THE Weekly Chronicle.

Terms—15 shillings per annum ;] *"Nec Rege, Nec Populo, sed utroque."* [12s. 6d. if paid in advance.

VOL. V. SAINT JOHN, (N. B.) FRIDAY, MAY 28, 1841. No. 39.

The Chronicle,

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Papers sent out of the City must be paid for IN ADVANCE.

Any person forwarding the names of six responsible subscribers will be entitled to a copy gratis.

☞ Visiting and Business Cards, (plain and ornamental,) Handbills, Blanks, and Printing generally, neatly executed.

All letters, communications, &c. must be post paid, or they will not be attended to.—No paper discontinued until all arrearages are paid.

Weekly Almanack.

MAY.	R. SUN. S.	MOON	H. W.
29 Saturday,	4 40 7 20	1 13	7 23
30 Sunday,	4 39 7 21	1 34	8 34
31 Monday,	4 39 7 21	1 57	9 21
1 Tuesday,	4 38 7 22	2 21	10 12
2 Wednesday,	4 38 7 22	2 52	10 51
3 Thursday,	4 37 7 23	Rises	11 30
4 Friday,	4 37 7 23	8 42	0 8

Full Moon 3d, 10h. 3m. morn.

Public Institutions.

BANK OF NEW-BRUNSWICK.—Thos. Leavitt, Esq. President.—Discount Days, Tuesday and Friday.—Hours of business, from 10 to 3.—Notes for Discount must be left at the Bank before 3 o'clock on the days immediately preceding the Discount days.—Director next week: Geo. Swinney, Esq.

COMMERCIAL BANK.—Lewis Burns, Esq. President.—Discount Days, Tuesday and Friday.—Hours of business, from 10 to 3.—Bills or Notes of Discount must be lodged before 1 o'clock on the days preceding the Discount days.—Director next week: W. O. Smith, Esq.

BANK OF BRITISH NORTH AMERICA.—(Saint John Branch.)—A. Smithers, Esq. Manager. Discount Days, Wednesdays and Saturdays. Hours of Business, from 10 to 3. Notes and Bills for Discount to be left before 3 o'clock on the days preceding the Discount Days. Director next week: E. DEW. Ratchford, Esq.

NEW-BRUNSWICK FIRE INSURANCE COMPANY.—John Boyd, Esquire, President.—Office open every day, (Sundays excepted) from 11 to 1 o'clock [All communications by mail, must be post paid.]

SAVINGS BANK.—Hon. Ward Chipman, President.—Office hours, from 1 to 3 o'clock on Tuesday's. Cashier and Register, D. Jordan.

MARINE INSURANCE.—I. L. Bedell, Broker. The committee of Underwriters meet every morning at 10 o'clock, (Sundays excepted.)

MARINE ASSURANCE COMPANY.—Jas. Kirk, Esq. President.—Office open every day (Sundays excepted) from 10 to 3 o'clock. ☞ All applications for Insurance to be made in writing.

SAINT JOHN HOTEL.

THE Subscribers having leased the above named Establishment from the Company, and put the whole in a thorough state of repair, they respectfully beg to intimate that the House will be re-opened on *Monday next*, the 17th instant.

They are determined that every thing which can conduce to the comfort and convenience of those who may patronize them, shall be strictly attended to on their part, and they confidently hope that their exertions will merit a share of public support.

☞ A supply of the choicest Wines and Liquors will be constantly on hand at the Hotel.

WILLIAM SCAMMELL,
JOSEPH SCAMMELL.

St. John, Feb. 15. 1840.

Notice.

THE Subscriber having closed his Retail Grocery and Spirit Establishment at No. 12 King street, the same being now occupied by Mr. John Sears—all those indebted to the firm of J. & J. Alexander or the Subscriber, by note or book account, are requested to liquidate the same before the 1st day of May next, otherwise such notes and accounts will be handed over to an Attorney for collection at the expiration of that time.—Office, over No. 12, King street, in the same building.

Still on hand.—A choice selection of Bottled and Draught Wine, which will be sold *very low* to close.

March 26. JOHN ALEXANDER.

☞ *NOTICE.*

THE term of Co-Partnership existing between the subscribers terminates this day. The business in future will be conducted by JAMES WHITNEY.

JAMES WHITNEY,
CHARLES R. GIBBONS.

St. John, 6th March, 1841.

NOTICE.

THE Co-partnership of NELSON, FRASER & CO. was dissolved by mutual agreement, on the 1st day of October, 1840.

