

*John's Factory*  
*St. John's*

THE



# Newfoundlander

No. 548.

THURSDAY, January 25, 1838.

Sixpence.

On Sale

## W. I. WHITE

HAS RECEIVED,

Per OBERON, HIRAM, and This Day per EDGE-COMBE.

The following choice assortment of Articles of GERMAN SILVER, &c.

CONSISTING OF—

Table, Tea, Salt, and Mustard Spoons, Sugar Tongs, Soup and Sauce Ladles, Candlesticks, one elegant richly chased Tea Service, complete, Snuff Boxes, Cigar Tubes, and Pencil Cases.

Best Ivory Balanced Knives and Forks Razors, Penknives, Scissors Shell and Horn Combs Brushes of every description Hair Work, &c. &c.

With about 30,000 CIGARS at cost if taken in one lot.

January 11.

## NEWMAN & Co.

OFFER FOR SALE,

The Cargo of the STORK, from Copenhagen.

CONSISTING OF—

750 Bbls. Superfine FLOUR  
 250 Ditto PORK  
 750 Bags BREAD  
 100 Half ditto ditto, superior quality  
 400 Firkins BUTTER

Also,

20 Puns. superior Demerary retailing MOLASSES.

December 7.

## 300 FIRKINS Prime BUTTER

50 Half ditto ditto  
 100 Bags 2nd quality BREAD  
 Just received per BROAD OAK and METEOR from Hamburg.

JOHN M. RENDELL & Co.  
 January 11.

## Bulley, Job & Co.

OFFER FOR SALE,

At low Priors, for Cash,

Ex Barque BROAD OAK from Hamburg,  
 200 Eggs good common BREAD  
 200 Barrels Extra Superfine FLOUR  
 100 Firkins Randlers' BUTTER.

Also, on hand,

2 Casks choice Westphalia HAMS  
 A few Cases Pink CHAMPAGNE  
 January 11.

BY

## SAMUEL MUDGE,

150 Bags Hamburg BREAD  
 25 Barrels Ditto Oatmeal  
 20 Barrels and Half-bls. ditto Pork  
 25 Firkins and Kegs prime ditto Butter  
 7 Kegs Pearl Barley  
 20 Westphalia Hams, and  
 A few Doz. n CHAMPAGNE.

Also,

300 Pair Blankets, 7-4 @ 10-4  
 100 Pieces Serges  
 20 Ditto Blanketing  
 100 Pair Men's and Boys' Shoes  
 10 Doz. n Sail Twine  
 6 Bags Coffee, and  
 150 Boxes and Half-boxes Soap.  
 January 4.

On Sale.

## Corned Beef and Pork.

A FEW Packages, containing 50 lbs. each, just landed from Broad Oak, lightly corned for present use.

FOR SALE BY

J. DUNSCOMB & Co.

January 18.

## PROVISIONS.

### Taos. & John Brocklebank

OFFER FOR SALE,

The Cargo of the Barque MANCHESTER from Hamburg, viz:—

1000 Bags Fine and Superfine BREAD  
 300 Barrels Superfine FLOUR  
 100 Ditto prime Mess PORK  
 100 Ditto first quality BUTTER  
 100 Prime Westphalia HAMS  
 20 Barrels OATMEAL  
 10 Barrels PEAS  
 3000 BRICKS.

January 4.

JUST RECEIVED

Per ELIZA from London,

100 Bolts No. 1 to 8 CANVAS  
 GREEN HEMP in 2 oz. balls  
 HERRING NETS 30, 40, 50, 60, 70, and 80 Rans.

And previously on hand,

5000 Lbs. Prime Rounded BUTTS  
 1000 Pair BOOTS and SHOES  
 20 Cases Skiedam GIN  
 5 Puns. Jamaica RUM.  
 10 Hhds. moist SUGAR  
 SOAP and CANDLES;

And,

2 COD SKINES 56x80 and 60x90, which would be sold very low for prompt payment

DANIEL FOWLER.

November 2.

## Kelly-Grews Packet.

JAMES HODGE'S

Of Kelly-Grews,

BEGS most respectfully to inform his friends and the public, that he has a most safe and commodious four-sail BOAT, capable of conveying a number of Passengers, and which he intends running the winter as long as the weather will permit, between Kelly-Grews, Brigus, and Port-de-Grace.—The owner of the Packet will call every Wednesday morning at Mr. JOHN CRUTE'S and Mr. THOMAS DOYLE'S for Letters and Packages, and then proceed across the Bay, as soon as the wind and weather will allow; and in case of there being no possibility of proceeding across the Bay by water, the Letters will be forwarded by land by a careful person, and the utmost punctuality observed.

JAMES HODGE begs to state, also, he has good and comfortable Lodgings and every necessary that may be wanted and on the most reasonable terms.

Terms of Passage, &c.

One person or 3, to pay 15s.; above that number, 5s. each; single Letters 1s., double ditto 2s.

January 11.

Notices.

## FACTORY.

THE committee of the St. John's Factory being desirous of employing an additional number of work people, will undertake, at very low rates, the making of any quantity of Cotton, Baize, or Canvas Shirts, Flannel, or Blanketing Drawers, Stockings, Cuffs, or any other articles of needle or knitting work.

J. JENNINGS,

Secretary.

January 18.

N. B.—Persons willing to support the Institution are respectfully requested to send materials for such work as they may require, to the superintendent, at the Factory.

## Moffat's Life Pill and Phœnix Bitters.

THE high and envied celebrity which this pre-eminently efficacious medicine has acquired, for its inviolable efficacy in all the diseases which it professes to cure, has rendered the usual practice of ostentatious puffing, not only unnecessary, but unworthy of them. They are known by their fruits; their good works testify for them, and they thrive not by the faith of the credulous. In all cases of Costiveness, Dyspepsia, Bilious and Liver Affections, Asthma, Piles, Settled Pains, Colds, Rheumatism, whether chronic or inflammatory, Fevers and Agues, obstinate Headaches, Impure State of the Fluids, unhealthy appearance of the skin Nervous Debility, the sickness incident to females in delicate health, every kind of weakness of the digestive organs, and in all general derangements of health, these medicines have invariably proved a certain and speedy remedy. They restore vigorous health to the most exhausted constitutions. A single trial will place the LIFE PILLS and PHŒNIX BITTERS beyond the reach of competition, in the estimation of every patient.

For further particulars of the Life Pills and Phœnix Bitters see Moffat's Good Samaritan, a copy of which accompanies the Medicine; a copy can also be obtained on application to the Agent in St. John's, Dr. O'DWYER; or at the shop of Messrs. BUNTING FISHLATER & Co.,  
 January 11.

A CARD.

## DR. WILSON

BEGS to acquaint his friends and the public that he has taken private rooms in the house next door to Mr. JOHN RYAN'S, merchant, Water-Street, where he can be consulted at any time, and hopes, from the experience and success he has had for many years, to give satisfaction to those who may favour him with their patronage.

N. B.—Dr. W. will give advice and medicine on Tuesdays and Fridays from ten till twelve, to the poor, gratis, provided they bring a certificate from any respectable person to that effect.  
 Dec. 28.

To be Sold or Let.

THE WHOLE, OR IN LOTS, AS FOLLOW:—  
 No. 1.—A STORE, and WHARF attached thereto.  
 2.—A DWELLING-HOUSE, with a COOP-DRAGE adjoining.  
 3.—A HOUSE in two Tenements (let, but may be sold.)  
 4.—A well established RETAIL SHOP with the necessary apartments.

