



HARBOUR GRACE, Conception Bay, Newfoundland.—Printed and Published by JOHN THOMAS BURTON, at his Office, opposite Mess. W. Dixon & Co

St. John's, August 15

JUDGMENT, By the Hon. Mr. Justice LILLY, In the matter of the Imprisonment of EDWARD KIELLEY.

In Chambers, August 13, 1838.

Having upon a previous day, upon hearing counsel at great length, and after the fullest research into this question which the brevity of the time between the issuing and return of the Habeas Corpus permitted me, been clearly of opinion upon several grounds that the imprisonment of the party was illegal, I did, as was my duty in such case, immediately restore him to his liberty—intending, however, at as early a day as possible, to give at more length the reasons upon which I had arrived at the judgment I then pronounced. Having in the meantime had sufficient opportunity to consult the best authorities upon the subject, in addition to the extensive information which I derived from the learned and very able arguments of the counsel for the prisoner, I shall now enter more fully upon the consideration of the grounds of my decision, in order that the community at large, and especially the parties more nearly interested in this question, may understand that I have not acted in this matter rashly or unadvisedly, but upon reasons satisfactory to my own mind, and, I trust also, to all who will take the trouble of enquiring into them.

This was an application by the prisoner to be discharged, under a Habeas Corpus, from the goal of this town, to which he had been committed by virtue of a warrant to the Sheriff from the Speaker of the House of Assembly of the Island, for an alleged breach of the privileges of the House. The questions, therefore, which present themselves to my mind are,—First: What are the privileges of the House of Assembly? Secondly: Have they the power of punishing summarily for a breach of their privileges by imprisonment? And thirdly: If it cannot be clearly shewn that they have such power, whether the warrant in the present case is a legal and valid document for the detention of the prisoner?

As to the first question, I am given to understand that the House of Assembly here assume to themselves the privileges of the Imperial House of Commons, and claim to exercise the like powers of punishment for a breach of those privileges, and that upon this plea they have exercised the power of punishing the prisoner on the present occasion. This, therefore, leads me, in the first instance, to examine briefly into the nature and origin of the privileges and powers of Imperial Parliament, and more especially those of the House of Commons, before enquiring for the authority upon which those privileges and powers are claimed for the House of Assembly.

Every one who has sufficiently read the history of our mother country well knows that anciently the two Houses of Parliament sat together, and formed what then and after their separation was and still is called the High Court of Parliament—a Court of the remotest antiquity, of the highest dignity, and of the most unlimited power and authority within the Realm. Its laws, customs and usages, which Sir Edward Coke and all the old writers style the *lex et consuetudo parliamenti*, were from the earliest times held and considered to be part of the law of the land, and in that respect a part of the Common Law; and at the time of the separation of the two Houses, which was an early as the 4th Hen. 3. the privileges enjoyed and the functions uniformly exercised by each branch of the Legislature were, in the opinion of Lord Ellenborough, by a formal act at the time of their separation, statutorily assigned to each.

If not whole, the greater part therefore, of these laws, customs, and usages are coeval with the Common Law. They have, from time to time, been expressly altered and varied by Acts of the Legislature for that purpose, and are to be found in the "rolls of Parliament"—in precedents and records, and "continual experience of the customs of Parliament." It therefore appears that the Law of Parliament was not originally one uniform code, but has been added to, altered, and amended from time to time; that many of the powers and privileges of the two branches of the Legislature have, at various times, been doubted, resisted, and debated, and have been exercised only upon their being clearly ascertained to be a part of the ancient and undoubted usage and custom of Parliament. But the House of Commons have never claimed, nor has any one been hardy enough on their behalf to claim the power, by their own resolution, of making that a privilege which before was no privilege. Neither are their privileges arbitrary and undefined, vague and uncertain, but where doubt arise are discoverable by "examining the records of Parliament," and enquiring "what was claimed and allowed in similar instances in former times," precisely in the same manner as the Common Law is construed by the Judges of the several Courts of Law. It does not precisely appear at what time the House of Commons first convicted for contempt as in the nature of a breach of privilege, and Mr. Hatsell mentions that up to the time of Hen. 7. the Commons had never proceeded as for a breach of privilege upon their own authority.† It is now,

however, and indeed always has been clear law, that the House of Commons does lawfully possess the power of commitment for contempt, as in the nature of a breach of privilege—a power recognized by Statute as having been anciently exercised by them—equally applicable to the House of Lords, for they are one and the same in this respect—the Grand Council of the Realm divided into two different parts, and carrying with them those powers which they collectively exercised before their separation. Upon a Habeas Corpus, therefore, to discharge one committed by the House of Commons for contempt, it has been adjudged and decided in satisfaction of that part of Magna Carta which directs that no man shall be imprisoned but by the lawful judgment of his peers, or by the Law of the land, and of the 28 Edw. 3. that no man shall be taken or imprisoned without being brought into answer by due process of the Law, that the *lex et consuetudo parliamenti*—the Law of Parliament—is part of the Law of the land equally with the Common and Statute Law.

I come now to the most important consideration—namely, does the House of Assembly of this Island possess the powers and privileges acknowledged as belonging to the House of Commons, and more particularly the power of punishing summarily by imprisonment for a breach of privilege as in the present instance? Upon this point let us look at the origin of our Local Legislature. It is, as is well known to all of us, but some five or six years since it first commenced to exist by virtue of a Commission from His late Majesty to the Governor of the Colony, empowering him to convoke General Assembly from among the inhabitants of the Island, who, in conjunction with the Governor and Council, were to make laws and ordinances for the good government of the Colony, not repugnant to the Acts of the Imperial Parliament. But in this Charter contained anything which erects the House of Assembly of the Island into a body of the same power and authority, and possessing the same rights and privileges as the Imperial House of Commons? There is not. Is there any Statute or Act of Imperial Parliament which defines their rights, powers, and privileges, and declares them to be, within their jurisdiction, coequal in power with the House of Commons? There is none. Whence, then—by what authority, and from what source, do they derive the power which they have exercised on the present occasion? I am given to understand that it is by analogy to the House of Commons and the Assemblies of other British Colonies—that is, because the House of Assembly is the representative branch of the Local Legislature, it is therefore necessarily invested with all the privileges and powers acknowledged to belong to the House of Commons, as well as the customs usages of the House of Assembly of other colonies. I myself have heard not only this doctrine, but that even of the power of inflicting corporal punishment broadly asserted by members of the House of Assembly. Let us examine into it. This colony is one of those provincial establishments, the constitution of which, according to Blackstone, "depend on the respective commissions issued by the crown to the Governors, and the instruction which usually accompany those commissions, under the authority of which Provincial Assemblies are constituted with the power of making local ordinances not repugnant to the Laws of England." So far that our Assembly is not equal in power, even within this colony, to the Imperial Parliament, to which it, as well as all other Legislatures in the Queen's dominions, is subordinate—whose constitution is as yet liable to alteration by the Sovereign Power which granted it, and whose existence may, by an Act of Parliament, at any time be terminated. Again, our House of Assembly does neither by itself nor in conjunction with the Council form a Court of Record; neither do the Council and Assembly together, nor does either separately, form a Court of Judicature; nor does it possess the power of impeachment—one of the highest powers of the House of Commons, which may consequently commit even for a crime in order to an impeachment. The House of Lords, as is well known, is the highest Court of Record, and possesses supreme appellate jurisdiction within the realm; but does the Council of this Island—the Upper Branch of the Legislature—in the least respect whatever exercise analogous powers?—and yet the powers and privileges claimed to be exercised by the House of Assembly on the present occasion should, for the like reason, apply equally

