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MONTREAL.

NO. III.

The French forces which still remained in Canada during the winter of 1759-60, were not unequal to the attempt which had been meditated at Montreal against Quebec. These consisted of ten battalions of regular troops, amounting to near five thousand men; six thousand of the experienced militia of Canada; and about three hundred savages. With this force, which had been collected at Montréal, M. Lévi took the field on the 17th of April, 1760. His provisions, ammunition, and heavy baggage, fell down the Saint-Lawrence, under the convoy of six frigates from forty-four to twenty-six guns. By this squadron, which there was nothing to oppose, he acquired the undisputed command of the river, a point of the greatest importance to the whole design. In ten days' march, the French army arrived in the neighbourhood of Quebec. The English thought they still lay quiet in their winter quarters at Montreal. The army, already landed, came up with an advanced guard of fifteen hundred men, posted three leagues from Quebec. This party was just upon the point of being cut to pieces, had it not been

* The French accounts say it was on the 12th, and that the English were

for one of those unaccountable incidents, which no human prudence can foresee: A gunner, attempting to step out of his boat, had fallen into the water. He caught hold of a flake of ice, climbed up upon it, and was carried down the stream. As he passed by Quebec, close to the shore, he was seen by a centinel, who, observing a man in distress, called out for help. The English flew to his assistance, and found him motionless. They knew him by his uniform to be a French soldier, and carried him to the governor's house, where, by the help of spirituous liquors, they recalled him to life for a moment. He just recovered his speech enough to tell them that an army of ten thousand French was at the gates, and expired. The governor immediately dispatched orders to the advanced guard to retire within the walls with all expedition. Notwithstanding their precipitate retreat, the French had time to attack their rear. A few moments later, they would have been defeated, and the city retaken.

When General Murray perceived the approach of the enemy, he found himself reduced to the unavoidable alternative of making choice of one of two parts,—either to keep within the town, and confiding in his troops, which though weak as an army, were strong as a garrison, to sustain the siege to the utmost extremity; or to march out, and by trying the fortune of the field, to avoid the tedious hardships of a siege, in a place which seemed to him scarcely tenable. He resolved on the latter part. But when he came to review his ability for this undertaking, he could possibly draw into the field no more than three thousand men. However, he was not frightened by the enemy's great superiority. He determined to engage, depending on fortune, on the tried goodness of his troops, and his own courage to animate them. But he was mistaken in all his calculations. When he came to engage the French he found them too strong for him. The English, after narrowly escaping the calamity and disgrace of being surrounded, were driven back within their walls, leaving upwards of a thousand of their bravest men dead upon the spot. They gained Quebec, however, with very little further loss in the pursuit, except their cannon, which they could not bring off on account of the wreaths of snow which, even in this advanced season, still lay upon the ground. The French lost, at least, two thousand men in action; but as their whole hope of success depended on perfecting their work before a British squadron could arrive, they lost not a moment's time to improve their victory. They opened trenches before the town the very night of the battle. But it was the 11th of May before they could bring two batteries to play upon the fortifications. On the 9th of that month, to the great joy of the garrison, an English frigate anchored in the bason, and brought them an account that the British squadron, commanded by Lord Colville, was then in the river. On the 15th, a ship of the line and a frigate arrived; the next morning the two frigates were sent to attack the French squadron above the town. They executed their commission so well, that in a moment all the French vessels, of whatever kind, were dispersed, and the greatest part destroyed or taken. Mr. Levi, who had the mortification to behold, from the eminences, this action, which at one stroke put an end to all the hopes he had conceived from his late victory, was persuaded that these frigates, by the boldness of their manner, must have been the van-guard of a considerable reinforcement;

and that too close at hand. He therefore raised the siege in the utmost hurry and precipitation, leaving behind all his artillery, and a great part of his ammunition and baggage, although Lord Colville, with the rest of the squadron, did not arrive at Quebec until two days after.

After Levi had been compelled to raise the siege of Quebec, Vaudreuil, the Governor of Canada, fixed his head-quarters at Montreal, to make, if possible, a last stand in that place. For this purpose he called in all his posts; and here he collected the whole regular force that remained in Canada. At the same time he endeavoured to keep up the spirits of the people by various rumours and devices, by which he practised on their credulity. But Monsieur Vaudreuil's greatest hope was not in his artifices, nor his force, but in the situation of Canada, which is much more difficult of entry, than, when the enemy has once entered it to be conquered. This, at least, must have been the case, at the period of the conquest. On the side where the most considerable part of the British force was to act, it was covered with vast impenetrable woods, morasses, and mountains. The only tolerable entrance to an army, is by the river Saint Lawrence; and the navigation of this river is rendered extremely difficult and hazardous by the number of shallows and falls that lie between the discharge of Ontario and the Isle of Montreal. Vaudreuil was in expectation, that the preparations necessary for conducting an army through such a long and difficult way, would necessarily consume so much of the summer, as not to leave sufficient time for the operations absolutely necessary to reduce the remainder of Canada. He did not apprehend much danger from the garrison at Quebec, which had been weakened by its defeat in the Spring. These considerations gave him some confidence that he might protract the war somewhat longer, and another year might possibly give fortune an opportunity to take some turn in his favour. But Mr. Amherst, whose calm and steady resolution no difficulties could overcome, was taking the most effectual measures to defeat his expectations. His plan was disposed of in this manner. Brigadier-General Murray, had orders to advance towards Montreal, on his side, with all the troops which could be spared from the garrison of Quebec. Colonel Haviland sailed from Crown Point, and took possession of Isle aux Noix, which had been abandoned by the enemy on the 28th of August, and from thence had orders to proceed directly to the City of Montreal. His own army, consisting of about ten thousand men, he proposed to transport by the way of Lake Ontario into the river Saint Lawrence. Thus he proposed entirely to surround the last place of importance which the enemy possessed, and by the motion of three armies, in three such different routes, to render it impossible for them to form an effectual opposition to any of his corps.

Having laid this general plan, he left Schenectady on the frontiers of New-York, on the 21st of June, and passed up the Mohawk's river and down that of the Oneidas, to Oswego, where he arrived on the 9th of July. The army he had collected there, consisted of about ten thousand men, regulars and provincials, Sir William Johnson brought a thousand savages of the Iroquois; the greatest number of that race of men which, at that time, was ever seen in arms in the cause of England. It was a matter of the greatest difficulty to transport so numerous an army, the whole of its artillery, its ammunition, and all its

provision, over the expanse of that vast lake in open boats and galleys. It required the greatest caution and the exactest order, lest they should fall foul upon one another—lest they should be driven out too far to gain the land on the first threatening of a storm—or lest they should come too near the shore. But all the dispositions were made in the most admirable method, and with that regularity of military arrangement which made so considerable a part of the character of that able commander. The whole army embarked on the 10th of August. A detachment had been sent some days before to clear the passage of the river Saint Lawrence of any obstruction, and to find the best passage for the vessels. On the 27th he had entered that river, taken possession of Swegatchie, and made all dispositions for the attack of L'Isle Royale, a fort lower down the river which commanded it. The troops and boats were so disposed, that the isle was completely invested, and the garrison was left no means of escape. The batteries were then raised and opened, and, after two days sharp firing, the fort surrendered on the 25th of August. This being a post of importance both to command Lake Ontario and to cover the then British frontier, the general spent some days here in order to repair the fort, and at the same time to fit out his vessels, and to prepare all things for passing his troops down the river, the most dangerous part of which he was now about to encounter, as all the rapids lie betwixt that place and Montreal. But notwithstanding all precautions, near ninety men were drowned in passing these dangerous falls, and a great number of vessels broke in pieces. At length, after a tedious, fatiguing, and dangerous voyage of two months and seventeen days since they left Schenectady the English, on the 6th of September, saw to their great joy the Isle of Montreal, the object of their ardent wishes, and the period of their labours. They were immediately landed in the best order; and all dispositions were made for attacking the place. So excellently was this plan concerted, and so faithfully executed, that General Murray landed from Quebec that very day, and Colonel Haviland with his army from Isle aux Noix the day following.

We have already had occasion to observe, that the fortifications of Montreal previous to this war were rather mean and inconsiderable. Something had been since added; but nothing could at this time render the taking of it an enterprize of difficulty, except that here was collected the whole regular and no small part of the provincial force which remained in Canada. However, by the dispositions which at once brought against it three armies,—the greatest part and flower of the British troops in America, Monsieur Vaudreuil saw himself entirely inclosed. He despaired of defending the place; and therefore surrendered the garrison of Montreal, and the inhabitants of his government as subjects to the King of Great Britain, on the 8th of September 1760.

The articles of capitulation by which this important event was finally accomplished consisted of fifty five. An abridgement of the most important of these, in so far as they were distinctly understood and clearly expressed on both sides, may not altogether be useless, no less as a matter of general history, than as being completed under the walls of the city whose annals we are now endeavouring to trace. By the preliminary articles, it was stipulated, that twenty four hours after the signing of the capitulation, the English troops should take possession of

the gates of the town of Montreal; and the English garrison should not come into the place till after the French troops had evacuated it.— That the whole garrison of Montreal should lay down their arms, and should not serve during the war. That the troops and militia in garrison should go out by one of the gates with all the honours of war. That the troops and militia who were in garrison in the fort of Jacques Cartier, and in the Island of Saint Helen should be treated in the same manner. That the militia, after being relieved from these forts, should return to their homes without being molested. The articles of capitulation then proceed to stipulate—that the Marquis Vaudreuil should not be obliged to leave Montreal before a certain day; and no person should be lodged in his house till he had gone. That the Chevalier Levis, the commander of the land forces, the Engineers, Officers of Artillery, and Commissary of war, should also remain at Montreal till the said day, and keep their lodgings there. That the most convenient vessel that could be found should be appointed to carry the Marquis de Vaudreuil to France by the stratest passage. That two ships should be appointed to carry to France the Chevalier de Levis, the principal officers, and the staff of the land forces, the engineers, officers of artillery and suite, *provided* that all the officers of whatever rank should faithfully deliver up all the charts and plans of the country. That ships should also be provided for carrying to France the officers of the supreme council of justice. That a passage to France should likewise be granted to the India Company. That the said Company should be maintained in the property of the Ecaritines and Castors which they may have had in the town of Montreal, *provided* the King of France had no share in it. That the free exercise of the Catholic, Apostolic, and Roman religion should subsist entire. That the chapter, priests, curates, and missionaries should continue with an entire liberty to exercise the functions of their cures in the parishes of the towns and countries. That the communities of nuns should be preserved in their constitution and privileges. That they should continue to observe their rules—that they should be exempted from lodging any military—and that it should be forbid to trouble them in their religions exercises, or to enter their monasteries—that safeguards should even be given them, if they desired them. That all the communities, and all the priests, should preserve their moveables, the property and revenues of the seignories, and other estates which they possessed in the Colony, of what nature soever they might be; and the same estates should be preserved in their privileges, rights, honours, and exemptions. That all classes should preserve the entire peaceable property and possession of their goods, moveable and immoveable, merchandizes, furs, and other effects. That the archives of the supreme council of Quebec, and of the whole royal jurisdiction of the country, should remain in the colony. And that care should be taken that the Indians did not insult any of the subjects of his most Christian Majesty.

The capitulation was signed at break of day of the 8th of September. The grenadiers and light infantry then marched into the town, commanded by Colonel Haldiman, in the following order of procession:

I.—A twelve pounder with a flag; and a detachment of Royal Artillery.

II.—The grenadiers of the line, commanded by Colonel Massey.

III.—The light infantry of the line, commanded by Colonel Amherst, each with a band of music before them;—and the eldest Ensign in General Amherst's army, to take possession of the colours of the eight French regiments. The following day the colours of Shorley's and Pepperell's regiment, lost at Oswego in 1756, were marched out of Montreal by a detachment of grenadiers and a band of music, and carried down the right of the British line to the head quarters where they were lodged. Immediately afterwards, the following general orders were issued by General Amherst, which, as they were the first public documents promulgated in the name of Great Britain, after the entire conquest of Canada, we deem not unworthy of a place: "Camp before Montreal, September 9, 1760. *Parole*,—King GEORGE,—and CANADA. The General sees, with infinite pleasure, the success that has crowned the indefatigable efforts of His Majesty's troops, and faithful subjects in America. The Marquis de Vaudreuil has capitulated; the troops of France in Canada have laid down their arms, and are not to serve during the war; the whole Country submits to the dominion of Great Britain; the three armies are entitled to the General's thanks on this occasion; and he assures them, that he will take the opportunity of acquainting His Majesty with the zeal and bravery which has always been exerted by the officers and soldiers of the regulars, and provincial troops, and also by his faithful Indian allies. The General is confident, when the troops are informed that this country is the King's, they will not disgrace themselves by the least appearance of inhumanity, or by unsoldier-like behaviour, in taking any plunder, more especially as the Canadians become now good subjects, and will feel the good effect of His Majesty's protection."

It is a singular fact, that the Indians, who had been in the French interest, hoisted an union flag in the sight of Montreal, some time before General Amherst arrived there; and showed the utmost complaisance to the British army, saying, that "now they found they were *men*, they would be good friends with them."

And thus in the sixth year of the war, and after the most severe struggles, was the vast country of Canada reduced to the obedience of the King of Great Britain. In this time six battles had been fought, the fortune of which was equally divided. In three the French had been victorious: in three the English. The first of those in which the French had the better, was fought on the meadows near Fort du Quesne, where General Braddock was killed; the other at Ticonderoga, where General Abercrombie commanded; the third at Sillery, near Quebec, where General Murray was repulsed. The victories of the English were, first, that near Crown Point, where General Johnson commanded, and Dieskan was made prisoner; the second near Niagara, where General Johnson also commanded; and the third, and principal, near Quebec, where Wolfe gained the victory and lost his life. From the English two forts had been taken, Oswego and Fort-William-Henry. The English on their side took three cities, Louisburgh, Quebec, and Montreal;—and five forts, which commanded as many important communications, Beausejour, Niagara, Frontenac, Ticonderoga, Crown Point, and Isle Royale; besides some others of inferior consideration.

Taking the whole war in America into one view, Canada had been defended with bravery and conduct sufficient to crown the Generals Wolfe and Amherst, and the Admirals Boscawen and Saunders, who finally reduced it, with the greatest glory. And without question, the conduct of General Amherst, in his late expedition, by which he obliged Montreal to surrender without a blow, and finally conquered Canada without effusion of blood, deserved every honor and every recompense a grateful people could bestow. The humanity with which he behaved to the conquered, both French and Indians, though the one had perpetrated, and the other at least connived at the most horrid cruelties to the English prisoners, added a high lustre to his conquest. His troops set not one house on fire, not one habitation was plundered, not one man was killed, except in the attack on Isle Royal. None was more distinguished in this respect than Sir William Johnson. He led into Canada an army of a thousand of the fiercest and most cruel savages in America, without doing the smallest damage to the country, or offering the slightest injury to the persons of the inhabitants. To effect this he was obliged to exert the most unwearied endeavours, and the whole of those uncommon talents which gave to him such power over the minds of all sorts of men. The great victories by which he had advanced the interest of his country, confer on his memory less honor than that conduct, by which he had so greatly advanced its character for humanity and moderation. It were to be wished that the same might be said of the army that marched from Quebec to Montreal, who, finding that the inhabitants in some parts were out in arms, were under the necessity of setting fire to the villages. The tenderness of General Murray's nature revolted when the giving such orders became a necessary part of his duty.

The Conquest of Canada was confirmed by the treaty of peace of 1763. The acquisition of an immense territory was not, however, the only advantage that Great Britain could derive from the success of her arms. The considerable population she had found there was of still greater importance. Some of these numerous inhabitants, it is true, had fled from a new dominion, which admitted no other difference among men, but such as arose from personal qualities, education, fortune, or the advantage of being useful to society. But the emigration of these persons, whose importance was founded on nothing but barbarous custom, could not surely be considered as a misfortune. The only things necessary to make the colony prosper, were, that its lands should be cleared, its forests cut down, its iron mines worked, its fisheries extended, its industry and exportation improved. The province of Canada has been convinced of this truth. And, indeed, notwithstanding the ties of blood, language, religion and government, which are usually so strong; notwithstanding that variety of connections and prejudices which have so powerful an ascendant over the minds of men; the Canadians have never shewn much concern at their violent separation from their ancient country. They have readily concurred in the measures employed by the British government to establish their happiness and liberty upon a solid foundation.

When Montreal was reduced by General Amherst, it was well peopled. It was of an oblong form, being surrounded by a wall, flanked with eleven redoubts, which served instead of bastions. The ditch was

about eight feet deep, and of a proportionable breadth, but dry. It had also a fort or citadel, the batteries of which commanded the streets of the town from one end to the other. The town itself was divided into two parts, the upper and lower, in which last, the Merchants, and men of business, generally resided. Here, likewise, was the place of arms, the royal magazines, and the nunnery hospital. The upper town, however, contained the principal buildings, such as the palace of the governor, the houses of the chief officers of the place, the convent of the recolects, the jesuits church and seminary, the free-school, and the parish church. The recolects were numerous here at this time, and their convent spacious. The house of the jesuits was magnificent, and their church well built, though their seminary was but small.—Several private houses in Montreal, even at this time, made a noble appearance, and the governor's palace was a large fine building. The neighbourhood of the city contained many elegant villas, and all the vegetables of Europe grew there. All the inland trade of the inhabitants was with the Indian natives; and they sent to the West Indies racoon, fox, and beaver furs, skins of deer, and other branches of the Peltry trade, Indian corn, with what is called lumber, or wood. Their wine, brandy, cloth, linnen, and wrought-iron came from Europe; and the native Indians took from them toys and trinkets of all kinds, duffil blankets, guns, powder, ball, kettles hatchets, tomohawks, brandy and tobacco. But no sooner had the conquest of Canada been completed, and the authority of the French government gone, than all sorts of traders began to experience the most serious difficulties in relation to the paper currency then in use throughout the province. There was scarcely a coin of gold or silver to be seen; and the sudden stoppage of that credit which had hitherto been attached to that dangerous medium of circulation which we have alluded to in a former chapter, instantly created a general stagnation in every species of commercial intercourse. The consequence was, that British merchants soon became very extensive holders of Canadian bills, who found it necessary to apply for their liquidation to the French government; but it was not till after repeated and the most strenuous solicitations that their demands had been complied with. At last the council of the King of France issued an *Arrêt* concerning the liquidation of these bills, which contained the following articles:—“I. The tickets, &c. given hitherto, and which may be delivered hereafter, in payment of the liquidation of the Canada bills, though fixed at four per cent, shall be nevertheless paid at the rate of four and a half in the month of January each year, to commence in 1766, the capitals preserved entire. II. The bearers of Canada bills shall be obliged to get them liquidated before the first of March, 1766; if they delay it till after that time, the said papers, although they may have been declared, shall not, under any pretence, be admitted to liquidation, but will remain null and of no value, without hope of re-establishment. III. His Majesty excepts nevertheless, from the disposition of the preceding article, such of the said papers as belong to the subjects of Great Britain; and considering that the greatest part of the said papers remain yet in Canada, from whence the proprietors cannot totally withdraw them, and present them for liquidation before the first of October (then) next, the delay above mentioned may be extended, but in favour of

“the English only, till the said epoch; after the expiration of which they will likewise forfeit all pretensions on their unliquidated papers.”

The first national event of any moment which had occurred after the reduction of Montreal was the death of George the Second. On the morning of the 25th of October, 1760, his Majesty, while at his palace at Kensington, was suddenly seized with a violent disorder, and fell down speechless, and soon expired, notwithstanding all possible methods used for his recovery, in the seventy-seventh year of his age and thirty-fourth of his reign. All the French in Canada, of any distinction, immediately went into mourning for His Majesty; and Governor Gage received the following address from the Officers of Militia, and the Merchants of Montreal, on the loss of their Sovereign:

The Address of the Officers of the Militia; and the Merchants of Montreal, to General Gage, Governor of that place.

“Cruel destiny then has cut short the glorious days of so great and magnanimous a monarch. We are come to pour out our grief into the paternal bosom of your Excellency; the sole tribute of gratitude of a people, who will never cease to exult in the mildness and moderation of their new masters. The General who conquered us has treated us more like victors, than vanquished, and has left us a precious Pledge, by name and deed, of his goodness to us. What acknowledgements are we not bound to make for so many favours? They shall be for ever engraved on our hearts in indelible characters. We intreat your Excellency to continue to us the honour of your protection. We will endeavour to deserve it by our zeal, and the earnest prayers we shall offer up to the Almighty Being for your health and preservation.”

Nothing can more clearly shew than this simple, beautiful, and pathetic address, the sentiments of approbation with which the Canadians in general suffered their sovereignty to be transferred from the French to the British monarch, and the pledge, to use their own ingenious phrase, which had thus early been given of their future devotion and loyalty to the most free and liberal government on the face of the earth.

* GAGE, in French, signifies a pledge.

THE FUR TRADE OF CANADA.

NO. II.

THE late happy junction of the two great Companies which almost exclusively engrossed the Fur Trade of the British Territories in North America, renders it necessary that, before proceeding further in our historical sketch of this most important branch of commercial enterprise, we should retrograde in our details, in order to bring clearly and distinctly before the reader's view in one connected chain, the rise and progress of that trade which has been the cause of so much individual and national wealth, as well as the various systems pursued from its foundation, for the attainment of that success which it is to be hoped has ultimately crowned the exertions of a number of individuals, no less renowned for their enterprize than daring intrepidity and skill, in conducting one of the most difficult branches of trade which commerce has opened up to the ambition of man.

The Fur Trade of HUDSON'S BAY is almost coeval with that of CANADA; and the history of the one is no less interesting than that of the other. The first discovery of those northern lands, were made by the adventurers from different parts of Europe, who endeavoured to find out the north-west passage to China and the East Indies. From the year 1576 to the year 1578, Sir Martin Forbisher made three different voyages to discover this still unexplored passage; but all that he discovered was the Strait which still retains his name. In three successive voyages, John Davis, who sailed from Dartmouth, was equally unsuccessful. About 1583, Sir Humphrey Gilbert took possession of Newfoundland for the Crown of England; but no farther attempts were made, till Henry Hudson, in 1607, is said to have discovered as far as 80 degrees; and prosecuted his discoveries, though very unsuccessfully, and with little appearance of profit. In the year 1610, he proceeded many leagues farther than any man had done before him, and entered the straits that lead into this new Mediterranean, coasted a great part of it, and penetrated into the heart of the frozen zone.—His ardor for discovery not being abated by the difficulties he struggled with in this empire of Winter, and world of frost and snow, he staid here until the ensuing Spring, and prepared in the beginning of 1611, to pursue his discoveries; but his crew, who suffered equal hardships, without the same spirit to support them, became mutinous, seized upon him and seven of those who were most faithful to him, and committed them to the fury of the icy seas in an open boat. Hudson and his companions were either swallowed up by the waves, or gaining the inhospitable coast, were destroyed by the savages; but the ship and the rest of the men returned home. The barbarians who treated him in this manner could not, however, rob him of the honour of the discovery he had made; and the bay which he first found out will ever be called by his name. In the year of his death, Prince Henry, who, for his public spirit, was so beloved by the people of England, encouraged Sir Thomas Button to pass Hudson's Straits, which he did; and sailing westward, discovered a continent, and gave it the name of NEW WALES.

Being unable to pass further than the fifty-sixth degree of North latitude, called by him the *Ne Ultra*, he wintered at Port Nelson, and from him the bay was called Button's Bay. The civil wars of England soon after coming on, prevented our countrymen from pushing their discoveries farther; but Prince Rupert and some public-spirited gentlemen, in 1667, fitted out Guilam, who landed at Rupert river, on the east continent of Hudson's Bay, where he built Fort Charles, and laid the foundation of the Fur Trade with the natives.

This trade bore so good an aspect, that in 1669, a royal charter was granted to the adventurers, in the following terms:—“To Prince RUPERT, Count Palatine of the RHINE; to GEORGE Duke of ALBEMARL, to WILLIAM Earl of CRAVEN, and to FIFTEEN others, and to others whom they shall admit into the said body corporate; power to make a common seal, and to alter it; to chuse annually, sometime in November, a governor, a deputy-governor, and a committee of seven; any three of the committee, with governor and deputy-governor, to be a court of directors: freemen to be admitted (their factors and servants may be admitted freemen) at a general court, a power to dismiss the governor, deputy-governor, or any of the committee, before the year expires; and upon their dismissal or death to elect others in their room for the remainder of the year: to have the sole property of lands, trade, royal fishery, and mines, within Hudson's Straits, not actually possessed by any christian: Prince, to be reputed as one of our Colonies in America; to be called the RUPERTS' land, to hold the same in free and common soccage, to pay the skins of two elks, and two black beavers, as often as the King and Queen shall come into those lands: power to assemble the company, and to make laws for their government and other affairs, not repugnant to the laws of England; an exclusive trade, without leave obtained of the company, penalty, forfeiture of goods and shipping, one half to the King, one half to the company. In their general meeting, for every £100 original stock, to have one vote; may appoint governors, factors, and other officers, in any of their ports; the governor and his council to judge in all matters, civil and criminal; and execute justice accordingly: where there is no governor and council, may send them to any place where there is a governor and council, or to England for justice: liberty to send ships of war, men, and ammunition, for their protection, and erect forts: to make peace or war with any people who are not christians, and may appeal to the King in Council.”

Notwithstanding this charter, the French pretended to the right of pre-occupancy, founded upon the discoveries of their countrymen, long before the date of this charter. They alledged, that the Sieur Bourdon, and another Frenchman, repeatedly took possession of Hudson's Bay and its neighbourhood, between the date of this charter and the year 1656. It is certain, that in 1663, three Frenchmen—Medard Chouard des Grosilliers, and Pierre Esprit de Radisson—out of some pique they had conceived against their own country, conducted Guilam to the river Nemiscau, which discharges itself into the bottom of the bay, and there first built fort Rupert, and afterwards fort Monsonis.—

* In a future number this Charter will be given more at large.

The French* held this possession as an usurpation, and their intendant endeavoured to prevent a prescriptive right in favour of the English; but COLBERT'S pacific measures prevented any rupture between the French and Charles II. on that account. The French, however, endeavoured to gain by degrees, what they did not attempt by force.—Grossilliers and Radisson, before they were employed by the English, had presented Memorials, both at Quebec and Paris, upon the practicability of carrying ships from Canada to Hudson's Bay; and this they did upon the information of certain savages, whom they met with near the lake of the Assimponals, who conducted them by land to the bottom of the bay, where, according to the French accounts, the English had not yet made a settlement. Their memorials were treated by the French ministry as mere fictions, but the English ambassador at Paris, recommended them both to the service of the English nation, from whom they soon found both patronage and protection. The French at Quebec, when it was too late, discovered their oversight. A deputation of savages, who had repaired to Quebec, to solicit for missionaries, offered to conduct the French by an easy way from the river Saguenay to Hudson's Bay; and Talon, the intendant-general of Canada, sent along with them, upon the discovery, Father Abanel, and two other Frenchmen. They left Quebec on the 22d of August, 1671; but by this time, one Mr. Baily, an Englishman, had been sent over by the Company as governor, and he was attended by the above-mentioned Radisson; so that when the three Frenchmen, conducted by the savages, arrived at the bay, which they did on the 17th of September that same year, they found the English there in full trade with the savages. This obliged the Frenchmen to send to Quebec for passports, to prove that they were no pirates; but before these could arrive, they lost the season for navigating the bay, and they were obliged to winter on the banks of Lake Saint John. On the 1st of June, 1672, they set out on their return for Quebec; but on the 13th, they were intercepted by eighteen canoes, filled with Mistassin savages. Father Abanel immediately accosted them, informing them that the French were their friends; and that they had lately defeated their enemies, the Iroquois, who were in no condition to molest them farther. The chief of the Mistassins, whose nation, it seems, entertained a fondness for the Catholic religion, returned the father thanks for his information, and he prevailed upon them to promise to trade upon the Lake St. John, where they were always sure to meet with merchandize to barter, and a missionary to instruct them. The savages pressed Albanel to remain with them; but he excused himself, and promised to return to Lake St. John. After this, the French adventurers entered upon the Lake of the Mistassins, and then reached the banks of the Lake Nemiscau, and on the first of July, a place called Miscoutenagechit, where they were received by the natives with vast demonstrations of joy. Notwithstanding this, Albanel perceived that the natives carried on a beneficial trade with the English, which they were so determined not to forego, that Albanel was obliged again to assure them, that he and his companions had no farther view in the visit they paid them, than the safety of their souls, and to inform them, that they had nothing to fear

from their enemies the Iroquois. Some days after, the French adventurers left that village, visited the neighbourhood of Lake Nemiscau, and embarking upon the river of the same name, they fell into the bay, where they took a sham possession; but it had not the least influence upon the English commerce there.

While the French were thus employed, the English adventurers had formed themselves into a regular company, at the head of which was Prince Rupert. The other members were, Sir James Hayes, Mr. William Young, Mr. Gerard Keymans, Mr. Richard Cradock, Mr. John Letton, Christopher Wrenn, Esq. and Mr. Nicholas Hayward. Mr. Baily, who was the Governor, resided chiefly at the small fort, which had been upon Rupert's river, but all the English inhabitants there did not exceed twenty. His neighbours were the Indians, whose princes and head-men, with their families, often came begging for mere subsistence, to the English; for, as their means of living depended entirely on the success of their hunting, they were reduced to starve as often as that resource failed them. It may, however, be proper here to observe, that perhaps the neighbourhood of the English, and their hospitality, encouraged those barbarians, who are naturally the most indolent beings in the universe, to this practice of begging. The English themselves had but a precarious dependence for their subsistence, and waited for returns from England for all their food and necessaries, so barren and inhospitable was the neighbouring country. In 1673, Grossilliers arrived at port Nelson, where a kind of factory had been established, but under very discouraging circumstances, because the neighbouring Indians had been prevailed upon by the French to abandon the country. The Governor himself, though he and the few English with him, carried on a gainful traffic with the distant Indians, was in a most miserable situation; being in danger of perishing in the crazy cabins they had erected, and they subsisted chiefly on fishing, and killing such wild fowl as come in their way. Towards the beginning of the year some Indians visited them, and brought along with them a little fresh meat. This afforded them a temporary relief from the scurvy, which the eating their salt provisions had introduced amongst them.

