

THE Newfoundlander

No. 618. THURSDAY, May 30, 1839. Sixpence.

Packet Boats TO PLY BETWEEN PORTUGAL COVE AND CARBONEAR.

THE Subscriber begs to inform his Friends and the Public, that having now completed the new Packet

NATIVE LASS,

in a style hitherto unknown in this Country—being fitted up with comfortable Cabin, Sleeping Berths, &c.—he has commenced plying between Portugal Cove and Carbonear.—The *NORA CREINA* will also continue to ply as heretofore, and he will thereby be enabled to arrange so that one of the above Packets will leave Carbonear and Portugal Cove every morning while the navigation remains open.—The *NATIVE LASS* is built in a superior manner, copper-fastened and coppered, sails remarkably fast, and is decidedly superior to any Craft of her description.—The *NORA CREINA* is sufficiently known to render it unnecessary that any exposition as to her qualities should be gone into.

FARES:

Cabin Passengers..... 7s. 6d.
Seerage Ditto..... 5s. 0d.
Letters (single)..... 0s. 6d.
 (double)..... 1s. 0d.

And Parcels in proportion to their size and weight.

The Subscriber will be responsible for any parcel, &c., that may be given in charge to him.

JAMES DOYLE.

Carbonear, September 25, 1838.

ON SALE.

BY Wm. E. TAYLOR, 16 Ancient Oil Paintings,

principally adapted for places of devotion.

By the Subscriber,

Deliverable at his Farm, on the Torbay road,
30 TONS PRIME UPLAND

HAY,

PATRICK GLEESON.

April 4.

COALS! COALS!!

At 8s. per Hhd.

CARTED TO THE HOUSE OF THE
PURCHASER!

THE REMAINING STOCK OF

Newcastle and Sydney Coals,

BELONGING TO THE

Estate of **ROBERT BRINE & Co.**

Is Selling off on the above Terms by

R. PROWSE,

J. M. BRINE,

Agents.

April 4.

BY JOHN CUSACK,

900 BAGS BREAD, 2d and 3d quality

200 Firkins BUTTER

140 Barrels Superfine FLOUR

50 Do. OATMEAL

55 Chests Congo and Green TFAS

100 HAMS

A few Tierces Archangel BEEF

April 11.

On Sale,

Just Received

And for SALE by

EWEN STABB, 200 Boxes, 200 Half ditto Soap.

Ex DASH, from Liverpool.

May 9.

M. STEWART & Co.

HAVE RECEIVED.

Per FOX From LONDON,

AND OFFER FOR SALE,

Mould Candles

Soap, souchong, Congo, and bohea Teas

White Lead in Kegs, 56 and 28 lbs. each

Black and Green paint

Linseed Oil in Jars, 4 Gallons each

May 9.

Job. Brothers & Co.

HAVE JUST RECEIVED

Per Dash and Bonanza from Liverpool, and George
Robinson, from London,

A part of their Spring Supply of

BRITISH MANUFACTURED GOODS

WHICH ARE NOW OFFN AND READY FOR
SALE AT VERY LOW PRICES.

N. B.—An extensive and fashionable assortment of
Ladies' and Gentlemen's BOOTS and SHOES,
as usual. May 2—6w

SAMUEL CODNER

HAS JUST RECEIVED,

And offers for Sale,

36 CASKS (M. Cock's) ALE, in Hhds, &
Half-hhds.

80 Boxes SOAP,

30 Boxes Dipped CANDLES (8's and 10's)

20 Cwt. BAR LEAD

WHITE LEAD in 28 and 56lb Kegs

Lead Colour and Black PAINTS

ALSO ON HAND,

A new Lumber Boat,

May 2.

HUNTERS & Co.

Hamburgh and American Pork

Butter, Flour, Bread

Oatmeal, Peas, Barley

American and Hamburgh Beef

Paints of all kinds

Paint Oil, Olive Oil

6 M. Deck Plank

6 M. Hardwood do.

40 M. best Shingles

Spars from 9 to 16 inches

20 M. Scotch and Hamburgh Bricks

100 Barrels No. 1 Herring;

With their usual SUPPLY of
Manufactured GOODS,

(OF THE NEWEST FASHIONS)

From London, Manchester, and Glasgow, now
ready for inspection.

May 9.

THE MINISTRY—THE IRISH POLICY.

In spite of all Sir Robert Peel's admonitions against the danger of a collision between the two Houses of Parliament, and regardless of his oft-repeated declaration that he did not intend his amendment to Lord John Russell's motion as a censure on the Government, the collision has come, the House of Commons having decided, by 318 to 296, that—"It is expedient to persevere in those principles which have guided the Executive Government of Ireland of late years, and which have tended to the effectual administration of the Law and the general improvement of that part of the United Kingdom." The Lords, condemning and censuring these principles, and, of course, condemning and censuring those who had acted on them, had, on the 21st March, upon the motion and under the guidance, of the Earl of Roden, Grand Master of the Orangemen of Ireland, and Lieutenant to the Duke of Cumberland, come to a decision which was virtually to take the Government of Ireland out of the hands of the Executive and place it in a Committee of their Lordships' choosing.—Here, then, are the adverse decisions of the two Houses of Parliament, and whatever Sir Robert Peel may say to the contrary, or whatever may be the consequences, these constitute the collision, and the collision exists.

The House of Commons divided at four o'clock on Saturday morning, upon Sir Robert Peel's verbiage amendment, which was in length equal to a moderately sized pamphlet. We published it when the right hon. Baronet gave his notice and had it entered on the Journals, where it is now, a record of his prolixity and defeat. The announcement of the majority of Twenty-Two was received in the House with loud cheering, as it has been doubtless with great satisfaction throughout the Country. To Ireland the question was one of War or peace—Life or Death. We were threatened once more with the greatest calamity which could befall us, and it is only by reflecting on the peril we have escaped that a just notion can be formed of the universal satisfaction which prevails.

We give ample reports of the debates on the nights of Wednesday and Thursday; but we could not with any chance of doing it any thing like justice, give the debate on Friday in our present number. We must therefore postpone it till our next, supplying for the present a satisfactory summary.

The debate was opened on Thursday by Mr. Barron of Waterford, who entered into a great many details to show the improved condition of Ireland—Some statements which he made in reference to the conduct of the Marquis of Waterford to his Tenantry, produced a scene, of which the particulars will be found in the Report. But the remarkable speeches in this night's debate were Mr. Grote's, Mr. Gibson's, and Mr. Pigott's. The former declared his intention of voting for Ministers while he dissented from their general Policy. He would vote for a resolution in approbation of Lord Normanby's government in Ireland, believing sincerely that it deserved to be supported, and had worked beneficially for the Irish people and Nation. As a leading member of the Radical party, Mr. Grote's declaration in favour of the Irish policy was of considerable importance; at the same time Ministers should recollect they have not the support of that growing influential section, in consequence of their alleged "finality" doctrines; at all events of their apparent disinclination to carry out the Reform Bill.—Mr. Gibson's speech produced rather a sensation. This gentleman represents Ipswich, and was accounted a staunch Conservative; but he gave great offence to his party, by declaring that he could not vote against Ministers on this occasion, and by certain avowals which he made—that in his opinion religious opinions should not be made a qualification or a disqualification for office. To Mr. Pigott's speech is accorded the great praise of being at the same time very eloquent and statistical, though it may be the opinion of some persons that he wasted his time and powers in combatting assertions and statements of Mr. Emerson Tennent, which were unworthy of notice. "Mr. Pigott's speech alone," says the *Morning Chronicle*, "affords a powerful argument in favour of the conciliatory policy adopted towards Ireland. Protestant ascendancy and national degradation were synony-

mous. But emancipation has opened a career, not to the talent of a faction merely, but to that of a whole nation. Already the fruits are seen in the distinguished speakers who do so much honor to Ireland.

