pold. He was the person to whom the allied powers had offered the sovereignty of that country, and his royal highness has accepted the offer. Some parts of the negotiations were not yet fully settled, but they were not fundamental, and must speedily be concluded

The Duke of Wellington said, with respect to one question put by the noble marquis, he begged leave distinctly to answer in the negative (we understood this to apply to the naturalization.)

The Marquis of Londonderry gave notice that if the papers respecting Greece were not produced very early in May, he would bring the subject before Parliament.

Prince Leopold arrived on the 30th of April, in London, from Paris. Preparations were making in Greece for his immediate reception, as he was expected there in the beginning of June.

The Paris National contains the following rumours and speculations in relation to Leopold.

"Prince Leopold has set out for London. His stay at Paris has not advanced the affairs of Greece; on the contrary, it would appear that a new protocol is on the eve of being opened at London. The steps taken by the Prince de Polignac, Lord Stuart de Rothsay, and M. Pozzo de Borgo, to induce the Prince to set out for Greece immediately, have been without effect. Evasive answers, demands of troops, and of more extended boundaries, have been put forth under various forms by his Royal Highness.—Only the day before yesterday, the Prince de Polignac offered him, by a Marshal of France, 30,000,000 fr. in cash, to be immediately embarked with him, but in vain. It appears that Prince Leopold will not easily give up his brilliant position in the world for a precarious future. Uncle of the future Queen of England, possessor of an income of £50,000, proprietor of the beautiful estate of Claremont, at liberty to enjoy, either at Paris or elsewhere, the charms of the highest independence, he is in a situation that requires great self-denial to exchange it for that of reigning over an unhappy country like Greece, where every thing is to be created anew, because every thing has been destroyed. This is a kind of ambition to which the Prince is a stranger, both by habit and character. Whether the duke of Wellington, obliged to fulfil his promises, and to lay before Parliament the documents relative to the affairs of Greece, will prevail upon him, is a question yet to be resolved. It must be confessed, however, that the duke of Wellington, while he imagined he should serve the interests of England, has not been fortunate in the choice of a Greek sovereign The Prince de Polignac only followed this scheme in a servile manner. Russia has remained passive in the grand question, for she was aware that the jealousy of England would not permit her to have a preponderating voice in it: she therefore submitted to the choice of France and England, whatever it might be. We do not speak from rumours prevalent in the higher circles, but from real facts and positive data.

Another and more authentic account states that Prince Leopold has been occupied with directing in France the construction of a wooden house, as a model for the inns to be built on all the public roads of Greece.

[The Court Journal says that Prince Leopold left France on account of the illness of the king; and that he had expressed regret that it would be necessary for him to be denaturalized. It will be seen above that the Duke of Wellington negatived this necessity on the floor of the House of Lords.]

The Russian negociations at Constantinople, proceeded without interruption; those relative to Greece are gradually drawing to a close.

"Protocol of the Conference held at the Foreign Office, London, Feb. 4, 1830. Present: The Plenipotentiaries of France, Great Britain, and Russia.

"The Conference having continued its deliberations on the execution of the stipulations contained in the Protocol No. 1, of this day, devoted its attention to the choice of the sovereign to be given to Greece. The Plenipotentiaries of the three Courts considered that among the persons who particularly recommended themselves to the choice of the Alliance by their personal qualification, and by their situation in society, Prince Leopold of Saxe Coburg presented to Greece, and to all Europe, every possible guarantee; that from the information collected hitherto, there was every reason to think that the Greeks would receive him with gratitude for their sovereign. Prince Leopold is not a member of the Royal Family now reigning in England; he is not qualified to be called to succeed to the Crown, consequently the Prince of Saxe Coburg is not within the case of exclusion, which is provided against in the Protocol of the 22d of March. Husband of the Princess, daughter of the King, he has been assimilated, by an Act of Parliament, to the Royal Family in regard to honors; but it has been acknowledged, and confirmed by the explanations given by the government of his Britannic Majesty, that Prince Leopold is not a peer of the realm, that he has never had a seat in Parliament, and that since the catastrophe which dissolved the ties that bound him to England, he has not exercised any public function there. In his pecuniary situation, created by the treaty of marriage, a treaty which is sacred by its nature, and confirmed by an Act of Parliament, Prince Leopold finds himself wholly independent, whatever events may occur. The Plenipotentiary of France, those of G. Britain and Russia, then declared that they gave the votes of their Courts in favor of Prince Leopold of Saxe Coburg, and they agreed to draw up jointly a note destined to offer to him, upon the terms and conditions stated in the Protocols Nos. 1, 2 and 3, of this date the Government of the new Greek State, with the title of Sovereign Prince of Greece, to be hereditary to his descendants. The Protocols of this day shall be communicated to Prince Leopold of Saxe Coburg, and that Prince shall be invited to give his consent to them.