The French knew the hardships, but, at the same time, the benefits of the trade. Radisson had married a daughter of Sir David Kirk, who had first conquered Quebec, and not thinking himself sufficiently rewarded by the English, he had made his peace with the Court of France, from which he had received several distinguishing favours, and settled in Canada. Here he formed what he called a company of the north, which was founded on a plan for dispossessing the English of Hudson's Bay. At the head of this company, Radisson and his companions were placed, as being best acquainted with the country and its trade. Nothing but the most insatiable desire of gain could have induced them to any attempt to disturb the miserable settlement of the English in Hudson's Bay. Profit, or the prospect of it, recompensed Governor Baily and his companions for all their hardships. By this time, some of the Indians were so well reconciled to the settlement, that they had built their Wigwags at the east end of the English fort, for the benefit of their trade. Those Indians went by the name of Cuscudidahs, and their King, or Chief, promised to wait upon the

English Governor, who, with his company, were now reduced to almost as melancholy a situation as the savages themselves. The message of the Indian Chief coming to the ears of the French Jesuits, the latter animated the savages against the English, and the habitation of the Cuscudahs, at the east end of the fort, was threatened with an invasion from the French Indians. This was attended with very serious consequences: the French leaving nothing unattempted to ruin the English trade, and to make a settlement, about eight day's journey from that of the English. This introduced a debate among the English—whether they ought not to remove to Moose river from fort Rupert, in order to prevent their trade with the natives being intercepted by the French. This happened in the year 1674, and it seems the result of the debate was, that the English should continue where they were, but to take all opportunities to cut the French out of the trade. By this time the Chief Cuscudah had enlarged his wigwam to the very walls of fort Rupert, to which he and his tribe proved such troublesome and dangerous neighbors, that Mr. Baily was obliged to order that no Indian should enter the fort, except the Chief, and his principle courtiers. On the 20th of May, twelve of Cuscudah's subjects came to the fort, and informed him that a few of upland Indians would trade that year with the English in Hudson's Bay; they having been persuaded by the French to traffic with their Canadians. Upon this, Mr. Baily ordered his sloop to proceed up the river, that he might re-establish his interest among the upland Indians. Upon his landing, a feast of beaver and moose flesh, and other eatables, dressed in the Indian fashion, was served up in great plenty; but we know of very little advantage which this visit produced to the English. They had better fortune in a voyage they afterwards made to the Moose river, where they discovered several whales, and were in danger of being attacked by the Nodway Indians; but this expedition proved profitable; for Mr. Baily returned with fifteen hundred skins, and established a trade with the Shechittawams, from whose country he coasted along to fort Nelson.

All the profits of the trade, however, could not ward off the danger of starving, which every day stared the English full in the face. They had almost spent all their provisions, as well as their powder and shot, upon which their very being depended, having no means of subsistence but by killing game. This danger being over, the Governor of Quebec, on account of the great friendship then subsisting between the Courts of France and England, as he pretended, sent a Jesuit to Rupert fort, but in reality, to be a spy upon the strength and situation of the English. This Jesuit brought letters for Grossilliers, which, with some preceding circumstance of suspicion, confirmed the English in their opinion of his privately keeping a correspondence with his countrymen the French. Notwithstanding this, Mr. Baily, the Governor, behaved himself towards this Jesuit with the greatest humanity, by giving him cloaths, he having been stript by some of the savage nations. It appears, as if Baily had been so artful as to prevail with the Jesuit to discover his real business; for he learned from him that the Tabitte Indians, whose country lay within the bounds of the patent granted to Hudson's Bay company, traded with the French, who intended to pay the English at Hudson's Bay, a very disagreeable visit,

They had practised upon the Nodways, and Moose-river Indians to keep up their commodities at an extravagant rate; and this, together with the difficulty of subsisting in that miserable climate, at last determined the governor to march for Point Comfort, and from thence to sail for England. All their flour and bread at this time did not exceed two hundred pound weight; and they had only two barrels of pease, and thirty geese in pickle, to support them during their voyage. Their sloop accordingly fell down to Point Comfort; but some firing being heard, they concluded it was from English ships, and therefore delayed sailing. This delay served only to consume their provisions, and no English for some days appearing, they were overwhelmed with horror; but at last they understood that the ship Prince Rupert, commanded by Captain Gillum, with William Lyddal, Esquire, a new governor, had arrived upon the coast. At the same time Captain Shepherd, in the Shaftsbury, arrived from England; where the profits of the trade became to be better understood. It was now the 18th of September, when Mr. Baily delivered up all his authority to Governor Lyddal, who, finding the year too far advanced for the ships to return to England, employed their crews in felling timber for building houses and conveniencies for dwelling. It soon appeared, that the newly arrived ships had not brought with them a sufficiency of provisions for the subsistence of the settlers, so that they were reduced to vast privations. Mr. Baily was happy enough to return to England, where he gave the company excellent advice, as to their interest; and they increased the settlement by an additional number of factories up the rivers, which discharge themselves into the bay.

In the year 1682, the French, at Quebec, fitted out two miserably equipped ships for two purposes. The first was to drive the English from Hudson's Bay, and the other to establish a peltry trade there among the natives. Proceeding to Fort Rupert, they found it so well guarded, that they did not venture to attack it. They then cruised along the west coast of the bay, in search of a commodious situation for the Fur Trade; and at last they arrived at Fort Nelson, where the two rivers of Bourbon and St. Therese joined. Radisson was one of the adventurers in the expedition; and, when the French were wintering in the river of St. Therese, the English were encamped upon that of Bourbon; and the French discovering the English so near them, though they were no more than twelve men, attacked the English, who were eighty in number, but all of them drunk; and made them prisoners, as they did six other sailors who were in a separate body. Charlevoix, however, * gives a different account of this adventure. According to his information, upon the arrival of Radisson in the river of St. Therese, a Boston vessel appeared at the mouth of the same river, not far from the place where the French were encamped. A few days after, a large ship from London, cast anchor at the same place, to the great dread of the Boston men, who, it seems, were little better than pirates, and of the French who were unprovided with the means of defence. The English large ship, however, was, by currents, driven from her anchors, and wrecked among the shoals of ice, without any possibility of being saved. Some of the crew got upon those shoals, and were

* Vol. II. p. 300.

driven towards the mouth of St. Therese river, where Radisson and Grossilliers then commanded. The French seem to have made the utmost advantage of their misfortune; for though they relieved the English with victuals, and suffered them to erect some booths on the banks of the river, to shelter them from the inclemency of the weather, yet they obliged the English commander to promise them in writing, to erect no fortifications there, and to do nothing prejudicial to the rights of his most Christian Majesty. The English are accused of having violated their promise, and of endeavouring to surprise the French, who secured them to prevent other consequences. Such is the narrative given by Charlevoix of this affair; but we fear it is too full of absurdities to rest upon good evidence.

The truth is, one John Bridges, Esquire, was appointed Governor of the Hudson's Bay Company of the West main, from Cape Henrietta Maria, which had been in Mr. Lyddle's, or the East main's, patent.—Mr. Bridger went to Port Nelson, where Captain Gillam had been settled, but was not strong enough to prevent the French from landing. When Bridger's ship appeared, the French commanded him to be gone; but he landed his goods, and began a settlement, without any interruption from the French, with whom he lived in very good correspondence till February following; when the French treacherously surprised the English, and all their effects, and kept them in confinement till August, when they put the common men on board a rotten bark, which was taken up at sea by an English ship; but they carried Bridger and Gillam prisoners to Quebec, with all the English Plunder.—Here Radisson and Grossilliers guarded with the French northern company, who wanted to seize their cargoes, in right of their charter; upon which they went to France, where they found the ministry so much prepossessed against them, that they applied to Lord Preston, the English ambassador at Paris. By this intervention they again compromised matters with the English Hudson's Bay Company, and Radisson received a pension from the Court of England, which he held during his life. In 1675, he sailed with two ships to secure the fort which he himself had built at the mouth of St. Therese river, and which was held by his nephew Chouart, son of Grossilliers, with a garrison of no more than eight men, and upon Radisson's appearing before it, it was immediately surrendered with all the effects in it, which according to the French accounts, amounted to a very considerable sum.

[The sequel of this part of our history will be resumed in our next.]

TITHES AND PARISH SCHOOLS IN SCOTLAND.

MUCH discussion has arisen in Great Britain among the political economists of the day, about the effects of Tithes, and Poor Rates upon national industry—and those of general education, upon morality and good order. The two former are so interwoven with the property and institutions of England; as to be by many considered almost beyond the power of material alteration, without shaking their foundations. Were it a question at this time, whether Tithes* and Poor rates ought to be established there, the answer would undoubtedly be in the negative;—but being established, many say they must be endured, to avoid risking disorganization in society; and producing a cure worse than the disease. Differences of opinion also exist upon the effects of general education. Those who maintain that it would be injurious, by lifting the bulk of the community out of their sphere—destroying their industry, and rendering them discontented—are met in argument by reference to the state of Scotland, where the people of a country originally poor, and where education is very general, are moral, industrious, prosperous, and loyal.

It is not a little remarkable, that a people considered so far behind their English neighbours, in the science of Legislation, had passed Acts of Parliament respecting the commutation of Tithes; and establishment of Parish Schools, prior to the union, which the united Legislature of both Kingdoms, with all the lights of the present era, has not been able to equal. It is alike surprising, that in Scotland they avoided a general poor rate—a measure which under the appearance of humanity & benevolence, has become perhaps the greatest burthen to which England is subject, and which threatens to destroy the best feelings of the lower orders of the people, by weakening if not annihilating that self respect and personal pride, which are the best supports of civil as well as national liberty and independance. Let us beware of introducing compulsory provision for the poor, independant of an equivalent in labour: such as a beginning but no end.—It necessarily increases the evil it professes to cure, by augmenting the number of applicants for relief, in a ratio far beyond the means of satisfying them. To the commutation of Tithes—absence of general poor rates—and diffusion of Education among the lower order in Scotland—the very extraordinary advances in agriculture, manufactures, and commerce, during the last half century, are ascribed. It is a fact, that lands in that country are more valuable, *ceteris paribus*, than in England. The union of the two kingdoms has been another most potent cause of prosperity to both—ancient rivalship and enmity have thereby been converted into emulation and friendship, whereby the national strength and resources have been augmented to a degree far beyond what our forefathers could have considered possible.

The Scots Act for the commutation of Tithes, was passed in the first Parliament of Charles the first, Anno Domini 1633, but by its title and contents, has reference to proceedings of an earlier date,—and as

* This has no reference whatever to the Tithes paid to the Roman Catholic clergy in Lower Canada, which are very moderate.

the valuations under it, necessarily took much time, the Commission was repeatedly resumed, until the whole was completed as it now remains. Instead of temporary Commissioners, the Lords of Session have since been made a permanent Court for what respects Minister's stipends, under the name of the Court of Teinds. The practice now is, that a clergyman finding his stipend unequal to the present value of money, and too little, applies to that Court for an augmentation. The Heritors* are cited and heard in opposition thereto, and the Court allows or refuses the augmentation. If allowed, the quantum is fixed, and no further application can be made for a certain number of years; but after the expiration of that period, it is open to a new application, to be discussed upon its own merits.

The commutation of Tithes, exclusive of its effects upon industry, has established in Scotland, such harmony and confidence between the Clergyman and his parishioners, that he is often applied to by them as a friend, for advice in points involving disputes and difficulties. A Minister and his hearers there, can never come into pecuniary collision, because the Tithe being embodied in the rent, does not appear, and being paid by the Heritor out of his Rent, he alone can have a dispute with the Incumbent; but as the annual stipend is specific, that can seldom happen, when the fund of a parish, arising from the valuation and commutation of Teinds (tithes) made before or under the act of 1633 is exhausted, the Heritors are thenceforth exonerated from the payment of any addition to the Minister's stipend, but until that fund is exhausted, the Heritors are liable to the payment of the augmentation. When lands are sold, it is known whether the said Teind fund affecting such lands, is exhausted or not, as also its annual burthen on the land for sale, and the purchaser makes his calculations about the fine accordingly. At the present day, the medium of Ministers' stipends in Scotland is £150 a year—besides a house and a Glebe of about five English acres. The maximum, excepting in towns, is £250. When the amount of the stipend exceeds the Teind fund of the parish, the difference is paid out of a fund originating at the Union from certain equivalent monies then allowed, and placed under the management of the Barons of the Scots Court of Exchequer, for various purposes relating to Scotland.

As the CANADIAN MAGAZINE is intended to be a general depository, I send you for publication, if you see fit, copies *verbatim et literatim*, of the abovesaid Scots Acts of Parliament, which being nearly out of print, few may have access to peruse, but many may have a wish to see, from the importance of the matter they contain. They certainly do honor to their authors, and although containing technical scotticisms, are perhaps nearly as pure language as English acts of equal date. §

A. B.

* Land Proprietors in Scotland are so called.

§ Critics have always spoken of the old Scots Acts of Parliament as more classical and superior in style to the English cotemporary Statutes.—ED.

SCOTTISH ACT
 OF THE FIRST PARLIAMENT OF CHARLES THE FIRST,
 ANNO. 1633.

19—Commission for valuation of Teinds* not valued, rectifying the valuations of the same already made, and other particulars therein contained.

For so much as Our Sovereign Lord, immediately after his happy attaining to the Crowne of this his ancient and native Kingdome, did out of his Royal and Fatherly care to the publique good thereof give forth his Royal Declaration, anent the reforming of the abuses used in leading † of Teinds (Tithes) and for provision and maintenance of Kirks and other pious uses forth of the saids teinds, and also for restoring the Crowne to the superiorities of whatsoever benefices and temporalities thereof erected in temporal livings, and against other prejudices and detriments done to the Crowne, mentioned in the said declaration. And albeit his Majesty hath been still urging and following the performance of the particulars foresaid these five years, bygone, or thereabout, by commission direct by his Majestie under his great Seale, to that effect, wherein there hath been good progress made, yet the same could not take a full end without the authority of a Parliament: Like as his Majesty out of his earnest and tender affection to the publique good of this his native Kingdome; and for advancing the saids great and glorious works intended by his Majestie, as said is, hath taken the pains to come hither in his Royal person, where his Majestie being present in solemn Parliament, with his three Estates of his said ancient Kingdome: Hasse resolved and concluded upon the particular Acts and Statutes after following, tending to the publique good, peace, ease, and comfort of his said Kingdome and Subjects thereof: viz. His Majestie and Estates foresaid have ratified the Act of Commission of surrenders and teinds of the date at Holy-rude-house, the twenty-sixth day of June 1627 years, whereby it is found meet and expedient, that the lowest proportion for maintenance of Ministers, shall be eight chalders of victual (oat-meal) or eight hundred markes|| proportionally, except such particular Kirkes occurre, wherein their shall be a just, reasonable, and expedient cause to go beneath the foresaid quantitie: and hath referred the consideration of the causes and reasons thereof to the Commissioners to be chosen by his Majestie with consent of the Estates in manner contained in the said act. Like as also his Majestie and Estates by another Act and Ordinance, hath statute, ordained, and declared, that each heritor and Life-renter of lands respective, shall have the leading and drawing of their own teinds, the same being first truly and lawfully valued, and they paying therefor the price after specified, in case they be willing to buy the same, or otherwise for the yearly payment of the rate of Teinds after specified. † Like as his Majestie and Estates have by the said act, formed and declared, that the true and just rate of Teind is, and shall be the fifth part of the

* Tythes. † Levying.

|| 13 1-3 pence sterling

† Likewise.

constant rent, which ilk[†] land payes in Stock and Teind where the same are valued jointly. And where the Teinds are valued apart and severally, that the just rate thereof is and shall be such, as the same is already by vertue of the former general commission of surrenders and Teinds proved and valued to: or else shall be hereafter valued and proved before the Commissioners to be appointed by his Majestie with consent of the Estates, deducting the fifth part thereof for the ease of the Heritors: Reserving alwaies libertie to such as shall find themselves enormly hurt by the leading of the said valuations, to pursue for rectifying of the same before the said Commissioners to be appointed by his Majestie and the Estates foresaid; like as his Majestie and Estates have by the said Act formed and declared, that the price of all Teinds which may be sold and annalied, † consisting either in money, victual, or other bodies of goods, is and shall be ruled and estimate according to nine year's purchase. The prices of victual and other bodies of goods, whereof the Teinds consist, being redacted in money according to the worth and prices of victual and goods in ilk part of the countrie, to the which the same is and shall be prized and estimate by the saids former Commissioners of Surrender and Teinds, or by the Commissioners to be appointed by his Majestie with consent of the Estates: And also have formed and declared, that ilk Heritor in the Kingdome, being willing to buy his own Teind from the Titulars, having power to sell the same, shall be obliged to buy the Teind of his own lands except so much as shall be locally assigned to the Minister serving the cure for his maintenance: and to pay the prices foresaid to the Titulars betwixt and the particular times and diets exprest in the said Act. And also have found that the Heritors shall be obliged to give to the Life-renter of the Lands, the leading of their own Teinds for payment of the rate of Teind of the same: And also have formed, that in all cases where Teinds are not coft. (purchased) that the Heritors or Life-renters of lands who have the leading of their own Teinds by themselves, their tenants, and others in their names, shall be obliged to pay to the Titulars of the said Teinds the yearly rate thereof according to the order set downe and prescribed by the former Commissioners or to be set downe by the Commissioners to be appointed by his Majestie with consent of the Estates, deducing so much thereof, as shall be assigned to the Ministers for their maintenance.

And because sundry questions may arise anent the valuations of Teinds and prices thereof, and anent the securities to be made by the Titulars to the Heritors who buy their Teinds; and by the Heritors to the Titulars of the price to be payed for the same, when the Teinds are coft, or for payment of the rate of Teind where the same is not coft; and anent the provisions of the Kirks, with competent maintenance, and other particularly mentioned in the said Act. Therefore his Majestie and Estates by the said Act did referre the determination thereof to the Commissioners to be appointed by His Majestie and Estates with these declaration alwaies, that his Majestie shall have his annuity payed forth of the Teinds, according to the tenor of the said Act of annuitie; and that the Archbishops, Bishops, Parsons, Vicars, and other beneficed persons being Ministers; and their Successors, shall

† Each. ‡ Sold

be no farther obliged in any of the Premises; but according to the provisions and conditions express in the submission made by the Bishop to his Majesty, which is of the date of the 26th day of July 1628 years; and registrate in the said books of Surrender and Teinds, upon the 13th of July 1631 years. And that the Vicarages of ilk Kirk being a several Benefice and Title should be severally valued; to the effect the Titulars and Ministers serving the cure, who have right to the saids Vicarages, should not be frustrate of the true worth of the same. And sic-like his Majesty and Estates by another Act have formed and declared, that his Majesty and his Successors, have and shall have undoubted right the superiorities of whatsoever erections, Few-mails, Few-fermes, and other casualties thereof, rescuing to such Lords and Titulars, of erection, who subscribed the general Surrender, the Few-mails, and Few-fermes of the said superiorities, ay and while they receive payment and satisfaction of the summe of one thousand markes usual money of Scotland, for ilk chalder of few-ferme victual; and for ilk hundred markes of few-mailes, and for ilk hundred markes of all other constant rent of the said superiours, not consisting in victual or money; and not being naked service of Vassals, according to the tenor of his Majesty's general determination, and conform to the conditions therein contained, as in the saids three Acts of this present Parliament at more length is express.

And forasmuch as it is necessary for determination of the particulars foresaid and of all such other points as are fit and expedient for the finishing and full perfection of the said glorious worke, anent the Teinds maintenance of ministers and others foresaid, that a Commission be granted by his Majesty, with consent of the said Estates, and by authority of this present Parliament: Therefore his Majesty with consent of the said Estates, hath granted and by these presents granteth full power and commission to the persons after following: To wit, nine of the Clergy; nine of the nobility; nine of the small Barons; and nine of the Burgesses: Together with my Lord Chancellor, and eight officers of state, viz: George Earle of Kinnoul, Chancellor, William Earle of Morton Thesamer, John archbishop of Saintandrews, Thomas Earle of Hadingtown, Lord Privie Seale, Patrick archbishop of Glasgow, William Earle Marshall, George Earle of Wintown, John Earle of Perth, John Earle of Kinghorne, William Earle of Dumfreis, William Earle of Stirling Secretary, David Earle of Southesk, John Earle of Fragnair Thesaurer depute, John Earle of Wemyss, Archibald Lord Napier, George Lord Corstorphine, Alexander Bishop of Dunkell, John Bishop of Murray, John Bishop of Ross, Adam Bishop of Dumblane, David Bishop of Brichen, Andrew Bishop of Argyle, George Bishop of Orkney, Sir John Hey Clerk Register, Sir Thomas Hope Advocate, Sir George Elplinstone Justice Clerk, Sir James Galloway master of Requests, Sir Robert Spotswood, Sir James Learmonth, Sir James Lockhart younger of Ley, Sir John Charters, Sir Robert Giver, John Boyd of Kelburnie, Sir William Dowglas of Caners, The Laird of Inchmartine, the Laird of Lugtown, John Sinclair, John Marchacht, Archibald Tod, Edward Edger, Master Alexander Gutline, Gabriel Cunningham, Robert

Tailyour, William Mickle-John, and Allaster Robert Cunningham; or any fifteen of them, these being three of every Estate with three of his Majesties officers of State. Of which number of fifteen the Lords Chancellor, Thesaurer, and Privie Seale, Archbishop of St. Andrews or Glasgow, Earle Marshall, and Earle of Wintown, or any of them shall be one; to meet and concern at Holy-rude-house or Edinburgh, at such times and places as they shall think fit: and there to prosecute and follow forth the valuation of whatsoever Teinds, parsonage or vicarage within the Kingdome, which are as yet unvalued. And also to receive the reports from the Sub-Commissioners appointed, within ilke Presbyterie, of the valuation of whatsoever Teinds led and reduced before them, according to the tenor of the sub-commissions direct to that effect. And to allow or disallow the same, according as shall be agreeable or disagreeable (in conformity to) to the tenour of their sub-commissions. And also with power to rectify whatsoever valuations led or to be led (levied) to the enorme prejudice of the Titulars, and to the hurt and detriment of the Kirk and prejudice of the Ministers maintenance and provisions, or of his Majestie's annuitie. And for the better expeding (expediting) and advancing of the said valuations, with power to appoint Committies, or sub-Committies of their owne number, to receive the reports of the said valuation, made or to be made; and to receive admit and examin witnesses, and to take parties oathes, with their depositions where the same is referred to oath. And to give such further power to the said Committies or Sub-Committies of their owne number, as they shall think fit for the good of the worke, and speedy finishing of the same; And Sick-like with powers to them if need be, to appoint Sub-Commissioners not being of there owne number within any parochin or presbyterie of the Countrie, forleading and deducing of the said valuations and to receive the reports thereof, allow or disallow of the same; and generally with power to them, to set down whatsoever other order or course which shall be thought fit and expedient, for dispatch of the said valuations rectifying thereof, or final closing of the same. And Sick-like with powers to the said Commissioners or any fifteen of them as said is, there being three of ilk Estate, with any one of the persons of the quorum above-specified, after the closing and allowance of the valuations of ilk Kirke and Parochin, to appoint modifie and set down a constant and local stipend and maintenance to ilk Minister, to be paid out of the Teinds of ilk Parochin, according to the tenour of the acts above specified, Referring like as his Majestie referres with consent of the said Estates, to the said Commissioners, the Tryal of the reasons and causes which may move the said Commissioners to go beneath the quantity of eight chalder of victual, or of eight hundreth marks of money, proportionally, in manner contained in the said act. And sick-like with power to the said Commissioners, to divide ample and spacious Parochines, where the same shall be found necessarie and expedient, or to unite divers kirks in whole or in part to others; And to ratifie and allow after tryal and consideration such union and dismembering of Parochines as hath been formerly made by vertue of the former Commissions. And sick-like with power to them, to appoint and provide for such other pious uses in each Parochin as the estate thereof may bear. And sick-like with power to the said Commission-

ers as said is; to take order that every Heritor and life-renter of lands; shall have the leading of their owne Teinds, parsonage and vicorage thereof they paying the price contained in the act above specified, in case they be willing to buy the same from the titular having power to sell or otherwise, paying the rate of teind exprest in the foresaid act; and to that effect with power to the said Commissioners to set down the prices of sellable teinds, according to the worth thereof in each part of the country, where the same grow and are bred; And also with power to them to set down such good and ample securities, as may stand by law, both for the buyers of Teinds, to the effect, the titulars may be full denuded in their favors, and also for securitie to the Titulars and sellers of the price due to be paid to them for the said teind; and also to set down the securitie in favor of the Titulars and of the Ministers, so fane as concerns the maintenance assigned to them, for good, thankful and timous payment of the rate of the Teind, where the same are not, or cannot be sold. And sick-like with power to the saids Commissioners, to discusse and determine all questions which may arise betwixt the Titulars and Heritors, anent the price of teinds, according to the nature and qualitie of the rights to be sold whether the same be heritable or temporal, and to proportion the price accordingly: And also to divide the price of teinds betwixt heritors and life-renters thereof; and betwixt titulars, tacksmen and others who have several and distinct rights to the said teinds sellable, according to the qualitie of their rights: And also with power to them to cause the titulars to sell their said teinds, to exhibit their rights and titles, to the effect that they may be lawfully denuded thereof, in favor of the said Heritors and life-renters respective, without prejudice always to his Majesties annuitie, to bee payed forth of the said teinds by the saids titulars of teinds, or heritors, or life-renters of lands, according to the tenor of the said act of annuitie; and generallie with power to the said Commissioners, to decide and determine, in all other points, which may comence the leading and drawing of teinds, the selling and buying of the same, or payment of the rate thereof, contained in the act of Parliament above specified, or set down in his Majestie's general determination; with this provision and determination alwayes, that the Archbishops, Bishops, Parsons, Vicars and other beneficed persons being ministers, and their successors shall be no farther bound but according to the provisions and conditions exprest in the submission made by the Bishops to His Majestie, which is of date the day of 1628 yeares, and registrate in the books of commission of surrenders and teinds, upon the thirteenth day of July, 1631. Which provisions and conditions are holden as exprest herein: And also with this provision, that the Vicarages of each Kirk being a several benefice and title from the parsonage, shall be severally valued, to the effect, the titulars or ministers serving the cure, who have right to the said vicarages, be not frustrate of the true worth thereof; and sick-lik, because by the act above specified, made anent superiorities of erections in favour of his Majestie, there is special reservation made to such titulars and Lords of erection, as have subscribed the general surrender of the Few-mails, Few-fermes, and other constant rent of the said superiorities, ay and while they be payed of the price thereof contained in his Majesties general determna-

tion, and according to the provisions specified therein. Therefore his Majesty and Estates give full power to the said Commissioners, or any fifteen of them, as said is, to call and convene before them the Lords of erection, and others having right to the said Few-mails and Few-fermes, and other constant rent of the superiorities of Kirklands, at such particular diets as they shall appoint, and to urge the said Lords of erection and others foresaid, to give up their rentals of their said Few-mails, Few-fermes, and other constant rent foresaid of their said superiorities, conforme to his Majesty's decret and determination given out thereanent: And with certification as is therein contained, and to liquidate the other constant rent of the said superiorities not consisting in victual or silver: To the effect that after the full tryal of the said rental and liquidation, the said Lords of erection may receive the price of a thousand markes for each chalder* of Few-fermes, and for each hundreth markes of the other constant rent, being redacted in money in whole or in part proportionally from his Majesty's Thesaurers, principal or depute, and in case of the absunt or refusal of the said titulars and Lords of erection, that the same may be consigned in the hands of the Clerke to the said Commissioners to remaine consigned for their behove; after the whole consigation, it shall be lawful to his Majesty's Thesaurers, principal or depute to uplift, receive and intromel with the said Few-mails, Few-fermes, and other constant rent foresaid, of all yeares and termes after the said consigation, according to the tenor of the said general determination. And also with power to the said Commissioners as said is, to discusse and determine all questions that may arise betwixt the said Lords of erection and the Heritors of the ground, pensioners, life-renters, and others pretending right to the said Few-mails and Few-fermes, and to divide the price amongst them, according to the qualitie of their rights, and all other questions anent the same: which by his Majesty's general determination is referred to the Commissioners to be appointed to that effect; and whereas it may fall out that some of the Commissioners now appointed by his Majesty and Estates, may be unable to attend the service, through death, sickness, or some other notore and known impediments; therefore his Majesty reserves to himselfe the nomination of such other persons in their places, as his Majesty shall think fit whom his Majesty by his Letters shall recommend to the said Commissioners, to the intent they may receive and admit them upon the said Commission, and take their oaths for faithful discharge of the same. And his Majesty and Estates ordaine this present Commission to endure until the last day of December in the year of Our Lord 1635 years: and further in during his Majesty's pleasure and aye and while (until) the same be expressly discharged his Majesty's warrand or letter to that effect. And his Majesty with consent of the Estates foresaid, findes, declares and ordaines the Acts, decrites and ordinances of the Commissioners foresaid, and of the other persons who shall be surrogate in their places by his Majesty in manner foresaid, in the whole particulars above specified, and every one of them, to have the strength, force, and authoritie of a decreet, sentence, and Act of Parliament, and ordaines the Lords of Session to grant and direct let-

ters of horning, poynding, and others thereupon; upon a simple charge of ten days or otherwayes as shall be found necessarie. Attornies for clearing of all doubts and difficulties, which may arise anent the rectifying of valuations or other particular heads following: his Majestie and Estates have declared and declare, that where valuations are lawfully led against all parties having interest, and allowed by the former Commissioners according to the order observed by them, that the same shall not be drawne in question nor rectified upon pretence of enorm lesion, at the instance of the Minister, not being titular, or at the instance of his Majestie's advocate, for and in respect of his Majestie's annuities, except it be proved that collusion was used betwixt the titular and heritor, or betwixt the procurator fiscal and the titulars and heritors, which collusion is declared to be where the valuation is led, with diminution of the third of the just rent presently payed, and which diminution shall be proved by the parties oaths. And sick like, it is declared that the provisions contained in the foresaid submission made by the Bishops whereof mention is made in the foresaid Act of Teinds, and which is repeated in this Commission, shall be restricted to that whereof Archbishops, Bishops, Parsons, Vicars, or other beneficed persons being Ministers, Colledges, Hospitals and other dotations to piousness were in actual and real possession, the time of the said submission, which shall remaine with them in quantity and quality, according to the tenor of saids provision: And if any question shall arise betwixt the said Archbishops, Bishops, Parsons, Vicars, and other beneficed persons foresaid, anent the leading of teinds, that the same shall be referred to his sacred Majestie, and to his royal pleasure, to be signified thereanent. And also anent laick patronages pertaining to any of his Majesty's subjects before the year of our Lord 1561 years; his Majesty and Estates declare that the same fall within the Compasse of the general submission made to his Majesty; And his Majesties determination given thereupon, and that alenarly in so far as concern a competent maintenance, to be locally paid forth of each Church, to the Minister and his Successors; and anent the Teinds of other mens lands; And anent the annuities to be paid to his Majesty forth of (out of) teinds of the said Kirk: and as to the remenant Teinds the same to be their to laick patrons in price or rate thereof in all cases, where the said laick patrons were in possession of the Teinds thereof, by the space of seven years within the fifteen years immediately preceeding the date of the said general submission. With this declaration, that where the titulars or the ministers provided to the said laick patronages and Kirks thereof, were in possession of the benefices foresaid, and frutes and rents thereof, either by leading of the teinds, or by up-lifting and intrometting with the whole rents thereof, by the space of seven years of the fiftene years immediately preceeding the said submission; in these cases, the difference between the said laick patrons and the titulars and Ministers, shall be referred to his Sacred Majestie, and to his Royal declaration to be giving thereanent, and ordaines all former commissions anent the promisses to cease in time coming, and this only to stand in force in time to come.