Mr. Recorder Shaw followed Mr. Pigott, to contradict him as to some of the statements he had made concerning the returns of Inspectors of Prisons, and to tell some stories of the circumstances under which Lord Normanby had exercised the prerogative of mercy at the dication of a Priest. Being obliged, in order to save his salary, to leave London immediately after his speech, that he may be in his Sessions Court in Dublin on Saturday, he did not hear the exposure which was made of him on the following night by Lord Morpeth, in a speech which we commend to the attention of the reader as possessing everything to recommend it—and worthy, as has been well said, of his manly character—his moral boldness—his political sagacity—his position in the Irish government, and in the estimation of the Irish people. In all these respects this admirable address will be appreciated, while it has the additional merit of revealing the character of one of the most persevering and artful of the calumniators of Ireland in a still stronger light than it stood before. If no other advantage were derived from these four nights' debates than the complete exposure which has been made of the habitual and systematic defamers of the country, we should not account it a small one; nor is its importance diminished even though we have the greater triumph to celebrate an almost national victory. Sir James Graham closed this night's debate with an address "rather ponderous from its pleasantries;" but further comment upon which we will not make, that duty of criticism having been undertaken by Mr. Sheil on Friday night, and discharged in a manner upon which our readers will have an opportunity of exercising their own judgments when we lay the speech of the Hon. and Learned Gentleman before them—a speech of unsurpassed and unsurpassing brilliancy, and which is represented to us to have drawn down more plaudits than any in the recollection of the oldest parliamentary men. Friday night's debate was opened by Mr. T. Duncombe, who stated his reasons for the amendment of which he had given notice, and by which he sought to pledge the government to measures of general reform. He doubted the necessity of Lord John's resolution, and considered it to have wasted a great deal of time; but he should support it as against the amendment of Sir Robert Peel, which paid a compliment to the house of Lords, in his opinion wholly undeserved. He objected to the finality doctrine, and was anxious to obtain something for the people beyond what ministers showed a disposition to give them.

Sir Charles Style followed and supported Mr. Duncombe, and was succeeded by Sir George Sinclair, who, the *Courier* tells us, "must have reminded some of his auditors of evenings gone by, when a Learned Knight, who had the advantage of Sir George in consistency, but scarcely, we are now disposed to think, in vivacity or humour, rambling on from topic to topic, from sally to sally, with an exquisite disregard of argument, and a desperate determination to be agreeable which could not fail to charm, and which were rewarded by incessant shouts of laughter from antagonists, as well as friends, Sir George's speech was quite a hit—me of those hits that hurt nobody, not even the speaker."

Mr. Ingham, Member for South Shields, spoke next, and created more dismay than even did Mr. Gibson on Wednesday, as, though always a Tory, he proposed to support—(Mr. Gibson only said he would not vote against)—the resolution. Mr. Hobbhouse (brother to Sir John) followed, and to him succeeded Mr. Leader, who explained at some length his reasons for supporting the main resolution, lest it may be supposed he gave his support to the Government generally. Serjeant Jackson next took Mr. Ingham to task for deserting his colours, but, as we are informed, produced no effect, and (we quote from the *Courier* of Saturday) was the more unfortunate, as his attempt was followed by that which afforded a most remarkable contrast, the vigorous, versatile, and brilliant address of Mr. Sheil. The Hon. and Learned Member was in his best mood, and has rarely been so effective. Gravely censured for preparing his speeches, he made some of the hap-

plete hits upon matters arising at the moment, and spoke throughout with a perfectly unconstrained and masterly flow of light wit and earnest argument. It is impossible not to admire the quickness and dexterity of the following most effective allusion to the question of "precedent" in respect to the proceeding of Lord John—

"The Right Hon. Baronet has said that there is no precedent for such a proceeding as this since the year 1703, and he then read a passage from Burnet, which I admit was most effective [hear, from Lord Stanley.] The Noble Lord says "hear." I will give him a passage which I consider very effective indeed. Does the noble lord who cries "hear" forget the transaction in which he himself was a party in the year 1838? [Cheers.] The Rt. Hon. Member for Pembroke looks at the Noble Lord. [Laughter.] With the 'pleasures of memory' I must supply them—[Cheers and laughter.] with the 'pleasures of hope' the Right Hon. Member for Tanworth, who is now seated between, must furnish them. Cheers and laughter.] The Noble Lord, the Member for Stroud, merely glanced at a precedent—whether it was from a feeling of forbearance towards his very Noble and inveterate Friend on his side, I know not. [Great laughter.] But, touching precedent, it is simply this: On the 3rd June, 1838, the Duke of Wellington, who now considers the assault made on Lord Normanby as a mere RECONNOISSANCE, made a motion in the other House of Parliament for an address praying the Crown to maintain a neutrality with Portugal. That was regarded as a reflection on the foreign policy of the then Premier; and on the 7th of June, 1833—three days afterwards—a motion was made in this house upon the express ground that a counteracting and countervailing proceeding on the part of the House of Commons was indispensable declaring the confidence of the house in her Majesty's Government. Not a general confidence (hear hear); but confidence upon that specific branch of policy to which the motion in the House of Lords applied. (Great cheering.)"

In this strain he proceeded, taunting Lord Stanley and Sir James Graham with his assent to a Collision—with being, as they previously had, been favourable to the principle of "swamping" the House of Lords. "The member for Pembroke talked of a compact alliance. There is indeed an alliance—but not a very compact one—between the champions of Old Salem and the garri-son of Gatton; and those who ought to be called for the future the swamper of the House of Lords. (Cheers and laughter.)"

Lord Stanley, exasperated at all this, was naturally reluctant to rise in reply, as Mr. O'Connell would be in his rear. But after a vain attempt on the part of Mr. Colquhoun to relieve him from his perplexity, the Noble Lord was compelled to abandon his ambitious hope of bringing down two such birds as the Members for Dublin and Tipperary with one stone. His speech was of necessity a clever one, but by no means adequate to the exigencies of the occasion, and assuredly not commensurate with his reputation as an orator.—It was weak and wayward splenetic in feeling, narrow in scope and sentiment, confused in details and wholly wanting in consistency and comprehensiveness of view. It was the convulsive effort of a man to save himself and keep a steadiness of footing, when the ground had been cut from under him.

