

The Weekly British Colonist and Chronicle

Tuesday, October 22, 1867

English and Continental Echoes.

The Queen's Speech delivered at the prorogation of Parliament will be found in another column. It is a formal and more than usually long document. The speech, it will be noticed, contains the first official announcement of war with Abyssinia. There is, we imagine, no chance that Theodore, who is amusing himself, like a Nero or a Bishop of the 15th century, by enclosing people in wax cloth and burning them alive, will yield to any letter, however peremptory. If he does not, the expedition to punish him will, it is thought, leave Bombay towards the end of September, so as to reach the coast with the entire cold weather before it for actual operations. The descent will probably be followed by a universal rising against Theodore, but even if it is not, the expedition can hardly be more difficult than many which the Indian Government has carried to a successful termination. The only point to be alarmed at is the cost, for though the sea is an excellent base for operations it is a costly one. The troops will hardly reach Magdala under four millions, or get out of the country again under six, even if our Government resolve to quit a land which could furnish great bodies of Christian sepoys, with whom neither Hindus nor Mussulmans could amalgamate. A letter from Dr Henri Blanc, one of the prisoners confined by Theodore of Abyssinia, suggests a possible explanation of his conduct. He is possessed, the writer says, with hatred of white men. He hoped by their aid and his immense army, numbering at one time 750,000 men, to re-establish the old glories of Ethiopia, and reign from Magdala to Alexandria, like Sesostris. Foiled in this, he became bitter, and now finds apparently pleasure in any insult offered to Europeans. He chained the French Consul, for instance and M. Blanc—evidently a cool-headed light-hearted person—thinks anything short of actual compulsion would be lost on him. We may add that the fear of the execution of the prisoners generally entertained in England may be taken as unfounded. They might be murdered five minutes before the King was killed, but up to that time he would keep them as other sovereigns keep valuable papers, to make terms with in extremity. The bad success of the insurrection in Crete having destroyed the prospect of an immediate union of that island with the Greek Kingdom, a deep gloom has fallen over Greece. All the plans and dreams of the political leaders at Athens have been dissipated. There will be no garrisons to send out, no rich staff appointments to bestow, and no places with which to reward hosts of hungry employes. Yet in one important point the manœuvres of the Greek Government have been attended with complete success. The cry for foreign intervention on the ground of humanity has been listened to by the Cabinets of the Continent, and France, Russia, and Italy, persuaded that humanity ought to prevail over every political consideration, have sent ships to Crete to carry off all the Christian families in Spakia who may desire to leave the island. At first Omar Pasha objected to this intervention, as tending to injure the cause of humanity by prolonging hostilities; but he subsequently accorded a tacit consent to the measures adopted by the French Admiral. Already more than 3000 women and children have been embarked on the shores of the district of Spakia and landed in Greece by French, Russian and Italian men-of-war. These refugees are starving in a country that promised them a home. Had the Greeks said they would afford them Christian sepulture in a beggar's grave, they would have spoken the truth. The Archbishop of Canterbury has promised that the primary Report of the Commission upon Ritualism shall be published at once. It is understood that it condemns excess in ecclesiastical millinery very severely, and advises that it should be prohibited. That is, doubtless, proper, when the parish feels itself offended by the clergyman's dress, but how about the doctrines of which those dresses are only the intimation? Is belief in transubstantiation to be allowed and the elevation of the bread forbidden, sacerdotalism to be taught and the wearing of sacerdotal garments made penal? A Cardinal has died doing his duty, which, to judge by the chorus of applause in the Ultramontane Press, is an unusual thing for a Cardinal. Cardinal Altieri, prince by birth as well as ecclesiastical rank, was Bishop of Albano, and hearing that the town was struck with cholera, he returned to it from Rome, severely rebuked the frightened people, and for three days went from house to house barefoot, comforting and assisting the sick, administering the sacraments, doing all that priest and cardinal could do to relieve the calamity. He was ably seconded by the Zouaves, who, like the Italian troops in Sicily, turned sextons, nurses, and carriers to the sick. At last the Cardinal himself was struck—probably because he went barefoot, perhaps the most fatal imprudence he could commit—and died, able to say, after

