cording to law, stated in the return to have

st East," where similar allegations were received, and therefore that these three prisoners mu

verpool, for making a false return. Their Lord-ships granted tie rule, and on Wednesday the Court unanimously ordered the return to be a-needed.

COURT OF EXCHEQUER.

Friday, Jan. 25, 138.

Mr. Roebuck said he was instructed tomove for a writ of habeas corpus, addressed to Mr. latchelor, the gaoler of Liverpool, commanding by the bodies of Robt. Walker, Wm. Aves, Jas. Brown, and John Goldsbury Parker. He

Jas. Brown, and John Goldsbury Parker. He moved upon the affidavits—the separate affiavits of the prisoners, in which they swore that they had never been tried or convicted in any cort of law; that they had been forcibly brought from Canada, and were now forcibly detained in Iew-

gate, upon what ground they were totally inor ant. The other affidavit was that of Wm. Willand

ant. The other amdavit was that of Wim. Wilar, who was clerk to the solicitor for the prisones.—
He swore that on the 29th of December, he pplied for and obtained a copy of a warrant of a J. Colborne, from the gaoler of Liverpool, who tated to him that the document shewn him was thouly one he had for detaining the prisoners. It that warrant it was stated that the prisoners had been convicted. Each of them vasified; warm that

had been transpor

Lord Abinger: It is stated by reference to the

Mr. Roebuck: But the prisoners swore that

own, and John Goldsbury Parker. H

Friday, Jan. 25, 138.

[Sittings in Banco at West

dy. It was then jokingly remarked, "But let us see what Blurphy says!" and we hade Captain Smith farewell, as they were going to see what Murphy's Almanac said of the weather on Sunday, the 6th inst. Capt. Smith was married, and has left a wife and two children, the one to bewail the releasebly death of child highly and the other.

melancholy death of a kind husband, and the others of a tender father. Having been very successful he had acquired a handsome competency, with which he was about to retire from a sca faring life. Indeed he was taking out in his ship a variety of articles for a new house which he had been fitting up on the East river, New York. As a mark of respect to his memory, the flags of the vessels in the docks were memory, the flags of the vessels in the docks were hoisted only halfmast as soon as the news of his melancholy and untimely death was received. Messrs. Waldes, Pickersgill & Co., the consignees of the Pennsylvania, have offored a reward of £20 to any person who will recover the body of this lamented gentleman; but, up to y sterday afternoon, the sea had not given up its dead.

Twenty years have now elapsed since since the establishment of packet ships between Liverpool and New York. During that long period, though the ships comprising the various lines have sailed in all weathers, both foul and fair, only three of them, on to the close of last wark, had not with of them, up to the close of last week, had met with any serious disaster. The Albion, from New York for Liverpool, was, some 18 for Liverpool, was, some 18 years ago, totally wrecked on the Old Head of Kinsale, when the captain, the crew, and passengers were drowned the Liverpol, also from New York to Liverpool the Liverpol, also from New York to Liverpool, was subsequently lost, in the ice, on the banks of Newfoundland, but every soul on board was saved; and later still, the Panthea was lost in Holyhand Bay. Since our lost, however, three of them noble ships have been wrecked on our own shores, one of them, the Pennsylvania, certain to be a fotal loss, while the Oxford and the St. Andrew, tho

riously damaged, may be repaired.

The year 1839 has, therefore, been as disastrous

The year 1839 has, therefore, been as disastrous to the New York packet ships as the whole 20 preceding years rave been. Poor Captain Smith has gone, never to return; but Capt. Rathbone, of the Oxford, on shore in Bootle Bay, and Captain Thomson of the St. Andrew, on shore at Leasowe, have our warmest spinpathies for the dangers they encountered, and the lesses they sustained during the late awful hurricane. Mrs. Thompson, it may not be generally known, resides in Liverpool; and every feeling heart can conceive what must have been the sensations of that lady, from Sunday night until that of Tuesday, when Captain Thompson, ifter having lost his ship, was restored, alive and in good health, to her arms.

We may state as a proof of the strength and admirable construction of the New York packet ships, that, though the Pennsylvania had been Jying in the surf on the Bank for six days, exposed to the beating of the sea, her hull was as straight to the beating of the sea, her hull was as straight yesterday as when it floated gracefully in smooth water; while that of the Oxford, which has been

water; while that of the Oxford, which has occur exposed for a day longer to the "pelting of the pitiless storm," is as staunch as it was on the day she arrived from New York, the copper scarcely showing a wrinkle. The St. Andrew's hull is in showing a wrinkle. The St. Andrew's hull is in the same state. The condition of these vessels. after their disasters, must give great confidence to passengers in the safety and strength of the liners.

