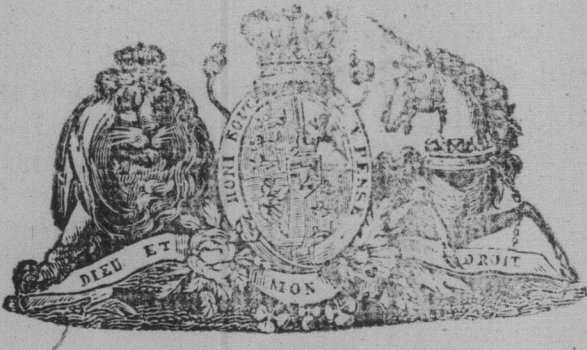


THE



STAR,

AND CONCEPTION BAY JOURNAL.

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WEDNESDAY NOVEMBER 21, 1838.

No. 229.

HARBOUR GRACE, Conception Bay, Newfoundland.—Printed and Published by JOHN THOMAS BURTON, at his Office, opposite Mr. W Dixon's.

(From the Times, Nov. 14.)

CENTRAL CIRCUIT COURT.

NOVEMBER 10, 1838.

RICHARD PERCHARD vs. ROBERT JOHN PARSONS.

Action on the case for the following Libel published of and concerning the Plaintiff, in the Newfoundland Patriot of the 20th October—of which Paper the Defendant is Printer and Publisher.

"LOYALTY OF THE NEWFOUNDLAND TORRES."

It is related as a fact, indeed we can vouch for the correctness of it, that an individual of the Tory party, on his passage from Liverpool to this Port, drank the following Toast:—

"HERE'S DEATH TO QUEEN VICTORIA! THE GALLOW'S TO LORD MELBOURNE! THE GIBBET TO EARL GREY! AND THE CROWN OF ENGLAND TO THE DUKE OF CAMBERLAND!!"

Now, to save our readers the trouble of much guessing as to who the fellow is that drank this infamous and treasonable Toast, we will hint that though he is one from whom something better might have been expected, seeing that at this very moment his father is a servant of that same Queen whose death he would compass, and as such received many of her Crowns, he has been familiar with 'gibbets,' and the 'gallows' from his infancy."

To this the Defendant pleaded the following special plea of justification:—"And the said Defendant, by HUGH W. HOYLES, his Attorney, comes and defends the wrong and injury when, &c., and says that the said Plaintiff ought not further to have or maintain his aforesaid action thereof against him, because he says that the said several supposed libels, in the said Declaration mentioned, were and are in substance and effect true;—to wit St. John's aforesaid; wherefore he the said Defendant at the said several times in the said Declaration mentioned, to wit St. John's aforesaid, did publish of and concerning the said Plaintiff the said several supposed libels, in the said Declaration mentioned, and as lawfully might for the cause aforesaid; and this he the said Defendant is ready to verify; wherefore he prays judgment if the said Plaintiff ought further to have or maintain his aforesaid action thereof against him."

To this the Plaintiff demurred, and assigned for cause, "that the said plea does not state the particular facts which evince the truth of the imputations charged as libellous in the Declaration;—nor the place where, or the time when the alleged facts set forth in the said libels took place; and does not shew in what particular instances and in what exact manner and words the said Plaintiff misconducted himself; and that the said plea merely states that the said several supposed libels, in the said Declaration mentioned, were and are true in substance and effect; and that in the said plea it is not averred that the publication confessed by the said Defendant are the publications charged in the said Declaration; and also that the said plea is in other respects uncertain, informal and insufficient." Upon which there was a judgment in demurrer.

Mr. ROBINSON in support of demurrer—"The great principle which regulates all pleadings is that every fact which is necessary to the issue, and incident to the full and just determination of the action should be placed upon the record, with certainty, clearness, and precision, in order that the adversary may be aware of what is intended to be proved against him, and so, being prepared, may not be taken by surprise. In special pleas of justification in libel cases, it is not sufficient to re-affirm in the plea the statements made in the Declaration, nor is it sufficient to state them to be true, much less to aver that they are in substance and effect true;—but the plea must contain a clear and particular account of the exact offences by virtue of which the charges made in the libel are intended to be justified the time when, the place where, and all circumstances—otherwise the Plaintiff would go to trial not knowing what transaction of his whole life was to be raised up in judgment against him—and so, for want of the evidence which he might easily have brought forward had he known it would be necessary, a verdict might pass against the Plaintiff, and his character to be irretrievably ruined. In Mr. Chitty's able work on Pleading, it is laid down—"General pleading is not allowed in a plea justifying the truth of a libel or slander." 1 Ch. on Pleading, 560. In *J. Anson vs. Stevard* 1 T. R. 748, the defendant pleaded "that the plaintiff was illegally connected with a gang of swindlers, and had been guilty of defrauding divers persons," without stating the particular instances of fraud, the plea was held bad on demurrer. Ashurst J. observing, "When the defendant took upon himself to justify generally the charge of swindling he must be prepared with the facts which constitute the charge; in order to maintain his plea he ought to state those facts specifically, to give the plaintiff an opportunity of denying them, for the plaintiff cannot come to the trial prepared to justify his whole life." So also in *Holmes vs. Catesby*, 1 Tunn, 543, where the libel charged the plaintiff an attorney with general misconduct, gross negligence, falsehood, perjury, and excessive bills of costs, it was held that a plea in justification, repeating the same general charges without specifying the particular acts of miscon-