Cardo Alberto, "At least I have not died as Cardinals die." It is to be noted, to the great credit of the Catholic priesthood, that while the physicians fly and the shopkeepers go mad with terror, they remain at their posts as faithfully as the soldiery. If they would administer morphia instead of extreme unction they would be more useful, but at least they face death for what they consider their duty. Except the priests, the soldiers and the aristocrats, the Italians behave under their visitation shamefully. In one place, Cosenza, they tore an old woman to pieces, and burnt the quivering bits, because she, forsooth! had brought the cholera,—superstition of which the lowest Hindus would be ashamed. Great people seem to have at last hit upon a mode of entertaining each other which is a little picturesque. On the visit of the Emperor Napoleon to the Kaiser, the hills around Salzburg were lighted with beacons; the Untergiberg in particular blazing into the night, and the cave where Frederick Barbarossa sits waiting the hour of German unity being turned into a "sea of flame." The same thing was attempted on her Majesty's visit to the Border, the old warning beacons, which once told of invasion, being once more heaped up, and flaring all through the night. The attempt was a grand success, the squires heaping the bonfires well, and the whole country side turning out to gaze. The Gazette of Moscow relates a most shameful story. At Ona, in Orenburg, dwelt two persons, a rich merchant and a corrupt Judge. The magistrate demanded a loan, and the merchant refused to lend. The Judge summoned the merchant to attend a dinner, a demand obeyed reluctantly, and with good reason. For when the man of money wished to escape from the uproarious assembly the man of law and his confederates dragged him back to the table. They wished him to play at lansquenet, and when he refused the Judge robbed him, and his allies held him prisoner. The Judge again demanded a loan; a firm negative was followed by the arrival of the police, who bound the man hand and foot. While this violence was in progress a message was sent to the merchant's wife announcing that he would be liberated on the payment of 10,000 roubles. The wife hurried to the house of the Judge, and in her presence the guardians of the law stripped the merchant naked and thrashed him with rods. Then he was set free, with this remark by the Judge, "We have differed about principles; you have accumulated great wealth, and you will not share it with us; perhaps now you will change your mind." Far from being converted, the merchant, who had the capital Russian quality of firmness, appealed for redress to the Governor of Orenburg, and that exalted functionary asked him to accept 3000 roubles as hush money. "I do not sell my blood," answered the merchant, and forthwith he applied to the Minister of the Interior. The Minister was shocked; he instituted an inquiry; but in the end the unjust Judge escaped with a trivial fine.

Thursday, Oct 17th. Municipal Council.

TUESDAY, October 15, 1867.

The Council met at 7.30 p.m. Present: The Mayor and Councillors Gowen, Lewis, Gibbs and Trahey.

A communication was received from the Colonial Secretary in respect to the repair of the Esquimalt road bridge, stating that the same came within the province of the Town Council. Received and filed.

Permission was given the Queen Charlotte Coal Company to hold a meeting in the Council Chamber.

Five dollars were voted for the repair of the water cistern on Store street.

Permission was granted T. S. Allart for the use of a portion of the street during the erection of a building on Fort street.

The Secretary of the Spring Ridge Water Works Company handed in a notification of an intended excavation on a public street for purposes of the company, which was filed.

Leave was granted A. J. Brann to relay the sidewalk fronting his store on Yates street.

On motion of Councillor Gowen, \$25 were set apart for clerical assistance towards the preparation of the roll for the forthcoming Municipal election.

On motion, the attention of the Assistant Surveyor General was directed to the defective state of the sidewalk fronting the Post Office and Custom House on Government street.

The City Inspector submitted a report of defective and dangerous street crossings. The clerk was instructed to notify property owners contiguous thereto to have the same properly "fixed" forthwith.

Council adjourned till Tuesday next.

SPECIAL CHARTER.—The steamer Enterprise went up yesterday under special charter by the Government to carry the mails to and from New Westminster. Had the Governor remained in Victoria this heavy additional expense would have been spared the already over-burdened Colony. Three hundred dollars of the public money literally cast into the Fraser as a tribute to a pampered tow!

BROKEN DOWN.—A despatch from Westminster yesterday morning states that the Alexandra blew out her "beater" near the mouth of the Fraser on Tuesday afternoon, and did not reach the "Capital" until 9 1/2 o'clock yesterday morning. In her crippled state it was not known when she would return.

