

left, and march back, to which they answered that they would be d—d if they should not immediately break open the stores and satisfy themselves. Finding them bent on proceeding to extremities, he begged an hour or two to consider an answer; to which they assented upon condition that he should not leave the Island until the business was settled. The deceased then marched back the men, shouting and making a great noise. He then sent for Capt. Lacy, Lieut. Stanley and Ensign Ford, the only officers then off duty, who came to the government house, and all agreed that an immediate punishment should be inflicted; Lieut. Stanley was then dispatched to the drum-major to desire him to have every thing ready, and on his return he reported from the drum-major that the cats were all destroyed, and that the men were all agreed not to suffer any punishment. Capt. Lacy then proposed nothing should be done until parade, which course was adopted, and the prisoner asked the men when drawn out, what was their complaint? A man came forward, and said he had a demand upon the Commissary upon account of short allowance. He then called out the deceased and asked him; but at this moment a Lieutenant came and told him that a man in confinement was breaking prison, and that the soldiers would not obey orders to prevent him. He then left the parade, and went to the guard-house, and saw the person who had been in confinement, at large. He attempted to force him back, but the soldier who stood centry clapped his bayonet to his breast, and said, he should not enter there. He struck the bayonet down, and after having reprimanded the guard, he returned to the parade, where he had ordered the artillery to be drawn up with the African troops; nothing unprecedented, but which was then owing to the fear he entertained of the African corps. On his return to the parade, he ordered the said three officers to form a Court-Martial, which they did. He then charged the deceased, who was on the parade, with mutiny. He then went outside of the troops, who formed a circle round the Court-Martial. Some time after Capt. Lacy came out of the circle, and informed him that they had sentenced the deceased to receive 800 lashes. Some small cords were produced, and shown to the surgeon before the punishment, who approved of them, and said, they were not so bad as a cat o'-nine-tails. The punishment was then inflicted upon the deceased, who was tied to a gun, which was the usual way in the African corps, who never had halberts. The deceased in the course of the evening drank spirits so as to become intoxicated. At the time he received the punishment, it did not appear to be a severe one. The prisoner shortly after came to England, and found upon his arrival the several charges had been preferred against him by two officers of the African corps. The charges were heard, and proved to be groundless; and Lieut. Roberts, one of the officers, was reprimanded for bringing them. Some time after two messengers went down to Barb, and took him into custody; they took a post chaise and four, and in their way to town they stopped to sup at Reading. At this time he knew nothing of any charge of murder, and the messengers refused to tell him the cause of his arrest. An opportunity offered to make his escape and he embraced it. It was not till afterwards that he was charged for murder. But an impression to his disadvantage having been made upon the public mind, he was deterred from surrendering to take his trial.

After this statement the prisoner's Counsel called the following witnesses.

Harriot Lucy, the widow of Captain Lacy, who succeeded the prisoner in the Government of Goree; confirmed the statement of the men coming up twice in a mutinous manner to the Governor's house. They amounted to between 70 and 80, and their demand was for a short allowance, not due in the prisoner's time, but in that of his predecessor.—She also proved the consultation with the three officers.—On her cross-examination she swore positively that one Carney, and not Evan Lewis, was the orderly sergeant on that day at the Governor's house. Her husband, she said, died in 1781, but she did not think him a competent witness after 1784, as he was extremely enervated, and under the influence of a *coup de soleil*.

Sarah Faulkner said, she heard the

deceased, and others desire sergeant Benson to make out an account, and the latter answered that they were not aware of the consequences of such proceedings; to which they replied, that if the Governor should not comply they would have his life. On her cross-examination she said, that the demand was not made on account of short allowance in the time of the prisoner's predecessor. She also swore positively that Carney, and not Lewis, was the orderly sergeant at the Government House on that day.

John Faulkner swore that there was a trial; that Capt. Lacy charged Armstrong with mutiny, threatening to stop the Governor, and to bring the stores on shore. Armstrong made no defence. The Governor had retired without the line, while Capt. Lacy and the other officers were deliberating, that is, from a quarter of an hour to half an hour. The sentence was then pronounced, that 800 lashes should be given by the interpreter and his people; the surgeon was present during the whole of the punishment; the rope was not half so thick as that produced, it was not thicker than a man's little finger. Armstrong walked to the hospital without any assistance.

A number of other witnesses gave similar evidence, and a number of highly respectable persons, among whom were General Forbes, Governor Mackenzie, &c. gave the prisoner an excellent character.

The learned Judge recapitulated the evidence with much discrimination, and the Jury, after being out of Court some time, pronounced a verdict of Guilty.

