

respondent, that at the present time there are four young persons, residing at Killaton, in the parish of Stokenham, who furnish in their own cases, decisive and distressing evidence of the truth of this general observation. As the story goes, an elderly female, who is unmarried, and enjoys the unenviable reputation of a witch among a portion of the villagers, called upon a relative of the young persons alluded to, and desired to procure, on credit, some articles of general use. As this was not agreeable to the party, she left the shop, uttering denunciations against "them and theirs," and predicting their ruin. The result has been, that yielding to the influence of fear and superstition, augmented by the ridiculous assertions of the villagers, the poor creatures are at the present time the subjects of a distressing malady, calculated in no small degree to encourage the supposition amongst the illiterate that they are actually "possessed," having been overlooked or bewitched. Up to the present time their cases have not yielded to the most judicious treatment; and, probably as the only means of producing an adequate counter effect upon their imagination, it is intended that recourse shall be had to the "white witch" of Exeter. We give the case precisely as we have received it, merely regretting that the West of England can furnish such distressing evidence of the want of a schoolmaster.—*Devonport Independent.*

A few gentlemen of Birmingham have remitted to M. Kossuth a present of about £1000 since his departure for the United States. It is said he left for the U. States with only £10 in his pocket.

Dr. Makellar is to be proposed as Moderator for the next General Assembly of the Free Church of Scotland.

The Submarine Telegraph.—It is stated that the public show an increasing disposition to avail themselves of the submarine telegraph. Messages both from London and Liverpool, have been transmitted to Paris, Havre, Vienna, Trieste, Hamburg and Ostend, and in one instance a communication was forwarded to Cracow, to be despatched thence by mail to Odessa.

The Late King of Hanover.—The *Weser Zeitung* states that Ernest Augustus, according to an arrangement made some years ago, will be buried in his uniform of an English field marshal. The body, according to the same directions, if the physicians wish it, may be opened, but the head and breast are not to be injured. If the body is not opened, a vein of the neck is to be divided before burial.

On Tuesday Cardinal Wiseman laid the foundation stone of a new Roman Catholic Church, in Westmoreland terrace, Bayswater. The edifice is being built by subscription, upwards of £6000 having been contributed by two ladies, sisters, now deceased, and it is dedicated to St. Helen, the mother of Constantine, the first Christian Emperor.—The entire cost, including a convent and schools, will be about £16,000.

New Convict Settlement.—The project of establishing a new convict settlement at New Caledonia, in the Southern Archipelago, has for some time occupied the attention of her Majesty's Government and active steps for the purpose are at this moment under consideration. The island is described by those who have visited it in whaling ships as presenting resources of a most valuable character, teeming with vegetation, and abounding in varieties of timber of the best description, suitable alike for shipbuilding and other useful purposes, whilst the climate is, at the same time, said to be delightfully salubrious, and the harbors already known, safe and capacious.

East India Tobacco.—The Lords of the Treasury have directed Mr. Cornewall Lewis to convey to the Commissioners of Customs, their lordships' authority, for permitting the importation of tobacco from the British possessions in the East Indies, in bales containing not less than one hundred weight each.

A Van Dieman's Land journal says that a waterfall, which has a clear fall of 600 feet, has been discovered in a rocky gorge of the Gey Mountain, at a distance of about 20 miles from Hobart Town.

Proclamation of Paris of the Counties of Monaghan and Armagh.—At a Privy Council held at Dublin Castle, at which his Excellency the Lord Lieutenant presided, the parishes of Clontibriet and Muckno, in the barony of Cremore, in the county of Monaghan, were proclaimed under the Crime and Outrage Act. In the above parishes lie the scene of the frightful murder of Mr. Thomas D. Bateson. The parishes of Derrynoose and Keady in the baronies of Tiranny and Armagh, county of Armagh, were also proclaimed.

A New Field for Irish Emigrants.—The *Dublin Evening Mail* says:—The Spanish Government have, we are informed, conceded a grant of 250 square miles of country on the banks of the Guadalquivir, in the Provinces of Andalusia and Estremadura, containing more than 100,000 acres of land, of the richest quality, to be colonized by Irish settlers, under the following conditions:—Exemption from taxation for 25 years. Admission of the furniture, clothing, and agricultural implements free of duty. Privilege of selling timber for building in the royal forests. Power to appoint their own municipal authorities. The district in question having been depopulated by the expulsion of the Moors, has never since been fully occupied.

