

Foreign News.

From London Papers.

While the seventh Hussars lately passed by the marquis of Anglesea's seat near Lashfield, on their route to Manchester, the wife entertained by the marquis at his seat with good old English cheer. While the soldiers were parading on the lawn in front of the house, immediately before their departure, a somewhat singular appearance presented itself in the persons of the marquis, his brother, (a captain in the navy) lord Uxbridge, (the marquis' son) and the daughter of the marquis. He first wanted a leg, which he lost at Waterloo; the captain an arm, the noble lord Uxbridge was on crutches, being wounded in the knee; and the fair lady was missing her right hand, which she lost while attending her husband at one of the battles in Spain.

We understand that a reward has been privately offered for the discovery of the author of the new satirical novel called 'London, or a month at Stevens,' in which such scenes and anecdotes are detailed as could only be known to the parties actually concerned; and the exposure of which has caused so much consternation among certain fashionables.

Retrenchment in the Tower.

We noticed that some important alterations were going on in the Tower, under the direction of the duke of Wellington. The circumstances which led to these alterations were simply these—The gallant duke, from the nature of the important service in which he was engaged during the late war had occasion to be in early and late, and consequently to find on every review, each subordinate at his station. On being appointed to a command at home, he some weeks since repaired to the office, habited in his usual plain manner, arrived there shortly after eleven o'clock. In the hall he found the porter, to whom he was unknown, lighting the fire. The duke enquired, 'Is Mr. — here?' naming the head of the particular department, whose salary and emoluments are about two thousand pounds per annum! 'No, sir,' was the reply. This led to some further questions as to the time of commencing business, when his grace was informed that Mr. — did not make his appearance till one o'clock each day, and retired about two! 'Tell Mr. —' said the duke, 'I wish to speak to him.' 'I dare not send to him,' replied the porter. The duke repeated the desire rather in the tone of command, on which the porter requested to have the gentleman's card to hand to Mr. — 'Card!' exclaimed the duke, 'tell him the duke of Wellington desires he will come to the office immediately.' The affrighted porter lost no time in conveying the message, and Mr. — received a lesson which he will not easily forget. The consequence has been, that his grace has investigated some economical arrangements which will ultimately be made public.

SINGULAR CIRCUMSTANCE.

The Stamford Mercury says: 'The indiscretion of persons who are possessed of any property not being prepared against accident by the making of a will whilst health and reason remain to them, has been remarkably shown in the case of Mr. W. whose death by a fall from his horse we lately noticed in our paper. To the great surprise and chagrin of his widow and family, a claimant to his property has sprung up in the person of a young woman who was in service in the house of a professional gentleman at Grantham; and it turns out that this young woman is indeed the sole heir to all that Mr. W. has died possessed of, although until she made her claim the family had never heard of such a person.

The deceased it seems was in early life, from the consequence of an indiscreet connexion compelled by certain parish officers to marry the mother of the young woman. He immediately afterwards left her and went to a distant part, (we believe to Horn Castle) where, passing as a single man, he married a respectable young woman of some property, by whom he afterwards had a family now moving in a creditable station in life. Many years after this second marriage, being at Grantham, he accidentally met the young woman who has now come forward as the claimant of his property, and satisfying himself that she was the offspring of his early connexion with the female whom he had been compelled to marry, (and who he learned had been dead for 18 years) he told the girl that he would befriend her, and did two or three times afterwards show such an interest in her welfare, as led the girl to entertain suspicions (which the parish registers and other proofs have now shown to be well warranted) of Mr. W.'s being her father. We understand that the proofs are indisputable; and consequently, as the marriage was contracted during the life time of the first wife, the present respectable widow and her family will by law lose all the property which the father and supposed husband died possessed.'

The Bear of Kensington Palace.

Early on Sunday morning it was discovered that a large black bear, sent as a present to his royal highness the duke of Sussex, had contrived to break out of his cage, which was placed in a coach house, and Brain having an inclination to explore some new chariot, mounted the footboard, and began to play with the tassels; he next ascended the roof and the box, the covering of which became a prey to his

claws; after enjoying himself as an outside passenger as long as he thought proper he proceeded to examine the interior of the vehicle, and turning from the box, made his entry through the front windows into the carriage, which bore serious marks of his savage curiosity. No one dared to approach this northern visitor, and in order to prevent depredations in his probable rambles, guards were placed, with fixed bayonets, until some of the keepers arrived from the menagerie, at Exeter 'Change, who secured him after great difficulty, in one of their strong cages.

