Y PACKETS Grace Packest

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TAYLOR. Widow.

the Office of



JOURNAL.

Vol. IV.

WDNESDAY DECEMBER 5, 1838.

No. 231.

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

From the Public Ledger, November 27. 1

CENTRAL CIRCUIT COURT. 22d November, 1838 BENJAMIN G. GARRETT, Esq.

ROBERT JOHN PARSONS.

Action on the case for a libel published in the Newfoundland Patriot of the 20th October, 1838, (the defendant being Printer and Published of the same) concerning the Plaintiff, the High Sheriff of the Colony, and charging him with impropriety in the discharge of his duties as such Sheriff.

Mr. Robinson stated the case to the Jury and read the libel, which purported to be part of the Report of a Committee of the House of Assembly of this Island, appointed to examine into the

Administration of Justice. The learned Counsel stated that the Plaintiff was compelled to keep protection from the laws of his country, against as ystem of defamation and persecution by which he has been assailed since his assumption of office in 1835. It was of no avail that he was at all times ready to meet any gainst him ;charges which might be preferred a that those charges were proved, by the most unquestionable testimony, to be utterly untrue; it signified nothing that the total falsehood was known to the Defendant himself-the same accusations were reiterated, and the same unrelenting persecution was followed, as if the statements had never been contradicted -- as if they had not been proved and known to be untrue.

In this respect the High Sheriff shared the late of all those public functionaries in this Island who, of late years, have been conspicuous for honesty of purpose and conduct, from the Judge to the constable-from the juror to the witness. Every man who manifested a fearless regard for the performance of his duty-who had honesty and courage enough to discharge his conscience by acting in a more straight forward manner, was marked for ruin-and no species of calumny, misrepresentation, and intimidation was left untried through the columns of this Patriot newspaper, to blacken his character, and depreciate his worth in the community. By way of giving colour and plausibility to their statements, the Defendant, and the few who are banded together with him, generally professed their ability, and indeed anxiety, to be allowed to prove the truth of the imputation they so freely cast upon the character of the High Sheriff; yet upon every occasion on which any of them have been challenged to do so before a fair and competent tribunal, they have backed out of the task and manifested themselves to the world in their true colours, -as the conscience-stricken, cowardly

For a series of years has the High Sheriff sought to forget the mean, low slanders hich weekly appeared against him in the Patriot, thinking that contemptuous silence was all that such deserved, and that no individual possessing the honourable sentiments and cultivated feelings of a gentleman, would look upon them in any other light than as the effusions of personal malice and vulgar invective. But when he saw that the most irreproachable conduct did hot shield public officers from injury from the tongue of Slander - when he found that a degree of incorruptible purity which evoked from his very Judges expressions of their approbation, was issufficient to save harmless public functionaries whom the columns of a profligate Paper slandered and abused—the Sheriff thought it high time to put a stop to such a system of injustice, and to compel the defamer either to prove the truth of his accusations, or let it appear how vindictive and groundless they had been.

The spirit by which the Defendant was actuated was manifested by the unceasing attacks with which, for several years, the Sheriff had been assailed by him. [The learned Counsel her read extracts from files of Patriot newspapers for the years 1836, 1837, and 1838, containing grosslibels upon the Plaintiff; -and called upon the Jury to vindicate the reputation of a gentleman and a high public functionary-against whom the combined malice and activity of his enemies have never been able, or even, attempted, to establish ought to his prejudice.] The learned Counsel dwelt upon the unfairness of publishing such libels against the Plaintiff-known as they were to the Defendant to be groundless, and incapable of obtaining credence here, where the high and gentlemanly character of the Plaintiff was thoroughly appreciated; but rather for other countries, where Mr. GARRETT's name might be known, but where the falseness of the accusations against him was not equally well understood.— He urged upon the Jury the fact of the Defendant not attempting a justification of the truth of any single one of the libels charged in the present case much as he had boasted of his ability to prove them all; and called upon the Jury for such a measure of damages as would serve to mark their reprobation of the baseness and malice of the slander, and prove to the world the untarnished reputation of the Plaintiff.

libel, which was furnished to him in the usua manner on the day of its publication, and had the name of the Defendant written on it in his own handwriting.

P. W. CARTER, Esq., J. P., Proved an affidavit made by the Defendant in February, in which he deposed to his being the Printer and Publisher of the Paper, and Mr. JOHN VALENTINE NUGENT the owner of the Types and Press. (This latter gentleman is a member of our House of Assembly and one of the Delegates lately sent to England by

AND CONCEPTION BAY

that body -ED.) E. M. ARCHIBALD, Esq., proved the other documents necessary to be given in evidence on behalf

of the Plaintiff. The Defendant conducted his defence in person, and moved the Court to nonsuit the Plaintiff, the publication of the newspaper not having been, as he contended, sufficiently proped, and referred to his own affidavit as not being in accordance with the Act, not agreeing to the place at which the

Paper purported to be published.

