

The Examiner.

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EDWARD WHELAN]

This is true Liberty, when Free-born Men, having to advise the Public, may speak free.—EURIPIDES.

[EDITOR AND PUBLISHER.

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MOON'S PHASES.—NOVEMBER, 1856.

First Quarter 5th day, 1h. 10m. evening. E. S. E.
Full Moon 12th day, 4h. 43m. morning. W. S. W.
Last Quarter 19th day, 6h. 22m. morning. S.
New Moon 27th day, 11h. 48m. morning. S.

Literature.

LIVE AND LET LIVE.

Whence hath come that ancient saying,
Simple words and few,
All the truth of life displaying
In a single view?
From the past a voice far reaching—
Would we better heed its teaching,
If its source we knew?

Nought hath for itself existed
Since the world began;
Nought hath the great law resisted,
Save the soul of man.
From the sun its light bestowing,
To the meaneast thing ungrrowing,
Trace the wondrous plan.

Live! remembering that thou livest
Not alone by bread!
Give! for in what'er thou givest,
Thy life forth is shed!
When the flower no leaf unfoldeth,
When the tree its fruit withholdeth,
We pronounce it dead.

Have no light, no joy, no blessing,
Which thou dost not share!
Bind no burden so oppressing,
That thou could'st not bear!
Earth gives back her harvest smiling—
Should the brow that sweats with toiling
Want and sorrow wear?

Have ye given to those who win ye
All your wealth and pride,
What their waste of nerve and sinew,
For your use supplied;
For the life spent daily dying,
For the souls within them crying,
Owe you nought beside?

Say not, brother, poor and lowly,
"This is not for me!"
To live with purpose true and holy,
Never loss can be;
So this text and teaching humble
Shall not cause thy foot to stumble,
Speaking thus to thee—

Life hath things of which the sharing
Doth increase the store,
Least hath he who sows most sparing,
When the harvest's o'er:
Give a cup of water only,
To thy neighbour sick and lonely,
If thou hast no more.

(From Putnam's Monthly.)

THE OCEAN DEPTHS.

A DIVER'S TALE.

The life of one who explores the mysteries of the sea is not more perilous than fascinating. The charm of terror hangs around it, and the interminable succession of exciting events renders it dear to its professor. Not the common diver of the East, who can remain but for a fraction of time beneath the wave, and group fearfully among rugged ocean mounds, but to the adept in the civilized mode of diving, who in his protective armour, may remain submerged for hours, and wander with impunity for miles along those unknown regions far below the sea. To him are laid open the horrors of the watery creation, and he may gaze upon such scenes as Arabian story tells us were presented to the fearful eyes of Abdallah. To him the most thrilling occurrences of the upper world seem frivolous; for in his memory he retains thoughts that may well chill the soul with dread.

I am a diver—a diver from choice—and I am proud of my profession. Where is such courage required as is needed here? It is nothing to be a soldier; a diver, however—but I forbear. I will tell my story, and leave others to judge concerning it.

An appalling shipwreck occurred not long ago, upon the mildest part of the coast of Newfoundland. The tidings of this calamity reached the ears of thousands; and amid the crowd of accidents which followed in quick succession, it was soon forgotten. Not by us, however. We found that the vessel had sunk upon a spot where the water's depth was by no means great, and that a daring man might easily reach her.

She was a steamer called the Marmion, and had been seen going suddenly down, without an instant's warning, by some fishermen near by. She had, undoubtedly, struck a hidden rock, and thus been, in one moment, destroyed.

I spoke to my associates of the plan, and they approved it. No time was lost in making the necessary preparations, and a short time beheld us embarked in our small schooner for the sunken ship. There were six of us, and we anticipated extraordinary success.

I was the leader, and generally ventured upon any exploit in which there was uncommon danger. Not that the others were cowards; on the contrary, they were all brave men, but I was gifted with a coolness and a presence of mind of which the others were destitute. As two persons were needed, in order to explore the Marmion, I had selected as my companion a young fellow, whose steadiness and dauntless courage had several times before been fearfully tested.

It was a calm and pleasant day, but the southern and eastern horizon looked doubtful. Small suspicious clouds were gathered there, ill of aspect, and 'sneaking fellows, regular hang-dog fellows,' as my comrade, Rimmer, remarked to me. Nevertheless, we were not to be put off by a little cloudiness in the sky, but boldly prepared to venture.

