



Newfoundland.

No. 74.

THURSDAY, December 18, 1828.

Sixpence.

On Sale.

NEW AND FINE VESSELS.



THE Schooner *Caroline*, burthen 91 Register tonnage, this day arrived from Prince Edward Island; and the *Yacht*, of about the same tonnage, daily expected, built under the inspection of Lieut. Wm. TOWNSHEND, of the Royal Navy, we offer for SALE, by private contract; and if not disposed of before the arrival of Lieut. TOWNSHEND, now expected in the *Yacht*, they will then be Sold to the highest bidder, at Auction.

JOHN DUNSCOMB & Co.

December 4.

Robinson and Brooking

HAVE RECENTLY RECEIVED,

Per *Harriet*, *Paul Pry*, and *Rival*, from Halifax,

A few barrels of excellent ALE, and 20 hogsheads good PORTER, which they offer for Sale, on moderate terms.

December 11.

Just Received,

By the Brig *Wheaton*, from Liverpool and Waterford, and Brig *Ariadne* from London,

AND FOR SALE,

BY THE SUBSCRIBERS,
Bread, Butter, and Coals.

Also,

OF FORMER IMPORTATIONS,

FLOUR, Oatmeal,
Wines of all kinds,
Brandy, Geneva, Rum, Molasses,
Cables, Cordage, Seines, Nets, Canvass,
Nails, Paints, Ships' Cambouses,
Parlour and Kitchen Grates and Ranges,
With a general assortment of Shop and Store Goods,

BROWN, HOYLES & Co.

October 9.

William & Henry Thomas

HAVE RECEIVED,

Per the Schooner *Little George*, from Halifax,

284 Q R-CHESTS and Boxes of Congo,
Souchong, Twankey, Hyson Skin,
and Hyson TEAS—which will be Sold at
remarkably low prices for Cash.

N. B.—*Labrador Merchantable, or Shore Ma-
deira and West India Fish, will be received in pay-
ment from Purchasers to any amount exceeding
Fifty Pounds.*

October 30.

Robinson and Brooking

HAVE RECENTLY RECEIVED,

Per the *Hazard* and *Unity* from Oporto,

AND OFFER FOR SALE,

A Supply of choice Old PORT WINE, in bot-
tles and in cases of 1, 2, and 3 dozen each.

Also,

10 Casks Olive Oil, 13 gallons each,
20 Ditto ditto, 6½ ditto ditto.

November 20.

EXPORTATION RUM.

THE Subscribers have just received, per Bri-
gantino *Pegasus*, from Grenada, a small
Cargo of RUM and MOLASSES, which they offer
for Sale, either for Transhipment or Consumption.

☞ Cash, Oil, or Fish received in payment.

JOHN DUNSCOMB & Co.

November 27.

On Sale.

William & Henry Thomas

HAVE RECEIVED,

By the *Agencia*, *Comodore*, *Chieftain*, *Alexan-
der*, from Liverpool, and *Invulnerable* from
London,

**THEIR FALL SUPPLY OF
DRY GOODS,**

Which they offer for Sale, at very reduced prices.

Also,

Per *SUSAN*, from Halifax,

8 Hogsheads best Leaf Tobacco,
200 Bushels Indian Corn.

October 9.

ROBINSON & BROOKING

ARE NOW LANDING,

Ex *Mary*, from London, and *Harriet*, from Halifax,

AND OFFER FOR SALE,

50 H HDS. red Sicilian Wine,
10 Hds. good Porter.

November 27.

The SUBSCRIBER

HAS JUST RECEIVED,

A Consignment of

SUPERFINE Black, Brown, Blue, and Olive
broad and narrow CLOTHS,
A few Pieces of blue Whitney, Drab, and Olive
FLUSHINGS;

Which he will dispose of by the Piece or Retail,
upon very cheap terms.

November 13.

HENRY SHEA.

OLD MADEIRA WINE.

This day Received,

Per the *ALERT*, direct from Madeira,

6 P PIPES of the well-known brand "I. A. G.,"
choice London Particular, of a quality not
often met with in this Market, for Sale.

JOHN DUNSCOMB & Co.

November 25.

To be Let.

And immediate possession given.

PART of the House adjoining that of the Sub-
scriber, consisting of Two Large Rooms, Three
Bed-rooms, the Use of a Garret, and a frost-proof
Cellar.—For further particulars apply to

October 9.

JOHN HARDING.

A Convenient House and Shop, situated in *Wa-
ter-street*, in a central part of the town.—
Apply to

HENRY SHEA.

September 25.

For such a number of Years as may be agreed up-
on, and immediate possession given—

THAT very neat, compact, and desirable COT-
TAGE, North of *Fort William*, and immedi-
ately in the rear of the Hon. Judge BRENTON'S re-
sidence—containing two Parlours, four Bed-rooms,
Servants' apartments, Scullery, Pump-room, Water
Closets, an excellent frost-proof Cellar, Out-houses,
Stables, &c. &c., with a Garden and a piece of Mea-
dow ground adjoining.

The House is situated in a very pleasant and airy
part of the suburbs, and commands an extensive view
of a beautiful part of the surrounding country.

Further particulars may be known, on applica-
tion to

MICHAEL MEEHAN.

Notices.

ALFRED WILSON,

Chemist and Druggist,

GRATEFUL for the great share of patronage
which he has received since his commence-
ment in business, begs to inform his Friends and the
Public, that he has REMOVED his Establishment to
the Premises lately held by Mr. Wm. EAGAR,
and nearly adjoining those of Messrs. W. & H.
THOMAS, where he has an excellent assortment of
MEDICINES, DRUGS, &c., for sale on the most
reasonable terms.

☞ Prescriptions from the Medical Gentlemen,
and orders from the Out-ports, made up as usual,
on the shortest notice.

St. John's, 18th September.

NICHOLAS LATOUR

BEGS leave to inform his Friends and the Public,
that he intends to Re-open his

Dancing School.

On SATURDAY next, the 1st November.

As several Gentlemen have applied who wish to ob-
tain a knowledge of the FRENCH LANGUAGE,
he will also commence his French Classes on MON-
DAY, the 3d.—Those who intend to learn the polite
and elegant accomplishment of FENCING, are re-
quested to make early application, as but a limited
number of Pupils can be received.

October 30.

Desirable conveyance to and from Harbour-Grace

THE Public are respectfully informed that the
EXPRESS Packet Boat has undergone a
thorough repair, and will continue to ply between
Harbour-Grace and *Portugal Cove*, leaving the
former place every MONDAY, WEDNESDAY,
and FRIDAY Morning, at 9 o'clock, and *Portugal
Cove* the succeeding days at Noon, the Letter Car-
rier leaving *St. John's* at 8 o'clock, Sundays and
bad weather only excepted.

Cabin Passengers 10s.
Steerage Ditto 5s.
Letters 6d.
And Double Ditto and Parcels in proportion.

The Proprietors will not be accountable for any
Species or other Monies which may be put on board.
Letters left at the Offices of the Subscribers will
be regularly forwarded.

T. RIDLEY, Agent, Harbour-Grace.

JAMES CLIFT, Agent, St. John's.

DART PACKET BOAT.

JAMES DOYLE

RETURNS his sincere thanks to his Friends and
the Public generally, for their past favours,
and begs to inform them that, having newly fitted up
the above well-known, safe, and commodious Packet
Boat, he intends running, for the remainder of the
season, between *Carbonear* and *Portugal Cove*, and
hopes that by punctuality, care, and attention, the
share of public patronage which he has hitherto ex-
perienced, will be still continued to him.

DOYLE will leave *Carbonear* (wind and weather
permitting) every Monday and Thursday, at 9
o'clock; and *St. John's* every Tuesday evening at
3 o'clock, (so as to leave the *Cove* early next morn-
ing,) and Saturday morning at 8 o'clock.

