

IRELAND.

First proclamation of the Irish Government under the new bill.

DUBLIN, April 7.—The Lord Lieutenant has already exercised the powers conferred to him by the act for suppressing disturbances and dangerous associations in Ireland. The subjoined proclamation, extending the provisions of the act to the county and city of Kilkenny, appeared in the Dublin Gazette of last night. It is stated that a proclamation will appear early in the present week, prohibiting the meeting of the Volunteers, the Conservatives, and the Trades Union:—

By the Lord Lieutenant and Council of Ireland.

"A PROCLAMATION."

"ANGLESSEY.—Whereas, by an act passed in the third year of his present Majesty's reign, entitled, 'An act for the more effectual suppression of local disturbances and dangerous associations in Ireland,' it is amongst other things enacted, that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors in Ireland, with the advice of his Majesty's Privy Council in Ireland, at any time after the passing of said act, and from time to time during the continuance thereof, as occasion may require, to issue his or their proclamation, declaring any county, county of a city, or county of a town in Ireland, or any portion thereof, respectively, to be in such a state of disturbance and insubordination as to require the application of the provisions of the said act:

"Now we, the Lord Lieutenant, do, by this our proclamation, in pursuance and execution of the said act, and by and with the advice of his Majesty's Privy Council, declare the county of Kilkenny, the county of the city of Kilkenny, the city of Kilkenny, and the Liberties of the said city, to be in such a state of disturbance and insubordination, as to require the application of the provisions of said act.

"And we do, by this our proclamation, warn the inhabitants of the said county of Kilkenny, the city of Kilkenny, and the Liberties of the said city, to abstain from all seditions and other unlawful assemblages, processions, confederacies, meetings, and associations, and to be and remain in their respective habitations at all hours between sunset and sunrise, from and after Wednesday, the 10th day of April instant; and of which all Justices of the peace of said county, and county of a city, constables, peace officers, and others whom it may concern, are to take notice.

"Given at the council Chamber in Dublin, this 6th day of April, 1833.
ROSE, WM. McMAHON, WM. SAE-
RIN, JOHN RADCLIFFE, JOHN LAUGH-
ERY, F. BLACKBURN, R. H. VIVIAN.
"God save the King."

From the Dublin Pilot.

We publish a letter from Mr. O'Connell to-night, as his opinions and intentions cannot be communicated in any language more forcible than his own:

London, 14, Abchurch Lane, Wednesday.
My dear Barrett,—The die is cast; we are all slaves. One more injustice has been committed towards Ireland. Let us now struggle for the double repeal—

First of this new Algerine act.
Secondly, of that union which alone caused this act to be passed.

I feel the awful duty imposed on me by the Volunteers; I will endeavor to perform it honestly, at least, if not well. Announce to the people of Ireland that I intend on every Monday, whilst the Algerine act continues, to publish a letter to them in the Pilot; I will, please God, begin on Monday next.

I mean to take up in detail the necessary agitation in each county in Ireland. Our enemies shall not triumph over the people, nor put down the popular sentiment. We will still agitate within the law, and without either moral guilt or legal offence.

Call on the people to be quiet, to bear with patience this new indignity. Let them hope for better days, and better days must soon arrive.

Give a caution to the atrocious Whitefeet. They have played the game which the enemies of Ireland wished them to play. The execution of every good honest man is upon their crimes. The vengeance of God will, sooner or later, be visited upon their wickedness.

How sincerely ought we not to detest the vilest of the vile Whitefeet—the last and worst of those villainous miscreants, who have given strength to the enemies and weakened the friends of Ireland.

But still I do not despair of my country. No, even in the crimes which are committed against her, there arises a hope that those crimes will accelerate their own punishment, and create thereby that state of things, which will insure the speedy restoration of our national and constitutional independence.

Believe me, very faithfully, your's,
DANIEL O'CONNELL.

Forty-four officers, from the half pay

list, are to be immediately commissioned to act as members of the Court Martial, to be held under the Coercion bill. They are not to belong to any regiment doing duty in Ireland.

Dublin Times.

THE FLOOD IN NEW YORK—LOSS OF LIVES AND PROPERTY.

The Albany papers furnish us with distressing accounts of the flood in that neighborhood. An immense amount of property and several lives have been lost. The Albany Advertiser informs us that the river continued to rise all Tuesday night and Wednesday—that South Market street was impassable below Hamilton street, and at the Head Quarters of the Conchologist, alias Mine Host of the Eagle, his guest might have raked for fresh water clams, out of his front door. Carts and yaws plied their amphibious vocation, at the rate of 6 pence a passenger, and the merry young chaps, whose days of retailing their master's goods were for the present over, gaily demanded wharriage as the passengers stepped upon their boxes and thresholds.