FIRST PARLIAMENT; CHAS. FIRST ANNO DOM. 1633. to
Ratification of the Act. anent plantation of Schooles.

Our Sovereign Lord with the advice of the States, ratifies the Act of Secret Council* dated at Edinburgh the tenth day of December 1616, made anent the planting of schooles, with this addition. That the Bishops in their several visitations shall have power with consent of the Heritors and most part of the Parishioners; and if the Heritors being lawfully warned refuse to appear, then with consent of most part of the parishioners, to set down and stent upon every plough or husband-land, according to the worth, for maintenance and establishing of the saids Schooles. And if any person shall find himself grieved, it shall be lawfull to him to have recourse to the Lords of Secret Council for redress of any prejudice he may or doth sustain. And ordain Letters to be direct for charging the possessours for the time, to to answer and obey the Schoolemasters of the duties that shall be appointed in manner foresaid.

ACT OF THE PARLIAMENT OF SCOTLAND PASSED IN THE SIXTH
 SESSION OF THE FIRST PARLIAMENT OF KING WILLIAM
 ANNO 1696—INTITLED

Act for settling of Schooles.

Our Sovereign Lord considering how prejudicial the want of Schooles in many places have been; and how beneficial the establishing and settling thereof in any Parish will be to this Church and Kingdom:— Therefore his Majesty with the advice and consent of the Estates of Parliament, Statutes and ordains, that there be a School settled and established, and a Schoolmaster appointed in every Parish not already provided, by advice of the Heritors and Minister of the Parish; and for that effect, that the Heritors in every Parish meet and provide a commodious House for a School and settle and modify a Salary to a Schoolmaster which shall not be under one hundred merks, nor above two hundred merks, to be paid yearly at two terms Whitsmonday and Martimass by equal portions, and that they stent and lay on the said Salary conformed every Heritor valued rent within the Parish, allowing each Heritor relief from his Tenants of the half of his proportion for settling and maintaining of a School and payment of the Schoolmaster's Salary; which Salary is declared to be by and attur† the Casualties which formerly belonged to the readers and clerks of the Kirk Session. And if the Heritors or major part of them shall not convene, or being convened shall not agree among themselves, then and in that case, the Presbytery shall apply to the Commissioners of the Supply of the Shire, who or any five of them, shall have power to establish a School, and settle and modify a Salary for a Schoolmaster, not being under one hundred merks, nor above two hundred merks yearly, as said is, and to stent and lay on the same upon the Heritors, conform to their valued rent, which shall be as valid and effectual as if it had been done by the Heritors themselves. And because the

*Same as Privy Council in England. †Assess. ‡Exclusive of.

proportion imposed when every Heritor will be but small; therefore for the better and more ready payment thereof, it is statute and ordained, that if two terms proportions run in the third unpaid, then these that so fail in payment shall be liable in the double of their proportion then resting and in the double of every Terms proportion that shall be resting thereafter ay and till the Schoolmaster be completely paid, and that without any defalcation; and that Letters of Horning, and all other executorial necessary, be directed at the instance of the Schoolmaster for payment of the said stipend, and double of the proportions in manner foresaid; and discharges all suspensions to pass against Schoolmasters of the salaries except upon consignation or a valid discharge; and if any suspension be past, that the Lords discuss the same summarily without abiding the course of the roll. And it is hereby declared that life renters, during their life time shall be liable in payment of the proportions imposed on the lands life rented and execution in manner aforesaid shall pass against them for that effect, and the Heritors shall be always free of the same during the life-renters life time; and if any person find themselves wronged by the inequality of the proportions imposed, it shall be lawful for them to seek redress thereof before the Commissioners of supply, Sheriff of the shire, or other judge competent, within the space of year and day after the imposing of the stent and no otherwise. As also it is declared, that the providing of the said Schools and Schoolmasters, is a pious use within the parish, to which it shall be lawful and leisome to patrons to employ the vacant stipends as they shall see cause, excepting from this act the bounds of the synod of Argyle, in respect that by a former Act of parliament in the year 1690 the vacant stipends within the said bounds are destined for the setting up and maintaining of schools in manner therein mentioned; and the said vacant stipends are hereby expressly appointed to be thereto applied, at the sight of the Sheriff of the bounds aforesaid. And lastly His Majesty with advice and consent aforesaid ratifies and approves all former Laws, Customs and Constitutions, made for establishing and maintaining of schools within the kingdom, in so far as the same are not altered nor innovate by this present act.

The establishment of a Theatre in Montreal, and the general and particular arguments which bear on that question, have several times been revived during a considerable period. The following essay was composed on one of these occasions.

In defending Theatres from the objections which have been urged against them, one would wish to avoid being driven into an extravagant over-rating of their beneficial influence. M. De Belloy, himself an honor to the Drama, has very well said—*il faudroit, pour refuter ces pedans, paroître pedan soi-même. Ne vaut-il mieux avoir raison et se taire.* Perhaps, however, it is best to state moderately the arguments, as in the article that follows:— Might it not also be asked of those who oppose them—If they admit, that the progress of refinement and civilization is necessary? and if they grant, that this necessary tendency of society, should be directed and cultivated? If they say this progress is an evil, will they not admit it should be met as such? If it is a good, that it should be cherished as one? If they allow these truths, the question is at an end; for to form any Utopian scheme, by which society can pass through the last stages of luxury and refinement, without any public demonstrations and effects arising from these, would be no less visionary, than it would, in its consequences, be found erroneous. Let no moralist, no "intellectual-All-in-All," as Mr. Wordsworth expresses it, plead from abuses, nor let him be deceived by the outward repose and death-like stillness, of society; and believe because there is no outward display, of those feelings arising from refinement, that some good has been accomplished. The truth is, the evil is deeper, greater, and more incurable. The darker passions have shed their poison on the heart—the spring of the active virtues is broke—the soul has lost all its divine energy. The picture which the satirist has drawn of solitary refinement, in a luxurious age, is as dreadful as it is true:

Too wretched to endure one lonely day,
 Too proud one friendly visit to repay,
 Too indolent to read—too criminal to pray.

On the contrary; whatever is public passes the ordeal of united minds—if it is wrong, the alarm of virtue is sounded—reason appears at the bar—the better genius of mankind rises to vindicate his nature.

It may not be wrong to state, the origin of those severe censures and anathemas which have been directed against the stage, and to show that it has been, in a great measure, accidental. When the primitive councils and fathers of the Church, opposed their efforts against such entertainments, it was at a time when Paganism yet divided the empires of Europe—when the remains of Heathenism was yet cherished by the people, and their festivals and ceremonies had reference to the mythology of Greece and Rome, or of the North. Afterwards, when persecution ceased, and the Church flourished, christians were not only permitted such amusements, if not contrary to the probity and morals of their religion, but when the subjects were from Scripture, the Priests themselves; as to this day in Spain, Portugal, and South America, were the actors. The Hotel de Bourgogne in Paris, the most ancient

in the kingdom, has been the scene of public shows, for upwards of 700 years. Occasionally, however, the early writing of the Fathers were quoted, concealing their real object, which was Heathen superstition. In England, before the reformation, the history of the Theatre was the same; and afterwards, although we find statutes, which seem to slight and oppose them, and although they were not without some attacks from injudicious moralists, they gradually rose into an estimation that has almost rivalled Greece or Rome, where Generals, Ambassadors, and Magistrates were actors, and a *Rostrum* was raised to the Equestrian order for his merit. Nor has this just and generous regard been defeated—they have proved themselves worthy of it. The tyranny of fanatical Parliaments, and the gloomy fears of Cromwell, alone opposed them. Imposture and usurpation dreaded at once the ridicule of genius, and the enthusiasm of the heart—for falsehood and disloyalty have no Poets. An old writer tells us, that, at the Rebellion, most of the actors went into the Royal Army, *like good men and true, and served their old master in a different and more noble way.*

Before finishing, it might be suggested, that—1st, A Theatre should be erected here, on the plan of some Theatre in Europe, which can be adapted for a general Public Room, for Concerts, Balls, or Meetings. This is accomplished by a moveable floor on the Pitt, or over-laying it; and a few other changes easily and rapidly effected. 2ndly, That it should be open to French and English amateur performers. 3rdly, That any Musical Societies which may be amongst us, should extend to it their influence and assistance. 4thly, That it should be encouraged by, being made the place of our Public bodies or Societies to meet.

ON THE INFLUENCE OF A WELL REGULATED ENGLISH THEATRE,

IN MONTREAL.

A well regulated Theatre, to use the language of Shakspeare, "ought to hold, as it were, the mirror up to Nature; to show virtue her own feature, scorn her own image, and the very age and body of the time, his form and pressure."

This definition of the purpose of playing, given by our immortal dramatic bard, has never been more admirably illustrated and justified than in his own Plays, in which we may say with Dr. Johnson,

"Each change of many colour'd life he drew,
Exhausted worlds and then imagin'd new."

From the above description of a well regulated English Theatre, it will readily be concluded that I should wish to banish from it every Piece, containing any thing blamable in sentiment or moral. Still,

however, by the salutary retrenchment of faulty passages in performances generally good; no want of variety would be found; and particularly we should have no occasion to employ the productions of the wits of Charles's reign, who "pleas'd their age, and did not aim to mend." I confess, that unless I were to allow the necessity of sometimes sacrificing to novelty and fashion, by the representation of a new play, though it were not entirely unexceptionable, I might be justly accused of proposing something impossible. But I will admit that such an indulgence may sometimes be necessary, nor would I call it dangerous; for such is happily the general bias of the human mind, in favour of religion, virtue, and propriety, that plays of a good tendency are likely to stand their ground against those of a contrary nature; if the latter have nothing but the suffrage and support of the public.

I shall now briefly consider the probable influence of a well regulated English Theatre, in Montréal, upon religion and morality, on political sentiments, on knowledge, and on literary genius, there.

To mention religion, when discoursing on a Theatre, might to some appear impious; and it must be confessed, that plays have often been represented, fraught with sentiments hostile to the cause of religion and virtue. But I believe it will be found, that even the most violent opposers of the Theatre, on the ground of religion, have only contemplated the abuse of it. They have granted that a dramatic representation of the affairs of life, is by no means sinful in itself. What they complain of, is, that many of our Comedies, and even of our Tragedies, have no design to set religion and virtue in the best light, nor to render vice odious to the audience; that, on the contrary, a vicious character is often the hero of the piece, or the object of reward at the end of the play.

I should be far from wishing to defend, or excuse the abuse of what I conceive, if properly employed, might become admirable means of pleasing instruction. But I would take upon me to say, that if dramatic representation be not in itself sinful, the casual abuse of it is not a sufficient cause for abandoning it altogether;—for certainly it is a species of instructive amusement, accessible to all ranks, and useful to all ages; and which seems always to have been favoured or discouraged in the world, in proportion as liberty and good sense, or slavery and superstition, prevailed. The Pulpit, as well as the Stage, has, by worthless characters, been employed for iniquitous purposes; yet no one censures the former mode of instruction, nor, upon reflection, shall we find just reason to blame the latter. The Legislature have the controul of the Theatre and of the Managers; and they ought to encourage an institution so capable of forming good principles and manners in our youth, while they banished whatever is personal or indescant, whatever tends to inflame or corrupt the heart. It may be proper here to remark, that good examples, to have the desired effect, should be set before us by virtuous persons: hence the propriety of encouraging personal virtue in Players, and of preventing as much as possible the ridiculous circumstance of receiving a lecture on charity from a miser, on œconomy from a prodigal, on virtue from a debauchée, or on chastity from a prostitute. Instead of an English Theatre, thus regulated, being inimical to religion

and morality, I should be apt to think that it would tend to enforce their most important precepts, and, by bringing their errors to the test of practice, in the imitation of real life, would be a safe and ready means to improve both. It is certainly not a fair mode of attack, which in the present case is by many practised. They lay hold of some pictures of vicious conduct, which incidentally occur in the necessary grouping and contrasting of characters in the Drama; and seem to consider the exhibition of vice, however censured or punished by poetical justice, as hurtful to the audience. Now this must arise from a narrow mode of thinking. If we go into the world; the scene of the most important virtues, we must behold vice; will not therefore the view of it, in its true colours, exhibited in a well regulated Theatre, rather serve as an antidote than the contrary? I might here mention that many dramatic pieces, on religious subjects, have been represented on the stage, with unbounded applause, while they contained the most sublime truths of christianity, enforced by all the powers of eloquence, adorned with all the charms of poetry, and supported by the fascinating effects of appropriate scenery and skilful acting.—It would, perhaps, be useful to bring forward such pieces in Canada.

Public spectacles among civilized nations have generally been encouraged and numerously attended; and have always been supposed to have so great a share in forming and supporting national character; that their nature and peculiarities in different countries have become an interesting subject of consideration in all historical enquiries. Hence also appears the propriety and necessity of the previous examination of whatever is to be exhibited upon the stage. The British Government have accordingly assumed a right to scrutinize all performances intended for the Theatre, though every other species of composition is sacred from the touch of power, till it come into the hands of the public. This being the case, political objections to theatrical representation dwindle into insignificance, in the present view of the subject; and we are left to contemplate its probable utility alone. In an English Theatre, there ought to be at least three different gradations of places and prices. This has ever been customary in Britain; it renders the entertainment accessible to all ranks, and facilitates the preservation of good order. It has also the still superior effects of moulding and supporting the national character, of infusing, as it were, into a great body of the community, sentiments of patriotism, magnanimity, and justice; and of conferring upon the lowest individual present, a temporary importance, peculiarly grateful to humanity. Thus, over the ruins of the City Theatre, we might be permitted to exclaim with equal pathos and propriety, as the Poet has done over the ruins of the City Alehouse,

Vain transitory splendor! could not all
 Reprieve the tottering mansion from its fall?
 Obscure it sinks, not shall it more impart
 An hour's importance to the poor man's heart!

It may be thought fanciful, but I confess that the three classes of persons in a Theatre, are in some measure associated in my mind with

the three branches of our Constitution. I would particularly insist upon the propriety of having a Gallery; to which Shakespear, himself has addressed the chief part of his wit and humour. Poets always depend much on that part of the house, for the expression of natural feeling and unbiassed judgment; and the applause of the Gods has ever been the first object of their vows, and the best omen of future celebrity and support. While our Theatres shall continue to be conducted upon this enlarged and liberal plan, they will surely support and encourage rational freedom; and native genius, old plays and old prices will still prevail over the partial rage for foreign novelties and extravagance. It has been well remarked by Dr. Aiken, speaking of Shakespear, that the characteristic English manliness of thought has been greatly indebted to him for its preservation, amid prevailing luxury and fashionable frivolity. Were it possible, by means of a well regulated English Theatre, to draw some of the French Canadians to the representation of some of his best pieces, the effects would doubtless be salutary, by tending to impart those feelings so much in unison with British hearts. To encourage their attendance, and to promote those beneficial consequences, I would recommend that considerable attention should be bestowed on procuring scenery appropriate and striking. This will not appear insignificant or frivolous, if we once reflect, that the first objects of Canadian imitation, have been our dress and external behaviour. It would certainly tend to the same laudable purpose, if the Music and occasional Songs between the Acts, were suited to the subjects and sentiments of the Play; and, besides, this would in some measure supply the place of the ancient chorus, the entire neglect of which has been much regretted by many lovers of the Drama. It is almost unnecessary here to remark, that striking scenery, and appropriate music, would do much to render an English Play intelligible, even to people whose knowledge of the language were very imperfect.

It is now proper to make a few observations respecting the probable influence of a well regulated English Theatre, upon knowledge in Montreal. In the present low state of education among the inhabitants of all descriptions here, every institution that would have the least tendency to diffuse instruction, ought surely to be encouraged. Whenever we mention, in terms of approbation, the establishment or encouragement of a Theatre, in this place, we are apt to be interrupted with a remark, that we have more need of a College, or of additional Schools. This I would readily grant; but then we must always conform our conduct to existing circumstances, and ought to be satisfied for the present, if we could obtain, without any extraordinary effort, what may, in some degree, be used as a means of instruction, while it has the pleasing form of amusement. Besides, if the partial spreading of a particular kind of knowledge be effected by a well regulated Theatre, such an establishment would only be the forerunner of others, for the general cultivation of all the Arts and Sciences.

The Poets, who were also the Philosophers and Divines among the ancient Greeks, soon perceived people forward to receive instruction in the Theatres, who were unfit to attend the Schools. They availed themselves of that general inclination of the comparatively ignorant and illiterate; and humanity conveyed to their minds the most useful lessons for the conduct of life, by means of a just and lively image of human nature, representing its passions and humours, "and the changes of fortune, to which it is subject."

The kind of knowledge which may be imparted, by means of the Drama, is chiefly what Socrates and Johnson esteemed the most valuable, namely, that of right and wrong, of good and evil, propriety and impropriety: it may be referred to what we call good sense, which seems not to arise from a formal train of reasoning, but from the effect of habit, assumes in our eyes the shape of intuitive perception. This quality renders its influence peculiarly forcible on the common people; though they go to the Theatre, to laugh or to gratify curiosity, unconscious often that they will return instructed and improved. Thus the Player, whether serious or jocose, may blend instruction with pleasure; and whatever knowledge is communicated in so striking a manner, will make a lasting impression, and will readily and insensibly come to our aid on every necessary occasion.

But, to speak more particularly, I would not hesitate to affirm that, by habitual attendance at a well regulated Theatre, a man, whose education had been entirely neglected, might still, if not deficient in natural endowments, acquire such a knowledge of men and things, as would raise him above contempt. Innumerable allusions are made in plays to most of the arts of life; and whatever is said is clearly expressed. Even a silly beau is represented in the Spectator, as having learnt from Plays, that the Laws of his country would give him redress in the awkward circumstance of having been decoyed into marriage with a painted Jezebel; and thus in Cumberland's Comedy of the West Indian, an ignorant stranger might find in the scene between Belcour and Stockwell, a correct and useful picture of the English character.

Many more instances might be adduced. But let us view the subject in another light, and consider the effects of the Drama only as the beginning of knowledge, and the stimulus to improvement: thus we might look forward to most important consequences to Montreal, from the influence of a well regulated Theatre, particularly to the English part of the community. The illiterate would there acquire sagacity and improve and correct their experience; they would gradually discover the importance of education, and would be anxious to procure it for their children, if already too far advanced in years, to submit to a teacher themselves. The effects of education and learning are universally admired: let them therefore be frequently brought to view in the most pleasing and least pedantic dress, and they will not fail to gain proselytes to their cause.

But I will go still farther, and say, that were the French Canadians casually drawn to our Theatres; either by the love of novelty, or by the attraction of scenery and music, even though their knowledge of English were at first imperfect, they might there receive such a stimulus to improvement in our language, from the natural workings of curiosity, that they would soon participate in all those advantages

arising from the Drama, which I have foretold to their fellow subjects. No kind of composition, in modern times, has been the means of introducing to the public more men of literary genius, whether Poets or Critics, than the Drama. The names of those great men are so well known that, to recapitulate them here, might seem impertinent.— I shall only observe, that, whether their fame now rests upon their Dramatic performances, or on works of greater importance, is a circumstance that does not the least detract from the merit here ascribed to the Drama; than which no department of literature is so ready to confer, upon a youthful genius, fame and applause. The Dramatic Poet sees before him the reward of his labours, not distant or posthumous, but rapidly and feelingly bestowed by his contemporaries. If the honours paid to literary talents in the Olympic Games in Greece, proved such a spur to genius; bursts of applause from admiring audiences in Britain must have a like effect. Though, at present, I can recollect no instance of emulation excited in a British youth, similar to that which sprang so feelingly in the breast of Thucydides, when he saw the History of Herodotus crowned by his admiring countrymen; still I have no doubt, but if our manners permitted such a free and open disclosure of every emotion of the soul, examples among us would not be wanting of equal enthusiasm.

But the good effects of a well regulated English Theatre in Montreal, would not be confined to poetic genius alone. Dramatic performances would encourage a species of philosophical criticism, which, in our age, has been much cultivated and improved by Kames, Blair, Johnson, Melmoth, Harris and Richardson: their labours in that particular province, have tended much, not only to illustrate literary subjects, but also to discover the origin and trace the progress of the most delicate movements of the soul, and to point the way to their admiring successors, of giving a full and satisfactory view of the human mind. Such an elegant and interesting study as liberal criticism of theatrical performances, would certainly have attractions for a few individuals among us. Example would increase their number, and quickly produce a small circle of taste; in which genius might securely try its powers, before it winged its solitary way, in hopes

“to climb

“The steep, where fame's proud temple shines afar.”

Such, indeed, is the connection between all the branches of the Belles Lettres, that a beginning in any one, will gradually lead to the cultivation of the whole; though it must be allowed that Eloquence and Poetry are the best foundations for a solid fabric of original Literature.

G.

MEDICAL JURISPRUDENCE.

NO. II.

It would be injudicious to confine the advantages resulting from Forensic Medicine to criminal jurisprudence alone, and I will therefore prove its indispensable utility to the civil, on many important cases, and which require minute legal investigation.

1st, *Insanity*.—Of all the defects to which the human species can be subject, none I believe exceed that dire affliction—the loss of reason; which, in its perfect state, must be considered not only the noblest attribute of God, but the greatest characteristic of man from the brute creation;—by its loss are embittered all the enjoyments bequeathed to us, and will even suppress the tender feelings of consanguinity, friendship, and love. It is, however, greatly to be regretted, that where the management of fortune is attainable, we often see mercenary minds (always ready to gratify advantages over human weakness) will be prone to pursue the most unnatural and degrading alternatives for enforcing a judgment of alienation of mind, against the nearest of relatives, when in fact there will sometimes exist but a partial derangement of the intellectual powers. For let it be well considered, that a few acts of irrationality committed by a person, should never lead us to pronounce a total privation or incapacity of mind against him, nay, *humanum est errare*, and as Tillot well observes:

Le monde est plein de fous, et qui n'en veut pas voir

Doit se tenir tout seul et briser son miroir.

He must evince mental derangement in almost every action of his life, as well as when the powers of sense are with him, merely accidental; it is this want of judgment which should deprive one of administering or of acting in affairs immediately interesting himself or his family. It is, however, necessary to resort to every precautionary measure, so as not to be induced to deprive him (without well-founded proofs of faculty) of one of our noblest rights, "*control of person and property*." The Romans even fully appreciated this inestimable right, as may be seen by their laws: "*Observare protorem oportebit ne cui temere citra, causæ cognitionem plenissimam curatorem*."

This calamity exists in a variety of forms, and to define it would be a difficult task, but the best, and the one sanctioned by authority, is that "*it consists in reasoning well on false premises*," but it must seem to every one, (with Dr. Adams) that, in order to apply this doctrine, we must be previously acquainted with the character and external circumstances of the man. Fox and Pitt both reasoned well, and on the same premises, yet we accuse neither of them of madness, though each drew a different inference. If interest should be suspected to have warped either, the same cannot be thought of Clarke and Leibnitz. As to partial insanity, it is when the patient may have a competent use of his reason on various subjects, and can speak and argue rationally upon all, excepting the one under which the peculiar hallucination of his mind labours, and where it appears entirely distracted from its chain of

reasoning or proper association of ideas. Lord Coke says, "*Non compos mentis* is of four sorts: first, *idiota*, which from his nativity, by a perpetual infirmity, is *non compos mentis*: secondly, he that by sickness, grief, or other accident, wholly loses his memory and understanding, and sometimes not, *aliquando gaudet lucis intervallis*; and, therefore, he is called *non compos mentis*, so long as he hath not understanding."

Insanity, however, is here to be considered solely, as it annuls a man's dominion over property, and as it involves his contracts and other acts, which otherwise would be binding; and as it takes away his responsibility for crimes.

If, then, our beneficent laws protect persons who labour under mental derangement, as well as that of extending their indulgence for crimes which may be involuntarily committed by them, yet, the interest of society requires that the most exemplary punishments should be inflicted on those who so often feign this affliction for the purpose of exciting commiseration from a credulous people, or escaping punishment or other duties; indeed, without proper investigation it would be a cloak for crimes which could not fail of ultimately tending to subvert social order. No protection should be allowed to that kind of insanity in persons which may originate from ordinary perceptions of the mind, and who are forced to violent passions from no morbid affection, and more especially when it proceeds from real circumstances and malignant resentment—this should never excuse them in the committing of any offence in its matter capital; for, as Sir Mathew Hale observes, "doubtless most persons that are felons of themselves and others, are under a degree of partial insanity when they commit these offences"—He further says, that "*it is very difficult to define the invisible line that divides perfect and partial insanity*," but it must rest upon circumstances duly to be weighed and considered, both by the Judge and Jury, lest on the one side there be a kind of inhumanity towards the defects of human nature, or, on the other side, too great an indulgence given to great crimes.

A FOREIGN SOLDIER'S FAREWELL TO HIS ENGLISH MISTRESS.

Why bleeds a heart once haughty, wild,
To be from England's shores exiled?
Are home and friends the endearing band?
No, these are in a distant land.

Is't fear that on my heart lays hold?
I am not cast in coward mould—
I've braved the battle, man to man,
And borne my banner in the van.

Why do I shudder then and weep,
To mount yon bark and plough the deep?
Whose stormy waves I lightly mind,
Heart-wrecked in leaving thee behind.

Farewell! O met by fatal chance!
As eyes struck by the lightning's glance
See light no more: thus blind shall be
My soul to beauty, losing thee.

MAN is so much the creature of early impressions that their good or ill tendency remain with him, and have a certain degree of influence during the whole period of his after life; I cannot apply this observation more forcible than to my own individual case. A large portion of my boyhood was passed in the society of amiable and well informed women; they were the directresses of my studies and the gentle, but firm dispensers of disapprobation where it was my lot to deserve it. So gently, however, (and in my humble judgment with so much discrimination) was this duty exercised, that its effects on the mind are too favorable to be ever erased, and in my opinion so worthy of imitation, that I have long made it a rule to adopt it as nearly as possible in my own little family.

Where woman has an opportunity of cultivating her faculties and possesses that innate humility and modesty of character which induces her to conceal those endearing qualities as sedulously as she endeavours to improve them, she becomes an object of pre-eminent admiration and regard, her—

tender heart is animated peace;

And as it pours its copious treasures forth,

In varied converse, softening every theme;

You, frequent pausing, turn, and from her eyes,

Where meekened sense, and amiable grace,

And lively sweetness dwell, enraptured, drink

That nameless spirit of ethereal joy,

Unutterable happiness, which love

Alone, bestows; and on a favour'd few.

The world has seen many such; but like the bright meteors of heaven they exist a while and are—"gone to that bourn from whence no traveller returns!"

The present age has introduced to the world of literature eminent examples of female excellence, not only in the highest, but also in the middle circles of society; and though some of them are now in the silent grave they have left the recollection of their virtues to an admiring posterity; others yet live to adorn, enliven and charm us, as much with the graces and accomplishments of their minds, as they do with the powerful influence of personal beauty.—The late Duchess of Devonshire, though deeply involved in the labyrinths of fashion had a highly cultivated understanding of the first order, and was equally if not more applauded for the powers of her mind than her beauty, which surpassed that of most of her time. A lady of such high distinction so truly gifted was indeed a fit subject for eulogy from a British Prince; well might our Monarch exclaim, when her premature death took place: "England has lost its brightest ornament!" She was the patroness of merit and the friend of many of those luminaries of our Bar and Senate, who like herself have left only the record of their names that such

beings once were! The patriotic Fox and the brilliant Sheridan were numbered among her friends.

