



# Newfoundlander

No. 576.

THURSDAY, August 9, 1838.

Sixpence.

**On Sale.**

**Potatoes and Oats.**

**RICHARD HOWLEY**  
HAS JUST RECEIVED  
AND OFFERS FOR SALE,  
The Cargo of the ELIZA from Cork—Viz:  
Prime Minion POTATOES  
Best Irish OATS, for seed.  
May 3.

**NOW LANDING**  
AT THE WHARF OF  
**BULLEY, JOB & Co.**  
Ex Barque CATO from NEWCASTLE  
**Best Walsend**  
**COALS.**

N. B.—Families can be supplied on very accommodating terms, and free of Cartage.  
May 24.

**Lawrence O'Brien**  
OFFERS FOR SALE  
AT HIS STORES

**The following GOODS,**

Just received from London per HAZARD and GEORGE ROBINSON,  
400 Bushels prime English OATS  
120 Kegs White, Black, and Green PAINTS  
50 Barrels FLOUR  
40 Boxes London Mold CANDLES, 6's  
A few do. do. Wax do. do.  
100 Pieces CANVASS from No. 1 to 7  
ALSO IN STORE,  
A large assortment of CORDAGE  
LINSEED OIL, NAHLS all sizes  
IRON, CHALK, &c. &c.  
April 26.

**Bulley, Job & Co.**

HAVE RECEIVED,  
Per DIANA from Liverpool, and TERRA NOVA from London,  
Part of their Spring Supply of Manufactured

**GOODS,**

Now ready for inspection, at usually low prices.

ALSO,  
400 Boxes English Yellow and White SOAP  
A large assortment of  
**Bridport GOODS,**

Viz:—  
Cod and Caplin Seines, assorted sizes  
Lines, Twines, and Lance Bunts.  
April 26.

**Richard Howley**

HAS JUST RECEIVED,  
Per NILE from LIVERPOOL,

1000 Pair best Yorkshire

**BLANKETS,**

Which being a consignment will be sold at Cost and Charges by the Bale.

ALSO, A QUANTITY OF

**INDIGO COATINGS,**

Well worth the attention of Tailors.

AND NOW LANDING Ex HABERDINE,

**8 Bales Bridport Wares,**

viz.  
Herring Nets, 40, 45, and 50 fms.  
Cast Nets, St. Peter's, Shore and Sed Lines  
Twines, Shoe Thread, &c.  
May 21.

**ON SALE.**

**THE SUBSCRIBERS**

Have for Sale

**SUPERIOR Sydney COALS,**  
Lime, Roach and Slack,

In Bulk and in Casks of different sizes, will be delivered at any part of the town or suburbs at short Notice.

ALSO,

SPARS, for masts, yards, topmasts, &c.  
Hardwood Timber,  
Bowsprit Pieces  
10 M. seasoned Billets  
1 Ship's Boat.  
May 17.

R. BRINE & Co.

**42 PUNCHEONS fine flavoured RUM**

Now landing from the Brig IMPROVEMENT.

AND

Per Ship WILLIAM PARKER from Hamburg,  
1600 Bags 1st, 2d, and 3d quality BREAD  
400 Barrels Superfine FLOUR  
200 Firkins BUTTER  
OATMEAL, PEASE, LEATHERWARE, &c.  
May 17

BLAND & TOBIN.

**BREAD.**

JUST RECEIVED

Per BROOKE from Hamburg,  
AND FOR SALE  
AT THE STORES OF

**Lawrence O'Brien,**

400 Bags fine BREAD  
OATMEAL  
GRITTS, FLOUR, &c.  
April 19.

**FRESH IRISH PORTER.**

The Subscribers

HAVE FOR SALE  
**STOUT PORTER,**

At 4s. 6d. per Tierce,

Just received Ex HOPE from Waterford.

R. BRINE & Co.

May 31.

**W. & H. THOMAS Co.**

OFFER FOR SALE

The Cargo of the Brig Mermaid from Porto Rico

CONSISTING OF

160 Puns. best retailing Molasses  
2 Hhds. and 66 Bls. fine Muscovado Sugar.  
June 14.

**Portugal Cove Road!**

Stage Coaches VICTORIA, VELOCITY, and CATCH.

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

TERMS.—Passengers.....5s.  
Luggage over 20lb. weight cannot be carried without a reasonable charge.

N. B.—All Letters, Parcels, Luggage, &c. &c. intended for Conception Bay to be left at the Commercial Hotel, where Passengers will please apply to secure the Coaches.  
St. John's, May 31.

**LETTER FROM CAPTAIN POLKINGHORNE, OF H. M. SHIP CROCODILE, ENCLOSING CORRESPONDENCE WITH THE GOVERNOR OF ST. PIERRE'S, ON THE SUBJECT OF THE FISHERIES.**

(Copy)

Crocodile, at St. John's, Newfoundland, July 14, 1838.

SIR,—In compliance with my Instructions from Vice Admiral the Hon. Sir Charles Paget, G. C. H. Commander in Chief on this Station, to place myself in communication with your Excellency, on my arrival at St. John's, on the subject of the Fisheries in the neighbourhood of St. Pierre's,—I have the honor to acquaint you I anchored at that Port on the 16th ult., and forwarded a letter to the Governor on the subject of the Fisheries, a copy of it and his reply I enclose for your perusal, by it you will perceive a renewal of former promises that every thing in his power should be done to enforce a strict adherence to the Treaties existing between our respective Governments, and that the French Fishermen who transgressed would be imprisoned and otherwise severely punished. While laying at anchor at St. Pierre's, I was informed by an English Fisherman belonging to Fortune, that a French Fishing Boat was then hauling Caplin in Danziak Cove near Fortune; on learning this I thought it most advisable to visit Fortune Bay before I proceeded Westward to the neighbourhood of the Bourgeo Islands, and sailed accordingly on the 19th, to ascertain the correctness of the complaint made to me; on passing Danziak Cove, within two miles, I could not perceive any Boat or Boats employed as reported; in the evening of the 19th I anchored at Grand Bank Bay, and at daylight the following morning sent an Officer to Fortune, to obtain information, while I placed myself in communication with the most intelligent persons I could find at Grand Bank, a considerable Village, and similar in situation and population to Fortune; the two Villages are about four miles distant from each other, and can muster from 200 to 250 Fishermen, a number fully equal to their own protection from the encroachments of the French Fishermen; at these villages I heard not a complaint of any act of aggression on the part of their neighbours at St. Pierre's, on the contrary I found there was too good an understanding between them; all the fishermen at these Villages acknowledged without reserve that they caught Caplin, and sold it to the French; and this I have since discovered to be a general practice along the whole Coast opposite to St. Pierre's, from Grand Bank to Burin Island, it appears that the French at the commencement of the Caplin season, give a good price for this Bait, but at a later period, the value is much less, and our Fishermen get Goods for it, and more frequently Spirits, the bad effects of this traffic will I think soon be apparent; our fishery will be injured from scarcity of Bait, and our industrious fishermen demoralized under the baneful influence of French Spirits. On the 21st I sailed for the neighbourhood of Bourgeo Islands, but on arriving off them, on the 23d, I found the Pilot ignorant of the Anchorage, and from the report of the Natives of their small narrow Harbour, I deemed it advisable to proceed to Lapoile Bay, a central situation between the Bourgeo's and Cape Ray; I anchored in Lapoile Great Harbor on the 24th, and found there Mr. Reid, a Collector of Customs, also a Mr. Antoine, a Merchant from Jersey, carrying on a large Fishing Establishment, from both these Gentlemen I obtained the best information; it appears that neither the Bourgeo Islands or their neighbourhood have been molested by the French Fishermen during the last two years; and our Fishermen at Bourgeo and near it are now become so numerous that they would not suffer any encroachments similar to those complained of in former years; I therefore came to the conclusion that an Officer and Boats Crew was quite unnecessary on this part of the Coast. At Lapoile I learnt that many French Fishing Boats did in April and May last touch at Port aux Basque in the neighbourhood of Cape Ray, and to the great annoyance and injury of the Inhabitants haul herring with very large Nets, and in one or two instances forcibly took up the Nets of our Fishermen and appropriated their contents to their own use; on this subject I addressed a letter (No. 2.) to the Governor of St. Pierre's repeating the sugges-

