

*The Shear, Popneton
Blackworth Street
St. John's*

THE



Newfoundland and Labrador

No. 507.

THURSDAY April 13, 1837.

Sixpence.

On Sale

TEAS.

LATELY RECEIVED AND
FOR SALE BY

B. BOWRING & SON,
Hyson, Twankay and Congo TEA.

ALSO—

150 Boxes Soap, 20 Barrels Currants.
Feb. 2.

BY

JOHN RYAN,

L OAF SUGAR, Currants,
B. B. and Mould Shot, Gunpowder,
Cognac Brandy in hds., Gin in cases,
Stockholm and Coal Tar, Pitch,
Cordage, Oakum and Spun yarn,
Starch and Blue,
Hyson and Gunpowder Teas in small packages,
Boot Legs, Upper and Sole Leather,
Iron (assorted), Nails (assorted), Iron Hoops,
Pipes in boxes,
London Mould Candles,
Barclay and Perkins's Porter,
Sherry Wine in Qr.-casks,
Lime in casks,
Together with a general assortment of SLOP
GOODS, suitable for the Seal Fishery.
January 19.

New Provisions, &c.

RICHARD HOWLEY,

IS NOW LANDING

The Cargo of the COLUMBIAN PACKET, from
Hamburg,

WHICH HE OFFERS FOR SALE

At reduced Prices—Viz:

200 BARRELS Prime Mess Pork
200 Firkins new Butter (Holstein)
for family use
300 Barrels Superfine Flour
50 Do. Extra do. for Pastry
100 Do. fresh Oatmeal
175 Bags superfine Cabin Biscuit
75 Do. fine do. do.
1000 Do. Good Common do.
50 Coils assorted Cordage
600 Pair Yarn Hoops
50 Pair Deck Boats
A few Kegs Tongues, Pickled Rounds Beepus &
Smoked ditto.

Also,

Per **BLANDFORD** and **CHERUB**, from
London,

3 Pipes and 20 hds. Cognac Brandy, (Martell's
brand) warranted of the very best quality
40 Hds. Bordeaux ditto, (Dumon Frere's brand)
20 Do. Pale Skiedam Geneva
400 Boxes best London Tallow Candles, Mould's
and Dip's
20 Do. Imperial Wax do.
50 Do. Hard Yellow Soap
A LARGE ASSORTMENT OF
London Butt Leather, Calf Skins, Kips, Basils
and Boot Legs (block'd)
1000 Doz. Paste and Liquid Blacking
40 Casks gold-colored Sherry Wine, 3 doz. each
6 Qr.-casks and 20 cases prime old Port
100 Dozen London Brown Stout
100 Do. Pale Burton Ale, &c. &c.

N. B.—Connoisseurs can be accom-
modated with a few gallons of **Genuine**
COGNAC and **HOLLANDS**—perfect
Cordials.

ADMINISTRATION OF THE ARMY.

(From the Spectator.)

Mr. Hume is to call the attention of the House of Commons to the late Brevet Promotions, and other branches of the Military Administration, on Monday next. He will have no lack of matter, if he merely stick to that which the Army list supplies; but there are some curious circumstances connected with the government of the Army which never find their way, in an authorized or intelligible shape, to the uninitiated; and they ought to undergo Parliamentary inquiry.

Is it true that all the officers of the Royal Staff Corps who have been reduced lately, have, on being placed on half-pay, received a step not only of Army rank, but Regimentally also—so that every Captain, no matter what his age or standing in the service may be, was placed on half-pay as Major; every Lieutenant as Captain; every Ensign as Lieutenant; the Majors of course as Lieutenant-Colonels, and so on? Has that been done, Lord Howick? We have heard that it has; and, if so, will you give your reasons for sanctioning such a scandalous job; furnish your precedent for this arrangement; name some distinguished Peninsular or Waterloo regiment shelved, or reduced since the peace, in whose favour a similar departure has been made from the just rules of promotion; say why it is that these Horse Guardsmen, whose prominent services were surely sufficiently rewarded by full pay for some fifteen or twenty years beyond the time they were fairly entitled to it or than others received it, are now again the objects of especial favour, to the annoyance and injury of at least equally meritorious officers.

Let any curious person consult the Army List, and he will see that these precious Royal Staff Corps have cost the nation no trifle. There is the Royal "Waggon Train," which was raised to make a regiment for General Hamilton, and kept up till 1833 to oblige Sir George Scovell. Its services, since the peace, consisted in the carrying of materials for repairs of Windsor Castle! The job should have been done by contract with some honest waggoner, who would have been content with less than a Colonel's pay, to say nothing of the comparative cheapness of his subalterns. But these "waggoners" get cavalry half-pay!

The name of General Sir F. A. Wetherell is strange to most of our readers; but officers who served in Java in 1811 are perfectly familiar with it; and they who recollect the brief and brilliant style in which the enemy took the British trenches and batteries on the 22d August 1811, when General Wetherell had the command, must allow that he has every claim to the best things the Horse Guards can give him. To be sure, the Army nicknamed Sir Frederick "General Bother-all;" and Sir Samuel Auchmuty, the Commander-in-Chief, expressed publicly his high pleasure at the conduct of Sir Frederick, and laid him on the shelf; but the merit of having lost batteries and trenches in a shorter time than ever an English officer lost them before, must outweigh such envious remarks upon an officer, who was distinguished—on parade. Accordingly, we are not surprised at the excellent terms on which Sir Frederick is received at the Horse Guards; but a good thing may be overdone, and an experienced and successful General may be overpaid; and therefore we think, that, in addition to the regiment to which he was lately appointed, (the Sixty-second Foot,) Sir Frederick should not be allowed to retain the Government of Blackness Castle with a salary of £284 7s. 11d. But perhaps he has resigned Blackness—has he, Lord Howick?

About thirty years ago, the Royal Irish Artillery and Engineers were disbanded; and almost all the officers accepted the offer to retire from the service on full pay for life in their actual rank. It might have been supposed that the country had settled the claims of these parties, and that they had no right to expect further promotion, or to interfere with the employment or advancement of officers in actual service, running its risks and expecting its rewards: but, of these very men, two Majors have been made Major-Generals, two Captains Major-Generals, and three Captains Colonels, and four Captains Lieutenant-Colonels; some of them too have been employed as Paymasters. Now, to all this promotion and employment, these persons, retired on full pay thirty years ago, had not the slightest claim. How they managed to combine the advantages of no service and profitable

promotion, is what the public should learn from Lord Howick. And when his Lordship is on the subject of the Royal Irish Artillery, he might as well explain how it happens, that the name of Captain-Lieutenant John Slessor of 25th July, 1795, Lieutenant-Colonel 4th June, 1814, (now a Colonel of course,) is found under the head of *Retired Full Pay* in the Army List; and that, on turning to another page of the same list, the same John Slessor is put down as the recipient of a Major's half-pay in the Thirty-fifth Foot, since 1817. Is this lucky fellow drawing full pay as a Captain-Lieutenant of the Royal Irish Artillery, and half-pay as a Major of the Thirty-fifth Foot? And if so, who is he? and who are his friends?—for powerful friends he must have somewhere.

DEBATE ON THE IRISH MUNICIPAL BILL.

The Tories seem determined to pursue precisely the same course with respect to this important question as in the last Session. On Monday evening Lord Francis Egerton, at the conclusion of a long speech, in which he recapitulated similar topics to those brought forward last year, moved—

"That the committee on the Bill for the regulation of the municipal corporations of Ireland be empowered to make a provision for the abolition of such corporations, and for such arrangements as may be necessary on their abolition for securing the efficient and impartial administration of justice, and the peace and good government of the cities and towns in Ireland."

The noble Lord was followed by Mr. Ward, Mr. R. M. Bellew, Mr. C. Buller, and Mr. Poulter in opposition to the motion; and by Mr. Maclean, Mr. Young, (of Cavan), Mr. Boothwick, and Mr. E. Tennent, in support of it. The two leading speeches of the evening were those of Lord Morpeth against, and of Lord Stanley for, the motion.