Mrs YELVERTON IN AMERICA.—The New York Tribune of September 17th says: Mrs Theresa Yelverton, wife of Major Yelverton, formerly of the Eleventh Hussars, (British army,) is stopping at the Albemarle House for a few days previous to her visit to Boston. This lady is well known to the reading public on both sides of the Atlantic as a victim to the unjust laws of Great Britain relating to marriage. Mrs Yelverton was twice married to her husband, once in Ireland and once in Scotland. The legality of the union he denied, and brought suit for divorce several years ago. The Scottish marriage was decided to be illegal, but with all the connivance of the learned counsel for the plaintiff, they were unable to invalidate the marriage performed under the Irish law. The case was finally taken to the Lords, who have recently refused to put the recreant husband under oath, for the reason that he may criminate himself! From the time he began the suit for divorce he has been living with another woman, not his wife, an offence against morality and decency, for which he was dismissed from the army as being unfit to associate with gentlemen. Mrs Yelverton proposes to employ herself while in this country in giving readings from the British and American poets, for the purpose of defraying the heavy expenses she is daily incurring in prosecuting her appeal before the House of Lords. This undertaking she is induced to attempt at the solicitation of influential friends here and in England, who predict for her a success in this country fully equal to that which has rewarded her efforts in Great Britain.

THE DUKE OF EDINBURGH AT RIO DE JANEIRO.—Her Majesty's ship Galatea, commanded by his Royal Highness the Duke of Edinburgh, entered Rio on the 15th ult. Upon crossing the bar the frigate hoisted the Royal Standard, which was immediately saluted by the forts and the man-of-war with yards manned. His Highness then Count d'Eu and the Brazilian Minister for Foreign Affairs immediately went on board to visit the Prince, and next morning his Royal Highness went to visit the Emperor at the Palace of St. Christopher. On his return the Prince received at the City Palace, where apartments had been prepared for him, a deputation of the British residents of Rio de Janeiro, who presented him with an address. On the 18th, the Prince and the Count d'Eu visited the naval arsenal and examined the five ironclads which are now building, and the dry dock at Cobras Island. In the afternoon his Majesty the Emperor visited the Prince on board the frigate. The British residents of Rio de Janeiro offered his Royal Highness a splendid ball at the magnificent rooms of the Casino. The Imperial family honoured the ball with their presence. On the 24th ult. the Galatea left for the Cape of Good Hope.

DEATH OF A CANADIAN "REBEL".—Charles Dancombe, a Canadian rebel of '37, died near Sacramento, California, on the last inst. aged 75 years. He was a member at one time of the Canadian Parliament, and was sent, by Sir Francis Head, on an important mission to the Home Government. He became involved in the Papineau-McKenzie rebellion in 1838-9, which so failed that he found it convenient to remove his residence to the United States. He was prominent as a physician, and attended on General Harrison during his last illness. He was a member of the California Legislature during three sessions. The Sacramento Bee thus relates the proximate cause of his decease: "Some ten months ago he received a sun-stroke, which paralyzed him for a time and from the effects of which he never wholly recovered. And we may here mention a curious physical phenomenon—his hair, which ever since his arrival in California, and it may be for long before, was very white, began to turn dark after the sun-stroke, and continued darkening until it became quite brown, which color it retained to the last."

THE SHOOTING AFFRAY.—The evidence in this case was closed yesterday nothing material being brought out. The magistrate decided to commit all three combatants for trial at the Assizes, consenting to receive reasonable bail for the appearance of Marks, who, the bench considered, had acted with unnecessary violence in resisting the attack made upon him by Tomlinson. In delivering his decision, Mr Pemberton addressed a wholesome caution to men in this community who might be disposed to choose Victoria as a battleground for the redress of real or fancied injuries. His honor said that since 1858—when "Tipperary Bill" shot and killed a man named Collins in an open lot in a duel—no similar affair of the kind had occurred here. Such acts were contrary to English law, and disturbers of the peace held themselves liable to most severe punishment. The case of the accused will go before the grand jury on the 4th proximo.

SANDWICH ISLANDS.—King Kamehameha is recovering his health, but continues to live in the country, the city not agreeing with him.... The Jane A. Falkenburg, up for arrival in California, does not find much freight offering. The Advertiser is surprised at this, as Portland offers a much better market for island coffee and sugars, in limited quantities, than San Francisco.... An extra session of the Legislature had been called for the 2d September.