All further particulars made known on application to

PATRICK KELLY.

October 26

Conception-Bay Packets.



## NORA CREINA

PACKET-BOAT BETWEEN CARBONEAR AND PORTUGAL-COVE.

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

The NORA CREINA will, until further notice, start from CARBONEAR on the mornings of Monday, Wednesday and Friday, positively at 9 o'clock and the Packet-man will leave St. John's on the mornings of Tuesday, Thursday and Saturday, at 9 o'clock, in order that the boat may sail from the Cove at 12 o'clock, on each of those days.

TERMS.

Ladies and Gentlemen.....7s. 6d.  
 Other Persons, from 5s. to 3s. 6d.  
 Single Letters.....0s. 6d.  
 Double ditto.....1s. 0d.

And Packages in proportion.

N. B.—JAMES DOYLE will hold himself accountable for all Letters and Packages given him Carbonear, April 20, 1837.

EDMUND PHELAN, begs most respectfully to acquaint the Public, that he has purchased a new and commodious boat, which at a considerable expense, he has fitted out that splendid Packet-boat

## ST. PATRICK,

to ply between Carbonear and Portugal Cove, having two cabins, (part of the after cabin adapted for Ladies) with two sleeping berths, which will he trusts give every satisfaction. He now begs to solicit the patronage of the respectable community; and he assures them it shall be his utmost endeavour to give them general satisfaction.

The St. PATRICK will leave Carbonear for the Cove, on Tuesday, Thursday and Saturday, mornings at 9 o'clock, and the Cove at 12 o'clock on Monday, Wednesday and Friday; the Packet man will leave St. John's at 8 o'clock on these mornings.

TERMS

After Cabin Passengers.....7s. 6d.  
 Fore Cabin Ditto.....5s. 0d.  
 Single Letters.....0s. 6d.  
 Double Ditto.....1s. 0d.

Parcels in proportion to their size or weight The owner will not be accountable for any money put on board.

N. B.—Letters for St. John's, &c. received at Mr. Edmund Phelan's, Carbonear, and in St. John's for Carbonear, &c. at Mr. Patrick Kieley's, (Newfoundland Tavern,) and at Mr. John Crutes, Carbonear, April 20, 1837.

## St. John's and Harbour-Grace PACKET

THE fine fast-sailing, Cutter, the Express, leaves Harbour-Grace, precisely at 9 o'clock, every MONDAY, WEDNESDAY, and FRIDAY morning for Portugal Cove, and returns at 12 o'clock the following day.—This vessel has been fitted up with the utmost care, and has a comfortable Cabin for Passengers; all Packages and Letters will be carefully attended to, but no accounts can be kept for passages or postages, nor will the Proprietors be responsible for any Specie or other monies sent by this conveyance.

Ordinary fares 7s. 6d., Servants and Children 5s. each. Single letters 6d., Double ditto 1s., and parcels in proportion to their weight.

PERCHARD & BOAG, Agents,  
 St. John's,  
 ANDREW RYSDALE, Agent,  
 Harbour-Grace.

May 11.

(From the *Newscastian*, Nov. 28.)

ADDRESS TO HIS HONOR THE CHIEF JUSTICE.

On Saturday last the following address was presented to the Chief Justice, by the Members of Her Majesty's late Council :

*The Honorable Brenton Halliburton*  
late President of Her Majesty's Council,  
and Chief Justice of the Province  
of Nova Scotia, &c. &c.

We, the members of Her Majesty's late Council as our official intercourse with you is now terminated, beg to offer to you the assurances of our affection, esteem and respect.

Your abilities, zeal, and high legal and Parliamentary knowledge, with which you have at all times aided the Council in the performance of their duties, and the dignified and impartial manner in which you have presided over their deliberations since the retirement of your venerable predecessor, give you the strongest claim to the approbation of your Sovereign, and the respect and thanks of your fellow subjects in this Province; and we should not do justice to our feelings, were we to omit the expression of our sincere regret, at an event which has deprived the people of this Colony of your valuable services in the Councils of their country.

In taking leave of you, we shall carry with us, and always entertain a gratifying recollection of the kindness which has distinguished your conduct and intercourse with the Council, and although you no longer fill the situation which has enabled you to contribute so essentially to the good of the Province, we hope it may long enjoy the benefit of your talents and knowledge, in the high judicial office you now hold; and with earnest prayers that you may long possess health and strength to enable you to discharge the duties of that important trust, we tender you our affectionate and respectful farewell.

- THOMAS N. JEFFERY.
- H. N. BINNEY.
- ENOS COLLINS.
- S. B. ROBBIE.
- CHAS. R. PRESCOTT.
- S. CUNARD.
- H. B. COGGSWELL.
- PETER M'NABB.
- JAMES TOBIN.
- JOSEPH ALLISON.

Halifax, N. S. Dec. 23, 1837.

THE CHIEF JUSTICE'S REPLY.

To the Honorable Members of Her Majesty's late Council in Nova Scotia.

GENTLEMEN,

Few things have occurred to me, in the course of a long life, so truly gratifying as the address with which you have this day honored me.

During the period that I have had a share in the Councils of this Colony, I have ever had an earnest desire to perform with fidelity my duty to my Sovereign and to my fellow subjects.

I feel amply compensated for all the care and anxiety, inseparable from such a desire, by the flattering testimonial which you have now presented to me.

That my colleagues who have witnessed my conduct should entertain and express such sentiments respecting it, as this address contains, affords me the highest satisfaction, and I shall carefully preserve it as one of the most valuable records I possess.

We live, Gentlemen, in days of political experiments, should the result prove that those who have made them have acted wisely. I am confident that however they may effect us individually, we shall not only cheerfully acquiesce but sincerely rejoice in any changes which will eventually improve the institutions of the country, and promote the welfare of its inhabitants.

But whatever the future may unfold, the present moment is saddened to me by the recollection that my connexion is terminated with a body of gentlemen I respect so highly, with some of whom I have associated in public life for upwards of twenty years, whose strenuous efforts to advance the best interests of the Province, I have so often witnessed, and whose uniform kindness to myself, I shall never forget.

I beg, Gentlemen, that each of you will accept my best wishes for your future happiness, and whether you again embark in public or retire into private life, may you carry with you, what you so fully deserve, the gratitude of the people of Nova Scotia.

Believe me it is with no ordinary emotions that I now reciprocate your kind and affectionate farewell.

BRENTON HALLIBURTON,  
Late President of Her Majesty's Council,  
in Nova Scotia.

PROPOSED LAW OF ELECTION PETITIONS.

(From the *Spectator*.)

Mr. Buller's measure leaves the House in full possession of the right to decide disputed elections—of being judges in their own cause; but it increases the responsibility, by lessening the number of the judges. It is proposed that an Election Committee shall consist of five Members, instead of eleven; and that an Assessor, to be named by the Speaker, subject to the confirmation of the House, shall preside as chairman in each Committee, to explain the law, but not to vote. Mr. Buller, in framing this measure, appears to have constantly

kept in view his avowed principle of taking the most possible reform in a right direction. He would scarcely have attempted less; and if his bill could be rejected, it may be assumed that Parliament will not sanction any improvement of the present vicious system.