The Court overruled the objection—stated there was ample evidence of publication, and that no one should be allowed to avail himself of his own

The Defendant then addressed the Jury, and stated that he would not attempt to prove any of the libels charged in the declaration -that he published them by order of the House of Assembly -of which he was the Printer-and did so without comment. He then proceeded to vindicated the politics advocated by the Patriot, which were, tated, the opin Newfoundland stated this was not the first time he was tried of libels - expressed his conviction that although he differed from the Jury in sentiments, and he could not expect no sympathy from them, he would experience, he had no doubt, justice at their hands.

The Defendant indulged in a good deal of invective against the Sheriff, and affirmed that the Grand Inquest of the country - the House of Assmeblyhaving come to the conclusion that the charges preferred by them against the Plaintiff were true, no farther evidence on that point could be desi-

The Defendant then deprecated heavy damages on the plea of his poverty, and stated that h should be obliged to pay the amount in his person. He then cited Rex vs. Wright, and some other authoritiea, to shew that being ordered by the Assembly to print the report, he was justified as their servant; and called

R. R. WAKEHAM - examined -- stated he was Clerk of the House of Assembly -recollects a Committee of Justice having been formed by the House of Assembly-it consisted of five members. The report published in the Patriot is almost a correct copy of that handed into the House of Assembly by the Committee. Defendant is Printer gave Report to Defendant to publish.

Cross-axamined .- The Report was adopted by the House without examining evidence, or inqui ring into the truth of the charges. The address to his Excellency the Governer transmitting the report, and praying his Excellency to remove Mr. Garrett from the office of Sheriff, was presented, and the Governor's reply was, that when he was furnished with ovidence of the truth of the Charges against Mr, Garrett, he would take the matter into his consideration .- This reply was not pub-

Mr. Robinson, in reply, drew the attention of the July to the aggravation which the manner which the Defendant conducted his defence caused his uncalled for, unproven misrepresentations now made, respecting the Plaintiff, furnished additional evidence of the malicious motives with which he published the libels in question. On a former occasion wherein the Plaintiff, was compelled to bring an action for slanderous words used against him, the ample, unreserved apology and retracta-tion which the Defendant made, was properly given in mitigation of damages; here, the contrary course had been adopted by the defendant, and it would no donbt, be followed by the contrary

The learned Counsel strongly reprobated that system of personal slander the Patriot, which had no reference to measures, but was altogether confined to the individuals sought to be injured -The way in which the report of this select committee was adopted, afford a striking elucidation of the manner in which charges were got up and forwarded, in this country, against individuals. Two or three persons fabricate a charge — it is blindly adopted by the House, without evidence, without enquiry-and is forthwith forwarded to the parent Government, and published to the world, as the authorities cited by the Defendant, Stockdale vs. Hansard, 7, c. & p. 731, Printer of the House of Commons for The Plaintiff then called the Colonial Secretary | by the House orhered to be printed .justification pleaded, his Lordship says: | curred with him that nothing could be | the premises? It our opinion that Sir

ity of the House of Commons can be well urged in justification for printing | public odium by a person who happened and publishing a libel upon any person. If the printing were for the use of the as the Press, for fearlessly and honestly Members of the House of Commons only, it might be different, but in this case the printed reports have been bought in a public shop.

"With respect to the third ground, namely, that this is a privilege crmmunication, I am bound to say, as it comes before as a question for my direction, that I entirely disagree with the law as laid down by the Attorney General. I am not aware of the existence in this affect third parties without the purview country of any body of men whatever, who can privilege any servant of theirs to | by the House of Assembly affecting third publish a livel upon any individual.-Whatever arrangements may be made by the House of Commons with the Defend- scope and operation of the law Courts ants as their subjects, I am of opinion | wherever the liberty or property or chathat the publisher who publishes in a racter of the subject is involved. And public shop, and especially for money, what man in the exercise of his rational that which may be injurious, and possi- faculties could doubt it! bly ruinous to any one of the King's Court of Justice, if challenged for the ties are not to be tolerated by our Law point were left unsatis, factorily explained, the Judge who sat in that Court | will be innumerable. might become an accomplice to the destruction of the liberties of the country, law to be as I have already stated it. My direction to you therefore is (suoject to any question hereafter) that the fact of Messrs. Hansard to publish all the Parliamentary Reports, is in itself no justification to them, or to any other bookseller, if such publication contains a libel

