

to Dissenters, the State merely requires the security of a civil contract for the protection of the community (not less of that part of it which dissents than of that which conforms); and for the rest, that is to say, with regard to religious forms of whatever kind or the absence of religious forms of all kinds, the Dissenters are left to take what course they please. The Right Hon. Barneet justified this mode of cutting the knot which preceding statesmen have broken their fingers in trying to untie, by showing that previous to Lord Hardwicke's bill, in 1753, the law of this country had ever sanctioned marriage as a civil contract; and having made good this position from Lord Stowell's judgment in the case of "Dalrymple v. Dalrymple," and other high authorities (disputed, indeed, by Dr. Lushington, but confirmed by Sir John Campell, the Attorney General, and Mr. C. Ferguson.) he said that his plan was conformable to the law of the country as it stood up to 1754, and that he was acting according to reason and good sense in leaving to those who desired a religious form of celebrating the marriage contract, as more binding or more solemn, and who must be the best judges of what form would impress them most, the choice of that form among all existing forms, or the liberty to create new forms.

"The details of the bill, as described by the Right Hon. Barneet, will be as simple as its principle. The measure will enact, that in the case of parties being Dissenters, and objecting to be married according to the forms of the church of England it shall be competent for them to go before a magistrate of the hundred in which one of them has resided for more than seven days past, and declare their intention of entering into the married state. An Oath, similar to that taken on applying for a marriage license now, will be required on the first visit to the magistrate. The oath will set forth the name and place of residence of the party—will declare that he is not a member of the church of England, and that he objects to be married according to the rites of that church; that he has dwelt in such and such a place for seven days past; that the parties are of age, or that they have the consent of their parents and guardians, &c., and that there is no lawful impediment to the marriage. Within any period after such application to the magistrate, nor less than fourteen days, nor more than three months the parties may again present themselves before the magistrates, and go through a simple form of civil contract, signing a declaration that they consider themselves to be a man and wife. This will constitute a legal marriage under the measure of Sir R. Peel.

"It remains only to add to this summary of the bill, that the magistrate before whom the marriage takes place will be required to transmit the declaration of marriage to the parish, who will be required to register it in the same manner as he registers marriages solemnized by himself. The fees in the whole will amount to 7s. of which 2s. are to be paid to the magistrate, and 5s. of which 2s. are to be paid to the parish, and the remainder to the Registrar General.

EMIGRANT VESSELS.
Mr. W. E. Gladstone (one of the Lords of the Treasury) moved for leave to bring in a bill to repeal the act 9 George IV. c. 21, for regulating the carriage of passengers in merchant vessels from the United Kingdom to the Continent and islands of North America, and to make further provision for regulating the same, and explained its provisions.

Mr. Hume expressed his anxiety that the most efficient measures should be taken to provide for the comfort and security of the emigrants.
Mr. Baring suggested that the bill should be brought in the first instance, and that in committee they might consider such amendments as might be proposed.—It was quite clear, from the ill success of the system of "leaving alone," that legislation on the subject was absolutely necessary. One of the principal things to be regarded by this bill was the greediness of captains, which often induced them to take a greater number of passengers than could be conveniently or safely accommodated in their vessels.—The danger of such a practice had already been fatally evinced in the sacrifice of 700 lives in two or three vessels which went down, and from being inconveniently crowded. A feeling of humanity alone then ought to urge the house to lose no time in devising some remedy for evils affecting parties who had not the means of protecting themselves. If hon. Gentlemen opposite could devise any better remedy than that proposed by his Hon. Friend, he would gladly support it.

Mr. Ruthven supported the bill.
Lord Sandon thought the bill was greatly wanted. He had a list of 96 instances in which vessels had left our shores with emigrants, scandalously deficient in the means of giving due accommodation to the number of passengers they took on board. He would trouble the house with only one. In a ship which left England for Van Dieman's land, with 130 passengers, there were in one part of the ship 26 persons in a space not exceeding 23 feet by 11 feet 5; and in another part of the ship, in a space not exceeding 53 feet by 23, were stowed away 102 persons, and this during a voyage of five months.

