

Communications.

COUNTY KENT.

To the Editor of the Gleaner.

Our Supreme Court sat here last week, Chief Justice Carter presiding. The Civil Docket was small compared with the last four years, only occupying five days. There were no cases possessing any particular interest. On Saturday the Court was occupied in trying RODERICK GILLIS, for the wilful murder of JOHN QUIRK. This was, perhaps, one of the most interesting trials ever prosecuted in this Province. The whole affair was enveloped in such darkness and mystery that the most intense excitement prevailed in the public mind, to hear what the trial before a Legal Tribunal might disclose. The Court was crowded during the whole of the trial. The Hon. Solicitor General conducted the Prosecution. R. Hutchinson and C. W. Weldon, Esquires, defended the prisoner. There were 24 witnesses examined on the part of the Crown, the case rested entirely on circumstantial evidence, of the most extraordinary character. The following is a brief synopsis of the evidence given and circumstances connected with the transaction. It appeared that prisoner and deceased lived neighbours, above the Bridge on the Big Buctouche River. That on the morning of the 5th October last, they left prisoner's house together, and went down to the Bridge (this is the business part of Buctouche) remained there for some time, and they proceeded over to Little Buctouche (a distance of two miles) and passed on down to Scovill's Steam Mill, situated a half mile down the River from the Bridge, on the south side. They left Scovill's in company, about the middle of the afternoon, and came to Elliott's store, at the south side of Little Buctouche Bridge, they got some liquor there—Quirk had a bundle, this was a short time before sundown, Quirk gave Gillis his bundle to carry and they left Elliott's for the purpose of crossing the bridge, to go home. They were seen by Mrs Elliott to go on the bridge, they were met about one third over the bridge, this was the last time Quirk was seen alive; his body was found about three weeks afterwards, in the water at the mouth of the Big Buctouche harbour. There was a small schooner lying on the north side of the channel, alongside the Bridge, most of her was aground. About dusk, a young lad named Gesner, was crossing over the bridge, when opposite the Schooner, he discerned a bundle lying on the deck, and saw a small boat belonging to the Schooner, about sixty yards from the bridge, down the River, towards a sand point, there was one man sitting in the stern of the boat, and another shoving the boat towards the sand point; the witness thought the man in the stern of the boat did not move. Another witness, McPhee, stated that on the same evening, about dusk, he was crossing the bridge in a wagon, when near the Schooner, he espied a man in the water up to his middle, he was first alarmed, he saw another man shoving a small boat towards him, he then concluded they were smuggling and passed on, the two men were 15 yards apart and near the sand point; he did not meet or see the witness Gesner; the man in the water seemed to be walking, and appeared to be able to get out of the water; this was just about dark. Peter Dicky stated that about dusk, the same evening, he crossed the bridge and was standing in his wagon at the door of Mrs McIntyre's, at the north end of the bridge, that his attention was attracted by hearing a noise at the Schooner as of wood falling upon wood, he looked towards the Schooner and saw two men in the small boat alongside, one man jumped out of the boat into the Schooner, this man he thought was Gillis.

Henry Smith swore that Gillis went to his father's house about 7 o'clock the same evening, to get witness to drive him home; he did so, Gillis had two bundles, one larger than the other; after Gillis got into the wagon, he complained of being wet and cold, he said he had been rafting that day in Scovill's Boom; witness asked him if he was one of the men that was on the raft that passed through the bridge that day, he said he was; he was then asked by witness, if the other man was McDougall, he replied he did not know his name; when he arrived home he did not take the bundles into the house, but threw them into an outhouse.

Mr Steves, Scovill's Clerk was called, who distinctly proved that Gillis was not working at Scovill's that day, nor on raft. Richard Quirk son of the deceased, swore that he was at Gillis's house when he arrived, waiting for his father, he asked Gillis where he left his father, he replied you will not see black Quirk's face to night; on the following morning he went again to Gillis's, when Gillis gave him his father's bundle. Michael Quirk, also a son of the deceased, stated, that on the day following the disappearance of his father, he had a conversation with Gillis, during which Gillis remarked to witness (I thought your father had money, he said he got none from Steves, I thought he did, and had I been as wise then as I am now, your father might have been home,) this witness was severely cross examined by Prisoner's Counsel but did not vary in his evidence as to the conversation.

