gentleman must have been in the profession of the law considerably more than a century. The father of the bar is a distinction enjoyed by the oldest barrister; but Mr. Humphreys is entitled to a more venerable designation—"The Grandfather of the Bar."—*Dublin Register.*

CARBONAR STAR.

WEDNESDAY, OCTOBER 30, 1833.

"The Grand Jury (of St. John's) beg most respectfully to represent to the Court, that they have been occupied during the present term, with many very trifling cases, which the Jury believe to be, in a great measure occasioned by the very lenient manner in which prisoners are treated in the Gaol of this town, and that imprisonment, in their estimation, is no punishment whatever. They beg to suggest, as an improvement on the present system, that, upon conviction, prisoners may be sentenced to labour on the public roads under overseers, or to be employed in some other way laboriously for the public benefit.

"JOHN DUNSCOMB, Foreman."

The Hon. Chief Judge Simms expressed his entire concurrence with the Grand Jury on the subject of the presentment, but regretted that it was not in his power to adopt their suggestion. He would, however, di-

rect it to be recorded, and would exert all the influence he possessed in pressing attention to a matter of so much importance.

On reading the above we could not but feel astonished at perceiving by it the total absence of punishment for convicted felons in the principal prison of the Island—for the manner in which the convict is at present treated, can be considered only such as will induce him, after the expiration of his term of imprisonment, to return to the place in which he can lead an indolent life.

We have long been aware that a lodging in the prison of Harbor Grace, is sought after rather than avoided by the abandoned, as it gratifies their propensity to indolence, without depriving them of society; but until the above request was made to the Chief Judge, we were not aware that the discipline in the gaol of St. John's was equally bad. It appears by the answer of his Honor that he has not the power to pass a sentence of hard labour. Now, we think this very extraordinary.—Either the criminal law of England extends to this country or it does not—if it do, then has the Chief Judge power to inflict what punishments that law awards to convicts; and, if it do not, in whom, but the Judges of the land, does the power of awarding punishments exist? But in whom the power exists is now of little moment; it is to our House of Assembly we have to look for a settled system of jurisprudence, and the correction of abuses, which are daily developing themselves; and we take it, that not the least among these is the present system of *Prison Discipline.*

Happily the number of criminals on our calendars, has, as yet, been very small; and, by consequence, the attention of the philanthropist has not been directed to the internal regulations of our prisons: but small as the number has hitherto been, every session convinces us that it increases progressively with the population, as well as that the crimes perpetrated are of greater atrocity: such being the case, the subject we have adverted to demands the attention of our government.

The Assembly of this Island is particularly fortunate in having before it the results of the many experiments which have been made, both in Europe and the United States, to prove the efficacy of various systems of discipline for reforming the felon, and inculcating a wholesome dread on the minds of the ill-disposed. A prison is erected, not merely for the confinement of those who offend against the laws; but as a place of punishment, and of such a punishment as will leave a dread on the mind of him who has received it, and prevent his again subjecting himself to the like. Our present system punishes the suspected equally with the convicted, if we except a trifling alteration in the quantity and quality of diet. The injustice, to say nothing of the inefficiency of such a system, is too evident to need remark.

We doubt not but that in our forthcoming Judicature Act more commensurate punishment will be awarded to crime than has hitherto been inflicted: and that, during the next session, a bill for the internal regulation of our prisons, and the building of a penitentiary, in which the prisoner shall be compelled to labour for his support, will be introduced into our Assembly by some one of its members. But should even this desirable circumstance be accomplished, it is but a portion of what is necessary to be done.—It will ensure the punishment of the criminal certainly, but it will not reform him; and as the object of coercion is to reform as well as to punish—to convert a bad into a good citizen—too much attention cannot be given to the discovery and adoption of a system calculated to effect so desirable an end.

That the systems pursued in the Mother Country, to prevent crime, are inefficient is notorious—it having been proved beyond a question, that so far from reforming the prisoner, they have sunk him deeper in iniquity by herding him with old and irreclaimable offenders: in fact, it is notorious that plans of robberies have been formed in the prisons of England, which were perpetrated by the framers of them after their liberation: so shamefully inefficient, indeed, is the Prison Discipline in England acknowledged to be, that the Government has sent out a commissioner to the United States, to report on the experiments that have been made in the prisons of that country. It appears, by statements which have come under our observation, that the system pursued at Auburn, in the State of New York, is the most perfect in its character, and efficacious in its application. This system, which was finally adopted after a variety of others had proved abortive, is that of confining each convict in a separate cell, in which he is compelled to maintain absolute silence. On the arrival of a prisoner at this penitentiary, he is placed in a cell, and permitted either to work or play as he may think proper; no instance, however, has yet occurred in which a prisoner, after two or three days' confinement, has not asked for work as a favour. The prisoners work together in work-shops attached to the prison, but in perfect silence. The result of the system is, that of every 19 convicts, who have been discharged, only 1 ever returned to the prison; being a much less average than any other system could boast of.