Mr. O'Connell spoke at great length and at a very late hour. Few men, under such circumstances, could have accomplished his task with such vigour and vivacity, or have commanded, to an equal extent, the attention and sympathies of his audience. He was followed by Lord J. Russell, who, after a few pointed observations, resigned the important question to the ordeal of a division; a division which the Reformers have a right to a triumph.—*Cork Standard Reporter.*

The Newfoundland.

St. JOHN'S (Thursday) May 30, 1839.

HOUSE OF ASSEMBLY, WEDNESDAY, MAY 29.

The House met this day, pursuant to adjournment.

Mr. KENT moved the reading of His Excellency's Message in reference to the appointment of Clerk of the House.

The Message was then read as follows:—
H. PRESCOTT.

The Governor having been informed by Mr. Hoyle, lately appointed under the Great Seal Acting Clerk of the House of Assembly during the absence of Mr. Archibald, that the House has refused to receive him in that capacity—and Mr. Hoyle having also forwarded a letter addressed to him by the Speaker to that effect and enclosing two Resolutions of the House confirmatory thereof.

The Governor is under the necessity of acquainting the House of Assembly that should these Resolutions be persisted in, he will be obliged to adjourn the General Assembly until the decision of her Majesty's Government in the matter can be known.

The Governor has further to state, that until the determination of the House upon this Message shall be made known to him, the presentation of the Address in answer to his opening Speech must be suspended.

Government House, 23d May, 1839

Mr. KENT in moving that the House do accept of the Acting Clerk appointed by his Excellency, said he deemed it the duty of the House to accommodate its views to the wishes of the Parent Government. No matter in theory how far the powers of the Assembly may be admitted, much must depend on the views of the mother country as regards the actions and proceedings of the Assembly. Unpractised politicians, he said, might impute motives of fear, and attribute their acquiescence in this case to pusillanimity on the part of the Assembly—but he cared little for such opinions and would advocate the adoption of a prudent course. Look (said Mr. K.) to the mode of warfare now pursued by the enemies of Representative Government;—they would, to suit their own views, endeavour to urge the Assembly to acts of imprudence in order to bear out and to warrant the calumnies propagated by them at the other side of the water, but he placed much dependence on the prudence of the Members of the Assembly to shew the injustice of the imputations which had been heaped upon them. He was sorry he had not from the first maintained the right of appointment by the House in all its fulness and integrity, or adopt in the most unqualified terms the generous offer of the mother country. The House would then be in a better position than that in which it now stood; for having proceeded so far, and asserted the right of the House to appoint an acting Clerk—and having made the appointment—the abandonment of this right wears the appearance of a procedure influenced more by fear than love; still he would advocate a measure of prudence that would go to rebut the calumnies cast upon them, and to shew that they were, not incapable of managing the affairs of the Representative Assembly. When we differ with the Home Government (said Mr. K.) let it be on a matter of principle—on a subject vitally affecting the Constitution of the Country. He thought it highly desirable at all times that an Assembly should stand well with the Government;—more good would result to the Country from moderate reforms having the concurrence of the Executive, than extreme reforms would be capable of affording if they wanted that sanction. He would deprecate any collision at all times; but at the present moment, surrounded as they were by difficulties, and when questions were to be brought forward which were fairly calculated to engender a collision with the Government, he was even more than ever desirous to avoid a rupture on this subject.

Mr. BROWN said he was absent when the subject was before under consideration. He was always desirous to see the right of appointment exercised by the House, and had been the first to bring forward the question in the first Session of the Legislature; still he was of opinion that the House having consented to meet the desire of the Crown regarding the principle, it was unwise to differ on so unimportant a point as the appointment of the Acting Clerk. The question of appointment had been ordered by the Home Government to be adjusted by the practice of the majority of the Colonies, but the result of the inquiry regarding the practice still left the matter in doubt. He would willingly submit to a dissolution of the House rather than relinquish this principle; but the majority being disposed to accede he would not press any opposition.—Mr. BROWN testified to the great satisfaction with which the duties had been performed by Mr. Archibald and Mr. Rendell, to show that no objection to those gentlemen influenced the House in the course it had deemed it proper to adopt, and concluded by seconding Mr. Kent's motion.

Mr. MOORE expressed surprise at the speeches of the gentlemen who had spoken,—he did not see that any principle had been relinquished; on the contrary, the principle contended for by the House had been granted to them. At the same time he thought there might have been a saving of much time and trouble if the Assistant Clerk had been appointed by them to act in the absence of the Clerk—but under all the circumstances he would be happy to support the motion of Mr. Kent.

Mr. WINNER thought the question, at issue involved a principle which had never been exercised at home or in any of the colonies—it was the principle of appointment and control. Mr. Archibald was absent on leave—had Mr. Archibald obtained leave from the House? If this were not necessary then the House has no control over its Clerk,—if his Excellency gave Mr. A. leave to go to England, the control of the House has been superseded. Has his Excellency a right that was never exercised by the House of Commons or by any assembly? He did not wish to stop the wheels of Government, and would rather be the complainant than the aggressor, before her Majesty and Council. For the sake of the country, whose interests would be prejudiced by any interruption of the business at the present moment, he would support the motion.

Mr. NUGENT could not agree in the views of hon. members, nor could he regard this question as unimportant; still he was pleased that so much unanimity seemed likely to prevail, and from that he drew the only gratification the matter was capable of affording. The House had cause to feel much annoyance at the difficulties thrown in their way at every step, and to have experienced that too at the hands of those from whom support might confidently have been expected. The House could now only look to itself for support—still it was matter of congratulation that a prospect of better days was discoverable, and that in future their labours would not be surrounded by all those embarrassing circumstances with which they had hitherto been obliged to contend.

He trusted that the light of reason would come to the aid of their opponents and shew them the folly of their proceedings; he trusted, also, that Members would learn to be temperate, and to preserve their character for prudence amid the many favors which had been bestowed upon them. The constitution of the country, he said, was safe from the machinations of the public enemy, if care be exercised by the House;—they would do well to guard against any act that might jeopardize the interests of the country, but on this he had no misgivings. In the parliamentary reports (said Mr. N.) we can discover in perspective that her Majesty's Privy Council will not entertain the attempt which has been made to destroy the privileges of the Assembly. Every day outrages are committed upon the House; and it becomes therefore more indispensable that the power should be preserved to enable the House to punish parties in aggression.

The right of appointment of officers of this House has been under discussion between her Majesty's Government and this House; but this question was originally started by the first Assembly. We find that her Majesty will concede the right to the House—but we find that her Majesty has been deceived by false advisers on this subject—it has been made to appear that the question was not raised by the first Assembly, but they had quietly acquiesced in the nomination of the officers by the Crown; but the Journals of the Assembly go to disprove such representations—for, the first act of the first House was to raise a question on the subject. Her Majesty had therefore been wilfully deceived in the statements which had been made. The discussion to which the Home Government had arrived embodied the right of the House to make all future appointments—and the House had freely and cheerfully agreed to adopt that decision; but there arose an occasion of making an appointment under her Majesty's instructions in consequence of the absence of the Gentleman appointed by the Crown. He (Mr. N.) deemed it a matter of much importance as the functions were precisely the same as those which the Clerk had to discharge—all the records were in the hands of one or the other—there was therefore no difference except in point of duration of office. He said the House could not confide, (and he said it with all respect for the gentleman appointed,) in any other than an officer appointed by themselves; and he reiterated his opinion of the equal importance attaching to the transitory as to the permanent appointment.

