

THE LITERARY TRANSCRIPT.

The property of William Roache, of the same parish.

It appeared that the barn of the prosecutor was broken open on the night of the 30th November last, and three bags containing fifteen bushels each taken away. Suspicion fell upon Hogans in consequence of a string having been found tied round one of their bags at the mill which prosecutor identified as one of those which had been attached to the stolen bags. A search was subsequently made in Hogans' house, when three bags, cut up and disfigured, were found on a bed, which were identified by prosecutors.

The prisoners received an excellent character.

After deliberating about an hour and a half, the Jury returned a verdict of Guilty against Mrs. Hogan and her son Michael.

Thomas C. Aylwin, Louis Fiset, and Eustache Masse, were charged with assault and false imprisonment on the person of Joseph Ferguson, one of the city Police.

Joseph Ferguson, who was arrested last Tuesday by Eustache Masse, a bailiff, and Messrs. Aylwin and Fiset, was in his bed when arrested; it was about half-past twelve o'clock in the afternoon; his wife called him by name, and said he was wanted; got out of bed and asked them what they wanted; Masse said he had a warrant against him; asked to see it, and found that it was against Peter Angus; said his name was Peter Ferguson, and not Angus; his wife said the same thing. Mr. Aylwin said he was sorry that the warrant was not against Mr. Young instead of witness; that he must go with them to Mr. Tetu, the Magistrate who signed the warrant; Mr. Fiset said that witness was Peter Angus; never represented himself as Peter Angus; Masse tapped him on the shoulder and arrested him. Dressed himself and went along with them; went with Masse to Mr. Young's house, St. Lewis-street, by the directions of Mr. Aylwin; saw Mr. Young and told him that he was arrested for Angus. Masse was then told by Mr. Young that he was not Angus, but Ferguson; was taken to Police Office, and after the defendants had some conversation in French there with a person that witness did not know, he was discharged. Mr. Aylwin said that he was arrested because he would not tell where Angus lived. States positively that he declared his name when arrested, as did also his wife.

Cross-examined.—Cannot say positively whether the warrant produced is the one by which he was arrested; is a labourer, and at present employed in the City Police; knows Peter Angus, who belongs to the same Police; does not know where he lives. Mr. Aylwin did not ask him any questions until he was arrested; said he did not know where Angus lived, and on Mr. A. asking him if he was in the Police, answered yes; never said that he did not. Before he was liberated Mr. Aylwin said that if he had told the truth he would not have been arrested.

The witness here became sick, and was allowed to retire.

John Wallis,—is a carter by trade; drove Messrs. Masse, Fiset and Aylwin to Ferguson's house; knew Ferguson, and where he lived; did not know what defendants wanted with him. Masse went into the house first, and was followed by Aylwin, Fiset and himself. Masse went into the bed-room, witness remained in the kitchen with Aylwin and Fiset. Ferguson came out of the room, looked at the warrant, and told them to be off; said that his name was Ferguson, and that he did not know Angus at all. His wife told them that his name was Ferguson and not Angus. Cannot say whether Masse touched Ferguson on the shoulder or not; he showed him a warrant, and said he was his prisoner; might have done so without witness seeing him.—Ferguson was told that he must go with them; he asked who made him a prisoner, and Mr. Aylwin said the Constable; Mr. A. told Ferguson's wife not to be alarmed. Mr. Aylwin asked Ferguson if Angus was in the Police, he said he did not know, and if they wanted him they might go and look for him. On going in search of Ferguson, Mr. Fiset stopped Mr. MacDonald, of the watch, in St. John Street, and enquired if he knew where Ferguson lived. Mr. MacDonald referred them to Mr. Leslie, St. Lewis Suburbs, for information.

This was the case.

Mr. Aylwin enquired of the Court whether there had been sufficient evidence produced to allow the case to go to the Jury. The Court decided in the affirmative. Aylwin addressed the Jury at considerable length.

