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# COLONIAL PEARL.

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## SCENE WITH A PIRATE.

In about latitude twenty degrees, and longitude sixty degrees fifteen minutes, we were running along with a fine fresh breeze abeam, and all our weather studding-sails set. I was sitting alone in the cabin, ruminating upon the changes of scene and society into which I had been forced so contrary to my inclinations, and wondering whether the happiness of a quiet and domestic life was ever to fall to my lot, when the captain came down and told me that, as I was so fond of using my glass, there was a vessel just appearing on the horizon to windward, and that I might go and see what she was, for he could not make her out at all. I went on deck, and mounted into the maintop, and began my scrutiny. "Well, what is she?" asked the captain from the deck. "I can hardly make her out, but I think she is a schooner." "Ay—what's her course?" "South-west by south, I think; about the same as ourselves." I remained in the top for a few minutes, and continued looking at the stranger. "She seems fonder of the sea than I am," I continued, "for she might have her topsails and top-gallants, and studding-sails to boot, all set, instead of slipping along under her lower sails." The captain made no answer, but was looking hard at her with his eye. I now perceived through my glass a white speck above her foresail, flap, flapping against the mast. "Well, she must have heard me, for there goes her fore-topsail." The captain now went to the companion for his glass, and after looking attentively at her for a short time, "What's that?" he asked; "is that her square-sail she's setting? I can't very well see from the deck." I looked again: "Yes, 'tis her square-sail; as I'm alive, she's changed her course, and is bearing down upon us." But by this time the captain had mounted the rigging, and was standing beside me; he was eyeing the distant vessel keenly. After having apparently satisfied himself, he asked me to go with him to the cabin, as he wished to talk with me alone. We descended to the deck, and I followed him to the cabin. He motioned me to take a seat, and after carefully shutting the door, "I rather expect," said he, "that fellow's a pirate." "Pirate?" I asked in alarm. "Yes, I say pirate, and I'll tell you why. In the first place, you see, he'd no business to be sneaking along in that do little sort of a way, as when we first saw him; who ever, that had any honest business to do, would allow such a fine breeze to go by without showing more canvas than a powder-monkey's old breeches to catch it? Next, you see, what the mischief has he to do with us, that, as soon as he clapped eyes on us, he must alter his course, and be so anxious to get out his square-sail? Again, he looks just like one of those imps of mischief, with his low black hull and tall raking masts. But it's no use talking; I tell you he's a pirate, and that's as true as my name's Isaac Tuttle. And now the only thing is, what shall we do? The Patrick Henry ain't a Baltimore clipper, and that 'ere fellow will walk up to us like nothing. But I'll tell you what strikes me: If we let them rascals aboard, it's most likely we'll all walk the plank; so we'd better try to keep 'em out. We h'aint got but an old rusty carronade and two six-pounders, and I don't believe there's a ball on board, we came off in such a hurry. Then, there's two muskets and an old regulation rifle down in my state-room; but they h'aint been fired I don't know when, and I'd as lief stand afore 'em as behind 'em. But our ship's as handsome a looking craft as you'll see; and couldn't we look wicked-like now, and try to frighten that cut-throat looking rascal?"

I confess I was at first startled at the captain's opinion of the strange sail, and his reasoning left me hardly a hope that his judgment was incorrect; but his cool and collected manner impressed me with confidence in his management, and I told him he knew best what we should do, and I would second him as I best could. He walked up and down the cabin twice; then rubbing his hands together as if pleased with his own idea, "I have it," he cried; "I'll just go on deck to put things in order, and in the meantime you'd better amuse yourself looking out your pistols, if you have any; for if he won't be content with a look at us, we'll have to fight."

I hurriedly took my fowling-piece and pistols from their cases, for I fortunately had both; and though I somehow refused to allow myself to believe there would be any occasion for their use, yet I loaded them all with ball, and in each of the pistols put a brace; this done, I went on deck, where I found the captain surrounded by his crew, telling them his suspicions, and his plan of action. "But," said he, "maybe we'll have to fight; if them villains have a mind to try us, they'll send a boat on board, and I want to know if you'll help me to keep 'em off. You see it's most likely they'll make you walk the plank, whether you fight

or not, if they get on board; and I calculate, if you do just as I tell you, we'll frighten 'em." There was a hearty "Ay, ay, sir," to this short and pithy harangue. "Thankee, thankee, boys," said the captain; "now we'll not show another stitch of canvass, but seem to take no more notice of that fellow than if we didn't see him; and if he does try to come aboard, then we'll show 'em what we can do."

Our captain was about fifty years old, rather short and stout, but muscular; his face was bronzed with time and tempest, and his locks, which had once been black, were grizzled by the same causes. He was an old sailor and a staunch republican; and as some of his men told tales of fight in which their captain had borne a part, I presumed he had served, when a young man, in the navies of the States.

The crew were busy, in obedience to his orders, cutting up a spare foretop-gallant-mast into logs of about four feet long; these were immediately painted black, with a round spot in the centre of one end, so as to bear a tolerable resemblance to pieces of cannon, and, with two old six-pounders, were placed, one at each port, on our deck, five on a side; but the ports were to be kept closed until the captain gave the order to open them, then they were to be raised as quickly as possible, and the logs thrust out about a foot. A platform was then made on the top of the long-boat, which was fixed between the fore and main masts, and the carronade, or fourteen-pounder, was hoisted up. These things being arranged, the captain went below, and the crew mustered in knots, to wonder and talk of what was to be done.

In the meantime, we had been standing on our course, and had not shifted or hoisted a single sail, but were as if perfectly regardless of the schooner. Not so with her, however; for besides a large square-sail and square-topsail, on the foremast, she had run out small fore-topmast studding-sails, and onward she came, right before a pretty smart breeze, yawing from side to side, at one moment sinking stern foremost into the trough of the sea, as an enormous wave rolled out from under her, and at the next forced headlong onwards by its successor, while a broad white sheet of foam spread out around her, giving beautiful relief to the jet black colour of her hull, testifying how rapidly she was going through the water. I could not help thinking of the captain's expression, for she certainly did "walk up to us like nothing," and as there appeared to be not much time to lose, I went down to the cabin to assume my weapons. The captain was there arranging some papers, and a bottle was before him, into which he had put a letter. "Maybe," said he, "something 'll happen to me; for if them 'ere bloody pirates won't be cheated, I will be the first to suffer; and natural enough too, for all the mischief they'll suffer will be by my orders, just because I didn't like to be overhauled like an old tarpaulin by every rascal who chooses to say heave to, on the high seas. But never mind; only, should you escape, just drop the bottle and letter overboard, if you think you can't deliver it yourself."

Now, I had never seriously considered the probability that I might also be killed in an approaching melee, for I thought that the captain intended to throw open his ports and show his sham-guns, and that, of course, the schooner would take fright. But when he began to talk about death in such a serious strain, I began to feel very uncomfortable; and not being naturally a warrior, I wished myself anywhere else than on board the Patrick Henry. There I was, however, without a chance of escape; and I suggested to the captain that it would be as well for me to put a letter into the bottle also, in case of any accident to both of us, which was agreed to; and we arranged that if either survived and had the opportunity, the letter of the unfortunate should be safely forwarded to its destination. After this little piece of preparation, the captain took me by the hand. "'Tis well," said he; "are you willing to share with me the post of danger? Do not suppose I am unaccustomed to the perils of a sea-fight; no, young man; I've supported the glory of the thirteen stripes in many a gallant action, and have witnessed the death of those honoured and esteemed as the sons of liberty. Yet they were fighting for their country, and it was their duty to hold their lives cheap; but you are a passenger, and should be under my protection—yet I ask you to share my danger. I wish some one to stand by me on the platform, and help me to manage the swivel. Hands are scarce, and I don't know where else to place you." The hardy fellow's eyes glistened as he made the proposal, to which I, of course, instantly agreed. "Thankee, thankee," he replied, and relapsed into his former character. 'Twas strange; he had always appeared on board his vessel as a common Yankee captain, with little to say, and with a rough uncouth manner but little removed from his

men. Yet he at once, though evidently inadvertently, assumed the air and manner of a polished gentleman; and it certainly struck me that the latter character appeared more natural in him than the former. There was evidently a mystery about him, and I determined to find it out when more opportune circumstances should occur.

We went on deck, and the men were still hanging about waiting for the orders of the captain to make them start. These were soon given. The cooper and the carpenter were ordered to bring up all hatchets and other offensive and defensive weapons, and with the muskets and rifle they were distributed among the crew, who received their orders to use them in repelling any attempt to board.

The schooner had now come down within half a mile of us, when she suddenly took down her square-sail, and hauled her wind, to have a look at us. I dare say she did not know what to make of our seeming indifference. Presently a cloud of smoke burst from her side, and a ball came skipping over the water, and passed astern of us. "I thought so," said the captain; "now, lads, show her our stripes." A ball of bunting flew up to the end of our mizen peak, rested an instant, and fluttered out into the American ensign. The smoke drifted away from the schooner, and she ran up at her gaff the ensign of the Columbian republic. "That's 'ternally the way with them blackguards; they're always making a fool of some republic." Scarcely were the words out of his mouth, when another column of smoke burst from the schooner, and another ball came skip-skipping along towards us, but, catching a swell, it plunged in, and we saw no more of it.

"That fellow now, I take it, is a good shot, so we'll not wait for another. Clue up the mainsail, boys; haul aft the weather main-braces; clue up the foresail; luff her, man, luff her a little more—steady," burst from our captain's mouth: the orders were obeyed with the quickness of a well-disciplined crew, and our ship was hove to. "Now, my lads, take your stations, four to each port on the weather side, but do nothin' till I tell ye." The men took their stations, as directed, round each log on the weather side, and I followed the captain to the platform where our carronade was mounted. It was loaded to the muzzle with bits of iron, musket-balls, lumps of lead, and various other missiles, for the captain had conjectured truly—there were no balls on board. The schooner hove to, and a boat was lowered, and crowded with men. It approached rapidly, pulled by eight rowers. The muzzle of our carronade was depressed as much as possible, and made to bear on the water about fifty yards from the ship. The captain stood with his speaking-trumpet in one hand, and a handspike, with which he shifted the position of the gun as required, in the other. The schooner's boat approached, and was pulling rapidly to get alongside. "Now, sir, keep steady, and obey my orders coolly," said the captain, in an under tone. "Boy, fetch the iron that's heating in the galley—run." The boy ran, and returned with the iron rod heated at one end, which was handed to me.

"When I tell you to fire, fire, as you value your life and those on board." The captain now put his speaking-trumpet to his mouth, and hailed the boat, which was within a hundred yards of us. "Stop—no nearer, or I'll blow you all out of the water—keep off, keep off, or, I say, I'll—" At that instant the man at the bows of the boat, who appeared to take the command, gave an order, and a volley from several muskets was fired at us. I heard the balls hit about me, and turned to look for the captain to receive my order to fire. He was on one knee behind the cannon, and holding it by the breech. "Why, captain! what's the matter? are you hit?" he rallied. "Nothing—they're coming." He gave another hoist to the gun; cast his eye hurriedly along its barrel—"Fire, and be quick!" I needed not a second bidding, for the boat was close alongside. The smoke burst from the touch-hole with a hiss, and for an instant I thought the gun had missed fire, but in the next it exploded with a tremendous report, that deafened me. "Throw open your ports, boys, and show them your teeth," roared the captain through his trumpet, and his voice sounded hideously unnatural. In an instant every port was up, and our guns protruded their muzzles. I had fancied that I had heard a crash, followed by wild screams, immediately upon the discharge of the cannon; but the report had deafened me; and the smoke, which was driven back in my face, had so shrouded me, that I could not see; the unearthly shout of the captain had also for the moment driven the idea from my mind, and I now grasped my gun to repel boarders. But my hearing had not deceived me; for, as the smoke was borne away to leeward, the whole scene of destruction burst upon my sight. The cannon had been most truly pointed, and its contents had shivered the hapless boat, killing or wounding almost every person in her. The longest lifetime will

hardly efface that scene from my mind. The stern of the boat had been carried completely away, and it was sinking by the weight of the human beings that clung to it. As it gradually disappeared, the miserable wretches staggered forward to the bows, and with horrid screams and imprecations battled for a moment for what little support it might yield. The dead and the dying were floating and splashing around them, while a deep crimson tinge marked how fatal had been that discharge. Hopes were thrown over, and every thing done to save those that were not destroyed by the cannon-shot, but only three out of the boat's crew of twenty-four were saved; the greater part went down with the boat to which they clung.

