LOG OF A KENDAL PASSENGER TO AUSTRALIA.

The following narrative is the log of a young man, a native of Kendal, who left this town last spring for Australia, sailing from Liverpool in the Falcon on the 25th of April: —

Falcon, April 25th, 1852.

Set sail for Port Phillip about half-past one a.m. with a steady breeze, running seven knots an hour. The mate rather alarmed some of the female passengers by telling them that we should have a gale before morning. I just was about getting the provisions for the messes, and the purser cursing and swearing like a sailor. Saw the last of England about half-past seven. Came Irelandside on at eight.

29th. Half-past ten a.m. cannot get anything for breakfast. Weather still very fine, with a favourable breeze. Saw the first porpoises this morning.

27th. Beautiful morning, but scarcely any wind, the ship making very little headway. You would have laughed if you had seen me making a plum-pudding for dinner, it being my cooking day. There are eight of us in a mess, so that I have been rather busy this morning. We have had a deal of trouble in getting our rations for the week; they started yesterday morning, and have not finished yet. There are 314 adult passengers on board, principally young men going out to the diggings.

28th. Rather stormy this morning, and we are running almost direct home again. I have just found out that three of my messmates are Irishmen, two Welshmen, one Scotchman, and one Englishman.

29th. Wind still contrary, and a great many persons sick. As for myself, I never was better in my life; I really think I should have a relish for salt horse. We have two European players on board and some good singers, so that we raise a little harmony when it gets too dark for reading or card playing, &c. &c. Our mess is a very nice little mess, and so are the second and third mates, but the first is a sauer yellow, and there are some rakes of giving him a walloping before he gets to the far end. Saw about 200 Irishmen to-day, passing a Liverpool bound ship; they are from four to six feet long, and not unlike a pig about the head. Sailing against a head wind all day, and making very little progress. Blowing a night; nearly thrown out of my berth by a lurch of the ship.

30th. Beautiful morning, with a fine breeze; going ten knots an hour. She is said to be the fastest sailer out of Liverpool, and the captain says we will reach Port Phillip in eighty-five days if we have anything like good weather. I enjoy the sea very much, spending most of my time on deck (that is when I am neither cook nor scullery-maid); but if I was starting again I would not be a fresh-air stock of provisions. It takes me about an hour to eat a biscuit (something like a rat nibbling), and the salt junk is not fit for a Christian it is so salt. Fair wind all day, and very pleasant.

May 1st. Beautiful morning, but very little wind. Had some preserved meat for dinner to-day, which is the best of anything I have got since I came on board. Saw about 200 bottle-nosed porpoises about noon; they leaped about a yard out of the water, and resembled me very much of Milnthorpe simplicities. We have got an infernal old black sheep, who we intend throwing overboard for a sheep time if he is not rather more civil. This is only first week, one out of a good many. But imagine me sitting down to a plum-pudding. I believe I always had a relish for anything all day long, but cannot fill themselves. If this weather continues we shall soon be into the "trades." Saw about 200 bottle-nosed porpoises about noon; they leaped about a yard out of the water, and resembled me very much of Milnthorpe simplicities. We have got an infernal old black sheep, who we intend throwing overboard for a sheep time if he is not rather more civil. This is only first week, one out of a good many. But imagine me sitting down to a plum-pudding. I believe I always had a relish for anything all day long, but cannot fill themselves. If this weather continues we shall soon be into the "trades."

2nd (Sunday). Another fine day, with a fine breeze. Prayers were read by two gentlemen in the first cabin, but not many attended. Going nine knots an hour nearly all day.

3rd. Weather still very fine. Brought all our beds and bedding into the sun this morning. Those that have been sick are beginning to turn out and take a little exercise; still very fine, but cannot fill themselves. If this weather continues we shall soon be into the "trades."

4th (Sunday). Beautiful morning, but wind right abaft. Going at the rate of eleven knots an hour all day, although the wind is only light. Passed the island of Madeira sometime during the night. You have no idea of the splendour of a morning such as this is after being in cities, which I never saw in England in no comparison to it. Half-past six p.m. I have just finished cutting up some salt pork for a pie to-morrow. We sleep it in salt water all night it is so salt. It will be dead tomorrow, and I have my hot to make and some pots to wash," Good night."

5th. A child about twelve months old died in the second cabin last night, and was sewed up and overboard with little ceremony at noon to-day. There were three vessels (one twenty days out of Liverpool) in sight between six and seven o'clock this morning; but it was just as usual, we showed them our heels before noon, and they were as far astern at the end of the twelve hours. We sailed upwards of forty miles farther than any of them during the twelve hours. I have got a very bad cold, sore throat, &c., and my bones are so sore that I can scarcely walk.

9th. Another sail in sight this morning. Played her the old trick. Spoke her at noon, being the first vessel we have spoken. They say they are only fifteen days from Cardiff, but the captain does not believe them from the style we passed them. We gave them three hearty cheers, and went past them like a racehorse.