upon any man.' His Lordship, in charging the Jury, expressed his entire and thorough concurrence in the law as stated by the the flower of the British Army, have Plaintiff's counsel, and begged to adopt arrived it seems, in the U. States. We the language of Lord Denman, just cited, are heartily sorry to hear it. We have as his own; -he said that he was in | plenty of that kind of gentry on hand,court when that judgment was given, and experienced great satisfaction in heaving | States three or four hundred thousand it. His Lordship then proceeded to comment in terms of strong reprobation | do no believe there is the least doubt of upon the conduct of the Defendant in these frontier brigands intention to concasting such imputations upon the Plaintiff's character, without even pretending or attempting to prove the truth of any of them ;-that such conduct was not to tunity of marching over the ice, and of be tolerated. At the same time, the publication of the Report of the House of keep up a constant militia vigilance upon Assembly, to which he was the Printer, the border, or permit such acts as will without any comment by the Defendant, which has so long been indulged through | should operate in his favour with the Jury. That although no amount of damages could be any compensation to a gentleman like the Plaintiff, for the pain and anxiety such unfounded and injurious reflections upon, his character must have caused him and his family, still, the Jury should have reference to the situation of the Defendant, and not oppress him by too large a verdict. Certainly, he concurred with the Plaintiff's counsel, that it could not be allowed that the poverty of the Defendant should be taken as an excuse for his misdeeds. If the deliberate opinions of the universal a party will injure another, and has not people of Newfoundland! In answer to the means to pay in his purse, why he to escape from the strongest and best must pay in his person; and those were guarded fortresses in the country If the the learned Counsel quoted the case not his own words, but the expressions Governor General in the plenitude of his of a very learned Judge in England .which was an ection brought against the With reference to the observations made by the learned Counsel as to the system printing a report given to the House and of insimidation endeavoured to be brought | delightful climate of Bermuda, the act is up to prevent Judges, Jurors, and others | disclaimed, and the Governor General —produced a Patriot newspaper containing the libel, which was furnished to him in the usua manner on the day of its publication, and had the without gratification. In allusion to the duty, required them to perform, he con- the United States for a little laxness in

"I cannot understand how the anthor- | more improper; and it was not to be endured that a man should be held up to to have the command of such an engine loing his duty. On the present occasion he was sure he was addressing honest men, who wou'd discharge their consciences without fear of the consequences.

Virdict for the Plaintiff-£80 Sterling. Here, then, by this decision, is the principle sustained, - that whatever rules and regulations the House of Assembly may lay down for its own government, those rules and regulations can in no way of the House. That publication ordered parties are not privileged publications, but that they are altogether within the

Well, then, if libels emanating from subjects, must answer that subject in a | the House of Assembly upon third parpublication of a libel; and I wish to say | Courts, it follows that the numerous so now most emphatically and distinctly, | slanders in which the several members of because I think that if on the first oppor- | that House are wont to indulge, may also tunity that arises in a Court of Justice | become sctionable; and we doubt not on a point of this kind being stated, the | that from this time out, if ever the House should meet again, actions for slander

But what will the intelligent British reader say to the evidence in the trial of and expose every individual in it to a which an outline is above given-what tyranny to which no man ought to be whill he say to the fact that a committee called upon to submit. The case of Rex of the House of Assembly report to the vs. Wright is not applicable to the House a series of resolutions against a present, and it seems to me that it is not public officer, without the slightest eviin any respect capable of being urged as | dence to sustain them-that the Asseman authority to prevent my stating the bly adopt that redort, and make it the. subject matter of a charge before the Home Government! The villainy of such a course of proceeding against puband Reporter of the House of Assembly. Witness the House of Commons having directed lie officers, and the object of it, are too apparent to be misunderstood.

(From the New York Gazette, Oct. 29.)

Theller and Dodge the two scoundrel patriots who made their way out of the "Gibraliar of America," garrisoned by quite enough probably to cost the United dallars during the ensuing winter. We tinue their onslaught npon the peaceable people of the provinces the moment the water courses to afford them the opporcourse our government will be obliged to endanger the peace of the two countries. Thought we must say that it would be very unreasonable in the present British government to make such complaint against that of the United States, even if it were to stand quietly by and let all the vagabonds on this side the lines cross over and commit al! the enormites they choose on her Majesty's dominions; for no Government even tried harder to lose her possessions than the British Ministry to lose the Canadas. If they centure and condemn to the gallows the villians who murder, burn, and plunder the well disposed citizens, the miscreants are either pardoned unconditionally, or permitted clemency, instead of hanging them or transporting them to Van Dieman's Land, sends them on a pleasure four to the

John Colborne will manage matters a hade les fidiculously this winter. At all events we hope so, for our own sakes.

GRENCE. The accounts from Athens do not improve. The kingdom is represented to be going on from bad to worse. The Queen was about to leave Achens on a visit to her parents, whom she was to meet at Berne, in Switzerland, | fluence." and the King was setting out for Boutrelia, where he was going to try the effect of his presence on his refractory | convinced that such a course is subjects. A supply of each had been received, it was said, from Russia with ness that further supplies should to the bank had not yet pense which are incurred in the gone into operation.

NAVAL PROSPECTS -- It is reported that brevet cank will very shortly be introduced into the navy-that the power heretofore used by the Board of Admirality, of striking ofners on the hat (without any in estigation into the nature or merits of he charges brought against them), 13 to be annulled; and that officers wishing to eure from the service will be permitted to do so in the same-manner as now practised in the army-viz., by the sale of their commissions. These advantages have been trequently urged by Sir Edward to drington in his repeated appeals to parliament, and not to any good feeling in their favour on the part of the lords of the admirality.

in the memoir of Miss Jennings there s one of the most singular anecdotes to on currous tradition respecting countess Dilton) still preserved the persuntry of the country in which she resided. It is related that, on Emperor of Russia possesses, in Laurium Castle, then only-one of the unerous Cestles and Palaces possessed by the Irish Dillons. This princely louist edifice covered two acres of land; | speaking financially, Russia has to her as her jointure, but with viso, that she should reside during the the castle. The lady, in her will be a was seized with a passion for | frontiers; besides, that her internal a young amelishman; and being unable to detain him with her, or to follow him l long as her castle existed sne deter timed on the wildest and boldest ever entered the head of an of passion she ordered a banquet proved in her garden, then ared the cashe, and feasted by the limit of the blazing pile. After supper and while the towers were yet burning, she set in for England with her lover.".