The whole scene of destruction did not last ten minutes, and all was again quiet. The bodies of those who had been shot did not sink, but were driven by the wind and sea against the side of the ship. From some the blood was gently oozing, and floating around them; others stiff in the convulsion in which they had died, were grinning or frowning with horrible expression.

But where was the schooner? She lay for a few minutes after the destruction of her boat; and whether alarmed at our appearance, or horrified at the loss of so many of her men, I know not, but she slipped her foresail, and stood away as close to the wind as possible. We saw no more of her.

The excitement of the scenes we had just passed through, prevented our missing the captain; but so soon as the schooner bore away, all naturally expected his voice to give some order for getting again under weigh. But no order came. Where was he? The musket discharge from the boat, with the unearthly voice that conveyed the orders for the ports to be thrown open, flashed across my mind. I ran to the platform. The captain was there lying on his face beside the gun that he had pointed with such deadly effect. He still grasped the speaking-trumpet in his hand, and I shuddered as I beheld its mouth-piece covered with blood. "The captain's killed!" I cried, and stooped to raise him. "I believe I am," said he; "take me to the cabin." A dozen ready hands were stretched to receive him, and he was taken below, and carefully laid on a sofa. "Ay," he said, "I heard the crash; my ear knows too well the crash of shot against a plank to be mistaken, and my eye has pointed too many guns to miss its mark easily now. But tell me, is any one else hurt?" "No, thank heaven," I said; "and I hope you are not so badly hit." "Bad enough. But cut open my waistcoat—'tis here." A mouthful of blood stopped his utterance, but he pointed to his right side. I wiped his mouth, and we cut off his waistcoat as gently as possible. There was no blood; but on removing his shirt, we discovered, about three inches on the right of the pit of the stomach, a discoloured spot, about the size of half-a-crown, darkening towards its centre, where there was a small wound. A musket ball had struck him, and from there being no outward bleeding, I feared the worst. We dressed the wound as well as circumstances would permit; but externally it was trifling—the fatal wound was within. The unfortunate sufferer motioned for all to leave him but me; and calling me to his side, "I feel," said he, "that I am dying; the letter—promise me that you will get it forwarded—'tis to my poor widow. Well, I've tempted this death often and escaped, and 'tis hard to be struck by a villain's hand. But God's will be done." I promised that I would personally deliver the letter, for that I intended returning to New-York from Curacoa. "Thank you truly," said the dying man; "you will then see my Helen and my child, and can tell them that their unfortunate husband and father died thinking of them. This ship and cargo are mine, and will belong to my family. Stranger, I was not always what I now seem. But I could not bear that the Yankee skipper should be known as he who once—" A sudden flow of blood prevented his finishing the sentence. I tried to relieve him by a change of posture, but in vain; he muttered some incoherent sentences, by which his mind seemed to dwell upon former scenes of battle for the republic and of undeserved treatment. He rallied for one instant, and, with a blessing for his family, and the name of Helen on his lips, he ceased to breathe.

The body of our unfortunate captain was next day committed to the waves, amidst the tears of us all. Our voyage was prosecuted to an end without further interruption. I did not forget the wishes of the dying man; how faithfully I fulfilled them, and how I have been rewarded, or how satisfactory to me was the previous history of the poor captain, need not be told. Suffice it to say, that I am settled in Elm Cottage, Bloomingdale, and am the happiest son-in-law, husband, and father, in the United States.

To the Publisher of the Pearl.

Sir—Meeting recently with an article on the value of "Peat," and the attention of the public having been called to the improvement of Halifax Common, by a prize advertisement of the Mechanics' Institute, I am induced to enquire whether the Peat, which is, or has been, in course of digging and removing from the Common, might not be used on the neighbourhood with good effect. I do not wish to find fault unnecessarily, and perhaps I now write without sufficient knowledge, but it does appear strange that a quantity of stuff, valuable with a little preparation, as a manure, should be removed from a place already too low, and the first step to improve which would be a good thick top-dressing. The wisdom of excavating at all, except for deepening the stream-course, in the situation alluded to, has been much questioned, but as I am not aware of the plans of the Commissioners, perhaps what appears unpromising now may be turned to good account.

June, 1839.

OBSERVER.

The husband of Mrs. Sigourney, the poetess of America, recently sold his beautiful country seat near Hartford, Conn. The following lines were occasioned by her departure from it.

#### FAREWELL TO A RURAL RESIDENCE.

BY MRS. L. H. SIGOURNEY.

How beautiful it stands,  
Behind its elm tree's screen,  
With pure and Attic cornice crowned,  
All graceful and serene.  
Most sweet, yet sad, it is,  
Upon yon scene to gaze,  
And list its inborn melody,  
The voice of other days.

For there, as many a year,  
Its varied chart unrolled,  
I hid me in those quiet shades,  
And called the joys of old.  
I called them and they came,  
Where vernal buds appeared,  
Or where the vine-clad summer-bower,  
Its temple roof appeared.

Or where the o'erarching grove,  
Spread forth its copses green,  
While eye-bright, and ascepias reared,  
Their untrained stalks between—  
And the squirrel from the bough  
Its broken nuts let fall,  
And the merry, merry little birds,  
Sang at his festival.

Yon old forsaken nests,  
Returning spring shall cheer,  
And thence the unfledged robin send  
His greeting wild and clear,—  
And from yon clustering vine  
That wreathes the casement round,  
The humming bird's unresting wing  
Sent forth in whirring sound.—

And where alternate springs  
The lilac's purple spire,  
Fast by its snowy sister's side,  
Or where, with wings of fire,  
The kingly oriole glancing went  
Amid the foliage rare,  
Shall many a group of children tread,  
But mine will not be there.

Fain would I know what forms  
The nursery here shall keep:  
What mother in my nursery fair  
Rock her young babes to sleep;—  
Yet blessings on the hallowed spot,  
Though here no more I stray,  
And blessings on the stranger babes  
Who in those halls shall play.

Heaven Bless you too, my plants,  
And every parent-bird,  
That here, among the nested boughs,  
Above its young hath stirred,—  
I kiss your trunks ye ancient trees,  
That often o'er my head  
The blossoms of your flowery spring  
In fragrant showers have shed.

Thou too, of changeful mood,  
I thank thee sounding stream,  
That blent thine echo with my thought,  
Or woke my musing dream.  
I kneel upon the verdant turf,  
For sure my thanks are due,  
To moss cup, and to clover-leaf,  
That gave me draughts of dew.

To each perennial flower,  
Old tenants of the spot,  
The broad-leaved lily of the vale,  
And the meek forget-me-not—  
To every daisy's dappled brow,  
To every violet blue,  
Thanks!—thanks!—may each returning year  
Your changeless bloom renew.

Praise to our Father God—  
High praise in solemn lay—  
Alike for what his hand hath given,  
And what it takes away—  
And to some other loving heart  
May all this beauty be  
The dear retreat, the Eden-home,  
It long hath been to me.

For the Pearl.

#### QUACKERY A SCIENCE.

FREE TRANSLATION FROM THE ITALIAN OF GIUSEPPE DROGHIO.

People may be surprised, and particularly medical men, that Quackery should be viewed in the light of a science. But people do not always see things in their proper place or form. Hence it is that for so many eras of mankind Quackery has never been considered in the manner I now present it. Nor can I help thinking that considerable importance is due to the new views which are likely to arise out of the originality of this consideration. As I proceed philosophically I think the world will follow my argument with its approval.

Philosophers say that the elements of almost all our knowledge are afloat long before they are gathered into the order and arrangement of a science. Allowing this to be true the conclusion I draw is inevitable. Let us look around us and we perceive the wonder, the credulity, the faith,—the love of mystery, miracle, and humbug,—the prevalence of ignorance and prejudice that are afloat in the world: and these are the elements which when brought together and collated by observation and experiment may be rendered at any moment into the most fruitful form of science. Yet when the Quack passes by, will learned and honorable men call out "A Quack, a foul, conceited ignorant fellow—bah!" This is injudicious, this is culpable in learned and honorable men. How little they reflect when making so bold a charge, so loud an exclamation of contempt, that he on whom it is cast, is one, who, upon the very principles of Bacon himself, upon the principles of observation and experiment is a wise and acute philosopher! "I am a philosopher," says the Quack of himself, "and you, sir, who now consult me cannot doubt it—nay, sir, you believe me the first of philosophers, and mine the greatest of sciences." Here the Quack asserts his own rank, commands his own privileges, and places himself in his true position—and let Doctors say what they will, he is a philosopher in every sense of the word and as far as observation and experiment can make him one. He beholds around the mass of material which I have just mentioned, and which the Creator seems to have placed at his disposal—as manna on the trees of the desert it is abundant, and the heads of the populace are almost lost under its growth—in some places it spreads like a web of chick weed over the community, and its plastic virtues are such that I sometimes wonder that gentlemen professing education, training, and information, like our doctors, should reject the blessings which providence appears to have provided for them—house, and shop, practice and all, for a miserable pittance arising from what they term professional honor, professional qualification, professional conduct. Is this creditable of learned, clever, practical men? Does not the world look upon it with astonishment? For myself I stare at the idea! As I view it, they have mistaken the side of the carpet altogether—they have chosen the wrong side for their footing. The Quack is the man who sees it—he has turned the colour and the thread the right way and he moves smoothly. He is the real doctor—the real profession is his,—not theirs. It is he who should prosecute them for infringements of his province! It is he who should call them a parcel of vile nick-names; ignorant, self-conceited, blind boobies,—having neither observation, practise, or experience, or brains enough to gather the fruits which circumstances have cast at their feet.

In this light the Quack becomes a professor of undoubted authority and consequence—the profession of Quackery one of unquestionable reality and importance—and Quackery itself, as I have already stated, a bona fide Science. There is not a greater error in the whole circle of modern knowledge than that arising from the neglect of Quackery. In itself though powerfully great and conspicuous it has been so modest (pardon me, sir)—so modest, as to have never claimed for itself a school, college, or profession—for with remarkable humility it has hitherto confined itself entirely to persons who are merely professors! But these quick and clever men have discovered the wants of mankind—they have systematized its faults, failings, and ailments—they have appropriated remedies in all—they have administered with confidence to the longings and cravings of nature—they have glorious restoratives for weak bodies and weak minds—they reanimate the dying by exciting curiosity and confidence and hopes;—and when they fail to cure, there is always some kind loop hole about the doings of Providence which reconciles them to their failure—and the patient to his inevitably predestined fate.

The poor heart-broken victim of cancer—sinking under the hopeless, careless treatment of the regular physician—I mean one of those I have just shown to be on the wrong side of the carpet—worn down by pain, poverty, and despair, stimulated by hope, masters the last fraction to purchase that which can no where else be obtained—ease, sleep, and recovery,—the Quack is sent for—and he comes! His very first expression has filled the sinking soul with joy,—the forlorn wretch already thanks heaven for her deliverance—she pours a thousand blessings upon the head of her deliverer—her countenance, her language, her heart are all lighted up with rapture and hope—the torch of life once more begins to brighten before her:—for a while her sufferings have been rendered relief—she has smiled once more—and when she dies in a little while longer, yet she has had all this to boast of—she has

felt joy—hope, and she has wished for life;—she has cheated agony a while of its dessert—she had pure, unalloyed faith in the Quack—and as he cheers her to the last flickerings of hope—she tells him “that of course he cannot make us live for ever—and that we must all die sooner or later.” Can any arbitrator say that this is not a science of merit? The ignorant, the hopeless, the agonized one, was revived and comforted—for a time she was diverted, encouraged, and filled with joy—and purchased at last that which she most of all desired—“hope, sweet hope.”

The principles of the science of Quackery could do no more—the wretched was relieved for a time;—the wants of humbug, if you will, were supplied—respite was procured—the body reanimated—the mind elevated;—these demands were answered—and thus it is that not only the profession, but the empire, of the Quacks is maintained:—its foundations are broad as the nations of the earth, and wherever ignorance and prejudice prevail most, there will the success and usefulness of quacking be most experienced.

Long ago, Campion says, the Irish eat raw meat which they boiled in their stomachs with aqua vitæ—for this purpose it would be necessary for them to drink largely. Now will any philosopher say that it was of any consequence to them whether the aqua vitæ boiled the raw meat or not, provided they believed it performed the office of cooking. Surely they had a right to boil their meat as they liked in or out of their stomach; whilst it was well digested they had reason to be well pleased with the cooking;—if aqua vitæ supplied the want of a pot and fuel, they were satisfied, and the science of cooking was in the satisfaction!

To be continued.

