Newspapers.—We wish to preserve in one of our Public Libraries, for the benefit of posterity, *a copy of every newspaper in the United States.* We respectfully ask of every Editor to send us a specimen of his paper for this purpose, and we will send the Courier in return.

Please give an insertion to the above, for the benefit of those Editors not on our list as yet.

M'MAKIN & HOLDEN,
Saturday Courier Office. Philad.

REPORT OF THE COMMITTEE OF THE TORONTO BOARD OF TRADE, 15TH APRIL, 1841.

Your Committee regret that several causes have concurred, to prevent the presentation of the regular annual report, at the time prescribed by the laws of the Board—among the causes has been the removal from our city of our respectable and zealous Secretary, Mr. Brent. The Committee regret to report, that during the past year, their transactions have issued in very little present advantage; yet they hope that their labours will not be fruitless, now that the renewed interest and energies of the Board, have been excited by the prospect of their interference and representations leading to those practical ameliorations, the promotion of which is the object of the association. The Committee congratulate the trade that the commercial interests of Canada will now possess their proper weight in Parliament; many of our principal merchants and financiers having been elected members of the Assembly.

It is gratifying to your Committee to know, that in consequence of the termination of the objectionable combination, for several years past existing between the forwarders on the Ottawa and Rideau Lines—that trade is once more thrown open to competition, and the results will be an immediate improvement in the whole business.

The disparity between the currency of Upper and Lower Canada, your Committee regret, still continues to be felt, as a serious impediment to the satisfactory transaction of business with Lower Canada. A premium of three per cent (the rate at which exchange on Montreal has generally been sold during the past winter) cannot be considered a trifling item in the drawbacks incidental to our Provincial trade. But even at this disadvantageous rate, the inconvenience might be struggled with, were the merchant always sure of obtaining bills on Montreal—it is, however, an unpleasant fact that it is frequently impossible to procure a draft on Montreal on any terms.

The primary cause of this disadvantageous condition of our monetary relations, is, of course, to be found in the enhanced value at which British Silver in Upper Canada has been rated, in comparison with that which obtains in Lower Canada. It is to be hoped that the Legislature will, at an early day, introduce a law to regulate the currency of the United Province. Another most important subject of consideration to all classes in these Colonies, is that of the adoption of a uniform rate of postage. Your committee observe that the Board of Trade of Montreal have suggested the rate of 3d. the half ounce. The adoption of such a measure would be hailed by all as a boon of vital importance.

A continued source of complaint, on the part of exporters from Upper Canada, is the high charges levied in Montreal for Inspection, cooperage, &c. &c. These charges when added to the heavy down freight, insurance, and charges, make an aggregate of 25 per cent. on the value of flour; and operate very seriously against our agricultural interests. In connection with this subject, the consideration of the appointment of regular Inspectors at this port, presents itself as a matter of great importance. —Ashes, Flour, Pork, &c., bought in this market, if not purchased, subject to Montreal inspection, must be bought under the risk attendant on the chance of failing to meet the favorable decision of the inspector—in which case, the buyer must protect himself at the expense of the farmer, by graduating his price, so as to be safe against the uncertain result.

The yearly increasing quantity of English salt, imported into Upper Canada, from Montreal, is another subject calling for the attention of the mercantile and agricultural classes. Nothing would tend more permanently to reduce the freights hitherto so oppressive along our inland communications, than the removal of the duty levied at Montreal on English salt—large stocks would immediately be held in the interior, and salt, the manufacture of the United States, would soon be entirely superseded. The exportation would thus be saved Canada of large sums of money to a foreign country, which notoriously carries on with us no compensating trade. English salt is far superior to American, and the curers of provisions would greatly prefer it, especially as at inspections in Montreal, Pork and Beef cured with American salt are always discarded.