What country can boast brighter female ornaments of their literature than More and Edgeworth? They have been found during a period when fashion tended very much to introduce laxity in female character, to withstand all its seductions and to hold forth and maintain principles which our mothers and daughters will yet live to acknowledge and venerate. Such indeed is the influence of these examples and the benefit derived from them, that the females of the stage now deserve and merit some of our warmest encomiums; a Siddons, a Davidson, a Bolton and an O'Neil now grace domestic circles as eminently as they gave distinction and dignity to the stage. Though we no longer listen to a Siddons in the plaintive and bewildered Belvidera or in the majesty of the Grecian Daughter, we yet live to hear that the virtues she could so powerfully describe to the public eye, she knows how to practice in private life.

Leaving the stage of public life, where woman has obtained much just praise, let us ramble through the shades of domestic life, where we find her in her appropriate element and where her accomplishments and virtues shed a lustre it would be vain to describe—and there contemplate the extensive moral improvement which such characters have made; the giddy pleasures and amusements which were formerly in vogue, have in some measure given way to the true spirit of decorum and to the occupation found in domestic duties, and whose pursuits of knowledge which become their sex and condition;

—rural quiet, friendship, books,
Ease and alternate labour, useful life,
Progressive virtue, and approving Heaven.

To the names of More and Edgeworth to whom we have already alluded we may add those of Roberts, Brunton, and others of equal celebrity among our female writers who will carry with them the gratitude of the present and the admiration of a future age; by them our systems of female education have been much improved and the mind of woman which was very illiberally neglected for a long period, is now so much and so generally cultivated as to make it a task of some difficulty to impose upon their understanding, or to prevent their discovering what is proper or improper in the lighter walks of literature. All this and much more equally gratifying to the moral mind have flowed from the genius, abilities and example of some of our highly gifted countrywomen. We may laud the efforts and the well earned laurels of our Generals as well as our Men of Science, but surely those who have done so much for the most interesting objects of our esteem, claim a much superior reward; they have contributed to make our drawing rooms not the receptacle of frivolous coquetry, idle scandal, vanity and affectation; but the home of agreeable information, were the unassuming, unobtrusive mind of lovely woman unfolds its energies with a peculiar modesty. So many delightful associations occur to the mind when woman and home occur

in the same sentence as to make the following lines from one of our esteemed poets, not inapplicable to our subject.

There is a land, of every land the pride,
 Belov'd by Heaven, o'er all the world beside;
 Where brighter suns dispense serener light,
 And milder moons emparadise the night;
 A land of Beauty, Virtue, Valour, Truth,
 Time tutor'd age and love-exalted Youth.
 The wand'ring Mariner whose eye explores,
 The wealthiest Isles, the most enchanting shores;
 Views not a realm so beautiful and fair,
 Nor breathes the spirit of so pure an air,
 In every clime the magnet of his soul
 Touch'd by remembrance, trembles to the Pole
 For in this Land of Heav'n's peculiar grace
 This Heritage of Nature's noblest face
 There is a spot of Earth supremely blest
 A dearer sweeter spot than all the rest
 Where Man, Creation's Tyrant, casts aside
 His sword and sceptre, pageantry and pride,
 While in his softened looks benignly blend,
 The Sire, the Son, the Husband, Brother, Friend;
 There Woman reigns; the Mother, Daughter, Wife,
 Strews with fresh flowers, the rugged path of life;
 Twin'd round her heart domestic duties meet,
 And fireside pleasures gambol at her feet.—
 Where shall that Land, that spot of Earth be found?
 Art thou a Man? a Patriot? look around,
 Oh! thou shalt find, howe'er thy footsteps roam
 That Land *thy Country* and that spot *thy Home*.

A sensible well informed woman is one of the greatest blessings which can fall to the lot of man; to listen to such a woman's conversation is always delightful and we are generally as much taken up with the force and propriety of her sentiments, as the eloquence of manner and words which she adopts. Before we conclude this subject, there is one fact more, amongst many others, which I deem it a duty to put on record out of compliment to the sex. Buonaparte had a particular regard for accomplished women and has left an instance of it, which redounds much to his honor. So many evils had resulted from the French Revolution that the energies of the strongest minds were paralyzed when they contemplated the ruin it had made upon the morals of the nation; the character of man was abased and that of woman prostituted. All exertions to remove these dreadful effects failed, or if successful made slow and gradual progress; at this time such was the estimation in which the accomplished Madame Campan was held (a lady of unquestionable moral character and abilities) notwithstanding her attachment to the cause and person of the unfortunate Marie Antoinette that she was selected and placed at the head of a splendid national female establishment. Thus exhibiting to the world a marked proof of the Emperor's taste and judgement and of the powerful influence of an accomplished female mind.

Selected Papers.

FRANKLIN'S EXPEDITION.*

THIS splendid work is an additional illustration of the long established claims of this country to pre-eminence in the improvement of maritime science, the discovery of new sources of human intercourse, and the advancement of those branches of natural history, which are at once curious and useful. The arduous enterprize of exploring by land the northern coast of America, by the shores of Hudson's Bay, from the mouth of the Copper-Mine River to the eastward, with the view of facilitating the discovery of a North-West passage, was entrusted by His Majesty's Government to Captain Franklin, who embarked on the 23d of May, 1819, on board the ship Prince of Wales, at Gravesend. The instructions given to Captain Franklin were judicious, full, and clear. He was informed, that the main object of the expedition was that of determining the latitudes and longitudes of the northern coast of North America, and the trending of the coast from the mouth of the Copper-Mine River to the Eastern extremity of that continent: that it was left to him to determine, according to circumstances whether it might be most advisable to proceed, at once, directly to the northward till he arrived at the sea-coast, and then explore westerly towards the Copper-Mine River; or advance, in the first instance, by the usual route, to the mouth of the Copper-Mine river, and from thence easterly, till he should reach the eastern extremity of that continent;—that, as another principal object of the Expedition was to amend the very defective geography of the northern part of North America, he was to be very careful to ascertain correctly the latitude and longitude of every remarkable spot upon his routs, and of all the bays, harbours, rivers, headlands, &c. that might occur along the northern shore of the Continent;—that, in proceeding along the coast, he should erect conspicuous marks at places where ships might enter, or to which a boat could be sent; and deposit information as to the nature of the coast for the use of Lieutenant Parry; that in the journal of his route, he should register the temperature of the air, at least three times in every twenty-four hours, together with the state of the wind and weather, and any other meteorological phenomenon;—that he should not neglect any opportunity of observing and noting down the dip and variation of the magnetic needle, and the intensity of the magnetic force:—and that he should take particular notice, of any, and what kind or degree of influence the aurora borealis might appear to exert on the magnetic needle, and whether that phenomena was attended with noise, &c. &c.

The Lords of the Admiralty, anxious to promote the principal objects in view, selected, with peculiar care, three gentlemen, in every respect, qualified to co-operate with Captain Franklin. They were Doctor, John Richardson, a surgeon in the royal navy, and Mr. George Back and Mr. Robert Hood, two admiralty midshipmen, who were

* Narrative of a Journey to the Shores of the Polar Sea, in the years 1819, 20, 21, & 22. By John Franklin, Captain R. N. F. R. S. and Commander of the Expedition. 4to.

joined with him in the Expedition. Doctor Richardson united, with his professional attainments, considerable knowledge as a naturalist, and Messrs. Back and Hood were not only capable of assisting in all the requisite observations, but of making correct drawings of the land, the natives, and the various objects of natural history. The wisdom of government had also anticipated the advantages which might result from the expedition both to commerce and to science; for it appears that Captain Franklin was instructed to visit the spot on the Copper-Mine river, from whence native copper had been brought down by the Indians to the Hudson's Bay establishment, for the purpose of enabling Doctor Richardson to make such observations as might be useful for the improvement of trade or the study of mineralogy.

After touching at Stromness, where Captain Franklin engaged four bowmen and steersmen to assist in the expedition, the Prince of Wales sailed on the 16th of June, and arrived at York Factory, Hudson's Bay, on the 30th of August. Here, in consequence of the united opinions of the Governor and gentlemen belonging to the Hudson's Bay Company, and the partners of the North-West Company, who were then under detention at the factory, Captain Franklin determined to proceed through the interior by the route of Cumberland House, and the chain of posts to the Great Slave Lake. The route directly to the northward was, in fact, rendered impracticable by the impossibility of procuring guides and hunters along the coast, as well as by that of obtaining a vessel capable of conveying him as far north as Wager Bay. The Esquimaux inhabitants had also left Churchill a month previous to his arrival, and no interpreter could be procured from that quarter, before their return in the following spring. Captain Franklin passed but ten days at York Factory, all of which were busily employed in preparations for commencing the journey. The Governor supplied one of his largest boats, which was, however, too small to contain the provisions, stores, and ammunition, of which the expedition stood in need. The party commenced their voyage into the interior of America on the 9th of September, and the difficulties they experienced in the very outset, formed a melancholy presage of the fatigues and hardships for which they were reserved. The current was too rapid to admit of the use of oars to advantage, and the crew were compelled to drag the boat by a line to which they were harnessed. The operation was extremely laborious in these rivers, in consequence of the declivity of the banks, the roughness and wetness of the roads, and the trees, which impeded the passage in a great variety of directions. It was, however, constantly practiced, so numerous were the rapids, rocks, and shoals they had to pass during their journey to Cumberland House, which occupied forty-four days. The travelling distance between York factory and Cumberland House was about six hundred and ninety miles; and the position of the latter was, according to their observations, latitude $53^{\circ} 56' 40''$ N., longitude $102. 16. 41.$ W., by the chronometers; variation $17. 17. 29.$ E., dip of the needle, $83. 12. 50.$

Of the Establishments maintained here by the Hudson's Bay and the North-west Company, Captain Franklin gives the following account:

"The houses of the two Companies, at this post, are situated close to each other, at the upper extremity of a narrow island, which separates Pine Island Lake from the Saskatchewan River, and are about two miles and three quarters distant from the latter in a northern direction. They are log-houses, built without much attention to comfort, surrounded by lofty stockades, and flanked with wooden bastions. The difficulty of conveying glass into the interior has precluded the use of that material in the construction of the windows, and its place is poorly supplied by parchment, imperfectly made by the native women from the skin of the rein-deer. Should this post, however, continue to be the residence of Governor Williams, it will be much improved in a few years, as he is devoting his attention to that point. The land around Cumberland House is low, but the soil, from having a considerable intermixture of limestone, is good, and capable of producing abundance of corn, and vegetables of every description. Many kinds of pot-herbs have already been brought to some perfection, and the potatoes bid fair to equal those of England. The spontaneous productions of nature would afford ample nourishment for all the European animals. Horses feed extremely well even during the winter, and so would oxen, if provided with hay, which may be easily done. Pigs also improve, but require to be kept warm in the winter. Hence it appears, that the residents might, with common attention, render themselves far less dependant on the Indians for support, and be relieved from the great anxiety which they too often suffer when the hunters are unsuccessful. The neighbourhood of the houses has been much cleared of wood, from the great demand for fuel; there is, therefore, little to admire in the surrounding scenery, especially in its winter garb; few animated objects occur to enliven the scene; an occasional fox, marten, rabbit, or wolf, and a few birds, contribute the only variety. The birds which remained were ravens, magpies, partridges, cross-bills, and woodpeckers. In this universal stillness, the residents at a post, feel little disposed to wander abroad, except when called forth by their occupations, and as ours were of a kind best performed in a warm room, we imperceptibly acquired a sedentary habit. In going out, however, we never suffered the slightest inconvenience from the change of temperature, though the thermometer, in the open air, stood occasionally thirty degrees below zero."

During their residence at Cumberland House, which continued until the 18th of January, 1820, they had the most favourable opportunities of forming a correct estimate of the character, manners, usages, and opinions of the Crees, the Indians who inhabit the district belonging to that post. They are, indeed, thinly scattered,

" — rari nantes in gurgite vasto,"

over an immense surface of country. The whole district extending about one hundred and fifty miles from East to West along the banks of the Saskatchewan, and about as far from North to South, and comprehending on a rough calculation, upwards of twenty thousand square miles, was then inhabited by only one hundred and twenty Indian hunters. Of these a few have several wives, but the majority have only one, and as some are unmarried, the number of married women may be considered as slightly exceeding that of the hunters. The women marry very young, have a custom of suckling their children for several years, and are besides constantly exposed to fatigue, and often to famine; hence they are not prolific, bearing, upon an average, not more than four children, of whom two may attain the age of puberty. Upon these data, the amount of each family may be stated at five,

and the whole population in the district at five hundred. The third chapter of the work, written by Dr. Richardson, and appropriated to this subject, contains a variety of interesting particulars. It appears, that the Crees are a vain, fickle, improvident and indolent race, not very strict in their adherence to truth, but at the same time observant of the rights of property, susceptible of the kinder affections, capable of friendship, very hospitable, tolerably kind to their women, and decidedly inclined to peace. Much of the faulty part of their character originates, no doubt, in their mode of life. Accustomed as a hunter to place his main dependence on chance for his subsistence, the Cree takes little thought of to-morrow; and the most offensive part of his behaviour, the habit of boasting, is probably assumed as a necessary part of his armour, which operates upon the fears of his enemies. Every Cree is in dread of the medical or conjuring powers of his neighbour, but at the same time, exalts his own attainments to the skies. "I am god-like," is a common expression among them; and they prove their divinity by eating live coals, and by various tricks, most of which are too clumsy for the most awkward of our jugglers. A medicine bag, furnished with a little bit of indigo, blue vitriol, or vermilion, is, in the possession of a noted conjurer, such an object of terror to the rest of the tribe, as to enable him to fatten at his ease upon the labours of his deluded countrymen. A pleasant anecdote of an impostor of this description is related by Doctor Richardson.

"Notwithstanding the then miserable state of the Indians, the rapacity of this wretch had been preying upon their necessities, and a poor hunter was actually at the moment pining away under the influence of his threats. The mighty conjuror, immediately on his arrival at the house, began to trumpet forth his powers, boasting, among other things, that although his hands and feet were tied as securely as possible, yet, when placed in a conjuring-house, he would speedily disengage himself by the aid of two or three familiar spirits, who were attendant on his call. He was instantly taken at his word; and that his exertions might not be without an aim, a capot or great coat was promised as the reward of his success. A conjuring-house having been erected in the usual form, that is, by sticking four willows in the ground and tying their tops to a hoop at the height of six or eight feet, he was fettered completely by winding several fathoms of rope round his body and extremities, and placed in its narrow apartment, not exceeding two feet in diameter. A moose skin being then thrown over the frame, secluded him from our view. He forthwith began tochant a kind of hymn in a very monotonous tone. The rest of the Indians, who seemed in some doubt respecting the powers of a devil when put in competition with those of a white man, ranged themselves around, and watched the result with anxiety. Nothing remarkable occurred for a long time. The conjuror continued his song at intervals, and it was occasionally taken up by those without. In this manner an hour and a half elapsed; but at length our attention which had begun to flag, was roused by the violent shaking of the conjuring-house. It was instantly whispered round the circle, that at least one devil had crept under the moose-skin. But it proved to be only the "God-like man" trembling with cold. He had entered the lists stript to the skin, and the thermometer stood very low that evening. His attempts were continued, however, with considerable resolution for half an hour longer, when he reluctantly gave in. He had found no difficulty in slipping through the noose when it was formed by his countrymen; but, in the present instance, the knot was tied by

Governor Williams, who is an expert sailor. After this unsuccessful exhibition his credit sunk amazingly, and he took the earliest opportunity of sneaking away from the fort.

The expedition took up sixty-four days in its progress from Cumberland House to Fort Chipewyan, during which it travelled between eight and nine hundred miles, subject to an intermixture of agreeable and disagreeable circumstances. Among the most prominent of the latter was that of walking in snow-shoes, which was attended with the painful inconvenience of marching with a weight of nearly three pounds constantly attached to galled feet, and swelled ankles.

Having left Fort Chipewyan with three canoes and a bare sufficiency of provisions for one day's consumption, the Expedition, after surmounting the various difficulties of the rivers, lakes, and portages, succeeded in reaching Fort Providence, the last establishment of the traders in that direction. It is situated, according to their observations, in latitude 62. 17. 19. N., longitude 114. 9. 28. W.; the variation of the compass was 33. 35. 55. E., and the dip of the needle 86. 38. 02. Here as they approached the grand object which they had in view, their anxiety to prosecute their journey increased, and having mustered the officers and men, they found that the expedition, on leaving Fort Providence, on the afternoon of the 2d of August, consisted of six English—Captain Franklin, Doctor Richardson, Messrs. Back and Hood, Mr. Wentzel, clerk to the North-West Company; John Hepburn, a seaman,—and seventeen Canadian voyagers, three interpreters, and three women, the wives of three of the voyagers, who were brought for the purpose of making shoes and clothes for the men at the winter establishment. Their course was then directed towards the Copper-Mine river, through a line of country which had not been previously visited by any European; and they were accompanied by Akaitcho, a chief of considerable importance in that quarter, and a party of his Indians. On the 20th of August, they arrived at the situation where Akaitcho proposed that they should pass the winter. It possessed all the advantages they could have desired; and they placed their house, formed of the wood of pine trees, on the summit of the bank of a small river, commanding a fine prospect of the surrounding country. The total length of the voyage from Chipewyan was computed at five hundred and fifty-three miles. The name of Fort Enterprize was given to their new residence erected on the summit of the bank. Our limits prevent us from noticing the transactions which occurred at this spot, to which Captain Franklin, with the exception of a short excursion, was for ten months, until his departure on the 14th of June, 1821, necessarily confined by the severity of the weather. Provided with three Canadians, two Esquimaux, and two Indian hunters, Captain Franklin proceeded towards the final object of his anxious wishes. Doctor Richardson had gone forward with another party, but they effected a junction shortly afterwards. The navigation of the Copper-Mine river did not prove so difficult as they had been led to expect, but the impracticability of navigating it upwards from the sea, and the want of wood for forming an establishment, appeared insuperable ob-

jections to rendering the collection of copper in that part worthy of mercantile speculation. The Copper mountains vary in height from one thousand two hundred to two thousand five hundred feet. A party of twenty-one persons, consisting of the officers, some of the voyagers, and all the Indians, visited them in search of specimens of the ore. They travelled for nine hours over a considerable space of ground, but found only a few small pieces of native copper. The uniformity of the mountains is interrupted by narrow valleys, traversed by small streams; and the best specimens of metal were found among the stones in these valleys. It would seem, that when the Indians see any sparry substance projecting above the surface, they dig there; but they have no other rule to direct them, and have never discovered the metal in its original repository.

The expedition being on the 18th of July within a short distance of the sea, was abandoned by the Indians, who returned home. After passing a few rapids, the river became wider and more navigable for canoes, flowing between banks of alluvial sand. An encampment was formed on the western bank at its junction with the sea. Its situation was ascertained to be latitude 67. 47. 50. N., longitude 115. 36. 49. W., the variation of the compass 46. 25. 52. E., and dip of the needle 80. 5. 07. Here Mr. Wentzel, with four of the Canadian voyagers, left them for Fort Enterprize. Captain Franklin had discharged them for the purpose of reducing, as much as possible, the expenditure of provision; and the remainder of the party, including officers, amounted to twenty persons. The travelling distance from Fort Enterprize to the north of the Copper-Mine river, was estimated at three hundred and thirty-four miles; and the canoes and baggage were dragged over snow and ice for one hundred and seventeen miles of that distance.

Captain Franklin commenced his voyage on the Hyperborean Sea, the 21st of July, during which he sailed between five and six hundred miles along the shore, exploring bays and inlets; and it was not until the middle of August, when his stock of provision was reduced to a bare sufficiency for three days' consumption, and the hope he had cherished of meeting the Esquimaux, and obtaining a further supply, was extinct, that he felt convinced of the absolute necessity of returning. A farther advance must have endangered the lives of the whole party, and prevented the knowledge of what had been effected from reaching England. Here his own observations, with respect to the practicability of a North-west Passage, and the probable success of Captain Parry's Expedition, assume a peculiar degree of interest.

"Our researches, as far as they have gone, seem to favour the opinion of those who contend for the practicability of a North-West Passage. The general line of coast probably runs east and west, nearly in the latitude assigned to Mackenzie's River, the Sound into which Kotzebue entered, and Repulse Bay; and very little doubt can, in my opinion, be entertained of the existence of a continued sea, in or about that line of direction. The existence of whales too, on this part of the coast, evidenced by the whalebone we found in Esquimaux Cove, may be considered as an argument for an open sea; and a connexion with Hudson's Bay is rendered more probable from the same kind of fish abounding on the coasts we visited, and on those to the north of Churchill River. I allude more particularly to the Capelin or *Salmo Arcticus*, which we

found in large shoals in Bathurst's Inlet, and which not only abounds, as Augustus told us, in the bays in his country, but swarms in the Greenland firths. The portion of the sea over which we passed is navigable for vessels of any size; the ice we met, particularly after quitting Detention Harbour, would not have arrested a strong boat. The chain of islands affords shelter from all heavy seas, and there are good harbours at convenient distances. I entertain, indeed, sanguine hopes that the skill and exertions of my friend Captain Parry will soon render this question no longer problematical. His task is doubtless an arduous one, and, if ultimately successful, may occupy two and perhaps three seasons; but confiding as I do, from personal knowledge, in his perseverance and talent for surmounting difficulties, the strength of his ships, and the abundance of provisions with which they are stored, I have very little apprehension of his safety. As I understand his object was to keep the coast of America close on board, he will find in the spring of the year, before the breaking up of the ice can permit him to pursue his voyage, herds of deer flocking in abundance to all parts of the coast, which may be procured without difficulty; and, even later in the season, additions to his stock of provision may be obtained on many parts of the coast, should circumstances give him leisure to send out hunting parties. With the trawl or seine nets also, he may almost every where get abundance of fish even without retarding his progress. Under these circumstances I do not conceive that he runs any hazard of wanting provisions, should his voyage be prolonged even beyond the latest period of time which is calculated upon. Drift timber may be gathered at many places in considerable quantities, and there is a fair prospect of his opening a communication with the Esquimaux, who come down to the coast to kill seals in the spring, previous to the ice breaking up; and from whom, if he succeeds in conciliating their goodwill, he may obtain provision and much useful assistance.

"If he makes for Copper-Mine river, as he probably will do, he will not find it in the longitude as laid down in the charts; but he will probably find what would be more interesting to him, a post, which we erected on the 26th of August, at the mouth of Hood's River, which is nearly, as will appear hereafter, in that longitude, with a flag upon it, and a letter at the foot of it, which may convey to him some useful information. It is possible, however, that he might keep outside of the range of islands which skirt this part of the coast."

Captain Franklin originally intended, should the severity of the season compel him to relinquish the survey, to return by the way of the Copper-Mine river; but his scanty stock of provisions, and the length of the voyage, impressed upon him the necessity of selecting a shorter course. He, therefore, resolved to proceed at once to Arctic Sound, where he had found a greater number of animals than at any other place; to advance by Hood's river as far as it was practicable, and to construct small canoes out of the materials of the larger ones, which would be more portable in traversing the barren grounds to Fort Enterprize. He embarked on the 22d of August, 1821, and the journey was continued with the assistance of canoes, or on foot, amid the most afflicting incidents and the most distressing privations, until the 23d of September, when they were deprived of the only canoe left them. They were now reduced to an emaciated state, all destitute of strength, and many bereft of hope. The slightest breeze seemed to penetrate through their debilitated frames. The description of their sufferings is melancholy in the extreme.

"Our progress next day was extremely slow, from the difficulty of managing

the canoe in passing over the hills, as the breeze was fresh. Peltier, who had it in charge, having received several severe falls, became impatient, and insisted on leaving his burden, as it had already been much injured by the accidents of this day; and no arguments we could use were sufficient to prevail on him to continue carrying it. Vaillant was, therefore, directed to take it, and we proceeded forward. Having found he got on very well, and was walking even faster than Mr. Hood could, in his present debilitated state, I pushed forward to stop the rest of the party, who had got out of our sight during the delay which the discussion about the canoe had occasioned. I accidentally passed the body of the men, and followed the tracks of two persons who had separated from the rest, until two P. M., when, not seeing any person, I retraced my steps, and on my way met Dr. Richardson, who had also missed the party whilst he was employed gathering *tripe de roche*, and we went back together in search of them. We found they had halted among some willows, where they had picked up some pieces of skin, and a few bones of deer that had been devoured by the wolves last spring. They had rendered the bones friable by burning, and eaten them as well as the skin; and several of them had added their old shoes to the repast. Peltier and Vaillant were with them, having left the canoe, which, they said, was so completely broken by another fall, as to be rendered incapable of repair, and entirely useless. The anguish this intelligence occasioned may be conceived, but it is beyond my power to describe it. Impressed, however, with the necessity of taking it forward, even in the state these men represented it to be, we urgently desired them to fetch it; but they declined going, and the strength of the officers was inadequate to the task. To their infatuated obstinacy on this occasion, a great portion of the melancholy circumstances which attended our subsequent progress may, perhaps, be attributed. The men now seemed to have lost all hope of being preserved; and all the arguments we could use, failed in stimulating them to the least exertion. After consuming the remains of the bones and horns of the deer, we resumed our march, and, in the evening, reached a contracted part of the lake, which perceiving to be shallow, we forded and encamped on the opposite side. Heavy rain began soon afterwards, and continued all the night. On the following morning the rain had so wasted the snow, that the tracks of Mr. Back and his companions, who had gone before with the hunters, were traced with difficulty, and the frequent showers during the day almost obliterated them. The men became furious at the apprehension of being deserted by the hunters, and some of the strongest throwing down their bundles, prepared to set out after them, intending to leave the more weak to follow as they could. The entreaties and threats of the officers, however, prevented their executing this mad scheme; but not before Solomon Belanger was despatched with orders for Mr. Back to halt till we should join him. Soon afterwards a thick fog came on, but we continued our march and overtook Mr. Back, who had been detained in consequence of his companions having followed some recent tracks of deer. After halting an hour, during which we refreshed ourselves with eating our old shoes and a few scraps of leather, we set forward in the hope of ascertaining whether an adjoining piece of water was the Copper-Mine river or not; but were soon compelled to return and encamp, for fear of a separation of the party, as we could not see each other at ten yards distance. The fog diminishing towards the evening, Augustus was sent to examine the water, but having lost his way he did not reach the tents before midnight, when he brought the information of its being a lake. We supped upon *tripe de roche*, and enjoyed a comfortable fire, having found some pines, seven or eight feet high, in a valley near the encampment.

It appears, that the Canadian voyagers, although inured from their infancy to constant exercise and fatigue, were as little capable of supporting the calamities and hardships of the journey as the Europeans.

Captain Franklin at length reached Fort Enterprize with a few of them; Doctor Richardson had been left behind with Mr. Hood, Hepburri, and Michel the Iroquois. That part of the Doctor's narrative which relates to the strange behaviour of Michel and the murder of Mr. Hood, is replete with horror.

Captain Franklin reached Moose-deer island on the 17th of December, where he and his companions were enabled, by the kind attentions of the officers of the Hudson's Bay Company, to recruit their strength; and after a residence of five months, to proceed on their journey. He arrived at York Factory on the 14th of July, 1822. "And thus terminated," says Captain Franklin, "our long, fatiguing, and disastrous travels in North America, having journeyed by water and by land (including our navigation of the Polar Sea) five thousand five hundred and fifty miles."

The value of this important work is much increased by an Appendix, containing many useful and curious geognostical, astronomical, and meteorological observations, with a considerable variety of botanical and mineralogical specimens, supplied by Doctor Richardson, Captain Franklin, and Lieutenant Hood. A zoological appendix is furnished by Joseph Sabine, Esq. F. R. S., and notices on the fishes, and a botanical index by Doctor Richardson.

A curious discovery, in the observations on the aurora borealis, appears to have been made by Lieutenant Hood, for whom Captain Franklin claims the merit of having been the first to ascertain that the altitude of the aurora, in those high northern latitudes, is far inferior to that assigned to it by any former observer. Lieutenant Hood had also the merit of demonstrating the important fact of the action of the aurora on the compass needle. This he accomplished by a skilful adaptation of a Vernier to the graduated circle of a Kater's compass, which enabled him to read off small deviations of the needle. The observations made at Cumberland House by Doctor Richardson, and at the Basquiau by Lieutenant Hood, with respect to the altitude of the aurora from the earth, are opposite to the general opinion of meteorologists; but of the certainty of the result, no doubt can be entertained. An attenuated aurora has been sometimes observed to flash across 100° of the sky in a single second; a quickness of motion altogether inconsistent with the height of sixty or seventy miles, the least which has been hitherto ascribed to it. This kind of aurora is not brighter than the milky way, and resembles sheet-lightning in its motions.

The geognostical remarks of Doctor Richardson confirm the observations of Werner, Humboldt, Von Buch, Saussure, Ebel, and Daubuisson in many districts in the continent of Europe and in America, and of Professor Jameson in Scotland, that the common direction of the primitive and transition strata is nearly from N. E. to S. W. According to the general result of his notes, the position of the rocks, traced through twelve degrees of latitude, was N. E. and S. W. as the average direction of their strata.

Mr. Sabine's appendix will be found highly interesting to zoologists, and the information supplied in this branch of natural history by Doctor Richardson is not less relatively advantageous than the scientific

benefits imparted by their labours and exertions in the more important objects of their mission.

The enterprising spirit, undaunted resolution, and indefatigable perseverance of Captain Franklin and his companions are now consigned to immortality. "Not a loop to hang a doubt on" is left to question the veracity of their narrative in its most minute details; and while their memories must for ever be entwined with the glories of their native country, the rest of Europe will not fail to contemplate, with admiration, the magnitude of their sufferings, and the results of their exertions:

This noble work is presented to the world in a manner worthy in every respect of its character, spirit, and objects. It is embellished with numerous charts and plates, admirably executed. The plates taken from drawings, executed on the spot by Lieutenants Hood and Back exhibit the costume of the different tribes through which they passed, the most expressive features of the interior, and several striking scenes along the coast. The tables of science are distinguished for precision and perspicuity.