A most extraordinary course has been adopted by the Tories in the present Session in dealing with the question whether the same municipal rights and privileges should be extended to Ireland as the civic communities of Great Britain are already in the peaceable enjoyment of. The ground now, for the first time, taken seems to have originated with Sir James Graham, and, all other sophistications feeling, is now enforced by the whole talent of the party. The denial of corporate government and privileges to the people of Ireland is based on the assumption that such a concession may be found prejudicial to, and effect the interests of the Established Church! Lord Morpeth applied himself to this sophism with great force and effect. The Noble Lord asked, did this objection proceed from the friends of the Established Church—from the Champions of the Establishment? Was the Church strengthened, was she deeply rooted enough in the veneration of the Irish people, that her ostensible friends could afford to make her the bulwark to shelter and protect every abuse? On totally distinct grounds the Church had already become obnoxious and unpopular. Her revenues were but scantily paid, and her Ministers, in many instances, most painfully destitute. The bulk of the Irish people considered the denial of Corporate Government and privileges to them, after they had been conceded to England and Scotland, as a grievous injury; and they were in a most excited and inflamed state at the mode in which they conceived that grievance was inflicted on them, and at the ground on which they conceived it to rest. In such a state the ostensible champions of the Established Church proposed to restore to her the public favour by equal rights and just legislation, lest the interests of the Church might be implicated and prejudiced, and lest the extension of corporate privileges might be found in some collateral manner to affect her full, fair, and round proportions. He (Lord Morpeth) and his friends, had been reproached with being the enemies of the Church; but they had never carried their enmity to that fatal pitch as to hold out that to save the Church they must demolish the corporations of Ireland. That the only tenure of her prolonged existence, and the only ground of her security, was the denial of equal rights and the destruction of free institutions.

Lord Stanley closed the debate on Monday night with a vehement impetuous speech, in which he made the following extraordinary admission, afterwards vainly attempting to explain it away. "They (the opposition) were not to be intimidated by threats, nor would they concede to clamour that which they would not give to

justice!" The Noble Lord assumed that the question before the House was no question of a community of civil privileges, but it was this broad question—"would they take that course which would maintain the ascendancy of the Protestant Church?" He was not at all disposed to defend the existing Corporations of Ireland. He was quite ready and perfectly willing to do away with them, but there was nothing which must occur in one year more than in the last which could induce him to transfer Municipal Corporations from the sole possession of one class of the population into that of the other. The debate was resumed on Tuesday evening, and Mr. Serjeant Jackson was left addressing the House.

The security of the Church is thus made a pretext for denying to the Irish people the same rights have conceded to the Dissenters of England and to the Presbyterians of Scotland. As to the transfer of the Municipal Corporations from one class of the population to another, the pretext is equally fallacious.—Our expectations and those of the Public, from the measure of Corporate Reform, were and are the extinction of religious divisions and the termination of a system which keeps the civic communities arrayed in distinct sects; our conviction being, that, after a very short lapse of time, the reformed corporations would be found to comprize those of each community who should be found best entitled to the confidence of their fellow citizens, without distinction of religious sect. Such a state of society would be of the greatest importance to this country, nor can we abandon the expectation of its speedy accomplishment.

DEATH OF THE RIGHT REV. DR. ABRAHAM.

WATERFORD, JAN. 24.—The Catholic Hierarchy has just sustained an important loss in the death of the Right Rev. Dr. Abraham, the Prelate of the United Dioceses of Waterford and Lismore. The event occurred soon after Ten o'clock on the night of Monday, the 23rd instant, at his house in George's street, in this City. Not yet passed the years which constitute the prime of life, and precede its decline, his Lordship died after a short attack of inflammation in the chest and throat, partaking of those symptoms described as characterizing the distressing malady now so general, to which the name of Influenza has been assigned.

The suddenness and unexpectedness with which the melancholy intelligence became known, has appalled the flock over whom Dr. Abraham presided as Prelate and Pastor—and has spread a feeling of deep regret and mourning among every class. The shutters of every shop have been up since, the vessels' colours have been hoisted half mast high, and every possible respect of this description is being paid to his memory.

A native of the extreme west of the Dioceses, in 1818, after a distinguished collegiate course at Maynooth, the Rev. Wm. Abraham was appointed a Professor of St. John's College in this city. In the autumn of 1829 he became its President. In Nov. 1830, his was the second of three names transmitted to Rome, from whom was to be selected the successor of the late Dr. Kelly, whose lamented demise had just occurred. A new arrangement with respect to the filling of Episcopal vacancies in Ireland had just been concluded between the Clergy and the Holy See, and the circumstance that this was the first time it came into practice, rendered the occasion one of peculiar interest. The choice of the Pontiff fell upon Dr. Abraham, who had been Vicar-General of the Diocese for some years previously. His consecration as Bishop of Waterford and Lismore, took place on the 21st March, 1830, in the Great Chapel of this city, the Catholic cathedral of the dioceses over the ecclesiastical concerns of which he was called to preside. By this brief, but, we believe, correct chronological abstract it will be seen that Dr. Abraham was about to complete the seventh year of his prelacy.

At this moment—so soon after we have been pained by learning the intelligence of a death which all regret—it is impossible that we could here enter upon any elaborate eulogium. Urbane, affable, and cheerful in the paths of private life, he was zealous, active and prompt in the discharge of his episcopal duties—while his extensive charity shed adornment even upon the high station in which he was placed. To many of his fellow-citizens he had endeared himself by the excellence of his qualities, and to all he set the impressive example of numerous virtues.—*Waterford Mirror.*

The Newfoundland

ST. JOHN'S, (Thursday,) April 13, 1837.

The Royal Gazette of Tuesday last contains a Proclamation ordering the issuing of Writs for a General Election of Members of the House of Assembly, to be returnable on the 30th June next, and, also, one summing the House to meet "for the despatch of business" on the 3d July. It will be seen, on reference to another column, that the Returning Officer has appointed the 8th May for the election of Three Members for this District.

The Supreme Court commenced its sittings on Monday last. At 12 o'clock, the Chief Justice and the assistant Judges Brenton and Lilly entered the Court, when the Grand Jury (the Hon. John Dunscomb having been chosen Foreman) were sworn, after which the Chief Justice delivered the following charge:—

Mr. Foreman,
And Gentlemen of the Grand Jury—
I am happy to inform you that the Sheriff's calendar is extremely light, presenting only three cases of simple Larceny for consideration, upon neither of which will it be necessary for me to make any remark.

There is, however, a case of Perjury, which will be laid before you by the Attorney General; and although the party is out upon bail, and therefore his name does not appear on the calendar, yet as the charge is one of no common character, I shall detain you a short time while I make some general observations upon the nature of the offence.

The crime of Perjury at once strikes the mind as most odious and detestable; and in whatever point of view it may be contemplated, is perhaps in its effects the most injurious and prejudicial to the best interests of man, of any which comes within the range of judicial investigation.

In all ages of the world, and in every stage of civilization, even among heathen nations, the solemnity of an oath has been held in the highest veneration, and has been regarded as the surest pledge which man can give of the sincerity of his intentions, or for the fidelity of his conduct, and very heavy punishments have been inflicted on the infraction of this sacred obligation; even death itself has not unfrequently been considered as a fit penalty for the commission of a crime at once odious in the sight of man, and insulting to the majesty of Heaven.

Among the polished nations of heathen antiquity, the crime of perjury was looked upon as one of the most flagitious and disgraceful among men, and as impious towards the gods, who, it was believed, would pursue the perjurer with vengeance, even beyond the grave; and one of the Greek poets represents the Furies as going abroad on the fifth day of every month to haunt the bosom of the perjured wretch. The idea was also generally entertained that the sin of the perjured father would be visited upon the child, who no doubt must suffer from the disgrace of the parent; and how much more should we, enjoying the light of the gospel, feel the enormity of the guilt incurred by such a desecration of the Lord's name as that involved in our calling upon God to witness a base and wilful falsehood? When we reflect that the Holy Scriptures abound with denunciations against this abominable crime, and that most striking instances are recorded in the sacred volume, of its commission being punished with instant death, as well as with other sore and grievous punishments, by the immediate visitation of offended Omnipotence, ought we not to shudder at the bare idea of perpetrating so much deliberate wickedness!

