

# The Commercial Herald.

VOL. I.]

"BENEATH THE RULE OF MEN ENTIRELY GREAT, THE PEN IS MIGHTIER THAN THE SWORD.—BULWER."

[NO. 16.]

McKENNON & SMITH

SYDNEY, CAPE BRETON, SATURDAY, MARCH 2, 1850.

PUBLISHERS.

## POETRY.

### THE END OF THE EARTH.

The earth shall lead destruction; she shall end.  
The stars shall wonder why she comes no more.

On her accustomed orbit, and the sun  
Miss one of his eleven of light; the moon,  
Amo plan orb, shall seek for earth for aye  
Through time's untrodden paths and find her  
not;

No more shall more, out of the holy east,  
Steamers the ample air her loyal light,  
Nor evening, with the spectral fingers draw  
Her spirit curtain round the head of earth;  
Her footsteps never thence again shall grace  
The blue sublime of heaven. Her gaze is  
dug.

I see the stars, night-fallen, all gathering  
In long and dark progression.

## Original Tale.

(WRITTEN FOR THE HERALD.)

### CASTINE;

#### A LEGEND OF CAPE BRETON.

##### CHAPTER XIX.

A week after the occurrence of the events related in the last chapter, and Louisburg had fallen. No sooner had the Grand Battery been taken, than its guns were turned upon the city, and after a heavy cannonade, and the destruction of all the outworks, the French cannonade were reduced to terms, and capitulated.

On the fall of Beaulieu, in front of the Grand Battery, Wolfe instantly came to his side; the ball had passed through his lungs, and he was bleeding profusely at the mouth, but was not insensible. The British General, with manifestations of the deepest sorrow, ordered two soldiers to bear him to the camp, expressing his belief that the wound was not mortal, and that by timely medical aid, he could yet be restored.

"No," said Beaulieu, faintly—"I die here. Remove me not, for it is useless—and I do not wish to survive. I only wait for the shout of victory from Castine, which will bespeak the accomplishment of my vengeance, and I die content."

Wolfe was about to remonstrate, when two men fell from the platform of the fort, beside them, and the next moment a bursting roar, like the voice of a volcano, in his fury, rent the air, and a thousand blackened fragments went whirling to the skies in a cloud of smoke and fire that shut the heavens from their view.

"Gallant Castine!" exclaimed Wolfe, his eye flashing brighter in the light of battle—that thunder-crash heralds him on high!—his ashes are scattered on the

winds, and on his remains no worm shall prey. Beaulieu! you are fearfully avenged!—but dear!—I have been bought!

Castine himself answered. "Not so," Wolfe—he said: "I have escaped, and Beaulieu is avenged."

Surprised beyond measure, the English General turned round, and beheld the Indian warrior beside him, his right arm streaming with blood, and his face blackened and begrimed with powder and dust.

"Castine! by what miracle have you survived?"

"Simply," replied the warrior, "because this faithful fellow," turning to Frantzwa, "has sharp eyes, and saw the train that Lamarque was about to fire, just in time, to hurl me off the platform, he leaping down beside me—I fell on the dead bodies, and my fall was broken—ere I could recover, the explosion took place."

"Has Lamarque died?" faintly enquired Beaulieu.

"Had he a thousand lives, he would not have out-lived that thunder-blast," said Castine, smiling.

Then I die content," replied Beaulieu, extending his hand towards his half-brother, who, instead of taking it, raised him gently from the ground, saying: "O no, brother, you die not yet—let me bear you to the camp—where I will give you news that will revive you more than all the cordials leech ever sold."

"What—what?" enquired the other eagerly.

"You will know in good time," said Castine, bearing him slowly from the scorched and corpse-strewn field.

"Now," said Wolfe, "to remove the cannon from the heap of rubbish, this fellow Lamarque has made, in that devil's dance of his, must be our next job—and then to turn them against the citadel—hallo! boys! the Monsieurs will not like that much, eh?"

The sailors gave three cheers, and commenced getting the remaining cannon into order.

The halls of the late Governor's house were again illuminated and decorated in the same style as they were on the night Beaulieu was betrayed. In all respects, save one, that scene seemed to be enacted over again. The same gaiety prevailed, the same rich music of a military band rose in deep burst above the hum of voices, but the uniforms of those mingling in the gay scene, were not French—they wore the jacket red and the beautiful cockade, or the Naval uniform of Britain. This was one marked difference; another was that at the flag-staff, above the house, the Union Jack, instead of the Oriflamme.