V. H. NELSON.
ARCHIBALD FRASER.

THE Business will in future be carried on by the subscriber on his own account, in the new Store, next to Messrs. Holdsworth & Daniel, Market Square, who is duly authorized to receive all debts due, and also to settle all claims against the aforesaid firm in these Provinces.

ARCHIBALD FRASER.

St. John, October 1, 1840.

NOTICE.—All Persons indebted to the subscriber, up to the first day of March, instant, are respectfully requested to call and settle up their accounts immediately. S. K. FOSTER.

5th March, 1841. *King street.*

New-York, January, 1841.

MR. WILLIAM HOWARD is appointed my Agent for St. John, N. B. and the adjacent country, to receive subscriptions and money therefor, for the "*NEW WORLD*," Newspaper, published in New-York; and also for the "*EVER-GREEN*," a Monthly Magazine, published by

J. WINCHESTER. *Publisher.*

23, *Ann street.*

☞ Subscriptions will be received by Mr. Wm. Howard, North Wharf, at $2½ per copy, exclusive of Postage. *Feb.* 12.

THE SUBSCRIBER

Has received by the ship "Sophia," from London:

AN extensive stock of Drugs, Medicines, Chemicals, Patent Medicines, Surgical Instruments, Trusses, Bandages, Fancy Soaps, Brushes, Perfumery, Confectionary, Orange Marmalade, Jellies, Jams, Preserved Meats, do. Grouse, do. Hares, do. Soups, &c. &c.—which will be open for inspection early next week, at his Establishment, in the New Building erected by C. Johnston, Esq., corner of North Market wharf and Dock street.

JOHN G. SHARP.

Jan. 1. *Chemist & Apothecary.*

DEFERED ARTICLES.

[The following Petition on the subject of the Timber Duties, was forwarded from this City by the last Mail to England.]

To the Queen's Most Excellent Majesty.

The Humble Petition of the Magistrates, Merchants, Ship Owners, Mill Owners, and other Inhabitants of the City of Saint John, in the Province of New-Brunswick.

MAY IT PLEASE YOUR MAJESTY,—

Your Petitioners have learnt with deep concern, from a reply recently made by His Excellency the Governor General to a Deputation of Canadian Merchants, that the long since settled question of a revision of the Wood Duties, would, in all probability be again introduced by Your Majesty's Government to the consideration of the Imperial Parliament.

The announcement of so unexpected and astounding a measure has filled Your Petitioners, in common with all Your Majesty's Loyal Subjects in this Province, with great alarm, consternation and distnay, more particularly when no information had reached this Province from any other source that a project so vitally affecting its deepest interests, was to be at all agitated during the present Session of Parliament, and when, if rumour be correct, it is to be brought forward almost immediately after the Easter recess.

The withdrawal of the measure in 1835, caused, as Your Petitioners hoped and believed, by the strong representations then made by all classes of Your Majesty's Loyal Subjects in these Provinces, as well as by the Petitions from Ship Owners and others residing in the United Kingdom, as to the disastrous consequences that must inevitably arise from it, impressed Your Majesty's faithful North American Subjects with the firmest conviction that a Trade got up and fostered by British encouragement, at a time too when supplies of so necessary and indispensable an article could not be obtained from any other quarter of the world, would continue to receive that efficient protection, without which the immense amount of capital invested in Ships and Establishments absolutely necessary for its vigorous prosecution, would become almost entirely lost, and the numerous parties interested involved in irretrievable ruin.

Since 1835, under such confident expectation, and lulled into security by the events of each succeeding year, the Capital invested in this Province alone has been greatly increased, the amount of Exports has much augmented, and the importations from Britain, during the last year, amounted to upwards of One Million Sterling.

Your Petitioners refer to the following Statistical details, furnished the Legislature of the Province in 1840, as to the extent of investments in this important branch of Trade:

Mills 574—capable of manufacturing 160,000,000 superficial Feet Lumber annually. Cost of the said Mills, £1,480,000, besides advances, &c. to Lumbermen and Labourers in the necessary routine of the Trade, amounting to £160,000, and exclusively of the cost of transport and other charges of manufacturing.

Saint John—the Commercial Emporium of this Province—alone owns 450 Vessels, admeasuring about 93,000 Tons, nearly all of which are employed in the Timber and Deal Trade; and about £250,000 have been laid out in preparing the necessary establishments and conveniences for carrying it on.