Terms of conveyance.—Ladies and Gentlemen
10s.; Servants and Children 5s.; Letters 1s.; and
Parcels in proportion.

Any Letters or Parcels committed to his care,
DOYLE will deliver in person.—Letters, &c., receiv-
ed at the *Newfoundland* Office.

**BILLS OF LADING and SHIPPING PA-
PERS** for Sale, at the Office of this Paper.

MARIE'S GRAVE.

By the Author of "The Subaltern."

It is hardly necessary to remind the reader that at
the close of the Peninsular war, orders were issued
for the formation of an encampment in the neigh-
bourhood of Bordeaux, where the regiments which
had been selected to reinforce Sir George Prevost in
Canada, as well as to carry on hostilities along the
shores of the United States, might assemble. It fell
to the lot of the ——— Regiment of Light Infantry
to form one of the corps appointed for the last men-
tioned of these services. Having been attached to the
left column of Lord Wellington's army, we were sta-
tioned, when the above intelligence reached us, un-
der the walls of Bayonne, at the distance of ten long
days' march from the point of rendezvous; but we
welcomed the communication with not less alacrity
on that account, and made ready, on the 14th May,
1814, to act in accordance with its tenor.

Of the particulars of our journey I am not at pre-
sent called upon to give any account, farther than
that in all its stages, and in every circumstance con-
nected with it, it was most delightful. I found the
churchyard of *La Barbe* moderately studded with
green mounds, but wholly devoid of head-stones or
columns to tell the names of the persons who slept
beneath. Wooden crosses seemed to be the only
species of monument erected by the people of *La
Barbe* to the memory of their deceased relatives, and
of these, though they were almost as numerous as
the graves themselves, not one bore a word or letter
of inscription. Even the garlands, which through-
out most parts of France it is customary for the sur-
vivors to twine over the tombs of those whom they
loved, were all, with a solitary exception, wanting
here. Upon one cross, and one only, hung a wreath
of flowers; and though the blackened hue of the
wood told a tale of exposure to more than one sum-
mer and winter, the garland was fresh and fragrant,
as if gathered and arranged this very morning. I
was struck with the contrast which the condition of
this grave, as compared with the others, presented,
and, sitting down, was beginning to give free vent
to fancy, when the noise of approaching footsteps
disturbed my reverie. I looked round, and beheld,
advancing towards me, a man in the common garb
of the country. His age seemed to be about three or
four and thirty; but in his general appearance there
was nothing at all remarkable, except that an upright
carriage, one empty sleeve, and a pair of monstrous
moustachios, indicated that he had been a soldier, and
had served in the memorable wars of his country.—
As he drew nearer, however, I examined him more
closely, and observed, or fancied so, a peculiarly
mild and even melancholy expression in his eye.—
Whether or not I was correct, little time was granted
to consider, for he raised his hand to his hat, and
coming forward at once, with the freedom and frank-
ness of his country, entered with me into conversa-
tion.

'I perceive, Monsieur,' said he, 'that the garland
upon the cross which distinguishes this grave from
those around it, has attracted your attention.' I as-
sented to this remark, and proceeded to inquire whe-
ther he could give me any information respecting the
individual who had suspended it there, and the per-
son to whose memory it was consecrated. 'I can
indeed, Sir,' answered he; 'I can satisfy you fully
on both these heads; it was I that gathered it, it was
I that wore it, and it was I that hung it here; it was
a task which I religiously perform on the return of
every Sunday morning, and she to whom I dedicate
my weekly offerings was the best, as she was the
loveliest maiden of the province. Perhaps you may
desire to learn something of her history. If you will
allow me to take the privilege of a brother soldier, I
can sit down beside you; and God help me, I shall
derive as much satisfaction, though it be a melancholy
one, from relating the brief detail, as you can have
from listening to it.' I immediately, and with the
utmost readiness, accepted his proposal, upon which
the villager seated himself by my side, and began as
follows:—

'I am a native of this place, as from my address
and dialect you have doubtless already guessed. My
name is Jean Baptiste, and my father, whose only
child I am, is accounted the wealthiest and most
skillful cultivator in all the department. You may
perceive, that bating the loss of this arm, (and that
occurring six years ago, ought not to tell against me)
I am neither worse made, nor less personally attrac-
tive than my neighbours; whilst I can appeal to all

[For remainder, see last page.]

Colonial.

BRITISH JUSTICE.

York, (Upper Canada) June 21.—At the opening of the present term of the Court of King's Bench, on Monday last, their Honours, Mr. Justice Sherwood, and Mr. Justice Willis, being present, before proceeding to the ordinary business, the latter rose, and addressed to the Bar a written opinion, upon the Constitution of the Court. In the course of this address, which was delivered at great length, reference was made to several enactments, both of the Imperial and Provincial Legislatures on the subject of Courts of Judicature, from which and other authorities quoted, he stated it to be his opinion, that in consequence of the absence of the Hon. the Chief Justice, (who has obtained leave to proceed to England) the last term, [Easter] previous to which His Honour had departed, was not legally holden, and that the present sitting under the same circumstances could not possess legal jurisdiction. The manner in which the leave of absence to the Chief Justice, as well as to many other Officers holding situations in the Provincial Government, has been granted, he stated to be his opinion, from information obtained at the Council Office, was not only irregular, but illegal, and that the incumbents in consequence of that illegality had forfeited their Offices. We understood the learned Judge to say, that no Officer could depart from the Colony, without forfeiting his Office, unless upon leave obtained from the Governor and Council; whereas he understood the usual course to have been for leave to be granted by the Governor only.—The following is part of his address:—

"To my mind, from what has been stated, the indisputable conclusion is, that if all the Judges directed to preside by a statute which erects a court, should not be present, and indeed if those even whom the Judges are required to take to their assistance should not be called, and present when the business of the court is transacted, any thing which may be done in their absence will be altogether erroneous and void. It follows, therefore, that unless there be some exceptions in the subsequent provincial enactments which I have not hitherto mentioned, authorizing the absence of the Chief, or any of the Justices of this court, the business according to the terms of the provincial act, cannot now be legally transacted by the court, as the Chief Justice, together with two Puisne Judges, must preside in it! In Lower Canada, and in that legal division of it which adjoins this province, it has been lately said, and the fact can easily be ascertained, that when sentence was very recently about to be passed on one Edmund Burke, a name too remarkable to escape observation, for having returned from transportation, contrary to the condition of a pardon which had been granted to him in 1813, when condemned to death for burglary, it was discovered that the provincial statute of Lower Canada, of 3d Geo. 4, c. 9, continued by that of the 5th Geo. 4, c. 23, neither of which I have been able to procure, enabling two Puisne Judges to hold the criminal court of Montreal, in the absence of the Chief Justice, had expired the 1st May, 1827, and consequently the Lower Canadian statute of the 34th Geo. 3, c. 6, (which I have seen) and which by the 3d section, requires the presence of two Judges in that court, of whom the Chief Justice must be one, was revised, and the trial having taken place before two Puisne Judges, only, was held to be a nullity. The absence of the Chief Justice of the Island Prince Edward, in the Gulf of St. Lawrence, has recently been the subject of a discussion in the House of Assembly of that settlement, of the deepest interest, not only to those immediately affected by it, but with reference to such persons as may have been appointed to notice in any of the British colonies. The speech of the Attorney General on the message of the Lieut. Governor of that island, relative to the situation of the Assistant Justice of the Supreme Court, is worthy of attention. The Chief Justice of that province is universally admitted to be a gentleman of the first attainments, and the highest respectability; but his absence from the island, which it seems he only visits periodically, is said to be felt there as the greatest evil. In the course of the debate I have alluded to, the manner in which leave of absence is directed by the British statutes to be granted to public officers in the colonies, formed a principal topic. I shall now advert particularly to that subject, as it is in my opinion a matter of the first importance, to ascertain whether the commissions which have been granted to any of the officers of this colony, are affected by those acts. The first I shall mention is the statute 22d Geo. 3, c. 75—(read it Governor and Council, not the Governor alone), the other is the more recent act of the 54th Geo. 3, c. 61, (read it Governor and Council to grant leave). It appears to me, then, from these acts, that absence from the province without leave, is a forfeiture of the commission of the person so absenting himself,—that leave of absence must be granted to all those who hold office in the colonies, by the Governor or Lieut. Governor and Council, and NOT by the Governor or Lieut. Governor alone, as I am informed, though contrary to the statutory regulations, and, in my opinion, to every principle of law, has frequently been the practice.—On inquiry at the Council office here, I find that leave has always been granted by the Lieutenant Governor alone. As well might His Majesty the King decide an appeal from this colony without the advice of his Council. The King can do no wrong, and this measure, I presume, applies equally to his representative; but the law has wisely provided for the interposition of ministers in all public measures, who are answerable to the community for any impropriety that may occur—who is to be responsible, if leave of absence should be improperly granted. The Lieutenant Governor cannot be—therefore the