the war - In the 21st of Jane, the signed between that power and night cororable Lerd Joha Russell presented to her Majesty a spleadidly count copy of the scriptures, in eight or nine languages, from a number of ladies the Protestant Dissenters of London and its violaty, as a token of their deep interest in the hamilness and davoted attroducent to the person and Government of their beloved Sovereion. The lock, which was prepared explessly for the our pose, in a truly elegant and most cosily menuer, her Majesty was most graciously pleased to accept, expressing to his Lordship her sense of its high value .- Ministerial Paper.

A Polyglott Bible has been printed in England and is for sale in this country, presenting eight different languages at ing last. The Honorable Judge each opening, viz.: Hebrew, English, Latin, German, French, Italian, and Spanish, each page agreeing exactly in matter, and there is also a Syriac Bible which could not be printed on the same page with the others, in consequence of the peculiar construction of the letters; so that the "Polyglott Bible" contains the sacred text in nine different languages. -N. Y. Herald.

The Press .- "I have repeatedly urged upon Conservatives the necessity of upholding and bestow ing extensive patronage on the Press. It is the great instrument of power to every party; and in proportion to the support conferred upon it, will its influence be increased or diminished; for it is obvious that the means must be great, or the results will, of necessity, be small and insignificant. Upon no party in the state has this suggestion been so unceasingly or strenuously urged as upon the Conservative, and wherever it has been adopted none has derived equal benefit. If the means of fully comprehending the nature of Conservative principles were plac- ly made some new appointments

there would be comparatively few it behaves every man whose income will admit of it, to circulate conservative newspapers every

Disinterestedly speaking, we are most desirable-and knowing as we do, the vast trouble and excirculation of Radical and Infidel newspapers, we are surprised at the apathy which appears still to exist as to the counteraction of their baleral effects by an active dissimination, of constitutional principles through the medium of the contervative press.

Power of Russia.—Some grave politicions, who undervalue the power of Russia, and think that Messrs. Rothschild are the arbiters of peace or war, significantly allude to, what they call her vulnerable point; they talk of her thancial embarrassments, and assert that the want of money will prevent a collision. Perhaps these reasoners are not aware that, personally, the the leath of Lord Dillon, she inhabited | territorial property alone, a revenue. ten times more considerable, than any civil list in Europe; that; th the estate round it, was as nothing to lose and every thing to gain, from the moment that the seat of war is carried beyond her administration is less expensive than any other; that Wer levies of troops are collected with a surprising economy for the cown, and at the cost of the landed proprietory; that every military expedition, once out of a country like Russia, is a speculation which can hardly full to turn out profileble to the empire, as there is Presentation of the Polyglott Bible to | scarcely on record a treaty of peace her adversaries by which she didnot ultimately gain some augmentation to her own territory .---Raikes's City of the Lzar

THE STAIR

WEDNESDAY, DECEMBER 5, 1838.

The Annual Meeting of the Wesleyan Missionary Society was held at the Wesleyan Chapel, in this Town, on Wednesday even-LILLY having taken the Chair, the Rev. Mr. Faulkner read the REPORT, which gave the most satisfactory and cheering account of the progress of genuine Christianity, through the instrumentality of the Wesleyan Society, in every part of the globe. Several excellent speeches were subsequently delivered and the collection greatly

exceeded that of any former year. Among the gentlemen on the platform we were happy to observe some highly respectable members of the Established Church, whose sentiments fully evinced that whatever shades of difference may exist in the minor matters of discipline, yet in the great and hallowed cause of Christian Missions, and upon the free and unrestricted dissemination of sacred scriptures, all were unanimous and UNITED.

We understand that His Excellency the Governor has recented in the hands of every man in to the Board of Education for this Nov. 13, 1838.

Britain, in a short space of time | District; but, persuaded we are, that not one Protestant in the to espouse any other cause; and Bay estimates his character at so low a rate as to accept of so de- ment is now open for the admission of grading an office as that of Commissioner under Brown's amendwhere within the range of his in- ed Act, an Act at once disgrace- Free of any charge ful to the mind that contrived it,to the three estates which past it, and to the high-spirited British officer who is obliged? to carry It into operation.

> Sale by Auction and be sted BY PUBLIC

AUCTION, 10-1010000

At 11 o'Clock,

On the Pringises of the Insolvent Estate of Shale, Buddle & Co.

I Poney 1 Cow About I Ton Hav 1 Fiece Fine Imber i from Sale Sheet Iron A quantity Gunpowder & Shot A lot Large Anchors.

J. W. MARTIN,

Carbonear, December 5, 1838.

LL Persons having Claim on the Estate of the Late WILLIAM HOWELL, of Carbonear, Merchant, are the same. requested to present the same; and all Persons indebted to said Estate, do make immediate payment to

> MARY + HOWELL, mark JANE GOULD,

Administratrix.

Carbonear. December 5, 1838.

