

quorers, are the avenging scourge, which Divine Providence frequently employs for his inscrutable designs.

Of what consequence is it, that Spain should now suffer all the horrors of a most sanguinary war? Of what consequence the possession of a few fortified towns or provinces?

The eternal hatred, which the accumulation of injuries has rendered sacred; that hatred to tyranny, which has produced efforts, of which the present generation was thought incapable; this natural hatred, a necessary element in every Spaniard, although it may for some moments appear subdued, will diffuse itself every day more extensively; will pass from bosom to bosom, from generation to generation; and whenever it finds an opportunity, to burst asunder the bonds which confine it, will proclaim itself in blood, ruin and desolation.

Nor can it be otherwise, when we consider the Spanish character, and the splendor and honor which it has displayed to the world, from the earliest records of their lamentable revolutions. But there is one principal reason, which will render the effects of this hatred more dreadful, more terrible and destructive, than at any former period of its greatest fury.

Possessing more ferocity, though less policy than the Saracens, the French have not only the common rage for conquest, but also for legislation, which no nation ever tolerated in a foreign usurper. The Moors being satisfied with keeping possession of our country, and exacting a small tribute, left to our forefathers the free exercise of their religion, attachment to their laws, and adherence to their customs; and to this toleration they were indebted for the prolongation of their dominion. The present tyrant, refining upon torture, more than all the tyrants of antiquity, with his sword in one hand, and in the other that black code, by which he pretends to make all his crimes lawful, scarcely takes possession of a country, but he subjects it to his tyrannical laws; more cruel than those of Draco; more ridiculous than those of the insatiable Emperors of Roman depravity; laws, which did they contain the wisdom of the universe, would be detestable from the very name which heads them—from the dreadful chain of crimes, which their promulgation produced in France; from the series of iniquities, which has accompanied their extension to other nations who stood in need, neither of information, nor laws, nor legislators; but deplorable, above all, from the internal conviction and mournful experience, that the codes of tyrants are ever void and illusory; since caprice is their law; fire and sword their authority; interest and passion their policy, as Bonaparte himself has declared.

That shadow of a King pretends, that he is introducing reformation, that he will confer benefits, and that his infamous government will secure public happiness. These are specious pretenses, employed to soothe and seduce, but which being frequently practised and well known, will never impose upon true Spaniards. Soon would the contradiction appear in their actions; in the fury and insufferable despotism of petty tyrants, the zealous imitators of their master; in their insatiable rapine; in the vices of their low condition, and of a life given up to debauchery and impiety; soon would it be manifest in every thing, which naturally flows from the phrenzy of passion and disorder erected upon the corruption of public morals; in every thing, which, more than slavery itself, is abhorrent to the religious and revered disposition of a nation, renowned for piety and a nice sense of honour.

Away; away then, with the odious picture of Spain, willingly submitting to the most detestable and odious yoke, which was ever intended to be imposed upon her lofty neck. Slaves, and those who have the hearts of slaves, may figure to themselves this subjection. But we will never believe it until we hear the will of the nation, freely expressed in every quarter of the peninsula, unrestrained by French influence, and spontaneously confirmed, in full council, by the assembled Cortes.

There are now degenerate Spaniards, as there formerly have been, and always will be. To them the former conquerors were indebted for a considerable, if not the greatest part of their successes. To them also the modern Vandals owe those temporary possessions, which would make them blush, if they were not wholly insensible to shame. The sun has spots upon his resplendent disk; but the great mass of the nation is pure and honourable; diffused throughout two worlds, her character will ever be the same; the same her actions, and uniform her productions, wherever she is free from the oppression of an irresistible power.

If they should accidentally be subjected to this irresistible power, the suffering provinces will still their clamours. These which are free will fly to their assistance with sympathetic sorrow, and the contest will be eternal. The banner of patriotism will ever be hoisted, not in one place at a time, but in many; thus reducing those mercenary cohorts, and reviving the military glory of that people, who ever loved it from instinct; of those who at one time gave laws to Europe, and in the rotation of political events, might give them to it again.

But upon what means can Spain depend to sustain so unequal a contest, when even fortune appears to be averse to her, and when, extending her views over all continental Europe, she sees herself standing alone, against the most enormous mass of military power that ages ever witnessed?

Spain will depend upon the justice of her cause, known to the whole world, unequalled, and deserving of the protection of Heaven. She will depend upon her own efforts, her deeds of heroism, and dreadful instances of self devotion, which posterity will scarcely believe. She will depend upon an illustrious ally, united to her by indissoluble bonds; whose power and ability place in her hands perhaps the greatest balance of the solid splendor of empires. She will depend successively upon new allies, whenever any nation finds an opportunity to burst its barbarous chains. She will depend upon continual succours from her faithful and opulent brethren, the possessors of the most valuable half of the globe. And lastly, she will depend upon the transitory existence of that base family, whose ambition all the thrones of the world would not satiate, and whose baseness and perfidy language has not terms to express.

