THE UPPER CANADA HERALD.

178

VOLUME XIII.] KINGSTON, WEDNESDAY, NOVEMBER 30, 1831. [NUMBER 665.

REPORT OF THE DEBATES

IN THE ENSUING SESSION OF PARLIAMENT.

Courier Office, York, 27th Oct. 1831.

WE beg respectfully to intimate that we have engaged a competent Stenographer to report the proceedings of the ensuing Session of Provincial Legislature, and that in order to furnish our readers with as prompt and detailed a report of the debates as possible, we shall issue Two PAPERS per Week from the commencement of the Session. The two numbers per week will be issued at the small additional charge of one dollar per year—that is to say at the rate of 25s. per annum exclusive of Postage, [5s. per annum]. As it is our determination to give a fair, impartial, condensed report of all that occurs in the House, without the least regard to persons or parties, we may venture to Solicit the patronage of the public at large who take an interest in the Parliamentary proceedings.

New Subscribers who wish to have the COURIER sent to them, will please forward their Names as soon as possible, in order that we may make the necessary provision for the increase of Subscribers, by the opening of the Session.—A half a year's Subscription must, in all cases be paid in advance.

REVISED STATUTES.

THE LAST SHEET of the Statutes will be put to Press on the 29th instant, and in about ten days afterwards the work will be ready for delivery. Persons who have not subscribed, and are desirous to obtain a complete Edition of the Provincial Statutes from 1791 to 1831 inclusive, will please forward their names without delay.

☞ The Editors of all the Newspapers in the Province will please give the above one insertion and send in their accounts for payment.

H. C. THOMSON.
JAS. MACFARLANE.

Kingston, Oct. 12, 1831.

RESOLVED—That to prevent surprise, and to afford time for proper investigation in matters that may affect the private rights of individuals, it is expedient to make it a standing order of the Legislative Council, that no Petition for a private Bill which can affect the vested right interist or convenience of any person or persons other than the Petitioner or Petitioners, shall be received after the twentieth day of the Session, and that no Private Bill of the nature above described which may come up from the Assembly, after the thirtieth day of the Session, shall be proceeded upon in the Legislative Council.

Truly Extracted.

G. POWELL.
Clerk Legislative Council.

Journal Legislative Council, Upper Canada, 6th March, 1830.

Editors of Papers throughout the Province will give the foregoing three Insertions, and forwward their Accounts for payment to the GAZETTE OFFICE, YORK.

19th October, 1831.

A VALUABLE FARM FOR SALE.

THE late residence of Duncan Vanalstine, consisting of nearly 100 acres of Land, on the front of No. 17, in the 2d concession of the Township of Kingston, and two and a half miles from the Town. On the above premises is a comfortable Dwelling House, with two Barns, Sheds, and other convenient out houses in good repair.—On the whole front is a stone wall five and a half feet high. The above property is offered for sale on reasonable terms, which may be known by applying to the subscriber in Kingston.

DUNCAN VANALSTINE.

Kingston, Oct. 18th, 1831.

HATS! HATS! HATS!

NORTH SIDE MARKET-SQUARE, KINGSTON.

JOHN RUTTER respectfully tenders his thanks to his friends and the public for the patronage he has heretofore received in his line, and informs them that he continues to keep constantly on hand Ladies', Gentlemen's and Youth's water proof HATS, CAPS and BONNETS of superior fabric and manufacture, which he will dispose of for Cash or short approved credit, (but the former would be preferable.) He continues as usual, to pay the highest price for HATTING & SHIPPING FURS.

☞ Having in operation a patent Machine for Manufacturing Hat Bodies, he will be enabled to furnish any quantity required by the first April next.

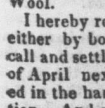
WANTED.—A quantity of Hatting Wool.

I hereby request all those indebted to me either by bond, note, or book account, to call and settle the same on or before the first of April next, otherwise they will be placed in the hands of an Attorney for collection. And all having demands against me are requested to call and present the same. All kinds of Produce received in payment.

JOHN RUTTER.

Kingston, Feb. 24, 1831.

KINGSTON HAT WARE-HOUSE.



THOS. Smith, respectfully informs the public that he continues to carry on the Hatting Business at his old stand opposite the Kingston Hotel, and the Court House, where he has on hand the latest and most fashionable patterns for gentlemen and ladies' Hats and Bonnets, Beaver and imitation do. warranted waterproof do. which he will dispose of at low prices for cash or produce, or approved credit

Cash paid for Beaver, Muskrat, and Shipping Furs. November 2d, 1830.

