

1871.

ON

NHAM



SERS.

D.



ates. Her
states: "It

n beverage,
with those

tumbler of

e sickness.
spoonful

all to the

ould be
er if the

fevers are
ere were

order to

imate.

met with
rendered
ivate prac-
imates, the

professional
may cordial
of Febrile

tested, on
s, attended

sitation in
e Medicine
very reason
particularly

ch pleasure
reatment of
cidental to
with Saline

, &c., had
thrustastic

of consi

irect from

ay.

Registered for)

(Transmission Abroad.

The African Times.

"FOR GOD, AND GOOD TO AFRICA AND HER PEOPLE."

"Talk to me anywhere of Power, and I'll tell you of Protection. Mention a Magistrate, and the idea follows of Property. Show me any Government, and you are to see the proposed interest of those governed. Power constituted otherwise is a monster that is impossible in every system where there is any notion of the justice of God or the good of mankind."—EDMUND BURKE.
"If any Colonist suffers from injustice, whatever may be his class, his condition, or his colour, he has a right to redress at the hands of the Colonial Minister in this country."—EARL OF CARNARVON, SECRETARY OF STATE FOR THE COLONIES, AUGUST 2, 1866.

VOL. X.—No. 116.]

LONDON, THURSDAY, FEB. 23, 1871.

[PUBLISHED MONTHLY.

Subscription, 6s. per Ann.

CONTENTS.

	PAGE		PAGE
West Coast Mails	85	American Cotton—Present Prices and Future Prospects	89
Administration of Justice at Bathurst—Benefit of Criminal Juries ..	86	Subscriptions Paid for "African Times"	90
The Defenceless State of the Gambia	86	Trial and Execution of Whobay	90
Sierra Leone	87	Mr. McArthur's Notice on West African Affairs in the House of Commons	91
Gold Coast	87	The French and German War	91
Lagos Wants a Lighthouse, a Public Clock, &c.	87	Projected Transfer of Dutch African Settlements to Great Britain ..	91
Santa Isabel, Fernando Po	88	Proceedings Taken by Judge Horatio James Higgins against Wm. Rainy, Esq., B.L., Advocate, for Contempt of Court	92
Portuguese West Coast Settlement	88	Achievements of the German Armies During the Last Seven Months' Campaign	96
Additional Mails for West Africa	88	Quite as Bad as Any Part of Africa	96
The Late Lamented Mrs. Moseley and Her Cape Coast Female School ..	88		
The European War	89		
Imperial Parliament	89		

AFRICAN AGENCY

For Transacting Business in England for Native and other Traders on the West Coast of Africa.

IN consequence of wishes expressed from all parts of the West Coast, MR. FITZGERALD has made arrangements for selling produce consigned to him by ships to London or Liverpool; and purchasing, and shipping goods ordered against the proceeds of consignments or other effective remittances only, from either of the above ports, on a system by which the greatest possible advantage of the markets will be secured to the AFRICAN TRADER; and, as time is very important to small capitalists, return goods will be sent off in all cases without any delay beyond such as may sometimes be caused by manufacturers.

All letters and bills of lading, whether the shipments be to or from London or Liverpool, to be addressed

F. FITZGERALD, Esq.,

121, Fleet-street, London, E.C.

N.B.—Open Policies on Insurance for Produce from the Coast by the Mail Steamers; but intended Shipments should be advised, if possible.

MARCH, 1871.

BRITISH AND AFRICAN STEAM NAVIGATION COMPANY.

The Steamers of this Company will henceforward be despatched from Liverpool on the 6th and 18th of each Month.

The Steamship LOANDA, Captain GRIFFITHS, is intended to be despatched from GLASGOW on the 28th FEBRUARY, and from LIVERPOOL on the 7th MARCH, at 10 A.M., for Madeira, Grand Canary, Sierra Leone, Monrovia, Cape Palmas, Cape Coast Castle, Accra, Jellah Coffee, Lagos, Benin, Bonny, Fernando Po, and Old Calabar; also to any other intermediate Port to which inducement may offer. GOODS will be received in GLASGOW up to 6 P.M. on the 27th FEB., and at the Loading Berth in LIVERPOOL (North Side Coburg Dock) up to 6 on the 6th MARCH. Passengers will embark by Steam Tender from the Prince's Landing Stage at 9.30 A.M. on the day of sailing.

The following departure is intended to be the Steamship VOLTA, Captain LOWRY, from GLASGOW on the 11th, and from LIVERPOOL on the 18th MARCH, at 9 A.M., for Madeira, Teneriffe, Sierra Leone, Monrovia, Cape Palmas, Cape Coast Castle, Accra, Jellah Coffee, Lagos, Benin, Bonny, Fernando Po, and Old Calabar; also, to any other intermediate Port to which inducement may offer. GOODS will be received in GLASGOW up to 6 P.M. on the 16th, and in LIVERPOOL up to 10 P.M. on the 20th. Passengers will embark at 8.30 A.M. on the day of sailing.

Goods for Sierra Leone will be landed there at Ship's expense, but Shipper's risk. All Goods while on board the Company's hulk at Bonny, to be at Shipper's or Consignee's risk.

Bills of Lading of the Company's Form can be obtained from THOMAS MURRAY and SON, 91, Buchanan-street, Glasgow; and D. MARPLES, 50B, Lord-street, Liverpool.

All letters must pass through the Post-office.

For further information apply in London to ALEX. WALKER, 8, Leadenhall-street; in Glasgow to TAYLOR, LAUCHLAND, and Co., 24, Oswald-street; and in Liverpool, to ELDER, DEMPSTER, and Co., 2, Brunswick-street.

WEST COAST MAILS.

ARRIVALS.

African Steamship Company's Athenian, with bi-monthly mails, January 24.

A.S.S. Co.'s Calabar, with monthly mails, January 30.

British and African Steam Navigation Company's Loanda, February 10.

DEPARTURES.

A.S.S. Co.'s Mandingo, with monthly mails, January 24.

A.S.S. Co.'s Athenian, January 30.

B. and A.S.N. Co.'s Liberia, February 7.

A.S.S. Co.'s McGregor Laird, February 12.

B. and A.S.N. Co.'s Bonny, February 18.

A.S.S. Co.'s Calabar will take out the monthly mail, Feb. 24.

ADMINISTRATION OF JUSTICE AT BATHURST— BENEFIT OF CRIMINAL JURIES.

CASE OF GEORGE BAILEY.

A recent trial for murder at the Gambia has furnished strong evidence of the faulty administration of justice there, and of the value of trial by jury in criminal cases. A man, John Marsh, died after two or three days from injuries inflicted on him by a furious drunken man, George Bailey, when he was himself in a state of utter insensibility caused by drink, and all the other persons present were more or less intoxicated. We have the evidence before us, and the offence was clearly one of manslaughter, not murder. The Coroner for the settlement, Mr. Fowler, being absent in England on leave, Mr. Spilsbury, the Colonial Surgeon, had, by one of those abominable and most indefensible arrangements which we have before denounced, been appointed deputy or acting-coroner to officiate in his absence. We are happy, however, to see that Mr. Spilsbury had, in this instance, the good sense and feeling of propriety not to sit as coroner, and give evidence as surgeon before himself as coroner. Yet there was a Soylla as well as a Charybdis here, as well as in so many other human affairs. Though Mr. Spilsbury, the Colonial Surgeon, did not sit as coroner, Mr. Jackson, who had no appointment, whether as coroner or deputy-coroner, did. But who, it will be asked, is Mr. Jackson? We shall see in a moment. Mr. Jackson is Chief Magistrate at the Gambia. Mr. Jackson presides at a so-called coroner's inquest, and commits the man for trial on a charge of murder. He then has the man brought before him in his court as police magistrate, and as police magistrate he again commits him for murder; and when the time for holding sessions arrives, Mr. Jackson, sitting as chief magistrate, has arraigned before him for trial, on this same charge of murder, this same man, George Bailey, whom he has as a sort of acting coroner and as police magistrate, already twice pronounced to be guilty of the murder. Surely it would be difficult to conceive any course of procedure in the administration of justice more monstrous than this! The counsel assigned to Bailey by the Court to conduct his defence objected to the coroner's inquisition being put in, as the man had been arraigned on the magistrate's committal only and had received copies of the depositions before the magistrate, but not any copy of depositions before a coroner. Mr. Jackson, as Chief Magistrate, overruled this objection, and the inquisition was also put in.

After the evidence for the prosecution the prisoner's counsel objected to the inquisition as bad, Mr. Fowler being Coroner and Mr. Spilsbury Acting Coroner, whereas the indictment was signed by Mr. Jackson as Chief Magistrate. To this the Chief Magistrate replied that the Lord Chief Justice of England could sit as coroner if he chose, although he seldom exercised the right; and on that ground he overruled this new objection. The case went to the jury, who very properly, if we are any judge of the value of evidence, acquitted the prisoner of murder, but found him guilty of manslaughter, on which he was sentenced to two years' imprisonment with hard labour—a sentence which we think fully met the justice of the case, and to which we see no reason whatever to object.

Mr. Jackson may perhaps opine that because his sentence is so much better than his proceedings, there ought not to be and is not any just cause of complaint, substantial justice having been done in this case. But we cannot take this view. The man who, in his usurped office of coroner, committed Bailey for murder, and who, in his office as police magistrate, again committed him for murder, could scarcely have failed to convict him for murder when sitting as Chief Magistrate to try this same Bailey, on this same charge of murder, and on the same evidence on which he had previously committed him. But, happily, there was a jury. We decline to make any further comment at present, merely placing this trial of George Bailey on record for future notice.

THE DEFENCELESS STATE OF THE GAMBIA.

To the Right Hon. Earl Kimberley, Secretary of State for the Colonies.

Apsley House, Bathurst, Dec. 12, 1870.

My Lord,—I have the honour to bring under your lordship's notice the utterly defenceless state of these settlements, and especially that of the town of Bathurst, the capital of the settlements, the seat of government, and residence of the merchants and principal inhabitants, and the depot for goods and produce of large money value.

Your lordship is aware the troops were withdrawn from here in May last, and although seven months have since elapsed, and one occasion has arisen in that time that a French gun-boat was called in for the protection of British interests in this river, yet no steps have been taken to afford these settlements any protec-

tion of any kind, beyond adding ten unarmed men to the police force.

We have not even had the chance visit of one of Her Majesty's ships of war, to give that moral support to an unarmed Government which such a visit is calculated to afford, and the wholesome check it exercises upon marauding chiefs and turbulent natives. On the withdrawal of the troops all arms and ammunition of every kind and description, except the heavy guns mounted on the batteries, were shipped to England, and valuable military stores sold by public auction at enormous sacrifices.

At the sitting of the Legislative Council here on the 3rd inst., I moved for a return of the arms and ammunition at the command of the Local Government. His Excellency Colonel Anton, the Acting Administrator, replied that on his assuming the government in September last he found 137 old smooth-bore muskets, in a disgraceful state of neglect, rusty, honeycombed, and totally unfit for use; that there are no other arms, not a rifle, revolver, rocket-gun, or field artillery, nor any ammunition of any kind, except the blank cartridges for firing the morning and evening gun, and these he had purchased from the commissariat. The Administrator added he had reported the state of the arms to his Excellency the Governor-in-Chief, but no action, so far as the colonists are aware, has been taken upon the subject, but probably your lordship is better informed.

