

THE



STAR,

AND CONCEPTION BAY JOURNAL.

New Series.

WEDNESDAY, JULY 9, 1834.

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Conception Bay, Newfoundland.—Printed and Published by JOHN T. BURTON, at his Office, CARBONEAR.

Notices

CONCEPTION BAY PACKETS



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 in future, having purchased the above new and commodious Packet-Boat to ply between Carbonear and Portugal-Cove, and, at considerable expense, fitting up her Cabin in superior style, with Four Sleeping-berths, &c.

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 8 o'clock in order that the Boat may sail from the Cove at 12 o'clock on each of those days. Terms as usual.

April 10

THE ST. PATRICK.

EDMOND PHELAN, begs most respectfully to acquaint the Public, that he has purchased a new and commodious Boat, which, at a considerable expense, he has fitted out, to ply between CARBONEAR and PORTUGAL COVE, as a PACKET-BOAT, having two Cabins, (part of the after one 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 shall be his utmost endeavour to give them every gratification possible.

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

TERMS

After Cabin Passengers, 10s. each.
Fore ditto ditto, 5s.
Letters, Single or Double, 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., will be 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 Crute's.

Carbonear, June 4, 1834.

St John's and Harbor Grace PACKET.

THE fine fast-sailing Cutter the EXPRESS, leaves Harbor Grace, precisely at Nine o'clock every Monday, Wednesday, and Friday morning for Portugal Cove, and returns at 12 o'clock the following day.

This vessel has been fitted up with the utmost care, and has a comfortable Cabin for Passengers; All Packages and letters will be carefully attended to, but no accounts can be kept for passages or postages, nor will the proprietors be responsible for any Specie or other monies sent by this conveyance.

Ordinary Fares 7s. 6d.; Servants and Children 5s. each. Single Letters 6d., double ditto 1s., and Parcels in proportion to their weight.

PERCHARD & BOAG,
Agents, St. JOHN'S.
ANDREW DRYSDALE,
Agent, HARBOR GRACE.

April 30.

BLANKS of every description for Sale at the Office of this paper.
January 1, 1834.

CAP. I.

An Act for the further increase of the Revenue.

[24th March, 1834.]

WHEREAS in and by a certain Act passed in the General Assembly of this Island of Newfoundland in the fourth year of the reign of his present Majesty, intitled "an Act for granting to his Majesty certain duties on all wines, and on all brandy, rum, gin, and other spirituous liquors, imported into this Island and its dependencies" it is enacted that certain duties therein mentioned shall be levied, collected and paid upon all wines, and all brandy, gin, rum, and other spirituous liquors, imported into Newfoundland, over and above certain other duties then raised, levied and collected, by virtue of an Act of the Imperial Parliament, passed in the sixth year of the reign of his late Majesty, King Geo. the Fourth, intitled "an Act to regulate the trade of the British possessions abroad:" And whereas the said last-mentioned Act of His said late Majesty, hath been repealed, and a certain other Act hath passed the Imperial Parliament in the third and fourth years of the reign of his said present Majesty, intitled, "an Act to regulate the trade of the British possessions abroad:" And whereas doubts have arisen as to the amount of the several duties payable under or by virtue of the said Act of the General Assembly of this Island, and the said Acts of the Imperial Parliament: *Be it therefore enacted*, by the Governor, Council and Assembly, in Colonial Parliament assembled, and by the authority of the same, that the full amount of the duties mentioned and expressed in the said Act of the General Assembly of this Colony, shall be levied, collected and paid, as therein directed, to his Majesty, his Heirs and Successors; and there shall be further raised, levied, collected, and paid to his Majesty, his Heirs, and Successors, on all brandy, gin, rum, and other spirituous liquors, the manufacture of the United Kingdom, or of any of his Majesty's Colonies, or Possessions, which shall or may, from or after the passing of this Act be imported into this Island of Newfoundland or its dependencies, the additional duty of sixpence sterling per gallon.

II.—*And be it further enacted*, that the duties on all wines, as contained and expressed in the said Act, of the General Assembly passed in the fourth year of his present Majesty's reign, shall be raised, levied, and exacted on all such wines, in addition to and over, and above the duty or duties now raised, levied, and collected on the same articles under and by virtue of an Act of the Imperial Parliament passed in the third and fourth years of his present Majesty's reign, intitled "an Act to regulate the trade of the British possessions abroad," or any Act or Acts of the Imperial Parliament from time to time hereafter in force for the regulation of such trade; and also in addition to and over and above any duty or duties, now or hereafter to be raised, levied or collected on the same by any other Act or Acts of the Imperial Parliament; and that nothing in this Act contained shall reduce or lessen, or be construed to reduce or lessen, the amount of any such duty or duties now received or receivable, under the said Acts of the Imperial Parliament, or any of them;—All which duties shall be paid by the Importer or Importers of such articles respectively to the Collector of his Majesty's Customs, or to his Sub-Collectors at the out-ports of this Island, and shall be collected and secured by the means and under the regulations and penalties, and shall be drawn back on exportation, in the way and manner hereafter provided.

III.—*And be it further enacted*, that the said duties shall be raised, levied, and exacted on all such brandy, gin, rum, and other spirituous liquors as aforesaid over and above and in addition to the duties mentioned and expressed in the said recited Act of the General Assembly of this Island passed in the fourth year of the reign of his said present Majesty, or which are thereby required to be raised, levied and collected.

IV.—*And be it further Enacted*, that all sums of money granted or imposed by this

Act, either as duties, penalties or forfeitures shall be deemed and are hereby declared to be sterling money of Great Britain; and that all such duties shall be paid and received according to British weights and measures in use on the sixth day of July one thousand eight hundred and twenty-five; and that in all cases where such duties are imposed according to any specific quantity, or any specific value, the same shall be deemed to apply in the same proportion to any greater or less quantity or value.

V.—*And be it further enacted*, that the full amount and produce of the duties received under or by the means and powers of this Act, shall be accounted for and paid quarterly, by the Collector of his Majesty's Customs or other Collector or Receiver of the same, into the hands of the Treasurer or Receiver General of this Island, or other proper Officer authorized to receive the same, to be applied to such uses as shall from time to time be directed by the Local Legislature of this Island of Newfoundland.

VI.—*And be it further enacted*, that all ships and vessels arriving at any Port, Harbour, Roadstead, or Cove, in this Island of Newfoundland and its dependencies, having on board any wines, brandy, gin, rum, or other spirituous liquors, and the Masters, Owners, Consignees, and Importers of the same, respectively shall be under and subject and liable to the same rules, regulations forms, and restrictions as are expressed and contained in the said Act passed in the Imperial Parliament in the third and fourth years of the reign of his said present Majesty, intitled "an Act to regulate the trade of the British Possessions abroad," in respect to the report and entry of such vessels and their cargoes with the Collector of his Majesty's Customs or the Sub-Collectors as aforesaid, both inwards and outwards, the entry of goods comprising any of the said enumerated articles, to be laden or unladen the payment of all duties and dues, the entry inwards of such goods by bill of sight, the regulations made and provided in case the Importer of any goods subject to duty under this Act refuse to enter the same and pay the duties thereon, the validity of any entry made, the mode and manner of warehousing goods without payment of duty on the first entry thereof, and the rules in reference thereto, the mode of giving bond on the entry of goods to be warehoused, the fines, penalties, and forfeitures imposed or incurred on a breach of any and of all such regulations contained in the said Act of the Imperial Parliament, all which shall be in full force and operation, and shall be used and applied to fulfil the intents and purposes of this Act so far as the same are applicable to this Island and its dependencies, and not repugnant to any of the provisions of this Act, as fully and absolutely, to all intents and purposes, as if the same were fully detailed, contained and re-enacted herein.