Two other witnesses, Johnson and Elliott, stated that while the people were dragging the river in search of the body of Quirk, Gillis said to witnesses, they may search for him but they will not find him in the water, and you may take what meaning out of that you can or you like. The body found was fully identified as the body of Quirk. Dr Wilson sworn, stated that he held a post mortem examination on the body, that he found a contusion on the posterior lateral right side of the head as if produced by a blow from a stone or some flat substance, that the blow would not of itself produce immediate death, but would ultimately; he made an internal examination of the head, in cross examination he was asked if the body was not far advanced in decomposition, and if the same appearance would not be presented when an injury or contusion on the head was received by falling upon a stone or flat substance, as if the blow was given by another with a stone or flat substance, his reply was in the affirmative.

Turner sworn, stated that between 7 and 8 o'clock, he was going home, he was on horseback, and passed Gillis just going off the end of the bridge towards Albert Smith's, Gillis went to Mr Smith's Store and got some tea. Smith proved he was wet then, this was immediately after Turner saw him. The boy's name also proved that the bundle he saw on the deck of the Schooner was a light color and agreed with the description given of Quirk's bundle by Richard Quirk and Joseph Elliott, the boat was also picked up near to where the body was found—These are the principal facts and circumstances on which the prosecution rested, the other testimony was principally corroborated.

The Prisoner's Counsel called no witnesses. Mr Hutchinson addressed the Jury, on behalf of the prisoner relying upon the incongruity and insufficiency of the testimony, commented at length upon the discrepancies between the witnesses, as to the time, the appearance of the night; remarked severely upon the testimony of Michael Quirk as being fabricated for the purpose of laying some foundation, upon which to raise the presumption of motive, that Gillis expected his father had money, consequently a motive for the commission of the crime; dwelt strongly upon the dangerous character of circumstantial evidence; the defence was ably and judiciously conducted. The Hon. Solicitor General replied in his usual able and eloquent manner; he took up and reviewed all the circumstances in that clear and lucid order which is his distinguishing characteristic at the bar, in fine no prosecution could possibly be conducted with more dignity, candour, and propriety, than was the prosecution of Gillis; too much credit cannot be given to Mr Johnson for the manner in which he got up the testimony, having had to send to the Valley for one witness, and with no professional assistance to collect the witnesses, and procure their evidence, he had the case on the part of the Crown as well prepared as it was possible to be. If this be Mr Johnson's first essay as Crown Prosecutor he has proved himself every way competent to discharge the important and responsible duties of Solicitor General. The course pursued by the Councils on both sides met the entire approval and commendations of the Chief Justice. The Jury could not agree at 12 o'clock on Saturday night, when they were locked up and remained till Monday morning, when they came into Court and pronounced a verdict of guilty—hater.

of the testimony, commented at length upon the discrepancies between the witnesses, as to the time, the appearance of the night; remarked severely upon the testimony of Michael Quirk as being fabricated for the purpose of laying some foundation, upon which to raise the presumption of motive, that Gillis expected his father had money, consequently a motive for the commission of the crime; dwelt strongly upon the dangerous character of circumstantial evidence; the defence was ably and judiciously conducted. The Hon. Solicitor General replied in his usual able and eloquent manner; he took up and reviewed all the circumstances in that clear and lucid order which is his distinguishing characteristic at the bar, in fine no prosecution could possibly be conducted with more dignity, candour, and propriety, than was the prosecution of Gillis; too much credit cannot be given to Mr Johnson for the manner in which he got up the testimony, having had to send to the Valley for one witness, and with no professional assistance to collect the witnesses, and procure their evidence, he had the case on the part of the Crown as well prepared as it was possible to be. If this be Mr Johnson's first essay as Crown Prosecutor he has proved himself every way competent to discharge the important and responsible duties of Solicitor General. The course pursued by the Councils on both sides met the entire approval and commendations of the Chief Justice. The Jury could not agree at 12 o'clock on Saturday night, when they were locked up and remained till Monday morning, when they came into Court and pronounced a verdict of guilty—hater.