The following Valuable Marcantile and Fishing Establishments situate at St. Mary's, belonging | wate by the said Fire Wardens to the Insolvent Estate of Stade, land Capatins of Companies ui-BIDDLE & Co., of Carbonear.

Will be offered for Sale By Public Auction, On FRIDAY, the 28th Dec. next,

AT THE

COMMERCIAL ROOM

At 12 o'Clock,

St. John's

HAT Eligible Room, known as RI-DOUBT'S ROOM-consisting of a Large DWELLING-HOUSE, with Counting. House, adjoining; Three Stores, One SHOP, One COOK ROOM, Two STAGES, One BEACH, FLAKES, MEADOW, and GARDEN. That Eligible Room, known as FMIP. PARD'S' ROOM—consisting of One Dwelling House, One Stage, One Stage, Extensive Meadow Ground, with right and privilege of Piscary at Great Salmo-

That Eligible Room known as UHRIS- Just Received per EMILY, Turner TOPHER'S ROOM-consisting of a DWELLING-HOUSE, FISH STORE, STAGE FLAKES, BEACH, GARDEN, and MEADOWS Also

The Boat BETSY, that will carry about 80 qtls Round Fish

The Boat HANNIGAN..........65 de. Now in the Hurbour of St. John's. AND,

10 FISHING BOATS, carrying from 16 to 30 qtls Round Fish At. St. Mary's.

Together with sundry Skiffs, Punts, CRAFT, CASKS, &c. Particulars of the Rooms may be known on application to Mr. Lusu, St. Mary's; Mr. J. B. Wood, at St. John's; or at Carbonear, to

J. W. MARTIN, Agent. Carbonear,

OTICE, the PUBLIC are informed that besides the usual course of Education afforded at the St. Patrick's Free School in this Town, the Establish-PUPILS desirous of being instructed in he higher branches of Learning, viz .-Practical Geometry, Navigation, &c.

A good Fire will be kept in the School Room during the Winter season. PETER BROWN,

President. THOMAS POWER, Secretary.

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 ir, Thomas Danson and James Power, Bequires, two of Her Ma-Josiv's Justices of the Peace for the Northern District of Newfoundland in Bessions, and a majorky or them having requested in writing, that an additional Assessvient of Six Pence in the Pound be made on the estimated value of the Rents of all Bouses, Stores. and Buildings, in the said Town: of Harbor Grace, for the purpose of inquidating the expenses of the ensuing and previous years, in conformity with the provisions of the said Act, and having laid Agent. before us, a statement in writing, of the Appraised value of the said Reuts, and also an account shew-? ng the sum collected under a former Order of the Justices in Sessions, and the expenditure of

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 sents of all Houses, Stores, and Partings within the boundaries of the said Fire Companies, der the seventh section of the said

> Given under our hands and scals 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.

> OSEPH SOPER. Chairman.

THORNE, HOOPER & CO. /

100 Barrels Flour, 185 Bags Bread 10 Hads, Building Lime 7000 Brick

150 Hogsheads best House

Harbor Grace.

August 15, 1838.

THE SUBSCRIBER

DEING 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. In the Ho Court for of New Grace, O Victoria.

In the marter senr., Diet Major, and late of Copents, Cop

HERE Major, and Thirtieth day form of Law, said Court o Queen. And THY, of Ca LIAM RENI chant, and J Merchant, 1 venta, have t the Creditor heen in due Trustees of 1 vents. Note said John. DELL, and a tress are a arders the

> Court Ho Harbor Gra

> > 9th Nov.

deliver th

Lituation

The the BIDDLE. Island of have appoint appoint Ma of Jasbone AGENT, to matters cont the said Ins

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The Bear are Gramn Fancy Prelim Far And D

时 Hour Saturdays (Terms ca Mrs. S's: MOORE'S. Harbor

Nov. 14, 1

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RII Harbor Gr Novemb LIC are informed

he Justices in expenditure of

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

In the master of Robert Stade, senr, Mark Seager, Robert Majok, and Rolles Biddle. late of Carbonear, Mer chants, Copartners.

THEREAS the said Robert Stade, 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 aid Court of our Sovereign Lady the Queen. And whereas JOHN McCAR-THY, of Carbonear, Merchant, WIL-LIAM 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 McCanthy, William Ren-DELL, and James Shade, as such Trusduly authorised under such

> Lin the Court, JOHN STARK,

Chief Clerk and Registrar.

Court House, Harbor Grace, 9th Nov., 1858.

A / E, the undersigned, Trustees to he Insulvent Estate of SLADE, IDDLE & Co. of Carboncar, in the Island of Newfoundland, Merchants, have appointed, and by these presents do appoint Mr. JOHN WILLS MARTIN the said Insolvent Estate.

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

(Signed)

JOHN McCARTHY, WILLIAM RENDELL, JAMES SLADE.

EWES, E. A. BILLINE

ESPECTFULLY begs to acquaint hat in compliance with the wishes of versl of her Friends, she has opened Sheet COPPER and TIN, NAILS CHOOL for a limited number of Young | Cabin STOVES2

Reading, Writing and Arithmetic Fancy Needle Work, Embroidery Preliminary Lessons on the Piano | WARNISH

And Drawing. Hours of attendance from 10 to 4, laturdays excepted.

