announced that he should have to propose [illegible] in the Ecclesiastical Establishment of India.

The following are the resolutions proposed by Mr. Grant, as they appeared in the "Votes and Proceedings" of the House of Commons:

1. That it is expedient that all his Majesty's subjects should be at liberty to repair to the ports of the Empire of China, and to trade in tea, and in all other productions of the said Empire, subject to such regulations as Parliament shall enact for the protection of the commercial and political interests of this country.

2. That it is expedient that, in case the East India Company shall transfer to the Crown, on behalf of the India Territory, all assets and claims of every description belonging to the said Company, the Crown, on behalf of the Indian Territory, shall take on itself all the obligations of the said Company, of whatever description; and that the said Company shall receive from the revenues of the said Territory such a sum, and paid in such a manner, and under such regulations, as parliament shall enact.

3. That it is expedient that the Government of the British possession in India be entrusted to the said Company, under such conditions and regulations as parliament shall enact, for the purpose of extending the commerce of this country, and of securing the good government, and promoting the moral and religious improvement of the people of India.

THE KING AND THE BISHOPS.—We have reason to attach credit to the statement contained in the following paragraph from Friday night's Sun:—

"It is said that his Majesty as the head of the Church, has addressed a strong letter of remonstrance, through the Archbishop of Canterbury, to the Bench of Bishops, and especially to the six or seven who distinguished themselves by their vote on the Portuguese question, relative to their conduct under the present critical circumstances of the nation, expressing his surprise that they should expose themselves to the imputation of acting from selfish and worldly motives,—sacrificing all claim to the respect of the religious community, and exposing the Church to the danger of losing its influence, by their being ultimately driven by the power of public opinion from their seats in Parliament, if their votes, as spiritual peers, were not regulated by more discretion and attention to the signs of the times!"

This is another proof of the firmness and sincerity with which the King supports his Ministers.—[Times.]

The Globe of June 22d, confirms the statement.

In the Lords, on the 21st, the Marquis of Londonderry arraigned the Ministers with severity, touching their foreign policy;—

"He complained that the mismanagement of the Belgian question had made the foreign policy of this country the laughing stock of Europe, and that we were now in exactly the same position which we occupied in October and November 1832.—While large combined squadrons were kept off the coast of Holland, the political and commercial interests of Great Britain in the Mediterranean had been neglected. The resident at Constantinople, previous to the departure of Lord Ponsonby (who seemed to have delayed in the hope of obtaining the higher appointment of St. Petersburgh,) was an individual of no rank or efficiency, although the matters in which he was engaged were necessarily of the highest importance.—He objected to the haste with which the convention had been concluded, and to the total change of foreign policy since the present ministers came into office. He alluded obscurely to the recent attacks upon the House of Lords in some of the journals, and warned ministers of the inevitable and fatal result of such a course, calling upon the noble earl (Grey) to fulfil the promise he had formerly given, that he would do his utmost to support his order. Ere long it might not be in his power to support it."

In the Commons on the 21st Lord Chandos brought up the report of the Committee on the beer bill. The report was accompanied with a series of resolutions, fourteen in number; the first of them to the effect that in the opinion of the committee considerable evils have risen from the present management of beer houses. They recommend that before licences for beer houses be granted, certificates of good character should be submitted by the applicants; that the penalty imposed by the acts in operation at present increased from 40s. to £10; that magistrates shall have the power of suspending licenses for two years upon a second conviction; that the beer houses shall not open before half-past twelve on Sundays; and that the period for keeping them open at night may be beneficially extended in the town and contracted in the country districts.

In the House of Lords the resolutions passed by the House of Commons relative to the Charter of the East India Company, was presented at the bar on the 17th of June for concurrence. They were ordered for consideration on the 28th.

An informal discussion relative to the suppression of Political Unions was had on the same day, when, in answer to a question put by the Earl of Winchelsea, Earl Grey said he did not think any new law necessary for the security of the internal peace of the country; and Lord Seagrave remarked that the formation of Conservative Clubs had been the means of continuing the Political Unions in existence.

