

## Miscellaneous.

### ARNOLD DU TILB.

ARNOLD DU TILB, a native of Sagias, a village near the city of Rieux in the Upper Languedoc, who, towards the middle of the fifteenth century, was the object of a criminal prosecution, extraordinary in its nature, perplexing and difficult to decide.

At Artigues, a country hamlet, only a few miles from the place of Du Tilb's residence, lived a little farmer, whose name was Martin Guerre, married to a modest, handsome young woman, born in that neighbourhood, but herself of the Spanish province of Biscay. They had a son, and, for their situation in life, possessed tolerable property.

Ten years after their marriage, in consequence of a dispute with his father-in-law, Martin suddenly quitted his family, and, charmed with the licentious freedom of a roving life, or cooled in affection towards his wife, although she had conducted herself with exemplary propriety, had not been seen or heard of for eight years.

It was during this long absence, to lovers as well as husbands, a dangerous interval, it was at this time, that Arnold du Tilb, the subject of our present article, who had formerly seen and admired the wife of Martin Guerre, meditated a most perfidious and cruel stratagem.

In age and appearance he greatly resembled the absent man; like him, too, Du Tilb, having for many years quitted his country, was generally considered as dead; and having made himself acquainted with all the circumstances, connexions and general habits of Guerre, as well by collateral inquiries, as by actual association with him during two campaigns as a private soldier, he boldly presented himself to the wife and family, as her long lost husband.

The risk he incurred, and the difficulties he encountered, were considerable; a thousand little circumstances, which it is easy to imagine, but unnecessary to describe, must daily and hourly have led him to the brink of detection; indeed, it is not easy to conceive how he could succeed, unless the unhappy dupe of his delusion had been herself a promoter of the cheat, which does not appear to have been the case.

The stranger, at once, and without hesitation, was received with transports of joy by the wife and all the family, which, at that time, consisted of four of her husband's sisters, and an uncle. One of them remarking, that his clothes were somewhat out of repair, he replied, "yes;" and in a careless, and apparently unpremeditated way, desired that a pair of taffety breeches might be brought to him. The wife not immediately recollecting where she had put them, he added, "I am not surprised you have forgot, for I have not worn them since the christening of my son; they are in a drawer at the bottom of the large chest, in the next room. In this place they were found and brought to him."

The supposed Martin's return was welcomed by the neighbours in the old French way, by song and dance; he enjoyed the privileges and pleasures,—he shared the emoluments and cares of a husband; and a few days after his arrival, repaired to Rieux to transact some necessary law business, which had been deferred in consequence of his absence. The fond couple lived apparently happy for three years, in which time two children were added to the family.

But their tranquillity was gradually interrupted by the uncle, whose suspicions of imposture were first excited by a traveller passing through the village. This person, hearing the name of Martin Guerre accidentally mentioned, declared, that eighteen months before, he had seen and conversed with an invalid of that name in a distant province of France, who informed him that he had a wife and child in Languedoc, but that it was not his design to return during the life of his uncle.

The stranger being sent for, and privately questioned, repeated, in a clear and consistent manner, what he had before communicated, confirmed the apprehensions of the uncle, that the real Martin Guerre was still absent; and added, that since quitting his wife, he had lost one of his legs in the battle of St. Quintin.

The family, alarmed by this account, now saw, or thought they saw, many little circumstances which had before escaped their notice, but all tending to prove, that the man with whom Mrs. Guerre cohabited, and by whom she had two children, was not in fact her lawful husband.

But they found it extremely difficult to convince the deluded female of her mistake; she loudly, and with tears insisted, that her present domestic companion was her first love, her real and original husband. It was not till after several months that the unhappy woman was at length prevailed on to prosecute the impostor.

He was taken into custody, and imprisoned by order of the criminal judge of Rieux, and a time fixed for examining the evidence, and hearing what Du Tilb had to offer in his defence.

On the day appointed, the defender was brought into court, followed by a number of people, whose curiosity was naturally excited. The deposition of the traveller concerning the absent Martin Guerre was first read. The uncle, the sisters, and many of the inhabitants of Sagias, were next closely questioned, on their oaths; some declared that the prisoner was not Martin Guerre; others positively insisted, that he was the identical person, corroborating their testimony by many collateral circumstances. But the greater number avowed without scruple, that the resemblance between the two,

if two they were, was so great, that it was not in their power to distinguish. The weight of evidence was thought by many to preponderate in favour of the prisoner.

The judge demanding of him what he had to say in his defence, he answered without embarrassment, that the whole was a conspiracy of the uncle and a certain part of the family, who, taking advantage of the easy temper and weak understanding of his wife, had contrived the story, in order to be rid of him, and to get possession of his property, which he valued at eight thousand livres.