The last clause in Mr. Buller's Bill provides that it shall not come into operation till after the close of the present session. This, however, appears to have been a feint, to cover the real intentions of the parties: for as soon as the second reading was carried, Mr. O'Connell gave notice that he should move the omission of this clause,—with a view, doubtless, to submit part or all of the petitions now before the House to the decision of the new tribunal. If Mr. O'Connell persevere in his notion, the strength of parties will be tested; for it is impossible to bring before Parliament a question of a more thoroughly party nature. If the Liberals expected to gain an advantage in the composition of the Committees under the present law, they never would hint at an alteration; which, on the other hand, is resisted by the Tories simply because the law as it stands gives them an unfair superiority.

To establish an *ex post facto* tribunal—to repeal one act of Parliament and make another, for the sake of baffling political opponents—is an unusual stretch of power. The probability is, that it would in some instances give a fairer trial of the cases now waiting for adjudication. But the precedent, the example of such a change, may involve more serious consequences. During the late elections, all parties counted, and were entitled to count, on the tribunal for settling their disputes being the same as before; and now it is proposed to bring them into a different court. It may happen that a Tory majority will improve upon the Liberal precedent, and revert to the old practice of trying the validity of an election in the House itself. And if the law of elections is to be twisted so as to suit the purposes of the predominant faction, why not other acts of Parliament?—the High Treason Act, for instance. Within living memory, there have been Ministers of this country who would gladly have seized a precedent for altering the law so as to catch a troublesome foe. Looking at this question apart from the mere party politics of the day, it is impossible to avoid the conclusion, that the proposition to create a new tribunal for the trial of causes already pending, may lead to mischievous consequences, far outbalancing any good that might accrue from preserving a few Ministerial votes in the present House of Commons.

The reasons for such a proceeding may appear to Members of Parliament sufficiently plausible—their aim being the prevention of injustice; but it will go forth to the world as clothing more or less than a stretch of power for a party purpose. And the effect on public morals must not be overlooked. Were individuals to follow the example which Parliament is urged to set them, there would be an end to mutual confidence. When Parliament passes an act, it makes a species of contract between the Government and its subjects; and that contract is broken when, without notice—that is, without the alteration or repeal of the act—parties relying upon it are deprived of the protection it would have afforded. To take an illustration from every-day life: suppose that one person contracts to make a railroad for another, all disputes to be referred to arbitrators named,—and that one of the parties uses powers he may have somehow got, to substitute different arbitrators,—would not the morality be manifest? The establishment of an *ex post facto* tribunal, with a view to defeat the Tory petitioners, would subject Parliament to the imputation of a similar breach of faith, and give legislative sanction to the doctrine that the powerful, when it suits them, may disregard a solemn obligation.

MOST EXTRAORDINARY DISCLOSURE.—THE COUNTESS OF HARRINGTON'S CHILDREN.

(From the *New York News*.)

There was a singular assault and battery case before Justice Lowndes on the 19th October. Mr. G. W. Kelly, a carpenter residing at 176, William-street, was brought up by a girl of fifteen, calling herself Emelia Maria Theresa Segrave. It appeared that the young girl had been a *protegee* of Mr. Kelly's wife, and before then of his wife's mother; in a pet she had forsaken their roof; and on being met at a stranger's, and remonstrated with by Mr. Kelly for her imprudent absence from home, he was so answered as to be excited to give her a slight blow with some muslin in his hand, for which she brought him before the magistrate. The charge was dismissed on hearing the facts of the case, which have been sworn to as follows:—

Mr. Kelly had married the daughter of a Mrs. Dorothy M'Dermott, a native of Ireland, and the wife of Patrick M'Dermott, a tailor, formerly residing at No. 30, Denmark-street, Dublin, where he died on the 20th of May, 1817. M'Dermott left his widow with two children, one of them the present Mrs. Kelly, and the other a son. She supported both of them by her earnings as a sempstress. In November, 1823, Miss Maria Foote, the present Countess of Harrington, was performing at the Theatre Royal, Hawkins-street, Dublin. Miss Foote sent to Mrs. M'Dermott, desiring a call from her at Dunn's lodging-house, on the quay, at the North-wall, in Dublin, where Miss Foote lodged. Mrs. M'Dermott went. Miss Foote showed her two children—one of them a boy, the other the girl now calling herself Emelia Maria Theresa Segrave. The boy was about five weeks old; the girl fourteen months, having been born, as Miss Foote stated, on the 12th of September, 1822. Mrs. M'Dermott was told by Miss Foote

that these children were hers; and that she had them by an officer who was old enough to be her father. Mrs. M'Dermott understood this officer to be Colonel Berkeley. Miss Foote said the father of the children was endeavoring to get them into his possession. She proposed to Mrs. M'Dermott that she should take charge of them, and privately bring them up. The affair was to be managed secretly, and she should be liberally paid. Mrs. M'Dermott then resided at 26, Sackville-street, Dublin. Thither the children were conveyed in a coach. Miss Foote visited them three times before her departure on the Tuesday following. As the girl's mother, she directed her to be called "Emelia Tyrrell," observing that "what the child's name might yet be, was more than she could say."

On the Tuesday following the delivering up of the children Miss Foote left Dublin privately in the King's packet for England. After this Mrs. M'Dermott had many letters from Miss Foote, written as mother of the children; one, especially, from London, in 1825, which makes a very marked admission of the fact; and another, which was franked by George Max, M. P.; but Mrs. M'Dermott all this time was left entirely unpaid. The letter franked Max was shown in 1827, by Mrs. Wilson, of 37, Sackville-street, a friend of Mrs. M'Dermott, to Mr. Gregory, son of one of the government secretaries, who lodged in her house, and who knew Mr. Max. Mr. G. promised if he could be permitted to retain the letter, that he would endeavour to learn something more satisfactory from Mr. Max; but Mrs. M'Dermott never heard a syllable more upon the subject, either from Messrs. Max or Gregory, or Mrs. Wilson. The letters of Mrs. M'Dermott were addressed, by Miss Foote's desire, "Maria Tyrrell, Post-office, London, to be kept till called for." In Miss Foote's last letter to Mrs. M'Dermott, Miss Foote stated that one of the letters addressed "Maria Tyrrell" had been taken from the office and detained for more than a month; that she feared her secret had been found out; she therefore caused the superscription of the future one to be changed to Mrs. Wilkins.

Miss Foote after this visited Dublin. Mrs. M'Dermott now addressed her by the name of Maria Foote. Her father, Capt. Foote, went forth with to Mrs. M'Dermott on the subject, with the list letter in his hand. Mrs. M'Dermott next took the infant, one morning at eleven, in her arms to the theatre door, and there recognised Miss Foote as she got out of Gresham's coach and four to go to rehearsal, attended by Mr. Calcraft, the manager, and an officer in uniform. On seeing Mrs. M'Dermott and the child, Miss Foote turned pale and appeared greatly moved and disconcerted. There were many officers and attendants present in Hawkins-street at the time, who were acquainted with the object of the visit, and noticed its effect. Miss Foote was said to be unable to go on with her part in the play that night, and presently after left Dublin. Since then Mrs. M'Dermott has never even seen or heard from her. About five years ago Mrs. M'Dermott came to this country. Just before her quitting Dublin, the son of Miss Foote died of the measles. His resemblance to his mother was remarked by every one. The girl was brought by Mrs. M'Dermott to America, and was always the companion and had the same attention with her own daughter, the present Mrs. Kelly. Mrs. M'Dermott's son who was also brought up with Miss Foote's children, and was witness to most of these facts, remained in Dublin, where he still pursues the profession of an attorney, with Mr. Bal's, N. 79 Dawson-street.