to the Council, from its analogy to the House of Lords. It is true there are here three branches of the Legislature, in imitation of the British Parliament, and somewhat similar forms of procedure in the passing of Bills are observed, but beyond this it is absurd to talk of analogy where there is no resemblance of origin, constitution, or powers. Indeed it is not long since the executive government, upon view of the style of Parliament which the Legislature had arrogated to itself, disallowed the title as wholly inapplicable; and if under the name Parliament our Assembly might have claimed to exercise the powers of the Imperial Parliament, this act of the Government has prevented them doing so.

And here I will refer as conclusive upon this subject to the opinion of Lord Camden—a lawyer of the highest learning and ability, who was successively Attorney-General, Chief Justice of the Common Pleas, and Lord Chancellor of England—one who it is well known favoured popular claims, and during the war of the revolted American colonies sided with colonial pretensions. Speaking of the exercise of rights by the Colonial Assemblies, as supported by arguments drawn from the exercise of the like rights in the House of Commons, he says—"The constitution of the two Assemblies (that is of the House of Assembly and the House of Commons) differ fundamentally in many respects; our House of Commons stands upon its own laws, the *lex parliamenti* whereas Assemblies in the Colonies are regulated by their respective charters, usages, and the Common Law of England, and will never be allowed to assume those privileges which the house of Commons are entitled to justly here, upon principles that neither can nor must be applied to the Assemblies of the Colonies." And again he says—"In this disposition of the Lower House to assume to themselves any privilege which the English House of Commons enjoy here. His Lordship (Lord Baltimore) should resist all such attempts where they are unreasonable, with firmness, and should never allow any encroachments to be established on the weight of that argument singly for I am satisfied that neither the Crown nor the Parliament will ever suffer those Assemblies to erect themselves into the power and authority of the British House of Commons."*

Let us now enquire into the legality of exercising the power of punishing summarily by imprisonment for contempt, as in the nature of breach of privilege, upon the ground that a similar power is exercised by the Legislatures to other Colonies. The constitutions of these colonies, as has been shewn, are not all alike, but depend upon the terms of the respective Commissions under which they were granted, and, indeed, those of the old American colonies were greatly dissimilar to each other. In some of them the Councils at least were Courts of Record possessing various powers of judicature; but if in any of them (Nova-Scotia for instance) the power of punishing by imprisonment for breach of privilege is exercised by the House of Assembly, it is not necessarily because the House of Commons exercise the same power, nor of any inherent right in the Assembly to exercise such power. It may be that in such colony they originally enacted and declared by a Law what the rights and privileges of the several branches of the Legislature were, and conferred upon them the power of punishing summarily for a breach of those privileges. The most probable foundation for the exercise of such a power is long practice, not questioned in the first instance, and after lapse of time and repeated exercise grown into an usage, and recognised perhaps by the Courts of

Law. If so, such power became to be, as regards such colony, in some respect part of the law of the land. But will any one say that such an usage can be pleaded as having any force in this colony, and that if it have even grown into Law in the colony where it obtains, it can be said to the law of this Island a whit more than their Statute of distributions, or for the release of dower or any other act of the Local Legislature of such colony can be held to be in force as the law of this Island?

It is laid down in the books of authority that the decisions of the two Houses of Parliament, in cases in which they are admitted to be the sole competent judges, are fully governed by usage and controlled by precedent. But how can the House of Assembly here, whose existence commenced scarcely six years ago, be said to be governed by usage and controlled by precedent in the present case, as to which manifestly neither usage nor precedent exists? If it is to the usages and precedents of the Imperial Parliament, or those of other Colonial Assemblies, they refer, certainly they do not understand the meaning of the terms.

But if the House of Assembly on the first occasion upon which they choose to exercise a power of imprisonment, consider themselves invested with it because the House of Commons exercise the same power, then are they equally entitled upon the same ground and for the like reason to all the powers and privileges of the House of Commons, for the rule by which they claim forbids them to choose some powers and privileges and reject others—they must take all or none—and if in addition to the *lex et consuetudo parliamenti* they are at liberty to call and choose from among the customs and usages of other Colonial Legislatures all such as in their judgment are desirable and convenient, they would be I fear a much more powerful body than the Imperial Parliament itself, or indeed any other known to the British Constitution.

That the House of Assembly here are invested with some privileges as incident to their condition, I do not mean to deny but of these I do not desire to constitute myself the arbiter—nor is it of importance on the present occasion that I should define what and how extensive they are, but it is my duty, and an imperative duty, to take care that they arrogate no privileges and exercise no powers, unless they be beyond question entitled to do so, which may interfere with the undoubted privilege—the dearest birthright of every British subject, recognized and confirmed by Magna Charta, "that no man shall be imprisoned but by the lawful judgment of his peers or by the law of the land,"—secured also by the statute of the 28 Edw. 3d, which enacts that "no man shall be put out of land or tenement, nor taken or imprisoned, nor disherited, nor put to death, without being brought in to answer by due process of the law." It has been shewn in argument, as it is laid down by the highest authorities, and is clear law, that a statute made in the affirmative, without any negative expressed or implied, doth not take away the Common Law—much less then shall a man's liberty, of which our laws are so tender, be restrained by implication or analogy.

The Courts of Record in England exercise and always have exercised the power of commitment for contempt which power is part of the law of the land, and the Superior Courts of this Colony also possess the like power, but it is by virtue of an express Act of the Imperial Parliament; and this power of the House of Commons, to commit for the like offence, originates, among other sources, in its being part of the highest Court of Record in the Realm, whose powers and privileges were originally assigned by Statute, and have been sanctioned by immemorial usage;—for as Lord Ellenborough says, "there is no pretence for treating the privileges of the House of Commons.

