

Miscellaneous.

The Intrigue, the Assassination, and the Punishment.
BY N. CHEEVER, M. P.

In the neighborhood of the city of Malaga, on the banks of the Gaudal-Medina, the traveller may observe among other pleasant habitations, a beautiful hacienda, or country seat, which attracts a melancholy notice, when some of the associations connected with it are revealed. Amid the orange groves and olive orchards that love-climate, many a place has its story of intrigue and murder, which the beauty of the region would belie. This romantic spot was the dwelling of a young lawyer, amiable in his disposition, affable in society, and enjoying a reputation superior to all suspicion of crime.

ly mild and agreeable that they can generally say sereno, fair, serene. The sound of their fine melodious voices, heard in the deep stillness of midnight, ringing through the clear crystal atmosphere of Andalusia, has an indescribably serene, romantic and thrilling effect.

They cry the hour, with a prolonged and musical repetition of the syllables, preceded by the name of the Holy Virgin, and almost always you hear the sereno's voice, heard in the deep stillness of midnight, ringing through the clear crystal atmosphere of Andalusia, has an indescribably serene, romantic and thrilling effect.

knife is the inscription on the side of the blade. It is a very distinct and significant couplet, reading as follows: *Quien a mi amo ofendiere / De mi la venganza espero.*

During the course of the day, fifty-one witnesses were examined. The murderer also went into more detailed and astounding disclosures, showing in part the sums of money paid before him, the cool, calculating deliberation in the preliminary arrangements for the murder, and his patience in awaiting their doom.

At three o'clock in the afternoon of the second of November, they came forth from the capilla, in the convent of San Felipe, on their way to execution. An immense mass of the population of Malaga had assembled to witness the concluding melancholy act of this tragedy.

The fatal square being formed, La Rosa again in a loud clear voice, insisted on the truth of all his declarations. Beneath the solemn adjurations of his confessor, he declared that he forgave Don Juan, and begged the bystanders to pray God to pardon him; and then, in the true spirit of the Romish system, prayed them to say a *Credo*, and a *Salve* to the *Virgen del Carmen*.

maim countries in the world, and is constantly exemplifying the verity of the adage, that truth is stranger than fiction.

George Cheyne, a Scotch physician, when a person was talking about the excellence of human nature, exclaimed, "Look, look, man! human nature is a scoundrel, and will stand in need of laws and religion."

Mr. Speaker and Gentlemen of the House of Assembly: I have the permission of Her Majesty, to submit to you a proposition for the surrender of the Casual and Territorial Revenues of the Crown, in exchange for a permanent Civil List; and I trust that you will, on mature deliberation, deem that the terms on which I recommend that the exchange should be effected, are adapted to the present financial position of the Country.

For nearly four years my best energies have been devoted to the advancement of the interests and happiness of this Province, and being satisfied that a Government composed of individuals of one political party only will be ill suited to its actual condition, I have ever distinctly avowed my reluctance to form such a Council, and my earnest desire and intention to administer the affairs of the Colony with the advice of a Board at which all interests should be represented.

One of Don Juan's acquaintance and friends in the city was the husband of a lovely wife, possessed of some property in her own right. Between this woman and Don Juan there was an intimacy, which, but for the dreadful tragedy I am going to relate, might never have worn the appearance of guilt, but only of friendship.

It was about midnight when the watchman hurried his captive before him. The efforts of his hands to free himself were noticed in rubbing his hands of crime, the bloody vestiges of his crime, the captain-general ordered them to be bound between two tablets of wood. He also caused to be gathered up the hat, the cloak, and the *fraga*, or sash, of the assassin, which he had thrown off at different points during the close combat.

He commenced a drama of the judgment, like to the horrible solemnity of which it would be difficult to find any counterpart in the judicial proceedings of any other country. The dead body of a man rapidly and silently surrounded the city residence of Don Juan, his father's house, and took him from his bed, where he had scarcely time to close his eyes, even if his conscience would have let him, and hurried him before the captain-general, to confront his desperate accuser. La Rosa entered into the minutest details of the premeditation of the murder, with all the circumstances of the diabolical transaction.

There was no possibility of denying the crime, and consequently La Rosa confessed the crime; and seeing himself utterly lost, if not designated as his accomplice the young lawyer Don Juan.

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The defence being closed, the bloody corpse of the unfortunate Don Jose was solemnly transferred from the cathedral, where it had lain all night, and was brought before the council; the two criminals were then positioned in the morning, another corpse, and took place between the prisoners. But being still discordant in their testimony, they were conducted to the Sagrario, or parish church connected with the cathedral, where the body of the murdered man had been carried, soon after the soldiers had taken possession of the cathedral.

