

for present relief, while the cancer would be suffered still to continue its fatal, loathsome career of destruction towards the vitals of our liberties.

"One every ground I humbly move for the discharge of the prisoner."

The Judge, without entering upon the question of the authority of the House of Assembly to commit for the alleged contempt, upon which point he would give his judgment on an early day ruled that the commitment was deficient in those essentials necessary to constitute it legal, and therefore DISCHARGED the prisoner.

On the following day the House of Assembly met, pursuant to adjournment, and the Speaker, (Dr. CARSON,) on motion, proceeded to issue warrants against Dr. KIELLEY, who had been discharged from custody; against the HIGH SHERIFF, who had liberated him in obedience to the mandate of the Judge; and finally against the Judge himself! whereupon the Serjeant-at-arms, with several others, repaired to the Judges' Chambers, where they found Judge LILLY, engaged with two of the barristers of the Court, when they laid violent hands upon the Judge, forcibly pulled him from the room, and WALSH, the door keeper of the Assembly, seizing him by the collar, dragged him in the most brutal and savage manner from the top of the stairs to the bottom, and thence through the lobby into the Speaker's room!! They then proceeded to the office of the Sheriff, and placed that officer under arrest, and both prisoners were paraded through the streets, amidst a mob of people, and taken out to the residence of the Serjeant-at-arms, in whose custody they remained. Such was the savage violence with which the fellow WALSH conducted himself, that the Judge's hand was much hurt in the attempt to save himself from being thrown headlong over the stairs.

Dr. KIELLEY was fortunate enough to find shelter in the House of a friend, and succeeded, therefore, in escaping the new indignity intended for him.

Yesterday, at two o'clock, his Excellency the Governor, attended by his suite, proceeded to the Legislative Council Chamber, and prorogued the Assembly with the following Speech:—

Mr. President, and Honorable Gentlemen of the Council,

Mr. Speaker, and Gentlemen of the House of Assembly,

"It having been represented to me that an Assistant Judge of the Supreme Court has been arrested by order of the House of Assembly, in consequence of a decision made by him in his judicial capacity; and that the Sheriff has also been arrested for having obeyed a mandate of his superior, the said Judge, founded upon that decision, I feel myself compelled to have recourse to a Prorogation for the purpose of putting a stop to proceedings which, independently of any question as to their legality, seem wholly unsuited to the character and condition of the Colony, and calculated to subvert that respect which is due, and which is highly expedient that all classes of society should render, to the administrators of the Law in the exercise of their functions.

"Some inconvenience must result from the present measure, but to this it behoves us to submit for the avoidance of greater evil; and I trust that a short recess, by affording opportunity for reflection, may have the effect of producing calmer councils for the future."

It was then announced that the Legislature was prorogued until Monday next, the 20th inst.

THE STAR

WEDNESDAY, AUGUST 22, 1838.

To Correspondents

"A LOVER OF DECENCY" must not be offended if we give him a word of advice: We dislike to see dogs running about a place of worship during Divine Service, as much as any body; but in the present instance we do not see the necessity of mentioning it in the Newspaper: the better course will be just to hint the circumstance to the Owners and we dare say the annoyance will be prevented in future.

An Address "to the Real and Pretended Friends of Mr. JOHN KENT," shall appear in our next; in the mean time however, we request an interview with the author.

"EXAMINER'S" REMARKS on Doctor Carson's Letter in the last "Newfoundlander," must be greatly modified before we can give them insertion: there are times, it is true, in which it becomes the painful duty of the Critic to have recourse to the cauteries, but like a skilful surgeon he ought to apply them only in extreme cases; and then, not with a view to fret and irritate but to effect a cure. It is the misfortune of some people to suppose that their productions must be totally ineffective unless their expressions be poured forth, like the Highland pibroch, "savage and shrill."

In our present number will be found the pleadings of Mr. ROBINSON in the case of Dr. KIELLEY who as our readers are aware was brought up by a writ of Habeas Corpus before Judge LILLY in Chambers on Friday the 10th instant.

We are much pleased with the manner in which Mr. ROBINSON has handled his subject; the argu-

ments, from beginning to end, are conducted temperately and methodically; there is no low invective, nor calling of ugly names, nothing of the littleness of the special pleading: the whole is just what it should be, generous and gentlemanly, displaying throughout much talent and no inconsiderable research. The Judge took a similar view, and adduced many authorities in support of his opinion, —this will appear in our next.