Terms can be known on application at Ars. S's. residence opposite Mr. JACOB Harbor Grace,

A order,

Capt. WILLS from Copenhagen.

400 Bags Fine and Common

BREAD

50 Firkins

Nov. 14, 1838.

Butter

By the above Ship

RIDLEY, HARRISON & Co.

November 21, 1838

On Sale

NOW LYING AT THE WHARF OF THE SUBSCRIBERS

And will be Sold on accommodating Terms,

THE FINE FAST-SAILING BRIG

ANN,

Burthen per Register 97 $\frac{537}{3500}$ Tons, N. M.,

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

> Also, THE SCHOONER

FF and of

Burthen per Register 52 79-91 Tons,

Built in 1831, at Shelbourn, N. S., principally of Oak Timber and Plank, and Copper fastened to the bends. This fastsailing and beautiful Vesset is exceedingof this Island, or if required might also | being added, be fitted out for the Seal Fishery at a trifling expense.

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

THORNE, HOOPER & Co. Harbor Grace,

Nov. 7, 1838.

AT LOW PRICES For Cash or Produce,

THE UNDERMENTIONED

GUUDS,

Carbonear, Gentleman, to be our | BREAD, fine and common, Hamburg AGENT, to transact and manage all | FLOUR, fine & superfine, do. & Danizic matters connected with, and relating to PORK, BEEF, barrels & half-barrels BUTTER, 1st Randers and 1st pickled

Holstein for Families OATMEAL, Oat Grits, PEASE, RICE! MOLASSES, Moist & Loaf SUGAR TEAS, Hyson, Twankey, Southong,

Congo, & Bohea in Qr.-chest SOAP, CANDLES, TOBACCO South 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 vory fine OLD PORT and "G." SHERRY GUNPOWDER, BB and MX. Shot Bolt, Bar, Sheathing and Sheet IRON

GRATES, Chain Cable 7-8 inch ANCHORS

The Branches she purposes to Teach Iron round Pots, Bakepets & Covers Axes, and a general assortment of IRONMONGERY

PITCH, Coal and Stochholm TAR CORDAGE, Oakum, Lines & Twines BLOCKS, Dead-eyes, Trucks, Hanks, Sheaves, &c.

COMBS, Brushes, black Lead HATS, For Caps, STATIONERY

and Flushing, SERGES FLANNELS, Carpeting, Hearth Rugs BLANKETING HOSPERY and Gloves Stays, Thread

MERINOES, SHAWLS, MUSLINS CALICOES, Printed Cottons Beaverteens : BANDANA & Barcelona Handkerchiefs | Very Superior Single and Double Bla-

PABLE Carpetings, Pasteboards Ships Compasses Half-hour & Log Glasses ENSIGNS, Bunting Coopers Rushes, TINWARE Signal Lanthorns, LEATHER CANVAS, No. 3 to 7 RUSSIA Ducks DECK Boots, Shoes, Snow Boots COALS and Blicks, Chalk EARTHENW RE SPARS, 6 to 16 Inches Pine PLANK

Pine, pruce, & Hardwood BALK. THORNE, HOOPER & Co.

Harbor Grace, October 31, 1838.

BE LET TO

ON A BUILDING Leuse,

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

> - Apply to Mrs. CAWLEY.

Harbor Grace, Oct. 31.

On Sale

EDWARD WALMSLEY & Co

Offer For Sale

THEIR PRESENT STOCK,

COMPRISING A VARIETY OF

GOODS,

1. Of every description, suitable to the y well adapted for the Coasting Trade | TRADE, of this Island, to which is now

> 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.

> A Choice Assortment of

GOODS,

Carefully selected, and which they intend | May 13, 1838. disposing for 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

EXTRAORDINARY PROCEEDINGS HOUSE OF MASSEMELY OF NEWFOUNDLAND,

IN THE ARREST AND IMPRISONMENT

Surgeon KIELLEY, AND SUBSEQUENT ARREST OF The Honorable Judge LILL Y

AND. THE High-Sheriff (2. G. GARRETT, Esq. For, (as the House has it!) " Breach of Privilege !!" Harbor Grace, October 10, 1838.

HAS RECENTLY RECEIVED

FROM ENGLAND, And just opened a handsome as-

sortment of

BLANKETS, PILOT Clothe, WITNEY | With a great variety of Watch Chains of his Goods and Effects for his own beand Ribbons Gilt, Silver, and Steel Guard Chains

> Scals and Keys Wemen's Silver Thimbles Silver Pencil Cases German Silver Table and Tea Spoons Gold Weading Rings Lady's Ear Rings and Finger Rings

ded 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 | Harbor Grace, from its detachment is compara. tively secure from Fire, will be happy to receive GOODS of any description for disposal on Commission, by Private or Public

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

Notice.

THE Partnership heretofore subsistbetween 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 Euginess et CARBONEAR, under the Firm of ED-WARD WALMSLEY and Co.

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

W. BRANSCOMBE, WM. BEMISTER, Jr. Carbonear, Newfoundland

13th October, 1838.