duct was insufficient on special demurrer, although it was urged that the plaintiff was cognizant of all the transactions referred to. In delivering the judgment of the Court, Chief Justice Mansfield says, "It is probable that the plaintiff knows what transaction is alluded to but the Court does not know that he does, and possibly he may not; and in this case he must come to the trial with all the clerks he employed, and all the papers in all the causes in which he has ever been engaged for defendant." The case of *Edward vs. Bell* 1 Bingham, 403, is in point, where the libel was charging the plaintiff, a clergyman, with having been guilty of personal invective; and the plea was general and held bad. From all these cases it is clear that if such a plea as this were suffered, the plaintiff would not be safe unless he was prepared at the trial to prove every circumstance connected with every passage he may have made from Liverpool since Queen Victoria came to the throne; for he is not informed as to which passage when made, or in what vessel, the libel alludes.

I have thus endeavoured to shew from general principles and from adjudicated cases, that this document is no plea, on account of what it does not contain. I shall now shew that it is equally void on account of what it does contain.

In the case *Flint vs. Pike*, 4 B & C. 473, the libel purported to be a report of a trial; the defendant pleaded that the supposed libel was in substance a true account, and this was held bad on demurrer. Holroyd J. says, "The plea only states the report was true in substance; I think that is not sufficient, it ought to have stated some facts to shew that it was true in substance."

In the same case Mr. Justice Littledale says, "I think that this plea, which states that the libel was in substance a true and accurate report of the trial is not sufficient. By substance is meant, I apprehend, the inference which the person who published the libel draws from the whole of what passed at the trial; the plea therefore amounts to this that the libel, in his judgment, is a true account and report of the trial." Such a mode of statement would not be good in a declaration. *Wright vs. Clement*, 3 B & A. 593—number is in a plea.

Even a plea stating that a libel is true has been held insufficient. In the case *Duncan vs. Theatres*, 3 B & C 556, the third plea stated that the matters in the said libel contained were true. Patteson arguendo observes, "The plea is bad because it ought to have been more particular, and the facts ought to have been enumerated, and time and place ought to have been alleged." And Chief Justice Abbott in giving judgment says, "The third plea alleges very shortly that the several matters and things in the said several supposed libels contained, were and are true. Now this plea is evidently bad."

In a recent case, 11 Price, 285, Mr. Parin Wood strongly reprobated general pleas of justification in libel, without disclosing instances of misconduct; and stated that it was the duty of the plaintiff to demur to such.

It is true the plaintiff might, had he thought fit, have replied to this plea by denying its truth, and have gone to a jury; but by so doing he would be pleading inartificially, and be subjecting himself to the risk of having to answer some unexpected and antiquated story, about which the defendant might bring forward some evidence, and for want of its being explained, a suspicion at least might be cast on the plaintiff.

Seeing then that no time is specified in the plea, as to when this treasonable toast was drunk, in what place or vessel mentioned in which it took place, no circumstances or particulars set forth concerning it, but it merely states that the libel is true in substance and effect—the plea is bad, and judgment must be, I submit for the plaintiff.

Mr. HOYLES, for defendant, urged "that according to the recognised principles in force upon arguing demurrers, the judgment of the Court will be given against the party whose pleading is first defective; and in this case submitted whatever may be thought of this plea, and however defective it may be considered, the plaintiff's declaration is bad for the want of an innuendo—that Queen Victoria means the Queen of England, and that Lords Melbourne and Grey were her Ministers. I maintain that every thing necessary to shew the application of the libel must be stated clearly, under an innuendo; for the Queen and the Ministers named in the Declaration might mean some other persons than the Queen of England and her Ministers. I submit, observed the learned Counsel, "that this is essentially necessary here since the drinking of the alleged toast Toast would not be seditious unless Victoria meant our Queen; and it is necessary to charge a punishable offence to render the publication libellous; and as there is no innuendo shewing that "queen Victoria," here mentioned, is queen of England, the Declaration is defective. With respect to the plea, I submit that it is perfectly good. Where a charge is singular and specific, as 'he stole two sheep of J. S.', a plea stating that the Plaintiff did steal the said sheep, was held good."—Bro. act. stuc. case. 1 Rol., Abd. 87.

The learned gentlemen concluded a clever and very ingenious argument in support of his plea, by citing the case "Weaver vs. Loyd," 2 B. & C., in which the Defendant pleaded a plea somewhat similar to the one in question, and it was not demurred to, but had the replication *de injuria* filed to it.

Mr. ROBINSON, in reply, shewed that the common sense meaning of the libel—and indeed its very words, applied to Queen Victoria of England. The charge was published in this country, a dependency of England—in a Newfoundland paper—it imputed disloyalty—treason to the Plaintiff, which could not be except with reference to his own Sovereign; but the words "Crown of England," in the same paragraph, settled the question as to whether it was the Queen of England, or the Queen of Sheba that was referred to. He cited *Ba. Ab.* to shew that Courts read libels with the same eye that other persons did, and no one could doubt of the application to Queen Victoria of England, in the present instance.