Legislature provided it should not be granted by the Governor or Lieutenant Governor alone, but by the Governor or Lieutenant Governor in Council. But it is evident that such leave of absence cannot be granted, or even extended in any other manner, according to these statutes, than by the Governor and Council, and that by these acts, even the Secretary of State, has merely the power of confirming, not of granting or extending such leave. If, then, such leave of absence should not have been so granted, reported and confirmed, as the acts expressly require; or if any officer should at any time have absented himself from the province without first having obtained leave according to the statutes, or should have remained absent for any period to which such leave granted by the Governor or Lieutenant Governor and Council did not expressly extend, the inevitable consequence, in my opinion is, according to the words of the statute of 54th Geo. 3, c. 61, which is a penal act, and to be construed strictly, such officer must by his absence without such leave, be deemed to have vacated his office, and his appointment must be considered to all intents and purposes void, and of non effect. But this is a matter which may possibly have already attracted the attention of the legal advisers of this Government. The consequences of having assumed, the exercise of office after forfeiture of the commission is too serious, I should imagine, to have escaped observation—and I now mention it, that in case it has not hitherto been noticed, steps may be taken to obviate the evil, which must necessarily have occurred. I allude more particularly to this circumstance, as it materially serves to strengthen the force of the argument I have urged to shew the absolute and invariable necessity of a strict and rigid adherence to the provisions of the Legislature."

Mr. Justice Sherwood said that he would not take upon himself to pronounce an opinion on the subject, as there was nothing before the Court which called upon him to do so—it might be considered as an extra judicial opinion:—Adhering therefore to the uniform practice, under similar circumstances, he should not hesitate to proceed with the ordinary business of the Court, adjourning it from day to day as occasion required.

Mr. Justice Willis objected to any adjournment, urging his opinion that as the Court was not at present legally constituted in consequence of the absence of the Chief Justice, its functions could not be exercised, and that any proceedings would be null and void.

Mr. Justice Sherwood then stated, that he was aware from the address which had been delivered, by his brother judge, that such was his opinion; but that he nevertheless felt himself competent to pursue the course he had mentioned. If that course, notwithstanding the practice which had hitherto invariably prevailed, should prove to be incorrect, he should regret it extremely, but he felt it to be of too much consequence to the country, to take it upon himself to vary from it, without the interference of a higher authority. Judge Willis then left the Bench, and the Court after the transaction of some ordinary matters, was under the direction of Mr. Justice Sherwood, adjourned to the following day, and has since continued its sittings before his Honour alone.

The Newfoundland.

ST. JOHN'S, (THURSDAY) December 18, 1828.

The Hon. Chief Justice TUCKER sailed, on Thursday last, in the Brig Britannia, for Waterford.—His Lordship proceeded, about half-past 11 o'clock, from the Court-House to the Ordnance wharf, (from which he embarked) and was accompanied by the Hon. Judges DES BARRES, BRENTON, and PATERSON; the High Sheriff, the Attorney General, and Members of the Bar; the President, Officers, and Members of the Commercial Society; the Benevolent Irish Society, the Mechanics' Society, and an immense concourse of the Inhabitants.—When the boat shoved off, the whole assemblage joined in nine hearty cheers, which His Lordship acknowledged by bowing repeatedly. At 10 o'clock, on the morning of his embarkation, His Lordship was waited upon, in the Judges' Chambers, by the President and Officers of the Chamber of Commerce, with the following address from the Commercial Society:—

CHAMBER OF COMMERCE,

St. John's, Newfoundland,
December 9, 1828.

MY LORD,

The Commercial Society of this town, aware of your Lordship's intention to embark for Great Britain, cannot allow you to depart without expressing the high sense of respect and esteem which they entertain for your Lordship, both in your public and private character.

They beg leave to offer their grateful acknowledgments to your Lordship for that urbanity and kind attention with which you have at all times been pleased to receive the representations of this Society, through their Committee, the Chamber of Commerce, during the exercise of your important duties as President administering the Government, and as Chief Judge of the Island: and they have great pleasure in bearing unqualified testimony to the high spirit of honour and integrity which has marked your public career in those distinguished situations.

Although the Society regret the necessity of your Lordship's absence, which must, for a time, deprive the colony of your valuable services; still, they have

the satisfaction to know that you will be in England when the Fishery and Judicature Acts are about to expire, and they anticipate the most beneficial results from the faithful representations which will be made by your Lordship to his Majesty's Government, previously to the introductions of any new Laws for the regulation of this Island.

The Society, both collectively and individually, offer to your Lordship their sincere wishes for your health and safety, with every happiness that you can anticipate in rejoining your family and friends, in Great Britain; and they look forward with pleasure to your early return, to resume the important functions of your high station.

With great consideration and respect,
I have the honour to be,

My Lord,

Your most obedient, very humble servant,
(On behalf of the Commercial Society)

THOMAS H. BROOKING,

President of the Chamber of Commerce.

To The Hon. RICHARD ALEXANDER TUCKER,
Chief Judge of the Supreme Court
of Newfoundland, &c. &c.

To which His Honour returned the following reply:—

JUDGES' CHAMBERS,

11th December, 1828.

Sir,
The address which the Commercial Society of the town of St. John have been pleased to present to me, on the eve of my departure, is the more gratifying as it was altogether unexpected by me.

Although I have at all times anxiously endeavoured to prevent the love of praise from becoming a first principle of action with me, I have always been disposed to attach great value to public approbation; and, under the influence of such a feeling, it is impossible for me not to appreciate most highly the flattering testimony which the Commercial Society have borne to the integrity of my conduct, and the various duties that have devolved on me during a residence of nearly six years among them.—In conveying to them, therefore, my cordial thanks for this pleasing compliment, I beg leave to assure them that the prosperity of Newfoundland will be an object very near to my heart in every situation in which I may be placed; and that they may implicitly rely upon a zealous exertion of my humble talents, whenever any opportunity may be afforded me of contributing to the welfare and happiness of this important and particularly interesting Colony.

I have the honour to be,

With much regard, Sir,

Your most obedient,

And very humble servant,
R. A. TUCKER.

To T. H. BROOKING, Esq. President
of the Chamber of Commerce.

The Officers of the Benevolent Irish Society, accompanied by the Right Rev. Doctor Scallan, also waited upon His Lordship with the following address from that body:—

To the Hon. RICHARD ALEXANDER TUCKER,
Chief Judge of the Supreme Court of Newfoundland, &c. &c.

MY LORD,

We, the Officers and Members of the Benevolent Irish Society, beg leave to tender to you, previous to your regretted departure from the Island, this tribute of our highest respect and sincerest gratitude, for the exemplary and uniform support we have at all times, as a Charitable Institution, received under your auspices, since first you arrived amongst us.

