

590. VOL. XII.]

FOR THE UPPER CANADA HERALD.

"Is a pity," said an old friend to me the other day, "I was passing through the flourishing District of Newcastle, after an absence of ten years, that we do not get any more of the kind of things that we used to see here as you do in the United States; why," returned I, "I must have been very much mistaken, if you are not getting much better." "Oh that is impossible, only see, when you left this, Rochester was not known, now it is one of the first places in the States." "I passed on, and by a train of reflection was forced to the conclusion, however unwillingly, that the cause of the wisest purposes. This man, although respectable in character and quite independent as to property, and that too gained by his own industry in agricultural pursuits on his own farm where I saw him, on which he had been placed by the liberality of His Majesty's Government, five and twenty years ago, without one dollar in his pocket, was miserable and miserable from his habits and just so it is with the world, our habits and our whims and our prejudices render us unhappy in the midst of plenty, ease, and even splendor. We have been so much in the habit of this year of hearing invidious comparisons drawn between this Province and the United States, not only from the House of Assembly but from the Pulpit, that we can hardly credit our own senses to the contrary. Whilst those who sense to the contrary. We have seen either confined in the walls of the Gaols in the State of New York or dispersed over the whole Union and this Province—the property fallen into the hands of a few monopolized speculators in the City of New York—the value fallen at least 50 per cent—nearly whole blocks of Houses without tenants—and business of all kinds making "its last struggle for existence"—the farmers in the country round oppressed with heavy taxes, whilst Canadian money is worth 30 per cent less than our own can money be obtained for it even at that price. This country is advancing slowly it is true when compared with the State of New York generally, I am convinced that the District of Newcastle, has ever come up to the general improvement for the last five years.—The settlements in rear of the Rice Lake waters are advancing in a most wonderful manner. On the spot which was once a heavy tax, two years ago stands the beautiful village of Peleborough, having in its neighbourhood one of the finest flour manufacturing Mills in any country, together with several Saw Mills—cloth Manufacturing, Nail Manufactory, and indeed every kind of machinery ready to assist and render independent the industrious people about it, and when the River Trent shall be made navigable for Steam boats which must follow in a few years, this will become the great manufacturing town of Upper Canada. Nor are the people in front inactive—three first rate flouring Mills have been erected in Hamilton and Pele within a very short period. A most beautiful edifice is erecting on a most elevated site in the beautiful village of Peleborough, a Grand Court House, nearly two stories of it are up, the front is of cut stone and the interior for strength and beauty of arrangement is not exceeded I think in America.—The villages of Cobourg and Port Hope, which when the Canal, (which I am informed is in contemplation to join the waters of the Bay of Quinty with Lake Ontario) shall be completed, will doubtless be great manufacturing towns. I shall regret, however, to see, by an advertisement in the Port Hope Telegraph that some of the Cobourg Harbour Stock is to be sold at Auction. I hope it does not arise from such a consideration in the practicability of its completion.—The "Telegraph" printed and published at Port Hope is a respectable looking paper; and I am informed that a very clever young man from England is about leaving a Paper at Cobourg as large as the "Athenaeum."

Upon the whole I consider the Newcastle District as the very heart of the Province and the place to which I should without hesitation direct the steps of the Emigrant before any other in Upper Canada.

A TRAVELLER.

MISCELLANY.

EXECUTION OF THE REGENT MORTON.

It is remarked by historians that Morton, the credulity of that regent, had an anxious recollection of an ancient prophecy which declared that the bloody throne should fall by the mouth of Arran." This the regent interpreted to mean the downfall of the Douglasses, designed as was usual in such recollections by well-known prognostications, and that by means of an Earl of Arran.—This, it is said, was the reason for his pressing the unfortunate family of Hamilton, who were the legitimate proprietors of the throne, almost to their total destruction. When, therefore, he heard that the Earl of Arran was conferred upon his accuser Stewart, he replied, with a surprised and deponding expression, "Is it even so? then I know what I must expect."

When Morton was brought to his trial at Edinburgh large bodies of men were drawn up in different parts of the city to overawe the friends of the accused. The records of the trial are lost, but there is evidence that the Earl's personal enemies, and that, although he challenged them on that score, his remonstrances were not attended to.—His servants were also put to the torture in a common manner, for Arran thought it necessary, after the Earl's execution, to see out an immunity for violence to which they had been subjected.