No. 3, Protocol of the Conference held at the Foreign Office, Feb. 4, 1830. Present: The Plenipotentiaries of France, Great Britain, and Russia.—Prince Leopold of Saxe Coburg, having been called, by the joint suffrage of the three Courts of the Alliance to the Sovereignty of Greece, the Plenipotentiary of France called the attention of the Conference to the peculiar situation in which his Government was placed with regard to a part of the Greek population. He represented, that, for several centuries past, France had exercised in behalf of the Catholics subject to the Sultan a special protection, which his Most Christian Majesty thinks it his duty now to place to-day in the hands of the future Sovereign of Greece, as far as it concerns the provinces which are to compose the new State. But in resigning this prerogative, his Most Christian Majesty owes it to himself, and to a population which has lived so long under the protection of his ancestors, to require that the Catholics of the Continent and the

ies may find, in the organization about to given to Greece, a guarantee capable of applying the influence which France has therto exercised in their favor. The Plenpotentiaries of Russia and Great Britain cknowledged the justice of this demand, nd it was ordered that the Catholic religion hould enjoy in the new state the free and ublic exercise of its worship—that its property should be guaranteed—that the Bishps should be maintained in the integrity of he functions, rights, and privileges they ave enjoyed under the patronage of the Kings of France; and, finally, that on the ame principle, the property belonging to old French missions or French establishments, should be acknowledged and respected. The Plenipotentiaries of the three allied Powers, wishing moreover to give to Greece a new proof of the benevolent solicitude of their sovereigns towards her, and save the country from the ills which a rivalry of the different religions that are professed in Greece might create, agreed that all the subjects of the new State, of whatever religion they might be, should be admissible to all public employments, functions, and honors, and treated upon the footing of perfect equality, without any regard to difference of creed, in all their religious, civil, or political relations."

IMPERIAL PARLIAMENT.

MR. BROUGHAM'S SPEECH ON LAW REFORM.