By our law, perjury was anciently punished with death; at a subsequent period the cutting out of the tongue, as the offending member, was sometimes inflicted; but in later times, following the principle of the Roman Law of the Twelve Tables, "Perjuria poma divina, exitium, humana dedecus," a conviction for this odious imprecation of God's vengeance, subjects the offender to corporal and pecuniary punishments, exile and perpetual infamy, and deprives him of many of the most valued rights of a British subject; inflicting upon him a sort of moral leprosy which renders him loathsome, and causes him to be shunned by all classes of mankind. Nor can we wonder at the detestation in which the crime is universally held when we consider how it taints with its foul breath every avenue intended for the discovery of the truth, and shakes our confidence in decisions founded upon oral testimony. It is by a due regard to the sanctity of oaths administered in public Courts of Justice, that character, property, liberty, and even life itself, are primarily protected; for it is to little purpose that good laws are enacted, or honestly expounded, if all these great interests of man in civilized society be open to the attacks of false witnesses, men "speaking lies with hypocrisy, having their conscience seared with a hot iron."

How painful must be the situation of a Jury when witnesses are called before them of doubtful demeanour, shewing by the carelessness with which they give their evidence how evanescent has been the impression, if any at all were made by the solemn character of the oath so recently taken, to speak the truth, the whole truth, and nothing but the truth.

This is a subject which interests all classes of society; high and low, rich and poor, are all liable to have their dearest rights set at nought, and their honest endeavours to establish them, frustrated by the subtle poison distilled from the bosom of a perjured witness.

Should the labourer seek to recover his hire, or establish his innocence when unjustly accused of crime, the testimony necessary to prove either, can alone be received under the sanction of an oath; and should his witness be a person known to be regardless of its sanctity, he may not be believed, although perchance he should for once speak the truth; and thus an honest demand may be lost, or an offence never committed, be established against an innocent person, because the only witness perhaps who could explain an important fact in a train of suspicious circumstances, is unworthy of credit.

It is, moreover, a dangerous experiment for an ignorant man to attempt the relation of a fictitious narrative, or even to state a simple falsehood, as the chances of being detected are much against him, should he be cross-examined with any skill. There is something so natural and artless in Truth, that it obtains credit for its own sake; while the wavering conscious falsehood is sure to betray itself even by the laboured exertions it makes to avert discovery.

Having thus briefly stated what I believe to be the general feeling of mankind as to the character of Perjury, and pointed out its deleterious effects upon our intercourse with one another, I shall now call your attention to those legal considerations which should govern you in dealing with the case in question, when a Bill shall be laid before you by the Crown Officer.

Perjury, by our law, is a false oath taken by a person of sound mind, who having been sworn before a competent authority, deposes to that which he knows to be false, or which he does not know to be true, and which is material to the matter in question; from whence it appears that the deponent must be a person of sufficient intelligence fully to comprehend what he is doing, which every person must be, to be capable of a criminal act. He must be sworn before a person or tribunal having competent authority to administer an oath upon the occasion when the perjury is charged to have been committed, so that voluntary false oaths taken before Magistrates or other persons not having jurisdiction over the matter, respecting which they are taken, although highly immoral and often punishable as a misdemeanour, will not amount to perjury.

With regard to the falsity alleged, it is not material that it should in fact be untrue, it is sufficient that the deponent does not know it to be true; and therefore if a person not knowing whether the circumstances to which he is interrogated, be true or false, undertakes nevertheless to swear either that it be true or false, he will be guilty of perjury, because he does not know that to be true which he takes upon him to assert. Neither is it material, as some vainly imagine, that the false statement should be made in positive and direct terms, and therefore the too frequent practice of swearing to the best of deponent's knowledge or belief with a view of saving his conscience, will not excuse him, either in the sight of God or man, if it be shewn from circumstances that he must have known the contrary. The intention is everything; and therefore a misstatement made through inadvertence, from want of comprehension, or any other of the various causes which may be assigned to take away the deliberate character of the offence, will not subject the party to a charge of perjury.

The falsity must also be material to the point in question, and intended to influence the decision of the matter under consideration; so that perjury cannot be assigned upon unimportant and insignificant collateral statements.

In applying these principles to the facts which may be laid before you, you will bear in mind that in this as in all other cases, you are not a Jury for trial, but simply of Inquiry, and therefore should you find the substance of the charge proved, it will be your duty to put the party upon his trial, when he will have an opportunity of shewing in his defence whatever circumstances may tend to prove his innocence.

You will doubtless take an opportunity of visiting the gaol during the term, and should you perceive anything worthy of observation either in the state and condition of the prison or its inmates, this Court will bestow their best consideration upon any presentment you may think proper to make upon the subject.

Lieutenant-Colonel Archibald Walker, Commanding Royal Engineers, having succeeded to the Command of His Majesty's Troops in this Island, was this day Sworn a Member of his Majesty's Council, and took his place at the Board accordingly.—*Gazette, April 11.*

A report has been in circulation here during the last day or two, that a Ship's Boat, containing the bodies of five men—supposed to have been the master and part of the crew of a wrecked vessel—has been driven on shore near Ferryland.—We have been unable to gather more detailed particulars, but we have reason to fear that the report, so far, is too correct.

Extract of a letter from a Mercantile House, dated

"LISBON, 25th Feb., 1837.
"A new Tariff is, by decree, to come into operation on the 10th of next April, but there seems to be a general impression, that it will, meanwhile, be suspended. Mr. Robinson called the attention of Lord Palmerston to the subject in the British House of Commons, and the latter, while he admitted the injurious tendency of the new tariff (in case the "Portuguese Government should not avail itself of the time for reflection") stated, that as yet he was unprepared to say whether or what steps the Ministry might advise the Crown to take, whether, in fact, to retaliate, or "to leave the error committed by Portugal to work its own cure."—We, individually, cannot help entertaining the opinion, that the new tariff will come into operation, but that these good people will soon enough be taught, by positive experience, as to the injurious effects which will result from a pro. temp. introduction. Its permanent adoption is out of the question, but the actual Government here is so weak, that it will not, we apprehend, dare, in the face of public clamour, to suspend the execution at the appointed time, and we question whether the Cortes, should they lean towards abandoning the project, will be bold enough to do so, so feeble has all authority been rendered here by the late political movements.

"In future, fish cargoes delivering short weight will be liable to pay double duty on the deficiency, if exceeding 10qts."

The following particulars of the loss of the Brig *Cove*, hence for Liverpool, in February last, are communicated by Capt. Reed in a letter to his owners, dated

"Off Margate, March 11, 1837.
"We left St. John's, Newfoundland, on the 15th February, and a few hours after our departure had the misfortune to get surrounded with ice, by which our larboard bow was stove in. We then got our boat out, and nailed blankets and canvass over the leak, but could scarcely keep the ship free. A few hours after, the lower piece of the bow post gave way, and we were then obliged to lighten the ship for the preservation of our lives. On the 8th we got clear of the ice, and I then shaped a course for the Western Islands—the weather continuing free we did every thing in our power for the pre-

servation of ship and cargo. On the 12th it blew a heavy gale from the westward, and we were obliged to lay the ship to. On the next day at 2 A. M., a sea struck her and threw her on her beam ends, carrying away the beams, and clearing the decks fore and aft. We were then obliged to cut away the masts to right her, and rigged a jury mast to keep her head to wind. From the 12th, to the 26th, we experienced very severe weather, the ship labouring very much, and falling to pieces, so that, at times, we could scarcely keep her free. On Sunday, the 26th, spoke the Ship *Calista*, bound to London. I requested the Captain to come on board and survey our vessel. He deemed her unseaworthy and advised us to leave. We saved some of our clothes, the Ship's papers, and letters, but I am sorry to say that some of them are damaged, owing to the sea having broken in to the cabin. I have sent the letters on by coach to Liverpool."

To the Editor of the Newfoundland.