There is no militia, nor has any attempt been made to enrol one, and indeed, without arms and ammunition, it would be a useless body. What, my lord, would be the position of this community in case of native invasion, or even a serious local disturbance?

Your lordship's Department and the Governor-in-Chief are well aware that these settlements are near highly warlike tribes, and upon Her Majesty's Government, and the Governor-in-Chief must rest the responsibility of so utterly denuding these settlements of all means of defence, and leaving the lives and property of Her Majesty's subjects at the mercy of any marauding chief who, by the love of plunder, may be tempted to invade any part of these settlements and re-enact in Western Africa the scenes of bloodshed and murder which have taken place in India and China.

The constitutional principle which gives to a government the right to tax a community is founded upon the protection it affords to life and property and the maintenance of law and order. In our case this principle is inverted, for we are not only entirely disarmed and every means of defence taken from us, but out of 17,000*l.* revenue raised in the colony you insist upon maintaining an unnecessarily large staff of civil officers, at a cost of over 10,000*l.* a-year, and charge us with over 1,100*l.* a-year more for pensions to officers whose services were rendered to these settlements when there was a liberal Parliamentary grant to support it.

Having brought this subject prominently before your lordship, I cannot doubt but that the defenceless condition of these settlements will meet your lordship's serious consideration. With much respect, I have the honour to be, my lord, your lordship's most obedient humble servant,

THOMAS BROWN.

To the Right Hon. Earl Kimberley, Secretary of State for the Colonies.

44, Ludgate-hill, January 3, 1871.

My Lord,—I have the honour most respectfully to call your particular attention to the great fear and anxiety prevailing in the Gambia Settlements, and more especially at Bathurst, the chief town and seat of Government, and also the depot for a large amount of valuable goods and merchandise imported for the wants of the trade in the River Gambia, owing to its defenceless and unprotected state. The troops have been withdrawn, and not only the troops, but also all the arms and ammunition and field-guns, so that, literally, if the people were attacked at any moment they have neither weapons nor ammunition to defend themselves with.

The small garrison was withdrawn as far back as May last; still no steps have been taken up to the present moment by the Governor-in-Chief to organise a force for the protection of the town, except the addition of ten unarmed men to the police force.

No British gun-boat or vessel of any sort has been sent to the Gambia since the withdrawal of the garrison, and surrounded as the inhabitants are by savage tribes who look with longing eyes on the property of the British and foreign merchants stored there, I should not be surprised to receive news some day that the settlement of Bathurst was burned and destroyed, after having been pillaged.

When I state that all the arms have been removed I am bound to make a slight correction. There remain in store 187 smooth-bore muskets, honeycombed and worthless as weapons of defence, and some heavy guns mounted on the batteries, for

which there is no ammunition, nor are there any men trained to work them; but even if there were, such guns would be utterly useless as a means of defence against any attack from the natives. Your lordship must bear in mind that the people of the Gambia are entirely deprived of all means of initiating or organising any system of defence; their revenue is not controlled by them in any way, and the money that should be devoted to the organisation of some means of protecting life and property is squandered in the support and maintenance of a staff of officials which is out of all proportion to the wants of the settlements in their present condition.

I call on your lordship most earnestly, but respectfully, to collect that on you, as Secretary of State for the Colonies, and upon Her Majesty's Government rests the grave responsibility not only of leaving the inhabitants of the Gambia Settlements exposed to the risk of being robbed and murdered by the savage races in their vicinity, but also of actually preventing them from employing their resources to protect themselves; a state of things which would justify us in demanding a full compensation from Her Majesty's Government, as we certainly should do, in the sad event of any such loss of life or property.

If Her Majesty's Government repudiate our claims for protection, I beg leave respectfully to urge that they should allow us to protect ourselves and to administer our own affairs. For my part I, individually and on the part of my relatives and friends in the Gambia Settlement, most respectfully protest against the existence of the present state of things. It seems to me, my lord, that if Her Majesty's Government imposes heavy taxes on a people who are not adequately and thoroughly represented in the Legislature which taxes them, the said Government of Her Majesty is bound to protect the lives and properties of these people, even if they do nothing else.

On the part of myself, whose connection with the Gambia has extended over thirty years, on the part of the people of the settlements in that River, and on the part of relatives and friends therein, I beg leave respectfully to urge upon your lordship, as the head of the Colonial Department and the Minister with whom we are officially connected, to take the subject matter of this letter into your serious consideration, relating as it does to the protection of the lives and properties of a large number of peaceable Christian subjects of Her Majesty, who appeal to your lordship in their utterly hopeless and unprotected state to take prompt and immediate action for the safety of their lives, persons, and properties.—I have the honour to be, my lord, your obedient servant,

T. F. QUIN.

Note.—We are glad to state that these remonstrances have had some effect, a gunboat having been sent up the river the first week in February.

TO THE EDITOR OF THE AFRICAN TIMES.

(From an Occasional Correspondent.)

Sierra Leone, January 11, 1871.

Dear Sir,—The report of the case of Whobay, and the notice taken of it in the columns of the *African Times* of December 23, have given great satisfaction to the general community of Sierra Leone, and are now the common topics of conversation. The Governor, the judges, and all who had a hand in hurrying on the execution of the unfortunate man are taken by surprise, little dreaming at the time when such eager desire was manifested for shedding the poor man's blood that the exposition of this atrocious affair would have found itself in the *African Times*; and now that this is the case, they are all quaking lest this matter should attract the notice of some humane Member of Parliament. The disturbance in the Sherbro District has not yet subsided, and really something should be done to hinder persons who may be taken in these country wars from being tried and executed in a barbarous manner. No one can doubt that Whobay was executed with indecent haste, which reminds one forcibly of the days of the bloody Inquisition. Up to the last moment the poor fellow declared that he was not at the war at all, and now news has reached us in confirmation of the statement of the victim, for we are told that the wrong Whobay has been hanged. On whom will this innocent blood be, for it certainly will call loudly for vengeance. Great remorse may have been spared somewhere if only the trial had been postponed, as it should have been, on the application of the prisoner's counsel.

Another cause for alarm is the execution of a man, along with Whobay, by the name of John Thomas. This man was undefended, and the greatest crime that could be established against him was manslaughter; but in consequence of the judge's pressing the jury to convict the man of murder, they did so. Life and property are no longer safe in the settlement since the jury have been coerced by the Government. How can the men who are liable to serve on the jury find a true verdict to the best of their ability when they have constantly the threat hanging over them in terror of the abolition of trial by jury in criminal cases,

unless they fall in with some foregone judgment? Does such a sad state of things exist in any other part of Her Majesty's dominions? Since the Gambia business has been exposed, and the justification of Mr. Justice Huggins condemned, an attempt is made to bring about the reign of terror in this settlement, and various steps are taken to goad the people on to desperation.

From the time that the cruel sentences of Mr. Justice Huggins have been exposed, he never sat in criminal cases in the Supreme Court till the trial of the two men who are the subjects of this correspondence. Then it was, Nero-like, he took his seat on the bench. Considering that the Chief Justice has always discharged his duties with moderation and feelings of humanity, it would not be too much to say that Mr. Justice Huggins has drawn him into the serious blunder committed in these two cases. One cannot but lament the weakness of Chief Justice French, who allows himself to be too easily led astray by one who has never been able to refute the heavy charges brought against him of cruelty, injustice, and unblushing falsehood. But Mr. French ought to remember that he is responsible, and that he has judicial character to lose; and if he will risk his reputation with one who has long since lost his, then he must take the consequences of his weakness.

GOLD COAST.

The River Volta is really open for trade. Neither Doffor, nor any of the other places from which those who have so long filled the river with blood were driven a few months since, have ever been re-occupied by them. The Bators and Assucharries hold them, so that all the former impediments to the commercial navigation have been removed. It is said that the River Volta and the Trans-Volta territories, Quittab, &c., are to be attached to the Lagos Government, which already possesses a couple of steam vessels, and that Captain Glover, R.N., Administrator of Lagos, who so ably completed in a steamer that survey of the river which the lamented Lieutenant Dolben commenced in a ship's launch, will return to the Coast in February, to resume his government and take charge of the Volta. Major Brownwell, reported to be sick, still remained at the Prash; waiting the fulfilment of the delusive promises of Ashantee; and the best authorities in Cape Coast matters report that his mission, like many preceding efforts to conclude a satisfactory peace with Ashantee, will end only in failure, with all the expense for nothing. Should this be the case, it is hoped that the pressure brought to bear upon the Ashantees in the Croboe District, by the forces under the direction of Mr. Edmund Bannerman, of Accra, may have better results, and that the poor German missionaries captive in Ashantee will be given up in that quarter. The chief impediment to the present utilisation of the River Volta for trade is the absence of large canoes. This will, however, no doubt, soon be remedied.

LAGOS WANTS A LIGHTHOUSE, A PUBLIC CLOCK, &c.

TO THE EDITOR OF THE AFRICAN TIMES.

Lagos, Jan. 21, 1871.

Sir,—I am glad to inform you that our Administrator, Captain John Hawley Glover, arrived here per mail steamer from England on the 15th inst., in good health and spirits. He was well received by the community at large during the week. Kings and chiefs and people from all parts of the surrounding countries sent to welcome him, and, as usual, he received them very kindly. He is a hard-working man, and, we believe, has our interests at heart. The salary is a mere pittance, considering what he has to spend in entertaining strangers and messengers from kings and chiefs, &c., for he really does entertain, and we therefore petitioned the Secretary of State some seven months ago that his salary should be raised to 2,000*l.* a-year, and we only hope it will be granted to him. If we had an independent Legislative Council, as we ought to have, it would be voted to him unanimously. There is much to be done yet. There is great need of a public clock, which has been so earnestly talked about by the people—especially business-like and well-disposed men, that we venture most respectfully to bring it to the notice of his Excellency. It is said that the Council has voted 400*l.* or 500*l.* for one. The Court House, Tinabu Square, situate in the most public thoroughfare of Lagos, seems to be best adapted for the clock. We also want a light-house on the beach, for the guidance and safety of the vessels in the offing, and I need not talk of the other wants just yet, for we find by experience that the red-tape system keeps back all improvement. If you happen to represent matters or petition for any good, it has to pass so many tapes and seals before it reaches the proper quarter; and then come all the why and wherefore about it. We assure you it was a great mistake to have put this place under Sierra Leone. If my memory serves me right, the motion given by Mr. now Sir C. B. Adderley in the House of Commons in 1864 was on account of the Gold Coast and disasters

in the Ashantee war. What has Lagos, then, to do with it? We never send for colonels and majors and troop-ships Tamars, &c.; why mix us up, then, with the Ashantee palaver? It is hard for one man to sit in one place (Sierra Leone) and know the feelings, wants, and opinion of people of different countries and tribes. We hope the day is not far distant when Her Majesty's Government, or another Parliamentary Committee, will reverse the decision of 1865, and make the coast arrangements the same as the committee under Lords Derby and Russell, &c., in 1842. We heard some months ago that the Volta is to be annexed to Lagos. We hope so. We are an enterprising set here and have steamers, and our merchants will be glad to extend their business there, provided the Admiralty will place a gunboat for protection.