#### A WARNING.

At a late hour on Friday night, a watchman met a man in the street, whose conduct betokened him a perfect maniac, and the watchman had him conveyed to the watch-house, where he said his name was ————. On Saturday morning he was brought before the magistrate, but was still so dreadfully affected with *delerium tremens*, or insanity in some other form, that it was found useless to ask him any questions, and he was sent back to prison.

In the course of the day a gentleman happened to see Z——'s name on the watch returns, and became curious to ascertain if he could be a person whom he had known under happier auspices. He accordingly went down to the cell, and at once satisfied himself that the unhappy lunatic was his former acquaintance. And now for a brief outline of his unfortunate career. Z—— is by birth an Irishman, and connected with some of the first families in England and Ireland. At an early period of life he entered Trinity College, Dublin, where he graduated, and after a most brilliant collegiate career, left it. He then became an *attache* to the then Bishop of Clougher, with the view of taking holy orders in the Established Church of England, in which, from his high connexions, he had good reason to expect a speedy promotion. The Bishop of Clougher having, however, been obliged to fly his country, Z—— changed his mind as to his future career, and obtained a commission in the English army. The regiment to which he was attached was sent to the Peninsula, and during a considerable part of the war the regiment was in active service, and he conducted himself so as to obtain the character of an excellent officer. When the war terminated, his regiment was disbanded, and he again turned himself to the church, and was ordained and became chaplain to a regiment. His regiment afterwards went to Canada, where he accompanied it, and there he imbibed those habits which have been his destruction. As is always the case, he did not become an habitual drunkard at once, but having on one or two occasions appeared publicly in a state of intoxication, he was obliged to relinquish his situation in the church. He then for a short time supported himself as a tutor, but his unfortunate habits soon deprived him of this resource. He next edited, and, we believe, first established a paper in Montreal, which has now a considerable circulation. From this situation, however, he was also soon driven by intemperance. He then came to New York, where he was employed as assistant editor to one of the morning papers, and proved himself a man of very superior talent. But his unrelenting enemy, alcohol, very soon left him again without employment, and after enduring extreme poverty for some time, he became clerk to one of the theatres. His habits now became worse than ever, and he was so seldom sober that he was soon turned away from the theatre, and found himself without any means of earning bread. In order to prevent himself starving, he was next obliged to become a mere menial drudge, and run of errands, or do any thing by which he could earn a shilling. He now seemed to have lost all recollection of what he had once been, or might still be if he could get rid of his miserable habit of intemperance, and he became a low drunken loafer, who would associate with any one or go any where to get a glass of grog. Alcohol was all he now cared for, and he was seldom or never sober. Such a career could not but soon close in death or insanity, and the latter has been the consequence in his case, and he is to be sent to the Lunatic Asylum. Thus, an accomplished scholar, possessing ta-

lents, of most respectable connexions, and who began the world with a brilliant prospect, and all the means of making a glorious career, has it cut short, while yet in the prime of life, by indulging in that most irrational of all sensual gratifications, Alcohol. And as if nothing should be wanting to render his fate melancholy and deplorable, he has left a young and interesting family, depending for their daily bread, on their own feeble and inefficient industry, or the world's cold charity.—*Jour. of Com.*

We know the individual mentioned in the above report from the Journal of Commerce, and know every thing that is said of him to be true. He is a man of fine talents and thorough education—not only connected with some of the “first families in England and Ireland,” but actually heir presumptive to a British peerage and a magnificent estate. Most melancholy is it to see the degradation of such a man. The insanity that is upon him, however, we trust is but temporary. It is, we doubt not, a delirium tremens, from which we hope he will recover, and make up his mind when he comes out of it, never again to touch or come within touching distance of intoxicating drink.—*N. Y. Gaz.*

#### BEWICK THE WOOD ENGRAVER.

This great artist, who is considered justly to be the father of modern wood engraving, is delightfully sketched off, by Audubon the ornithologist. The great naturalist was travelling in the north of England, several years ago, and soon after he had arrived in Newcastle, found a short note on his table, from the homely, kind hearted old artist, inviting him to visit him at his house.

“Having reached the dwelling of the engraver,” says Audubon, “I was at once shown into his workshop. There I met the old man, who, coming towards me, welcomed me with a hearty shake of the hand, and for a moment took off a cotton night-cap, somewhat soiled by the smoke of the place. He was a tall stout man, with a large head, and with eyes placed further apart than those of any other man that I have ever seen,—a perfect old Englishman, and though seventy-four years of age, full of life, active and prompt in his labors. Presently he proposed showing me the work he was at, and went on with his tools. It was a small vignette, cut on a block of box-wood, not more than three by two inches in surface, and represented a dog frightened at night, by what he fancied to be living objects, but which were actually roots and branches, of trees, rocks, and other objects, bearing the semblance of men. The curious piece of art, like all his work was exquisite.

“The old gentleman and I stuck to each other, he talking of my drawings, and I, of his woodcuts. Now and then he would take off his cap, and draw up his grey worsted stockings to his nether clothes; but whenever our conversation became animated, the replaced cap was left sticking as if by magic, to the hind part of his head, the neglected hose resumed their downward tendency, his fine eyes sparkled, and he delivered his sentiments with a freedom and vivacity, which afforded me great pleasure. He said that he had heard that my drawings had been exhibited in Liverpool, and felt great anxiety to see some of them, which he proposed to gratify by visiting me next morning, early, along with his daughter and a few friends. Recollecting at that moment, how desirous my sons, then in Kentucky, were to have a copy of his works, on Quadrupeds, I asked him where I could procure one, when he immediately answered, ‘here,’ and forthwith presented me with a beautiful set.

“Having been invited one evening soon after, to breakfast with Bewick at eight, I re-visited him at that same hour a few days after, and found the whole family so kind and attentive, that I felt quite at home. The good old gentleman after breakfast, soon betook himself to his labors, and began to show me, as he laughingly said, how easy it was to cut wood; but I soon saw that cutting wood in his style and manner, was no joke, although to him it seemed indeed easy. The delicate and beautiful tools, were all made by himself, and I may with truth say, that his shop was the only artist's ‘shop’ that I ever found perfectly clean and tidy.

“Another invitation having come from Gateshead to me, I found my good friend seated in his usual place. His countenance seemed to me, to beam with pleasure as he shook my hand. ‘I could not bear the idea,’ said he ‘of going off, without telling you, in written words, what I think of your Birds of America. Here it is in black and white, and make of it what use you may, if it be of use at all.’ I put the unsealed letter in my pocket, and we chatted on subjects connected with natural history. Now and then he would start and exclaim, ‘Oh that I were young again, I would go to America too. Hey, what a country it will be, Mr. Audubon.’ I retorted by exclaiming, ‘Hey, what a country it is already, Mr. Bewick!’ In the midst of our conversation on birds and other animals, he drank my health and the peace of all the world, and I returned the compliment.

“My opinion of this remarkable man is that he was partly a son of nature, to whom alone he owed, nearly all that characterized him as an artist and a man. Warm in his affections, of deep feeling, possessed of a vigorous imagination, with a correct and penetrating observation, he needed little extraneous aid to make him what he became, the first engraver on wood that England ever produced. Look at his tail pieces, reader, and say if

you ever saw so much life represented before, from the Glutton who precedes the Great Black-backed Gull, to the youngsters flying their kite; the disappointed sportsman who, by shooting a magpie, has lost a woodcock; the horse endeavouring to reach the water; the bull roaring near the stile, or the poor beggar attacked by the rich man's mastiff. As you turn each successive leaf, from beginning to end of his admirable books, scenes calculated to excite your admiration every where present themselves. Assuredly you will agree with me in thinking that in his peculiar path none has equalled him. There may be men now, or some may in after years appear, whose works may in some respects, rival or even excel his, but not the less must Thomas Bewick, of Newcastle-upon-Tyne, be considered in the art of engraving on wood, what Linnaeus will ever be in Natural History, though not the founder, yet the enlightened improver and illustrious promoter.

#### PHILOSOPHY AND RELIGION.

From an Inaugural Address of Mr. Frelinghuysen as Chancellor of the University of New York.

True philosophy is modest in its pretensions; and having ascertained the boundaries of science, is content to range within those limits.

It takes its seat amid the wonders of creation, and when approaching the line beyond which revelation will not conduct us, it checks investigation and is willing to be ignorant. But the restless spirit of bold inquiry and reckless speculation breaks over these confines, and would penetrate into regions that are purposely excluded from our search. The philosopher expects to be baffled in many of his investigations; conscious that the subjects with which he deals are the workmanship of an infinite mind, of Almighty power and perfect wisdom; he dares not pry beyond the open leaves, nor rejudge the counsels of Him who spake and it was done, who commanded and it stood fast.

Indeed, one of the best fruits of study is the conviction of our short-sightedness; how much there is to confound us even among the humblest works of the Creator. And this conviction has always been most decided in minds the best enlightened. They have approached the nearest to the limits that bound our investigations, and can therefore best realize the fathomless abysses that lie beyond. The man who rises in sublime speculations to the justest conceptions of God and his works, will always the most readily take the lowest seat at his footstool.

At this school Bacon, and Newton, and Locke, were learners; their path was traced by the good old rules of common sense, dealing with things as they ascertained them to exist. When reason fainted in the pursuit, faith sustained them. They reposed with pious confidence in the belief that He who hung out these worlds upon nothing, and has moved them ever since the creation to the exactest minute, that He who clothes the flower and arms the thunder, has done all things well. May philosophy, chastened by experience, resume her true position, and hold the light to realities; and bear it only as far as its rays can shed to illuminate, and no longer pervert her powers to bewilder and mislead.

Let it be our aim to spread with liberal hand the blessings of true science. It belongs to our seminaries to raise the standard of education; to illustrate its practical benefits, and to bring them within the reach of all the people, the humblest as the highest. While the heavens declare the glory of God—the mechanic and the sea-boy as well as the philosopher, may learn the laws by which He controls and governs those immense masses, and holds them in constant and harmonious revolution.

But education will fail to accomplish its best ends unless religious influence shall be mingled with intellectual cultivation. Man was created for more exalted purposes than merely to investigate the laws of the universe. His great career lies beyond time, and his endowments are adapted to his destiny. The mind and heart must be improved to glorify the Being who made him, or he violates the first law of his nature. Hence the discoveries of science, the lights of history and the deductions of philosophy should all connect themselves with God, to illustrate his wisdom and power and goodness. This the immortal Newton felt to be his true glory. It has been eloquently said of him by a kindred mind—“Mark where it is that a Newton finally reposes, after piercing the thickest veil that envelopes nature—grasping and arresting in their course, the most subtle of her elements and the swiftest—traversing the regions of boundless space, exploring worlds beyond the solar way, giving out the law which binds the universe in eternal order—he rests as by an inevitable necessity upon the contemplation of the great first cause, and holds it his highest glory to have made the evidence of His existence, and the dispensations of his power and of his wisdom, better understood by men. This is the noblest direction that can be given to our pursuits. It invests the researches of science with an interest and value that may be lasting as eternity. And we, who are born to die and to meet the realities that death will disclose, should earnestly heed whatever may enlighten us in the counsels of our Redeemer and Judge.

As the showers of spring are to summer flowers,—so frequently, are difficulties and trials to high intellectual efforts.

## RESTORATION OF THE JEWS.

We have been some time of the opinion that political events in the East were taking that direction, which, in the progress of time, and that at no remote period, would require the intervention of some new and powerful nation, to check the advance of Russia towards the Persian dominions—to protect the British possessions in India, and divert the current of trade through shorter and more direct channels—to interpose or mediate between the despotic and fierce conflicts now carrying on by the Sultan of Turkey and the Pacha of Egypt—to open the old ports on the Syrian coast of the Mediterranean, and revive their former commerce—to retrieve the long neglected agricultural districts of Syria—to adopt valuable and important projects of internal improvement, connecting the maritime ports with the embouchments of the Red Sea, by means of railroads over the level plains, improve the navigation of the Nile and the Euphrates, and infuse new energies into that once powerful and always deeply interesting country, by means of capital, protection, mild and equitable laws, and a just, liberal and tolerable government. To accomplish these important objects, the attention of all nations is about to be directed to the Jewish people.

