LEGISLATIVE COUNCIL.

TUESDAY, March 25th, 1862.

His Honor the President presented to the House the Annual Report of the Lunatic Asylum for the past year. I think, said his honor, that this will be found to be the most satisfactory Report which has yet been received from that institution.

Ordered, That the said Report do lie on the table.

On motion of Hon. Dr. Johnson, the Bill relating to limited partnerships was read the third time and passed.

The folllowing petitions were presented to the House, and the same were received and read:—

By Hon. Mr. Gardiner—a petition of A. C. Bickford, unlicensed teacher, Lot 14, praying for remuneration for his services.

By Hon. Mr. Haszard—a petition of Lucretia Pringle, teacher in the female department of the Normal School, praying for an increase of salary. The two preceding petitions were referred to the special Committe on Education.

By Hon. Mr. Gardiner—a petition of Newton Lea, of St Eleanor's, in indigent circumstances, praying for relief. Referred to the special Committee on pauper petitions.

Adjourned till to-morrow at 11 o'clock.

WEDNESDAY, March 26th.

The following petitions were presented to the House and the same were received and read, viz:—

By Hon. Mr. Simpson—a petition of Dennis Desmont, postmaster, Souris, praying for an increase of salary.

By Hon. the President—a petition or memorial of the Trustees of the Lunatic Asylum, praying for the concurrence of the Legislative Council in an additional grant in aid of that institution. This and the petition previously named were referred to the special Committee on miscellaneous subjects.

By Hon. Mr. Ramsay—a petition of certain inhabitants of Georgetown, praying for the concurrence of the Legislative Council in a grant of £100 to aid in building a schoolhouse in that town. Referred to the special Committee on Education.

Hon. Mr. Palmer, a member of the Executive Council, laid before the House the Impost and Excise Accounts for the past year.

Hon. Dr. Johnson presented a Bill, intituled, "An Act to promote the practice of Vaccination," which was received and read the first time. On rising to present the Bill, his honor said—I do not know whether the people consider me an embodiment of Vaccination, but I am every day, and almost everywhere, earnestly questioned as to when the Vaccination Bill is to come before the House. Hitherto I have been able to give only a vague answer; but I shall now be enabled to speak more definately, as I trust your honors will receive the Bill which I now hold in my hand. I am fully persuaded that your honors are disposed to support a measure which has for its object the health and safety of the people, and shall not, therefore, occupy the time of the House by special pleading in its behalf, which would be insulting, both to your judgment and to your good feelings. Sir, the people are looking anxiously to the Legislature for protection, and I greatly rejoice in the prospect of an early provision for their wants. And whether I appear as an impersonation of vaccination or not, I am free to acknowledge that I reckon it among the best exercises of a long life, that I have been intimately associated with all those British institutions which have had for their object the universal diffusion of one of the greatest blessings that a beneficent Providence has vouchsafed to the world. I trust the provisions of the Bill will be found suitable to the object proposed, and will meet with your honors' approval. To be effective for general benefit, they must be coercive; but every thing is rendered more in the spirit of privilege than compulsion. The Bill is also framed with every regard to judicious economy.

Adjourned till to-morrow, at 11 o'clock.

THURSDAY, March 27.

Hon. the President presented a petition of Alexander Smith, Charlottetown, in indigent circumstances, praying for relief. Referred to the special Committee on pauper petitions.

The House then resolved itself into a Committee of the whole on the Vaccination Bill. Hon. Mr. Forgan in the chair.

Hon. Dr. JOHNSON—The object of this Bill is to prevent Small Pox. It is not to secure vaccination merely as an experiment; but it is known and proved to be a safeguard against that loathsome disease. We are now in great danger of being visited by it. It is in New York, Boston, Halifax, St. John and Newfoundland, and indeed in all the places to which our traders are in the habit of resorting. Thus situated, we are in constant danger of an attack from it, and to what extent it might prevail we cannot tell. Since I last addressed you on this subject there has been increased force added to my arguments by the number of persons who have fallen victims to that disease. Perhaps we cannot number them by thousands, but there has been very many cases. People's minds are so intent upon other subjects that they do not consider the danger to which they are exposed. I have a very painful case before my mind now of an individual who, within the last year, lost his life by this disease. He was a medical student and rushed into the face of danger with his eyes open. He has therefore fallen an early victim. It was an awful case and surely it is sufficient to show that it is needful for people to be cautious. He not only lost his own life, but he might have returned home and brought the disease to the Island. I knew 7 individuals who left this town during the last year, 3 of whom have lost their lives by Small Pox. Those 3 were not vaccinated; the others were. This proves that vaccination affords protection. Those persons who were infected might have returned to the Island, and thus be the means of injuring the whole country. I think this must be a telling argument to the minds of your Honors, and induce you to support this measure, though it is coercive. Now, your Honors should bear in mind that in this small community, numbering but little over 80,000 persons, there are more than 37,000 who have not been vaccinated. In this Town, at least one fourth of the inhabitants have not been vaccinated, and who are therefore in a state of danger. Unless we make some provision to prevent it, we will certainly be attacked by this disease from some of those quarters to which our people are trading. I wish now to bring some statistics before the minds of your Honors, to show you how effectually people are protected against Small Pox by vaccination. These returns are from a Small Pox Hospital in Britain. The mortality among those who have not been vaccinated is from 35 to 45 per cent, nearly one half; and of those who recovered many were disfigured and had their constitutions injured. The mortality among children under 5 years of age, was 50 per cent. Of those who recovered many were disfigured and constitutionally injured. Among those who were generally vaccinated the mortality was 7 per cent, and among those badly vaccinated it was 15 per cent. Among those who may be considered properly vaccinated, it was less than 1 per cent. It therefore appears that it requires especial care so that the operation may be effective. In —— the mortality among those not vaccinated was from 35 to 41½ per cent; having no marks 26 per cent. Out of 187 who were vaccinated, there were only 3 deaths, or 1 3-5 per cent; while out of 4, who previously had the Small Pox, 2 died. So then there was more fatality after the Small Pox than after the cow Pox. I bring this forward merely to show that vaccination, when properly performed, is an effectual protection against Small Pox.

On the second clause, which provides that poor persons who are not able to pay for the operation shall be vaccinated at the expense of the general Government, except those in Charlottetown, who shall be paid for by the City Corporation, being read—

Hon. the PRESIDENT said—I cannot understand why Charlottetown should be excepted. If the poor in the country are to be vaccinated at the expense of the general Government, why not those in the City also? This is taxing the people in the city twice. I cannot think that your Honors will be willing to sanction this clause as it is at present, and I therefore move that it be amended by striking out the words "except in the city of Charlottetown."

Hon. Mr. HUTCHINSON seconded the motion.

Hon. Dr. JOHNSON—I fear that by striking out those words you will endanger the Bill. The Government cannot impose taxes upon the city.

Hon. the PRESIDENT—It is a very important Bill, because it affects the health and lives of a large portion of this community, and I would not like to endanger it; but I cannot see why Charlottetown should be excepted. Doubtless persons who have not been vaccinated have no protection against small pox. Though it is very mysterious, it has been found to be a complete preventative. I would like to see the Bill as perfect as possible.

Hon. Mr. GARDINER—I do not know how your are going to distinguish between those who are able to pay and those who are not. There are very few persons in this country who cannot pay the very small sum that will be required for vaccination under the operation of this Act; and it would be imposing upon the country to have those paid for out of the general revenue who can pay for themselves.

The House was then resumed and progress reported.

Adjourned till to-morrow, at 11 o'clock.

FRIDAY, March 28, 1862.