tion of Commander Hope, of H. M. Ship Racer, that his Excellency would cause all his Fishing Boats out of St. Pierre's to be numbered on their Sails; at Lapoile the Cod Fishery is general, and said to be most successful in Summer and Winter, some Salmon are caught but not in considerable numbers. On the 30th I succeeded in getting out of Lapoile—on the 1st of July I came to an Anchor at Little St. Lawrence at the entrance of the Bay of Placentia, and put myself in communication with the most intelligent persons in the neighbouring Ports of Great St. Lawrence and Great Lawn; from every information I could obtain from my own enquiries at Little and Great St. Lawrence as well as the tidings gleaned at Lawn by the Second Lieutenant of this Ship, I could not find there was any recent complaint against the French Fishermen, with whom a good understanding appeared to exist, and a Frenchman of St. Pierre's having married at Great Lawn, I fear every facility was given to this man by his Wife's relatives, who readily supplied him with Caplin, repaired his Boat, Sails, &c., I learnt here that the Lambline people are now so strong in numbers they not only prevent the French from hauling Caplin, but will not permit their neighbours do so; but availing themselves of their short and easy access to St. Pierre's, they sell at that Island large quantities of Bait wherever they can procure a purchaser; under these circumstances it became evident to me that an Officer and Boat's Crew would be perfectly useless at Lambline, or any port in that neighbourhood, and I decided accordingly to proceed to St. John's and give your Excellency the information before stated; feeling myself by my instructions fully warranted in attending to any suggestion or wish you may express, having for its object the protection of the Fisheries, on visiting the Western parts of the Island as pointed out by my orders, and in accordance with the desire of my Lord Glenelg to the Lords Commissioners of the Admiralty.

I have &c.

J. POLKINGHORNE,

Captain.

To his Excellency Captain Prescott; C. B. Governor of Newfoundland.

(COPY) No. 1.

Her Britannic Majesty's Ship Crocodile, at St. Pierre's, June 16, 1838.

SIR,—I have the honour to acquaint your Excellency that my visit to this Port is in consequence of Instructions I have received from Vice Admiral the Hon. Sir Charles Paget, G. C. H. Commander-in-Chief, to communicate with your Excellency on the subject of the existing Treaties between our respective Governments relative to the Fisheries on the Coast of Newfoundland, and I am desired to express my hope that your Excellency will do all in your power to prevent the French Fishermen from infringing on the limits prescribed by the said Treaties, and which has been a subject of complaint for some years past, as it would be to me a source of regret, should I have occasion to have recourse to severe measures if they attempt the infringement complained of in former years. I therefore request your Excellency will be pleased to give all the French Fishermen who may call or belong to St. Pierre's notice, that if they attempt to obtain Bait, or Fish within the prescribed limits on the Southern coasts of Newfoundland, in parts where, by existing Treaties, they are prohibited from approaching; it will be my painful duty to detain them, and submit the whole matter to the consideration of the Vice Admiralty Court at St. John's.

I have, &c.

(Signed)

J. POLKINGHORNE, Capt.

H. B. M. S. Crocodile.

(COPY) No. 2.

Her Britannic Majesty's Ship Crocodile at St. Lawrence 3d July 1838.

SIR,—I regret that I am called on at such a very early date after my recent communication with your Excellency on the subject of the encroachments of French Fishermen to renew the complaint against them; I am informed, from an authentic source, that a number of fishing boats from St. Pierre's, did, in the months of April and May

last, touch at Port aux Basques for the purpose of taking Herrings, (which they use as bait.) This they did in defiance and to the great annoyance and very serious injury of the inhabitants, whom they prevent from participating by means of employing usually large nets; in one or two instances, they hauled the nets of the Settlers, and forcibly carried off their fish; your Excellency must be sensible that such a glaring aggravating violation of the Treaty existing between our respective Countries, cannot be justified or extenuated, as the infringement and aggression took place in opposition to the remonstrances of the inhabitants and in defiance of them from their being the weaker on the spot. In the performance of my duty, on this Coast, your Excellency must feel that it is incumbent on me, to stop such aggressions so often repeated, and I trust, as an earnest desire on the part of your Excellency to co-operate with me, that you enforce among the Fishermen of St. Pierre's, the salutary suggestion of Commander Hope, H. B. M. Sloop Racer, and cause the boats to be numbered in large figures on their sails, by adopting and enforcing this regulation, the offenders would be identified, and, I trust, I may feel assured your Excellency will assist me in convicting and punishing the offenders; this plan would at once detect the parties and remove suspicion that all your fishermen are implicated in such unjustifiable proceedings.

I have, &c.

(Signed) J. POLKINGHORNE,  
Capt. H. B. M. S. Crocodile

IMPORTANT FROM THE WEST INDIES.

(From the Morning Chronicle, June 23.)

By the last arrivals from the West Indies we learn that in addition to Nevis, Tortola, and Montserrat, the Legislatures of Barbadoes, St. Vincent's, and St. Christopher's, have agreed to the measures recommended to them by the Government for abolishing the apprenticeship system, and giving complete freedom to the negroes on the 1st of August next. There are strong reasons to believe that the same course will be generally followed in the other West Indian Colonies, including Jamaica, where it was understood that the subject having been brought under the consideration of the Council by the Governor, that body were unanimous in favour of such a measure. Sir L. Smith had summoned the Legislature for the 5th June, for the express purpose of considering this question. In no instance had any disturbance taken place, nor were any apprehensions entertained of the interruption of public order and tranquillity. Such is the auspicious and encouraging aspect of affairs in the West Indies at the present moment, with reference to a question which has occupied so much of the public attention in this country. All that the friends of the negroes could desire for them appears to be in the course of accomplishment amicably, without disorder, and in that manner and by that agency which yields the best promise of good feeling between employers and labourers, and of the consequent establishment of a system of free labour justly remunerated, and willingly rendered. We confess we looked forward with considerable apprehension to the consequences of the defeat of the motion for terminating apprenticeships on the 1st of August next, and we made no secret of our opinion at the time; and we therefore most sincerely rejoice at this result of that course which the Government deemed themselves bound to pursue, in opposing the immediate abolition of the apprenticeship by parliamentary enactment, while they earnestly recommended to the colonial legislatures the adoption of a measure which cannot fail to promote the interests of all classes of colonial society. We are aware that that course has exposed them to a temporary sacrifice of popularity, and to much misrepresentation; but, on the other hand, they will derive great advantage in their future communications with the West Indian Colonies, in being clear from the slightest imputation of bad faith, or of a departure from the spirit and the principle of the act of 1833.