Witnesses,

PORTUGAL COVE HOAD. Stage Couches, 'Victoria,' 'Velo-

city? and " Catch?

HE Proprietors of these Coaches having made arrangements conducive to the greater comfort and convenience of Tassengers by having Luggage-Carry bee, be, to appoint any them, beg leave to inform the Public that they have now commenced running. Starting from the Commercial Hotel for the Coververy Morning at 9 o'clock, and for St. John's immediately after the arrival of the Pack-

Passengers 5s. Luggage over 201b 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,

MEWFOUNDLAND

Northern District, ? Brigus, to wit.

COURT OF SESSIONS, JANUARY 9TH, 1838. FITHE Justices in Sessions, have this day, under the Colonial Act 1. 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 Lamber," appointed Mr. SAMUEL WILLIAM COZENS, of Baicus, to be

an Assayer of Weights and hieasures for the aforesaid Northern District. ROBERT JOHN PINSENT, J. P. Chairman of the Court.

I hereby give Public Notice pursuant to the Act apovementioned, that my Orce containing the Standard Weights and Measures is situated at my Store in TRIGUS aforsaid, where I shall be in daily

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

E, the undersigned, being appointed by PETER GUIGNETTE, Watchmaker, of Harbor Grace, as his PATENT LEVER and other WATCHES lawful Attornies, & collect and dispose

A LL 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.

Indentures

FOR SALE at this Offic.

Harbour Grace. October 31, 1838.

July 19, 1838.

Writen at the first sight of the Falls, August 13, 1838. BY J. S. BOCKINGHAM.

Hail sovereign of World of Floods whose majesty and might, First dazzles then enraptures then o'eraws

the aching sight; The pemp of Kings and Emperors in every clime and zone,

glorious watery throne.

No fleets can stop thy progress-no armies bid thee stay, But onward -onward -onward -- thy march | he was in the habit of sleeping .still holds its wav;

The rising mist that veils thee-as thine herald goes before-And the music that proclaims thee, is the thundering cataract's roar.

Thy diadem is an emerald queen, of clearest, purest hue, Set around with waves of snowy foam in

spray of feathery dew; While tresses of the brightest pearl, float o'er thin: ample sheet, And the rainbow lays its gorgeous gems,

in tribute at thy feet. Thy reign is of the ancient days—thy sceptre from on high-

Thy birth was when the distant stars first lit the glowing sky; The suc, the moon, and all the orbs that

shine upon thee now, Beheld the oreath of glory which first bound thine infant brow.

And from that hour to this in which I gaze upon thy stream, From age to age, in winter's frost or

summer's sultry beam, By day, by night, without a pause thy waves, with loud acclaim,

In ceaseless sounds have still proclaimed, the Great Eternal name.

For whether on thy forest banks, the Indians of the wood, Or since his days the red man's foe or his father-band have stood. Whoever has seen thine incense rise or

heard thy torrents roar, Must have bent before the God of all! to worship and adore-

Accept theu O Supremely Great! O Infinite! O God! From this primeval altar—the green and

/ virgin sod, The humble homage that my soul in gratitude would pay

To Thee! whose shield has guarded me through all my wandering way.

For if the ocean be as naught, in the hollow of thine hand, And all the rivers of the globe less than a

grain of sand, If Niagara's mighty floop seems great to us who lowly bow,

O! Great Creator of the Whole! how passing great art Thou.

Yet though thy power is greater than the finite mind can scan, Thy mercy is even greater still—to weak,

dependent man: with abundance yielding seed For him the woods, the lakes, the seas,

supply his hourly need. around on high, or far, or near, the universal whole Proclaim thy glory-as the orbs in their

fixed courses roll, and from creation's grateful voice the him respectfully, told him that him ascends above,

While heaven re-echoes back to earth the truth that "God is love."

ANSWER TO " OH NO, WE NEVER MENTION

(From the Sunderlad Beacon.) Oh ! am I, then, remembered still-remembered, too, by thee? Or am I quite forgot by one, whome I

no more shall see? Yet, say not so, for that would add fresh anguish to my lot-I dare not hope to be recall'd yet would

not be forgot. Had they who parted us but know how hearts like onrs can feel,

They would have spar'd us buth a pang, beyond their power to heal:

I know not if thy heart retains its wonted warmted or not,

Tho' I'm forbid to think of thee tho'lt never be forgot-

May'st thou enjoy that peace of mind which I can never know-If that's denied' my prayer shall be, that pigmy." "Oh! sir," said the Deed of Co-partnership, which I have ly share thy woe,

linger o'er that spot-My every thought will be of the, tho' I

If we should meet in after years, thou'lt find that I am changed-My eyes grown dim, my sheek grown

pale, but not my faith estrang'd; From mem'ry's page hand of death alone thy name shall blot-Forget, forsake me, if thou wilt, thou'lt

never be forgot!