On Thursday (20th of June) the resolutions of the Commons for the abolition of negro slavery being communicated to the House of Lords, they were ordered to be printed and Earl Ripon (late Lord Goderich) gave notice that, on the Tuesday following he should bring them under the consideration of the House.

IRELAND.

The tithe campaign is still in active operation in the counties of Roscommon, and Tipperary.

FIGHT BETWEEN SIMON BYRNE AND DEAF BURKE—DEATH OF BYRNE.

The Patrons of Milling were on Thursday gratified by an exhibition of extraordinary duration between Simon Byrne, "the Champion of Ireland" and Deaf Burke a candidate for the Championship of England. The men were backed for £100 a side, and the scene of action was Norman's Land, within four miles of St. Alban's. There was a very numerous assemblage of amateurs collected upon the occasion, and considerable interest seemed to have been excited; but owing to the very irregular manner in which "the ring" was kept, from the overwhelming ascendency of "Les Chevaliers d'Industrie," the pleasure of the spectators was considerably curtailed. The men entered the arena soon after one o'clock—Byrne attended by Tom Spring and Jem Ward, and Burke by Tom Gaynor and Dick Curtis. Both appeared in good condition, but of the two Burke exhibited the best muscular proportion, although his weight was but 12st. 4lbs., while Byrne weighed 13st. 11lbs.; Burke, too, had youth in his favor. On setting to, betting was about guineas to pounds in favor of Burke; but as much as 6 to 4 had been laid upon him at St. Alban's in the course of the morning. The fight was distinguished by repeated changes, at one time being in favor of Byrne, and again in favor Burke; but after a contest of three hours and six minutes, during which ninety-nine rounds were fought—and towards the close of which, the defeat of Burke was looked as certain—the latter, owing to the excellent nursing of his seconds, contrived to turn the scale in his favour, and at last the pride of "Ould Ireland" was laid prostrate from exhaustion and punishment, and he became "deaf to time;" while Burke was pronounced the conqueror amidst the loudest cheers. Both were severely punished; but poor Byrne had more than his share, and was left at St. Alban's in a state of great debility and distress, while Burke was brought to town to the house of Tom Gaynor, the Red Horse, Bond-street, where his success was hailed with peculiar satisfaction. At the conclusion of the battle, Gaynor claimed for Burke, "the championship of England"—"Walker," cried Jem Ward, whose pride was mortified by the defeat of his man, for whom he had contributed a considerable portion of the battle-money, and throwing up his hat, he indicated a disposition to dispute the right of "the Deaf un" to such a distinction; but whether Burke's friends will be disposed to "follow his luck," or Ward will continue to vindicate the dignity from which he has retired, remains to be seen. Should Burke continue to hold "the Championship," without dispute, it will afford a singular proof of the fallen state of the ring, when the prowess of such men as "the Chicken," Gregson, Jem Belcher, Tom Cribb, and Tom Spring is called into recollection. There was no second fight and indeed such was the disgusting conduct of the "light-fingered tribe," that few gentlemen will venture to renew their visits to such scenes, unless under better regulations.

Byrne was conveyed, in a state of complete exhaustion, to the Woolpack, inn, St. Alban's. Medical assistance was immediately called in; but at 20 minutes past eight on Sunday evening he breathed his last. He was, we understand, about 32 years of age, and has left a wife and four children, now in Dublin, to deplore his loss. On Monday morning a Jury of the inhabitants of St. Alban's were assembled at the Town Hall by Thomas Ward Blagg, Esq., the Coroner. After hearing evidence, the Jury retired, and, after an absence of two hours, at half-past eight at night, returned a verdict of—"Manslaughter against Deaf Burke, principally in the first degree, and T. Spring, J. Ward, Rich, Curtis, and Tos. Gaynor, as seconds; also against the umpires, referee or referees and the time-keeper, all then and there aiding and abetting, whose names are unknown to us, as principles in the second degree." This finding was accompanied by the following commentary:—"In returning this verdict, the Jury feel themselves called upon to express their deep regret that the neighbouring Magistrates did not interfere to prevent a breach of the peace, so notoriously expected to take place within their jurisdiction." We understand that considerable discussion arose among the Jury as to whether they should not return a verdict of willful murder.