We are all quiet here, every one looking after his business. The Rev. Henry Johnson, of Sierra Leone, is here on a visit. We are expecting Bishop Cheetham here soon, as several candidates for Ordination and members for Confirmation are waiting him. Mr. Townsend is at Abeokuta. We deplore the war in Europe. May the Lord hear the prayers of the praying people in England and elsewhere, so as to terminate the war! We still more deplore civilised nations saying that they do not feel themselves bound by treaties which have been seriously entered into by them. This is something like heathen kings and chiefs saying, "We don't know book—when we put our hands in that paper we don't know the contents." May the Lord incline the hearts of kings and rulers to peace, truth, and justice. During the years 1863 to 1867, Africans had been appointed and acted as Commissioners in the Petty-debt Court, Lagos, until it was abolished by virtue of the Charter uniting this place to Sierra Leone; but I am glad to tell you that Africans are again being appointed as Commissioners to sit in the Court of Requests with the police magistrate. *Spero meliora.*—Yours truly,

OLU-GUNDUDU.

TO THE EDITOR OF THE AFRICAN TIMES.

Santa Isabel, Fernando Po, Jan. 6, 1871.

Sir,—Pray allow us a small place in your paper. In your last November number we find something respecting our island, Fernando Po. We are much grateful to you for the way you have vindicated the cause of our island as regards missionary affairs; and not only of our island, but of the African race in general. In your paper alluded to, it was said to be desired here that the Primitive Methodist Committee at home should send a European school teacher; but we do not all think thus, and I must say in plain words that the school we have at Fernando Po does not require a European school teacher, because we believe that an African school teacher is preferable to a European school teacher. An African teacher can better understand the ways, manners, and conduct of his country's children than a European teacher, especially in our island. Again, great men have said that if Africa should be evangelised, it would be by her own sons. Why should African young men, well qualified to teach their country's children in different branches of education, be put aside and a European teacher be sent for? We are confident enough that there are young men better qualified to fill the post of school teachers than such European teachers as would be sent for. Let the Primitive Committee at home observe that all down the Western Coast of Africa all schools are under the government of African young men. Let them look to Sierra Leone. There they will see a grammar-school, under the superintendence of an African clergyman as principal, whose boys are displaying his good tuition in institutions, colleges, and universities in England. The late Lord Brougham said, "Tell me no more that the African has no mind." The African has now established before the world that "he has mind," and I feel sure that the Primitive Methodist Society would be able to find a properly-qualified and high-principled teacher in Sierra Leone for their Fernando Po school. In conclusion, we hope that the Almighty God will ever be pouring his blessings on your head, and increase your labour with great success, until the time will come when he will be pleased to call you to change time for eternity.—Yours ever dearly,

THE FERNANDIANS.

PORTUGUESE WEST COAST SETTLEMENT.

St. Paul de Loanda, December 15, 1870.

The steamer Cunga, belonging to the River Quanza Navigation Company, has left for that river. For six months the Quanza has not been navigable for vessels of the Cunga's draught, but at this season the river begins to deepen, and it is expected that this steamer will be enabled to proceed a hundred miles up the river to Dondo. This will be an enormous advantage, as during the period the water is low the produce has to be brought down from various towns in barges, occupying fourteen or fifteen days, whereas the Company will now have regular communication with Dondo once a-week, or even oftener if necessary.

ADDITIONAL MAILS FOR WEST AFRICA.

The Post-office has given notice that, under arrangements made conjointly by the African Steamship Company and the British and African Steam Navigation Company, the number of monthly mail services from Liverpool to the West Coast of Africa is about to be increased by two additional steamers, sailing respectively on the 18th and 30th of each month. There will therefore henceforward be four outward mails every month—viz:—

By British and African Steam Navigation Company's ship	on the 6th
By African Steamship Company's ship	18th
By do. do. do.	24th
By do. do. do.	30th
of each month.	

THE LATE LAMENTED MRS. MOSELEY AND HER CAPE COAST FEMALE SCHOOL.

When the sad news of the death of our beloved friend Mrs. Moseley reached us last month, the arrangements of our paper were too advanced to allow of more than the obituary notice we then published. We were not in any way prepared for the sad news. The last letter we had received told of greatly improved health, and of school and other self-imposed duties being carried on with vigour; new hymns were being taught the children to be sung at Christmas, when an examination was to be held; and the future looked full of promise. Alas! even then the angel of death was near. On the 13th she went to the schoolroom apparently in good health. While engaged in instruction she was seized with vomiting; after a day or two there seemed to be an improvement, but on the 15th fever set in violently—on the 19th the brain became greatly affected, and on the 21st, at 8 p.m., she expired. Having recovered from previous attacks, and promised to return to England before the next wet season to recruit strength for future labours, we had hoped she would have been spared to continue these for many years in the great and promising work she had undertaken and so successfully inaugurated. It was not, however, so to be, and God is thus continually teaching us that we are not individually indispensable to his work on earth. It is accepted from us up to a certain point and time, and then we have to make way for others to carry it on. Additional evidence flows in upon us that our beloved and lamented friend was exercising a great moral and spiritual influence in Cape Coast. Her efforts were not limited to her school. She had established ladies' work meetings, Sunday-school, occasional gatherings of chiefs and other adults. These, of course, were only accessories, though of an importance not to be easily overrated. The school was the great nucleus of all her efforts. She has planted her school there—an object to which she had devoted all her energies for many years past. It remains now for others to tend it, and nourish it, that it may grow up into a great tree overshadowing Cape Coast with holy influences, and bringing forth abundant fruit of Christian progress among generations to come.

We had written thus far, when advices reached us from Cape Coast. By these we were put in possession of a portion of a letter to us, the last she ever commenced, written before going into school on the morning of the 13th. All the details connected with her fatal illness are before us. She clearly overtaxed her strength—overworked herself, and thus, with her enfeebled constitution, exposed herself to influences of the climate that might otherwise have passed harmless by. Dr. Thomas, the principal medical officer at Cape Coast, and who most assiduously attended her until the arrival of Dr. Horton from Accra, relating the tribute paid to her memory on occasion of the last sad offices that could be rendered to her earthly remains, writes: "Military and colonial officials, all the mercantile community and educated natives, and a vast number of the heathen population, formed the longest procession I had ever seen." And thus closed with her life our beloved friend's sad African history. On her first visit to Cape Coast, her husband, Chief Justice Moseley, soon found a last resting-place in the old cemetery, where she now lies by his side. On her return voyage to England she was wrecked on the African Coast (Liberia), losing everything she had on board. Years of strenuous effort in England for Africa followed, connected with which were trials of which we were then ignorant, that preyed heavily on her mind and strength. Returning to Cape Coast to found her school, pestilence soon laid its fever hand upon her—and (although, because she would not leave her chosen field of labour, it did not prevent her inaugurating her noble work), finally, in the course of a few short months, bore off its victim to her honoured grave.

There she "rests from her labours."

P.S.—We hope to be able in our next to give some particulars as to the probable future of a school founded at the expense of so valuable a life.

THE EUROPEAN WAR.

On the 19th, the French under Generals Trochu, Vinoy, Ducrot, and Bellemare, make a great sortie from Paris, covered by a furious cannonade from Mont Valerian, &c., &c. The front of battle ranges from Montreuil to the ravine of Celle. The French have 150,000 men, and 300 pieces field artillery. The French are beaten back at all points after a sanguinary engagement.—20th. They re-enter Paris; General Trochu asks forty-eight hours armistice to remove wounded and bury dead, which is refused, as this can be done by mutual arrangement and assistance of outposts. Paris, reduced to a black pasty bread, said to be now much cast down. Bombardment of St. Denis begins this day. General Faidherbe's Army of the North lost 15,000 men, killed, wounded, and prisoners in the late battle. M. Gambetta arrives at Lille 21st, and still proclaims *guerre d'outrance*. From Bordeaux a victory of the Garibaldians at Dijon on the 23rd is reported. M. Jules Favre arrives at Versailles from Paris, under military free pass, to treat for the capitulation of the capital.—25. Messrs. Picard and Dorian receive safe conducts, on the request of M. Jules Favre, and are to come to Versailles for conference. Bombardment of forts continued; new batteries being opened on north side; Vinoy said to be now in command of armies in Paris. The fortress of Longwy surrenders to German troops after nine days' bombardment; 200 guns and 4,000 prisoners. The French loss, killed and wounded, in the sortie from Paris of the 19th said to be 6,000; the Germans, 39 officers, 616 men.—26, 27. M. Favre visits Paris and returns; negotiations for capitulation continue. 28. Capitulation of Paris signed; the garrison to give up their arms and remain in Paris as prisoners of war; the forts to be delivered to the German army; an armistice for twenty-one days both by sea and land being agreed upon for convoking a French Constituent Assembly, to meet at Bordeaux on the 15th February to decide the question of peace or war, and to form a National Government capable of signing a treaty of peace for France, should peace be decided upon. The re-occupation of Paris to commence immediately on the surrender of the forts and of their arms by the soldiers; Paris to continue otherwise invested during the armistice.—29. Paris forts taken possession of by the Prussians. Popular demonstration at Bordeaux against the armistice. M. Gambetta declines to appear and address the people until he has had time for reflection. Similar demonstrations at Lyons and Marseilles. 30. Bordeaux delegate members of Government of National Defence informed from Paris that their delegation is at an end, since communications are open with the Government in Paris. The armistice does not extend to Belfort, nor to the districts in which the German forces are pressing on Bourbaki's retreating army. The war contribution to be paid immediately by Paris is 200,000,000 fr., eight millions sterling. The Prussians do not enter Paris, the National Guard being charged to maintain order. The Germans feed Paris for three days, by which time supplies would come in from a distance, and England, Belgium, &c.—Jan. 31 to Feb. 3. Bourbaki's army, 85,000 men, forced into Switzerland by the German forces, where it is disarmed and interned until the conclusion of the war. Siege of Belfort continues. The Germans take, in the capitulation of Paris, 180,000 prisoners (allowed for the present, and in prospect of peace, to be at large in Paris), 1,500 fortress guns, 400 field-pieces and mitrailleuses, gunboats on the Seine, and all the locomotives and rolling stock at the railway-stations. Gambetta issues a furious Republican proclamation at Bordeaux, and decrees, in opposition to the Paris Government, that none but proved Republicans and advocates of war d'outrance are to be elected to the National Assembly. Toulouse and Lyons abet Gambetta. The editors of ten newspapers at Bordeaux (formerly, for the most part, Paris papers) protest against Gambetta's proclamation and decree. Great efforts being made to supply Paris with food, it being at starvation point. The Germans send in six million rations. French and German authorities work together to restore broken railway communications, so that food supplies may come in from England, Belgium, the South of France, &c., as well as from Germany. Nearly 80,000 collected in London in three or four days, expended in articles of food, and sent off to Paris for distribution. The British Government offered on the 1st Feb. all its army and navy food stores, with the assistance of its own people for their conveyance, provided there be a joint request on the part of the French and German authorities, so as to avoid all possibility of subsequent complaint on either side. First supply of food to Paris from City of London Committee arrives 4th. Several thousand sheep and cattle enter Paris on the 5th, together with a considerable amount of bread and some fuel. 6. M. Gambetta resigns his Ministerial functions, the Paris Government having annulled his exclusively Republican decree relative to the elections. Hopes of peace may, therefore, now be entertained. 8. Elections for the National Assembly peaceably conducted throughout France. Paris returns all advanced Repub-

lican members, the country generally Conservative Republicans and Monarchists. 12. Between 200 and 300 members having arrived at Bordeaux, they hold a preliminary sitting, the formal session commencing the 15th. General Garibaldi attends and resigns his seat. He is not allowed to speak. He also surrenders his military rank, and leaves forthwith, direct for Caprera. 15. Belfort capitulates to the Germans; the garrison to march out with all the honours of war. The armistice now extended to the whole of France. The National Defence Government surrender their powers to the National Assembly, only continuing to act until the Assembly nominates a Government. 17. Armistice extended to the 25th February. The London collection for assisting Paris with food has amounted to 100,000.