THE NOBLE DUELLIST.—Will the Morning Post tell us from what "noble race" Lord Castlereagh is descended—what right he has to the once regal name of Stewart—or whether, supposing such a name conveys any honour to the chance-bearer of it, this honour is to be increased by the attempted seduction of a married woman and meeting her injured husband in a duel—we ask what is the descent of Castlereagh? We have heard, and on the authority of one not on the liberal side, but a bigotted opponent, who had occasion to examine the records of Dunbartonshire, that the ancestor of the Lords of Londonderry who first left Scotland was not a Stewart but a "Child of the Mist," a MacGregor, and a little Cock Laird (or Yeoman) who left Dunbartonshire rather than encounter his enemies, who, Time W. III., accused him of cow stealing, a proceeding quite consonant, no doubt with the practice of the MacGregors, but not exactly worthy of a "Stewart." The hero aforesaid is stated to have escaped to Belfast, and bound himself to a shopkeeper, after whose death he married the widow. Land at that period was at low value, the fortunate shopkeeper lent money on it at high interest, the old wife dies, the disconsolate husband marries a native, assumes the name of Stewart, forecloses the mortgages, acquires land and becomes a "great man." Titles in another generation follow, and further elevations succeed. Such, we believe, is the family of

Castlereagh, and we ask the Post to explain what we see in a peevish "supposed to have the same origin as the Earls of Galway."—London Paper.

LORD CASTLEREAGH'S WOUND.—The ball passed through the right forearm in an oblique direction; it entered about an inch above the head of the ulna, where that bone is articulated with the wrist joint, and made its exit about two inches from the extremity of the radius. Dr. Forbes, the experienced Peninsular surgeon, who attended on the field, immediately cut open the sleeve of the coat, and, after an accurate anatomical examination, pronounced the bones and extensor muscles and tendons to be uninjured, the ball having most fortunately passed merely under the skin. No danger is apprehended.

The Newfoundland.

ST. JOHN'S, (Thursday,) August 9, 1838.

The Schr. *Christiana*, Harris, arrived last evening from Liverpool in 28 days, bringing London papers to the 9th ult.; but on political matters they furnish nothing new or interesting.

The French Brig-of-war *Le Cerf* arrived here from St. Pierre's on Thursday last, bringing despatches from the Governor of that Island for His Excellency Captain Prescott.—Early on Friday morning *Le Cerf* fired a Salute, and during the firing of the return Salute from Signal Hill we regret to say that two men who were engaged in loading one of the guns were, in consequence of its premature explosion, precipitated over the cliff, and it is needless to add that almost instantaneous death resulted. The accident is attributed to the circumstance of there being some particle of fire remaining in the gun from its previous discharge, which was not completely removed by the operation of sponging; but the evidence taken before the Coroner at the Inquest, and which we publish, quite exonerates all concerned from a charge of negligence or want of caution on the occasion.

Lieut. Anthony Oldfield, R. A., Sworn.—Was on duty that morning with a party of the corps to which he belonged. At about half-past six o'clock he was called upon to return a salute which had been fired by the French Brig *Cerf*. The gun at which the deceased were stationed had been fired in turn, and when in the act of reloading it an explosion took place. Witness attributed the melancholy accident which had happened to a part of the serge forming the cartridge-bag of the first charge having been left ignited in the bore of the gun; and upon inquiring of Sergeant William Howard, who had command of the gun, witness found that all the requisite duties had been attended to, and that no neglect could be ascribed to any one. It was in the act of ramming home the second cartridge that the explosion took place, and the persons deceased were those who were so employed, when they were blown over the parapet, by the said explosion. By requisite duties, witness meant the sponging the gun and serving the vent. The vent of the gun is rather large, and fire might have been secreted at the bottom of the vent.

Serjeant William Howard, R. A., Sworn.—Was on duty when the salute was fired at Signal Hill that morning;—had charge of the detachment to which the deceased parties belonged. The gun at which witness and the deceased were stationed had been fired once, after which it was sponged and the requisite duties performed. Upon reloading, and whilst the two deceased persons were in the act of ramming home the cartridge, the explosion took place, and they were carried over the parapet by which means witness believed the unfortunate men came by their death, and not by any neglect of the party stationed at the gun. Witness could not account for the manner in which the cartridge became ignited which caused the explosion. The present return of the Ordnance is that all the guns were serviceable.

By the Foreman.—The vent is larger than that of new guns, occasioned by age and service.

Lieut. Arthur Burrows, R. A.—Was not on duty when the salute was fired that morning, but was informed by the Serjeant Major whilst the salute was firing that two men were blown over the parapet, upon which information witness went down below and found gunner John Rowledge dead, and that Joseph Hammond, gunner, was in the agonies of death and quite insensible;—that a party was sent for to remove them to the Hospital, and that when close to that place, Hammond was examined by the Surgeon and found to be quite dead.

After a few minutes' deliberation, the Jury returned a verdict of "Accidental death, by the explosion of a cartridge in the ramming home in the gun."

The deceased were interred on Monday with military honours; their premature and melancholy fate awakened the liveliest feelings of sorrow throughout the entire community—and the demeanour of the immense assemblage who attended at the last sad offices fully testified that their meed of sympathy was not wanting—that in the regret occasioned by this lamentable event they largely participated.

PROMOTIONS IN THE ARMY.—To be Majors—Captains William Bindon and Herman Jeffares, Royal Newfoundland Veteran Companies.

The *George Robinson*, Hallett, from Cadiz to Newfoundland, has put into Lisbon dismayed.

LONDON, July 5.—Entered for Loading for Newfoundland—*Beau Ideal*, Jones.

ARRIVAL.—In the *Christiana*, from Liverpool, Mr. W. Hogan.

HOUSE OF ASSEMBLY,

TUESDAY, August 7.

BREACH OF PRIVILEGE.

EDWARD KIELLEY, Esq., charged with having committed a breach of the privileges of the House, was ordered by Mr. SPEAKER to be brought to the Bar—and having appeared,

Mr. SPEAKER informed Mr. Kielley that he had been brought to the bar of the House in consequence of a complaint of a violation of the privileges of the House made against him by an Hon. Member,—that the matter had been referred to a Committee, who had examined witnesses and had furnished the House with a report, which the Clerk was then directed to read as follows:—

EXAMINATION OF WITNESSES.

PATRICK BYRNE Examined.—Doctor Kielley had directed him to the Court House to get some assistance; Witness was proceeding, when Dr. K. called him back and told him to apply to Mr. Kent, who was then standing at his door. On showing Mr. Kent a paper he got from Mr. Carter, Doctor Kielley pointed his hand at him (Mr. Kent), calling him a puppy, and said he would pull his nose.

RICHARD BUTT Examined.—About 12 o'clock to-day he was passing by Mr. Kent's dwelling-house; Mr. Kent was standing at the door speaking to Patrick Byrne when Dr. Kielley said he (Mr. Kent) was a puppy and he would kick him; and walking up to Mr. Kent in a threatening attitude, with clenched hand, said he had it in for him, the lying puppy, and that his privileges should not protect him.