The limits of a newspaper will not permit

us to give a detailed account of the many plans that have been tried and have failed; it is enough for us to give a statement of that which has succeeded, and to direct the attention of our Local Assembly to a subject of vital importance to the well being of the country.

It may be said, perhaps, by some, that it is time enough to take up the question of Prison Discipline when our prisons are better stocked with subjects on whom to enforce it; but such a remark is not worth an answer. We hope never to see an overflow of crime, and our only motive in writing the above is to point out a way to prevent such an occurrence.

The Grand Jury of St. John's are entitled to our warmest thanks for calling the attention of the government to the subject.

IMPORTANT!—By the Imperial Act 3d and 4th Wm. IV., cap. 59, vessels of the United States can henceforth import into St. John's, goods (being the produce or manufacture of that Country) fit and necessary for the Fisheries—*DUTY FREE.* The same privilege will also extend to vessels of the following Countries—being those which have placed the commerce and navigation of the British Empire on the footing of the most favoured nations—viz. Harover, Lubek, Bremen, Hamburg, Rio de la Plata, New States of Mexico, States of Columbia, Russia, Sweden, France, Prussia, and Spain from her Colonial possessions.

The Act of the 10th Geo. IV., cap. 43,—which permitted Foreign Timber to be imported duty free, and to be exported and admitted at the same rate of duty in the United Kingdom, as Timber of the British Plantations—is repealed.

Foreign Hams and Bacon, which paid 12s. per cwt. will in future be chargeable with an *AD VALOREM* duty of 15 per cent.

On Sunday week, during the hours of Divine Service in the morning, a most daring robbery was committed in the Shop of Mess. Barrister and Co. by three of the Servants of that firm, named *Coa*, *Larkham*, and *Willis*. They effected their entrance through the Dwelling-house attached to the Shop, by forcing back the bolt of a door opening into the kitchen, from which they ascended the stairs and made their way into a store-room above, and from thence below into the shop, from which they stole some loose silver and various articles of wearing apparel. They were all committed to prison, on the Monday, and took their trial on the following Saturday.—*Willis* was sentenced to six months imprisonment, but *Larkham* and *Coa*, who opened an entrance into the house, will not receive their sentence until his Honor the Judge has conferred with his colleagues.

The Northern Circuit Court was opened by his Honor Judge Brenton, on the 22d inst. After the Grand Jury had assembled his Honor delivered an excellent address, in which he took the opportunity of alluding to the state of the poor, in the places which he had visited in the circuit, and which he considered much better than it was, at the same period, last year; for, although the Labrador fishery was comparatively a failure, the Shore fishery, on the whole, was much superior to that of several previous years. The names of seven prisoners appeared on the calendar, of which—3 were for stealing in a dwelling-house, 1 for larceny, 1 for an assault on a child of tender age, and 2 for assaults against the whole of these (except the one for larceny, against whom no prosecutor appeared) true bills were found.

MURDER.—Another instance of the murder of a family has occurred at Conch (French Shore) on or about the 12th inst. From intelligence received, it appears that in the absence of the master of the house (Mr. James Hope) the barbarians entered the premises, and despatched Mrs. Hope and two children, and afterwards rifled the house. A man, who was servant to Mr. H. has been committed to the Gaol of St. John's, on strong suspicion of being one of the perpetrators of this diabolical act.

WE, the undersigned, request you will be pleased to convene a Public MEETING of the Inhabitants of this Town, this Afternoon, for the purpose of voting an ADDRESS to RICHARD ALEXANDER TUCKER, Esquire, on his intended departure from this Island.

Harbour Grace, 26th October, 1833.

To
NICHOLAS STABB, Esq. }
Deputy Sheriff. }
Thomas Ridley, } William S. Comer,
Richard Andrews, } Michael Keef,
John Stark, } William Mooney,
John Munn, } Peter Rogerson,
William Innott, } James Burn,
J. L. Prendergast, } Ebenezer Webber,
John Smith, } Patrick Huie,
James Hipsley, } Edward Shelly,
H. G. Coe, } Daniel Canler,
George P. Jillard, } Roger Hanrahan,
George Hipsley, } James Prendergast,
Thomas Marten, } David Keef,
Thomas Foley, } Maurice Power,