Nothing can exceed the excitement which the above mentioned verdict of the Coroner's Jury has produced amongst "the fancy." The news was brought to town express and the moment the decision of the Jury was known, a number of departures took place. All the sporting houses were deserted by their principal frequenters. One gentleman of high rank, a well known frequenter of Tom Spring's left town for Dover, accompanied by another character equally notorious.

THE HERALD.

Kingston, Wednesday, August 7, 1833.

We have devoted a large portion of our paper to the intelligence last received from England. The proceedings of the Imperial Parliament are exceedingly interesting, and as the session advances they must become more so.

RETRENCHMENT!—The London papers state that if the projects of the present Ministers are carried into effect, the public debt, which is of one hundred and fifty years' growth, will be increased an *eighteenth* in a single year—thus:

West India Contingent,	20,000,000
Russian Dutch loan,	6,000,000
Bank payment, about,	4,000,000
Otho loan,	2,000,000
East India Contingent,	10,000,000
	£42,000,000

We have the pleasure of stating, on the authority of private letters from England, that C. A. HAGERMAN, Esquire, has been restored to the situation of Solicitor General of Upper Canada, and that the Chief Justiceship of Newfoundland has been offered to H. J. BOULTON, Esq. It will puzzle the conductors of the Republican Press in this Province to reconcile the above intelligence with certain little stories that have graced their columns for some weeks past.

An article on our first page, from that respectable old paper, Neilson's Gazette, we recommend to the attentive perusal of some of the gentlemen connected with the public press in Upper Canada.

The following is from a Montreal paper:

"We notice in our English papers received yesterday, that at the last Levee and Drawing-room, Mr. Boulton, the late Attorney General of Upper Canada, was presented to their Majesties, on his appointment to the office of Chief Justice of Newfoundland by Mr. Secretary Stanley. The *London Spectator* notices the appointment, and in condemning the present Colonial Secretary for thus disturbing the decisions of his predecessor, announces unequivocally that *Messrs.* Hagerman and James Stuart are immediately to obtain places under the Government. Private letters are in town announcing that *Mr.* Hagerman had been reinstated in his office of Solicitor General."

Various rumours are in circulation respecting the Banking Institutions of Upper Canada, but in the absence of positive information on the subject, we will merely say, that nothing has occurred to render those associations less worthy of the public confidence.

We perceive that John Frothingham Esq. has been elected President, and John Molson, Esq. Vice President of the Montreal City Bank.

It will be seen by an advertisement in another part of our paper, that MR. SINCLAIR, the celebrated vocalist, has arrived in Town, and intends giving a Concert on Friday evening.

COMMODORE and MRS. BARRIE returned from their excursion to the Upper Lakes on Friday last. We understand that the Commodore will proceed on another tour, accompanied by LORD AYLMER, whose arrival is looked for early in theensuing week.

We are happy to learn that the ST. GEORGE and the JOHN BY both arrived in good time at their destination. The former is expected at this port in the course of today.

A desire to present our readers with the whole of Mr. Justice Macaulay's Charge to the Grand Jury obliges us to omit several articles prepared for this day's paper.

A new novel by BULWAR, entitled "*England and the English*," is in the course of publication. A large portion of the work has been received by the Messrs. Harpers of New York, and the residue is expected by the next packet.

About 8 o'clock on Monday evening the following persons received the sentence of the law.

JEREMIAH MCCARTHY, for enticing a soldier to desert, 6 months imprisonment.

ALEX. O. PETRIE, convicted of robbery—sentence of death recorded.

EDWARD GLINN, convicted of Grand Larceny—3 months imprisonment.

HENRY ELSON, the same crime—fined five pounds and three months imprisonment.

JOHN HOLDEN, the same crime—banished for seven years, to leave the province within 4 days.

SYLVANUS HUSSEY, colored man, for stealing an ox—seven years banishment.

WILLIAM WHITEHEAD, grand larceny—fined forty shillings and two months imprisonment.

JOHN KENNEDY, obtaining goods under false pretences—four months imprisonment.

HUGH GRAHAM, the same crime—four months imprisonment.