N. B.—Has also on hand, a few Gentlemen's and Youths Fur Caps, of excellent quality—and two Bales of Buffalo Robes, which will be sold very low for Cash.

NOTICE.—The subscriber being about to remove from Kingston, all persons indebted to him must make immediate payment; and those to whom he is indebted are requested to present their accounts for adjustment.

STEPHEN MILES.

Kingston, Oct. 10, 1831.

3 *FOR SALE.*

DOUBLE CARDING MACHINES,
2 Spinning Jennys,
1 " Billy,
3 Clothier's Shearing Machines,
1 " Screw and Box,
500 lbs. Fine Sheep's Wool,

By WM GARRATT.

Kingston, 26th April, 1830.

PROPOSALS,

By STEPHEN MILES, (late Proprietor of the Kingston Gazette, &c.) for publishing, in the Town of Prescott, County of Grenville, Johnstown District, a weekly Newspaper, to be called the

GRENVILLE GAZETTE.

THE Publisher will not in this Prospectus enter into a laboured detail of what he intends to do, but briefly remark, that being a British subject, it will be his constant endeavour to promulgate such intelligence, and at as early periods as possible, as shall be for the advancement of the interests of the great nation to which he belongs, and of the growing Colonies of British North America in particular. It is needless to say, that a well conducted Newspaper must prove an acquisition to such a flourishing and growing Village as Prescott.—The general character of the Grenville Gazette will be political; but it will contain a summary of foreign and domestic intelligence, together with useful and entertaining essays on various subjects, in the selection of which, great care will be taken that nothing unchaste, or which may be calculated to offend the most delicate ear, shall find their way into its columns. Ladies & Gentlemen of science are respectfully solicited to contribute to the instruction and amusement of its patrons and the public.

CONDITIONS.—The Gazette will be printed in the folio form, on a super royal sheet, and afforded to subscribers who receive their papers by mail at 16s. per anum, if paid in advance, or 20s. at the expiration of six months—which includes the postage.

To other subscribers, 12s. 6d. in advance, or 17s. 6d at the end of the year.

Advertisements inserted on the usual terms.

☞ Gentlemen holding subscription papers, will please return them, or a list of subscribers' names, (with particular directions how papers are to be forwarded, and to what place,) by the first day of December next, to the Editor, Prescott; as he intends commencing the publication of the paper about that time. October 1831.

$500 DOLLARS REWARD!!

DARING ATTEMPT AT ROBBERY.

ON THE NIGHT OF THE 29th OF OCTOBER.

WHEREAS the new store of the subscriber, in the village of Port Hope, was broken open by four or more villians, on the night of the 28th or morning of the 29th inst., one of whom was fired at by the Clerk, and supposed to be wounded in the hand with small shot, whilst endeavouring to enter at the window- The above reward will be paid to any person or persons, who will give such information as will lead to the conviction of the offenders.

All Surgeons and other Medical Men will do well to secure any Person who may require their assistance, in extracting shot from the hand, or body, as one of the offenders is also supposed to be wounded in the body; having been shot at within 14 yards, with shot about one size less than Pigeon shot, during the pursuit. The offenders are still more worthy of punishment, than if only intending to rob, having used every endeavour to kill the person in charge of the store, having several times burnt priming at him, and otherwise badly wounded him with sharp instruments.

Editors throughout the Provinces, and the United States will confer a favor by giving the above one insertion.

JOHN BROWN.

Port Hope, Oct. 31st 1831.

His Majesty's Dock Yard, Kingston, U.C. 15th November, 1831.

NOTICE is hereby given, that on the 18th day of January 1832, at 10 o'clock A. M. the Hulls of the following Ships as they now lay on the shore off the King's Dock Yard at Kingston, Upper Canada, will be disposed of by Public Auction, viz.

St. Lawrence of 102 Guns.
Kingston of 56 "
Burlington of 42 "
Montreal of 24 "

Also, the Frames of the Wolfe and Canada, each pierced for 110 Guns, as they stand on the stocks in the Dock Yard.