By means of your beneficence and characteristic charitable disposition, we have been enabled to distribute, with a more bountiful hand, the balm of comfort to suffering humanity; and we have, through the same excellence of heart, received the strongest marks of your approbation and encouragement, in disseminating the blessings of education to the orphan and the indigent of every denomination of Christians.

These, my Lord, are acts which have justly endeared you to our Society, and for which, with the fervid feeling of Irishmen, we unite in wishing you all possible happiness.—May the prayers of those whom you have been the means of relieving from wretchedness and penury, waft you in safety to the bosom of your family; and we fondly hope, that when the wished-for period of your return shall arrive, you will find the Benevolent Irish Society still continuing to act in conformity with the principles you have so laudably cherished among them.

I have the honour to subscribe myself, on the part of the Officers and Members of the Benevolent Irish Society,

My Lord,

Your most obedient

And devoted servant,

A. HOGSETT,
Vice President B. I. S.

St. John's, Newfoundland,
10th December, 1828.

To which His Lordship replied as follows:—

JUDGES' CHAMBERS,

11th December, 1828.

Sir,
On several occasions I have before experienced very gratifying marks of attention and respect from the Officers and Members of the Benevolent Irish Society; and the sentiments they have been pleased to express towards me, in the letter I have just had the satisfaction to receive from you, certainly call for my best acknowledgments.

In requesting you, therefore, to offer them my sincere thanks for their kind professions of regard and esteem, I beg you will have the goodness to assure them, that I shall always continue to feel a strong attachment to their valuable Institution, and that it will ever afford me the highest gratification to promote its laudable object. The individual welfare, too, of all the persons who belong to it, excites in me a deep interest; and it is my fervent wish that, whilst benevolently occupied in the office of relieving distress, they may themselves enjoy a large portion of prosperity and happiness.

I have the honour to be, Sir,

Your most obedient, humble Servant,
R. A. TUCKER.

To AARON HOGSETT, Esq., Vice President
of the Benevolent Irish Society.

The President and Officers of the Mechanics' Society likewise waited upon His Lordship with the following address:—

To the Hon. RICHARD ALEXANDER TUCKER,
Esq. Chief Justice of Newfoundland, and First
President of His Majesty's Council in that Colony,
&c. &c.

MY LORD,

Deeply impressed with a lively sense of the many and invaluable blessings which we have enjoyed, in common with our fellow-colonists, during the period of your Presidency in the Supreme Court of this Island, appreciating, as we do, justice administered with ability and integrity, as with feelings of gratitude for the many favours conferred on the Mechanics' Society from its infancy, whose present flourishing condition is mainly attributable to your countenance and support,—we, the Mechanics', therefore, on the eve of your departure from this Island, beg to condole, in common with our fellow-townsmen, the loss we are about to sustain in your absence, but which, we hope, will be of short duration, and in beseeching the Almighty Ruler of all things to convey you in safety to your family and friends.—We entreat your Lordship to permit the Mechanics' Society to accompany you when embarking, as a testimonial of our respect for your person and many virtues.

We have the honour of remaining,

My Lord,

Your Lordship's most devoted,

Very humble Servants,

LAWRENCE BARRON, President,
PATRICK DOYLE, Vice-President,
JAMES HALLO, 2d Treasurer,
JAMES ARROLL, 3d Treasurer.

(For the Society.)

PATRICK KELLY, Secretary.

To which His Lordship was pleased to make the following reply:—

JUDGES' CHAMBERS,

December 11, 1828.

SIR,

From its first establishment I regarded the Mechanics' Society with deep interest, as an Institution capable, under proper management, of relieving the occasional distress, and improving the morals, of one of the most useful and valuable classes of the community.

With such feelings towards it, I have naturally viewed its growth and progress with real satisfaction; and the assurance I now receive that its prosperity may, in some degree, be ascribed to my countenance and support, is certainly very gratifying to me.

The members of this Society may, therefore, be assured, that this support will be zealously continued to them on my return to Newfoundland; and they are, in the meanwhile, requested to accept of my sincere thanks for the kind sentiments they seem to entertain for me, accompanied by my best wishes for the health and prosperity of each of them.

I am Sir,

Your most obedient Servant,

R. A. TUCKER.

Mr. BARRON, President of the
Mechanics' Society.



Shipping Intelligence.

CUSTOM-HOUSE, St. John's.

ENTERED.

DECEMBER 12.—Brig Polygon, Milgrove, St. Vincent; 102 puncheons rum.

CLEARED.

DECEMBER 11.—Brig Daphne, Farnham, Figuera; 2054 qtls fish.
Brig Ariadne, Blackater, Liverpool; 15384 gallons oil, 1800 qtls fish, and sundries.
Brig Amity, Duval, Bristol; 21445 gallons oil.
Brig Minerva, Goss, Alicante; 3930 quintals fish.

The brigs Leander, and Ardent, arrived yesterday evening from the West Indies, and the Caroline, from Oporto—all these vessels experienced very stormy inclement weather on the coast.

DEPARTURES.—In the Ariadne, for Liverpool, ENSIGN CLARKE, R. V. C., Mr. James DOUGLAS.—In the Amity, for Bristol, Mr. ALBOP, Mr. MUDGE.

Married, on Friday evening last, by the Rev. F. H. Carrington, Mr. Robert PINESET, of Port-de-Grave, merchant, to Miss Louisa Broom WILLIAMS, third daughter of Mr. Thomas WILLIAMS, of this place.

Died, on Sunday last, aged 2 years and 7 months Charles JOHN, son of the Rev. Mr. LAUGHARNE.

Postscript.

the conflagrations that have almost devastated Town, during the last twelve years, it is the lot of any public Journalist to record a more disastrous event, or one more fire and heart-rending in its consequences, than that which forms the subject of the following extract of a letter, received from Port-de-Grave, Conception-Bay, on Tuesday evening last. The melancholy facts speak for themselves—we cannot bear to comment upon them.

“Port-de-Grave, Tuesday Morning, December 16.

“About 4 o'clock this morning, the house of Mr. JOHN JACOBS, merchant, of this place, was discovered to be on fire; it was then too late for effective assistance to be given, and the house, with all its unfortunate inmates, consisting of Mrs. JACOBS, her three children, and two servant girls, were involved in one common ruin! Mr. JACOBS was himself in St. John's. A store immediately opposite the house was consumed; but by great exertion, the adjacent buildings were preserved from destruction. The particular cause of the accident is not known, as not one of the people of the house has escaped to give the least information of the origin of this dreadful calamity!”

Sales at Auction.

TO-MORROW,

(Friday) At 11 o'clock, In front of Mr. CLIFT'S Shop,

A very fine black

MARE,

(Five years old.)

Capital in both Saddle and Harness, and perfectly sound.

December 18. JOHN HAYES.

TO-MORROW,

At 11 o'clock, On the Subscriber's Wharf,

15 HDS, choice Porter, 5 Barrels Cider, (Without Reserve, to close Sales, as ordered.) 20 Boxes best Liverpool Soap.

Also,

2 Elegant Mahogany Card Tables, 1 Ditto Chest Drawers, 6 Windsor Chairs, 2 Knife Cases, 1 Douay Bible.

HENRY SHEA, Auctioneer.

December 18.

The following Sale, advertised for This Day, is POSTPONED until

TO-MORROW,

At 12 o'clock,

AT THE HOUSE OF Mr. William Vallance,

(Without the least reserve)

A QUANTITY OF SLOPS, &c.

Consisting of

MONKEY and Pea Jackets, Flushing Great Coats, Flushing and Cloth Trousers, assorted Waistcoats, Cotton and Red Shirts, Imitation Shawls, 22 Remnants printed Cottons, Remnants Woolen Goods, 3 Ditto Muslin, Fur Caps, Scotch Bonnets, Guernsey Frocks, Women's and Boys' Hose, Men's and Boys' Shoes, Peter's, Shore, and Jigger Lines, Sail and Herring Twine, a few Gross of Hooks, 5 Sealing Guns, a quantity of Tinware, Nails, &c. an excellent brass Shot Mould, 1 Dozen Mahogany Chairs, a few Dozen Champagne, Claret, and Cordials, 20 boxes Macaroni and Vermicelli, 1 Spyglass.