With reference to "Weaver vs. Loyd," he observed that as, in that case, the Plaintiff had thought fit not to demur to a bad plea, but to reply *de injuria*, Courts were not called upon to say—what, if it had been demurred to, they must have done that the plea was bad. He submitted the cases which were cited by him were unanswered and unanswerable. Indeed the observation which his learned friend had made on "Edward vs. Bell," admitting that if the plea there pleaded were good, the Plaintiff might have had any instance of personal reprobation of which he had been guilty in his whole life brought up against him, proved the insufficiency of the present plea, because the Plaintiff here would be equally exposed to the danger of having anything which occurred on any voyage whatever, made by him from Liverpool, at any time since Victoria were Queen brought in array against him on the trial.

The Court ruled that the charge in the Declaration was specific, and therefore the plea need not go into particulars. That the plea stating the libel was true in substance and effect, was well enough, for it would obviously be absurd to say that if it should be proved that the toast drank was the crown of England to the King of Hanover, the justification would not be good. That if too wide a scope of evidence were admitted on the trial—such as the Defendant might not have expected—it would be ground for a new trial. That Judgment now was only interlocutory.

Plaintiff had liberty to withdraw Demurrer and reply.

This action was disposed of yesterday. Bryan Robinson, Esq., in a most eloquent and able manner conducted the case for the plaintiff, assisted by George H. Emerson, Esq. Hugh W. Hoyles, Esq., defended the action. Verdict—£150 sterling. "Stick a pin here!"

From the whole of the evidence in this case, which went to prove anything but "justification," either in "substance" or "effect," we can confidently state, that a more base, wanton, and atrocious libel than the one which we now place upon record as a "huge lie"—as an everlasting disgrace to the abandoned propagators—could not well have been conceived.

WANT OF EDUCATION.

There are few villages in the country which do not present us specimens of the uneducated—we meet him in the gin-shop, in the street—he is an idler, a drunkard, a quarreller: we hear of him in very riot, he is an aider and abettor in very outrage. His family are slovenly, reckless, debased, wretched. He is a quarreller, because he is idle. But why is he idle? Because he has never felt the value of labour, the pleasure of thinking, the joy of a good conscience. He was never habituated to form judgment of these

things. The powers necessary to form such judgments have been neglected. He has never been taught to examine, to enquire, to attend. He has become passive. He feels the pressure of want brought on by his own habits; but how does he try to remedy it? All his life has been taught to spare, as much as possible, his own exertions, and to hang, beggar like, as such as possible, on those of others. He is the slave from laziness, of authority. It is not in a sudden emergency he is likely to throw it off.—All his life he has sacrificed, with the short sighted selfishness of ignorance, the future to the present, and every interest, public and private, to his own. He is turbulent, but not independent; he talks of freedom, and is a slave to every man and thing around. But indolence is not a merely passive vice. Bitter to "wear out" than to "rust out" has been truly said; but he who "rusts out" wears out too. No greater burden than sloth; no greater consumer of the spirit and body of man than doing nothing and having nothing to do. Every day spent in inactivity renders action more difficult every hour which does not add steals away some instrument of virtue and happiness, and leaves the sluggard more at the mercy of those visitations of sickness or want to which even the industrious are exposed.—Nor is this all. Omissions of duty soon becomes commission of crime. Painful reflections now beset him. They are sought to be extinguished, but not by reform.—Conscience drives him to fresh vice. This goes on for a time; but health, means must at last fail. Then it is that he sees, for the first time, how bootlessly he has squandered away the healthy morning tide, the working hours of life. He has paid down existence, and all that makes existence a glory and a good in advance. Body and soul are spent. He becomes sullen and sour. Disappointments thicken on him, and they are all of his own causing. His farm is covered with weeds, his shop deserted, his children profligate and rebels, his household a hell.—He gradually becomes an enemy to all social ordinance, to law, justice, truth, good faith; to all that makes community to man. He envies and hates the good and happy; he looks on every check as a wrong, on every prosperous man as a foe. Whither is he to rush for rescue from these encompassing evils? The Gospel he never understood, and therefore never practised. His religion is an hypocrisy or a superstition. It affords him no direction in his errors, no consolation in his afflictions. He finds in it neither warmth nor light.—The religion he learnt never penetrated to the spirit; it was a tinkling cymbal, a jargon of meaningless and profitless words. But crime, which had long been ripe in thought, is at last on the point of bursting into act. He is at last ready for every desperate attempt. Education has been held up as the great principle of all modern restlessness and disorder. Is this the case? Let facts answer. Here are men uneducated enough, to produce the most perfect quiet, if ignorance and absence of education could produce it. Yet it is from materials, like these, you are to expect the tranquillity and prosperity of a great nation? Is it in the nature of things that out of elements so utterly evil peace and happiness should emanate? Private vice has put to make a few steps and a few psodytes, and it becomes public corruption; individual discontent wants only time and circumstance to spread out into general disorder. Such, indeed, are the real revolutions; men bad and blind—blind because they are bad—a huge Pol. phemus, sightless and strong, waiting only some crafty guide to lead the monster on against society. Nor is such want likely to remain long unsupplied.

We are happy to learn from general report that the Marquis of Queensbury, a nobleman personally much respected,

and contemptible vapourings of the consummate noodles who sought to disturb the peace of the town...

The Worsley baronet, late, extinct, in the possession of William Worsley, Esq., of Worsley in the county of Yorkshire, the eldest son of the late Sir Worsley...