Anecdote of the French President.—The President of the Republic gave a dinner on Wednesday to the persons decorated with the legion of honor on account of their services at the Great Exhibition. After dinner, a servant handed to M. Charriere, the surgical in-

strument maker, a small case containing a cross wrought in gold, presented by his workmen as a token of their respect. It was shown to the President, who expressed his approval of it, closed the case, and laid it down by the side of his plate for a time. It was, however, returned to M. Charriere, who also placed it beside him; but, on its being opened at the request of a person who wished to inspect it, it was found that the President had placed his cross of the legion of honor, richly set with diamonds, in the case, and that he had decorated himself with the cross presented by the workmen to M. Charriere.—The discovery produced great enthusiasm, and M. Charriere declared that the diamond cross was much too costly for him to wear; therefore, with the permission of the President, he would have it placed in a frame, and hung up in the factory in honor of his workmen, and he invited the President and all present to a fete he would give to inaugurate it. The invitation was accepted.

Death of Priessnitz, Founder of the Water Cure.—Priessnitz, the celebrated founder of hydropathy, died at Grafenberg, on the 29th ult., at the age of 52. In the morning of that day, Priessnitz was up and stirring at an early hour, but complained of the cold, and had wood brought in to make a large fire. His friends had for some time believed him to be suffering from dropsy of the chest, and at their earnest entreaty he consented to take a little medicine, exclaiming all the while, "It is of no use." He would see no physician, but remained to the last true to his profession. About four o'clock in the afternoon of the 29th he asked to be carried to bed, and upon being laid down expired.

Action against the Chief Secretary for Ireland.—The trial in the case of Mr. James Birch, Proprietor of a Dublin newspaper, against Sir William Somerville, Chief Secretary for Ireland, was commenced in the Court of Queen's Bench, Dublin, before the Lord Chief Justice Blackburne and a special jury. Mr. Birch was engaged to write in support of the Irish government, from the early part of the year 1848, until the close of 1850. For his services he received, in various sums £3,700; but this he did not consider a fair remuneration, which he this day valued at £5,000 a year. One of his principal witnesses was his Excellency the Lord Lieutenant, whom he produced to prove a retainer to write in the cause of "law and order," and also several payments on account of such engagement in the public service. The evidence of his excellency was given in a clear and candid manner. He unhesitatingly declared that the offers of Mr. Birch to devote his journal to the cause of the government were accepted in consequence of the unsettled state of the country in 1848. With respect to the £3,700 paid to Mr. Birch, a portion of the sum was in the first instance paid out of the special service fund, but his Excellency subsequently replaced it—so that every pound of that money came out of his own pocket. The Chief Justice then charged the jury, leaving them to say if they were satisfied that there had been a contract made between the defendant and Birch, and, if there was, had the plaintiff been paid for the value of his services. After about five minutes' deliberation the jury handed in their verdict—"We find the defendant, with sixpence costs."

More Austrian Tyranny.—A system of wholesale banishment is just now going on in Austria which it is difficult to reconcile with any plan of policy or prudence, and which bids fair to drive out of the country all the labour, capital, and enterprise that can get leave to depart or find means of escape. Not only have a great number of Jews been summarily sent away, accused of tampering with the exchanges—though many of them have declared that they came from long distances to Vienna simply to make purchases—but many other persons have been banished without the least reason being assigned, their passports being simply returned to them with the words written across that they were to be considered as expelled under martial law. The worst, however, remains behind, and shows that the tyranny exercised in this respect is as purposeless as harsh. A poor fellow who for a long time was established in England, having married and amassed a little property there, returned to Austria a short time ago to see a sick relation, and now finds that he will not be able to go back again to England, having received a strict order from the police to return to the village in Hungary where he was born, but had long ceased to have either tie or occupation! Remonstrance in all such cases is vain. When the Jews were sent away, the manufacturers and wholesale houses remonstrated that the police were depriving them of their customers, and that they could not continue to pay their ordinary dues and taxes if this were done; when an armed force was sent down to the exchange to bring all business to a stagnation, remonstrances were again made, but "those who will to Coupas man Coupar," as the proverb says, and remonstrances might as well be addressed to a mule as to an Austrian functionary.

Serious Charge against a Captain.—The magistrates of Gloucester were occupied on Wednesday in investigating a charge brought against the captain and first and second mates of the ship *Infanta*, just arrived at Sharpness Point, with deals and lumber from Quebec.