STANZAS.

Supposed to have been written by Lord Fitzgerald on the night of his being arrested.

Oh ! Ireland, my country ! the hour
Of thy pride and thy splendour hath pass'd,
And the chain which was spurn'd in thy moment of power
Hangs heavy around thee at last.
There are marks in the fate of each clime,
There are turns in the fortunes of men ;
But the changes of realms or the chances of time
Shall never restore thee again.

Thou art chain'd to the wheel of the foe
By links which the world shall not sever ;
With thy tyrants through storm and through calm thou shalt go,
And thy sentence is bondage for ever.
Thou art doom'd for the thankless to toil ;
Thou art left for the proud to disdain ;
And the blood of thy sons, and the wealth of thy soil
Shall be wasted—and wasted in vain !

Thy riches with taunts shall be taken ;
Thy valour with coldness repaid ;
And of millions who see thee thus sunk and forsaken
Not one shall stand forth in thine aid.
In the nations thy place is left void ;
Thou art lost in the list of the free :
Even realms by the plague and the earthquake destroy'd
May revive—but no hope is for thee.

PRINCE CARLOS OF SPAIN AND HIS FATHER PHILIP II.

(Concluded from our last.)

THUS surrounded by his father's spies, and checked by his secret influence while he seemed to grant him the most unbounded liberty, the weak and irritable mind of Carlos appears to have been constantly beset with ideas of danger to himself, and vague notions of revenge upon the immediate instruments of his unhappiness. Having read the history of a bishop who escaped from prison by striking the jailor with a large brick which he had bound in leather so as to resemble the Breviary or Prayer Book, Carlos ordered De Foix to bind twelve slates in steel boards ornamented with gold. The volume thus contrived was six inches by four, and exceeding fourteen pounds in weight. That great architect and mechanic was also employed in fixing a night-bolt on the door of the Prince's bed-chamber, which could be drawn in and out from the bed; for, contrary to the rules of the Spanish court, Carlos would not trust his safety to the guard which stood before the apartments, day and night.

It has been generally asserted that Carlos meditated his father's destruction. De Thou accuses him of that horrid design, and Llorente affirms that it is one of the charges substantiated against the Spanish prince in the written process conducted by the secret tribunal which Philip appointed for the trial of his son. The latter writer is, however, silent as to the proofs which support the charge. Cabrera, who, though very young at the time of the Prince's death, was an inmate at the palace, and compiled the account of the whole transaction from the verbal narrative of his father, an old servant in the confidence of the King's favourite ministers, positively acquits Carlos of any parricidal views. "Had the Prince been disposed to kill his father," says that historian, he had a daily opportunity of executing his purpose. But such a design was never known to his most intimate confidants." These confidants, on whose silence Cabrera so absolutely depends, must have been the spies employed by his father to worm themselves into Carlos's friendship, or the inference in favour of the Prince's innocence would be absurd. If a public declaration of Philip himself could be trusted, Carlos would stand acquitted; for in a letter to the Empress his sister, the Spanish king declares that his determination to confine his son is not founded on any "offence or disrespectful act of the Prince." But Philip's despatches are couched in the obscurest language; and it would be, in fact, as difficult to come at his real meaning through his words, as to his true feelings through his actions.

Among the unpublished documents examined by Mr. Llorente there is a manuscript attributed to the Prince's porter, containing an account of the last period of Carlos's life. On the authenticity of the original manuscript we will not allow ourselves to cast any doubt; though we will not pin our faith on a paper of this nature, when we find it preserved in the archives of the Spanish secretary of state's office. The porter's narrative, however, bears internal evidence of its being a paper

written about the time of the Prince's death; and it may have been compiled by a man in the situation attributed to the nameless author. But it is clear from the context that he mixed in his account the little he saw with much of the servants' hall news of the day, and was extremely anxious to represent the whole transaction so as to make his narrative an indirect refutation of the reports then afloat against Philip.

With the improbable statements of the manuscript we do not hesitate to class the avowal of Carlos to the Prior of Atochia, that he had his mind wholly bent upon killing his father. Yet the scene disclosed by the credible part of the porter's narrative appears to us so curious, that in justice to our subject, we must lay it before the reader.

About Christmas of 1567, a year before the imprisonment of Carlos, his conscience was greatly harassed by the approach of a day when it was the established custom of the royal family to receive the sacrament. The spirit of revenge which he harboured and cherished, made him unfit for that sacred ceremony. Absolution from the priest, he well knew, could not release him from guilt while thirsting for the blood of his enemies; and partaking of the body of Christ in that state of mind would, he feared, seal up his reprobation. In this pitiable frame he had recourse to some expedients, which, absurd as they must appear to us, are still employed in Spain under various modifications. He first applied to his usual confessor, in hopes that, through some loop-hole of casuistry, he might be allowed the comfort of absolution. But Carlos had not yet ascended the throne, and the divine was inflexible. This fruitless application had been made by the young prince in the convent of Saint Jerome, the evening before the day appointed for the communion. Hoping to find some other confessor more ready to gratify his wishes, Carlos sent the author of the narrative with a fellow servant, in his carriage, to fetch two monks from the neighbouring convent of Atochia. The opinions of the new comers being in perfect concordance with those of the confessor, Carlos successively sent for fourteen monks, one of whom was the prior of the convent.

From the nature of the consultation, it is extremely improbable that the prince's attendants could hear the whole discussion as the porter pretends. Yet he says that the Prince expressed his determination of killing a certain person: that the prior, *taking Carlos apart*, entreated him to state the name and quality of the intended victim, as that might so alter the nature of the case as to enable the confessor to grant him absolution: that, deceived by this hope, the Prince declared it was his own father. The secret being thus extorted, and absolution finally denied, Carlos begged to be saved the crime of sacrilege, by having an unconsecrated host delivered to him on the morrow.

That such a report was rumoured and allowed to spread by Philip appears to us very probable. Having, by the means we shall presently state, got rid of his son, whose restlessness and ambition kept his timorous mind in constant apprehension, it seems from every thing we observe in his conduct, that his desire was to allow the most vague and indefinite suspicions of crime to settle on the memory of Carlos; while, on the other hand, the suppression of all authentic documents, and the honours of the Prince's funeral, were intended to give himself the appearance of a loving though cruelly injured father. But we cannot

believe that the man, who, during the long imprisonment of his son, had not the courage to venture out of the palace, and would start in terror at any uncommon sound or noise, would have allowed Carlos his liberty for a whole year, after the scene at the convent of Saint Jerom, had he been informed of the Prince's designs against his life. We do not question, however, the fact of a consultation of divines having been held at Saint Jerom's by the Prince's desire. Cases of similar distress in young penitents are very common in Catholic countries; and though none but a Prince can enjoy the luxury of collecting fourteen doctors of the church to debate on the state of his conscience, many apply to no less a number in succession before they can obtain absolution. If Carlos's unfitness for that rite did not arise from a softer passion than that of revenge, which is the common source of difficulties at the confessional, we should be inclined to believe Cabrera, who makes Gomez de Silva the pointed object of Carlos's hatred. But we feel confident that the porter's narrative is false and absurd, as far as it relates to the *subject* of the conference at the convent of St. Jerom.

Were we disposed to give credit to the report of the mutual passion of Carlos and his stepmother, we should not hesitate to explain by that means the whole scene at the convent. But there exists no direct historical evidence on this point. Even the Prince of Orange, who accuses Philip of having murdered his wife four months after he had destroyed his son, ascribes that crime not to jealousy, but to a desire of marrying his own niece, Anne of Austria.

It is not among the least remarkable features of that fatality which made Philip a kind of evil genius to his son, that both his second and his third wife, Isabella of Valois and Anne of Austria, had been the destined brides of Carlos. The supplanted Prince was only fifteen when he had to attend his father in the character of bridegroom at the marriage ceremony with Isabella. At so young an age it is probable he did not feel the bitterness of such an insult. The Queen, who was only a year younger, and who had never seen Carlos, may have been indifferent to which of the two the policy of the French court had destined her. As both grew up, the relation in which they had stood at one time, might conspire, however, with the freedom of intercourse authorised by the subsequent affinity, to place them in a situation too trying for their peace and virtue. Thuanus, on the authority of Foix, mentions that Carlos, upon leaving the Queen's apartments, to which he had a free access, was often heard to exclaim that "his father had taken away his wife." The rashness and publicity of these exclamations, however, tend to disprove the existence of a criminal intimacy; while the undisguised grief manifested by the Queen during the Prince's imprisonment, and her unavailing request to be allowed the liberty of seeing him before his death, are strong indications of conscious and unsuspecting innocence.

Nothing in the moral composition of Carlos bespeaks a tendency to deep, settled, and impassioned love. If ever he allowed himself a regret for the loss of Isabella, the proposed match with his cousin Anne of Austria seems to have removed the smart of that injury from his mind. Anne was Spanish by birth, and had spent part of her childhood with Carlos. It is possible, therefore, that some traces of early affec-

tion were ready to assume the character of love on the near approach of possession; and that the Prince's impatience under that policy, whatever might be its source, which made his father delay the match from year to year, arose alike from affection for his intended bride, and a natural desire to break off for a while from the restraints of the Spanish palace, by a journey to the imperial court of his uncle.

It is reported that Mons and Montigni, the unfortunate deputies who ventured to plead the cause of the Flemings in the capital of Spain, had, in some secret conferences, invited Carlos to fly to the Netherlands, and assume the sovereignty of those provinces by the aid of the Protestants. But we feel more inclined to believe this a mere pretext for the death of the deputies, than to allow the possibility of such interviews under the eye of Philip himself. It is a fact, however, that Carlos meditated a flight either to the Netherlands or to Germany, in 1565. The vehemence of his character, and the ignorance of the world, which must attend all princes brought up under a system similar to that of the Spanish Court, made Carlos proceed in the execution of his wild scheme with the most absolute disregard of caution and prudence. He addressed letters to some of the first noblemen, asking their aid and support for an important object, which were answered in general terms of respectful attachment to his person, and readiness to assist him in every thing consistent with the writer's duty to their King. The Count of Gelbes and the Marquis of Tabera, accepted the Prince's invitation to accompany him in the intended flight, and nothing seemed to oppose it, but the difficulty of raising the sum which was conceived as absolutely necessary for the success of the undertaking.

It would be difficult however, to believe that such a plot could be carried on within the palace of the Spanish Tiberius, without his being acquainted with every word which dropped from the Prince. If the unhappy youth was not allowed by his father's emissaries, who assumed the language of conspirators, to proceed to his utter ruin on this occasion, it was probably owing to Philip's confidence in the wildness and impracticability of the scheme.

The idea of a flight out of Spain was abandoned by Carlos till the latter end of 1567. His father's determination to prevent the intended match with Anne of Austria was too visible in his conduct and policy; and the ardent and offended youth was driven again to the rash step of trying an escape to Germany.

As money could not be procured at Madrid, he authorised his chamberlain to borrow in the provinces, especially Andalusia, furnishing him with receipts under his own hand which might be filled as occasion required. The chamberlain travelled unmolested through Spain, and arrived at Madrid about the end of 67 or the beginning of 68, with the money he had been able to collect. The King, who, spider-like, seemed not to observe the victim that thus incautiously was every moment more and more involved in his toils, continued at the escorial, apparently employed in superintending the building. Carlos, now confident of success, thought that he might induce his bastard uncle, Don Juan de Austria, to share his projects and fortunes. Austria's courage and gallantry had not exempted him from the vices of servility and dis-

simulation; and he did not disdain the office of a spy. He pretended to enter readily and willingly into his nephew's plans, promised to join him in the flight and conveyed the whole secret to Philip.

The night of the 18th January, 1568, had been fixed for quitting Madrid, when, on the evening of the preceeding day, Carlos learnt with surprise that his father was at the *Pardo*, six miles from Madrid, where he had held a secret conference with Don Juan de Austria. Anxious to clear his doubts, and still trusting his uncle, the Prince questioned him, and was again deceived by the most earnest assurances of friendship.

The King had in the mean time proceeded to Madrid, and was already in the palace. The next day, being Sunday, Carlos was obliged to attend mass with his father and the rest of the royal family. Suspicions against his uncle were now fast rising in his breast, and he took the earliest opportunity, after the church service, to desire Austria's presence in his own apartments. Here the evasive answers of the false friend disclosed at once to the harassed mind of Carlos the abyss on the brink of which he was placed. Mad with rage at the treachery of such a near relative, he drew his sword against Austria, who, unwilling to use the same weapon against the heir of the crown, retreated in haste towards the door, and called the servants to his assistance.

Carlos, aware of his danger, and the impossibility of avoiding it, lay on his couch the rest of the day, without tasting any food till about eight in the evening. He then retired to bed, fastening, as he supposed, the door when his attendants retired. It was, however, a useless precaution. Foix, the contriver of the night-bolt, had been employed by the King's secret orders to alter it so ingeniously that it might allow the door to be opened, while it seemed to secure it inside.*

The clock had struck eleven, when the King, wearing a cuirass over his usual dress, and a casque on his head, was observed by the Prince's porter coming down the principal stairs of the palace. He was attended by six of his favourite grandees, and twelve privates of the guards. Arrived at the outward door of the apartments, Philip ordered the porter to lock it up, and to prevent the intrusion of any person whatever, as he valued his own life.

Carlos lay in a profound sleep, when the Duke of Lerma, to whom he professed great attachment, approached the bed, and seized the arms which the Prince constantly kept by his side. Roused by the noise, the unfortunate young man leaped from the bed, and searching for his pistols, appeared ready to make a desperate effort in his own defence, but, seeing the King, who had cautiously stayed behind the group of attendants, he gave himself up for lost, and surrendered. Philip left him in charge to the Duke of Feria, who was invested with the command in chief of the other five grandees, and the guards that were constantly to be stationed at the entrance of the apartment.

A commission was issued the next day for the secret trial of the Prince, by the Cardinal Espinosa, Ruy Gomez de Silva, Prince of

* Thuanus, ubi supra.

Evoli, and two members of the Royal Council. The papers which had been seized in the Prince's apartments, were laid before them, and some witnesses were examined. As a precedent to be followed in the trial, the process, for treason, against the Prince of Viana, son and heir of John of Arragon, Philip's great grandfather, was translated from the Catalonian dialect, and laid, by the King's orders, before the judges.

Instructions on the treatment of the Prince in his confinement were soon after issued by the King, who displayed in them all the ingenuity of a practised despot, with natural timidity for his counsellor and unbounded power for his means. The watch prescribed was so strict that it obliged one of the six noblemen, by turns, to stand day and night near the prisoner. To allow any message to, or communication with, the Prince, was made treason. The subjects of conversation between Carlos and his jailors had been limited and defined. All observations on his present situation, all allusions to his circumstances, were strictly forbidden. During the six months which preceded his death, no one but the King's own physician, was allowed to see the Prince; and even that confidential personage, whom it would be difficult to clear from the imputation of having lent his art for the destruction of his patient, was never permitted to see him but in the presence of Carlos's bitterest enemy, Ruy Gomez de Silva.

While the secret trial was proceeding through all the tedious forms of Spanish judicature, the wretched prisoner, now driven to despair, had formed the determination of causing his own death by the only means which had been left in his power. He once threw himself into the fire which, during the early part of his confinement, was used to warm the room. As the summer advanced, he had his bed daily covered with ice, on which he lay till the cold had penetrated his whole frame. Anxious to increase the violence of a fever which had seized upon him, he alternately exhausted the remaining strength of his stomach by a fast of two or three days, and a subsequent repletion of the most indigestible food.

His father was soon aware that little or no violence would be necessary for the attainment of his wishes. Nothing can be more evident, from all the circumstances of the case, than that the cold-blooded, calculating tyrant, depended on the desperate efforts of the prisoner, and that mixed system of liberty and restraint under which he was kept, for a speedy dissolution, without the least appearance of violence.

Philip had not long to await the result of his deep-laid plans. The investigation, or *summary*, was brought to a close in July; and the report being laid before the King, it was found to declare the hereditary Prince guilty to death. The judges, however, recommended the prisoner to mercy. Philip, *with tears*, declared to them that the love of justice and his own subjects was, in his heart, paramount to all the tenderest feelings of nature. But as the Prince's health was fast declining, it was to be hoped he should be spared the necessity of using violence in the execution of the law; that his only anxiety, at present, was concerning his son's eternal welfare; and provided the young man could be persuaded to apply for absolution to a priest, a step which he

had hitherto refused with invincible obstinacy, he should be easy as to the rest.

Increasing weakness of body and mind, together with a letter of his confessor, threatening the dying young man with the interference of the Inquisition, induced him to ask for sacramental confession. Before he received absolution, Carlos charged the priest with a message entreating his father's pardon. It was readily granted. Nevertheless, the spiritual concerns of the Prince being now thus happily settled, the King's physician administered a powerful medicine, which produced the most alarming symptoms. Carlos survived till the next day, though almost deprived of his faculties.

A character like Philip's will lose no opportunity of procuring ease to the conscience; by means of those religious forms which so effectually silence doubt and remorse in the real bigot. To make the sign of the cross with the right hand is, in Spain, called *blessing* . This ceremony, performed by a parent upon a dying child, is believed essential to the repose of his soul. Philip, who had so cruelly blasted his son's happiness in this life, was most anxious to procure him every advantage in the next. Hearing, therefore, in the night of the 24th of July, that the Prince was on the point of breathing his last, he stole near the bed, concealed behind the Prince of Evoli, Ruy Gomez de Silva, and the Grand Prior of Jerusalem, brother of the Duke of Alva; and stretching his hand between their shoulders, made the mysterious sign and retired. Carlos expired soon after.

Philip had tears at command, which he did not withhold on this occasion. Nor did he spare pomp and splendour in the funeral. His divines, moreover, declared to the public that the Prince died with the most ardent and orthodox feelings of Catholic piety.

One circumstance, among the obscure events of this melancholy history, strikes us as perfectly singular,—that of no person having suffered in consequence of the Prince's conspiracy; whilst many, concerned in these transactions, were promoted to places of honor and emolument. Considering Philip's tyrannical and unrelenting temper, this fact cannot be accounted for but by the supposition of a horrible plot against Carlos. Indeed, whatever may be the truth of the accusations which have been made against the odious tyrant—whether he sacrificed an innocent son to his own lust or ambition, or led him into criminal views by the treacherous officiousness of the emissaries whom he placed about his person, it would certainly require the pen of Dante to assign him an adequate punishment in the place of final retribution. History can do no more than class him with the most execrable monsters that have alike oppressed and disgraced humanity.

QUENTIN DURWARD,

(Concluded from our last number.)

"A soldier in silence, and not without hesitation, reached Quentin his arm, and helped him upon the platform, when, without allowing him time for reflection, the Scot continued in the same tone of command—
"To the western tower, if you would be rich—the Priest's treasury is in the western tower."

"The words were echoed on every hand:—"To the western tower—the treasure is in the western tower!" And the stragglers, who were within hearing of the cry, took, like a herd of raging wolves, the direction opposite to that which Quentin, come life, come death, was determined to pursue.

"Bearing himself as if he were one, not of the conquered, but of the victors, he made a way into the garden, and pushed across it, with less interruption than he could have expected; for the cry of "to the western tower," had carried off one body of the assailants, and another was summoned together, by war-cry and trumpet-sound, to assist in repelling a desperate sally, attempted by the defenders of the Keep, who had hoped to cut their way out of the castle, bearing the Bishop along with them. Quentin, therefore, crossed the garden with an eager step and throbbing heart, commending himself to those heavenly powers which had protected him through the numberless perils of his life, and, bold in his determination to succeed, or lose his life in this desperate undertaking, Ere he reached the garden, three men rushed on him with levelled lances, crying, "Liege, Liege!"

"Putting himself in defence, but without striking, he replied, "France, France, friend to Liege!"

"Vivat France," cried the burghers of Liege, and passed on. The same signal proved a talisman to avert the weapons of four or five of La Marck's followers, whom he found straggling in the garden, and who set upon him, crying, "Sanglier!"

"In a word, Quentin began to hope, that his character as an emissary of King Louis, the private instigator of the insurgents of Liege, and the secret supporter of William de la Marck, might possibly bear him through the horrors of the night.

"On reaching the turret, he shuddered when he found the little side-door, through which Marthon and the Countess Hameline had shortly before joined him, blockaded with more than one dead body.

"Two of them he dragged hastily aside, and was stepping over the third body, in order to enter the portal, when the supposed dead man laid his hand on his cloak, and entreated him to stay and assist him to rise. Quentin was about to use rougher methods than struggling to rid himself of this untimely obstruction, when the fallen man continued to exclaim, "I am smothered here in mine own armour!—I am the Syndic Pavillon of Liege! If you are for us, I will enrich you—if you are for the other side, I will protect you; but—but—do not leave me to die the death of a smothered pig!"

"In the midst of this scene of blood and confusion, the presence of mind of Quentin suggested to him, that this dignity might have the

means of protecting their retreat. He raised him on his feet, and asked him if he was wounded.

"Not wounded—at least I think not—" answered the burgher; "but much out of wind."

"Sit down then on this stone, and recover your breath," said Quentin; "I will return instantly."

"For whom are you?" said the burgher, still detaining him.

"For France—for France," answered Quentin, studying to get away.

"What, my lively young Archer?" said the worthy Syndic. "Nay, if it has been my fate to find a friend in this fearful night, I will not quit him, I promise you. Go where you will; I follow; and, could I get some of the tight lads of our guildry together, I might be able to help you in turn; but they are all squandered abroad like so many peas.—O, it is a fearful night!"

"During this time, he was dragging himself on after Quentin, who, aware of the importance of securing the countenance of a person of such influence, slackened his pace to assist him, although cursing in his heart the incumbrance that retarded his pace.

"At the top of the stair was an anti-room, with boxes and trunks, which bore marks of having been rifled, as some of the contents lay on the floor. A lamp, dying in the chimney, shed a feeble beam on a dead or senseless man, who lay across the hearth.

"Bounding from Pavillon, like a greyhound from his keeper's leash, and with an effort which almost overthrew him, Quentin sprung through a second and a third room, the last of which seemed to be the bed-room of the Ladies of Croye. No living mortal was to be seen in either of them. He called upon the Lady Isabelle's name, at first gently, then more loudly, and then with an accent of despairing emphasis, but no answer was returned. He wrung his hands, tore his hair, and stamped upon the earth with desperation. At length, a feeble glimmer of light, which shone through a crevice in the wainscoating of a dark nook in the bed-room, announced some recess or concealment behind the arras.—Quentin hastened to examine it. He found there was indeed a concealed door, but it resisted his hurried efforts to open it. Heedless of the personal injury he might sustain, he rushed at the door with his whole force and weight of his body; and such was the impetus of an effort made betwixt hope and despair, that it would have burst much stronger fastenings.

"He thus forced his way, almost headlong, into a small oratory, where a female figure, which had been kneeling in agonizing supplication before the holy image, now sunk at length on the floor, under the new terrors implied in this approaching tumult. He hastily raised her from the ground, and, joy of joys! it was she whom he sought to save—the countess Isabelle. He pressed her to his bosom—he conjured her to awake—entreated her to be of good cheer—for that she was now under the protection of one who had heart and hand enough to defend her against armies.

"Durward," said she, as she at length collected herself, "is it indeed you?"—then there is some hope left. I thought all living and mortal friends had left me to my fate—Do not again abandon me."

"Never—never," said Durward. "Whatever shall happen—whatever danger shall approach, may I forfeit the benefits purchased by yonder

blesed sign, if I be not the sharer of your fate until it is again a happy one!"

But here the difficulty occurred of conveying the Lady Isabelle out of the castle from the grasp of La Marck.

"Were you not better, since you have a force together, make for the gate and force the guard?" said Quentin.

"But, with united voice, Pavillon and his adviser exclaimed against the propriety of such an attack upon their ally's soldiers, with some hints concerning its rashness, which satisfied Quentin that it was not a risk to be hazarded with such associates. They resolved, therefore, to repair boldly to the great hall of the castle, where, as they understood, the Wild Boar of Ardennes held his feast, and demanded free egress for the Syndic of Liege and his company, a request too reasonable, as it seemed, to be denied. Still the good Burgo-master groaned when he looked on his companions, and exclaimed to his faithful Peter—"See what it is to have too bold and too tender a heart! Alas! Perkin, how much have courage and humanity cost me! and how much may I yet have to pay for my virtues, before Heaven makes us free of this damned Castle of Schonwaldt!"

"As they crossed the courts, still strewn with the dying and dead, Quentin, while he supported Isabelle through the scene of horrors, whispered to her courage and comfort, and reminded her that her safety depended entirely on her firmness and presence of mind.

"Not on mine—not on mine," she said, "but on yours—on yours only, O, if I but escape this fearful night, never shall I forget him who saved me! One favour more only, let me implore at your hand, and I conjure you to grant it, by your mother's fame and your father's honour!"

"What is it you can ask, that I could refuse?" said Quentin, in a whisper.

"Plunge your dagger in my heart," said she, "rather than leave me captive in the hands of these monsters."

"Quentin's only answer was a pressure of the young Countess's hand, which seemed as if, but for terror, it would have returned the caress. And, leaning on her youthful protector, she entered the fearful hall, preceded by Pavillon and his lieutenant, and followed by a dozen of the Kurschen-schaft, or skinner's trade, who attended, as a guard of honour, on the Syndic.

"As they approached the hall, the yells of acclamation, and bursts of wild laughter, which proceeded from it, seemed rather to announce the revel of festive demons, rejoicing after some accomplished triumph over the human race, than of mortal beings, who had succeeded in a bold design. An emphatic tone of mind, which despair alone could have inspired, supported the assumed courage of the Countess Isabelle; undaunted spirits, which rose with the extremity, maintained that of Durward; while Pavillon and his lieutenant made a virtue of necessity, and endured like bears tied to a stake, which must necessarily stand the dangers of the course.

There could hardly exist a more strange and horrible change than had taken place in the castle hall of Schonwaldt since Quentin had partaken of the noon-tide meal there; and it was indeed one which painted in

the extremity of their dreadful features, the miseries of war—more especially when waged by those most relentless of all agents, the mercenary soldiers of a barbarous age—men, who, by habit and profession, had become familiarized with all that was cruel or bloody in the profession, while they were devoid alike of patriotism and of the romantic spirit of chivalry,—the peculiar virtues, the former of the bold peasants, who fought in defence of their country, and the latter of the gallant knight-hood of the period, who combated for honour and their ladies' love.

Instead of the orderly, decent, and somewhat formal meal, at which civil and ecclesiastical officers had, a few hours before, sat mingled in the same apartment, where a light jest could only be uttered in a whisper, and where even amid superfluity of feasting and of wine, there reigned a decorum which almost amounted to hypocrisy, there was now such a scene of wild and roaring debauchery, as Satan himself, had he taken the chair as founder of the feast, could scarcely have improved.

At the head of the table sat, in the Bishop's throne and state, which had been hastily brought thither from his great council-chamber, the redoubted Boar of Ardennes himself, well deserving that dreaded name, in which he affected to delight, and which he did, as much as he could think of, to deserve. His head was unhelmeted, but he wore the rest of his ponderous and bright armour, which indeed he rarely laid aside.—Over his shoulders hung a strong surcoat, made of the dressed skin of a huge wild boar, the hoofs being of solid silver, and the tusks of the same. The skin of the head was so arranged, that drawn over the casque, when the Baron was armed, or over his bare head, in the fashion of a hood, as he often affected when the helmet was laid aside, and as he now wore it, the effect was that of a grinning, ghastly monster; and yet the countenance, which it overshadowed, scarce required such horrors to improve those which were natural to its ordinary expression:

The upper part of De la Marck's face, as Nature had formed it, almost gave the lie to his character; for though his hair, when uncovered, resembled the rude and wild bristles of the hood he had drawn over it, yet an open, high, and manly forehead, broad ruddy cheeks, large, sparkling, light coloured eyes, and a nose hooked like the beak of the eagle, promised something valiant and generous: yet the effect of these more favorable traits, was entirely overpowered by his habits of violence and insolence, which, joined to debauchery and intemperance, had stamped upon the features a character inconsistent with the rough gallantry which they would otherwise have exhibited. The former had, from habitual indulgence, swollen the muscles of the cheeks, and those around the eyes, in particular the latter; evil practices and habits had dimmed the eyes themselves, reddened the part of them that should have been white, and given the whole face a hideous resemblance of the monster, which it was the terrible Baron's pleasure to resemble. But from an odd sort of contradiction, De la Marck, while he assumed in other respects the appearance of the Wild Boar, and even seemed pleased with the name, yet endeavoured by the length and growth of his beard, to conceal the circumstance that had originally procured him that denomination. This was an unusual thickness and projection of the mouth and upper-jaw, which, with the huge projecting side-teeth, gave that resemblance to the bestial creation, which, joined to the delight that De la

Marck had in haunting the forest, so called, originally procured for him the name of the Boar of Ardennes. The beard, broad, grisly, and uncombed; neither concealed the natural horrors of the countenance, nor dignified its brutal expression.

"The soldiers and officers sat around the table, intermixed with the men of Liege, some of them of the very lowest description; among whom Nikkel Block the butcher, placed near De la Marck himself was distinguished by his tucked up sleeves, which displayed arms smeared to the elbows with blood, as was the cleaver which lay on the table before him. The soldiers wore, most of them, their beards long and grisly, in imitation of their leader; had their hair plaited and turned upwards, in the manner that might best improve the natural ferocity of their appearance, and intoxicated, as many of them seemed to be, partly with the sense of triumph, and partly with the long libations of wine which they had been quaffing, presented a spectacle at once hideous and disgusting. The language which they held, and the songs which they sung, without even pretending to pay each other the compliment of listening, were so full of license and blasphemy, that Quentin blessed God that the extremity of the noise prevented them from being intelligible to his companion.