VII.—*And be it further enacted*, that in all cases of goods entered, whether for duty or to be warehoused, and chargeable to pay colonial duty according to the number, measure, or weight thereof, such number measure or weight shall be stated in the entry, and if the goods in such entry be charged to pay duty according to the value thereof, such value shall be stated in the entry and shall be affirmed by the declarations of the Importer or his known Agent, written upon the entry, and attested by his signature; and if any person make such declaration, not being the Importer or Proprietor of such goods, nor his Agent, duly authorized by him, shall forfeit the sum of one hundred pounds; and such declaration shall be made in manner and form following, and shall be binding on the person by or in behalf of whom the same shall be made (that is to say)

I, A. B., do hereby declare that the articles mentioned in the entry above-written, and contained in the packages therein specified, are of the value of _____ Pounds _____ Shillings and _____ Pence Sterling, and that I do now tender the same for all duties.

Witness my hand the _____ day of _____

One Thousand Eight Hundred and Thirty
The above Declaration signed the _____ day of _____
A. D 1834 in the presence of _____
C. D. (Collector.)

VIII.—*And be it further enacted*, that if upon examination, it shall appear to the Collector of his Majesty's Customs, or other person authorized to collect the Colonial Revenue, landing waiter, or gauger, that such articles are not valued according to the true value thereof, it shall be lawful for such Collector, or other person as aforesaid, to detain and secure such articles, and within three days from the landing thereof, to take such articles for the use of the Crown; and if a different rate of duty shall be charged upon any of the said enumerated articles, according as the value of the same shall be described in the entry to be above or to be below any particular price or sum, and such articles shall be entered so as to be liable to the lower rate of duty, and it shall appear to the said Collector, or other Officer aforesaid that such articles, by reason of their real value, are properly liable to the higher rate of duty, it shall be lawful for such Collector or other Officer as aforesaid, in like manner to take such articles for the use of the Crown and the said Collector, or other person, shall thereupon in any such cases, cause the amount of such valuation with an addition of ten pounds per centum thereon, and also the duties paid upon such entry, to be paid to the Importer or Proprietor of such articles in full satisfaction for the same, and shall dispose of such articles for the benefit of the Crown, and if the produce of such sale shall exceed the sums so paid and all charges incurred by the Crown, one moiety of the surplus shall be given to the Officer or Officers who had detained and taken such articles, and the other moiety shall be paid over to the Treasurer or Receiver General of this Island, or other proper Officer authorized to receive the same, to be applied to the use of the Colony, as the Local Legislature shall direct.

IX.—*And be it further enacted*, that in case any goods, ships, vessels, or boats, shall be seized as forfeitures, or detained as undervalued, by virtue of this Act, it shall and may be lawful for the Governor or Acting Governor of this Island to order the same to be restored, in such manner and on such terms and conditions as he shall think fit to direct, and if the Proprietor or Proprietors of the same shall accept the terms and conditions prescribed by the said Governor or Acting Governor, he or they shall not have or maintain any action for recompense or damage on account of such seizure or detention, and the person making such seizure shall not proceed in any manner for condemnation.

X.—*And be it further enacted*, that in all cases when the duty imposed by this Act on any wine, or on any brandy, gin, rum, or other spirituous liquors imported into this Island or its dependencies, shall not amount to more than twenty-five pounds, the Collector of his Majesty's Customs, or other person authorized to collect the Colonial Revenue, shall forthwith collect the same before granting his warrant for the removal of the article so imported; and in case such duty shall amount to more than £25, then such Collector, or other person aforesaid, shall be at liberty to secure the duties by taking bonds from the Importer, Owner or Consignee, to his Majesty, his Heirs and Successors, with two sufficient sureties, for the payment of the rates and duties herein before mentioned in manner and form following; that is to say one-half of the said rates in three months, and the remainder of the same in six months, from the date or dates of such bond or bonds respectively.

XI.—*And be it further enacted*, that there shall be allowed upon the exportation of all wines, and of all brandy, gin, rum, and other spirituous liquors, from this Island of Newfoundland to the United Kingdom, or to any other British Possession, or to any Foreign Port or place, a drawback of the full duties which shall have been paid under

this Act, upon the importation thereof into this Colony, provided proof be made to the satisfaction of the Collector of his Majesty's Customs, or other proper officer authorized to collect the Colonial Revenue in this Island that such wine, brandy, gin, rum, or other spirituous liquors, respectively, had been duly imported into the United Kingdom, or to any other British Possession, or such Foreign Port or Place, by a certificate under the hands of the Collector, and Comptroller of the Customs at such Port in the United Kingdom or in such British Possession or under the hand and seal of the British Consul or Vice Consul at such Place, then under the hands and seals of two well-known Merchants, of the actual and due landing of such wine, brandy, gin, rum, and other spirituous liquors, at such Port in the United Kingdom, or such British Possession, or such Foreign Port or Place respectively; *Provided always* that no drawback shall be allowed upon any of the said enumerated articles unless the same shall be exported in boats or vessels exceeding in burthen sixty tons registered tonnage, and be claimed within one year from the day of such shipment: *Provided nevertheless*, that the aforesaid Collector, or other proper officer, is hereby authorized to allow a further time for the production of such certificate, on reasonable cause.

XII.—*And be it further enacted*, that all and singular the duties imposed by this Act shall attach to, and be raised, levied, and exacted upon all or any of the above enumerated articles which may be stored or deposited in any of his Majesty's Warehouses in this Island, at the time of the passing of this Act.

XIII.—*And be it further enacted*, that from and after the passing of this Act, so much of the said recited Act of the Legislature of this Colony passed in the fourth year of his present Majesty's reign, as grants a certain commission on the amount of duties to the Collector of the Customs, shall be and the same is hereby repealed.

XIV.—*And be it further enacted*, that this Act, and every clause, matter, and thing herein contained, shall be and remain in full force and virtue for the space of one year, and from thence until the end of the then next Session of the Legislature of this Island and no longer.

LAW LIBEL.
DECEMBER 10, 1833.

We yesterday alluded to the alteration and amendment of the laws respecting libels and the press in the North American United States—that great store-house of legal experiment and improved jurisprudence.—The statute and common law of England was the basis or substratum of the American law of slander and libel. But it was happily the early and great constitutional principle of that federal union that "every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right, and that no law can rightfully be passed to restrain or abridge the freedom of the Press." This great principle of civil liberty soon warred strangely with the legal doctrines imported from the mother country, and the Republicans quickly discovered that the subtleties of technical practice, and the craft of the lawyers, were inconsistent with that protection of the right of suffrage, and that controul over their rulers, essential to a free people. The combat of popular opinion against the law and the lawyers soon commenced, and the natural result was an improvement of the jurisprudence of the majority of the States of the Union. We will not fatigue our readers by a wordy citation of cases from American works and legal reports in our possession, but the history of the question in that country is extremely interesting and important, because its modern legislation has grown out of its original adoption of our jurisprudence and resulted from the same double evils so justly complained of in this kingdom.