Also,

6 Barrels corned Beef, 2 Barrels Tobacco.

JAMES CLIFT, Auctioneer.

December 18.

The Subscriber,

WILL OFFER FOR SALE,

On SATURDAY next,

At 12 o'clock,

AT HIS PREMISES,

(River-head.)

8 HDS, prime leaf Tobacco, which will be put up in lots of half-hogsheads, to suit Purchasers;

4 Barrels ditto ditto, 50 Boxes dipt Candles (10's and 12's), 6 Casks Glassware, chiefly half-pint Tumblers, 4 Dinner Services of cut Glass, 40 Dozen best London Rummors, 40 Dozen Wines, 200 Lbs. Starch, 20 Reams wrapping Paper, 4 Boxes Pipes, 6 Dozen pewter quart Measures, 6 Ditto ditto pint ditto.

JOHN DIELON.

December 18.

Sale at Auction.

SHERIFF'S SALE.

On FRIDAY, the 26th instant, At the Court-House,

At 12 o'clock,

(Under a Foreclosure of Mortgage in the Supreme Court, at the instance of Nathan Parker and Robinson & Mortimer.)

ALL the Right, Title, and Interest, in fee, of ROBERT PARSONS, and RACHEL, his wife, in and to a certain Dwelling-house and appurtenances, situate in Duckworth-street, near the house formerly called the London Tavern.

December 18.

A. HOGSETT, Deputy Sheriff.

Notices.

GOVERNMENT BILLS.

SEALED tenders, in triplicate, and marked thereon “Tenders for Bills,” will be received at this Office, for BILLS OF EXCHANGE, not exceeding 500l., to be drawn in sums not under 100l., on the Lords of the Treasury, until THURSDAY, the 18th December, at noon.—Such Persons as may be desirous of tendering, are requested to express (besides the amount in Sterling money of the Bill required,) the number of Shillings or Pence, British, which they propose to take for each Dollar offered; and no tender will be acknowledged that is not in strict conformity to this advertisement.

C. W. BEVERLEY, D. A. C. G.

Commissariat Office, St. John's, } 12th December, 1828. }

FIRE WOOD.

SUCH Persons as may be desirous of supplying 20 Cordis of Birch FIRE WOOD, of good, Merchantable quality, are requested to send Sealed Tenders, in triplicate, addressed to the Subscriber, on or before MONDAY, the 29th instant, at noon. The Cord to consist of 128 Cubic feet, English measure, and to be delivered at Fort Town head, on or before the 31st day of March next, in such quantities as may be required.—Payment to be made in Sterling money.

C. W. BEVERLEY, D. A. C. G.

Commissariat Office, St. John's, } 15th December, 1828. }

THE Subscriber begs to announce to the Public, that he will give BILLS, on the Lords of the Treasury, in exchange for British Silver, at the usual rate of 1 1/2 per cent., for sums not under 50l. It is expected that the money will be paid into the Military Chest the day previously to the Bills being required.

C. W. BEVERLEY, D. A. C. G.

Commissariat Office, St. John's, } 15th December, 1828. }

St. John's, December 1, 1828.

SIR,—We have to request that you will do us the favour to convene a Public Meeting, at some convenient place, on an early day, for the purpose of taking into consideration the necessity of petitioning Parliament against any further Imposts or Duties upon Imports, or New Duties upon Exports, and the expediency of praying that His Majesty's Government will grant a Constitutional Legislative Government to this Island.

We have the honour to be, Sir, Your most obedient humble Servants,

Thomas H. Brooking,	James M' Bride,
John Duncombe,	Thomas Williams,
Newman W. Hoyles,	Hannibal Murch,
William Carson,	Henry Shea,
John B. Bland,	Robert Brine,
William Thomas,	J. Kent,
John Back,	John Shea,
Stephen Lawler,	John Ryan, printer,
Patrick Doyle,	Henry Winton,
Thomas Beck,	Timothy Hogan,
W. E. Cormack,	James Brine,
Benjamin I. Williams,	Nicholas Gill,
John Jennings,	Joseph Gill,
Robert Brown,	Benjamin Bowring,
James Cross,	James Clift,
William Branscombe,	Lawrence O'Brien,
Ralph Trimmingham,	Patrick Gleeson,
Robert Alsop, jun.	Patrick Shelly.

To DAVID BUCHAN, Esq., High Sheriff of Newfoundland.

High Sheriff's Office, St. John's, 1st December, 1828.

In consequence of the requisition foregoing, I do hereby notify the Inhabitants of this town and places adjacent, to attend at the Court House, on THURSDAY, the 18th instant, at 12 o'clock.

D. BUCHAN, High Sheriff.

TWO Perpetual Shares in the St. John's Public Library, for Sale.—Apply to the Editor of the NEWFOUNDLANDER.

December 4.

Notice.

St. John's, 16th December, 1828.

THE Meeting of the friends to the FISHERMEN'S ASSOCIATION, was held this evening, at 7 o'clock, at the Globe Tavern, and was numerously and respectably attended by the owners of Schooners, respectable Planters, Fishermen, Shoremen, and others.

It was proposed by Mr. Stephen Ryan, and seconded by Mr. Fogarty, that Mr. Thomas Allen do take the Chair.—The Chairman being seated, Mr. HOGSETT took the earliest occasion to observe to the Meeting, that some heart-rending news, which had just reached town from one of the Out-harbours, had deprived the Meeting of several leading characters, amongst the Merchants, that evening, and whose warmest and best support would be given to the Association.—Mr. T. BROOKING had reached the Globe, when he found it necessary to return, from the state of his feelings.—Mr. HOGSETT then stated, as briefly as possible, the great benefits which must result from such an institution—more particularly in promoting industry, morality, frugality, and independence, amongst every class of persons concerned in the Fishery. He stated, as his opinion, that the greatest benefit that would arise from the formation of that body, would be, that of retaining our best Fishermen in Newfoundland—many of whom he had, himself, known to leave their wives and families as objects of public care and commiseration, when, probably, the trifling difficulty which drove them to such a step, might have been easily repaired in the first instance;—and, finally, he was quite sure that it must have a tendency to unite the Merchants and Fishermen in one common bond of interest.—In urging the establishment of an Institution of this nature, Mr. HOGSETT said, it had been kept alive by the kind disposition and lively interest which Mr. BISSET had manifested for the success of such an undertaking.

After some further observations, it was Resolved unanimously—That the best mode of establishing Annual Subscriptions, would be, that One Dollar should be paid, between the Sealing voyage in the spring, and the commencement of the Summer fishery in June; and another Dollar paid, between the 20th October and the 16th November, in each year.

2d.—That this Meeting do select a Committee to draw up Rules and Regulations for the “NEW-FOUNDLAND FISHERMEN'S ASSOCIATION;” and that the Committee be composed of twelve of their own body, to act, conjointly, with seven Gentlemen of their own selection.

The Meeting then proceeded to the election, when the following Gentlemen were returned, viz:—

Mr. Thomas H. Brooking,	} To draw up Rules;
— A. Hogsett,	
— Black,	
— W. Thomas,	
— Doctor Walsh,	
Mr. Bisset,	} To act conjointly.
— Henry Shea,	
— Thomas Allen,	
— Stephen Ryan,	
— Patrick Bremock,	
— James Aylward,	} To act conjointly.
— William Walsh,	
— Thomas Mealy,	
— Michael Dunn,	
— William Martin,	
— George Carew,	} To act conjointly.
— John Furlong,	
— Michael Keating,	
— William Shea,	
—	

And, also, from their own body:—

Thomas Allen,	} To act conjointly.
Stephen Ryan,	
Patrick Bremock,	
James Aylward,	
William Walsh,	
Thomas Mealy,	} To act conjointly.
Michael Dunn,	
William Martin,	
George Carew,	
John Furlong,	
Michael Keating,	} To act conjointly.
William Shea,	
—	
—	
—	

It was then proposed by Mr. H. WINTON, seconded by Dr. WALSH, and unanimously agreed to, that the thanks of this Meeting be given to Mr. HOGSETT, for his assiduous attention to the interests of the Association.