CHARGE

Delivered by the Honorable Mr. Justice Macaulay to the Grand Jury of the Midland District at the Assizes held for the said District at Kingston on Monday, 29th July, 1833.

Mr. Foreman, and
Gentlemen of the Grand Jury,

The nature of your present duties is emphatically expressed in the comprehensive Oath which has been administered to you. It enjoins upon you diligently to inquire and truly to present all such matters and things as shall be given you in charge without fear, favour, affection, gain, or hope of reward; and it is given you in charge to investigate all such cases as shall be laid before you in the ordinary way, and to examine into all such matters of criminal turpitude within your jurisdiction, as the information or complaints of individuals may bring under your notice, or which from a personal knowledge reposing in the bosoms of any of yourselves, you may be prompted spontaneously to represent: to which let it be understood, should always be added a thorough inspection of the prison and an examination of the prisoners in order to ascertain whether the condition of the one and the treatment of the other merit censure or approbation. It is always gratifying to the Court to learn, that the Grand Jury find no just cause to disapprove of the state of the gaol or of its management, but should complaints be made, it is proper for them carefully to investigate the same and to redress as far as practicable any evils that may be found to subsist.

In pursuingtyour important task, it becomes you in the first place to elicit the facts and then to apply the Law to them, in other words, to ascertain first the fact, and then the crime of the fact.

It is essential accordingly that you sho'd bear in remembrance what the criminal law is, in the administration of which you are called upon to assist, what the principles of evidence are by which alone it is permitted you to acquire a knowledge of the circumstances that are supposed to have constituted the infringement of such Law.

Of the Arts and Sciences which owe their rise and progress to the intellectual powers of man in civilized Society, few exhibit more profound wisdom and refined genius than some of the systems of jurisprudence which he has formed and fashioned and which time and experience have matured and rendered sacred. Being early called for, whenever by the formation of social communions, human nature has attempted to ascend from a fallen state of barbarism and ignorance, their foundations have been necessarily laid deep and broad, and the superstructure has been raised and embellished by the united skill of Legislation and Philosophy throughout long series of ages.

Upon the peculiar excellence of our own Constitution I need not dilate. It is with that portion alone which forms the criminal system that we are at present more immediately concerned and which you are aware consists of the criminal Law of England as it stood in 1792. Subsequent local provisions have introduced some modifications to which it becomes my duty to advert in doing which I shall confine myself to recent enactments for until of late years the English criminal law remained in force here, with little alteration from local Legislation.

It may be courted as a consolatory proof of the moral improvement of the parent state that a relaxation in the severity of her penal edicts has been felt both safe and desirable. We have for some years contemplated a careful and prudent amelioration of the criminal law at Home and the attention of our own Legislature has lately been attracted to the same subject. The result has not been to infringe upon the principles of the system but to modify the severity of its punishments. The Common and Statute law regarding crimes continues as before, but the consequences of guilt and conviction have experienced mitigation. The feelings of society disapproving an undue harshness—and humanity imploring a more lenient chastisement of offenders than had formerly been deemed essential to the safety and welfare of the community; the odium of a vindictive justice, or a revolting cruelty in the subsisting provisions of our code had long been relaxed in practice, and have now by Legislative authority been removed—let us hope to the true advancement of real justice and the substantial promotion of the public good—for this I may confidently affirm that ours is not a country calling for any criminal establishment more rigid than older states of more dense population and infested with more daring and profligate members may find expedient.

In addition to the late Statute on the subject of criminal punishments I would desire to mention some others which being of great general importance and in some respects connected with the duties of this Court it is proper to notice publicly.

The first to which I would advert is the 1st William 4th Chap. 2, of amendments, authorising the immediate amendment of the Record in Criminal or civil proceedings upon any variance appearing between a writing produced in Evidence and its description in the pleadings.

Another is the second of William the 4th chap. 2, respecting offences upon Lakes and Rivers, declaring that the Lakes and Rivers, &c. not comprehended within the defined limits of any Town, Township or County shall be parts of the District within the exterior side lines of which such Lakes or Rivers, &c. would lie if such side lines were produced in that direction to the utmost limits of the province; and that crimes committed upon any of the said waters may be tried in the District adjacent thereto.