IMPERIAL PARLIAMENT.

HOUSE OF COMMONS, FEBRUARY 13, 1871.

Mr. W. McArthur gave notice that he would on an early day call attention to the state of affairs on the West Coast of Africa.

AMERICAN COTTON—PRESENT PRICES AND FUTURE PROSPECTS.

As the price of raw cotton in England is principally governed by the quantity produced in the United States, we think it important to place the following before our readers, taken from the last American advices:—

"The receipts of cotton at the Southern shipping ports continue to be very large, the weekly aggregates greatly exceeding those of the corresponding period last year. Thus, for the last week reported, that ending the 13th of January, the receipts have been 132,585 bales, an increase of 45,638 bales over the receipts of the corresponding week in 1870. For the cotton year since the 1st of September the total receipts have been 1,900,532 bales, while for the corresponding period of 1869-70 they were but 1,538,919 bales. The exports thus far have been 1,033,062 bales, against 787,439 bales to the same date last year."

With reference to the cotton crop of 1871, a late number of the *New Orleans Picayune* contains a very important article. Reviewing the prospects of the approaching planting, that journal states that the production of cotton has reached a point where it is likely to bring loss to the planter, unless the natives of India, Brazil, and Egypt turn their attention to other pursuits. Cotton can be grown as cheaply in the South as elsewhere, the advantages of climate and soil being so superior as to more than counterbalance the high price of labour. But in a close contest cotton producers in India, Brazil, and Egypt will not be easily forced to abandon its culture. Their wants are few, they are content with small profits, and they will, in all probability, it thinks, continue to produce just enough cotton to overstock the world when the American annual crop exceeds 2,500,000 bales. The losses sustained by the South on the incoming crop have caused a general belief that in 1871 only a small crop will be planted. At present prices the planter has little or no profit. He has laboured during the year for the public; the world is benefited by cheap cotton, but he is not. The question is one of profit and loss, and if the belief is general in the South that present prices are normal and not likely to improve less cotton will be produced. It is too early yet to state with exactness the intention of planters. The *Picayune*, and, indeed, the whole country, expect to see a great reduction in cotton acreage, but nothing has yet transpired that warrants the assertion that such will really be the case. From all parts of the South there is intelligence of a strong demand for labour. Planters are securing all the available labour in their respective districts, showing that they are far from being discouraged, and that the whole labouring force of the South is likely to be fully employed this year. While many planters are holding out for a reduction of wages, others are paying last year's rates. These facts do not warrant the conclusion that a large cotton crop is in anticipation. The *Picayune* says it can only infer that as much land as possible will be cultivated, and that planters expect a more prosperous year is in store for them. The land will be put under cotton, corn, or other staple, as the planter deems proper. In Louisiana, which produces more cotton to the acre than any other State, there will be a great increase in the production of sugar. The old sugar planters are increasing their working force, and those who have hitherto cultivated cotton will turn their attention to sugar. A further report of the situation is promised from time to time.

MEMORABLE DAYS IN THE FRANCO-PRUSSIAN WAR.—The following day coincidences have been much noticed by the daily press: The first French shots on the German outposts near Saarbruck were fired on the 28th July; Strasburg capitulated 28th September; Metz, on the 28th October, 1870; and Paris on the 28th January, 1871.

The African Times.

PUBLISHED MONTHLY. PRICE 5d., STAMPED.

You are earnestly requested to allow your name to be added to the list of yearly subscribers. Price 5s. per annum for each copy, payable in advance.

The African Times.

THURSDAY, FEBRUARY 23, 1871.

SUBSCRIPTIONS PAID FOR "AFRICAN TIMES."

Eastman, 5s.; W. J. Taylor, 5s.; J. Campbell, 5s.; M. Bell, 5s.; Rev. S. J. King, 5s.; D. S. George, 5s.; W. D. Broderick, 5s.; C. Davis, 5s.; Rev. J. H. Davis, 5s.

TRIAL AND EXECUTION OF WHOBAY.

We return to this matter, of the trial and execution of Whobay, the son of an independent native chieftain, with an increased sense of responsibility. If there be one thing that more than any other demands the constant watchfulness of a public press dealing with the affairs of a Crown settlement, it is that of the relations existing between the executive and the judicial bench. A recent occurrence in Ceylon placed the vital importance to the public of an independent judiciary in a very strong light. A British colonist had made himself disagreeable to the Executive by an opposition to its acts and plans. It was determined to get rid of him; and unscrupulous means were employed. Obsequent medical officers were found ready to give a certificate of his insanity; he was seized for deportation to England; and it was only because there happened to be an independent judge on the bench there that the deeply-injured man obtained his release, and is enabled to proceed against the tyrant Executive for reparation. No private individual is safe where the executive can exercise a controlling influence over the administration of justice. Did the Executive exercise such an influence at Sierra Leone in the case of Whobay, becomes, therefore, a question in which every one is interested at Sierra Leone and in all the British settlements on the West Coast. The abominable outrage on Mr. Finlason at Cape Coast two years ago, which would have ended in murder had we not intervened, was only possible through a guilty complicity between the Executive and the judge. We cannot, therefore, look with too much jealousy upon any judicial omission or act that wears even the slightest aspect of subservience toward the Executive, or a yielding to its desires in the so-called administration of justice. And we fear we see this on the part of the judicial bench in the trial of Whobay. We hope we may be wrong, but it does seem to us as if there had been a feeling in the highest judicial quarter that it was not worth while to make itself obnoxious to the Executive by such a watchful care for strict legality as might have disappointed it of its prey, when that prey was only a poor ignorant, friendless, alien African. How else can we account for it that the Chief Justice overlooked, persistently overlooked, the all-important question, raised several times by the counsel for the prisoner during the trial, as to whether the prisoner could be legally tried in that court for the crime with which he was charged? Either the Chief Justice had no doubt in his own mind as to the legality, and if so, he ought to have distinctly stated it and the grounds of his decision, or he had doubts, and having such ought not to have allowed the trial to proceed. Instead of doing either one or the other of these, he submitted the other question of the guilt or innocence of the prisoner to the jury, without pointing out to them that such a doubt had been raised, or stating, as he ought to have done, that, having been raised, it must necessarily be decided before any action could be taken by the Executive, should their verdict be unfavourable to the prisoner. We should not have been surprised at such a course of proceeding by Mr. Justice Huggins, whose subservience to Governor Blackall cost the West Coast its now confiscated right of trial by jury in civil causes, and forms one of our ineradicable charges against him as unfitting him for any

judicial office in the colony. But that Mr. Chief Justice French should thus have exposed himself to the suspicion of being unjustly deferential to the Executive when the life of a fellow-creature (however vile and worthless according to civilised ideas) was at stake, pains and grieves us as much as does the conduct of the Executive itself in the matter. As watchman for the public at large on the West Coast we feel, however, more than pain and grief; a just indignation and an anxious solicitude override and stifle these. We look upon that Executive triumph over the life of a poor alien savage as a foul and loathsome blot on the Executive; and at the co-operation of the bench, whether through carelessness or deference, as deepening and intensifying that blot; because the corruption in any way, however brought about, of the judiciary by the Executive strikes at the very root of all security for life and property, converting the Executive into an unbridled monster, dangerous to every individual in the community who may refuse to yield it an unreasoning obedience. It is our duty, as a public guardian, under such circumstances, to cry aloud and spare not; to know nothing of individuals; to see only pernicious principles striving to obtain the mastery; and to expose and combat these principles by every legitimate means at our command. It is our duty to suppose an odious, tyrannical governor at Government House (a species not unknown in the history of Crown colonies), with, at the same time, a Jefferys on the bench; and to estimate what the colony would become under the working of such principles with such a governor and such a judge. We ask our readers to make such estimate, and they will not fail to see at once how all-important it is that proceedings such as have taken place in this trial and execution of Whobay, should be exposed and denounced. If (and we see no reason to doubt it, as it is stated to have been a matter of public notoriety) Mr. Montagu, as Crown Prosecutor, acted and spoke, using the name of the Governor, as he is reported to have acted and spoken, we cannot do other than look upon the Governor as deeply compromised in not having officially and publicly disowned and rebuked him in his calculated effort at intimidation of juries in criminal Crown prosecution. There can be no doubt such acts and words were intended to have a prospective influence. He was charging the prisoner, who had been acquitted by the jury he stigmatised and covertly threatened in the name of the chief of the Executive, with another crime, upon indictment for which he was once more to be put on trial; and he must have been endeavouring by such stigmas and implied threats to enforce upon the minds of that future jury the necessity of declaring that prisoner guilty, since the Executive so desired. We feel sure that if there had been a court of criminal appeal in England whose decision could have been applied for in this matter, and if it could have been substantiated before such court that such preparatory efforts had been made to prejudice and control the verdict of the jury which returned the verdict of guilty, that court would have quashed the conviction on that ground alone. It is monstrous that such efforts at intimidation of juries in criminal cases should be permitted. If they are to be permitted, and if juries in criminal Crown prosecutions are only to be registrars of the wishes and desires of the Executive, we quite agree with the Editor of the *West African Liberator* that it is better this last supposed safeguard of individual liberty should be confiscated by Her Majesty's Government, as trial by jury in civil causes has already been, and that the whole responsibility in such criminal trials should be left to the Executive and the judicial bench, and then, God help the poor people of Sierra Leone! Mr. Montagu was with Mr. Justice Huggins one of the subservient instruments of Governor Blackall, with which he acted upon Her Majesty's then Secretary of State for the Colonies, for obtaining that confiscation of the right of trial by jury in civil causes which will always be remembered by the people of the West Coast Settlements against the Colonial-office and its deceivers. We do not, therefore, feel any surprise at the conduct imputed to Mr. Montagu, who, after the unrebuted charges long since brought against him, ought

never to have been intrusted by any Governor with the functions of Crown Prosecutor; but we do feel surprise at the non-disavowal of such conduct by the chief of the Executive. This non-disavowal, viewed in conjunction with the (to use the mildest term) judicial neglect of duty, the verdict of the jury upon the unsupported evidence of one only witness, a witness whose evidence might be justly suspected—and the hasty execution of the condemned criminal, forms a picture which thrills us with astonishment and dread. In this instance it was only a poor, helpless, ignorant, alien native African, who knew nothing of the English language or laws, who, if he did even with his own hand commit the murder imputed to him, believed when he so committed it that according to native custom it was in the full exercise of his right as one of a hostile expedition in an enemy's town to commit it. But it might not always be a poor alien native that the Executive would desire to have convicted. If once such a system be allowed to pass unchallenged, it is impossible to assign any limits to the horrors that might be committed under the cloak of justice by such a governor and such a judge as we have above supposed might at some future time exercise concurrent jurisdiction in Sierra Leone. Any defender of public rights against the views of the Executive, any one who from whatever cause became obnoxious to the Executive, might become a helpless victim. This must not be. The public safety demands that it shall be made impossible. The power to execute a sentence of death without previous confirmation in England by Her Majesty's Secretary of State for the Colonies must be taken away. We can imagine no circumstances, except where a colony is in a state of open rebellion, in which any evil can arise from such delay in executing a man who has been sentenced to death, while the enormous evil that may arise by leaving such powers of execution without previous reference to England, in the hands of any governor of such Crown colonies as those on the West Coast of Africa, must be evident to every one. A people jealous of its rights and liberties, and watchful over the priceless boon of individual and public security, will never fail to protest and appeal against any defect in the laws and regulations by which it is governed. There is a manifest danger lurking near every man in the Sierra Leone community. Will not that community, as one man, protest against its continuance? Will they not petition without loss of time for the removal of this threatening danger? We cannot think otherwise. And while we would have them petition the Colonial-office that the power to inflict the penalty of death under sentence of a local criminal court be no longer left in the hands of any local executive authority, but that in all such cases there should be a reference to England, and no execution of the sentence without express order from the Secretary of State for the Colonies, we would not have them content with this petition only. The matter is too grave; the danger is too terrible. The remedy is too indispensable to be allowed to depend on the fiat of the Colonial-office alone. It is a matter in which the Imperial Parliament, Lords and Commons, should be called upon to interfere; and we do most earnestly hope that petitions with this object, signed by every African in the colony—by every man who has African blood in his veins, will be speedily forwarded to us, in order to their presentation in both Houses of the Imperial Legislature. Until that power of carrying into effect a sentence of death passed by a local tribunal upon his own sole responsibility (which is no responsibility at all under such circumstances) be taken from the Head of the Executive in the West Coast Settlements, no man's life there can be looked upon as worth a single year's, aye, or even a single month's purchase.