In the House of Commons, on the 29th April, Mr. Brougham said he would call the attention of the House to a subject which he had presented two years and a half ago, and which had been under the consideration of two commissioners, both of whom had reported. But he found that there was no prospect, within a reasonable time, of the Commissioners being able to turn their attention to that part of the question which he had in view, nor was it so mixed up with what was already before them, that he should decline to direct the attention of the House to the subject.—If there were any country in which a man, in order to recover a debt of £6, or 7, must begin by expending £60, or 70, where, at the outset, to use a common expression, he had to run the risk of throwing so much good money after bad, it would at once be said, that whatever other benefits or advantages that country enjoyed, at least it was not fortunate in its system of law. But if it were added, that in addition to spending £60 or 70 a man must endure great difficulties, anxiety, and uncertainty, infinite bandying to and fro, and moving about from province to province, and from court to court before he could obtain judgment, then our envy of the country where such administration of the law existed would be further diminished. And if, in addition to all this, after spending £60 or 70, in looking after the recovery of £6 or 7, a man's adversary should have the power of keeping his property out of the way and beyond reach, so that, after all, he plaintiff should not receive some part of his debt, the case would be still worse. And, further, in addition to this, if, in the same country, in cases where a man was so cirumstanced as to be able to recover and receive his debt, and where the debtor was solvent and prepared to pay, the individual should receive (it was true) his £6 or 7, but should not receive the whole £60 or 70 which he had spent in costs, although there was judgment in his favor, but should receive the amount wanting £20, so that he should have spent £13 or 14 out of his pocket over and above the amount of the debt which he recovered, after being exposed to a variety of plagues and the annoyances of these proceedings; if he were told of such a case, would not the natural enquiry be, "whether it was possible that such a country existed?"—We should immediately pronounce, that if so, it must be in a most barbarous state—(Hear)—that it must be a poor country, for no commercial country having interests extensive and important, would endure such a state of things. Nevertheless, the country where there was such a state of things existed. That country was England. Many, if not most of the Gentlemen who heard him knew to their cost of the existence of those evils. The question was, how were the defects to be remedied! But in order to see how best to apply a remedy, we should investigate the source whence they arose. To give examples of the evil and its origin might be perhaps the best mode of proceeding. He should therefore at once go into the middle of the subject with this view, satisfied that this was the most convenient mode of managing the discussion. Formerly, he took an opportunity to state a kind of experiment he had once made on the Lancaster Circuit; he begged the prothonotary to give him a list of verdicts recorded at the assizes; they amounted to 50; the average sums for which they were brought to recover being under £14 each—£13 some odd shillings. He did not mean to say that there were one or two cases of actions for a much larger amount, but this was the average of the verdicts, which were on actions, &c. In fact, the average amount was less than the sum for which, by law, a creditor could hold a debtor to bail. Taking the average of five years, ending in 1827, the number of claims brought in all the courts in Westminster-hall was 79,800, and the number of those actions that were brought to trial amounted to a little more than 7,000 being one case only brought to trial out of 11 actions commenced. No doubt many of those actions were not proceeded with on account of the heavy costs that must be incurred in doing so. But, passing by that topic for the present, if we would form some estimate of the kind of sums for the recovery of which the generality of actions were brought, we were enabled by some documents that had been laid upon the table to approximate to a conclusion on the subject. In the year 1829 there was a return of the affidavits for debt in the King's Bench and Common Pleas for two years and a half.—During that period the number of affidavits for sums above £10 was 93,000 odd. Of them of course a great number were the foundations of the 79,000 actions before spoken of. Of the affidavits 20,800 were for sums between £10 and £20; 34,200 for sums between £20 and £50.—Thus there were altogether 64,000 affidavits out of the 93,000 for sums not exceeding £50. For sums not exceeding £100 (including the 64,000 affidavits already mentioned) the number was 78,000 odd. Thus, of the whole number of 93,000 affidavits, there was one-third for sums not exceeding £50 and five-sixths for sums not exceeding £100. The House would at once perceive from this, that a most important practical conclusion was to be drawn from the statement viz: that a vast quantity of the whole litigation of the country, as far as action for debt went, resolved itself into questions where the sums in dispute were not more than £100. He should now call the attention of the House to the costs of these proceedings, and the expenses of the parties who prosecuted such actions. The Commissioners, in the appendix to their first report, had given some most useful tables upon this subject; there were four of them to which he wished principally to direct the attention of the House. They included the particulars of actual not fictitious bills of costs, with the names of the parties, and, in the next place, they were bills reduced to the very lowest possible scale, the words of the Commissioners being "they are framed on the lowest possible scale of expenditure." One of these bills was in an action that had been tried in London by parties residing in the county of Lancaster. The particulars of the bill itself showed that not only was it framed on the lowest possible scale, but also that neither the length of the proceedings, nor any other incident, had tended to increase the expense. In fact, the circumstances were the most favourable that could exist under the present system, for cheap and expeditious justice.—The costs, up to the verdict, amounted to £86, and, including some further proceedings (there being a special case) necessary to be had before the verdict could be rendered available, the expense was £110.—Out of that was to be deducted for delay only £10 odd. There had been the delay of a term in taking the argument in the second stage of the proceeding, and the delay of a sitting in bringing the cause to trial.