Boscoven, Wolfe, and Duchambon, stood conversing by themselves, while the gay and busy scene was enacted around them.

"You have your liberty on parole, M. Duchambon," said Wolfe, "because at a festival like this we could hardly dispense with you—and national differences should be overlooked, when we seek to contribute to individual happiness—but you are the only one in Louisburg, whose parole I have taken."

Duchambon bowed in acknowledgment, and Wolfe turned to Boscoven:

"This is a strongly fortified town," he said, "and, if defended by trained British troops, would be impregnable against the united world. But it must be destroyed."

"Why so?" said Boscoven;—"We hold it now, and can forever."

"Until the next treaty of Peace," said Wolfe, smiling—"The next treaty, and it will be ceded back to the French again—No—no—by Jupiter; now that we have it in our possession, we will put it beyond the power of the French to ever to render it again what it has been—a nest to harbor the privateers, and Indian butchers, when annoying our merchantmen, and butchering our troops. No—no—I will send a company of sappers and miners to blow it to begin at one end of the city, and blast into ashes all before them until they reach the other. Besides I have sworn that the plough and the harrow shall go over Louisburg, and as I have sworn, so shall it be!"

"I dare say you are right," said Boscoven, musingly; "these politicians come to strange arrangements, in which they lose sight of the money, time, and blood expended in conquests—in fact of everything except their own personal aggrandizement, and for once we will take upon ourselves to act without their interference—and if they cede Louisburg back, it will be but a pile of ashes. But the guests are fast assembling—where are the principal parties?"

"Oh, they are not far—Castine and the Captain will be here presently—and, I fancy Duchambon can produce the other party when the proper time arrives."

"By the bye," asked Boscoven, "how is Beaulieu?—he was rather badly wounded, was he not?"

"Pretty severely; but he has recovered almost completely. That devil Lamarque, who sent himself to the infernal shades with a vengeance, aimed well. He was terribly afflicted with the blue devil's for some time, but Castine, who by the way, is a devilish fine fellow, gave him a piece of news under the effects of which he soon recovered. He was fearfully savage at him first for the deception, but the information was too good, for him to remain in a bad humor long. Ha!—here they come. Now, M. Duchambon, do your part!"

At this moment Beaulieu, wearing a rich naval uniform, entered, accompanied by Castine, in his usual magnificent coat.

time. A buzz of business ran round the room on their entrance. Beaulieu glanced around—

"The same room," he said, with a smile, "but I enter it under very different circumstances than I did the last time."

At this moment Du Chambon led in Henrietta at another door, splendidly attired in spotless white, and the lover's met for the first time since parting in prison. Their feelings we will not attempt to describe—not prolong a tale, that has already exhausted the patience of its readers, by dwelling on it further.

"Now," said Wolfe, after a short conversation had taken place between the lovers—"now for the consummation of all your hopes. I learned from Frantzwa, all of this romantic tale, the relationship, the prison scene—all, from first to last—by the way, talking of Frantzwa, I must take him into my own service—he is a noble fellow—well, from him I learned all the necessary particulars, and having little time on our hands to remain in Cape Breton, I made arrangements for Du Chambon that the final scene of this of yours, Beaulieu, should be acted to night. Castine told you he was dead—but I suppose he has made you acquainted with his reason for so doing, which was that if he had not used some artifice of the sort, you would have lost sight of your own safety, and never could have been induced to leave Louisburg.—How say you, sir Captain of the Minerval? Are you content—and can you prevail on this fair lady to concur in the arrangement also?"

Our readers may imagine the reply. So, gentle and patient reader, ends the Legend of Castine. The prophecy of Wolfe has been verified to the letter—and the plough has gone over the empire City of the West. Scarce a relic remains to prove her ever having existed—and she can live now but in legendary tale.

\* The stock of a carbine recently dug up at Louisburg, where it has been interred for a century, is one interesting relic of an olden time. It may seen at this office.—Ed. HERALD.

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# The Legislature.

HOUSE OF ASSEMBLY.

Tuesday, Feb. 5.

EDUCATION BILL CONTINUED.

Mr Henry said the question was whether it was true policy to take from the people the power of obtaining the master. He thought if that power be withheld and too much labor and responsibility be placed upon Trustees no persons would be found willing to accept the offices. Difficulty now existed in obtaining proper persons to act. If the people are allowed to select the Teachers, he thought the restriction spoken of by the hon member for Windsor might be done away with.

Mr Hall was still of opinion that some check should be placed—in the way he had mentioned.