A few days ago a bee hive belonging to Mr. George Cooper of Scorebygrange, near York, was accidentally overturned by one of the servant men. He himself luckily escaped danger; but the enraged insects appeared determined to revenge themselves on any living object that came in their way. Part of them consequently flew upon a pointer dog, and the rest upon a turkey cock, both of which were near the hive. The former (being chained up and unable to escape) was so dreadfully stung that he died in about two hours afterwards, apparently in a state of madness. The turkey cock, however, survived till the following morning, and then died after considerable suffering.

Anecdote.—In a cause respecting a will at Derby assizes, evidence was given to prove the testatrix (an apothecary's wife) a lunatic; and amongst other things it was deposed that she had swept a quantity of pots, lotions, potions, &c. into the street, as rubbish. 'I doubt,' said the learned judge, 'whether sweeping physic into the street be any proof of insanity.' 'True, my lord,' replied the counsel, 'but sweeping the pots away certainly was.'

GERMANY.

Accounts from Inspruck say, that the emperor of Austria has conferred a pension of 500 florins on the widow, and of 200 florins on each of the daughters of the brave and foully murdered Hoffer. The daughters are to receive 500 florins as a dowry, on each of their respective marriages. His son is to be placed in a respectable Inn, at the expense of the public treasury. It is pleasing to see princes bestowing honors and pensions on genuine patriots, instead of heaping them on parasites and panders, whose baseness and whose vices they only tend to render more odious and conspicuous.

Singular Robbery.—The Cork paper says:—At a late hour on Wednesday evening week, two men, apparently countrymen, went into a public house in the Coal Quay, and called for a gallon of porter.—They were carrying a sack which they laid under the counter while they drank. After they had finished, which they did very speedily, they told the landlord that a gentleman who owed them some money was near, and that they would just step and receive it from him, and return to pay for their porter.—The landlord, supposing no opposition, and they accordingly went, but did not return. After the people of the house had gone to bed, the sack discharged its contents, which proved to be neither more nor less than a man brought in for the purpose of robbing the house.—He effected his purpose very completely, by carrying off every thing moveable—jug, mug, glass, bottle, pint, quart, together with the money in the till, which he deposited in his late tenement the sack, and marched off. The unlucky landlord has been making every effort to discover his customers, but hitherto without effect.

Artists in England.—It appears from a list of each class inserted in a late number of Annals of the Fine Arts, that modern patronage has created in England not less than 931 professional artists of various descriptions in and near the metropolis; of whom there are 532 painters, 45 sculptors, 491 architects, 93 engravers in line, 33 in mixed styles, 19 in mezzotint, 83 in aquatinta, 22 on wood; and it deserves to be especially noticed among the painters, that there are no less than 42 ladies.

Constantinople, July 1.—Sir Robert Liston, the ambassador of his Britannic Majesty to the Porte, has just concluded an important treaty, after three years negotiation by which the Divan at length recognizes the arrangements concluded by the four allied powers, respecting the Ionian islands.

Paris July 7.—The conditions imposed by the new law on the liberty of the press, have obliged many journalists to renounce their establishments, not possessing the means to make bail deposits to the immense amount required. Le Memorial Bordelais is among the number discontinued.

Professor Bowditch, of Salem, Mass. has taken the elements of the orbit of the late comet, and finds that no comet yet observed agrees with these elements; it must therefore be considered, he says, "as a new comet to be added to the catalogue of those already observed and published in several treatises of astronomy."—Albany Gazette

London, June 29.—Letters from Cadix were received by the post of yesterday, stating that several of the British transports had been discharged, not from their being no longer wanted, but because the captains would not submit to new conditions the Spaniards wished to impose upon them. It appears that the experience acquired by the purchase of the rotten Russian ships has made the Cadix committee extremely cautious, and they now insist on the British ships being stripped before they proceed to sea, though many of them were fresh coppers before they left this country. With this the captains refused to comply.