From the Courier & Enquirer February. 18. LATER FROM EUROPE. ARRIVAL OF THE GREAT WESTERN.

On Saturday night, this fine Steam Ship again arrived in our port, in a passage of nineteen day & six hours from Bristol, and having on board or hundred & five passengers. Our accounts by her are from London and Liverpool to the evening of the 26th, and from Paris to the 24th ultimo. Our private correspondence from those cities, which we annex, is so voluminous that it obviates the necessity of making extracts from Newspapers, had we room for them.

Correspondence of the Courier & Enquirer. London, January 26th, 1839.

The Great Western steam ship departs early on Woodace I send you the latest intelligence from this capital, up to this (Saturday) evening, at the latest hour before the departure of the Bristol mail. It is more than probable that the Great Western will arrive at New York before a number of the calcular which have departure from Liverpool and will arrive at New York before a number of the packets, which have departed from Liverpool and London during the last three weeks. The weather here has been uninterruptedly boisterous, the wind westerly, and every thing tending to render difficult the navigation across the Atlantic Ocean; and as the Great Western has come out of dock in a state of perfect repair, it is believed that this noble vessel will take out early tidings of those important political movements which have been going forward in this country for some time past.

The principal political discussion now occupying ne public mind in England, is on the subject of the Corn laws, for the abolition of which, the most tre mendous agitation has been on foct for some weeks mendous agitation has been on foct for some weeks past. Meetings of the most respectable and wealthy of the mercantile bodies of all the principal manufacturing towns in England and Scotland, have been held in favor of an extensive change in these most obnoxious laws. Manchester, Liverpool and Leeds being amongst the places from which petitions of the most urgument discription have been prepared for presentation on the opening of the session of Parliament. The London and or the session or Parliament. The London and provincial press has joined so powerfully in the agulation of the question, that the whole Kingdom is now occupied with discussions on the question, and it is considered as almost certain that some extensive change in the various in the in t sive change in the system, is at least, very agarly at hand, and by a letter to his continents at Strond, written about three days since by Lord John Rus-sell, a Cabinet minister and leader of the House of sell, a Cabinet minister and leader of the House of Commons, it appears that he individually is favor-able to a fixed dufy in preference to the present fluctuating scale, and this has so clearly become the opinion of the great majority of the prople of the empire, that into such duty of about ten shilthe empire, that into such duty of about ten shillings per quarter, it is now almost certain that the coin laws of England will at length settle down. The prices of grain continue exceedingly high; the ports of the continent of Europe have been closed against the exportation of supplies, either by the ice or by the decrees of the various governments, for to the prohibition of the King of Naples and the Two Sicilies, is now added a prohibition against the exportation of corn from the Atlantic ports of France. The average price of wheat for this week France. The average price of wheat to this week has been 81s. 6d. for the quarter of eight bushels, nor is there the slightest prospect, of a fall in the value, until the spring of the year, and the prospect of the grain crops may have been ascertained both at home and abroad.

In political affairs, the Corn laws and the meeting of Parliament, are the all engrossing subjects of attention at the present time. The session opens on the 5th of the ensuing month, and is expected to be one of the most important that has been witnessed in England for a very long time.

The intelligence from Canada, by the packet of the 6th, is considered to be favorable, though there are cottainly many persons who anticipate new and increased difficulties to arise out of the executions which it is so painful to read the accounts of, in the news which arrows the day. in the papers which arrived this day.

The Belgic question is now virtually settled, the five European powers having unanimously signed a new treaty, which is to be enforced on both the Belgians and the Dutch.

The success of the French at Vera Cruz, has caused a great deal of disarpointment amongst the mercantile part of the community, here. Though successful over a weak and defenceless people, the successful over a weak and defenceless people, the French cause is universally considered to be most

tyrannical and unjust. In France itself, great political difficulties are believed to be at hand. The Ministry has been defeated and has resigned, and the high price of provisions is daily causing a more revolutionary spirit to prevail throughout the mass of the popuation of France.

Rumors have lately been affoat, of the intended marriage of our Queen Victoria, but they have been very positively contradicted, by the ministerial press.

From a Supplement to the New-York Albon Feb 17. Despatches have been brought out by Mr. Hud-son in the Great Western, from the British Govern-ment to their Minister at Washington.

ment to their Minister at Washington.

MARRIAGE OF HER MAJETY.

The following appeared in a leading article in the Sun on Wednesday night, Jan. 23.