The Speaker said that in Canada it was required that at the end of every quarter there should be an examination of all the scholars; and he should move that an addition be made to the clause making it incumbent on the masters to have a half yearly examination—the system had been found to work well in Canada, it would no doubt work well here.

Mr Fraser moved that the oath of the teachers be struck out together, and the restriction as regards the people's subscription being paid up.

Hon Johnston said that the sum paid by the people was the main foundation to rest on for its whole structure was founded on the fact that the people were to pay a certain sum—not in theory, but in fact; and unless these sums were really subscribed and paid, money would be improperly drawn from the treasury.

Hon G R Young strenuously resisted the amendment. It would give rise to a loose system that would result in no payment from the people at all.

Mr Fraser argued that it was absurd to tell a teacher that he should have nothing from the province, if even one of those who had engaged to pay him afterwards refused to do so. If he sat alone, he would vote against placing the school master at the mercy of one of those whose children be taught.

Hon Provincial Secretary said the hon and learned member had spoken of one class of difficulties;—there was another.—The main object was to get teachers who were competent and able to perform the duties, there might arise some cases in which the difficulties which he (Mr. F.) had mentioned would arise,—these would however, in his opinion, be few and far between, while others would multiply the moment you withdraw the restriction.

Mr Hall was more and more convinced by the arguments of the hon and learned member for Windsor of the necessity of this check. He seemed to consider that the only persons likely to do wrong were the trustees—forgetting that the Teachers were equally fallible: and might practise collusion with the people to get the Province money.

Mr Creelman would ask what was the meaning of the clause. It was this that the engagement of the Teacher with the

people should be in all respects completed. This engagement was not performed in one out of a hundred instances—the effort was that the law must be violated or the Teacher must go without Provincial aid. The restrictions ought certainly be modified some how or other.

Hon. Provincial Secretary would give great weight to the opinion of the hon. and learned member for Colchester—as he had much experience—and was willing that the clause should be modified.

Mr. Beckwith said that the restrictions were never carried out—it was a new thing altogether.

The Speaker said that if these restraints were to be abolished, a pretty extensive change would be made in the working of the School Act; and he was afraid that the £11,000 were taken from the Treasury and expended in this way, without check or guard, there would be opened up a floodgate of corruption and fraud.—The management of Break waters had given us some experience in this matter.—He did not hesitate to say that in many cases one quarter in some instances one half and in some nearly the whole of the money was drawn from the Treasury and expended in spite of the law. Let the house pause before striking out the main safeguard of this bill. Do away with the sentence making it imperative that the Teacher shall be paid by the people, and you prostrate your whole school system. The province money will be paid—but rarely, indeed, the contributions of the people.

Mr. Fraser's amendment was negatived by a huge majority and the clause passed as it stood.

Wednesday, Feb. 5.

A number of petitions were presented.

Hon Provincial Secretary said he had laid on the table of the House yesterday, while the subject of Education was under consideration, all the School returns which had then come in. He had done this in a formal manner—and he rose now for the purpose of laying these returns on the table by command.

After some remarks upon the subject of the Electric Telegraph, the house went into Committee on the Education Bill, which was debated till dark, and then adjourned.

Thursday, Feb. 7.

A number of petitions were presented.

Mr McKeagney introduced a Bill to incorporate two Divisions of the Sons of Temperance in the Township of Sydney, leave granted.

Mr McKeagney asked leave to introduce a Petition from James Munn, praying remuneration for running a boat between South Sydney and the Bar—leave granted. Also a petition from James P. Ward, praying remuneration for services performed for the Board of Health, received. Also, a petition from Mr McKenzie, of Sydney, Teacher of a School; referred to the Committee on Education.

Dr. Brown presented a petition from the inhabitants of Horton, praying aid to establish an African School.

The house went into committee and passed down to the 29th clause of the Education Bill.

The Hon Attorney General presented a petition from the Lay Association of the Free Church, in favor of the Caledonian Academy—referred to the committee on Education.

The house then adjourned.

Friday, Feb. 8.

Dr Brown presented a petition from a deaf and dumb lad, and moved it to be referred to a special committee.

Hon Attorney General supported the claims of the petition, and mentioned the case of one of the most amiable young creatures that was ever born in Nova Scotia, but born deaf and dumb, having almost recovered her faculties in an institution in Harvard, Massachusetts.

The petition was referred to the Hon Attorney General, Dr. Brown, and Mr McDougall.

Hon G R Young presented petitions from James J. McKenzie and others, and from James Czerar, for aid to the great road in Pictou—laid on the table.

Also a Petition for a section of road from New Glasgow to Antigonish.