So deep was the water that no vestige of a ship's masts remained above the surface, to point out the resting place of the Marmion. We were compelled, therefore, to select the scene of operations according to the best of our ability. Down went the sails of our schooner, and Rimmer and I put on our diving armour. We fixed on our helmets tightly, and screwed on the hose. One by one each clumsy article was adjusted. The weights were hung and we were ready.

'It looks terrible blackish, Berton,' said Rimmer to me. 'Oh,' I replied gaily, 'it's only a little mist—all right!'

'Ah!' and he uttered a low exclamation, which sounded hollow from his cavernous helmet.

'All ready,' I cried in a loud voice, which they, however, could not easily distinguish. Then making a proper sign, I was swung over the side.

Down we went, I first, and Rimmer close behind me. It did not take a long time for us to reach the bottom. We found ourselves upon what seemed a broad plain, sloping downward towards the south, and rising slightly toward the north. Looking forward then, a dim, black object arose, which our experienced eyes knew to be a lofty rock.

I motioned to Rimmer that we should proceed there. I cannot tell the strangeness of the sensation felt by one who first walks the bottom of the sea.

There are a thousand objects, fitted to excite astonishment, even in the mind of him who has dared the deed a hundred times. All around us lay the plain, covered by water; but here the eye could not pierce far away, as in the upper air, for the water in the distance grew opaque, and seemed to fade away into misty darkness. There was no sound, except the incessant gurgle which was produced by the escape of air from the breast valve, and the splash caused by our passage through the waters. We walk on at a good pace; for this armour, which seems so clumsy up above, is excellent below, and offers little inconvenience to the practised wearer.

Fishes in crowds were around us. Fishes of every shape and size met our eyes, no matter where we turned. They swam swiftly by us; they sported in the water above us; they raced and chased one another, in every direction. Here a shoal of porpoises tumbled along in clumsy gambols, there a grampus might be seen rising slowly to the surface, here an immense number of smaller fish flashed past us, there some huge ones, with ponderous forms floated in the water lazily. Sometimes three or four placed themselves directly before us, solemnly working their gills. There they would remain till we came close up to them, and then, with a start, they would dart away.

All this time we were walking onward, along the bottom of the sea, while above us, like a black cloud in the sky, we could see our boat moving slowly upward upon the surface of the water. And now, not more than a hundred yards before us, we could see the towering form of that ebony rock which had at first greeted our eyes from afar. As yet we could not be certain that this was the place where the Marmion had struck. But soon a round, black object became discernible, as we glanced at the rocky base.

Rimmer struck my arm, and pointed. I stepped aside, and we moved onward more quickly.

A few moments elapsed; we had come near the rock. The black object now looked like the stern of a vessel whose hull lay there.

Suddenly, Rimmer struck me again, and pointed upward. Following the direction of his hand, I looked up, and saw the upper surface of the water all foamy and in motion. There was a momentary thrill through the heart, but it passed over. We were in a dangerous condition. A storm was coming on! But should we turn back now, when we were so near the object of our search? Already it lay before us. We were close beside it. No, I would not. I signaled to Rimmer to go forward, and we still kept our course.

Now the rock rose up before us, black, rugged, dismal. Its rough sides were worn by the action of the water, and in some places, were covered with marine plants and nameless ocean vegetation. We passed onward, we clambered over a spur, which jutted from the cliff, and there lay the steamer.

The Marmion—there she lay upright, with everything still standing. She had gone right down and settled in such a position, among the rocks, that she stood upright here, just as though she lay at her wharf. We rushed eagerly along and clambered up her side. There was a low moan in the water, which sounded warningly in our ears, and told us of a swift-approaching danger. What was to be done must be done speedily. We hurried forward. Rimmer rushed to the cabin. I went forward to descend into the hold. I descended the ladder. I walked into the engineer's room. All was empty here, all was water. The waves of the ocean had entered, and were sporting with the works of man. I went into the freight room. Suddenly I was startled by an appalling noise upon the deck. The heavy footsteps of some one running, as though in mortal fear, or most dreadful haste, sounded in my ears. Then my heart throbbled wildly; for it was a fearful thing to hear far down in the silent depths of the ocean.

'Pshaw!' it's only Rimmer.