In the case of "The People v. Crosswell," in the Supreme Court of New York, in 1804 argued at the bar with great ability, the Court were equally divided in opinion on the point, whether on an indictment for a libel, the defendant was entitled to give in evidence to the Jury the truth of the charges contained in the libel. The constitution of that State now makes the facts in every possible case a necessary subject of open investigation; the facts are laid bare, and go to the Jury to determine, "as it shall appear to them," whether the motives of the libeller were good and his end justifiable. In that admirable code, the "Revised Statutes of the State of New York," the sole legislation on the law of libel, excepting the general principle of the limitation of all actions within two years of the cause of action—is comprised in the following brief and simple enactment (vol. 1, chap. 4, "of the rights of the citizens and inhabitants of this State," sec. 21):—

"In all prosecutions and indictments for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libellous is true, and was published with good motives and for justifiable ends, the party is to be acquitted; and the jury have the right to determine the law and the fact.

In South Carolina, the case of "The State v. Lehre" came before the Court of Appeals, and was solemnly argued, when the Court unanimously decided that they must uphold the English libel principle. The same decision was made in Massachusetts, in "The Commonwealth v. Chase," in 1808, and before the same Court in 1825, in the case "The Commonwealth v. Blanding," when proof of the truth of a libel was deemed inadmissible in evidence upon the trial of an indictment; and the same rule was maintained in Louisiana in a civil suit for damages. But since the Massachusetts decision in 1825, the Legislature of that State have interposed, and by an act passed in 1827, have allowed the truth to be given in evidence in all prosecutions for libels; but with a proviso that such evidence should not be a justification, unless it should be made satisfactorily to appear upon the trial that the matter charged as libellous was published with good motives and for justifiable ends. By virtue of that vital and excellent political principle which insures the periodical revision of the constitutions of the States, almost all their amended constitutions within the last few years have made special provision in favour of giving the truth in evidence in public prosecutions for libel. In the constitutions of Pennsylvania, Delaware, Tennessee, Kentucky, Ohio, Indiana, and Illinois, it is declared that in prosecutions for libels on men in respect to their public official conduct, the truth may be given in evidence, when the matter published was proper for public information. In Mississippi, and Missouri the extension of this right applies to all prosecutions or indictments for libels, without any qualifications annexed in restraint of the privilege; and an Act of the Legislature of New Jersey in 1839, allowed the same unrestricted privilege. The Legislature of Pennsylvania, in 1809, went far beyond their own constitution, and declared by statute, that no person should be indictable for a publication on the official conduct of men in public trust; and that in all actions or criminal prosecutions for a libel the defendant might plead the truth in justification or give it in evidence; and in New York, in a celebrated case "Thorn v. Blanchard," the majority of the Court of Errors maintained the same unlimited toleration as respected libels on members of the government of that State. We do not doubt that some of the Conservative daily and "Sabbath Journals" would covet such a liberty; when they might libel Lord Grey, Lord Brougham, and Mr Ellice for their ease, and calumniate the Earl of Durham, as a Privy Councillor, to their hearts' content. We cannot expect that our citations of Transatlantic law will be very grateful to Tory prejudices; but we hope that Lord Althorpe will take a leaf next Session out of the American law books referred to by us. We may hereafter allude to the forcible and unanswerable arguments which in the above cases, and in the discussions on the amended States' constitutions, led to the alteration of the American law. And we will console the libellers and slanderers by assuring them that the alterations of the United States law, although framed to secure reputation and to punish libellers, nevertheless afford ample scope to libelling propensities; for the American press sufficiently teems with personal abuse, calumny, political party spirit, and misrepresentation. Moreover, the libellers have still, as they ever must have in England and Ireland the chances of the lottery of juries. The fact is, that the subject of libel law—the security of the liberty of the press—and the repression and punishment of its abuses—are matters of great legislative difficulty and embarrassment to all who have maturely considered the question. We may have the most patriotic and generous anxiety to maintain freedom of discussion, and the liberty of the press, but character public and private, has an equal claim to generous protection, and in the just protection of the press we are not to destroy its responsibility to just laws and national restraints; nor will the true liberty of the press, or its moral influence, be advanced by unlicensed and unbridled power.—*Morning Chronicle.*

(From the Liverpool Chronicle, May 24.)

FRANCE.

It appears that the French Carlists, after keeping aloof from the election of Deputies to the Chamber for four years, are about to take part in that which is expected to take part in that which is expected shortly to take place. This rather unexpected appearance of the adherents of the late monarchy in the electoral lists, is stated to be very likely to prove a formidable element of embarrassment to the candidates of Government, more particularly in the southern and western departments. Great bustle still prevails in the dock-yards at Toulou. The Nestor ship of war, has sailed for the coast of Africa, for the purpose it is thought, of restoring something like order in the principality of Tripoli, which has been for a long time in a state of the greatest confusion: since the capture of Algiers by the French, this place has been a prey to intrigues of all sorts. The old Pacha, after a reign of six or seven and thirty years abdicated the throne in disgust, leaving it to his

son; but this latter, who appears to be a feeble character, has been opposed and exiled from the city by a rebellious nephew, who has invoked foreign assistance. The scenes which are reported to have occurred, have been so shocking, that the sooner they are put an end to the better. Admiral Roussin was reported to have refused the portefeuille of the Ministry of Marine. The Chevalier de Lima presented his credentials on Saturday last to King Louis Philip, as Envoy extraordinary, and Minister Plenipotentiary of her Majesty Donna Maria, Queen of Portugal.

The Paris papers of Tuesday, state that the Queen of the Belgians was hourly expected in Paris—a circumstance which had suggested to rumour various topics, among which, the most prominent (and probably that least entitled to credit,) was the determination of her Majesty to sue for a divorce, on a ground which we should not feel ourselves justified in mentioning. On her arrival, the entire of the Duc d'Anmale, who is at the Chateau d'Eau, in Normandy, will be assembled at Neuilly, near Paris. King Leopold is also expected.

M. Persil, General Sebastiani, and M. Duchatel, who had, on accepting their new official departments, vacated their seats in the Chamber of Deputies, have been re-elected. M. Persil was hard pressed, however by his opponent, the Duc de Fitz James a Carlist, the former having had only a majority of 19 over the latter. The Session—and consequently the existence of the Chamber—would it was supposed, terminate on, or about the 31st inst. The *Moniteur* of Tuesday contains the official appointment of Admiral Jacob to the Ministry of Marine. Baron Werther, the Prussian Ambassador to the Court of France, is said to have notified to that Court, that his Government had formally refused its assent to the separation of Neuchâtel from the Swiss cantons.

FAILURES IN THE EAST INDIES.—Private letters from Bengal, of the 1st of February, bring information that the last of the agency houses in Calcutta, was compelled to suspend its payments on the 10th of January.—The firm of Messrs. Cruttenden and Co. of Calcutta, which has existed for nearly fifty years, is the firm alluded to; but it is right to mention that it is not likely to affect any firms here. The debts are stated to amount to £1,000,000; their assets to £1,700,000; and their bad debts to £450,000. The claims on the firm of Messrs. Ferguson and Co. are now said to amount to £2,000,000; their assets to £3,500,000; and their bad debts to £700,000. Freights at Bombay were nominally at from £2 10s. to £3 per ton. The exchange 2s. 2d. The letters from Madras also mention that the firm of Franks & Coles have failed for 9 lacs, or £90,000, and that their assets are 11 lacs, or 110,000.

BANK FAILURE.—The Sturminster bank has stopped payment, but arrangements are making, and it is hoped that the creditors will be paid in full.