A third is the second of William the 4th, chap. 4th. sec. 4th, for the protection of Justices of the Peace, providing that in the event of any conviction being quashed, any action against the Justices shall be on the case only, and that no more damages than one shilling and the amount levied by virtue of such conviction shall be recoverable against any justice unless the act complained of be charged in the declaration to have been done *maliciously*.

A Fourth is the 3d. W. 4, C. 10, upon the subject of Dower, and 1 W. 4, C. 3, of Real Estate of married women, by which with a view to facilitate the transfer of real property, married women possessed of such Estate in their own right, or entitled to Dower out of that or of their Husbands, may in the former case by deed jointly and in the latter by deed with or without their husbands, part with their interest therein, the instrument of conveyance in the former instance being executed and acknowledged, and in the latter being acknowledged after execution before any two Justices of the Peace of the District in which the married party may reside. This provision is designed to prevent the necessity of a resort to those offices who before were alone competent to take these acknowledgments and the forms of the certificates to be granted by the Justices are contained in the Statutes alluded to.

Another is the 3d W. 4 c. 7 touching Fugitives from Foreign Justice.

The Provincial Act of 37th George 3d, Chapter 15, provided for the apprehension and transmission of persons accused of any Felons or other crime of a high nature, committed in any of his Majesty's provinces or Governments in North America who should escape, come into or reside within this province, but was silent upon the subject of Foreign Fugitives.

It has formed a subject of interesting discussion how far it was competent for the Executive and Judicial authorities of one Government to arrest and surrender to another in times of amity, subject of the latter who having been guilty of committing murder or other Felony within the limits of such Government should have fled and sought refuge in the former. As more immediately respects us it may be observed that by the Treaty of 1794 commonly called Jay's Treaty between Great Britain and the United States of America, which Treaty was confirmed by Act of Parliament, it was in the 27th article agreed, that on mutual requisition by them or their officers duly authorised, all persons should be delivered up to justice, who being charged with Murder or Forgery committed within the jurisdiction of either, should seek an Asylum within any of the countries of the other, on such evidence of criminality as according to the Laws of the place where the Fugitive should be found, would justify his apprenension and commitment for trial if the offence had there been committed. After the expiration of this Treaty no Legislative provision was for a long time made upon the subject, and eminent jurists had differed as to the competency of one Government to yield up such Refugees to another, in the absence of any such authority.—Some interesting cases might be mentioned, but since the subject in Upper Canada was happily set at rest during the last session of the Provincial Legislature, they lose with us much of their importance and I shall therefore pass them over. The 3d of William 4. ch. 7. Authorises the Governor, Lieutenant Governor, or person administering the Government at his *discretion* with the advice of the Executive Council or requisition duly made by the Government offended against to deliver up to justice any person who may have fled to this province, or shall seek refuge herein being charged with Murder, Forgery, Larceny or other Crime committed without the jurisdiction of this Province, which crime if committed within the province would by our Laws be punishable by death, by corporal punishment, by pillory, or whipping or by imprisonment at hard labor, but only upon such evidence of criminality, as according to the laws of this Province would in the opinion of the Governor, Lieutenant Governor or person administering the Government *and* of the Executive Council, warrant the apprehension and commitment for trial of such fugitive from justice, if the offence had been committed within this Province.

To prevent the escape of persons so charged before an order for his apprehension can be obtained from the Governor, or Lieutenant Governor &c, it is lawful for any judge or justice of the peace in this province within his jurisdiction, to issue his warrant for the apprehension and commitment of any person charged as aforesaid. in order that he may be detained in secure cnstody until application can be made under that act, and an order be made thereon, but upon such evidence only or oath as shall satisfy such judge or justice that the person accused stands charged with some crime of the description above specified, or that there is good ground to suspect him to have been guilty thereof.

This Act does not affect 37th George 3d, ch. 15, or render it incumbent upon the Governor and Council to deliver up any person charged, if for any reason they should deem it inexpedient so to do, or to prevent the discharge of any person upon Habeas Corpus who having been committed under the act shall be detained in custody beyond the time that may be reasonably required under the circumstances of the case, for carrying the provisions of the Act into effect. I would next mention the 3d William 4, ch. 3. Of Bail—It would take more time than we can at this moment devote to the subject to examine fully the law of Bail in criminal cases, I shall only therefore briefly observe, that this act is calculated to facilitate the duties of magistrates in this particular and also to render applications on the part of prisoner more easy and simple.