It must be admitted that the framers of the Corn Laws in England, in imposing a duty on Colonial wheat, flour and other grain, did not take into consideration the very heavy freight and charges to which they are subjected on shipment from the lake ports of Canada to England. These charges, on Wheat, are as follows:—

	Sterling.
1.—Transport and Insurance from Ports on Lake Ontario, (from Lake Erie and Huron they are much higher) to Montreal, including shipping charges there, per quarter,	£0 10 0
2.—Freight from Montreal to England, per quarter,	0 10 0
3.—Insurance from Montreal to England, valuing the quarter of wheat at 40s., and taking the premium at the lowest rate—say 2 per cent., exclusive of policy, making in the quarter,	0 0 10
4.—Interest on the cost from the time it is bought in Canada of the farmers, say the middle of January, to the time of its arrival in England, which is seldom earlier than July, equal to 6 months, amounts, on the quarter valued at 40s., to	0 1 2½
5.—In an article like Wheat, which is liable to great injury from a long voyage, the actual extra risk over and above what there is in shipping it from the North of Europe to England, cannot be computed at less than 4 per cent., which, at the cost of 40s., makes on the quarter,	0 1 7½
Total,	1 3 7½

To this add 5s. sterling per quarter duty, we have then a sum total of £1 8s 7½d, to be paid before the staple produce of our Colonies can be sold in a British market. This calculation which is based on experience and truth, shows most conclusively, that the British agriculturist can have nothing to fear from the importation of wheat, flour, and other grain, from the Colonies of North America, duty free, when they are protected to such an extent.

It is also obvious, from this calculation, that the wheat growers of the North of Europe, who ship immense quantities to England, are in consequence of their having such low freights and insurance to pay, and so little risk to run placed in a much more advantageous position than the Agriculturists of Canada—to make this apparent the Committee would add

That when the average price in England of wheat, is 68s to 69s per quarter, the duty on foreign wheat is £1 2s 8d; to this duty is added 1s per quarter, which is a sum equal to the expense of freight and insurance from the ports of the north of Europe to England; these added together amount to £1 3s 8d—from Canada, we have to add

When the average on Wheat in England is	Duty.	Freight.	Together
68s to 69s per quarter, the Foreigner would pay 70s 8d, The Colonist would have to pay, altho' subject to a duty of 5d per quarter,	Ditto,	4s.	2s 11½d.
70s to 71s ditto, The Foreigner would pay	Ditto,	4s.	18s 8d.
71s to 72s ditto, The Colonist	10s 8d.	4s.	2s 11½d.
72s to 73s ditto, The Foreigner	Ditto,	4s.	14s 8d.
73s ditto, The Colonist	6s 8d.	4s.	2s 11½d.
	Ditto,	4s.	10s 8d.
	Ditto,	4s.	2s 11½d.
	1s 0d.	4s.	5s 0d.
			2s 11½d.

From the Colonies the wheat is always sent in British ships; from foreign countries a considerable part is shipped in vessels belonging to the country from which it is sent. The Colonists receive payment for their wheat in British manufactures; the foreigner generally in specie.

The natural disadvantage under which the farmer labours, from the above charges in our exports, as from an increased price which our position makes him pay for British goods (already heavily taxed) are, the Committee consider, burdens, as near an equivalent to the more direct taxes of the mother country, as any one would like to see borne by Colonists.

During the past year, when butter was unusually high in England, some small shipments were made; and although the heavy duty, of 20s. sterling per cwt. (the same that is levied on the importation of foreign butter,) had to be contended against, it was found that the profits were remunerative. But when it is considered that much of butter exported, was bought from the farmers, at as low a price as 4d. per pound, (or about 3¼d. sterling,) it is not to be expected that, without the withdrawal of the Home duty, this branch of our export trade, which is capable of vast extension, can improve.

The British Manufacturer has not yet to learn, that in these colonies, the only limitation which our demand for his goods knows, is, the extent of our ability to make returns in the products of our soil; and the fostering of our resources is merely the means of sustaining in greater vigour, the important manufactories of the mother country. The removal of all disabilities which stand in the way of our agricultural interests should engage our most strenuous efforts—for our commercial advancement [illegible] ments.

It appears to your Committee, that from the very intimate connection existing between Upper Canada and the city of Montreal, the great outlet and depot of our whole trade and the point at which centres all our shipping relations with Great Britain, much advantage would accrue to us, were Montreal created a free port. Whilst the Island of Jamaica has no less than ten free ports, the whole of Canada possesses only one; and that too, the distant, and comparatively inconvenient port of Quebec. By this monopoly, the trading interests of Montreal, and of the whole of the great commercial districts, of which that port is the grand confluence, are allowed to labour under very serious inconveniences.