SIR—Many of the Inhabitants of St. John's friendly to the establishment of a Joint Stock Bank in this town, have felt disappointment at the result of a Meeting held at the Commercial Room on the 3rd inst., for the purpose of considering the probable consequence of such an Establishment on the currency of this Country. It is, however, allowed on all hands, that there was a great propriety in adjourning the Meeting for the convenience of a gentleman who was unavoidably prevented from attending as he had previously proposed—one who brings to every such subject so much general information that he is always insured an attentive and deferential hearing. Before the re-assembling of the Meeting, I shall take the liberty of endeavoring to clear away some of the mists which seem to hang over the important questions—whether the formation of a local Joint Stock Bank would, or would not, be beneficial to the large majority of the trading community?—and whether the issue of local Bank notes would have the effect of causing specie to disappear from the Island, and thereby produce a change in the currency? That the establishment of a Bank issuing local paper, and granting discounts and facilities on all proper occasions, would, in the outset, interfere with the monopoly of the wealthy Merchants, whose Capitals are fully commensurate with their various operations, is so palpable, that I shall not go into the proof of what must be obvious to all who examine even cursorily. But if these capitalists be the liberal and enlightened men that I imagine, they will not shrink from giving their countenance and support to such an institution, merely because they do not require its aid, or because, when in active operation, it must, in some degree, clash with the exclusive advantages, which, but for its interference, they would continue to enjoy. I should rather feel inclined to think, that they would, as Men of enlarged minds, hail with satisfaction the introduction of a system amongst us which would afford the limited capitalist, and the man of industrious habits, combined with character and experience, a participation in those advantages which a circumscribed circulating medium, and the absence of all money accommodation, have hitherto placed at the disposal only of those more favored by fortune.

It will be conceded, I doubt not, that whatever tends to benefit the great majority, must eventually be productive of benefit to the minority; and though for a season, as it were, the foundation of monopoly should appear to be shaken, a re-action would follow—the natural consequence of increased prosperity among the middle classes of traders, whose means of purchasing from the heavy importers would then be considerably enlarged, and liberality would receive its reward in a pecuniary sense, without reference to the gratification arising from the consciousness of having merited the applause of one's fellow-citizens. Now, I should think no reflecting man would hesitate to acknowledge that St. John's stands in need of a circulating medium to at least double the extent of what it at present possesses; but even that increase would not afford the accommodation which the less wealthy traders require, except through the medium of a Bank—for Merchants could not be expected to import specie, beyond the supply of their own actual wants, or if so importing, from any accidental cause, it would be foreign to their legitimate course of commerce to diffuse such excess of specie in the ordinary mode resorted to by Bankers—namely, by discounting Bills, promissory notes and acceptances;—to say nothing of occasional accommodation afforded in the shape of loans against *bonâ fide* security, to men worthy of confidence and support; consequently, the enlargement of the circulating medium so much required for the extension of general commercial operations in our Town, must not be looked for from any other source than a local Joint Stock Bank, the Shareholders of which shall be so well known, as to insure for its notes a currency equal to Dollars for any amount they may please to issue, payable in specie on demand. If such a Bank should be established here, I shall expect to see the general operations of the Town double themselves in one year after its formation; for men of limited means (though perfectly safe) may then turn over in the year ten times the amount of their actual property, if desirable, owing to the facility with which they will be enabled to meet engagements that, in the present state of things, they would not even think of entering into. In fact, St. John's is an exception to almost every place in His Majesty's Dominions. A man might here be any day greatly inconvenienced for £500, with his stores at the same moment filled with property of ten times that amount, and yet discover no visible means of obviating such a difficulty without a

considerable sacrifice—of course I allude to the less prominent of the Mercantile Body, but even so, it must be owned that it is an unnatural state of things, a serious evil, entirely at variance with the advancement of the prosperity of our population, and demands a remedy forthwith.

As to the effect of the Banking system upon the currency, let us enquire whether Bank notes, payable in specie on demand, would probably banish Dollars out of circulation, and from the Island. I feel a moral conviction that they would not—for should such a Bank as I have described, work well for the Shareholders, and the people at large, Dollars, so far from becoming scarce, would be much more in demand than even now; as a solid advantage could only accrue to the Community from a large increase of the circulating medium; and there would be something paradoxical, under existing circumstances, in adding to, or extending, our circulating medium by the creation of a paper currency, and, at the same time, diminishing the metallic currency already felt so inadequate for supplying the wants of this great emporium. That a very sensible diminution of the hard money now in circulation, would have the effect of altering the currency—so far as enhancing the premium on Bills of Exchange may be received in that light—is, in my opinion, perfectly clear; that is supposing the paper substituted for it, could not be met by specie on demand. But I hold that to be an unfair supposition, and if any doubts should rest upon the minds of dispassionate men they ought to vanish when it is recollected that the Joint Stock Bank, if established, can only become a profitable concern to the Shareholders, and a source of wealth to the people at large, by employing actual capital, and Bank Notes representing capital, to an extent sufficient to supply that portion of the mercantile Body not enjoying similar advantages to its more favoured members. Hence, it will be perceived, that, so far from diminishing specie in the circulation of the Island, it should have the effect of increasing it, because the Bank Notes to be issued, could not, otherwise, be paid in specie on demand, and without such a condition they would soon become depreciated in value, and fall into contempt—evils which the Shareholders would unquestionably guard against by means fully within their power. I, therefore, come to this conclusion, that the very enlargement of the circulating medium by the issue of Paper, must create a necessity for an increased supply of Cash, to a like extent, to fill up ordinary and contingent drains upon the hard money circulation of St. John's, and to give vigour and health to a system which, every man at all conversant with financial affairs, must well know, has largely, if not mainly, contributed to the unexampled prosperity of Great Britain.

If you deem, Mr. Editor, these opinions worth giving publicity to, please to afford them space in your next number.

I am, Sir,
Your obedient servant,
MERCATOR.

St. John's, April 11, 1837.

Died, on the 9th January last, at Topsham, at a very advanced age, ELIZABETH, relict of the Rev. J. CARRINGTON, Prebendary of Exeter Cathedral, and nephew of Dr. LAVINGTON, formerly bishop of that See.—*St. James's Chronicle.*

Shipping Intelligence.



- Custom-House**
Port of St. John's.
- VESSELS (ENTERED.)**
- April 7.—Schooner Providentia, Hoar, London; 200 bls. flour, 80 bls. pork, 300 boxes raisins, and sundries.
 - Schooner Perseverance, Williams, Halifax; 63 puns. molasses, 30 casks beer.
 - Brig Lavinia, Wylie, Hamburg; 1200 bags bread, 200 bls. flour, 200 bls. pork, 250 firkins butter.
 - Brig Paget, Brophy, St. Vincent; 92 puns. rum, 62 puns. molasses.
 - Brig Douglastown, M'Kenzie, Viana; 100 tons salt.
 - Brig Mary, M'Lauren, Cadiz; 186 tons salt.
 - 8.—Brig Lively, Godfrey, Hamburg; 600 bags bread, 400 bls. flour, 200 bls. pork, 200 firkins butter.
 - Brig Neptune, Parker, Liverpool; 273 firkins butter, 710 boxes soap, 50 tons coal, 80 boxes candles.
 - Brig Sophia, Humphries, Havana; 94 puns. molasses, 300 cwt. sugar.
 - Schooner Emma, Silly, Newport; 90 tons coal.
 - Brig Margaret, Blackaller, Hamburg; 1100 bls. flour, 500 bls. pork, 800 firkins butter, and sundries.
 - Brig Terra Nova, Barclay, Liverpool; sundries.
 - Brig Leander, Granger, Cork; 100 firkins butter, 1300 bls. potatoes.
 - 10.—Brig Carteretta, Warren, Cadiz; 130 tons salt, and sundries.
 - Brig Madonna, Smith, Greenock; 240 packages tea, 483 coils cordage, 61 bls. tar, 40 tierces porter, 286 boxes soap, and sundries.
 - 11.—Brig Scotia, Caldwell, Cadiz; 140 tons salt.
 - Schooner Thomas Seop, Pitt, St. Martins; 20 hhds. and 235 bls. sugar.
 - 12.—Schooner Daniel, Steer, Hamburg; 100 bls. pork, 200 bls. flour, 800 bags bread, 100 firkins butter and sundries.
 - Brig British Tar, Bleakhorn, Liverpool; 200 tons salt, 30 tons coal, and sundries.
- VESSELS (LOADING.)**
- April 6.—Manchester, Roddock, Brazils.
 - 7.—Hebe, Marshall, Portugal.
 - 10.—Lavinia, Wylie, West Indies.
 - Douglastown, M'Kenzie, Europe.
 - 11.—Perseverance, Williams, West Indies.
 - 12.—Mary, M'Lauren, Portugal.
- VESSELS (CLEARED.)**
- April 7.—Sloop Prickle, Campbell, Halifax; 700 qts. fish.
 - 8.—Schooner Ann, Lamzed, Oporto; 1800 qts. fish.