Here, then, (said Mr. N.) is the situation in which we are placed—the principle contended for is, by whom is this appointment to be made; her Majesty says, that the House shall have all future appointments; but the moment we proceed to act upon this right his Excellency informs us that he cannot permit the appointment of acting Clerk by the House. We have seen the determination of his Excellency, and this will best answer those who say the question is not of importance. His Excellency is willing to embarrass the Government of the country, to suspend public improvements, and to shut out the control of the legislature from the public purse—can that be unimportant to which all these considerations would be made subservient? There are those abroad who would be glad that the House should run into excesses, and lend its aid to the public enemy, and embarrass the affairs of the country; he believed that to their political opponents no course would be more annoying than that whose adoption had been proposed; but under the circumstances, and with a view to avoid the evil which would result from a contrary procedure, he would agree to the motion, and at the same time he would urge the House to seek protection from her Majesty, from whom alone it would be obtained. He then proposed the substitution of the following resolution, which was agreed to by the House:—

Resolved—That having taken into the deepest consideration the message of his Excellency on the subject of the appointment of the acting Clerk of the House of Assembly, we are of opinion that, though her most gracious Majesty has been graciously pleased to accede to the Assembly the right of nominating to "future appointments," it would be expedient for the promotion of the public service to accede to the demand of his Excellency the Governor by admitting the acting Clerk appointed by his Excellency until her Majesty's pleasure be known.

Mr. NUGENT then gave notice that on to-morrow he would move an address to her Majesty on the subject of the appointment of the acting Clerk, in the absence of Mr. Archibald, and also on the subject of the conduct of the latter officer.

Mr. Hoyle was then ordered to attend in his place.

On motion of Mr. Kent, it was resolved,—That James Power, Esq., member for Conception Bay, having vacated his seat by accepting an office of emolument under the Crown, the Speaker do notify the same to him.

Whereupon Mr. Power was ordered by the Speaker to withdraw.

Copy of a Despatch from Lord Glenelg to His Excellency the Governor:—

Downing-street,
10th January, 1839.

Sir,

I have the honour to acknowledge the receipt of your Despatch of the 30th October last No. 60, enclosing an extract of a message sent by you to the House of Assembly of Newfoundland, in consequence of your understanding that no provision would be made in the Supply Bill, for Messrs. Archibald and Rendell, the Clerk and Serjeant-at-arms of the house appointed by the Crown, and reporting, that you had received from

all the North American Colonies, except Upper Canada, replies to the enquiry which you were directed to make, respecting the usage in those Colonies in regard to the appointment of the Officers of the several Houses of Assembly.

From those replies it appears that in two of those Colonies the nomination of the Officers of the Assembly has been vested by usage in the Crown, but in the other two it has been exercised by the Assembly. In Upper Canada, however, it is understood that the practice is in favour of the right of the Crown. Under these circumstances you request instructions for your guidance on this subject before the commencement of the next session of the Colonial Legislature.

It appears to me that although in the majority of the other North American Provinces the right of appointment is exercised by the Crown, the existence of the contrary practice in two of the Provinces to which reference has been made renders the question important in point of principle. In so far therefore as it relates to future appointments, Her Majesty has no difficulty in acceding to the wishes of the Assembly.—But as to the actual holders of those Offices, her Majesty cannot think it right that they should be disturbed. They were lawfully appointed by her Royal Predecessor in the exercise of a Prerogative not only unquestioned at the time, but acquiesced in by the House of Assembly, and clearly neither illegal nor unconstitutional. Their fitness for the discharge of them are not only unimpeached, but distinctly admitted by the Assembly.

Under these circumstances, her Majesty feels herself bound by considerations of justice to retain the present possessors of those Offices in their situations, but with this reserve you will inform the House of Assembly of her Majesty's acquiescence in their desires,

I have, &c.
Signed, GLENELG.

On Monday last, in conformity with an announcement made by the Right Rev. Dr. Fleming on the previous day, the greater number of the Catholic population of this place assembled on the ground chosen for the site of the contemplated Cathedral, for the purpose of preparing the excavations required for the foundation of the building. Men, women and children, several thousands in number, were present, and an incredible amount of labour was performed under the direction of the Architect, who has recently arrived. The day was beautifully fair, and the scene, when associated with the high purpose for which the multitude were assembled, must have called up the better feelings of every man who was present on the interesting occasion. We understand that it is Dr. Fleming's intention to lay the first stone on the 24th June.

Arrivals—In the Nelson Packet, from Poole, (omitted last week), Mr. Charles Bennett.—In the Amity, from Hambro', Mr. M. Stewart.

Departures—In the Waterlily for London, Mr. Francis.—In the Dash, for Liverpool, Mr. Wm. Gaden.—In the Hope, for Halifax, Mr. Thomas Morry.

Died, on Thursday morning last, after an illness of about 6 weeks, Mary, wife of Mr. Richard Perchard, sen., aged 70 years—a native of Dartmouth, England, and about 50 years a resident of this country.

To the practice of disinterested acts of kindness and humanity, the better part of her time was devoted during life, and she died respected by the community, and not without awakening the regrets of the many who have been the subjects of her benevolence.

SALES BY AUCTION.

THIS DAY

(Thursday) At 11 o'Clock,

ON THE WHARF OF

Job, Brothers & Co.

- 40 BARRELS Superfine States Flour
- 6 Hds. Porto Rico Sugar
- 80 Boxes Liverpool Soap
- 4 Quarter Casks Red Wine
- 20 Barrels American Tar
- 50 Boxes Window Glass
- 10 Packages Tumblers and Wines.

R. LANGLEY,

Auctioneer.

May 30.

THIS DAY,

At 11 o'Clock,

ON THE WHARF OF

J. M. RENDELL & Co.

- 1 Hhd. Geneva, 6 Cases Cheese
- 10 Bags Rice, 20 Bags Barley
- 50 Firkins Prime Butter
- 20 Kegs Blue
- 5 Cwt. London Loaf Sugar
- 8 Bales Shoulder Leather
- 4 Wheelbarrows 5 M. Hamburgh Bricks,
- AND
- 60 Qr.-Chests Superior E. J. C. Congo Tea
- 20 Do. do/Bohea Tea. Just received per CITY OF EXETER from London,

May 30.

TO BE LET

And immediate possession given.

THAT Eighly situated House in Water-street, lately in the occupancy of Mr. MAURICE CUMMINS.—For particulars apply to
May 30. PATRICK MORRIS

SALES BY AUCTION.

THIS DAY,

At 11 o'Clock,

By **JAMES CLIFT,**
Sundry Articles remaining of the Archdeacon's Property—Viz:

HAT Pins, Thumb Latches, Bell Cranks
Curtain Bands, Mattresses and Pillows
Patent Lamps, &c. &c.