The Holy Land, so called, or Syria proper, contains very little more than 50,000 square miles of tillable ground, part of which is mountainous, and part rich valleys, producing abundance of grain, vines, mulberries, fruits of all kinds, tobacco, olives, &c. &c., and can, if properly cultivated, supply two or three millions of people with grain and cattle. If the country is made to embrace, as it would be in time, the ancient Syria, which comprised Phœnicia, Palestine, Mesopotamia, Babylon and Assyria, a vast accession of territory would be thereby secured. The seaports, however, which are of the most importance, are but few in number, and possess but indifferent roadsteads. Alexandretta or Scuderoon, Tripoli, Bairout, Saida, Sur, Acre, and Jaffa. Sur, or Sour, was the ancient and celebrated Tyre,—a port which, with some expense and trouble, may be again made into a great commercial metropolis, being but eighty miles from Jerusalem; and Jaffa, a port capable of great improvement, being but thirty-four miles from the Holy City. Independent of the commerce and manufactures of that country, including silks and cotton stuffs, wool, leather, soap, arms, drugs, &c. &c., the great commercial advantages arising from Syria being in possession of an enterprising people, would be the adoption of a system of internal improvements, for the establishment of what is called the overland trade to India, or rather to save the delay and expense of doubling the Cape of Good Hope, by reviving the great ancient channel through the Red Sea. From the Mediterranean to Suez is but sixty miles, over an entire level country requiring no grading, and which by railroad may be reached in a few hours. From Suez to the Straits of Babelmandel down the Red Sea is but 1400 miles—the navigation of which can be rendered safe by new surveys, having Mocha and several other ports easy of access, and so into the Indian Ocean. The whole commerce of India, therefore, entering the Red Sea, can be conveyed by steam or tow boats in twelve days to Suez, and in one day by railroad to the Mediterranean, and by steam to England in twenty-five days, making the trip from Bombay to England by sea in forty-five days, and to Italy and France in thirty-five. This rapidity of communication established and maintained by a commercial and enterprising people, would secure the possessions of England, and at the same time greatly reduce the expense of vast armies, now deemed indispensable. The revival of trade from the opening of the Syrian ports would greatly benefit the commerce of France; while the Sultan on the one side, and the Pacha of Egypt on the other, animated by these new enterprises, would unite their energies and resources in carrying out the march of civilization in European and Asiatic Turkey. Such are the political considerations and projects of immediate interest, which would justify the two great maritime powers of Europe, England and France, in taking measures to effect the sale of that territory to the Jews, and securing to them by treaty the occupancy and peaceful possession of their ancient heritage.

In the formation of new communities, and the organization of new governments, many years must elapse before society can be modelled on pure principles, and men of character and talent brought into the administration of public affairs. This, however, does not apply to the Jews. Cut off as they have been for so many centuries, from the administration of government, and scattered in every region throughout the world, when the trumpet is again heard on Zion, no wild, savage, or reckless body of men, will assemble in the city of David. Europe and Asia will send forth from this people, a most powerful confederacy of eminent men,—combining more wealth, learning, character, sagacity, and enterprise than any nation on the face of the earth. The materials of a first rate army, in officers and men, from every part of the continent; statesmen, politicians, and capitalists from England; artists and men of science from France and Italy; eminent physicians, theologians, doctors of laws, professors, artizans, and manufacturers, from Holland and Germany,—and agriculturists from Poland, the Ukraine, Wallachia, the Danube, and the Dnieper. Every occupation and pursuit, together with intelligent and enterprising merchants, and immense pecuniary resources, can, and will no doubt be brought to bear on the reorganization of the Jewish government. All may not go to the promised land; all may not

wish to go, or may not have the will or power to go; but all will feel an interest in contributing their portion to the restoration of Israel, all will rejoice wherever they may be located, at hearing that the flag of their country once more floats on the walls of Jerusalem.

But how is this great and desirable event to be brought about? We answer at once, not by the Jews but by the Christian powers. The learned, and particularly pious Jews, deem it sinful to anticipate the period by any movement of their own, when it shall please the Almighty to fulfil his promises of restoration; they rely on miracles, probably without reflecting that God works by human agents, that he disposes of events, and inclines the hearts of men to certain actions, which, when taken up and carried out in their proper spirit, work the very miracles long promised and most desirable. Christianity has almost exhausted its resources in seeking for good objects in carrying out the principles of faith, and yet the eye has not been directed to the remnant of Israel—the favoured people of Almighty God—the nation that stands like a lofty pillar amid the ruins of empires.

Let the restoration be made through the influence and exertions of Christians, and the first great step will have been taken to show what is meant by “the fullness of the Gentiles,” and time will accomplish all that is desired. Were there no other great consideration in this restoration, it would be justified by the march of civilization, arts, letters, science, and good government, which would triumph where now all is barren and despotic.—*New York Star.*

## THE DAYS OF CHIVALRY.

How joyous were those olden times,  
When Troubadours from far off climes,  
With gay guitar did rove;  
Then, every warlike chief, possess'd  
A bard to cheer him at the feast,  
With songs of war or love.

What bright rewards, from brighter eyes,  
Have gallant Knights in minstrel guise  
Received from ‘ladye fayre,’  
How wild their lays, and romaunts fine,  
Of Christian Knights in Palestine,  
Who Paynim hordes did dare.

At Tournaments, our barons bold,  
Or Jousts, would oft in days of old,  
Their skill in arms display;  
The prize bestow'd by beauty's queen,  
On him who through the sports had been  
The victor of the day.

Then as he rode the lists around,  
His courser proud, to trumpet's sound,  
Would gay curvet and prance;  
Some 'broidered scarf, or tiny glove,  
The gift of his own 'ladye love,'  
Forth fluttered from his lance.

Brave Knights would lie by moonlight bright,  
Beneath their ladye's lattice-height,  
Their love to tell in song;  
Then forth her beauteous form she'd bend,  
And vows of love on zephyrs send—  
Ah, me! these days are gone.

## THE FACTORY CHILD.

From a work publishing in England entitled “Heads of the People.”

Yes, our little factory girl is nine years old: she is no longer a child; she is a dwarfed woman. Her infancy was passed in pining pining want; from the first, almost an untended thing, left days and days alone, the mother denied the enjoyment of maternal sympathies by sharpest penury (the fiend that, at the hearths of the poor, now chills, now blights, and now makes stony hard the human heart), by keen necessity of out-door toil for the infant mouth at home. Heaven knows how the child learned to walk! A short time, and another baby engrosses the few hours (nay, half-hours) stolen from work to lavish on the last-born;—and then, another helpless squallid thing;—and then another; and then our little factory girl becomes a nurse, and, at six years old, hugs in her lean arms her half-naked, tattered, and brother. She has not strength to carry him, mangle as he is, but shuffles and stumbles with him along the street; and now she sits in door-ways; and now in lanes and alleys her infant mind receives the seeds of future things: if things of goodness, a blessed chance; if otherwise, the unthinking virtuous throw up their eyes, and marvel at the wrong! And thus the child passes the first nine years of infant life. What an infancy! Lean and withered, and care-worn (yes, care-worn! her baby countenance made dull and colourless by the miserable aspects every where surrounding her), she seems as if she had never been younger; nay, more, that years could hardly make her look more old, there is within her face of babyhood so deep a stamp of sad maturity. All the better yearnings of the heart,—the peace, the

sportiveness, born and abounding at the hearths of competence,—what has she known of these? Life to her has been a joyless, self-fish, hungry, peevish thing. Her home has been the home of grinding want: at her fireside, man, the lord of creation, has been a serf to the lowest necessities, and not always a silent and unrequiting one. How often is the brutal husband and the reckless father, the horrid handiwork of misery alone! Of all the violence, the cruelty, inflicted on each other by the miserable poor, how much of it is but the wild outburst of intolerable self-sufferings! And our little factory-girl has seen this: and the shadow of the evil has fallen upon her face.

Let us, however, accompany the child to the factory. What a bitter season! How the wind howls—with what a dash the sleet is flung against the windows! The earth is frozen hard as iron, and the wind cuts blindingly; snow is on the ground. It is five o'clock on a January morning. The child is up, and with its scanty covering pulled about it, descends shivering to the street. Poor little wench! her blood is frozen under her very finger nails. Her foot too is galled with a nasty chilblain, and she limps most painfully. Her father, bound to the same factory, lifts her upon his back, and, checking an oath, groans from between his teeth. The girl is nine years old! and, half-clad, in a desolating January morning, is carried—through cold and darkness carried—to work!

The girl is now in the factory. From this moment her childhood utterly ceases; she is bondswoman to all the cares of mature life. Nine hours per day is her allotted time for work; the remainder of the twenty-four to be passed—in what? in the sports of youth? in the happy, artless recreation of children, to whom even the consciousness of existence is at times a source of the keenest pleasure? An hour and a half is given to breakfast and dinner; and when we remember the wages earned by the factory girl, sometimes as much as four-and-sixpence per week, and the costliness of the luxury of bread, an hour and a half for two meals is surely time sufficient: they might, we have no doubt, be eaten—aye, both—in half the allotted time. There yet remains many hours—hours for what? For the merest rudiments of education? After nine hours unceasing labour in the cotton factory how elastic the mind! how apt for instruction! how strong to pore over a book! how fitted to receive any impressions that shall raise its possessor a degree above the beast! The factory girl returns home, and what can she do but sleep? What should she do but seek oblivion from the noise, the racking noise of engines, the hell of sounds, which she has all day suffered? Who would keep her one half-hour from her miserable bed? Who would lessen the blessings of sleep, since sleep may sometimes bring to her at least dreams of quiet, visions of happiness? What to her is reading and writing? let her quaff forgetfulness.

If ever angels weep, it must be when, surveying the wickedness, the craft, the meanness, the hypocrisy, and tyranny of the earth below, they cast their regards upon the factory infants; hapless little ones; children without childhood; poor, diminutive Adams of nine years old, earning their loaf in the sweat of their baby faces.

To proceed with the destiny of our factory child, no longer a thing of infancy. A very, very few years passed over her head, and at sixteen, at most, she is probably a wife: her husband, it may be, almost a year older than his spouse. Here is the history of her father and mother acted over again by her miserable help-mate and herself: a generation of the same puny, stunted race; the same supply of infant bones and sinews for the Moloch engine; the same privations; the same weariness and hopelessness of condition;—again, the same early wedlock; again, the same weak and palid progeny.—*Douglas Jerrold.*

WISDOM AND EXPERIENCE.—“When I was a young man,” says John Wesley, “I was sure of every thing; but in a few years, finding myself mistaken in a thousand instances, I became not half so sure of most things as before. A process something like this operates upon every rational being; and hence it is, that as a man grows older, he becomes less violent and dogmatical in politics, and every thing else; not that he is less ardently attached to the cause of truth, but because he has discovered that he has often mistaken falsehood for truth, and because he has learned to be more moderate in his expectations of unattainable perfection than he was in the enthusiasm of youth.”

It is the prerogative of Genius to confer a measure of itself upon inferior intelligences. In reading the works of Milton, Bacon, and Newton, thoughts greater than the growth of our minds are transplanted into them; and feelings more profound, sublime, or comprehensive, are insinuated amidst our ordinary train; while in the eloquence with which they are clothed, we learn a new language, worthy of the new ideas created in us. Of how much more pure and exalted enjoyment is he ignorant, who never entertained, as angels, the bright emanations of loftier intellects than his own? By habitual communication with superior spirits, we not only are enabled to think their thoughts, speak their dialect, feel their emotions, but our own thoughts are refined, our scanty language is enriched, our common feelings are elevated; and though we may never attain their standard, yet, by keeping company with them, we shall rise above our own; as trees, growing in the society of a forest, are said to draw each other up into shapely and stately pro-

portion, while field and hedge-row stragglers, exposed to all weathers, never reach their full stature, luxuriance or beauty.—*James Montgomery.*

## COURTSHIP.

"Oh Laura! will nothing I bring thee  
E'er soften those looks of disdain?  
Are the songs of affection I sing thee  
All doom'd to be sung thee in vain?  
I offer thee, fairest and dearest,  
A treasure the richest I'm worth;  
I offer thee, Love, the sincerest,  
The warmest e'er glow'd upon earth!"  
But the maiden, a haughty look flinging,  
Said, "Cease my compassion to move;  
For I'm not very partial to singing;  
And they're poor whose sole treasure is love!"

"My name will be sounded in story;  
I offer thee, dearest, my Name:  
I have fought in the proud field of glory!  
Oh Laura come share in my fame!  
I bring thee a soul that adores thee,  
And loves thee wherever thou art,  
Which thrills as its tribute it brings thee  
Of tenderness fresh from the heart."  
But the maiden said, "Cease to importune;  
Give Cupid the use of his wings;  
Ah, Fame's but a pitiful fortune—  
And hearts are such valueless things!"