These Pills, by his will, has bequeathed to the establishment founded by him at Worsley, for the *Secura de la Cura*, whose duty it is to attend the poor at their own houses.

John Russell in Dublin.—The Hon. Russell has arrived in Dublin on the 19th inst., and is immediately engaged in the business of organizing a new and improved system of the Poor Law...

Mr. John Walsby.—Sydney papers to the 13th of May have been received. The Legislative Council was to have met on the 20th of May, when it was expected that the new act, which was on the point of passing, would be renewed for two years longer.

The "Great Radical Demonstration."—We have this day devoted a very considerable space to the report of the proceedings at the Radical meetings on Tuesday last. We feel that some apology is owing to our readers for giving so much prominence to the silly

and contemptible vapourings of the consummate noodles who sought to disturb the peace of the town, and succeeded to admiration in rendering themselves ridiculous in the eyes of the public.

WEDNESDAY, November 21, 1838.

By the arrival of the Brig *Entrepreneur*, W. Stevenson, master, in 45 days from Liverpool, we have been favored with the loan of papers to the 14th ult.

NEWFOUNDLAND.

The state of this colony demands the instantaneous interference of the government at home. The strange and anomalous proceedings of the Popish house of Assembly have assumed so serious an aspect, that we do not hesitate to affirm, that there is as much cause for assembling Parliament at an early period this year, for the purpose of taking the state of the colony into consideration...

In the case of Edward Kitley against the Speaker and other Members of the House of Assembly, in which the Plaintiff charges the House of Assembly with having unjustly imprisoned him during the Session in August last—damages laid at £3000.

H. Emerson, Esq., pleaded that they were fully justified in the imprisonment of Plaintiff by the privileges attaching to and inherent in them as a Representative Legislative body—to which the Plaintiff, by Bryan Robinson, Esq., his Attorney, demurred.

The argument on the principle contended for in Defendants plea was heard yesterday, and occupied the Court during the whole day. Mr. Robinson for the Plaintiff, and Mr. Emerson for the Defendants, argued ably and elaborately in support of their respective positions, but the Chief Justice declined then giving any judgment in the matter...

ARRIVAL.—In the *Norval* from Copenhagen, William Panton, Esq.

SHIP NEWS. Port of St. John's. ENTERED. 17.—Messenger, Watts, Hamburg, butter, bread. Dove, Roche, Demerara, rum, molasses.

Sale by Auction

FOR SALE, BY PUBLIC AUCTION, At the Court House in Harbor Grace, ON TUESDAY NEXT,

The 27th inst., At 11 o'Clock in the forenoon,

The following Vessels belonging to the Insolvent Estate of SLADE, BIDDLE & Co.

Schooner MARY, Burthen 107 Tons. Schooner ST ANN, 93. Schooner GAMBRIAN, 90.

JOHN W. MARTIN, Agent. Carbonear, November 21, 1838.

Norval, Capt. Wills from Copenhagen.

400 Bars Fine and Common BREAD and

50 Firkins Butter

By the above Ship For Sale by RIDLEY, HARRISON & Co.

Harbor Grace, November 21, 1838.

NOTICES

THE SUBSCRIBER BEING about to retire from Trade, requests that all Persons to whom he is indebted will furnish him with their Accounts; and those who are indebted to him, will please to make settlement by the 31st of December next.

JAMES POWER. Carbonear, Nov. 14, 1838.

Court of Sessions, Harbor Grace, Newfoundland, 10th November, 1838.

THE Fire Wardens and Captains of Fire Companies duly chosen and appointed under and by virtue of the Statute 3rd, Wm. 4, cap. 4, having applied to us, Thomas Danson and James Power, Esquires, two of Her Majesty's Justices of the Peace for the Northern District of Newfoundland in Sessions, and a majority of them having requested in

writing, that an additional Assessment of Six Pence in the Pound be made on the estimated value of the Rents of all Houses, Stores and Buildings, in the said Town of Harbor Grace, for the purpose of liquidating the expenses of the ensuing and previous years, in conformity with the provisions of the said Act, and having laid before us, a statement in writing, of the Appraised value of the said Rents, and also an account shewing the sum collected under a former Order of the Justices in Sessions, and the expenditure of the same.

We do therefore, hereby by virtue of the power and authority given unto us, by the seventh section of said Act, Order and direct that the sum of Six Pence in the Pound be raised and levied on the Landlords, Lessees, and other Persons at Harbor Grace, agreeably to an Assessment and Rate on the said Appraised value of the Rents of all Houses, Stores, and Buildings within the boundaries of the said Fire Companies, made by the said Fire Wardens and Captains of Companies under the seventh section of the said Act.

Given under our hands and seals in Sessions as aforesaid, the second year of Her Majesty's reign, also the day and year before written.

THOS. DANSON, J. P. JAMES POWER, J. P.

Mr. JOHN FITZGERALD, is duly appointed Collector of the above-named Assessment.

JOSEPH SOPER, Chairman.

On Sale

BY THORNE, HOOPER & CO.

Just Received per EMILY, Turner 100 barrels Flour 185 bags Bread 10 Hbds. building Lime 7000 Brick

And 150 Hogsheads best House Coals.

Harbor Grace, August 15, 1838.