ALSO,

1 Set Mahogany Dining Tables
12 Mahogany Chairs, 2 Handsome Sofas
1 Easy Chair, 1 Celerette
1 Cheval Dressing Glass, 1 Canterbury
1 Pair Handsome Argand Lamps
1 Embroidery Frame
1 Handsome Tea Caddie, and 1 Copper Biggin
1 Handsome Tea Set, Fenders and Fire Irons
3 Fishing Rods and Gear, 1 Saddle and Bridle
7 Silver Watches, 1 Chest Cabinet Maker's Tools,

AND,

20 Boxes Raisins, 5 Casks do.
5 Ditto Currants, 10 Boxes Figs
12 Hhds. Porter
5 Hhds. White Wine, A few Dozen Port do.
5 Kegs Snuff, 5 Jars, do...
6 Casks Red and Yellow Ochre (without reserve)
2 Arms of Codscine
1 New Pleasure Boat,
And at 12 o'Clock,
1 Useful HORSE.

May 30.

(TO CLOSE SALES.)

WILL BE SOLD

BY AUCTION

THIS DAY,

(Thursday), At 12 o'Clock,

ON THE WHARF OF

T. Hogan,

200 BAGS Bread

100 Barrels Superfine Flour
100 Ditto Fine do.
120 Boxes Raisins
50 Drums Figs
3 Boxes Shelled Almonds
80 Prime Westphalia Hams
3 Hhds. Jamaica Rum
30 Half Quarter Chests Congou Tea.

Note.—The Flour and Bread being from the Bond Stores, may be exported to the other Colonies free of Foreign Duty.
May 30

In the Commercial Room,
THIS DAY,

At 12 o'clock,

50 Qr.-Chests Souchong
25 Do. Bohea

TEA.

R. PROWSE,
Auctioneer.

May 30.

In the Commercial Room,
THIS DAY,

At One o'Clock,

15 Qr.-Chests Bohea Tea
6 Ditto ditto Congo ditto
3 Ditto ditto Twankey ditto
2 Ditto Hyson ditto
200 Pair Men's Boots.

May 30.

TO BE SOLD BY PUBLIC AUCTION,

On the 2d day of June next,

Unless previously disposed of by private contract.

A House and 15 acres of Land,

About a mile and a half from the town,

And immediately North of the Gate leading to

Mr. EMERSON'S Cottage,

(Virginia Water)

The property is Fee-Simple, and well worth the attention of speculators. Apply to

WILLIAM ROBINSON,

on the premises

May 23.

TO BE LET,

For such a Term of Years as may be agreed on

from the first day of December next—

ALL those ELIGIBLE PREMISES now in the occupation of MESSRS. CODNER & JENNINGS; consisting of DWELLING-HOUSE, STORES, WHARFS, &c. &c.

For particulars application may be made to Mr. Wm. RICHARDS, jun., at St. John's, or in England to Mr. S. W. PRIDEAUX, Solicitor, Dartmouth.
May 22.

ON BUILDING LEASES,

ALL that Piece or Parcel of GROUND belonging to the late JOHN THOMSON Esq., extending from the Premises of Mr. JAMES MURRAY, Baker, to Apple Tree Well.—For particulars apply to

JAMES TUBRID,

April 18

Cooper

For Cork and Waterford.



THE NEW BRIG
TRUSTY,

JAMES S. MORRIS, Commander.

Will Sail about 10th June.

For Freight or Passage apply to the Master on Board, or to
May 30. JOHN CUSACK.

For Freight or Charter.

To London, Liverpool or Clyde,



The fine Brig
SAMUEL FREEMAN
will carry about 100 tons Oil.

On Sale on moderate terms ex above Vessel—

130 Tons Salt.

May 23.—3w. WARREN & WHEATLEY.

THE FINE NEW BRIGANTINE

Mary Jane,

Burthen 120 Tons—FRANCIS TAYLOR, Master;

ALSO,



THE BRIG
Lady of the Lake,

Burthen 130 Tons,

WILLIAM TAYLOR, Master,

AND FOR SALE,

THE GOOD SCHOONER



Sarah Isabella

Burthen 60 Tons,

Well found in sails and Rigging, and would make a most desirable Coaster.—Apply to

HUNTERS & CO.

May 16.

NOTICES.

Unclaimed Goods

Ex Hazard, from Dartmouth.

2 Bales No. 1. @ 2. FISHING GEAR, marked

"M. & W. P."

1 Bale FISHING GEAR marked "R. B. & Co."

Apply to

CODNER & JENNINGS.

May 30.

TENDERS will be received by the Subscriber until TUESDAY the 4th of June, at noon.

For making that part of the Petty Harbour Road situate between John Aylwards Eastern fence and Mrs. Foley's Western Fence.

For making and repairing that part of the Petty Harbour Road situate between the part already made by Mr. Fadhavan and the Catholic Burial Ground.

For making that part of the Bay of Bulls Road situate between the Petty Harbour Road and "Sweeney's Marsh."

For making a Road from the White Hills to meet the Outer Cove Road.

For repairing part of the Road from Fresh Water new Bridge to Wigmore's Gully.

For Making part of the Logy-Bay road.

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

JAMES DOUGLAS,

Chairman of the Board of Road Commissioners.

May 16.

TENDERS will be received by the Subscriber until MONDAY the 17th of June, at Noon.

For the building of a School House at Musquito.

For the building of a School House at Bay Roberts.

For the building of a School House at Brigus.

For the building of a School House at Harbor Main.

For the building of a School House at Holyrood.

For the building of a School House at Middle Bight.

For the building of a School House at Tantamarrant.

For the building of a School House at Western Bay.

For the building of a School House at Job's Cove.

For the building of a School House at Lower Island Cove.

Plans and Specifications may be seen at the Office of

PETER BROWN,

Chairman of the Board of Education, Conception Bay.

May 16.

Harbor Grace, 22d May.

R. N. GOFF

OFFERS FOR SALE.

At the Premises late in the occupancy of Mr. G. C. GADEN, and adjoining those of Messrs. BAINE, JOHNSTON & Co.

150 BAGS Superfine BREAD

120 Packages Hyson, Twankey, Souchong, Congo, and Bohea TEAS—80, 60, and 40lbs. each

20 Qr.-casks very superior Wine

4 Hogsheads ditto Cognac Brandy

100 Boxes Soap

50 Boxes London and Liverpool Mould and Dipped Candles

Refined Sugar in Tierces, 5 cwt. each

Split Peas in Barrels and Half-bl.

Coffee and Pepper

Gunpowder and Shot

20 Boxes Tobacco Pipes (4 gross each)

A LARGE ASSORTMENT OF BRIDPORT AND SCOTCH

No. and Flat CANVASS,

LINES, TWINES, HOOKS, &c.

And a large and well-selected assortment of

Manufactured Goods;

AMONGST WHICH ARE

150 Ladies' Light and Dark DRESSES

SHAWLS of the newest, and most fashionable patterns;

ALSO,

Per JOHNS, from HAMBURGH,

100 Bags fine and common Bread

30 Barrels Oatmeal

25 Ditto Superfine Flour

20 Half-barrels prime Mess Pork

10 Barrels ditto ditto Beef

15 Firkins Butter

15 Barrels Round Pops.

The whole of which will be sold off at a very low rate for Cash, or on a Credit to approved purchasers.