Our religion teaches us, that the prosperity of the impious is but apparent; that the empire which is founded upon

injustice cannot subsist. Can there be any thing more iniquitous than the usurpation of the crown of Spain, by a man both insignificant and despicable, an agent of the modern Tamerlane, and an accomplice in all his crimes?

(To be continued.)

## SAINT JOHN, November 5, 1810.

### LAW INTELLIGENCE.

On Tuesday last a Commission of Oyer and Terminer and Gaol Delivery was opened at Kingston in King's County, at which His Honor Judge Chipman presided.

The Court was convened principally for the Trial of William Masculline, a Prisoner, charged with the Murder of *Perregine White*.

A crowded audience listened, with great attention, to this very interesting trial.

It appeared that the deceased was a man quite in the vale of years, very irascible, abusive, and vindictive; and that the prisoner was in the prime of life, and had, for upwards of twenty years, sustained the fairest character for industry, sobriety, and honesty, and possessed an obliging, mild disposition: That *James Rogers*, the Step-Father of the prisoner was also in the last stage of life, and also extremely abusive and vindictive; and that he and the deceased had for many years lived on farms adjoining each other, and had been constantly at variance: That the quarrels which led to the fatal accident originated with these two abusive old men, about a dog belonging to Rogers, which, upon barking at the deceased as he was passing, was lamed with a stone thrown at him: That a great deal of language grossly abusive passed between them in the hearing of the prisoner (then in Rogers' house) who was eventually induced to step out and to try to put a stop to the altercation, more especially as Rogers was much intoxicated with liquor: That upon his advising the deceased to go home and not remain there abusing an old drunken man, the deceased instantly turned upon him with the most scurrilous and gross abuse, by both words and gestures, and not only upon him but also *Mary Evans* (the principal witness) to whom the prisoner was to have been married in a day or two: That the abusive language was retorted by the prisoner and Rogers, and continued for some minutes between the parties, till the deceased at length damned the prisoner and said, if he had his gun he would blow the prisoner's brains out; upon which the prisoner said "where is my piece," and instantly ran into the house (at the distance of about four rods) and returned with it to the fence, upon the opposite side of which, in the road, the deceased was standing; who immediately recommenced his abusive irritating language, and gestures—mimicking the prisoner (who was lame) by limping, and daring him to fire; upon which the prisoner discharged the gun at him, and nearly the whole of the load of shot passed through his left leg between the knee and ankle: That the prisoner immediately returned to the house very much alarmed and distressed at the act he had committed, leaving the deceased in the road, who was instantly attended to, in the kindest manner, by *Mary Evans*, notwithstanding the abuse to her intended husband: That the deceased languished from the 22d September, to the 3d October, when he expired.

It did not appear that the prisoner intended to kill the deceased, but, as far as his intentions could be collected from all the circumstances, he meant to lame him only.

The feelings of the Jury (as well as the Court) appeared much interested for the unfortunate criminal, and had they consulted those only, their verdict, it is presumed, would have been *manslaughter*; but aided by a most excellent charge from the learned Judge, who pointed out to them in a clear, perspicuous manner their obligation to be guided by the Law, which he fully and satisfactorily explained to them, their feelings yielded to a sense of duty, and they returned their verdict (after an hour's deliberation) "*Guilty of wilful Murder*."

The author of this note laments, that he has not the words of the Judge's address to the prisoner upon passing the awful sentence; and that he finds himself wholly incompetent to do justice in giving an abstract of it—it was an address most solemn and impressive, and delivered by him, under the most painful sensations.

At this Court was tried an Indictment found at the last Circuit against *Benjamin Baxter* for a misdemeanor, in forging an order on the House of J. Black, & Co.—The Defendant was convicted upon the most satisfactory evidence of the truth of the charge. It appeared that after obtaining an order from one *Andrew M'Vey* for 18s. 6d. payable in goods, the Defendant had altered it, by inserting the words "*ten pounds*" thereby making it an order for £10: 18: 6. which amount he had received.

He was sentenced to pay a fine of fifty pounds, to be imprisoned in the common Gaol for three months, at the expiration of which term, to stand in the Pillory for one hour; then to find security in £200 for his good behaviour for two years, and to stand committed until the whole was performed.

An Indictment was preferred to the Grand Jury, at this Court, against *James Innes* for an offence against the Marriage Act of this Province, in solemnizing Marriage between *Farquhar M'Kenzie* and *Margaret Pack* without legal authority, and returned by them a *true bill*. The Defendant was not present and process was issued against him.

### MELANCHOLY ACCIDENT!

The Public, as well as the family and friends of the deceased, have to lament the melancholy accident which has snatched from us one of our best and most ingenious mechanics, and a most valuable member of society, in the death of *Mr. JOHN VENNING* of this City; who while at work at the Steeple of the Church on the roof last Friday, by some means lost his foot hold and fell upon a bed of rocks below and instantly expired!!