THE Co-partnership Trade hitherto carried on by us under the firm of BENNETT, MORGAN & Co. is this day Dissolved by mutual consent.

All Persons having claims on said Trade are requested to present the same for payment, and all Persons indebted thereto are requested to make payment to C. F. BENNETT, who alone is authorized to receive the assets of said Co-partnership Trade.

C. F. BENNETT, GEORGE MORGAN. Witness, GEORGE BEADEY BECK, THOMAS BENNETT,

St. John's Newfoundland, 1st February, 1838.

The Business for the future will be carried on by C. F. BENNETT.

THE Public are hereby notified, that my signature to the Advertisement contained in the Gazette of Tuesday last, announcing the Dissolution of Co-partnership of BENNETT, MORGAN & Co. was obtained from me under a misconception of the term of its duration, not having in my possession at the time the Deed of Co-partnership between us—I now find by reference to a copy of the Deed of Co-partnership, which I have since obtained, that the Co-partnership does not terminate until the first day of January, 1841.

GEORGE MORGAN. Feb. 10, 1838.

In the Honor Court for the County of Newfound Grace, October 1838.

In the matter of the said Court of Law, docketed in said Court of Law, under the name of the said Court of Justice in Sessions, and the expenditure of the same.

WHEREAS, the said Court of Law, docketed in said Court of Justice in Sessions, and the expenditure of the same, per to make them realize the value of the said insolvent's effects belonging to them, are hereby delivered the same Trustees.

Court House, Harbor Grace, 9th Nov., 1838.

WE, the undersigned, the Insolvency of the said Island of Newfoundland, have appointed, appoint Mr. J. BIDDLE & Co. AGENT, to transact all matters connected with the said Insolvency.

As witness my hand and seal, this 9th day of November, 1838.

JOHN BIDDLE & Co.

RESPECTFULLY requests that all Persons to whom he is indebted will furnish him with their Accounts; and those who are indebted to him, will please to make settlement by the 31st of December next.

JAMES POWER. Carbonear, Nov. 14, 1838.

THE Co-partnership Trade hitherto carried on by us under the firm of BENNETT, MORGAN & Co. is this day Dissolved by mutual consent.

All Persons having claims on said Trade are requested to present the same for payment, and all Persons indebted thereto are requested to make payment to C. F. BENNETT, who alone is authorized to receive the assets of said Co-partnership Trade.

C. F. BENNETT, GEORGE MORGAN. Witness, GEORGE BEADEY BECK, THOMAS BENNETT,

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In the Honor Court for the County of Newfound Grace, October 1838.

In the matter of the said Court of Law, docketed in said Court of Justice in Sessions, and the expenditure of the same, per to make them realize the value of the said insolvent's effects belonging to them, are hereby delivered the same Trustees.

In the Honorable the Circuit Court for the Northern District of Newfoundland, Harbour Grace, October Term, Second Victoria.

In the matter of Robert Slade, senr., Mark Seager, Robert Major, and Rolles Biddle, late of Carbonear, Merchants, Copartners.

WHEREAS the said Robert Slade, senr., Mark Seager, Robert Major, and Rolles Biddle, were on the thirtieth day of April last past, in due form of Law, declared Insolvents by the said Court of our Sovereign Lady the Queen. And whereas JOHN MCCARTHY, of Carbonear, Merchant, WILLIAM RENDELL, of St. John's, Merchant, and JAMES SLADE, of Trinity, Merchant, Creditors of the said Insolvents, have by the major part in value of the Creditors of the said Insolvents, been in due form chosen and appointed Trustees of the Estate of the said Insolvents. Notice is hereby given that the said JOHN MCCARTHY, WILLIAM RENDELL, and JAMES SLADE, as such Trustees, are duly authorised under such orders as the said Northern Circuit Court shall from time to time deem proper to make therein, to discover, collect, and realize the Estate, Debts, and Effects of the said Insolvents; and all Persons indebted to the said Insolvents, or having in their possession any Goods or Effects belonging to them or either of them, are hereby required to pay and deliver the same forthwith to the said Trustees.

By the Court,
JOHN STARK,
Chief Clerk and Registrar.
Court House,
Harbour Grace,
9th Nov., 1838.

WE, the undersigned, Trustees to the Insolvent Estate of SLADE, BIDDLE & Co. of Carbonear, in the Island of Newfoundland, Merchants, have appointed, and by these presents do appoint Mr. JOHN WILLS MARTIN of Carbonear, Gentleman, to be our AGENT, to transact and manage all matters connected with, and relating to the said Insolvent Estate.

As witness our Hands, this 10th day of November, 1838.

(Signed)
JOHN MCCARTHY,
WILLIAM RENDELL,
JAMES SLADE.

A CARD

MRS. M. A. STOWE
RESPECTFULLY begs to acquaint the Gentry and Public in general, that in compliance with the wishes of several of her Friends, she has opened a SCHOOL for a limited number of Young LADIES.
The Branches she purposes to Teach are
Reading, Writing and Arithmetic
Grammar
Fancy Needle Work, Embroidery
Preliminary Lessons on the Piano Forte
And Drawing.
Hours of attendance from 10 to 4, Saturdays excepted.
Terms can be known on application at Mrs. S's residence opposite Mr. Jacob Moore's.
Harbour Grace,
Nov. 14, 1838.