* Lord Coke, 4 Inst. 50. † 1 Hatsell, 51.

* Chalmer's Opinions.

of this town. highly approved or used it, that for us to say a Hampshire Tele-

f Southampton ce may readily stated Stove.—

circuit Court, Grace, April

Slade, Robert Middle, North- its In-

been made to ap- onorable Court, against them by ert Slade, senr., ajor, and Rol- gar, Merchants, able to pay to nty Shillings in oth this day de- also appearing in value of the ent in England, entatives in this wise appearing, point Provisional of the Creditors for the purpose to the Estate of the this day ordered art, that Robert er, Robert Ma- and all Persons Debts amount re- Twenty Pounds in Person, or by assemble at the r Grace, on the erm, at Eleven on, in order to Creditors to be f the said Insol- grim this Honora- BERT PACK, Esq., Esq., and WILLI- merchants, residing nal Trustees, of the said Robert ger, Robert Ma-; and the said Hills Martin, and hereby authorised and Receive the e said Insolvents, and directions, as shall from time to

Court, JOHN STARK, rk and Registrar.

pp Trade hitherto nder the firm of N & Co. is this g consent. g claims on said o present the same Persons indebted o make payment o alone is authori- ets of said Co-part-

BENNETT, ORGE MORGAN.

Back, ewfoundland, ebruary, 1838. future will be car- BNETT.

ereby notified, that o the Advertisement ette of Tuesday las, ovision of Co-part- T, MORGAN & Co. ne under a miscon- ne of its duration, not sion at the time the ship between us:—l ace to a copy of the rship, which I have e the Co-partnership until the first day of

ORGE MORGAN.

PERSON to act as an the Harbour Grace e.—Application to be of this Paper.

as some persons have treated them, as "things of a novel origin and constitution beginning within the time of legal memory, and standing upon no authority of prescription or Statute." But can it be shown that there is in force in this Island any negative Statute, any law or usage whatever, which would, in defiance of Magna Charta and the 28 Edw. 3d, interfere with the liberty of the subject in the mode now under consideration? If it be said that the King's commission, which called the Assembly into existence, if it even contained express words to that effect, could grant such a power, I deny it;—for the King can no more make a Law than either branch of the Legislature. If it be said that it is necessary to the House of Assembly to possess the power of punishing summarily, as for a breach of their privileges, (whatever these privileges may be assumed to be) as the House of Commons do, I deny it also. They are entitled, and I will admit particularly entitled to protection in the due performance of their functions, but the Laws of the land are equally open to them as to every other lawfully constituted body, and amply sufficient to punish all offenders against that freedom and protection to which they are entitled. Their sittings are not necessarily open to the public, though it is most desirable they should be, but certainly they of all public bodies should know how to preserve order and decorum in their meetings, and of all public bodies would undoubtedly have the fullest aid of the constituted authorities to protect them. If, then, the power of imprisonment is not absolutely necessary, to them, it cannot for any other reason that I can discover, if indeed it could possibly upon this one, be said to be inherent in them (as some would have it) any more than the power of impeachment or any other of the extraordinary powers of Parliament is inherent in them.

But let us look at the present case, for we cannot shut out the whole facts of it as disclosed in the affidavit before me, and it plainly appears that, without defining what their privileges are, Assembly assume the power of adjudging and determining at pleasure upon any act committed by an individual which they may consider to be a breach of those privileges, and this too without permitting the person accused, or his witness, to be parties to the investigation, when the offence complained of was denied. Here at least the House of Assembly have not conformed to the practice of the House of Commons, who invariably call on the offender to admit or deny the charge, and disprove it, if he can. My duty now, however, is not to pronounce upon the merits of the complaint, but upon the legality of the punishment with which it has been visited.

Again this power of vindicating, what they assert to be their privileges, by summary punishment cannot, according to the same rule by which they claim to exercise it—i. e. the Law of Parliament, in any manner be drawn in question; nor can the party imprisoned obtain redress by or in any Court in the Queen's Dominions. And yet such absolute powers as these are claimed to be exercised by a body, not being a Court of Record—scarcely six years in existence—consisting of but fifteen individuals, of whom six only form a quorum—eligible upon a qualification which in England would not entitle them to a vote for a member of Parliament—without the sanction of any law, usage, or precedent—and having other abundant means of protection and redress, but merely because the House of Commons, forming with the House of Lords the Supreme Court of the Realm, and consisting of several hundreds of the most eminent men in the nation, for talent, learning, wealth, and influence, exercise similar powers and privileges, originally assigned to them by a positive Statute, and sanctioned by immemorial usage from the remotest ages.

I am sworn to do equal law and execution of right to all the Queen's subjects rich and poor, without having regard any one; and as I find the law so will I to the best of my ability administer it. We live, thank God, under a system of laws he boast of the civilized world, & the best bulwarks of British freedom, which will not permit the liberty of any subject of the crown to be restrained upon light or trivial grounds; and while there is no man more chary of just rights and privileges of any of the constituted authorities than I am, no man will be more forward in enforcing, so far as lies within my province, these laws which hedge round and secure the liberty of the subject, and which are the chief supports of the freedom of the state.

I shall now consider, as the last point, the validity and sufficiency of the warrant set forth in there turn to the *Habeas Corpus*; and here I will say in limine that if the House of Assembly do really possess the powers which they claim to exercise equally with the British House

of Commons, the warrant of the Speaker (provided it discloses a sufficient ground of commitment) ought not to be scanned with that critical nicety as to technicalities which are requisite to the validity of other commitments. But, admitted, for argument's sake that they have the same authority with the House of Commons to direct their Speaker to issue his warrant in cause as this, does this warrant disclose a sufficient ground of commitment? In my judgment it does not.—The prisoner is not stated to have been adjudged by the House to be guilty of any offence—for the proceeding of the House is in the nature of a judgment, or it is nothing—nor does it recite any order or resolution that the party should be committed for the offence, and that the Speaker should issue his warrant to the Sheriff accordingly.

But having shewn that the House of Assembly is not a Court of Record, nor part of a Court of Record—that it does not possess the powers which it claims to exercise by virtue of any law, usage or precedent, upon no one, in short, of the grounds or authorities by virtue of which the House of Commons exercise such a power, let us see whether, under these circumstances, there is anything in this warrant which gives it any efficacy; for in a warrant which is to take away a man's liberty, nothing is to be inferred but what the words themselves fairly and strictly import. A warrant, then, must be in writing, and made by a person having competent authority. It must be under seal: without this the commitment is unlawful the gaoler is liable to false imprisonment, and the wilful escape by the gaoler, or breach of prison by the prisoner, makes no felony.* A warrant committing one in execution (where is the case here) must state that the party has been convicted;† and it must be for a time certain,‡ and should set forth clearly the authority under which it is made.§ In all these essentials this warrant is utterly defective.