The Prisoner was sentenced to 7 years imprisonment in the Provincial Penitentiary.

News of the Week.

From English Papers to September 4. CHINA.

A CHINESE FIELD OF BLOOD.—It is stated (writes the Friend of China, of March 15) that the thousands of rebels brought to Canton as prisoners are now being decapitated at the rate of a hundred and fifty a day. That was the number, we were told, executed on Saturday last, a spectacle to which we were witness. The Canton execution ground has before been described in this journal, and for all our readers it is not necessary to repeat that it is situated about a hundred yards from the river, at a distance of two miles or so below the factories. The grounds is oblong on the side nearest the river, being about six feet. This is closed with bars during practical operations. At the grand entrance the ground is about twenty feet wide. On the right hand, doorways open on to several ovens and tile manufactories. As we approached the execution ground many were met with their hands to their nostrils, or with their tails tied round their faces, for the purpose of avoiding the horrid stench which could literally be felt at a considerable distance. The ground was covered with partially dried gore, the result of the past days work. There are no drains to take the blood away, nor is any substance used to slake it. One man was found digging holes for two crosses, on which he said four were to be tied and cut in pieces.

The execution had been fixed for noon. At half past eleven half a dozen men arrived with the knives, preceded by bearers of rough deal wood boxes decorated with bloody sides—these were the coffins. Unconcern was the general appearance of the soldiers and spectators, of whom, altogether, there may have been 150. The day was dull, a fresh breeze from the eastward carrying the stench away from the foreigners, who, to the number of a dozen, had obtained admittance to the top of one of the houses on the far side of the street passing the entrance of this field of blood. At a quarter to twelve the first batch of ten prisoners arrived, speedily followed by the rest in similar quantities. Each prisoner (having his hands tied behind his back, and labelled on the tail) appeared to have been thrust down in a wicker basket, over which his chained legs dangled loosely, the body riding uncomfortably, and marked with a long paper tally, pasted on a slip of bamboo thrust between the prisoner's jacket and his back. These man-baskets, slung with small cords, were carried on bamboos resting on the shoulder of two men. As the prisoners arrived, each was made to kneel with his face to the south. In a space of about twenty feet by twelve, we counted as many as seventy ranged in half a dozen rows. At five minutes to twelve a white button mandarin arrived, and the first two to be cut in pieces were tied to the crosses. While looking at this frightful process the execution commenced, and twenty or thirty must have been headless before we were aware of it. The only sound to be heard was a horrid cheep—cheep—cheep, as the knives fell. One blow was sufficient for each—the head tumbling between the legs of the victim before it. As the sword falls the blood-gushing trunk spring forward, falls on the breast, and is still for ever.

In four minutes the decapitation was complete; and then on the other victims commenced the barbarity, which to think of only, is sufficiently barbaric. With a short sharp knife a slice was cut from under each arm. A low suppressed fearful groan from each followed the operation of the weapon. Dexterous as butchers, a slice was taken successively by the operators from the calves, the thighs, and then from each breast. We may suppose—we may hope—that by this time the sufferers were insensible to pain; but they were not dead. The knife was then stuck into the abdomen, which was ripped up to the breast bone, and the blade twisted round and round as the heart separated from its lodging. Up to this moment, having once set eye on the victim under torture, they had become fixed as by fascination; but they could be riveted no longer—a whirling sensation ran through the brain, and it was with great difficulty we could keep ourselves from falling. But this was not all; the lashing: were then cut, and the head, being tied by the tail to a link of the cross, was severed from the body, which was then dismembered of hands and arms, feet and legs, separately. After this the mandarins left the ground to return, however, with a man and woman; the latter, it was said, the wife of one of the rebel chiefs—the man a leader of some rank. The woman was cut up in the way we have described; for the man a more horrible punishment was decreed, he was flayed alive. We did not see this, but it was witnessed by a sergeant of marines of the U.S.S. J. P. Kennedy, the cry, on the first insertion of the knife across the forehead, and the pulling of the flesh over the eyes, being most horrible. But enough! Such is an episode of this revolution in China—such some of the last acts of the Mon hou dynasty. It is impossible such a government can exist much longer. Humanity must make a common cause against the demons who can perform deeds such as these.