While Your Petitioners readily ascribe the rapid growth and increasing prosperity of Your Majesty's North American Provinces to the protection afforded them by the discriminating duties so wisely imposed on Foreign Wood, when compared with that on British Colonial, they could enter at length into the benefits and advantages which have accrued to the United Kingdom by the course of policy so long in force with regard to this Trade, by adverting to the facilities which it affords to Emigration of a part of the surplus population of the United Kingdom, the number and tonnage of British ships employed in it—the great (and next to the Coal Trade) nursery for British Seamen,—consumption, arising from it, of British manufactures,—and in fact a Trade purely and exclusively *British* in every particular, and on which Your Petitioners venture to assert forms no small part of employment for a Commercial British Marine, contributing in no indifferent degree to place Great Britain in that enviable position, the greatest Maritime and Commercial Nation of the Earth.

These have all been brought under the notice of Your Majesty's Government by former addresses on this subject from the Legislature and Commercial Bodies in the Provinces, to which Your Petitioners beg reference.

That the interests of so large, so numerous, so influential, and so loyal a portion of Your Majesty's faithful subjects, should be abandoned in the Councils of the Nation, and that, by one sweeping measure, and without any previous notice, themselves and, their families are to be prostrated, cannot and will not be believed by Your Petitioners; on the contrary, they have the fullest reliance on the wisdom and good faith of Her Majesty's Government, and on the Imperial Parliament, to whom this Province has hitherto never appealed in vain.

Your Petitioners, therefore, most humbly and earnestly pray that, should such a measure be introduced to disturb the existing state of things with reference to the Wood duties, Your Majesty will graciously interpose Your Royal authority to avert from them the evils which they have described, and which, they assure Your Majesty, must inevitably ensue.

And as in duty bound, Your Petitioners will ever pray.

COMMON COUNCIL CHAMBER.

FRIDAY, 14th May, 1841.

It was unanimously, carried that an Address to Her Majesty should be prepared and presented, praying that no alteration may be made in the existing scale of duties on Colonial Timber. A Copy of which should be sent to His Excellency Sir William Colebrooke, and a copy to the Provincial Agent, for the purpose of being laid before the Imperial Parliament.

His Worship the Mayor then stated to the board, that on the Wednesday previous, he was called upon by some of the Citizens and informed that a tumultuous assemblage of operatives had taken place in Portland, and that it was expected they meditated an attack on the buildings in the city recently erected by the Americans. That he had been requested by Mr. Peter Boisnard to furnish two Constables for the purpose of apprehending the ringleaders, he was also strongly urged by the applicants, to call out the Military in aid of the civil authorities, a request which, His Worship eventually complied with, that shortly after finding the precaution unnecessary, the troops were remanded. That Mr. Wm. Robertson had been so much alarmed that he procured the services of Constable Kelly, and armed him with sword and pistol to guard his (Robertson's) store thro' the night. That during the night several shots were fired, some of which entered the store of James Kirk, Esq., that Mr. Robertson suspecting the shots were fired by Kelly, took the arms from him and dismissed him. That a partial hearing having taken place before some of the Magistrates, they had recommended that Kelly should be dismissed from office. The question then being before the board, Alderman Porter and Assistant M'Lauchlan were for going with the recommendation of the Magistrates. Alderman Peters said if His Worship was fully satisfied that the conduct of Kelly was such as did not become a public officer, he would go for his immediate dismissal. His Worship not appearing to press the question, Alderman Bond said he thought it only fair that the man should have a trial, it was a maxim of the British Constitution that no man should be condemned unheard. In which opinion Assistants Ray and Greenwood fully concurred. Alderman Sandall then proposed that a Committee to examine into the merits of the case should be appointed. Whereupon His Worship nominated Alderman Peters and Sandall, and Assistant Greenwood.

A petition from —— Emery for a renewal of a lease of Corporation land, the lease being about to expire, which petition was referred to the land Committee.

A demand being handed in for rent due to Gilbert Ray, Esq. for an Engine-house, Alderman Peters opposed it upon the grounds that it should come in with the ordinary accounts of the year, and he regularly reported on. Alderman Porter urged that it was a debt that required no reporting on, the fact of its being for an Engine-house was known to every member of the Board.

Alderman Peters contended that it was part of the ordinary expenses of the past year, and should come up as such. Alderman Porter said if he was Mr. Ray he would not wait for his money, but would distrain and sell the Engines to pay the rent. Alderman Peters said Ald. Porter was the cause of the delay as he was on the committee and should have reported on the accounts long since. After some more animadversion on both sides, the account was ordered to be paid.