Immediately after the above sale, a quantity of standing and running Rigging, late belonging to the St. Lawrence, Kingston, Burlington and Montreal will in like manner be disposed of;—as this rigging has been but little used, and is in good condition, it may be advantageously relaid or otherwise converted.

The ships will be disposed of separately, and the rigging will be divided into lots to suit purchasers. A reasonable time will be allowed for the removal of the articles from the King's premises, which must be done at the purchaser's expense.

A deposit of twenty-five per cent. will be required at the time of sale, and the remainder of the purchase money previous to the removal of the articles. Further particulars may be learned at the naval storekeeper's office, at Kingston dock yard, and of Mr. WILLIAM LUNN, clerk in charge of naval stores at Montreal.

On the opening of the navigation in 1832, about twelve hundred Spars for masts and yards, of from four to thirty-four inches in diameter, will be disposed of by public auction. Timely notice will be given of the days of sale. The spars may be previously examined; for which purpose, application must be made at the naval storekeeper's office.

J. R. GLOVER,
Naval Store-keeper.

CORONER'S SALE.

MIDLAND DISTRICT, to wit:

ON Saturday, the 16th day of February next, will be sold at the court-house in the town of Kingston, the right, title, and interest which was of the late Patrick Smyth, deceased, to lot number twenty-four in the first concession of the township of Kingston, in the county of Frontenac, in the said district, in the hands of the honorable George H. Markland and Neil James McLean, executors of his last will and testament, at the suit of John McLean, esquire, sheriff, Midland district, being composed of that piece of land generally known as Stuart's point, in the said township of Kingston.

All persons having claims on the above lands, or any part thereof, by mortgage, or otherwise, are required to make the same known to me, on or before the day of sale. Sale to commence at twelve o'clock, noon.

SAMUEL SHAW, *Coroner, M. D.*

Kingston. November 16, 1831.

FOR SALE at the Herald Office, Blank Forms for the Reports of Commissioners of Roads. July 13th, 1831.

NOTICE is hereby given that sealed tenders will be received at this office until the 1st December next at 12 o'clock noon, from any persons wishing to purchase the whole or part of the undermentioned metal in charge of the Ordnance Storekeeper at this Station, the Tenders to specify the price per Ton in Sterling which are to be addressed to the respective Officers of this Department, the Purchasers to be at the expense of the removal, and the trunnions of the Guns will be knocked off previous to sale.

Kingston Artillery Square.

		Cwt.	Qr.	lbs.
2 pieces	Brass Ordnance weighing	19	1	11
3 "	Iron " "	127	3	23
Ordnance Yard, Point Henry.				
4 "	Brass " "	116	3	21
29 "	Iron " "	758	3	10
Dock Yard, Point Frederick.				
3 "	Iron " "	48	0	12

N. B. The Tenders to be endorsed "Tenders for Gun Metal."

Office of Ordnance,
Kingston, 13th Oct. 1831.

THE Subscribers have just received and offer for SALE,

Chmpaign Wine in Cases of 3 doz. of Joly's celebrated brand.
Vidonia Wine in bbls. of 3½ doz. bottled in London.
Port and Madeira Wine in Hhds. of very superior quality.
Old Jamaica Spirits, having been upwards of two years in bond, and just landed.
Best Holland Gin.
Bourdeaux and Cognac Brandy.
Twankay (Hyson kind.)
Do. common.
Young Hyson.
Souchong.
Congou, and other Teas in Boxes and Chests.
Sheet Iron, in Boxes.
Window Glass 7 x 9.
Olive Oil in Boxes of 1 do each.
Tobacco Pipes, T D and wax end Muscatel Raisins.
Muscovada Sugar in Hhds. and Bbls.
Double and Single Refined Loaf Sugar.

And a variety of other articles daily expected to arrive, with a general assortment of DRY GOODS, &c. &c. &c., which shall be sold uncommonly low.

McKENZIE, GEDDES & Co.

Kingston, 22d October, 1831.

EVENING SCHOOL.

MR. SMITH, assisted by his daughter, Mrs. Morin, respectfully announce to the young Ladies and Gentlemen of Kingston, that they have opened an Evening School at their residence in Front Street, in the building lately occupied as the Post Office, nearly opposite the Military Hospital. Hours of attendance, 6 to 9 o'clock.—Their terms per month are as follows:—

Reading, Writing, and Arithmetic,.....3s. 9d.
Reading, Writing, Arithmetic, Grammar and Geography,.....5s.