One forwarding house in Troy lost goods to the amount of \$25,000. The Evening Journal of the same date (Thursday) says:—

The most painful accounts begin to be received, of the destructive effects of the Freshet. The River continued rising till about 10 o'clock this forenoon, when it was a foot higher than in the Spring. The loss of property is immense; nearly all the stores and Buildings east of Market street, the whole length of the city, are inundated.

Our fellow citizens at Troy are heavy sufferers. We are informed that 5 men were drowned by the breaking up of a Raft of which they had charge. A man and a boy, near Troy, were drawn into the current and lost, while attempting to rescue a cow.

The bridge across the Mohawk at Fort Plain has been swept away.

We fear that the injury to the Canal is so great as to interrupt the navigation for several weeks.

We regret to see that the labors and hopes of the Gardeners upon the Islands below and opposite the city are all blasted. The loss will fall heavy upon an industrious and valuable class of citizens.

It is impossible to estimate the loss of our citizens, which is much greater from the occurrence of such an extraordinary flood at an unusual season.

Upwards of 200 cords of wood were swept away from one yard this morning. The quantity of lumber lost is very great.

Many of our merchants found the water in their stores, yesterday morning, before they had an article of their goods removed.

We annex some further particulars from the Albany Argus of Friday:

The rise of water in the river is altogether unprecedented. At 10 o'clock yesterday morning it was higher than at the breaking up of the ice in the spring. It had fallen only a few inches last evening. The entire extent of the Pier and Quay street, is from 8 to twelve feet under water; boats are moving in South Market, Dean and other streets; and the cellars on both sides of Market street, and as far as Union, Liberty and Green streets, are filled. The approaches to the steam boats and other crafts, are made from the Eagle Tavern, and other parts of Market street in small boats.

The loss is great, and at this season of activity and business, partly unfortunate. Large quantities of wood, timber, &c have been swept away, and serious damage sustained by articles in the waterhouses.

In Troy, the inundation, although less injurious to the dwellings & warehouses, is severe. It is reported that five men, engaged in navigating a raft, were drowned on Wednesday, in consequence of the breaking up and destruction of the raft by the force of the current; and that a man and his son, in attempting to save their property, which had become surrounded by water, were drawn into the current and drowned. It is stated that they had succeeded in removing six cows from immediate danger; but that the seventh, which they attempted to draw out by means of a rope fastened to her horns, drew them in.

Of course, the navigation of the canals is suspended. We have no definite account of the injury sustained, either on the Erie or Champlain canal, though it is undoubtedly considerable. The (Amsterdam) Mohawk Herald states that every bridge and mill dam on the creek which runs near Fort Johnston, had been swept away; and that about thirty feet of the canal dam near Auriesville had been swept away, causing a breach that will require several days to repair.

The late Freshet.—We learn from the Transburgh Advertiser that the late freshet done considerable damage on the shore of Cayuga Lake, Transburgh and Halsey Village Creeks, and several other places in that vicinity. It swept off several dwelling houses, mill dams, and one or two grist mills. Many mechanics

and families lost all their tools and furniture, and several persons narrowly escaped with their lives. Such a great destruction of property has never before been known in that vicinity.—Seneca (N. Y.) Farmer.

Trial of Avery.

Public expectation as to the result of the trial of Avery has been kept alive by the time occupied, the numerous witnesses examined, the great legal talent employed, and the excitement which prevails on all sides; and more so as the court has peremptorily ordered, although at the same time expressing a doubt of its authority so to do—that no publication of the testimony shall take place until the trial is completed. If we may be permitted to hazard a conjecture, we should infer that he will either be acquitted, or the jury will not be able to agree, and will be discharged, as the testimony at first, though strong, was entirely circumstantial, and we have heard of no new facts which have been developed against him. The great effort will be made to prove an *alibi*, which, if clearly done, should be deemed conclusive. The fact of Avery being a clergyman has produced great sensation on all sides, one class being resolved to consider him innocent, and another strongly inclining to presume him guilty; and such has been the feeling produced, that clergymen have travelled from a great distance to attend his trial and cheer him by their presence. The women, likewise, those delicate tendrils that wind round and sustain religion are many of them on his side, and believe him innocent because he is a clergyman. What an error. Does religion lose any of its consoling attributes, should one of its ministers become a greater sinner than falls to the lot of frail mortality in general? Does the holy office so purify its followers and professors, that they stand not within the pale of temptation and the influence of passion? Do the robes and pontifical arm their possessors so effectively against Satan, that the tempter cannot dazzle and betray? Assuredly not—all history proves the contrary.—As no clergymen should be pursued for his calling, so should his office be no shield against proof of crime—and the interest felt by ministers of religion for the fate of Avery is correct and charitable. If innocent, they feel the consequence of that innocence—if guilty, he must share the fate of other criminals, and they must submit to the majesty of the laws. A few days more and the case ends, fatal in either way; because if guilty, he atones with his life—if acquitted, his life must still be a burden, pressed down with suspicion, and bearing the weight of constant, never ending, and malignant doubts, surmises and denunciations. This is the result of immoral habits and vicious inclinations.