Sir R. Bateon said that as a very large share of the emigration from Ireland went from the part of Ireland with which he was connected, he begged in the name of the inhabitants of that part to thank the Hon. Member for having introduced this bill.
Mr. P. M. Stewart suggested that some arrangement should be made by which the seaworthiness of vessels taking out emigrants should be ascertained at the responsibility of the Government. It was well known that vessels which were hardly seaworthy for other purposes were taken up to convey emigrants, and he believed that there was not a greater hindrance to emigration than the dread entertained of the unseaworthiness of those vessels generally.
Mr. M. Phillips thought the proposed measure as necessary and practical an improvement as could be devised. He would venture to suggest, as an encouragement to parties emigrating, and as a means of preventing them from squandering by gaming or otherwise on the passage the little funds they had prepared for their settlement in the colonies, that an opportunity should be given to them of depositing the surplus beyond the expense of the voyage in the hands of Government here, they receiving an order on the Government of the place where they landed to be paid on their arrival.
Mr. Bernard, adverting to the inferior kinds of ships frequently taken up for emigrants, suggested that no others should be permitted to be engaged which were not of class A 1, and no vessel over 20 years old should on any account be permitted to take out emigrants.

After a few words from Mr. Ewart and Mr. O'Dwyer, which were not heard in the reporters gallery, leave was given to bring in the bill.
STATE OF CANADA.
Mr. P. M. Stewart said he had a petition to present from the inhabitants of Montreal and its vicinity in Lower Canada, and he thought it but fair to the house and the country to mention the actual state of parties in that country. The petition was signed by 11,170 individuals, of whom there were about 1000 French Canadians, the remainder being British and Irish settlers. They first expressed their gratitude for the security they enjoyed under the protection of Great Britain; and went on to state that they regarded with regret and alarm the tendency of the resolutions passed by the House of Assembly in that colony. But that while they de-

plored the necessity of external legislation, they relied with confidence on the wisdom and justice of the British House of Commons. He ought to observe that the Canadians were as much split into parties as was this country; and there were distinctions amongst the Canadians as well as elsewhere. There were many of what were called liberals or reformers, but there was a distinction there as well as here between constitutional whigs and radicals. He believed there was a majority of the party called constitutional whigs in Lower Canada. The petitioners further stated that they were not insensible to the grievances that had been complained of, nor to the fact that there were too many members of the House of Assembly holding office under the Crown. To the redress of these abuses he requested the attention of hon. members, and he could not but condemn the interference that had taken place on both sides of the Atlantic in the affairs of Canada, firmly believing that they had been allowed to proceed according to their own plans, the complaints contained in the petitions would never have been put forward. In order to afford the hon. and learned member for Bath an opportunity of contradicting statements that had been widely circulated, he would refer to an anonymous letter which had been ascribed by every newspaper to the hon. and learned member. It was dated on the 27th of November, and from Gray's Inn, after the change in the ministry, and was sent to Canada without any signature. It congratulated the Canadian Legislature on the near approach of the radicals to power, stated that Spring Rice had deceived them, and asked them if he returned to power to make his place as difficult as possible, by granting no supplies, and harassing him as much as possible. He was glad to learn from the speech made by a right hon. gentleman opposite a few nights ago, that it was the intention of government to do what they could for Canada.—Would the hon. member persist in proposing the repeal of the tenure act? That would be to restore the feudal or old law. He knew that it would be said that he was personally interested in the subject as a member of the Canada Company; but in that respect he could say that he had paid his money and got nothing for it, and his only object, as well as that of the company, was to encourage emigration, and to spread education in Lower Canada. That company had been established under the sanction of a committee of that house, and its establishment was for the sole benefit of Canada itself.

Mr. Gladstone interrupted the hon. member to appeal to him whether it was wise to pursue this course now when the government had promised inquiry, and had appointed an individual to proceed to the Canadas to institute inquiry? Under such circumstances, ought such extensive details to be pursued?

Mr. Roebuck could not admit the propriety of this interruption, as the hon. member was limiting himself to the objects embraced by the petition.
Mr. P. M. Stewart, in continuation, observed that he had done his best to advert to the details of the petition. He had not sought to do more. The people of Canada were still a sensible and loyal people; and he hoped that this country would show such a sympathy with the complaints of the Canadas as to remedy abuses which would be the most effective way of allaying discontent and appeasing dissension.