Had I entertained doubts only that this warrant was issued by a Court of competent jurisdiction, it would still have been my duty to see that it was in form and substance legal and valid for the purposes for which it professed to be issued; for the Queen's Bench upon a *Habeas Corpus* will examine into the commitment of a party for contempt by any other Court of Law having competent authority to commit, and will discharge the prisoner if the process of such Court be irregular, though the judgment upon which it issued be unquestionable; but under all the circumstances, having no doubt of the want of authority in the Assembly, it is the more imperative upon me to pronounce upon the legal sufficiency of this warrant.

When power and privileges affecting the liberty of the subject are for the first time arrogated by any man or body of men, who claim also to draw in question and pronounce definitively upon any act which they may deem to be a breach of those privileges, and to punish for the same by their own authority as they may see fit, it especially behoves those who administer the laws to take care that no one is subjected to such punishment, unless it be clearly warranted by the law of the land. And if the power which has on this occasion been exercised can be shewn to be warranted by the law of the land, and to be unquestionable in any other Court, than I say, and with every deference, that such a power is of all others the most liable to be abused as to render the liberties of all who dwell in this portion of the British dominions dependent upon as frail a tenure as those of the subjects of the most despotic government in the world.

As I have already said, the powers which the Assembly have claimed to exercise upon this occasion are not necessary for them, and the laws of the land are abundantly sufficient for their protection—but if it be considered that the omnipotent powers which they have arrogated are necessary, then let it be so declared and enacted by the legislature. Until, however, I can satisfy my mind that the laws of the land now in force given them such powers, I shall at least withhold my sanction from them.

* 1. Hale. 583.
† 6. T. R. 509.
‡ 5. B. & A., 894.
§ 2. Han., c. 16, s. 13.

CONSTANTINOPLE, JUNE 7.—The Council of State has very frequent sittings, at two of which the Sultan himself presided. The subject of the discussion is the old question of the pretensions of Mehemet Ali. It is resolved that no change shall be made in the existing relations, and that extreme measures shall be resorted to, if the Viceroy will not respect the authority of the Porte. This resolution has been entirely and unanimously approved by the foreign ambassadors, who have however, advised the Porte to retain its calm attitude, and not give Mehemet occasion for any well founded complaint. This he has engaged to do, and as a proof of its intention to follow the advice of the ambassadors, counter orders have been sent to three regiments of infantry, and a brigade of artillery, who were to join the army of the Seraskier in Asia, and instructions have been sent to the Seraskier himself not to quit his present position, and not to be moved by threats of any kind. But while the Porte thus

manifests a disposition to conciliation together with dignity, it reckons on the good offices of the friendly powers, and has called on their ambassadors to urge Mehemet to pay the arrears of his tribute. They have declared their readiness to do this; and there is no doubt that Mehemet who would willingly embarrass the Porte, will reflect, and again assure the Sultan of his submission, when he sees that this Sovereign can depend on the support of foreign powers.

THE STAR

WEDNESDAY, August 29, 1838.

The past month or six weeks have been so fruitful in extraordinary events, that the public mind has been kept in a continued state of feverish and painful excitement: scarcely has one object obtained its meed of admiration, when another and another have presented themselves to the view and laid claim to a share of the general wonder. The passing of the *Supply Bill*—the arrest and imprisonment of *Dr. Kieley*—the outrage upon the *High Sheriff* and the *Judge*—the decision of the *Privy Council* in the case of *Mr. Boulton*—the treatment experienced by a noble and heroic *Female*, and her triumphant but final departure from our shores,—are circumstances which have crowded themselves within the compass of a few short weeks; and which, notwithstanding the patriotic efforts of those who would fain "cast oil upon the troubled waves" have given an influence to party feelings that time and an over-ruling Providence alone will be able to subdue. If this Paper were the advocate of a party—if we were disposed to lay hold of every passing event with a view to trumpet ourselves into notice; if, reckless of the peace and harmony of society, we could take a malignant pleasure in dilating upon the follies or extravagancies of the times, there would now be ample room for comment: but to what would all this tend? Would it restore men to their reason? Would it quench the heart-burnings of opposition? Would it be likely to bring about a system of "brotherly kindness and charity"? No; it would—it could have no other effect than to propagate and perpetuate the very miseries which all parties have so much reason to deplore. Let it not be supposed that men can be goaded into submission, or abused into propriety; such means may arouse their anger, but it will neither rectify their conduct nor subdue their minds. 'These are wise saws, thread-bare sentiments'—it may be said—and every one knows and believes them! if so, we reply, why not act upon them? Why speak and write and act as if they had never been thought of,—as if the world had yet to learn them? But are we to lay down that others may ride rough-shod over us! Are we to be still and mute while others are moving heaven and earth against us! By no means; we speak not against a becoming spirit, nor even think against it; we admit the necessity of a firm, steady and manly resistance to all unwarrantable assumptions of power whether on the part of the governing or governed; but we do not see the propriety, nor could we ever discover the policy of keeping up a system of mutually vindictive annoyance—a series of old-womanish assaults, without any specific object in view—aimless and interminable. It ought not to be forgotten that as kindness begets kindness, so will the contrary beget the contrary; it were folly to expect it otherwise. Let

it then be the object of the *Terra Novian Press* henceforward to take a more magnanimous stand; let the past be forgotten—let revenge be laid aside; let us throw a veil over each others deformities rather than expose them; let the people be persuaded to submit cheerfully to the laws of the land; let *Rulers and Pastors* and *Masters* deport themselves in a manner consistent with their respective callings; and in a little while things will again wear a more smiling aspect; but reverse the procedure, and it requires not the gift of prophecy to foretel, that a more fearful catastrophe than that of *Canada* inevitably awaits us.

TO THE REAL AND PRETENDED FRIENDS OF MR. JOHN KENT.