JOHN KENT Examined.—Is Member for the District of St. John's. He and Dr. Kielley had some difference, provoked by him (Dr. K.), about 12 o'clock to-day. Dr. Kielley put his hand clenched up to his (Mr. Kent's) face several times and said he had it in for him, the lying puppy, and his privileges should not protect him—alluding to certain statements made by him (Mr. Kent) in his place in the house upon the subject of the St. John's Hospital.

The Committee report that having taken under their most serious consideration the complaint of Mr. Kent, Member of this House, against Edward Kielley Esq. District Surgeon for St. John's, and after examining witnesses thereon, are of opinion that the conduct of Mr. Kielley is a gross breach of the privileges of the House, and if allowed to pass unnoticed would be a sufficient cause of deterring members acting in the independent manner so necessary for a free Assembly.

[It was by virtue of a warrant grounded upon the foregoing report that Dr. Kielley was taken into custody by the Serjeant-at-Arms.]

Dr. KIELLEY requested that he might be heard in explanation.

A question being raised as regards the parliamentary usage on such occasions,

Mr. Kielley was directed to withdraw.

After some observations by Mr. SOLICITOR-GENERAL and Mr. KENT, Dr. Kielley was again directed to appear.

Dr. KIELLEY entered into an explanation of the circumstances connected with the alleged breach of privilege, and was then desired to withdraw.

Mr. KENT, Mr. WINNER, and Mr. MOORE, then severally addressed the House in terms condemnatory of the course pursued by Dr. Kielley with reference to his explanation—and,

Upon motion, it was

Resolved.—That Mr. Kielley do remain in the custody of the Serjeant-at-Arms until further orders from the House.

WEDNESDAY, August 8.

Mr. KENT, after some observations, introduced the following motion:—

Whereas, on yesterday, Edward Kielley, Esq., was brought to the bar of this House, in custody of the Serjeant-at-Arms, to answer for a violation of the privileges of this House, committed by using threatening gestures and expressions to John Kent, Esq., Member for the District of St. John's, for words uttered in the House;—and whereas the said Edward Kielley, Esq., when called on by the Speaker to explain, pointing to the said John Kent, Esq., in his seat in the House, used the following grossly offensive epithets:—"He, the said John Kent, was a liar and a coward," or words to that effect, and other very many contumelious epithets. And whereas such conduct is a grievous aggravation and iteration of the contempt offered to this House by the said Edward Kielley—

Resolved.—That the Serjeant-at-Arms be directed to hand over the said Edward Kielley, Esq., to the Sheriff of Newfoundland and to the Gaoler of this District, to be lodged in the common Gaol therein, until the said Edward Kielley do make such apology in manner and form as this House shall dictate, and that the Speaker do issue his order to these Officers as a warranty for this proceeding.

Mr. MOORE concurred.

Mr. BROWN was opposed to proceeding in the matter with precipitation,—it was one of importance, and he would urge that the consideration of it be postponed until to-morrow, in order to give hon. members an opportunity for reflection.

Mr. POWER was also averse to the House coming to a hasty decision; the question was an extraordinary one—he believed it to be without precedent. Dr. Kielley was brought to the bar of the House yesterday, and had used language that was not justifiable—why was he not checked in the onset? It seemed to him (Mr. P.) like a trap to induce Dr. K. to commit himself still further;—he might naturally have supposed that if he were violating the privileges of the House he would not have been permitted to proceed.—Mr. Power then moved an amendment—that the question be postponed until to-morrow.

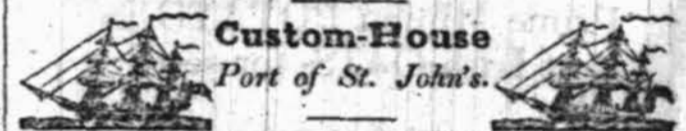
Mr. DOYLE and Mr. WINNER spoke in support of the amendment.

Mr. KENT saw no good reason for the postponement, and would support the original motion.

The House subsequently divided, when the amendment was carried.

We regret to announce the death of Mr. THOS. HOGAN, son of the late Mr. Wm. Hogan, of this town, who was shot by an Indian on the 28th March last, whilst at work on his plantation in East Florida (U. S.), much and deservedly regretted by his relatives and friends.

Shipping Intelligence.



Custom-House  
Port of St. John's.

VESSELS (ENTERED.)

- August 3.—Brig Providence, Peacock, Cadiz—367 tons salt.
- Brig Mary Jane, Batt, London—50 tons chalk.
- 6.—Schr. Ranger, Feran, Halifax—50 bls flour, 25 bags bread, and sundry merchandise.
- Schr. Bezzin K. Reece, Tuzo, Porto Rico and St. Vincent—11 puns, rum, 80 casks molasses, 51 hds 50 bls Sugar.
- Schr. Royal Miner, Babin, Nova Scotia—29 M. shingles, &c.
- Schr. Harmony, Kearney, Figueira—80 tons salt
- Schr. Three Brothers, ——— 34 head cattle, 50 sheep, 28 fks butter.
- Schr. Nelson Packet, Noseworthy, Figueira—8 qr. casks olive oil and sundries.
- 7.—Schr. Hope, Dowsley, Miramichi—3700 bushels salt.
- 8.—Brig Rebecca, Pickford, Figueira—110 tons salt, 4 dozen cabbages.

LOADING.

- Aug. 4.—Brig Mary Jane, Butt, Greenock.
- 7.—Schr. Devon, Dench, Portugal.
- 8.—Schr. Union, Norman, Mediterranean.
- Schr. Bezzin K. Reece, Tuzo, Porto Rico.

CLEARED.

- Aug 4.—Schr. Wm. Henderson, Mideart, Miramichi—ballast.
- Schr. Susan, Le Blanc, Cape Breton—ballast.
- Schr. Alpha, Farrell, Bridgeport—ballast.
- Schr. Nightingale, Matthewson, P. E. Island—sundry merchandise.
- Schr. Courier, LeVashe, New Brunswick—ballast.
- Schr. Charles, Boudrot, New Brunswick—ballast.
- 7.—Ship Sir John Falstaff, Fife, Miramichi—ballast.
- 8.—Brig Neptune, Parker, Liverpool—27,700 galls. seal and cod oil and blubber

CHAMBER OF COMMERCE.

THE Annual Meeting of the Commercial Society was held on Wednesday, the 1st instant, at the Commercial Rooms—W. B. Row, Esq., Vice President, in the Chair.

The Chairman read the following Report of the Chamber of Commerce for the past year, which was unanimously adopted:—

REPORT.

The Chamber of Commerce, in meeting their constituents, this year, have to express their regret at the total failure of their efforts to obtain a satisfactory adjustment of the Portuguese duties on codfish.

In accordance with the resolution of the Society at the last annual meeting, the Chamber immediately addressed a memorial to her Majesty's Principal Secretary of State for the colonies, setting forth the former amount of duties, the late alterations, and the contemplated increase of 800 Rs. per quintal, which not having been promptly replied to was followed up by a new and more pressing petition, to which, at length, (but not until the additional duty, as is known to the Society, had taken effect,) an answer has been received, transmitting extracts from a correspondence between the Colonial Secretary and Her Majesty's Principal Secretary of State for Foreign Affairs, and between the latter and Lord Howard de Walden, Her Majesty's Ambassador at Lisbon, and also copy of a letter from that nobleman to Lord Palmerston by which it appears that his Lordship had not succeeded in obtaining the repeal of the new duty; but he is of opinion that it was only imposed in protection of the National Fishing Company.