Sales by Auction.

THIS DAY,

(Thursday) At 11 o'clock,

BY
JAMES CLIFT,

- 10 Boxes Lemons, (quite fresh)
- 20 Frails Figs,
- 4 Bags Feathers,
- 4 Ditto Corks,
- 1/2 Hhd. Leaf Tobacco,
- 20 Bales Ditto,
- 5 Bags Coffee,
- 5 Chests Tea,
- And sundry other Articles.

April 13.

THIS DAY,

At 12 o'clock,

AT THE WARE-ROOM OF

J. & J. KENT,

- 12 Chests Bohea TEA,
- 14 Ditto Congo Ditto,
- 9 Ditto Twankey Ditto,

Just received per *Providentia* from London.

To approved purchasers above £20 a credit will be given until October next.

April 13.

LAND FOR SALE.

On MONDAY next,

At One o'clock,
ON THE SPOT,

THAT valuable FARM situated and being on each side of the *Portugal Cove Road*, immediately North of *Beaver Pond*, comprising 28 Acres, being held under a Grant in perpetuity from Government to Mr. J. Bell, late of Royal Veteran Companies.

(No Reserve.)

JAMES CLIFT,
Agent.

April 13.

Notices.

District of St. John's,
Newfoundland.

I, JOHN SHEA, do hereby give Notice, that in pursuance and execution of a certain writ of our Lord the King, to me directed, for the Election of Three Members, to serve in the GENERAL ASSEMBLY of NEWFOUNDLAND for the District of St. JOHN'S, I, the RETURNING OFFICER above-named, shall proceed to the said ELECTION at St. JOHN'S in the said District, at the hour of 10 o'clock of the Forenoon of MONDAY the 8th day of May now next ensuing, and continue the said Election there, until SATURDAY, the 13th day of the same month, inclusive: And the said Election will be further holden within the said District at the Places and on the Days hereunder specified, unless the Members so to be elected, as aforesaid, shall be duly elected and returned in such wise that the same Election shall be determined without taking the Polls at all or any of the said following Places—

At TORBAY on MONDAY, the 15th, and TUESDAY, the 16th days of May, aforesaid.

At PORTUGAL COVE on THURSDAY, the 18th, and FRIDAY, the 19th days of May, aforesaid.

Hours of Polling from 10 until 4 o'clock, each day.

JOHN SHEA,
Returning Officer

St. John's, April 13th, 1837.

LANDED

From the REFORM, from London,

ON THE WHARF OF

HUNTERS & CO.

- 13 Tierces BEEF,
- 13 Ditto PORK,

Marked "J. S." and consigned to "Order."—Whoever claims the same, by paying landing expenses and Import Duty (which had to be paid in order to give the vessel despatch), may receive them by applying as above.

April 13.

DESERTED from the service of the Subscriber, on Tuesday Morning last, WILLIAM COSTELLO, an apprentice, a native of Petty Harbor, aged about 16 years. Any person found harboring or employing the said Deserter, after this public notice, will be prosecuted according to Law.

RICHARD POWER.

Petty Harbor, 3rd April 1837.

Orphan Asylum School.

THE Chairman of the *Orphan Asylum School* gratefully acknowledges the receipt of the following Subscriptions for the benefit of that Institution:—

Right Rev. Dr. Fleming (per Rev. Edwd. Troy)	5 0 0
Messrs. Newman & Co.	2 2 0
Mr. Samuel Codner	1 0 0
Messrs. Rennie, Stuart & Co.	2 0 0
Mr. James Stuart	2 0 0
Messrs. Codner & Jennings	1 0 0
Mr. James Fergus	0 10 0
Mr. M'William	0 5 0
Mr. Samuel Mudge	0 5 0
Messrs. B. Bowring & Son	1 0 0
Messrs. M'Brice & Kerr	2 0 0
Messrs. Baine, Johnston & Co.	2 0 0
Messrs. T. M'Murdo & Co.	0 15 1
Mr. Garland Gaden	0 10 0
Messrs. Perchard & Boag	1 0 0
Messrs. James Stewart & Co.	2 0 0
Messrs. Wm. & H. Thomas & Co.	3 3 0
Mr. John Ryan	1 0 0
Messrs. Hunters & Co.	2 2 0
Mr. James Brine	2 2 0
Mr. John Ellis	0 10 0
Messrs. Robert Brine & Co.	0 5 0
Messrs. T. & J. Brocklebank	1 1 0
Mr. R. R. Wakeham	1 0 0

£34 10 1

Several Gentlemen, when called on, stated that they would send their Subscriptions to the Chairman

At a Meeting of the Committee of the Orphan Asylum School, held there on Saturday, 8th inst., the following Resolutions were passed unanimously:

Resolved,—That the thanks of this Committee be given to the above named Gentlemen, who so generously contributed to the funds of the Asylum School.

Resolved,—That the 6th Rule of the Constitution of the Orphan Asylum School, made at the founding of that Institution in 1826, be published. Rule 6th of Constitution of Orphan Asylum School:—

"The Society impressed with the importance and necessity of affording to the children under their care a strictly religious and moral education, it will be the duty of the superintending Committee to appoint certain times to be set apart for the religious instruction of the children, when the children of the different religious persuasions to which they may belong shall be instructed in such manner as their respective Clergymen shall direct; it being an object of the first importance with the Society to cultivate that christian love and charity which so happily exist in the community.

"It will be duty of the Committee to see that no books or catechisms should be admitted, either in the course of the literary or religious instruction, containing matter calculated to excite contempt, hatred, or any uncharitable feeling in any classes, towards persons of a different religious persuasion."

Resolved,—That in consequence of certain Gentlemen having stated that they considered the Asylum School an exclusive establishment, this Committee feel themselves called on, in giving publicity to the above Rule, to assert that it has been strictly adhered to; and they sincerely regret that Gentlemen should be so credulous as to notice a report calculated to injure an Establishment, the sole object of which is the disseminating a general education to the poor gratuitously, when they could, by visiting the School, (which is open to the public) have an opportunity of deciding on the truth or falsehood of such reports.

Resolved,—That in consequence of vacancies having occurred in the Book-keeping, Navigation, and other Classes, by young men having withdrawn from the School for the purpose of prosecuting these branches for their future benefit, that those friends of Education who have subscribed to the Asylum School be informed, that their recommendations for admission to fill up vacancies will meet the marked attention of this Committee.

Resolved,—That the foregoing Resolutions be published.

JAMES HOGAN, Chairman,
Orphan Asylum School.

On Sale

LAND For Sale.

100 ACRES on the NORTH side of Windsor Lake, bounded on the South by the Portugal Cove Road; and, 100 Acres on the SOUTH side of Windsor Lake, and bounded on the North by said Lake.

For Further Particulars apply at the Office of Messrs. BLAND & TOBIN.

March 16.

BY

BLAND & TOBIN,

100 Barrels prime Irish PORK, per Blandford from Cork.

And of former Importations.

- 40 Puncheons RUM
- 40 Ditto MOLASSES
- 30 Hhds. Muscovado SUGAR
- 100 Firkins Prime Cumberland BUTTER.

February 16.

On Sale

BY

HUNTERS & Co.

- 200 Barrels Irish Pork
- 150 Ditto Hamburg ditto
- 100 Ditto superfine Flour
- 100 Firkins Irish Butter
- 150 Ditto Hamburg ditto
- 1000 Barrels best Seed Potatoes (Cork crops)
- 50 Puncheons Rum
- 60 Ditto Molasses
- 100 Kegs Paint—white, black, green, sky blue, yellow, and red.