—On these accounts, from the sum of £86 costs, there was to be deducted £6; and £10 from the entire amount of £110. He would take it that there was no delay in the administration of the law—that all the recommendations of the Commissioners for preventing it had been carried into effect—that we had derived all the good from them which might be anticipated; he would assume, that under the new system of law, the expected saving of time and expense were brought about; and what was the consequence as respected this case?—Why, that we should have to deduct £6 from the expense of the first stage, and £5 from the expense of the second, leaving £80 as the expense of the verdict, and £100 as the indispensable costs of the entire case.—He admitted that a considerable portion of the expense was owing to the attendance of witnesses. He did not merely mean to say he admitted, but he asserted and maintained this: it was one of the principal grounds of the proposition which he intended to submit to the House. It was true, this cause was brought from the county of Lancaster to London to be tried; but if tried in Lancaster, there would have been the very same expense, according to all ordinary calculation. The witnesses in this case were, an architect, master carpenter, and labourers. Two guineas a day were allowed to the architect, 15s. for the master carpenter, and 5s. to the labourers;—there was an allowance for mileage, and for the maintenance of the witnesses on the road, and that appeared to amount to about 8d. a mile.—Let the House suffer him to direct its attention to the head of delay, which would in all probability have been greater at the Assizes than in London, and which he had no doubt was, in this case, the very cause of the party wishing to try his case in London instead of the country. Either he got it tried earlier by these means, or he had to keep his attorney and witnesses only two or three days in town (it being a Special Jury case), instead of being obliged to keep them from five or six to thirteen or fourteen days at Lancaster. An attorney was allowed two guineas a day if he had but one cause at Assizes, and one guinea a day for each cause when he had several. All the witnesses were not only paid their expenses incurred in going to the assize town and returning home, but they had allowances during the whole time they remained, and at least at the rate already mentioned. Take it altogether, he looked at the expense in question as absolutely essential to, and inseparable from, the present system, so long as it was continued. It was as necessary as to retain counsel and an attorney. Indeed, he knew not it it were not more indispensable and inseparable from the system. How much to this was to be added an account of the difference between costs taxed and reduced to the amount which you could recover from your adversary, and costs untaxed but payable by you to your attorney! He had formerly produced four bills of costs, which came from the offices of respectable solicitors—one amounted to £400, and £200 was taxed off, so that the client who had obtained judgment, was £200 out of pocket, unless the debt which he recovered was greater than that sum. Another was a bill, from which one third had been taxed off; £70 was deducted out of the £210. In a third case which was undefended, £15 out of £60 or one-fourth, was taxed off. The successful suiter received £15 less than he had expended. This was a £50 cause; and if the plaintiff's adversary had had a long purse, and litigious temper, he could, if he chose, have put his creditor to an expense of £80 before the latter got a verdict, or to £100 costs before final judgment. In point of fact, he might take it higher; he might have had to pay £120 before he obtained a verdict, and £150 before judgment. He would be allowed out of this £150 only £100, £50 being struck off for extra costs, of course he would also be allowed his debt of £50, making precisely the amount expended £150, and the man was a gainer in money of not one farthing (saying nothing about his debt) and had been exposed to all the delay, harassing, vexation, embarrassment, and anxiety of a year and a half or two years' legal proceedings, together with the risk of losing his suit, and having to pay 100*l.* instead of receiving any thing. What was the practical result? Simply this—that any man acquainted with the proceedings of Courts of Justice, and exercising a sound discretion upon the mere pecuniary question, would never think of suing a debtor for less than 20*l.* or 30*l.*—he (Mr. Brougham) sho'd rather say, hardly for a sum under 40*l.* or 50*l.* Upon the same principle a man would hardly think of resisting an unjust claim for such an amount, even if he had a receipt, on a stamp, in his pocket. He would pay the demand rather than enter a court of justice, and endure the annoyance and expense of a trial, with a certainty of being out of pocket if he gained the cause, and a chance of being still more out of pocket if he failed.—He had lately seen a respectable attorney, who, talking of the expense of bringing a cause to a country town twenty-two miles from his abode, said that if he himself were a party in a case, he should never think of going there for a less sum than 40*l.* or 50*l.*—This was the solicitor's private opinion about the matter; but whether he recommended a similar course to his clients he (Mr. Brougham) did not undertake to say. (Laughter.) To be sure a man would, in many cases, be justified in bringing actions for small sums, or resisting flagrant and extortionate demands, on other grounds than those of merely pecuniary interest; but with reference to his pecuniary interest alone, there would be a contrary result from the present system. He had already stated that all felt the evil of the present system. He thought that the distance to which litigating parties were necessarily dragged in most cases, constituted a considerable portion of the evil. For years the system of English legislators had been, that justice should originate and be to a great extent administered in what he considered the centre of the kingdom.—It was fixed that the metropolis should be the great mart of justice, that hence all legal processes should proceed, and that hither they should return, and that all litigants should more or less resort to London, to derive from it the remedies which they sought at the hands of the law. This was not of itself the cause of the expense of legal proceedings, because the mere difference between sending to London from Lancashire or Yorkshire for a writ, and sending for it to Lancaster or York, was not of itself worth being considered. But out of that arose another part of the system to which this observation did not apply. The Judges came from the metropolis as well as the legal processes which gave rise to their jurisdiction, and the country litigant must wait till the Judge visited his county, which was once in each half year. You must wait, but that was not all In order to have your cause tried, you must go perhaps to the remote corner of the county to the assize town; there you must consult your law advisers; thither you must send your agent and witnesses; they must be kept there during the whole assize; and it was often a race between the respective agents as to who should enter his cause latest, in order that he might have the longest bill.