11th. Knocked out of bed at five o'clock this morning by the cry "Land ho!" It is one of the Cape de Verd islands, named St. Antonio. It is a large mountain rising about 5,000 feet above the level of the sea. We are being becalmed within a few miles of it, and it is dreadfully hot. No fear of being cold at nights; there are eight of us in a berth fourteen feet by six. We have seen quantities of flying fish for the last two days; they are very pretty, but much smaller than I expected, not being larger than a herring. Sitting on deck quite melancholy when the topsails fluttered in the breeze, and in five minutes we were dashing along at the rate of twelve knots an hour.

13th. J. T —— had a sun stroke about noon to-day, but was no worse, except slightly cutting his head with the fall.

16th (Sunday). The weather dreadfully hot. We are almost becalmed about seven degrees from the line. Great many of the intermediate passengers sleep on deck under the large boats, but I have not been able to do so, the principally upon rice puddings, &c.; we cannot eat the salt meat at all during this hot weather. We see quantities of beautiful fish, but have not succeeded in capturing any, though we have had good sport for hours. We have seen very beautiful flying fish yesterday that were not larger than a butterfly in England. We expected to be at the "line" today, but the favourable winds failed us about two, we are still 4,000 miles from it, and may be weeks in reaching it if the winds do not improve.

17th. Crossed the line at 4 of Neptune last night, with a bucket of salt water, by one of the sailors, so I got a bucket and gave some others the same dose.

20th. The pride was taken out of us to-day by an Aberdeen clipper, from London, the captain of which came on board about seven o'clock in the evening to look at a chart. She was named the "Aurora," and bound for Hong Kong.

21st. The Aurora completely out of sight. Passed the line during the night, but were not visited by "Father Neptune."

23rd. About 300 miles south of the line, with very fine weather. One of the seamen, who was working in the forecastle this morning, got washed overboard; but they fortunately had a rope round him, as the wind was blowing very strong, with a heavy sea, at the time. It is five weeks to-day since we left Liverpool, and we have always something in many days. They are very long nights in the tropics; it is dark almost immediately after the sun sets, and we eat sometimes one meal, beautifully fine, and very hot of the afternoon, when the sun is in full power. The passengers fay about the decks at nights; there is not a corner unoccupied by a bed at eleven o'clock. We are a lot of queer-looking customers already, for we have not shaved since they came on board; others are cultivating "mustaches," and pretty devils they look. I am as happy as a king, and that is more than I had been in England for some time with worry and care. We have always something to do, either helping the sailors, cooking, or else there is some "lark" going on to pass away the time. I often think what you are all doing at home. I dreamed last night that I was at home, and that I had missed the train, after having paid my passage-money, and made such a noise that I awoke them all in the berth; they thought the ship was on fire, as we generally make a noise when on board from our part of the country, but I have not had much talk with them.

20th. Rough weather, carrying very little sail. Passed a large ship, from the Clyde, called the "Lavinia," in gallant style, sailing at least two miles for her one. We through two or three times a day, the squalls come so suddenly. It quite amuses the sailors to see us running down below fit to break our necks. Some of the passengers are continually falling, it is quite a wonder there has not been limbs broken.

27th. Still rough weather. John C—— made his bed on the table last night, and was gone to sleep when the ship lurched and he rolled off head first, and was insensible for three hours; he has had one or two dizzy fits since.

30th, Sunday. Very warm, almost becalmed, with a vessel on each side of us. We saw a large flock of sea hawks this morning, they are about as large as a duck, the colour brown and white. Some of the *intermediate scouts* wanted to put some boxes in our way last week, but we showed fight, and they were obliged to call the mate to settle it, when they were made to take them away quickly. This is Whit-Sunday. We had a bottle of grog last night for "auld lang syne," being the first I have had since we left the Mersey. Ale 1s. per bottle; whisky, rum, and gin, 2s. 6d.; brandy, 3s.; wine, 3s.; tobacco, 2s. 6d. per lb. We cannot get either spirits or wine without an order from the doctor, without we are friends with the third mate, who is a very conical young fellow. C—— and I had walked about twelve miles to see an uncle of his, who gave us a ham, which we finished last week, so we are without anything tasty of any sort. I would advise anybody coming out to Australia to bring plenty of provisions of all sorts. The young Irishmen in my berth have 1½ cwt. of bacon, a lot of spiced beef, butter, preserves, eggs, soft biscuits, and as we are very good friends I sometimes get a smack, which is very acceptable when we have nothing but salt pork or beef. I had some potatoes to dinner yesterday, which reminded me of the last time I got my dinner in Liverpool. It is so very hot to day that I am writing instead of attending Divine Service on deck. A slark sea in the afternoon right ahead; he came close to, right under our stern, when the second mate threw him a bit of meat on the end of a line which it would not take for some time; they altered the bait a little, and he took it immediately, and was on board in half a minute. I was assisting to haul him in when I got knocked down, and he nearly jumped overboard. He was alive for ten minutes after his head and tail were cut off and all his inside out, there was actually some of him in my pocket; he measured fifteen feet from one end to my tea, but did not relish it much. There was another caught about half an hour after, for which there was a regular scramble. They were each about seven feet long, only broader. Saw two sharks and hooked them with mouths old. I think I never saw anything so beautiful as the setting sun this evening, the sea was one complete mass of liquid fire on one side of us, and on the other a magnificent rainbow; it was completely calm at the time, and was indeed a magnificent sight.

