

mental strength greater than man's? Can she not endure suffering that would bow the stoutest man to the earth? Call not woman the weaker vessel; for had she not been greater than man the race would long since have been extinct. Here is a state of endurance which man could not bear.—*American Courier.*

From Harper's Monthly Magazine.
MAKING OUR WILLS.

Some time ago I had occasion to go to Doctors' Commons to look at the will of a dead man. The hand that signed it was in the grave long before—dust, perhaps; but the record of the will which animated that hand was there among those dusty folios, engrossed in an almost undecipherable hand, which tells you how all the real property in the country has been disposed of over and over again. I had no difficulty in finding it, for I had a note of the precise day the deceased died on. It is not necessary to say anything about the contents of that will, however, for they have no relation to what I am writing. It is only the date which I have any business with. The will was dated the day before the man died. I had, of course, often heard of men making their wills when they were just at death's door, without any particular thought of being excited; but this time I was surprised, as a single fact very often does surprise us, when we have passed by a host of similar ones unnoticed. I knew the man who had made that will. He was a shrewd prudent, sharp lawyer, who had risen from nothing to be a man of immense wealth. If he was distinguished for any qualities in particular, it was for punctuality and promptitude. None of the clerks of his office were ever five minutes late. That was an offence not to be forgiven. No one ever knew him to be behind at an appointment, or to let business go undone. His housekeeper, who managed his bachelor home for many years, only kept her place by being exact to time. Yet this man had not made his will till a few hours before his death; and therefore the possession of his property formed the subject of a very flourishing lawsuit.

When I went out of that dark, dismal catacomb of dead men's wills, I went on thinking of all the similar cases of procrastination which I knew or had heard of—and they were not a few—for this is a piece of the experience of one who was a law-clerk before he had quarrelled with red-tape. What a curious catalogue they were! There was an old lady, a toothless old dowager, who had a reprobate and discarded son and a pretty gentle niece, who lived with her. We used to manage all her affairs, and it was pretty well known in the office that the 'nice girl with the long curls' was to be the old lady's heir. Our head-clerk, a red-whiskered dandy, who had no mean opinion of himself, built, I could see, certain speculations on that basis. The old lady never came without Eliza; and when a niece was expected, Mr Catchpole brushed his fiery hair into the most killing curls, and changed the out-at-elbow coat for the smart one he wore out of doors, and beautified himself as far as that was practicable. Well, a message came one day that the old lady was ill, very ill, with an urgent request that some one should go at once and make her will. Off went our Adonis as fast as a promise of something liberal over the fare could urge the cabman.

When he arrived the old lady was alive—just alive enough to tell him that all her property was to be left to Eliza. She told him that in the hissing whisper which supplied the place of the cracked voice; but when she came to the word 'all,' so full was the poor old creature of love to the niece, or, perhaps, of determination—let us hope not hate against her son—that she half rose up in her bed and clenched her withered hand, and shrieked out that word again. It must have been a terrible sight—that of life struggling with death for a will! It was a short time to write that will down; and Catchpole's pen flew over the paper, and the old eyes that were glazing so fast stared anxiously the while, and the thin fingers actually held the pen she had asked for beforehand ready to sign the paper. In a few minutes all was ready; but what a difference the few minutes made! The clerk had risen from his seat and approached the couch, when the surgeon, who stood on the other side, said, with that coolness which medical practice brings, 'It is too late,' and it was too late. The dead fingers clenched the unused pen so tightly that they had to be unclasped from it. The son was heir of all and Eliza a beggar! Death had translated that screamed-out 'all' into none. The sequel is soon told. The property was wasted by the son, and has long since passed into other hands, and Eliza, instead of possessing some thousands a year, and being wooed by Mr Catchpole, is a faded daily governess.

Every lawyer's office has plenty of such stories. One I remember of a miser who had ruined more than one family, and in his last moments wished to make such reparation as bequeathed gold could compass. Poor wretch, when the will was brought, catalepsy had seized him and he lay there a living corpse—dead in all but mind. He could not move his hand; his tongue refused its office; only his eyes were free to move; and of those eyes I have been told a terrible tale. He was, as misers often are, a man of strong mind and iron nerve. Passive he was in every other part, the eyes told what was passing within. You could have seen in them intelligence when the will was read to him; the powerful volition brought to bear, and persevered in, when the written

word which was to make it a testament was required; the terror and horror which came over him when when he found the right hand, which had so often aided him for evil, would not help him for good; the despair which burst the unseen bonds around him, and with a convulsive motion let out the last of life.