May 30.

The Subscriber

HAS JUST RECEIVED

Per TRUSTY from Liverpool, and offers for Sale on the most reasonable Terms—

5 Hogsheads Pale Skiedam Geneva

14 Hampers very prime Champagne

15 Cases prime old Port and Sherry Wines,

AND OF FORMER IMPORTATIONS, Viz:

Cognac Brandy & Hollands Geneva in Hhds.

French and Guernsey Port in Pipes and Hhds.

Marsella in Hhds and Qr.-Casks

Sherry in Pipes and Qr.-Casks

Tenerife in Hhds and Qr.-Casks

Benecharlo and Catalonia in Pipes

Westphalia Hams of prime quality.

N. B.—Any of the above Articles will be disposed of in quantities not less than one gallon or six bottles, to accommodate purchasers.

JOHN HOWLEY.

May 30.

LATELY IMPORTED,

AND FOR SALE:

BY

Codner & Jennings,

SUPERIOR Old Port Wine in Pipes, Hogs-

heads and other Packages

Sherry Wine in Qr.-Casks

Porter and Ale in Tierces and Hogsheads

Cordage of all sizes

Canvas

Seines, Nets

Lines and Twines

Mould and Dip'd Candles

Soap

Pitch, Tar, Lime

Leatherwares

And other Articles.

May 30.

M. STEWART & Co.

ARE NOW LANDING

Ex Brig "Amity," from Hamburg,

AND OFFER FOR SALE.

CHEAP FOR CASH OR OIL PAYMENT,

600 Bags 1st, 2d, and 3d quality Bread

300 Barrels Superfine Flour

103 Firkins Butter

30 Barrels Pork

4000 Bricks,

And of Recent Importations,

30 Chests Souchong and Bohea Teas

100 Boxes Mould and Dipped Candles

100 Boxes Soap

60 Kegs White Lead, 56 lbs. and 28 lbs. each

Linseed Oil, Boiled and Raw

60 Bags Nails and Spikes

Bar and Bolt Iron, assorted sizes

Canvass, Cordage and Oakum

50 Hhds. Halifax Porter

20 Half hlds. XX Ale

6 Hhds. Vinegar.

May 30.

BY
JOHN CUSACK,

200 Barrels Prime Mess Pork

Per THETIS from Hamburg

ALSO ON HAND,

200 Boxes Soap

50 Ditto Candles

10 Dozen English Kip

6 Ditto ditto Calfskins

5 Cwt. Ranges.

Fish taken in Payment

May 16.

ON SALE.

Kerr, Brebner & Co.

RESPECTFULLY intimate that they have just now received per Lady Turner, from Greenock,

A Splendid assortment of

SILKS, PRINTS, SHAWLS,
MOSLIN DE LAIN, CLOTHS,
BONNETS, FANCY RIBBONS, &c. &c.

The stock being peculiarly new and fashionable, they have every confidence in soliciting an early inspection.

May 23.

BY PRIVATE CONTRACT.



Schr. Billow,

94 Tons;



Schr. Dove,

70 Tons;

With all MATERIALS, as just returned from the Sealing Voyage.—Apply to

BAINE, JOHNSTON & Co.

May 23.

REMOVAL.

Richard O'Dwyer & Co.

HAVE JUST OPENED

An Extensive and Fashionable Spring Supply of

MANUFACTURED GOODS,

WHICH ARE NOW READY FOR INSPECTION

AT THEIR NEW STONE BUILDINGS

Immediately East of their old Premises.

GREAT Reduction in Prices may be expected, the Goods being purchased on the most advantageous terms in the English Markets, and being carefully and personally inspected, their object being to make large Sales at a very small remunerating Profit—each article is marked at the lowest selling price and no abatement will be made on any articles.

A discount to wholesale purchasers.

THEY HAVE ALSO RECEIVED

A CONSIGNMENT OF THE BEST

London Hats,

Which will be sold at first cost and charges,

And of former Importations,

Which will be sold very low,

Refined Sugar in Tierces

Starch, Soap, Candles

Bohea, Congo, Souchong, Green, and Hyson Teas

Assorted Crates of Earthenware

White, Black, and Green Paints

(FROM THE EXAMINER.)

THE FIRST DAY OF THE EBRINGTON ADMINISTRATION.

"Sequitur patrem—passibus æquis."

We have been at some pains to obtain the most accurate information as to the events that signalized Lord Ebrington's arrival in Dublin; and, having had the good fortune to secure the services of an old and experienced correspondent of the *Times*, we are enabled to lay the following particulars before our readers, with the most perfect confidence in their truth and accuracy:—

The new Viceroy, being a man of the nicest honour, proceeded to redeem his pledge to follow the track of his predecessor, before he so much as set his foot on the shamrock sod. The first act of his Government has fully answered our expectations. The steamer that conveyed him to the Irish shores had scarcely entered the harbour of Kingstown when he directed the felons and vagabonds confined in the hulk to be set at liberty! The measure, however, it must be acknowledged, was taken with full concurrence of the Irish Chancellor, who arrived by the same packet, and who broke upon the occasion one of his usual scurrile jests on the administration of justice, describing the ill-looking, dismayed prison ship as "the Recorder's yacht."

We need hardly add that the discharged cargo of malefactors cheered their deliverer vociferously and formed a prominent part of the *cortège* that conducted him to town. One miscreant, who had been sentenced to transportation for robbing a church, was particularly noticed by his Excellency, and has we understand, been promised one of the first good constabulary appointments vacant.

Immediately upon his Lordship's landing, he was waited upon by a deputation from the Grand Ribbon Lodge of Ireland, who assured him of their attachment and confidence and invested him with the green ribbon.

Still further to display the spirit of the new Administration, a route to the capital was industriously selected through a village called the *Rock*.—This served the purpose of a double compliment—the Papists viewing it as a mark of regard for the Church of Rome—the rebellious rabble hailing it as a tribute to the public worth of the gallant Captain of that name, whose memoirs, by Mr. Moore, are so justly celebrated.

Such a rabblement as composed what was called "the procession" has not been seen since the days of Cade. There was but one Duke in the *cortège*, and amongst the few rubbishy Peers whose coronets graced the pageant, one of the most remarkable was a nobleman of the appropriate name of *Lawless*.

On arriving at Ball's bridge (so named after the late Popish Attorney-General, the new judge of the Irish Common Pleas), addresses were presented by those respectable factions, the Billy Smiths and Welters. His Excellency declared his entire concurrence in the principles of both associations; and, turning to his law officers, directed a bill to be prepared to legalize combination-outrages and street-riots. Mr. Pigot, we understand, is charged with this amiable and interesting task.

"I pr'ythee, sweet wag, shall there be gallows standing in Ireland when thou art Lieutenant? And resolution, thus fobbed as it is, with the rusty curb of old father antic, the Law?"

It is but justice to Lord Ebrington to state, that in passing the several churches and other places of Protestant worship upon the line of march he took no pains to conceal the sentiments of bitter hostility which such spectacles excited in his noble breast. "War" with the Clergy was visible in every line of his resolute countenance. There was what the poet calls "the action of the tiger" in every muscle of his frame. He was observed to

"Stiffen his sinews, summon up his blood,
And lend his eye a terrible aspect,
Till it peered through the portage of his head
Like the brass cannon."