MR. M'ARTHUR'S NOTICE ON WEST AFRICAN AFFAIRS IN THE HOUSE OF COMMONS.

Our friends will perceive (p. 89) that Mr. W. M'Arthur, one of the Members for the metropolitan borough of Lambeth, has given notice of an intention to bring the state of affairs in the British West African Settlements under the notice of the House of Commons. Mr. M'Arthur is

treasurer of the Wesleyan Missionary Society. We do not know, of course, which portion of the abuses in West Africa requiring prompt and efficacious remedy will be brought before the House by Mr. M'Arthur, but we have strong grounds for belief that the *exposé* we have been making of that mockery of justice which places the lives and fortunes of citizens and others at the mercy of the Executive or of a combination of corrupt officials, has arrested the attention of eminent members of the legal profession, who will scarcely allow such an opportunity to pass without denouncing to the House a reign of evil principles and practices in the so-called administration of justice which is a disgrace to Great Britain as existing in her West African Settlements. Interest having been once thus aroused, it is not unreasonable to hope that the glaring *exposés* in this our present number, under the heads of the Gambia and Sierra Leone, will likewise attract the attention which they so gravely merit; while it is our firm conviction that if the monstrous facts with which it has been our painful duty to deal be fairly placed before the Imperial Legislature, there will be such unequivocal manifestation of condemnation as must consign some of the infamy which has long flaunted in impunity to that oblivion from which it ought never to have emerged into executive or judicial life, by recalling the Colonial-office to a sense of the duties it owes to the people of the West Coast.

THE FRENCH AND GERMAN WAR.

Our chronicle of the events of the French and German war will show that our anticipations, as expressed last month, were realised. It is not necessary here to allude to the series of events which led immediately to this result, but the capitulation of Paris and its forts was signed on 28th January, with an armistice to the 19th, since prolonged to mid-day on the 24th February, to allow of the election of a National Assembly having authority to negotiate and sign a treaty of peace. The people of Paris were really reduced to great straits for food, but the re-ventualment has been vigorously carried on, the Germans having helped in facilitating it to the full extent of their power. The Assembly has met at Bordeaux. M. Thiers has been named Provisional Chief of the Republic and has formed a Ministry. He has also obtained that the Assembly should delegate fifteen of its members to act with the Ministry. These peace negotiations are now in progress, and although there are still heavy clouds on that part of the political horizon, we hope that in our March number we may be able to write of the Franco-German war as a dire event of the past.

PROJECTED TRANSFER OF DUTCH AFRICAN SETTLEMENTS TO GREAT BRITAIN.

We are not surprised at the impatience with which the proposed transfer of Elmina and other Dutch towns and villages on the Gold Coast to Great Britain is waited for at both Cape Coast and Elmina. It is a measure for which we have been impatient at all times during the last ten years, as one advantageous both for the Netherlands and Great Britain, and indispensable to the preparation for that future of the Gold Coast which we have been always earnestly endeavouring to promote. Desirable as such a measure was felt to be before the introduction to Elmina of that Ashantee military contingent which has by its atrocities brought so much deserved discredit on the last few months of the Dutch rule there, it has become tenfold so since that introduction which has justified all those apprehensions of the Fantee people, which determined them to oppose by force the pretensions of the Dutch authorities, founded upon the treaty for exchange of territories between the Netherlands and Great Britain. The intimate relations existing between the Dutch at Elmina and the King of Ashanti were a continuous menace to the peace and prosperity of all the Fantee territories. Ashanti has always been the great disturbing cause throughout the Gold Coast Territories, and such she would continue to be while possessing any admitted claims whatever, whether by recognition or alliance, to a footing, however small, on

the seaboard of those territories. The Dutch not only admitted such claims, but contemplated, under the faulty wording of the treaty above alluded to, to open such communications with Kumasi (the capital town of Ashanti) through Wassaw, &c., as could not fail to have brought within a few years a large portion of Fanti under the absolute dominion of that barbarous power, whose victims in the past within the Fantee countries may be counted by hundreds of thousands, if not even by millions. The real substantial recovery of the Gold Coast Territories from the old slave-trade feeding wars, in which the Ashantees had so large a share, cannot be deemed in any way secure until the Ashantees recognise the necessity of remaining within their own territories on the other side of the River Praah. To these they will certainly be confined as soon as the points on the coast now held by the Dutch shall be transferred to the British, their only future relations with Fanti and the seaboard being those of trade and commerce, which will be mutually advantageous; and for the safe and uninterrupted carrying on of which it will be one of the first duties of the British Administrator effectually to provide. We hope to be able to announce in our next the signature and ratification of the arrangements for such transfer, which have been already negotiated between the two Governments of Great Britain and the Netherlands; and we defer until then publication of the last letter we addressed to Her Majesty's Government on the subject, and the detailed consideration of the advantages to be derived; and the means by which they will be best derived, when the British flag, the true protectorate flag of the Fantee nations, should float over the whole Coast from the Assinee to Quittah.

PROCEEDINGS TAKEN BY JUDGE HORATIO JAMES HUGGINS AGAINST WM. RAINY, ESQ., B.L., ADVOCATE, FOR CONTEMPT OF COURT.

SUPREME COURT, SIERRA LEONE, JAN. 13, 1871.

(Before their Honours George French, Chief Justice, and Horatio James Huggins, Assistant Judge.)

Mr. Rainy, a barrister-at-law of the Inner Temple, who has been a practitioner off and on in this Court for upwards of twenty years, appeared before the Court to answer the matter set forth in the following order of Court, which was made on the 11th day of January inst., by the Chief Justice sitting alone in the Supreme Court. On this day, the Court hall was densely crowded by the numerous friends and supporters of the learned gentleman, who has been so long connected with this colony.

In the Supreme Court of the Settlement of Sierra Leone.

In the matter of William Rainy, Esq., Barrister-at-Law, and an Attorney of the said Court.

WEDNESDAY, JANUARY 11, 1871.

It is ordered that William Rainy, Esq., Barrister-at-Law and an Attorney and Practitioner of the Supreme Court of this settlement, do attend the said Court on Friday morning, the 13th inst., at the hour of half-past ten o'clock in the morning precisely, to answer for having, while addressing the said Court on Wednesday, the 4th day of January instant, in support of a motion in the cause of Shepherd v. Goldsworthy, then pending before such Court, unlawfully and contemptuously, and in the presence of the said Court and to the obstruction of public justice, made use of the said Court of the language hereinafter in effect, stated and set forth (that is to say) "I have no confidence in him" (referring to the Assistant Judge). "I have brought serious charges against him. I have proceeded against him for illegal sentences. He has stated that he passed the same sentences as Mr. Carr; but I have proved that that is not true." And upon the said William Rainy being addressed by the Chief Justice, the said William Rainy replied: "Your honour can commit me. I wish your honour to commit me. I should be very glad if your honour did so. I should then be able to bring everything forward in another quarter. Your honour may act as you please, but I will not recall what I have said, but repeat it." And the said William Rainy further said, "The Assistant Judge has insulted me in one of his judgments. He has libelled me. He has said I was an uneducated man and an ignorant lawyer." And after the Assistant Judge denying these charges and the Chief Justice saying that he had no recollection of the Assistant Judge making use of any such language, the said William Rainy replied, "His honour did say so. I have it here in print in one of the local journals. It is in his judgment, and he sent his judgment to one of the newspapers for the purpose of publicly insulting me, and to induce the defendant to get up evidence against my client and take a warrant

against him for perjury.* And upon the Chief Justice reminding the said William Rainy that the Assistant Judge had already denied having done so, the said William Rainy added, "The Assistant Judge says he did not, but he did. Mr. Beckles told me the Assistant Judge had given his judgment to him to copy and give to the newspaper to publish." And on the Assistant Judge again denying that he had so done, the said William Rainy replied, "Your honour did," and on the Chief Justice again saying his Honour the Assistant Judge had denied it, and the said William Rainy ought to be satisfied with such denial, the said William Rainy added, "Mr. Beckles can prove it. He is in England, and I can get his affidavit, and the Assistant Judge can if he likes make his own affidavit that he did not; but he did give his judgment to be printed, and his Honour the Assistant Judge has mixed himself up with the papers to insult me. I have no confidence in his honour. He ought not to be sitting where he is. His honour has strong feelings against me, and he ought not to sit in any case in which I am engaged. If he had any proper feeling he would not." And upon the Chief Justice observing that the Assistant Judge did not wish to sit in this case, the said William Rainy replied, "His honour told you he did not wish to sit because he knew you would require him to sit, and he refused to attend the Court, and delayed the decision on the rule on the last trial on purpose to enable his friend to get up evidence to bring up my client for perjury." And upon the Assistant Judge denying that he had refused to attend the Court to give a decision on the rule, the said William Rainy further added, "I will not withdraw what I have said, but I will repeat it," adding, addressing the Chief Justice, "Your Honour knows that Mr. Justice Huggins left the Court during the argument of the rule, because he could not get your honour to agree with him. He did it to delay the case, and Colonel Anton himself said so."

By the Court,
(Signed) THOMAS MARSTON, Master.

In answer to this order, Mr. Rainy filed several affidavits in his defence, but it is only necessary to set forth two of them, as the others are for the most part but repetitions of the two first, whilst one contains matter connected with the case of Shepherd against Goldsworthy, and does not bear directly on the contempt:—

In the Supreme Court of the Settlement of Sierra Leone.

In the matter of William Rainy, Esquire, Barrister-at-Law, and an Attorney of the said Court.