CIVIL WAR IN PERU.—From South America we had arrivals to the middle of January, they announce the outbreak of another Civil War in Peru. The Presidency of General Gamarra having expired, three candidates were proposed, one being favored by the late President, in the hope it is said, of preventing any enquiry into his own maladministration; the others by parties in the Senate. During the election, all arts of party intrigue and the influence of faction were resorted to, but eventually General Orbegoso was chosen. This person took the customary oaths, and was recognised by the Senate and Foreign Ministers. Subsequently however, the influence of General Bermudez, an unsuccessful candidate, but a creature of the late President, prevailed with the army, and Orbegoso was obliged to fly from Lima, and take refuge in the castle of Callao, of which he possessed himself by a bold surprise.—There he remains in a state of siege, Bermudez being at the head of the troops in Lima. The rivals did not appear to be very unequally matched, as to military force, and the result of the contest is still doubtful.—The British consul however, has extorted a pledge, respecting British persons and property at Lima and Peru.

UNITED STATES.—It appears from the papers brought by the Caledonia, which arrived on Tuesday, that the debates in the Senate upon Mr Poindexter's motion, for the rejection of the President's protest, still continue, nor can it be conjectured when they will terminate. It is thought extremely probable however, that the verdict of the Senate will be against General Jackson, in which case we may look for a renewed struggle in the election of a new President, and a protracted period of disorder.

TORONTO.—U. C. May 22d.—Two of the principals of the Banking establishment which has been for some time talked of—viz.—Mr Commissary General Green, and Captain Troscott, R.N. with a chief Clerk, from England, have arrived in this city; and are making active preparations for putting the new Bank in operation. Mr Billings we have understood is to be the Cashier.

The Montreal Courant publishes a letter from London, under date of May 11, which states, that the "Government have determined to unite the two Provinces. The two Lieutenant Governors' places to be abolished. The Governor General to reside at Brockville, Head Quarters, Legislative Assembly to be held there; two Major Generals, one stationed at Quebec the other at York.

A heavy snow-storm, with severe frost, was experienced in Philadelphia about the 30th May.

THE STAR.

WEDNESDAY, JULY 9, 1834.

We have been politely favoured by several of our respectable friends with the loan of Lisbon letters of the 21st of May, 4th, 10th, and 11th of June, from which we have extracted, as will be seen in our columns, the interesting, and to the people of this Country, the important information, that the affairs of Portugal, had, at length been brought to a state of comparative order.

Don Miguel had been taken to Italy, in the Stag Frigate, and Don Carlos with his family and suite had gone to England in the Donegal line of battle-ship.

So much for the termination of the fraternal and ignoble warfare in Portugal. The pressure of that warfare, has been severely felt by the trade of this country, and the effects of it will not be readily obliterated, from the circumstances of the Portuguese people.

We are inclined to hope, that the treaty between England, France, and Spain, may in some of its provisions, be in favour of the trade of this country, by taking off some of the heavy duties, at present levied on our fish. This would bestow a more permanent benefit, than can at present arise out of the little increase that may take place, in the consumption of fish at Portugal, for we cannot, without being too sanguine, expect that the article will be much enhanced in value, until the people in the interior recover, in some means from the impoverishment, caused by their late circumstances.

But man is an enterprising animal, and with hope heightened by every new stimulus, he starts again on the race, like the refreshed courser; and he heeds not the stumblings, and broken down fortunes, of those who are falling and falling around him.

We must be careful not to offend our contemporaries, by diving too deeply into such "abstruse points, connected with our local affairs," if we do, "the Lord only knows" how we shall be ridiculed.

By the arrival of Papers to the 2d June, in St. John's, it appears that there has been a break up in the Ministry.—The following Members have retired: Mr Stanley, Secretary for the Colonies; Sir James Graham, Lord of the Admiralty; Duke of Richmond, Post-Master General; and the Earl of Ripon, Lord Privy Seal. Their places have been filled up as follows:—

Lord Auckland will be the First Lord of the Admiralty in place of Sir James Graham.
Lord Carlisle Lord Privy Seal in place of Lord Ripon.
Lord Mulgrave Postmaster-General in place of the Duke of Richmond.
Mr Spring Rice Secretary of State for the Colonies in place of Mr Stanley.
Lord Auckland and Mr Spring Rice will vacate the offices they at present hold; and the vacancies will be supplied:—
Mr Poulett Thomson will be President of the Board of Trade in place of Lord Auckland.
Mr Francis Baring Secretary to the Treasury in place of Mr Spring Rice.

Lisbon, May 21, 1834.

"I now hasten to acquaint you that after a severe battle fought not a great distance from the place in which Don Miguel lost, in prisoners only, 2000 men. Don Miguel has abandoned Santarem, and it is very doubtful if the disordered state of his army, from which numerous desertions have already taken place, (the flower of his cavalry, upwards of 300, which came over, were reviewed here by the Emperor yesterday,) will allow of his sustaining himself at Elvas whither he has proceeded, pursued by his and Don Carlos's Portuguese and Spanish opponents, which together are very considerable. Indeed here we consider the war as virtually ended, and people are dropping in from the interior in search of supplies.

Lisbon, June 4, 1834.

"We are happy to inform you the civil war in this country has terminated by Don Miguel having been forced to surrender, and his troops lay down their arms, by a treaty with England, France, and Spain, a general amnesty has been granted, and he

has embarked on the coast for Italy. Don Carlos sailed yesterday in the Donegal 74, for England, which we hope will tend to establish peace in Spain. It was expected that on the intercourse with the interior becoming open, the demand for every article would considerably increase, the country however appears to have suffered so much, and the poverty is so general, that the demand has been limited.

Lisbon, June 10, 1834.

"You will have learnt probably, that the affairs of this country are at length settled by the removal of Don Miguel and Don Carlos from the Peninsula. The first with some notorious followers, has been taken off to Italy in the Srag frigate, and the last with his family and suite, has gone to England in the Donegal, line of battle ship, but his ultimate destination is said to be Hamburg. Don Pedro has convoked the Cortes for the 15th August next."

Lisbon, June 11, 1834.

"Since we wrote to you we have had most important political occurrences, nothing less than the submission of the Miguelites, who have submitted to the authority of the Queen, and the Chief Miguel, has sailed for Italy in an English frigate, at the same time, Don Carlos, the Spanish Pretender, embarked on board a British line of battle-ship, and is in the first instance to go to England.—Thus our question is at length decided, and the country has returned to tranquillity; and we hope, as a natural result, that with it, we shall experience an amelioration of trade, that may extend to your branch. It must certainly increase the consumption of fish, as compared with the demand for the last twelve months."

The Northern Circuit Court was closed on Saturday last.

We find by the GAZETTE of the 1st inst., that the Supreme Court will open this day, and continue its sittings until Saturday the 19th.

The following is the charge delivered by the Honorable Judge BREXTON to the Grand Jury, in the Northern Circuit Court, on Thursday the 26th ult.:

MR FOREMAN, AND GENTLEMEN OF THE GRAND JURY:—

As the principal object of all Laws, is the preservation of the peace and good order of the community in which they are established, it must always be gratifying to those who are called upon to administer them, to find that they have been instrumental to the prevention of Crime, and to the protection of the persons and property of the people. From the state of the Calendar I think myself warranted in concluding that these salutary purposes have been effected in this part of the Northern District, and that you have passed from those scenes of violence and atrocity, which were followed by the conviction and punishment of the guilty perpetrators of them, to those of comparative peace and tranquillity—the awful example afforded by their fate, has, I trust proved, and will continue to prove, a useful warning to all, that the Law cannot be transgressed with impunity, and will, I hope, long preserve this District from the recurrence of similar violations of it.