The uncle, he observed, had for some time taken a dislike to him, had frequently assaulted him, and in one instance would have killed him by the stroke of an iron bar on the head, had he not fortunately parried the blow.

The remark of the prisoner on the weakness of his wife's understanding, served to diminish the surprise of the court at her being so easily duped; nor indeed could they blame any relation for endeavouring, in any manner they were able, to expel the violator of the wife and property of their kinsman.

Du Tilb then proceeded to inform the court of the reasons which first induced him to quit his family; related minutely where, how, and with whom he had passed his time; that he had served in the French army seven years, and, on his regiment being disbanded, had entered into the Spanish service, from which, being impatient to see his wife, and sorely repenting that he had ever quitted her, at a considerable expense he procured his discharge, and made the best of his way to Artigues. At this place, notwithstanding his long absence, and the loss of his hair, he was directly and universally recognised by his old acquaintance, and received with transports of joy by his wife and sisters, particularly by his uncle; although that unnatural and cruel relation had now thought proper to stir up the present prosecution against him.

The prisoner, in consequence of certain leading questions from the judge, gave a minute description of the situation and circumstances of the place in Biscay, where he said he was born, (still insisting that he was Martin Guerre), mentioning the names, age, and occupation of the relations he had left there; the year, the day, and the month of his marriage—also the persons who were present at the ceremony, as well as those who dined with them; which, on referring to collateral evidence, were found to be true.

On the other hand, forty-five reputable and credible witnesses, who were all acquainted with Martin Guerre and Arnold du Tilb, swore, that the prisoner was not, and could not be Martin: one of these, Carbon Barreau, maternal uncle of Du Tilb, acknowledged his nephew with tears; and, observing that he was fettered like a malefactor, bitterly lamented the disgrace it would bring upon his family.

These persons also insisted, that Martin Guerre was tall, of a slender make; and, as persons of that form frequently are, awkward and stooping in his gait,—that he had a remarkable way of protruding and hanging down his under lip, that his nose was flat, and that several scars were to be seen on his left eye-brow, and other parts of his face.

On the contrary, they observed that Du Tilb was a middle-sized, well set man, upright, with thick legs, a well formed nose, and without any thing remarkable about his mouth or lips; they agreed that his countenance exhibited the same scars as that of Martin.

The Shoemaker who had for many years furnished Guerre with shoes, being called, deposed that his foot, reached the twelfth size, but that the prisoner's was rather short of the ninth: it further appeared, that the former had, from his early youth, been dextrous at cudgelling and wrestling, of which the impostor was wholly ignorant.

As a strong circumstance against the person accused, it was added, that his manner of speaking, and the sort of language he used, though at times artfully interlarded with Patois and unintelligible gibberish, was very different from that which used to be spoken by the real Martin Guerre, who, being a Biscayan, spoke neither wholly Spanish, wholly French, nor wholly Gascon, but a curious mixture of each,—a sort of language called the basque.

Lastly, and what seemed to make an impression on the court, the prosecutors referred to the internal evidence of the offender's character, which, they proved, had been from his childhood vicious and incorrigible in the extreme; they produced satisfactory proofs of his being hardened in all manner of wickedness and uncleanness,—a common swearer and blasphemer,—a notorious profligate, every way capable of the crime laid to his charge.

The accusation lay heavy upon the prisoner. A pause ensued for deliberation, and the court, fatigued by the long and patient examinations of a host of witnesses, took refreshments; the townhouse being still crowded with persons, impatient to give their testimony in behalf of the prisoner, whom they considered and pitied as an injured man.

The first parties next examined astonished the judge, and staggered the whole court: they were the four sisters of Martin Guerre, all reputed to be women of sound understanding, and of character unblemished; they positively swore, that the man in custody was their dear brother Martin—Two of their husbands, and thirty-five persons born or brought up in the neighbourhood, corroborated their assertions; among others, Catherine Boere, who carried Martin and his wife the medianoché, or, as an Englishman would call it, the sack posset, after they were put to bed on their wedding-night, declared, as she hoped for a

verlasting salvation, that the prisoner, and the man she saw in bed with the bride, was the same person.

The majority of these last witnesses also deposed, that Martin Guerre had two scars in his face, and that the nail of his fore-finger, on his left hand, in consequence of a wound received in his childhood, grew across the top of his finger,—that he had three warts on the back of his right hand, towards the knuckles, and another on his little finger. The judge ordered the culprit to stretch forth both his hands, which were found to agree with this description.