Next, at the motion of the attorney-general, the prisoners were conducted together to the spot where the crime was perpetrated, and there again interrogated on its details. They were carefully guarded between a piquet of soldiers, La Rosa with his arms pinioned at the elbows, his bloody hands still between the tables of wood, and Don Juan enveloped in his *capa*, and full of gloom, rapture, and anxiety. They were accompanied by the different officers engaged in taking the depositions, one of them carrying, wrapped in a handkerchief, the bloody knife of the murderer.

This weapon was one of those Spanish knives in general use among the peasantry of Andalusia, with which they frequently fight their bloody duels, and give the deadly stab in moments of science-passion or in cool, rankling vengeance. I have one of these knives in my possession, and I am sure that the ideas of piracy and murder attached in every one's mind to the term "a long Spanish knife," have a most natural and legitimate origin. It has a blade about twelve or fifteen inches in length, and two inches wide at the hilt, tapering gradually to a sharp point, which is about three inches from the edge.

It is made to open and shut like a jack-knife, with a strong spring, into a handle of brass, the back of which is composed of a piece of steel, which the peasants use to strike fire, when they wish to light their *cigarros de papel*. The most singular and characteristic part of this

As I stood with the company of Spanish friends on the banks of the Gaudal-Medina, opposite the place of execution, expecting the consummation of this tragedy of justice, it was a moment of most painful interest. Nature seemed to sympathize in such a scene. The deep blue sky was cloudless, the bright rays of an autumnal sun poured down with a mild and genial glow, and our touples were fanned by an air of such transparent purity and delicious balminess as to render the very breathing of it a luxury.

As the appointed moment arrived, precisely at four o'clock, an officer's sword was raised in the air, and gleaming in the bright sunshine as it fell, gave the signal for the death volley. A quick, sharp report, and the curling smoke from dozens of muskets, told that all was over. The body of Don Juan was followed to the grave by the lawyers of Malaga; that of Rosa was buried by *La Caridad*, the brotherhood of Charity.

This execution was on the whole most salutary in its effect on the city of Malaga. I hardly ever knew such an instance of sudden and awful retribution. Had the captain-general had less decision and promptitude, had the case been managed with the usual chicane and delay of Spanish law tribunals, it was thought that Malaga would have become the theatre of a bloody riot; plotting and accomplices of a midnight murder, under such circumstances, no peaceful citizen could be safe for a moment, if such crimes went unavenged.

Not a man doubted the guilt of Don Juan, neither was there much doubt as to the participation of the wife of his victim in the murder. The public authorities considered her as implicated in the crime; so she was arrested, and for several weeks guarded by soldiers at her own house. It was thought that she would be publicly executed by the *garrote*, a mode of execution not infrequently practised in Spain under the civil law. It is a very simple, though dreadful way of exterminating life, perhaps invented by the inquisition. The criminal sits in an arm chair, and an iron collar is placed round his neck, uniting by a screw, so that when the fatal moment arrives, a turn or two of the crew produces instant death.

In the daily occurrences of human life, as well as in natural science, Spain is still as she was in the days of Don Quixote, one of the most romantic countries in the world, and is constantly exemplifying the verity of the adage, that truth is stranger than fiction.

WANTS FOR THE YEAR 1844.—More industry, and less idleness; more economy, and less extravagance; more honest men than rogues; more money than credit; more shirts than ruffles; more morality than grog-shops; more usefulness than dandies; more stocking yarn than street yarn; more stability than excitability; more education than ignorance; more labourers than loungers.

Colonial.

Extract of a Letter, dated BERTHER, February 14, 1844.

DISTRESSING FIRE & PROVIDENTIAL ESCAPE.—This morning, about two o'clock, Mr. Gougeon Fautaux, of this Parish, was awake by strong glare of light in his room, on looking out he perceived it to arise from the back part of the house the property of John M'Bean, Esq. On Mr. Fautaux's going to the house of Mr. M'Bean, he cried and attempts to burst open the door, but he was unable to do so, and he perceived that he was conscious of the awful fate that threatened them! Mr. M'Bean, his lady, family, and several other persons, who were in the room, with an awful death, the fire having extensive building was wrapped in flames. The house with all its valuable furniture was soon destroyed, and it was at no small risk that Mr. M'Bean succeeded in saving his valuable papers only. But for the providential discovery of the fire, the property of Mr. M'Bean, consisting of twenty-two persons, might have met with an awful death, the fire having such progress that in two or three minutes more all retreat from the upper part of the house to have been cut off. The fire is supposed to have been caused by some ashes which had been placed in a kitchen the evening previous. [Mont. Courier.]