ALSO,

- 20 Hogsheads Sugar
- 100 Barrels ditto
- 10 Pipes
- 10 Hhds. and 20 Qr.-casks } Vidonia Wines.

An excellent assortment of

Manufactured Goods.

Lately imported from London, the greater part of which are now ready for inspection.

ALSO,

- 10 Hhds. Halifax PORTER,
- 25 Dozen London BROWN STOUT, in Cases 2 1/2 and 3 dozen each—highly recommended.

W. & H. THOMAS & Co.

OFFER FOR SALE,

The Cargo of the Brig *SOPHIA*,

CONSISTING OF

- 94 Puncheons best Porto Rico MOLASSES
- 100 Boxes fine SUGAR
- 6 Barrels HONEY.

April 13.

JUST RECEIVED

AND FOR SALE, BY

J. & J. KENT,

- 300 Tierces Strangman's PORTER,
- 110 Barrels Irish PORK, of a superior quality,
- 120 Boxes best English SOAP,
- 500 Bushels Seed OATS,
- 100 Hides best Dublin BUTT,
- 400 Barrels Seed POTATOES,
- 20 Chests Bohea TEA,
- 20 Ditto Congo Ditto,
- 25 Ditto Twankey Ditto,
- 250 Pair Men's Strong SHOES.

April 13.

JUST LANDED

AND FOR SALE, BY

JOHN CUSACK.

106 Chests Congo and Hyson-Skin

TEAS,

Per *Providentia* from London;

ALSO,

Per *Leander*, from Cork,

- 50 Firkins prime BUTTER,
- 50 Hides Rounded SOLE LEATHER.

Fish taken in payment.

April 13—6

FOR SALE.

On moderate terms,

BY

EWEN STABB,

- 500 Barrels prime Pork
- 500 Ditto Fine and Superfine Flour
- 50 Ditto Oatmeal
- 500 Firkins Butter
- 10 M. Bricks
- Calf Skins, Sole Leather, &c. &c.

For Charter.

The British built, Coppered Brig

LIVELY,

147 Tons Register.

April 13.

Barque *Manchester* from LIVERPOOL.

T. & J. Brocklebank,

OFFER FOR SALE

The Cargo of the *Manchester*, for Fish in September next, viz:

- 130 BAGS Bread
- 500 Barrels Superfine Copenhagen Flour
- 200 Bls. Prime Mess Pork
- 100 Ditto ditto Beef
- 200 Firkins first Quality Butter
- 175 Chests Tea
- 200 Bags Shot
- 80 Quarter Barrels Gunpowder
- 50 Boxes Soap, in Boxes of 2 cwt. each
- 5 Hhds. Brandy
- 50 Boxes Candles
- 21 Barrels Sugar.

April 6.

On Sale.

JUST ARRIVED,

Ex REFORM from London,

AND FOR SALE

BY

J. BRIDE & CO.,

250 Packages Bohea TEA

70 Ditto Congo ditto

12 Ditto Twankey ditto

With part of their Spring Stock of

FANCY GOODS,

Now ready for inspection.

AND OF FORMER IMPORTATIONS,

- 15 Casks LOAF SUGAR
- 10 Qr.-Casks PORT WINE, @ 110s.
- 150 Barrels excellent English POTATOES
- 10 Gross WINE BOTTLES
- LIME in casks of various sizes
- 12 Reams PRINTING NEWS.

April 6

THE SUBSCRIBER

HAS RECEIVED,

Per *EMMA* and *PICTOU* from Waterford,

25 Tons Seed Potatoes, cheap from the vessel

171 Tierces } Porter and XX Ale

6 Hhds. }

40 Half-Tierces }

2 Puns. best Cork Whiskey

50 Barrels and 50 Half-barrels Mess Pork

4 Hhds. Bacon and Hams

14 Ditto containing 300 bushels Seed Oats

90 Hides Dublin Sole Leather

2 Bales Basils & Calf Skins

2 Ditto Spun Hemp

20 Boxes Tobacco Pipes

20 Feather Beds

Ex the *REFORM* from London,

24 Dozen Kip & Calf Skins

8 Hogsheads Cognac Brandy

4 Ditto Geneva

2 Ditto Linseed Oil

ALSO, ON HAND,

20 Chests Hyson Skin & Bohea Teas

30 Dozen Shoe Brushes

Shore Fish taken in Payment.

For Charter,

THE BRIG

EMMA,

WM. FLINN, MASTER;

109 Tons Register, will stow about 1900 qtls. fish in Bulk.

JOHN CUSACK.

April 6.

Cordage.

20 Tons Assorted CORDAGE,

Viz.—

Hawser-Laid from 1 to 6 inch

Shroud-Laid from 6 thread Ratline to 6 inch

House-line, Hambroline, Marline, & Spun yarn

1 and 1 1/2 inch White Rope

9 and 10 inch Bunking Cables

For Sale by

W. & H. THOMAS & Co.

February 16.

To be Let.

For such a term as may be agreed upon, and possession given immediately—

THOSE extensive and valuable PREMISES situate on the South Side of this Harbour, lately the property of RICHARD WOOD, Esq., of Bermuda. The water-side extends from East to West 250 feet.—The STORE upon the premises admeasures 106 feet long by 35 feet broad—and the DWELLING HOUSE 25 feet long by 18 feet broad—the almost unlimited extent of flake room, and the conveniency of the position, render it a desirable situation for the purposes of the fisheries and general trade of the Island.

Apply to

April 6. Mr. ROBINSON.

For one Year, or a term as may be agreed no, and possession given on the 1st May next—

THAT Excellent DWELLING-HOUSE on the South Side of Duckworth-Street, at the corner of the cross street near the School of the Newfoundland Society, containing a Shop, Parlour, and several Bed-Rooms. The House is in good repair and well situated for business.—For further particulars apply at the House to

REBECCA PICCOT.

March. 30.

For such term of years as may be agreed on, and immediate possession given—

THAT very convenient and eligibly-situated DWELLING-HOUSE, late in the occupancy of Dr. SHEA;

ALSO,

(And possession given on the 1st of May)

The DWELLING-HOUSE at present in the occupancy of Mr. Solicitor-General EMERSON.—For further particulars apply to

Dr. SAMUEL CARSON.

February 23.

GREAT GAMBLING CASE.

COURT OF KING'S BENCH.
DE ROS v. CUMMING.

LIBEL.

On Friday this case, about which so much interest is felt in fashionable circles, came on for trial. The Court was excessively crowded. The Lord Chief Justice having taken his seat, and the special jurors being duly sworn, Mr. Wightman opened the pleadings.