Hon. the President presented a petition of the members of the Victoria Lodge of Free Masons, praying for an Act of incorporation.

Laid on the table.

The House again in committee on the Vaccination Bill. The second clause, which was previously under consideration, was again read.

Hon. the PRESIDENT—I am glad to see His Honor, Mr. Palmer, in his place this morning, as I understand that he was concerned in drawing up this Bill, and he may be able to give some explanation why Charlottetown is excepted while the poor in the country are to be paid for out of the general revenue. From this clause I understand that the people of Charlottetown will be subjected to a double taxation. In the first place, they have to bear their proportion of the general taxation, and then they have their city taxes besides. If it was so intended by those who drew up this Bill, I wish to understand it. I do not see why the poor of Charlottetown should not come under the general operation of this Act as well as those in Summerside or Georgetown.

Hon. Mr. PALMER—I do not think there will be much difficulty in answering His Honor the President's question. In the first place, the Bill is so framed that the city will have no reason to complain that we are interfering with the Act of Incorporation. It leaves the appointment of the Medical Superintendent to the city Government. And with reference to the part of the clause which leaves them to pay for the poor out of the city revenue, I do not think it will be a very onerous burden. I do not think the city would complain of having to pay for the vaccination of the poor within its bounds. The person employed to perform that duty would doubtless be some medical practitioner residing in the city, and having such a large number just at his door, he might do it for a very small sum. He would make a better business of it than he would in the country at a much higher rate. If the clause were left as it is, it would not be without a precedent, for I see that by the Vaccination Act of Canada, that, not only the incorporated cities, but also the towns which are not incorporated have to vaccinate the poor at their own expense, and yet those cities and towns are subject to the general taxation of the country. I look upon it as a matter of no great importance. I am not for imposing any unjust or unfair burden upon the city, especially just now when it is in such poor circumstances to bear it. I do not see any great objection to relieving the city of this expense as it appears to cause some alarm to His Honor the President. The expense of vaccinating the poor in the city would probably amount to 10, or perhaps to 20 or £25, and that would be no small matter with the city government just now. (Laughter.) I will not object to it being paid out of the general revenue.

Hon. the PRESIDENT—I have no objection to the city Government having the power of appointing their own vaccinator, but I do not like to see the city doubly taxed. The general Government has paid the expenses of the cases of Small Pox which we had in this town, and I do not see why the vaccination of the poor should be a special tax upon the city.

The amendment proposed by His Honor the President was then agreed to.

House resumed and progress reported.

A message was brought from the House of Assembly by the Hon. Mr. Haviland, with a Bill "to incorporate the Minister and Trustees of the Presbyterian Church of Bedeque."

Also a Bill "to regulate the proof of certain documents in actions wherein Foreign Corporations doing business in Island are parties."

Also, by Hon. Mr. Longworth, informing this House that the House of Assembly had agreed to the amendments made by the Legislative Council to the Bill "to regulate the standard weight of Grain and Pulse, and for the appointment of officers for measuring and weighing the same;" and also to the Bill "to incorporate the Minister and Trustees of the Presbyterian Church, Brookfield, Lot 23.

House again in committee on the vaccination Bill. On the 10th clause, relating to seamen not being allowed to leave the Island without being vaccinated, being read—

Hon. Dr. JOHNSON—Your Honors will be led to see the propriety of this clause by what has occurred during this year. Three persons who left this Island have died of Small Pox. They might have returned and brought the infection with them, and thus be the means of, I was going to say, setting on fire the whole course of nature on this Island.

Hon. Mr. PALMER—That clause may appear at first to impose an inconvenient duty upon masters of vessels; but I agree with the learned Doctor that such a clause is necessary. It does not actually impose a fine upon the master of a vessel, providing he exercises due caution and adopts proper means to ascertain whether the men he employs have been vaccinated or not. This will be the means of affording protection to a great extent against the introduction of the disease into this colony. Indeed without this there would be very little use in imposing vaccination within the Island, because the greatest danger is from persons going away from the Island and returning with the infection. Vast numbers of lives might be lost by this means, and I think it is better to try and prevent it in this way. It is very easy for masters of vessels, when they are shipping their seamen, to enquire whether they have been vaccinated or not. In almost all cases where it has been properly performed, there is some mark or trace of it visible upon the arm. If they do not enquire of course they will be liable to the penalties imposed by this Act. It does not interfere with vessels not belonging to the Island.

Hon. the PRESIDENT thought that a clause should be inserted in the Ships Articles, setting forth that the seamen had been vaccinated.

House resumed and progress reported.

Adjourned till Monday next, at 11 o'clock.

MONDAY, March 31st, 1862.

Some desultory remarks were made on the continued absence of several members of this House.

The Bill to incorporate the Minister and Trustees of the Presbyterian Church, Bedeque, was committed to a Committee of the whole House, and agreed to without any amendment.

Hon. Mr. Hutchinson presented a petition of certain inhabitants of this Island, praying for a grant of money to purchase a yoke of Oxen for the use of aboriginal inhabitants of this Island. Laid on the table.

Hon. Mr. PALMER moved the second reading of the Bill "to regulate the proof of certain documents in actions wherein foreign Corporations doing business in this Island are parties," and in doing so said—This is a short Bill which needs little explanation. Considerable difficulty has frequently been experienced for the want of proof of Acts of Incorporation of foreign corporations doing business in this Island. This Act proposes to make the seal of the corporate bodies sufficient for that purpose. I think some proof of this kind is necessary, because foreign corporate bodies doing business in this Island are increasing, and it is necessary to make some provision to ascertain the proof of those documents without subjecting parties to the expense and inconvenience of going abroad for that purpose.

The House then went into Committee on the aforesaid Bill. Hon. Mr. Palmer in the chair.

After some desultory debate on the signification of the term "Foreign," as used in this Bill, the House was resumed and progress reported.

Hon. the PRESIDENT presented a petition of Dr. Mackieson and others, on the subject of license for the sale of spirituous liquors, and on doing so said — I perceive by the papers that the House of Assembly has passed several resolutions to effect a change in the license law; and as they will doubtless be embodied in the Bill, which will be brought in for that purpose, it is unnecessary for me at the present time to enter into any particulars, as we will have an opportunity of expressing our opinions on the subject, when the Bill comes up.

Hon. Mr. PALMER—I certainly think there is some necessity for an amendment to the present license law, both in Town and Country. It must be visible to every person that intemperance has increased very much in this Island during the last four or five years. I am sorry to have to say so, but nevertheless it is a fact. Whether or not it is owing to the facilities which are are afforded for its manufacture and sale, I cannot say; but I think it has a great deal to do with it. I am, and always have been, in favour of Temperance; but I fear we will not be able to bring about those great changes which prohibit the use of intoxicating liquors altogether throughout the Island; it may be useful however to keep it under proper instructions. There are many men who can keep within the bounds of moderation—men who are exposed to all sorts of weather — and they may find it useful. Perhaps, therefore, it would not be expedient to attempt to abolish it altogether; but I think something should be done to keep it under proper restrictions. I, therefore, hope and trust that such a measure will come up from the other House as will secure the desired object. I repeat, and we cannot shut our eyes to the fact, that the sale of intoxicating liquors, and the injury done by its immoderate use, are on the increase. I believe it is owing in a great measure to the illicit importation of liquor into this Island. I am of opinion that one half of the liquor imported is smuggled; and I believe that smuggling the article has a tendency to create a desire for its use; because it is necessary to have it brought in secretly, and there are, unfortunately, too many persons who are ready to screen the illegal act,— persons who, owing to their fondness for the article, would lend a hand in concealing a cask, for the sake of getting 2 or 3 glasses out of it. Perhaps, if the revenue laws were better attended to in that respect, it would check the evil very much; but whatever Bill comes up from the other House to prevent intemperance shall receive my support.