31st. The weather very much altered, going at the rate of ten knots an hour on a wind, which, having been on one tack nearly ever since we left Liverpool.

June 1st. Splendid weather. Passed a barque from London, fifty-five days from the Downs. We expect to be at the Cape of Good Hope in seven or eight days if this weather continues.

7th (Sunday). Strong contrary winds all the week, making a deal of west longitude but very little latitude. Had a very exciting race for thirty-six hours with a barque from London, passed her about ten o'clock at night in a gale. Our mast is a great deal better than it was, excepting water, which attaks most awfully, we cannot drink it without lemon or lime juice. Some are seen parties making canvas tents for the diggings, and I think I and some young men in my berth will commence to-morrow, so we shall be very busy for some days. They are beginning to call the Old Hundred on deck. It is rather remarkable that every Sunday since we left Liverpool the sea has been almost completely calm, the lowest wind we have had on Monday morning. We have seen some Cape pigeons yesterday and to-day, they are a very beautiful bird; it is no use shooting at them, because we could not get them even if they were killed.

8th. Very light winds and contrary, we have had the fall down the hatchway but caught at a rope with his hands, or he would certainly have been killed.

10th. We have had a sale by auction to-day, comprising all sorts of articles, from a baby-linen to an article, a doctor for the auctioneer; it made some fine fun, and there was some very spirited bidding. A monkey on a pole sold for 1s. The weather is very fine at present considering we are in the latitude of the Cape, and steering E.S.E. at a very good rate. We saw a very large waterspout to-day, but it was a great distance from us; it was followed almost immediately by a heavy shower of rain. In the book of our *steeple* are getting rather short of cash, as numerous raffles, sales, &c., seem to denote.

14th (Sunday). Beautiful weather, being the first time we have had it for a week; it has been very heavy weather last night, a dispute about sixpence amongst a carding party; a broken down attorney for one counsel and a doctor for the other, which was won by the counsel by a gentlemen style, but the plaintiff talks of taking it to a higher court and employing the attorney for his counsel, who says he has no doubt of being again victorious. There were several Cape pigeons shot on Thursday, but some mistook them for albatros; they are of a very large size, and of two kinds, one nearly white, and the other all brown but the head which is white. We are past the latitude of the Cape, steering S.E. by, and going at the rate of forty-two miles in a few day, after which it will all be plain sailing almost directly east. We have been working at our tent for the last two days, and have got on very well considering. It is twelve feet by six, and eight feet high in the middle, like a one story cottage. It is the general opinion that lodgings will be very bad to get in Melbourne, if so we shall have to sleep in our tent as long as we stay there before going to the diggings.

15th. A lady in the second cabin confined during the most stormy weather we have had, and she is very well, as was child. Some of us had to celebrate Christmas at home, and very stormy indeed. We have been running before the wind under almost bare yards for two days, and it is almost equal to a gale of wind. It is very tedious to that we spend most of our time below. One of the sailors (a Welshman) was mast-headed to-day for getting drunk; as usual, they set blame on the passengers for giving him drink; our passengers behave very well, but there is no at the wheel, and steering as eight points out of our course.

17th. Still very stormy; sure to get wet through if I stay on deck a few minutes. All hands are busy every day, and we have to do the best we can possibly spare, only keeping enough up to keep her steady. One side of the deck is almost continually in the water. The deck is so steep as to be dangerous, so that we cannot walk much, and it is dreadful cold.

21st. "After a storm comes a calm." Steering by S.S.E., a very bad course indeed; we ought to be running about three east. Saw a very large whale this morning. They forbid the steerage and intermediate passengers to walk on the quarter deck, so they did not attend Divine Service on Sunday morning, but they have a mediator read service in the afternoon and ships, and a night down in the third cabin, so the cabin passengers are having it to themselves this morning. We are all very anxious to get to the end of our journey, but do not expect to be in Melbourne for a month at least. Many of the passengers were very much frightened during the stormy weather, and others were just in their glory. It was a splendid sight for those who were able and could stay on deck, to see the the waves rolling just as like huge mountains of water throwing the spray over the vessel in such quantities as to make you half drown in a shower. There were several beds fell during the night, mine amongst the rest, but no person hurt, which there easily might have been. We are all very well, which is a great mercy considering the quantity of wet we have got, and packed so closely. We have got a woman sick in the hospital ever since the third day from Liverpool, very bad in a consumption, which has been the only case in the ship (excepting the sickness).

22nd. The new-born child in the second cabin died last night, and was put overboard this morning. The mother is a great deal better.