The ATTORNEY GENERAL then addressed the jury for the plaintiff. He described his client, Lord de Ros, as the head of the English Baronage, illustrious by descent, and distinguished by his virtues. The learned Counsel then gave a brief account of Lord de Ros's education and career up to the time of the action, mentioning that he had been much oppressed by ill health. He succeeded to a competent fortune at the death of his father, which was further increased when Lady de Ros died. Play to him was only an amusement. At Graham's Club morning whist was much played, and his Lordship was very partial to the game; being admitted to be one of the best players in England. His Lordship occasionally played this game. In that club it would appear that in the beginning of the season, and before Lord de Ros came to town, whispers were circulated of unfair play, and various persons were supposed to have been guilty of this charge. There was a determination formed that the club should be dissolved and reconstructed, leaving out the names of certain persons who were suspected. It was the great object of those who attended the club for the purpose of professional gain, that its character should be cleared—that some one should be made a scape goat, that the characters of the others might be cleared. "I shall show to you," said the learned Counsel, "before this case is over, that a deliberate plan was formed for the purpose of ruining Lord de Ros. On account of the skill which is allowed to belong to him, and of the success he had experienced, there was a certain degree of jealousy and envy; there was a desire that he should leave the club; a desire that upon him all these charges should be fixed." Not long after Lord de Ros came to town he received an anonymous letter cautioning him not to attend the club, to which, of course, he did not deign to attend. In fact he visited the club more sedulously than before. On the 14th of August Lord de Ros left this country for the continent. Then, when his back was turned, the calumnious whispers began. The learned counsel then proceeded into a detailed account of the events which led to this action. First, the appearance of a libellous paragraph in the *Satirist*—the summons of Lord de Ros from Baden by his friends—the commencement of an action against the *Satirist*. He then referred to the letter addressed to Lord de Ros by Messrs. George Payne, Brook Payne, J. Cumming, and Lord. H. Bentick, in which they avowed their belief in the charge of cheating, and invited his Lordship to bring his action against one of them. He then detailed the arrangement under which Mr. Cumming on the 2d of December wrote a letter asserting the cheating, which letter was to be assumed as published, and furnish the ground for the present action. In commenting on the nature of the pleadings in the case, the learned counsel complained of the opposite party not having acted in a manner to produce a fair investigation. When called on for particulars to one of the pleas, defendant, instead of giving a specific statement of the time or times of the unfair play, gave in a list of 51 days at Graham's, and 13 days at the Traveller's Club, and an enumeration of all those who had been at those clubs on those days. This was a great hardship on Lord de Ros. One circumstance the learned counsel thought worth remark. With his Lordship's admitted skill, at a game like whist, where skill in a length of time must prevail, it would be supposed his winnings were enormous. Yet he would show that during the last season at Graham's, where he played 51 days for considerable stakes—the early part at £2 points, and the latter part at £5 points—his winnings amounted only to £630. After telling the jury that no amount of damages could compensate Lord de Ros for the agony he had suffered, he entreated them to render their verdict a consolation to the family and friends of his client.

Mr. ROBERT BICKNELL deposed to the manner of bringing the action, and to the indefinite account given by the defendant in answer to the demand of the particulars of the accusation.

Lord WHARNCLIFE, examined by Sir W. FOLLETT—Was acquainted with Lord de Ros for several years, and have been in the habit of living on terms with him. He is the son of Lord Fitzgerald and Lady de Ros; could not say if he came into a great property at the death of his parents. Belonged to several clubs of which Lord de Ros was a member. Played with Lord de Ros, both at the clubs and in private society. I was in the habit of playing guinea points, and £5, on the rubber. Lord de Ros was in the habit of playing high. Lord de Ros was an excellent player.

Cross-examined—Lord de Ros was in the habit of playing at £5 points, and £25 on the rubber. This sum is not an uncommon bet at the clubs. I have played with Mr. Cumming at White's and at Crockford's, and I have also played with Mr. Payne, Mr. Brook Greville, and Lord Bentinck. Knew Mr. Cumming about three years.

Lord ROBERT GROSVENOR had known Lord de Ros 12 years. He was a skilful player. Had played with him in general society within the last year and a half.

The Earl of CLARE, Mr. HENRY BARING, and Mr. RAGGETT, gave evidence precisely similar in effect.

Doctor HYDE, Mr. LAWRENCE, and others deposed to the fact of Lord de Ros labouring under a painful affection of the joints of the hands.

Doctor HYDE being cross-examined by Mr. THESIGER, said Lord de Ros was not prevented from dealing or shuffling the cards by his infirmity, nor from marking a card with his thumb.

Re-examined by the ATTORNEY-GENERAL—Lord de Ros was prevented by his infirmity from playing any trick, such as conjurers perform with the cards.

THOMAS STYLES, a valet to Lord de Ros, deposed to the infirmity of his master; would swear that he was not out as many as 7 or 8 times in the month of June, after 12 o'clock.

SIR C. D'ALBIAC had played frequently with Lord de Ros and that during the whole season of 1836.

Cross-examined by Mr. THESIGER: I attended the club in 1836, from February until July; I observed that a member of the club, a Mr. Higgins, would not sit at the table with Lord de Ros; I also observed that Captain Alexander and Sir C. Ingleby did not sit at the table with Lord de Ros. I was ignorant of the cause of these gentlemen avoiding Lord de Ros.—This concluded the plaintiff's case.

Mr. THESIGER then rose and addressed the jury for the defendant: The case, he said, was unparalleled. He felt much for the situation of Lord de Ros, but he owed a duty to his client, who had been called the tool of a party. The learned gentleman, after some further remarks, proceeded to state that he would fully prove that Lord de Ros had been guilty of marking the cards, and also of reversing the pack by a sort of slight of hand. He commented on the conduct of Lord de Ros in declining to submit the matter to the decision of a select number of honourable gentlemen. The learned counsel then went into a detail of the facts intended to prove, which will be gathered from the evidence. We will give, however, one or two extracts from Mr. Thesiger's speech, which should be kept in view in a perusal of the evidence:—

"Gentlemen, there are two modes in which we allege Lord de Ros to have been guilty of unfair play; the first, by marking the cards; the other, by the use of trick of *santer le coupe*, as it is called in French, but which, in our own more homely language, would be known as reversing the cut, or slipping the cards. It will be necessary to enter into some explanation of the manner in which each is practised. It will be observed with regard to the marking of the cards that the game of whist is generally played by four, and that, therefore, the deal comes round to each player once in four deals. A player, therefore, who wishes to mark the cards should wait for his opportunity of doing so, without observation. It is uncertain to whom the honours may be dealt, and those who intend to obtain an unfair knowledge of what is in his adversary's or his partner's hand must wait until fortune or chance throw to himself the honours of the pack. We shall show that Lord de Ros was in the habit of marking the cards with the nail of his hand, on the face of one of the corners, the effect of which was to make an indenture on the front, and a sort of ridge or wave, which is immediately discovered by a practised eye. Persons, however, who do not understand the trick, like Sir Charles D'Albiac, for instance, who seems never to have awakened out of his dream to any suspicion at all, are not easily aware of it; indeed it requires a somewhat minute inspection to ascertain the fact. But we also charge Lord de Ros with, by some shuffling on his part bringing up the card which is below as the trump card, and which invariably was an honour." Mr. Thesiger, remarking on the medical evidence for the plaintiff, afterwards said:—"Doctor Hyde's physical impossibility, and the afflicted state of Lord de Ros's health, singularly and certainly turned out to his advantage, for whenever he wished dexteriously to slip a card or to perform a legerdmain trick, it invariably came to his assistance. I shall be able to prove indisputably that whenever Lord de Ros was the dealer, he was seized—opportunately, perhaps—with an infirmity of health. As the deal came round to his Lordship, certain he was to be seized at that moment with a violent fit of coughing, which obliged him to put his hands under the table; and it happened most singularly that upon all such occasions that card which had been the honour at the bottom of the pack was invariably the turn up card." After describing the commencement of the discoveries at Graham's, Mr. Thesiger observed: "The suspicions which had been excited soon spread themselves over the club, until they at last found their way to a gentleman of most high character, a particular friend of the Noble Lord's, Mr. Brooke Greville, who at first would not believe them, but took steps to find out what was the truth. The result of his inquiries was, that he was convinced of the correctness of the charges, and determined to see whether his Lordship carried the practice into other clubs. At the Travellers' he gave instructions that the cards with which De Ros played should be retained for examination. They were examined, and they were found to be marked in the same manner. Some of these cards have been sold, others have been preserved, and will be produced before you." We should add, that in opening the case, on remarking on the letters that had passed between Mr. Cumming and Lord de Ros, Mr. Thesiger said:—"My learned friend laid peculiar emphasis on the letter of Lord de Ros—he slurred over that of Mr. Cumming. I shall read to you that letter of the defendant's. So

far from it showing him in the light of being a tool, a more manly and open course of conduct. I never yet had the opportunity of witnessing. The manner of my learned friend's reading that letter was the more marked as Lord de Ros knows the forbearance of Mr. Cumming, and at this moment he is aware that but for the honourable feeling of delicacy of that gentleman there is that in my possession which would conclude the case against him."—(This was delivered with marked emphasis.) We now proceed to give a brief detail of the evidence of Mr. Thesiger's case.