"It only remains to say, of the burghers who were associated with William De la Marck's soldiers in this fearful revel that the wan faces and anxious mien of the greater part showed that they either disliked their entertainment, or feared their companions; while some of lower education, or a nature more brutal, saw only in the excesses of the soldier a gallant bearing, which they would willingly imitate, and the tone of which they endeavoured to catch so far as was possible, and stimulated themselves to the task, by swallowing immense draughts of wine and *schwarz-bier*—indulging a vice which at all times was too common in the Low Countries.

"The preparations for the feast had been as disorderly as the quality of the company. The whole of the Bishop's plate—nay, even that belonging to the church, for the Boar of Ardennes regarded not the imputation of sacrilege—were mingled with black jacks, or huge tankards made of leather, or drinking horns of the most ordinary description."

We have only room for one more extract, with which we must conclude with this single observation, that though Durward was at last gratified with the hand of the Lady Isabelle, it was in a manner that reflects more honour upon the hero than the author.—The following scene takes place at a banquet given by the Duke of Burgundy to the King of France, and his nobles, during a visit paid by that crafty monarch to his seemingly less powerful vassal.

"At length Creveccour entered, and was presently saluted by the hurried question from his master, "What news from Liege and Brabant, Sir Count?—The report of your arrival has chased mirth from our table,—we hope your actual presence will bring it back to us."

"My liege and master," answered the Count, in a firm, but melancholy tone, "the news which I bring you are fitter for the council-board than the feasting table."

"Out with them, man, if they were tidings from Antichrist," said the Duke; "but I can guess them—the Liegeois are again in mutiny."

"They are, my Lord," said Creveccour very gravely.

"Look there, man," said the Duke, "I have hit at once on what you

have been so much afraid to mention to me—the hair-brained burghers are again in arms. It could not be in better time, for we may at present have the advice of our own Suzerain,” bowing to king Louis, with eyes which spoke the most bitter, though suppressed resentment, “to teach us how such mutineers should be dealt with.—Hast thou more news in thy packet? Out with them, and then answer for yourself why you went not forward to assist the Bishop.”

“My lord, the farther tidings are heavy for me to tell, and will be afflicting to you to hear.—No aid of mine, or of living chivalry, could have availed the excellent Prelate. William de la Marck, united with the insurgent Liegeois, has taken his castle of Schonwaldt, and murdered him in his own hall.”

“Murdered him!” repeated the Duke, in a deep and low tone, but which nevertheless was heard from the one end of the hall in which they were assembled to the other; “thou hast been imposed upon, Creve-cœur, by some wild report—it is impossible.”

“Alas! my lord!” said the Count, “I have it from an eye-witness, an archer of the king of France’s Scottish Guard, who was in the hall when the murder was committed by William de la Marck’s order.”

“And who was doubtless aiding and abetting in the horrible sacrilege,” said the Duke, starting up and stamping with his foot with such fury, that he dashed in pieces the footstool which was placed before him. “Bar the doors of this hall, gentlemen—secure the windows—let no stranger stir from his seat upon pain of instant death!—Gentlemen of my chamber, draw your swords.” And turning upon Louis, he advanced his own hand slowly and deliberately to the hilt of his weapon, while the King, without either shewing fear or assuming a defensive posture, only said, “These news, fair cousin, have staggered your reason.”

“No!” replied the Duke, in a terrible tone, “but they have awakened a just resentment, which I have too long suffered to be stifled by trivial considerations of circumstance and place. Murderer of thy brother!—rebel against thy parent!—tyrant over thy subjects!—treacherous ally!—perjured King!—dishonoured gentleman!—thou art in my power, and I thank God for it!”

“Rather thank my folly,” said the King; “for when we met on equal terms at Montlhery, methinks you wished yourself farther from me than we are now.”

“The Duke still held his hand on the hilt of his sword, but refrained to draw his weapon, or to strike a foe, who offered no sort of resistance which could in any wise provoke violence.

Meantime, wild and general confusion spread itself through the hall. The doors were now fastened and guarded at the order of the Duke; but several of the French nobles, few as they were in number, started from their seats, and prepared for the defence of their sovereign. Louis had spoken not a word to Orleans or Dunois since they were liberated from restraint at the Castle of Loches, if it could be termed liberation to be dragged in King Louis’s train, objects of suspicion evidently, rather than of respect and regard; but nevertheless the voice of Dunois was first heard above the tumult, addressing himself to the Duke of Burgundy.—“Sir Duke, you have forgotten that you are a vassal of

France, and that we, your guests, are Frenchmen. If you lift a hand against our Monarch, prepare to sustain the utmost effects of our despair; for, credit me, we shall feast as high with the blood of Burgundy as we have done with its wine.—Courage, my Lord of Orleans—and you, gentlemen of France, form yourselves round Dunois, and do as he does!”

It was in that moment when a King might see upon what tempers he could certainly rely. The few independent nobles and knights who attended Louis, most of whom had only received from him frowns or discountenance, unappalled by the dismay of infinitely superior force and the certainty of destruction, hastened to array themselves round Dunois, and, led by him, to press towards the head of the table, where the contending Princes were seated.

On the contrary, the tools and agents whom Louis had dragged forward out of their fitting places, into importance which was not due to them, shewed cowardice and cold heart, and, remaining still in their seats, seemed resolved not to provoke their fate by intermeddling, whatever might become of their benefactor.

“The first of the more generous party was the venerable lord Crawford, who, with an agility which no one would have expected at his years, forced his way through all opposition, (which was the less violent as many of the Burgundians, either from a point of honour, or a secret inclination to prevent Louis’s impending fate, gave way to him,) and threw himself boldly between the King and Duke. He then placed his bonnet, from which his white hair escaped in dishevelled tresses, upon one side of his head—his pale cheek and withered brow coloured, and his aged eye lightened with all the fire of a gallant who is about to dare some desperate action. His cloak was flung over one shoulder, and his action intimated his readiness to wrap it about his left arm, while he unsheathed his sword with his right.

“I have fought for his father and his grandsire,” that was all he said; “and, by St. Andrew, end the matter as it will, I will not fail him at this pinch.”

“What has taken some time to narrate, happened, in fact with the speed of light, for so soon as the Duke assumed his threatening posture, Crawford had thrown himself betwixt him and the object of his vengeance; and the French gentlemen, drawing together as fast as they could, were crowding to the same point.

The Duke of Burgundy still remained with his hand on his sword, and seemed in the act of giving the signal for a general onset, which must necessarily have ended in the massacre of the weaker party, when Creve-cœur rushed forward, and exclaimed in a voice like a trumpet,—“My liege lord of Burgundy, beware what you do! This is *your* hall—you are the King’s vassal—do not spill the blood of your guest on your hearth, the blood of your sovereign on the throne you have erected for him, and to which he came under your safeguard. For the sake of your house’s honor, do not attempt to revenge one horrid murder by another still worse!”

“Out of my road, Creve-cœur,” answered the Duke, “and let my vengeance pass!—Out of my path!—The wrath of Kings is to be dreaded like that of Heaven.”

“ Only when, like that of Heaven, it is *just*,” answered Creveccour, firmly—“ Let me pray of you, my lord, to rein the violence of your temper, however justly offended. And for you, my Lords of France, where resistance is unavailing, let me recommend you to forbear whatever may lead to bloodshed.”

“ He is right,” said Louis, whose coolness forsook him not in that dreadful moment, and who easily foresaw, that if a brawl should commence, more violence would be dared and done in the heat of blood, than was like to be attempted if peace were preserved.—“ My cousin Orleans—kind Dunois—and you, my trusty Crawford—bring not on ruin and bloodshed by taking offence too hastily. Our cousin the Duke is chafed at the death of a near and loving friend, the venerable Bishop of Liege, whose slaughter we lament as he does. Ancient, and, unhappily, recent subjects of jealousy, lead him to suspect us of having abetted a crime which our bosom abhors. Should our host murder us on this spot—us, his King and his kinsman, under a false impression of our being accessories to this unhappy accident, our fate will be little lightened, but, on the contrary, greatly aggravated by your stirring.—Therefore, stand back, Crawford—Were it my last word, I speak as a King to his officer, and demand obedience—Stand back, and if it is required, yield up your sword. I command you to do so, and your oath obliges you to obey.”

“ True, true, my Lord,” said Crawford, stepping back, and returning to the sheath the blade he had half drawn, “ It may be all very true; but by my honour, if I were at the head of three score and ten of my brave fellows, instead of being loaded with more than the same number of years, I would try whether I would have some reason out of these fine gallants, with their golden chains and looped-up bonnets, with brawny dyes and devices on them.”

“ It was thus that, in this dreadful emergency, Louis shewed the promptitude of decision, and clearness of judgment; which alone could have saved his life. He was aware, that until actual blows were exchanged, he would have the assistance of most of the nobles present to moderate the fury of their prince: but that were a *mêlée* once commenced, he himself and his few adherents must be instantly murdered. At the same time his worse enemies confessed, that his demeanour had in it nothing either of meanness or cowardice. He shunned to aggravate into frenzy the wrath of the Duke; but he neither deprecated nor seemed to fear it, and continued to look on him with the calm and fixed attention with which a brave man eyes the menacing gestures of a lunatic, whilst conscious that his own steadiness and composure operate as an insensible and powerful check on the rage even of insanity.”

THE RIGHT HON. JOHN DUNNING, LORD ASHBURTON, and
 LORD Ashburton was the eldest son of Mr. Dunning, an attorney in
 Ashburton, who, with a small patrimony and tolerable good business
 as a practising attorney, lived very respectably in his neighbourhood.
 It was the original intention of his father, when the son was called to
 the bar, to settle him in his own neighbourhood, where they could
 assist each other in their different departments; but young Dunning
 felt the force of his abilities before that event took place, and wrote to
 his father, if he would allow him but *one hundred pounds per year* for
 some time, he was in hopes of pushing his fortune with much more
 success in London than the country. The father, at first, was much
 averse to this experiment; he at last consented, and the event justified
 the grounds of his son's application.

There are many people now living who remember Dunning's singular
 application as a student in the Middle Temple: he had chambers up
 two pair of stairs in Pump Court, and it was his custom, both then and
 some years after he was called to the bar, to read from an early hour
 in the morning till late in the evening, without ever once going out of
 his chamber, or permitting the lounging visits (a too constant practice)
 of his fellow students. He then either dined (or rather made his dinner
 and supper together) at the Grecian or George's coffee-house, and
 bore his part in the good sense and pleasantries of the table with very
 distinguished abilities.

From his not frequenting the Courts constantly after he was called
 to the bar, to his extreme *modesty* (which, by the bye, long practice
 and success afterwards entirely cured) and perhaps partly to his *d'abord*,
 which neither bespoke sense or address, he was three years at the bar
 before he received one hundred guineas; the fourth year he received
 nearly *one thousand pounds*.

Accident bore a part in this latter rise; Mr. Dunning was known to
 the late Laurence Sullivan, Esq. (long a Director, and many times
 Chairman and Deputy Chairman of the East India Company) as a
 barrister of rising talents in his profession, and of a very acute and
 logical understanding; through his interest, he was employed in draw-
 ing up a Memorial on a dispute between the English and Dutch in the
 East Indies, relative to some insults which had been offered to the Brit-
 ish flag by the commanders of the Dutch ships, and for the detention
 of many of our vessels, which were seized and stopped contrary to the
 treaties which subsisted between the two Nations.

This Memorial,* which produced a conciliating answer and proper
 redress from their High Mightinesses, has been often spoken of as a
 master-piece of language and reasoning, and was so perfectly satisfac-
 tory both to Government and the East India Company, that it is said

* It was entitled "A Defence of the United Company of Merchants of England, trading to
 the East Indies, and their Servants, (particularly those of Bengal), against the Com-
 plaints of the Dutch East India Company; being a Memorial from the English Com-
 pany to His Majesty on that Subject." 4to. 1702. There is also pretty good authority
 for ascribing to him "A Letter to the Proprietors of East India Stock, on the subject
 of Lord Clive's Jaghire, occasioned by his Lordship's Letter on that subject." 8vo.
 1764.—Editor.

the latter presented him with a bank note of *five hundred pounds*; but his best profits in this business lay in the fame which it produced him. Every body who knew the transaction spoke of it and praised it; he became ostensible to the public for high talents; and his profession afforded him a constant security for having those talents well employed.

A little after this Wilkes began to make a considerable figure in the political world; and was the cause, either directly or consequently, of drawing out many characters to very considerable situations: Dunning, in a degree, partook of this favourable opportunity; his talents as a lawyer of acknowledged merit and constitutional principles were well known, and so many occasions presented themselves on trials and cases of various kinds; that the name of DUNNING sounded considerably and distinctly in the general cry of Wilkes and Liberty.

To enumerate the many great causes which this eminent lawyer distinguished himself in, would be entering too deeply in the minutiae of profession: it is sufficient to say, if he was not the very first man, he was most certainly in the first line, in Westminster Hall. His practice, some years before he relinquished the bar, was computed to be between seven and eight thousand pounds per year: he had three hundred pounds more than once for attending the Western circuit, and one hundred pounds for a single trial at the Old Bailey.

He was appointed Solicitor General so early as 1767, and there was no doubt of his rising to the first honours of the bar, if political connections did not draw him aside. He went out of office about two years afterwards, with his friend and patron the present Marquis of Lansdowne, and added no further honours to his practice than the Recordership of Bristol; a place that scarcely pays the expenses of the half yearly visitation; but which has been always considered as a feather in the cap of a lawyer.

On the change of Ministry in 1782, Mr. Dunning was appointed, through the interest of his friend the Marquis of Lansdowne, Chancellor of the Duchy of Lancaster; and, by his Sovereign, created a Peer by the title of Baron Ashburton. This last promotion closed his labours at the bar, which were as honourable to him in point of integrity, as they were resplendent in point of ability. His constitution, not perhaps originally good; worn down by indefatigable labour in his profession, yielded to a decline; and he died the next year after his last promotion, on a visit to his native place, at the age of near fifty-two.

He has left an only son behind him, about sixteen years of age, who is reckoned by some of the best judges a heir of very singular abilities.*

All those who remember the person and address of this very celebrated lawyer, must agree how unpromising they were of the abilities he possessed: a thick, short, uncompact man; a sallow countenance; turned up nose; a constant shake of the head, with a hectic cough; which so frequently interrupted the stream of his eloquence; that to any other man this single defect would be a material impediment in his profession; and yet, with all these personal drawbacks, he no sooner opened a cause which required any exertion of talent, than his mind, like the sun, broke forth in the full meridian of its brightness: his whole

* This article was written in August, 1798—and the son here alluded to died a few months ago, at Rosehall, in the North of Scotland.—ED. OF CANADIAN MAGAZINE.

character then only passed through the meridian of the ear; and he must be a *hardy coxcomb*, indeed, who would not, upon those occasions, wish to be such a man as Dunning.

His elocution was at once fluent, elegant, and substantial, and partook more of the knowledge of constitutional law than that derived from the old books and reporters; not that he was deficient in all the depths of his profession, when an absolute necessity called him out (his praise being that of the best common lawyer as well as the best orator of his time;) but speaking of his general eloquence, it partook more of the *spirit* than the *letter* of laws.

His diction was of the purest and most classical kind; not borrowed from any living model of his time, either in the senate or at the bar; it was his own *particular formation*; and if it had any shade, it was perhaps its not being familiar enough, at times, to the common ear: he was, however, master of various kind of styles, and possessed a bundance of wit and humour, which often not only "set the Court in a roar," but drew smiles from the gravity of the Bench.

His more finished speeches in the House of Commons, and as a pleader before the bar of the House of Lords, were many of them fine models of eloquence: he possessed the *copia verborum* so fully that he seldom wanted a word; and when he did, he had great *finesse* in concealing it from his auditory, by repeating some parts of his last sentences by way of illustration: nobody had this management better, as by it he recovered the proper arrangement of his ideas, without any visible interruption in his discourse.

If we were to single out any of those orations which more than usually distinguish this great lawyer, we would perhaps select that which he spoke at the bar of the House of Lords, on the late Lord Pomfret's Lead Mines. He spoke three hours and a half in this cause, and so powerfully as to obtain a re-hearing for his client: Lord Pomfret was present during the whole time, and it was curious, as it was creditable to the cause of talents; to see his Lordship, one of the proudest of the peerage, bowing so respectfully to the leader (as marks of his thorough approbation) during the course of the hearing: he was not satisfied even with these acknowledgments; but when Dunning ended, he hastily passed through the bar, and shaking him by the hand, in all the extacy of admiration, poured out such compliments on the orator, as forced him to plead the necessity of his immediately going home to recruit his waste of spirits.

Such was Dunning—from one who viewed him for many years thro' the walks of public life, and who feels a pleasure in speaking to the memory of a man, whom he thinks has not been sufficiently noticed.—

A nearer view of him will be seen in the following sketch, drawn by that masterly portrait-painter the late Right Honorable Edmund Burke, in a speech which he delivered to his constituents at Bristol, in the year 1780, on the popish and penal laws:

"The seconder was worthy of the mover, and the motion—it was Mr. Dunning, recorder of this city. I shall say the less of him, because his near relation to you makes you the more particularly acquainted with his merits; but I should appear little acquainted with them; or little sensible of them, if I could utter his name on this occasion, without expressing my esteem for his character. I am not afraid

of offending a most learned body, and most jealous of its reputation for that learning, when I say, he is, the first, in his profession; it is a point settled by those who settle every thing else; and I must add (what I am able to say from my own long and close observation) that there is not a man of any profession, or in any situation, of a more erect and independent spirit; of a more proud honour, and a more manly mind, a more firm and determined integrity."

Though in the meridian of this celebrated lawyer's fame, he was perhaps as little chargeable with the *marvais honte* as most of his profession, he originally had that degree of diffidence, which, though not always the proof, yet is ever the attendant on great abilities. A strong confident presumption of acquisitions, in the outset of any professional man, however it may conceal temporary embarrassments, is a check upon assiduity, and consequently on real improvement: Dunning's genius was of the right stamp; he had an early prospect of the wide extent of his profession, the various kinds of knowledge it required, and powers of elocution which were necessary to support it; combining these requisites, therefore, with the inexperienced state of his mind, whilst he felt ambition, he was "trembling alive" to disgrace: a remarkable instance of this occurred, soon after he was called to the bar:

He had a brief on some important cause, which was to come on before the House of Commons; and it being his first appearance before so large and respectable an audience, he had too much love of profession, too much ardent desire of fame, not to give it every attention in his power. The fact was, he studied it night and day, insomuch as not only to make himself master of the facts and points of law, but of the whole arrangement of his speech. The day at length arrives, and our young tyro approaches the bar, attended by a numerous train of barristers and quondam fellow students, who had the highest expectations of his abilities: he at length opens with a low tremulous voice, and hardly audible; but he scarce had finished the first sentence, when, looking to the brief which he held in his hand, to refresh his memory, apprehension spread such a mist before his eyes, that he conceived it to be not his brief, but a *sheet of white paper*, which he caught up in the hurry of leaving his chambers; hoping he may be deceived, he turned it over and over, rubbed his eyes, and looked again; but all in vain!—he thought he saw nothing but the *roll of white paper*, and under this impression was obliged to retire from the bar, half dead with fear and apprehension.

To many a young man this would be a final defeat, and considered as a good excuse both by himself and friends, to look to some other profession; but Dunning well knew the state of his own disorder, viz. that it was not ignorance (which might be incurable); but the dread of not appearing answerable to his own wishes, which custom and experience would soon remedy; he therefore progressively returned to the charge, and ultimately crowded as much fame and honourable advancement into the compass of a life not long, as the most ambitious mind could reasonably expect.

Let this be a lesson to well informed, *modest* young barristers,—
"That the force of genius, united with perseverance, will overcome all difficulties."

Whilst we are upon this point of his character, (for it will bear a trifling drawback,) it is to be noticed, that in the meridian of his fame he sometimes fell into the *contrary extreme of diffidence*; and often, in the latitude of cross-examination, indulged himself in sarcasms on the names and professions of individuals, on provincial character, &c. together with those of whole nations; all of which were much below his learning, his taste, and general manners; nor can we any other way account for it, than from that contagion which is sometimes caught from mixing with narrow men in the profession, who have no other way of shewing their own importance, than by endeavouring to raise it on the diffidence, the weakness, or modesty, of others.

He did not always escape unhurt in these sallies; one of the poets of that day rallied him on this unmanly practice. He got another rub from his friend Counsellor Lee, (better known by the name of honest Jack Lee) on this account, he was telling Lee that he had that morning purchased some manors in Devonshire. "I wish," said the other, "you could bring them (*i. e. manners*) to Westminster Hall."

His acquaintance with Lee began when he was early at the bar and continued uninterruptedly till the death of the former. Lee was a good sound constitutional lawyer; had a manner of hitting his point well, and speaking with a bluntness that appeared very much the natural effect of self-conviction. Dunning (in the language of Lord Mansfield) rather "noted his understanding" by this intimacy, and Lee derived consequence and practice from it. The political connection between the Marquis of Lansdowne and Mr. Dunning is well known. To this connection he introduced his friend Lee, and he appeared in that agreeable junto, which met once a week at Lansdowne House, to share in the convivialities and politics of his Lordship's table.

This intimacy continued for about thirteen years, to all appearances firm and unbroken; when, at the end of that time, on a very late debate in the House of Commons, Lee (who was then Solicitor General,) having occasion to speak to the political merits of his noble patron, observed, "That he had known him for many years; and during that time, half of what he said he could not readily believe." This operated like a thunder clap to the friends of both parties, but no open fracas seemed to take place afterwards, and it was whispered in the circle of their mutual acquaintance, that in the interval of so long a debate, Lee had been supping in one of the adjoining coffee-houses, and returned to the House too much in liquor to be sensible of what he said.

No lawyer of his time understood the English Constitution better than Dunning. He knew it in *spirit* as well as in *law*; and it was this profound knowledge that kept him from countenancing the many theoretical systems of Reform that were started at that time, and by several of his friends. When he was shewn the copy of the Duke of Richmond's Bill for an annual Parliament, and a free right of voting allowed to all over the age of twenty-one (women and lunatics excepted,) he observed in this dry way, "The best thing about the bill was its *impracticability*."

Being one day at Lord Lansdowne's table, where there was present a foreign Nobleman, who, hearing that Dunning was an eminent lawyer, pressed him very much to give him a *short sketch of the English Constitution*. Though the absurdity of such a request must

strike every Englishman at first blush, yet it coming from such very high authority, and its being pressed so much by Lord Lansdowne, he complied, and in a short neat description of about half an hour, not only gave the highest gratification to the foreigner, but to all the company.

From a Gentleman of very accurate judgment and refined knowledge, who was present, we have the following account of it: "He began by stating the Monarchy of his country as hereditary; next sketched the three great branches of the Constitution; their power and dependencies on each other; then the Courts below; then the Chief Magistracy; and, finally, some of the principal rights of the subjects;" in short, it was an elegant abridgment of the Constitution, which, considering the vastness of the subject, and the *impromptu* of the request, was selected with the happiest precision and judgment.

Though so great an adept in jurisprudence, he was very little inclined to enter into a lawsuit himself (a caution we have observed rather peculiar to all great lawyers): one night on his return to his house at Fulham, his steward came in to tell him that a neighbouring farmer had just cut down two great trees on his premises. "Well," says he, "and what did you say to him?"—"Say to him! Why I told him we should trounce him severely with a lawsuit."—"Did you so? then you must carry it on yourself; for I sha'n't trouble my head about it."

He preserved the dignity of a barrister very much in Court, and frequently kept Lord Mansfield in check, when he seemed either to brow beat, or overlook him as an advocate. When the Chief, who had great quickness in discovering the jut of a cause, used to take up a newspaper by way of amusing himself, whilst Dunning was speaking, the latter would make a dead stop. This would rouse his Lordship to say "Pray go on, Mr. Dunning."—"No, my Lord; not till your Lordship has finished."

His reputation was as high with his fellow barristers as with the public; he lived very much with the former, and had their affection and esteem. When Lord Thurlow gave his first dinner as Lord Chancellor, he called Dunning to his right hand at table, in preference to all the great law officers; and when he hesitated to take the place, the other called out in this blunt way, "Why will you keep the dinner cooling in this manner?"

He had that integrity in his practice, that on the opening of any cause, which he found by the evidence partook of any notorious fraud or chicanery, he would throw his brief over the bar with great contempt, and resort to his bag for a fresh paper.

Whilst he was in the meridian of his practice, his father came to the Treasurer's office in the Middle Temple, to be one of the joint securities for a student performing his terms, &c. When he signed the bond, the clerk, seeing the name, asked him with some eagerness, whether he was any relation to the *great Dunning*? The old man felt the praise of his son with great sensibility, and modestly replied, "I am John Dunning's father, Sir."

Being asked one day by a friend, how he could possibly get through such a vast quantity of business as he was engaged in? he replied very modestly, "Why I don't know how it is: I do some myself, to be sure; a good deal does of itself; and the rest is left undone."

His business extended itself to that degree at last, that he seldom could promise himself a regular dinner. On this account he for many years (two or three days in the week) took an early supper at George's Coffee-house, Temple bar: he had generally a few select friends to meet him there; and, amongst the rest, Arthur Murphy, Esq. the well known dramatic author, whom he lived with in the most familiar habits of intimacy: here he unbent himself from the fatigues of the day, and on Saturday noon took them down with him and others to his country house at Pulliam, where they remained till Monday morning.

The above coffee house he considered as his house, and the company he kept there generally as his guests; of course no bill was called for, or appeared; and at the end of two or three months, or when the landlord wanted a sum of money, which he was so sure to receive, he sent in his account, which, without casting up the contents, but looking at the sum total, was instantly discharged.

He married rather late in life, and this succeeding the pressure of continual business and occasional free living, so affected his nerves, that he began to feel decay much before his time; a debility of both mind and body seized him; as a last resource he was advised to try his native air, and in going down to Devonshire accidentally met, at the same inn, his old colleague Wallace, lately Attorney General, coming to town on the same melancholy errand, to be near the best medical assistance. It was the lot of both to be either legal or political antagonists through the whole course of their lives, in which much keenness, and much dexterity of argument, were used on both sides: here, however, they met as friends; hastening to that goal, where the race of toil, contention, and ambition, were soon to have a final close. They supped together with as much conviviality as the nature of their conditions would admit, and in the morning parted with mutual promises of visiting each other early in the winter. These promises, however, were never performed: Dunning died the 18th of August, 1783, and Wallace did not survive him longer than the 11th of November. *Sic transit gloria mundi!*

Few lawyers, without any considerable paternal estate at starting, and dying so young as Dunning did, ever left such a fortune behind him; the whole (and we speak from very good authority) amounting to no less than *one hundred and thirty thousand pounds!* Nor was this the hoard of a miser!—far from it; he always lived like a gentleman in the most liberal sense of the word; though, from his immense practice, he had no time to indulge in the arrangements of a regular establishment; so that, computing the twenty-five years he was at the bar, his savings must be at the rate of *five thousand per year.* Some think this could not be the mere profit of profession; but that he must have considerably added to his fortune by the benefit of loans, &c. and particularly by speculations on the last peace. This, however, may be mere conjecture, as money, after a certain sum, increases in a very rapid ratio in the course of many years.

ORIGINAL POETRY.

LORD BYRON'S PALINADE TO THE EDINBURGH REVIEW.

THE Poet commences Canto X. of *Don Juan*, still unpublished, with a digression upon gravitation, which diverges as usual into a great variety of incidental handling, including a very pleasant allusion to his old fracas with that Review—We quote the conclusion, which is very beautiful; and will be felt to the core by every heart north of the Tweed:—

“And all our little feuds, at least all mine,
Dear Jeffery, once my most redoubted foe,
(As far as rhyme and criticism combine
To make such puppets of us things below)
Are over. Here's a health to “Auld Lang Syne”
I do not know you, and may never know
Your face—but you have acted on the whole
Most nobly, and I own it from my soul;
And when I use the phrase of “Auld Lang Syne”
'Tis not addressed to you—the more's the pity
For me, for I would rather take my wine
With you, than aught (save Scott) in your proud city:
But somehow—it may seem a school-boy's whine,
And yet I seek not to be grand nor witty,
But I am half a Scot by birth, and bred
A whole one, and my heart flies to my head—
As “Auld Lang Syne” brings Scotland, one and all,
Scotch plaids, Scotch snoods, the blue hills, and clear streams,
The Dee, the Don, Balgonnie's Brig's black wall*
All my boy feelings; all my gentler dreams
Of what I then dreamt, clothed in their own pall,
Like Banquo's offspring;—floating past me seems
My childhood in this childishness of mine:
I care not—'tis a glimpse of “Auld Lang Syne.”

* Note in the Poem, by his Lordship:—The Brig of Don near the “auld town” of Aberdeen, with its one arch and its black, deep salmon stream below, is in my memory as yesterday. I still remember, though perhaps I may misquote the awful proverb, which made me pause to cross it, and yet lean over it with a childish delight; being an only son, at least by the mother's side. The saying, as recollected by me, was this, but I have never heard or seen it since I was nine years of age:—

“Brig of Balgonnie, black's your rue
“Wi' a wife's ae son, and a mear's ae foal
“Doun ye shall fa'”

Lord Byron had the early part of his education at Aberdeen, and his mother was a Miss Gordon, heiress to a patrimonial estate in that country, and of an ancient family there.

And though, as you remember, in a fit
 Of wrath and rhyme, when juvenile and curly,
 I railed at Scots to show my wrath and wit,
 Which must be owned was sensitive and surly,
 Yet 'tis in vain such sallies to permit,
 They cannot quench young feelings fresh and early.
 I "scotched not killed" the Scotchman in my blood,
 And love the land of "mountain and of flood."

DAVID'S LAMENT OVER SAUL AND JONATHAN.

Mourn hapless Judah ! ever mourn ;
 In silent anguish, still deplore
 Thy beauty from thy bosom torn ;
 Thy mighty, fall'n, to rise no more !