EUROPE. FRANCE.—The embarkation of troops at Marseilles continues without interruption. On the 19th, thirty-

teen hundred men belonging to different regiments arrived for immediate embarkation.

Several Russian prisoners who, being Poles, asked to be incorporated with the regiments of the Cossacks now organising at Constantinople arrived on Tuesday at Paris by the Rouen Railway, and proceeded in the evening on their journey by the Lyons Railway, under the direction of a sergeant of infantry.

A sort of Zouave mania seems to exist in Paris.—Some battalions of the National Guards are said to have petitioned for the creation of a body of Zouaves of the National Guard.

SPAIN.—The sale by public auction of the national property commenced at the Town-hall of Madrid on the 10th. It was attended by a great number of persons, and the competition was so keen that several lots were knocked down for double the upset price. A letter of the 11th, received in advance of the regular mail, says:—Energetic measures are being taken for seizing the property of the clergy, in spite of the passive resistance of the bishops and other ecclesiastical authorities. The Gazette publishes decrees removing General Camba from the Captaincy-General of Porto Rico, and appointing General Leymerich to succeed him. The same journal also publishes the memorandum addressed to the Court of Rome. The allocation of the Pope on the affairs of Spain, delivered in the last Consistory, has been received. The Spanish government appears disposed to employ temporisation instead of coming to a direct rupture with Rome.

WURTEMBERG.—Advises from Stuttgart state that the second chamber has been dissolved by a decree of the King of Wurtemberg. The dissolution has been decreed because the chamber has passed a resolution demanding a reformed organisation of the Germanic confederation, and popular representation in the diet at Frankfurt.

AUSTRIA.—A letter, published in the Cologne Gazette, and dated Vienna, the 15th inst., contains the following:—The accession of Spain to the Western Alliance is now considered certain. Intelligence to that effect has reached us both from Paris and Madrid. But it is also believed that this will not be the only accession, and that it will be followed by that of the Scandinavian States. It is asserted that England and France have agreed to the conditions proposed by Sweden: they guarantee her actual possession, and engage, in case she can reconquer her ancient States, to place sufficient troops at her disposal for a certain number of years to maintain possession of them. As to Denmark, the matter is stated to be as good as settled there also, the Danish Admiral Mowbray, now in Paris, being entrusted with the necessary powers for the definitive conclusion of a treaty with the Western Powers.

PRUSSIA.—Berlin, August 17.—Count Lubinsky, the Governor of the Bank of Poland, has arrived in this city from Warsaw, for the purpose of negotiating a loan for Russia. In his interviews with some of our leading bankers and capitalists, the Count has found out that the credit of Russia is not so firmly established as he was given to understand in Poland, and that the sympathies of the Prussians towards their powerful northern neighbour are only found in the court circles and the columns of the Kreuz Zeitung, but certainly neither on the Stock Exchange nor in the great mass of the people.

NEW BRUNSWICK.