Hon Provincial Secretary, by command of his Excellency, laid on the table sundry papers relating to the division of the school money in Annapolis.

SATURDAY, Feb. 9.

Mr Bourneuf presented a petition from Henry James Souinsson, of Weymouth, for aid to an Out Mill.

Hon Attorney General presented a petition from the ladies of the Infant School, Halifax.

Mr Fuller asked leave to introduce a Bill entitled an act for the regulation of Juries; leave granted and the Bill read a first time.

Hon Provincial Secretary by command of his Excellency, laid on the table several papers which he stated had been prepared by the Financial Secretary. First a statement of the gross amount of Excise duties collected in the various parts of the province for the several quarters of the year ending 31st December, 1849; also, a condensed statement of the same showing the gross amount of duty collected in the whole year; also, a statement of the amount collected on each dutiable article imported during the year.

Hon Provincial Secretary, also laid on the table the estimates for the present year and moved that the supplies be granted.—The motion passed, and Money was made the order of the day for going into Committee of Supply.

Monday, Feb. 11.

Hon Provincial Secretary by command, laid on the table a Despatch from Earl Grey, conveying the Queen's confirmation to an act passed by the Legislature, touching harbours, &c.

Mr Harrington presented a petition from Dr Madden, of Arichat, asking a remuneration for duties imposed upon him under the present Quarantine regulations.

The petition was referred to the committee.

Mr Martell presented a petition from the merchants, ship owners, and others of Isle Madame, praying for the abolishment of the Quarantine laws—referred to the committee.

Mr Munro presented a petition from the inhabitants of Bay St. Lawrence, in the County of Cape Breton, asking a sum of money to open a road to Cape North.—

Also a petition from the inhabitants of Middle River, asking a sum of money to repair a Bridge. Also, a petition from Donald McDonald of St Anns, praying aid to send his son, a deaf and dumb boy, to an Asylum in the United States; referred to the Committee on that subject. Also, a petition from the inhabitants of Grand and Little Narrows, praying that in the event of the division of the County of Cape Breton taking place, these settlements be counted a part of the County of Cape Breton. Also, a petition from the inhabitants of the Mira and Catulogne Settlements, asking a special grant to assist in the erection of two draw bridges over the Mira River. Also, a petition touching the Sydney Academy. Referred to the committee on Education.

Mr. Dickle asked for some information on the state of the Militia Law.

Hon. Provincial Secretary was aware that an idea had got abroad the Militia was in a disorganized state. The Government had not been able to overtake this subject yet, but he hoped they would before the next Session.

Mr. Dickle agreed that some action was required—the returns had been irregularly sent in, from what he could understand—and he had risen to move that his Excellency be requested to command the officers to send in the returns.

The returns that have been completed in 1848 and 1849, and a list of regiments making no returns.

Hon Provincial Secretary said that some difficulty had occurred under the former Governor, which had induced him to refuse signing any more commissions. This was a subject the house ought to look to.

Mr Fraser said that there was no doubt The repeal of the two days drill had made the Militia Law a dead letter; and he was not sure it was a good move, for the people enjoyed themselves as much at drill as in any other way.

Hon Attorney General asked leave to introduce a Bill for settling the title of land in the Island of Cape Breton—leave was granted, and the Bill read a first time.

Tuesday, Feb. 12.

Hon Provincial Secretary presented the accounts of the Indian Commissioner—Accounts of expenditures for Seeds—and Educational Returns; all of which were referred to the proper committees.

Mr Harrington presented a petition from the merchants, fishermen, and others, praying that the Fish Inspection Law might be repealed; received and laid on the table. Also a petition touching the St Peter's Canal—received and laid on the table.

Hon G R Young presented a petition from the Sons of Temperance in the County of Pictou with 1300 signatures attached. It set out the use of spirituous liquors as unchristian, and recommended that the fees of licenses ought to be increased, and the funds derived be set apart as a fund to the building of a Lunatic Asylum.

The hon Mr Johnston said he considered the suggestions most valuable, and



he was about to present a petition of a similar purport. The following committees were then named:—Messrs Johnston, Hall, Beckwith, Campbell and Martell.

Hon G R Young presented a Petition from the Board of Trustees of the Pictou Academy, praying that the grant to that institution should be renewed.

The petition was read, and laid on the table.

Hon Provincial Secretary laid on the table a return which had been asked for the other day; exhibiting the condition of Dalhousie College.

Hon G R Young presented a petition from the Pilots of Pictou, praying that a new Bill be introduced regulating Pilotage for that port.