It is stated by the journals of his own party, that at a place called *Williamstown*, one of the wheels of the viceregal carriage actually took fire! We have no hesitation to attribute the occurrence to the furious heat of his Excellency's anti-Williamite, or anti-Protestant zeal. It is certain that the procession, on reaching town, would have avoided *Nassau street*, only that by so doing it must have omitted *Leinster street* as well, which might have been deemed a slight to the solitary Irish Duke who disgraced his order by joining it.

His Excellency was particularly struck by the appearance of the new Police, parties of whom were disposed at intervals through the city; and he was heard to express his marked disapproval of their efficiency and organization, which he justly and humanely observed must be both hurtful to the feelings of the old watch, and most discouraging to the ingenuity and enterprise of the rising generation of thieves and pick-pockets.

The proceedings in the presence-room were full of interest; the new Viceroy had hardly entered the Castle when he was surrounded with deputations from the Whitefeet of Tipperary and other counties. In reply to their addresses he took occasion to intimate his intention to set out with the least possible delay on a progress of general gaol-delivery through Ireland. He then proceeded to hold a chapter of the Grand Order of Riot and Hubbub; the collar and insignia of the order

were presented to his Excellency by Munster, King of Pikes, who attended for that purpose in his white shirt and full costume, attended by Torch and Shillelagh, pursuivants. The Liberal Press has had the audacity to represent this part of the pageant as the investiture of the Viceroy with the insignia of the Order of St. Patrick, by Ulster, King of Arms!

Amongst the many distinguished personages who assembled in the Council Chamber to receive his Excellency was the illustrious Captain Rock, in the splendid green uniform of his corps, covered with the spoils of the clergy, in the form of a profusion of gold lace. The gallant officer was mistaken for some time, oddly enough, for Colonel McGregor, the Inspector-General of Constabulary. The Captain we are told, is forthwith to be made a Field Marshal. Mr. O'Connell has ordered it, and it must be done.

Of the conduct of Lord Ebrington, while the oaths were being administered to him by the Earl of Charlemont, we shall say nothing. The subject is too painful; we willingly draw the veil over a levity so utterly unbecoming of a man in his Lordship's situation, and professing to be a Christian. One fact, however, we feel it to be our duty to state, although we scarcely expect to be believed. At that part of the oath which binds the Chief Governor to protect the Protestant religion as by law established, the new Viceroy was distinctly heard to whistle Uncle Toby's favourite tune of *Lillibullero*, the origin of which, it is well known, is to be traced to the Popish rebellion and massacres of 1641!

The Privy Council proceeded to business directly the Lord-Lieutenant was sworn. A free pardon for the murderers of Lord Norbury was resolved upon after a short discussion; and a proclamation was agreed to, offering rewards and other encouragements to the perpetrators of outrages upon the persons and properties of the Clergy of the Established Church. The Council sat only for a few moments, as his Excellency had to attend high mass in the Castle Chapel, and also to deliver the goals of Newgate and Kilmainham before dinner; all which sacred duties having been discharged in the most edifying and exemplary manner, he had the well earned satisfaction of receiving the next morning through the Secretary of the Precursor Society, the flattering announcement of Mr. O'Connell's entire approval of his conduct, accompanied by an admission into that respectable body without payment of the usual fee of one shilling.

SUCCESSFUL INTERFERENCE BY ENGLAND IN THE WAR BETWEEN FRANCE AND MEXICO.

It affords us the highest gratification to state, that the long-existing differences between Mexico and France have been at last amicably arranged, through the effectual mediation of the British Minister, Mr. Pakenham. This intelligence is communicated in the following letters from Vera Cruz, dated the 9th and 10th of March, brought by her Majesty's ship *Racehorse*, which arrived at Plymouth on Sunday last, in the short space of 28 days, being the quickest passage ever known:—

"Vera Cruz, March 10, 1839.

"Our last was under date the 27th ult., and we have now the pleasure to inform you Mr Pakenham overcame the difficulties that arose in consequence of the circular alluded to therein. Mr. Gorostiza, Mr. Pakenham, General Victoria and the French Admiral having had several interviews within the last few days, a treaty of peace, convention, and armistice, have been the result. The terms are highly honourable for Mexico, and we have no doubt will be approved of by Congress.—Mexico is to pay 600,000 dollars, in three drafts on the Custom House, at two, four, and 6 months; and the expressions under this head that caused so much offence at Jalapa are omitted.—France does not insist on the retail trade.—The restitution of the prizes made by France, and indemnification for losses during the war on both sides, are left to the arbitration of England.—The Mexicans are at liberty to make a treaty of commerce with France whenever they think fit, and no terms are stipulated for it.—The Castle, with its artillery (less 12 guns taken from the French by the Spaniards many years since) is to be delivered up immediately the agreement is ratified by Congress.—The French will be allowed to return and enjoy the privileges of the most favoured nation.—An armistice for 15 days (12 being allowed for the ratification by Congress) will allow vessels to commence their discharge immediately.—The documents were duly signed yesterday."

"Vera Cruz, March 9.

"We have great pleasure in informing you that the conferences which had taken place here between Don Edward de Gorostiza and General Victoria, as Mexican Plenipotentiaries, on one side, and Monsieur Baudin, the French Admiral, on the other, with the British Minister, Mr. Pakenham, as mediator, terminated yesterday in an amicable arrangement of the differences with France. The treaty of peace has been signed to-day, and it is now being sent to Mexico for the ratification of Congress, which there is hardly any doubt will be given.—In the meantime, it is agreed that the merchant vessels waiting here may commence their discharge as soon as the Custom-House is properly re-established. As yet nothing has been made known officially as to the conditions of the

treaty, but from what we have learnt on the subject, they are honourable to both nations. Immediately after the receipt of the ratification from Mexico, the French are to evacuate the Fort San Juan de Ulloa, and withdraw all their forces."

The *Chronicle* aptly observes on this event:—"We hope that this result, honourable and advantageous as it is to both parties, may have the effect of mitigating that feeling of anger and jealousy not unnaturally excited in France by the course which was throughout adopted by the English Tories on this question.—We scarcely hope, however, and certainly do not expect that it will produce any such effect upon the conduct of that faction towards her Majesty's Government. The re-establishment of peace between two nations who are in friendly relation with ourselves will be no subject of congratulation to our Tories, if it necessarily reflects credit upon the policy of their opponents. Indeed, to judge from the speeches of their leaders and the manifestoes of their organs, that party would not be six months in power before they would have been utterly disqualified from offering mediation between any two nations, having left no two nations at peace with ourselves.—A happy, but by no means singular, illustration of the different conduct of affairs by Ministers and their opponents may be found in the fact, that while Lord Sandon and his party were reviling the Government for inattention, the agent of that Government was concluding the negotiation of this treaty."

PUBLIC OPINION.