In calling your attention to the two offences contained in the Calendar, and which are to form the subject of your future deliberations, I have merely to observe on one of them, that it is a case of simple larceny, unattended with any circumstances to require remark from me, or that will occasion any difficulty to yourselves in deciding upon it,—the other is indeed a novel case, being a charge against a person but recently discharged from the gaol, for aiding and assisting three persons, two of them under conviction and sentence for a felony, to escape from thence,—this offence is at Common Law, as well as by Statute, declared to be felony, and subjects the offender on conviction to transportation,—the fact of the assistance afforded by the party accused, to the prisoners to enable them to escape, is that alone which you will have to enquire into—and if you are satisfied that any such assistance was given, by the introduction of any instrument or article whatever, necessary for effecting such escape, it will be your duty to find the Bill against the person charged with having introduced them, and thus to put him upon his trial for that offence. I do not conceive it necessary that any of the other allegations in the indictment should be established before you (however requisite it may be to prove them at the trial) to warrant you in finding the Bill, for the finding an indictment is merely in the nature of an inquiry or accusation which is afterwards to be tried and determined, and your duty in this respect, is solely to enquire, on your oaths, whether there is sufficient cause to call upon the party to answer it;—you are, therefore, not to try the prisoner, but merely to determine whether the evidence against him is of such a nature as to render necessary a more formal investigation into the fact of his innocence or guilt,—but you ought ne-

vertheless, to be thoroughly persuaded of the truth of the indictment as far as the evidence goes, and not to rest satisfied merely with remote probabilities; a doctrine that Blackstone rightly observes, might be applied to very oppressive purposes; if, therefore, you are persuaded of the truth of the fact, that the accused did introduce into the gaol any instrument whatever for the purpose of facilitating the escape of any of the prisoners confined in it, whatever opinion you may be disposed to entertain as to any other cause of their escape, either as respects the conduct of the Gaoler, the insufficiency of the gaol or otherwise, you are bound to put the party accused of the offence of aiding in that escape upon his trial to answer to the charge preferred against him.

To gentlemen of your long standing in this community, and of experience as Grand Jurors, it cannot be necessary for me to point out to you that there are other subjects for your consideration, independently of those furnished by the indictments which the Crown Officer may be prepared to lay before you.—Still I would remind you that as guardians of the morals as well as of the rights of the people, it is your duty agreeably to the tenor of your oath, without fear, favour or affection, or hope of reward, to present nuisances of every description, and especially such as are injurious to the interests of the community, or which tend to corrupt the morals of those who compose it.

You are also to see that the Laws are duly enforced and obeyed, and more particularly those which the Colonial Legislature have thought proper to enact for our internal regulation and government; and in cases of disobedience or disregard to them, to present the parties offending to this Court, or to give information of the same to the Crown Officer, that the persons transgressing may be proceeded against.

Amongst the acts passed during the last Session of our Legislature, there are several of a general nature, which, when duly promulgated, you will I am sure feel desirous to see carried into full and immediate effect.—Of these I have particularly to call your attention to the act establishing a Savings Bank, as from this Institution I confidently anticipate much substantial benefit to this Island; independently of the security it will afford to Planters as well as Servants, for the deposit of their hard earned savings, it will I trust be the means of encouraging and promoting habits of industry and economy among our lower classes, and of inducing them to lay up against the day of adversity, and for the support of their families, those sums which are now so improvidently squandered in the dram-shops, to the ruin but too often I fear both of soul and body.

The Act for regulating the packing and inspecting of pickled fish, if duly attended to, will make that article a much more valuable one, in the foreign market than it has hitherto been and will consequently give additional encouragement by the improved prices in the fish, to the industrious class of our population employed in the catching and curing of it.

The Act for making and repairing of roads and bridges must, and I am certain will, when duly understood by the people, be cheerfully submitted to, and effectually acted upon by them,—nothing can more essentially contribute to the prosperity and welfare of this Island, than the making an easy and practicable communication by land between its different settlements—this desirable object once accomplished, we shall soon see much more land brought into tillage than is now cultivated, and we may then hope, that ere long, we shall cease to be as dependent as we now are upon other countries for many main articles of our support.

The Act for regulating the standard of weights and measures was a regulation long wanted, and its provisions when duly complied with, will prove an effectual protection to the fair against the unfair dealer, and put an end to much of that fraud and chicanery in trade, which unfortunately are but too frequently found in it.

Although Gentlemen it is not properly within the scope of a charge to the Grand Jury to notice any attempts to violate the Law which do not come before the Judge in the shape of depositions or complaints taken before the Magistrates, I conceive that I should be wanting in my present address to you, were I to omit adverting to the notorious fact of the removal, by some persons unknown, of the body of the convicted murderer, who had been hung in chains on the ridge near this town,—that such an example as the sentence on that unhappy man was meant to afford, was absolutely necessary, the voice not only of this community, but of the whole Island loudly proclaimed—I deeply regret therefore that any persons are to be found amongst this population, who could manifest themselves so insensible of the enormity of Downey's guilt, and of the justness of his punishment, as to venture upon so open and flagrant a violation of the Law, as the removal of his body from the place to which the law had, as a terror to all evil doers, assigned it,—these misguided men are little aware of the consequences to which they have made themselves amenable by such conduct, and I trust that every member of this community who wishes to

preserve it in peace and tranquillity will use his best endeavours to discover those who may have been engaged in this daring transaction, in order that they may be brought to justice, and if convicted, suffer the punishment they will so justly merit for their offence.

There are two other instances which have come to my knowledge of attempt to disturb the public tranquillity, and to which I shall now very briefly advert.—the one is the attack on the vessel of Mr Peter Brown; and the other is the sending of threatening letters to Mr Nuttall,—with all the facts of the first case I am unacquainted, but I would throw out for the consideration of those who hear me, and there may be some amongst them who know the parties engaged in this transaction, that they have made themselves liable by it, should they be prosecuted and found guilty, to no less a punishment than transportation,—persons ought therefore to be cautious how they expose themselves for the gratification of their vindictive feelings, to a sentence which may separate them from friends and connexions for ever.

In the case of the threatening letters I am unwilling to believe, that any thing more was intended by them, than merely to alarm the person to whom they were addressed, and so to work upon his fears as to accomplish that, which if those that wrote them had been contented to wait for, they must have known could easily have been effected by due course of law,—their conduct has, certainly been very improper and would if brought home to any individual have subjected him to the very imprisonment, from which he was thus unlawfully endeavouring to free his neighbour.

I have adverted to these cases merely for the purpose of giving a salutary caution to those who may have been engaged in them as well as to others who might be inclined to follow their example were it to pass without admonition.—I consider them as ebullitions of personal resentment and feeling on the part of those concerned in them, and not as affording any evidence of a general disposition in this community to resist the law or violate its prohibitions.

That this country is, taking in the whole a quiet and peaceable one, where the Laws are generally respected, and where there are fewer crimes, (considering the nature and amount of the population) than in most other parts of his Majesty's Dominions, I am still inclined to maintain as I have repeatedly hitherto from this Bench as well as in other Courts asserted.—That it may long continue to be so is my fervent prayer, and as I feel confident that you will all Gentlemen in your different stations both by your precept and example endeavour so to render it, you may rest assured that for this purpose you will always have my zealous and cordial co-operation.

NORTHERN CIRCUIT COURT.—On Friday last Michael Aylward was put upon his trial for having aided and assisted the escape of three prisoners from the Gaol at Harbor Grace, and found guilty; upon which the Court sentenced the prisoner to be banished from the Island of Newfoundland for the period of his natural life.—The prisoner is a native of Ireland.

Peter Hill pleaded guilty to an Indictment for larceny.—Sentence, that the Prisoner be banished from the Island of Newfoundland for the period of seven years.—The Prisoner is a native of the United States of America.—Mercury, June 4.