From the Quebec Gazette. The following article is copied from the Morning Post of the 14th inst. It relates to a matter of general interest in this col-

ony, and on the subject of which much alarm has prevailed among the numerous descriptions of persons immediately concerned in the lumber trade. We believe that the sense of the colony on the subject of the proposed alterations of the duties on Lumber from the colonies is well known in Great Britain. It has been manifested, repeatedly, in memorials from the merchant, & from the two branches of the legislature. We cannot ask that Great Britain should sacrifice what she considers to be the general welfare of the Empire, to our particular interests; but we trust that before she takes any step which may destroy the most important branch of her trade to the northern American Colonies, she will be very certain that her decision is not founded in error. Wrong measures of this nature very seldom admit of any remedy. If the expensive establishments which enable us, under the present duties, to maintain a competition with the Baltic, are once destroyed, they will probably never be renewed. Without a market for any part of our produce, we shall be able to purchase nothing abroad, and must just be contented to live within ourselves.

From the Morning Post of June 14.

TIMBER DUTIES.

It appears by the Schedule of Rates or Duties of Custom, submitted to Parliament on Tuesday last, that there is an intention to enforce the payment of the duties which were nominally imposed by the 54th of the King, on timber from the King's Colonies—such timber having, by particular acts of Parliament, been hitherto exempted from duties, and which exemption was not to expire before March 1820. The impolicy of imposing a duty on wood from these colonies, and the injurious effect it must have upon the shipping interest of this country, have always been felt by the legislature; and we particularly refer, for an illustration, to the opinions of former legislators, as expressed in the acts of parliament of their times, and who, upon practical questions relating to commerce, are, it must be admitted, not excelled by the men of the present day.

By the 5d and 4th of Anne, bounties were given on the importation of mast, &c. from the colonies, for a limited period, and subsequent acts continued them, till the 24th of June 1781. The language of the preamble to the Statute of Queen Anne is remarkable, and strongly expresses the sentiments and policy of the statesmen of those days on this question, and we quote it, as particularly applicable to the subject at this time:

"Whereas the Royal Navy and the navigation of England, wherein, under God, the wealth, safety and strength of this kingdom is so much concerned, depends on the due supply of stores necessary for the same, which being now brought in mostly from foreign parts in foreign shipping, at exorbitant and arbitrary rates, to the great prejudice of this kingdom, and the great navigation of this kingdom, may be provided in a more certain and beneficial manner from her majesty's own dominions. And whereas her majesty's colonies and plantations in America were at first settled, and are still maintained and protected, at a great expense of the treasure of this kingdom, with a design to render them as useful as may be to England, and the labour and industry of the people there, profitable to themselves; and in regard to the said colonies and plantations, by the vast tracts of land therein lying near the sea, and upon navigable rivers, may commodiously afford quantities of all sorts of naval stores, if due encouragement be given for carrying on so great an undertaking; which will likewise tend not only to the further employment and increase of the English shipping and seamen, but also to the enlarging in a great measure the trade and vent of the woollen and other manufactures and commodities of this kingdom, and of other her majesty's dominions, in exchange for such naval stores, which are now purchased from foreign countries with money or bullion; and for enabling her majesty's subjects in the said colonies and plantations to make due and sufficient returns in the course of their trade."

The legislature, not satisfied with the encouragement given to the timber trade of the King's colonies, and finding it was not sufficient to induce the colonists to engage extensively in it, passed the 8th Geo. I. c. 12, by which wood, the growth of these provinces, might be imported from thence, into this country direct, in British ships, free of duty. The act recites, that great quantities of wood and timber had usually been imported into this kingdom from foreign countries, at excessive rates, especially in times of War, and that foreigners had thereby found opportunities to export the coined monies of the realm, to the great detriment of the public weal. The same policy was successively pursued by the legislature in various intervening acts, the last of which expired in 1814; and timber, fit for naval purposes, imported into this country from those colonies, is still exempted by statute, from duty, and was to have continued so till March, 1820; but that there is now an intention to impose a duty on timber from British America, at no distant period, is too evident from the resolutions agreed to by the House of Commons on Tuesday last. It is said that the duty is not to take place immediately, and not until after March, 1820, the period limited by the statute granting the present exemption; but we wish to know upon what sound principle this duty can at any time be imposed, and whether as a source of revenue, or as a boon to foreigners? To the English ship-owner, any duty, however small, will inevitably be most injurious. To the colonists, the timber trade is alto-