NOVA SCOTIA LEGISLATURE.

The Legislature of Nova Scotia met at Halifax on the 8th inst. The Hon. William Young, a Liberal, and opposed to the present Ministry was elected Speaker of the House of Assembly. From this it appears that the anticipated coalition ministry in the popular branch of the Legislature has not been realized. The Halifax Guardian of the 19th inst. says— "Yesterday afternoon at 3 o'clock, His Excellency the Lieutenant Governor came down to the Legislative Council Chamber, attended by Major General Sir Jeremiah Dickson the officers of his staff and other distinguished individuals, civil & military. His Excellency was received at the entrance to the Province Building by a guard of honour of the 52nd Regiment, while the passage and stair leading to the Council Chamber was lined by a guard composed of the Rifle Brigade. Having taken his seat on the throne, His Excellency commanded the attendance of the members of Assembly, who accordingly entered preceded by their Clerk, making their way with considerable difficulty through the dense mass of spectators who filled the passage of the Chamber without the Bar. They were then directed by the President of the Council, by command of His Excellency to return to their usual place of meeting and elect a Speaker, and after a brief interval returned and announced to His Excellency that they had made choice of William Young, Esq. who had been approved of by the Lieutenant Governor made the customary demand for freedom of speech, &c. after which His Excellency was pleased to open the Session with the following SPEECH: Mr. President, and Honourable Gentlemen of the Legislative Council. Mr. Speaker, and Gentlemen of the House of Assembly. Glad as I have always been to avail myself of your assistance in conducting the business of the Country, I am especially so at the present

Well assured of the love that the people of Nova Scotia bear to the person of our gracious Queen, and of their attachment to the connection which binds them to the Mother Country, I am convinced that, so long as I adhere to the principle from which I have never departed, firmly resisting any invasion of the Royal prerogative, while I use the powers which are committed to me, justly and impartially, for the benefit of all Her Majesty's subjects, I shall deserve and secure their approbation and affection, and that both will be made manifest by the cordial and efficient support I shall receive from you as the Representatives of their opinions.

MINUTES OF THE MIDLAND DISTRICT MUNICIPAL COUNCIL.

February Session, 1844. Tuesday, Feb. 13th, 1844. The District Council met this day pursuant to the Statute, at the Court House. At 12 o'clock noon, the Clerk called the Council to order, and announced to them the resignation of John B. Marks, Esquire, late Warden of the District. It was then moved and seconded, that John S. Cummins, Esquire, Councilor for Amherst Island, be appointed Chairman of the District Council of the Midland District for the present Session, which was carried. The Chairman administered the oaths of Qualification and Allegiance, to such of the recently elected members of the Council as were present.

The Clerk called the roll of the Councilors. Present.—Messrs. Amey, Asseltine, Cameron, Cummins, Clark, Denike, Ferguson, Heaslip, McNeil, Miller, Schermerhorn, Seymour, Spring, Shibley, Wheeler. Minutes of the last day of November Session were read. The Chairman then laid before, and read to the Council the announcement of the late Warden's resignation, together with an address containing various other important matters relating to the District, which Mr. Marks strongly recommended the Council to adopt.

On motion of Mr. Denike, seconded by Mr. Wheeler. Ordered, That the Council do now appoint their standing committees for the present Session. Committee on Assessment. Messrs. Robin, Chairman, Clark, Seymour, Wheeler, and Denike. Committee on Roads and Bridges. Messrs. McNeil, Chairman, Shibley, Seymour, Heaslip, and Wheeler. Committee on Finances and Accounts. Messrs. Cameron, Chairman, Ferguson, Seymour, Miller, and Denike. Committee on Common Schools. Messrs. Denike, Chairman, Clark, Asseltine, Ferguson, Amey, Robin, and Miller. Committee on District Property. Messrs. Heaslip, Chairman, Schermerhorn, Asseltine, Ferguson, and Miller. Moved by Mr. Cameron, seconded by Mr. Seymour. Ordered, That instead of Mr. Cameron, Mr. David Robin be Chairman of the Committee on Assessment.

The Chairman laid before the Council a letter from David John Smith, Esquire, relating to District Taxes on the Town, there being a balance due by the Corporation of Kingston for taxes in 1842. The Chairman read to the Council a letter from the Rev. Wm. Herclimer, relating to the duties of the same, and paying the Council to have the same supported in future from the District funds. The Chairman read to the Council a letter from John Marks, Esquire, late Warden, fully acknowledging the honor done by the Council in passing a vote of thanks to him at their last November Session. The Chairman read a letter from John Dajie, relating to the appointment of Township Officers.

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