Hon. the PRESIDENT—I believe the whole license law is bad, and you cannot amend it. It is rotten from the very foundation. The only way to prevent intemperance, is to prohibit the sale of intoxicating liquor altogether. Petition laid on the table.

TUESDAY, April 1st.

The Bill to incorporate the Minister and Trustees of the Presbyterian Church, Bedeque, was read the third time and passed.

The vaccination Bill was again committed, and agreed to with certain amendments.

Hon. Mr. Walker presented a petition of certain inhabitants of Kildare and Cascumpec, praying concurrence in a grant to remunerate David Petre for keeping a light on the North Cape of this Island. Referred to the Special Committee on miscellaneous subjects. House adjourned.

THURSDAY, April 3d.

The Bill "to regulate the proof of certain Documents in Actions wherein Foreign Corporations doing business in this Island are parties," was again committed; and on motion of his Honor the President, seconded by his Honor Dr. Johnson, was amended by striking out the word "Foreign," and substituting the word "certain."

The following petitions were presented, received and read by the Clerk, viz:—

By Hon. Mr. Anderson—From School Trustees, Old Town Road.

By Hon. Mr. Maclaren—From School Trustees, Minor School, Lot 66.—Both referred to Committee on Education.

By Hon. Mr. Simpson—From certain inhabitants of Lots 1 and 2, praying for the repeal of the present Small Debt Act, as far as it abolishes imprisonment for debt for sums under £10.

Hon. Mr. Gardiner presented four petitions, praying for the same object,—one from certain Inhabitants of Bedeque and vicinity; one from inhabitants of Port Hill; one from inhabitants of St. Eleanor's and vicinity; and one from inhabitants of New London.—All laid on the table.

Hon. Mr. PALMER—Though it may be somewhat out of order, Mr. President, yet I cannot allow this opportunity to pass without making a few observations on this important subject. I was one of those who voted for the alteration in the Small Debt Act which abolishes imprisonment for debt for all sums under £10, and I cannot say that I was very sanguine at the time that it would meet with the general approbation of the country. But as a very strong feeling was manifested at that time against imprisonment for debt, we thought it advisable to pass that Act. It has now been in operation for a short time, and though I am of opinion that if the people had exercised a little more patience, and allowed the Act to work for a few years, it would be found to work well, yet at present it has been found oppressive and inconvenient, especially to the humblest classes of society. The reason assigned by the petitioners for the repeal of the clause in question is certainly a very good one, that, for want of a free circulation of money in the country, they have been obliged to adopt a mode of taking credit or going in debt, for their necessary supplies, in fact of expending their crops while they are growing. This Act, to some extent, prevents them from getting that credit which, as one of the petitions says, is necessary to their very existence. It is at least necessary for many of the poor to obtain supplies in the spring; and many of those who cannot obtain those supplies on credit, cannot get them at all. From what I have seen of the working of this Act, and from what I have heard outside, I believe it works injuriously, and am therefore willing to have it repealed. I regret very much that we have to retrace our steps. I have never been for imprisoning a man merely because he has been unfortunate and got into debt; and the only reason why I would consent to repeal that clause is, that we require some means of preventing the injury which would be done to our trade and commerce by the fraud that would be practised upon it. It becomes the Legislature then, to endeavour to pass such laws as will abolish imprisonment for debt except in cases where persons attempt to practice fraud. This, however, is a point not easily arrived at. England has been legislating on it for centuries, and some of their first statesmen think they are as far from it now as ever. But should there be a law framed to abolish imprisonment for debt, except in cases of fraud, I will give it my support; and I hope the day is not far distant when we will be able to frame such a law. The laws of Great Britain are now undergoing a revision in this respect, and we may probably gain something from them.

Hon. Mr. HUTCHINSON—I understand that a Bill has been passed by the other branch of the Legislature, and which will meet my views with regard to imprisonment for debt. I believe it goes so far as to say that all persons may have the benefit of the Insolvent Debtors' Act, and of course that will do away with imprisonment for debt to a great extent. I was always opposed to imprisonment for debt. What I complained most of was that our prisons were filled with people who could not pay their debts. There is one clause, however, in the Bill passed by the other House which does not meet my views. It is that which relates to a man being detained by a capias. I have known cases where judgment was given against parties who had money in their pockets to pay their debts, and yet walked away bidding deafince to their creditors. When the Bill comes before us I will offer an amendment to that clause.

Hon. Dr. JOHNSON—I am thankful for the exposition given by his honor, Mr, Palmer, and also for the practical remarks of his honor Mr. Hutchinson. I am of opinion that the Act to abolish imprisonment for debt for sums under £10 was a progressive Act, and I am sorry the state of society is such as to render it necessary to make this retrograde movement—I am sorry that a class of persons is to be found in this community, who, when they have got into debt, will turn round and bid their creditors defiance; but it appears that such a class does exist—a class in which the moral principles are not sufficiently strong to admit of the successful working of the act now in operation. The schoomaster, It appears, has been abroad, and I hope that the Divine Teacher will also go forth and instil into the minds of such people the principles of moral honesty.

Hon. Mr. GARDINER—There are many cases which might be adduced to show how injuriously the present Small Debt Act has worked. I am aware of one case where a man owed £19. He came and paid £10, and was afterwards sued for the balance. He paid £2 more and then bid defiance to his creditor. Many such cases might be adduced where parties got credit and then actually walked off bidding defiance to their creditors. I myself let a man have credit to the amount of a few pounds; when I asked him for it he said he had nothing to pay me; but I afterwards found that he had made over his property so as to secure it. I think the present Small Debt Act has been the means of inducing many to become rogues.

Hon. Mr. MACLAREN—I am sorry that the present Small Debt Act would not be left to its operation, for I believe that it would be the means of doing away with the credit system in a great measure. Few have lost so much as I have on account of the operation of this Act, but I would still be willing to try it a little longer. If the people could not get credit, I believe it would ultimately be an advantage to them. But as there are so many petitions before the House, and so numerously signed, I do not see how we can well avoid granting the object prayed for.

Hon. Mr. SIMPSON—It certainly was not the intention of the Act to have the capias clause working the way it is. It was intended to enable parties to recover small sums from persons about to leave the Island; but when those persons refuse to pay or to give security, the Magistrates have no power to enforce payment. I am sorry that we have to make this retrograde movement. I do not think the Act has yet had a fair trial. But as the poorer classes have petitioned to be allowed to go to jail, I see no other course for us but to grant them their desire. I certainly think that no man should be imprisoned merely because he has been unfortunate and got into debt; but I am sanguine that the amendment proposed by the other Branch of the Legislature will, in a great measure, obviate the difficulty.

FRIDAY, April 4.

Hon. Mr. Palmer presented a petition of Miss Annie Scantlebury, Teacher, free school, Charlottetown, praying for a grant for her salary. Referred to the committee on Education.

The Bill "to regulate the proof of certain Documents in Actions wherein Foreign Corporations doing business in this Island are parties," and the "Bill to promote Vaccination," were read the third time and passed.

Hon. Mr. Palmer, a member of the Executive Council, laid on the table a copy of the Estimates for the present year. House adjourned.

SATURDAY, April 5.

A message was brought from the House of Assembly by Hon. Mr. Longworth with "a Bill to consolidate and amend the laws relating to Statute Labour, and the expenditure of public money on the highways." Also, "a Bill to incorporate the Minister and Trustees of the Presbyterian Church, Elliot River, Lot 65."