We, William Rainy, barrister-at-law, Joseph Augustus Maurice, and Isaac John Roberts, clerks to the said Mr. Rainy, all of Freetown, in the said Settlement, severally make oath and say, as follows. That is to say:—

1. And I, the said William Rainy, for myself say that on the 11th day of January instant I was served by Mr. Martin, a clerk at the office of the Master of this honourable Court, with an order of this honourable Court; in which said order I am called upon to answer, on the 13th day of January instant, at the hour of half-past ten o'clock in the morning precisely, for having, as stated in the said order, while addressing the said Court on the 4th day of January instant, in support of a motion in the cause of Shepherd against Goldsworthy, then pending before such Court, unlawfully and contemptuously, and in the presence of the said Court, and to the obstruction of public justice, made use of certain language, set forth in the said order of the said Court, relative to his Honour Horatio James Huggins, the Assistant Judge of the said Court.

2. I have been informed and believe, though not present when the said order of the said Court was made, that the said order was obtained without any motion being made in the said Court for it, and without any affidavit being filed in support of the said order; and, indeed, no affidavit has been served on me in verification of the allegations set forth against me in the said order of the said Court.

3. I have also been informed and believe that when the said order was made his Honour Chief Justice French was the only judge sitting on the bench.

4. I verily believe that by the law of the land, the said order is irregular, and I can only appear to it under protest, and which I accordingly do. I believe also that until an affidavit is served upon me in verification of the said allegations set forth in the said order, I am not bound by law to answer the said allegations set forth in the said order; but I do feel myself called upon to state certain facts which occurred in Court on the said 4th day of January instant, and which I believe are a bar to the said order, even if all the circumstances set forth in it be only such as took place on that occasion; but which I do not by any means admit. For I say that I was called upon by the Court then and there to make an apology for what had occurred, but declined to do so, believing that I had not uttered anything disrespectful to his Honour the Chief Justice, and that every word I had stated with respect to his Honour the Assistant Judge was true in substance

and in fact. That I was then directed by his Honour the Chief Justice to proceed with my argument in the matter which was then before the Court, a direction with which I respectfully declined to comply, on the ground that I could not freely discharge my duty as counsel until the Court had removed the pressure it had put upon me in the demand of an apology, or until the said Court had pronounced its decision on the language to which exception was taken by the said Court. Upon this his Honour the said Chief Justice desired me to go on with my argument, when I told his Honour that I was ready to go on only with the understanding that the pressure in the demand for an apology by the said Court was removed. His Honour the said Chief Justice, then said, "Very well; go on." I accordingly continued my argument, but in a minute or two after his Honour the Assistant Judge conferred with his Honour the said Chief Justice after which conference his Honour the said Chief Justice again called upon me for an apology, and stated that he was ready to adjourn the case until the next day to afford me time for consideration. I hereupon called his Honour's attention to the fact that he was reversing his decision not many minutes before arrived at, in giving me to understand that the demand for an apology had been withdrawn. His Honour the said Chief Justice here replied, "Did I do so?" and I said, "Yes; you did," whereupon his Honour said, "If I did, then go on." At this request I accordingly entered upon my argument again, but before I had uttered many words his Honour the said Assistant Judge left the bench. His Honour the said Chief Justice continued after this to listen to me as counsel in the matter in which I was then engaged, but several times intimated to me that he had been very wrong to let me off, but that he hoped on further reflection I would see the propriety of apologising to his learned brother. I distinctly told his Honour the said Chief Justice that I had no intention then, nor at any subsequent period, to make an apology to his Honour the said Assistant Judge. I concluded my said argument in about three-quarters of an hour after he had so left the bench.

5. In consequence of the allegations set forth in the said order of the said Court against me, I feel called upon to detail the following circumstances. During my sojourn in England in the latter part of the year 1865 and the years 1866, 1867, a petition, a copy of which without the signatures is hereunto annexed and marked A, was sent to me by certain inhabitants of this settlement for presentation to the Colonial-office, which I accordingly did, believing that the facts therein stated against their Honours the then Acting Judges of this honourable Court, who were the present said Assistant Judge, Mr. Horatio James Huggins, and Mr. Algernon Montagu, were perfectly true. Some time after this, namely, in the month of January 1868, I returned to this settlement, which I had quitted in the year 1865, and resumed the practice of my profession in this honourable Court. On my arrival in this said settlement at this said time, I was instructed by Mr. Joseph Theophilus Fyfe to take legal proceedings against the said Mr. Huggins for the recovery of the salary of the said Mr. Fyfe, under the circumstances set forth in an affidavit made by the said Mr. Fyfe yesterday, and to which I crave leave to refer. On being so instructed I addressed a letter to the said Mr. Huggins, of which the following is a copy:—

Freetown, January 18, 1869.

"The Honourable Horatio James Huggins,

"Sir,—I beg leave to inform you that Mr. J. T. Fyfe has instructed me to take legal proceedings against you for the recovery of the sum of 187. 16s. 8d., due him by you as per enclosed account.

"I should be glad to get your reply to this application with as little delay as possible.—I am, &c., WM. RAINY."

The Honourable Mr. Huggins, to J. T. Fyfe.

Dr.

For this sum paid by the treasurer to Mr. Fyfe for his salary as your clerk from 1st to 30th September, 1865, and which along with your salary you desired him to take to Mr. Heddie . . . £8 6 8
To ditto, ditto, ditto, from 1st October to 31st October, 1865 . . . 8 6 8
To ditto, ditto, ditto, from 1st November to 16th November, 1865 . . . 4 3 4

By cash received from you in October, 1865 . . . £20 16 8
2 0 0

£18 16 8
In reply to the above the said Mr. Huggins wrote me a letter, the original of which is now in my possession. The subjoined is a copy of that said letter:—

"January 18, 1868. Sir,—I am not in Mr. Fyfe's debt. —Your obedient servant, Horatio James Huggins."

6. Having been informed by the said Mr. Fyfe that there was no foundation for the denial of the debt by the said Mr. Huggins,

I commenced an action in this honourable Court against the said Mr. Huggins for the recovery of Mr. Fyfe's salary. Mr. Huggins having pleaded never indebted, and issue being taken thereon, the cause was set down for trial in this honourable Court at the March sittings, 1868. Before the time expired wherein the cause was intended to be tried, I received a letter, of which the following is a copy, from the said Algernon Montagu, who was Mr. Huggins's attorney in the action:—

"Gloucester-street, Freetown, March 10, 1868. Joseph Theophilus Fyfe v. the Honourable Horatio James Huggins.—Sir,—I am instructed by the defendant to pay you the debt and costs in this action, and if you will have the goodness to let me know the amount I will send it to you forthwith.—I am, Sir, your obedient servant, A. Montagu, defendant's attorney."

7. Believing that the said Mr. Huggins had brought a great scandal on the administration of justice by his conduct towards Mr. Fyfe, I felt myself called upon to address a letter to the Colonial-office, dated the 11th day of April, 1868, and to which said letter I crave leave to refer on the reading of this affidavit, after which I crave leave to deposit a copy of the said letter at the office of the Master of this honourable Court, sufficient time not being allowed me to prepare and annex such copy hereto.

8. On the 22nd of May, 1868, Mr. Huggins's conduct was brought under the notice of the House of Commons by Mr. H. B. Sheridan, M.P., a report of which appeared in the London newspapers, and also in a local journal of this settlement, a copy of which report I am unable from want of time to annex to this affidavit, and to which I crave leave to refer and to file a copy with the Master of this honourable Court. In that said report the Under-Secretary of State, in reply to Mr. Sheridan, stated (no doubt on the authority of the said Mr. Huggins) "that attention was called in this House last year to his (meaning Mr. Justice Huggins's) judgments, but the allegations made against him were proved to be unfounded, and the communications from Mr. Rainy have been inquired into and found not facts."

9. Shortly after this a despatch was received from the then Colonial Minister, dated the 8th day of June, 1868, a copy of which I have not had time to prepare, but crave leave to read it on the hearing of this matter, and to deposit a copy of it with the Master of this honourable Court, and in which said despatch the said Colonial Minister stated, among other things, in substance that the sentences complained of in the petition hereunto annexed and marked A and B, and which said sentences were passed by the said Mr. Huggins as Acting Chief Justice of this said settlement, were strictly in accordance with "sentences which had been imposed for a long course of years by former chief justices of Sierra Leone, and against which, so far as he (the said Colonial Minister) was aware, no remonstrance had been made."

10. Mr. Huggins's conduct was again brought before the House of Commons by the said Mr. Sheridan on the 27th day of July, 1868, when the then Under-Secretary of State for the Colonies replied, among other things, according to a report in the London papers, and which said report was set forth in a local paper of this said settlement, and to which I crave leave to refer and afterwards to deposit a copy with the Master of this honourable Court, that "memorials had been received from certain persons (meaning certain inhabitants of Sierra Leone), but as he had informed the honourable member on a previous occasion (meaning Mr. Sheridan), the allegations in those memorials had been inquired into and they had been ascertained to be unfounded."

11. In consequence of the injury done to my character by the erroneous statement made by the said Under-Secretary of State in the House of Commons, and for which I, along with the petitioners, hold the said Mr. Huggins alone responsible, the said petitioners, assisted by me, forwarded several further petitions to the Colonial-office through his Excellency Sir Arthur Kennedy, C.B., the Governor of this said Settlement, exposing the great deception which the said Mr. Huggins had practised on the Colonial-office relative to the matters charged against him, and showing that the allegations of the petitioners and myself were true both in substance and in fact, and that so far as the petitioners were aware no investigation had been held in Sierra Leone relative to the matters charged against the said Mr. Huggins.

12. One of the prisoners on whom the said Mr. Huggins had passed an unlawful sentence of three whippings and twelve months' imprisonment with hard labour, for stealing one coat, one pair of trousers, and one shirt, without any previous conviction being set forth in the information against him or proved at his trial, brought an action against Mr. Huggins in this honourable Court, and it will be seen, by a copy of the evidence hereunto annexed and marked C, that the said Mr. Huggins was unable to point out in verification of the said Under-Secretary's statement in the House of Commons that former Chief Justices of Sierra Leone had passed similar sentences to those complained of. I was the prisoner's counsel at the trial which took place

before his Honour Chief Justice French, who held, not that the sentence complained of was lawful, but that Mr. Huggins was not liable to be sued, as the act complained of was a judicial one, for which he, the said Mr. Huggins, was not responsible. It will also be seen from the nature of the evidence given at the said trial what great scandal the said Mr. Huggins had brought on the administration of justice by his unlawful acts.

13. At length a despatch was received from the Colonial-office, dated the 26th day of February, 1869, and to which I beg leave to refer and to deposit a copy hereafter with the Master of this honourable Court, wherein Earl Granville, the then Secretary of State for the Colonies, condemned six of the very sentences respecting which it would seem the Under-Secretary in his place in the House of Commons had stated that the allegations of the petitioners had been inquired into and proved to be unfounded, and the communications from Mr. Rainy ascertained not to contain facts.

14. The conduct of the said Mr. Huggins was again brought under the notice of the House of Commons on the 3rd day of August, 1869, by the said Mr. Sheridan, when the representative of the Colonial-office promised to refer the complaints against the said Mr. Huggins to the said Sir Arthur Edward Kennedy, who was then, according to the said Colonial-office representative, expected shortly in England. Thus it would appear that up to August, 1869, although the said petitions, excepting the first, had been forwarded to the Colonial-office through his Excellency, yet he had given no opinion upon the facts set forth in those petitions, though under Colonial-office regulations he was considered bound so to do.