A petition was then presented from Richard Keane, praying leave to lay a drain in Drury Lane The novel style of the petition, added to a knowledge of the parties named in it, raised the risible faculties of the board, and after several well directed puns had been shot off from various quarters of the board, it was determined that Alderman Porter and Assistant M'Lauchlan should be a Committee to grant the relief prayed for.

A petition was then read from Mr. Spears, praying to be restored as a branch pilot, he having been dismissed for improper conduct, which underwent considerable discussion, when at the earnest solicitations of Alderman Harding and Sandall, and Assistant Hagerty and Olive, the prayer of his petition was granted.

Read a petition from Messrs. Longmaid and Woodhill, praying that a deduction might be made in the rent of their butcher's stalls in the City Market, as it appeared that two stalls had been set up after they had taken theirs, contrary to an implied understanding. Alderman Peters said if that was the case they were entitled to a deduction. Alderman Porter said the petition did not state facts, in which he was joined by Assistant M'Lauchlan, when after some further discussion the question for reducing the rent was put, and it appearing that there were 6 for and 6 against. His Worship decided it in the negative.

A petition from Walker Tisdale was then presented, praying that the labourers who were in the habit of lounging in front of his store, might be removed by the city authorities; Mr. Tisdale stated in his petition that those people were a perpetual nuisance to him and his business, and that they were a gang of insolent and ungrateful emigrants, and not to be borne with, by a Loyal man of '98—he prayed further that a place might be appointed by the Common Council for those troublesome people to stand.

Assistant M'Lauchlan then proposed that a Bridge be thrown across the head of the Market Slip, in which carts as well as men could take their stand, as he thought it would be a great relief to the petitioner, as well as an accommodation to the city. Some discussion then arose as to the precise cite and the mode of construction, whereupon it was referred to a Committee.

Alderman Sandall then asked for an order to pass for the paying of Messrs. Barlow & Co. £450, on account of a Steam Engine now building by that Firm for a second Steam Ferry Boat, when it appeared on investigation that they were in accordance with the contract made for that purpose, entitled to more than that amount. It was then decided that an order do pass that the Chamberlain pay Messrs Barlow & Co. the said sum of £450.

Assistant Hagerty then asked leave to be allowed to clean out the Well in Queen's Square, he stated that it was of vast importance to that neighborhood, and that from its filthy state, it was at this time perfectly useless. Alderman Harding fully concurred in the sentiments expressed by Assistant Hagerty, and also stated that the sum it would cost would be nothing in comparison to the advantage it would be to that section of the city.—Leave granted.

Alderman Peters said he observed that grants were making as usual, and he feared much that if that system was pursued they would fall into the old track, he would therefore again urge the necessity of making as little demands as possible on the Chamberlain, until the state of the City's funds and liabilities were fully ascertained.

A petition was then presented from Dr. Gesner, praying the Common Council to rent him the Long Room in the New Market House, in which he might fit up a Museum. This question admitted of two opinions, a part of the body were for encouraging the Doctor in the resurrection of dry bones, and the stuffing of bats and butterflies, which the other part tho't all a hum. The body being divided on the question, it was decided that it should go to a Committee.

Mr. Coram of Carleton sent in a petition to the CommonCouncil requesting to be appointed a looker after Corporation Properties; in which he set forth, that a great deal of the wealth of that Body was on the verge of going out of their hands, for want of a person to look after and inform the Body of the particulars. This question also went to a Committee.

The Sexton of Trinity Church represented by Petition the swampy state of the Burying Ground, and also set forth the want of room for the numerous bodies now to be interred. This also went to a Committee to report thereon. A petition was then read from Mr. Jordan praying remuneration for his services as an assessor of taxes.—Referred to a Committee.

HEAD QUARTERS, FREDERICTON,

17th May, 1841.

MILITIA GENERAL ORDERS.

The Lieutenant Governor and Commander in Chief has been pleased to direct the Staff Adjutant of Militia, assisted by the usual number of Non-Commissioned Officers of the Line, to Drill the undermentioned Battalions at the times and places specified; at which Drills, all persons liable to serve in the Militia are required to attend with the Company to which they belong on one of the appointed drill days; and Commanding Officers of Battalions are desired to give their Adjutants the requisite orders to furnish the Staff Adjutant with a correct field State of each Company, signed by the Captain or Officer commanding it, which are to be delivered to Major Priestly, previous to the Drill being dismissed, in order that he may be enabled to prepare a general State, for the information of His Excellency the Lieutenant Governor.