MESSEURS,
I have been thinking that if some blunt, honest individual were to undertake to give you a few honest hints it might possibly be of some service to yourselves, to Mr. KENT and the country. I now take upon myself the task, and as I have neither wit nor learning at command you must be content with plain honesty instead. I intend to be very short, therefore, listen and be wise. I have divided you into two kinds real and pretended; by REAL I mean those of you who in the simplicity of heart are desirous for Mr. KENT's prosperity; by PRETENDED I mean such as make a tool of him for their own selfish ends. Now to the former of these I would say, Gentlemen I am sorry you should be so dim sighted as not to see that you are doing a serious injury to the person you are desirous of befriending; you helped to send him to the House; and as far as in you lay you have ever since been trying to lead him to a prominent position on the public stage. Well, I want to shew you that by so doing you are accountable for much of the noise and disturbance we daily experience. You are aware that the Gentleman I am speaking of is a person of some little parts and that in his proper walk of life he might become a useful and industrious member of society—he might earn his own bread and give bread to others; but by your thrusting him forward into a higher sphere you are causing him to lose his time, misapply his little talents and render himself a butt for other, besides what is worse, you are destroying or rather you are helping to destroy the peace and quiet of the country; for you must all know that he has no discretion to guide his conduct—you know, or rather you ought to know, that he has no foresight whatever, and that consequently he seldom or ever brings about the measures he intended at first—nay, that he often does what he did not intend, and intends what he has not power to do. And why does he place himself in this awkward plight; because you keep urging and praising him, telling how fine he speaks and that his language is the best in the world. Whereas you ought to persuade what even I cannot help observing—that he is the most miserable person to express his sentiments that can be found. Such hemming and hawing! Such, I don't know what to call it, in fact it is tiresome to listen to him going on—no more like what we see printed as his speech than chalk is like cheese. Then why do you urge him on or rather why don't you persuade him to give up his place to some able person, I am sure he would listen to you in a moment if you would speak to him in an open candid manner; then, my good Gentlemen I beg of you to try your endeavours upon him in this way and you would confer a great benefit on us all by so doing.

And you ye pretended friends what a shame it is that you make a tool of the Gentleman; don't you think it very base and wicked? leave off your vile flattery before his face, and mock behind his back, and take some more honorable means to bring about your purposes—I beseech you, to listen to the words of a plain experienced old man and not to persist, otherwise you will bring down much mischief upon us and our children. So no more at present from
Messieurs,
Your most obedient Servant,
THOMAS TRUSTY.

MR. EDITOR,
So highly has our Honorable House of Assembly appreciated the Address of many of the respectable Inhabitants of *Harbor Grace* to Chief Justice BOULTON, on his leaving this country for England last winter, that they have ordered an unlimited number of copies to be printed and circulated at the public expence, besides publishing it in their own organ "*The Patriot*."

Now Sir, in order to forward the enlightened views of the Assembly, may I request that you will also give it a place in your column, feeling confident that it will afford your numerous readers the highest satisfaction, to find in your valuable Journal, so excellent a document, equally creditable to the parties, and to the distinguished individual whom they had the honor of addressing.

And oblige
A SUBSCRIBER.

To the Honourable Henry John Boulton, Chief Judge of the Supreme Court of the Island of Newfoundland, and President of Her Majesty's Council, &c.
Deeply interested as we are in the welfare and

prosperity of this in every principle remain idle spectators present day.

No persons can sit by the fountain contaminated, free lites, none would voice against the prostituted to any now address you.

It is on these occasions that our nation attacks the a conscientious, up the duties of your

The firmness administered since had already had, and decreasing life and without merit of the valed you in your that to none upon that surmounts the Court, of

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We trust that will be but of she return to resume

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by those who ha selves,

Your

Harbour Gra J. Burt, Clerk

John Snowball William Panto

George Thorne John Munn, M

Thomas Danso W. Stirling, M

Alfred Mayne, Richard Ander

Thomas Ridley James Pitts, M

Joseph Soper, Mark Parson, E

William Parson Thomas Godde

Alexander Prol William L. Yes

John Charles N William Dow, J

Robert Lee Wh Thomas Kitcher

John Currie, F Nicholas Stabb

John Stark, Ma James Bayly, M

Samule Bennett Robert Parsons,

Ambrose Parson Archibald Munn

George P. Jillar George Hippisle

Levi Pike, Plan Jacob Moore, E

John Kingwell Society Teach

E. E. Brown, H James Sharp, C

Dr. Henry Webber, Samuel Elliot, S

H. G. Clow, Bar William Hender

(From the

We have muc to our readers which has been

prosperity of this Island, we should be wanting in every principle of true patriotism, were we to remain idle spectators of the passing events of the present day.

No persons can be more convinced of the necessity of the fountain of Justice being pure and uncontaminated, free from every bias of party or politics, none would be more ready to raise their voices against the Sacred Bench of Justice being prostituted to any such purposes, than those who now address you.

It is on these grounds that we feel imperatively called on to record our indignation at the many wanton attacks that have been made on you, for a conscientious, upright and honorable discharge of the duties of your high office.

The firmness with which the Laws have been administered since you presided as Chief Judge have already had the effect of diminishing crime, and decreasing litigation throughout the Colony; and without meaning in the least to detract from the merit of the very eminent men who have preceded you in your present Office, we can truly say, that to none more than yourself can the motto that surmounts the seat of Justice in the Supreme Court, of

"*Neque infecti gratia—Neque perfringi potentia—Neque adulterari pecunia.*"

be more justly applied.

The removal of your Lordship would, we conceive, be fraught with the greatest evil that could be inflicted on this country.

Deprived as we are in this Bay of any protection, save what we derive from a vigorous administration of the law, and surrounded as we are by a populace easily excited to riot and disturbance, as the few passed years have unfortunately shown, we should deeply deplore any event that would prevent your return to us, and we confidently hope that our most gracious Sovereign will be pleased to continue to trust to your care, that sword of justice which you have wielded as a terror to evil doers, and as a protection to all classes of Her Majesty's subjects.

We cannot refrain also from expressing our admiration at your conduct as President of Her Majesty's Council, although many of the undersigned are temporary sufferers by the non passing of the "Supply Bill," yet we are convinced, that the principles which actuated your opposition to that measure, are such as would govern a wise and patriotic legislator, and such as the interests of this Colony required.

For opposing such, and other crude acts, and for the firm administration of the laws without bending them to the will of a party, your lordship has drawn down the violent hatred of the Members who have gone as Delegates from the House of Assembly, to lay their alleged grievances at the feet of Her Majesty's Throne, complaints against your Lordship forming a prominent part of them. But whilst democracy has shewn itself in almost open rebellion in a neighbouring Colony, and its leaders have been held up by those persons as examples of true patriots, for the imitation of the inhabitants of this Island, we should hope their representations will have no effect prejudicial to your Lordship, whose character for honesty and integrity stands too firm to be shaken by the efforts of your enemies.

The House of Assembly, as at present constituted, composed of men, for the most part possessed of little interest in the country, and less ability to legislate for it—not chosen by the unbiased voice of the electors, but forced on the country by the influence of the Catholic Priesthood; supported by mobs of non-electors, in opposition to the wishes of the wealth, intelligence, and real constituency of the Colony, cannot be expected to enjoy their confidence; neither do they possess it.