14A. A report of what took place in the House of Commons on the 3rd day of August, 1869, appeared in the London papers, and I beg leave to refer to a copy of the said report, and to deposit such copy with the Master of this honourable Court after the reading of this said affidavit.

15. On the 4th day of May and the 24th day of June, 1870, I addressed two communications to the Colonial-office relative to Mr. Justice Huggins, to copies of which I beg leave to refer, and to deposit them with the Master of this honourable Court after the reading of this affidavit.

16. I have also brought before this honourable Court an action against the said Mr. Justice Huggins for one Priscilla Lewis, a poor African widow, who is a neighbour to the said Mr. Justice Huggins, for trespassing on her lot by bringing convicts to work thereon without her permission or consent. It came out clearly at the trial of the cause that Mr. Huggins had brought a gang of Her Majesty's convicts and set them to work on the woman's land in improving his own house without her consent, and when she remonstrated against the intrusion he threatened to send her to a madhouse if she did not remain quiet. A clearer case of trespass, aggravated by petty annoyances altogether unbecoming a gentleman and a judge, was never in my opinion established before any court of justice. The hearing of this cause was terminated since the 10th of February, 1870, I believe, but up to the present time no decision has been given by his Honour the said Chief Justice, before whom the cause has been tried, and the woman has informed me that she is still subjected to great inconvenience on account of a portion of a building erected by the said Mr. Huggins almost overhanging her house, and which building is said to be on a part of her land.

17. I say that the said Mr. Huggins must have known well that it was through my exertions and instrumentality the before referred-to proceedings were taken against him in the House of Commons, and in consequence of this knowledge and other matters not necessary to set forth at this stage, I am firmly impressed with the belief that he, the said Mr. Justice Huggins, cherishes the most deadly animosity against me.

18. In almost every trial in court in which I am engaged as counsel and attorney, and on which Mr. Huggins sits, there is great delay in arriving at a decision, more especially when my clients are, as is generally the case, poor Africans against Europeans. In consequence of these painful delays I have been compelled to refuse my professional services to poor Africans who were anxious to appeal to the court for redress against Europeans who had done them injury.

19. The Mr. Montagu referred to in the annexed petition, marked A, is the same Mr. Montagu, as I have been informed and believe, who was formerly a judge in Tasmania, and whose case is reported in one of the Privy Council reports, and to which I crave leave to refer, and in which it will be seen that he attempted to take advantages of his position as a judge to hinder his creditors from obtaining their just dues, and for which he was dismissed; the said Mr. Montagu is now Crown Prosecutor and law adviser of the Government of Sierra Leone.

20. After Mr. Huggins left the court on the 4th of January, as before stated, I sent my clerk on that day to serve a paper on the said Mr. Huggins, and on my said clerk's return to my office he informed me that Mr. Montagu was at Mr. Huggins's house,

and on the next morning I received the following communication from the said Mr. Montagu:—

"*Caulker v. Company of African Merchants.*"

"Freetown, January 5, 1871.
"Sir,—I beg to acquaint you that his Honour the Assistant-Judge wrote me yesterday requesting me to notify to you that he would not attend to hear the summons in this case that was adjourned until this day.—I am, Sir, your obedient servant,
(Signed) A. MONTAGU.

"To William Rainy, Esq."
21. The said Mr. Montagu who, I believe, cherishes the most hostile feelings towards me, in consequence of my being opposed to him in several actions, and in one of which I obtained a judgment against the said Mr. Montagu for several hundred pounds, for *crassa negligentia*, is, I believe, a friend of and adviser to the said Mr. Huggins. I am opposed in all important cases in court by the said Mr. Montagu, who is now the only practitioner, excepting myself, who appears in court regularly, Mr. Dougan having retired from practice, and Mr. Magnus Smith, who, besides Mr. Dougan, is the only practitioner in the colony, seldom appearing in court. Indeed, I have been informed that the said Mr. Smith will not undertake court business except under pressing necessity.

22. Since my veracity, along with that of the petitioners against the said Mr. Huggins, has been impeached in the House of Commons, I have been greatly annoyed by a certain class of European officials, who are regarded as the friends and partisans of the said Mr. Huggins, and I am impressed with the belief that these said official partisans of the said Mr. Huggins think that, with the said Mr. Huggins on the bench as a judge, they can do any injury to me with impunity. I further say that the erroneous statement of the Under-Secretary in his place in the House of Commons seems to have given the European officials in this settlement undue and unbounded licence for the perpetration of wrongs on the natives and others. It was not long since that one Major Bravo, as police magistrate of this said settlement, wrote a libellous letter, dated at Government House, against me to the police clerk, with instructions that the said clerk should read it in open court, and which was accordingly done, and which said letter contained words to the following effect: "Tell Gilpin I am engaged at Government House, and his case will be remanded until Wednesday. He need not employ a lawyer, but if he is so foolish as to employ one he need not employ Mr. Rainy, as I have prohibited him from practising in my court, but he can employ Mr. Walcott, who is a clever lawyer, and what is more, he is an honest man." After this letter had been read and worked its mischief, the said Major Bravo tore it in pieces and threw the said pieces into the street, according to his own affidavit made in an action brought by me in this honourable court against him for this libellous publication. I crave leave to read his said affidavit. It was only a short time before this that Major Bravo himself took bail for the Mr. Walcott referred to in the said letter on a charge of perjury, for which he the said Mr. Walcott had been committed for trial before this honourable Court by Mr. Turner, the then Acting-Police Magistrate. Subsequently, Major Bravo became Acting Administrator of the Gambia, and as such Administrator actually placed this said Mr. Walcott on the supreme bench of justice as Acting Chief Magistrate of the said Settlement of the Gambia. It was on my information that this man was committed, and I firmly believe that it was for the purpose of annoying me that Major Bravo patronised him. Some time ago Thomas Marston, Esq., Master of this honourable Court, also told me in this hall of this said court, that he believes I am the son of a slave. I was engaged in an action against the said Thomas Marston some years ago, in which I obtained a verdict against him for having attempted to deprive the husband of a deceased woman, after her death, of the rent of a house which she owned in her own right, and which in her lifetime she had rented to the said Thomas Marston. I crave leave on the reading of this affidavit to refer to the evidence as given by the said Thomas Marston himself at the trial of the case here alluded to, by which it will be seen that the said Thomas Marston agreed to receive a sum of money, I believe fifty or one hundred pounds, before he would acknowledge the husband's title to receive the rent.

23. I have an extensive practice in this said settlement, holding retainers from the first men in the said settlement, one of them being the Honorable Charles William Maxwell Heddle, the merchant prince of this said settlement. I have at this time several actions intended to be tried before this honourable Court on Monday next, the witnesses having come from considerable distances, and are kept here at very great expense.

24. I am also the proprietor of a printing establishment, and have to superintend its working, besides which I am the correspondent of a London paper. On the afternoon on which the said order of this said Court was served on me, and, indeed, during the whole of that day, my time was taken up in pre-

paring sundry papers for members of Parliament and others in England. In short, it was mail day, and my time was fully taken up in attending to numerous communications.

25. I crave leave to refer to the petitions alluded to in paragraph 11 of this affidavit, and to deposit copies of them afterwards with the Master of this Honourable Court. I also crave leave to refer to a judgment delivered by the said Mr. Huggins in the case of the Company of African Merchants against Levi and Davison, and afterwards to deposit a copy of it with the Master of this Honourable Court.

26. On the 10th of January instant, his Honour the Chief Justice, whilst sitting on the bench in the Supreme Court, granted me, in the case of Johnson against Pons, a summons to reply several replications to the defendant's pleas. The said summons was made returnable on the 13th day of January instant. At eight of the clock this morning, I received a letter from the said Mr. Montagu, of which the following is a copy:—

"Freetown, January 13, 1871.—Johnson v. Pons.—Sir,—His Honour the Chief Justice requested me last night to inform you that the summons in this case is to stand over until Tuesday next, at half-past ten o'clock.—I am, Sir, your obedient servant, A. MONTAGU. William Rainy, Esq., Plaintiff's Attorney, &c., &c."

27. I crave leave to refer to the newspapers referred to in the said order of this said honourable Court dated on the 11th day of January instant.

28. I have not had time to peruse the several annexes herein, and I crave leave to supply any word or words which in copying may have been inadvertently left out.

29. And we the said Joseph Augustus Maurice and Isaac John Roberts for ourselves say that we were present in the said Supreme Court on the said 4th day of January instant, and that the facts set forth in the fourth paragraph of this said affidavit, commencing with the words, "I was called upon by the Court," to the end of the said paragraph, are true both in substance and in fact.

(Signed) WM. RAINY.

JOSEPH AUG. MAURICE.

J. J. ROBERTS.

The above-named deponents, William Rainy, Joseph Augustus Maurice, and Isaac John Roberts were sworn at Freetown, the 13th day of January, A.D. 1871.

Before me,

(Signed) THOMAS MARSTON, Master.

In the Supreme Court of the Settlement of Sierra Leone.

In the matter of William Rainy, Esq., Barrister-at-Law and an Attorney of the said Court.

I, Joseph Theophilus Fyfe, of Freetown, in the said settlement, clerk to Mr. William Rainy, of Freetown aforesaid, barrister-at-law, make oath and say as follows—that is to say:—

1. Sometime in the year 1865 his Honour Mr. Carr, the then Chief Justice of the said settlement, embarked for England upon leave of absence, and his Honour Horatio James Huggins was appointed Acting Chief Justice.

2. I was Mr. Carr's clerk, and on his departure continued to discharge for Mr. Huggins similar duties as for Mr. Carr. Mr. Huggins directed me to sign the Government pay lists for his salary as well as my own salary in the months of September, October, and November, 1865. I received from the public treasury the joint salaries of Mr. Huggins and myself, and which said joint salaries Mr. Huggins directed me to take to his banker, Mr. Heddle. I did so.

3. My salary in the three months amounted to 20l. 16s. 8d., and the whole amount, along with Mr. Huggins's salary, was, by Mr. Huggins's direction, paid by me to Mr. Heddle on Mr. Huggins's account. I received from Mr. Huggins 2l. on account of my said salary, and when I asked him for the balance due to me I was dismissed from my situation as judge's clerk by Mr. Huggins.

4. In the month of December, 1865, I petitioned his Excellency the then Acting Governor upon the subject, who returned an answer, a copy of which is hereunto annexed and marked A. Here the matter remained until the return of the said Mr. Rainy to this settlement in the month of January, 1868, when I obtained his professional services in the said matter; and having taken legal proceedings against Mr. Huggins, the said Mr. Huggins paid me the balance of my salary—viz., 18l. 16s. 8d. with interest from the year, 1865.

(Signed) JOSEPH THEOPHILUS FYFE.

Sworn at Freetown, this twelfth day of January, in the year of our Lord, 1871, before me,

(Signed) THOMAS MARSTON, Master.

(A)

The Acting Governor has received Mr. Fyfe's letter of this day's date.

The Acting Governor referred Mr. Fyfe's Petition of the 20th

November to the Acting Chief Justice, who informs his Excellency that Mr. Fyfe has received his salary.

The Acting Governor can, therefore, pronounce no opinion in the matter, but will leave it for the information of his Excellency the Governor when he returns, as requested by Mr. Fyfe. Government House, Dec. 22.