"The country will learn with delight that the most interesting part in the speech from the throne to both houses of Parliament, and the country at large, will be the announcement of he Majesty's intended marriage. The happy objec of Queen Victoria's choice is Prince Albert, son of the reigning Duke of Saxe Cobourg, and cousinof Her Majesty. Prince Albert is handsome, and about 22 years of age. He has resided for sometime in this country, on a visit to his royal relatives.

"How soon the happy event is to tale place we are not prepared to say; but our readus may depend upon the authenticity of our information."

The Morning Chronicle of Thursday says:—
"We are authorised to give the most pasitive contradiction to the above announcement."

In answer to this contradiction the San observes:
"The Chronicle denies, on authority, the statement made respecting the marriage of Eer Majesty. We beg leave to inform our contemporary, that we place more reliance on the authenticity of our nformation than on hiscontradiction. Technically, perhaps, the Chronicle may not be in error. The event may not be announced in the speech from the Hosne, but may be communicated to parliament by i separate and distinct message; but substantialy out information, and not the authoritative denial of the Chronicle, will be found correct. We wait MARRIAGE OF HER MAJESTY.

information, and not the authoritative denial of the Chronicle, will be found correct. We wak with calm confidence for time to confirm the truth

our statement."
The Address in the Lords.—We understand that

The Address in the Lords.—We understand that the Address in the Lords will be moved by the Earl of Lovelace, and seconder by Lorg Verson. [Government paper.]—The Earl of Lovelace was formerly Lord King, and was one of the coronation batch of Earls.

Murder of the Earl of Norbury.—Not the slightest clue has yet been obtained likely to lead to the detection of the murderer of the Earl of Norbury, notwithstanding the very large reward, [£3000, and £100 per annum,] offered for the attainment of that object.

Death of Prince Lieven.—Intelligence was received on Friday morning, at Asbburnham-house.

Death of Prince Lieven.—Intelligence was received on Friday morbing, at Ashburnham-house,
of the demise of Prince Lieven in Italy, after a
short illness. The noble Prince was for many
years the ambassador at the British Court from
the Emperor of Russia, and was distinguished
for his diplomatic abilities.

Death of Lady Dalhousie.—Lady Dalhousie,
relict of Lord Dalhousie, some time governor of
Canada, died at her house in Edinburgh on Tuesder. Her ladyship, was previously in her usual

Canada, died at her house in Editional and May. Her ladyship was previously inher usual health; and was in conversation with some frieads in her drawing room after dinner, when she sand denly sank back in her chair and expired. Her Ladyship was in her 54th or 55th year. The cause of her decease is supposed to be as affection of the heart.

of the heart.

Death of the Duke of Buckingham.—The decease of this nobleman took place on Thursday morning, at eight o'clock, at Stowe. The melancholy intelligence reached London by an express, which arrived at the house of the Marquis of Chandos, in Pall-mall, in the cours of the afternoon. The noble Marquis (now Duke of Buckingham) had been at Stowe for sme days roicy te the fatal termination of his noble father's

Lord Canterbury was seriously ill at Paris, at the last advices.

Capt. Maryatt, the well known author of the the naval novels, has accepted the command of the Brazillian navy, vice Capt, S. Genfell, re-

A commercial crisis is supposed to threaten the monied interest.

Apprehensions of a dearth in France se fearful-

warrant it was stated that the prisoners. It that warrant it was stated that the prisoners had been convicted. Each of them positively swort that such statement was untrue, and that they had never been either tried or convicted, and here could be no doubt but that, if these affidavits were true, the prisoners were entitled to their discharge. It was his duty to lay before the Court some ground of suspicion respecting the legal detection of these persons. He knew that it had been decided in a celebrated case, he meant that of Mr. Hobhouse, that the writ he sought for was not granted as a matter of cours; that it rested in the discretion of the Coart, and that it was the duty of the party applying for the writ to show that some suspicion attached to the detention. This would be an easy task in this case, for the only document waich the gaoler of the borough of Liverpoof bad, was one of the most informal that had ever been brought under the notice of a court of law. That document was addressed to Digby B. Morton, and set forth facts to which the court could not give credence, since they had positively been denied upon oath by all the four prisoners. He would read the document, and probably their lordships would try to understand it. Mr. Roebuck then read the warrant.]

Such a loosely-worded document had seldon Apprehensions of a dearth in France at leasturly prevalent.

Wrecks of the Pennsylvania, &c.—While all the
vessels which were stranded in Bootle Bay have
been got off, more or less damaged, note of the
ships which were wrecked on the banks and en ships which were wrecked on the basis and on the Cheshire shore are likely to be got off, to be made seaworthy again. The St. Andrew, as well as the Pennsylvania, while it is leared, where complete wrecks; while the Lockwood and the Brighton have long since gone to pices. We have not heard in what state the Victoa is.