To the Council, therefore, have we looked for that salutary check upon them; which forms so admirable a part of our constitution.

We trust that your absence from this country will be but of short duration; and that you will return to resume the duties of your office with the marked approbation of our most Gracious Queen; an event which will be hailed with proud satisfaction by the whole intelligence of the Colony, but gratefully welcomed by none, more than by those who have the honor to subscribe themselves,

Your most obedient servants,
Harbour Grace, 19th December, 1837
J. Burt, Clerk,
John Snowball, Wesleyan Missionary.
William Puntun, Merchant.
George Thorne, Merchant.
John Munn, Merchant
Thomas Danson, Magistrate.
W. Stirling, Magistrate.
Alfred Mayne, Barrister at Law.
Richard Anderson, Barister at Law,
Thomas Ridley, Merchant.
James Pitts, Merchant.
Joseph Soper, Merchant.
Mark Parson, Merchant.
William Parsons, Planter.
Thomas Godden, Shopkeeper.
Alexander Prole, Shopkeeper.
William L. Yeates, Accountant.
John Charles Nuttall, Merchant.
William Dow, Surgeon.
Robert Lee Whiting, Carpenter.
Thomas Kitchen, Mason.
John Currie, Farmer.
Nicholas Stabb, Deputy Sheriff.
John Stark, Magistrate.
James Bayly, Magistrate.
Samule Bennett, Smith.
Robert Parsons, Planter.
Ambrose Parsons, Planter.
Archibald Munn, Accountant.
George P. Jillard, Merchant.
George Hipplesley, Accountant.
Levi Pike, Planter.
Jacob Moore, Householder.
John Kingwell, Newfoundland School Society Teacher.
E. E. Brown, Her Majesty's Customs.
James Sharp, Constable.
Henry Weboer, Planter.
Samuel Elliot, Storekeeper.
H. G. Clow, Barrister.
William Henderson Merchant.

(From the Times, August 22.)

We have much pleasure in presenting to our readers the copy of an address which has been presented by the Com-

mittee of the Society for relieving the Indigent Sick to Mrs. BOULTON, the Patroness of that valuable Society, upon her leaving the Island, with that excellent lady's reply.

ADDRESS.

MADAM,—It is impossible that we should learn, without regret, that you are about leaving this Island, and that, consequently, the Society for the relief of the Indigent Sick, which owes you so much, as one of its earliest promoters, a constant attendant at its meetings, and liberal contributor to its funds, is shortly to be deprived of that valuable support which you have rendered it. Those who, by the suffrages of the subscribers, have been placed upon its Committee, and entrusted with the management of its affairs, and the investigation of the cases of the various applicants, cannot but feel a lively interest in the welfare of the institution, and an apprehension that it may suffer from being deprived of those advantages which it derived from your connection with it as our Patroness; while we, who have been more immediately associated with you in those labours of love which are the objects of our meetings, shall miss that zeal for the interests of our useful Society, that patient respect to our individual suggestions, that discriminating judgment, and that humane consideration for the poor in whose cause we are labouring, which have ever marked your conduct as Patroness of the Society.

Permit us, Madam, to tender to you, upon leaving this island, our sincere acknowledgments of the uniform courtesy and kindness which we have ourselves experienced at your hands, in all affairs connected with the management of the Society, and in the name of the numerous poor whom you have helped us, through this Society, to cherish in their hour of sickness, and, under God's blessing, to restore to health, permit us to offer you the tribute of heartfelt thanks, and to assure you that grateful recollections will follow you from Newfoundland wherever your future residence may be, and that the prayers of all classes will be addressed to the throne of Heaven for the health and welfare, here and hereafter, of yourself and of every member of your respected family.

Signed on behalf of the Committee, Visitors, and Officers of the Indigent Sick Society.

[Here follow the signatures of twenty ladies.]
Factory Room, St. John's Newfoundland,
August 21, 1838.
To Mrs. H. J. BOULTON,
Patroness of the Indigent Sick Society.

REPLY.

LADIES! FELLOW-WORKERS IN THE GOOD CAUSE!—I am happy to meet you, once more, before I leave this Island for ever, and to have this opportunity of tendering you my best thanks for zealous co-operation with me in renewing an interesting Society as useful as it lay in our power, without which, and the blessing of the Father of the Poor, my feeble efforts would have been wholly unavailable;—and I trust that the great benefit which this Society has been to the "Indigent Sick," will still stimulate you to continue your valuable labours, and that upon it the eye of the Lord may rest in favour.

For your affectionate wishes for me and mine, I offer you my most sincere thanks, and shall not fail to supplicate "the Father of Mercies and the God of all consolation" that He may shower down his blessings upon you and yours.

On Sale

BY
THORNE, HOOPER & CO.
Just Received per EMILY, Turner,
100 Barrels Flour
185 Bags Bread
10 Hhds. Building Lime
7000 Brick

And
150 Hogsheads Best House Coals.
Harbour Grace,
August 15, 1838.

TOBACCO.

15 Barrels } Prime LEAF
2 Hogsheads }
For Labrador Fish payment.
BY
WM. DIXON & Co.
Harbour Grace,
August 1, 1838.

Notices

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

NOTICE

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

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

Notices

ALL Persons having any Claim on the Estate of ROBERT DOBIE, of Kirkaldy, (North Britain), but late of Brigus, Surgeon, Deceased, are requested to present the same to the subscriber; and all Persons indebted to the said Estate, are required to make immediate payment to

JULIA DOBIE,

Brigus. Administratrix.

Michael McLean Little

THANKFUL for the encouragement and support he has received from his Friends and the Public, in his line of business, has to assure them he will endeavour to merit a continuance of their favours. He has now on hand a fresh supply of

Garden Seeds, Shoop Goods, Groceries, &c. &c.

With a neat Assortment of LONDON TOYS

Which are now open for the inspection of his Friends, Orders for which will be thankfully received and punctually attended to.

St. John's,
April 24, 1838.

NEWFOUNDLAND

Northern District, }
Brigus, to wit.

COURT OF SESSIONS,
JANUARY 9TH, 1838.

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

ROBERT JOHN PINSENT, J. P.

Chairman of the Court.

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

SAMUEL W. COZENS.

Assayer of Weights and Measures.
Brigus,
January 9, 1838.

PORTUGAL COVE ROAD.

Stage Coaches, 'Victoria,' 'Velocity,' and 'Catch.'

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

TERMS

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

St. John's,
May 13, 1838.