By Hon. Mr. Haviland, with "a Bill to incorporate Victoria Lodge, No. 383, R.S. of Free and Accepted Masons of Prince Edward Island. House adjourned.

APRIL 7, 1862.

Hon. Mr. PALMER, on rising to move that the House do go into committee on the "Bill to consolidate and amend the laws relating to Statute Labour, and for the expenditure of Public Monies on the Highways," said—The only point on which this Bill differs materially from the Act at present in operation is, that it repeals that part of the former Act which authorizes the letting of the repairs of the main post roads at public competition. It has been thought advisable to repeal that clause, though I still think that it would be a judicious provision if our population were dense enough to afford a large competition. That measure, it is true, has not worked well; but I believe that the failure is owing, in a great degree, to the neglect of the Road Commissioners in furnishing proper estimates, and details, of the work to be performed; and it cannot be expected that the commissioners who receive such very small salaries, can give up so much of their time and take so much trouble as would be required in order to furnish those estimates. It would require men of skill and perhaps of science to say where a road is to be Macadamized, and contracts could not be safely entered into unless those estimates were accurately made. If the commissioners were so paid as to enable them to give up their time to the performance of this duty, it would give confidence; but we cannot expect to find men who will do so for the small sum which they at present receive. For this reason the Act has not met the expectation of the Legislature. But I hope the day is not far distant when we will be able to pay sufficient salaries to enable us to obtain men of skill and science for Road Commissioners, and then such an Act as the one now in existence may be required to carry out the object effectually. However, I see no way at present but to repeal that clause, though I am still of opinion that if the roads were let in the manner prescribed by it they would be kept in a better state of repair than they are at present.

The House then went into committee on the aforesaid Bill. Hon. Dr. Johnson in the chair.

On the second clause being read, some remarks were made respecting the salaries of the Road Commissioners.

Hon. Mr. DINGWELL thought their salaries were so small that no reasonable man could expect them to perform the duty required of them, and that, if their salaries were increased they would look after the roads better.

Hon. Mr. SIMPSON was of opinion that the districts were too small, that in many cases, a commissioner could superintend two districts with very little more travelling than one, and if he had the pay of two he could attend to the duty better.

On the clause relating to the expenditure of commutation money being read—

Hon. Mr. SIMPSON said, that as some precincts required more labour than others, it should be left to the commissioners to say in which precinct the money should be expended.

On the 13th clause, which exempts clergymen, school masters and postmasters from liability to perform Statute Labour, being read—

Hon. Mr. HUTCHINSON said—This is an old law which was adopted when Statute Labour was not commuted, and at the present day I think no class of persons should be exempt. School masters should pay as well as others. If they are to be exempt there are many other classes, such as wharfingers and jailors, which should also be exempt. I think there should be no exemptions at all; because it makes others dissatisfied. I therefore move that the clause be amended by striking out all that relates to those exemptions.

Hon. Mr. RAMSAY—I certainly think that clergymen should be exempted, whether Schoolmasters are or not.

Hon. Mr. PALMER—If this were the first time that those exemptions were proposed I might be induced to concur in the suggestions of His Honor, Mr. Hutchinson; but those classes of persons have now been exempt for many years. And first, as regards Schoolmasters, it is generally admitted that they are as inadequately paid as any class of persons in the colony. Probably the time is not far distant when there will be some important alteration made in the mode of paying Schoolmasters, and likely there will be some change made in the amount of their salaries, that will be the time to say whether they shall, or shall not be exempt from liability to perform Statute Labour. In regard to Postmasters, they are not compelled to labour, it is true; they may put their hands in their pockets and pay commutation money instead; but their salaries, in most cases, are very little more than nominal, and therefore I think we should not deprive them of this privilege. But, of all classes in the Island, I believe there is none worse paid than clergymen, I think all denominations are in fault in this respect. Even the amount of their salaries which is nominally fixed is not paid up as it should be. Therefore I will not be induced for the present to withdraw this privilege from them. I am disposed to let them all go for the present; but I do not pledge myself to go for exempting them in the future if this Bill should again come before us.

Hon. Mr. DINGWELL—It was right to exempt the Postmasters when they had no salaries, but now when they have salaries, and when they have accepted those offices with their eyes open, I do not see any reason why they, or schoolmasters either, should be exempted. They should at least be liable for their horses. As to clergymen, I think they are badly paid, and I would be willing to exempt them. It is a great tax, and it is really degrading, to compel men to work 3 or 4 days upon the roads in summer, and also to compel them to turn out to break roads in the winter. If the public money were properly expended I think it would be sufficient to keep the roads in repair.

Hon. the PRESIDENT—I cannot agree with the amendment proposed, because I think the School Teachers are very inadequately paid for their services. It is true, the sum appropriated for education is large; but when it is subdivided it is very small; and if you expect to have well qualified men you must give them better salaries, and give them privileges too. If they received salaries sufficient to enable them to maintain their families, the case would be different. I would therefore give them every privilege possible. As regards Postmasters, their salaries are certainly very small, and they should also be exempted. I cannot agree, however, with some of the remarks which have been made respecting clergymen. Those of some denominations may be badly paid, but the clergymen of the denomination to which I belong are well paid.

Hon. Mr. SIMPSON—The Statute Labour Act is often amended, and probably it will soon be before the Legislature again; indeed I think it would be better to abolish it altogether. It is not often that the 3s. are paid instead of the 4 day's work, therefore I conclude that the work is not worth three shillings. I would rather see a small tax imposed upon property for that purpose.

The question was then put on the amendment and it passed in the negative.

On the 26th clause, relating to Overseers furnishing certificates to persons who have performed, or commuted, their Statute Labour being read—

Hon. Mr. HUTCHINSON said—I do not know whether there is a clause in this Bill to compel Overseers to furnish certificates or not, but I have heard a good deal about persons being refused them. The Act says that the Overseers shall be furnished with printed forms of certificates; but I have heard that Overseers have applied to the Road Correspondent for them and been refused.

Hon. Mr. ANDERSON—The Overseer should do his duty. It is part of his duty to furnish certificates, and if he refuses to do so he will be liable to a fine.

Hon. Mr. HUTCHINSON—By the election law a person is not entitled to vote unless he produces a certificate; not even it he should make an affidavit that he had performed statute labor.

Hon. Mr. SIMPSON—The only question is whether, by the wording of this clause, the Overseer is compelled to give a certificate. I would like to see it clearly expressed.

Hon. the PRESIDENT—Supposing an Overseer should refuse a certificate, he will certainly be liable to a fine: but I do not think the wording of this clause is sufficiently explicit, and I therefore move that it be amended by inserting the words, "The said Overseer is hereby required to give a certificate in writing."

Hon. Mr. DINGWELL—It is a very important clause. An election, if it were closely run, might be influenced by the Overseer withholding a few certificates.

Hon. the PRESIDENT—Your honors are aware that two years ago, this House was placed in such a critical position by this very Bill as to involve the necessity of "a new creation." Some time ago I happened to mention this Act to a gentleman in Nova Scotia, and he said that they had a similar Act in operation there, but found it work so badly that they had to repeal it. Now, I ask your honors if it would not be advisable to reconsider that clause and have it struck out altogether? It is too much power to give any one individual. If it go into operation, I am confident that after two or three years you will be glad to repeal it.

Hon. Mr. SIMPSON—The reason why this clause is inserted is to prevent the practice of fraud by persons who have no fixed place of residence, and who sometimes vote in more than one polling place. The Overseer is obliged to furnish certificates when they are applied for, and I cannot see that the Act will work injuriously. I will therefore support it.