The Committee would also recommend to their successors to use the influence of the Board to have Toronto made a Warehouse Port, by which means Tea, Wines, Spirits, and a number of other articles on which the duties are high on importation, could be warehoused and the duties paid when the goods were required,—thus a considerable outlay of capital in the shape of duties which are now generally paid on landing in Lower Canada would be saved by the importing merchant, who has already many inconveniences to contend with in having his whole year's stock of goods to provide during the short space of six or seven months.

The Committee have delayed their advocacy of the great internal improvement which are necessary to the opening up of the Home District, until the Board of Works, lately established, may be communicated with, because it is only with the assistance of Government that such undertakings as the connecting of Lakes Huron and Ontario can be attempted, or any others, which will materially compensate this city for the withdrawal of the Seat of Government.

The prohibition, by which tea is prevented from being legally imported from the United States, the Committee observe, with much gratification will in all probability be removed during the present session of the Imperial Parliament.

In this, as well as some other important changes, the Committee have pleasure in recognizing the advantage of having, as Her Majesty's Representatives in these Colonies, a Statesman conversant in the details as well as the key of commercial affairs.

The Committee cannot omit urging on their successors the necessity which exists for the passing of a general Bankrupt Law for the Province, and they trust the attention of the United Legislature will be directed to this important subject. Divested as the Board of Trade has been, in all its operations, of even a shade of political or party feeling,—the importance of every one interested in commercial affairs, identifying himself with an institution which may become of essential benefit to the city, must be obvious, the Committee hope that every merchant in the place will join in forwarding the objects of an association which has made some progress in public estimation, and the usefulness of which ought to be extended to the utmost possible limit. It becomes a duty not solely on the part of all engaged in commercial pursuits, not to be satisfied with merely accumulating fortunes, but to render [illegible]

T. WORTHMAN,
[illegible]

From the New York Courier and Enquirer.

Relief to Unfortunate Debtors.—A petition is now in circulation addressed to the Legislature and asking for a relief to debtors, which if granted will in a measure have the effect of a General Bankrupt Law. The object is, to render all property acquired by a debtor after assignment, exempt from execution growing out of debts contracted previous to such assignment. Such a law would be both just and expedient; and we see no good reason why it should not be passed. The petition concludes as follows:

The memorialists ask you to allow honest unfortunate insolvents the right to use their character for integrity, capacity and industry, for the accumulation of property after they should have faithfully surrendered by assignment, all their property for the benefit of their creditors. To render this object effectual, your memorialists pray that you will cause all the subsequently acquired property of the insolvent to be exempt from execution or any process of law, by which it can be seized for the payment of any debt contracted prior to the assignment by such insolvent.

This will be humane, just, and expedient. It will protect the honest unfortunate man in the rewards of industry as effectually as a bankrupt law, and will be subject from time to time to action of the State Legislature. That this remedy for existing and intolerably oppressive grievances, will be constitutional, we have the authority of innumerable decisions of the Courts of nearly every State of the Union, for we believe there is no State that has not from some cause exempted certain portions of property from execution. Some have exempted a small portion of household furniture and apparel, others have allowed a debtor to reserve his real estate and slaves, and all have acted upon the conviction that public good requires such an interference by the Legislature for the protection of the citizens.

To a Report of the United States Commissioner of Indian affairs, dated the 1st of November, 1838, is annexed the following:

Statement shewing the number of Indians annually removed from the Eastern to the Western side of the Mississippi, from 1789 to 1838, inclusive:

Years.	No. Removed.
From 1798 to 1828	none.
In 1828	7,422
From 1828 to 1831	none.
In 1831	5,407
1832	5,500
1833	5,462
1834	4,386
1835	2,330
1836	15,948
1837	9,688
1838	25,139
Total	81,282