I hurriedly ascended the deck by the first outlet that appeared. When I speak of hurry, I speak of the quickest movement possible, when cumbered with so much armour. But this movement of mine was quick; I rushed upwards; I sprang out upon the deck.

It was Rimmer! He stepped forward and clutched my arm. He pressed it with a convulsive grasp, and pointed to the cabin.

I attempted to go there. He stamped his foot, and tried to hold me back. He pointed to the boat, and implored me, with frantic gestures, to go up.

It is appalling to witness the horror-struck soul trying to express itself by signs. It is awful to see these signs when the face is plainly visible, and no voice is heard. I could not see his face plainly, but his eyes, through his heavy mask, glowed like coals of fire.

'I will go!' I exclaimed. I sprang from him. He clasped his hands together, but dared not follow.

Good heavens! I thought, what fearful thing is here? What scene can be so dreadful as to paralyze the soul of a practised diver. I will see for myself.

I walked forward. I came to the cabin door. I entered the forward saloon, but saw nothing. A feeling of contempt came to me. Rimmer shall not come with me again, I thought. Yet I was awe-struck. Down in the depths of the sea there is no silence—oh, how silent! I paced the long saloon, which had echoed with the shrieks of the drowning passengers. Ah! there are thoughts which sometimes fill the soul, which are only felt by those to whom senses of sublimity are familiar. Thus thinking, I walked to the after cabin and entered—

Oh, God of heaven!

Had not my hand clasped the door with a grasp which mortal terror had made convulsive. I should have fallen to the floor. I stood nailed to the spot. For there before me stood a crowd of people—men and women—caught in the last death struggle by the overwhelming waters, and fastened to the spot, each in the position which death had found him. Each one had sprung from his chair at the shock of the sinking ship, and, with one common emotion, all had started for the door. But the waters of the sea had been too swift for them. Lo! then—some wildly grasping the table, others

the beams, others the sides of the cabin—there they all stood. Near the door was a crowd of people, heaped upon one another—some on the floor, others rushing over them—all seeking madly to gain the outlet. There was one who sought to clamber over the table, and still was there, holding on to an iron post. So strong was each convulsive grasp, so fierce the struggle of each with death, that their hold had not yet been relaxed; but each one stood and looked frantically to the door.

To the door—good God! To me, to me they were looking! They were glancing at me, all those dreadful, those terrible eyes! Eyes in which the fire of life had been displaced by the chilling gleam of death. Eyes which still glared, like the eyes of the maniac, with no expression. They froze me with their cold and icy stare. They had no meaning; for the soul had gone. And this made it still more horrible than it could have been in life; for the appalling contortion of their faces, expressing fear, horror, despair, and whatever else the human soul may feel, contrasting with the cold and glassy eyes, made their vacancy yet more fearful. He upon the table seemed more fiendish than the others; for his long, black hair was dishevelled, and floated horribly down—and his beard and moustache, all loosened by the water, gave him the grimness of a demon. Oh, what woe and torture! what unutterable agonies appeared in the despairing glance of those faces—faces twisted into spasmodic contortions, while the souls that lighted them were writhing and struggling for life.

I heeded not the dangerous sea which, even when we touched the steamer, had slightly rolled. Down in those awful depths the swell would not be very strong, unless it should increase with tenfold fury above. But it had been increasing, though I had not noticed it, and the motion of the water began to be felt in these abysses. Suddenly the steamer was shaken and rocked by the swell.

At this the hideous forms were shaken and fell. The heaps of people rolled asunder. The demon on the table seemed to make a spring directly towards me. I fled, shrieking—all were after me I thought. I rushed out, with no purpose but to escape. I sought to throw off my weights and rise.

My weights could not be loosened—I pulled at them with frantic exertions, but could not loosen them. The iron fastenings had grown stiff. One of them I wrested off in my convulsive efforts, but the other still kept me down. The tube also was lying down still in my passage way through the machine rooms. I did not know this until I had exhausted my strength, and almost my hope, in vain efforts to loosen the weights, and still the horror of that scene in the cabin rested upon me.

Where was Rimmer? The thought flashed across me. He was not here. He had returned. Two weights lay near, which seemed thrown off in terrible haste. Yes, Rimmer had gone. I looked up; there lay the boat, tossing and rolling among the waves.