It points out the duties of justices before whom prisoners may be brought on charges of Felony or misdemeanor and coroners in taking Inquests, It requires them to take the examination of the witnesses and to reduce the same to writing in the presence of the accused and to bind over the witnesses to give evidence at the trial, and authorises this and similar courts to impose fines upon them for neglect of duty in these particulars. It points out the circumstances under which justices may admit to bail and the manner of procuring Prisoners committed by any justice or Coroner to be bailed under the direction of the Court of King's Bench, or of the Judges thereof who upon application may order Bail without bringing up the prisoner upon Hapeas Corpus. This act likewise supersedes the right of traverse or other postponement of the trial in cases of misdemeanor unless upon special cause shewn to the court. By the aid of this act and the ordinary manuals, justices of the Peace will not find it difficult to trace their duties on the subject of commitment and bail, and when it becomes discretionary they should carefully exercise due circumspection and their best judgment.

The modification of the criminal law and capital punishments, is contained in the 2d William 4th chap. 1st and the 3rd William 4th, chap. 4. By the formor the statute 21, James 1st, chap. 27, on the subject of infanticide is repealed and the trials of the mothers of illegitimate children, accused of murder, are placed upon the same footing as other homicides, the jury in the event of acquittal being however authorised to convict the parent of a wilful concealment of the birth, which subjects her to punishment in the discretion of the Court.

By the latter, the punishment of death is taken away from all offences except high treason, murder, including petit treason and accessories before the fact and rescuers of persons committed for murder, whether before or after conviction—rapes—abusing female children under ten years of age—unnatural crimes—robberies—robbing the mail—burglary—arson—and firing his Majesty's dock yards—and all accessories to such crimes before the fact, to which are to be added the capital penalties contained in the riot act which is recited at length.

The prayer for the benefit of clergy is abolished, and the nature of the secondary punishments which in their measure is left discretionary with the court, is pointed out. They embrace for some offences, the pillory, and whipping for others, transportation, banishment, fine, imprisonment and hard labour in the District gaols or any public penitentiaries. In connection with the subject may be noted the provision made during the last session of the provincial Legislature for the erection of a house of correction in this vicinity. Rules for its government and management still remain to be adopted, and from the zeal and ability engaged in this undertaking, we may confidently anticipate the best system of discipline which sound judgment aided by the experience of other countries can devise—let us hope that both for example and amendment it may, when in operation, prove of wholesome and effectual influence. Having adverted generally to the recent changes in our criminal code, I do not feel it necessary to enter into any details, the statutes themselves being promulgated and of ready access to all who may desire to consult them.

Having thus noticed the alterations in the law, it is to be observed that the nature of crimes and the forms and manner of proceedings remain as before.

The wrongful act and the criminal intention joined to—stimulating—or accompanying the act, marks the character of the crime.

The act and intention are to be proved by direct or circumstantial testimony, but always by legal evidence, and when brought home to the accused party thro' this the only legitimate medium, it becomes your duty to place the accusation in the hands of the Court to be fully heard and finally disposed of upon public trial.

The calendar embraces several crimes, but one only of a capital nature, namely, of murder, the prisoner is accused of having killed his own child, but from the nature of the evidence as it appears in depositions made before the Coroner it may be questionable whether the death was not rather accidental than wilful. It was occasioned by his oversetting a vessel of hot water upon the infant in an altercation between the father and mother, which so severely scalded the unfortunate child, that after lingering two or three weeks, other diseases supervened and occasioned its death, which death is attributed to the injury mentioned as the remote cause. If the water was wilfully thrown upon the deceased with a view to destroy or seriously to hurt it, the crime would amount to murder, altho' the immediate cause of the death may have been an internal complaint superinduced by the external injury and consequent suffering. But if the act was accidental and not designed, if no evil motive towards the child actuated the parents, if no desire to inflict bodily injury upon the infant or its mother, impelled him, then I would conceive the disaster a misadventure and not partaking of the criminal nature of murder. It may, however, have been committed under circumstances that may relieve it from the odium of murder, and still paint it with the felonious character of manslaughter—when you hear the witnesses you will be better enabled to judge, and should you labour under any difficulties in the application of the law to the facts in evidence, the Court will cheerfully assist your judgment with its best advice.