[The Recorder here pronounced the sentence of Death in the usual form.]

#### THE SENTENCE.

The Recorder.—Joseph Wall, you have, after a very elaborate trial—after the very patient hearing of an intelligent and impartial Jury—after every possible circumstance that could be urged in your favour has been stated by able Counsel—and after the observations of an enlightened and humane Judge, been found guilty of the horrid crime of murder. I greatly lament that it now becomes my duty to pronounce that sentence which the policy of our laws sanction, and which the holy scriptures enforce. I am exceedingly sorry that this painful task should have fallen to my lot, but my duty calls upon me to state to you, that the life of a human being cannot be at the disposal of any man, however high or important the office may be which he holds. The privileges attached to the highest authority in this country do not confer the power of inflicting death on a fellow creature. The law, according to the practice of our happy constitution, and according to the maxims laid down by our ablest writers on criminal jurisprudence, always infers malice aforethought, when the circumstances of the case are such as to exhibit a vindictive conduct and determined cruelty on the part of the prisoner.—You have occasioned the death of a fellow creature by an unprecedented severity of punishment, and by employing an instrument of a novel nature, calculated to produce that terrible and inhuman effect. This it appears you did under the influence of a wicked and malignant spirit, at a time when no mutiny existed among the men you commanded; for so have the Jury unfortunately for you decided. I am sorry that considerations of this nature had not previously made some impression on your mind. How fortunate would it have been for the deceased and for yourself, had you been actuated by those principles of humanity which ought never to be lost sight of in any situation of life; with such a disposition you would have avoided this calamity, and would have spared me the painful sensation I must feel in pronouncing that sentence which is to separate you from all that is dear to you on earth. May the Supreme Being fill your mind with repentance, and when you are released from this world, you may become a partaker of the world of bliss.

#### NOTICE.

ALL Persons who have any legal demands against the Estate of JOHN TAYLOR, late of this Province, deceased, are requested to send in their accounts duly attested to the Subscriber, within six months from the date hereof.—And all persons indebted to the said Estate, are desired to make immediate payment to

JOHN WARD,  
Administrator.

St. John, March 24th, 1802.

## LONDON.

FEBRUARY 28.

A force is to be established at Jamaica, competent to counteract any possible inconvenience which might result from the introduction of so large a body of French troops into St. Domingo, as have been recently sent thither.

The 7th or Royal Fusiliers, stationed at Halifax, and the 66th regiment, stationed at Newfoundland, are ordered for Jamaica.

MARCH 1.

Since our last we have received four days Paris papers, which reach to the 24th ult. inclusive; and the Dutch and Hamburg Mails have also arrived.

There is not much public news in the Foreign Journals; but the intelligence we continue to receive from very good authority gives us every reason to hope, notwithstanding the long procrastination of the negotiations at Amiens, that the moment of their happy completion is not far distant. Such at least is the opinion of the best informed persons, and such is warranted by the public appearances of activity and harmony in the conferences of the Plenipotentiaries. Six or seven hours of each day are devoted to the care of this important business, upon which so much of the repose and happiness of Europe must henceforward depend.

It strengthens the hope of a just and durable Peace, that the wishes of the French Nation for the restoration of Royalty become every day more public, general, and unequivocal. The sentiments of the people may be best learned from their eagerness to catch and apply the most remote allusion to this object that they can discover in any theatrical representation. This resource suggested itself under the slavery of the Press, and the jealousy of the Police; but from the pieces which have lately been represented, one must judge that the government does not see with any anxiety this reflux of public opinion.

It cannot be surprising if these circumstances cause a great deal of speculation, and verify the hopes of a party distinguished for the sanguine and unmeasured flattery of its own interests and passions. Already they renew their fond rumours that Bonaparte is about "to betake himself to his Lordship of Italy," and anticipate the return of the Bourbons. But whether the present ardour of the French people, and the encouragement given to their sentiments by the government, be in favour of hereditary rights, or of Royalty itself, abstracted of a new Dynasty or an Elective Crown—is a problem too deep and too complicated to be solved by men, whose unconquerable levity no weight or series of misfortune have been able to cure;—who have profited nothing by the experience of their long revolutions, and who continue to deliver their oracles to the word as if they were still behind their tripod at Colubia.

MARCH 2.