It must have been a spectacle of horror, when punishment came in the shape of a prohibition of the one act of mercy, which might have made some amends for a lifetime of wrong.

Then there was another legend of a man whose daughter married against his will. He lived somewhere in a retired country-house, far off from any town. This man was subject to a disease of the heart, and one night feeling the symptoms of an approaching attack, and that strange presentiment which so often comes before death, he roused his household, and sent off a messenger on horseback, not for a surgeon, but for a lawyer. He wanted his will made instantly. The messenger could not be expected back for at least two hours, and long before that the spasmodic attack had come on, but still in the intervals of his paroxysms, that determined man wrote as though against time. When the lawyer did arrive, all that was left of the living will which had been so active and energetic a few hours before was that last piece of writing. It expressed the deceased's intention, in the strongest terms, utterly to disinherit his rebellious child, and to give his property to some charitable institutions. It was complete, even to the signature; only the flourish usually added to the name was wanting, as though there the hand had failed. But that writing was not a will; it was not in proper form, nor attested; in the eye of the law it was but an invalid piece of paper, and the daughter took that which her birthright entitled her to.

Wills generally afford a frightful temptation to the worst part of our nature. I believe that more cunning, more falsehood, more worldly anxiety, and more moral wrong are blended with the subject of 'wills' than with the whole mass of law parchments extant. A will should not only be properly made, but properly placed, and more than one should be cognizant of its whereabouts. I have known many cases of gross turpitude in the shape of destroying wills, and can record one rather curious anecdote, affording a vivid illustration of unprincipled greed defeating itself.

Two gentlemen in the city, close friends from their school-days were in the decline of life. Mr Edmonds had a large family, with comparatively small means, while Mr Raymond was worth two hundred thousand pounds, with no living relative but a nephew of the most profligate and hopeless character. This nephew had been expensively educated, and had spent unlimited money for the worst of purposes, and the uncle at length became wearied and disgusted with the young man's utter depravity. 'Edmonds,' said Raymond one day to his friend, 'I have handed him a roll of paper, 'here is my will. I have left my nephew ten thousand pounds, and the rest of my property to you, who, I know, will make good use of it.' Edmonds remonstrated, and implored, but was evidently compelled to take the will, and lock it up in his private desk. Within a few months, however, by dint of constant entreaty, Edmonds prevailed upon his friend to make another will, and just reverse the bequest leaving the bulk of the property, and Edmonds the ten thousand pounds. This will Edmonds read, and saw safely deposited in Raymond's iron chest at his private residence. Within the following year Raymond died. The nephew found the will, and, as it afterward appeared, such was his baseness, that to secure the rest of the ten thousand pounds left to Edmonds, he immediately burnt the document, knowing that, if his uncle died intestate, he himself was heir-at-law. On this villainous announcement, Edmonds sinking his conscientious scruples, produced the first will made by Raymond, and claimed the chief of the property; and the unprincipled nephew, after making full confession during a fit of *delirium tremens*, killed himself.

SUNDAY'S MAIL.

NEWS FROM EUROPE.

By the arrival of the Arctic at New York, we have dates to the 19th ult. The English papers contain the Turkish Manifesto, a lengthy document, moderate in its tone, but manly and guarded in its expressions. It leaves no alternative for Russia but war, unless the principalities are evacuated; and as the Czar has declared that the evacuation shall not take place, and that he will wage a war of extermination against the Turks, it is likely that hostilities ere this have commenced. It is even reported in the English papers that hostilities had commenced before the steamer left, but there is nothing definite in regard to the time and the place the action occurred.

There was great talk that a special meeting of parliament would be summoned for the despatch of 'urgent and important business,' but, as the Houses stood prorogued till 27th inst., it seemed unlikely that the country would be alarmed by summoning the Legislature earlier than that date.

With respect to the intentions of Government as to the part England will play in the present Eastern crisis, the true state of the case is that the public have no information whatever, beyond what they glean from conflicting statements of the London papers. A letter from Lord Aberdeen is published, however, which states the mi-

nistry will endeavour to preserve the peace.

The mail steamship Tay, from the Brazil brought six shipwrecked sailors from the American bark Henry Herbeck, which foundered at sea, September 13, in latitude 38 North, long. 56 West, when bound from Cardiff for New York, with railroad iron.—These unfortunate sailors, together with the rest of the crew and one woman and child, were on the raft from 13th to 17th, exposed to severe weather, and with only a five gallon keg of water and part of a ham as their whole stock of provisions, the allowance of each being but one ounce of meat and one gill of water per day.