Hon. Mr. ANDERSON—There is another advantage in this Act which his honor has forgotten to mention; it will be the means of getting more work done upon the roads.

Hon. Mr. SIMPSON—I did hope that it would have that effect, but I believe that there was no more work done upon roads last year than usual.

Hon. the PRESIDENT—Your honors are all aware that statute labor is a perfect humbug. In many places it is so badly performed that the roads are rendered almost impassable by it.

Hon. Mr. RAMSAY—I am aware that it is often evaded; but I am apprehensive that if it were not for the statute labour, bad as it is, our roads would be in a much worse state than they are. If we had an abundant circulation of money so that the poor in the country could pay a tax instead of performing statute labour, I would not be against abolishing the Act; but I am apprehensive that at present it would come hard with many poor people in the country to pay even the small sum of three shillings.

Hon. Mr. ANDERSON—No doubt the statute labor is passed over very lightly in many places; but where I reside you would not get half as much work performed for the commutation money.

Hon. Mr. PALMER—Ever since I have been in the Legislature it has been contended whether it would be better to abolish statute labour or not. I have frequently been told that it is a bad principle to have it imposed—that a small sum, 3s., or even 1s. 6d., would go farther in keeping the roads in repair. These two opinions have always existed. It has been proposed by some in the other branch of the Legislature to abolish it altogether; and it has been strongly argued by others that it would be very inconvenient to do so, owing to the scarcity of money in the country. We all know that it is difficult for some poor people, especially those in new settlements to pay their land tax. And we find too that persons in good circumstances work upon the roads. I think then that it is better to allow the Act to go into operation as it is at present. People can perform the labour or commute it as they please; and when performing the labour becomes the exception, not the rule, it will be time enough to abolish the Act. The objections to the certificate are such as I have heard before, and they have not induced me to change my opinion. His honor the President says it is putting too much power in the hands of the Overseer; I do not understand what his honor means by that objection. There is no discretionary power placed in the hands of the Overseer. When a man performs his work he can demand a certificate. He might as well say that the Custom House Officer could refuse to clear out a vessel, or that the Colonial Secretary could refuse a marriage license, as that the Overseer could refuse a certificate. He is bound by law to give a certificate when it is applied for if the labour has been performed. It will be the means of doing away with those cases of perjury at elections which are most shocking to behold. I have seen impertinent rascals not over 15, 16 or 17 years of age coming up to the hustings and swearing that they were of age, when it was well known and has been proved in our courts of law, that they were not. This Act will prevent such practices, and I cannot see that any difficulty or inconvenience will arise from it.

The question was then put on his honor the President's motion, and it passed in the affirmative.

House resumed and progress reported.

A message was brought from the House of Assembly by Hon. Mr. Haviland with "a Bill to change the constitution of the Legislative Council by rendering the same elective."

MISCELLANEOUS.

YEARNINGS FOR SPRING.

Would that the balmy days of Spring would come!
My heart's sick pulse beats wearily to and fro,
While Earth is lying cold and deathly-dumb,
Wrapt in white cerements of the winter's snow.
O sweetest of all sweet-recurring times—
Thou bright and earnest childhood of the year,
How childlike-earnest I with passionate rhymes
Would smite and pierce old Winter's frozen ear;
And call from deepest chaos drear
Of night-like day and white bewildering night
Thy warm and mellow eyes, and morns of lavish light.

Arise, O spirit of Spring, with fervent song
Sweep o'er yon lone white wold and woodland bleak:
With soft magnetic touches thrill and throng
Each sluggard sense, and flush the pallid cheek.
Break up the barren silence; chill and mute
Even the stormcock shuns the rushing rain;
Alone the robin pipes his piteous flute,
Charmed by the far-off glimmering casement pane,
Nor pines to my lone ear in vain;
And dusky hordes of wild-fowl, hungry and spare
From frozen mountain meres, driven seaward, clang the air.

When I look forth, thoughtful, to see where lie
The old familiar places of my love—
Wide wastes, slow drifting, circle my sad eye
With swirling storms of snow and sleet above—
A dreamy realm where no soft shadows fall,
No sounds arise, save whispers from afar
Heard spirit-deep, as Time should wearily call
To silence wearier—"We only are!"
Nor sun, nor moon, nor lonely star
Comfort the desolate Land; and his white head
Weird Winter lays along the grave of all things dead.

O for a potent spell to shape awhile
A gorgeous pageant of enchanted days
When Hope, the ariel of Life's lonely isle,
Charmed with sweet airs all childhood's flowery ways!
O that on plumes of swift and silent thought
In wide and widening rings my soul would rise
Over these late-dark days till memory caught
Far off, the marvellous gleams of sunset skies:
Thence fondly feasting her lone eyes
With all the spirit splendours of the past
That on the years unborn their rosy reflex cast!

THE QUEEN'S DECISION ON THE ALBERT MEMORIAL—A GRAND OBELISK FOR HYDE PARK.

On Friday, a special general meeting of the committee to raise a national memorial of the Prince Consort was held at the Mansion House, to hear a statement of her Majesty's wishes on the subject. The amount of contributions reported was £32,-779.—The Lord Mayor read the following communication from the Queen:—

"OSBORNE, Feb. 19, 1862.

"My Lord,—I have had the honour of receiving and of submitting to the Queen your Lordship's letter of the 18th inst., communicating the proceedings which have taken place with a view to the erection of a national monument to the much-lamented Prince Consort. The Queen feels grateful from the bottom of her heart for the universal sympathy that has been expressed for her in her deep affliction; but it is still more soothing to her feelings to know that the noble character, the truly princely nature of him whose loss has bowed her to the earth with a sense of desolation and misery that every day, alas! serves only to increase, is appreciated by the country—that the benefits he has been instrumental in conferring upon the nation, the good he has wrought since he first came amongst us, and to effect which he may truly be said alone to have lived—are understood and acknowledged. The Queen is also much touched by the feeling which has led the promoters of the movement for erecting a national monument to the Prince to leave the nature of that monument to her decision. It is a subject on which there must necessarily be much difference of opinion. Many, influenced doubtless by the belief that there was nothing which the Prince himself had so deeply and constantly at heart as the formation of whatever might tend to the advantage of the community at large, or of any portion of it, have thought that the most appropriate monument to his memory would be to connect his name with some great work that should have that end in view, and the Queen cannot but be gratified by this proof of a just appreciation of his character. But it would probably be difficult to procure anything like agreement as to the nature of the institution which should thus bear his honoured name; and it would be inexpressibly painful to the Queen were any controversy to arise on such a subject. It would also be more in accordance with her own feelings, and, as she believes, with those of the country generally, that the proposed monument should be more directly personal to its object—should be, in fact, more what is commonly understood by the word. After giving the subject her best consideration, her Magesty has come to the conclusion that nothing would be more appropriate, provided it is on a scale of sufficient grandeur, than an obelisk to be erected in Hyde Park, on the site of the Exhibition of 1851, or on some spot immediately contiguous to it; nor would any proposal that can be made be more gratifying to the Queen personally, for she can never forget that the Prince himself had highly approved of the idea of a memorial of this character being raised on the same spot in remembrance of that exhibition. There would also be this advantage in a monument of this nature, that several of the first artists of the day might take part in its execution, for there would be room at the base of the obelisk for various fine groups of statuary, each of which might be entrusted to a different artist. In the selection of the artists to be employed in the choice of a design, and in the consideration of the details of execution, the Queen would wish to obtain the best advice, and she would therefore desire to call to her assistance a small committee, consisting of persons in whom she could feel satisfied that the country would repose entire confidence. I have written, by her Majesty's command, to those whose assistance she thus desires to obtain, and I will lose no time, as soon as I shall have received their answers, in communicating their names to your Lordship.—I have the honour to be, your Lordship's very faithful and obedient servant, C. GREY."