Kingston, 2d October, 1831.

FOR SALE.

A HOUSE and LOT in Stuartville, occupied by Mr. Gay.

West half of Lot No. 22 in the 3d concession of Leeds, near the village of Gananoque,	100 Acres.
East half of Lot No. 2, & West half of No. 3 in the 2nd con. of Leeds.	200 "
No. 19 1st concession of Kitley,	100 "
No. 32 in 3d concession of King,	100 "
	500 Acres.

Application to be made to the subscriber.

GEORGE OKILL STUART.

Kingston, Oct. 2d, 1831.

LOST—This morning in Kingston, a gold Key and Seal with a steel wire Ring: whoever has found the same and will bring them to this office shall be handsomly rewarded. Nov. 9th, 1831.

JUST RECEIVED,

AND for sale at the Herald Office, a few Copies of "A SYSTEM OF DRILL, FOR THE MILITIA OF UPPER CANADA, by command of His Excellency the Lieutenant Governor.

AGRICULTURAL.

From the New England Farmer.

ON LIVE FENCES

Mr. Fessenden,—In your paper of the 2d November I noticed a communication from judge Buel of the Albany Nursery upon live fences. It always gives me much pleasure to obtain any information from one who so well unites the theory of horticulture with the practical results of his own experience. In many of his statements I fully agree with him. From long experience I am convinced of the superiority of live fences, both as regards efficacy and economy. I also highly approve the manner of setting out the young quicks, which he describes, I differ from him only as to the material or plant of which the hedge is made, and as to the advantage of splashing or as the English call it plashing.

For the last twenty years I have paid great attention to this subject and will give you the result of my experience. The first hedge I set out (about 500 feet in length) was of the English Hawthorn or Quickset. The result was decidedly unfavorable. The plant is not adapted to this climate—it appears better suited to the moist atmosphere of England; our long summer drought, injures it, it is peculiarly subject to the attacks of the borer, a species of mildew or blight almost invariably assails it early in August, by which it loses its leaves and by the middle of August or first of September assumes a wintry appearance.

My next experiment was with the three thorned acacia recommended by Judge Buel. The hedge was not more than fifty feet in length, but was placed in excellent soil and carefully attended. I had supposed that the long thorns with which the plant is armed would have made it peculiarly efficacious as a fence. The result was even more unfortunate than before. Prune and clip it as I would, I could never make it grow thick; it appears to have a decided tendency to shoot upwards rather than to spread; the thorns grow only upon or near the upper branches, and below there was nothing but the bare stems to serve as a fence. It would often, too, lose as much during a hard winter, as it had grown during the whole summer. After a fair trial of near ten years I dug up the whole and replaced it with the American Buckthorn (*Rhamnus catharticus*;) with this I have been completely successful. It has, it is true, but few thorns, but it grows naturally so thick as to be a complete protection to the land inclosed by it. It shoots early in the spring and holds its verdure till very late in the fall. If properly managed, it is so close below that a rabbit could scarcely work its way through, while above the strong branches are so wattled and interlaced, that a man could not scale it, nor a bull force his way through it.

I have now in different places at least half a mile of this hedge which I shall be very happy to show to any of your correspondents who may wish to see it.

The mode of cultivation is very simple—it is set out either in the fall or spring in the manner recommended by Judge Buel; if in the fall, it is clipped the next spring within about nine inches of the ground. Next spring it is clipped again at the height of about two feet, the third spring at about three feet from the ground, with some side pruning. The next summer your hedge is complete and you may keep it at the height and thickness desired at the expense of a little pruning.

I have also tried plashing. In 1818 or 19 my gardener, who was an Englishman, highly recomended it and at last persuaded me to let him attempt it upon a young and thrifty hedge made of Crab apple. He did it as it appeared to me very skillfully, but it was a very long and tedious operation and the result was the hedge was ruined. His mode of operating (which is I believe the common one) was to suffer the main stem to remain upright, while all the side ones were partially cut and bent down nearly horizontally, and so confined either by interlacing or by staking them down; they did not thrive however—they perished by degrees and I was at last forced to prune away all the horizontal branches, and lost at least four years' growth.

With the Buck-thrown I have never found plashing to be in any degree necessary or useful. If managed in the way I have described, in three years the hedge will be complete, requiring afterwards very little care and nearly as thick, and quite as impervious below as above.