Oh ! let not these sad tidings rove
 To where Philistia potent reigns,
 Nor female bands, in heath'nish grove
 Insult our woes, with triumph's strains.

O Gilboa's mountains, fated scene
 Of all our ills ;—no more on you
 Descend again, morn, noon, or even,
 Refreshing rain, or balmy dew !

On you no more let sacred rites
 Invite around the pious throng ;
 No more be heard what faith indites
 In fervent pray'r or choral song.

For, on your fatal tops, with shame,
 The Mighty's shield was cast away ;
 The Lord's anointed there became
 A mass of undistinguished clay.

Full fraught with death, in bloody field,
 The shafts of Jonathan did fly,
 The thickest helm, the strongest shield
 Saul's conquering sword could ne'er defy.

They who, through life, unequal'd love
 Still cherish'd in their bosom's brave ;
 Whose deeds peculiar virtues prove,
 Now find an undivided grave.

Less swift than they bold eagles move
 Impetuous through the yielding sky ;
 Less strong than they fierce lions prove,
 That, springing, seize the destin'd prey.

To Judah's daughters, ever dear
 Be Saul, the lib'ral and the brave;
 Still through the slow revolving year,
 Let beauty's tear bedew the grave.

He well deserves your fond regards,
 Who joy'd to deck your native charms
 With pearls and gems and purple garbs,
 Rich meed of his victorious arms.

O mighty warriors, dear to fame,
 Whose mem'ry Judah's sons adore;
 O Jonathan, fraternal name,
 Untimely fall'n, to rise no more!

Still heaves my heart with sick'ning throe,
 While mem'ry on thy friendship dwells;
 Still overflows my cup of woe.
 The flood of grief still round me swells.

Wondrous, indeed, was thy warm love,
 Expressive of thy soul sincere;
 Less sweet the love pure virgins prove
 For him their spotless heart holds dear.

Here low in dust the mighty be!
 How crown'd with dead the heights around!
 Why are the brave thus doom'd to die?—
 Why war's bright weapons strew the ground?

TO MY FLUTE.

WRITTEN AT THE FALL OF THE GRAND CALUNET.

Dear fav'rite Flute, that oft hast poured
 In happier days the plaintive strain,
 And won that praise from *one* adored,
 Which thou may'st never win again;

These pine-clad rocks, this rushing stream,
 Accord not with thy silver tone;
 Dark, mournful as my fate they seem;
 But they have music of their own.

The wild bravoura of the gale,
 That howls these echoing rocks among,
 And the land dashing water-fall,
 May raise their deep-toned solemn song:—

But thou wert formed to prove the pow'r
 Of many a scientific lay;
 Wert formed to cheer the social hour
 When Love and Friendship hold their sway.

Thy mellow voice, once loved so well,
 No more shall thrill th' Italian air ;
 The gay duett, the choral swell,
 No more thy soothing tones may share.

In this lone wild, I could not bear
 To hear thee breathe that favorite strain,
 The choice of *one* to memory dear—
 Too fondly loved, since loved in vain.

Then rest, my Flute ! in silence rest ;
 Thy merriest notes are sad to me !
 Peace—till thy master's heart be blest
 Again with love and harmony.

C.

OII, LEAVE ME ! LEAVE ME.

Oh, leave me ! leave me—let me weep
 O'er youthful follies past !—
 The soul's dark stains—imprinted deep,
 That ev'ry pleasure blast.
 Leave me to sigh—to swim in tears,—
 To mourn a guilty heart—
 The mis-spent scenes of early years
 Which now but grief impart.

Leave me to penitence sincere,
 At meek devotion's shrine ;
 Or drop the penitential tear,
 And mix your griefs with mine ;
 Feel ev'ry pang my bosom feels
 And share in all its woe ;—
 Envy the bitter drop that steals
 Along my pensive brow !

Then stay—and our commingl'd sighs
 Shall gently soar above—
 To heav'n in sweetest concord rise,
 Where reigns the purest love :—
 Nor shall our sighs be spent in vain,
 If mercy we implore,—
 And mercy which our souls obtain,
 Shall teach us to adore.

Original Poetry.

To———

Here's a health to my own lassie —
 On her alone I think—
 I'll fill again the tassie
 And swoop away the drink.

Tho' mountains, skies, and ocean
 Between us stand and move,
 Be this my dying potion
 If e'er I faithless prove.

To R.———, Queen of constancy,
 I'd drink in death's dark hour,
 And in that dread emergency
 I'd fill the goblet o'er.

May virtues such as thine endure
 While female blood runs warm,
 And may each day for thee procure
 A never-fading charm.

Again I fill the tassie high
 And drink to thee my love ;
 Again I sing—again I sigh
 For thee my gentle dove.

THE HARP OF LOVE.

The harp of love, when first I heard
 Its song beneath the moonlight tree,
 Was echoed by his plighted word,
 And ah ! how dear its song to me.
 But wailed the hour will ever be,
 When to the air the bugle gave ;
 To hush love's gentle minstrelsy,
 The wild war music of the brave.

For he hath heard its sounds, and now
 Its voice is sweeter than mine own,
 And he hath broke the plighted vow
 He breathed to me and love alone.
 That harp hath lost its wonted tone,
 No more its strings his fingers move,
 Ah ! would that he had only known
 The music of the harp of love.

VARIETIES.

Canals in England.—The number of navigable canals in the United Kingdom is 103; of which 97 are formed in England alone,—not including those whose length does not exceed five miles,—5 in Scotland, and one only in Ireland. The total extent of these Canals is 2,982½ miles; viz:—2,241 miles of English canals, 149½ miles in Scotland, 69½ miles in the Dublin and Shannon canals. The sum expended in these constructions is estimated at thirty millions pounds sterling, and in some cases the original shares have arisen to fifteen, and even twenty times their original value. In the lines of these canals forty-eight subterraneous passages occur, the entire length of which is not accurately known; but forty of them, whose lengths are stated, give a total development of 57,051 yards; or more than thirty-two miles. It is deserving of remark, that of the total length of English canals, more than 1400 miles communicate with the grand navigable line between London and Liverpool, the length of this being alone 264 miles, and it is connected in its course with 45 others, of which the united extent equals 1150 miles. Such is the present state of English navigable canals, not a yard of which existed before the year 1755.

Present from the Nabob of Oude to the King.—The Glasgow frigate (on board of which the late Governor General of India came to Europe) has brought to England, as presents from the Nabob of Oude to His Majesty, several articles of considerable value, being estimated at upwards of £200,000. Among them are a sword, set in diamonds, a belt, and sword knot; the latter composed of diamonds, and other precious jewels of the most costly description, and suspended to it is an emerald of great value, it being considered the largest extant, and nearly the size of an egg. The whole are landed, and will be presented by Captain Doyle to the King. A Bird of Paradise alive, has also been brought to England in this ship, which we believe to be the only attempt of this kind ever made with success. A bull and cow, of a small white breed, which the Hindoos worship, have also arrived as a present to the Princesses.—*Hampshire Telegraph.*

On Wednesday, July 9, at five minutes past eight, a balloon was seen to descend at Chisworth farm, in the parish of Horsham, Sussex. To the balloon was attached a ticket, on which it was stated that the balloon was launched that day, at six o'clock in the afternoon, from Bampton, Oxfordshire. It had, therefore, been only two hours and five minutes in traversing a distance, which, according to the measurement of the road between the places of its ascension and its descent, was more than eighty miles.

Intelligence has been received at Lloyd's, of the safe arrival at Corunna, on the 17th June, of the steam-ship the George the Fourth. The

voyage from Falmouth was performed in 62 hours, and the vessel sailed on the 21st for Lisbon, after remaining four days in the harbour of Corunna.

St. Petersburg, June 10.—M. Otto V. Kotzebue will sail in a few weeks on a new voyage round the world. The ship intended for the expedition is five times as large as the *Ruric*, and will be manned by 100 marines. The chief object of the present voyage is, to make a most correct and complete geographical and scientific survey of all the countries that he visited on his first voyage.

Lately a splendid ball and supper were given at Castle Mona, by the Duke and Duchess of Athol, to nearly 200 persons: amongst the company were the Lord Bishop of the Isle, Lady Sarah Murray, Lady Kinnoul, the Attorney General, J. C. Curwen, Esq. M. P. General Goldie, Colonel Wilks, together with the Deemsters and Keys of the Island. A scene of the greatest harmony and festivity prevailed, and, under the auspicious union which has now taken place amongst all the branches of the Legislature of the Isle of Man, there does not promise to be a more happy or respectable place in His Majesty's dominions.

A list of French newspapers published here, with the amount of the number of copies printed, will show that, notwithstanding the low price of newspapers, (a paper being sold for 2d. English,) there is by no means the same extent of intellectual anxiety here as in England. The *MONITEUR*, 3 to 4000; *DEBATS*, 11,000; *JOURNAL DE PARIS*, 8000; *COURIER FRANÇAIS*, 5000; *QUOTIDIENNE*, 3500; *Drapeau Blanc*, 3500; *Journal du Commerce*, 4000; *Gazette de France*, 2200; *Pilote* and *Etoile*, together about 4000; *Oriflamme*, 500; *Constitutionnel*, 17 to 18,000. These are all daily papers; no weekly paper is published in Paris.—*Paris Paper*.

Preservation from Lightning.—Sir Humphrey Davy, in his fourth lecture at the Royal Institution, recommends the following means of escaping the electric fluid during a thunder storm. He observed that, in countries where thunder storms are frequent and violent, a walking-cane might be fitted with a steel or iron rod to draw out at each end, one of which might be stuck in the ground, and the other end elevated eight or nine feet above the surface. The person who apprehends danger, should fix the cane and lie down a few yards from it. By this simple apparatus, the lightning descends down the cane into the earth, and secures him from injury.

The following is a list of the forfeited Scotch titles restored by a late order of George the Fourth.

Forfeited in 1715—Restored in 1825.—Lord Duffus,—Lord Keith, Earl Marischal,—Lord Erskine, Earl of Mar,—Lord Drummond,—Lord Herries, Lord Maxwell, Earl of Nithsdale,—Lord Seaton, Earl of Winton,—Lord Burleigh,—Lord Kilwinning,—Lord Livingstone, Earl of Linlithgow,—Lord Dalzell,—Lord Ogilvie, Earl of Airly,—Lord Maule, Earl of Panmure—Earl of Calender—Lord Crampsie, Viscount Kilsyth,—Lord Livingston,—Lord Nairne.

Forfeited in 1745—Restored in 1825.—Earl of Ross,—Lord Lovat,—Lord Balmerino,—Lord Pittligo,—Lord Macleod, Viscount Tarbot,—Viscount Strathallaer, Lord of Drummond and Cromlix,—Earl of Cromartie.

ANECDOTES.

A DINNER INTERFERENCE.

WHEN the late General Bligh was a captain in a marching regiment, he and his lady were travelling in Yorkshire, and put up at an inn, where there happened to be only just as much in the larder, as would serve them for dinner, which was immediately ordered. In the mean time, some sporting gentlemen of the country came in, and finding there was nothing in the house, but what was getting ready for another company, asked who they were? The landlord told them he did not directly know, but he believed the gentleman an *Irish officer*. "O—well, if he's Irish," said one of the company, "a *potatoo* will serve him. Here, waiter, take this watch (pulling out an elegant gold watch,) carry it up stairs, and ask the gentleman what's o'clock?" Mr. Bligh, as may be well imagined, was not pleased at such an impudent message; but recollecting himself a moment, took the watch from the waiter, and desired him to present his compliments to the company, and he would tell them before he parted. This message, however, produced his dinner to be sent up to him in quiet; after eating which, he clapt a couple of large horse pistols under his arm, and going down stairs, introduced himself into the company, by telling them he was come to let them know what o'clock it was; but first begged to be informed to which of the gentlemen the watch belonged. Here a dead silence ensued. Mr. Bligh then began on his right hand, by asking them severally the question; each of them denied knowing any thing of the circumstance. "O, then, gentlemen, (says he) I find I have mistaken the company; the waiter a while ago brought me an impudent message from some people in this house, which I came, as you see, (pointing to his pistols) properly to resent; but I find I have mistaken the room." Saying this, he wished them a good evening, which they as politely returned. He paid his bill, stepped into his carriage, and drove off with the watch in his pocket, which he kept to his death, and left it by will, with a large fortune, to his brother, the Dean of Elphin.

JAMES IV. OF SCOTLAND.

King James the Fourth of Scotland, who used often to amuse himself in wandering about the country in different disguises, was once overtaken by a violent storm in a dark night, and obliged to take shelter in a cavern near Wemys, which is one of the most remarkable of the antiquities of Scotland. Having advanced some way in it, the king discovered a number of men and women ready to begin to roast a sheep, by way of supper. From their appearance, he began to suspect that he had not fallen into the best company; but, as it was too late to retreat, he asked hospitality from them till the tempest was over. They granted it, and invited the king, whom they did not know, to sit down, and take part with them. They were a band of robbers and cut-throats. As soon as they had finished their supper, one of them presented a plate, upon which two daggers were laid in form of a St. Andrew's

cross, telling the king, at the same time, that this was the dessert which they always served to strangers; that he must choose one of the daggers, and fight him whom the company should appoint to attack him. The king did not lose his presence of mind, but instantly seized the two daggers, one in each hand, and plunged them into the hearts of the two robbers who were next him; and, running full speed to the mouth of the cavern, he escaped from their pursuit, through the obscurity of the night. The king ordered the whole of this band of cut-throats to be seized next morning, and hanged.

A CURE FOR POST-BOYS.

The philanthropist, Howard, finding, in travelling, that the coachmen would seldom comply with his wishes, hit upon an expedient to cure them. At the end of a stage, when the driver had been perverse, he desired the landlord to send for some poor industrious widow, or other proper object of charity, and to introduce such person and the driver together. He then paid the latter his fare, and told him, that as he had not thought proper to attend to his repeated requests as to the manner of being driven, he should not make him any present; but, to show him that he did not withhold it out of a principle of parsimony, he would give the poor person present double the sum usually given to a postillion. This he did, and dismissed the parties. He had not long practised this mode, he said, before he experienced the good effects of it on all the roads where he was known.

EMPEROR AND BLACKSMITH.

During the journey of the Emperor Joseph II. to Italy, one of the wheels of his coach broke down on the road, so that it was with difficulty he reached a small village at a short distance. On his arrival there, his majesty got out at the door of the only blacksmith's shop the town afforded, and desired him to repair the wheel without delay. "That I would do very willingly," replied the smith, "but it being holiday, all my men are at church, the very boy who blows the bellows is not at home." "An excellent method then presents of warming one self," replied the emperor, preserving his incognito; and he immediately set about blowing the bellows, while the blacksmith forged the iron. The wheel being repaired, six sols were demanded for the job; but the emperor gave him six ducats. The blacksmith returned them to the traveller, saying, "Sir, you have made a mistake, and instead of six sols, have given me six pieces of gold which no one in the village can change." "Change them when you can," said the emperor, stepping into the carriage; "an emperor should pay for such a pleasure as that of blowing the bellows."

AGREEABLE SURPRISE.

The Fanny galley, commanded by Captain Blakely, was in the year 1747 chased by a French privateer off Rotterdam, which ran upon the flats, where she was beat to pieces. The French made all the signals of distress; but Capt. Blakely having only 9 hands, and seeing 2 boats put off, one of which was very large and full of men, he did not at first go to their relief. The long boat sunk, and there appearing only eleven men and two women in the other, he lay by, and let them come up to the galley; when, to his great surprise, he saw his own wife, who had been taken four days before in a collier ship, bound to Rotterdam, where she was going to meet him. The privateer had one hundred and five men, who all perished, except the ten thus saved.

FOREIGN SUMMARY.

Europe.

Great Britain and Ireland.—In our last number we endeavoured to present our readers with a distinct statement of the improving condition of the public revenue of the country, and abstract of its trade and navigation during the present and preceding two years. We had not then any documents before us which could enable us to say any thing of the *Import* trade—a branch of commerce no less important in every point of view than the amount of the Exports themselves. The Imports may be divided into two main branches; the raw materials for manufactures, and imports for mere consumption. The amount of the import of raw material must necessarily be the measure of the progress of the manufactures. The amount of articles imported to be consumed must equally establish two other important points:—the first, the astonishing wealth of a country which can afford to consume so liberally; and secondly, the amount of the domestic circulation, which is, in other words, but another name for the national opulence and prosperity. The principal imports of the first class, namely, raw materials for manufactures, are, of course, flax, hemp, raw and thrown silk and cotton. We have merely limits to set down the accounts of the present year, under three heads. In 1821, the official value of flax imported was seven hundred and sixty-three thousand four hundred seventy-eight pounds. In 1823, the official value of the same article was one million one hundred and ninety-seven thousand two hundred and ninety pounds. In 1821, the official value of hemp imported was three hundred and fifty-five thousand four hundred and ninety-two pounds. In 1823, the official value of the same article was five hundred and ninety thousand pounds. In 1821, the official value of raw and thrown silk imported, was one million three hundred and eighty-three thousand six hundred and four pounds. In 1823, the official value of the same was one million five hundred and thirty-five thousand and seventy-eight pounds. In cotton, the value of the import of 1823, has reached very nearly to five million pounds. And in 1824, it will accomplish that amount. But only six years since, the amount of the importation in cotton did not exceed three million pounds. In the second class of imports, namely, imports exported for immediate consumption, we have been struck, in the first instance, with the immense increase of the importation of tea, the quantity of which amounts to near twenty-three million lbs., and in value to three million pounds, exclusive of duty. As this is the value of the article at the time of its being imported into the East India ware-houses, it may fairly be assumed, that its price is double by the time it reaches the retailer; and if we further add the duty of three million pounds, we shall find that the article of tea alone, is the means of circulating nearly nine million pounds through the community. It is rather singular that the number of pounds weight of tea consumed annually, and the number of bushels of malt consumed likewise, anni-

ally, should now so nearly correspond; the number of bushels of malt annually consumed, not exceeding twenty-four millions and a half bushels. In other words, that the value of tea and barley consumed in the year exactly correspond;—and that as much money should be circulated in tea as in barley. The import of port and sherry wines, has increased by nearly one-sixth in the present year; and the import of tallow, has advanced from six hundred and sixty thousand pounds in 1822, to eight hundred and twenty-eight thousand pounds in 1823.

We copy the following curious and most interesting article from a fact-simile of the *original*, in the hand-writing of Sir John Sinclair, as circulated throughout the United Kingdom, and for which we are indebted to the politeness of a gentleman lately arrived from Scotland, to whom Sir John delivered the document in person.

“MOUNTAIN DEW.”

Sir John Sinclair was extremely anxious that the Royal authority might be obtained, for calling Highland Whiskey by the more poetic name of “MOUNTAIN DEW.” For that purpose he took the liberty of requesting His Majesty’s acceptance of six bottles of “*Mountain Dew*,” manufactured in *Caitness*; and he had the satisfaction of receiving an official letter, on that subject, of which the following is a copy:

“Lord George Beresford presents his compliments to Sir John Sinclair.—He is commanded by His Majesty to acknowledge the receipt of six bottles of ‘MOUNTAIN DEW,’ and to express to Sir John Sinclair, His Majesty’s sense of his attention.

Board of Green Cloth, 24th August, 1822.

To Sir John Sinclair, Bart.

N. B.—Sir John does not insist on his English friends taking bumpers of the ‘*Mountain Dew*.’ There is *no penalty* for not tasting it, though some attention, to a liquor so full of *genuine spirit*, is certainly *due* to its merits.”

We hope our CANADIAN friends will not fail to avail themselves of the Honourable Baronet’s hint.

The Monument erected to perpetuate the memory of ROBERT BURNS was lately completed, by the tripod being raised and fixed on the summit, in presence of fifteen mason lodges, besides yeomanry, and a vast number of spectators. In form, the Monument may be described as a replication of the Athenian monument of Lysicretes. It bears a considerable resemblance also to the beautiful little temple attached to the Church San Pietro in Montorio at Rome. The edifice consists of a triangular basement (representative of the three great divisions of Ayrshire, Kyle, Carrick, and Cunninghame) upon which rises a circular peristyle supporting a Cupola. The pillars, which are nine in number, and entablature, are of the Corinthian order. Certain ornaments, of truly Grecian elegance, surmount the Cupola and serve as a pedestal to the tripod. The interior of the basement of the monument, gives a circular chamber 16 feet in height and of a corresponding diameter. From this chamber, which is of the Doric order, a flight of stairs conducts to the gallery above. The whole edifice is conceived and executed in a style purely classical; and it may be asserted, that Scotland affords not its equal. And what enhances the merit of the work, is the fact of

its being executed by Ayrshire men. The following is the inscription placed on the tripod:—

The first stone of this Monument,
Erected by public subscription

In honour of the Genius of

ROBERT BURNS,

Was laid by

The late Sir Alexander Boswell, of Auchinlock, Bart.

(Under whose exertions principally, the Subscription was
Commenced and carried through)

On the 25th day of January, 1820;

AND

On the 4th of July, 1823,

The structure being wholly completed,

THIS TRIPOD

Was fixed upon its summit

In presence of a numerous assemblage

Of Freemasons and Subscribers

(Headed and addressed on the occasion by William Fullarton, Esq.
Of Skeldon)

Thomas Hamilton, jun. Architect.

John Connel, jun. Builder and Contractor.

THERE has just been printed, by order of the House of Commons, the Report of the Prisons in Ireland. According to this document, the number of persons committed were 12,284. The crimes for which the 12,284 prisoners were committed, are also given under separate heads;—the following are extracts from such classification:—Committed on charges of abduction, 33; combination, 73; conspiracy to murder, 17; distilling illegally, 1,249; jail breaking, 6; highway robbery, 100; murder, 257; oaths administering and taking unlawfully, 74; perjury, 33; riotous assembly, 315; riotous assembly, appearing armed by night, and attacking dwelling houses, 47; robbery of arms, 45; seditious practices, 54; shooting at persons, 53; writing and sending threatening letters, 13; taking and holding forcible possession, 70.

SPAIN.—Very little of importance has transpired in this country during the last month. It certainly appears evident, however, that matters are fast drawing towards some important issue. As contributing towards this, nothing is louder talked of than the late unexpected defection of BALLASTEROS, with about four thousand men, from the Constitutional cause, and the surrender of CORUNNA, on the 14th of August, to the French arms. The Duke of Angouleme has taken up a position, and fixed his head quarters before CADIZ, the blockade of which is continued with the most unremitting vigilance. It is rumoured that some negotiations are in progress for adjusting the conflicting differences of the various belligerent powers now in Spain, and that GREAT BRITAIN has offered her mediation to bring about an arrangement. Late accounts state that ALGESIRAS has also been taken by the French. The Session of the Cortes was closed in August; and the following is a copy of the Speech of Ferdinand on the occasion:—

“Gentlemen Deputies—On this solemn day, in which the present

Cortes are closed, my heart is necessarily affected by sensations of different kinds, though still they accord with the circumstances in which the nation is placed.

"Invaded, as our territory is, by the most unheard of treachery, on the part of a perfidious enemy who owe their existence chiefly to this magnanimous nation the world beholds violated in her the rights of all countries, and all the principles the most sacred among men; Pretended defects in our political institutions; supposed errors in our interior administration; a feigned wish to restore tranquillity, the disturbance of which is the work of those alone who exaggerate it; affected concern for the dignity of a Monarch who wishes not to be one but for the happiness of his subjects—such were the pretexes of an aggression which will be the scandal of posterity, and the blackest spot of the nineteenth century. But, hypocrisy, emboldened by her ephemeral progress, soon threw off the mask, and discovering all the horror of her views, no longer allows even the most duped to doubt, that the only reform that she aims at is, to deprive the Nation of all independence, of all liberty, and all hope; and that the dignity which she pretends to restore to my crown consists only in dishonouring me, in exposing my Royal Person and Family, and in undermining the foundation of my throne, to raise herself on its ruins."

He then accuses the French of bribery, and of employing all the crimes and passions of men on their side. He speaks of the defection of Abisbal as the unfortunate cause of the loss of Madrid; and deplures that their base measures are allowed to prevail, and to descend with such force on his deserving subjects.

"But," he continues; "in the midst of these disasters, Spain preserves her magnanimous resolution, and the Cortes, in the closest union with my government, have ever maintained themselves such as they were in the memorable days of the ninth and eleventh of January last:

The serenity and wisdom of their deliberations hitherto, amidst such bitterness and danger, the confidence which their patriotism inspires, and the hatred itself with which they are humoured by the enemies of the country, are so many proofs that they have deserved well of it.—Indefatigable in promoting all the branches of public prosperity, they have issued various decrees and contribute to it, as far as circumstances permit."

He then expresses his thanks for the promptitude with which the Cortes have seconded his efforts for the public good; states, that tho' he has withdrawn his charge d'affairs from Lisbon, there is no interruption in the ties of amity between the two nations; expresses a firm belief that Divine Providence will yet interpose to restore peace, and preserve the liberties of the nation; and concludes in these words:

"My government shall cease to exist before it take any step contrary to the oaths by which it is connected with the country, or to what is required by the honour and the dignity of my crown; and if circumstances shall require it, it will seek, in the extraordinary cortes, a safe harbour for the vessel of state. In such case, I will assemble them, always depending upon their zeal and patriotism, and jointly we will travel the path of glory, until a peace be obtained, at once honorable and worthy of Spaniards, and of myself."

Greece.—The accounts from this country still hold out flattering hopes of its ultimate independence, notwithstanding the great preparations of the Turks against it. The members of the National Senate are said to be filled with the glorious sentiments which animated their ancestors in their struggles with Persia. They all possess but one mind and one will; it is to perish rather than to live again under the Mussulman's dominion. The inhabitants speak every where with enthusiasm of their independence; and the very labourers are said to forget their misery at the name of their country.

America.

Demerara—Negro Insurrection.—An alarming insurrection of the Negroes has just taken place in this country. They rose to the amount of 3000, and gave regular battle to the King's troops. They made a desperate attempt to cut off a detachment of the 21st Regiment, as it was coming up, but they were defeated by the very gallant conduct of a Lieutenant who commanded the division. The 21st West India Regiment, and Georgetown Cavalry Militia, were all engaged in the affray, and behaved uncommonly well. The tumult was not quelled when the express left Demarara, but there is every reason to hope that it is so by this time, as strong reinforcements were immediately embarked at Barbadoes for the scene of action. Captain Hatton informs that great alarm prevailed at Georgetown, when he left, but active measures were pursuing to restore tranquility. Three were executed the day before he left there, and six were ordered for execution the day following. Five hundred of the insurgents are supposed to have been killed by the troops. A fanatic Preacher (a white man) was at the head of the conspiracy, and worked the ignorant blacks into a state of insubordination by assurances that the British Parliament had passed a law for their emancipation. Captain Hatton states that this wolf in sheep's clothing was confined in a dungeon, and no doubt existed, that he would meet with his deserts. We have heard of no acts of vengeance being perpetrated by the insurgents; they had in most cases confined their overseers and other white inhabitants that came within their power, in the stocks, from which a great number were liberated by the military. For eight days before Capt. H. sailed, an embargo was laid on all vessels in the port of Georgetown, and the crews ordered on shore to assist in defending the town.

PROVINCIAL JOURNAL.

LOWER CANADA.

Electrical Phenomenon.—Of the many extraordinary incidents which may have occurred during many years, none, we believe, can exceed that about to be made public; and as it is related upon the authority of the Revd. Mr. Jibert, the highly respectable Curate of YAMASKA, the most implicit confidence may be placed on its authenticity. To the philosopher and curious the subject must be considered of such value as to form no contemptible record in private or public museums; and will, besides, satisfactorily prove, that an electrical shock possesses more or less influence on the human system according to the constitutional strength of individuals.

A few weeks ago, Margaret Parateau of Yamaska, four leagues from William Henry, while in the act of reclining on a chair towards one side of the chimney, her cap was struck by lightning, which divested her head of a large quantity of hair. The electrical fluid descended to the right cheek, where it caused a slight hemorrhage of blood—continued to the breast and center of the body, where it separated; and as the lower extremities formed suitable conductors, it reached the heels and penetrated the floor where they stood. The shift and petticoat were torn to pieces and the thread burnt; but the wool, as a non-conductor remained untouched—and, extraordinary to relate, the hair is literally interwoven with it. A part of this petticoat is preserved by Mr. Jibert. The woman remained in a state of insensibility for nearly four hours, and recovered as from a long dream; and being at the time much inclined to sleep, she seemed to the by-standers totally ignorant of the cause of blood on her cheek, as well as of the irritation produced on the sentient parts, by the electrical fluid. The following day she was safely delivered of her first child, which appeared full-grown, but with the entire loss of voluntary action of all the joints of the upper and lower extremities. The husband of the unfortunate woman was present the whole time; but from terror, he kept himself in a bent position. He said, to use his own words, that his wife seemed enveloped in flames, and there was a constant "*combat de flammes*;" but he is ignorant of the length of time this lasted. It is also extraordinary that a window-sash of the house where this happened, was found perfectly glued to the floor, as if placed there by artificial means.

British and Canadian School Society.—A meeting of this Society, of which His Excellency the Earl of Dalhousie is patron, was held at Montreal on Thursday the 25th of September, when Mr. Lunn, the secretary, read a luminous report of the affairs of the institution, from which it appeared, that the number of Children admitted into the Schools since October last, amounted to 499, but of which a great many had left it to accompany their parents to the Upper Province. There are at present in the Schools a total of 246 children, viz:—160 boys and 86 girls, 84 of whom are catholics. Several Canadian children, who had been admitted into the School in November and Decem-

ber of last year; ignorant of the alphabet, are now able to read, write words of two and three syllables, and understand perfectly the first two rules of Arithmetic. Other children, who had made some proficiency in reading, but knew nothing of Arithmetic, have, in eight months, acquired a competent knowledge of the simple and compound rules. The conduct of Mr. Hutchins, the teacher of the boy's school, is alluded to in the Report, in terms of the highest approbation. The following is a statement of the affairs of the institution:

The British and Canadian School Society in Account Current with the Treasurer.