Mr. J. D. De Lacy, the counsellor, took a great interest in this affair, and addressed Lord Segrave on the subject. It was his intention to have gone to England with the child, and to have established her claims to her paternity, when the illness came in which terminated in his death. Not long ago Mrs. M'Dermott also died, leaving the papers to establish the young girl's birthright and claims in the hands of Mr. Kelly, the husband of her daughter. Mrs. Kelly has continued the protection always afforded to the forsaken girl by Mrs. M'D.; her means have been humble, but they have been shared with her as a sister. On Monday week Mrs. Kelly, being confined to her bed by illness, desired Emelia, about one o'clock, to purchase something for her at a store. She remained but till near six, and when questioned, desired Mrs. Kelly not to speak of her delay, for she had forgotten her errand, and been to Greenwich Street. Some remarks offended her, and she threatened finally to quit the house, and the same evening actually disappeared. She was sought for anxiously till Thursday, when she was found at the house of a Mr. Roberts, corner of Elizabeth and Spring Streets. In the excitement of a remonstrance at her imprudence and ingratitude, Mr. Kelly struck her with some muslin he held, and false advisers instigated her to the silly complaint before the police, which was so promptly dismissed.

The Newfoundland

ST. JOHN'S, (Thursday,) January 25, 1838.

We must be excused by our correspondent "L" for not inserting his communication. "The incorrigible blockhead of the *Times*," to whom his observations refer, is quite unworthy of the time our correspondent has bestowed; and he must be aware that we have already expressed our intention of treating the libellous trash issuing from that source with the contemptuous silence it only merits. To reply to all the stupid calumnies of the *Times* would be insulting to our readers,—we may occasionally show him up to the ridicule of the public, but as to entering into anything like a disputation with a *thing* in capable of contradiction; one particle of plain common sense—that is quite out of the question.

COLONIAL PETITION.

[The following Petition when signed in London, and the Out Ports, will be presented to both Houses of Parliament, and Committees moved for, to take the premises into immediate consideration.]

THE HUMBLE PETITION OF THE UNDERSIGNED MERCHANTS, TRADERS AND OTHERS, INTERESTED IN THE PEACE AND PROSPERITY OF THE COLONIES, AND IN THE PRESERVATION OF THE BRITISH EMPIRE.—

SHEWETH,

1. That the Colonies and transmarine territories under the dominion and protection of the British Empire are of immense extent, and of the highest importance politically, commercially and socially,—and therefore deserving the serious and sedulous attention of your Honourable House.

2. That those Colonies and transmarine territories are situate in both hemispheres,—under every zone, and beneath various climates; with a diversified population, speaking many languages,—unassimilated in laws, habits and religion,—subject to different forms of local Government, and therefore demanding a wise and uniform system of Administration for their Imperial Rule.

3. That the Inhabitants of those Colonies and Territories, although embracing numbers, wealth and intelligence are unrepresented in the Parliament of the United Kingdom; their complicated Affairs being entrusted to the care of a Secretary of State changing with every administration in England,—selected for office with reference rather to an inactivity of party feeling than to a knowledge of Colonial and Mercantile Affairs, and acting therefore on no defined and permanent system,—without any known fixed principles,—and, by reason of the precarious and temporary tenure of office, inspiring no useful confidence either in the Colonies or in the Merchants and others trading to and interest in—the peace and prosperity of those distant dependencies of the Empire.

4. That when the Colonial Office was formed, our transmarine Possessions were of minor consideration compared with their value at the present day; the additions by conquest, cession and colonization, since the commencement of the present century manifestly therefore require an altered and improved mode of conducting the Colonial Government at home.

5. Your Petitioners abstain from pointing out the reasons for the inadequacy of the Colonial Office to execute efficiently the momentous duties entrusted to its charge;—they advert not to the anomalous power and patronage vested in a single individual subject to so trivial a responsibility as that which now exists, neither will they refer to the causes for the dissatisfaction and party spirit which more or less pervades each of our Colonies,—destroying their social concord,—retarding their trade,—and weakening their connection with the Mother Country.

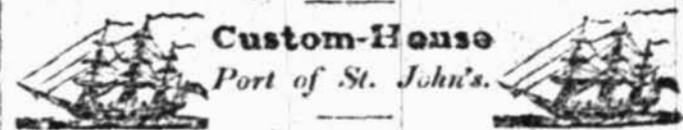
6. Your Petitioners relying on the wisdom of your Honourable House for an inquiry into and a redress of—the grievance of which they complain, presume not to indicate the course which Parliament should adopt, further than to observe that there are many retired Colonial Governors, Judges, Civil Officers and Colonial Gentlemen now in England, whose local knowledge and experience might be rendered beneficial should it be deemed proper to form an Administrative Department for the efficient management of the vast and paramountly important interests of the Colonies of this Maritime and Commercial Empire.

And Your Petitioners, as in duty bound, will ever pray, &c.

This day being BURNS' Anniversary, "the Sons of Scotia" intend to commemorate it, by dining together at the Commercial Hotel, with a party of Guests invited for the occasion.

DEPARTURES.—In the ANN, from Carbonara for POOLE, Mr. W. Anthony. In the *Edgcombe* for LIVERPOOL, Mr. Jennings, Mr. Kanne, Mr. O'Dwyer.

Shipping Intelligence.



VESSELS (ENTERED.)

- January 2.—Avelon, Greenock—30 boxes soap, 634 bls. potatoes, 18 M. bricks, and manufactured goods. Margaret Ann, P. E. Island—68 pieces timber, 9 bls. mackerel, 2 M. staves.
- 6.—Royalist, Hamburg, 385 cwt. bread, 200 bls. flour, 75 bls. pork, 50 bls. beef, 204 firkins butter, 170 bls. oatmeal and pease, 3500 bricks, 100 hams, 50 flitches bacon.
- 8.—Eliza, Halifax—140 bushels oats, 62 casks porter, 42 bls. cider, 29 boxes chocolate.
- Fortitude, Hamburg—1270 cwt. bread, 330 bls. flour, 100 bls. pork, 9 bls. beef, 443 firkins butter, 20 tons coal, 150 bushels oats, 156 hams, 14 pieces beef, 11 casks ale.
- Edgcomb, Liverpool—40 bls. pork, 81 bls. beef, 100 firkins butter, 14 cwt. leaf Tobacco, 311 boxes soap, 103 boxes candles, 20 tons coal, 104 bushels oats, 1556 bushels wheat, 301, coils cordage, and manufactured goods.
- Hero, Sydney—106 tons coal.
- Broad Oak, Hamburg—2711 cwt. bread, 420 bls. flour, 220 bls. pork, 8 bls. beef, 490 firkins butter, 15 bls. pitch and tar, 90 bushels oats, 119 coils cordage, 100 hams, 25 hales bacon, 20 kegs tongues, 40 bls. pease and oatmeal.
- 10.—Caledonia, Vienna,—83 tons salt.

Ann, Halifax—28 puns. rum, 40 casks porter, 374 fish boxes, 78 carcasses mutton, 4 packages poultry. St. Patrick, Sydney—78 tons coal. Elizabeth, Viana—120 tons salt, 40 boxes oranges and lemons. 12.—Douglstown, Greenock—30 tons coal, 493 bls. potatoes, 30 casks lime, &c. 15.—Mary Jane, Demerara—5 puns. rum 67 puns. molasses. 16.—Mary Ann, New York and Sydney—6 bls. flour, 26 bls. beef, 11 cwt. manufactured tobacco, 96 tons coal, 68 bls. apples, 15 stoves, 50 hams, and sundry notions. 18.—Tampico, Copenhagen, via Carbonear—250 bls. flour.

VESSELS (CLEARED.)