THE BENEFIT OF MISS ARNOT.—A large and fashionable audience attended the theatre last evening—a flattering tribute to the worth and ability of the fair beneficiary. The performance proved highly successful, but the lateness of the hour at which the curtain fell precludes a lengthy notice to-day.

THE TANNER TROUPE.—This talented company, of which the charming Miss Soledad is a member, will cross to Paget Sound to-day. We bespeak for them a generous welcome from our Sound neighbors.

"THE DAILY CRITIC" is the title of a new daily which has just made its appearance in San Francisco, for gratuitous circulation in the theatres. It is a neat looking sheet and sparkles with witty sayings.

WEEKLY COLONIST.—This journal may be obtained at the publication office and at any of the bookstores, to-day or to-morrow, ready for mailing.

STEPHEN CHASS is in custody, upon the complaint of A. Frackel, who charges him with receiving furs belonging to plaintiff, knowing them to be stolen.

STRATMAN, the invincible news agent at San Francisco, has placed us under obligations for a great budget of illustrated newspapers, for which he has our thanks.

THE PAPER HUNT will come off to-day, at 2 p. m., sharp. The start will be made from Parsons' Bridge.

THANKS.—To Capt Turner, Wells Fargo & Co's messenger, for full files of California exchanges per California.

The Prerogation of Parliament.

HER MAJESTY'S MESSAGE.

(From the Second Edition of the Times of Aug. 21.) Parliament was prorogued to-day by the Speaker, attended by the Sergeant-at-Arms and other officers, and accompanied by several of the members of the Lower House, appeared at the bar of the House of Lords.

The Royal assent having been pronounced in respect of several Bills, The Royal Message was read by the Lord Chancellor as follows:—

My Lords and Gentlemen, It is my happy lot to be enabled to release you from the labours of a long and more than usually eventful Session, and to offer you my acknowledgments for the successful diligence with which you have applied yourselves to your Parliamentary duties.

My relations with foreign countries continue on a friendly footing. At the commencement of the present year great fears were entertained that differences which existed between France and Prussia might have led to a war, which it was impossible to foresee the ultimate result. Happily the advice tendered by my Government, and by those of the other neutral States, aided by the moderation of the two Powers chiefly interested, sufficed to avert the threatened calamity; and I trust that no ground at present exists for apprehending any disturbance of the general peace.

The communications which I have made to the reigning Monarch of Abyssinia, with a view to obtain the release of British subjects whom he detains in his dominions, have I regret to say, thus far proved ineffectual. I have, therefore, found it necessary to address to him a peremptory demand for their immediate liberation, and to take measures for supporting that demand, should it ultimately be found necessary to resort to force. The rebel conspiracy in Ireland, to which I have before called your attention, broke out in the early part of the present year in a futile attempt at insurrection. That it was suppressed, almost without bloodshed, is due not more to the disciplined valour of my troops, and to the admirable conduct of the police, than to the general loyalty of the population and the absence of any token of sympathy with the insurgents on the part of any considerable portion of my subjects. I rejoice that the supremacy of the law was vindicated without imposing on me the painful necessity of sacrificing a single life.

The Bill for the abolition of certain local exemptions from taxation enabled me to avail myself of a liberal concession made, in anticipation, by the Emperor of the French, whereby several taxes were removed which pressed heavily upon British shipping.

I have concluded a Postal Convention with the United States of America, whereby the rate of postage between the two countries will be diminished one-half, and further arrangements are in progress for increasing the intercourse between this country and the continent of North America.

The Act for the union of the British North American Provinces is the final accomplishment of a scheme long contemplated, whereby those colonies, now combined in one dominion, may be expected not only to gain additional strength for the purpose of defence against external aggression, but may be united among themselves by fresh ties of mutual interest, and attached to the mother country by the only bonds which can effectually secure such important dependencies to British connexion.

Gentlemen of the House of Commons. It is a gratifying consideration that you have voted for the public service.

My Lords and Gentlemen. I have had great satisfaction in giving my assent to a Bill for Amending the Representation of the People in Parliament. I earnestly trust that the extensive and liberal measure which you have passed may affect a durable settlement of a question which has long engaged public attention; and that the large number of my subjects who will be for the first time admitted to the exercise of the Elective Franchise may, in the discharge of the duties thereby devolved upon them, prove themselves worthy of the confidence which Parliament has reposed in them.