"Oh Laura, forgive, if I've spoken  
Too boldly!—nay, turn not away—  
For my heart with affliction is broken—  
My uncle died only to-day!  
My uncle, the nabob—who tended  
My youth with affectionate care,  
My manhood who kindly befriended—  
Has—died—and—has—left me—his—Heir!"  
And the maiden said, "Weep not, sincerest!  
My heart has been your's all along:  
Oh! hearts are of treasures the dearest—  
Do, Edward, go on with your song."

*Thomas Moore.*

## THE WITNESS-BOX.

BY T. S. FAY.

The nominal purpose of a court of justice is to seek the truth; but I question whether the truth is ever in other places more attacked, sneered at, brow-beaten, ridiculed, and put out of countenance. It is the truth which every one in his turn finds it his interest to conceal. It is truth that every one is afraid of. Even the party most unequivocally in the right is anxious to exclude the truth from the other side, lest it may seem to contradict his own; and all the lawyers, and even the judge, seem as much on the watch to stop the witness's mouth every two minutes as they have been to make him come there to open it. To me, one of the most ridiculous things in the world is a witness in the box, trying (poor fellow!) to give in his testimony. He is, we will suppose, not in the slightest degree interested in either of the parties, and doubtless, wishes them both tied together by the neck, or at the bottom of the Thames. He comes into court not voluntarily, but dragged if he resists, by two or three scowling ministers of the law, who, from the mere fact of his being presumed to know something about the pending suit, think themselves entitled to treat him as if he had been brought up for robbing a hen-roost. He is forced from his business or his amusements for the purpose of speaking the truth, and he inwardly resolves to tell the whole story as soon as possible, and get rid of the business. He thinks he knows the worst. He thinks the loss of time, and the awkwardness of speaking for the first time of his life in public, are the extent of his sufferings. Unsuspecting victim! He no sooner enters the box than he finds himself at once the centre of a circle of enemies, and holding a position not greatly unlike that of a prisoner in an Indian war dance. He tries to tell his story.

Witness—I was going down Maiden-lane—

Mr. Sergeant Bowwow—Stop, Sir.

Counsellor Botherall—Don't interrupt the witness.

Counsellor Badger—The witness is ours.

Counsellor Bluster (fiercely and indignantly)—We want the fact.

Judge—Let the witness tell his story.

Witness—I was going down Maiden-lane, where I live—

Bowwow—We don't want to know where you live, Sir.

Botherrall—That is a part of his testimony.

Badger—You can take the witness into your own hands when we have done with him; at present he is ours.

Bluster (sarcastically)—Very well, Sir.

Judge—Gentlemen, I beg you will sit down.

One of the Aldermen—Officer, keep order.

Officer (in a tone of thunder, and with a scowl of more than

oriental despotism upon the spectators, who are not making any noise that they are aware of.)—Silence!

Witness—I was going down Maiden-lane, where I reside, as I said before, when—

Bowwow—You don't come here, Sir, to repeat what you said before.

Botherrall—I beg—

Badger (starting to his feet)—I demand—

Bluster—My Lord, I appeal to you to protect me from the impertinence of this witness.

All the Counsellors and Judge together—The witness must—

Officer (looking at the audience again, and in a voice of thunder)—Silence!

Judge—Gentlemen, it seems to me that the best way to come at the truth is to let the witness go on, and I will call him to order if he wanders from his duty.—Witness!

Witness—My Lord.

Judge—Tell the plain fact of this assault—tell the jury what you know about it. Remember you are here to speak the truth, the whole truth, and nothing but the truth. Raise your voice, and turn your face to the jury. What do you know of this affair?

Again the witness commences, the lawyers continuing to skirmish around him all the while, like a parcel of wild Arabs fighting for the clothes of some unhappy prisoner. So far from getting a chance to say the truth, the poor man cannot get a chance to say anything. At length, bewildered out of his recollection—frightened, insulted, and indignant—however really desirous of telling the truth, he stumbles upon some inconsistency; some trifling, or not trifling paradox—accounted for at once, and to every one's entire satisfaction, by the idea that he has forgotten. But then comes the cross-examination; then the scientific artillery of a cool, able lawyer, sharpened by thirty years of similar practices, is brought to bear upon one trembling, and already nervous stranger—perhaps ignorant, perhaps a boy. Then comes the laugh of judge and jury, the murmur of astonishment from the crowd, that a person could be found base and degraded enough to say that "the defendant wore a little-rimmed hat," when he acknowledged, subsequently, of his guard, that the hat had a "tolerably large rim." Then the poor fellow, sore all over, and not quite sure that he will not be sent to prison and hard labour, for perjury, before the week has rolled away, although he is the only person in the court who does not in a greater or less degree merit that punishment, is dismissed to a bench a few yards off, where he is obliged to remain to hear the lawyers, in their address to the jury, tear his character to pieces with fine turns of rhetoric, and yet finer gesticulations.

"What, gentlemen of the jury," says Mr. Sergeant Bowwow, in a tone of the deepest contempt, "what does the next witness, this Mr. John Raw say? Gentlemen, he comes forward under the most peculiar circumstances. A dark mystery shrouds his motives, which I shall not endeavor to dissolve; but he comes forward, and takes his place in that witness-box with the open, the avowed, the undisguised, the unaffected, the determined resolution to fix upon my client, the injured Mr. Savage, this foul and unnatural assault and battery. You saw him, gentlemen, when I cross-examined him, tremble under my eye—you saw him hesitate and turn pale at my voice." (Sergeant Bowwow, very probably, has a voice that would intimidate a bear.) "You heard him stammer and take back his words, and say he did 'not recollect.' Is this, gentlemen of the jury, an honest witness? The language of truth is plain and simple; it requires no previous calculation. If I ask you if you saw the sun to-day, you answer yes or no; you do not hesitate, you do not tremble. You do not say, 'yes I did,' and in the very next breath, 'no, I did not.' You do not first tell me, 'I walked ten miles yesterday,' and afterwards say, 'yesterday I was all day ill in bed.'"

(Here one of the jurors puts his nose by that of another, and utters something in approbation of this argument, and the other one nods his head, and looks at the speaker, as much as to say, "there is no use in trying to elude the sagacity of the keen-sighted lawyer. The witness had much better told the truth.")

"Now, gentlemen, what does this witness say? He commenced, by telling you, gentlemen, that he lived in Maiden-lane, that he was going home on the day when this ridiculous and unnatural assault is said to have taken place; that he saw a crowd; that he approached; that he saw Mr. Savage, my client, the defendant in this action, come up to the plaintiff, Mr. Wiggins, and give him, Wiggins, the said plaintiff, a blow with a bludgeon. But, gentlemen, when I came to sift this plausible story, you heard him equivocate, and contradict himself. 'What sort of a hat had Mr. Savage on?' A black one! 'Of what breadth was the rim?' 'About an inch.' He thought, doubtless, he was to have every thing his own way, till I brought into the witness-box to confront him the hatter who made and sold the hat, and who proves to you that the rim was broad. You cannot morally doubt that the hat worn on that day by Savage was a broad-brimmed hat; all the witnesses for the defendant swear it, and even Mr. John Raw himself, when closely questioned, acknowledged that it might have been a broad-brimmed hat. Next, gentlemen, the pantaloons. 'What color were Mr. Savage's pantaloons?' 'Black,' said this Mr. John Raw. Gentlemen, I have produced these pantaloons in court. They have been identified beyond the possibi-

lity of doubt. What was the result? You saw yourselves, gentlemen, the pantaloons were pepper and salt."

A cry of admiration throughout the court. The officer cries order.

The poor witness unfortunately occupies a conspicuous seat, and all eyes are fixed upon him with the most virtuous indignation.

"Furthermore, gentlemen, I asked this witness to describe the bludgeon. He could not. 'Had it ivory or gold on the handle?' He could not tell. 'Was there a ferrule upon the end?' Did not know. 'Was it heavy?' 'Yes.' 'Had he ever handled it?' 'No.' (Another buzz of admiration.) 'Was he personally acquainted with Mr. Savage?' 'No.' 'Had he ever seen him before?' 'No.' 'Since?' 'No.' 'Could he tell whether he had an aquiline nose or not?' 'No.' 'Was he not a friend of Mr. Wiggins's?' 'Yes.' 'Had he not expressed an opinion upon this case?' 'Yes; he had said the scoundrel ought to have been ashamed of himself.' 'Was Mr. Wiggins's hat knocked off?' 'No.' But, before he left the witness-box, he said he saw the blood on the top of the plaintiff's head. How could he see the top of his head unless the hat had been knocked off?"

Another buzz. The witness here rose and said, "Mr. Wiggins took it off to show me."

Officer—Silence there!

Judge—Witness, you must not interrupt the counsel. You have had the opportunity of saying whatever you pleased. If you are again guilty of so great an indecorum, I shall be obliged to commit you.

Witness stands stupid.

Officer—Sit down! (in a tone of indignant command.) Witness sits down. Officer scowls at him as if he would snap his head off.

I shall not follow the learned gentleman further. I only appeal to every witness that has ever been brought into a court of justice, whether he has not found it often the most difficult place in the world to tell the truth in, and whether, when the truth was at length told, there ever were so many attempts made to mystify it? Whether so much of what every one present knew in his heart to be the truth, could any where else be so deliberately rejected, and whether, when this poor, belaboured, mutilated, unhappy truth, so much demanded, was at length produced, it did not have such an aspect, so disguised that its own mother might not have known it!—*Bentley's Miscellany.*

*Could Archimedes have lifted the World with a lever if he had had a fulcrum to rest it upon?*

In reality Archimedes would have had no difficulty in moving the world could he have brought his lever to bear upon it. It rests upon nothing, is suspended upon nothing, rubs against nothing, and floats in space without being buoyed up. These were not, however, the ideas entertained by Archimedes on the subject. His conception of the matter evidently was, that the huge mass of the earth rested upon some other mass based in the infinities of space, towards which other mass it gravitated as does a stone or rock to the mass of the earth; and the question which presented itself to his mind was, what, on this supposition, would supply a sufficient force to lift up and overthrow it. This sufficient force he found in his lever, his own arm moving it. "Give me," said he, "a place where I may stand, and I will move the world." The principle on which his conclusion was founded was undeniable; the calculation was perfectly correct; but one element was probably omitted from it, it was the time requisite to give so huge a mass any appreciable motion by means of a lever, which should move it with so small a force as that which the arm of Archimedes could supply.

Taking the diameter of the earth at 7993 miles, the number of cubic feet in it may be calculated to be 38,434,476,262,823,706,280,000: and assuming each cubic foot to weigh 300 pounds, which has been assumed as a probable amount, we shall have for the weight of the earth, in pounds, the number 11,530,342,829,148,611,584,000,000. Now, supposing Archimedes to act at the end of his lever with a force of 30 pounds, one arm of it must be 384,344,762,638,287,052,800,000 times longer than the other, that he may move this mass with it. And, one arm of the lever being this number of times longer than the other, when it was made to turn its fulcrum, the end of that longer arm must move exactly this number of times faster, or farther, than the end of the other: so that, whilst the end of the shorter arm was moving one inch, the end of the longer arm must move 384,344,762,638,287,052,800,000 inches; and conversely, when Archimedes had made the end of the lever to which he applied his arm move this immense number of inches, he would only have prised up the earth, to which the other end was applied, one inch.

Now, a man pulling with a force of 30 pounds, and moving the object which he pulls at the rate of 10,000 feet an hour, can work continually for from eight to ten hours a day, and this is all that he can accomplish. Each day, then Archimedes could, at the utmost, move his end of his lever 100,000 feet, or 1,200,000 inches; and hence it may thus readily be calculated, that to move it 384,344,762,638,287,052,800,000 inches, or to move the other end—that is, the earth—one inch, would require the continual labor of Archimedes for 3,774,994,590,737 centuries.

## THE PEARL.

HALIFAX, FRIDAY EVENING, JULY 12, 1839.

## LATE ITEMS, BRITISH, FOREIGN AND DOMESTIC.

The British Packet, *Mutine*, 29 days from Falmouth, arrived since our last, bringing London dates to June 6 and Falmouth June 8th. The Eastern Mail which arrived on Tuesday forenoon, however, brought intelligence, by way of New York, to the 13th from London. These dates were conveyed by the Liverpool Steamer, 17 days, from Liverpool to New York.

**BRITISH.**—The Queen Dowager had returned to England, and had been received with demonstrations of great respect.

Mr. Abercrombie had retired from the speakership of the House of Commons, and had been created a Peer under the title of Baron Dumfries, in the county of Fife. The candidates for the Speaker's chair were, Mr. Shaw Lefevre, Whig, and Mr. Goulbourne, Sir R. Peel's nominee. Mr. Lefevre was elected by a majority of 18.