January 3.—Elizabeth, Cork—20 qts. fish, 2 tons seal oil, 65 tons cod oil, 21 tons blubber, 5 tons junk, 281 hds. caplin, &c. 12.—Aveion, Naples—3200 qts. fish. Ann, Gibraltar—1800 qts. fish. 13.—Fortitude, Brazils—2400 qts. fish. Caledonia, Oporto—2250 qts. fish.

SALES BY AUCTION

THIS DAY,

At 11 o'clock,

BY

JAMES CLIFT,

20 BARRELS Prime Apples  
3 Boxes Oranges  
30 Sides good Sole Leather  
20 Ditto Cordovan.  
10 Doz n Coloured Lambskins  
1 Franklin Stove  
Coffee, Sperin Candles, Segars  
And 4 Qrs. Fresh Beef  
January 25.

TOMORROW

(Friday) At 11 o'clock,

(By order of the Administrator of the Estate of JOHN QUIN, deceased)

ON THE PREMISES,

The remains of the STOCK IN TRADE and HOUSEHOLD FURNITURE of the said

JOHN QUIN,

CONSISTING OF

Pieces of Cloth, Cotton  
Sick Handkerchiefs, Beds, Bedtick  
Tea, Sugar, Glass, Cutlery  
Hardware, Empty Casks  
And sundry other Articles, too numerous to mention.  
January 25.

Positive Sale!

AT THE

Commercial Room,  
On MONDAY next,

The 29th inst., At 11 o'clock,

THE

Brigantine  
HOPE,

(Now lying at Mr. JOHN HOWLEY'S Wharf.)  
An Inventory of her Materials will be shewn, and terms of payment made known at the time of Sale.  
Any further particulars may be had on application to

WILLIAM FURNEAUX, or  
DANIEL FOWLER.

January 25.

DIAMANT'S THEATRE

UNDER THE PATRONAGE OF HIS EXCELLENCY THE GOVERNOR.

(For the Benefit of the Poor.)

On TUESDAY Evening

The 6th FEBRUARY next,  
WILL BE PERFORMED,  
The much-admired Melo-Drama of

"Inkle and Yarico,"

With the Comic Burletta of

66 STAFFE BOURBONS

Doors to be opened at 1/2 past 6; Performance to commence at 7 o'clock precisely.—Tickets to be had at Messrs. PERCHARD & BOAG'S—Boxes, 3s. Pit, 2s.  
January 25.

SAVINGS BANK

At the Annual Meeting of the Governors of the above valuable Institution, the following Resolution was passed—

That in addition to the Three per Cent. interest on the amount of deposits, a Bonus of One per Cent. for One Year be paid on all Sums that had been deposited Twelve Months previous to the close of the accounts.

N. W. HOYLES,  
Cashier.

January 18.

SALE OF Valuable Landed Property

THE EXECUTOR TO THE ESTATE OF THE LATE

JOHN BROOM, Esq.,

WILL DISPOSE OF,

At Auction,

On TUESDAY, 30th January next,

At 12 o'clock,

ON THE PREMISES.

ALL the Right Title and Interest of the late JOHN BROOM, Esq., in the undermentioned PROPERTY:

All that piece and parcel of LAND situate and being in the town of St. John's, bounded on the North by part of Lady Ship's Room; on the East, by Ground the property of the Heirs and Assigns of the late STEPHEN KNIGHT; on the South, by Water-street; and on the West, by Queen-street; held by the late JOHN BROOM, Esq., under lease from the Crown, bearing date 8th October, 1835, for the term or time of 30 years, from the 1st September then last past, at the yearly rent of £30 sterling, payable on the 1st 8 p.m. of each year. And for one further term of 30 years, free of time, on which is erected that superb Block of Building, comprising Three Tenements, now in the occupancy of Messrs. JOHN DILLON, THOMAS WILLIAMS, and GEORGE J. HAYWARD, and which will be Sold in the following order:—

Lot 1.—All that spacious Dwelling-House, Out-houses, and premises part of the above Block and Premises, and now in the occupancy of Mr. JOHN DILLON, and held by him under lease from the late JOHN BROOM, Esq., for the term of 21 years, from the 20th April, 1833, at the Rent of £52 10s. currency, payable half-yearly.

Lot 2.—All that Dwelling-House, and Out-houses, part of the above-described Block and Premises, now in the occupancy of Mr. THOMAS WILLIAMS, at a Rent for the present year of £60 currency.

Lot 3.—All that Dwelling-House, Out-houses, and Premises, part of the above Block, now in the occupancy of Mr. GEORGE J. HAYWARD, and held by him under lease from the late JOHN BROOM, Esq., for the Term of Seven, Fourteen, or Twenty-one years, at the yearly Rent of £42 currency, of which 12 years are unexpired.

Lot 4.—All that spot of cultivated Ground, containing about One Acre and Twenty-seven Perches, situate and being at the North-east angle of the Pennywell-Road; on the West, by the said Road; on the North, by a Road leading from Madlock's towards the East; and on the South, by Ground leading to the late JOHN WILLIAM'S property; held by the late JOHN BROOM, Esq., under grant from the Crown, for the term of Thirty years, from the 24th October, 1803, at the yearly Rent of £1 2s. sterling, payable on the 1st September of each year, renewable at every further term of Thirty years, at the same rent, on payment of a fine of £4 sterling.

Lot 5.—All that pleasantly situated and well-cultivated Land, lying and being on the Barrons, near Fort Townsend, containing 4 acres and 1 perch, (on which has lately been built a neat Cottage and Out-houses), forming a boundary of ground attached to the Garrison, and bounded hereby on the South-east, One hundred and seven yards to a Road leading North-west to Fort Townsend; and by that Road, On hundred and Eighty-seven yards, to Ground leased to the late JAMES GILL; and by that Ground East by North about One hundred and Forty-three yards; then about South-east by Ground held by HUNTERS & Co., about One hundred and Fifty yards to the Military French, held by the late JOHN BROOM, Esq., under grant from the Crown for the term of Thirty years from the 1st October 1813, subject to the yearly rent of £1 sterling, payable on the 1st September of each year, renewable on every further term of Thirty years, on payment of a fine of £4 sterling, which said piece or parcel of land is now in the occupancy of Mr. JOHN PERKINS, and held by him under lease from the late JOHN BROOM, Esq., for the term of Twenty-one years, from the 1st October, 1830, subject to the rent of £14 sterling, payable half-yearly.

Lot 6.—All that piece or parcel of Cultivated and situate on the North side of the Road leading from the Town to Fresh Water, bounded on the East by ROBERT DOOLING'S Land; on the North, by JAMES TRACY'S Land; and on the South, by JOHN HARVEY'S Land; and containing about 2 1/2 acres; which said piece or parcel of Land was assigned in fee to the late J. BROOM, Esq., from T. H. BROOKING, Esq., under date the 1st November, 1827, and is now under lease from him to EDWARD COLBERT, for the term of 31 years, from the 18th May, 1832, subject to the rent of £10 currency, payable half yearly; and the covenant to build on a part or parcel of the said land, within the term of five years, a substantial Dwelling House, of not less than 25 feet in length, 20 feet in width, and 14 feet from sill to wall plate.  
December 21.

Notices

TENDERS will be received at the Residence of Mr. JAMES DOUGLAS, until MONDAY, the 12th of February next, at noon, from Persons desirous of contracting for the following Works—

For the erection of a BRIDGE across the River at the Eastern end of Upper Long Pond, of the following dimensions: Span, 18 feet—height from the Bed of the River, 5 feet—abutments, 20 feet by 10, to be built in Wharf-fashion, and Ballasted.