But what shall we say to the immediate consequences of Dr. Kielley's release? What say we to that rash and unprecedented act of the Assembly—the arrest of the Judge—the arrest of the Judge upon the Bench! What shall we say to the Speaker of that House who caused the Queen's Judge and the High Sheriff to be dragged like malefactors through the public streets, and, after suffering various indignities, finally to be imprisoned! What can we say to such audacious proceedings more than we have already said.—THE DAYS OF CROMWELL ARE RETURNED!!

And these are your guardians of "Civil Liberty;" these are the gentlemen who abhor oppression, who all along have been declaiming against our arbitrary Fishing Admirals, our despotic Governors, our tyrannical Judges, our absolute Surrogates, our grinding and exaction Merchants and snarling Officials; these are they who for years past have been stunning us with an incessant clatter about *Bashaws and Sultans and Sastraps!!* What a mighty and miraculous change! Oh! Ovid, what are all your metamorphoses to this!

"His arms turn thigs—his cloths are shaggy hair His features, now a wolf, some likeness bear, So haug his hoary hairs with gristly grace, And such the meagre horror of his face, His eye-balls glaring with their wonted flame His form all terrible, and still the same."

See Ovid's Metam. Book 1st. —all this however, is a mere nothing compared with the more than supernatural change which to all appearance has been effected in our Colonial Legislators within the past week!

Now what, under such circumstances, becomes the bounden duty of every real lover of his country? What is the line of conduct which he ought to pursue? Adverse as we are to political strife, advocates as we fervently pray we ever shall be for the peace and concord of society, we nevertheless feel ourselves called upon to recommend a FIRM AND STEADY RESISTANCE—that lawful and constitutional resistance which a man feels himself compelled to make when his person and property are unwarrantably assailed. Let us not be misunderstood; on a point of such extreme importance it is well to be plain and explicit: we deprecate all violence whether in word or deed; nay, we pronounce that man, whoever he may be, an enemy to Newfoundland who would openly or covertly recommend it; but we maintain the necessity for a FIRM AND STEADY RESISTANCE; for the exertion of an antagonist power, acting in accordance with the laws of the land—the broad principles of Justice, and with that sound and healthy constitution which admits of no wrong without a remedy. In such a course as this, the supporters of real Freedom and legitimate authority have nothing to fear; their cause must eventually triumph.

The river may be checked by a dam but it will rise and rise, till it bursts the puny barrier; and then, after a momentary commotion, it will return to its wonted level, continuing to flow on in its accustomed style majestically and moderately.

We have received no intelligence by the Packet as what has occurred in the House—we have not been able to ascertain whether His Excellency has again "cut the painter" or whether the celebrated "Stone of Sisyphus" has had the effect of keeping "all things in their places."

We are at length enabled to state for the information of our numerous readers that Judge Boulton's case has been decided; but in what manner, it is impossible (unless we had the faculty of reconciling absolute contradictions) for us to say. The Ledger tells us that Mr. Boulton is acquitted, and the Patriot that he is condemned: now one or the other of our metropolitan contemporaries must be in the wrong—and we fear voluntarily in the wrong; at all events a gross insult has been offered to subscribers on one side or the other. If Mr. B. is condemned in part and acquitted in part, or condemned or acquitted in toto, why not say so? Why twist and distort the truth for base party purposes? In Whig or Tory such conduct is unpardonable and we are sorry to say that too much of this kind of work is practised in both.

The following is an extract from His Excellency the Governor's Proclamation in the Royal Gazette of the 14th inst. :—

And that our Circuit Court for the Northern District of our said Island shall be opened and holden at TWILLINGATE, on Monday the seventeenth of SEPTEMBER inst and there continue until Saturday the twenty-second day of the same month, both days inclusive:

And that our said Northern Circuit Court shall further be holden at the times and places undermentioned, respectively—

Viz.

At FOGO on Tuesday the twenty fifth day of SEPTEMBER, and until Saturday the twenty-ninth day of the same month:

At GREENSPOND, on Wednesday the third day of OCTOBER, and until Tuesday the ninth day of the same month:

At BONAVISTA on Friday the twelfth day of OCTOBER, and until Friday the nineteenth day of the same month:

At TRINITY on Tuesday the twenty-third day of OCTOBER, and until Saturday the twenty-seventh day of the same month:

And, At HARBOUR GRACE on Wednesday the thirty first day of OCTOBER, and until Saturday the eighth day of DECEMBER following.

Died
On Saturday last, Mary, wife of Mr. Wm. Parsons of this town, after some years of painful illness aged 64. Mrs. Parsons has for a long time past been connected with the Wesleyan Body, of which she formed a consistent and exemplary member; her loss will be severely felt by her family and deeply lamented by a numerous circle of friends. Her funeral takes place to-day at 1 o'clock.