The Canada question was before Parliament. Lord John Russell proposed two resolutions on the subject, to the following effect: That it is expedient to form a legislative union of the Provinces of Upper and Lower Canada, on the principle of free and representative government. That it is expedient to continue the powers now vested in the Governor and Council until 1842, with such alterations in those powers as may be deemed advisable. It does not appear that these propositions have fully satisfied any party.

The Chartists appear to be more temperate than at previous accounts. They continue to hold meetings which are attended by great numbers. Mr. O'Connell addressed the Birmingham Chartists, endeavouring to induce the more temperate to recede from the more violent, and proposing that a new association should be formed, whose objects should be, Household suffrage, including, it would appear, all who pay rent, whether occupiers of entire houses or lodgers,—the Ballot,—Triennial Parliaments,—the abolition of the Property qualification,—and the arrangement of Electoral districts of equal population, nearly as possible.

Mr. Rice gave notice that he would submit a resolution, providing for the reduction of the postage of all letters to the sum of one penny, on condition that the House would make good any deficiency which might occur by the alteration.

Rumours were in circulation that Parliament would be dissolved in the course of a few days.

The Bill providing for the temporary government of Jamaica, had been abandoned by Ministers, and another Bill, by way of substitute, had been introduced. This Bill is intended to give the Assembly of the Island an opportunity of proceedings in its functions, and carrying out the views of government, in which case the powers of legislation are to remain as they are.

Irish papers assert that the Queen will visit Ireland during August next.

The report of the Committee of the Halifax Society for the promotion of Trade and Manufactures, and the report of the Halifax Agricultural Society, have been republished in the London Colonial Gazette.

The affair of the French gun brig firing into the Meden, had caused enquiries and explanations in the House of Lords.

The conduct of Col. Prince in U. Canada, in putting four prisoners to death without trial, had caused remarks in the House of Lords. Lord Brougham spoke with much warmth in condemnation of the act. The Duke of Wellington expressed regret, but stated in palliation the circumstances of Canada at the time, and the difficulty which was always experienced in managing a "volunteer" force.

The British government was interposing to procure an accommodation of the quarrel between France and Buenos Ayres.

The Standard says that £70,000 have been voted for the erection of new stables at Windsor.

Government had proposed a system of National Education, which met with much opposition on account of regulations respecting Bible lessons. Opponents thought that too much latitude was given in this particular. Lord John Russell, it appears, intimated an intention of withdrawing the plan proposed.

Mr. Macaulay has been elected a member of Parliament for Edinburgh. The other candidate was Mr. Sharman Crawford. Mr. Macaulay's speech on the occasion is spoken of as one of the most brilliant ever made in England.

A dreadful occurrence took place at Woolwich, on June 5. Sergeant Major Shephard of the 2d Royal Artillery, was shot on parade, by one of the gunners, for some supposed offence. The corps in barrack subscribed a day's pay to the relief of the widow and children of the unfortunate man. Sergt. Major Shephard was well known by many in Halifax, whose respect he secured while on duty here some years ago.

**FOREIGN.**—War, it is thought, has commenced between the forces of Turkey and Egypt. This has engaged the attention of

Russia and France. The object of the former, it appears, is the assistance of Turkey,—of the latter, to prevent the spread of hostilities.

Five Cossack squadrons had deserted the Russian service, and gone over to the Circassians.

Ripool in Catalonia, (Spain) had been taken by the Carlists, and had been burnt under circumstances of great atrocity. 900 persons, it is said, perished in the flames! The garrison made a desperate resistance, but was overpowered.

Indications of other insurrectionary movements had been discovered at Avignon, France.

The crops throughout the north of Germany promise abundantly.

A company, it is asserted, has made arrangements respecting a regular steam communication between Antwerp and New York.

The Mexican government had organised an army for the recovery of Texas.

**U. STATES.**—Some members of the Mormon sect, are making appeals to the Northern states, respecting the persecution which their brethren have suffered. Extreme and unprovoked cruelty is charged against their assailants.

Subsequent to McKenzie's conviction for brigand attempts on the Canadian territory, G. W. Chase was tried and convicted for a similar offence. He was sentenced to a fine of \$20 and one year's imprisonment in the county gaol. The place of trial was Canadaigua, N. Y.

New York papers give the particulars of a fire which commenced in a shed in Canal street and spread, destroying about twenty houses, and the Church of the Ascension.

About sixty buildings were destroyed by fire at Eastport, on the night of July 5. Loss estimated at \$200,000. (This intelligence comes by way of St. John, N. B.)

**COLONIAL.**—A History of the early and present state of Montreal, has been published, and is said to be a respectable work.

A monument to the memory of Lieutenant Weir, has been received in Montreal, and is to be erected in one of the churches of that city. The monument is of white and dove colored marble, executed by Westmacott.

A piece of plate called the Wetherall testimonial had arrived at Montreal, and is to be presented to Col. Wetherall, as a mark of esteem and gratitude, from the loyalists of Montreal.

A whale was taken on the coast of Bermuda, on the 21st May.

**NOVA SCOTIA.**—The trade of Pictou is thus estimated by the Pictou Observer: Entered inward, during the month ending June 22,---29 vessels, 18,081 tons;---outward, same period,---75,---10,530 tons. New shipping registered for same period 2,137 tons, valued at £140,000. The trade is chiefly in timber and coals.

**MELANCHOLY ACCIDENT.**—On Sunday last, as two daughters of Mr. Duncan Campbell, West Branch, River John, were ambling themselves by floating on small rafts of boards, on a lake behind their father's house, one of them, while in the act of leaping from one raft to the other, slipped into the water, carrying her sister along with her in her fall. The only witness of this accident was a little girl, their sister, who ran for assistance to the next house, but it was too late: by the time it arrived they were both beyond the reach of aid! The young women were respectively 19 and 21 years of age.—*Pictou Observer.*

A meeting was held at Mason Hall, Halifax, on Monday evening, for the purpose of considering of a suitable compliment to be paid to the Hon. S. Cunard, on his return from Great Britain, as a mark of the sense which his fellow citizens have of his enterprise, particularly in the negotiation respecting the mail steamers to run between Liverpool and Halifax. An Address, and a public dinner to Mr. Cunard were resolved on. M. B. Allen, Esq. was in the chair, A. Keith, Esq. in the vice chair,—W. Starr, Esq. secretary. A committee of thirty, was appointed to carry the resolutions into effect.

The Hon. S. Cunard was expected in the Liverpool steamer, but had been detained. He is expected in the British Queen, which was to leave on the 1st of July.

Mr. Cunard, it appears, has made arrangements in Glasgow, by which the steamers will exceed 1250 tons, and 150 horse power each.

**BYRONIC.**—Doctor Cogswell has announced by advertisement, that Baths are in course of being established, under his superintendance. This is an improvement which has been long desired, and which we trust will be so supported that it will assume a permanent and generally useful character. The open sea is visible from the doors of the inhabitants of Halifax,—the harbour borders the town, a length of two miles, limpid and briny,—and yet there is not one public convenience for sea bathing! Not a spot sufficiently retired and convenient, on the peninsula, for those who would wish to enjoy the Bath which nature presents! Such opportunities would be considered invaluable in other communities, here they are possessed but not enjoyed.

**NEW BOOKS.**—Late periodicals, as usual, are rich in publication notices. We mention a few books which appear the most prominent.

"Six years' residence in Algiers," is the title of an interesting work by Mrs. Broughton, daughter of H. S. Blanckley, Esq., English Agent and Consul General at Algiers, between the years 1806 and 1812. The book, judging by copious extracts, is rife with interesting intelligence, and exhibits a feeling of filial respect as creditable to the affections of the authoress, as the work generally is to her industry and understanding.

"Hints on Horsemanship," a small volume, is an evidence of how much may be done in every department, by those who observe closely, and who know how to observe. It proves that science resides in every branch of knowledge, waiting for him who can develop it. The author treats his subject elaborately,—his remarks seem to carry demonstration with them, although they are at variance with existing practise and theory. (The Pearl will contain some extracts from this curious and interesting little work.)

"A Treatise on Wood Engraving," historical and descriptive, with illustrations, has been published by J. G. Jackson, an eminent artist in the department of which he treats. This is said to simplify the art, to be almost sufficient as a guide to learners, and to be exceedingly interesting to the general reader.

"The Physiology, or Mechanism of Blushing" is the title of a work by a graduate of Edinburgh university, and is another proof of what a multitude of subjects wait for those who have industry enough to seek them out.

Two works each bearing the title of the *Life of the Duke of Wellington*, have appeared, but they do not seem to be of great interest. Lord Wellington's Despatches, called the Gurwood Despatches, published some time ago, are said to be by far the best memorial of his Grace.

"Every Mother's Book" is strongly recommended to all who have the important trust of rearing up those who are to form the next generation. It treats of the judicious treatment of Children, respecting clothing, diet, and all the thousand and one et ceteras, which those most interested, are aware belong to this most interesting department.

**INTERESTING TO ARTISTS.**—An American, Artist Mr. Sully, (who it appears is an Englishman by birth) has painted a portrait of Queen Victoria, which has been praised as the most effective of the numerous efforts on the same subject. English artists, with their characteristic fair play, as regards nationality, have been loudest in awarding the palm to the "American artist," and the eulogy has been echoed by his friends at this side the Atlantic. A copy of this portrait is at present in course of exhibition in the cities of the Republic, and her Majesty's likeness excites as much interest, as if all that our neighbours say against monarchy were not from the heart.

This picture has been the cause of some judicial proceedings, the details of which, in a condensed form, we subjoin.

Mr. Sully was on the eve of his departure for England, in October 1837, when a deputation from the "Society of the Sons of St. George," established at Philadelphia for the advice and assistance of Englishman in distress, waited on him, made terms with him to paint the Queen's portrait, and handed him a memorial praying her Majesty to sit for her picture.

The Memorial was presented, and was successful; her Majesty sat to Mr. Sully, in March 1838. The portrait was finished in April, and Mr. Sully was permitted by the Society to make a copy of her picture, which copy he sold to a London publisher.

On his return to the U. States, he claimed the right to exhibit the portrait, and to make as many copies from it as he should see fit. The society denied this right, and obtained an injunction from the Supreme Court, which was served on Mr. Sully. While this was pending, a negotiation was opened, and the whole matter was referred to three legal gentlemen, as arbitrators.

Before these arbitrators, the society claimed possession of the picture, and denied Mr. Sully's right to exhibit, or copy it, without their permission. The Artist asserted such right, and made a claim of \$17,000 for injuries sustained by the injunction.

After examination of witnesses, and argument of Counsel, a majority of the arbitrators awarded:

That the society pay to Mr. Sully the sum of \$500, and that he deliver up the picture. That the society be the absolute owners of the picture, but not of the design of it, and shall not have authority to obtain a copyright for an engraving from it. That the picture painted by Mr. Sully for his own use shall be retained by him as absolute owner, and that he be the owner of its design, and of the design of that painted for the Society, with all the rights incident to such ownership. That the Bill in Equity be discontinued, the costs to be borne equally by the disputing parties,—and that the parties deliver mutual releases accordingly.

The award was signed by two of the arbitrators only,—the third published his dissent, which was, in substance, as follows.

That he considered the society should be owners of the design or invention of the picture, because when an artist is employed in any such work, of which the subject is named by the person employing him, the property should rest in the latter as soon as the

work was ready for delivery, as it would respecting any other article; and, therefore, that the artist had no right to exhibit the painting, or make copies from it, whereby the rights of others, acquired under a contract, might be injured. The dissentient instanced a book, a piece of music, or a play, as kinds of property like paintings, which when once sold, could not be turned to subsequent profit by the producer.

It further appears that, in fact, the original draft has been all along in Mr. Sully's possession. From it, and from a lay figure, he has painted the picture held by himself, and that owned by the Society.