The Lord Mayor said, in the same envelope there was another letter which he (the Lord Mayor) conceived to have been made separate and supplementary, in order that the committee might exercise their judgment and discretion as to whether or not it might be made public. He would read the letter to the committee, but for the present he would respectfully request the representatives of the press to forbear giving it publicity.—[The communication, so prefaced, was then read by his lordship. It breathed throughout sentiments the most touching and noble perhaps of any to which utterance has been given on this great national calamity. Its simple pathos appeared to thrill the hearts of all present. The deep emotion it produced was visible in the countenance of every one, and at its conclusion the whole assembly was so unmanned that the proceedings were for a few moments interrupted.]—Sir Francis Moon, breaking the silence, said he could not help thinking the second letter was equally deserving of publicity with the first. Mr. Samuel Morley, speaking with visible emotion, said he believed the moral effect of that second letter would be prodigious (hear, hear.) Its effect on the whole country would be electric (hear, hear), calculated as it was to deepen, if that were possible, the national grief, and the all-pervading feeling of devoted loyalty to the Throne (hear, hear). After some more conversation on this point, the Lord Mayor said he presumed it was to be understood that he was invested with the discretion of publishing the supplementary letter or not as it might appear advisable (hear, hear). It was then resolved that a sub-committee should be appointed to co-operate with the committee to be named by the Queen, in carrying out her Majesty's wishes.

THE QUEEN'S SUPPLEMENTARY LETTER.

PUBLISHED WITH HER MAJESTY'S PERMISSION.

The following is the second letter alluded to by the Lord Mayor at the meeting at the Mansion-house, on Friday. It is published with her Majesty's permission:—

"OSBORNE, Feb. 19, 1862.

"MY LORD,—The Queen wishes me to add a few words to the answer to your letter, which you will receive with this, expressive in a more special manner of her Majesty's personal wishes.

"She is aware that she could not, with any propriety, contribute, as a wife, to a monument to her husband; but she is also the Sovereign of this great Empire, and as such, she cannot but think she may be allowed to join with the nation in the expression of a nation's gratitude to one to whom it owes so much.

"Who has a dearer interest than the Queen in the well-being and the happiness of the people? And if it has pleased God to make her reign, so far, happy and prosperous, to whom under Divine Providence, is this so much owing, as to her beloved husband—in all matters of doubt or difficulty her wise counsel, her unfailing guide and support?

"No one can know, as the Queen knows, how his every thought was devoted to the country—how his only aim was to improve the condition of the people, and to promote their best interests. Indeed, his untiring exertions in furtherance of these objects tended, in all probability, to shorten his precious life.

"Surely, then, it will not be out of place, that, following the movement of her people, the Queen should be allowed to consider how she may best take part with them in doing honour to her beloved Prince, so that the proposed monument may be recorded to future ages as reared by the Queen and people of a grateful country to the memory of its benefactor.—I have the honour to be your Lordship's most obedient and faithful servant,

"C. GREY.

"The Right Hon. the Lord Mayor, &c."

THE ROMANCE OF CRIME.

EXTRAORDINARY TRIAL IN FRANCE — A MAN CONVICTED OF MURDERING FIFTEEN SERVANT GIRLS — HIS WIFE AN ACCOMPLICE — A HORRIBLE AND EXTRAORDINARY STORY.

The London journals by the Kangaroo bring us full particulars of the trial of the monster Dumollard, whose trial and conviction took place at Bourg. We quote from the London Times:—