I rushed down into the machine room, to go back, to loosen my tube. I had passed through passages carelessly, and this lay here, for it was unrolled from above as I went on. I went back in haste to extricate myself; I could stay here no longer; for if all the gold of Golconda was in the vessel, I would not stay in company with the dreadful dead!

Back—far lent wings to my feet. I hurried down the stairs into the lower hold once more, and retraced my steps through the passage below. I walked back into the place into which I had first descended. It was dark; a new feeling of horror shot through me; I looked up. The aperture was closed? Heavens! was it closed by mortal hand? Had Rimmer, in his panic flight, blindly thrown down the trap door, which I now remembered to have seen open when I descended; or had some fearful being from the cabin—that demon who sprang towards me—

I started back in horror.

But I could not wait here; I must go, I must escape from this den of horrors. I sprang up the ladder, and tried to raise the door. It resisted my efforts; I put my helmeted head against it, and tried to raise it; the rung of the ladder broke beneath me, but the door was not raised; my tube came down through it and kept it partly open, for it was a strong tube and kept strongly expanded by close-wound wire.

I seized a bar of iron, and tried to pry it up; I raised it slightly, but there was no way to get it up further. I looked around, and found some blocks; with these I raised the heavy door little by little, placing a block in to keep what I had gained. But the work was slow and laborious, and I had worked a long while before I had it raised four inches.

The sea rolled more and more. The submerged vessel felt its power, and rocked. Suddenly it wheeled over and lay upon its side.

I ran around to get on the deck above, to try and lift up the door. But when I came to the other outlet, I knew it was impossible, for the tube would not permit me to go so far, and then I would rather die a thousand deaths than have ventured again so near the cabin.

I returned to the fallen door; I sat down in despair and waited for death. I saw no hope of escape. This, then, was to be my end.

But the steamer gave a sudden lurch, again acted upon by the power of the waves. She had been balanced upon a rock, in such a way that a slight action of the water was sufficient to tip her over.

She creaked, and groaned, and laboured, and then turned upon her side.

I rose; I clung to the ladder; I pressed the trap door open, while the steamer lay with her deck perpendicularly to the ground. I sprang out and touched the bottom of the sea. It was in good time; for a moment after, the mass went over back again.

Then, with a last effort, I twisted the iron fastening of the weight which kept me down; I jerked it off. It was loosed, it broke, it fell. In a moment I began to ascend, and in a few moments I was floating on the water—for the air which is pressed down for the diver's consumption constitutes a buoyant mass, which raises him up from the sea.

Thanks to heaven! There was the strong boat, with my bold, brave men. They felt me rising; they saw me, and came and saved me.

Rimmer had fled from the horrid scene when I entered the cabin, but remained in the boat to lend his aid. He never went down again, but became a sea captain. As for me, I still go down, but only to vessels whose crews have been saved.

It is needless to say that the Marmion was never again visited.

The Chinese seem to think dancing a useless fatigue. When Commodore Anson was at Canton, the officers of the Centurion had a ball upon some court holiday. While they were dancing, a Chinese, who surveyed the operation, said softly to one of the party, "Why don't you let your servants do this for you?"

Gleanings from late Papers.

ELECTIVE LEGISLATIVE COUNCILS.

Canada having adopted the principle of elective Legislative Councils, the subject will no doubt be fully discussed in the lower Provinces. It involves matters of grave consideration, and should be approached in a corresponding spirit. We are in favour of progress; not change as respects this or that theory for the mere sake of change, which the visionaries among us would wish to see carried out; but for durable and effective objects, the attainment of which would add to the general weal, and preserve intact all the rights and privileges which we enjoy under the British Constitution. Innovations may be made without any regard to ulterior results, but it is only by calm consideration that we can arrive at a fair and dispassionate consideration of great political questions.