We are authorized to announce the appointment of Messrs ROBINSON, BROOKING, GARLAND & Co. as Agents for Lloyd's at this Port, under a Commission bearing date 21st May, 1834.—Gazette of yesterday.

ARRIVALS.—At Harbour Grace, the Rev. Messrs. Murry, and Bent, Wesleyan Missionaries. These Rev. gentlemen are from the Province of Nova Scotia, and have been appointed by the home conference to the Harbour Grace and Western Bay circuits.

DEPARTURES.—From Harbour Grace in the Emily, for Bristol, Mr George Thorne, Merchant of that place. In the Elizabeth, for Bristol, Mr Levi, Merchant of this town, and Mr D. E. Gilmour.

MARRIED.—On Tuesday the 1st July, by the Rev. F. H. Carrington, Joshua Greene Esq., Sub-Collector of H.M. Customs at Port-de Grave, to Catherine Mary Robertson eldest daughter of George Bayly, Esq., Comptroller of H.M. Customs at St. John's. At Philadelphia, at Christ's Church, by the Rt. Rev. Bishop White, Pierce Butler Esq. of that city, to Miss Frances Anne Kemble, daughter of Chas. Kemble, Esq., of Bloomsbury, London.

DIED.—At Harbour Grace, yesterday, after a short illness, Catherine Keef, aged 21 years, she was sincerely esteemed and respected by all who had the pleasure of her acquaintance. Her funeral will take place to-morrow at 2 o'clock, from the residence of Mr James Fox.

At the residence of his eldest son, in Toronto, on the 23d instant, the Honourable D'Arcy Boulton, formerly one of the Judges of His Majesty's Court of King's

Bench in Upper Canada. Mr Boulton was a Barrister of the Hon. Society of the Middle Temple, and filled successively the offices of Solicitor and Attorney-General for this Province, having been for several years a Member of the House of Assembly. He was born on the 20th May, 1756, and died 23d May 1834, aged 75 years, 3days.—Montreal Gazette, May 31.

[Mr Boulton was the Father of the present Chief Justice of this Island.]

Shipping Intelligence.

HARBOUR GRACE.

CLEARED.
June 28.—Brig Emily, Coombs, Bristol; 17,700 galls. seal oil, 698 galls. cod oil, 285 galls. blubber, 7000 seal skins, 6 cwt. old junk.
Schooner Elizabeth, Johnson, New York; ballast.

CARBONEAR.

CLEARED.
July 5.—Brig Beothick, Horsley, London, 97 tons 16 galls. seal oil, 4616 seal skins, 12½ qts. fish.
7.—Schooner Elizabeth, Bennett, Bristol; 6 tons cod oil, 63 tons seal oil, 2820 seal skins, 6 cow hides, 1 bear skin, 2 bls. salmon, 3 cwt. old junk.

ST. JOHN'S.

ENTERED.
June 26.—Brig Albion, Champion, Hul; coal.
Schooner Bunberry, Kelley, P. E. Island; potatoes, and sundries.
Margaret & Helen, Saunders, Richebucto; shingles, board.
27.—Brig Margaret, Mortimer, Hamburg; bread, pork, hams.
Schooner Sophia, M'Millan, Liverpool; flour, butter and sundries.
Diana, Le Blanc, P. E. Island; lumber.
Brig Mary Jane, Farrell, Sydney; coal.
Schooner Arrow, Harris, Lisbon; salt.
St. Patrick, Burridge, Cadiz; salt.
30.—George Sutton, Archer, Lisbon; salt.

CLEARED.
June 21.—Greyhound, Feuchong, Arichat; ballast.
Brig Blandford, Coleman, Grenada; fish.
Kent, Stirling, Arichat; ballast.
Schooner Jolly Tar, Vigneau, Antigonish; sundry merchandise.
Mary, Pettipas, Sydney; ballast.
Kate, Cooper, Oporto; fish.
23.—Hope, Forest, Bay Verte; ballast.
Four Brothers, Bouton, Arichat; ballast.
Catherine, Tucker, Sydney; ballast.
Ann, D'Roche, Arichat; sundries.
John Fulton, O'Neil, Bay Verte; flour, &c.
Victory, Terrio, Arichat; ballast.
24.—Brig Sir Peregrine Maitland, Field, Halifax; fish, shingles.

The Barque LORD WELLINGTON, of London, 501 tons, Captain Wylam, from St. Andrews to London, out 14 days, sprung a leak at sea, and put into this Port on the morning of the 6th inst. water-logged.—Part of her cargo will have to be discharged.—Gazette July 8.

On Sale.

BY THE SUBSCRIBER,

A quantity of
SLACK LIME,
(In Casks.)

M. HOWLEY.

Carbonear, July 2, 1834.

Notices

CARBONEAR ACADEMY.

MR GILMOUR presents his respects to his friends, and informs them, that being about to visit England, he shall not have the pleasure of again meeting his pupils until the early part of October next, at which time he hopes to receive the same patronage which he has hitherto experienced at their hands.
Carbonear, July 2, 1834.

MR GILMOUR begs respectfully to inform the Inhabitants of Carbonear and its vicinity that, from the 31st of October next, he will receive and instruct Children in Reading, Writing, and Arithmetic, at the very low terms of

40 SHILLINGS per annum.

The uniform success that has attended his system of education, emboldens him to anticipate support at the hands of those Parents who desire a rapid improvement in their Children. Mr GILMOUR has now been 9 years engaged in the instruction of youth; the experience acquired, during that period, of the various dispositions of Children, has enabled him to adapt his mode of communicating knowledge to all capacities, so as to ensure to each child, a certain and progressive improvement. Mr GILMOUR will still continue to give instruction in the following branches.—Book-keeping, with the higher branches of Arithmetic, and Geography, £4. The whole of the above, with History, Composition, Euclid's Elements, Use of the Globes, &c. &c. £6.

Firing, or a proportionate quantity of wood, 5s. Pens and ink, unless brought by the Pupil, 5s.

Reading books and Arithmetics, will be kept in the School, for the use of the Children, for which no charge will be made.

Carbonear, July 2, 1834.

POETRY.

WHAT IS LIFE?

What is life? a glow of pleasure,
Vision'd on a dreamer's brain—
While he sleeps a fadeless treasure,
When he wakes a burst of pain.

What's earth's greatness? but a vapour,
A cloud before the summer wind—
A flickering that from the taper,
Breaks and leaves no trace behind.

Bright the meteor plays before us,
Dazzling with its distant flame;
And while we gaze comes dancing o'er us,
Deceitful as the meteor's gleam.

Future holds a world of beauty,
Wild we rush to grasp the prize—
Reach'd and grasped the with'ring booty,
Sinks and fades before our eyes.

Life is short—the spray of Ocean
On the wave is emblem fit;
Rolling with the wind's commotion,
Sinking while we gaze on it.

'Tis like the lighted lava booming,
Down the fierce Volcano's side,
With its course itself consuming,
In its own relentless tide.

Who would seek to make a treasure,
Of a world so frail as ours?
When the gayest brightest pleasure,
More fleeting is, than summer's flowers.

A MOTHER'S LOVE.

The brightness of a Mother's love
Can never pass away,
It watcheth like the brooding dove
From even-tide till day;
It sitteth by the couch of pain
With quiet placid eye,
'Tis free from every darkening stain,
Of man's infirmity!

A mother's love! oh, who may breathe,
Oh! who can tell its worth,
Its patient suffering until death,
E'en from our childhood's birth.
'Tis chainless, fathomless, and deep;
It is its lot to sigh,
To wake and watch our feverish sleep,
When none, save God is nigh.