Philadelphia Album.

LAW IN ALABAMA.

Huntsville, (Ala.) April 30.
The circuit court of this county, his honor Horatio G. Perry presiding, closed its session last Thursday.

The case of *Wm. Hall, against John Cowart and others*, for an assault and battery, bro't to this court on a change of venue at the instance of the plaintiff, from the county of Jackson, came on to be heard before a jury, composed in general of the most respectable and intelligent men. Counsel for the plaintiff, Messrs. Devine and Craighead; for the defendant, Messrs. Clay, McClung and Parson.

The plaintiff proved that about twenty persons, of whom the defendants, or most of them, were a part, came to his house, arrested him in the presence of his family, in open day, and after carrying him some short distance, gave him fifty lashes; that he resisted the arrest by aiming to shoot and otherwise, during which they broke his gun and knocked him down. He also proved that several of the defendants, in conversation afterwards, had admitted that they and others, as members of the association commonly called the "Slick company," had made the arrest and given the lashes; but that they did so as a punishment, under the sick law, for the crime which they said the plaintiff had committed, of passing counterfeit money, of which the counsel for the defendants offered to prove the plaintiff had been guilty. This proof being objected to, was excluded. The counsel for the defendants then offered to prove that the plaintiff's general character was that of a counterfeiter and dishonest man, which, on objection, was likewise excluded; and no other proof being offered, the argument was heard.

The plaintiff's counsel insisted that their client had made out a cause of action in which the defendants had no legal cause, and one meriting the most exemplary damages; and many fit topics were urged to induce them to assess such damages.

The defendants' counsel insisted that, as the plaintiff had resorted to proof of the confessions of the defendants, which admitted the punishment—asserted the crime for which it was inflicted, and disclosed the character in which the defendants acted, the whole confession must be taken together. This being the crime

for which they punished the plaintiff, and the character in which they acted formed the only proof on which they relied. It was insisted further, that the slicks had done much good—that the company was composed of men of the best character, and of known discretion, and that they punished no innocent man. That, according to the common fame of the times, which was relied on as having the effect of historical truth, there had lurked about the borders of Jackson, a band of counterfeiters, who had very much annoyed the mass of population, distinguished, it was said, for virtue and social order, and inundated the country with a spurious currency; that they could not be prosecuted to effect in the county, by reason of their having many accomplices, by whom they could prove any fact necessary to their acquittal; and that honest juries were disinclined to convict for that offence, because the penalty was death, and that as the sick law was milder, and the company had greater facilities of detection, they could do, and had done, more to arrest the progress of the evil than the law of the land had done, or could do. One of the counsel reminded the jury, that if they assessed damages at all in favor of the plaintiff, it would have to be paid in *good money*—and that would be the first that had assailed the plaintiff's pockets for a good while.

An Important Discovery.—C. S. Rafinesque, of Philadelphia, "Professor of many sciences, architect, craftsman, &c." has announced to the public, the important discovery, by himself, of a new mode of erecting buildings of all kinds, so as to render them entirely incombustible. He denominates this discovery by the term *incombustible architecture*, and alleges the following as the advantages of the new style, all of which he offers to warrant, viz:

1. Building will be fire-proof.
2. They cannot be set on fire on purpose.
3. They cannot catch fire from neighbors.
4. They will last longer.
5. They can be warmed in winter at 1-3d the actual cost.
6. They will be insured at a mere trifle.
7. They will be warmer in winter.
8. They will be cooler in summer.
9. They will require no expense of fire engines and firemen.
10. They will save the lives of 100,000 persons doomed to be burnt alive.
11. They will save 100 millions of dollars of property doomed to be burnt.
12. They will look neater and more convenient inside, with more space, &c.

These unquestionably are important considerations, & the Professor speaks most certainly of his ability to perform all he promises. The *modus operandi*, of this new style, he wisely and discreetly keeps to himself, but with magnificent liberality he offers to divulge the secret to any architect for the sum of \$1000; or if any demur at this price, he declares he will himself undertake the erection of any edifice, and receive for payment the saving in fuel and insurance, and in the expense of the building—it being part of the Professor's plan to build houses of this kind at a much cheaper rate than in the ordinary way. Certainly we bespeak much attention to the Professor's declarations.—U. S. Gazette.

Murder and Suicide.—It is our duty to record one of the most atrocious instances of murder and suicide which has come to our knowledge for a long time; and for the honor of human nature it is to be hoped that a similar duty may never be required of us.