The boat-race between the stalwart sons of New Brunswick and the men of Boston, for \$2000, which has excited such intense interest, and the result of which was so anxiously looked for, came off on Thursday last, in Boston harbour; and terminated in a most glorious victory on the part of our skillful Blueboaters. In this city and vicinity, every confidence was felt from the very first, that our townsmen would be the conquerors, and the result has justified those sanguine expectations. The Boston papers, in the most candid and handsome manner, fully admit, that our New Brunswick oarsmen are as yet unrivalled, and yield the palm and the prize with the greatest grace. The race-ground was a measured mile and a half on the St. Charles River at Boston, which was to be four times traversed to and fro by the competing boats; making a course of 12 miles to be passed over in four successive heats. In each of the first three heats the New Brunswick boat (the Superior) easily distanced the Boston boat (the Maid of Erin), which latter gave up the contest at the end of the third heat, and allowed the Superior to perform the fourth heat uncontested and in triumph. The Blueboater oarsmen have thus added another wreath to their former well-earned laurels; and long may they worthily and modestly enjoy them.

The Morning Courier of this day states, that our victorious countrymen, who are expected to return to this City in the Admiral this evening, are to be received with a salute of twenty guns; to be drawn in triumph through the principal streets of the City, in a carriage with four horses, and to be entertained in the evening with a supper at the Victoria Hotel.

On Wednesday evening, about 6 o'clock, a fire broke out between Waterloo and Exmouth streets, which resulted in a great destruction of property.—Considerable doubt exists as to the place of its origin; but from all we can gather we learn that it commenced in or about a barn owned by Mr Dennis Whelan, situated between the streets mentioned above. It is said to have been caused by some boys who were smoking in the barn in question, and carelessly threw a lighted cigar among some dry hay and other inflammable materials lying round. Another rumor attributes the origin to the depositing of some ashes containing live coals among dry saw dust in the yard; but the first is the generally received opinion.

After partially consuming one and totally destroying two houses on Exmouth street, it spread through the block to Waterloo street, where the greatest amount of damage was done—eight large dwelling houses being reduced to a heap of smoking ruins.—On Richmond street, running east and west of Waterloo, the loss sustained was small. Two houses one partially and the other completely destroyed sum up the damage.

The firemen, although early on the ground, and working with the energy that characterises the department, were anticipated by the rapid progress of the flames, which had attained considerable headway before any effective opposition could be offered. A delay was caused, also, by the distance from which the water had to be led from the Company's plugs; but, although the supply was small at the commencement of the fire, owing to the elevation of the ground, it increased in a short time, and aided materially in confining the destruction to its present limits. Several large wells, containing a bountiful supply, could not be reached, as they were situated on the immediate locality of the conflagration.

The houses were all wooden, dry as tinder, and the flames consumed them with astonishing rapidity. At one time the scene was very picturesque. The large mass of flame as it rose heavenward, gave, in strong light and shadow, the magnificent proportions of the new Catholic cathedral, in course of

completion in this vicinity, and lit up with its glare the immense number of spectators, who, from the elevation on which it stands, looked on with anxious countenances at the progressive work of destruction.

This fire is disastrous in its consequences, not only on account of the large quantity of uninsured property destroyed, but in the unhousing of a great number of families.

Between two and three o'clock yesterday morning, an hour or two after our over-worked firemen had retired to rest from the labours of the preceding evening and night, they were aroused from their slumbers by the ringing of the alarm bells. The flames, at this time, was bursting from the workshop of Mr Alfred Harris, house carpenter, situated in rear of the stone cutting establishment of Mr McKim, in Germain street. The fire having then gained considerable headway, and Mr Harris's shop and premises, containing much combustible material, several adjacent out-buildings were soon in flames, and communicated in a short time to a large and valuable wooden dwelling-house in Germain street, owned and occupied by Dr. Livingstone, which was destroyed, together with the large wooden dwelling-house of Mr Thomas Crozier, fronting on Union-street. A dwelling house and the out-buildings adjoining Mr Crozier's, owned by Mr Wm. Hewitt, and occupied by Mrs Hawks were damaged to the extent of \$100. The out-buildings attached to Mr Crear's brick building were nearly consumed, but the brick fabric materially aided the efforts of the firemen in preventing the flames from extending northwardly up Germain-street, and the wind being light from the opposite point, the wooden buildings of Messrs. Harris and McKim to the southward, were saved without serious damage.