When Morton heard the indictment read he did not show surprise or emotion; but kept up without drinking. When the verdict of the jury brought him in guilty of concealing, or being art and part in the murder of Henry Darnley, he repeated with considerable vehemence, "Art and part art and part! God knows it is not so." His conferences with the clergy he more fully explained what he meant by this exclamation. He declared that he had instantly on his (Morton's) return from England, after his exile, for accession to Rizzio's death, both personally and through the medium of his kinsman Archibald Douglas, to be concerned in the death of Darnley, assuring him it was a deed which had the queen's approbation. Morton stated that he had replied to this proposal, "that having so late been released from a state of exile, he would not be implicated in such an important matter unless Bothwell would produce to him the queen's sign manual in warrant of the deed."—"The Earl of Bothwell," he said, "promised to produce him such an assurance, but never did so, and therefore he remained a stranger to the conspiracy; excepting that he knew generally that such an action was meditated by Bothwell and others."

The condemned Earl was naturally asked by his reverend visitors, why, having become privy to so horrible a conspiracy, he did not take measures for unfolding the plot and preventing its execution. "To answer," replied the Earl, "I should have made the discovery! If to the queen she was herself at the bottom of the deadly plot; if to Lathington, or other statesmen, they were accomplices to the execution; if to Darnley, he was a creature of so weak and feeble a temper, that he would have communicated it to his wife, and in any case I should have been inevitably ruined!"—Thus far the apology seems reasonable, though it gives us a horrible idea of the court and councils of Scotland at that time. But Morton had less to answer when his ghastly assistants demanded of him why he continued to show friendship and favor to Archibald Douglas, who had acted on this occasion as the confidant of the queen, and was generally averred to have been personally present at the murder, and whom, notwithstanding, he created a judge of the Court of Session! nor was any satisfactory reply, which could be consistent with Morton's professed abhorrence of the tragedy of the Kirk of Field, ever returned to this question.—[Scott's Scotland.]

[From the London Literary Gazette.]

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GREAT BRITAIN.

IMPERIAL PARLIAMENT.

MR. BROUGHAM'S SPEECH ON LAW.

These propositions, however important and valuable as they were, did not tend to remedy the abuse of which he complained, and which arose, first, from the distance of the places at which causes were tried; and next, from the fact of their being heard in the capital in the last resort. He thought the House would pardon him when he reminded them that they had now seen that the principal mischief and chief cause of complaint related to actions under a certain amount. He had shown them that they related to actions which were confined to a moderate amount. He thought they would be large in the instance of the amount, and which arose, first, from the distance of the places at which causes were tried; and next, from the fact of their being heard in the capital in the last resort. He thought the House would pardon him when he reminded them that they had now seen that the principal mischief and chief cause of complaint related to actions under a certain amount. He had shown them that they related to actions which were confined to a moderate amount.

He could account for it only by accidental circumstances—for some time after the Union, the appeals to the House of Peers were very few; and almost from that time to the present there had been a succession of man holding the office of Lord Chancellor who were distinguished by the very highest authority in matters of English law—men who had been long conversant with its practice, and whose opinions were looked up to as the greatest in legal matters of every branch of the law of England, and who were distinguished for their knowledge of the law relating to Scotch appeals. There was Lord Hardwicke, who had been a lawyer of extensive practice, and who had much experience in Scotch appeals; Lord Mansfield, who was himself a Scotchman, and well acquainted with Scotch law; Lord Loughborough, who had been an advocate at the Scotch bar; Lord Thurlow, who was also much conversant with the Law of Scotland; and Lord Eldon, who, to knowledge of every branch of the law of England, which was marvellous in its extent, and not exceeded by any lawyer since the days of Lord Coke, joined also a deep acquaintance with the Scotch law, having for fifteen years been in practice at the bar, been engaged in almost every Scotch appeal of any importance which came before the House of Peers in that time. This fortunate succession of able men, holding the great seal here, was the cause why the mode of dealing with Scotch appeals had been borne with so long without complaint; but if it should ever happen that a man should be placed in that situation who enjoyed only a moderate authority amongst lawyers here, and whose acquaintance with a Scotch case would not be when called to decide upon it, then, he thought it would not be doing justice to Scotland if some improved mode of deciding upon appeals from her Courts should not be adopted.

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KINGSTON, WEDNESDAY, JUNE 30, 1830. [No 591.]

OFFICE IN GRASS STREET. (T. H. BENTLEY, Printer)

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Public Record Office Reference.

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