This is a case of some interest, in communities where artists and their rights are of consequence. The dissentient arbitrator argues that Artists themselves would be ultimately benefited by having their works subject to rules which affect literary property, yet it must seem hard, that after a happy exercise of skill and labour, a painter should, thus, get mere remuneration for the one work, and not be allowed to turn his studies of the subject, and his fortunate circumstances, to after account; but be obliged to sit silent, and see others reap ten times as much as he himself, from his labours. A book indeed is sold by an author, and he, in selling, gives up all property in that work,—but the sale necessarily includes all this,—no one would think that he purchased one copy only, when he purchased the copyright. A picture is a very different matter,—it is valuable in itself; and not as the manuscript, solely on account of the multitude of copies which can be cheaply made from it, and each one of which is of more individual value than the original draught. The multiplication of copies of the book, is a mere mechanical work,—while each picture requires the talent and labour of an artist, somewhat as the writing of the book does. The one is as a piece of elaborately carved work, desired on account of its rarity and excellence,—the other as a model by which a number of similar articles are to be easily cast. Why should they be judged, as of precisely the same character,—and why should the purchaser of the former (absolutely valuable article) claim all the rights of the proprietor of the other, the value of which consists in its relative efficiency? Deny all but fixed innate value to the buyer of the picture, and, except under express arrangements, he gets all that he has any reason to expect,—act similarly to the dealer in manuscripts, and his speculation becomes a gross mockery.

The New York Albion, on this subject, argues, in favour of the claims of the society,—that it was by their memorial solely that Mr. Sully obtained access to her Majesty,—that a person sent out from England to make a panorama of the Bay of New York, for purposes of exhibition, would have no claim beyond his payment, and that Sully's right to the picture—as regards invention, copies, or engravings from it—entirely ceased when the money was paid for which he gave particular services. But, it might be answered, that, if one party obtain an introduction for another, the introducer has not therefore a claim to all the benefits arising from that introduction,—Sully was not sent home by the society, he was about going when they commissioned him,—he was not employed to prepare a work, the exhibition of which would follow as a matter of course,—and instead of the artist's right over all the produce of his talents ceasing the moment his employers paid him, their rights might be considered satisfied the moment they received the picture for which they bargained. The question seems to turn solely on the agreement,—was he employed to paint a picture, of which the entire and absolute property, as regarded invention, copies, exhibition, and engraving, was to rest in his employers,—or was he engaged merely to furnish the society with a portrait of Queen Victoria? The facts make out the latter case. Neither the custom, nor the law, nor the reason, which rules literary works, appear to apply in this matter; for the nature of the works are different, and no express stipulations bring the one within the provisions of the other.

**AERIAL TRAVELLING.**—A Mr. Lauriat ascended lately from Chelsea, U. S. in a strong breeze. The Balloon came in contact with a tree, by which five of the cords that attached the car were severed. This placed the aerial voyager in a dangerous situation. He descended, the balloon dragged, two other cords were severed, and the car was left dangling by the netting only. In this state the unwieldy mass bounded to the water, and went playing its antics, sometimes skipping over the surface, at other times bounding a hundred feet in the air, making unusual varieties in the travelling line. Some vessels endeavoured to assist Mr. Lauriat, but in vain. He was thus driven eight or ten miles from land, but was ultimately relieved from his most perilous position by a boat sent from a vessel. Just as he was rescued, the balloon rolled from the netting, and soaring in the air, like an unchained eagle, was soon lost to view. Thus the aeronaut's fame and balloon have, for this time, given him the slip.

The expected arrival of a foreigner in London, is announced, who, it is said, has tamed an immense Condor, (the tip of the wings 33 feet apart) and trained it to carry, and to answer the wishes of its rider. A youth, so goes the paragraph, takes aerial excursions on the monster, moves among the clouds at will, and descends at pleasure. What, if, like Mr. Lauriat's balloon, the

condor should "run away" with its rider? Would the summit of the Andes, or the Mountains of the Moon bring him up? Supposing the truth of the account, how much of sublimity blends with such a mode of travelling! Will rail-road steam-cars ever become superceded by "Condors for hire?"

**PRAISEWORTHY.**—The "fair ladies" of Cambridge, U. S., are arranging a "Ladies' Fair," to be held on the 17th and 18th of July, for the purpose of raising funds to be appropriated to a Lyceum Hall in that village. This seems eminently praiseworthy; the ladies thus, show their readiness, not only to lend a willing ear to the teachings of science and literature, but a willing hand in forwarding those important matters. The village was much in want of a lecture room, for purposes of literature and science, and instead of leaving the good work of procuring one, to depend altogether on the lords of creation, the ladies have made the first move. Some advocates of peculiar views argue, that the fair sex are abridged of many of the rights and privileges which should belong to them in civilized communities;—but how many rights and privileges, which would be at once conceded, are allowed to lie totally neglected and forgotten.

**PHRENOLOGY.**—Phrenology is made the butt of some sharp arrows, just now, in the U. States. Dr. Sewall of Washington, has published some lectures in which he makes warm attacks on the "science," so called,—and letters from some eminent individuals strongly confirm his views. [We will give extracts in the Pearl.] One correspondent of the Doctor, J. Q. Adams, says, "I thank you for furnishing me with arguments to meet the doctors who pack up the five senses in thirty-five parcels of the brain." Another says:

Phrenology must now be regarded as not only refuted by the logic of the metaphysician, but as absolutely demolished by the dissections of the anatomist. And we may indulge the hope that its mischievous influence, notwithstanding the zeal of its advocates, and the gullibility of the public, has been effectually counteracted. It would be strange, indeed, should it continue longer to be viewed by any of the intelligent and reflecting portion of mankind, in any other light than as an exploded humbug.

This is strong, and yet, we doubt not, it will be far from convincing some of the disciples of Coombe; these documents doubtless, will call forth something as energetic from the opposite side.

**NEW YORK MIRROR.**—This elegant periodical commenced a 17th volume, on June 29. The Mirror promises continued interest respecting original communications, and popular music,—six engravings are to accompany the volume, beside etchings on wood. The Mirror is too well known to need further description, it has been an efficient cultivator of literary taste, its price is \$5 a year, its size that of the Pearl.

**NOTICE TO CORRESPONDENTS.**—"Shogasson," published in last Times, has caused a brief critique, which came to hand too late for insertion in this day's Pearl. As such matters come legitimately within the sphere of the Pearl, and as the critique (judging by a very hasty perusal) appears of a temperate character, it will appear in our next.

**MARRIED.**

On Sunday evening, by the Rev. Archdeacon Willis, Mr. John Elford, Royal Sappers and Miners, to Miss Elizabeth Smith, of this place.

On Thursday, 3d inst. by the Rev. Archdeacon Willis, Dr. Wahab, of H. M. 37th Regt. to Miss Mary E. Hefnerman, of this town.

At Arichat, on the 4th inst. by the Rev. James A. Shaw, Mr. Benjamin Welling, Merchant, of Shediac, N. B. to Elizabeth Maskell, fifth daughter of the late Robert Maskell, merchant, of Arichat.

**DIED.**

At Annapolis Royal, on Sunday the 30th June, Mrs. Mary Cutler, relict of the late Ebenezer Cutler, Esq. aged 77 years.

**SHIPPING INTELLIGENCE.**

**ARRIVED.**

Tuesday, July 9th—Brigt Reward, Forrester, Kingston, 22 days—to H. Lyle;—left barque Georgian, brig Fanny, and brig. London Packet hence; brig. Vernon, sailed 2 days previous.

Thursday, 11th—brigt Scott, St. Vincent, 16 days, rum, to J. U. Ross.

Friday, 12th—schr Vernon, Cunningham, Kingston, 27 days, rum, to J. Strachan; brig. St. Patrick, Bryan, St. Johns, N. F. 9 days, dry fish to Creighton & Grassie.

**CLEARED.**

Wednesday, July 10th—schr T. Lowden, Allan, St. John, N. B. potatoes, by T. Mager, Meridian, Crowell, Bermuda, lumber, etc. by W. J. Starr; Am. brig. Sears, Ryder, Pictou, ballast; Am. schr Cyrus, Howard, St. John, N. F. flour, by S. Binney.

Thursday, 11th—schr Mary Ann, Vincent, Newfoundland, general cargo by J. H. Reynolds; Temperance, McPhee, Miramichi, do. by A. Fraser.

**AUCTIONS.**

**BY JAMES COGSWELL,**

At Commercial Wharf, to-morrow, Saturday at 12 o'clock

- 12 HIDS SUPERIOR BRANDY,**
- 10 Qr. casks ditto
- 10 hds best Rotterdam GIN,
- 10 Qr. casks Teneriffe Wine,
- 15 cases Sherry, 1 doz each,
- 10 barrels 3 doz each, Barceley's sup. Brown Stout.
- 20 barrels ditto Porter,
- 40 do Irish Mess PORK,
- 2 do Canada BEEF,
- 4 casks boiled Linseed Oil,
- 3 hds Putty,
- Kegs black, white, yellow, and red PAINTS,
- Tins green Paint, 7 lbs each,
- 100 boxes SOAP, 30 and 60 lbs each,
- Window Glass, 7x9 to 10x14.
- 8 cases best Durham Mustard in lb and half to bottles,
- 20 kegs do 20 lbs each,
- 6 cases Pickles, 1 do Sauces,
- 50 chests TEA,
- 1 bale Cotton Warp,

July 12, 1839.

**To be Let at Auction,**

To Morrow, Saturday, the 13th inst. at 12 o'clock, on the premises, if not previously let by private contract,

**ALL that DWELLING HOUSE, SHOP, AND PREMISES.** Adjoining the Subscriber's Auction Room, eastwardly. The property is well calculated for a Boarding House, has large rooms and a great number of Bed Rooms. It is also well adapted for a

*Grocery or a Confectionary.*

Upon as extensive a scale as any in Halifax. There is a spacious front proof cellar, suitable for bottling liquor; and also a large oven, formerly used by a Confectioner. The property is in a good state of repair,—immediate possession will be given. The term proposed is one year and nine months. The premises may be viewed at any time previous to the letting, by applying to

**JAMES COGSWELL,**  
Auctioneer.

July 12.

**AT PRIVATE SALE.**

**WHAT** new and well finished Dwelling and Lot of Ground, in Argyle Street, south of the Wesleyan Chapel. The situation is very eligible. The house is contrived and finished in such a manner as to make it an uncommonly comfortable residence. Persons desirous of purchasing may inspect it on application to

June 20.

**HENRY G. HILL.**

**NOTICE TO TEAMSTERS.**

**TEAMS** are required for hauling from the Saw Mill on Grand Lake to Dartmouth about 250 thousand feet of Lumber, the distance is 16 miles, and the Lumber is all ready. Application to be made to

**D. & E. STARR & CO.**

or to Wentworth Fleigher, at the Mills.

July 11.

2w

**Auctioneers and General Agents.**

**THE SUBSCRIBERS**

**BEG** to make known to the Public, that they have entered into Co Partnership and intend conducting a General Auction and Commission Business, under the Firm of

**PAW & TIDMARSH.**

They have taken the store at the head of Clark's wharf, formerly occupied by Messrs. D. & E. Starr & Co. where any description of Business entrusted to their management, shall be strictly attended to.

**GEORGE A. V. PAW.**  
**THOMAS U. TIDMARSH.**

June 14, 1839.

**J. R. CLEVERDON,**  
**WATCH MAKER,**

**HAVING** commenced Business in the shop lately occupied by the late Mr. La Baume, begs leave to inform his friends, and the public in general, that he hopes by unremitting attention and long experience in the above business, (both in England and Halifax) to obtain a share of their patronage.

Jewelry, Watches, Clocks, etc. for sale.

May 31.

**SPICES, DRUGS, &c.**

**RECEIVED** by recent arrivals and for sale low by the Subscriber—bags of E. I. Ginger, Cloves, Pimento, Caraway Seed, black and white Pepper, cases Cinnamon, Liquorice and Indigo, barrels Raze Ginger, Nutmegs, Currants, Saleratus, Soda, blue Vitriol, Alum and Copperas, boxes Arrow Root, Lozenges, Sugar Candy, Raisins, Windsor Soap, Black Lead, Starch, and Crown Blue, Olive Oil, in small packages; kegs of Salt Petre and Mustard, with a general supply of Drugs, Chemical and Patent Medicines, Apothecaries' Glass, Trusses, Lancets, etc. (6m)

**GEO. E. MORTON.**

Halifax, May, 1839.

**DRUGS, SEEDS, TEAS.**

**THE SUBSCRIBER** having by the late arrivals completed his extensive **SPRING SUPPLY** of the above, together with *Spices, Dye Stuffs, Perfumery,* (Among the latter Farina's Eau de Cologne) Combs, Brushes, etc **PAINTS and OILS,** etc.

The whole are offered for sale on the most reasonable terms, at his Drug Store, near the Market.

**JAMES F. AVERY.**

May 10

6w

**SCOTT'S VENEERING, STAVE AND SIDING MILLS.**

**THE** Subscriber having established the above Mills at Hillsborough, Bear River, Nova-Scotia, for the sole purpose of sawing Mahogany, Boards, Plank and Veneering of every description, and Staves for wet and dry Barrels, Hogshead, ditto ditto.