Indentures

FOR SALE at this Office.

Harbour Grace.

Dr Arnott's Stove

DRIVER and METFORD beg to inform the Nobility and Gentry, that they Manufacture the celebrated Dr. ARNOTT'S Stove. This invention combines the greatest economy, safety and cleanliness, with the most effective operation of any mode of heating yet discovered, and is adapted to places of Public Worship, public establishments, halls, vestibules &c. May be seen in operation at their Stove Grate Manufactory and Iron Works.

Southampton, March 9, 1838.
[Dr. ARNOTT'S Stove.—We see by advertisement that this useful and economical Stove is now manufactured to any

size, by Driver & Metford, this town of The article has been so highly approved of by all who have seen or used it, that it is quite unnecessary for us to say a syllable in its favor.—Hampshire Telegraph, March 12, 1838.]

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

In the Northern Circuit Court, (L.S.) Harbor Grace, April Term, 1st Victoria.

In the master of Robert Slade, senr., Mark Seager, Robert Major, and Rolles Biddle, of Carbonear, in the Northern District, Merchants Insolvents.

WHEREAS it hath been made to appear to this Honorable Court, (at the return of a Writ against them by EDWARD PIKE) that Robert Slade, senr., Mark Seager, Robert Major, and Rolles Biddle, of Carbonear, Merchants, and Co-partners, are unable to pay to all their Creditors Twenty Shillings in the Pound, this Court doth this day declare them Insolvent. It also appearing that a considerable part in value of the said Creditors are resident in England, and have no legal representatives in this Country;—and it likewise appearing, that it is necessary to appoint Provisional Trustees, until a meeting of the Creditors can conveniently be held for the purpose of nominating Trustees to the Estate of the said Insolvents. It is this day ordered by this Honorable Court, that Robert Slade, senr., Mark Seager, Robert Major, and Rolles Biddle, and all Persons their Creditors, whose Debts amount respectively, to the sum of Twenty Pounds and upwards, do either in Person, or by their Lawful Agent, assemble at the Court House, at Harbor Grace, on the First day of next Term, at Eleven o'clock in the forenoon, in order to choose two or more Creditors to be Trustees to the Estate of the said Insolvents:—And in the interim this Honorable Court appoints ROBERT PACK, Esq., JOHN WILLS MARTIN, Esq., and WILLIAM HARRISON, Esq., Merchants, residing at Carbonear, Provisional Trustees, of the Insolvent Estate of the said Robert Slade, senr., Mark Seager, Robert Major, and Rolles Biddle; and the said Robert Pack, John Wills Martin, and William Harrison, are hereby authorised to Discover, Collect, and Receive the Estate and Effects of the said Insolvents, subject to such Orders and directions, as this Honorable Court shall from time to time make herein.

By the Court,

JOHN STARK,

Chief Clerk and Registrar.

Harbour Grace,
30th April, 1838.

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

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

C. F. BENNETT,

GEORGE MORGAN.

Witness,
GEORGE BEADEY BECK,
THOMAS BENNETT,

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

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

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

GEORGE MORGAN.

Feb. 10, 1838.

WANTED, a PERSON to act as an Assistant at the Harbour Grace Island Light House.—Application to be made at the Office of this Paper.

Harbour Grace.

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THOMAS TRUSTY.

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SCRIBER.

John Boulton, Chief
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POETRY

THE LEAF AND THE STEM.
(FROM THE METROPOLITAN.)

A CHILD played with a summer leaf,
Green was the leaf and bright;
Ne'er had he known a pang of grief,
His merry heart thrill'd light.

An old man gazed on a wither'd stem,
The leaf's life all was gone;
Twas Autumn's ghastly diadem—
A tear-drop fell thereon.

Spring passes away—the child grew old,
His pleasant scenes had fled;
The Winter's breath had left him cold,
Now sleeps he with the dead.

The old man can no more be found,
A heap of dust is there;
Concealed beneath a grassy mound,
Where is life's light—say where?

Ah! where art thou, my merry boy,
And thou, my sombre man?
Childhood's shrill laugh of love and joy?
Say, wisdom, if you can!

Where is the emerald leaf of spring?
Shrivell'd on Autumn's breast,
Death's mother.—'Tis a fearful thing,
That youth on age must rest.

SECOND SIGHT.

THEY tell me, thou pale and thoughtful
sage,
That thine eyes can glance o'er Life's
coming page;
That the shadows in Time's dim glass
concealed,
To thy piercing gaze are all revealed.

When the infant smiles on its mother's
knee,
Thou dost not joy in its playful glee,
Thou canst tell the hour when the
world shall win
That sportive spirit to guild in sin.

The maiden sits in her summers bower,
Brighter in bloom than its fairest flower;
But thy look is said, for thou knowest
her doom
In a fading cheek and an early tomb.

The bride goes forth from the home of
youth,
She trusts in her faithful lover's truth,
But the tears at the boding vision start
Of a broken vow, and a blighted heart.

Soldiers march on in their proud ar-
ray,
Their drums are beating, colours gay,
The crowd exults in their high career,
But their death-dirge sounds in thy shud-
dering ear.

There are the records that numbers tell
Of the force of thy wonder-working spell;
But for me, I cannot deem that Heaven
Has a boon so fatal to mortals given.

Oh! not for worlds would I know the
power
To lift the veil of one distant hour,
And sadly on youth and joy to gaze,
Knowing the ills of there coming days.

On the past I love to turn my eyes,
My present blessings I fondly prize;
And when doomed misfortunes to deplore
I trust I have better days in store.

But I would not wish on these days to
look,
They are safely kept in God's secret book;
And my heart would grieve, were his
wise design
Profaned by a feeble glance like mine.

VERIFICATION OF AN ANCIENT PROPHECY.

The following prophecy is said to have been delivered by a British bard, in the time of William the Norman, and preserved by some of the monkish annalists viz: "That no more than three monarchs in direct succession, should again reign over these kingdoms without some violent interruption:"

- 1 William the Norman,
- 2 William Rufus,
- 3 Henry the First,

Interrupted by the usurpation of Stephen.

- 1 Henry the Second,
- 2 Richard the First,
- 3 John,

Interrupted by the usurpation of Louis the Dauphin.

- 1 Henry the Third,
- 2 Edward the First,
- 3 Edward the Second,

Interrupted by the abdication and murder of Edward the Second.

- 1 Edward the Third,
 - 2 Richard the Second,
- interrupted by the deposition of that Monarch.

- 1 Henry the Fourth,
- 2 Henry the Fifth,
- 3 Henry the Sixth,

Interrupted by the restoration of the House of York.