Very sincerely yours &c,
E. HERSY DERBY.

Salem, November 8, 1831

FALL FEEDING CATTLE.

Mr. Fessenden—Although the pastures look uncommonly green for the season, it is apparent, that the alimentary properties of the grass are beginning to be seriously diminished. Already, the cattle of some of my neighbors, especially those which are fed on outlands, look pinched, and are obviously falling away. This, I have frequently said to myself, is bad management. If they cannot be kept in a thriving condition at the present season, they should certainly not be suffered to fall away; for it is apparent that they will need the stamina which they have acquired during the winter approaching. In respect to young cattle, this may not be as important, although their growth must be proportionally retarded; but in respect to *milch cows* and *working oxen* it is absolutely essential. Unless in a good condition, cows cannot be expected to yield a large quantity of milk, nor that of an excellent quality; for I take it as settled, that both the quantity and quality of milk depend much upon the condition of a cow. And in respect to working oxen, their powers of draught and endurance are, to a certain extent, in proportion to their good condition.

But by what means, it may be asked, shall the good condition of cattle be preserved, in consistency with economy? Will it answer, ask the farmer, to begin thus early to fodder my stock? To this, I would reply, that every farmer should have provided for the exigences of this *precise season of the year;* and should have been taught to have thus provided, by his past experience. He should have raised a good crop of pumpkins; or, as these are somewhat uncertain, he should have sown a field of turnips, carrots, &c, to be fed out early. But as many farmers, may not have thus provided, the question will probably occur, is it economical to begin to fodder at this time, when cattle appear to be falling off in condition? In my own view, the proper answer is *by all means*. But, it may be said, that beginning thus early in the season, the fodder will not last. Be it so; keep your cattle in good condition as long as it does last, and if necessary then buy more. Or, if they must be pinched, let it be towards spring. If their solids have remained until that time undiminished, they will have something upon which to rely, should the fodder come short. Or which is perhaps, a still better remedy for the anticipated evil, sell off your cattle, retaining only that number which you are *sure of keeping well*. Keep your cattle growing the whole year round—keep your milch cows so that even late in the fall, their milk will not be seriously diminished from the quantity they gave in midsummer. Keep your oxen so that, if any accident befals them, you would not be afraid to recommend as tolerable beef. These directions are all practicable: and if practised upon would be found, I doubt not, economical, strictly so.

But if you judge otherwise, you are at liberty to suppress what I have written, or disprove it, if you are able.

Yours, G.

Berlin, Con. Nov. 1831.

The above remarks appear to us to be correct and judicious. Deane's N. E. Farmer coincides with our correspondent in some of his directions. In that work it is observed, 'The meanest fodder should not be dealt our first of all. The straw and the worst hay should be reserved to give them in the coldest weather; for it is then that they have the keenest appetites. When a farmer thinks that he has too much stock for his fodder, as will sometimes be the case, it is not best to pinch them in their allowance so much in the fore part of winter as in the latter part. For the cattle are more liable to be pinched with cold, in December and January than afterwards. And no man knows how favorable the latter part of winter may be.—[Ed. N. E. Farmer.]

HINTS TO FARMERS.

Never feed potatoes to stock without boiling or steaming, as this increases their nutritive qualities. Grind your corn with the cobs. It is better feed, and pays well for the trouble.

One bushel flaxseed, ground with eight bushels of oats, is better for horses than sixteen bushels of oats alone, and will effectually destroy the bots.

Never burn all dry wood in your fire place, nor use a fire place when you can get a stove.

Cut your trees for rails in Febuary, as they are most durable.

Never dew rot your flax, unless you wish to render it worthless.

Never select your seed corn from the crib but from the stalk.

Never feed out your best potatoes and plant the refuse, nor sell your best sheep and keep the poorest.

A fat ox is worth more than a poor horse, and does not eat so much—a yoke and chain can be bought for less money than a wagon harness.—[New England Farmer.]

EMPLOYMENT FOR FARMERS' EVENINGS.

There is no part of our time, which can be more profitably employed than the evenings of autum and winter. In the evening every work for the next day, whether for fine or rainy weather should be arranged, as well as the proper minutes, accounts, &c. of the proceeding day duly recorded. Besides these, the farmer would do well to have a book for miscellaneous observations, queries, and calculations for comparing different ways of effecting the same objects—estimates of the different kinds of food, which he may be able to give to his cattle, with such inquiries, doubts, or propositions, worth attention, as he may have heard in conversation.