Mr. ALLEN having left the Chair, and Mr. S. RYAN being called thereto, it was unanimously resolved, that the thanks of the Meeting be given to Mr. ALLEN for his able conduct in the Chair.

Before the Meeting broke up, Mr. HOGSETT stated, that he had the honour of being a member of the Benevolent Irish Society, and that the formation of any other Charitable Institution, should not divert the interest and respect he had for that honourable and invaluable body; and hoped, that every member of it who heard him that night, entertained the same feeling;—which was warmly received with loud cheers, and cries of “we do—we will.”

On Sale.

BY PRIVATE CONTRACT,

BY

Brown, Hoyles & Co.

The fine, fast-sailing

Brigantine EMILY,

Burthen per Register 100 tons; a remarkably fine constructed Vessel for the Ice, was fitted at great expense last spring; iron sheathed, &c.

Also,

The Schooner

BROTHERS,

Burthen 60 tons. This vessel was built five years since, by three brothers, purposely for the Ice, and is a most unexceptionable vessel for that purpose: iron sheathed, and fully fitted.

November 27.

For Freight or Charter.

To Halifax, the West Indies, or Portugal, THE FINE NEW

Schr. Marie Louise,

WILLIAM M'HARRON, Master;

Burthen per Register 70 Tons.—Will carry about 1150 quintals of Fish in bulk.—For further particulars apply to the Master on board, at the Wharf of Mr. Abraham Le Messurier, or to

W. & H. THOMAS.

December 4.

For WATERFORD.

The

Brig JOHN,

Burthen per Register 100 tons,

D. JENNINGS, master;

(To sail about the 20th December.)

Has room for a few tons FREIGHT.—Apply to JOHN CUSACK.

November 27.—3†

On Sale.

By private Contract,

The fine new

Schooner ACTIVE,

Of the Burthen of 60 tons;

(Now lying at Mr. T. HOGAN'S wharf.)

This vessel is only one month old, sails remarkably fast, full timbered, and is well calculated for a Sealer or Coaster.—For further particulars, apply to Mr. FREDERICK LE PAGE, or to the Master on board.

December 11.

PATRICK MORRIS

OFFERS FOR SALE,

30 Cases Printed

COTTONS,

Each containing 50 pieces;

WHICH WILL BE SOLD,

On very low terms to wholesale purchasers.

December 11.

NEW PROVISIONS.

Now Landing, from the Harriet,

A SMALL CONSIGNMENT OF

SUPERFINE and fine Flour, Middlings ditto, Indian Corn Meal, Beef, in whole and half-barrels, Pork, Leaf Tobacco, in small bales.

These several articles were shipped at New York last month, and will be found of the first quality, under their different denominations.

Cash, Oil, or Fish will be received in payment.

JOHN DUNSCOMB & Co.

November 27.

LOTTERY.

Oehlschlager & Co.

BEG to inform the Public, that the following Articles will be disposed of, by Lottery, in Shares, at 20s. each.—The articles are of the best manufacture.

No.	Description	£	s.	d.
No. 1—1	Elegant six Octave Grand Ac-tion Pianoforte	50	0	0
2—1	Ditto ditto	40	0	0
3—1	Ditto Mahogany Chest Draw-ers, with 6 drawers	12	0	0
4—1	Ditto ditto Secretary	9	0	0
5—1	Ditto ditto Chest Drawers	9	0	0
6—1	Ditto ditto ditto	8	0	0
7—1	Ditto ditto Sofa Table	7	5	0
8—1	Ditto Oval Looking Glass (gilt frame)	7	0	0
9—1	Ditto ditto (mahogany frame)	5	10	0
10—1	Ditto Ebony Flute, with 8 sil-ver keys	5	5	0
11—1	Ditto ditto Cupboard	5	0	0
12—1	Ditto ditto	3	10	0
13—1	Ditto ditto	3	10	0
14—1	Ditto Wash-hand Stand	3	10	0
15—1	Ditto Looking Glass (mahoga-ny frame)	3	10	0
16—1	Ditto Card Table	3	0	0
17—1	Ditto Foot-stool	1	5	0
18—1	Ditto ditto	1	0	0
19—1	Ditto ditto	1	0	0
20—1	Ditto Tea Canister	1	0	0
21—1	Ditto ditto	0	15	0
180 Tickets, at 20s. each		180	0	0

The Drawing of our Lottery, which was intended to take place on the 15th instant, will, in consequence of some unforeseen occurrence, be POSTPONED for some time. Notice will be given when the Drawing will take place.

OEHLSCHLAGER & Co.

December 18.

[Concluded from first page.]

that know me, whether my temper be not as mild, and my disposition as amiable, as those of any lad in these parts.

I could not suppress a smile at this most characteristic display of French egotism. "Why, Jean," said I, laughing, "I thought you were going to tell me a tale connected with the fair tenant of this grave; but you seem more disposed to instruct me concerning your own good qualities and fortunes." "Ah! Monsieur," replied he, "you may smile if you please, and say on that point what you will; but believe me I speak the truth. Yet what availed all these advantages? Maria, the beautiful and gentle Maria, whom I loved with my whole heart, and to promote whose happiness I could have willingly sacrificed my life, would not listen to my suit. It is a fact, indeed it is, she slighted my accomplishments, undervalued my wealth, and preferred to me a poor neighbour, who had nothing to recommend him, that I, at least, could discover, except that he was of less fair complexion, and possessed a tolerable share of bodily strength and activity. Well, well, I could not quarrel with the girl for that, nor yet forsake my friend because he supplanted me; for La Charmont was my friend, and dear to me as my own soul.

"It is hardly necessary to inform you, that La Barbp has been inhabited by the ancestors of those families which inhabit it now, since the day when the good saint first planted these forests, and stayed the sands from moving. Under these circumstances you will not be surprised to learn, that we are all accustomed to regard one another as brothers and sisters, and that the poorest man amongst us is not despised; or treated as an inferior, by the richest. But though this be, and has ever been the case, it is still only natural that even in our small community particular friendships should bind individuals more closely together than the tie of common regard which binds the same individuals to the whole body. Such has long been the case with the Charmons, the Clausels, and the Baptists. Our ancestors loved one another from the remotest period; no change in worldly circumstances ever interfered with their feelings; our parents were as if they had descended from the same stock; and we—I mean Lewis, Marie, and myself,—inherited their attachment.

"Lewis Charmont was, by one year only my junior; Marie Clausel was two years younger than he. From the very cradle we were companions and playmates; nay, were more,—Lewis was the brother of my adoption, and Marie was our sister. Ah, Monsieur, those were blessed days, when each holding a hand, we led the sweet girl forth towards the river, and seating her on the bank, the one plied his rod and line, whilst the other chased the butterfly which she admired, or wove a wreath of wild flowers for her fair brow. But childhood passed away, and youth came, to make us acquainted with the true state of our feelings, and to teach us that we were rivals. We both loved Marie, loved her to absolute idolatry; yet we loved each other at the same time, and never, no, not for an instant, did a pang of angry jealousy rankle in our hearts.