C. Desjardis,—identified the warrant for the

arrest of Angus. The signature is that of Vital Tetu, Justice of the Peace. Saw Angus twice; it was after dark, on passing through St. John's gate. Ferguson's voice resembles that of Angus. Angus was stationed on the gate last Saturday night. When looking for Angus, met Daniel McDonald, and asked where he lived, and was referred to Mr. Leslie.

Vital Tetu, Esq. proved the warrant.

Daniel McDonald,—was stopped in St. John Street by Mr. Desjardis, who asked him if he knew where Angus lived; said he did not know, but referred him to Mr. Leslie.

Wm. Leslie,—knows Masse; he called at his shop on Tuesday last, between 12 and 1 o'clock in the afternoon, and asked if he knew a person of the name of Peter Ferguson, a watchman, and showed the house to Masse, who said that likely that was the person. Did not say what he wanted with him; did not see the warrant. Masse asked for Peter Ferguson in broken English.

John Hart,—belongs to the city Police; knows Masse by sight; recollects him coming to the guard-room looking for Angus. Mr. Aylwin came to the door with Masse, and asked where Angus was; said he did not know; Mr. Aylwin did not ask where Angus lived, neither did Masse, to the best of witness's recollection; knew where he lived; did not know Masse had a warrant against him. On going into the room found Masse searching for Angus in a cupboard, and turned him out.

John Wallis, again called.—Drove past Jesuits' Barracks; recollects Messrs. Aylwin and Fiset getting out to speak to some person at Mr. Young's office; cannot say whether the black-hole was open or not.

This closed the defence, and Mr. Ross, counsel for the prosecution, addressed the Jury.

Mr. Glackemeyer then charged the Jury, and they retired. After being absent about ten minutes they returned with a verdict of "not guilty."

The Court adjourned at half-past four o'clock until to-morrow at two.

Friday, 19th January.

The Court met at two o'clock, P. M.

Several persons in custody were ordered to be discharged, no one appearing to prosecute.

The Court then pronounced the following SENTENCES.

Margaret Fogue, Three Months' imprisonment in the House of Correction, with hard labour.

James McBride, Three Months' do.

Thomas Rippington, Three Months' do.

Michael Egge, Two Months' do.

Mary Hogan, One Month's do.

David Cooper, One Month's do.

Ellen Preston, One Month's do.

Michael Doyle, Ten Days' do.

Rosa Drom, Eight Days' do.

William Spencer, Six Weeks' do.

Catherine Lynch (wife of the above), Eight Days' do.

The Grand Jury came into Court with the following PRESENTMENT.

"That we have visited the Common Goal of this City, the cleanliness and order of which, with the apparent comfort and increased satisfaction of the prisoners, confers great credit upon the Keeper and his subordinates. We beg leave to observe to your Worship the bad state of repair in which we found many of the window-frames, some of them not being weather-proof. We also submit to the consideration of your Worship, the great necessity of an alteration in the interior of the Goal, so that juvenile offenders,—and others confined for minor offences,—might be separated from the more hardened in crime. We regret also the system of making the Goal a receptacle for lunatics; for which purpose, we are humbly of opinion, it was never intended.

We also visited the Female House of Correction; the uncommon cleanliness of which, with the quiet, orderly, and industrious appearance of its inmates, are highly creditable to Mrs. Cook, the matron, and we think it but justice to state, that it could not be under better management.

We humbly bring under your Worship's consideration, a nuisance of long existence in the Lower Town, among the congregating labourers and carters, with their vehicles, in St. Peter street, and the streets leading therefrom, to the great annoyance of the public in general; and we trust that your Worship will adopt some remedy for the removal of the same.

In concluding the duties of the session, we congratulate the public on the apparent decrease of crime in this city and district, which we think may be attributed, as regards the city, to the patrols at present established, and to the zeal and activity of our worthy magistrate ROBERT SMYVES, Esq., for which we, as a public body, return them our thanks.

All of which is respectfully submitted to your Worship.