The original estimate of the number to be removed, was 100,790; and on the 1st Nov. 1838, the number remaining to be removed was 26,482. From another statement annexed to the same report, it appears that, within the same period, the United States government "acquired" of the *paternal acres* of the unfortunate Indians, no less than 119,429,445; for which the "consideration *stipulated* to be paid in money, *or in lands*, exchanged or reserved at $1,25 per acre," was $81,672,281,81.—But the above number of acres "acquired" does not include the acquisition of the year 1823, the same being returned "amount unknown," while the sum of $106,000, paid therefor, is included in the above "consideration." At the average price per acre this would give about 580,000 acres to be added to the *Hundreds of Millions* above mentioned, making the "tottle of the whole," (as boneful domination Joe would call it,) only (40,554 less than) four hundred and twenty millions of acres of land, at 19 9-20th cents per acre.—(Montreal Herald.

Launch of the U. S. Steam Frigate Mississippi.—This noble vessel was launched at the Philadelphia navy yard on Wednesday morning. She took the water beautifully, in the presence of a vast concourse of people who had assembled to witness her *debut*. Commodores Barron and Stewart, Col. Humphreys the chief naval constructor, Mr. Hart, the naval constructor from Brooklyn, a large number of naval officers and hundreds of ladies were present. The Mississippi is very nearly of the same length as the Pennsylvania line of battle ship, and measures in a double decker 1788 tons—as a single [illegible] adopted in the measurement of the President, 2250. The engines of the frigates are of about 600 horse power. She is pierced for twenty-six guns, but will, probably, only carry eighteen viz. two *Paixhans, one hundred pounders*, and sixteen regular guns, sixty-four pounders. The Paixhans are to be on swivels.

The Mississippi is well provided with boats, having no less than nine—among the rest a *life boat*. Her complement of men will be about two hundred.—(Bos. Atlas.

The Steam-Engine Controller.—One of the most important inventions of those interested in steam engines has just been brought to perfection by Mr. T. Stather, foreman to Messrs Overton & Wilson, of Hull, in England. Its importance and adoptation to engines of every sort has been satisfactorily demonstrated. The improvement effected is a surprising piece of mechanism, which is so formed and fixed to the engine as to have the complete power and control over it. It will have the advantage over every other plan now in use in marine boats, as any person, however ignorant of engineering, may reverse and stop the motion as soon as required, without shifting the eccentric rods, or even being within sight of the engine. The lever connected with the controler may be fixed in any part of the packet—at the stern, if required, so that the person who is steering the vessel shall also have complete power over the engine, and word it just as he pleases; likewise on either of paddle-boxes, or in the centre of the walk, so that the master, when he perceives danger, instead of losing time in giving orders, which in our large steamers have often to pass through two or three individuals before they reach the engineers below, may statt, stop, or reverse the engines himself as soon as required. In our large steam-packets, it is well known that it requires the assistance of two or three men to work the engine valves, besides throwing the eccentric rods out of gear, before a reversion can be effected; but by this simple method a single individual can accomplish it with greater ease and in much less time, however powerful the engines may be, or many in number, so long as they are all connected to one shaft. In the manufacturing of railway engines it will effect a great saving of expense, as it does away entirely with two eccentrics, two eccentric rods, and a vast quantity of complicated machinery which is now required for lifting the eccentric rods in and out of gear and thus making a difference of from 200l. to 100l. in their first cost, and likewise excluding great risk, which naturally arises from machinery being complicated. —(Hull Paper.

Five Children at our Birth.—The Nassau Telegraph says that a Mrs. Ripley, of Londonderry, N. H. was some weeks since safely delivered of *five children* at a birth, and they are all doing well! The same woman had three at one birth 5 years ago, all of whom are alive and in good condition. The Editor says he at first doubted the truth of the story but enquiry satisfied him that it was strictly true.

Free Trade to the Lawyers.—A man from the country applied lately to a respectable solicitor in this town for legal advice. After delivering the circumstances of the case, he was asked at the end if he had stated the facts exactly as they [illegible] "Why, sir," replied the applicant, "I thought I did, for I told every [illegible] I ever met with about the affair, and they never put the [illegible] to me twice."

Chronicle & Gazette.

SATURDAY, MAY 22, 1841.

By the latest accounts from Montreal we are happy to learn that the health of His Excellency Lord Sydenham is improving. The exact time of His Excellency's departure from Montreal has not, we understand, been as yet determined upon.