There appears some cases of forgery which may be felonies or misdemeanors according to the nature of the instrument fraudulently fabricated, the false making of some of which, is by statute declared felonious, while of others the offence remains at common law a misdemeanor only; In neither event are the consequences of conviction, now capital.

The greatest number of commitments are for the more frequent crime of Larceny, of which I will only observe that it consists in the wrongful and fraudulent taking and carrying away of the personal goods of another against the will of the owner, with intent to steal them with the animus furandi—and the design of making them the property of the thief, or of depriving the owner of them.

We perceive this Province fortunately not fruitful in crime, but fast emerging from a natural to a civilized state, and the duties of all public functionaries are liable to multiply accordingly. Rights become more numerous and complex, property more extensive and valuable; and the public institutions should keep pace and exercise a commensurate vigilance.

Not long since this vast continent presented the rough irregular features of a wilderness, fruitful only in the native forests that so universally clad the fertile surface, and in whose deep shades remote and inaccessible, "full many a flower was born to bloom unseen."

The adventurous foot of the enterprizing white man at length reached its shores, and led the way for that population, and their arts, which since have changed the face of things;

"How bow'd the woods beneath the sturdy stroke."

The plains which had been used to slumber in the deep solitudes of a "boundless contiguity of shade" now present the cheering prospect of cultivated domains, the rich meadow and the smiling harvest; and domestic herds have usurped the recesses of the beasts of prey, which seeking in vain a "lodge in some vast wilderness", have been driven to make their lair in remote and inhospitable regions.

The more alluring spots once graced by no higher embellishment than the temporary wigwam of the casual hunter, now exhibit the pleasant dwellings of the peaceful and industrious husbandman, or the costly and dense edifices that mark the city, the village or the town.

The magnificent waters that skirt our borders, and which of old cherished but a few finny tribes, or bore occasionally upon their bosom, the native Redman in his frail bark, now form the grand avenues of a fruitful commerce, and under the controul of mechanical science, are pursuing and seeking new channels to facilitate the extension and encrease of domestic and foreign trade. These inland seas and mighty rivers, seldom disturbed of old, unless when lashed by the sweeping blast, or ruffled by the plunge of the water fowl, are now divided by the trackless wanderings of a numerous shipping, from the rude shallop to the glorious vessel with her flowing canvass, and the still more costly and wonderful structure, that with powerful impulse, so like a creature of the deep, prosecutes its obedient course against adverse winds and currents, booming onward over the mountain wave with rigorous impetuosity; or surmounting the swift rapid, or stemming the ebbing tide, with persevering and prevailing energy. Nor do we perceive all these gliding in silent or empty state along the buoyant waters, but freighted with commodities from all quarters of the globe, and transporting thousands and tens of thousands of the human race, destined to subdue the woods that "spread their branches apace," and to fruetify the fertile lands that extend before them, inviting their labours, by all the temptations of a safe and sure asylum to the honest and industrious stranger. Thus do we behold this our country and our home, rapidly advancing from the rudeness of a natural to the beauty of a cultivated state of existence, and not only yielding to us the blessings of present abundance, but affording the gratifying prospect of its continuance and increase to future generations. The past opens and points to a most encouraging and auspicious future; and in its developement, it should be the study, as it is the duty of all of us, in our several stations, more especially in the discharge of our public duties, to regulate our conduct by such principles, as shall best tend to promote and ensure public and durable happiness.

As far as you are at present called upon, this can best be accomplished on your parts, by a firm, dispassionate, humane, considerate, inflexible course.