As from the disadvantages under which the Cod fisheries of that Company must obviously be conducted, it may reasonably be presumed, that the experiment will not be successful; the duties laid on for their protection may (if Lord Howard de Walden's opinion is correct) not be of long continuance. The Chamber, however, under the necessity of adding, that, by a letter from Mr. Fox Strangways, Under Secretary of State for Foreign Affairs, to Lord Glenelg (part of the correspondence referred to) it appears to be the opinion

of Her Majesty's Government that no good can be done by further pressing the subject at present.

Besides this subject of the Portuguese duties there has been no other of any great importance to the Commercial interests of the Island, unless any such prove to be connected with an enquiry made of the Chamber by His Excellency the Governor, as to whether the emigration of seamen, during the years 1835 and 1836, was unusually great, and such as to inconvenience the shipping interests, or the shore or any other fishery, to which the Chamber replied that no such unusual emigration had taken place during the periods referred to, and that no inconvenience had been experienced by any branch of the commercial interests of the Island.

The Chamber performed a pleasing duty in conveying to John H. Noble, Esq., and to Messrs. Noble and Murat, of Oporto, the thanks of the society for their exertions in endeavouring to abolish the military subsidy municipal duties exacted in that city.

Communications have been received from Thomas H. Brooking and J. Christophers, Esqrs., London, announcing the establishment of an Association there, called "The Newfoundland Association, for the Promotion of the Trade and Fisheries," having for its object "to watch all proceedings in the British dominions and Foreign countries which may either directly or indirectly affect the Newfoundland trade and fisheries; to make representations to Government for the redress of any grievances, and to promote every object tending to the prosperity of all persons engaged in the trade and fisheries."

The report of their meetings and resolutions is now before the Society, by which it will be seen that the Association is composed of persons deeply interested in the well being of the colony, and much benefit may therefore be hoped from their proposed co-operation.

The Chamber have been favoured by his Excellency the Governor with a copy of a letter transmitted to his Excellency by Lord Glenelg, addressed to his Lordship by the Secretary of the British Museum; expressive of the desire of the trustees of that institution to receive specimens of the Natural History of the Colonies, which is submitted to the notice of the Society.

The great inconvenience and loss of time frequently experienced from the detention of shipping in this port, suggests the expediency of providing a Steam Tug Boat for the purpose of towing vessels in and out of the Narrows with adverse winds, and it is strongly recommended to the Society to take into its consideration the best means of effecting so desirable an object;—there seems to be no doubt that if once commenced, it might easily be accomplished in shares of very moderate value.

Complaints continue to be made from all parts of the Island of the great prejudice sustained by the want of a Fishery Law since the expiration of the Act 5, Geo 4, cap. 51. The exigencies of the fishery are such as to require more prompt modes of relief than are afforded by the ordinary course of the Common Law. The expediency of an application to the Legislature is therefore proposed for the consideration of the Society.

Chamber of Commerce, 1st Aug., 1838.

The Society then proceeded to elect a Chamber of Commerce for the ensuing year, when the following were declared to be duly elected:—

- Honourable J. SINCLAIR  
 J. B. BLAND  
 J. DUNSCOMB  
 Messrs. W. B. ROW  
 W. RICHARDS  
 J. JENKINS  
 J. B. BULLLEY  
 B. SCOTT  
 THOMAS BENNETT  
 R. F. TRIMMINGHAM  
 R. JOB  
 E. STABB  
 JOHN NICHOLS,

of which the Hon. J. DUNSCOMB was chosen President; the Hon. J. SINCLAIR, and W. B. ROW, Esq., Vice-Presidents; and Mr. W. RICHARDS, Treasurer and Secretary.

Attorney General's Office,  
 27th July, 1838.

SIR,

I have the honour to acquaint you, for the information of His Excellency the Governor, that in pursuance of his directions, conveyed to me in your letter of the 25th instant, I have considered the query therewith submitted to me on the part of the Board of Road Commissioners, "Whether Cellars, Vaults and Hatchways within the boundaries of 50 feet and 40 feet respectively, prescribed by the Imperial Act of 1st Geo. 4, c. 51, to be the breadth of Water-Street and Duckworth-Street, are Nuisances?" I am humbly of opinion that all such excavations and erections upon, in, or under the said Streets, and within the boundaries laid down by the said Act, are public nuisances.—Upon this point I have not at any time entertained any doubt.

I have the honour to be, Sir,  
 Your most obedient  
 Humble servant,  
 JAMES SIMMS.

The Honorable  
 JAMES CROWDY.

SANCTIONED by the above opinion of Her Majesty's Attorney General, the Commissioners of Roads and Bridges for this District hereby give Notice, that all Cellars, Vaults and Hatchways, in the Public Streets, shall be forthwith abated as public nuisances; and all Persons immediately interested will govern themselves accordingly.

By Order,  
 JAMES DOUGLAS,  
 Chairman.

August 9.

Sale by Auction.

Desirable Investment.

POSTPONED SALE.

On Monday.

The 20th August, if not previously disposed of BY PRIVATE CONTRACT.

THE INTEREST for the unexpired Term of 26 years, from the 31st October Next, of and in those STONE & BRICK BUILDINGS and PREMISES situate on the south side of Water Street, now in the occupancy of Dr. O'DWYER, Mr. WM. HART, and Messrs. M'BRIDE & KERR.

Also,

For the unexpired term of 35 years from the 1st November next, of and in that STONE PREMISES situate on the South side of the said Street, and now in the occupancy of Mr. PATRICK MULLONEY.

The said BUILDING and PREMISES yield a profit rent of £158 sterling, per annum.

For further particulars apply to

PATRICK MORRIS.

August 2.

Notices.

SEALED Tenders will be received by the Assistant Commissary General until One o'clock P. M., on MONDAY the 13th instant, for the conveyance to Chatham, of

2 Officers and about 34 Men, 16 Women and 33 Children.

The whole Detachment to be victualled on board by the Contractor, agreeably to certain conditions, which, with any other information, will be made known at this office.

The Vessel to be ready, and to sail from this Port, weather permitting, not later than the 20th August.

Payment will be made in London under the direction of the Board of Admiralty.

Rates for each description of Passenger, to be stated in sterling, and in words at length.

COMMISSARIAT, Newfoundland, }  
 St. John's, 2d August 1838. }

W. R. EPPES,

A. C. G.

TENDERS will be received by the Subscriber until FRIDAY, the 17th August, at 10 o'clock, A. M.

For repairing part of the Road leading from Apple Tree Well to George's Pond.

For repairing part of the Road from King's Bridge to Outer Cove.

For repairing the Road from Logy Bay, to meet the Road from St. John's to Outer Cove.

For repairing part of the Road from St. John's to Wigmore's Gully.

For repairing part of the Portugal Cove Road.

For repairing the Road from Goff's Bridge, Portugal Cove, to Westward Point.

For repairing part of the Bay Bulls Road, commencing at Waterford Bridge.

N. B.—Sections and Specifications may be seen at the office of

JAMES DOUGLAS.

Chairman of the Board of Road Commissioners.

August 2.

ALL Persons having claims against the Estate of the late JAMES BLAIKIE, Esq., are requested to present the same, duly attested, on or before the 1st October next, to

SARAH W. BLAIKIE.