The origin of this fire is generally attributed to an incendiary. It is to be hoped that these oft-recurring calamities will have the effect of arousing our City authorities to the necessity of taking some measures to insure a thorough investigation in the cause of these disasters. Of cases (as the Germain-street fire,) where the hand of design is apparent, the matter is allowed to pass without inquiry; the parties whoever they may be, will become emboldened by success, and we may during the coming winter, often be called upon to witness and record the destruction of much valuable property.—St. John Courier.

HAVANA, Aug. 23.—The Mexican war steamers Irbide and Guerrero arrived at Havana from Vera Cruz on the 24th, the Irbide having on board Gen. Santa Anna and family, and several friends. They all left for Caracas via St Thomas, in the Guerrero, on the 29th. The Irbide would return to Vera Cruz in a few days. Santa Anna was saluted with twenty one guns on his arrival and departure.

Several regiments have been marched from this city to the country, in consequence of the prevalence of the cholera among the soldiers. The volunteers are now doing duty in this city in the place of the soldiers withdrawn. I have heard, but do not vouch for the truth of the report, that all the soldiers will shortly leave this city from the same cause.

Holloway's Pills possess most astonishing powers in the cure of General Debility—Copy of a Letter from Henry Antrons, of Charlottetown, P. E. I., to Professor Holo way. "Sir, I suffered for a number of years from weakness and general debility, and was brought to death's door by the same. I was told by those I consulted, that there was no hope of my recovery, when I resolved to give your Pills a trial, after using them for about five weeks, my health was considerably improved, and at the expiration of two months every symptom of my disorder disappeared."

SHIP NEWS.

PORT OF CHATHAM, MIRAMICHI.

ENTERED.—September 15.—schr. Villager, Watt, Halifax, general cargo, Gilmour, Rankin, and others.

17.—schr Phantom, Palmer, P. E. I., oats &c., W. J. Fraser & Co.

18.—schr Prompt, McKay, Nfld., Cod-fish, J. Cameron.

20.—schr Charles Weldon, McLean, Richibucto, master.

21.—schr Olive Branch, Bushie, Arichat, coals and herring, master.

22.—ship Mariane, Allan, Liverpool, D. & J Ritchie.

CLEARED.—Sept. 18.—schr Phantom, Palmer, P. E. I., shingles, W. J. Fraser & Co.

20.—brig Felix, Griegrim, St. Pierre, deals, W. J. Fraser & Co.

21.—schr Prompt, McKay, P. E. I., salt, &c. master; bark Jane Parker, Barker, Penrith Roads, for orders, deals Robinson Crocker.

PORT OF NEWCASTLE, MIRAMICHI.

ENTERED.—September 11, brig Tyne, Williamson, Genoa, Gilmour, Rankin & Co.

20.—bark Jane Lovitt, Dublin.

CLEARED.—September 7, schr Greyhound, Banett, Halifax, lumber, Robinson Crocker.

10.—brig Isabella Lawley, New York, Haccmatac timber and preserved fish, Robinson Crocker.

11.—schr Pictou, Currie, Halifax, salt, Harley & Burchell.

12.—schr Greyhound, Brown, Shediac, salmon, Luther Brachett.

18.—ship Tarquin, Doughty, Penrith Roads, deals, J. H. & J. Harding.

10.—bark Cecilia, Cann, Belfast, deals, Gilmour, Rankin & Co; brig Triumph, Stewart, Limerick, do., J. H. & J. Harding.

21.—schr Villager, Watt, Halifax, lumber, Gilmour, Rankin & Co.

HALIFAX.—Cleared, September 14.—ship Lord Ashburton, Miramichi. The brig, Glide, bound to Windsor, with Railroad material, was lost on Grand Manan, and it was expected all hands perished.

BOSTON.—Cleared, Sept. 5, St. Agnes, Bathurst.