During the reading of, and after the affidavits had been read, the Chief Justice took exceptions to those portions of the affidavits which were depreciatory of Mr. Huggins, and after some discussion, Mr. Rainy said he would withdraw those affidavits in deference to the opinion of the Chief Justice, though, so far as he was concerned, he thought them very pertinent to the matter at issue. The learned counsel, however, denied *in toto* the allegations set forth in the order, and said that he had a very good answer to anything he may have said on the 4th instant, whenever the allegations set forth in the order were verified by affidavit, but until then he was not bound to answer the charge.

After this, the Chief Justice endeavoured to prevail on Mr. Rainy to apologise to Mr. Huggins, but the learned gentleman refused to do so, stating that every word he had uttered was true, and he was ready to abide the consequences of what he had said. The Chief Justice then said he would adjourn the Court to Wednesday, the 18th instant, in order to give Mr. Rainy time to think further over the matter. Court adjourned accordingly.

WEDNESDAY, JANUARY 18.

On the opening of the Court on this day, his Honour the Chief Justice wished to know what Mr. Rainy intended to do.

Mr. Rainy: I intend to do nothing in the way of an apology to Mr. Huggins; what I have said of him is true, and I cannot apologise for expressing the truth. If your Honour think that, in the face of your free pardon, as set out in my affidavit, you can punish me, then your Honour is quite at liberty to do so. I submit, however, that Mr. Huggins ought not to sit in this case, seeing it is one of an alleged contempt relative to himself. He is not the Court, and I do not think he should take part in these proceedings. Indeed, I contend that he ought to reply to the affidavits, and show that what I have stated is untrue.

The two judges hereupon conferred, and after a good deal of discussion between them, the Chief Justice asked Mr. Rainy for the affidavits which he had read on the 13th instant.

Mr. Rainy said he had already withdrawn them in deference to the opinion of the Chief Justice, and had no intention to reproduce them, unless by compulsion, for he wished to avoid further scandal if possible.

Chief Justice: You must produce them, and the Court will make an order to that effect.

Mr. Rainy: Very well, your Honour, and as soon as the order is served on me, I will obey it and produce the affidavits, but not before.

Court adjourned to the 20th instant, but before this the order for the production of the affidavits was made and a copy served on Mr. Rainy, who, after the adjournment, took the affidavits to the office of the Master of the Court, and there deposited them.

FRIDAY, JANUARY 20.

On the Judges taking their seat on the bench, Mr. Rainy again objected to Mr. Huggins taking part in the matter as a judge, and stated that he wished to examine Mr. Huggins, his law adviser, Mr. Montagu, and Mr. Beckles, who was his clerk a short time ago, and asked for an adjournment of the case to enable him to do so.

The Chief Justice thought that a prolongation of the matter would be injurious to public justice, and wished to know if Mr. Rainy would apologise.

Mr. Rainy replied as before, that the allegations set forth in the affidavits filed by him were true, and, let the consequences be what they may, he would never apologise to Mr. Huggins. The affidavits were not answered, and he did not see how the Chief Justice could adjudicate in the matter whilst those affidavits remained uncontradicted.

The Chief Justice here put forth every effort to induce Mr. Rainy to apologise, but finding the learned gentleman firm in his determination not to do so, imposed the following fines on him, namely: 30l. for the words spoken on the 4th instant as set forth in the order (words be it remembered the correctness of which Mr. Rainy positively denied); 30l. for the further contempts said to be contained in the 6th, 7th, 8th, 10th, 11th, 12th, 13th, 14th, 14th A, 15th, 16th, 17th, 18th, 19th, 22nd, and 25th paragraphs of the affidavit made by Mr. Rainy and his clerks on the 13th instant, and for that in Mr. Fyfe's affidavit, and a further sum of 30l. for disparaging remarks made by Mr. Rainy during his defence, and which his Honour deemed a further contempt of court—the total fines amounting to 90l.

Thus terminated this extraordinary affair, after which the Chief Justice, in open court, requested Mr. Rainy to undertake the defence of a murder case now awaiting trial before this

Court; but the learned gentleman deliberately refused to do so, in consequence of some particulars connected with the recent case of the Queen against Whobay, the son of an independent native chief, whom Mr. Rainy defended some time ago at the request of the Court, and who was executed on a charge of murder said to have been committed by him whilst engaged in actual warfare.

N.B.—Our reporter informs us that he has only given an outline of the proceedings in this matter, which will no doubt be fully reported in due time in some of the local journals.—Ed. A. T.

ACHIEVEMENTS OF THE GERMAN ARMIES DURING THE LAST SEVEN MONTHS' CAMPAIGN.

During the last seven months' campaign twenty battles have been fought, their order being—Weissenburg, Wörth, Spicheren, Pange, Mars-la-Tours, Gravelotte, Beaumont, Sedan, Noisseville (before Metz), the three battles of Orleans, Amiens, Champigny, and Brie (before Paris), Beaugency, Bapaume, Vendôme, Le Mans, Belfort, St. Quentin, and the great sortie against St. Cloud. At Gravelotte nearly half a million of men confronted each other—viz., 270,000 Germans against 210,000 Frenchmen. At Sedan there were 210,000 Germans against 150,000 French, and in the third battle of Orleans 100,000 or 120,000 Germans against 200,000 or 240,000 French. The disparity of numbers was greatest at Mars-la-Tour and Belfort. In the former 45,000 Prussians fought from eight a.m. till four p.m., at first against 160,000, and by noon against nearly 200,000 French. In the latter nearly 30,000 or 36,000 Prussians and Badenians confronted 90,000 to 120,000 French. The three battles before Metz—Pange, Mars-la-Tour, and Gravelotte—show the largest losses on both sides, the loss of the Germans in the second being 600 officers and 17,000 men. Of all the battles during the past century, only the storming of Planchenois, in the battle of Belle Alliance, Borodino, Eylau, and Zorndorf can rank in the same category with the battles before Metz. There have been forty-nine engagements, some of them resembling battles, and twenty-one successful sieges, including Paris, the first stronghold in the world, and Metz, Strasburg, and Belfort, fortresses of the first rank.

QUITE AS BAD AS ANY PART OF AFRICA.

Sir William Merewether has forwarded to the Government of India the report of Major Tyrwhitt on the late dreadful famine in the districts of Thurr and Parkur, which may be taken as specimens of what was the case in Rajpootana generally in 1868-9. I have rarely read anything more dreadful. The districts referred to are on the way to Scinde, and in dry seasons are a desert. In September, 1868, the poor people began to appear in vast droves, literally famishing. Work was provided, and many lives were saved, though many were lost. In July rain fell, and the people went back to their homes. In September, 1869, locusts appeared, and literally "carpeted the ground for miles," defying all means of extermination. Then there was a second and most horrible migration. Major Tyrwhitt says: "The poor creatures were dreadfully emaciated, and hundreds through exhaustion fell, and died where they fell, there to be devoured by the birds, wild dogs, jackals, &c. All along the

road the corpses of these wretched people were to be seen. The sight was heartrending and revolting." This continued without abatement for three months, and partially for a much longer period. The worst of the whole matter is that if drought and locusts came next September we should not be in a materially improved position."

COTTON PIECE GOODS.—The export of cotton piece goods from the United Kingdom in the first eleven months of the year 1870 reached, in round numbers, three thousand million yards; the precise quantity is 2,972,039,834. The export never before reached three thousand million yards in an entire year. In 1844 the year's export first reached one thousand million yards; in 1856 it first reached two thousand millions; in 1870 it first reaches three thousand millions.

COTTON, WOOL, and other Material, PRESSED and PACKED by WALKER'S PATENT ROTATING PRESS, in HALF the USUAL TIME. Sugar Mills for Splitting the Cane, Palm Nut Assorters, Nut Crackers, and every kind of Machine for Africa or India.

12, JAMES-STREET, CITY-ROAD, LONDON.

African Gold Ornaments, Brooches, Earrings, Rings, Chains, &c.

MR. W. B. TAYLOR begs to inform his numerous customers and the public generally that from and after the date hereof he will be prepared to execute all orders for Gold Trinkets, &c., forwarded to him, provided always that such orders are accompanied with remittances. A moderate commission of ten per cent. will be charged, and none must expect their orders to be executed unless accompanied with a remittance.

Port-street, opposite the Castle, Cape Coast.
December 22, 1870.

BRITISH AND AFRICAN STEAM NAVIGATION COMPANY.

SHIPPERS are respectfully informed that this Company now despatch TWO STEAMERS MONTHLY to the WEST COAST OF AFRICA.

The fine new Screw Steamers
BONNY ROQUELLE LIBERIA
CONGO VOLTA
Will SAIL TWICE MONTHLY between LIVERPOOL and the following Ports on the West Coast of Africa (calling at MADEIRA)—viz., SIERRA LEONE, SHERRBORO, MONROVIA, CAPE PALMAS, CAPE COAST CASTLE, ACCRA, JELLAH COFFEE, LAGOS, BENIN, BONNY, FERNANDO PO, and OLD CALABAR. The days of Sailing from Liverpool are the 6th and 18th of each month.

For further information apply in London to ALEXANDER WALKER, 8, Leadenhall-street; in Glasgow, to TAYLOR, LAUGHLIN, and Co., 24, Oswald-street; and in Liverpool to ELDER, DEMPSTER, & CO., 2, Brunswick-street.

SYDENHAM HOUSE, 50, LUDGATE HILL, LONDON SAMUEL BROTHERS.

MERCHANT TAILORS AND OUTFITTERS, SYDENHAM

On the System of Charging the Lowest Price possible for Ready Money.
LONDON CLOTHING.—Perfection in Style and Fit is supplied by the aid of the new Self-measure Rules, as given below.
During twenty-five years their Clothing has been celebrated for sound economy, perfect fitting, and the most gentlemanlike style.

THE WORLD-FAMED SYDENHAM SUITS AT 59s.

Are manufactured in suitable styles for all occasions, and in the various substances of cloth for ALL CLIMATES.

MORNING AND BUSINESS SUITS. 42s. to 84s. DRESS AND PROMENADE SUITS. 59s. to 114s.
TROUSERS 14s. to 26s. TROUSERS 17s. 6d. to 30s.

STATE, LAW, AND CLERICAL ROBES SUPPLIED AT VERY ADVANTAGEOUS PRICES.

THE NEW BOOK ON GENTLEMEN'S ATTIRE

Contains Forty-three Engravings to represent the Fashionable Styles.

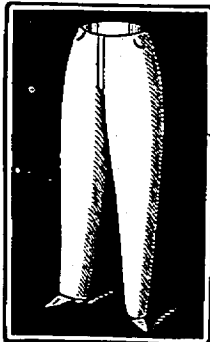
Price 1s., deducted from a purchase (post-free).

Any garment can be supplied by sending the following measures: Give, IN INCHES, whole height of person. FOR A COAT: Round the breast, round the waist, from centre of back to the wrist; for length of sleeve, arm bent. FOR WAISTCOAT: Round breast and waist. FOR TROUSERS: Length outside seam from top to bottom, length inside seam from fork to bottom, round the waist, round the seat.

PATRONS AND LIST OF PRICES POST FREE.
SAMUEL BROTHERS guarantee to supply, in every class, PERMANENT COLOURS, GENTLE-MANLY STYLE, SOUND WORKMANSHIP, and PERFECT FIT.

Messrs. Samuel Brothers find it necessary to state that the Postage of Letters must be Pre-paid, or they will not be received.

SAMUEL BROTHERS, 50, LUDGATE HILL, LONDON, ENGLAND.



TROUSERS.