An Infernal Machine. -- The New Yorker tells the following story; "An engineer of the Cro-Crow dim beneath the splendour of the ton water works, resideng in Bleecker streem, saw on several different occasions the head of a man at the window of the room in wich Being convinced that his nocturial visites had no good intention in making such an untimely call he sat wits to work to discover the graph, March 12, 1838.] intruder. For his purpose a machine was constructed to act in such a maner when the thief entered the wiedow, he came in contact with a pulley with put in operation two large Bowie knives. After giving his invention two or three rehearsals, and would be impossible for a person to escape who might attempt to enter, he locked up the house and gave out that he intended leaving town. The bait took. On Thursday night, a notirious thief, in attempting to get through the window, received one of the knives in his body, and fell to the ground below. He was picked up bleeding and insencible by persons who handed him over the care of the proper autuorities. Boston Paper

> Chinese coronation.—At the coronation of the emperors of China it is customary to present them with severable sorts of remark of different coulours with addresses to this purpose :-- "Choose, mighty sir, under which of these stones your pleasure is, that we should lay your bones." The object of thus bringing him patterns of his gravestones, is that the prospect of death may confine his thaughts within due bounds of modesty and moderation in the midst of his new honours.

Kissing A Lady .--- At the time of the marage of Jerome with a princess of Wurtmburg, among the princes at Napoleon's court was one who used daily to visite fanny de Beauharnais, god mother to Queen Horteuse- He never took leave of hes without pressing one, and sometimes both cheeks For him thou clothed the teeming fields of hers, and on one visite, after having been more then usually affectionaie he left her to go to the Tuilleries where he had been invited to dine with the Empiror. He had scaroely entered when one of the footmen, approrching his cheeks were quite red; and turning to a mirror, his highness discovered that the rouge from the cheeks of his old friend Fanny Beauharnais, had been 'struck of on his own. Removing this urnecessry coloring, he was announced to the Empiror; and in gratitude to the valet, proccured him a pension of 1200 francs.

> None ar more loath to take a jest, than those who are the most forward to bestow it.

Dr. Bushy, whose figure is beneate the commen size, was one day accostomed, in a public room, by an Irish boronet of collossal stature, with "May I pass to my seat, O giant?" when the doctor made way, and replied, " Pass O darayet, "my expressien alluded since obtained, that the Co-partnership When'er thou art, my every wish will to the size of your intelect." does not terminate until the first day of "And my expression," said the doctor, "to the size of yours."

Dr Arnott's Stove

RIVER 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, and is adapted to places of Public Worship, public establishments, halls, vestibules &c. May be seen in operation at their Stove Grate Manufactory and Iron Works.

Southampton, March 9, 1838. [Dr. Arnott's Stove.—We see by advertisement that this useful and economical Stove is now manufatured to any size, by Driver & Metford, this town of The article has been so highly approved of by all who have seen or used it, that it is quite unnecessary for us to say a syllable in its favor. - Hampshire Tele-

1 From the contiguity of Southampton to Poole, orders from hence may readily be executed for this celebrated Stove. -FD. STAR.]

FOR SAILE

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,

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

Thomas Ridley & Co. or to

ALFRED MAYNE, Their Attorney.

Harbor Grace, Jine 6,

MICHAEL HOWLEY

Sealers' Scalping Knives Men's Great and Pea Coats Hour, Half-hour and Log Glasses Blanketings, Serges Flannels, Yarn Stockings Gun Locks and Gun Lock Vices American Coasting Pilots Nails, from 11/2 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,

THE Co-partnership Trade hithreto 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 authori zed to receive the assets of said Co-partnership Trade.

C. F. BENNETT,

GEORGE MORGAN. 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.

HE 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 :- 1 now find by reference to a copy of the January, 1841.

GEORGE MORGAN. Feb. 10, 1838.

Notices

CONCEPTION BAY PACKETS t John's and Harbor Grace Packest

HE 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 Passengers7s. 6d. Servants & Children5s. Single Letters 6d. and Packages in proportion

Vol. IV

HARBOUR

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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, HARBOUR GRACE PERCHARD & BOAG, Agents, ST. John's Harbour Grace, May4, 1835

> > Nora Creina

Packet-Boat between Carbonear and Portugal Cove.

AMES DOYLE, inreturning his best thanks to the Public for the patronage and support he has uniformly received, begs to solicit a continuance of the same fa-

The Nora CREINA will, until further notice, start from arbonear 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 For further particulars apply to 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.

Ladies & Gentlemen 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 given him. Carboner, June, 1836.

THE ST. PATRICE

DMOND PHELAN, begs most respectfully to acquaint the Public, that the has purchased a new and commodious Boat which at a considerble expence, he has fitted out, to ply between CARONEAR and PORTUGAL COVE, as a PACKET-BOAT; having two abins, (part of the after cabin adapted for Ladies, with two sleeping berths separated from the rest). The forecabin 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 respect able community; and he assures them it will 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.

After Cabin Passengers 7s. 6d Fore ditto, Letters, Single Double, Do. Parcels in proportion to their size or

The owner will not be accountable for any Specie.

N.B.—Letters for Si. John's, &c., &c. received at his House in Carbonear, and in St John's for Carbonear, &c. at Mr. Patrick Kielty's (Newfoundland Tavern) and a Mr John Cruet's. Carbonear, -

TO BE LET

On Building ease, for a Term of Years.

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

MARY TAYLOR. Widow.

Carbonear, Feb. 9, 1838.

June 4, 1836.

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