EDWARD WADE, Foreman.
Quebec, 19th January, 1838.

After the Presentment had been read, the Foreman of the Grand Jury rose to complain to the Court of the conduct of one of the gentlemen of the Bar, which, he said, had been characterized throughout the session, by a want of decorum, and by the most marked disrespect towards the Grand Jury, and even towards the Court itself; the individual to whom he alluded was Mr. Thomas C. Aylwin.

The Court thanked the Grand and Petit Juries for their attendance, and for the zeal and efficiency with which they had discharged their respective duties.

Mr. F. X. Gagnon, the Crier of the Court, against whom a complaint had been preferred, was dismissed from his office.

After some unimportant business had been gone through, the Court was broken up.

PAINEFUL OUTCOME.—It appears from the following paragraph from the Nashville Home, that our democratic neighbours have some "fiery spirits" and as lawless lawgivers in their halls of legislation as ever we could desire to see. A favorable opportunity now presents itself to Mr. Paineau, who is at present destitute, to obtain a Speakership elsewhere.

"On Monday, the 14th inst. the Speaker of the House of Representatives of the General Assembly of Arkansas, (Mr. Wilson, of Clark county,) rushed from his chair upon Mr. Anthony, of Randolph county, with a drawn Bowie knife, and although resisted by his antagonist with a similar weapon, he almost instantly despatched him. The provocation was a personal remark aimed at the Speaker, by the unfortunate member. Wilson was forthwith arrested by the civil authorities, and his name stricken from the roll of the House, by nearly a unanimous vote.

[From the Quebec Gazette of yesterday.]

The Catholic Bishop of Montreal has issued another Mandement to the Clergy and the faithful of his Diocese, dated the 8th instant, in which he alludes to his recommendations to his clergy in July last, and his Mandement of the 24th October. He announces the restoration of tranquillity in the district; deplors the evils which have been brought upon the country, by those concerned in the late rebellion; declares that none of them can be admitted to a participation in the Sacraments of the Church, or to Christian burial, till they have made a reparation and shewn merit fruits of repentance. He orders Divine Service to be celebrated in this intention, and requires the Clergy to urge charitable collections for the relief of those who are suffering.

It is with no ordinary pleasure we observe that the University of Glasgow has conferred upon the Reverend Mr. WILKIE, of this city, the degree of Doctor of Laws. The services rendered to education in this country by Mr. WILKIE, for more than thirty years,—without patronage or aid from the public authorities,—thus receive a reward which must be peculiarly grateful to his disinterested nature, as coming from his own alma mater. Appreciated as his merits are by the public in general, this mark of consideration for them from his own country, will be sensibly felt by his numerous friends here, and particularly by those who have had the advantage of being his pupils.

Some dissatisfaction has been felt late and actively propagated, at all carriages passing the city gates after dark being searched by agents of police. The practice we have heard has been discontinued for the present; inconveniences of this kind, when necessary, must, however, be submitted to in a garrison town in times of public disturbances. We have heard that the order was founded on information being obtained that correspondence by express, sent off in the night time, actually existed between the disaffected at Quebec and the rebels who have taken refuge in the United States and their connexions in the District of Montreal. Indeed the correspondence of some persons active as spies to the rebel leaders, was actually intercepted, and justified every proper precaution. We are happy to think that they are no longer necessary.

On Thursday night, about half-past twelve o'clock, a fire was discovered in Mr. Tremaine's stables, near his house, in St. Lewis Suburbs, lately burnt. It fortunately happened that some of Colonel Wright's family were up, and perceived the light, where none was usual, and the neighbours being alarmed, the fire was put out by their exertions, before it had made much head. There can be no doubt that it was an incendiary attempt; and had it succeeded, during the high wind of Thursday night, it must have destroyed property to a great extent.

THE ARMY.

The 43rd Regiment, under Lieut.-Colonel Booth, has arrived at Chamblay, where its head quarters are established.