During a few years residence in this City, *Mr. VENNING* acquired many friends, and (what can be said of but few) had not one enemy. His remains were carried yester-

day afternoon into the Methodist Chapel, and from thence to the grave, attended by a great concourse of respectable inhabitants of different persuasion, all of whom joined in deploring the sad catastrophe. He was an Englishman and in the forty-seventh year of his age.

DIED] At Fredericton, on Monday the 22d ult. after a tedious and painful illness, the Rev. Mr. JAMES ALEXANDER, Methodist Missionary.

On Friday last, in this City, Mr. JOHN M'KEE, Head-Quarters, Fredericton, 3d October, 1810. MILITIA GENERAL ORDERS.

THE KING has been pleased to appoint Lieut. Col. JOSEPH GUBBINS to be an Inspecting Field Officer of the Militia Forces in British North America, vice Lieut. Col. COYLER removed to the 11th Foot. This Officer is attached to the District of New-Brunswick, and the several Commanding Officers of the Militia Regiments, will in future communicate with him in matters relating to their Corps, in the same manner as they did with the late Inspecting Field Officer.

H. W. HAILES, Adjutant General Militia Forces.

POST-OFFICE, Saint John, November 5, 1810.

DURING the Winter Months, the Mails for Great-Britain and Nova-Scotia will be closed every Wednesday at Sundown; those for Canada and Fredericton at the same time, unless an English Mail arrives, in which case the Courier (if in town) will be despatched in two hours after the arrival of said Mail.

N. B. It is positively determined not to receive or deliver any Letters after dark, and no Letters for Great-Britain shall be forwarded unless the inland postage is paid. Wm. CAMPBELL.

### WOOLLENS and TWINES.

JOHN L. VENNER is now opening, received by the EARL PERCY from LONDON, an Assortment of CLOTHS, BLANKETS, FLANNELS, BAIZES, and other WOOLLEN GOODS—Also,

SALMON, HERRING and SEINE TWINES, which with his previous Stock of English Goods, will be Sold on liberal Terms for CASH or Barter payments.

He has also by the same Vessel, a Consignment of a few Pipes REAL OLD MADEIRA WINE, which, if taken altogether, will be sold very cheap.

16 31st OCTOBER, 1810.

### In Chancery, 26th October, 1810.

*Daniel M'Shaffrey, and Peter Fraser,* v. *Aaron Putnam.* On a Bill to foreclose the Equity of Redemption of Mortgaged premises.

IT appearing to this COURT upon the suggestion of Mr. BLISS of Counsel for the Complainants, supported by affidavit, that *Aaron Putnam* the Defendant in this cause is not an Inhabitant of this Province, but an Inhabitant of the United States of America: It is thereupon ordered, that unless he causes his appearance to be entered in this suit within Four Months after this date, (provided this order be within fourteen days published as directed by the Act of Assembly in such case made and provided) the matters charged in the Plaintiffs Bill be taken *pro confesso*, and a Decree pass accordingly. By the Court, Wm. F. ODELL, Register.

### NOTICE.

ALL Persons having Demands against the Estate of Col. GABRIEL DE VEBER, late of *Maugerville*, deceased, are requested to render the same duly attested within Three Months from the date hereof; and all those indebted to said Estate, are desired to make immediate payment to MARY DE VEBER, Executrix. ELIJAH MILES, Executor. *Maugerville, 21st November, 1810.*

### MADÉIRA WINE,

OF A SUPERIOR QUALITY, Just Received per Brig EARL PERCY, Capt. Laverock, For Sale by the SUBSCRIBER.

ALSO—A Fresh Supply of Linen Drapery, consisting of 4-4 stout Cotton Shirting, Cambric Mullin, colored Cambricks, printed and plated Calicos and Shawls; which with his former assortment, will be Sold on the lowest terms. JAMES CODNER. *Saint John, 29th October, 1810.*

### EVENING SCHOOL.

WILLIAM GARRISON respectfully informs the Public, that his EVENING SCHOOL will commence the First of November next. *Saint John, 29th October, 1810.* 12

### EVENING SCHOOL.

ALEXANDER M'LEOD respectfully informs the Public, that his Evening School will commence on MONDAY Evening, the 22d instant. 18th OCTOBER, 1810.

### NOTICE.

THE SUBSCRIBER having disposed of his property in the Parish of Portland, intends closing his Business by the 1st of MAY next—All persons therefore, who are indebted to him by Bond, Note, or Book Debt, are earnestly requested to settle the same without delay, as all Debts not liquidated by the 1st of JANUARY will be put into the hands of an Attorney to collect. CALEB MERRITT. *Parish of Portland, 24th October, 1810.*

FOR SALE AT THIS OFFICE, English Playing Cards of a good quality.