gether secondary, except as it enables them to obtain from the mother country at a low freight, those articles of manufactures and merchandize, which they must otherwise obtain from the United States. That the effect of any duty on timber from the king's colonies, will be extensively ruinous to the shipping interest, is evident from the circumstance of the freights to the Baltic and to Omega, and other distant parts of the continent, being now so much less than the freights to Canada, that wood may be imported from thence at such low prices as to ruin the importers of wood from British North America. At this moment from the expectation of a duty being levied upon timber from the colonies, the ports of Norway, Sweden and Prussia are groaning under the immense quantities of wood collected there, and ready to be thrown into Great Britain and Ireland; indeed the River Thames at the present moment affords a fair specimen of what can be done by the Northern States from the shortness of the voyages to this country. We, however, trust that all the blandishments of the northern courts will not influence the legislature of this country, but that they will continue to admit, free of duty, all sorts of wood and timber from the king's colonies.

The proposed remission of the duty in Prussia on British Salt, and of taking a few more coarse woollens, on condition that the timber from British North America shall be taxed, is so flimsy a ruse diplomatique, that it cannot be supposed to influence the distinguished individuals of the present government. It should, however, be recollected that if the trade to the colonies is depressed and falls off, the inhabitants will have no means left to pay either for British salt or other manufactures, and that the shipping houses in Great Britain must close their accounts and give up all connection with the colonies. This assertion we make upon information, on which we can rely, and we believe that the London houses will not hesitate to confirm it, if they are referred to on the present occasion. It should also be recollected there are about 1200 to 1300 ships annually employed in bringing timber from these colonies, which are in general not calculated, from various circumstances, for any other purpose; and therefore if by the pressure of taxation, they are compelled to quit this trade, the seamen engaged in them must seek for employment in other countries.

The value of this trade to the mother country is great. It appears by a return to the House of Commons on the 12th of February 1816, that the exports to British North America, exclusive of Newfoundland, were:

Table with 2 columns: Year (1810, 1814) and Value (£ 178,425 10 6, 3,416,996 13 7)

The returns since that period have not been returned; but we hear strong desire to know what is the value of our annual exports in such things to Norway, Sweden, and Prussia; for as to the Wood Trade from Russia, it is of no moment, from the small quantity brought from thence. (Concluded next week.)

FOR THE UPPER CANADA HERALD.

The impartiality of the Common Law of England, in the administration of justice in criminal cases, and the strictness with which it guards the life, liberty and character of subjects, when charged with aggravated crimes, has been exemplified in a series of modern decisions. The principle was happily explained by the late Chief Justice of the Court of King's Bench, in the case of Rex vs Fisher and others; which was an indictment against the printer, publisher and editor of The Day, for publishing in that paper an account of the preliminary examination of a Capt. Stephenson, before the Mayor of London, on a charge of a Mrs. Poppewell, for an assault with intent to commit a rape; mentioning several things, the natural tendency of which was to impress a belief that the accused was guilty. The nature of the libel, and the defendant's opinion of the Court.

Lord Ellenborough.—If any thing is more important than another in the administration of justice, it is that jurymen should come to the trial of those persons on whose guilt or innocence they are to decide, with minds pure and unprejudiced. Is it possible they should do so, after having read for weeks and months before, ex parte statements of the evidence against the accused, which the latter had no opportunity to disprove, or to controvert? By their own public declarations we know that the minds of jurymen are often preoccupied by such statements, and that they proceed with terror to the discharge of their duty, from the apprehension that an antecedent bias may influence their verdict. These publications tend alike to the conviction of the innocent and the acquittal of the guilty. I fully accede to the cases cited on the part of the defendants. But how can the publication of preliminary examinations taken ex parte be brought within the scope of these determinations? The publication of proceedings in courts of justice, where both sides are heard, and matters are finally determined, is salutary, and therefore it is permitted. The publication of these preliminary examinations has a tendency to pervert the mind, and to disturb the course of justice; and it is therefore illegal. What is injurious to individuals and to the community the law considers criminal. To look to the case before us, it must be the anxious wish of all, that the person accused by this lady should have a fair and impartial trial. The honour and security of the female sex are involved in the issue. Does this publication leave the mind in a state of equipose as to his guilt or inno-