A general Pilotage Committee composed of Messrs. Killam, Henry, Card, Mignowitz and Freeman, was appointed, to whom the above Petition was referred.

Mr Greelman presented a Petition touching the Mail Route from Colchester to Parrsboro. The Petition was referred to the Post Office Committee.

The Education Bill occupied the attention of the House for the rest of the day.

#### WEDNESDAY, Feb. 13.

The House went into Committee on the Education Bill.

After a long discussion, the Speaker brought forward a motion allowing each County to have not less than two nor more than three Grammar Schools, which was

It was then moved that the sum be divided among not less than two nor more than four Grammar Schools.

After a rambling discussion, the motion passed—the Committee rose and the House adjourned.

#### Thursday, Feb. 14.

Mr. Mignowitz asked leave to introduce a Bill to provide for a Weighing Machine at Chester—leave was granted and the Bill read a first time.

The Act to naturalise Joseph Skallish was read a second time and committed to a Committee of the whole House.

Mr. Hall asked special leave to present a petition from the Overseers of the poor of Cornwallis, asking aid for keeping a transient pauper.

On a division, leave was refused, yesterday having been fixed upon as the last day for considering private petitions.

The House went into Committee on the Educational Bill.

The House went into Committee of supply. Several of the ordinary votes were passed.

On motion of £200 for the first Clerk. Mr. Fultus said he should oppose the £100 annually voted for extra services.

Mr. Marshall said he did not think the sum too great. There was no comparison between the amount of labor performed by the Clerk 10 years ago and the amount performed now, and yet the sum had not been increased for all that period.

The discussion was terminated by the ordinary sum being voted—leaving the question as to the extra services to arise, when the vote for that branch came up.

#### FRIDAY, Feb. 15.

The Census Bill was read a third time

this morning, and sent to the Legislative Council.

After the reading of other bills a third time the hon Attorney General by command laid on the table of the house the Report of the Commissioners of the Provincial Penitentiary—referred to the Committee on the Penitentiary.

Hon Attorney General asked leave to introduce a bill for the incorporation of the Colonial Association. Leave was granted, and the bill read a first time.

Mr Harrington asked leave to introduce a bill for the division of the County of Cape Breton, and the regulation of the representation thereof. Leave was granted, and the bill read a first time.

Hon Provincial Secretary laid on the table by command of his Excellency, a Memorial from the County of Sydney, stating that all the Licenses had been withdrawn by the Sessions in that County, and praying the Governor in Council to take the matter into consideration.

Hon Provincial Secretary presented some returns which were referred to the Committee of public accounts.

#### SATURDAY, Feb. 16.

Hon J W Johnston moved to take up the Bill for making the agents of English and other non-resident companies liable, in the same manner as the agents of Foreign Companies were now liable. The hon gentleman explained the nature of the Bill, in much the same manner as he did on introducing it—this remarks at that time having been already reported; he had no doubt that the existing law made the agents liable; but he merely wanted the House to declare it was so, and not leave it ambiguous.

The Hon Speaker opposed the Bill, because it applied to contracts already existing, instead of those only which were hereafter to be entered into. It therefore had the operation of an ex post facto Law the passing of which was universally repudiated in Legislation.

Hon Mr Doyle mentioned some technical objections applying against the Bill—chiefly that declaratory acts led to greater litigation.

After a long discussion the Bill was deferred—the Committee rose—and the House adjourned.

#### MONDAY, Feb. 18.

Hon Attorney General by command of the Lieut Governor laid on the table of the House, a report of the Commissioners of Light Houses, which was referred to the Committee on Navigation Securities.

Hon Mr Young introduced a Bill to give a lien on Ship-building, for the encouragement of that business in this Province; the necessity for which he would explain at its second reading.

Mr Dickie reported on the petition of Mr Robert Sutherland, Deputy Surveyor of Cape Breton—that the Committee could not recommend any grant for the purpose.

Mr Harrington presented a petition from Arichat in favor of an alteration in the Road from New Glasgow to Antigonish which would shorten the distance 16 miles.

Mr Henry presented a petition from the Rev Thomas Trotter and others of Antigonish, praying that a general College might be established, and the lands taken by the Church of England from the Schools of the Province.

Both the above, being petitions on public subjects were admitted.

Mr Harrington asked for some information respecting a petition from Richmond to the government.

Hon Provincial Secretary said he would enquire about the matter.

Hon Mr Johnston introduced a Bill to make the Agents of Companies liable; and explained that this would have a much more comprehensive operation than the Bill rejected on Saturday.