It is gratifying to me to find that the lengthened consideration which you have necessarily given to this important question has not prevented your entering on many subjects to which your attention was directed at the commencement of the Session, and particularly to such as have immediate reference to the well being of the industrial classes.

I have had especial pleasure in giving my assent to Bills for extending to various trades, with such modifications as have been found necessary, the provisions of the Factory Acts, the success of which has proved the possibility of combining essential protection to the labour of women and children with a due consideration for the interests of the trades immediately concerned.

I confidently anticipate from the operation of the present Acts the same improvement in the physical, social and moral condition of working classes which has been found to accompany the application of the Acts to those

trades to which they have been hitherto confined.

The restraints alleged to be imposed on workmen and their employers by Trade Unions and other Associations appeared to me to call for inquiry; and the revelations derived from the Examinations before the Commission, to which you gave your Legistative sanction, have disclosed a state of things which will demand your most earnest attention.

The Administration of the Poor Laws, which generally has conferred great benefit on the community, and especially on the poor themselves, requires constant supervision; and I have readily assented to a Bill which, applied to the metropolis alone, will tend to equalize the pressure of taxation and improve the treatment of the sick poor, whose condition will be greatly benefited by your well considered legislation.

The Bill for the Regulation of the Merchant Shipping contains important provisions calculated to add to the health and comfort of those engaged in the mercantile marine.

These and other valuable amendments of the law have been the result of your labours during the present Session; and in returning to your homes, you will carry with you the gratifying consciousness that your time and pains have not been misapplied, and that which I hope, and earnestly pray, may contribute to the welfare of the country, and the contentment and happiness of my people.

Dominion of Canada.

(Dates to Sept. 6th.)

ONTARIO.

The elections were still on. So far as they had been held, a sweeping triumph had resulted for the Government. J. Beatty, editor of the Toronto Leader, was chosen to report that city in the House of Commons. All four of the Government Candidates were chosen in Toronto. Writing on the 6th of September the Leader says: "Up to last night, thirty-nine members had been elected to the House of Commons. In Ontario, of whom thirty-six are supporters of the Union Government and only two Opposition. From one constituency—South Leeds—the returns are incomplete and the result uncertain. To the Legislative Assembly of Ontario, there had been thirty-six members elected, of whom twenty-six are supporters of Mr Sandfield Macdonald's Government, eight Opposition, one Independent, and in one case the result is unknown, on account of the incompleteness of the returns. These figures are indicative of large Union majorities in both Legislatures as the general result of the elections."

QUEBEC. The Government has been generally successful throughout this province. McGee's majority in Montreal was 501 over Devlin.

The splendid troopship Sorapis has arrived at Quebec city. She left Portsmouth on the 16th of August, and Dublin on the 19th, and considering the strong head winds mostly prevailing throughout the voyage, has made an excellent run. This troopship is one of five that was built for the Indian Government, and the accommodation for passengers is very complete. She is registered at 5,000 tons; her length is 360 feet; 750 horse-power, and the number of her ship's crew is 250. She brings the officers and 715 rank and file of the 69th Regiment. She also brings 75 soldier's wives, 85 children and six horses.

The papers contain little besides election returns.

Guy Fawkes in South America.

The London News publishes an account, compiled from official documents, of a singular gunpowder plot at Montevideo.

It was discovered by the statement of a German that another German, Paul Newmayer, had offered him two hundred dollars for one night's work in digging under an old house back of the Government House. Newmayer told him that he was engaged in an "engineering experiment," but would not tell him its nature unless he would pledge himself to secrecy. This made him suspicious.

The police authorities were at once notified, Newmayer was arrested, and the house was searched. In a small cellar, newly constructed, they found two barrels of gunpowder, three sacks, and a Rumford's electric multiplier, in working order, and capable, according to Mr Oldman, of the telegraph office, of igniting gunpowder at a distance of six miles. The wall of the cellar was broken in two places, apparently for the purpose of driving mines.

An English engineer undertook to push the investigation still further. His first work was to search the sewers for an accomplice whom he found in the house drain. Following the main sewer he found, at a distance of one hundred and fifty feet from the cellar, an opening in the direction of the windows of the saloon in which the Councils of the State are held. From this hole a mine had been driven to within six feet of the wall of the saloon, and in it were found the tools used by the operation. Three persons could have finished the mine in six or seven hours.