The great polar star to which I would point as your guide, is impartiality. Nothing is of more vital moment than the due administration of justice. Books can teach us the law, witnesses can impart facts, and a sound understanding is alone requisite to weigh testimony and apply the law; but to a mind swayed by prejudice, books speak in vain, and facts present themselves through a false and disturbed medium—the practical consequence is injustice, sometimes tainted with corruption, at others tinged only by that unconscious prejudice which is incidental to human infirmity, but which nevertheless entails upon the party unhappily exposed to the consequences of its influence, the same evils that flow from a less venial impulse.

By impartiality, I mean that lofty sense of justice which regards the public rights and welfare on the one hand, and the unfortunate culprit on the other—which, "nothing extenuating, and setting down nought in malice," weighs with cool deliberation all that is urged in order to support or rebut the accusation; only convicting upon a firm persuasion of guilt, only acquitting upon a satisfactory defence, or a charge clouded with doubts and supported by conclusive or convincing proofs.

We should feel that is an awful thing to ascend the judgment seat, for us frail mortals, the best of whom, to an Omniscient eye, presents a character so full of foible, to sit in judgement over our more obnoxious fellow creatures—it must be done, however—laws divine and human sanction it—the well-being of the human race requires the duty. But those on whom it devolves should enter upon the task with hearts & minds impressed with its deep responsibilities. Such reflections prompt them to dispense justice in mercy, which is the true spirit of British justice. Admonitions of this kind are trite, but not the less important. It is wholesome and right for all of us in entering upon a public service of this kind, to suffer the considerations which such suggestions are calculated to awaken to pass through our minds. They do not weaken or disarm us, they rather purify and strengthen us. They tend to suppress and exclude all feelings of passion—all undue bias—all extraneous influences, whether of a political, religious, local, or personal description, and thereby the better to fit us to impart that equal measure of right, which on your parts consists in presenting all things truly as they come to your knowledge according to the best of your understandings.

May that Gracious Providence unto which all hearts are open and from which no secrets are hid cleanse the thoughts of our hearts, and direct and prosper all your consultations.

DROWNED.—While some boys were bathing off Mr. Garrat's Wharf, on Tuesday afternoon, they found a dead body at the bottom, by the side of the wharf, in ten feet water. It proved to be that of a seaman recently employed on board Mr. Ives, schooner Kingston, and who had been seen at the water side on the day previous at about two o'clok, P. M. perfectly sober.—The only information elicited by Samuel Shaw, Esq., coroner, at the inquest which sat on the body, was, that the proper name of the deceased was not known, he being commonly called "Jo," was about 30 years of age, and a native of Bourdeaux, France, which city he had left six years since, and whither he was about to return, by Quebec. Verdict of the inquest—"Found drowned."—[Chronicle & Gaz.]

HAIL STORM.—The warm atmosphere of last week was displaced by one of the sudden rushes of colder air from the northward, frequent in the climate of Lower Canada. About five o'clock on Saturday afternoon, some very dark clouds gathered in the North West of the horizon. The wind agitated these clouds with extraordinary violence, and torrents of rain fell soon after, driven by a wind having nearly the velocity of a West India hurricane. Trees, fences, and several out houses and barns were prostrated, particularly on the Carouge Lorette and St. Foy Roads, at the distance of three or four miles from town. A couple of barns on this side Scott's bridge have been levelled with the ground. The greatest damage was however done in the town of Quebec by the hailstones, which have broken, on a low estimate from 8 to 12000 panes of glass in the different houses having a northerly exposure and situate in the Upper Town, and St. John and St. Lewis Suburbs. The extent of the hailstone shower does not appear to have been more than a couple of miles; the rain which fell at five or six miles distant from Quebec along the banks of the St. Lawrence, was but inconsiderable. The hailstones were on an average of the size of a hazel nut, and many were an inch in length. It is very many years since so much damage was done here from a similar cause.

The wind and rain does not appear to have materially damaged the standing crops.—[Neilson's Gazette.]

Public Record Office Reference C.O. 47/57

COPYRIGHT OF PHOTOGRAPH RESERVED TO PUBLIC RECORD OFFICE. FOR PERMISSION TO REPRODUCE, APPLY TO PUBLIC ARCHIVES, OTTAWA.

INCHES 1 2 3 CENTIMETRES 1 2 3 4 5 6 7 8