Respectable witnesses must be paid for time and skill lost—witnesses of inferior condition must be better paid, and at a higher rate than their time was worth; common day labourers receiving five shillings a day.—Then there was the expense of entertaining the witnesses, and in this respect there was frequently a good deal of competition between the agents of opposite parties, it being pretty well understood, that the party who paid witnesses shabbily was sure to pay for that in the course of the cause by the conduct of some of them. (Hear, and a laugh.) All this was essential to, and inseparable from, the scheme of requiring parties to go twice a year to the assize town, and there have their causes tried. When a farther discussion of a cause became necessary, a party had to send his agent to London, and the result was considerable delay and very great and unnecessary expense. What was the obvious remedy? [Here Mr. Brougham adverted to the remedies proposed by the Law Commissioners, many of which he commended.] (To be Concluded.)

In the House of Commons on the 30th of April the Supply Bill was under consideration, and the following grants were agreed to:—For the corps of Sappers and Miners £83,046; for the Artillery for the Colonies £83,626, and for Ireland £200,000; for the Royal Artillery £37,111; Director General of the Field Train £1,223; Medical Department £9,127; Civil Officers of the Royal Academy at Woolwich £3,402; Extraordinaries of the Ordnance £587,108; Office of Ordnance in Ireland £300,245; for compensation to superannuated and retired Officers, and pension of widows £62,655; for defraying the charges of Military stores, £78,455; extra pay to Engineer Officers, £66,122; Ordnance works and repairs, £115,438; repairs of Barracks, £194,335; for the Civil and Military contingencies for the Ordnance Department, £211.213.

The Jews' Relief Bill was to be read a second time on the 3d May.

A motion in the House of Commons by Mr. Hume, to continue in force an Act passed in the reign of George III. "to continue every person in office at the demise of the Sovereign until removed or discharged by the succeeding King or Queen," was carried by a majority of 13 to 10, the Ministerial Members present voting in the minority.—The fees for the removal of patents and commissions are large.

A London paper of 3d May says:—The Committee this morning decided that George Massey Dawson, Esq. has been duly elected to serve in Parliament for the County of Limerick, and that the return of Col. O'Grady was null and void.

FURTHER EXTRACTS FROM THE COMMUNICATIONS TO PARLIAMENT RESPECTING CANADA.

No. 9.—*Copy of a Despatch from Secretary Sir George Murray to Major General Sir John Colborne.*

Downing Street, Sept. 29, 1828.