24th. We have had a splendid breeze for three days (averaging nine knots an hour), but steering out of our course towards the Cape de Verd Islands, for fear of meeting a calm. Fine pleasant winter days, rather cool, but dry, like October in England. Large flocks of several sorts of sea birds, particularly the Albatross and Cape Pigeon, several of which have been shot, but they are so tough and coarse eating, they look. They settle on the water and fight for anything that falls from the ship like a flock of ducks. We had a *concert* in the intermediate last night, to which the young gentlemen from the cabin were invited, and whom attended. There was some very *moderate* singing, but I hope they will do better next time.

26th. Contrary winds all the week. In latitude 42 longitude 22. Sunday nearly a dead calm, and very cold.

28th. Still calm. A concert in the evening, which was a great improvement on the last. We have finished our tent, and it is very comfortable; we intend to go to the diggings, but if this weather continues it will be a very long time before we arrive. It is very disheartening to be lying like a log on the ocean without a breeze, and not have a sail. They are taking the opportunity which the calm affords them of washing the vessel outside from stern to stern. We are all very anxious to arrive excepting the sailors, who never have long enough for anything they pay is going on. We have had some rows with the purser for not giving us the proper quantity of stores; he gives us short weight, and when we run short on purchase of him, and go to the pickets the reply is, "Why, I gave six pounds of biscuit short this week; all complaining from the same cause.

30th. Splendid breeze sprung up during the night, which is driving us along at the rate of ten knots, which I hope will continue. It is a month to-morrow since we saw a sail, and nearly two months since we saw land, which seems to be a great deal longer. Several Albatross were shot during the calm weather, but none secured.

Sunday, July 4th. Beautiful morning. Hot very warm weather since the 1st. Running before a strong gale almost without sail at the rate of fourteen knots an hour. I fell down the hatch on Friday, but luckily was not much worse. I thought I had broken my shoulder blade, but it is only a little out of place. We saw a piece of a whale floated past us yesterday, with some hundreds of birds upon it, picking the bones the whalers had left. We have been ten weeks out today, and have yet hopes of being at the end in thirteen. I slung a hammock yesterday, and, slept in it last night; it is a great deal more comfortable in rough weather, as you do not feel the rolling of the ship so much as in a *berth*, and there is no fear of falling out.

7th. Still splendid weather. We have run 1,500 miles in the last five days, which is first-rate sailing. The weather is very changeable, heavy rain, sunshine and hail storms. Time begins to hang very heavily on our hands; we have exhausted our stock of amusements completely. We think of nothing but "when shall we arrive at Melbourne?" We passed a vessel yesterday, but she was too far distant to signalize with us.

9th. Wind got round almost a-head of us, which has greatly decreased our speed. Land on the lee-bows yesterday afternoon, which proved to be St. Paul's Islands in about 78° east longitude; we weathered it during the night, and are quite clear of it this morning.

10th. We have had no wind for three days. A light wind sprung up during the night, which is carrying us on very slowly. It has been washing day with me, and I hope it will be the last for some time. I have worn nothing but common blue-shirts all the voyage, washing them in salt water, so you can fancy what a nice colour they are; anything is good enough for ship board. Some of our passengers are regular devils for *larking*, and actually had a short sword fight last night, and they may play their larks on. We have one in the intermediate whom we call Captain Boyton (he has been a printer), the worst tempered man I ever met, and of course he plays for his life. One night we put a young pig into his bed, when he was asleep; the counter finding a warm corner under the captain's nose (which is very extensive) lay down very quietly, and was soon snoring as loud as the captain, and he grubbed under his face (seeking a still warmer place I suppose) until it awoke him, when there was a fine row I can tell you.

18th. Fine cool weather, with a steady breeze.

21st. The breeze gradually increasing into a heavy gale. The heaviest sea we have seen since we started. Running under close-reefed topsails for some days, but in the right direction. We passed a beautiful British barque, laying to till the storm was over; her helm was lashed down, and she had only one close-reefed topsail on her. We were in sight of her nearly the whole day, and we could see nothing but the tops of her masts, the next moment she was rolling right above us, until we could see her keel.

23rd. The gale abated; sailing pleasantly away at the rate of ten knots an hour.

24th. Passed a barque in a light wind, which I am afraid is falling us very fast.

27th. Almost complete calm, the barque still in sight, but not near enough to signalize. We have been turning round and round all day, the vessel having no steerage way on her. Plenty of birds swimming about the vessel like tame ducks, picking up anything that is thrown overboard.

28th. Land ho! on the larboard bow, which found to be Tristan d'Acunha, being the first sight we have had of the "Promised Land."

29th. Laying off Cape Otway, blowing the hardest gale we have had for two days.

30th. Made two successful attempts to get into harbour yesterday, and were at last obliged to run out to sea again. Dreadful night. Wind and lightning terrific. Many of the passengers are down with the ague. Cupid says it was the heaviest gale he has seen for fourteen years; moderated very much this morning, and we have hopes of getting in to-day.