PROCLAMATION.

IN obedience to a Precept of the Worshipful the MAGISTRATES, bearing date the 3d instant, and to me directed,

I hereby give Public Notice

That a GENERAL QUARTER SESSIONS of the PEACE, will be holden at the Court House, in BRIGUS, on

TUESDAY,

the 20th instant, at the hour of Eleven in the forenoon, of the same day; and the Keeper of Her Majesty's Gaol, the High Constable, and all other Constables and Bailiffs within this District, are commanded that they be then there to do and fulfil those things which by reason of their Offices shall be to be done.

Given under my Hand, at Harbour Grace, in the Northern District of Newfoundland, this Eighth day of November, in the Reign of Our Lord 1838.

B. G. GARRETT,
High-Sheriff.

On Sale

NOW LYING AT THE WHARF OF THE SUBSCRIBERS And will be Sold on accommodating Terms,

THE FINE EAST-SAILING BRIG
ANN,
Burthen per Register 97 ⁵³⁷/₃₅₀₀
Tons, N. M.,

Built at Harbor Grace in 1834, of the best Materials, is Ironsheathed and well found in Anchors, Cables, Sails, Rigging, Boats, &c.

Also,
THE SCHOONER
Wave,

Burthen per Register 52 79-94 Tons,

Built in 1831, at Shelbourn, N. S., principally of Oak Timber and Plank, and Copper fastened to the bends. This fast-sailing and beautiful Vessel is exceedingly well adapted for the Coasting Trade of this Island, or if required might also be fitted out for the Seal Fishery at a trifling expense.

Inventories of the Materials belonging to the above Vessels may be seen on application to

THORNE, HOOPER & Co.
Harbour Grace,
Nov. 7, 1838.

AT LOW PRICES
For Cash or Produce,

THE UNDERMENTIONED

GOODS,
Viz.

BREAD, fine and common, Hamburg FLOUR, fine & superfine, do. & Dantzic PORK, BEEF, barrels & half-barrels BUTTER, 1st Raiders and 1st pickled Holstein for Families
OATMEAL, Oat Grits, PEASE, RICE MOLASSES, Moist & Leaf SUGAR TEAS, Hyson, Twankey, Souchong, Congo, & Bohea in Qr.-chest
SOAP, CANDLES, TOBACCO
Stauff in bottles
Glue, Pepper, Mustard, COFFEE VINEGAR in Jars and by the Gallon Hams, Westphalia
GENEVA in cases & barrels
Sugar Candy in cases
WINE, a few dozen very fine OLD PORT and "G." SHERRY
GUNPOWDER, BB. and MX. Shot
Sheet Lead
Bolt, Bar, Sheathing and Sheet IRON SHEET COPPER and TIN, NAILS
Cabin STOVES
GRATES, Chain Cable 7-8 inch ANCHORS
Iron round Pots, Bakepots & Covers
Rat Cages
Axes, and a general assortment of IRONMONGERY
PITCH, Coal and Stockholm TAR
VARNISH
CORDAGE, Oakum, Lines & Twines, BLOCKS, Dead-eyes, Trucks, Hanks, Sheaves, &c.
COMBS, Brushes, Black Lead
HATS, Fur Caps, STATIONERY
Account Books
BLANKETS, PILOT Cloths, WITNEY and Flushing, SERGES
FLANNELS, Carpeting, Hearth Rugs
BLANKETING
HOSIERY and Gloves
Stays, Thread
MERINOES, SHAWLS, MUSLINS
CALICOES, Printed Cottons
Beaverteens
BANDANA & Barcelona Handkerchiefs
Ribbons
TABLE Carpetings, Pasteboards
Ships Compasses
Half-hour & Log Glasses
ENSIGNS, Bunting
Coopers Rushes, TINWARE
Signal Lanterns, LEATHER
CANVAS, No. 3 to 7
RUSSIA Ducks
DECK Boots, Shoes, Snow Boots
COALS and Bricks, Chalk
EARTHENWARE
SPARS, 6 to 16 Inches
Pine PLANK
Pine, Spruce, & Hardwood BALK.

BY
THORNE, HOOPER & Co.
Harbour Grace,
October 31, 1838.

TO BE LET
ON A BUILDING
Lease,

About Two Acres of Cultivated Land, well Fenced, situated on the Carbonear Road, immediately in rear of the Court House.

Apply to
Mrs. CAWLEY.
Harbour Grace, Oct. 31.

On Sale

EDWARD WALMSLEY & Co

Offer For Sale
THEIR PRESENT STOCK,
COMPRISING A VARIETY OF
GOODS,

Of every description, suitable to the TRADE, of this Island, to which is now being added,

THE CARGO OF
The Brig SARAH lately arrived from LIVERPOOL,

CONSISTING OF
A Few Bls. Excellent Archangel PORK
Hamburg BREAD
A Quantity of TEAS
CORDAGE
HARDWARE, &c. &c.

AND,
A Choice Assortment of
MANCHESTER
AND OTHER

GOODS,
Carefully selected, and which they intend disposing of on Reasonable Terms for Cash or Produce.

Carbonear,
October 31, 1838.