THE GOVERNOR GENERAL'S HEALTH.

The following bulletin was issued yesterday at the Government House:—

"His Excellency has passed a good night, and is considerably better this morning."—[Montreal Herald, 20th May.

We are given to understand that His Worship the Mayor, has received an intimation from Montreal, that as soon as the health of His Excellency the Governor General, will allow of a day being fixed for his departure, the information will be immediately made known to the authorities here.

McLEOD'S CASE.

We give place to-day, to the exclusion of other matter, to the proceedings now going on in the City of New York, before the Supreme Court, in the case of Alexander McLeod. The case is ably argued on both sides, but what the result may be is difficult to say.

CASE OF McLEOD.

The motion for the discharge of McLeod, who was brought before the Supreme Court on *habeas corpus*, was this morning made by his counsel, Messrs. Bradley and Spencer. The return of the sheriff of Niagara county to the habeas corpus, stating the grounds of McLeod's arrest and detention, were presented. McLeod's affidavit, giving a detail of the Navy Island affair, and the capture of the Caroline, and setting forth that the party who boarded her and killed Durfee, acted under orders of their superiors; and a letter from Mr. Fox to Mr. Webster, distinctly avowing the act as that of the British Government, and the correspondence between the British and American Governments on the subject, were all read in support of the motion. The counsel for the prisoner then rested.

The Attorney General, Mr. Hall, and District Attorney of Niagara county, Mr. Wood, on behalf of the State, opened in reply, and exhibited a demurrer, denying that on the grounds stated in behalf of the prisoner, he was entitled to be discharged.

First, because the return of the Sheriff shewed that the prisoner was detained on an indictment for murder, to which he had pleaded not guilty, and the court could not investigate such indictment on a plea.

Secondly, because the matter set forth in the allegations did not shew that his imprisonment was illegal—but referred merely to the question of his guilt or innocence, which was not now before the Court.

Thirdly, because the attack on the steamboat Caroline, a boat owned by a private citizen, unconnected with the insurgents, and navigating the waters in a lawful business for aught shewn to the contrary under a license from the United States, was made while moved in the State of New York and without the jurisdiction of Canada.

Fourthly, because the Government of Upper Canada or Col. McNab had no authority to send persons to commit the act in the State of New York, and consequently each individual was responsible for his acts.

Fifthly, because Amos Durfee who was murdered, was a peaceable citizen of the U. States, unconnected with the insurgents guilty of no offence against the laws of this State or the laws of Upper Canada, and that it was not necessarily connected with the attack on the Caroline, or necessary for the protection of her Majesty's subjects.

An intimation was made by the Court that all the grounds of the case should be fully set forth, on the present motion, so that in case of a subsequent motion it should not be necessary on a subsequent for change of venue, or for bail, to go over the same ground again or to present any new facts to the Court. On this suggestion the Attorney General asked that the further hearing should stand over till to-morrow, that he might prepare further papers to render the [illegible] and it was ordered accordingly.—[N. Y. American.

From the N. Y. Commercial Advertiser, May 18.

SUPREME COURT.

CASE OF ALEXANDER McLEOD.

At a few minutes after 10 o'clock this morning (May 18) the Court was opened, and Mr. Wood, the district attorney of Niagara, began reading the documents deemed necessary by the counsel for the people.

The first paper was the enrolment of the Caroline, dated 1st of December, 1837, and describing her as a steamboat of 45 tons, 71 feet long, and belonging to William Wells, of Buffalo.

Next her license, of the same date, authorising her to navigate the Niagara River.

Next a deposition of Captain Gilman Appleby, taken before Judge Bowen, December 12, 1840, when McLeod was brought before him on habeas corpus, after committal by a magistrate.

The deposition described the attack upon the boat on the night of December 29, or morning of December 30. She was boarded by five rowboats, having on board some forty, or fifty, or sixty men; there was firing on board when the assailants arrived upon the boat and after. Witness was roused by the watch on deck, and making his way to the deck was met on the stair-way by a thrust from a sword, which glanced upon the buttons of his dress, and did him little harm.