His Excellency confidently relies upon the presence of one of the Field Officers at each day's Drill. Adjutants and Sergeant Majors are required to attend for the whole period appointed for their Battalions respectively.

Those Battalions not mentioned to be visited by the Staff Adjutant, will be drilled and inspected by their respective Commanding Officers at their usual places of rendezvous, at such periods as they may consider best adapted for general convenience.

The 3d Battalion County of Carleton Militia to be Drilled in two Divisions.

1st Division at the Chapel, (Madawaska,) on the 15th and 16th days of June. 2d Division near Grand River, on the 17th and 18th June.

2d Battalion Carleton, (in two Divisions.)

1st Division at Tibbets', (Tobique,) on the 21st and 22d June. 2d Division at White Marsh, on the 24th and 25th June.

1st Battalion Carleton, (in four Divisions.)

1st Division at Victoria, on the 28th and 29th June. 2d ditto at the Court House, on the 30th June and 1st July. 3d ditto at Richmond Corner, on the 2d and 3d July. 4th ditto near Beardsley's on the 5th and 6th July.

2d Battalion York, (in four Divisions.)

1st Division at Nackawickack, on the 7th and 8th July. 2d ditto at Daniel Parent's, on the 9th and 10th July. 3d ditto at Crock's Point, on the 12th and 13th July. 4th ditto at ditto on the 14th and 15th July.

3d Battalion York, (Light Infantry,) in three Divisions.

1st Division at the Parish of Saint Mary, on the 16th and 17th July. 2d ditto at Stanley, on the 19th and 20th July. 3d ditto at Miller's, (Nashwaak,) on the 21st and 22d July.

Sunbury, (in three Divisions.)

1st Division at Oromocto, on the 23d and 24th July. 2d ditto near Bailey's, (Oromocto,) on the 26th and 27th July. 3d ditto at Sheffield, on the 28th and 29th July.

1st Battalion St. John County, (in three Divisions.)

1st Division on the Sands, on the 30th and 31st July. 2d ditto at Musquash, on the 2d and 3d August. 3d ditto at Manawagonish, on the 4th and 5th August.

City Rifle Battalion, (in two Divisions.)

1st Division at Saint John, on the 6th and 7th August. 2d ditto at ditto on the 9th and 10th August. General Inspection of the Battalion on the Sands, on the 11th August.

1st Battalion Saint John City, (in two Divisions.)

1st Division at Saint John, on the 12th and 13th August. 2d ditto at ditto on the 14th and 16th August. General Inspection of the Battalion on the 17th August.

3d Battalion Charlotte, (in two Divisions.)

At such times and places between the 19th and 29th days of August, as shall be hereafter notified in Regimental Orders by the Lieutenant Colonel commanding the Battalion.

4th Battalion Charlotte, (in three Divisions.

1st Division at Saint Stephen's, on the 1st and 2d days of September. 2d ditto at Saint James', on the 3d and 4th September. 3d ditto at Connick's, on the 6th and 7th September.

2d Battalion Charlotte, (in two Divisions.)

1st Division at Magaguadavic, on the 10th and 11th September. 2d ditto at Digdeguash, on the 13th and 14th September.

3d Battalion King's (in two Divisions.)

1st Division near Titus', (Hammond River,) on the 17th and 18th September. 2d ditto at Gillis', (Springfield.) on the 20th and 21st September.

1st Battalion King's, (in three Divisions.)

1st Division at Oak Point, on the 22d and 23d September. 2d ditto at Lyon's Point, on the 24th and 25th September. 3d ditto at Gondola Point, on the 27th and 28th September.

2d Battalion King's, (in two Divisions.)

1st Division at Sussex Vale, on the 29th and 30th September. 2d ditto at ditto on the 1st and 2d October.

1st Battalion Westmorland, (in three Divisions.)

1st Division near Dixon's, on the 5th and 6th of October. 2d ditto at the Bend, on the 7th and 8th October. 3d ditto at Shediac, on the 9th October.

By Command.

GEO. SHORE, A. G. M.

THE LAW OF DEODAND.