A SAILOR'S STORY.

And they did give way too. They were a set of as stout oarsmen as ever manned a frigate's first cutter; but they never showed themselves afore, as they did that night.—The boat fairly jumped out of the water every clip, and the foam that she dashed off from her bows, formed a long white streak in her wake, as bright and dazzling as the tail of a congreve rocket. You may think it wasn't many minutes before they reached the shore, going at that rate as if the devil had sent them an end. Merry, steered her head right on, and never cried, "rowed off all," till she struck the sandy beach with such force, that she ran up high and dry, pitching the two bow oarsmen, who had got up to fend her off, about half a cable's length from her. At the first grating of the keel upon the gravel, he leaped ashore, and without stopping to say one word to the men darted off like a wounded porpoise, running with all speed to the bank. For two or three minutes, the boat's crew looked at each other with their eyes stretched wide open, like the mouth of a dying fish, as much as to say what the devil's all this? At length they began to consult together in a low grumbling tone, as they were afraid to hear themselves speak, and Bill Williams who was coxswain of the cutter, was the first to offer a suggestion that met the approval of the rest. "Only hark," said he, "how his feet go, clatter clatter clatter, as fast as the flopping of a jib-sheet in the wind. I'm feared my hearties, that Mr Merry's runnin' 'mongst the breakers, and if you'll stay by the boat, I'll give chase—and if so needs be lend him a lift."

The proposal of the honest coxswain was relished by all, and he accordingly, set off in the same direction that his young officer had taken. But Bill Williams, though he could run about a ship's rigging like a young monkey in mischief, was no match for Merry in a land chase. His sea legs was't used to such business, and he went pitching and heaving a-head like a Dutch lugger before the wind, and seemed at every step, to be watching for the weather-roll.

In the meantime Merry linked it off like a Baltimore clipper going large. He had proceeded perhaps about a mile from the boat, along the road which he had struck into directly after reaching the beach, and instead of shortening sail, appeared to be crowding more and more canvass all the time, when all of a sudden, he luffed up and hove to on hearing the clatter of an approaching carriage. The noise of the wheels sounded nearer and nearer, as they came rattling along the rough road, and it wasn't long before the quick trampling of the horses' feet and the clicking of their shoes against the stones, indicated that they were near at hand. The place where Merry had passed was about midway of a steep hill, and if he had chosen a spot it couldn't have better suited his purpose. The road which had

been rough and uneven from the first, was at this point broken into deep gullies by recent heavy rains, rendering apart from the difficulty of the ascent, extreme caution necessary in passing with a vehicle. On one side a steep wooded bank rose to a considerable height; and on the other, the surface of the ground gradually descended to the water, which was not quite excluded from view by a few scattering trees that occupied the immediate space. Behind one of these trees, that grew close to the road-side, and threw a deep shadow over it; Merry gritting and grinding his teeth, crouched down like a young shark watching for its prey. The carriage had already gained the foot of the hill, and was slowly labouring up, when a deep gruff voice cried out to the driver from within, bidding him drive faster. At the sound of that voice, Merry's eyes flashed fire. The black, with instinctive obedience cracked his whip, and was about to make more effectual application of it, when a figure suddenly sprang from the road-side, and seizing the reins, commanded him to halt; the command however, was scarcely necessary: The jaded horses had reached a short level stage in the ascent, and not even the sound of the whip had excited any indication that they intended shortly to leave it.—Merry, with a sailor's quick eye, perceiving this favourable circumstance, in an instant was at the side of the carriage, within which a voice of a very different one from that which had last issued thence, was earnestly beseeching succour.

"Help! for heaven's sake help! save me from a ruffian!" cried a female in imploring accents. The last words were scarcely articulated, and were uttered with a smothered sound, accompanied with a noise of struggling, as if the ruffian were endeavouring to hold the lady still, and to silence her cries by pressing his hand upon her mouth.

The incentive of this well known voice seemed hardly wanting to add more fury to the rage of Merryville. Choking with mingled emotions, he called to the ruffian to hold off his hand, and with an effort of desperate strength, tearing open the door, the fastenings of which he did not understand, he seized the inmate by the collar, and dragged him to the ground.

"Scoundrel!—ruffian!"—he cried, I have you in the toils, and dearly you shall rue this night's violence.

"Mr Merry!—I command—you shall suffer for this—a court martial—and various similar broken ejaculations were uttered by the wretch, who violently struggled to get loose from the strong grasp in which he was held. Merryville though not of a robust constitution, yet possessed much muscular strength. In the present contest, every fibre received tenfold vigour, from the energy of the feelings that raged within him, and made him an overmatch for the guilty being who writhed in his arms. The faces of both were inflamed and convulsed with mighty passions, though of a widely and obviously different character; for the rage of the one as fierce as ten furies, had yet something noble and commanding in it, while that of the other, seemed kindled by a demon. The captain, for his useless to tell you 'twas he) struggled hard, but was evidently becoming exhausted. In the excess of his emotion, he had bitten his lip nearly in twain; and the blood which, in their tossing to and fro, had been smeared over the faces and clothes of both, gave additional wildness to their appearance.

The female, who by this time had recovered from the swoon into which she had fallen when the voice of Merryville first reached her ear, now screamed as she saw the blood with which he was so profusely stained, and imagining him to be mortally wounded, she sprang from the carriage, and tottered towards him across the road. A sudden movement of the combatants at the same moment, changed their position in such a way, as to bring the back of Merryville towards the approaching female, and at this instant his antagonist, having succeeded in releasing his arm from his grasp, hastily drew a pistol from his pocket, cocked, and fired it; the ball whizzed through the air, only slightly grazing the neck of the intended victim; but a piercing shriek from the lips of the female, heard above the loud report, announced that it had done more fatal execution in another quarter. As if by mutual consent, both parties ceased from their struggle for a moment, and rushed towards her. She staggered two or three steps forward, mumbled a few scarcely audible words among which, the name of Merryville was the only intelligible sound, and fell bleeding to the earth. In the meantime, the horses which had been scared by the near and loud report of the pistol, pranced suddenly round and dashing down the hill, were soon lost to sight. Poor Merryville, with a groan of agony which he could not, which he did not seek to repress, bent over the form, which lay pale and stretched before him, and raising it partly from the ground, gazed for a moment in utter unconsciousness of all things else, upon the features of her still lovely face. The ball had passed directly through her heart, from which life had already bubbled out in a crimson tide, though a few darker drops continued to ooze from the livid orifice of the wound. Merryville whispered

her name, but she answered not. In vain he leant his ear to her lips, or bent his eyes upon them, till their hot tearless balls seemed bursting from their sockets—no sound—no motion, made reply. He laid his hand upon her heart—but its pulse was still. He looked into her eyes—but they returned not, as they were wont, an answering look; their light had gone out—the spirit had departed from its house of clay, she was dead, quite dead! as this fact impressed itself upon his brain, a maddening consciousness of the cause, seemed slowly to return; his eyes rolled up, till the balls were nearly hid, his face became a livid darkness, and his teeth were clenched together, as of one in mortal agony. Suddenly starting up, he turned quickly round, and with his arms extended, and his fingers curved like the talons of an eagle, he sprang wildly towards his guilty commander. The motion seemed to have been anticipated, for the wretch had prepared himself with another pistol, which as his antagonist approached, he deliberately aimed at him, and fired.