Mr. Roebuck said that there had been in this country, as well as in the Canadas, the most unjust garbling of his statements and letters. Even the hon. member who had just spoken had declared that he advised the Canadians to appeal to arms. His reply to this would consist in reading the letter which had been referred to. He then read a long extract of a letter which concluded by declaring to the people of Canada that it was better to fight than to lose their rights, but that they ought to resort on all exertions before they thought of arms—(hear, hear.)—to try all means before resorting to arms. He would ask whether that justified the statement which had been made? What he had stated in that letter he still adhered to. Then the hon. gentleman talked about constitutional doctrine; but he would ask did not the wiig government, in order to get the Reform bill passed, excite the people of England? and he would in the same spirit endeavor to excite the people of Canada, in order to get them a Reform bill, and a Reform bill which he hoped would give them the power of governing themselves. They had resolved not to grant the supplies. Would any one say that was unconstitutional, when such a course was even now contemplated by a British House of Commons? He knew it was contemplated in a very short time to try the strength of the house upon that, and it was intended to try that strength upon the arm estimates. Was not that a constitutional mode of harassing the government? If no one took that step in the course of ten days, he himself would do it; and if the House did not stop the supplies, he would say that he would not be answerable for the people of England. The people of Canada had resisted the supplies, and he declared that according to his notion of the law, that was a constitutional step, and he hoped the House of Commons would endeavor to stop the supplies in imitation of their good brethren of Canada. They were told by these parties that it was an English and French dispute; but he would tell him, that it was a dispute between Tory and Liberal principles—though the truth was that the Tory party was much weaker, he was happy to say in Canada than they were in this country. The only remedy that appeared to him was a proper alteration of their Constitutional Assembly; for he was convinced that, unless they did take away their Constitution as it stood at present, there would be no possibility of effecting any amelioration in their condition; and if they did not, they would make one for themselves. He intended to abandon the first of the three motions which he had given notice—that for the better regulation of Canada—but he did intend most positively to press his other two—the repeal of the Tenure's Act and the Land Company Act. It was said that this would reduce this grand Tenure Act to what was termed the feudal system. Now the fact was, that it would embrace a system forming, as near as possible, an exact copy of the copyhold tenure in this country. Instead of, as he had been represented by some parties, stirring up a spirit of undue commotion in Canada, he had requested the people to give a hearing to the Commissioner; that they should meet him in a calm state; but that in their representations they should adhere to these 2 distinct propositions, namely, that they should have the whole of the revenue under their control, and that a decided alteration should be made in the Legislative Assembly. He mentioned these facts that the Government might know what they had to expect. The letter dated Nov. 27, from Gray's Inn, and without a signature was not his, though attributed to him.

Mr. P. M. Stewart explained. He had never said, and never meant to declare, that to stop the supplies was an unconstitutional mode of proceeding and at this moment in particular, for he considered the principle the key-stone of the power of the house of Commons.
Mr. Hume remarked that the Conservatives had formed associations in that country which had the very same objects in view as the Conservatives in this country (hear.) He was happy to hear a few evenings before from the Right Hon. Barneet, that a commission would be appointed to settle the differences in Canada. He wished to know when they would be informed of the nomination of the Commissioners?

The Chancellor of the Exchequer was in momentary expectation (as we understood) of a final answer from the gentleman nominated, and hoped that he might be enabled to announce their names that evening.
Mr. Robinson assured the members of the house, that the hon. member for Middlesex, in asserting that the petition came from a certain party in Canada, did that which was most likely to mislead the house; that the petition came from men of all religious persuasions, and every variety of political opinions—(hear.) It was not fair, then, to cast imputations upon such a class of petitioners. He certainly could not approve of the conduct of the hon. member for Bath, who called upon the Canadians to harass not only his Majesty's present Government, but every future Government that might be formed. He could tell the hon. member for Bath, that as long as he continued to address the people of Canada as he did—so long as he should continue to act as a firebrand in Canada, so long would his irritation prevail, and so long would he prevent justice being done. The people of Canada had placed their case in the hands of the member for Taunton, who sat in that house; hon. member for Bath had not left them in the same hands—if they had, it was certain their affairs would have been much sooner brought to a favorable conclusion.
The petition was then read on the table.