- 1 Edward the Fourth,
- 2 Edward the Fifth,
- 3 Richard the Third,

Interrupted by the usurpation of Henry Richmond.

- 1 Henry the Seventh,
- 2 Henry the Eighth,
- 3 Edward the Sixth,

Interrupted by the election of Lady Jane Grey.

- 1 Mary,
- 2 Elizabeth

A foreign King (James of Scotland) called in to assume the Crown.

- 1 James the First,
- 2 Charles the First,

Interrupted by the deposition of that Monarch, and the establishment of another from the government in the person of Oliver Cromwell.

- 1 Charles the Second,
- 2 James the Second,

Interrupted by the abdication of that King, and the election of a foreigner.

- 1 William the Third,
- 2 Anne,

Interrupted by the parliamentary appointment of a foreigner.

- 1 George the First,
- 2 George the Second,
- 3 George the Third,

Interrupted by the unfortunate incapacity of that Monarch, and a parliamentary appointment for exercising the sovereignty in the person of the Prince Regent.

- 1 George the Fourth,
- 2 William the Fourth,
- 3 Victoria the First,

Whom may God bless: but what is to be the next interruption?

Laughable Anecdote.—Our steward was a Barbadian, who had never been out of the Caribben sea until the present voyage; his predecessor had died at Antigua, of the "new rum fever." One morning, after we got into cold weather, as I was talking to Dr. Grey, he came to us, looking very pale, "Oh, doctor!" said he; and he stopped short, as though his utterance was choked. "What is the matter with you man?" inquired the doctor, hastily catching his wrist, and feeling his pulse, as it were mechanically. "I is a dead man," said the steward mournfully and deliberately. "You have the strongest pulse for a dead man that I ever felt. In the name of God, what ails you?" said the physician. "Don't you see?" rejoined the steward. "See what?" asked Grey. "Why," replied the Steward "the smoke is coming out of my mouth."—The fact was, the Barbadian never having been in a cold climate, he was utterly astonished on perceiving, when he came on deck, as he expressed it, that the smoke came out of his mouth; in other words, that the rarity of the atmosphere made his breath visible. After explaining to the poor Barbadian the cause of his needless alarm, we enjoyed a hearty laugh at his expense. It was, however, no laughing matter to the steward; for fear had so got the better of him, that he was sick four days after this, yet was he anything but a coward.

On Sale

G. P. Jillard

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

PATENT LEVER and other WATCHES With a great variety of Watch Chains and Ribbons Gilt, Silver, and Steel Guard Chains Seals and Keys Women's Silver Thimbles Silver Pencil Cases German Silver Table and Tea Spoons Gold Wedding Rings Lady's Ear Rings and Finger Rings Very Superior Single and Double Bladed Pen Knives With a variety of other Articles, which he will Sell very Low for CASH.

Harbour Grace, July 4, 1838.

FOR SALE

By Private Bargain,

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

AND,

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

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

ALFRED MAYNE, Their Attorney.

Harbor Grace, June 6,

BY

MICHAEL HOWLEY

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

ALSO, ON HAND,

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

TO LET

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

OF those Extensive WATER-SIDE PREMISES, at Harbor Grace, lately in the occupancy of the Subscriber, admeasuring on the South side of the Street about One Hundred and Sixty-seven Feet front, on which there is erected a WHARF, and STORE 30 by 28 Feet, and the use of a VAT if required, that will contain about 7000 Seals. The situation is in a Central part of the Town, and well adapted for a Coal and Lumber Yard. ALSO, about Forty-three Feet front to LET on BUILDING LEASES, on the North side of the Street, East of Mr. POWER'S House.

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

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

PETER ROGERSON.

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

Notices

CONCEPTION BAY PACKET TO St John's and Harbor Grace Packets

THE EXPRESS Packet being now completed, having undergone such alterations and improvements in her accommodations, and otherwise, as the safety, comfort and convenience of Passengers can possibly require or experience suggest, a careful and experienced Master having also been engaged, will forthwith resume her usual Trips across the BAY, leaving Harbour Grace on MONDAY, WEDNESDAY, and FRIDAY Mornings at 9 o'Clock, and Portugal Cove on the following days.

FARES.

Ordinary Passengers 7s. 6d.
Servants & Children 5s.
Single Letters 6d.
Double Do. 1s.

All Letters and Packages will be carefully attended to; but no accounts can be kept or Postages or Passages, nor will the Proprietors be responsible for any Specie or other monies sent by this conveyance.

ANDREW DRYSDALE, Agent, HARBOR GRACE PERCHARD & BOAG, Agents, St. JOHN'S Harbour Grace, May 4, 1835

Nora Creina

Packet-Boat between Carbonear and Portugal-Cove.

JAMES DOYLE, in returning his best thanks to the Public for the patronage and support he has uniformly received, begs to solicit a continuance of the same favours.

The NORA CREINA will, until further notice, start from Carbonear on the mornings of MONDAY, WEDNESDAY and FRIDAY, positively at 9 o'clock; and the Packet Man will leave St. John's on the Mornings of TUESDAY, THURSDAY, and SATURDAY, at 9 o'clock in order that the Boat may sail from the cove at 12 o'clock on each of those days.

TERMS.

Ladies & Gentlemen 7s. 6d
Other Persons, from 5s. to 3s. 6d
Single Letters Double do.

And PACKAGES in proportion N.B.—JAMES DOYLE will hold himself accountable for all LETTERS and PACKAGES given him.

Carbonear, June, 1836.

THE ST. PATRICK

EDMOND PHELAN, begs most respectfully to acquaint the Public, that he has purchased a new and commodious Boat which at a considerable expence, he has fitted out, to ply between CARBONEAR and PORTUGAL COVE, as a PACKET-BOAT; having two cabins, (part of the after cabin adapted for Ladies, with two sleeping berths separated from the rest). The fore-cabin is conveniently fitted up for Gentlemen with sleeping-berths, which will he trusts give every satisfaction. He now begs to solicit the patronage of this respectable community; and he assures them it will be his utmost endeavour to give them every gratification possible.

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

TERMS.

After abin Passengers 7s. 6d.
Fore ditto, ditto, 5s.
Letters, Single 6d
Double, Do. 1s.

Parcels in proportion to their size or weight.

The owner will not be accountable for any Specie.

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

Carbonear, --- June 4, 1836.

TO BE LET

On Building Lease, for a Term of Years.

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

MARY TAYLOR, Widow.

Carbonear, Feb. 9, 1838.

Blanks

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

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Vol. 1

HARBOUR

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MARSHAL So pleasure in quot "History of t most interesting Brave and high everywhere, to may chance to b for the first time cordial hospital