Persons who have attended trials for homicide will have observed that the indictment, in setting forth the manner of the death, alleges it to have been occasioned by a blow from a certain weapon, &c., "of the value of ——," &c. This allegation of the value of the thing which caused the death, arises from the law of *deodand*. It is provided in the Mosaical law (Exod. xxi. 28), that "if an ox gore a man that he die, the ox shall be stoned, and his flesh shall not be eaten." So by the law of Athens, whatever was the cause of a man's death, by falling upon him, was destroyed or cast out of the territory of the republic. This, says Mr. Christian, in his notes upon Blackstone's Commentaries, was one of Draco's laws; and, perhaps, we may think the judgment that a statue should be thrown into the sea for having fallen upon a man less absurd, when we reflect that there is sound policy in teaching the mind to contemplate with horror the deprivation of human life, and that familiarity, even with an insensible object which has been the occasion of death, may lessen that sentiment. This reflection, suggested by Mr. Christian in reference to the Athenian law, does not seem to be the motive of the rule of the common law of this country, that whatever chattle causes the death of a person shall be forfeited.

In an ancient doctrine, mentioned by Bracton, and its origin is attributed to the notion, that where a man was suddenly cut off in his sins, expiation ought to be made for the benefit of his soul; and, accordingly, the chattle which occasioned his death should be forfeited to the King, to be devoted by him to pious uses. The statute of 4th Edward I. sec. 2, relating to Coroners, provides that "horses, boats, carts, mills, &c., whereby they are slain, that property are called *deodands*, shall be valued and delivered into the towns," which thereupon became answerable to the King for their value, in whose behalf the sheriff might levy the amount upon the inhabitants of the town. Accordingly, in all indictments for homicides in this country, the grand jury specify the instrument that immediately caused the death, and its value, that the King may claim the *deodand*, for it is no *deodand* unless it is so found by a jury. Though these forfeitures were originally incurred to the King, yet he might grant them away to the lord of the manor or territory upon which the death happened, as he was accustomed to grant the right of waifs and wrecks. The *deodands* have been generally so granted, and these grants may probably be the reason that this ancient singularity has so long remained a part of the English law; for the right to the forfeiture has thus become a subject of private property, and so not liable to be impaired by the legislature without compensation to the parties interested.

The old books contain a good deal of quaint and curious law on this subject. It will be observed, that no distinction is made whether the death is felonious, excusable, justifiable, or purely accidental, or whether the instrument by which it was occasioned belongs to the person committing the homicide or to another, "for," says the Doctor and Student, "if a man kills another with my sword, still the sword is forfeited; but if a person be killed by falling from a thing standing still, as a cart, it is not forfeited; if, on the contrary, a horse, ox, or other animal kill a person by his own motion, by running over him or otherwise, it is a *deodand*. It is said, however, that if the instrument of death is standing still, only the part which immediately occasioned the death is forfeited; as, if one attempts to climb up the wheel of a cart that is standing still, and falls, and is thereby killed, only the wheel is forfeited; but if it be in motion, the entire cart is a *deodand*. Only chattles are forfeited; any thing attached to the freehold, as the wheel of a mill, or a bell hanging in a steeple, is not so; and no deodand occurs unless the death happens within a year and a day after the accident. A sale of the article does not exempt it from forfeiture; as if a horse strike a man, and is afterwards sold, and the man dies within a year and a day, the horse is forfeited." It is not surprising that so whimsical a law should be very negligently attended to; the jurors are very apt to mitigate the forfeitures by finding that only some trivial thing, or only some part of an entire thing, was the occasion of the death; and the Court has generally refused to interfere in behalf of the lord of the franchise, to assist him in enforcing the claim of the whole article. There are no *deodands* on the high seas, though it has been said that, if a man fall overboard from a vessel in a fresh water river, and is drowned, the vessel and cargo are strictly a *deodand*; and the statute of Edward I. mentions boats as one species of *deodand*. But in this case the jury would probably find the death to have been occasioned by the winds or the waters, and would have a precedent sufficiently analogous; for the books maintain that if a man, riding over a river, is thrown off his horse by the violence of the water, and drowned, the horse is not a *deodand*, for the death was occasioned by the current.

SONG OF THE BEGGARS.

BY ELIZA COOK.

Through the hamlet, the city, and province we roam:
Every country is ours, every spot is our home,
We ask pity from all, and our claim is allowed,
With fair words from the poor and contempt from the proud.
The boy has his satchel—the pedlar his pack,
But we have no burden for heart or for back;
While nations are struggling for right or for wrong,
The beggar, in freedom, goes whistling along.