FROM CHINA.—By the arrival of the York, Capt. Sterling, from Canton, we have files of the Register of that place, to which we are both interesting and important. Under the latter head must be placed the memorial from the King of Great Britain, praying for the adoption of measures for the regulation of commercial intercourse between the English and Chinese, upon such a footing as is demanded by the insolence of the latter, and the interest and duty of the former, and the dignity of their government. After setting forth the vexations, insults, and exactions to which they have been subject, the memorialer or Envoy, authorized by the King, and the Governor of Kwantung, for the arrogant language addressed to his Majesty's subjects for losses emanating from the local authorities—and for the insult offered to the English flag by firing on the ships of war on board of which his Majesty's subjects for losses sustained by them in consequence of the stopping of the trade. All this to be remedied by way of preliminary, and to be demanded by the Envoy, having at his disposal as a means of enforcement, a ship of the line, two frigates and three or four armed vessels of light draught, and an armed steamer, all fully manned. After obtaining this reparation, &c. the memorialer prays for the adoption of such measures as shall secure them from future grievance, and tend to the extension and security of the trade.
There can be no doubt that with such a force as is recommended in the memorial, the Envoy would have no difficulty in extorting from the Chinese whatever he might think proper to demand; and it is high time that some order should be taken with them for the quelling of their absurd and provoking airs of superiority to all the world. Their pretensions have too long been acquiesced in. The memorial is signed by ninety-one persons, thirty-five of whom are British residents in China, twenty-nine commanders of British ships, and twenty-five transient British merchants, supercargoes, &c.
We think there can be little doubt that the British government will take some decided action upon the subject of this memorial, and if so, the result will probably be free trade to all the ports of the Chinese empire from the advantages of which it is not very likely that we shall be excluded.
FROM BARBADOES.
We have received a file of the Barbadian to the 26th of March, from which we make the following extracts, reserving others for our next publication.—The Legislature of the island of St. Vincent, met on the 1st of March, and has passed a bill laying a tax of 10 per cent. on all imports. This would press hard upon the merchants, and a petition, numerously and respectfully signed, was about to be presented against the same.
In Antigua, the Legislature have passed several subsidiary laws calculated to preserve the peace and improve the character of the now free peasantry.
At Grenada, the long agitated claim advanced by that colony for the restitution of foreign duties, which, upon the faith, and under the guarantee of an act of Parliament, had been imposed and levied under an implied plea of benefit and relief to the colony, but retained from it under an assumed authority from the commissioners of the revenue, had been so far adjusted, that under the tonnage act, lately assented to, a sum in specie, amounting to upwards of fourteen thousand pounds, was paid into the public Treasury of that Island—ten thousand of which was to be placed in British funds, and the residue in the hands of the Treasurer, to meet the exigencies of the colony.
President Lockhart, administering the government of Dominica is severely handled in the papers for indulging his old prejudices against the colored class, in not inviting to a medical conference, on the alarm of cholera, a gentleman of color, (Dr. Caravanna,) who had been regularly bred to the medical profession and had lately arrived there from that seat of learning and science, Edinburgh. Complaints were also made that the black population were not summoned on juries! The papers say—"These things are too bad!"
A sharp letter is also addressed to the Honorable Thomas Bell, member of the Board of Council of that Colony, who though elevated to that honorable board, and one of the Judges of the Colony, is still a clerk in a mercantile store. The Dominicans perhaps are not aware that the venerable Mr. Adams, late President of the United States, is notwithstanding his former elevated station, now only a member of Congress.
A letter dated St. Thomas, Jamaica on the 16th February, states that every thing was quiet at that place, and that the crops would be got off in pretty good time. A house belonging to the Philadelphia estate, had been burned, and a woman had been committed to jail supposed to be the incendiary.
A private in the militia, at Jamaica, named Peacan, who had for eight years avoided all attempts to coerce him to duty, had been tried by a Court Martial, and sentenced to pay £50, and be imprisoned twenty-eight days. In attempting to secure him, he knocked down an officer; and another, after giving him several warnings to desist from his conduct, shot Peacan through the heart.
At the Grand Caymas there was much disturbance in consequence of two of the West Indian regiments being about to be brought to trial in that island, for their lives, without legal arraignment, or proper evidence; in consequence of which the Governor of Jamaica had ordered H. M. ship Race horse thither to protect the peace.
His Majesty's steamer Spitfire, arrived at Barbadoes on the 17th March, in 8 days from Jamaica and 3 from St. Thomas, having been about sixteen days. The Barbadians think "the rapidity of steam travelling is astonishing."
There had been an insurrection at Para, but of what nature, or extent the papers do not inform us.
The accounts from Martinique confirm those of a