"I understand by public opinion the sense and sentiment of the community, necessarily irresistible, showing its sovereign power everywhere. It is this public opinion which gives sense to the letter, and life to the law: without it the written law is a mere husk. It is the aggregate opinion of the members of the state, as it has been formed by practical life; it is the common sense of the community, including public knowledge, and necessarily influenced by the taste and genius of the community. How is it formed? It is formed as the opinion of any society is formed, which must always consist of leaders, superior men, men of talents, or well-informed men, who had an opportunity to see or inform themselves, and less gifted men, or less informed persons, the acquiescing or trusting ones. Not that the leaders prescribe with absolute power; they only either pronounce clearly, what has been indistinctly felt by many, or they start a new idea, which, in being received by the acquiescing ones, has to accommodate and modify itself to the existing circumstances. The leaders themselves are under the strongest influence of that sense and sentiment of the community, for from early childhood they live in the same relations with the others. Public opinion is not only an opinion pronounced upon some subject, but it is likewise that which daily and hourly interprets laws, carries them along or stops their operation, which makes it possible to have any written laws, and without which any the wisest law might be made to mean nonsense. It is that which makes it possible to prescribe and observe forms, without their becoming a daily hindrance of the most necessary procedures and actions; it is that mighty power which abrogates the most positive laws, and gives vast extent to the apparently narrow limits of others; according to which a monarch ever so absolute in theory cannot do a thousand things, and according to which a limited magistrate may dare a thousand things; which renders innocent what was most obnoxious, and makes, at times, unless the best intended measures, protecting sometimes even crime.

"I do not indeed say that this sense and sentiment of the community, is always right. Who will deny that it was the public opinion of the seventeenth century, that there were witches, that they ought to be killed?—a power which forced judges against their judgment to allow the unhappy beings to be prosecuted, however distressing the whole procedure might be to them. See an instance in the Life of the Lord-keeper Guildford, London, 1819, vol. i. p. 250. But generally speaking public opinion is less apt to be wrong on broad important questions than that of individuals, because it is nothing else than the result of individual opinions modified by one another. 'I know one,' said Talleyrand, according to De Pradt's *Guarantees* to be asked of Spain, chap. 5, 'who is wiser than Voltaire, and has more understanding than Napoleon himself and all ministers who ever were, are, or will be, and this one is public opinion.'

"Public opinion had abolished torture long ago in Denmark, yet but lately it was abolished by written law. The code of Charles V, still the penal law of several parts of Germany, prescribes most severe and frequently cruel punishments, entirely at variance with the spirit of the age, which is but a different name for public opinion applied to a larger society and considered as to a given period. The consequence has been, that all manuals of German penal law give the respective punishments fixed by the code of Charles, and those which are awarded according to 'practice.' Yet this 'practice' has never been legislatively enacted. No one according to law shall be present at the debates of the British parliament, except members. This is the positive law. There are galleries built for the public, and convenient places for reporters: this is the public opinion. Let any one, let the ministers, let the monarch, dare to insist upon that law. The British constitution, that is, the law, says, that the king may veto any bill that has passed through both houses;

British public opinion prevents the monarch from making direct use of the privilege, at least he has not withheld his approval for now nearly two centuries. A law banishes all members of the Bonaparte family from France. Lately one of them visited the King of the French at the Tuileries; all the papers mentioned it. Why are so many things absolutely impossible in spite of all the law that might be cited in favour of it? Because public opinion decides thus, that is, in many cases, common sense, which must always decide on the application of rules, whether they be furnished by grammar, architecture, or politics.

"When Queen Victoria went, on December 23rd, 1837, to the Lords, to give assent to various bills, the clerk called out after the title of one had been read, *Le roi le veut* (the king wills it) instead of *La reine le veut* (the queen, &c.) The clerk, according to the papers, did not correct himself. Now suppose a lawyer were to build an argument upon this bill's never having become a law, because it had never received the royal assent, there being at the time no king in England. He might bring most powerful arguments in favour of the necessity of observing strict forms, the more urgent the more important the respective spheres of action are; he might quote innumerable precedents of mere violated forms having defeated otherwise legal measures; he might bring powerful analogy within a hair's breadth of his case, and yet would he be able to move his case one step? Every one would laugh; or, if not, so much the worse for the state of public opinion."—*Manual of Political Ethics*. By Francis Lieber.

A letter from Mr. Stevenson, American Minister in London, has been published in American papers. It is interesting as containing some description of the Queen, by one who must have had good opportunities of judging. Such criticism, however, may not be taken very graciously, and may be considered not according to etiquette, from one whose official character, while it gives him privileges, imposes restrictions as to his public remarks. We copy a passage:—

"It is the fashion here to represent her—as I suppose they do all Queens—as something short only of divinity. Now, I will tell you very frankly what I think of her, and I have had a fair opportunity of judging. As to her person and face, they are pretty fairly represented in many of the numerous paintings and prints, some of which I suppose you have seen. None of them, however, do justice to the expression of the face. It is certainly not the sort I should call beautiful—but, when lighted up by animated conversation, the face is full of expression and sweetness, and strongly indicative of character. Her manners are bland and unaffected,—indeed, there is a simplicity and frankness and engaging affability about her quite remarkable for a Queen. Another striking thing is, the total absence of all ambitious display or desire for admiration, which might be expected from so young a person, and she Sovereign.

No one can approach the present Queen without being struck, not only with her easy and charming deportment, and that peculiar softness of disposition and temper, for which she is so remarkable, but with the entire self-command and repose of manner, which might be expected to guard a sovereign of more advanced years and experience. She has, besides, all the characteristic *bon naturel* and good temper of the English.

In relation to the Queen's personal habits I understand she rises between 8 and 9, breakfasts at 10, devotes herself to business till 2, then exercises, generally on horseback, and that at a rapid pace, going at the rate of 10 or 12 miles an hour. Of her horsemanship I had an opportunity of judging, having myself been present in one of her excursions of 20 miles in about two hours; and I can assure you, if she does not ride like Cæsar, or hunt like Diana, she is yet one of the boldest and finest female riders I ever saw.

Her attention to business is such, that I understand if a dispatch comes while she is at dinner, she commonly rises and attends to it. She has a turn and capacity for business, and will, as she advances, doubtless take even a deeper interest in affairs of state than she does at present."

A SCENE FOR STERNE.—There is no place where privacy is so little to be enjoyed as at Paris; unless one uses the precaution of locking one's door. I allude, of course, to an *hôtel garni*. Every five minutes, some *garçon en veste, frotteur sans veste, or laquais de place*, looks into the *salon, or chambre-à-coucher*, mutters a "Pardon, madame," and retreats, leaving one quite mystified as to what could be the excuse for the intrusion. The *horloger* who regulates the *pendules* of this hotel walked into my chamber, *sans cérémonie*, this morning, ere I had left my pillow, wound up the time-piece on the console most methodically, and then withdrew without a word of excuse, to my great astonishment, and to the horror of my *femme de chambre*, who followed him to the ante-room to explain the indecorum of his conduct. An English clockmaker would be quite as much embarrassed, could he find himself in such a position, as the lady into whose room he had intruded; but a Frenchman is never embarrassed, and considers another's person's entertainment of this feeling as a proof of *gaucherie*.—*Lady Blessington's Idler in Italy*.

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