Whether the ball took effect or not, it did not defeat poor Merry's object. He darted like a tiger on the wretch, and, with both hands, seized him round the throat, he dragged him down to the earth. In vain his victim struggled—the sinews of his antagonist seemed hardened into steel. He tried to shriek for aid, but the grasp around his neck choked his utterance, and his words died away in a rattling sound, like gurgling in the throat of a drowning man. With a strength that seemed supernatural, Merryville raised him from the earth, and dragged him along the road. The struggling of the wretched man grew fainter and fainter, but still an occasional convulsive quivering of the limbs told that he yet lived. His face was almost black, his tongue lolled out of his mouth like a dog's, and his eyes, blood-shot and glassy, were protruded a full inch from their sockets. Blood had started from his nostrils in his mortal agony, and a thick wreath of mingled blood and foam stood upon his lips, which, while distended, seemed stretched in a horrid laugh.

In silence, and with a strength that seemed more than human, Merryville continued to drag his victim along, till he reached the boat. He had been met by Williams not far from the scene of the first part of the contest, but he appeared not to see him. Williams, on his part was too much awed to speak.—The firing of the pistols had prepared him for some fatal event; for he had a dim and dark suspicion of the object of Merryville's errand, inasmuch as he had been the bearer of several notes between him and his betrothed; and had heard also, that his captain was a rejected suitor, for the same hand.—One glance at the group served to show him the dreadful nature of the burden, Merryville dragged along with him; he saw that his commander was already a corpse, and besides he was too much intimidated by the unnatural lustre of Merryville's eye, by his pallid and unearthly hue, and by his still and terrible bearing to interrupt the silence with a word. As they approached the boat, Williams waved his hand to the crew, who were anxiously waiting on the beach, and signified by an expressive nod, that they must not speak. Silently and sorrowfully, they followed the young officer to the water's edge, entered after him the boat and commenced rowing back to the ship. Poor Merry still holding the body by the throat, took his seat in the stern-sheets, and leant his head down on the gunwale in such a way that his garments concealed his face. The face of the corpse, however, was exposed in the broad moonlight; and as the head hung partly over the seat, with his features distorted and bloody, his hair matted with clots of earth and blood and earth, and his glassy eye-balls apparently staring at the men, a superstitious shudder crept over them, which with all their manhood, they could scarcely repress.

In this way, and in silence, they drew near the ship. The sentinel hailed them; but no answer was returned. As they came to the gangway, the officer of the deck, called Mr Merry by name; but still no reply. He saw by the terror painted on the countenances of the crew, that something dreadful had occurred, and descended quickly into the boat, where the whole terrible truth was revealed. They were both dead! By the discharge of the second pistol, Merry had been mortally wounded, and his life had oozed away while his hands were still grasped with desperate energy around the throat of his victim. Even after death his fingers did not loose their tenacity. The officer tried to unlock the death-grasp, but without effect; and the two bodies, locked in an embrace, which stronger than that of love, had outlasted life, were obliged to be hoisted in together.

Shortly after the assassination of the Emperor Paul, his son, the conniver at the murder, and the friend of the murderer, the present Emperor Nicholas, was heard to say "I think the Constitutions of England and France the best in Europe." "Why so?" asked a Russian nobleman. "Because they bring their Kings to a fair trial and execute them if they are guilty." That appears to me the very reason, of all others, why your

Majesty should execrate them," rejoined the nobleman. Far from it.—continued the Emperor, "for I hold that it is much better to be fairly tried and publicly executed, by the hand of justice, than to be foully flattered, and privately murdered by the hands of courtiers: and this has been the fate of all my ancestors in Russia."

During the trial of a man who was capitally indicted for murder at an Irish Assizes, the chief witness on his examination detailed the leading incidents—his being awakened by cries for help—his rising, striking a light, opening his door, and finding a man dead upon the threshold. "And what did you do next, my friend?" interrogated the Crown lawyer. "Why, (replied the witness with amusing sang froid, I called out—'Are any ye there that kilt the boy? By J—, I'll give a thirteen to him who'll tell me who it was that had the impudence to murder a man at my door.'"

We copy the following from a magazine for July, 1790: "Dublin, June 26.—This day Mr Cooney, printer of the *Morning Post*, stood in the pillory, in College-green, for copying from a London paper the following paragraph: 'The * * * * * was formerly a very domestic woman, but now gives up too much of her time to politics.'"

The following is among the regular toasts at the celebration of St. George's Day in Quebec, "England and the United States of America—may the Atlantic which rolls between them always be a *Pacific Ocean*."

A gentleman subject to the gout, on being told that this disease gave a long lease of life, answered, that the disease was at a *rack-rent*.

A gentleman speaking to a friend of a man who had injured him. "But," said he, "I won't get angry, for if I should"—"I suppose," said his friend, "you would chastise him?" "No, I would not flog him," "but I would let him alone most severely."

Mr Madden, in his "Travels in Turkey, Egypt, Nubia, &c." tells us many remarkable things: but one of the most remarkable is connected with his visit to the grave of Troy's ancient hero. After various details, he says "We breakfasted on the tomb of Hector." Hard fare!

CONFESSION OF AN IRISH PEASANT.—Luke M. Geoghan being at confession, owned among other things that he had stolen a pig from Tim Carrol. The Priest told him he must make restitution. Luke couldn't—how could he, when he had eaten it long ago? Then he must give Tim one of his own.—No; Luke didn't like that—it would not satisfy his conscience—it would be the downright identical pig he stole. Well, the Priest said, if he would not he'd rue it, for that the *corpus delictum*, Tim's pig, would be brought forward against him at his final reckoning. "You don't mane that, father?" Indeed but the father did. "And may be Tim himself will be there too?" "Most certainly." "Och, then, why bother about the trifle *this* side the grave? If Tim's there and the pig's there, sure I can make restitution to him then you know."

ANECDOTE OF CURRAN.—The most severe retort Mr Curran ever experienced was from Sir Boyle Roche, the celebrated member of the Irish Parliament (who, a scelerate, and a good-hearted person, could scarcely speak, a sentence without making a blunder.) In a debate where Mr Curran had made a very strong speech against sinecure offices, he was very tartly replied to by Sir Hercules Langrish. Curran, nettled at some observation, started up, and warmly exclaimed, "I would have the Baronet to know, that I am the guardian of my own honour." Sir Boyle instantly rejoined, "Then the gentleman has got a very pretty sinecure employment of it, and so he has been speaking all night on the wrong side of the question."

ANOTHER "MODERN ANTIQUE."—Did the reader ever hear the tale of "Caesar's Stile?"—that of Agricola's long ladle he may probably have read in the "Antiquary." Dr Stukeley, or some other antiquarian, was travelling through England, when he heard that on a certain hill there was a stile called "Caesar's Stile." "Ay," said the Doctor, "such a road, mentioned in Antoninus, passed near here; and the traditional name of this stile confirms the probability of a Roman camp on this spot." Whilst he was surveying the prospect, a peasant came up, whom the Doctor addressed:—"They call this Caesar's Stile, my friend, do they not?" "Ees, zur," said the man, "they call it so arter poor old Bob Caesar, the carpenter (rest his soul!); I helped him to make it when I was a boy."

THE CHOICE OF A WIFE.—I knew a wise old man, who used to advise young friends to choose a wife out of a *bunch* of four where there were many daughters, he said, they improved each other, and from emulation, acquired more accomplishments, knew more, could do more, and were not spoiled by parental fondness, as single children often are.—Franklin.

"Emancipate the Jews, indeed!" said a noble Lord on Thursday night, on the presentation of a petition—"I wish to God the Jews would emancipate some of us.

Intellectual and moral excellence are the pole of the axis around which the globe of humanity revolves.