previous date, that the cholera had not visited that island; but a quarantine had been laid at St. Vincent's of vessels coming from that island, in consequence of reports of prior reports.
All was quiet at Trinidad.
There had been a collision at Tobago, between General Darling, and the Lieut. Governor, growing out of drafts for money illegally made by the latter, who insisted he had the lawful power to draw. It had been settled by the decision of Mr. Sharpe, Attorney General.
HOSTILITIES IN TRIPOLI.—It appears that a civil war is raging in Tripoli, and that the capital was invested by the revolted, who were throwing bombshells into the city, but owing to the inefficiency of their bombardiers, as well as the badness of the ammunition, the damage done was not great, the chief part of the shells falling upon the ramparts. Some injury had, however, been sustained by the houses, and, among others, the residence of the French Consul had been injured by the bombardment. The Pacha Sadi Ali although acknowledged by the Sultan, was by no means in an enviable situation. Not only had he to oppose the insurgents but to provision for the town, which was impossible by land and difficult by sea, as the Meschites chased every European vessel attempting to enter the port.
A Tuscan vessel had been seized by them while at anchor under the castle of the Pacha, the crew made prisoners, and the vessels destroyed, after the cargo had been carried away. The crew had, however, been subsequently released upon the application of the French Consul. The coast of the Meschites was blockaded by two Tripolitan ships, but these were entirely insufficient to protect the vessels coming with provisions or necessities to the town. The European vessels of war on the station preserved a strict neutrality. The quantity of grain in Tripoli was large, but there was a great want of oxen and many other essential necessaries.

MISCELLANY.
Speech of Mr. MacKenzie, on the Bill for constituting the Legislative Council, a Court of Appeals.
MR. MACKENZIE felt highly gratified that his hon. friend Dr. Morrison had brought forward his motion. It was called for by the act of the Legislative Council themselves, who were content with the powers which they already possess, come to this House and ask for more. During the whole of this session we have refrained from complaining of the composition of that body, and now they very modestly come and ask this Parliament, which they have trifled with, its labors by their conduct rendered useless or worse than useless.—They come and ask us to give them more powers, to constitute a Court of Appeals—to suit the purpose of a few interested individuals. They are at present a Legislative body, and they now wish to be constituted a judicial one. In answer to this—the motion in your hands merely sets forth the simple but certain fact, that they are neither a fit nor a proper body to do the duties with such powers: Let us examine what are the requirements of this act! They would wish to be constituted a Court of Appeals of "Writs of Error" in all cases over £100 exclusive of costs, or if it relates to "the taking of any annual or other rent customary, or other duty, fee or any such like demand of a general and public nature affecting future rights, of what nature or amountsoever the same may be."—And it is also provided that "on certain days during the sitting of the Legislature, the Council are to examine into the errors assigned, and may call upon the judges to give their reasons for their judgment—and to state the law."—The appeal to this body, however, by the provisions of this law are not to be final, but an appeal may be made to his Majesty in Council, should proper and sufficient security be given, to a tribunal 4000 miles off; where I would ask would be the possibility of justice under such a system as that now proposed! The man of influence and wealth might carry a case from the King's Bench to the Legislative Council, and from thence to the King in Council, but the party whose means were but small would find that he had been not only deprived of justice, but that he was a witness to the more powerful to give their reasons for their judgment—and to state the law."—The appeal to this body, however, by the provisions of this law are not to be final, but an appeal may be made to his Majesty in Council, should proper and sufficient security be given, to a tribunal 4000 miles off; where I would ask would be the possibility of justice under such a system as that now proposed! 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