For the erection of a BRIDGE across the Brook near the Farm of Mr. MICHAEL ALLEN, Junr., on the Upper Long Pond Road: Span, 10 feet—height from the Bed of the Brook, 4 feet—abutments, 20 feet by 6—to be built and ballasted as above.

For the erection of a BRIDGE across the Brook running from Westward Pond to Topail, on the Topail line of Road: Span, 18 feet—height from the Bed of the Brook, 3 1/2 feet—abutments, 20 feet by 8—and to be completed as above.

For the erection of a BRIDGE across the Brook running from Topail Pond to Topail: Span, 15 feet—height from the Bed of the Brook, 4 1/2 feet—abutments, 20 feet by 8—to be completed as above.

For the erection of a BRIDGE on the new line of Road between Blackmaker's Hall and Sweeney's Marsh: Span, 15 feet—abutments, 20 feet by 10—to be completed as above.

For erecting HAND-RAILINGS on J.B.'s Bridge leading to the South Side—to have three coats of White Paint.—The Contractor to find all materials.

For widening the BRIDGE on the Road leading from Brine's Bridge to Upper Long Pond,—the abutments to correspond with those in the Bridge. To add to the south-side 10 feet, and to the north side 13 feet. The Beams to square 8 inches in the small end, to reach 2 feet over each abutment, and to be placed one foot asunder, to be cross-covered with sticks squaring 4 inches in the small end, to have 40 feet of Railing on the eastern side, and to be completed as above.

N. B.—The Timber used in the work to be of Black or Red Spruce.—Plans and Specifications of the above works may be seen on Wednesdays and Saturdays, between the hours of 10 and 1 o'clock, on application to

JAMES DOUGLAS,

Chairman of the Board of Road Commissioners for the District of St. John's.

St. John's, January 22, 1838.—3w.

Government Contracts.

SEALED Tenders will be received at this Office until One o'clock of MONDAY, the 5th February, 1838, from any person willing to contract for either of the following Services, for the term of one year, beginning on the 1st April, 1838, and ending on the 31st March, 1839.

The conditions of these contracts may be seen daily, at the Commissariat Office.

The Tender for each service must be accompanied by the signatures of two respectable persons engaging to become securities with the party tendering in the penal sum of £100 Sterling for the due and faithful performance of his contract.

BAKING BREAD;

(From Government Flour.)

The number of pounds of Bread proposed to be given for each 100 lbs. Flour issued by the Commissariat must be specified at length.

CARTAGE

(For the Public Departments.)

The tender must state the price in Sterling, at 4s. 4d. per dollar, for a whole or a half days' hire of each,

Horse, Harness and Driver.  
Box Cart or Truck, with one Horse, Harness, and Driver.  
Box Cart or Truck, with two Horses, Harness and Driver.

Payment will be made quarterly, in Dollars, at the Army rate 4s. 4d. each.

COMMISSARIAT,

Newfoundland, 15th January, 1838.

OLIVERTY BALL

THE ANNUAL PUBLIC BALL, for the benefit of the Orphan Asylum School, will be held there on MONDAY EVENING, the 5th February next.—Admission Tickets may be had of the Stewards—Ladies 5s., Gentlemen's 10s. each.  
January 18.

John & James Kent

WILL dispose of their interest in, or Let, the WHARF, YARD, STORES, and OFFICE they now occupy.—Term 1 1/2 years from 10th April next.—Rent £37 currency per annum, payable half-yearly,  
January 18.

On Sale

Cordage & Canvas.

FOR SALE BY

W & H. THOMAS & Co.

10 Tons well-assorted CORDAGE, just imported in the Edgcomb from Liverpool.

Also,

300 Pieces assorted CANVASS.

January 18.

W. & H. THOMAS & Co.

OFFER FOR SALE,

1000 Quintals Shore Merchable

COD FISH.

January 18.

BY

WESTON HUNT,

Ex Meteor from Hamburg.

150 Firkins first quality Rander's BUTTER

100 Bls. prime mess PORK.

Which will be sold Cheap.

January 18.

BY

EWEN STABB,

XX ALE and PORTER, in 60 and 20 gal. casks

50 Dozen BROWN STOUT

60 Dozen Port, Sherry, and Madeira WINES

100 Cases GENEVA

Westphalia HAMS

100 Bags BREAD

300 Firkins BUTTER

150 Bls. PORK

20 Puns. Demerara MOLASSES

BARLEY and BEANS

Deck BOOTS, SHOES

Hide and Butt LEATHER

CORDAGE, TAR, &c.

January 11

PROVISIONS, &c.

Richard Howley

HAS JUST RECEIVED

Per Barque BROAD OAK from Hamburg,

AND OFFERS AT REDUCED PRICES

200 Bls. prime new Mess Pork  
200 Do. Superfine Flour  
100 Firkins Holstein Butter  
50 Bags Cabin Biscuit  
350 Do. good common do.  
100 Coils patent Russia Cordage, (Shroul and Hawser-laid) from 6 thru to 4 inch  
20 Do. 2 and 3 yarn Spun yarn  
3 Bales Marline, Hamorline, & Houseline  
20 Cwt. Oakum  
20 Bls. Stockholm Tar  
25 Bales prime smoked Bacon } Recommended  
20 Kegs pickled Ox Tongues } to families as  
100 Westphalia Hams } very good  
A quantity of knit Yarn Hose and Gloves  
Deck Boots, &c. &c.

ALSO,

Per ELISA and ANN from London, and other Importations,

15 Cases Cherry and Raspberry } By the Case  
Brandy, in pints } or Dozen.  
5 Do. Sparkling Champagne, in }  
quarts and pints }  
5 Cases Jellies—viz., Currant, } At cost and  
Strawberry, Apple, &c. } charges by the  
10 Do. Pickles, Sauces, Durham } package or  
Mustard, &c. } low by retail.  
30 Bls. prime bottled Sherry, at 25s. per doz.  
5 Qr-Casks Old Port, at 2/10  
Benecarlo Wine in Pipes and Qr.-casks  
8 Hhds. Cognac Brandy (Martell's brand)  
20 Do. Charente and Bordeaux do. } In Road  
5 do. skiedam Gin }  
100 Boxes London Mould Candles  
5 Dozen English Calf skins

And now opening

An extensive supply of Nautical Goods,

Viz.—Charts, Quadrants, Telescopes, Almanacks, Bunting, Flags, &c. &c.

And,

A general Assortment of Manufactures suitable for the Seal Fishery.

January 11.

N. B.—On draught, Cognac and Hollands, Genuine.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

The petition of the undersigned Merchants, Traders, and other Inhabitants of St. John's in the Island of Newfoundland.

HUMBLY SHewETH—

That we have witnessed with extreme regret the exertions which, for a length of time, have been made by a few individuals in this town to introduce discord and anarchy in the Colony—to paralyze the moral influence of our Courts of Justice, as well as the authority of the subordinate Magistracy; and by a system of intimidation to acquire for themselves an irresponsible control over the public affairs of the Island.