It further appeared, that on his first arrival at Artigues, the prisoner addressed most of the inhabitants by name, and recalled to the memory of those who had forgotten him, several circumstances with respect to the village, on the subject of births, marriages, and deaths, which had happened ten, fifteen, and twenty years before; he also spoke to his wife (as he still insisted she was) of certain circumstances of a very peculiar nature, which took place on the wedding-night,—these I will not repeat.

He who could give an assumed character so strong a resemblance to reality, and so dextrously clothe falsehood in the robe of truth, was no common impostor,—like other great villains, he must have been a man of abilities.

To add to the perplexities of this business, the wife being called, her pretended husband solemnly addressed, and called on her, as she valued peace of mind here, and everlasting happiness hereafter, to speak the truth without fear or affection; and declared, that he would submit to instant death without repining, if she would swear that he was not her real husband.—The woman replied, that she would by no means take an oath on the occasion, at the same time, she would not give credit to any thing that he could say.

The evidence on both sides being closed, and the defence of the prisoner being heard, the judge pronounced Arnold du Tilb guilty, and sentenced him to suffer death; but the culprit appealed to the Parliament of Toulouse, who, not long after, ordered a copy of the proceedings, and the convict to be forthwith transmitted to them.

The Parliament, at that period a court of justice, as well as registry of royal edicts, wisely determined to take no decisive step in the business, till they had endeavoured to get sight of, and secure the man with a wooden leg, as described by the traveller, the uncle strenuously insisting, that he, and no other was his long lost nephew.

A commission was appointed to examine the papers, and call for new evidence, if necessary; descriptions of the person and circumstances of Martin Guerre, the absent husband, were also circulated throughout the kingdom. At length, after several months had elapsed, and considerable pains had been taken, the absence was fortunately discovered in a distant province, conveyed to Toulouse, and ordered into close custody, with particular directions, that he should have no intercourse with any person whatever, even at his meals, but in the presence of one of the commissioners, who ordered an additional lock to the door of the room in which he was confined, and themselves kept the key.

A day was fixed for a solemn and final re-hearing, and a list of such witnesses as would be required to appear before the Parliament, was, in the mean time, sent to Rieux, for the purpose of preventing the trouble and expense of conveying to Toulouse, so large a number of persons who had crowded the court and streets of Rieux.

The Parliament assembled at an early hour,—the former proceedings were read; the prisoner persisted in asserting his innocence, and complained of the hardships and injuries he had suffered.

The real Martin Guerre now walked into court on his wooden leg, and Du Tilb being asked if he knew him, undauntedly answered, "No." The injured husband reproaching the impostor for the perfidiousness of his conduct, in basely taking advantage of the frankness of an old companion, and depriving him of his wife and property, Du Tilb retorted the charge on his accuser.

The present was thought a curious instance of audacity, contrasted with simplicity of heart and unassuming manners,—an impudent and flagitious adventurer, who had for several years enjoyed the wife and property of another, and, in the face of his country, endeavouring to persuade the injured man out of his name and personal identity; it was further observed that the gesture, deportment, air, and mode of speaking of the impostor, were cool, consistent, and steady; while those who appeared in the cause of truth, were embarrassed, hesitating, confused, and, on certain points, contradictory in their evidence.

The wife, the four sisters, and the uncle, had not yet seen the real Martin Guerre; they were now called into court. The first who entered was the eldest sister, who, the moment she caught sight of the man with the wooden leg, ran and embraced him, exclaiming, with tears, "Oh, my dear brother, I now see, and acknowledged the error and misfortune into which this abominable traitor hath betrayed us."

The rest of the family, as they approached, confessed, in a similar way how much they had been deceived; and the long lost Martin, mingling his tears with theirs, received their embraces, and heard their penitential apologies, with every appearance of tenderness and affection.

But, towards his wife, he departed him-

self very differently. She had not yet ventured to come near him, but stood, at the entrance of the court trembling and dismayed; one of the sisters taking her arm, conducted her to Martin, but he viewed her with sternness and aversion; and, in reply to the excuses and advances she made, and the intercession of his sisters in her behalf, that she was her self innocent, but seduced by the arts of a villain, he observed, "her tears and her sorrow are useless, I never shall love her again; it is in vain that you attempt to justify her, from the circumstance of so many others have been deceived; a wife has ways of knowing a husband unknown to all the world; in such a case as this, it is impossible that a woman could be imposed on, if she had not entertained a secret wish to be unfaithful; I shall forever regard her as the cause of all my misfortunes, and impute solely to her, the whole of my wretchedness and disgrace."

The judge reminding the angry husband that if he had remained at home, nothing of what had happened could ever have taken place, recommended lenity and forgiveness.