Major Fringle's Company of Royal Artillery moved from St. John's (N. B.) on the 8th instant, on their route to Canada. The Flank Companies of the 34th Regiment, completed its eighth rank and file each are to follow, and the remainder of the regiment will not be far in their rear.

The 65th Regiment arrived at Halifax from the West Indies on the 2nd instant. The 93rd Regiment, from Portsmouth, is daily expected to arrive here.

THE LITERARY TRANSCRIPT is published every Tuesday and Saturday morning; Price, One Penny. Subscriptions will be received by the year, half-year, or quarter, at the rate of Ten Shillings per annum.

As the moderate price at which THE LITERARY TRANSCRIPT is published is calculated to ensure it a very wide circulation, it will afford a desirable medium for advertising.

Subscriptions, advertisements and communications are received at the Office, No. 24, St. Peter Street. Subscription lists are also kept at the Exchange Reading Room and at Mr. Neilson's Book-store.

THE LITERARY TRANSCRIPT may be had of Mr. F. PALMER, Bookseller, opposite to Mr. A. Lauric's store, St. John Street, Upper Town.

MARRIED.

At Hampton-Arden, William Douglas, aged 87, to Sarah Hollingsworth, aged 19, after a courtship of one evening.

DIED.

Yesterday, of consumption, Mr. John Mearns, Tavern-keeper, formerly Sergeant in the 24th Regt. aged 40 years.

On Wednesday last, Sarah A. Baker, only daughter of Mr. William Baker, aged 23 years.—The friends of the deceased are requested to attend her funeral from the residence of her father, Cal de Sac, to-morrow, at two o'clock, P. M.

On Saturday last, Mr. John Renes, tailor, aged 66, an old resident of this city.

VOLUNTEERS.

THE Members of CAPT. GILLESPIE'S COMPANY, No. 4, Quebec Light Infantry, are requested to be punctual in their attendance at drill every evening at Half-past Six o'clock, in the Riding House, near the Chateaux.

9th January, 1838.

JOSHUA HOBROUGH, TAILOR,
No. 3, HOPE STREET, NEAR TO MR. J. J. SIMS, IMPRESSED with a due sense of gratitude for the favors conferred upon him by the gentlemen residing in Quebec, and in recognition, and by the public in general, avails himself of the present moment, to return them his most heartfelt thanks; at the same time he assures them, that no efforts on his part shall be wanted to insure a similar continuance of their future patronage and support.

J. H. takes this opportunity likewise, of respectfully informing the gentry and the public at large, that he has received his Fall Supply, consisting of—Beanskin Cloths (superior to any in town,) Pilot Cloths, Buckskins, Cassimeres, &c. suitable to the season; and is ready to receive and execute all orders on the lowest terms for cash.

Quebec, 15th January, 1838.

BOOKS FOR SALE,
AT THE OFFICE OF THE QUEBEC GAZETTE,
No. 14, Mountain Street

SCOTT'S WORKS, in seven vols.
Bulwer's Novels, in 1 vol. cloth.
Murray's Novels, in 2 vols. cloth.
Cooper's Novels, in 26 vols. sheep.
Henry's Miscellaneous Works.
Dwight's Theology.
Hume and Smollett's History of England, with Miller's continuation, 4 vols.
Aston's, by Washington Irving.
The Pickwick Papers, by "Boz."
Middlemen's Expedients, by the author of "Bible in the Reef."
Quebec, 13th January, 1838

SAMUEL TOZER, BUTCHER,
STALL No. 1, UPPER TOWN MARKET,
BEGS respectfully to return thanks to his friends and the public for the liberal support he has hitherto received; and takes this opportunity of informing them that he has always on hand Corned Rounds of Beef, Briskets, &c.; also, Mutton for Sallies and Haunches, all of the very best quality
Quebec, 13th January, 1838

FIRE-WOOD
FOR SALE,—in quantities of from One to Fifty Cords,—consisting of Birch and Maple.—Apply to Mr. SAMUEL TOZER, Upper Town Market, Quebec, 13th January, 1838