The earth may be parch'd 'neath a shadowless sky,
We've no grain in the soil that may wither and die:
Let the lightning sheets flash out as strong as they like,
We've no ship for the tempest-roused waters to strike,
Let the gold-spreading rays of wide commerce depart,
'Tis no matter to us—we've no place in the mart.
Let the waves of the world ebb and flow as they will,
The beggar, unchanged, is the merriest still.

The rich man is fed till the dainties but pall—
He is sated with banquets, and thankless for all;
And the scrap that he turns from is relished with zest
By the stroller, whose pittance is short as his rest.
Hunger fathoms our wallet, and up and away,
At the board that is empty the guests never stay.
Those with supper secured o'er their dinner may sit,
But the beggar's next meal must be won by his wit.

The wooer that's wealthy is certain to meet
The caresses of lips that are smilingly sweet;
And he pledges the girl that he reckons most fair
In his claret so bright and his burgundy rare.
Yet the name of a false one may sully the brim—
She may cling to his broad lands more fondly than him:
But if any love us, 'tis the love that will hold,
For the beggar will never be wed for his gold,

The gentleman's form is all stiffly bedight,
His cheek must be smooth and his hands must be white;
And though fashion may war with his will or his ease,
'Tis the world he must heed—'tis the world he must please.
But free are the limbs that our motley garbs wrap,
Though the cold wind may pierce and the tatters may flap:
And Liberty's self, if her garment were made
Of the beggar's, wild rags, would be fitly arrayed.

All wearied with pleasure the lord may recline,
Where the feathers are soft and the drapery fine;
He may lull amid luxury's trappings, but we
On our pillowless couch sleep as soundly as he
Though the blanket and strawheap be all that are spread
'Neath some comfortless hovel or desolate shed,
From robber or cut-throat our rest is secure,
The beggar is safe—for he's known to be poor.

The children of earth, who have fortune or fame,
Must endure the fierce arrows of envy and blame
Those who sit in high places with crosier or crown
Only waken a spirit for hurling them down.
But no rivalry enters in poverty's state—
We have nothing for others to covet or hate;
And the blasting of calumny's withering power
Cannot injure the beggar in name or in dower.

As the atom may fall from the mountain of sand,
So we in our littleness pass from the land.
None pray for the pauper—none think of his soul
No dirge will they sing, and no bell will they toll;
But they *must* dig the deep hole and lay us below,
And the worms they *will* feed and the grass it *will* grow.
'Tis enough—for the sod o'er the beggar's grey bones
Is as hallowed as all your rich epitaph stones.

WEEPING.—Young women are full of tears; they all weep as bitterly for the loss of a new dress as for the loss of an old lover. They will weep for any thing, or for nothing. They will scold you to death for accidentally tearing a new gown, and weep for spite that they cannot be revenged on you. They will play the coquette in your presence, and weep when you are absent. They will weep when they cannot go to a ball or to a tea-party, or because their parents will not permit them to run away with a scamp; they will weep because they cannot have everything their own way. Married women weep to conquer; tears are the most potent arms of matrimonial warfare. If a gruff husband has abused his wife, she weeps, and he relents, and promises better behaviour. How many men have gone to bed in wrath and risen in the morning quite subdued by tears and a curtain-lecture? Women weep to get at their husband's secrets, and they also weep when their own secrets have been revealed. They weep through pride, through vanity, through folly, through cunning, through weakness. They will weep for a husband's misfortune, while they scold himself. A woman will weep over the dead body of her husband, while her vanity will ask her neighbours how she is fitted with her mournings. She weeps for one husband that she may get another. The "Widow of Ephesus" bedewed the grave of her spouse with one eye, while she squinted love with a young soldier with the other. Drunkards are much given to weeping. They will shed tears of repentance this moment, and sin the next. It is no uncommon thing to hear them cursing the effect of intemperance, while they are poising the cup of indulgence, and gasping to gulp down its contents. The beggar and the player weep for a livelihood; they can join their tears, and make them pass for the current money of the realm. The one weeps you into a charitable humour, and the other makes you pay for being forced to weep along with him. Sympathy bids us to relieve the one, and curiosity prompts us to support the other. We relieve the beggar when he prefers his claim, and we pay the tragedian beforehand. The one weeps whether he will or not, but the other weeps only when he is well paid for it.—Poets are a weeping tribe; they are social in their tears; they would have the whole world to weep along with them. Their sensibility is so exquisite, and their imagination so fantastic, that they make even the material world to sympathize with their sorrows. The dew on the lilly is compared to tears on the cheek of a disconsolate maiden; when it glitters on the herbage at twilight, it is called the tears of the evening; and when the sun rises and exhales the dewdrops from the flowers, it is said to wipe away the tears of the morning. Thus we have a weeping day and a weeping night. We have weeping rocks, weeping waterfalls, weeping willows, weeping grottoes, weeping skies, weeping climates; and if any signal calamity has befallen a great many, we have, to finish the climax, a weeping world.—*Howitt's Book of the Seasons.*