SHIP NEWS
Port of St. John's.
ENTERED.
Aug. 9.—Packet, Graham, Antigonish, cattle butter.
Eadenvour, M'Donald, Arichat, cattle.
Christiana, Harris, Liverpool, coal.
10.—Spanish brig Norma, Baca, Havannah, sugar, coffee.
11.—Southampton, Maxwell, Quebec, flour.
Sovereign, Wood, P. E. Island, cattle.
Spanish brig Fama, De Larrinaga, Havannah, coffee.
13.—Charlotte, Goldsworthy, Bay Verte, shingles.
Jane, Doane, P. E. Island, shingles, and sundries.
Eliza Bunting, Burke, Cape Breton, coal.
Emma, Lamzed, Cardiff, coal.
Harriet Elizabeth, Butler, Boston, tobacco, potatoes.

Notices

CONCEPTION BAY PACKETS
St John's and Harbor Grace Packet

THE EXPRESS Packet being now completed, having undergone such alterations and improvements in her accommodations, and otherwise, as the safety, comfort and convenience of Passengers can possibly require or experience suggest, a careful and experienced Master having also been engaged, will forthwith resume her usual Trips across the BAY, leaving Harbour Grace on MONDAY, WEDNESDAY, and FRIDAY Mornings at 9 o'clock, and Portugal Cove on the following days.

FARES.
Ordinary Passengers 7s. 6d.
Servants & Children 5s.
Single Letters 6d.
Double Do. 1s.
and Packages in proportion
All Letters and Packages will be carefully attended to; but no accounts can be kept or Postages or Passages, nor will the Proprietors be responsible for any Specie or other monies sent by this conveyance.
ANDREW DRYSDALE,
Agent, HARBOUR GRACE
PERCHARD & BOAG,
Agents, St. JOHN'S
Harbour Grace, May 4, 1835

Nora Creina

Packet-Boat between Carbonear and Portugal-Cove.

JAMES DOYLE, in returning his best thanks to the Public for the patronage and support he has uniformly received, begs to solicit a continuance of the same favours.

The NORA CREINA will, until further notice, start from Carbonear on the mornings of MONDAY, WEDNESDAY and FRIDAY, positively at 9 o'clock; and the Packet Man will leave St. John's on the Mornings of TUESDAY, THURSDAY, and SATURDAY, at 9 o'clock in order that the Boat may sail from the cove at 12 o'clock on each of those days.

TERMS.
Ladies & Gentlemen 7s. 6d.
Other Persons, from 5s. to 3s. 6d.
Single Letters
Double do.
And PACKAGES in proportion
N.B.—JAMES DOYLE will hold himself accountable for all LETTERS and PACKAGES given him.
Carbonear, June, 1836.

THE ST. PATRICK

EDMOND PHELAN, begs most respectfully to acquaint the Public, that he has purchased a new and commodious Boat which at a considerable expence, he has fitted out, to ply between CARONEAR and PORTUGAL COVE, as a PACKET-BOAT; having two cabins, (part of the after cabin adapted for Ladies, with two sleeping berths separated from the rest). The fore-cabin is conveniently fitted up for Gentlemen with sleeping-berths, which will he trusts give every satisfaction. He now begs to solicit the patronage of this respectable community; and he assures them it will be his utmost endeavour to give them every gratification possible.

The St. PATRICK will leave CARBONEAR, for the COVE, Tuesdays, Thursdays, and Saturdays, at 9 o'clock in the Morning, and the COVE at 12 o'clock, on Mondays, Wednesdays, and Fridays, the Packet-Man leaving St. John's at 8 o'clock on those Mornings.

TERMS.
After abin Passengers 7s. 6d.
Fore ditto, ditto, 5s.
Letters, Single 6d
Double, Do. 1s.
Parcels in proportion to their size or weight.
The owner will not be accountable for any Specie.
N.B.—Letters for St. John's, &c., &c. received at his House in Carbonear, and in St. John's for Carbonear, &c. at Mr. Patrick, Kieley's (Newfoundland Tavern) and at Mr. John Cruet's.
Carbonear,
June 4, 1836.

TO BE LET

On Building Lease, for a Term of Years.

A PIECE of GROUND, situated on the North side of the Street, bounded on East by the House of the late captain STABB, and on the east by the Subscriber's.

MARY TAYLOR, Widom.

Carbonear, Feb. 9, 1838.

Blanks

Of Various kinds for SALE at the Office of this Paper.