Sunday, July 1st. Lying at anchor opposite the lighthouse at P. Phillip Heads, waiting for a pilot, ten vessels in sight this morning passing in and out. We expect the pilot every hour.

Assize Intelligence.

EXETER.

THE CLAYHIDON MURDER.

George Sparkes and James Hitchcock were indicted for the wilful murder of William Blackmore, a miller, and also a surveyor and collector of tithes and taxes at Clayhidon, on Saturday, the 28th February, the day after the fall noticed at the time. It will be remembered that Mr. Blackmore had been out all day collecting, and that as he had not returned home at four o'clock on Sunday morning, his family became alarmed, and sent out parties with lanterns, who found him a short distance from his house, lying on his back in the road, dead; his skull and jaw were dreadfully fractured; his purse was by his side, but all the cash, with the exception of two five-pound notes, was missing. It was evident that he had been brutally murdered. Inquiries were instantly set on foot, and it was found that he had been in company with one and two o'clock that morning with the prisoners, who were apprehended. Sparkes admitted that he killed Mr. Blackmore by striking him with a pair of tongs, which were found in a stream near the spot, and Hitchcock said that Hitchcock was innocent. Though the evidence was thus clear against him upon his own confession, his counsel endeavoured to show that it was not done with malice, but a drunken quarrel, which would reduce the crime to manslaughter. This address produced an immense sensation in court. The jury, however, without hesitation, found Sparkes guilty, and sentenced him to death. The learned judge passed sentence of death, and in so doing is said to have been overcome by his feelings, and to have been as deeply affected as the ladies and others in the court. The prisoner was also in a state of great agitation, which was to be unsuspected from the bar. The judge told the jury that he was glad they had done their duty with firmness. The trial lasted two days.

WARWICK, SATURDAY.

A BAD LOT.— DOWELL v. SHELDON.

The plaintiff is a chemist and druggist at Birmingham, and the defendant a tavern-keeper at Birmingham. The action was for damages for criminal conversation with plaintiff's wife. The plaintiff married, in 1846, a Miss Harris, the daughter of a broker, after cohabiting with her three years, and on the 24th December last plaintiff left home to see his relations in Leicestershire. Miss Fanny Harris, sister of plaintiff's wife, came to spend the Christmas with him, and on the Christmas-day she and an elder sister were taking tea, when the defendant came in and asked for some cigars, and Mrs. Dowell asked him into the parlour, introducing him as Mr. Edwards, with whom she was acquainted. Mr. Price also looked in, and cards were introduced and continued till four in the morning. During the evening some familiarities were observed between the defendant and Mrs. Dowell by her sister, Miss Harris. At half-past four, on the party rising to separate, Mrs. Dowell showed Mr. Price and the defendant to the door, and her two sisters went upstairs to bed. The sisters were conversing, when they were following, Miss Fanny Harris, who was nearly undressed, crept down stairs about half way, when she was convinced of the criminality between the defendant and her sister and the defendant. After waiting four or five minutes, she called out. Defendant replied, "Go on; Mrs. Dowell is going to bed directly." Plaintiff's wife shortly afterwards went to bed, and the plaintiff was awakened by a knock at the defendant to Mr. Dowell's room, where he slept all night, and breakfasted the next morning with them. Miss Harris, with a view of preserving peace, did not mention the circumstance to her sister-in-law for a fortnight; but on the following Thursday the defendant's wife called at the plaintiff's shop, and complained of his keeping her husband out so late on the night in question, when the whole affair came out.

Evidence was given to show that the plaintiff had been going about his wife's conduct, and that the commencement of the affair, and that he also kept one Lizzy Ellen.

Miss Fanny Harris detailed the events of Christmas night. They all breakfasted with the defendant on the following morning. Mrs. Dowell was dreadfully concerned the night before, but merely said she hoped he had spent a pleasant night.

Mr. MACAULAY (defendant's counsel).—Can you tell me Mrs. Dowell, why you did not stop what you saw going on in the parlour?

Witness.—How could I stop it?

Chief-Justice JARVIS.—Are you sure you could have stopped it. If you had been a modest woman you would have rushed into the room and stopped it, or else have gone into the street and shouted "murder." (A laugh).

Mr. Macaulay contended that the disreputable conduct of the several parties, and the jury found a verdict for the plaintiff — damages, one farthing.

LIVERPOOL, MONDAY.

(Before Mr Baron Martin).

EXTRAORDINARY CASE OF BREACH OF PROMISE: TO GRETNA GREEN WITH A WIFE WITHOUT MARRIAGE.— ALEXANDER v. SYDDALL, JUN.

This was an action for breach of promise of marriage, the defendant pleading that he had never promised, and that it was mutually agreed that the marriage should not take place.