FOR SALE at the Office of this Paper, Price 2s. 6d. (prompt)

A RECORD

OF THE
EXTRAORDINARY PROCEEDINGS
OF THE

HOUSE OF ASSEMBLY
OF NEWFOUNDLAND,
IN THE

ARREST AND IMPRISONMENT
OF

Surgeon KIELLEY,
AND SUBSEQUENT ARREST OF

The Honorable Judge LILLY
AND THE
High-Sheriff (B. G. GARRETT, Esq.
For, (as the House has it!)
"Breach of Privilege!!"

Harbour Grace,
October 10, 1838.

G. P. Jillard

HAS RECENTLY RECEIVED
FROM ENGLAND,
And just opened a handsome assortment of

PATENT LEVER and other WATCHES
With a great variety of Watch Chains and Ribbons

Gilt, Silver, and Steel Guard Chains
Seals and Keys
Women's Silver Thimbles
Silver Pencil Cases
German Silver Table and Tea Spoons
Gold Wedding Rings
Lady's Ear Rings and Finger Rings
Very Superior Single and Double Bladed Pen Knives

With a variety of other Articles, which he will Sell very Low for Cash.

Harbour Grace,
July 4, 1838.

COMMISSION

WILLIAM DIXO having

a commodious Premises, which from its detachment is comparatively secure from Fire, will be happy to receive GOODS of any description for disposal on Commission, by Private or Public Sale.

N. B. A Public Sale will take place weekly.
Harbour Grace,

Notice.

THE Partnership heretofore subsisting between us, the undersigned, carrying on business as Merchants, at this place, has this day been DISSOLVED.

All Debts due to, or from, the said late Firm, will be received and paid by Mr. EDWARD WALMSLEY, who, alone, is authorised to settle the same, and who will continue the Business at CARBONEAR, under the Firm of EDWARD WALMSLEY and Co.

THOS. CHANCEY,
WM. WILKING BULLEY,
By his Attorney
E. WALMSLEY.

Witnesses,
W. BRANSCOMBE,
WM. BARNISTER, Jr.
Carbonear, Newfoundland,
13th October, 1838.

PORTUGAL COVE ROAD.
Stage Coaches, 'Victoria,' 'Velocity,' and 'Catch.'

THE Proprietors of these Coaches having made arrangements conducive to the greater comfort and convenience of Passengers by having Luggage-Carts &c. &c. to accompany them, beg leave to inform the Public that they have now commenced running. Starting from the Commercial Hotel for the Cove every Morning at 9 o'clock, and for St. John's immediately after the arrival of the Packets.

TERMS
Passengers 5s.
Luggage over 20lb weight cannot be carried without a reasonable charge.
N.B.—All Letters, Parcels, Luggage, &c. &c. intended for onception Bay to be left at the Commercial Hotel, where Passengers will please apply to secure the Coaches.
St. John's,
May 13, 1838.

NEWFOUNDLAND

Northern District, }
Brigus, to wit. }

COURT OF SESSIONS,
JANUARY 9TH, 1838.

THE Justices in Sessions, have this day, under the Colonial Act 4, Wm. 4th, cap. 9. Sess. 2, intitled "An Act to regulate the Standard of Weights and Measures in this Colony, and to provide for the Surveying of Lumber," appointed Mr. SAMUEL WILLIAM COZENS, of BRIGUS, to be an Assayer of Weights and Measures for the aforesaid Northern District.

ROBERT JOHN PINSENT, J. P.
Chairman of the Court.

I hereby give Public Notice pursuant to the Act abovementioned, that my Office containing the Standard Weights and Measures is situated at my Store in Brigus aforesaid, where I shall be in daily attendance.

SAMUEL W. COZENS,
Assayer of Weights and Measures
Brigus,
January 9, 1838.

WE, the undersigned, being appointed by PETER GUIGNETTE, Watchmaker, of Harbour Grace, as his lawful Attornies, to collect and dispose of his Goods and Effects for his own benefit

NOTICE

ALL Persons having WATCHES in possession of the said PETER GUIGNETTE, are hereby Notified, and required to make application for the same to the Subscribers, on or before the last day of this Month, otherwise the same will be SOLD by PUBLIC AUCTION. All Persons indebted to the said PETER GUIGNETTE, are required to pay into our hands, the amount of their Accounts due, otherwise Legal proceedings will be taken against them.

JAMES SHARP,
J. E. CHURCHWELL.
Harbour Grace,
July 19, 1838.

Indentures

FOR SALE at this Office.
Harbour Grace,
October 31, 1838.

POETRY

We launch our skiff on the ocean of life
To stem the tide, doubtless to meet the ebb;

A FRAGMENT.

'Tis strange—so are all things:
'Tis a mysterious, 'tis a vision—
So is the world. Mystery,

To Clean Paint that is not Varnished.—Put a plate some of the best whiting, have ready some clean warm water and piece of flannel,

the time usually occupied in cleaning.

True Cheerfulness.—Alone with humility we should cultivate cheerfulness. Humility has no connexion with pensive melancholy or timorous dejection.

War.—A major of Militia, who had been recently appointed, and who was not overburdened with brains, took it into the morning of parade to go out to exercise a little by himself.

Serious attention has been attracted in England to the gold coinage by the process called sweating. This has been carried to such an extent that it is stated Sovereigns are rejected by the Bank of England to the extent in nearly one half the daily payments.