SIR—I have the honor herewith to transmit to you the copy of a despatch, with its enclosure, which I have addressed to Sir James Kempt, administering the government of Lower Canada. As this despatch explains the views of His Majesty's Government upon some topics of great importance connected with the government of Lower Canada, it has appeared to me necessary that you should be apprised of its contents with the least possible delay.—However widely the circumstances of the two provinces may in some respects differ, there is so close a resemblance in the general principles and forms of their government, and so intimate a relation between them, that no considerable measure which may be adopted in the one, can be without its effect in the other.

Upon several of the subjects, however, noticed in my despatch to Sir James Kempt, it is unnecessary that I should make any observations to your Excellency, since those embarrassments, which have grown out of the distinctions of religion and of lineage in Lower Canada, do not exist in the Upper Province.

I shall, therefore, confine myself on the present occasion to the following topics:—The revenue, the clergy reserves, education, the executive and legislative councils, and the appointment of an agent.—These are subjects in which the two Canadas are both interested, and it will probably be found necessary, therefore, to act upon some common principle with regard to them in the two provinces.

I do not find that the question of the right of the crown to the appropriation for the public service of the revenue arising from the statute 14 Geo. 3, c. 88, has ever been brought into question in Upper Canada.—The Provincial Government, acting under instructions from this department, or in pursuance of warrants from the Lords Commissioners of the Treasury, have applied this money to the public service, without any claim having been put forward on the part of the House of Assembly to control the appropriation. Your Excellency is aware that in Lower Canada the Assembly have not only disputed the right of the Crown as a mere abstract question, but have adopted strong practical measures towards establishing a control over the appropriation of the whole of this revenue. The cause of this distinction between the proceedings of the two provinces appears to have been, that in Lower Canada, the Crown, being unable to sustain the entire public expenditure, had annually to apply for aid to the Assembly, and thus brought the whole of the revenue and expenditure virtually within its cognizance. In Upper Canada, as I understand, the revenue of the Crown has hitherto proved adequate to the support of the civil government and of the administration of justice; and no occasion has, therefore, arisen for financial discussions of a similar nature between the Local Government and the House of Assembly.

On referring to my despatch to Sir James Kempt it will be perceived that His Majesty's Government has not acknowledged the right of the House of Assembly of Lower Canada to participate in the appropriation of the revenue above alluded to, but has rather maintained, in conformity with the opinions of the law officers of the Crown, that this is a duty confided to His Majesty by Parliament, and of which, without the previous sanction of Parliment, the Crown cannot divest itself.

It is impossible not to perceive, however that discussions may arise in Upper Canada in regard to the method which has hitherto been pursued for appropriating this revenue, and that your Excellency may be pressed with claims to which your predecessors in office have not been exposed. It is with a view to this contingency, that I have thought it peculiarly necessary to supply you with the instructions given to Sir James Kempt upon this subject, that they may serve as a guide to yourself if necessary.

And in that case, you will make to the Legislative Council and House of Assembly a communication corresponding as closely as circumstances will admit, to the address which I have authorized Sir James Kempt to make to the Legislature of Lower Canada.

But should the contingency above adverted to not occur, no communication need of course be made of the instructions with which I have deemed it expedient that you should be furnished with reference to this subject.

On the subject of the clergy reserves, I have to acknowledge the receipt of a despatch from Sir Peregrine Maitland, dated the 12th of May, enclosing an address from the House of Assembly to His Majesty, praying that the monies arising from the sale of lands set apart in the province, for the support and maintenance of a Protestant clergy, may be placed at the disposal of the Legislature of the province, for defraying the expense of certain public works for the internal improvement of the country, and for the promotion of general education.

In this address it is stated that only a small portion of the inhabitants of the province are members of the Church of England, and that the university recently established under the royal charter will produce no practical benefit to the majority of the people, but will be regarded with distrust in consequence of the peculiar privileges which it confers upon members of the English Church; it is therefore desired that a new charter may be granted upon more comprehensive principles.