From the statements of the complainant, George Catlin, who is an Irishman, and of his witnesses, it would appear that on the 13th August, Catlin sailed in the *Infanta* for Liverpool for Quebec, but the vessel got aground

off the Isle of Man, and just as she was got off again a French seaman on board, named Laporte, was ordered to take a turn with a hawser, and because he was unable to do so in consequence of the speed at which the ship was going, the mate, George Hawes, threatened to throw him overboard, and the captain (Hayland) struck him a severe blow over the face with an iron belaying pin, inflicting a very severe blow near one of his eyes, and nearly depriving him of sight. He also repeated the attack in the evening. On the outward voyage Catlin prepared a written statement of the particulars of the assault, for Laporte to present to the Magistrates at Quebec; but at that port the Frenchman and the whole of the crew, excepting four, deserted, and Catlin heard no more of the charge. While there, Catlin went on shore, but was seized as a deserter and kept in gaol until the ship sailed for England.

On the 17th ult., the *Infanta* being then a week's sail from England, Catlin lost his pocket book containing the written statement of the assault on Laporte, and one of the sailors, named Douglas, said he had seen one of the mates take the pocket-book from Catlin's pocket. This man, however, although he was in Gloucester yesterday could not now be found. The captain, it should be stated, was the only defendant present during the inquiry, and he admitted that, hearing of the intended charge, he had sent the second mate, John Awre, away on Saturday, and that the first mate, George Hawes, had, in conformity with his advice, left the ship.

Catlin in his evidence went on to state that on the morning of the 18th October, when he was lying in his berth, having a bad hand, the two mates, each bearing a rope with a noose at one end, and slipping the rope over his wrists, dragged him out on deck. They then passed the ropes over the grills, dragged him up by the right arm (he having slipped the rope of the other with his teeth) and made it fast, suspending him in this manner about a yard from the deck. They then tied the other arm in a like manner, and pulling down the drawers, and turning his shirt over his head, each of the mates administered thirteen lashes on his naked back with a cat-o-nine-tails, in the knots of which instrument had been inserted, according to the statement of one of the sailors, a number of pump nails. Hawes, when he finished this portion of the torture, added a fourteenth lash, exclaiming, with an oath, "Take that you!" They then let him down and Catlin fell on the deck in a fainting state. On afterwards getting up, Hawes struck him with a rope's end and kicked him several times, exclaiming—

"Now you —, go as a witness again, will you?"

Hawes also said: "I have got a paper with your name to it as a witness, for Laporte," thus virtually admitting that he had taken the pocket book from Catlin's pocket.

When he applied to the captain for some ointment for his back, the captain told him that he should have the cat for breakfast every morning; and that he was not half so badly cut as he would be before he got home; and that he was to make haste and get well that he might have another edition before he got into the harbor. Catlin added that he received other ill-treatment from the mate.

Catlin, when before the magistrate, was still in a crippled state and scarcely able to walk. The lacerations on his back and on his wrists were still apparent, and he stated that the muscles of his arm and back were strained, from being hung up by the arms. The log books of the vessel were produced, but there was no entry on them of the punishment inflicted on Catlin.

At the conclusion of the evidence taken for the complainant, the magistrates said the case was of so serious a nature that they should not dispose of it summarily, but should forward the depositions to the High Court of Admiralty for their instructions as to what further steps should be taken. In the meantime, the captain was ordered to find bail for his appearance before them again next week.

Distressed Foreigners.—On Monday a meeting of gentlemen was held at the German school-rooms, Sir Thomas's-buildings, Liverpool, to adopt measures towards the formation of a society for the relief of foreigners in distress. A code of rules had been prepared for the government of the society, the object of which will be to relieve all foreigners in distress, if found deserving without regard to nation, creed, religion, or politics; but not persons coming here without means, with the view of being forwarded to America.

Colonial News.

New Brunswick.

Fire.—On Sunday morning soon after 5 o'clock, the City was alarmed by the cry of fire, and very soon after the sky was brilliantly illuminated with a strong blaze from Union-street. The fire broke out in the Coach and Sleigh manufactory of Mr. James E. Masters, which was wholly consumed, with a blacksmith shop, and a barn in the rear owned by Mr. Daniel Jones. The house owned and occupied by T. P. Marsters, Esq., to the eastward, was so greatly damaged by the fire as to be rendered of no value: and the out-buildings attached to it were also greatly injured.