DEBTOR,

To paid Drummond and others, fitting up Boys' School, repairs, white-washing, colouring, &c.	£	s.	d.
	50	3	4
To do. do. Girls' School, - - - - -	34	6	9
To paid for Stoves, Stove Pipes, &c. - - - - -	17	16	8
To do. sundry petty expences and disbursments for Rewards, &c. - - - - -	20	9	10
To paid rent of School House, from 10th October 1822, to 1st August 1823, - - - - -	32	4	6
less allowed for Windows repaired, - - - - -	0	10	4
To paid A. Gray, for Printing, &c. - - - - -	14	19	6
To paid Mr. Hutchins, Schoolmaster, salary from 27th July, 1822, to 1st September, 1823, at £100 Currency, per Annum, - - - - -	109	3	1
To paid Miss Webster, Schoolmistress, on account of Salary, - - - - -	10	0	0
	<hr/>		
	£	296	13 4

CREDIT.

By received His Excellency the Earl of Dalhousie's subscription, - - - - -	£	20	0	0
By do. His Excellency Sir Peregrine Maitland's subscription, - - - - -	5	0	0	
By do. donation from P. Skeine, Esq. Quebec, - - - - -	5	0	0	
By do. subscriptions and donations collected in Town, - - - - -	241	19	1	
By do. weekly payments from the children in the Schools, 1823, Sept. 25, By balance due to the Treasurer, - - - - -	20	6	4	
	4	17	11	
	<hr/>			
	£	296	13 4	

His Excellency the EARL OF DALHOUSIE visited the British and Canadian Schools, at Montreal, and was pleased to express himself very much gratified.

Education.—It is gratifying to witness the exertions which are now making by Sir John Johnson at St. Mary's, in the seniory of Monnoir, for the purpose of establishing an English School in that place; he has given a free house, and a liberal subscription, in aid of this desirable object—Doctor Woods, a Magistrate in that neighbourhood has also done every thing in his power to forward the design, and the Canadian inhabitants there sensible of the benefits which their posterity will derive from a knowledge of the English language, are determined to avail themselves of the opportunity they now have of getting their children

instructed. We should be pleased if other men of influence in different parts of the province would follow the laudable example of Sir John Johnson—it would not then require many years to make the English language the prevailing one, throughout the country. Prejudice is wearing fast away; there is not so great an enemy to that unsocial feeling as education; it should therefore receive encouragement from every person who wishes to unite in the bonds of friendship and harmony, all classes of the community.

Montreal Fair.—Pursuant to advertisement this Fair was held for the first time on the 25th inst. in the St. Ann Suburb, and was very numerously attended. There was a tolerable show of black Cattle, and we understand that a considerable number of sales had been effected at pretty adequate prices. The manner, however, in which the animals were exhibited, tied head and horns to carts, must, unquestionably, have had the effect of diminishing their natural size, and detracting from their good appearance. They should have been permitted to wander loose in the fields in order to be shewn to the best possible advantage, and not bound to stakes like so many malefactors, or as if appointed for the sacrifice of some pagan diety. We did not observe any agricultural commodity for sale, which must be owing to the want of knowledge, which necessarily pervades throughout the country, relative to these most useful establishments. We sincerely regret that the attention of the great concourse of people assembled on this occasion, should have been distracted from the more serious and useful object of the meeting by horse-racing, and other mountebank amusements, totally foreign to the real purposes of the establishment. The managers, if there were any, are much to blame for their imprudence and want of judgment in giving sanction to such extravagant fooleries, at this early stage of the Fair; but we hope better things of them in future. By proper management, the Fairs of Canada may be made the most valuable agricultural institutions which it possesses.

Convictions at the Court of King's Bench for the District of Montreal,
SEPTEMBER TERM, 1823.

**Moril Magoon*—for forgery, fine to the King 500*l.* imprisonment in jail for 2 years, and to stand in the pilory one hour on the 19th inst. (Mr. Grant moved in arrest of Judgment, but was overruled.)

**François Monceau*—Compound Larceny, sentenced to be hung on the 24th October next.

**Jerome David*—for stealing from a dwelling house above the value of 40*s.* to be hung on the 24th October next.

**Abraham Paradis*—for Horse stealing, to be hung on the 24th October next, (second time of conviction.)

**Charles Parent*—for Burglary, to be hung on the 24th Oct. next.

**Pierre Ducharme*—for Sheep stealing, to be hung on the 24th Oct. next, (second time of conviction.)

**William Leighton*—for Horse stealing, to be hung on the 24th October next.

**Warren Glosseny Pater Johnson*, and *Jean Baptiste Albert*—for Burglary, to be hung on the 24th October next.

**Augustus Moses*—Grand Larceny, 12 months imprisonment.

**Jean Baptiste Bowman*, and *Joseph Yarger*—for Grand Larceny, 12

months imprisonment, to commence from the period of discharge from confinement in the House of Correction on the above sentence.

Daniel Mason—for Petit Larceny, six months in the House of Correction.

Robert Henry—for Petit Larceny, six months in the House of Correction.

Chester Dana—Petit Larceny, six months hard labor in the House of Correction.

Antoine Bellow, and *Charles Lauzon*—for Petit Larceny—12 months in the House of Correction.

**Jean Baptiste Dinelle*—Grand Larceny, to be whipped in the public Market place on Friday the 12th inst. and 12 months in the House of Correction, (sentenced to death before.)

John McEwen—for Petit Larceny, six months in the House of Correction.

**Joseph Morin*—for feloniously stealing four Bank notes, six months in the House of Correction, and to be whipped on the 12th inst.

William Blair—for manslaughter, six months imprisonment, and to be burnt in the hand in open court, on the first day of the next criminal term.

William Daley—for manslaughter, six months imprisonment, and to be burnt in the hand in open court, on the first day of the next criminal term.

James Connolly—for manslaughter, six months imprisonment, and to be burnt in the hand in open court, on the first day of the next criminal term.

Ebenezer Boynton—for obtaining goods under false pretences, four months imprisonment.

**William Parks*—for uttering a forged note on the Montreal Bank, six months imprisonment and one hour in the pillory on Friday 12th instant.

Morgan Costillo, *James Costillo*, and *Patrick Costillo*—for riot and assault—fined forty shillings each.

Morgan Costillo, *Patrick Costillo*, *Thomas Fagan*, *Patrick Brennan*, and *John McGrath*—for an assault—the three first fined 10*l.* each—the two last, 5*l.* each, security for good behaviour for two years.

Patrick Costillo, and *John McGrath*—for a riot and assault, one month's imprisonment, and fined forty shillings each.

John Smith—for assaulting and wounding *Joseph Crisp* with a butcher-knife—six months imprisonment.

Patrick Callaghan—for assault, fined 5*l.* and security for good behaviour.

William Story and *Antoine Gaspel*—for an assault, one month in jail, and security for good behaviour during one year.

There were 16 others tried and acquitted. Those marked * are old offenders. The Grand Jury found 90 true Bills—Ignored 21—and returned 34—upon which they had not sufficient time to proceed.

On Friday, 26th Sept. the trial of *William Pouden*, for the murder of *Agnes Morrison*, the wife of *Donald McKay*, Shoe-maker, of Quebec, commenced at 9 in the morning, and continued till six in the afternoon, when the Court adjourned till the following morning, and the Jurors were accommodated at the New-Inn, kept by *Mr. Haydon*,

where they remained that night under charge of Constables sworn for that purpose; the Court met according to adjournment on Saturday morning and continued sitting till 6 o'clock of the same evening, when it was again ajourned till Monday morning, the Jury being sent under the same charge as the preceding evening to Mr. Haydon's, where they remained till 9 o'clock yesterday morning, when the trial proceeded. Two confessions of the Prisoner taken officially before the Coroner on the 5th and 6th of June last, were read to the Jury, the Court having overruled an opposition to their being produced, taken by the Honorable Mr. Primrose, Counsel for the Prisoner, on Saturday evening, at which time the arguments of the Attorney General and himself respectively had been heard.

The defence took up the rest of the day till about half past three o'clock, when the Chief Justice delivered a most clear and impartial charge to the Jury, who retired at a quarter past 5 in the afternoon, and at 6 o'clock returned a verdict of GUILTY.

A motion in arrest of judgment, was made by the prisoner's counsel, and overruled by the Court. His Honor the Chief Justice then proceeded, in the most impressive manner, to pass sentence of DEATH upon the prisoner, to be carried into execution on Wednesday next. We, however, understand that it was intimated by the Court to the Attorney General and the prisoner's Counsel, that, under the provisions of the Provincial Act they would grant a respite for a short period.

His Excellency the Governor in Chief arrived in Montreal after a tour to the Ottawa. His Lordship reviewed the 70th Regt. on the Champ de Mars. We were much gratified with the soldier-like appearance of this fine corps; nothing can exceed the steadiness with which they performed the various evolutions.

The Fair held at Sherbrooke on the 15th Sept. is represented to us by a correspondent, as having been well attended and to have given him the greatest pleasure. About five hundred persons attended; two hundred and ten lots of various species of Cattle were offered for competition. They were generally in excellent order "and of much better breed than could have been expected in a country that has been so much neglected." About 60% or 65% was awarded in premiums and gratifications. The business of the Fair was conducted with the greatest propriety, and reflected much credit on the Officers of the Agricultural Society.

The servant man of Mr. Robert Cleghorn near Montreal, lighted a candle for the purpose of kindling a fire, he went into the yard to obtain chips, after having deposited the candle near the chimney—during the time the man was out, the daughter of Mr. C. a fine child of nine years old, had arisen from her bed, and on going near the fire place her frock touched the candle, and in an instant she was enveloped in flames!—her cries brought the disconsolate parent who attempted to extinguish the fire, in doing which, his hands were dreadfully burned, but the girl had received so much injury that she died on the following morning after suffering the most excruciating pain.

Casualty.—A boat, in which were several persons belonging to Quebec, upset opposite to the Falls, owing, we believe, to mismanagement. The whole of the party, except an infant son of Mr. Woodward, suc-

ceeded in gaining the shore. The early and unfortunate death of the child; it is melancholy to relate, took place in the sight of his distressed father.—*Québec Gazette*.

On Saturday morning, a fine Bark, called the General Wolfe, of about 320 tons, was launched from the ship-yard of Mr. Bell, in a style highly creditable to the builders. We understand she is intended as a regular trader between this port and Bristol, and was built for account of Mr. Wm Budden, of this city.

Ordination.—On Friday last, in the Cathedral Church of this city, the Revd. George Bresh was ordained Priest, by the Lord Bishop of the Diocese. We understand this gentleman proceeds to Fredericks-town, N. B.

By an Act recently passed in England, the Judges have the power not to pass sentence of death where they do not mean execution to be done upon the criminal; but they are empowered to enter the sentence upon record; in consequence of this alteration, all capital convicts who receive sentence of death, will, in future, be left in for execution.

About the middle of September, a large Whale found its way up the St. Lawrence, till nearly opposite the city of Montreal, where it continued to play itself for several days, not being able, from the shallowness of the water, to navigate its way down the river. Having attracted the notice of the inhabitants, several enterprising individuals put off in boats with some whale-fishing materials, in pursuit of it; and at last, after nearly a week's exertion, it was harpooned by Captain Brush of the Tow-steam-boat. It was immediately dragged ashore and exhibited in a booth fitted up for the purpose, for the gratification of the inhabitants. It was found to measure 42 feet 8 inches in length, 6 feet across the back, and 7 feet deep. It has since been conveyed to Three-Rivers and Québec for the same purpose.

His Excellency the Earl of Dalhousie has—in addition to his many other acts of munificence and generosity—given to the Borough of William Henry, a lot of ground, of an acre and half, for the site of a Protestant Church; and has given £200 towards its erection, with assurances of further assistance should it be necessary. Such acts as this endear our excellent Governor-in-Chief to those who are governed by him, and shew that he has a real regard for their interests.

On Sunday morning, the 14th of September, at 3 A.M. the Monarch, bound from Newry to Québec, in a thick fog and wind southerly, struck on a sunken rock, on the southeast side of the Island of St. Paul; but, fortunately for the crew and passengers, she beat over it and came in contact with the cliffs of the Island. There were thirty persons on board when the vessel struck, twelve of them seamen, the others passengers, five of whom were drowned, and many of the remainder dreadfully wounded by the rocks. The Captain and crew, who were particularly active in their endeavours to save the lives of the passengers, fortunately sustained but trifling injury. The method they adopted to get on shore, was by cutting away the masts which fell on the rocks, and by the greatest exertions twenty-five of their number succeeded in getting to land. The vessel held together but ten minutes after they were landed, and the whole of the passengers and part of the crew being at rest when she struck, they were consequently cast naked

on shore. In this deplorable state they remained three days on the Island, without any thing to subsist on but a few pieces of pork, which fortunately floated on shore from the wreck, and which they were obliged to eat raw: some clothing which also came on shore, assisted, in part, to cover their nakedness. Luckily, on the morning of the 17th, the ship *Generous Planter*, of London, from this port, hove in sight of the Island, and perceiving their signals, succeeded in bringing them all on board, and rescuing them from their perilous situation. The Captain, (Woodford) afforded them every assistance which their distresses required, and is deserving of the greatest praise for his humane and gentlemanly conduct towards them. The Captain, Mate, and one passenger, went home in the *Generous Planter*; the remainder have arrived here in the *Sir James Kempt*, to which vessel they were transferred by Captain Woodford. Captain Stewart, of the *Sir J. Kempt*, rendered them every assistance which his means would allow, and is equally entitled to their gratitude.

Two of the passengers were preachers, one of them Presbyterian, and the other of the Methodist persuasion.

A subscription list is open at the Exchange for the relief of the surviving sufferers by the above wreck, who, from the loss of their all may justly be considered fit objects for public commiseration and beneficence.

Agricultural Report.

DISTRICT OF MONTREAL—SEPTEMBER, 1823.

The greatest part of the crops being housed last month, there remained only the late sowed oats to harvest, the weather being fine to the middle of the month, they were harvested in good order, but do not promise a great return. The Hops are considered an average crop, and have been gathered in good order. From the drought which prevailed during the summer, very little fallowing could be done. The rain which fell on the 17th, was more than had fallen during the summer, since which the ploughs have been actively employed. On the 23d and 24th the frost was so severe, as to destroy the Indian Corn Stalks, the vine of the Potatoes and all the tender vegetables. The weather continued very cold to the close of the month.

For some years past, much attention has been paid to promote an emulation among the Farmers, in order to improve the Husbandry of the District; Cattle Shows were instituted to point out the necessity of attending to the breed of the different domestic animals, these exhibitions might naturally be expected to lead to Cattle Fairs, which have taken place this month.

It is much to know, that at none of the former shows were there any thing like the Fair, either for the number of stock offered for sale, or for the sales made. If more were not sold, it was because they were held too high, to allow any one to purchase with a view of doing good. For an institution so little known in this country, the beginning offers a prospect of no small advantage to the community. It will diffuse more knowledge among the Farmers, by pointing out the wants of the country, and developes resources heretofore unnoticed, or little attended to.

Civil Appointments.

SEPTEMBER, 1823.

16th Sept.—William Reece, Gentleman, to Practice Physic and Surgery in this Province.
 Roger Sasserille, Culler and Measurer of Square Timber, Ash Oars and Handspikes, Planks, Deals, and Ends, Rattens and Batten Ends, and Boards.

Army List.

Royal Regiment of Horse Guards, Corporal R. Cust to be Quarter-Master, vice Perry, who retires. Dated August 7, 1823.

3d Regiment of Dragoon Guards, P. Dundas, Gent. to be Cornet, by purchase, vice Todd, promoted to the 8th Light Dragoons. Dated July 24, 1823.

4th Ditto, Serjeant-Major E. Lawless to be Regimental Quarter-Master, vice Jolly, deceased. Dated July 31, 1823.

15th Regiment of Light Dragoons, Lieutenant E. Studd to be Captain, by purchase, vice Carpenter, who retires. Lieutenant G. Hume, to be Lieutenant, by purchase, vice Studd. G. Musgrave, Gent. to be Cornet, by purchase, vice Hume. All dated August 7, 1823.

2d Regiment of Foot, Lieutenant-Colonel J. Rolt, from the half-pay, to be Lieutenant-Colonel, vice J. Jordan, who exchanges, dated August 7, 1823. Captain J. Williams to be Major, by purchase, vice Gornon, who retires. Lieutenant W. Hunt to be Captain, by purchase, vice Williams. Ensign J. B. Dalway to be Lieutenant, by purchase, vice Hunt. H. F. Kennedy, Gent. to be Ensign, by purchase, vice Dalway.— All dated July 31, 1823.

6th Ditto, Lieutenant W. H. Eden to be Captain, by purchase, vice Clarke, who retires. Ensign T. Holyoake to be Lieutenant, by purchase, vice Eden. R. Curtels, Gent. to be Ensign, by purchase, vice Holyoake. All dated July 31, 1823.

8th Ditto, Captain H. Hailes, from the 41st Foot, to be Captain, vice Booth, who exchanges. Dated July 31, 1823.

10th Ditto, Captain J. Rudsell to be Major, by purchase, vice Payler, promoted.— Dated as above.

12th Ditto, Lieutenant G. Lawson to be Captain, without purchase, vice Jenkins, deceased. Ensign C. Williams to be Lieutenant, vice Lawson; and H. W. Adams, Gent. to be Ensign, vice Williams. All dated as above.

17th Ditto, Second Lieutenant H. Clinton, from the Rifle Brigade, to be Lieutenant, by purchase, vice Yorke, promoted. Dated as above.

24th Ditto, Lieutenant A. Child to be Adjutant, vice Smith, who resigns the Adjutancy only. Dated August 7, 1823.

40th Ditto, Captain J. Montagu, from the 81st Foot, to be Captain, vice Maclean, who exchanges. Dated as above.

41st Ditto, Captain W. Booth, from the 81st Foot, to be Captain, vice Hailes, who exchanges. Dated July 31, 1823.

52d Ditto, Lieutenant R. F. Hill, from half-pay of the 40th Foot, to be Lieutenant, vice G. Campbell, who exchanges. Dated August 7, 1823.

54th Ditto, Captain J. W. H. Welch, from the 80th Foot, to be Captain, vice Butler, who exchanges. Dated July 31, 1823.

57th Ditto, Lieutenant, P. Gray, from half-pay, Royal West India Rangers, to be Lieutenant, vice J. S. Keating, who exchanges, receiving the difference, dated August 7, 1823; and Gentleman Cadet H. Hill, from the Royal Military College, to be Ensign, without purchase, vice Beckwith, promoted in the Rifle Brigade; dated July 31, 1823.

Statement of Ashes Inspected in Montreal, from the 1st January, to the 30th July, in 1820, 21, 22, and 23:—

	POTS,	PEARLS,
1820	11805 Brls.	3667 Brls.
1821	13208 "	4733 "
1822	10118 "	8428 "
1823	15030 "	10858 "

REMARKS.

It is to be remembered that there are Inspection Officers at Chambly, William Henry, Three Rivers, and Quebec, for the Inspection of Ashes, but very few are inspected at either places, so that Montreal inspection embraces nearly the whole exports of this article.—*Courant.*

State of the Thermometer,

FOR SEPTEMBER.

Days of the Month:	Thermometer.			Winds.	Weather.
	morn.	noon	even		
1	74	80	74	N. W.	Cloudy.
2	74	78	72	S. W.	Clear.
3	74	70	70	S.	Rain.
4	70	78	74	S. W.	Clear.
5	68	74	70	S. W.	do.
6	68	72	70	S.	do.
7	66	70	68	S.	do.
8	80	68	68	N. W.	do.
9	62	64	64	N. W.	Rain.
10	62	66	64	S.	Clear.
11	62	66	64	S.	do.
12	62	64	64	S. W.	do.
13	64	66	64	S. W.	do.
14	60	64	62	S. E.	Cloudy.
15	62	64	64	S.	Clear.
16	60	60	60	S. by W.	Heavy Rains.
17	62	66	64	S. S. W.	Cloudy with shwrs.
18	64	66	66	S. S. W.	Clear.
19	62	64	62	S. W.	do.
20	60	64	60	W.	Rain wh. h. winds.
21	58	58	54	E.	Clear.
22	52	54	52	E.	do.
23	52	56	52	S. E.	do.
24	54	56	54	S. E.	do.
25	54	56	56	W.	do.
26	56	60	58	E.	Cloudy.
27	54	56	52	N. E.	Clear.
28	52	56	52	N. E.	do.
29	50	54	54	N. N. E.	Cloudy.
30	50	54	54	N. E.	Clear.

Montreal Prices Current.

PRODUCE OF THE COUNTRY.

Pot Ashes, - - -	per cwt.	37 0d a 38 0
Pearl Ashes, - - -	per	36 0 a 36 6
Fine Flour, - - -	per bbl.	32 6 a 0 0
S. fine. do., - - -	per	37 6 a 0 0
Pork, (mess) - - -	per	65 0 a 0 0
Pork, (prime) - - -	per	60 0 a 0 0
Beef, (mess) - - -	per	40 0 a 0 0
Beef, (prime) - - -	per	30 0 a 0 0
Wheat, - - -	per minot.	5 6 a 0 0
Barley, - - -	per	1 8 a 1 10½
Oats, - - -	per	1 0 a 1 3
Pease, - - -	per	1 10 a 2 0
Oak Timber, - - -	per cubic ft.	
White Pine, - - -	per	
Red Pine, - - -	per	
Elm, - - -	per	
Ash, - - -	per	
Staves, standard, - - -	per 1200	
West India, do., - - -	per	
Whiskey, country manfct.	2 6 a 2 9	

IMPORTED GOODS, &c.

Rum Jamaica, - - -	per gall.	3 3d a 3 6
Rum Leewards, - - -	per	2 4 a 2 6
Brandy Cognac, - - -	per	7 0 a 7 6
Brandy Spanish, - - -	per	none.
Gineva Holland, - - -	per	4 9 a 5 8
Gineva British, - - -	per	
Port Wine, - - -	per Pipe,	£25 a 60
Madeira O. L. P., - - -	per	36 a 60
Teneriffe L. P., - - -	per	30 a 32 10
Do. Cargo, - - -	per	22 10s.
Sugar Muscovado - - -	per cwt.	42 0d a 48 0d
Sugar Loaf, S. fine, - - -	per lb.	0 9 a 0 9½
Coffee, - - -	per	1 5 a 1 6
Tea, Hyson, - - -	per	6 0 a 6 6
Tea, Twankay, - - -	per	5 6 a 5 8
Soap, - - -	per	0 4½ a 0 6
Candles, - - -	per	0 7½ a 0 0

Marriages.

At Three Rivers, on the 26th inst. at 8 o'clock, P. M. by the Rev. R. Querk Short, Mr. D. Eddleston, of Montreal, to Miss Helen, eldest daughter of Mr. Richard Johnston of that place.

At Quebec, on the 18th inst. Louis Talbot, Esqr. Physician, &c. of St. Gervais, to Dame Marie Anne Vezina, widow of the late Mr. A. A. Vezina, of that city.

On the 19th June, at Stockholm, Oscar, Crown Prince of Sweden, to the Princess of Leuchtenborg. The nuptials were celebrated with great pomp and splendour.

Lately, by the Rev. Mr. Black, Mr. James Henry, to Miss Hutchinson, both of this city.

At the Riviere Rouge, (near Detroit) by the Rev. Mr. Heacock, Major Thomas Maxwell, to Mrs. Eleanor Heacock. The Major is in the 82d year of his age, and has served in the British, Continental and American armies, nearly seventy years. He was at the battles of Fighting Island and Bloody Bridge, during the Pontiac War, and was one of the few who escaped the latter catastrophe.

At Hallowell, on Sunday the 31st inst. by the Rev. Mr. Campbell of Belville, the Revd. Mr. Morley, (Missionary to the Mowhawk) to Choistiaba, widow of the late James Cumming, Esq. of Hallowell.

At Blairfidie, on the 1st instant, by the Revd. Mr. Paquin, Mr. Francis Provost, merchant, to Miss Adelaide Bourgeois.

On the — inst. by the Rev. Edward Black, John Griffin, to Levey Clegg, both of this city.

At Kamouraska, on the 25th ult. by Messire Morin, Peter Gauvrau, Esq. Notary Public, to Miss Louisa Elizabeth Duberges.

At Brockville, on Tuesday the 19th ult. by the Rev. Wm. Smart, Mr. Nathaniel Field, to Miss Elizabeth Anthony, all of Elizabethtown.

On the 27th inst. at Point Levi Hotel, Mr. John Thompson, of St. Nicholas, to Miss Isabella, second daughter of Capt. Thomas Henry Leith.

At Niagara, on the 2d inst. by the Revd. Mr. Wright, Mr. Peter Bowman, to Miss Sarah Snively, both of the Township of Stamford.

It Hatley, by the Rev. T. Johnson, Mr. Warham Paul, to Miss Sally Brown, both of Barnston.

In Eaton, on the 26th August, by the Rev. J. Taylor, Mr. Rufus Sawyer, to Miss Ruth Alger.

In Rouge Mount, on the 24th August, by the Rev. Edward Parkin, Mr. Daniel Bachelor, to Miss Phoby Hyde, all of the same place.

On the 24th inst. by the Rev. Mr. Burrage, in Lauzon Church, Mr. Nicholas Andrews, of Chicoutimi, King's Posts, to Miss Mary Ann Owens, of St. Charles La Belle Alliance, Nouvelle Beauce.

Lately in Scotland, W. Morris, Esq. M. P. for Perth, Upper-Canada, to Miss Cochran, of Paisley.

Obituary.

On the 17th Sept. at Riviere du Loup, J. Bte. d'Estimauville, Esq. of Quebec.

In Quebec, on the 20th inst. Derick Astrom, Esqr. aged 45 years; he resided in the Township of Chatham, on the Ottawa River.

At Montreal, on Sunday the 21st inst. of a decline, in the 19th year of his age, George Addy, son of Mr. Thomas Addy.

On the 20th inst. in the 30th year of her age, Mrs. Jannet, wife of Mr. Thomas Neagle, of Montreal.

In the Township of Kingston, on the 10th inst. Elizabeth Buck, aged 93 years. She has left 11 children; 39 grand-children; 77 great grand-children; and 5 great-great-grand-children. Total 182.

In this city on Saturday last, James, infant son of Mr. Thomas Watts.

At Grimsby, on the 18th, Ann, eldest daughter of William Crooks, Esq. aged 6 years; 2 months, and 22 days.

On Monday the 8th Sept. Ann Willing, infant daughter of William Bingham, Esq. At Tarpout, Plymouth, on the 1st July, a penurious character named Hill, formerly a labourer in his Majesty's dock-yard. In his chest was found six guineas, forty half guineas, 100 sovereigns, £200 in notes, and two pounds in silver, with a receipt of £200 of Bank stock. To such an extreme had his avarice increased, that but for the attention of the people in the house, he would have starved himself to death.

On the 12th inst. Ambrose Morin Esq. Captain of Militia.

At Kingston, on the 23d inst. Frederick Wilhelm, youngest son of Adam Myers, Esq. At Carleton Island on the 11th inst. of Billious Fever, Margaret, the wife of Charles Smith, Esq. aged 35 years.

At Kingston, on the 15th inst. Mrs. Martha Blanchard, wife of Mr. Ephraim Blanchard, farmer, of Earnest Town, aged 56 years.

At Downing College (Cambridge) Edward Christian, Esq. Professor of the laws of England, and Chief Justice of the Isle of Ely. He was the learned Editor of the Blackstone's Commentaries.

In Europe, Prince Eugene Beauharnois, son-in-law of the late Emperor of France, brother of the wife of Louis Bonaparte, & father-in-law of the Crown Prince of Sweden. On the 21st ult. Jane Snell, daughter of James Williams, Esq. Post-Master of this city, aged 3 years and 9 months.

At Quebec, on the 26th ult. Mrs. J. Aurelia Mignaut, wife of Louis Lageuz, jr. Esq. In this city, on Saturday last, Mr. John Phelan, aged 23 years.

In Eaton, on the 11th inst. Mr. Chleb Sturwant, aged 64.

In the village of Sherbrooke, on the evening of the 17th inst. in a fit of Apoplexy, Gilbert Hyatt, Esq. aged 62 years.

At the Current St. Mary, on the 22d inst. John E. son of Mr. Oliver Waite, aged 6 ys.

At Schaughlicoke in the State of New York, on the 15th inst. in the 32d year of his age—Mr. George Reab, formerly keeper of the City Tavern, Montreal.

At Quebec, on the 11th inst. Mr. Pierre Lefrancois, Master Blacksmith of that town, aged 43 years and 6th Months.

On the 5th July, at Preston (England) aged 56, the Rev. John Harrison, Minister of Grimsburgh. His death was awfully sudden. He had just seated himself at his table, and taking up his pen to write, when he fell from his chair and instantly expired. He was preparing for the press an Explanatory Dictionary, and the last words he wrote were "*SUBPRENA—a Summons.*"

On the 24th inst. Herman, infant son of Mr. Aaron Wheeler, of St. Michel.

At Three Rivers, on the 20th inst. of a lingering illness, George, son of Mr. Richard Johnston, aged 21 years.

In Stanstead, on Saturday last, of a consumption, Mr. Cornelias Jones.

At Quebec, Louis Horatio Linere, youngest son of the Hon. T. P. J. Taschereau.

At Kingston, Jonas, son of Mr. Artemus Wilder, aged 15 years.

On the 9th inst. Isabella, daughter of Mr. A. H. Ogilvie of this city, aged 5 months.

DROWNED—At Fort Niagara, on the 2d inst. while bathing, Robert Davidson, a private of the 2d U. S. Regt. of Artillery—he was an Irishman by birth, and about 24 years of age.