Your Excellency will acquaint the House of Assembly that I have laid their address before the King, and that I have it in command to convey, through you, to the House, the expression of His Majesty's satisfaction in the assurances of loyalty and attachment to his person and government, which are contained in this address. You will at all times receive with the most serious attention any representation which may be made to him by the representatives of his faithful subjects in Upper Canada, in the Provincial Parliament assembled, for advancing the prosperity of this important and interesting portion of his dominions.

Your Excellency is, however, aware that the existing Acts of Parliament have placed in the hands of his Majesty's Government a very limited discretionary authority respecting the appropriation of the clergy reserves, or the proceeds arising from their sale; in case of its being deemed proper, however, to bring the whole of this subject under the revision of Parliament, with a view to the amendments of the existing statutes, it will be desirable that I should be provided with returns from your Excellency on the subject of the clergy reserves in Upper Canada, similar to those which I have directed Sir James Kempt to transmit to me with reference to the reserves in the Lower Province.

It would be deservedly a subject of regret to his Majesty's Government if the university recently established at York should prove to have been founded upon principles which cannot be made to accord with the general feelings and opinions of those for whose advantage it is intended.

I have observed that your predecessor in the government of Canada differs from the House of Assembly as to the general prevalence of objections to the university, founded upon the degree of exclusive connection which it has with the church of England. It seems reasonable to conclude, however, that on such a subject as this, an address adopted by a full house of assembly, with scarcely any dissentient voices, must be considered to express the prevailing opinion in the province upon this subject.

In the event, therefore, of its appearing to you to be proper to invite the Legislative Council and Assembly to resume the consideration of this question, you will apprise them that their representations on the existing charter of the university have attracted the serious attention of His Majesty's Government, and that the opinions which may be expressed on that subject will not fail to receive the most and serious attention.

I have further to acknowledge a despatch from Sir Peregrine Maitland, dated the 15th May last, enclosing an address from the House of Assembly to His Majesty, praying that the chief justice of Upper Canada may no longer be a member of the Executive Council, and that the judges may be rendered independent both of the Crown, and of the people. I have had the honor to lay this address before the King, which his Majesty has been pleased to receive very graciously.

I am, however, to observe to your Excellency, that on the subject of the independence of the judges, by which I presume is meant their being commissioned to hold office during good behaviour, and not during pleasure, there are at this moment difficulties to which the Assembly may not perhaps have adverted. In a society so limited in numerical amount, so much dispersed over an extensive territory, and so liable from its popular institutions to be divided into parties, it would, I fear, be very difficult to provide any effective control upon the conduct of a judge who was totally exempt from all personal dependence. The wholesome restraint of public opinion, and even the dread of actual impeachment, might fail sometimes to have sufficient effect upon the mind of a judge, who should, under such circumstances, be actuated by an undue desire of popularity, or be ambitious of the unbecoming distinction, in this station, of figuring as the leader of a party. It is however, with a view solely to the welfare of the province, and to the impartial administration of justice, that His Majesty's Government hesitates to remove from the judges in Upper Canada their direct responsibility to the Crown; that responsibility will be enforced, however, only upon the most serious occasions, and a time may be expected to arrive when the proposed change in the commissions of the judges may very properly be made.

But for the present, I conceive that the interests of the province in this matter will be best consulted by postponing the proposed alteration.

With reference to the chief justice retaining his seat in the Executive Council, your Excellency will have the goodness to consider the instruction which I have conveyed to Sir James Kempt upon the subject of councils, as virtually addressed to yourself and you will transmit to me a report upon that question, embracing the several topics to which I have directed him to advert.

The House of Assembly of Upper Canada have not so far as I am aware, expressed a wish for the appointment of an agent in Europe; but if they should deem that measure expedient, you will acquiesce in their wishes, subject only to those conditions which I have required in my despatch to Sir James Kempt.

I have the honour to be, Sir,
Your most obed't humble Servant,
(Signed) G. MURRAY.

By the arrival of the packet ship *Birmingham*, Harris, from Liverpool, London papers to the 7th and Liverpool to the 8th have been received. The following is a summary of their contents:—

HIS MAJESTY'S HEALTH.