"As we approached to manhood, Lewis and I, differing widely in our propensities and pursuits, became by degrees, not less truly friends, but less frequently companions. Lewis was agile, daring, and adventurous; field sports, violent bodily exertions, especially where danger was to be surmounted or difficulties overcome, carried him away from his home, and the operations of agriculture; whereas my habits and tastes were quiet and domestic. I cultivated my father's fields, contentedly and cheerfully, and was never so happy, as when I found leisure to dress Marie's garden, and stock it with the rarest and choicest plants within my reach. Yet for all this, she rejected my addresses; she withdrew not, indeed, from my society, but she refused to listen to my vows, and her refusal was so mildly and affectionately pronounced, that I only loved her the more because I felt my suit was hopeless. The truth is, Monsieur, that her affections were already engaged. She preferred to me, who was continually at her side, him who bestowed but a small portion of his time or attention upon her, but spent whole days and sometimes nights in the woods, only that he might bring home and present to her the head of a wolf or the skin of a bear.

"In this condition affairs continued for some time. We never dreamed of concealing from each other how our affections were disposed of; on the contrary, Lewis was all along aware that I loved Marie tenderly, and I was equally aware that Lewis loved her also; yet that either was preferred by her to the other we both continued ignorant, till an accident drew forth the secret.

"Early in the year 1808, there arrived in our village a sub-officer's party of Gendarmerie, bearing an order from the prefect of the department; to enrol four young men from the division of La Barbp, for the service of the army. Such an order, coming from such a quarter, could neither be disputed nor evaded; the names of all the villagers capable of bearing arms, were put into a cap, and that of Lewis Charmont came up. Lewis himself, naturally brave and enterprising, uttered no complaint against his fortune, but rather rejoiced at the prospect of honour and advancement. Lewis continued as yet ignorant of the possession of Marie's affections, for though repeatedly urged, she had hitherto refused to acknowledge it, though now, however, concealment was at an end. A threatened separation effected that which years of intimacy and familiar intercourse had failed to effect; and in the bitterness of her agony she yielded a full confession. I was present when she assured him, that she lived for him and him alone; that his departure would be to her a blow which she could not survive; that she would not even desire to exist, did he abandon her. What could I do? I saw indeed that my own hopes were blighted; and

that Marie's coldness sprang not from indifference, but from a positive predilection for another. But that other was my friend: Marie I still loved as before; could I be contented to behold this misery? No, Monsieur, though naturally averse to a life of bustle and contention, I determined on the instant, to volunteer in Lewis's room. I did so, without so much as consulting him, and was accepted.

"Not all the misery, which, in my quieter hours, has followed up the reflection that Marie was lost to me forever; not all the grief which was my lot when I committed her delicate form to the earth, have been able to efface the blessed recollection of the moment, when with flushed cheek and glittering eye I told her that her lover was free, and that they might thenceforth be happy together. Ah! Monsieur, that was indeed a moment of rapture, of rapture such as I shall never again experience, when I heard her address me as her brother and preserver; when I felt her arms round my neck, and her warm tears upon my cheek, and received the sweetest and most rapturous kiss that the lips of woman ever bestowed! Oh! whole years of agony could not suffice to blot out the recollection of those moments; a life of pain were but a poor price to offer for their re-possession! But they passed away; and I marched off, if not happy, at all events satisfied that I had done my duty, and that there were two kind hearts which beat in gratitude for me, whose own was little better than a blank.

"My satisfaction was, however, but of short duration. I had sojourned but a few weeks at the depot, when the arrival of Lewis, as one of a fresh batch of conscripts, gave proof that the sacrifice which I had made had been to no purpose. A second call for recruits, it appeared, produced a second ballot; and the name of Lewis, as if Heaven had decreed that he should not elude his destiny, was again among the number of the drawn. You may well believe that my friend, for some time after his enlistment, was melancholy enough, when I inform you that the very day was named which ought to have made Marie his own; yet he recovered his spirits by degrees, applied steadily to his drill and to his duty, and bore himself as proudly, and was as much admired as any man in the ranks, when the detachment began its march to join the army in Spain.

"Lewis and I were fortunate enough to be appointed to the same corps and the same company; indeed we were comrades. We were fortunate too in being commanded by a brave and good officer; and to fill up our measure of good luck, were sent off to serve under one of the ablest and most humane Generals whom France has produced. We were ordered to Catalonia, and at that time the province of the gallant and generous St. Cyr. This happy combination of events naturally tended to make us look to the future with a less desponding gaze, and upon the past with greater resignation; we acknowledged that our lot might have been far less desirable, and we were contented.

"No particular events befel us on our journey towards the frontier. On the whole, we were treated with sufficient consideration by the inhabitants, who bestowed on us a thousand wishes for our success and safe return, and we came up with the army just as it had taken its ground, and begun to make preparations for the siege of Rosas. You are, doubtless, aware, that the defence made by the garrison of that fortress was exceedingly obstinate and gallant. Though our trenches were gradually drawn to the very crest of the glacis, and our saps penetrated the escarpment, the governor refused to surrender; nothing therefore remained, but to try the fortune of an assault, and for this perilous service volunteers were invited to offer.

"The first man who presented himself on that occasion was Lewis Charmont. It was in vain that I reminded him of Marie, and of the necessity under which he lay of guarding his life, as far as circumstances would allow, for her sake. He only smiled at my remonstrance, and squeezing my hand, replied, that if he fell, Marie would honour his memory, and if he survived, he should be the more worthy of her, as he would have acted like a brave man, and earned a medal.

"The assault took place, and was successful. The carnage on both sides was terrible, but the town fell, and Lewis escaped unhurt. That I rejoiced at his escape, you will, I am sure, believe; yet let me be candid; I did envy him, for the first and only time in my life, when I beheld him next morning on parade with the medal already suspended on his button. Bitterly did I upbraid myself that I had not volunteered also; and I resolved that he should never again earn a distinction to which I should not be also entitled; I was not without hope, that even Rosas might be to me, as it had been to him, a theatre of renown. The citadel still held out, principally, I believe, through the exertions of your countryman, Lord Cochrane, and a few of his sailors; and it continued for many days to withstand all our efforts. I was one of those who thrice endeavoured to storm it, and were thrice repulsed; but the works were demolished at last by cannon shot, the English were compelled to abandon them, and we took possession of the ruins.

"Worn out with the labours of a tedious and harassing siege, we fondly looked forward, now that the place had fallen, to the enjoyment of at least a few days of repose, but we were disappointed. The critical situation of Barcelona, at that period blockaded by the enemy, called upon the General to make every effort for its preservation. It was by far the most important of all our possessions on that coast, for the loss of which hardly any success would have compensated; so Sir Cyr, having determined that it should not change masters through any negligence on his part, made ready, without a moment to succour it. On the evening of the day which we saw our flag hoisted upon the ramparts of Rosas, the order to pre-

pare was issued, and at an early hour the next morning, the whole army was in motion.

"The direct road from Rosas to Barcelona, leads, you must know, under the very guns of Hostalrech, a fortified town, which was then held by a numerous Spanish garrison. Conscious that any effort to force a passage must be attended with a heavy loss, and unwilling to waste time by reducing the fort, St. Cyr resolved to penetrate, as he best could, through the mountain; and having found a shepherd who professed to be acquainted with the different tracks, he took him for his guide. The man was no traitor. He conducted the column, by a difficult and circuitous route, round the hill upon which Hostalrech is built, and brought it in safety, after a perilous and fatiguing march, once more into the high road.

"On this occasion Lewis Charmont and myself were both attached to the rear-guard. It was not very efficient in point of numbers, though the General was pleased to say that we were all brave men on whom he could perfectly depend; and it came not off so well as the column which it was appointed to protect. During the earlier part of the day, indeed, we, like those in front of us, went on without beholding an enemy; but about four o'clock in the afternoon we suddenly found ourselves watched by a very superior force; which, in spite of our most strenuous efforts to prevent it, succeeded in throwing itself between us and the rear of the column. For an instant we fell back, as if uncertain what course to pursue; the main body, we were well aware, would not, and could not halt to succour us; they could not even spare reinforcements to bring us off, for the defile of Trientapasos was before them, which must be passed that night or never; there was, therefore, no help to be expected from that quarter. The idea of surrendering, whilst we had arms in our hands, could not be borne for a moment; more especially as we were not ignorant that he who became a prisoner to the Spaniards, was less to be envied than his comrade who fell in battle. Though they exceeded us in numbers by four to one, we resolved to fight our way through them, and either to make good our passage, or perish in the attempt.