July 26.

Administratrix.

WANTED

To load for the West Indies,

A VESSEL

that will carry from 1600 to 2000 Qtls. Fish in Casks.—Apply to

HUNTERS & Co.

August 2.

Canadian Fresh FLOUR.

The Cargo of the BEAVER from Quebec, now landing,

FOR SALE BY

J. DUNSCOMB & Co.

July 19.

Grenada RUM.

THE SUBSCRIBERS Offer for Sale,

The Cargo of the Brigantine LUNA, Consisting of

55 Puns. Grenada Rum and

2 Hhds. Sugar.

JAMES FERGUS & Co.

July 19.

ON SALE.

NOW LANDING

From the Brig EMMA, from HAMBURGH, AND FOR SALE AT THE STORES OF

LAWRENCE O'BRIEN,

1000 BAGS 1st, 2nd, and 3rd quality BREAD

300 Barrels Fine and Superfine FLOUR

150 Firkins BUTTER

40 Barrels PORK

100 Bags BRAN

4000 BRICKS.

Which will be Sold on low terms.

August 9.

SAMUEL CODNER

HAS JUST RECEIVED,

Per EMMA, from HAMBURGH,

AND OFFERS FOR SALE,

15 Barrels Smoked Pigs' Heads

80 Firkins Randers' Butter.

Also,

White Lead, Black Paint,

Boiled and Raw Linseed Oil.

August 9.

Thos. & John Brocklebank

OFFER FOR SALE

For Fish in September next,

301 Bags second quality

BISCUIT,

Just received by the EMMA from Hamburg.

August 2.

HUNTERS & Co. THE CARGO

Of the ANNANDALE, from P. E. Island,

PINE and Spruce BOARD

Hardwood PLANK, 1 1/2 to 3 Inches

Spruce and Hardwood SCANTLING

SHINGLES and BILLETS.

August 2.

SAMUEL MUDGE

Offers for Sale,

HIS REMAINING STOCK OF

Bridport GOODS,

AT REDUCED PRICES,

Consisting of—

COD and Caplin Seines, Cod Nets

Lance Bunts, Lines and Twines, and

80 Herring Nets, 30, 40, 50 and 60 fms;

Also,

400 Bags Hamburg BREAD

50 Bls. Flour and Pease

40 Firkins prime Butter

Pearl Barley, Sugar, Tea

300 Pair English Blankets

100 Pieces Serges & Swanskin

Feet Elm Boards

Canvass, Hemp, 2 Fish Beams

19 English Kettles, 1 Cask Lime

8 Hhds. Ale and Cider

7 Dozen Madeira and Champagne Wine

80 Boxes and Half-boxes Liverpool Soap.

August 2.

FIRST FALL GOODS.

WARREN & WHEATLEY

HAVE JUST RECEIVED,

Per Avalon, from GREENOCK.

A PART OF THEIR FALL SUPPLY OF

MANUFACTURED

GOODS,

COMPRISING

A very Select Assortment of the Newest Styles of

SHAWLS and other fancy GOODS,

A VARIED AND FASHIONABLE ASSORTMENT OF

TROWSEL STUFFS.

BEAVERS,

ARTIC CLOTHS,

Hosiery, Tartans &c.

90 Pieces Number and Flat Canvas

14 Casks prime bottled Ale & Porter

Wrapping Paper, &c. &c.

Also,

By the Brig Emma, from HAMBURGH,

100 Bags good common Bread

150 Do. Middling quality do.

100 Do. Fine do.

Which they offer for Sale on the Lowest Terms.

August 2—5w.

BY

Patrick Gleeson,  
 2 Kitchen Ranges,  
 (Complete.)

June 21.

ON SALE.

BY

EWEN STABB,

280 Tons Salt (afloat)

Butt and Shoulder Leather

Packages of Boots and Shoes, assorted

English and Westphalia Hams

Geneva in cases containing 3 gallons

Brown Stout, in barrels 3 dozen.

Port Wine do. do.

Hardware, Cordage

Herring Nets, &c.

Hamburg Butter, &c. &c.

August 2.

MAZEPPA

Just arrived from Copenhagen.

T. & J. BROCKLEBANK

OFFER FOR SALE.

The Cargo of the Mazeppa for Fish in September next,

960 Barrels Superfine Copenhagen FLOUR

80 Half do. extra do. do.

100 Barrels Prime Mess PORK

100 Bags first quality BISCUIT

190 Do. second do. do.

July 26.

BY

BAIRD, JOHNSTON & CO

Ex Brigantine Goshawk from Berbee,

61 PUNS. RUM

2 Hhds. ditto

32 Puns. MOLASSES

3 Hhds. SUGAR.

IN STORE,

20 Hhds. SUGAR

OATMEAL, PEASE, BARLEY, &c. &c.

July 26.

T. & J. Brocklebank

OFFER FOR SALE,

The Cargo of the Brig OBERON, from Hamburg

Viz:—

500 Bls. Superfine Flour

799 Bags 1st & 2d quality read

9000 Bricks.

July 19.

LANDING,

AND FOR SALE,

The Cargo of the Brig NAJAD, from DANTZIC,

CONSISTING OF

1890 BAGS BREAD

1400 Barrels FLOUR

250 Ditto PEASE

100 Ditto PORK,

BY NEWMAN & Co.

July 12.

BY

Robinson, Brooking, Garland & Co.

Ex CARRS, from HAMBURGH,

818 BAGS BREAD,

380 FIRKINS BUTTER.

June 7.

Samuel Codner

HAS RECEIVED

Per sundry Vessels,

AND OFFERS FOR SALE,

A LARGE ASSORTMENT OF

Bridport GOODS,

Viz:—

COD Seines, Assorted sizes

Caplin Seines, Cod Bags

Herring, Salmon, and Cast Nets

350 Dozen Shore, Jigger, and Sed Lines

Roping, Sail, Genging, Sewing,

Trawl, Seal, Salmon Trawl, } TWINES,

and Herring

AND ON HAND,

Devonshire Ale, in hhds. and half hhds.

Soap, Candles

Cordage, Oakum, Nails

Shoulder and prime Butt Leather

Fishing and Deck Boots

Shoes, English and Hamburg manufacture

Pitch, Tar, Varnish, Ochre

Paints of different Colour

Bar Lead

Linseed Oil, raw and boiled.

Spirits Turpentine, 1 @ 2 gallon Jars



Poets' Corner.

TO A WILD DEER.

RUN DOWN IN THE BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA.

By Charles West Thomson.

Why didst thou leave thy native woods,  
Child of the forest, here to roam;  
And quit the murmur of the floods  
That revel in thy mountain home?  
Why didst thou thus resign thy glen  
To die amidst the haunts of men?

There's freedom on the rocks and hills,  
A liberty that nature gives,  
Whose very inspiration fills the heart  
Of every thing that lives,  
And seems to throw a noble air  
O'er every form that wanders there.—

Nay, e'en the very trees that rear  
Their branches in the summer sky,  
In their wind shaken leaves appear  
To have a sense of majesty,  
And lift their heads as though they felt  
They grew in scenes where Freedom dwelt.

There could'st thou lift thy antlered brow,  
And pace the wilds in conscious pride,  
Climbing the steeps where wild flowers grow,  
Or plunging in the torrents tide,  
Daring alike to scale or swim,  
With eye unmoved and dauntless limb.