JOHN WM. GRAHAM had conducted the business at Graham's club for 20 years; Lord de Ros became a member of the club in 1823; in February last year Mr. Higgins and Capt. Alexander were members of the club. Capt. Alexander made a communication to him, in consequence of which the cards with which Lord de Ros played on the 16th February were taken particular notice of, and examined next morning. They were found to be marked by a small indent on the side of the card. He thought the mark had been made by the thumb nail. He examined those cards which were used on the 13th and 15th February by Lord de Ros, and they were all marked in the same way. It was only the aces and kings which were marked. Lord de Ros played every day, except one, up to the 22d, and all the cards were examined, and found to be marked in the manner described. His Lordship played at the club on the 1st of July, and never after.

WILLIAM GRAHAM deposed to the same fact; he also deposed as follows:—I examined the cards from the 16th to the 22d July, the whole of the time his Lordship played at the club, and I found the cards marked. On the 9th of June Lord de Ros played, and I found the cards marked. His Lordship played in the morning and evening of the 25th June. His Lordship coughed, and I saw him put his hands under the table. I did not see the cards under, but his Lordship moved the cards, and the ace of diamonds was turned up. I never found the cards marked except when Lord de Ros was playing. I examined all the cards from the time they were first used, on the 4th February, to the day Lord de Ros came to town; but none of them were marked.

Cross examined—I paid at the end of the season 665l. to Lord de Ros as the amount of his winnings, with some trifling deduction of 20l. I can't say whether that was the largest sum paid to any winner, as gentlemen sometimes drew their money the day they won it.—Witness, on being examined as to the breaking up of the old club, and the forming of a new one, said that no names were omitted on account of unfair play.

WM. GRAHAM, sen., gave some evidence not material.

HUGH BRABAZON HIGGINS was an officer in the 15th Dragoons, and a member of Graham's club; played at Brighton at whist with Lord de Ros and others; observed, when Lord de Ros was dealing, a very unusual motion; after they were cut, the cards were taken off the table and lowered a little below its level; I was induced to suspect something from impressions that had been previously made upon my mind. Lord de Ros turned up an honour, and he won the game subsequently.

Cross-examined—Had played with Lord de Ros since the affair at Brighton.

Capt. ALEXANDER, R. N., deposed to several circumstances in corroboration of Mr. Higgins's evidence. On his cross-examination he admitted that he played a good deal, but did not make it a business.

Mr. BROOKE GREVILLE examined by Mr. THESIGER—Was a member of Graham's club last year, and very intimate with Lord de Ros. About the middle of last April Mr. Higgins told him what occurred at Brighton. Did not then believe the reports, in fact, he was most unwilling to believe them. Was at the club on the 24th of April. Did not play with Lord de Ros. Played at picket with Colonel Anson. Recollects Lord de Ros coming into the room when so engaged. Mr. Browne is the accountant at the Travellers'; the names of those who come in are put in a book by him. Desired the cards that Lord de Ros played with to be kept for him. He examined the pack, and found the greater part of the aces and kings marked. Afterwards examined at the Travellers' other cards played with by Lord de Ros. On the next day two packs of cards were brought to him at Fenton's hotel; he desired them to be given to Charles Greville. Saw these also, and found the aces and kings were marked. He kept the marked cards in his possession ever since. (The cards were here produced, and the marks, apparently of the thumb nail, pointed out to the jury.) Witness and Mr. Chas. Greville talked over the subject, and came to the resolution of warning Lord de Ros by means of an anonymous letter, which was sent to Lord de Ros about the 26th of April. Attended at Graham's club afterwards. After that period never saw any of the cards at Graham's. About 21st June told Mr. G. Paine what occurred. Played with Lord de Ros one rubber of whist on the 30th of June. Played a second rubber of whist on the 1st of July, at Graham's. Never told Colonel Anson of the affair. Went to Lord de Ros's *fete* on the 8th of July; went at 5 o'clock, and came away at 6 o'clock in the afternoon. Did not often go to his house. Was on very intimate terms with him.

Cross-examined by the ATTORNEY-GENERAL—Did not often visit Lord de Ros. Dined with him on the 24th of April. Was certainly on a very intimate footing with Lord de Ros. He invited him to his villa at Fulham; last June. His lordship came on that invitation. He received him at dinner that day. There was a third person at table.

A lady formed the third person. Cannot say that he expressed a very deep interest on his affairs on that occasion. He invited Lord de Ros to come because he thought his lordship could serve the person who was then with him. Several gentlemen came to him under the same circumstances, from whom he expected some advantage for that person. Was a considerable winner at play, and if his lordship thinks it necessary will state the sum; the largest winnings for a period of 15 years are £35,000; played a great deal; made it partly his occupation, but did not live by it. Have other property independent of it; always had a resource in Lord Crewe, who is dead nine years; got about £800 a-year by his will, besides other property. The late Lord Crewe disputed that sum, but failed in wresting it from him; played mostly at Graham's club; played constantly there; was one of those whom Graham wished to exclude; applied to be admitted; committee applied to Graham to put his name on the list, who refused to do so; is in possession of the unanimous resolution of the committee to that effect, and is no longer a member of that club; made his money chiefly there at whist, and at the Travellers'; lost £14,000, in 1828, at cards, at Brighton. Did not bring up his loss for three years afterwards.

Re-examined by Mr. THESIGER—Lost most part of that £14,000 to Lord de Ros. Never marked a card. Kept up the appearance of friendship with Lord de Ros, because he thought sincerely that he had given up the habit of cheating at cards. Mr. Cumming and he met at Downing Street. Heard the letter read over in reply to the one sent to Lord de Ros about September 20.

HONOURABLE FREDERICK BYNG, examined by Mr. THESIGER—Remembers in September last a letter being sent by Charles Greville to Lord de Ros, at Baden. The letter was put into his hands sealed, to be forwarded through the Foreign Office. Got it sent to Stuttgart. Read the letter. Saw it put into the proper place, and in the hands of the proper officer, to be forwarded.

Mr. BROOKE GREVILLE was again called up and examined by Mr. THESIGER—Lost £3000 to Lord de Ros in 1828. Lost £12,000 in all, to various gentlemen at the club. I gave drafts for the money.

Amongst many other witnesses called, was Sir WILLIAM INGILBY, who described the trick *sauter ka coup* which he swore to have seen Lord de Ros practise upwards of 50 times. Sir William explained the trick with a pack of cards, but as we are not on the spot with one, we can only say that the card which is at the bottom of the pack before it is cut, and consequently ought to come in the centre of the pack, after it is cut, is by a slight-of-hand, transferred to the bottom of the pack after the cut has taken place, and therefore is made to become the turn-up card. Sir William's performance of the trick excited considerable merriment in Court, which the Chief Justice instantly repressed, and reprobat.—

Lord DENMAN in summing up occupied an hour; and the Jury, after an absence of less than a quarter of an hour, delivered a verdict for the Defendant, thus establishing the truth of the charges against Lord de Ros.—The announcement of the verdict was received without any manifestation of the feelings of the audience.

Lady Canning, we regret to hear, died on Wednesday night. This event creates a vacancy in the borough of Warwick, the Hon. Charles Canning being now called to the House of Lords as Viscount Canning.

Poetry.

THE FOUR LEAVED SHAMROCK.

BY SAMUEL LOVER, ESQ.

I'll seek a four-leaved shamrock
In all the fairy dells;
And if I find the charmed leaves,
Oh! how I'll wave my spells!
I would not waste thy magic might
On diamond, pearl, or gold.
For treasure tires the weary sense—
Such triumph is but cold,
But I would play th' enchanter's part,
In casting bliss around;
Oh! not a tear, nor aching heart,
Should in the world be found.

To worth I would give honour,
I'd dry the mourner's tears,
And to the palid lip recal
The smile of happier years;
And hearts that had been long estranged,
And friends that had grown cold,
Should meet again, like parted streams,
And mingle as of old.
Oh! thus I'd play th' enchanter's part,
Thus scatter bliss around;
And not a tear, nor aching heart,
Should in the world be found.

The heart that had been mourning
O'er vanished dreams of love,
Should see them all returning
Like Noah's faithful dove
And hope should launch her blessed bark
On Sorrow's dark'ning sea,
And misery's children have an ark,
And sav'd from sinking be.
Oh! thus I'd play the enchanter's part,
Thus scatter bliss around;
And not a tear, nor aching heart,
Should in the world be found.