We have hitherto forbore noticing the various false and calumnious statements contained in a series of Petitions which have, from time to time, been forwarded by them from this Colony to his late Majesty's Government, as well as to the House of Commons, in the belief that allegations which were known here to be so utterly devoid of truth, and so gross and incredible in their character, might safely be allowed to pass unnoticed by us. But we find that these misrepresentations, however they may be despised here, yet, from constant reiteration, they are acquiring a degree of credence elsewhere; and, convinced that the best interests of the Colony, and the safety of Persons and Property, would be endangered by further silence, we deem it necessary, in support and defence of our dearest rights, not only to lay before your Majesty, as succinctly as possible, our own positive testimony of the absence of every just ground for the shameful allegations contained in those Petitions, but also to express our earnest hope that your Majesty will extend the relief prayed for by this Petition, and adopt such measures as will emancipate this Colony from the thralldom to which otherwise it must permanently be subjected. Of these Petitions, we beg leave to draw your Majesty's attention particularly to one addressed to your Majesty's revered predecessor, despatched from this Island in the month of March last, which not only holds out, in language far from equivocal, threats of personal violence, but contains charges of so serious a nature against the characters of the Mercantile body of this town, the Chief Justice, and the Grand and Special Jurors, that to allow them to pass unnoticed would be culpable. We now give to those charges the most unqualified contradiction, and we advisedly designate them as foul and impudent calumnies notoriously devoid of truth.

In this Island, the population of which may be estimated at 75,000, of whom about one half are Protestants, and the other half Roman Catholics, it may be proper to remind your Majesty that there are no legal distinctions affecting any class of your Majesty's subjects; and were the Roman Catholics permitted to follow the impulse of their own minds, and to act individually as their own wishes might prompt them, there would be no cause for apprehending that they would differ from their neighbours in matters of a civil nature. But it unfortunately happens that their Clergy have acquired a thoroughly despotic and absolute control over a very large proportion of the lower orders of their creed, by which means they are enabled to concentrate and direct the efforts of the body against each member individually to an extent that would scarcely be credited by any one who does not witness their conduct, and in a way that is altogether destructive of the civil and religious liberties of the people at large.

To this cause, we submit, may be directly traced the evils of which we now complain; and as all authority rests in a great measure upon the power which those who exercise it possess of enforcing their mandates, we trust our observations will not be regarded as out of place if we state to your Majesty some of the means used by the Roman Catholic Priests for coercing those who evince any disinclination to comply with their wishes.

In the first place they denounce them from the altar, as persons hostile to their Priests, and as opposed to the authority of their Church, and then warn their congregations not to deal or hold any intercourse with them, designating them commonly as "Mad Dogs"—a term by which it is understood that the individuals to whom it is applied, have not adopted the political views of their Priests and are therefore to be regarded as if excommunicated; and being thus branded, they are to a very considerable, and in some instances to a ruinous extent, injured in their business;—are constantly exposed to much personal insult, and not unfrequently ill-treated in the open streets by the lower orders of their own creed, who deem it a meritorious service thus to carry into effect the denunciations of their Priests.

But besides these temporal annoyances, they are constantly subjected to every kind of neglect and contumely, their Clergy often contemptuously refusing to perform any clerical duty for them, their wives or families. Those offices of their church which are regarded as most sacred, are refused often with insult and abusive language; and others are performed in such a manner as to render the very performance painful in the extreme to persons possessed of common feeling. Since the general election of last autumn, the clergy have refused to hear confessions—to grant absolution—to visit the sick—to administer extreme unction, or the eucharist—to perform the office of churching women—to attend funerals, and even to bury the dead, when the parties have been what they call "Mad Dogs," or the wives, children, or parents of

such persons. These punishments were threatened before the elections of last autumn, since which period, electors who had firmness enough to act with independence have been visited with their rigid infliction. Several have been interdicted from attending the Chapels, and when, notwithstanding such interdict, a sense of religious duty has led them there, the Mass has been suspended until they have gone out, or declining to retire, have been forcibly turned out.

Your Majesty will hence perceive that the Priests do not only possess, but also exercise the power of inflicting the most oppressive and grievous punishments, which are visited on parties guilty of no fault, without trial, and without redress; and it has consequently happened that many worthy persons have found themselves compelled to yield to their will with nothing less than ruin to their worldly prospects, or starvation to their families, as the alternative. A power thus concentrated is brought to bear upon the people with so terrible an effect, that it cannot be matter of wonder that five-sixths of the Roman Catholic population are at the feet of their priests.

By this system of intimidation the Roman Catholic Clergy have not only succeeded in procuring the return of persons to serve as members of the House of Assembly who are entirely subservient to their will, and subject to their control (to which we shall presently more particularly allude); but what is still more alarming, they have systematically interfered with the due administration of justice, in such a manner as materially to weaken its moral effect. Delinquents who were of their party have, when convicted, been taken under their especial protection, and held up to the world as persons oppressed and persecuted on account of their political opinions, and as martyrs in the cause of liberty and the defence of their creed—by which means they have endeavoured to create in the minds of their deluded followers the most inveterate prejudices against those to whom the administration of justice is intrusted. In this unholy attempt to establish in themselves an authority superior to the laws, they have omitted no opportunity and neglected no means within their reach to bring the Judges, Magistrates, and officers of Justice into contempt, and to excite popular feeling against them. More particularly have they and the few factions and needy individuals who are associated with them, been unceasing in their attacks, and spicing in their exertions to bring odium upon the present Chief Justice of the Colony, Mr. BOUTON, and at any sacrifice to procure his removal from the office which he so ably and impartially fills.

To accomplish this end the vilest slander the most despicable insinuations, and the most malicious calumnies have been resorted to, more particularly through the medium of a newspaper published in this town, under the name of the "Newfoundland Patriot," the conductors of which are notoriously under the control of the Roman Catholic priesthood. In order to give plausibility to their proceedings, and to obtain for them the attention of your Majesty's government, a principal expedient resorted to, has been that of petitions, which are got up by them with a facility almost incredible to those who are unacquainted with the domination which the Roman Catholic Clergy exercise over their flocks. The manner in which signatures are procured to these petitions is by exhibiting blank sheets of paper at the Chapel doors, where all those who enter, whether men or boys, are made to subscribe their names, or have been written down for them; and to this they are obliged to submit, knowing that otherwise they will be visited with the displeasure of their clergy.

These sheets are afterwards appended to the Petitions, with the contents of which but few of the subscribers are acquainted; and it is thus that the most shameless allegations, devoid of every particle of truth, and intended to bring the judicial character of Mr. BOUTON into contempt, are brought under the notice of government as expressing the public sentiments of the people of Newfoundland.

In seeking the cause of this malignity displayed towards the Chief Justice, we solemnly declare to your Majesty that we can discover none, except it may be in the apprehension that his independent administration of Justice, unawed by their power or their threats, is calculated to divest the Priests and their adherents of their undue ascendancy, and to subject them in common with your Majesty's other subjects to the supremacy of the law. We take this public opportunity of expressing our full confidence in the integrity and ability of Mr. Bouton, and our entire satisfaction with the firm, judicious and impartial manner in which he has discharged his duties. We have also no hesitation in asserting that notwithstanding the infamous attempts to create distrust in his official conduct, the public confidence in him remains unshaken, and we should lament as a public calamity any circumstance that might cause his removal or retirement from the Bench of this colony, which would thereby suffer a loss not easily to be repaired.

And here, we would respectfully suggest to your Majesty that this community is almost exclusively a commercial one—that the Merchant and Fisherman have but one common interest, and are bound together by one tie of mutual dependence—that those differences of public opinion which exist in older and larger countries, have been hitherto unknown amongst us. Who, then, we would respectfully ask, are more interested in the due and impartial administration of Justice?—your Majes-

ty's Petitioners, many of whom have a large stake in the country, upon whom hundreds depend for their daily bread; or the Roman Catholic Priests with their adherents—men who, generally speaking, have nothing to lose, but who might hope to extend their political influence by bringing the constitutional authorities into contempt?