An order was received yesterday at Portsmouth, to fit out several ships of war with all possible expedition; each ship is to take a number of troops on board, and to be victualled for four months. The ships are the

|         |                  |
|---------|------------------|
| Texel,  | 64 guns          |
| Alkmaar | 56               |
| Trusty  | 50 arme en suite |
| Ceres   | 32 guns          |
| Thibbe  | 28               |

The motives of the above order, and the destination of the Squadron, are a profound secret. The rumour that they are going to Turkey, to act in concert with the Turks against Pashan Oglou, seems to be totally unworthy of credit. It is known that desertion is rapidly thinning the ranks of Pashan's army, and that he has no hopes of foreign assistance; it is believed too that he has entered into a negotiation with the Porte, to obtain his pardon.

MARCH 3.

Mr. Bassett, the Messenger, arrived this morning with dispatches from Amiens.—The vessel which brought Mr. Bassett from Calais, brought also General Craddock, Col. Spencer, Lieutenant-Colonel Wingfield, Major Douce and Captain Ronnel of the 40th, from Egypt, which they left the latter end of October. The battalion is still in Egypt, but the flank companies are at Malta.

MARCH 4.

Messrs. Higgins and Dressing failed last night from Dover, with dispatches of importance for Amiens.

The debate in the House of Com-

mons last night was very interesting; yet, upon the situation, progress, or result of the negotiation no light was thrown. An allusion was made to former negotiations for Definitive Treaties, in order to shew that the present delay was not unusual or extraordinary. Between the signing of the Preliminaries at the last Peace, and the Definitive Treaty, upwards of nine months elapsed. Yet though the delay is not unprecedented, and though certainly the points in discussion now are of an importance unequalled, perhaps, in any former negotiation, there seems to be some degree of gloom in the public mind, particularly among commercial men. It is probable that the bustle at our ports has, in a great measure occasioned this gloom.

On Monday last six sail of the line sailed on a sudden from Torbay upon a secret expedition, and yesterday an order was received at Portsmouth to get ready for sea with all possible expedition all the men of war fit for service at that port. The greatest activity of course prevails in the different offices at Portsmouth, to victual and equip the ships. Of the motives for this measure and of the destination of the fleet we are totally ignorant. The order has excited a considerable degree of astonishment, and has given rise to a variety of conjectures.

## Assize of Bread.

PUBLISHED April 20th, 1802.

The Sixpenny Wheaten Loaf } lbs. oz.  
to weigh - - - - } 2 6½  
Ditto Rye - - - - } 3 2

And other Leaves in proportion,  
WILLIAM CAMPBELL, Mayor

To the Inhabitants of YARMOUTH or CAPE FORTHEU, in Nova-Scotia.

CAPT. GEORGE MATTHEW and Mr. ROBERT ARMOR, late of the brig *Industry*, which was unfortunately burnt on her passage from Halifax to this Port, beg leave to express their grateful acknowledgments to the Inhabitants of Yarmouth, and in a particular manner to Doctor Bond, Mr. and Mrs. Blancher, and Mr. and Mrs. Crosby, for the kind and humane treatment given to them, and their fellow sufferers, survivors, of the melancholy accident, on their arrival at that port, after being at Sea in an open Boat 7 days, and experiencing the severest hardships from the inclemency of the season, &c. and to assure them that a recollection of their hospitality and friendship, will never be effaced from their memory.

St. John, 21st April, 1802.

## Artillery Bills.

BILLS of EXCHANGE to the amount of £100 Sterling, on the Pay-Master of the Royal Artillery, London, to be disposed of.—Apply at the Office of Ordnance.

St. John, 21st April, 1802.

## NOTICE.

ALL Persons having any demands against the Estate of Peter Hants, late of King's County, deceased, are requested to exhibit their accounts for settlement, within six months from the date hereof; and all those indebted, are desired to make immediate payment to either of the Subscribers.

ELIZABETH HANTS,

Administratrix,

ANDREW HAMM,

Administrator.

King's County, 20th April, 1802.

## TO BE SOLD

AT PUBLIC AUCTION,

[By direction of the Executors,]

On Thursday the 13th May next, precisely at 11 o'clock.

THE whole real and personal Estate of the late JOHN CARNES, of Fredericton.—It consists of a Town Lot near the Soldiers Barracks with a small dwelling House, and shop thereon.—A corner new Two Story House, near the Soldiers Barracks containing 6 Rooms and a commodious Cellar, fitted up and situated for mercantile business of any kind.—One hundred Acres of Land directly opposite the Barracks.—Four hundred Acres of Land on the Penneauk about ten miles from Fredericton; likewise sundry articles of Household and Kitchen Furniture, &c. &c.

The Sale to commence at the new House above mentioned.

ANDREW PHAIR,

Fredericton, 5th April, 1802.