THE DISHONEST MAN.—Perhaps he flourishes for a while like the green bay tree. Wealth and honor flow in on every hand. By the most lowlived means, by petty intrigues and deceptions, he piles up the glittering dust. Thus he may go on in his dishonesty and baseness with so much disguise and cunning as to avoid the civil law and the censure of good society. He associates with the good and great; lives in luxury and magnificence, and is seemingly possessed of all the heart could wish. He is called a happy man. But is he happy? Just enter his stately mansion when all nature is wrapt in the mantle of night. His abode may be ornamented with the finest trappings and glitter with the costliness of the workmanship, all may bespeak richness but he is not at ease. Approach the bed of down on which he reposes. Does he sleep calmly and undisturbed? do angels of peace seem to guard round his pillow? No. He does not sleep, for the avenger of God is in his breast—he is like the troubled sea—horror and dismay brood over his soul—there is a fell-worm gnawing within his bosom, which pierces the very heart core. He may slumber for a moment, but such visions of darkness flit across his mind, that he starts and wakes to more fearful forebodings. He feels conscious of self abasement; and something tells him with the authority of heaven—*that with what mete he has measured it shall be measured to him again.*

SETTLING UP ACCOUNTS.—The first of January is the time for settling up accounts. No man should neglect to settle his accounts with every one at this season. One year is long enough for accounts to run without settlement, and by adjusting them at the commencement of a new year, instead of letting them run out, a great deal of trouble will often be saved.

When accounts remain for a long time, some things may be neglected or forgotten, or indistinctly remembered by one of the parties, while the other has the thing full in his view and is confident that he is correct; so that it is impossible to come to a settlement that will be satisfactory to both parties. The consequence is hard feelings between friends and neighbours, and often between men who with short accounts, would find it advantageous to continue their trade with each other.

Besides the reason which we have named for settling accounts, every man should look around himself and see how he stands. See whether he is pursuing any business which is unprofitable, and requires improvement in its management, or should be abandoned as not susceptible of any change for the better. Persons in trade should see whether they are making too much profit and getting rich too fast. If this be the cause the remedy is easy; sell lower, customers will not complain, and though others in the same business turn against you, all good people in the community will be on your side. In this way you will find in your account of loss and gain, much less in the item of wear and tear of conscience.—*Yankee Farmer.*

IRISH MUSIC.—Two Irishmen, travelling through a wood, by chance found a gun, which was loaded, when one addressed the other with,

"Larry, what's that?"

"Wisha! the devil a what do I know what it is; but it's for all the world like Tom Sullivan's kay bugle."

"Arrah, then, we'll have a small bit of a tune, if you'll blow in the muzzle, and I'll play with the key."

"Faith I will so, and that nately, too."

And he put his mouth to the muzzle of the gun, while the other pulled the trigger. The gun went off, and he fell, when the other letting the gun go, exclaimed—

"Arrah! Larry, my honey—give over, your skamin'—for faith the music hasn't enchanted you!"

AN EXCUSE.—Miravaux was one day accosted by a sturdy beggar, who asked alms of him. "How is this," inquired Miravaux, "that a lusty fellow like you are unemployed?" "Ah!" replied the beggar, looking very piteously at him, "if you did but know how lazy I am!" The reply was so ludicrous and unexpected, that Miravaux gave the varlet a piece of silver.

HOW TO INSTRUCT.—Pour in knowledge gently. Plato observed, that the minds of children were like bottles with very narrow mouths; if you attempted to fill them too rapidly, much knowledge was wasted, and little received; whereas, with a small stream, they were easily filled. Those who would make young children prodigies, act as wisely as they who would pour a pail of water into a pint measure.

It is a common fault never to be satisfied with our fortune, nor dissatisfied with our understanding.

A good conscience is the finest opiate.

A war is to states what exercise is to individuals: a proper proportion may contribute to health and vigor, but too much emaciates and wears out a constitution.