Du Tilb was pronounced guilty of fraud, adultery, sacrilege, rape, and theft, and condemned to make the *amende honorable* in the market place of Artigues, in his shirt, with his head and feet bare, a halter round his neck, and a lighted torch in his hand,—to beseech pardon of God, the king, the nation, and the family he had so cruelly deceived; it was further ordered, that he should be hanged before the dwelling house of Martin Guerre, and that his body should be burnt to ashes.

The criminal was then taken back to Artigues, and, as the day of execution approached, was observed to loose his firmness; after a long interview with the Cure, he at last confessed his crime, acknowledging that he was first tempted to commit it, by being repeatedly mistaken for, and addressed by the name of, Martin Guerre; he denied having made use of charms, or of magic, as many suspected, very properly observing, that the same supernatural art which could enable him to carry on his deception, would also have put it in his power to escape punishment.

He was executed according to his sentence, first addressing a few words to Martin Guerre's wife, and died offering up prayers to heaven to pardon his sins; through the merits and meditation of Jesus Christ.

This singular narrative is authenticated by the respectable evidence of Gayot de Pitaval, and related in good Latin by the worthy Thuanus.

**The Cholera.**—The Paris accounts of the Cholera epidemic are really alarming and should admonish us in this country to adopt every possible guard and protection against its introduction,—particularly ventilating the clothing of seamen and prohibiting the importation of old rags. We have been constantly attentive to such remedies as have been successful, and we publish the following pursued with entire success at Weizsach. Out of 240 persons treated, every one was saved; and we advise our readers to cut out and preserve the mode of treatment.—*New York Courier and Enquirer.*

"Take a pint of strong spirits of wine, and half a pint of good white vinegar, add to them one ounce of powdered camphor, one ounce of flour of mustard seed, a quarter of an ounce of ground pepper, and a full tea-spoonful of bruised garlic, and lastly, half an ounce of powdered cantharides. Mix them well together in a bottle, and expose the mixture for twelve hours in the sun, or otherwise place it in some warm spot, taking care to shake it repeatedly. As soon as the person is attacked, let him be instantly put to bed, under warm covers, and let his hands and feet be rubbed powerfully and uniformly with the lotion, after it has been warmed. During this operation, let the patient take a glass of strong drink, composed of two parts of camomile flowers, and one part of balm mint.

"Persevere in this course, and at the end of fifteen minutes at the utmost, (the patient's head and body being kept well covered beneath the bed clothes,) he will break out into a profuse perspiration.

"The patient must be kept in this state between two and three hours, but care must be taken that he does not fall asleep. After this, remove the extra covering from off the bed, and he will drop into a slumber, which will last between six and eight hours, and be accompanied by a gentle perspiration.

"When he awakes, he will find himself weak, but the disease will have entirely left him and he will require nothing further but rest and moderate diet to restore him to perfect health.

"Special attention must be paid, that the patient, after the operation of rubbing, does not so much as lift a finger above the clothes, for the slightest chill, whilst the perspiration is upon him, would be his death.

"When the cramps in the stomach come on, we apply very hot dry bandages of bran and ashes to the pit of the stomach, and when necessary, a bladder of hot water to the region of the navel.

"The great point is to produce strong perspiration, and to restore the circulation of the blood, which, at the beginning of the attack, is drawn from the surface of the body and thrown with a frightful violence on its inward parts.

(Signed) "RIVER,"  
"Commissioner of the District of Bochiana."

**The loss of the Brandywine.**—Gen. Cameron in describing to the editor of the *Harrisburg Intelligencer*, the destruction of the steam-boat Brandywine, recently mentioned, says: A gentleman, who saved himself by swimming on a box to shore, describes the scene as terrible beyond imagination. The fire commenced about mid-ships, and those in the after part of the vessel were unable to communicate with those forward. A rush was made for the yawl; some thirty or forty deck passengers jumped into it; and in confusion her moorings were cut, without letting her down; she plunged stern foremost into the water and every soul perished. One gentleman, endeavouring to rescue his wife, leaped overboard, and desired her to follow. She made a leap, but a falling spar separated them, and the gurgling of the turbid waters shewed only for a moment the spot where she had fallen and closed upon her forever.

A lady with a lovely infant in her arms, was seen standing on the afterguard, surrounded

by the female servants of the vessel, (one of whom had a child,) waiting in hopes of succour from the forward part of the vessel, until they were encompassed by the flames, when hugging her infant to her breast, she gave a wild shriek, rushed forward and was overcome by the fire. When the flames were extinguished, a pile of bones alone denoted the spot where the female group last stood.