Forty passengers from the wreck of the Annie Jane had arrived at Glasgow. The remainder with Capt. Mason, still remain at Barra.

The reluctance which Turkey has shown to bring Europe into a general war, will doubtless lead her to commence hostilities, if a resort must be had to arms, in the vicinity of Caucasus. That is also the weakest side of Russia, and a decisive movement there would tend to distract the Russian forces this side of the Black Sea. The Sheriff of Mecca has offered 30,000 mounted Arabs to the Sultan, who are impatient to be led against the Giaours of the North.—The troops from Tunis have also arrived, and Ab-el Kader will once more take the field against the unfaithful.

All the recent intelligence from the East confirms us in the belief, that the enthusiasm of the Turks is constantly increasing. They believe that Islam is in danger, and are determined at all hazards to stand by the flag of the Prophet. The Russians are also clamorous for war,—the taking of the Holy Sepulchre from the Infidels being the great object placed before their minds. The late journey of Nicholas through Russia and Poland bears a striking analogy to the Pilgrimage of Peter the Hermit.

Prince Gorchakoff had sent a reply to the demand made by the Porte to evacuate the Principalities within fifteen days. The answer was to the effect that he, the Russian Commander-in-Chief, was neither authorized to commence hostilities, to conclude peace, nor to evacuate the principalities; consequently he would do neither one nor the other.

The Russian troops have suffered terribly from cholera and the malignant fevers generated in the swamps of the lower Danube.

The Austrian Internuncios at Constantinople has served a notice upon the Porte forbidding the employment of Polish and Hungarian refugees in the Turkish army lying in Romelia. In case such refugees are employed, it will be regarded as an act of hostility on the part of the Porte. Little regard, however, will be paid to such an order.

Austria and Prussia have ordered their subjects in the Turkish service to return home. The Porte, however had provided for such a contingency, so that the service will not suffer.

Omer Pacha had notified that vessels under a neutral flag, would be allowed to pass the Danube, until the 25th inst.

Notwithstanding the alleged concession of the Czar, it is the general impression that there must be a war. Every body seems to be in a fighting humor, and it is reported from the west, that the French troops are already moving. It is also said, that the Russian Minister at Paris has been told that it is now too late for negotiations.

Reports from Besika Bay state that the fleets were preparing to enter the Dardanelles. Admiral Dundas had sent his wife home to England, out of the way of danger.

The Paris Siecle states that France and England have sent a joint note to Russia, demanding the immediate evacuation of the Principalities as a preliminary measure before they will enter on the mediation which they are still willing to undertake.

It was also stated that the Turks intended commencing hostilities in the direction of the Black Sea, and in Georgia. The Russians have about 80,000 men in those parts.

Gold is 0.48 per cent. dearer in Paris than in London, and 0.65 per cent. dearer in Hamburg than in London.

THE CIRCASSIANS MOVING.—On the 27th ult. Seamy issued from the mountains with his force and broke into the Russian District of Dscharo Bielokaksk, where he made an attack on the fortress of Novysakatal.—Gen. Orbelian marched with three battalions of infantry, six guns and some cavalry to meet the mountaineers, and after hard fighting, which lasted till nightfall succeeded in driving them back. The Russian statement from which this account is taken says that the loss of the Circassians was considerably, and that the Russians themselves lost two staff officers, three field officers, and sixty-one men. Seamy was expected by the Turks to do good service in their aid. The reports that the Shah of Persia had agreed to assist the Russians is again strongly contradicted, and the counter statement is made that the Persian forces are to aid the Turks.

NOVA SCOTIA.

PUBLIC WORKS.—We understand that five light houses, now in course of completion, will, it is expected, be in operation by the close of the present year.

The sites of these are, Whitehead Island,—Pictou Island,—Port Hood,—Gull-rock, entrance of Ragged Island Harbour, and Pubnico. The word at the last named place is called a Beacon Light.

A Light House at Devil's Island, entrance of Eastern Passage, Halifax Harbour, and one at Parrsboro', were completed early this year, and are in successful operation.

The plan of the proposed Lunatic Asylum is in course of preparation. The work

it is expected, will be commenced in the spring of 1854.

The site of this much required place of refuge and hospital, is on a rising ground, east side of the harbour, next north to Mr. Mott's Farm. The situation is eminently fine, as regards air, scenery, nearness to the city, due retirement, and other particulars which were requisite or very desirable.