Loose pieces of paper are apt to be mislaid or lost, and when a man wishes to avail himself of them, for examining a subject previously discussed, he loses more time in searching for the memorandums than would be sufficient for making half a dozen new ones. But by entering such matters into a book, you preserve them for future consultation and use, and will be able to derive advantage from former ideas, which would otherwise escape from the most tenacious memory.—[N. E. Farmer.]

IMPRISONMENT FOR DEBT.

Imprisonment as a punishment for having contracted debts which the debtor cannot pay, is neither consistent with the spirit of the times, nor with any just view of expediency and propriety. The business of mankind in the age, is too much connected with a system of mutual debts and credits to allow it to be considered as a crime for men to be in debt.

Nevertheless, a broad proposition to abolish *all* imprisonment for debt, is rather startling, and may well alarm those who wish to preserve wholesome and just laws. Because, if *all* imprisonment for debt were to be abolished, it is quite certain that a man might have much property, and yet set his creditors at defiance.

In the multitude and complexity of the the forms in which property may be holden, in a commercial community, there are many *deposites*, where it cannot be reached by creditors, by any legal process. One obvious and striking instance is that of money in the funds. There is no mode, that I am acquainted with, by which public stocks can be attached, or taken in execution by creditors. One might have a hundred thousand pounds in the funds, live on the interest, and bid defiance to his creditors, from whom perhaps, he had obtained the money to make the purchase.

Annuities, rents for life charged on land, money in the hand of the executors and administrators,—in short, notes of hand, and Bills of exchange, which the debtor may hold in his pocket, to any amount, are all instances and proofs of the necessity of compelling payment, where the power of making payment does really exist.

This indicates the true, and *only* true and proper object of imprisonment for debt:—which is to coerce payment where the debtor is able, but not willing to pay.

Therefore imprisonment ought not to be suffered by a debtor who is not reasonably suspected of holding back or concealing his property. This is the principle on which bankrupt laws proceed. If the debtor will make a full disclosure and assignment of his effects, for the use of his creditors, he is discharged; if he will not, he is to be imprisoned, and *closely* imprisoned till he will: not because he is in debt, but because he fraudulently withholds and appropriates to himself the property of another.

And this is not unjust or unreasonable. It is a fair test of the honesty and good intentions of the debtor. If he will fairly disclose his effects, and assign them, there is no use of imprisonment: but until he is willing to do this, he must submit to be considered a fraudulent debtor, and may and ought to be imprisoned.

When a man is arrested, on execution, for a debt which he cannot pay, nor secure to the creditor's satisfaction, it may be safely taken for truth in a commercial community, that he is insolvent; that is, that his debts exceed his means.

Therefore the imprisonment ought to cease immediately, if he will as immediately execute an assignment of his property for the *equal* benefit of his creditors; to be accompanied with a schedule, he ought to have it, on giving security for his appearance, when the time expires.

Nothing can be plainer to any man's comprehension than the justice of legal preferences and priorities, among his creditors whose debts are equally just. Therefore all assignments ought to be for the equal benefit of all existing creditors.

The true design of imprisonment being to produce a disclosure and assignment of effects, when this purpose has been accomplished, there ought to be no further imprisonment on any debt.

Therefore when the schedule has been furnished, and the assignment made, the debtor ought, from that moment, to be made free from arrest or imprisonment on any debt existing at that time.

The best informed and wisest reasoners on these subjects think that the general good of society requires, that on the distribution of his effects among his creditors, not only ought the debtor to be no longer liable to imprisonment, but that the debts themselves ought to be discharged; in order that he may be encouraged to strive once more, and by renewed efforts make a provision for himself and family. This opinion proceeds on the principle that as property is the great ligament of society, every man as far as is possible, ought to be able to see that the acquirement and enjoyment of it are within the reach of his efforts and industry. This is the grand stimulus, which makes industrious, economical and prudent citizens. All thinking legislators will be cautious, that they do not, by laws which produce little or no benefit to the creditor, oblige the debtor to consider himself as one who cannot, hereafter, enjoy the blessings of property. It is quite obvious that great and various evils would result from having in the bosom of society a numerous class of this description of persons. This topic might be pursued: but every man's reflections will suggest many things, besides these which are here mentioned.