Mr. Attorney-General KNOWLES (with whom was Mr. Wheeler) stated the case. The plaintiff, Agnes Alexander, was twenty-three years of age, and a native of Scotland, where she lived with her parents up to a comparatively recent period. In 1851, she entered the service of a gentleman named Syddall, as housemaid, and it was agreed Joseph Lawton Syddall, son of that gentleman, that the action was brought. Mr. Syddall, senior, was a calico-printer, living at Chadkirk, in Lancashire, but near Marple, in Cheshire. The entire family had lived before the plaintiff (Mr. Knowles) to put the plaintiff into the box, in order that she might tell her own story; and as the promise to marry was not made in the presence of a third party, he must beg the careful attention of the jury to the evidence, by which he thought he should abundantly satisfy them of the making of the promise. He should show that in June last the defendant was at Gretna Green, for the purpose of his marriage with a young man; and although it might not be clearly shown by the evidence of any one who saw them there that that young man was the defendant, he hoped to satisfy the jury of that fact by other evidence. Probably the parties were not alive to the practice at Gretna Green; because it happened that the chapel there had been pulled down.

His LORDSHIP.—I never knew that there was a church or chapel there. (Laughter).

Mr. KNOWLES.—No doubt his Lordship was right, and understood the matter a great deal better than the plaintiff. (Loud laughter). He wished the plaintiff had understood it as well as his lordship; but the misfortune was that the plaintiff could not tell her own tale as to what passed. He should show that the parties walked towards where they expected to find the chapel—and that they were accosted by the "priest," who would no doubt have married them, if they had not been thinking of anything of expecting a chapel, and been in ignorance of how easily marriage was managed there. It would then be shown that the parties were together at least a week, and during the day (Sunday) that they took lodgings at some private boarding house; and that there, and in lodgings elsewhere, they lived together some time. The unfortunate young woman trusted to the honour of the defendant; and, although Mr. Knowles (Mr. Knowles) believed that when the young woman yielded, the defendant intended to marry her, he ultimately deserted her, and returned home. He (Mr. Knowles) did not believe that the defendant had from the commencement of the intrigue, by making promises which he never meant to perform; because there was a letter of his, which, if he had so intended, would be a bond to him as being a person of much property, and of a much worse heart, than it was fair to charge so young a man with being, unless upon strong testimony. This letter was very important; for it supplied the proof of a great deal that had been stated. It proved when the parties left the house of the defendant's father, and that they left at the same time; it did not prove that they were at Gretna Green, but it did prove that they were in Liverpool together on the 6th. The letter was as follows:—

"Liverpool, June 6th, 1852.

"Dear Mr. and Mrs. Alexander,—You will, I am sure, be greatly surprised on receiving this letter from me, which I write at your request, and I hope you will be as much pleased that you will be much more surprised when I tell you that Agnes is now, by her own free will and consent, my lawful wife. We left your house this Friday morning, and we met soon after, and were forthwith married. I am not tell what your pleasure may be in the matter; but I sincerely hope that neither you nor she may have the slightest reason for complaining of the step. Nothing of our spheres in life has very naturally caused some uneasiness with our family, although they are not positively acquainted with the matter. I have been aware some time since that there was a slight attachment between us. I did not as much as tell them that I was going to be married, or that it was my intention to return home again in a few days. I left the house last Friday morning; however, I purpose writing to them in the course of a few days. I am not tell what your pleasure may be in the matter; but I sincerely hope that neither you nor she may have the slightest reason for complaining of the step. Nothing of our spheres in life has very naturally caused some uneasiness with our family, although they are not positively acquainted with the matter. I have been aware some time since that there was a slight attachment between us. I did not as much as tell them that I was going to be married, or that it was my intention to return home again in a few days. I left the house last Friday morning; however, I purpose writing to them in the course of a few days. I am not tell what your pleasure may be in the matter; but I sincerely hope that neither you nor she may have the slightest reason for complaining of the step. I remain, yours most faithfully,

"J. LAWTON SYDDALL.

"P.S. I do not want your daughter Eliza to know of the affair at present. You see that I am particularly desirous that everything should be conducted as quietly as possible, and without the slightest annoyance to yourselves."

This letter established the fact that the plaintiff and defendant left the house of defendant's father on the same day; and not soon afterwards; and it said that they "were forthwith married," which was not done, although there were a long way towards it. It established also that there was an attachment between them, and it was known to the young man's family. In the same letter, the plaintiff and the defendant, he (Mr. Knowles) hoped the jury would bear in mind that those who saw the man who accompanied the plaintiff at Gretna Green had been to the house of the defendant's father, but had not been produced to see the defendant. It was not necessary, in cases of this kind, to produce a written promise, or to call a witness who heard the promise made; but he submitted that he should fully prove the promise from the defendant's own pen to the plaintiff. The letter, (Mr. Knowles) would be very sorry to adopt such a course; but if compelled he should call the father of the defendant, and obtain the extract from him what he knew of his son's conduct. No one could condemn such a course, when the plaintiff was unceremoniously told to prove the promise which she said the defendant had given, although it was known that she could not give evidence on her own behalf. After living together in Liverpool for two months, as man and wife, the defendant left his wife, and he was informed that she had left the lodgings unpaid for, although he did subsequently pay for them. The plaintiff went to the defendant's father, but got no redress; and at some time the defendant wrote the following letter, which was without date:—

"Dear Aggy,—I have not time to say more than that I am going on very badly indeed. However, you may expect to see me to-morrow (Saturday) without fail. Ask Stevens if that situation is taken up yet. I shall give you a little money.—Yours, &c. "JOE."