Hon Mr Johnston also explained that he had received a letter from Annapolis, with reference to what had been said by the hon and learned Speaker of the Academy there; in which he was informed that at the time of that visit, a large number of the pupils were absent on account of their fears of the Cholera, at that time very much dreaded in Annapolis.

### Communications.

FOR THE HERALD.

Messrs. Editors.—I see by your last No. that you have taken great credit to your selves, or rather the Press of Cape Breton, for having been the chief means of obtaining the Division of this County, but it passes my ingenuity to discover in what respect this measure is to be so very beneficial. The more I think of its tendency, the more I am convinced that the contrary of beneficial will be its results. The object is clearly one whereby to obtain offices for a few idlers, who have no means of subsisting otherwise—and to heap additional expense on the Province, by an increase of members. The daily expense incurred by the Province, while the House sits, is about £85—making, during the session of forty days, the enormous sum of £3,400. And now additional expense is contemplated! Now this outlay might be materially reduced, were patriots, instead of place-hunters the parties to be consulted. Twenty shillings per day, is now the sum allowed each member during the session, for his services; now I recollect, that during the heat of the war, when provisions were highest, and the duties of the representatives ten-fold more arduous, ten shillings a day was the sum then received. With less duties, and under much less expense, is it not reasonable to suppose that the allowance made them should have decreased, in proportion as their living was less expensive? That it should increase to double the former amount, is an absurdity which does not require a single word in comment. But parties who pay themselves generally do so well, and to remonstrate with the Legislature on this subject, is perfectly useless.

The scheme for dividing the County, is one of the most absurd, unprincipled and vicious measures that could be devised—and done to serve the purpose of a faction whose object I can readily perceive.—Other Counties will point to the precedent and demand the same privileges. The

members in the house will be doubled.—and consequently the expense. Were they men of judgment and sound sense, we might put up with this—but, with the solitary exception of one or two, they are complete ignoramuses, passing laws which no person, themselves included, can understand—and fritting away time and the people's money in a vain and useless debate.

Yours, &c.,  
Feb. 28.

FOR THE HERALD.

Messrs. Editors.—In the fall of 1847, the Subscribers were duly commissioned and authorised to lay out a new line of Road, leading from East Bay, through the French Settlement, and terminating at Ball's Bridge. According to instructions we commenced operations, which, from the swampy and uneven tract of land through which the said Road had to pass, we found to be a very difficult task. However, after ten days labor, exposed to the inclemencies of the fall season of the year, the work was accomplished, and a return of the same made to the proper authorities.

Having made repeated applications for remuneration for the said labor, we were put off from time to time—until a week or two since, when we received—each the sum of £1, or 2s per day!—our wages being cut down to that sum by the Grand Jury of the County last session.

Now, gentlemen, we would ask, through the medium of your Journal, if you can redress for such treatment? We ask, if it is reasonable to suppose that we should be called away from our ordinary occupations—to the neglect of our families and business—travel from five to ten miles each morning, and labor all day, exposed to wet, cold and fatigue of every description—for the paltry sum of 2s per day!

We are, &c.,

ALEX. HOWIE,  
JOHN SMITH,  
JAMES NICHOLS,

Feb. 1850.

☞ We certainly think the above Commissioners have just reason to complain.—It is evident the compensation given them is far from being a fair remuneration for the services performed—and we have no doubt, that were the aggrieved parties to have a petition presented to the Grand Jury at the approaching Session, representing to that Body the whole circumstances of the case—it would receive due attention. We believe this is the only source from which redress can be obtained.—Ed. Hra.

FOR THE HERALD.

### RATHER EXTRAORDINARY.

On the 12th of February, a Gentleman from this town drove his "Fly" to and from Arichat, a distance of 168 miles! This circumstance has never before occurred within the memory of man. Verily the climate of Cape Breton has become milder, and we look forward to brighter days, particularly as the Nova Scotia Parliament has deigned to listen to the prayers of our Petitioners. I sincerely hope that the Inhabitants of the new County of "Victoria" will set at "Good men and true" to their interests.

SUBSCRIBER.



At a time when a gross insult has been offered to National feeling in such a marked and public manner, by the Poetical Master of the Sydney Academy, it may be a safe bet of pace to insert in a Poet's Corner, the following generous and eloquent tribute, and that too, by an English Poet, who, it may be presumed, has a more correct idea of that respect due to himself and to others, than Mr. Watson appears to entertain.

Doctor Johnston once said to the illustrious Hannah More, that he could not conceive how any lady of modesty could read such an immoral book as "Tom Jones." But Mr. Watson must have believed the modesty of the ladies of Sydney to be rather below the standard of the good Doctor, when he ventured to entertain them with extracts from such a book.