The King, says the *Liverpool Chronicle* of May 8, notwithstanding the Court Newsman and the Bulletin, continues extremely ill: we are sorry to say, we believe his condition to be hopeless. One reason has been assigned for the ambiguous language in which the Bulletins have been couched, which explains and accounts for it; it is said that His Majesty insists on seeing every bulletin before it is published, and that his Physicians do not wish to give the Royal patient more uneasiness by speaking decidedly of His Majesty's complaint. The private accounts concur in stating, that little hope can be reasonably entertained of His Majesty's recovery.

We copy the following from the *Court Circular* of May 6:—His Majesty appeared to be better during Wednesday, and conversed on various subjects very cheerfully. The Bulletin of this morning, however states, that His Majesty has passed a bad night; the following is a copy:—

"Windsor Castle, May 8, 1830.

"The King has passed the whole of yesterday comfortably. His Majesty's symptoms were mitigated, but His Majesty has passed a bad night.

(Signed) "HENRY HALFORD,
"M. J. TIERNEY."

"Windsor Castle, May 6, 1830.

"The King continues much the same. His Majesty has passed a comfortable night.

(Signed) "H. HALFORD,
"M. J. TIERNEY."

On private information, says the *London Morning Journal* of May 7, we are enabled to state, and we do it with pain and regret, that the disorder under which His Majesty labours is daily becoming more alarming.—His Majesty passed a most restless night—the night before last—and one or other of the physicians, and sometimes both, were constantly by his side.

DOMESTIC.

York, June, 16.

ATTEMPT TO BREAK YORK JAIL.

A desperate plot to break the Jail, by the criminals, six in number, confined therein, was discovered on Thursday night last.

It appears from circumstances, since disclosed, that it was the intention of the prisoners, to murder the turnkey. Mr. Seely, when he came to lock them in their cells in the evening, and then effect their escape, either through the front door, by securing the key, or through the window of the Hall. To enable them to do which they had, by the aid of a saw, made from a clasp knife, cut away a part of the partition which covered the brick from the wall near the window, sufficient to enable them to get between the iron grates and the window, from which they could jump into the yard and effect their escape over the picketing.

It was expected that the turnkey, would, as usual, lock up a prisoner, named *Wilson*, first, and when he came to do so, Wilson was to give a signal for the rest of the prisoners to rush from their cells.

The Turnkey, however, having some previous intimation of their designs, took two or three persons with him, and first put the locks on to the cell doors of two other prisoners, before he went to Wilson's cell, and thus effectually cut off the former, who were two desperate fellows, from any active participation in executing the plot. Mr. Seely, then, with two or three other persons, entered the cell of Wilson, who was in bed with his clothes on. The Turnkey demanded the meaning of this, and pulling the bed covering from him, took hold of his irons, which immediately came off in the Turnkey's hands—having been filed off by the prisoner during the day. Wilson seeing that he was detected, then sprang upon his legs, called out to the other prisoners, "Hurra, boys, come on, now's the time!" and made a spring at Mr. Barnhart, one of the keeper's assistants, upon which Seely made a blow at the prisoner with the fetters which he held in his hand; repeating the blow two or three times: when the prisoner fell, exclaiming he was "a dead man," and was thrust by Seely into his cell, and locked up.

Upon subsequent examination, a large bludgeon was found concealed in each of the prisoner's beds, which bludgeons had been cut out of billets of fire-wood—whilst, in order to furnish themselves with additional weapons of destruction, they had loosened a number of iron bolts, about 2 feet long, which passed through the division walls of the cells, and which could therefore, be drawn out at a moment's notice, if necessary. And if the turnkey had not taken the precaution to secure the two cells before alluded to, there is no doubt but himself and his assistants, who were all unarmed, would have been overcome and murdered by the prisoners. But the least active of the criminals, finding that two of the most desperate and powerful of their number were secured, and that the ringleader was overcome at the onset, shrunk from the execution of their part of the tragedy, and remained in their cells.

Wilson—the ringleader [who had made two or three previous attempts to escape, and who effected it once] after he was sub-

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