Mr. Marsters, we regret to say, has lost a

valuable stock of sleighs and carriages, with all his tools and implements, and a large quantity of expensive materials, upon which there was no insurance. Several carriages left on his premises for repair, and for storage during the winter, were wholly consumed, which will entail a heavy loss upon their owners. One of the hackmen has lost a valuable coach. The loss of Mr. Marsters will also be considerable, there being insurance to the extent of £150 only on his property.

The different Fire Companies were early on the ground, and the supply of water from the fire-plugs being ample, they did most efficient service. The fire burned with great fierceness, owing to the quantity of combustible materials about the Coach Factory; yet although the premises were closely hemmed in on all sides by wooden buildings, the fire was not allowed to spread. But for the energy and activity of the Fire Companies, this might have proved a most extensive and disastrous conflagration.

The Fire Police were also early in attendance, and having placed their chains across Union Street, prevented idlers and improper persons from interfering with the Firemen, who thus had full opportunity of displaying their abilities.—*St. John New Brunswick, December 30.*

Novascotia.

Mr. Archibald in Trouble.—We observe by the *Jurist*, an English Law newspaper of the 25th Oct. last, that Mr. Archibald has been figuring in the Court of Queen's Bench, a defendant in an action for breach of contract in a manner not at all consistent with his pretensions, and assumed position in the business world. It appears that Mr. Archibald contracted with a Mr. Sivewright for the purchase of 500 tons of iron, called Dunlop's Scotch Iron. The business was managed in the usual way by a broker, who delivered a bought note of the iron to Mr. Archibald, and a sold note to Mr. Sivewright. It happened, that the broker, by mistake, named the iron in the bought note "Scotch iron," and in the sold note "Dunlop's iron." Mr. Archibald violated his contract by refusing to accept the iron, and an action was brought against him by Mr. Sivewright, on the trial of which Mr. Archibald took advantage of the variance in the description of the iron in the notes, and contended, that the contract was not legally binding on him. The Jury, however, gave a verdict against Mr. Archibald, the Court reserving leave for the defendant to move to enter a verdict for the defendant if the technical objection should be sustained by the court. At the argument before the four Judges, the Court divided in opinion.—Mr. Justice Erle decided against Mr. Archibald entirely, and although the other judges decided in favor of the quibble they all expressed great regret that the law compelled them to do so, Lord Campbell in giving judgment said:—I regret that the view which I take of the law in this case, compels me to come to the conclusion that the defendant is entitled to our judgment; although the merits are entirely against him; although, believing that he had broken his contract, he could only have defended the action in the hope of mitigating the damages; and although he was not aware of the objection on which he now relies until within a few days before the trial.—Again.—This is certainly a most inconvenient mode of carrying on Commercial transactions; from the carelessness of brokers and their clerks, mistakes not unfrequently arise of which *unconscientious men* take the advantage.

Instead, however, of ordering a verdict to be entered for the defendant, the Court ordered a nonsuit, so that the plaintiff might bring out the merits of the case in a new action.—*Novascotian.*

United States News.

A Brave Act.—During the late fire at Portland, the top-gallant-sail of the bark *St. Jago*, lying at Widgery's wharf, took fire, when Ezekiel Burgess, of British schooner *Jane*, went on board the *St. Jago*, and at great peril went aloft, cut away the burning sail, and freed the rigging from flames, and saved the vessel. The owners with difficulty got the daring sailor to accept of a ten dollar bill.

Leap Year.—The Nantucket ladies are to have a New Year's ball, for which they intend to issue all the invitations and make all the arrangements—including, we suppose, the payment of the expenses—without permitting their male friends to assist them.

During the late fire at the capitol at Washington, it is conjectured that 40,000 volumes of books were destroyed, as were also the marble busts of Washington, Jefferson, Lafayette, Taylor, and others. The portraits of several ex-Presidents, various old paintings, and collections of coins, medals and curiosities were likewise consumed.

The estimated value of the books, which it is thought can be replaced, is \$250,000. The damage to the Capitol is \$10,000.

The entire library contained upwards of 60,000 volumes. The books in an adjoining room, numbering 20,000 volumes, including the law library, were saved.

Among the few articles saved from the flames is the original Declaration of Independence.

The roof the library was of wood covered with cement, and cased over with copper; it has fallen in. A 27-inch wall separated the library from the rest of the building, and was the means of staying the progress of the