For these reasons, the laws of a State ought to provide, for a discharge of the debt, to follow the assignment and distribution of effects.

I imagine it would be competent for the legislature to provide, that when a debtor had made an assignment of his lands, tenements, hereditaments, goods, effects, and credits, in trust to his creditors, and the fund shall be divided among such creditors as are willing to receive their just dividend, on condition of discharging their debts. If they do not choose to comply with this condition, they will retain their debts, with a right to collect them out of the future acquisitions of the debtor, but not by arresting or imprisoning his person.

I am aware that many persons will think that a law, such as I have suggested, would be attended with mischief—that there could be many frauds in the disclosures of debtors, much concealment, &c

The answer to all such arguments is twofold; first that such mischiefs exist now to a great extent, secondly, that a discriminating system is much more likely to remedy them, than a system which makes no discrimination or distinction between willing and unwilling, honest and fraudulent debtors.

The debtor ought to know, that if he has property, he must produce and assign it without fraud or concealment, or else be imprisoned closely, till he will so produce and assign his property. He ought in the next place, to know, that by a fair and full surrender of his effects, he can avoid all imprisonment.

He will also find a wholesome check against extravagance and speculation, in the recollection that his entire discharge from the debt, must, after all, under the present condition of things, depend on the good opinion which his creditors entertain of him.

There is one evil connected with this subject, now existing, too plain not to be seen by every body, and too great not to be lamented by all good men. I mean the commitment for every small and trifling debt. One angry man sues another for 40 shillings, who perhaps as angrily resists payment: and is put in jail for 40 shillings debt and 80 shillings cost.—Now whether the debtor, in such case, have reason to complain or not, society suffers by allowing this species of hostility. Perhaps the best way would be to allow no imprisonment or execution for small sums. Or if the debtor be arrested, and having nothing, be willing to take the oath, to be provided by law, he ought to be admitted to take it immediately. What is the use of keeping him in Jail, a fortnight or a month, before he is admitted to take the oath? If he is able to earn his own support, he had better be out of Jail and employed; if he be not, and is a pauper the public can support him better in an alm-house or house of industry, than in the Jail. If the effect of such a system would be to prevent the contracting of innumerable small debts, among poor people, and to accustom them to the habit of payment down, in their small purchases, would not this result be beneficial?

We see every where, that the law is unwilling to allow the creditor to take from the poor debtor his means of immediate subsistence. Thus the tools of trade, &c. are exempt from attachment and levy of execution. But the law forgets, that with the generality of such poor debtors, the greatest of all their means of immediate subsistence is their own personal labor. A wise man was travelling in the States of Greece, and, and he found, in one of their communities, a law similar to ours, that a creditor should not take tools of his debtor's trade, in execution for debt, although he might imprison his body. "Here is a sagacious people," said he, "they have discovered that the tools of a man's trade may support his wife and children without the aid of the man himself."

I agree in the justice of this satire. I think the man of more consequence than his tools. I think too, on the general question that the public mind is now fast coming to the conclusion, that imprisonment is punishment, and that punishment is only due to crime.

DISTANCES OF THE PLANETS FROM THE SUN.

The vast extent of the solar system is but vaguely to be conceived from the ordinary mode of stating it in millions of miles, To demonstrate it in a more striking and impressive manner, a continental astronomer has proposed, or rather renewed the proposal, that the computed distances be measured by comparison with the velocity of a cannon ball, rated at 1½ German miles per minute. With this velocity a cannon ball, fired from the sun, would reach the planet Mercury in nine years & six months; Venus, in 18 years; the Earth, in 24; Mars, in 38; Jupiter, in 130; Saturn, in 238; and Uranus, (Herschell,) in 439 years. With the same velocity a shot would reach the Moon from the Earth in 25 days, little more than three weeks.

THE OTAHEITE PHENOMENON.

Kotzebue, who visited the island of Otaheite only a few years ago, was the first to communicate to the world the singular law by which the tides of this island are regulated—namely, that the time of high water, *is precisely at noon and midnight all the year round.*

WINDMILLS.—It is not generally known, that we are indebted for these universal and very useful machines to the Saracens.—They are said to have been originally introduced into Europe by the knights of St. John, who took the hint from what they had seen in the crusades.

Public Record Office Reference:— C.O. 47/57

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