The Penitentiary appears to be conducted so satisfactorily,—under mild but careful superintendence. The number of prisoners are twenty six. Gardening, wall building, and other modes of employment, were profitably attended to during the season.

The province building, interior and exterior, has undergone several repairs and improvements. These consist chiefly, in mason and foundry work, on the basements,—painting and refitting of Legislative Chambers and Committee Rooms, and painting of corridors.

The project for completing the Shubenacadie Canal, is, the public have been informed, in a fair way of proceeding successfully. The company it appears, is formed, and the requisite sums are subscribed.

Those acquainted with such works, and with the line of communication, speak confidently of its practicability under existing arrangements, and of its profitableness to the proprietors and to the Province. The Shubenacadie Canal, as a mode of junction between the waters of the Basin of Minas, and the Bay of Chebucto, could scarcely fail to be of much interest and importance to Halifax.—*Halifax Royal Gazette.*

COUNTERFEITER ARRESTED.—A person named Duncan McDonald, who hails from somewhere near Antigonish, was on Thursday last detected in attempting to pass counterfeit coin, in some of the shops in Pictou. Fearing an arrest, he attempted to conceal himself until such time as he could make his escape. The authorities having been notified of the circumstance, steps were immediately taken for his arrest, and being discovered in his place of concealment, he was taken to the Court House for examination. The coins, which he attempted to pass were of copper, whitened over to imitate silver, and there was found on his person a bottle containing the chemical preparation, with which he had performed the silversing process. He was liberated, after having been bound over with sureties, for his appearance at the next term of the Supreme Court.

The new Light House on the east end of Pictou Island is now nearly completed, and will in all probability be lighted in two or three weeks. We understand that Mr William Hogg has been appointed keeper of this light. The propriety of this appointment was some time since called in question by an individual hailing from New Glasgow, in a letter which appeared in one of the Halifax papers, on the ground that other applicants, whose claims were superior, had been unfairly dealt with. We cannot speak as to the claims that any individual may have upon the government for favors, but we believe that a more trustworthy person than Mr Hogg could not have been selected for the situation.

On the 25th ult. of the severest squalls of wind, accompanied with rain that we have witnessed for years, passed over this place. We have not heard of any damage being done in the vicinity but a Tatamagoche two barns were blown down by the force of the gale.

The wreck of the Fairy Queen is still floating at or near the scene of the late disaster. The hull broke amidships, and the forward part is still riding at anchor, bottom up, while the after part, some distance, forming an angle with the surface of the water, the stern being upwards, and the other end apparently held to the bottom by the weight of machinery attached. We have heard pilots and masters of vessels complain, and we think justly, that the wreck is allowed to remain in that position for so long a time. It is directly in the track of vessels coming down the Gulf to this port and in dark nights would form an object of some danger to small craft.—*Pictou Eastern Chronicle.*

CANADA.

London Upper Canada has ceased to be a Garrison Town.

The amount of Customs Duties at the Port of Toronto for the quarter ending 10th October, this year exceeds £53,000; being an increase over the corresponding quarter 1852, of upwards of £20,000.

Bishop Strachan, of Toronto, treats the "Brethren" of the Roman Catholic Church dignitaries to a little bit of sage advice anent the Clergy Reserve secularization scheme—enjoining them to resist the same with tooth and nail.

NEW BRUNSWICK.

THE EXECUTIVE COUNCIL.—The Executive Council of this Province were in Session here on Monday and yesterday, and we learn from a source on which reliance can be placed that Marshal d'Avray, Esq., has been appointed Chief Superintendent of Parish Schools, in the room of James Porter, Esq., who voluntarily resigned the office. Of Mr d'Avray's qualifications for Chief Superintendent it is entirely unnecessary to speak. We believe there can be and is but one opinion on the subject of his entire competency to fill the office, and i ever any Government made an appointment likely to prove satisfactory to the Legislature and beneficial to the youth of New Brunswick, we believe this will add another to the list. We understand that Mr d'Avray will assume the duties of his office with the cordial good wishes of his predecessor and if we mistake not, with the warmest wishes for his future prosperity of all who leave the pleasure of his acquaintance.

PRESENTATION OF A SERVICE OF PLATE TO SPAFFORD J. BARKER, Esq., OF THIS

CITY.—On Monday last, at 3 o'clock, p. m. a number of gentlemen met at the residence of Mr Barker for the purpose of presenting that gentleman with a service of Plate, as an acknowledgement of his public spirit in erecting a first rate Hotel for the accommodation of strangers visiting Fredericton, and for forwarding other public improvements within this City.