The prisoners accused one Captain Bertran as their employer. He has escaped, it is supposed, to Chile. With him they implicated General Suarez, Commandantes Mancini and Bergara, and Senores Torres and Marquez, who were promptly arrested. The prisoners assert that no one was aimed at except the Dictator, General Flores.

THE END OF THE SEASON.—The marriage of Mr Reginald Cholmondeley with the Hon Alice Egerton is to take place early in October, at Tatton-park, Knutsford. A marriage is also arranged between Lord Petersham, eldest son of the Earl of Harrington, and Miss Yelverton, half sister of the Marquis of Hastings. A marriage is arranged, and will shortly take place, between Mr Capel Cave and Miss Campbell, daughter of the late Mr Walter Campbell. The Marriage of Miss Smith Barry to Lord Willoughby de Broke is at present fixed to take place during the month of October, at Marbury, Cheshire. The marriage of the Hon. Reginald O'Grady, brother of Viscount Guillemore, and Miss Beresford will take place shortly in the chapel of Hampton Court Place. —Echoes of the Clubs.

The Weekly British Colonist and Chronicle

Tuesday, October 22

The Sale of Poisons.

We have before adverted to that exists for the passage regulate the sale of poisons in Great Britain. At present no legal restriction upon the sale of the deadliest has been too frequently the cupidity of the vendor and the overborne every other consideration him to sell to half-demented whose faces bore an unmistakeable sad state of mind, that to assist them in "shuffling off their coil." The case of the poor mother, yesterday, furnishes an instance of wretched condition must have been to the most casual observer. I saw him lately but must be "reason was tottering on its tottering legs" that before many days he would come an inmate of a madhouse, standing his deplorable condition, Davis appears to have little if any difficulty in procuring poison. It is a startling fact that past twelve months four suicides have occurred in this facility with which the mean man renders the temptation to destroy themselves. Many poor creatures who have the province of their Maker, a own lives, had the means been obtain, might have passed some moment of weakness and lived by some law that prevented their rash purpose. In the intemperate humanity we call on the introduction at the next session of a bill to regulate the sale of person should be allowed to a quantity of poison sufficient to order be accompanied by of a respectable physician that is proper and the object is intended legitimate. The obstacles that can be thrown in the traffic the less likelihood of our having many such lambs as that of yesterday to record.

Suicide of Frederick F.

Yesterday morning, between 8 and 9 o'clock, Frederick F. known to the public through the press as "F. F. D." committed in the back-room of Mr J. Saloon, on Easton street, by a quantity of strychnine. The attending the sad event will be detailed in the evidence given before some time ago made two attempts upon his life. A letter Mr McKay, and left by decease of the room in which he died, his at his full purpose. He was fearful lest a friend whom he write the letter might discover and therefore failed to explain which his subsequent act reveal. Mr Davis was aged above and a native of Wales. He was intended for the Church; but at left home and went to the U where he passed many years teacher, lawyer and editor. In California, and in 1859, having religion, he received a call from send, W. T., to take charge there. In the same year he charge and came across to Victoria some time was allowed to practice criminal cases in the Police, subsequently, he wrote many able articles for a daily paper, published from 1861 to 1862, by the late McCleure; and upon the demer journal became attached to the Daily Chronicle as an occasion.

For the past eighteen months he been feeble, and the poor old patient for steady employment upon the charity of those who might have been seen dragging painfully through the streets by stick, and wearing upon his emaciated an expression which so forcibly that life had become burden. The deceased gentleman scholar and an able writer; his "besetting sin" to which his letter, would have occupied position in society.

Mr Pemberton, at 2 o'clock, jury and opened an inquiry into death.

J. G. McKay, sworn.—Know F F Davis; I arrived at my place about 9 1/2 o'clock today; went to room and discovered deceased in bad resting upon a chair, and clinging against a table; he was immediately gave information to found a small vial lying on the same as produced in Court, also dressed to me, which I placed of the police.

John McKay testified to seeing on the Adelphi corner at 8 1/2 o'clock morning; he said he was with some friends to Port Town o'clock, and that if he would lines to Mr McKay for him obliged to me; he was very late we went down to Wilcox's and this letter:

DEAR SIR.—It is a settled brings its own punishment with