Feb 27, 1850.

L. R.

Breaths there a race that from the approving hand  
Of Nature more deserve, or less demand?  
No skilled to wake the lyre, or wield the sword—

To achieve great actions, or, achieved, record?  
Victorious in the conflict as the true—  
Triumphant in the arena as a Bruce!  
Where'er the bay—where'er the laurel grows,  
Their wild not warlike—and their life-blood flows!

There thro' the air across, and round all engage,  
Lovers as yet, the aspirant of the age,  
Proud as the eagle, there, with eagle wing twined,  
By arms of the realm, holds his fierce mind!  
While the age rears his limbs of giant form—  
The eagle's fierce, and strength to the form.

Room for Freedom and their crazy glen  
Transfired that title proud—the Nurse of  
Slaves!

By deeds of hazard, high and bold empire,  
Trained, like their native eagle, to the skies!  
"Long, Scotia stern!" thy bugle note resume—  
Gravely claymore—thy plumed bonnet plume!  
From hill and dale—from hamlet, heath and  
wood,

Peal the wild phalanx—from the battle flood!  
In Egypt, India, Belgium, Gaul and Spain,  
Wells in the avalanche—whirlwinds on the  
plain!

This meed accept from Allion's grateful breath:  
Brothers in arms—in victory—in death!

## THE HERALD.

SYDNEY, MARCH 2nd, 1850.

### NOW IS THE TIME TO SUBSCRIBE TO THE HERALD.

As we have received another Legend of Cape Breton from the pen of the author of Castine—the publication of which will commence next week. We must tell the author, however, that the events of which he treats being very recent, and the scene being local and well known, it will not be very interesting at this early day, in this portion of the Province. Abroad, however, from the hasty glance we have taken, we conclude it will be read with the deepest and most thrilling interest, and therefore recommend those who wish Cape Breton made known to the world, to procure subscribers in Europe and elsewhere to the HERALD—nothing will be more effectual in making it known abroad, than such writings.

On account of the weather, there was no meeting of the Institute on Monday evening.

The Senate will not agree to the Wilmet Proviso; events last night and to-day (not in public session) make that a certain matter. If the North is true and calm, California can be admitted as she proposes without slavery.

The report in diplomatic circles this morning is, that the treaty between the Secretary of State, under the direction of the President, and Sir Henry Bulwer, the British Minister, is about completed, and satisfactorily for both governments. The free navigation of the Nicaragua Canal is guaranteed by our government.

Chatfield's conduct has been disavowed by the British Minister in regard to the Tigre Island movement, and it is understood in outside circles that the American government does not approve the conduct of Mr. Squier.

The future, however, promises well and if capital is wanted the British government will provide aid in the construction of the Nicaragua Canal.

### BERMUDA.

The American bark Marietta, Capt. Verard, from Bath, Maine, bound to Havana struck on a reef of rocks at the West end of these Islands, on Sunday the 20th Jan'y and became a wreck. The crew were saved. She had on board the captain, passengers and crew of the American packet ship 'L Z,' which was lost on the 19th instant, on a voyage from New York to Liverpool.

**DEATH BY BEING SMOTHERED IN PEAS.**—A singular death lately occurred in New York city. A woman named Amelia Waugh, 22 years of age, was found dead, sitting in her chair, by her husband on coming home to dinner. An inquest was held upon the body, when it appeared that the deceased at the time of death was evidently preparing dinner, as on the table before her was a pan of peas, and from some cause unknown, she is supposed to have fallen asleep, as her face was found buried in the peas when discovered by her husband. On lifting her head from the pan, peas were found lodged under her eyelids, up her nose and into her mouth, which, from the position, shows evidently that the deceased was suffocated. Dr. Holmes held a post mortem examination on the body, and found that congestion of the lungs had taken place from suffocation.

The Boston Custom House, after being in progress about thirteen years, has at length been completed. The entire cost is stated at \$1,073,371.43. The building commissioners were Messrs. S. S. Lewis and Robt. G. Shaw.

Military orders have been received at Montreal for the immediate removal of the head quarters of the Army to Toronto also for the removal of the Engineering department.

The Commander-in-Chief in Canada has received an order from the Home Government to disband the three Troops of Provincial Cavalry, and the Niagara Coloured Corps.