His Worship the Mayor prefaced the ceremony of reading the address and presenting the handsome testimonial by some remarks, which must have been as gratifying to Mr Barker and his family as they were pleasing to the company assembled. His Worship said in substance that it was not only on account of the public spirit of Mr Barker in building a Hotel that the testimonial on the table was procured, but that on other occasions the gentlemen whom he had the honor of addressing, had evinced a public spirit which had won for him the esteem of his fellow citizens. Mr Barker had been mainly instrumental in forming the Gas Company which had provided the means of lighting the City, and had also taken an active part in the establishment of the Fredericton Telegraph Line. His Worship added that besides having the pleasing duty of presenting the Plate on the table, he had been charged with an address, a copy of which had been furnished to Mr Barker, and which, with that gentleman's permission, he would read.

After the reading of the reply to the address the handsome testimonial was presented by the Mayor in due form. It consists of a richly engraved Gothic Tea and Coffee service, manufactured by Elkington & Co., Silver Smiths, Birmingham, and imported by John Morrison, Esq., of the firm of Morrison & Co., St. John. A splendidly carved salver accompanied the service, on which is engraved the following inscription:—

Presented to Spafford J. Barker, Esquire, together with a Tea and Coffee service, by citizens of Fredericton as a tribute of respect for his public spirit and enterprise, June 17th, 1853.

Over the inscription the City Arms are beautifully engraved, and the whole presented an appearance equally creditable to the donors, the manufacturers, and the good taste of the importer, who, we believe, personally made the selection while on a recent visit to England.—We noticed among those present at the ceremony, the Hon. the Attorney General, Hon. Provincial Secretary, the Hon. the Surveyor General, the Hon. Mr. Hayward, all members of the Executive Council, the Honbles. Col. Allen and Mr. Fisher, ex-members of the Government, Mr. Simpson, Queen's Printer, who was the first Mayor of the City, and a large number of the most respectable and influential inhabitants of Fredericton.

We understand that this handsome present cost one hundred guineas.

A number of those present at the presentation of the ceremonial assembled at the Barker House in the evening, and partook of an excellent supper with all the appliances which that well stored establishment could afford to make a comfortable night of it. The evening passed delightfully, and the company broke up about 13 o'clock.

SOUTH AMERICA.

NAVIGATION OF THE RIO DE LA PLATA.—We mentioned not long ago that our energetic and able representatives at Brazil and Buenos Ayres, Messrs Schenck and Pendleton, had conjointly negotiated and concluded two treaties with the Argentine States, which will open to our navigation and commerce, the rich countries of the Rio de la Plata and its extensive tributaries.

Mr Coxe, our late Secretary of Legation at Brazil, has arrived in Washington, bringing with him, as we learn, the treaties alluded to.

One of them was signed on the 10th of July, at San Jose de Flores, (in Buenos Ayres,) with the Argentine confederations opening to the flags of all nations, the free navigation of the Rio de la Plata and its tributaries, the Uruguay, Parana, &c., A similar treaty was signed on the same day with the Plenipotentiaries of Great Britain and France.

The second treaty was one of friendship, commerce, and navigation with the Confederation, and was signed on the 27th July, at San Jose, in the State of Entre Rios.

Sir Charles Hotham for England, the Chevalier St. George for France, and Messrs. Schenck and Pendleton for the United States, acted unitedly and harmoniously in the negotiation of these treaties.—*Nat. Intelligencer.*

UNITED STATES.

Within the memory of the oldest inhabitants, so heavy a blow has never been experienced in this city as visited it last night. Chimneys, signs, fences, sails and rigging, and the vane of the Central Church particularly, were the worse for it. We have heard of no serious damage, but fear the reports from the sea-coast will be any thing but agreeable to those who have interests on the "great deep."—*Bangor Courier October 26.*

Forty-three free persons of color lately embarked at Abingdon, Virginia, en route for Liberia. They were well equipped for their long passage, and went off merry as a flock of Black-birds.

THE MACKERAL FISHERY.—The Gloucester correspondence of the Traveller notices the arrival at this port of a small fleet of mackeral fishermen which have obtained very poor fares, and who report that mackeral are very scarce.—that there are nearly 500 sail of American fishing vessels on the Northeast ground, 200 of which made a harbor at port Hood recently, and all had small fares. The British squadron was to be on active watch for the Ameri-