A Handkerchief for the Queen. We were, on Wednesday, gratified with a sight of an exquisite piece of Ayrshire needlework, destined for royalty, a handkerchief sewed at Ayr, for our youthful Queen Victoria.

A gentleman has made a wager that he will appear on a Monday at the Opera in Paris, on the Tuesday at the Opera in London on the Wednesday at the Opera in Brussels, and on the Thursday, seat himself at table at six o'clock precisely, at the Cafe de Paris.

Dr Arnott's Stove

DRIVER and METFORD beg to inform the Nobility and Gentry, that they Manufacture the celebrated Dr. ARNOTT'S Stove. This invention combines the greatest economy, safety and cleanliness, with the most effective operation of any mode of heating yet discovered.

[Dr. ARNOTT'S STOVE.—We see by advertisement that this useful and economical Stove is now manufactured to any size, by Driver & Metford, this town of Southampton, March 9, 1838.]

[From the contingency of Southampton to Poole, orders from hence may readily be executed for this celebrated Stove.—Ed. STAR.]

FOR SALE

By Private Bargain,

An excellent Dwelling House and a quantity of Land attached thereto situate on the South side of Carbonear, and lately occupied by William Thistle, Junr,

AND,

A large piece of cleared Land, at the Water-side of Musquillo, late the Property of Mr. Dennis Thomey deceased, being one half that extensive Plantation formerly belonging to his Father, the late Mr. Roger Thomey.

For further particulars apply to Thomas Ridley & Co. or to

ALFRED MAYNE, Their Attorney.

Harbor Grace, June 6,

BY

MICHAEL HOWLEY

- Sealers' Scalping Knives
Men's Great and Pea Coats
Hour, Half-hour and Log Classes
Blanketings, Serges
Flannels, Yarn Stockings
Gun Locks and Gun Lock Vices
American Coasting Pilots
Nails, from 1 1/2 to 5 inches
Scupper Nails, Pump and Tin Tax
Men's Boots and Shoes
Waist Belts
Canvas Frocks & Trowsers
Iron Pots & Kettles
Hatchets, Shovels
Saws, Claw Hammers, Lanthorns

ALSO, ON HAND,

- Rum, Brandy, White Wine
Molasses, Sugar
Green and Black Teas
Coffee, Pepper
Pork, Tobacco, Dip Candles
Leather, &c. &c.

Carbonear,

TO LET

For a Term of Twenty-six Years, or the Interest SOLD,

OF those Extensive WATER-SIDE PREMISES, at Harbor Grace lately in the occupancy of the Subscriber, measuring on the South side of the Street about One Hundred and Sixty-seven Feet front, on which there is erected a WHARF, and STORE 30 by 28 Feet, and the use of a VAT if required, that will contain about 7000 Seals.

As HARBOR GRACE has now all the advantages of St. JOHN'S, being a FREE PORT, this PROPERTY may be worth the attention of a Capitalist.

For further particulars apply to Mr ANDREW DRYSDALE, Harbor Grace or at St. John's, to

PETER ROGERSON.

St. John's, }
Oct. 5, 1837. }

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, HARBOR GRACE
PERCHARD & BOAG,
Agents, ST. JOHN'S
Harbour Grace, May 1, 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 sent him.
Carbonear, June, 1836.

THE ST. PATRICKS

EDMOND PHELAN, begs most respectfully to acquaint the Public, that he has purchased a new and commodious Boat which at a considerable expense, he has fitted out, to ply between CARBONBEAR 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 CARBONBEAR, 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 Cabin 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, Kiely's (Newfoundland Tavern) and at Mr. John Cruet's.

Carbonear, June 4, 1836.

TO BE LET

On Building ease, for a Term of Years.

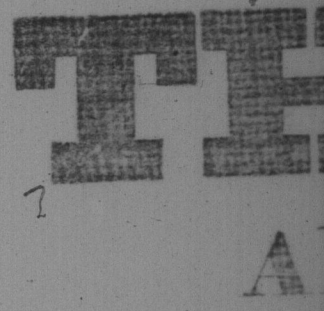
A PIECE OF GROUND, situated on the North side of the Street, bounded on EAST by the House of the late captain STABB, and on the east by the Subscriber's.

MARY TAYLOR, Widow.

Carbonear, Feb. 9, 1838.

Blanks

Of Various kinds For Sale at the Office of this Paper.



Vol. IV.

HARBOR GRACE

MONTREAL

We understand, another packet for whose apprehended pounds were Gosford, returned day, and stated and spoken to in the United States. In the Fort... serve an advertisement eight dollars how who will join at meat for twenty will be placed as regiments of rations and a full Montreal Herald.

The tug of war to commence in the government's hands of the two to have a trial American sympathy rebels, for the party which party share of the country borne has received information whole frontier new York. Of the most extent are making to there is no doubt and Maine will hordes of bucc purpose. Sir... a thrown by of the volu and we are su their patriotism main. We a not a man wh sea-girt-isles but will respon and alacrity call, and will life, if necessa tecting his co munitation of th In predicting have been sne rumours, alth even half of w Lieutenant-C ent Volunteer were yesterday Sir John Colli directions th g nized, then pairs proper and company plac The men are lar a day wh officers, the s the line, but The Cavalry Dragoons are Sir John Col believe, to know if its to keep the C ing the san which they quite imposs rebellion or