There was a lamp burning at the head of the stair way and he could see the face of the man who thrust at him. Believed that man at the time to be McLeod, whom he had seen and indeed in Buffalo about a week before; had no doubt then that it was McLeod. Is not so confident now. McLeod now has less fulness of face; the man who thrust at him had a full flushed face. McLeod, now present, does not seem so flushed.

Cannot say now that he is the same man—does look much like him.

Durfee killed. Witness ran along the deck and got off the boat into the warehouse where the war house supposed to be. Heard someone called for light, and a light, and heard "Mr. Durfee is here." Minutes after Durfee on the deck, and through the [illegible]

When the boat jumped into the river. There was a struggling boy, named Wm. Bowen, about 12 years old. Has never seen this boy since and supposes he was killed.

Some of the men on board had hats, others caps; they jumped out of boat and ran for their lives when the attack was made, as except the watch on deck.

Heard at him was about the same as McLeod.

Deposition of Leonard Anson—taken at the Appleby's.

Lived at Buffalo and went to Canada in 1836. Came back after the attack on Navy Island and was at Chippewa the day after the affair. A number of persons there whom was McLeod; they [illegible] McLeod [illegible] Witness [illegible] McLeod [illegible] there was blood. He had a sword also at his side.

Witness had known McLeod 6 or 8 months. Did not know any other person present except the bar-keeper. Became acquainted with McLeod at Chippewa. Does not recollect what the others said, but they seemed to agree that McLeod had done most.

Deposition of Norman Barnum, taken before Alderman Hall, of Buffalo, December 31, 1837.

On the 29th of December was at the British encampment at Chippewa. In the afternoon the Caroline was seen going from Schlosser to Navy Island; there was much excitement among the officers and troops. Some of the officers determined to seize the Caroline. An expedition was arranged, under the command of Captain Mosher. Heard Col. McNab say that if the cavalry would let their swords and pistols go, he would be answerable for their safe return.

At night twelve boats set off. Lights were seen on board the Caroline, and it was known that she was moored at Schlosser. Witness knows that Captain Mosher, Rowland McDonald and Alexander McLeod were of the party. Beacons were lighted on the shore, to which the boats pulled for their return.

McLeod boasted that his sword had drunk the blood of two. Col. McNab knew and approved of the expedition.

Mr. Hall then read from page 280 of Sir Francis Head's "Narrative," two extracts from his despatch to Lord Glenelg, dated the 9th of February, 1838; one alleging that the expedition was composed of volunteers, who were ignorant of the service on which they were going that all the information they had was from Captain Drew's requisition, which merely said that he wanted "some bold men, armed with cutlasses, who would follow him to the devil."

The other asserting that when the Caroline was boarded the American guard turned out and fired upon the assailants; that Lt. Elmsley and a party of the assailants advanced some 30 yards upon the shore and took a position where they gallantly defended the rest against the American riflemen, while the fastenings of the boat were cast loose.

[All this is notoriously untrue: there were no riflemen, and there was no firing except that of the assailants. Mr. Hall's object was to show, if Sir F. Head could be believed, that the assailants actually set foot upon the territory of New York. Mr. Spencer remarked that if the account was untrue in part, it was probably untrue altogether.]

The next read was Governor Marcy's special message to the Legislature, of January 2, 1838, describing the outrage—stating the number of persons on board at 33, of whom 12 were believed to have perished, &c.

Accompanying this was a letter from Mr. Rogers, the district attorney at Buffalo, to Governor Marcy, with the following affidavits;

1, of Captain Appleby, taken December 30, 1837.

Stated that he left Buffalo in the Caroline, morning of December 29, for Schlosser, having cleared to run between Buffalo and that place. While at Black Rock ran up the American flag, a volley of musketry was fired at the boat from the Canadian shore, but did no damage. Landed passengers and some articles of freight at Navy Island; thence went to Schlosser; made two more trips in the afternoon, landing passengers and freight as before. At 6 P. M. moored at the wharf at Schlosser.

His crew consisted in all of ten persons; twenty-three others came on board and asked leave to stay for the night, as they could get no lodgings at the tavern. All turned in about ten o'clock. About midnight was roused by the watch on deck, who told him that boats were approaching. Before he could reach the deck the boat was boarded by some 60 or 70 armed men, with cries of "G—d d—m the Yankees! kill them all, give them no quarter."