We further crave leave to represent to your Majesty a few circumstances worthy of serious consideration, as connected with the Charter by which his late Gracious Majesty was pleased to establish a Local Legislature in this Island.

By this charter the sole qualification prescribed for an elector is that of his being the occupier for one year of a tenement however mean and valueless—a franchise so extensive that it amounts almost to universal suffrage. On the other hand, no qualification whatever is prescribed for candidates, beyond that of being the occupier of a dwelling, no matter of what description, for two years—a defect we have ample cause at present deeply to deplore, for the Roman Catholic Clergy quickly perceiving how useful an engine the House of Assembly might be made in their hands, have not failed to exercise in the manner before mentioned the power they possess over this description of persons, in securing the return of a majority of members of their own nomination.

It is thus that the parties returned are nearly all persons of little or no stake in the country, who are not in point of ability, character, or standing in society, at all qualified for the office in which they find themselves placed; consequently by no means such as the electors themselves, if left to the uncontrolled exercise of their franchise, would have chosen.—Their only qualification, in fact, being a blind subserviency to the dictates and wishes of the Roman Catholic Priesthood.

We feel confident in affirming that in the districts of St. John and Conception Bay, which return seven out of the fifteen members of the Assembly, and where the illegal influence of which we complain is so powerful, a large majority of the electors were, and are, opposed to the candidates who have been returned by the means before mentioned, and the result of the elections would, we doubt not, have been very different could the electors, in attending the hustings, have been assured of protection from violence and outrage, and secured from the subsequent persecution and punishment with which they were solemnly threatened, and which they well knew would have been so unmercifully inflicted upon them.

Nor is it the least among the evils resulting from this baneful system, that in other districts where the Roman Catholic Clergy possess little or no direct influence, such a hopelessness of anything like a fair representation throughout has been engendered, and such a conviction of the uselessness of sending independent members to meet a majority thus produced, that in the last election instances occurred in which persons were returned as members without opposition, whose pretensions were really ludicrous, and who, under any other circumstances, would have received no countenance whatever.

From a House thus constituted, whose members are by no means the representatives of the colony, and among whom are the most active agents, as well as the most passive creatures of the Priests, little can be expected to the satisfaction of the community. We forbear entering into a detail of their proceedings during the present session (characterised as they are by the same feelings of partiality, the same political depravity and persecution which influenced their conduct out of doors;) or of giving a description of the low and abusive language with which the more prominent members, by pretence of their privilege of speech, are in the daily practice of assailing the Governor, the Judges, and other officers of the government. The numerous and useless offices connected with the House of Assembly which they have created for the sake of patronage—the prodigal manner in which they have endeavoured to squander the Revenues of the Colony to support themselves and their adherents, and the invidious distinctions and provisions which they have made in several instances for the purpose of prejudicing individuals against whom they entertain personal dislike, indicate with painful certainty their determination to exercise all the power they possess, or are permitted to arrogate, in extending their influence, and inflicting injury on those who presume to differ from them.

That any of your Majesty's Colonies should in this, the 19th century, be reduced to such a state of Priestly tyranny as that to which we are subjected, may well excite your Majesty's astonishment, and our statements might possibly be attributed to prejudice or an exaggerated fear, did not evidence of their correctness exist in the office of your Majesty's principal Secretary of State for the Colonies, whence documents in abundance may be obtained to support them.

We deem it incumbent upon us now to bring under the especial notice of your Majesty the important fact that the Magistrates, Constables, and other subordinate functionaries in this Colony, are entirely dependent upon the annual grant of the House of Assembly for the payment of their salaries. A ready method is thus afforded of controlling their independence, if not of corrupting their integrity, by diminishing or withholding, or perhaps increasing their respective stipends, in proportion as they are supposed to be more or less favourable or adverse to the authority of the Priests and their partisans; and we lament to add that the

determination to exercise this influence has been manifested in the votes of the present session.

Great, however, and insupportable as are the evils to which we are thus subjected, we yet trust that an adequate remedy may be found in the wisdom of your Majesty's Ministers, and we do humbly and earnestly pray for the adoption of such measures as will effectually redress the grievances which we thus presume to bring under your Majesty's notice. We beseech your Majesty that among other steps for that purpose, means may be taken to secure to all your Majesty's subjects in the Island, the free and uncontrolled exercise of their civil and religious rights,—to protect the Judges and officers of Justice in the fearless administration of the laws; and also to make permanent provision for Magistrates, Constables, and others connected with the Police, thereby rendering them independent of popular control, and amenable only to the executive branch of your Majesty's government for the faithful discharge of their duties.

That your Majesty may have a long, prosperous, and happy reign, is the heartfelt wish and sincere prayer of your Majesty's dutiful and loyal subjects.

December, 1837.

An Address of which the following is a copy, was presented from the Grand Jurors of this district to the Hon. H. J. BOUTON, Chief Justice of this Colony, previous to his departure for England.

To the Honourable HENRY JOHN BOUTON, Chief Justice of Newfoundland.

SIR.—We, the undersigned Members of the Grand Jury Panel, of St. John's, in the Island aforesaid, avail ourselves of the opportunity which your anticipated absence from this Colony for a short time affords, of offering you that mark of respect which a public expression of our sentiments towards you conveys, and to which we are prompted as well by a sense of duty, as by our inclinations.

More than four years have now elapsed since you assumed the chief seat upon the Bench of this Island, during which period our attention as Grand and Special Jurors has necessarily been closely directed to the manner in which you have discharged the responsible duties of your office.

The imputations which have been so freely and unceasingly cast upon your character, and which, if true, would vitally affect our best interests, naturally stimulated our observation, and it is with exceeding gratification we are now enabled to convey to you our unqualified satisfaction at the manner in which you have acquitted yourself of the sacred charge confided to you by our Sovereign.

In no one instance, either in criminal prosecutions, or in civil suit, have we witnessed the slightest deviation by you from that even-handed impartiality, and strict integrity, which should characterize the demeanour of a British Judge.

We regret the necessity of your temporary absence, and shall hail with pleasure your return to the high station which you have so ably and honourably filled.

St. John's, Newfoundland, January 1, 1838.

[Signed by 61 Members of the Grand Jury Panel, out of 71, the latter being the whole number at present in the Colony.]

REPLY.

GENTLEMEN.—I fully appreciate the honourable motives which have compelled you to present me, with this public avowal of your opinions upon the manner in which I have discharged the responsible duties of my office; and my own mind, conscious of rectitude, responding equally to the gratifying testimony you have borne to the even-handed impartiality and strict integrity which you have witnessed in my demeanour as a British Judge, I feel little concern at the efforts which a few low men, raised by worse means to a bad eminence, are making, to cast reproach where they fear correction.

Were I in any respect vulnerable in my Judicial capacity, I might feel uneasy at the unwearied assiduity with which these persons labour to cast opprobrium upon my public conduct; but like the viper, they bite at a file, and only lacerate themselves while endeavouring to wound me.

The same falsehoods have been reiterated at least once a year, for some time past, and by the same persons; and their daring their calumnies from the House of Assembly, instead of the Constitutional Society, or an aggregate meeting of the citizens, will not add one whit to the veracity of their statements, all of which must be proved by credible witnesses before they will be believed by those whose duty it may become to investigate my conduct; and as I know that cannot be done, I am little concerned at the clamour with which their accusations are ushered in.

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