"The Spaniards were advantageously posted on the brow of a wooded height, and galled us dreadfully, as we rushed on, with their fire, but our charge was decisive; for one instant they stood the stock, in the next we had pierced them. And now all was hurry and confusion; it was our business to escape, each man as he was best able, and we were not very scrupulous as to the means. We ran as fast as weariness would permit, preserving, however, for a time an irregular line, and stopping occasionally, as a convenient space offered, to check the pursuit by our fire; but at last even our skirmishing order was lost, and we fled and fought in files, or singly, as chance or circumstances directed.

"In this manner the tirillading continued till hardly light enough remained for us to point our muskets, when Lewis, who throughout the whole affair had kept by my side, fell to the ground. You will wonder when I tell you, that notwithstanding the situation in which we were placed, it never once occurred to me that my friend could be wounded; I imagined that he had merely lost his footing, and I stooped down, in the careless turn of mind which such a belief was calculated to create, in order to assist him in rising. What then were my sensations when I found that he made no reply to my enquiries, and on examining him more closely, discovered that a musket ball had struck him just where the shoulder joins the neck, and crossed into his vitals. My very brain swam round, yet I retained self command sufficient to raise him in my arms, and to entreat that he would exert his utmost strength, as the fire was fast slackening.—He did so, and I led him to the rear; but we had not proceeded a dozen paces before he exclaimed in a feeble voice, "It is useless, Baptiste, I cannot proceed farther. Go on you, save yourself for poor Marie, and leave me to die." I could not act thus, Monsieur; it was not in my nature to abandon any one, more especially the friend of my heart, under these circumstances; so partly dragging, I contrived to hurry him along, till a cottage opportunely offering, I conveyed him into it. It was deserted, and in ruins; yet, with a winter's night closing rapidly in upon us, I was too thankful even for such a shelter to pass it by.

"The firing had now ceased, our people having made good their retreat, and the enemy fallen back to Hostalrech; but that was a matter about which I was perfectly regardless. I thought only of my friend, for whom the plundered hut afforded no comforts, and but a very partial shelter. I laid him upon the mud floor, and tearing my handkerchief into shreds, attempted to staunch the blood which flowed from his broken limb; but all my efforts were fruitless, it flowed on in spite of them. When I looked at his countenance, too, that told me plainly enough that there was no hope; the half closed eye and fallen jaw, not less than the pale lip and livid cheek, warned me that Lewis was departing. Wild with my own fears, I called upon him in the name of Marie, and of all the tender associations connected with his native village, to rally himself, and take courage; and at last, finding that he paid no heed to my adjurations, I sat down beside him in despair, buried my face in my hands, and wept aloud. The sound of my lamentation reached him even in his last moments; he looked up, and in a tone scarcely audible, exclaimed, "Do not weep, Baptiste, do not weep, it must be thus, we must all die. Tell Marie that I fell as became me; and give her my medal, that she may occasionally look upon it, and remember me when I am gone. Tell her, likewise, that with my last breath I consigned her to you; you love her, that I know; and I need not add, be kind to her, for to whom was my friend ever unkind? May you be happy together, and the thought that you are so —" He could not finish the sentence: no

doubt he meant to say, that his spirit would look down upon our happiness with delight, but the died upon his lips, the lips themselves ceased to and he was a corpse.

"Monsieur, if you have ever known what it is to witness the dissolution of a friend who has been to you as the air which you breathe, then, and then only, will you be able to imagine what my feelings were at this moment. Alas! I could not even pay to him the last tribute of friendship; I could not lay him in a grave; but I did what I could; I took his medal from his breast, and fetching a quantity of straw from an adjoining chamber, I spread it over him; I knelt down, too, and breathed a fervent prayer for his soul's repose; and then with swollen eyes and a heavy heart, set out to overtake my regiment.

"I need not pursue the remainder of my story with any particular minuteness. I came up with the corps at the further mouth of the defile, for the Spaniards, contrary to all expectation, had permitted us to tread it unmolested; and I partook of the bivouac which they had formed on the plain of Lléna. But our repose was of short continuance; the dawn had just begun to break when a heavy column advanced itself in full march towards the pass; no doubt could exist as to the force which composed the column; so the drums beat to arms, and in five minutes after, the whole army was in line.

"Of the action which ensued, and which ended in the total defeat of the Spaniards, I cannot pretend to give any account, for the cannonade had scarcely begun, when a round shot struck me in the left arm, and took it off. I was carried from the field along with hundreds besides, and having suffered amputation, was removed to a crowded hospital, where, during many weeks, I endured all the misery attending upon inadequate accommodation, imperfect nursing, and scanty provisions. At last, however, thanks to my naturally good constitution, I recovered; and being no longer serviceable, I received my discharge, but no pension was allowed me; I had not served long enough, it appeared, to merit one; indeed I was left to make my way, as I best might, through the whole breadth of France, without receiving any other assistance than that which private benevolence afforded. Thus mutilated, and a beggar, I reached my home exactly ten months from the day on which I quitted it.

"And now, Monsieur, it only remains for me to repeat the saddest portion of my story. Poor Marie had received no account of her lover since he departed, and had pined and languished after him, like a bird robbed of her young. Her health naturally delicate, was already impaired by suspense; how then could it be expected that she would bear up against the terrible reality? She did not, Monsieur, I broke the matter to her as delicately as I could, but even thus she was unable to bear it; the intelligence that Lewis was no more, came upon her like a thunderbolt upon a bruised reed—it crushed her. When I strove to cheer her by making mention of her lover's valour, her tears only flowed the faster; and when I pulled out his medal, and gave it to her as his last bequest, it seemed as if her heart would have broken. She took it, hid it upon her bosom, and her dying day kept it there; nay, it was not removed from her even in death, it is buried in her grave. No, no, Monsieur, I could not speak to one thus afflicted of new ties; I never told her that Lewis had bequeathed her to me. The poor stricken doe had no pasture to fly to; she lingered on for awhile and died.

"Six years and a half have now passed away since we laid her in the dust; she had then barely completed her twenty-first year, and the merciful God never took to himself a purer or a chaster spirit. For me, it has ever since been my chief delight to deck her grave, as you see it even now. Every Sunday I gather a fresh garland for the purpose; and as long as life remains, I will continue the practice.

"Though there was something French in this poor fellow's story, I was, upon the whole, a good deal affected by it; and deeming it not unworthy of a place in my scrap book, I noted it down.

From the London Evening Star, October 16.

Letters from Lisbon state that there was a current report there, that the Cortes would be again assembled, to advise on the means to put the country in a state of defence, in case the Foreign Powers should refuse to recognise Don Miguel as King.

The Sultan Mahmoud has ordered honorary medals, to confer upon those who distinguish themselves in the present war against the Russians. The medals have for their device—"For valour." The Turks have hitherto shown an aversion to such honorary distinctions. The order of the Crescent, instituted by Selim III, and conferred on Lord Nelson, as well as some other distinguished foreigners, could never be rendered popular in Turkey.

The Journal des Debats of last Monday gives the following intelligence received from New York by the Bayard packet, recently arrived at Havre, without, however, mentioning dates:—"Laborde's expedition against Campeachy has completely failed. When the division arrived on that dangerous coast, it found itself without the means of effecting a landing, and, in order to avoid the risk of being exposed to the tempestuous season which was fast approaching, the Spanish Admiral has been under the necessity of quitting the waters of Campeachy. A letter from Cuba induces us to believe that Laborde had even positively refused to protect the landing of the troops during the winter. He has returned to Havana, with the 2,400 men who were destined to invade Campeachy."

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