cence? No one, with the feelings of a man, can read it without being roused to indignation against the person whose conduct is depicted in such glowing colours. Even if a fair and dispassionate account of the examination were allowed, it comes to conclusions which would only be fair after verdict. It assumes every thing that the woman said to be true, and represents the accused as conscious of his guilt. It talks "of the contemptuous manner in which he was regarded by all who were aware of his unmanly conduct," and triumphantly asserts, that "he is likely to meet the punishment of his villany." Allowing the utmost latitude to fair and candid statement, is this to be tolerated? Jurors and Judges are still but men; they cannot always control feelings excited by such inflammatory language. If they are exposed to be thus warped and misled, justice must sometimes be done. Trials at law fairly reported, although they may occasionally prove injurious to individuals, have been held to be privileged. Let them continue so privileged. The benefits they produce are great and permanent, and the evil that arises from them is rare and incidental. But these preliminary examinations have no such privilege. Their only tendency is to prejudice those whom the law still presumes to be innocent, and to poison the sources of justice. But what defence can be made for a publication like this, which, besides containing a complete statement of evidence before a magistrate against a man who has had no opportunity to defend himself, actually designates him a criminal, and describes him as a monster? It is of infinite importance to us all, that whatever has a tendency to prevent a fair trial should be guarded against. Every one of us may be questioned in a court of law, and called upon to defend his life and his character. We would then wish to meet a jury of our countrymen with unbiassed minds. But for this there can be no security if such publications are permitted. The necessary tendency of the libel was, in the language of the indictment, to traduce and defame the prosecutor, and to prejudice him in the minds of his countrymen, and to cause it to be believed that he was guilty of the assault laid to his charge, and to deprive him of the benefit of an impartial trial. If so, the law infers that such was the intention of the defendants in publishing it, and they must answer for the injury they have thus done to the prosecutor individually, and to the community of which he is a member. The defendants were found guilty.

Statutes of Upper Canada.

An act to repeal part of and amend the laws now in force for laying out, amending and keeping in repair the public highways and roads in this province.

WHEREAS, it is expedient to amend the laws now in force for providing for the laying out, amending and keeping in repair the public highways and roads within this province, be it enacted by the king's most excellent majesty, by and with the consent of the legislative council and assembly of the province of Upper Canada, constituted and assembled by virtue of and under the authority of an act passed in the parliament of Great Britain, entitled "an act to repeal certain parts of an act passed in the fourteenth year of his majesty's reign, entitled "an act for making more effectual provision for the government of the province of Quebec in North America, and to make further provision for the government of the said province, and by the authority of the same, that from and after the first Monday in the month of March, which will be in the year of our Lord one thousand eight hundred and twenty, the thirtieth clause of an act of the parliament of this province, passed in the fiftieth year of his majesty's reign, entitled "an act to provide for the laying out, amending and keeping in repair the public highways and roads in this province, and to repeal the laws now in force for that purpose, and so much of an act passed in the fifty sixth year of his majesty's reign, entitled "an act to repeal and amend part of an act passed in the fiftieth year of his majesty's reign, entitled "an act to provide for the laying out, amending and keeping in repair the public highways and roads within this province, and to repeal the laws now in force for that purpose," as enacts "that any person liable to perform the duty imposed by the before recited act, may compound for such duty if he or she may think fit by paying to the overseers the sum of ten shillings for each cart, waggon, team and every person liable to perform such labor, may compound for the same if he or she shall think fit by paying to the overseers the sum of five shillings, for and in lieu of such duty or labor respectively, at the time and in the manner directed by the aforesaid act, shall be and the same are hereby repealed.

II. And be it further enacted by the authority aforesaid, That from and after the said first Monday in March, which will be in the year of our Lord one thousand eight hundred and twenty, every person included or inserted in or upon the assessment roll of any township or place, shall, in proportion to the real and personal property stated on the said roll, be held liable to work on the highways and roads in each and every year as follows, (that is to say) if his property be not rated at more than twenty five pounds, then his proportion of statute labor on the highways shall be two days; if at more than twenty five pounds and not more than fifty pounds, three days; if at more than fifty pounds and not more than seventy five pounds, four days; if at more than seventy five pounds and not more than one hundred pounds, five days; if at more than one hundred pounds and not more than one hundred and fifty pounds, six days; if at more than one hundred and fifty pounds and not more than two hundred pounds, seven days; if at more than two hundred pounds and not more than two hundred and fifty pounds, eight days; if at more than two hundred and fifty pounds and not more than three hundred pounds, nine days; if at more than three hundred pounds and not more than three hundred and fifty pounds, ten days; if at more than three hundred and fifty pounds and not more than four hundred pounds, eleven days;