It took place at Northampton, Heth township, in this county, on the morning of the 13th inst. Marsham Winder, a man about 35 years old, and who had, previous to this, sustained a fair character, entered the house of Mr. William Youtsler, armed with a butcher knife, with which he assaulted the wife of Mr. Youtsler, who was alone and unable to oppose any resistance to the hand of the assassin. He struck her several blows with the knife about the head and neck, and finally plunged it into her throat to the depth of six inches. His victim was only able to get out of the house, when she fell and instantly expired. Winder then went deliberately to a grindstone and sharpened his knife, the point of which had been battered, as was supposed, by the blow on the skull of the lady. By this time the neighbors had collected, and he fled to the street, where he stopped and took vengeance on himself by thrusting the knife into his own throat. There are, as is usual in such cases, many speculations as to the probable motives which prompted him to the commission of this horrid deed, but we deem it improper to state them. The husband of the deceased lady is absent on business down the river.—Western Courant.

Noblesville, May 20, 1833.

I have just learned from a gentleman of this place who has just returned from Fort Wayne, that David Burr,

one of the canal commissioners, was drowned a few days since in the Maumee river. He was engaged with a number of others in drawing a seine. He is supposed to have taken the crank, as when he was found he was sitting. I need not say that to Indiana his loss is irreparable.

A. W. MORRIS.

Midnight Prowlers.—Daring Robbery!—The stores of one of our respectable merchants, on Main street, was recently entered, at what hour of the night we are not informed, and the money drawer pilfered of its contents. The owners of the store were thrown into consternation—clerks suspected—guards appointed—fire arms prepared—the printing press called in requisition, but all in vain—Yesterday we are informed, a discovery was made which led to the thieves.—Upon removing some boxes in the store, a mouse nest was found made of twelve bank bills, which proved to be the same taken from the aforesaid drawer. A liberal reward will be given for the apprehension of the rascals.

The French Treaty.—DRAFT OF THE UNITED STATES PROTEST.—A draft drawn by the United States Government on the Government of France, for the first instalment of the indemnity, agreed by treaty to be paid by the latter, for spoliation committed on our commerce, have been protested! The amount is NINE HUNDRED THOUSAND DOLLARS; the draft was at sight and negotiated here to the Bank of the United States. Protested in Paris, the agents of the Bank there, Messrs. Hotteguier & Co. interfered for the honor of the Bank and paid the amount.

Ignorant as we are of the causes which led to this act of the French government, we abstain from any reflections of a political nature in which it would otherwise be natural to indulge.—N. Y. Courier.

At the spring term of the superior court of Buncombe county, N. C. a man named Carson, an acting justice of the peace for that county, was convicted of stealing a watch from a Hotel, and sentenced to stand in the pillory one hour, receive ten lashes, and be committed to jail until the costs of prosecution were paid. He was required to resign his commission as Justice of the Peace forthwith or the payment of the ten lashes was to be *replected* 24 hours. He accordingly resigned, and received prompt payment. Squire Carson, we should think, has not added much to the respectability of the office of a justice of the peace. Lec. Ob.

An Elephant adrift.—The Philadelphia Chronicle states, that about seven o'clock in the evening of the 11th inst. on the removal of a menagerie, which had been lately preparing for exhibition, in second street, in that city, a young elephant escaped from the keeper, by knocking him down with his proboscis, and, turning down catharine street, leaped into the tide, which at the time, was full seven feet below the level of the wharf. Mr. Martin, the breaker of the animal, being informed of the fact, started with the keeper, on a search, as far as the rope walk below the Navy Yard, but their search seemed to be in vain. After some time they heard him, in the immediate neighborhood of the yard, and, having procured a lantern and a boat, they, with the kind assistance of some of the officers of the Sea Gull, got towards the Navy Yard wall, between which and the Sea Gull they discovered the elephant swimming about. The keeper now jumped into the water, and, catching the elephant, held on till Mr. Martin's arrival. They then obtained the assistance of many of the inhabitants of Southwark, and after much floundering in the mud, and great risk of health, they drew him ashore, in tow of three boats, at about four o'clock in the morning. The keeper and Mr. Martin deserve great credit for their perseverance, but for which, the valuable animal would have been lost to the proprietor.

After his immersion, the quadruped emigrant drank a gallon of brandy for his deliverer, and proceeded on his journey without any further demonstrations of caprice.

Mr. Martin is the person who, at N. York, in the year 1826, so narrowly escaped from the attack of two tigers, by the magnanimity of the elephant Tipoo Sultan.

Novel legal decision.—In empanelling the jury in the trial of the rev. Mr. Avery, one hundred & twelve men were called before a panel could be filled. One of the disqualifications of a juror, as decided by the court, was that of being a subscriber, or reading a newspaper. We hope none of our subscribers will be induced by their love of judicial distinction to withdraw their subscription.

The trustees of the village of Oswego, N. Y. have resolved not to grant any licenses for retailing ardent spirits.