No resistance was made—all fled for their lives. After boat was cut loose he made diligent search but could find only twenty-one of those who were on board. James H. King and Charles F. Harding were severely wounded, and some others slightly.—Believes that twelve were killed on board or drowned in going over the Falls. Saw the beacon lights and heard the cheers on the Canada side.

Depositions of James H. King, C. F. Harding, and five or six others were read, confirming that of Captain Appleby.

Mr. Hall then read the remainder of Mr. Forsyth's note to Mr. Fox, of December 26, 1841, of which part was read by McLeod's counsel yesterday. In the part now read Mr. Forsyth asserts the independent nature of the several states and the right of New York to take judicial cognizance of the matter—denies the power of the Federal government [illegible] to the states to the exclusion of the right of the injured party to the direct method of redress, one by the national government for the national wrong, the other by the state of New York for the wrong done to that state, &c., and argues in support of the case taken by the tribunals of New York, &c.

Mr. Hall then said that no further evidence would be offered on behalf of the people, it being deemed sufficient to present a prima facie case in testimony. The evidence laid before the grand jury which found the indictment would not be produced, the counsel for the people being much in doubt as to the right or propriety of disclosing that evidence in the present state of the prosecution.

Mr. Bradley then rose to address the court.

He remarked that this was the first attempt ever made to introduce a new principle in legislation—that of holding individuals personally responsible for acts done in obedience to the constituted authorities of their country; a principle whose magnitude and importance could scarcely be appreciated, and which, if established, would effect a revolution in civil and national relations, whose tremendous consequences no eye could foresee and no judgment can estimate.

It is the right of government, he said, to command, the duty of all subjects to government to obey. In a state of nature, each individual man is sovereign, regulating his conduct only by his own conscience, his own judgment and his own power. Nations are in this respect precisely like individuals in the state supposed; the individuals composing them surrender to a certain extent their free right of action as among themselves, but each nation regulates its own conduct by its own wisdom, its own sense of right, and its own power to sustain itself in the course it thinks proper to adopt.

The sovereign authority to decide must be vested somewhere—in a single individual, as in despotic governments, in a combination of sovereign and legislatives, as in limited monarchies, and in a temporary power, emanating directly from the people, as in the United States. But wherever it resides, the authority must be supreme, and the duty of the subject or citizen to obey is imperative. The former cannot be denied, the latter cannot be withheld, without a dissolution of the social compact.

If the duty required is of such nature or oppressive, the subject may resist it, and thus seek to effect a change of purpose; or he may resist his obligation by force, and in a revolution overthrow the power which commands him to do what he deems unwise or wrong. But while that power exists, and is recognized, its mandates must be obeyed, and there is no power on earth to absolve the subject from his duty.

It follows then as an unavoidable consequence that whatever a subject of one government may do in obedience to the sovereign authority of his country and under colour of his allegiance to that authority, he cannot be held responsible for his act to any other power or government than that of his own country.

If the act be to be required to perform in a country not under another country, it is not for that to be held responsible; he is but the humble instrument of a power which he cannot resist. He has neither the knowledge of the right to judge for him as to the expediency and the justice of the act; that government is bound to sustain him against all the consequences of his act, and to afford redress for the wrong if in the act there has been wrong committed.

This principle is recognized in all nations which have [illegible] with each other. It is recognized, mutually, by the United States and Great Britain. They have abundantly [illegible] in the government of the other, [illegible] citizens or subjects, and such as have suffered from direct injuries to the citizens or subjects of the other for redress [illegible] to commercial [illegible] from the [illegible] of the nation.

The State of New York could not be [illegible] the United States and Great Britain. Her commerce has to adopt the [illegible] was a limited one, but it [illegible] experience [illegible] and Great Britain. The [illegible] Great Britain [illegible] the United States [illegible] of that [illegible]

[illegible] Canada [illegible] Great Britain [illegible] the United States [illegible] of the United States [illegible] Great Britain [illegible] the United States [illegible] Great Britain [illegible] the United States [illegible] Great Britain [illegible]