We would recommend all parties wishing to procure a good substantial article in the shoe line, to apply to Mr. A. Keefer, of this town—whose Advertisement will be found in another column. By referring to his list of prices, it will be perceived that his charges are decidedly the LOWEST in this part of the Province—and fully as low as the Halifax prices. We can assure the public, that his workmanship cannot be surpassed for neatness or durability, and would highly recommend them to award to Mr. Keefer that liberal patronage which his enterprise so deservedly merits.

We learn from a gentleman from Bay Saint Lawrence, that during the week between Christmas and New Year, a brig, name and destination unknown, was stranded between Grandance and Cheticamp; and, it is supposed, that all on board have perished, either by the waves, or by starvation in the woods through which any survivors would have to pass before they could reach any inhabited place. The body of a man, and the arm of another have drifted into Bay St Lawrence, together with fragments of flour barrels, &c.

**TEMPERANCE LECTURE.**—On Saturday evening last, Brother J. P. Ward, P. W. P. of 'Star in the East' Division, delivered a lecture on the Order, before a very large audience, at the School house on the South side of the N. W. Arm. Messrs Martin and Babington also addressed the meeting, and their united efforts, we have not the least doubt, was of much use in extending the influence of the Order.

**THE CALIFORNIA CONSTITUTION.**—The liberal journals of England speak in terms of great praise of the constitution recently adopted by the Californians. They say that it is one of the most judicious instruments of government ever devised; and that its provisions, with the exception of those which limit suffrage to the white man, and marked with the highest wisdom. The Daily News, the Dispatch, the Spectator, and other papers comment at great length upon its various clauses. The exemption of the property of women from the control of her husband after marriage, is particularly dwelt upon as great advance in legislation.

The Halifax papers contain the account of a splendid *Bal Costume* which has taken place in Halifax, and which appears to have been a very brilliant affair.

The papers are extremely barren of news.

The Wesleyan Methodist Church at Harbor Grace, Newfoundland, was entirely destroyed by fire on the morning of the 17th ult. No insurance was effected on the building.

Counterfeit British shillings are circulating in St. John, N. B. They are said to be a bad imitation.

The late Com. General Sir Gabriel Wood has bequeathed £70,000 for the erection of an Hospital at Greenwich, for distressed mariners, &c.

Provincial Secretary's Office,  
February 18, 1850.

His Excellency the Lieutenant Governor has been pleased to make the following appointments:

Andrew Madden, Esq. to be custos of the County of Richmond, in place of John Jean, Esq. Deceased.

Thomas H. Fuller, Esq. to be Registrar of Probate for the County of Richmond, in place of Wentworth Fleisher, Esq. removed from the Province.

Charles J. Campbell, Esq. (Baddeck) to be a Justice of the Peace, for the County of Cape Breton.

George Hawkins and J. B. Crooks to be Commissioners of Sewers in the Township of Lawrence Town.

### A NOVASCOTIAN ABROAD.

The last London Gazette, dated Downing Street, Jan. 20th, has the following announcement which we have much pleasure in transferring to our columns: The Queen has been pleased to direct, that her Majesty's Forts and Settlements in the Gold Coast do cease to be dependencies on the Colony of Sierra Leone; and her Majesty has further been pleased to appoint Sir William Wynn, Knight, Commander in the Royal Navy, now Lieutenant Governor of the said Forts and Settlements, to be Governor and Commander in Chief in and over the same.

The late Sir William Wynn, who was the lady of the Rev Dr. Twining. About a year and a half since, he was invited to visit the King of Dahomey, and the complimentary review of that state interview, together with the ability which he characterised Sir William's administration of affairs on the Gold Coast, promises to be a very beneficial in suppressing the nefarious traffic in Africa, known all over the world as the Slave Trade.

Menden—Neil Beaton, of Lot. 43, (P. E. I.) tailor, and it is said, keeper of a wayside unlicensed Grog Shop, was committed to Jail on Sunday, for having stabbed, in his own house, a young man belonging to New Glasgow Road, named Anthony Buchman, who died of his wounds a very short time after. The corner of the Country, (Daniel Hodgson, Esq.) left town on Monday last, to enquire into deceased's death. After a full investigation, a verdict of "Wilful Murder" was given against the accused.—Gaz.

The Provincial Government of Canada, are about to issue a large amount of one and two dollars notes, payable on demand.

Washington's farewell address—the original MS copy—was sold at Philadelphia, on the 12th, for \$2300! It was purchased for a gentleman at a distance.

Dr Webster has been arraigned and pleaded "Not Guilty." His appearance in Court attracted an immense crowd. His walk was firm, and his demeanour dignified as he proceeded to the prisoners' box. His trial is set down for March 10th.