Also, Siding from 5 to 18 feet long, and 4 to 10 inches wide, one edge thick the other thin.

The Machine for sawing Staves and Siding is of a different construction from any now in operation.

The Staves and Siding are much smoother than any ever sawed; the Staves will be sawed bilging, or straight and edged to suit purchasers. N. B.—The Subscriber will keep constantly on hand a good supply of wet and dry Barrels, Hogsheads, do. do.

All orders thankfully received and punctually attended to.

**WILLIAM H. SCOTT.**

For orders apply at the Mills at Bear River, or to Mr. Henry Blaklee, Agent, North Market Wharf, St. John, N. B. Halifax, April 5th, 1839.

## THE COTTAGE.

Oh! nothing in beautiful scenes can outvie  
The peasant's lone cot in the vale,  
With it's wee bed of flowers, and small garden hard by,  
And its wild briar that scents the wild gale.  
The lattice half darkened with ivy, or vine,  
Throws its green-shadowed light on the floor;  
And the porch over trailed with the delicate 'bine,  
Makes gay the stone seat at the door.

Ere the bridge strode the brook or the forest grew old,  
Ere the village spread over the green;  
When the vale was a common, bare, desolate, cold,  
There the peasant's lone cottage was seen.  
Then labour came forth, and wherever he trod,  
The waste was a paradise fair;  
And the orchard now blooms, and the white harvests nod,  
And wealth and store plenty are there.

## MATHEWS THE COMEDIAN.

Mathews was killed in America, though he re-cross'd the Atlantic and died in Devonshire. He had been an immense favorite with the Americans in his first visit, and after to long an absence the managers thought he would prove an attractive star if he could be seduced to repeat his visit. Mr. Mathews's pecuniary difficulties obliged him to accept an offer in which his remuneration was to depend upon his superior attraction. Judging from his former success, he was vain enough to calculate upon immense profits. But there were two circumstances which marred his hopes—his imitations of American peculiarities, which the natives called caricatures, and Miss Kemble's book, which was voted both libellous and vulgar. The Americans are reported to be rather thin-skinned, and cannot bear the lash of ridicule. I don't know who can. Mathews in his first visit had been received with hospitality certainly unprecedented to an actor. He had opportunity and saw them in every position, public and domestic, from the States' Assembly to the boudoir—and to what purpose did he convert the information so obtained! Why to write, or cause to be written, a drama, in which (with his admirable talent for imitation) the very people who had so hospitably received, entertained, and enriched him, were held up to the laughter, the ridicule, and sometimes the contempt of "the English nation." This is their version, not mine. Since which the *cidivant* Miss Fanny Kemble had been similarly received and lionised, and had afterwards written a *lashing* book, then married, and retired beyond the possibility of personal annoyance! Not so Mr. Mathews; he returned, and found that every American had entered into his memory's ledger the debt of gratitude due for the ridicule furnished to the laughter-loving sons of old England at friendly Jonathan's expense. Could it be wondered at that the doors which formerly flew open at Mathews's approach were now found barred against him?—that theatres, which were formerly crowded, were now comparatively empty? He asked the reason! He was told that he had ridiculed and libelled them. He denied the charge. "Try me," he said, "and you yourselves shall be plaintiff, judge, and jury; I will perform, as in England, that which you assert is both a ridicule and a libel." He did so: and the *nem con* verdict was—"Too dull, stupid, and contemptible for any American to be offended at." This was worse than their extreme rage—it was the death-blow to the poor mimic, to the man "who was wont to set the table in a roar." He tried to mask his feelings, but I saw through the mask—the wound had reached his heart! It is true he tried to laugh at the affair, but it was a laugh which pride extorted from agony. This occurred at New York. At Philadelphia the same feeling was evinced. He was to play three nights in each week, and to have a per centage on the receipts. The public knew this, and kept away; while on the other three nights the house was filled, to patronise an English actress, a lady who had never lashed the Americans in a book, or ridiculed their peculiarities in a drama. Debarred that society of which he was the soul and delight, mortified in vanity and injured in purse, with the most dreadful winter that had occurred for many years, poor Mathews was but the shadow of his former self, either as an actor or as a man. All went wrong with him, both at home and abroad: losses occurred in London, which American savings could not cover. With a sigh of agony I heard him confess himself "vanquished by untoward circumstances." These were his words. Anxiety of mind increased the body's weakness: there was a general breaking up of his constitution. His second farewell to America was woefully different from the first, both as to fame and profit—he reached his native land and died! "Alas, poor Mathews!"—*London Sunday Times*.

LOAFER'S SOLILOQUY.—Among the dry, quaint and philosophical scenes with which Mr. Neale's volume of "Charcoal Sketches" abounds, his soliloquy of a loafer, who had been sleigh riding and got spilt, is inimitable: "It's man's nature, I believe we can't help it no how. As for me, I wish I was a pig wot's fat; pigs don't have to speculate and bust—pigs never go a sleigh riding, quarrel with their daddies-in-law wot was to be,

nor get into srees, and make spoils of themselves. Pigs is decent behaved people and good citizens though they han't got no wote. And then they han't got no clothes to put on of cold mornings, and they don't have to be darnin and patching their old pants; they don't wear old hats on their heads, nor have to ask people for 'em—cold wittles is plenty for pigs. My eyes! if I was a fat jolly pig belonging to respectable people, it would be tantamount to nothin' with me who was President. Who ever see'd one pig a settin' on a cold curb stone a rubbin' another pig's head wot got chucked out of a sleigh? Pigs have too much good sense to go a ridin' if so be they can't help it. I wish I was one and out of this scrape. It's true pigs have their troubles as well as humans—constables ketches 'em, dogs bite 'em, and pigs is as done over suffers as men, but pigs never runs their own noses in scrapes, coaxin' themselves to believe it's fun as we do. I never seen a pig go the whole hog in my life, 'sept on rum cherries.'

THE CORPORAL.—During the American Revolution, an officer, not habited in his military costume, was passing by where a small company of soldiers were at work, making some repairs upon a small redoubt. The commander of the little squad was giving orders to those who were under him, relative to a stick of timber, which they were endeavouring to raise to the top of the works. The timber went up hard, and on this account the voice of the little great man, was oftener heard in his regular vociferations of "Heave away! There she goes! Heave ho!" etc. The officer before spoken of stopped his horse when he arrived at the place, and seeing the timber sometimes scarcely move, asked the commander why he did not take hold and render a little aid. The latter, appearing to be somewhat astonished, turning to the officer with all the pomp of an emperor said, "Sir, I am a corporal!" "You are not though, are you?" said the officer, "I was not aware of it." And taking off his hat and bowing, "I ask your pardon, Mr. Corporal." Upon this he dismounted his elegant steed, flung the bridle over a post, and lifted till the sweat stood in drops upon his forehead. When the timber was elevated to its proper station, turning to the man clothed in brief authority, "Mr. Corporal Commander," said he, "when you have another such job, and have not men enough, send to your Commander in Chief, and I will come and help you a second time." The corporal was thunderstruck! It was Washington.

CHINESE LITERATURE.—The Chinese are a reading people, and the number of their published works is very considerable. In the departments of morals, history, biography, the drama, poetry, and romance, there is no lack of writings, "such as they are." Of statistical works the number is also very large. Their novels are said to be, many of them, excellent pictures of the national manners. The plot is often very complex, the incidents natural, and the characters well sustained. China has had, too, her Augustan age of poetry. It is remarkable that this brilliant epoch in Chinese letters was during the eighth century of our era, when almost the whole of Europe was sunk in gross ignorance and barbarism. We subjoin a single specimen of their poetry, in a touching little piece, published in the second volume of the Royal Asiatic Transactions, and written some thousand years ago. Besides the pleasure its intrinsic beauty affords, it offers a convincing proof of the substantial identity of human feelings in all times and countries. The piece bemoans the fate of a maiden, betrothed to an humble rival, but compelled to become the bride of a rich and powerful suitor:

The nest yon winged artist builds,  
Some robber bird shall tear away;  
So yields her hopes the affianced maid,  
Some wealthy lord's reluctant prey.

The fluttering bird prepares a home,  
In which the spoiler soon shall dwell;  
Forth goes the weeping bride, constrained,  
A hundred cars the triumph swell.

Mourn for the tiny architect,  
A stronger bird hath ta'en its nest;  
Mourn for the hapless, stolen bride,  
How vain the pomp to soothe her breast!

PAUL, preaching at Athens, beat the cunning Athenians with their own weapons. They had a law, that any who preached strange gods, should suffer death. When this was urged against the apostle, he pointed to the altar "to the unknown god," and said—"For, as I passed by and beheld your devotions, I found an altar with this inscription, 'to the unknown god;' whom therefore, ye ignorantly worship, him declare I unto you." He could not be prosecuted under the law, for he preached a god to whom he found an altar. This circumstance, I have already regarded as a sort of providential interposition in favour of the Christian religion, as well as an instance of Paul's extreme aptness in taking advantage of everything that would tend to the advancement of his cause. Although, at several other places in Greece and Asia Minor, there were altars "to the unknown god," at no other, I believe, was there such a law as that at Athens, prohibiting the setting up of strange doctrines.

ADIEU.—In using this expression, which habit has rendered trivial, few persons recollect its real origin and meaning, and that in pronouncing it they recommend their friend a *Dieu*—to the protection of God.

TO THE PUBLIC.—The Subscriber, in appearing as the conductor of the "Colonial Pearl," feels called on to offer a few words, explanatory of his views.

The late proprietor of the "Pearl," being about to resign the publication, and to leave the Province, an opportunity was presented, which, the Subscriber thought, he might take advantage of with some benefit to himself and the public. The "Pearl," he has reason to believe, has been the means of causing the taste for literature to be more general in the provinces than it previously was,—and, as a literary vehicle, has become a favourite, in many places, where similar publications were but little known or cared for. This change must be considered beneficial,—for, to increase the reading propensities of a young country, particularly in the more quiet and humanizing paths of literature, is to bear an important part in public education. The existence of the "Pearl" has been instanced in neighbouring Provinces, as a proof that Halifax, and Nova Scotia generally, had rather outran other colonial communities in those particulars which denote a high degree of civilization; which indicate that periodical details of passing events, and expositions of political theories, only, no longer satisfy,—but that, with these, are required, the more general utilities and elegancies and luxuries of intellectual life. If such a publication should be allowed to cease, and to become one of the items on the long list of failures, some degree of disgrace would be the result. The Subscriber undertakes to attempt the continuance of the "Pearl,"—and hopes for that patronage which will enable him to make successful progress.

Political opinions will be rigidly excluded from the "Pearl." The vehicles for such matter are sufficiently numerous;—the "Pearl" seeks, by drawing on the stores of Fancy, and Criticism, and General Knowledge, to be a net-unwelcome visitor among circles of every political shade.

A summary of political intelligence, will be given, with such comments only as may seem requisite for explanation;—the progress of Science and Art and General Literature, will, also, be regularly attended to, as opportunity shall be afforded; so that a kind of mapping of interesting events will be presented, in a compass so brief, that none need plead balk and intricacy of materials as an excuse for inattention to such matters.

The Subscriber hopes that much of original composition will be found in succeeding pages of the "Pearl"; and that correspondents, whose kindness he reckons on, will convince their readers, that real value and respectability are not sacrificed to novelty; that original articles are chosen, partly, only, because they are original, but chiefly because they are not second to good materials for "selection."

The innocently amusing department of the Pearl will receive due attention,—and the Subscriber trusts that it will be found to blend the entertainment of the leisure hour, with the nurture of sentiments which are of great value, in the civil and social and religious relations of mankind.

The critical department, it is hoped, will grow up to that degree of importance in which it becomes an excellent auxiliary in the training of the mind;—a science, improving the judgment and the taste, and enlarging the information, unalloyed by difficulties which retard other scientific studies, and of more general adaptation.

These departments of general literature, will be interspersed by such portions of matter relating to History, Statistics, Travels and other subjects, connected with real life, as will diffuse an air of fact, as well as of fancy, over the pages of the "Pearl,"—and, with the departments of News and Science, may make it palatable to those who do not wish that the mere, sweet,—should altogether supersede the useful,—in any work or relaxation.

The Subscriber has thus developed his views and intentions; the assistance of friends, corresponding and subscribing, and the opportunities and practise which time only can furnish, will be requisite to enable him to carry out his anticipations; for the present he bears his object in sight, makes endeavours towards it, and solicits the lenity and encouragement of an intelligent public.

J. S. THOMPSON.

## THE COLONIAL PEARL.

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