The most intense excitement has been created throughout France by the trial of a man named Martin Dumollard, a labourer, who for the last eight years has been in the practice of murdering and robbing servant girls under the pretence of conducting them to good situations. Fifteen cases of murder or attempted murder are alleged against him, and it is suspected that he must be guilty of many more crimes of a similar nature. His wife was indicted as an accomplice. The trial, which took place at Bourg, in the department of Ain, commenced on Wednesday last, and was brought to a close on Saturday. Dumollard, whose hair and beard were rugged and unkempt, is 52 years of age. He regarded the audience in court with a dull and stupid gaze, and his countenance denoted only the lowest passions. His wife has nothing striking in her appearance. The following account of the extraordinary and unparalleled charges against the prisoner is obtained from the official *acte d'accusation*. On the 15th May, 1861, about 11 o'clock at night, a woman knocked at the door of M. Jolly, an inhabitant of the village of Ballan, and asked for shelter and protection from an assassin, out of whose hands she stated she had just escaped in a miraculous manner. The terror depicted in her countenance, her disordered garments, and the bruises on various parts of her body, bore witness to the reality of the danger which she had encountered. The name of this woman, who was a stranger to that part of the country, was Marie Pichon. She was at once taken before the police authorities at Montleul, to whom she made the following astounding statement: She had (she said) come from Lyons, where she had been living as a domestic servant. That same morning, as she was crossing the Bridge de la Guillotiere, she was accosted by a countryman, clad in a blue blouse, with a hump on his back, and having a scar on his upper lip. This person inquired of her the address of a certain registry office, and took the opportunity of entering into conversation with her. He told her that he was employed as a gardener at a chateau near Montleul, and that he had been sent to Lyons by his master for the purpose of engaging a domestic servant. The place was a most advantageous one, the wages being 250f. a year, besides perquisites; the work was easy, and consisted mainly in attending to three cows. Thrown off her guard by these unexpected proposals and the apparent simplicity of the stranger, Marie Pichon accepted the tempting offer. She at once got ready her box of clothes, and an hour or two afterwards, accompanied by her guide, took the train to Montleul, where they arrived soon after nightfall. The man, putting the box on his shoulder, told Marie to follow him, saying he intended to take a short cut to their destination. Suddenly, after having proceeded for a long time through lonely and unfrequented ways, and after having passed across several plowed fields, the stranger stopped in the middle of a meadow and laid down the box, saying that he was too tired to carry it any further, but that he would go for it next morning and take it to the chateau. They then resumed their journey, but this incident caused Marie to feel somewhat uneasy. Soon afterwards they came to a hill and began to ascend it. Marie Pichon observed that her companion seemed anxious that she should go first. She had before remarked that he had armed himself with a heavy stick, and now she noticed that he stooped down several times to pick up stones. When they had proceeded a few paces further on she saw him thrust his hand under his blouse, as though he were about to draw forth a weapon. Terrified beyond measure, she stopped and said, "I see you have deceived me. I will go no further." "We have arrived at our destination," replied the stranger, at the same time stretching out his arms in the direction of his victim, who saw that a cord with a slip-not was above her head. She instinctively dropped a band-box and an umbrella which she was carrying, and, raising both her hands above her head, arrested the fall of the diabolical instrument of murder. As it was, however, her bonnet was dragged off her head. Marie Pichon then took to flight. She fell several times and bruised herself severely, but on hearing the footsteps of her pursuer, she summoned up all her energies and resumed her headlong flight through the darkness. At last, to her relief, she beheld a light in a cottage window, and in a minute more she was safe under the roof of M. Jolly, in the village of Ballan, which soon became the scene of the most intense excitement. The search made for the box and the other articles was altogether fruitless. The disappearance of these so soon after the commission of the crime seemed to indicate that the culprit was not far distant, and this supposition was strengthened by the evident fact that he was perfectly acquainted with the neighborhood. Above all, the attack upon Marie Pichon called to the minds of all a great number of cases of the same kind which had been made on previous occasions in the same locality. The circumstances of all the victims being domestic servants, the similitude of the manœuvres by which they were lured on, and the singular fact that the assailant had been always described in the same manner — all these tended irresistibly to the conclusion that the attack from which Marie Pichon had providentially escaped was the most recent series of crimes which their authors had systematically pursued. The attention of the officers of justice was soon directed to the occupiers of a house situate at Mollard, a hamlet in the commune of Dagnoux, and in the vicinity of the place to which the woman Pichon had been led on the night of the 25th of May. The neighbors looked with suspicion and distrust upon this house in consequence of the mystery and silence maintained by its inmates. The bad character of the man who resided there, coupled with the grave and dissimulated behavior of his wife, the strange nocturnal excursions of the husband, and, lastly, the striking resemblance he bore to the description of the malefactor who was "wanted," induced the *juge de paix* to proceed to the house of this man—Martin Dumollard, who had been twice convicted of robbery—and to demand of him an account of how he had employed his time on the day and night of the 25th May. The embarrassed manner of Dumollard and his wife, their evasive and contradictory replies, and the presence in their abode of a quantity of articles, seemed to confirm the suspicions that were entertained. Dumollard was arrested and forthwith conveyed to Trevoux, where he was confronted on the evening of the same day with Marie Pichon who immediately recognized him as the man who had made the attempt upon her life. The evidence of identity was corroborated by the testimony of several persons who had seen the man in Lyons in the company of his intended victim on the day in question. The obstinate denial opposed to this conclusive evidence by Dumollard is the less to be wondered at when it is considered that his mind was occupied as much with this isolated crime as with the frightful acts which he had previously committed. The woman, who had compromised herself by her false and contradictory statements, and also by the anxiety she evinced to conceal certain suspicious articles, was likewise taken into custody. Several searches were made in the house, and resulted in the discovery of a large quantity of clothes, linen, trunks, boxes, fragments of lace, and other articles, all likely to have belonged to domestic servants. Among these spoils, of which many bore traces of blood, particular attention was directed to some garters of different form and color, which appeared to have belonged to different persons. The police also found some pieces of stuff which had been taken from the box of Marie Pichon, and also articles of clothing belonging to women who had been assassinated. The crimes which were subsequently brought to light extended over the period between February, 1855, and May, 1861. The *acte d'accusation* recounts a large number of these murders and attempted murders, among the most remarkable of which is that of Marie Baday, a young servant of Lyons, and the attempt upon the life of Olympe Albert, another servant. The latter girl, being deceived by the promise of 20f. wages, unhesitatingly departed with her pretended guide, and after a long journey they arrived at nightfall in the environs of the Tramoyes. They were approaching the forest of Montaverel, where some days previously the bleeding body of Marie Baday had been discovered, when affrighted by the solitude of the place, Olympe Albert declared that she would proceed no further, and suddenly quitting her companion, she fled into a neighbouring farm-house. The *acte d'accusation* then enters into particulars of two successive attempts made in the months of October and November, 1855, the objects being two servant girls, Josephine Charlety and Jeanne Marie Bourgeois. Both of them escaped by flight the consequences of their imprudent confidences, and both lost their luggage and their money. The *acte d'accusation* goes on to say that from November, 1855, to the close of the year 1858, no crime committed by the accused has been publicly charged against him. In December, 1858, however, he resumed his diabolical avocation, for, engaging a young servant-maid at Lyons, he conducted her to the wood of Montbain, and there, in the middle of the night, he first violated, and then, having wounded her, he buried her while she was still alive. After tracing a number of robberies committed by the same means—the victims always servants decoyed from Lyons—who only escaped death by flight, and leaving their property in the hands of the accused, the *acte d'accusation* relates the particulars of the last murder committed by him on the night of the 26th of February, 1861, and concludes by stating that during the eight years in which the prisoner had pursued his career of crime six of his victims had been murdered after being violated, and nine other girls providentially escaped from their assailant, though four of the latter number were compelled to leave in his hands the property which had excited his cupidity. The above charges were substantiated by above 70 witnesses, the principal facts being extracted from the wife of Dumollard, who was subjected to a lengthy examination.

As previously stated, the trial was brought to a close on the 1st. Dumollard was condemned to death, and his wife to 20 years' imprisonment with hard labour.

DREADFUL LOSS OF THE SPARTAN—GOVERNMENT TRANSPORT STEAMER.—We regret to announce the loss of a very fine steamer, which had been taken up by the Admiralty for the conveyance of stores to North America, and was attended with a melancholy sacrifice of life. The ill-fated ship was the Spartan, an iron screw steamer of 1,070 tons, recently built, under special survey, by Messrs. Pyle & Co., of Hartlepool, fitted with four water-tight bulkheads, and was classed A 1 for thirteen years. Having been brought up to the Thames, she proceeded to the Deptford dockyard, and shipped a large quantity of stores, and eventually left Falmouth on the 2nd February, on her first voyage, for Halifax and St. John, N. B. She had on board four passengers—Capt. Hands of the 63rd Regt., his wife, child, and servant. From the time of the steamer leaving the channel nothing was heard of her until yesterday, when Messrs. Fleming, of Austinfriare, agents for the owners, received a telegraphic message from Captain Wiggins, the master of the Spartan, to the effect that she had been lost in the Atlantic. As far as could be learned, it appeared that the unfortunate ship encountered the full fury of the terrific gales which have occasioned so much havoc amongst the vessels traversing the Atlantic, and after the most fearful rolling and heaving she sprung a leak, and at length the crew were compelled to abandon her. This took place on the 16th February, but for several days the ship had been in the most critical position, and on the 11th she was struck by a heavy sea, which crushed in the saloon where Capt. Hand, his wife, child, and servant were, and all perished by drowning, it is supposed, with the exception of the servant. About the same period the chief officer and two seamen were washed overboard and drowned. As before stated, the remainder of the crew took to the boats, and must have suffered much from exposure. The poor servant girl who escaped death when the cabin was crushed in, is reported to have died on the 21st ult. How long they were out in the boats has not yet transpired, but they were picked up by the ship William Fotheringham, and a telegram from Havre yesterday afternoon announced their safe arrival at that port. The Spartan foundered shortly after she was abandoned. The ship and freight were insured to the extent of £30,000, the bulk of which was effected at Lloyd's. The cargo of stores was valued at £30,000.

The people of Illinois have taken a queer way of showing their zeal for freedom. By a vote of nearly four to one, the members of the Constitutional Convention have adopted an article preventing negroes and mulattoes from emigrating into that State, prohibiting them from exercising the rights of suffrage, and requiring the General Assembly to pass laws to carry out the provisions of the article.

THE GREAT CIVIL WAR.

The chief military event of the week is a decisive victory gained on Sunday last in the neighbourhood of Winchester, Virginia, by General Shields, U. S., over General Jackson, C. S. The latter, with a force estimated here at upwards of 12,000, was the attacking party, the Northerners numbering but 7 or 8 thousand. The defeat was decisive, pursuit being made for several miles. The battle was hard fought and bloody in its results, the killed and wounded being set down respectively at 150 and 300 on the National, and 500 and 1000 on the Southern side. General Shields—who, singularly enough, commanded or led into action at some great fight in the Mexican War the Palmetto Regiment of South Carolina, and was there greatly feted in consequence — had his arm shattered in this engagement. Early in the week it was confidently announced that General Burnside had captured Beaufort, N. C., without opposition, nor, up to this moment, have we seen the report contradicted, though official confirmation be wanting. Island No. 10 on the Mississippi seems so far to have proved the Sebastopol of the South, and the U. S. gun-boat attacks upon it have not yet proved entirely efficacious. General Bragg, from Pensacola, is to be in command of the position, which blocks the river said to course to New Orleans, whether or not there be below it a succession of similar impediments. Yet so confident are our newspapers here of speedy success, so heedless of reverses and delays, that the town was for a moment led to believe, some days since, that New Orleans had been taken by assailants coming sea-ward from the Gulf, whereas the last news now only reports the vast invading armament getting over the bar of the S. W. Pass. The number and extent of the operations on foot are so great, that it is piteous to see this unceasing disposition to anticipate, exaggerate, and invent. The War Department manages to keep back a large amount of information that would be acceptable, but cannot control the lively imagination of the journals. General Beauregard is reported with a large force at Corinth, near the Northern line of Mississippi, where the railroad from Charleston to Memphis unites with one from Mobile. He is waiting, we presume, to transport himself and his troops where his presence may most be needed.