Afterwards, the plaintiff went to some respectable solicitors in Manchester, one of whom wrote a letter, which would have not been sent without a different message to the defendant's wife. They lived together till the poor young noodle (the defendant) had spent all his money, and then he went crying to his father, who was not there, and left the poor dupe, offended at his son's indiscreet conduct, but eventually the bill for the lodging was paid. As to the letter which had been put in, it appeared upon the face of it that it was written at the request of the plaintiff, and that it wanted some excuse to her parents, who expected her home; but it afforded no evidence of a promise to marry. The learned counsel proceeded to argue that even if the jury should think that there had been a breach of contract, they could only give the lowest damages; for it was not proved that the defendant was in the receipt of a fixed salary, and it was proved that he was not in positive poverty with his father; while no one could doubt that if the marriage had taken place, it must have been productive of the keenest and most abject misery to both parties.

After the learned counsel had gone through the evidence, and pointed out the law of the case,

The Jury consulted for five minutes, and then gave a verdict for the plaintiff: damages 50*l*.

TUESDAY, MARCH 29.

SINGLETON v. SELKIRK.

This was an action for seduction, to which the defendant pleaded the Statute of Limitations.

Mr. Sergeant Wilkins and Mr. Overend appeared for the plaintiff, and Mr. Hugh Hill, Q. C., and Mr. Brett for the defendant.

The plaintiff, it appeared, is a yeoman in Cumberland, farming a hundred acres of land, his own property, and having a daughter living with him, and assisting him in the management of the farm, and in the dairy. The defendant's father is also a yeoman, residing in Cumberland, and carrying on the business of a provision dealer and butcher, and has accumulated a considerable fortune, the defendant managing his business. The families of the plaintiff and defendant had been acquainted for many years. The defendant paid his addresses to the plaintiff's daughter, and she became pregnant. The defendant swore that she became in the family way, and, under threats from the defendant that he would leave her if she did not act as he directed, she was induced to take medicine to procure abortion, which, however, produced no effect. The child left her, and, on her condition becoming apparent, the plaintiff told the defendant that he ought to marry her. The defendant said he would not marry the plaintiff's daughter was delivered of an illegitimate child. For the loss of her services during her confinement and the expenses to which he was put, the plaintiff brought this action.

Mr. Sergeant WILKINS, in reply, said the plaintiff Moorside with her parents, and was 25 years of age, and had two brothers and a sister. Her father had a hundred acres of land, his own property, and she assisted him in the management of the farm. The defendant was the eldest son of Mr. Selkirk, of Beckermont, about a mile from her father's farm. She became acquainted with the defendant in Sep-tember, 1851, at a dance at Eskdale Green. She went home with her brother. She saw him a fortnight after at her father's, on a Sunday, and from that time he continued his visits. Her father saw him one. The defendant was 27 years of age. He told her he would marry her. An improper intimacy commenced between them in December, and in July, last year, she discovered that she was in the family way. She told the defendant, who gave her three or four bottles of medicine, which he told her to take. She took two, which had no effect on her. After taking the last bottle she never saw the defendant. On the 19th of January, 1853, she had a child born.

Cross-examined.—She was at the fair till eleven o'clock at night, and the defendant drove her home in his cart. The defendant always visited her at night, after the fair of years of age. He told her he would marry her. An improper intimacy commenced between them in December, and in July, last year, she discovered that she was in the family way. She told the defendant, who gave her three or four bottles of medicine, which he told her to take. She took two, which had no effect on her. After taking the last bottle she never saw the defendant. On the 19th of January, 1853, she had a child born.

Cross-examined.—She was at the fair till eleven o'clock at night, and the defendant drove her home in his cart. The defendant always visited her at night, after the fair of the family had gone to bed. Her father knew of her visits. She had had lovers before, who visited her in the same manner. The first occasion took place on one of these evenings. It is usual in Cumberland for people to court late at nights.

Other witnesses were called, who proved the loss of service, and the expenses to which the plaintiff had been put, in consequence of the birth of his daughter's child.

Mr. HILL, for the defence, contended that the negligence of the father in permitting these nightly visits to his daughter at his house was so great as to disinitle him to any serious amount of damages, and that if such a custom existed in Cumberland as had been proved, there ought to be another custom, that no actions for seduction should be brought.

His LORDSHIP having summed up the evidence,

The Jury found a verdict for the plaintiff—Damages, 50*l*.

TAUNTON, MARCH 29.

BREACH OF PROMISE.—CROCKER v. MOORE.

(Before Mr. Justice Crompton).

Mr. Slade, Q. C., and Mr. Karslake, were for the plaintiff; and for the defendant, Mr. Sergeant Kinglake and Mr. M. Smith. The defendant had pleaded that he had made the promise under the belief that the plaintiff was a person of chastity and virtue, but had found that she was not, and that she had had an illegitimate child.