The crags and peaks were all thine own,  
The rivers and the rocks were thine,  
Thou wert a monarch on thy throne,  
Treading the cliffs where sunbeams shine;  
The monarch of the hills wert thou,  
Chief of the proud and antlered brow!

Along the misty valley's shade,  
Thy footsteps roamed at break of morn;  
The echoes of thy native glade  
Ne'er heard the clang of hound or horn,  
The blackbird's note, the wolf's rough bay,  
Were all that met thee on thy way.

Then why didst thou forsake thy wild,  
Amid the haunts of men to stray?  
The rocks that on thy hills are piled  
Are not more hard, more bleak than they.  
Thou'st come from sunny glen and sky,  
By human hearths at last to die!

Like thee, poor deer! when Genius leaves  
The quiet home it once had known,  
And from the ingrate world receives  
The mead of cold neglect alone—  
Like thee, it turns away in pain,  
And wishes for the shades again!

NICE.

Italian summer morning—New arrivals—Companions—Departure from lazaretto, &c.

(From Willis's "Pencilings by the Way.")

It is Sunday, and an Italian summer morning. I do not think my eyes ever woke upon so lovely a day. The long lazy swell comes in from the Mediterranean as smooth as glass; the sails of a beautiful yacht belonging to an English nobleman at Nice and lying becalmed just now in the bay are hanging motionless about the masts; the sky is without a speck; and the air just seems to me to steep every nerve and fibre of the frame with repose and pleasure! Now and then, in America, I have felt a June morning that approached it, but never the degree, the fulness, the sunny softness of this exquisite clime. It tranquillises the mind as well as the body. You cannot resist feeling content and genial. We are all out of doors, and my companions have brought down their mattresses, and are lying along in the shade of the east wall, talking quietly and pleasantly; the usual sounds of the workmen on the quays of the town are still; our harbour-guard lies asleep in his boat, and the yellow flag of the lazaretto clings to the staff; every thing about us breathes tranquillity. Prisoner as I am, I would not stir willingly to-day.

We have had two new arrivals this morning—a boat from Antibes with a company of players bound for the theatre at Milan, and two French deserters from the regiment at Toulon, who escaped in a leaky boat, and have made this long voyage along the coast to get into Italy. They knew nothing of the quarantine, and were very much surprised at their arrest. They will probably be delivered up to the French consul. The new comers are all put together in the large chamber next us, and we have been talking with them

through the grate. His Majesty of Sardinia is not spared in their voluble denunciations.

Our imprisonment is getting to be a little tedious. We lengthen our breakfasts and dinners, go to sleep early and get up late; but a lazaretto is a dull place after all. We have no books, except dictionaries and grammars, and I am on my last sheet of paper. What I shall do the two remaining days, I cannot divine. Our meals were amusing for a while. We have but three knives and four glasses; and the Belgian having cut his plate in two on the first day, has eaten since from the wash-bowl. The salt is in a brown paper, the vinegar in a shell, and the meats, to be kept warm during their passage by water, are brought in the black utensils in which they are cooked. Our table-cloth appeared to-day of all the colours of the rainbow. We sat down to breakfast with a general cry of horror. Still, with youth and good spirits, we manage to be more contented than one would expect, and our lively discussions of the spot on the quay where the table shall be laid, and the noise of our dinners *en plein air*, would convince a spectator that we were a very merry and sufficiently happy company.

I like my companions, on the whole, very much. The surgeon has been in Canada and the west of New York, and we have travelled the same routes, and made in several instances the same acquaintances. He has been in almost every part of the world also, and his descriptions are very graphic and sensible. The Belgian talks of his new king Leopold,—the Sicilians, of the German universities; and when I have exhausted all they can tell me, I turn to our Parisians, whom I find I have met all winter, without noticing them, at the parties, and we discuss the belles and the different members of the *beau monde* with the touching air and tone of exiles from Paradise. In a case of desperate ennui, wearied with studying and talking, the sea-wall is a delightful lounge, and the blue Mediterranean plays the witch to the indolent fancy, and beguiles it well. I have never seen such a beautiful sheet of water. The colour is peculiarly rich and clear, like an intensely blue sky heaving into waves. I do not find the often-repeated description of its loveliness at all exaggerated.

Our seven days expire to-morrow, and we are preparing to eat our last dinner in the lazaretto with great glee. A temporary table is already laid upon the quay—two strips of board raised upon some ingenious contrivance, I cannot well say what, and covered with all the private and public napkins that retained any portion of their maiden whiteness. Our knives are reduced to two, one having disappeared unaccountably; but the deficiency is partially remedied—the surgeon has whittled a pine-knot which floated in upon the tide into a distant imitation, and one of the company has produced a delicate dagger that looks very like a keepsake from a lady, and by the reluctant manner in which it was produced, the profanation cost his sentiment an effort. Its white handle and silver sheath lie across a plate abridged of its proportions by a very formidable segment. There was no disguising the poverty of the brown paper that contains the salt. It was too necessary to be made an "aside," and was placed upon the centre of the table. I fear there has been more fuss in the preparation than we shall feel in eating the dinner when it arrives. The Belgian stands on the mole watching all the boats from town; but they pass off down the harbour one after another, and we are destined to keep our appetites to a late hour. Their detestable cooking needs the "sauce of hunger."

The Belgian's hat waves in the air, and the commissary's boat must be in sight. As we get off at six o'clock to-morrow morning, my portfolio shuts till I find another resting-place—probably Genoa.

The health-magistrate arrived at an early hour on the morning of our departure from the lazaretto of Villa Franca. He was accompanied by a physician, who was to direct the fumigation. The iron pot was placed in the centre of the chamber; our clothes were spread out upon the beds, and the windows shut. The chlorine soon filled the room, and its detestable odour became so intolerable that we forced the door and rushed past the sentinel into the open air, nearly suffocated. This farce over, we were suffered to embark, and, rounding the point, put into Nice.

The Mediterranean curves gracefully into the crescented shore of this lovely bay, and the high hills loom away from the skirts of the town in one unbroken slope of cultivation to the top. Large handsome buildings face you on the long quay as you approach, and white chimneys and half-concealed fronts of country-houses and suburban villas appear through the olives and orange-trees with which the whole amphitheatre is covered. A painter would not mingle a landscape more picturesquely. We landed amid a crowd of half-naked idlers, and were soon at an hotel, where we ordered the best breakfast the town would afford, and sat down once more to clean cloths and unrepulsive food.