Such movements as may may have taken place in Eastern Tennessee, on the coasts of Georgia and South Carolina, and on the part of the large army in Northern Virginia under the immediate personal command of General McClellan, are studiously and of course wisely kept from the public; and this perhaps is one reason why the public's purveyors are so easily imposed upon by "intelligent contrabands" — as individuals of the most lying race on the face of the globe are pleasantly designated, when the tidings that they bring or forge suit the market at which they are tendered. A most mortifying specimen of this gullibility or carelessness has occurred in connection with the famous C. S. steamer *Nashville* that recently ran the blockade off Beaufort, N. C., and found there a safe harbour. We had it here in all the glory of huge type, that the redoubtable ship was burnt in anticipation of General Burnside's capture of the port; then, better still, that she was not burnt, but taken, which must have been a most grateful bit of news. At last the truth comes out, *proh pudor*, that she was neither burnt nor taken, but had again got out and away to sea, by simply running the inefficient blockade. When the *Nashville* went into Beaufort through the most lubberly neglect of the blockaders, there was an outcry of Northern indignation. Now that she has once more baffled her watchers, the public have just reason to be incensed. It will scarcely be credited that a slow steamer and a sailing vessel were alone employed to keep guard.

The Tax-Bill still lingers in the House of Representatives at Washington; but the disbursements of the country continue to be enormous. For iron-plated steamers and rams appropriations are lavishly made. The financial question, however, is beginning to suggest—we will not say produce—uneasiness in Wall Street. But were capitalists and financiers ever so much alarmed, there would be no pause just yet. All parties are bent upon subjugating the South *vi et armis*, though there is no corresponding unanimity on the troublesome "nigger question." The notorious Mr. Wendell Phillips, lecturing on Abolition, has been pelted off the stage at Cincinnati; as has a clerical lecturer at Burlington, N. J.—*New York Albion, March 29, 1862.*

THE SEA FIGHT

THE SOUTHERN ACCOUNT—DESCRIPTION OF THE MERRIMAC'S PROWESS—THRILLING DESCRIPTION OF THE SCENES ON THE CUMBERLAND.

On Sunday morning faint cannonading was heard below. When the thick vapors that overhang Hampton Roads lifted, Lieutenant Commanding C. Ap R. Jones got under weigh, and began his attack upon the enemy. At two o'clock the steamer Harmony showed off from the Dock Yard and shot down the harbor. After threading our way through the barriers, and passing the forts, dark, as on the previous day, with masses of soldiers of all arms, we saw a strange picture—a picture at once novel and beautiful. The gunboats were laying in line of battle under Sewall's Point, with the thick masses of smoke floating lazily above them, firing now and then a shot; while the Virginia, looking grim and mysterious, steamed in pursuit of a wonderful looking thing that was justly compared to a prodigious "cheese box on a plank." At first we could see the great puffs of white smoke jetting out, now from the Virginia, now from the Minnesota, and at long intervals from the black "cheese box." But these white wreaths of smoke blew off to seaward without a sound reaching us, for the wind had now risen, and the warm calm of early morning was succeeded by a piercing northeaster. Away we went across Craney Island flats, presently we could hear the guns, louder and louder. But the strange looking battery, with its thick revolving cupolo, fled before the Virginia. It was as somebody said, like fighting a ghost. Now she ran down towards Old Point, back towards Newport News, now approached to fire and then ran away to load, but evidently fighting shy, and afraid of being put 'in chancery,' as the pugilists call it, by her powerful pursuer. The projectiles from her great piece of ordnance, a ten inch solid shot gun, came dancing across the water with a series of short, sharp pops, which made a music more exciting than melodious. Now she overshot the Virginia, and the spray flew more than thirty-feet high. Now she shot to this side now to that. Now she steamed close up and hit her fairly. In one of these encounters we thought her iron castle had been shot away, but when the smoke cleared away, there it was and the long, plank like hull in again, driving along like the "Flying Dutchman."

Meanwhile the Virginia crept up towards the Minnesota, crept up and paused in that mysterious silence which fell upon her at all times—a silence impressive to us on board the tug. Was she aground? One thought yes. Another could make out that she was moving. A third discovered that it was our forging ahead which imparted to her the apparent motion we had a moment before congratulated ourselves upon. The minutes seemed like hours as we stood watching the noble ship, against which the combined batteries of the Minnesota and Ericsson were now directed. The shot flew like hail, the shells flew like rain drops, and slowly, steadily, she returned the fire. There lay the Minnesota with two tugs alongside. Here, there, and everywhere was the black "cheese-box."—There lay the Virginia evidently aground, but still firing with the same deliberate regularity as before. Presently a great white column of smoke shot up above the Minnesota, higher and higher, fuller and fuller in its volume, and beyond doubt carried death all along her decks, for the red tug's boiler had been exploded by a shot, and the great white cloud canopy was the steam thus liberated—more terrible than the giant who grew out of the vapour unsealed by the fisherman in the fable. And now the Virginia moves again—there can be no error this time, for we see her actually moving through the water, and can mark the foam at her prow. And, strange to say, these long, painful hours, measuring time by our emotions, are condensed by the unsympathetic hands of our watches into fifteen minutes! At twelve o'clock noon she was steaming down for Sewall's, while the strange looking battery bore away for the frigate ashore. We steamed down to meet her, mustered all hands, and running close alongside gave her three cheers—three cheers which came from the bottom of our hearts — which were expressive of praise and thankfulness—of benediction and delight. Her company was mustered on the grating and returned our cheers. We ran in closer, and there was her commander, Catesby Ap R. Jones, looking as calm and modest as any gentleman within the jurisdiction of Virginia.—The Commodore hailed the ship, heard the reply, complimented the quiet, thoughtful looking man who had managed and fought her from the time Flag Officer Buchannan was wounded up to that moment, and then, with cordial eulogies upon the gallant men on board, we shot ahead.

Here let us pause one moment. Our task has been to speak of events rather than individual actors, but we should do violence to our own feelings and to the public sentiment did we fail to allude to the conspicuous services of the gentleman who succeeded Flag Officer Buchannan, who was shot on the grating of the ship on Saturday, the 8th. He was known to all members of his profession as a thorough and accomplished seaman. As an ordnance officer he was of approved skill, and after the 8th and 9th of March, this scholarlike, placid gentleman steps upon the historic canvas of this great revolution as one of its true heroes. We leave him and his gallant shipmates to the appreciation of their countrymen, and asking pardon of his sensitive modesty for what we have written, pass on with our narrative. The same scene was enacted and reenacted as she passed each vessel, and, with Flag Officer Forrest in the van, the squadron steamed cautiously along towards the barricades. As the ships grouped against the soft, hazy sky, followed the Virginia, the picture