Mr. SLADE briefly opened the case to the jury, observing that he did not appear for it before them as one of blighted affections, but as that of a young woman who had been shamefully abused and deceived. She was a person of very humble circumstances in life, being the daughter of a glazier, living in the forest of Exmoor. The defendant was a wealthy farmer of the same locality; and in 1849 the plaintiff went to live with him in the capacity of a servant. It would be shown that the defendant had paid great partiality for the plaintiff, and that he manifested considerable jealousy towards a person named Rawle, with whom it was thought the plaintiff was keeping company. The defendant at length prevailed on her to withdraw her company from Rawle, and to bestow it on himself. He was constantly visiting her when at her father's house. He got her father to write letters to her, persuading her to encourage the suitor; and although there were not many of those amusing letters which usually enlivened cases of this description, he should be able to produce one of three sides, which would distinctly show the relative existing between the parties. It would also appear that the defendant was in the habit of following the patriarchal custom of having his locks dressed and driven backwards and forwards to the house, telling her that all these should be hers if she would be his. By these means the plaintiff was induced to return to the service of the defendant (which she had temporarily left) and in the spring of 1850 she became pregnant by the defendant, and bore a child; and he now had the audacity to throw this fact in her teeth, and to endeavour to take advantage of it to escape from the promise. In reply to further remarks, the learned counsel proceeded to call witnesses.

John Crocker, father of the plaintiff, deposed to various facts mentioned by Mr. Slade, in his opening speech, adding that after the birth of his daughter was overtaken, defendant promised several times to come and see her, and asked how she was getting on; but he never came to the house afterwards.

In cross-examination it was elicited that since plaintiff's confinement, witness had seen her drinking spirits and water with Rawle, the man alluded to as a former lover.

Mary Crocker, mother to the plaintiff, deposed to having seen the defendant frequently with her niece. He paid her every attention, and witness had heard him say that he intended to make her his wife.

Two letters were read, the first to the plaintiff, at defendant's request, were then put in, and two other letters written by the defendant to the plaintiff, were also read. In one of these letters he said:—

"Elizabeth Crocker, my dear,
I love you, dear, true and sincere;
I never shall love any other,
But say heart is truly thine.

I tell you as plainly as man can speak,
I love you true as any lily,
And I shall never be easy, my dear,
Until you become my wife.
If you love me as I do, I will ask woman again
For one year, two, or ten."

In the other letter the defendant repeated his protestations of love.

Clarissa Crocker and Richard Crocker were called to prove that the defendant had promised plaintiff marriage, and that he had recognised her child.

John Bryant, solicitor of Minehead, proved that an application was made on the part of the defendant respecting the price of a licence; and a silversmith was called to state that he had made a ring for the defendant to give plaintiff.

Mr. Sergeant KINGLAKE addressed the jury for the defendant.— By the pleadings the defendant had denied the engagement, and he submitted that the evidence had not been such as to fulfil the promise. The engagement had been entered into between these parties, and then came the most important part of the case, that the plaintiff was not a woman of chastity and virtue. If she would seem that the defendant, in the humble district, must have been a very rare bird, being, it was said, worth 5,000*l.*, and the plaintiff was a person comparatively destitute. The counsel was rather uncertain on the point, if it was proved that the learned counsel on the other side, that being unable himself to make any impression on the heart of this young woman, he had adopted the plan of driving his loving cattle and his wheedling backwards and forwards before the house, to see if his possessions would gain her affections; but these not being successful, he tried what poetry would do, and, as a last resource, he had obtained the aid of the girl's father. He really thought his learned friend (Mr. Slade) had been to some picture-gallery lately, for he had collected there was some picture about Jacob and Rachel, where the old man was bewitched by the spirit of Mammon was ever exhibited it was in the letters of the calculating Crocker family.

The learned sergeant then called a great number of witnesses to prove the unchastity on the part of the plaintiff among others the man Rawle, referred to in Mr. Slade's speech.

Mr. Slade made a forcible reply; and the learned Judge having summed up, the Jury found for the plaintiff — Damages, 300*l.*

The case lasted till past nine o'clock.

THE FIRE IN WINDSOR CASTLE.—We are assured that, although the damage done will amount not to exceed 10,000*l.*, it will not amount to anything like that sum; and it is scarcely too much to aver that the experience by which future and more serious accidents may now be prevented, has not been dearly purchased at that price. — *Windsor Express.*

CLEOPATRA'S NEEDLE.— Mr Anderson, the managing Director of the Peninsular and Oriental Steam Navigation Company, and a director of the Crystal Palace Company, left England for Egypt about a month since for the purpose of making arrangements for the transmission of Cleopatra's Needle, which lies prostrate on the shores of the Mediterranean to the Park at Sydenham. It will appear, from communications recently received from Mr. Anderson, that the difficulties of the task of the removal of this ancient memorial have presented themselves. The needle is actually built into a