The Montreal Pilot gives some hints in an article on this subject, which are worthy of consideration, and we recommend it to the notice of our readers:—

THE LEGISLATIVE ELECTIVE COUNCIL.—Some fifteen or twenty years have been occupied in the agitation, discussion and consummation of this measure. It has served as the watchword, the rallying point of party, and we now have it embodied, tangible and perfected. It may be worth some thought to examine its prospective effect on the legislation of this country. There has been a tendency, perhaps unavoidable, to copy to some extent the code of our neighbours. We have been attracted towards the legislation of the United States; and at one period we seemed willing to adopt, headlong, without examination, the example held up to us as a pattern, which we were only too willing to copy in all its merits and vices. After the effervescence of a foolish precipitancy had subsided, we occupied a midway position, and adopted the present constitution of the Upper House as a sort of compromise between the extremes of Radicalism and Toryism. As we have accepted the present constitution of the Legislative Council as a sort of necessity forced on us by the turbulence of agitation, rather than the deliberative result of opinion, it may not be unwise to look the future manfully in the face, and prudently calculate those contingencies which are almost realities. There is one fact which we cannot ignore or repudiate. We have departed to a great extent from the Constitution of Britain as a model for the constitution of our Legislature. Perhaps, in the nature of things, this could not be avoided, as we were determined on some change; and the more so, as the social state of our people did not present many points of resemblance. In England the landed or permanent interest is represented by the House of Lords; here we have no such distinct interest. Landed property is not monopolized by any class, and is as much represented in the House of Assembly as in the Legislative Council, and no reason can exist in Canada as in Great Britain for a dissolution and independent position for both branches of our Legislature. Still we were, and are, unwilling to place unlimited confidence in the Lower House, though composed of the popular representatives. This we know is an aspiration of a wholesome Conservatism, diffident of the integrity of popular legislation. There is a wise distrust of the impulses of an assembly, constituted on a diversified sentiment, and sustained by various interests. It is to this feeling, this anxiety to be secured against ourselves, that we look to the Upper House as a sort of secondary security against hasty and impulsive legislation; but while this sentiment is the parent and origin of the present constitution of the Legislative Council, it were wise to examine what amount of confidence can be reasonably reposed in this breakwater to crude innovation which we have erected to stem the impetuosity of the House of Assembly.

Assuredly the Upper House, while it retained its former constitution, was more likely to act as a healthy restraint on the decision of the Lower House than now. Its former independent character, arising from its nomination by the crown, rendered it less subject to popular influences. But while it was sought to restrain a power that might perhaps slide into despotism, we are not quite sure that we have gained much by the recent remodelling of the Legislative Council. If our aim was to render it more popular by making it subservient to the elective principle, we have succeeded most effectually in destroying its efficacy as a check on the Lower branch; for it were absurd that two Houses, elected by the very same constituencies, can hold contrary opinions, or that one branch will claim to be the exponent of the public mind, and the other deny the exposition, while both are elected representatives of the same people. The thing is too silly, too childish to be entertained by even a visionary. So far, therefore, as the "mutual check" is involved, it is only a chimera, an illustration of the folly of regarding popular tendencies as correct standards of action. But, taking the Legislative Council in its modern constitution, it must be admitted that it is a wide departure from the House of Lords in Great Britain. Hitherto we affected, and still do, but without much reason, to copy its practice. So long as the Council were the nominees of the Crown, the similarity might have been conceded without cavil; but now that similarity is more than questionable, and so is the attempt to establish a resemblance, or draw precedents from it, or make its practice our rule. In Canada we have no written Constitution, and this is not to be regretted; but, in the absence of such, we must either supply some rule for parliamentary guidance, or follow the old one. With the Legislative Council this is impossible. All that gave it a similarity of character to the House of Lords in England has been withdrawn; every point of resemblance has been effaced; there is a strong contrast, but no comparison between both bodies, and the practice of the one will not guide the other. The introduction of the elective principle into the Upper House has completely shorn it of any affinity to the House of Lords at home, and it must now turn to new rules and laws of its own. Although the Legislative Elective Council Act does not prescribe modern regulations, but, seemingly and tacitly, leaves that body to be governed by its former usages, it cannot escape the perception of the most stupid, that the elective principle necessarily comprises and demands new usages, and that this body must conform to the working of that principle recently infused into, and directing its attention. This principle points with positive significance to the popular will; and here we anticipate will be the difficulty, if not the impossibility, of guiding the deliberations of the Legislative Council by old principles. We do not argue that the old regulations should be retained; but we do believe that their retention would be inconsistent with the elective principle now so largely infused into the Council, and which never can accommodate itself to absolute relations. Perhaps this is a minor inconvenience, did none other arise from the recent construction of the Legislative Council. But, as our chief aim should be to secure concurrence and uniformity of action