As we rose from breakfast, a note edged with black, and sealed and enveloped with considerable circumstance, was put into my hand by the master of the hotel. It was an invitation from the Governor to attend a funeral-service to be performed in the cathedral that day at ten o'clock, for the defunct queen-mother, Maria Theresa, Archduchess of Austria. Wondering not a little how I came by the honour, I dressed and joined the crowd flocking from all parts of the town to see

the ceremony. The central door was guarded by a file of Sardinian soldiers, and, presenting my invitation to the officer on duty, I was handed over to the master of ceremonies, and shown to an excellent seat in the centre of the church. The windows were darkened, and the candles of the altar not yet lit; and by the indistinct light that came in through the door I could distinguish nothing clearly. A little silver bell tinkled presently from one of the side chapels, and boys dressed in white appeared with long tapers, and the edifice was soon splendidly illuminated. I found myself in the midst of a crowd of four or five hundred ladies, all in deep mourning. The church was hung from the floor to the roof in black cloth, ornamented gorgeously with silver; and under the large dome which occupied half the ceiling was raised a pyramidal altar, with tripods supporting chaises for incense at the four corners; a walk round the lower base for the priests, and something in the centre, surrounded with a blaze of light representing figures weeping over a tomb. The organ commenced pealing; there was a single beat on the drum, and a procession entered. It was composed of the nobility of Nice, and the military and civil officers, all in uniform and court dresses. The gold and silver flashing in the light; the tall plumes of the Sardinian soldiery below; the solemn music, and the moving of the censers from the four corners of the altar, produced a very impressive effect. As soon as the procession had quite entered, the fire was kindled in the four chaises; and as the white smoke rolled up to the roof, an anthem commenced with the full power of the organ. The singing was admirable, and there was one female voice in the choir of singular power and sweetness.

During the remainder of the service I amused myself with observing the people about me. It was little like a scene of mourning. The officers gradually edged in between the seats, and every woman of the least pretensions to prettiness was engaged in any thing but her prayers for the soul of the defunct Archduchess. Some of the very young girls were pretty, and the women of thirty-five or forty apparently were fine-looking; but except a decided air of style and rank, the fairly grown-up belles seemed to me very unattractive.

I saw little else in Nice to interest me. I wandered about with my friend the surgeon, laughing at the ridiculous figures and villanous uniforms of the Sardinian infantry, and repelling the beggars who radiated to us from every corner; and having traversed the terrace of a mile on the tops of the houses next the sea, unravelled all the lanes of the old town, and admired all the splendour of the new, we dined and got early to bed, anxious to sleep once more between sheets, and prepare for the early start of the following morning.

We were on the road to Genoa with the first gray of the dawn—the surgeon, a French officer, and myself, the three passengers of a courier barouche. We were climbing up mountains, and sliding down with locked wheels for several hours by a road edging on precipices and overhung by tremendous rocks; and descending at last to the sea level, we entered Mentone, a town of the little Principality of Monaco. Having paid our twenty sous tribute to this prince of a territory not larger than a Kentucky farm, we were suffered to cross his borders once more into Sardinia, having run through a whole state in less than half an hour.

It is impossible to conceive a rout of more grandeur than this famous road along the Mediterranean from Nice to Genoa. It is near a hundred and fifty miles, over the edges of mountains bordering the sea for the whole distance. The road is cut into the sides of the precipice often hundreds of feet perpendicular above the surf, descending sometimes into the ravines formed by the numerous rivers that cut their way to the sea, and mounting immediately again to the loftiest summits. It is a dizzy business from beginning to end. There is no parapet usually, and there are thousands of places where half a shy by a timid horse would drop you at once some hundred fathoms upon rocks met by the spray of every sea that breaks upon the shore.

A FRAGMENT.

(From the *Novascotian*.)

I stood on the Northern Raveline of Fort George and before me was displayed a gallant Brigade, in martial array; I thought of former times, when the Royal Welsh Fusileers, with the 7th, and other fine Regiments paraded on that very spot, all commanded by Major General Houghton.—Heroic Twenty Third, what scenes have you passed through since! Would that I could recount all the gallant deeds of Arms achieved by you—on the Theatre once occupied by a Hannibal, a Scipio, a Pompey, a Cæsar,—and on which the Castilian and Moslem had shone in Arms!—At Albuhera,—there the gallant Fusileer Phalanx, in the face of an iron tempest, decided the fate of the day! but lost poor Houghton, who fell cheering his men,—there many a gallant soldier who had trod Acadian soil, died in the arms of Victory! Who disputed every inch of the ground with the "Spoiled Child of Victory?"—Who effectually arrested his progress at Torres Vedras, and closely pressed Massena in his retreat from those Lines?—Who occupied the Post of Honour, in the sanguinary midnight assault, upon the Breach of Badajoz, and won immortal renown?—Who fought and conquered at Salamanca?—Who bravely charged at Vittoria, and closely pursued the

ephemeral King that had usurped Iberia's Crown?—What Regiment scaled the Pyrenees, and planted its colours on their summit?—Who invaded la belle France, and triumphed over one of her most talented Marshalls, at Nivelle, at Orthes, and at Toulouse?—Who stood as a Rock of Adamant, in Humber's division in the hottest of the fight, and vanquished the "Bravest of the brave," at Waterloo?—Who bivouacked in Les Champs Elysees at Paris, with those gallant Soldiers who unfurled the Standard of Pultowa on the Banks of the Rhine?—THE BRAVE TWENTY THIRD!!

But where is the intrepid Lieut. Col. Ellis, who once commanded you on this very ground? Nor can I discover the brave Major O'Leary, and the Corps of Gallant Officers that were with you thirty years ago—they fell on the Battle Field, and now repose in the shade of their laurels. And let me not forget (for they were Acadia's sons,) the courageous Fawson of the 4th, who was slain in storming the breach at St. Sebastian—nor Pyke of the 7th, who fell sword in hand, amidst the Stormers of Badajoz! What a halo encircles the names of all those intrepid Soldiers!—peace to the Souls of the Heroes, their deeds were great in danger!

And is there then no survivor of that superb Regiment, which formed on the "Common" thirty years ago? Alas! it is but too true, that of One thousand Men who then composed the Royal Welsh Fusileers, a solitary Individual has not revisited these shores.

THE SEA.—The sea, even when calm and shining strikes me as too grand, too stern, too real, to be connected with anything that is pretty. We know almost as little of the depths of the ocean, as we do of the depths of eternity—of which it is a grand and awful emblem. It is singular, because the Jews could have only a limited acquaintance with it, that some of the spiritual expressions concerning the sea, have a truth, force and majesty alone worthy of the object. An expression in Jeremiah, is wonderfully precise;—"though the waves thereof *toss themselves*,"—thus describing that separate and individual motion of each billow, which they have from the greatest to the least. The continuous rolling is the result of all this individual tossing, and so independent are the movements, that one might fancy every particular wave to have a particular will. The heaving is of the mass beneath, and comes in voluminous rolls, as of hills in motion; on the surface of these are the waves, that far as the eye can reach, take a sharp, angular, spirit form, till the whole resembles an array of spear-heads in motion.

The phrase used in the prophet Jonah, "The sea wrought and was very tempestuous," may seem naked to those not on the element; but to any in the condition of Jonah's shipmates, there will be a power surpassing hyperbole, in the graphic simplicity of the expression, "the sea wrought. In the forty-sixth, or as it is often called, in Luther's Psalm, there is a beautiful touch concerning the ocean, which never struck me when on land.—After declaring that "We will not be moved, though the waters roar and be troubled, though the mountains be carried into the midst of the sea; though the mountains shake with the swelling thereof; and though the earth be removed,"—the writer suddenly takes comfort from a thought couched in the form of a simile, which has a beautiful connection with the preceding description—"There is a river, the streams whereof shall make glad the city of our God." He must have been tossed, stunned, wearied, if not endangered on the deep, before he could have imagined this exquisite transition, to the peace, the refreshing, and stability, of an inland river, "wherein shall go no galley with oars, neither shall gallant ships pass thereby."—Miss Jewsbury.

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one shillings per annum.