When I saw the wreck, nothing remained but her keel, and a portion of her hold. The timbers were very dry above, and, among the cargo below, was a large quantity of oil and liquors, which with the wind made her destruction almost instantaneous. The officers were the last to leave her, and would have saved the females, if the yawl had not been lost at the first moment of the alarm. Those who did get to shore had great difficulty to avoid perishing. By holding a cotton handkerchief in the air, they caught a spark from the burning wreck, and thus made a fire on the wild beach, by which they remained until the next day, when they received food and cloths from a passing boat.

**Another steamer burnt.**—The Dolphin, from Louisville to Pittsburg, took fire 23 ult. while lying at the landing—a total loss. Her papers only were saved. 76 hhds sugar, which was insured; and 150 bbls tar, comprising most of her cargo.

**Still another.**—The steamer Talisman was burnt at St. Louis, night of 22d ult. while lying at the landing—a total loss. Mrs. Pollock had to jump overboard, and one of the passengers broke his leg in making his escape. No lives lost.

## PROSPECTUS

OF A NEWSPAPER, TO BE CALLED

"THE CAPE BRETON HERALD."

Published at Sydney.

A Society of Gentlemen interested in the prosperity of the Island of Cape-Breton, have resolved to establish a Press, and publish a Weekly Paper, to which they very respectfully solicit the attention of the Public.

The time has arrived when the resources of the Island are rapidly developing themselves, and facts, which a few years since were unknown to the oldest Settler, are now becoming notorious. An actual increase of Population from 12,000 to 30,000 in the course of fifteen Years, the greatest part of which has taken place within the last eight, by Emigration from the Mother Country, is of itself a proof of the rapidly increasing importance of the Island. Population, when the necessities of life are available to industry, being the most acknowledged source of wealth to any Country—that these may be procured in abundance, may be proved by the extensive exports of Cattle, Sheep, and Agricultural Produce.—The ready access to Navigation, no part of the Island being more than 15 miles distant from the Salt Water, and the Vicinity of extensive Fishing Grounds, are advantages no less important than those which are derived from the surface soil: while the inexhaustible fields of Coal and Gypsum, with some copious Brine Springs, and strong presumption of Plumbago, Lead and Copper, give an incalculable importance to the Island, and render it a source of interest, not merely to the Province to which it has been annexed, but the Canadas, the Island of Newfoundland, and a large portion of the United States of America.

These are particulars interesting, chiefly perhaps, to the political Economist; but the great increase of Trade within these three years, and the widely extended intercourse with America in general, as well as with Great Britain and Ireland, must render it an object of attention also to the Shipping interest: To promote these several interests, is the avowed object of the "Cape Breton Herald," and the Proprietors feel confident that, during the shipping season especially, their Paper will merit the attention of all persons concerned in the trade with Canada, the Eastern part of New Brunswick and Nova-Scotia—the Island of Cape Breton lying in the Highway to the Gulf of St. Lawrence.

The establishment of a Light House at the entrance of Spanish River, will enable ships bound up the Gulf to make the commodious Harbour of Sydney, in order to obtain Refreshments; or by the means of Signals to make known their names, which will immediately be reported in the Herald, and opportunity thereby afforded to Merchants at Home to ascertain the progress of their Vessels, and the satisfactory information of their safety, many days—perhaps weeks—sooner than could be obtained by means of the Quebec, or even the Halifax Journals.

Terms—15s. at the office, and 17s. 6d. by Post to any part of British North America. All Editors of Papers are requested to give this an insertion in one of their early publications.

### Administration Notice.

#### NOTICE.

ALL Persons having demands against the estate of Solomon Parley, late of the Parish of Magerville, deceased, are requested to present them to the subscriber within three months from the date hereof, and all persons indebted to the said estate are requested to make payment forth with.

BENJAMIN TAYLOR, Adminr.  
Sheffield, 2d. April, 1832

#### NOTICE.

ALL Persons having demands against the estate of George Keith, late of Brunswick, in Queen's County, deceased, are requested to present the same duly attested, within three months, and those indebted to make immediate payment to

ABIGAIL KEITH, Executrix.  
Brunswick, Feb. 25th

#### NOTICE.

ALL Persons having demands against the estate of William Dibble, late of the Parish of Woodstock, deceased, are requested to present them to the subscriber, within three months from the date hereof and all persons indebted to the said estate are requested to make payment forth with.

CHARLES RAYMOND, Execut.  
Fredericton, March 19th.

A FEW SETS of the revised edition of the Laws of the Province of New-Brunswick, are for sale at Mr. Francis Beverly's Book Store, Fredericton, 29th March, 1832.