Consols continue steady at 921 for th Account Money, 921; exchequer Bills lower, 65 2 64; India bonds lower, 63 61.

sonally attached to himself, and following his bidding. The crime of Count Mole and is cabinet the King was forming in the chamber and the sonally attached to himself, and following his bidding. The crime of Count Mole and is cabinet was, that they lent themselves to this; nd that in foreign and domestic policy the King we not only absolute minister, but that he was layin the foundation of a permanent majority, which would have annulled parliamentary influence and spresentative government altogether. The way which this plan was developed and acted on wasfully perceivable to those only who had been indifice, and who were acquainted with the maching of government. They saw the danger, not merely to themselves, but to the country and to the throne.

BRUSSELS, Jan. 20.—A private letterfrom Dusseldorf has been communicated to us, in which we find the following passage:—"The Passians are on their way to the Belgian Frontier; two divisions have arrived, and the garrison of Duseldorf has received orders to march." Messrs. Metz, #Assembourg, and Hoffschmidt, arrived here from Paris on Friday last. It is in contemplation at Srussels to call the militia to do garrison duty.

SPAIN. The new Cabinet of Madrid, by whatever affuence appointed or upheld, can no longer be tonsi-dered Moderado, however really moderate my be its spirit and it aims. Senor Pia Pita Pizaro, on dered Moderado, however really moderate may be its spirit and it aims. Senor Pia Pita Pizaro, on assuming power, promises to satisfy the just complaints of the liberal party. He has hitherto hestated, wanting the power rather than the vill. The tyrannic Captains Generals of the south resisted, and they were in a degree supported by Esparte 10, whom the events of Saville had alarmed. The Moderados in Madrid have accordingly been making the utmost efforts to overthrow Van Habn and his system; and the point on which they attacked him and his supporters is certainly a vulnerable one—that of his permitting juntas of reprisals. These juntas would, doubtless be indefensible if they did not contribute to the cessation of massacre, which they certainly have. Don Cailos, reprimanded by Austria, has exerted himself to put a stop to the ferocity of his licutenants; and Cabrera himself, though he growls, has given ever massacres in cold blood, having before him the certainty of repricals. Van Halen, however, promises all the submission to the Central Government that is possible without disorganizing the local system of defence—that system which the Carlists first adopted with so much advantage; and, in turn, the government has re-issued to him full powers for conducting the war, and wielding his authority as hitherto.

CANADIAN PRISONERS.

CANADIAN PRISONERS.

CANADIAN PRISONERS.

The arguments of the counsels on both sides were continued during Wednesday, January 16, but nothing of material importance was elicited, beyond the assertion of legal points. At the close of the day,

Lord Denman, after consulting with the other judges, said, We think it right to give some consideration to a case of so much consequence, and we should wish the prisoners to be brought up again on Monday morning.

Court of Queen's Bench, Monday, Jan. 21.

The Court was crowded at a very early hour on Monday by the members of the bar, who were desirous to hear the judgement of the Court, which Lord Denman pronounced as follows:—He said the Court had now to pronounce its judge—

eral might show cause in the first instance, but the nore regular way would

It was then agreed that the return should be made to-morrow (this day) and that the argumen-should come on on Monday. It was also agreed that the prisoners should not be brought up.

EARTHQUAKE AT MARTINIQUE. Some additional particulars of this deplorable event are given in the following extracts from let-ters received at Point Petre, Island of Gaudaloupe a French ship from that port having arrived at Charleston. St. Pierre, (Martinique) Jan. 12.

St. Pierre, (Martinique) Jan. 12.

You have undoubtedly heard of the dreadful calamity which has befallen our unfortunate country, already so much to be pitied in every respect, The disasters of yesterday are incalculable. There is not a single house in St, Pierse, that must not be re-built or entirely repaired. We have lost but two persons, who were crushed under the ruins, and about twenty were wounded; but Fort Royal is completely laid even with the ground. Not one fourth of the city has yet been searched, and they have already found 522 dead bodies. The hospital at Fort Royal is likewise destroyed, and all the sick therein perished.

hospital at Fort Royal is likewise destroyed, and all the sick therein perished.

According to other letters and reports, of different persons arrived at Point Petre, from Martinique, on the 13th and 14th inst., it would appear that all the wooden houses had escaped the disaster. Nothing yet can be said of the state of the fortifications at Fort Royal and of the other establishments of the Government of which no mention. been granted after they and been duly consecutive from a Court of Session over and terminer, one of them of treason, and the other two of felony. The court had anxiously considered whether the allegations contained in the release were sufficient, and on the principle already stated it, thought that they were in accordance with the rules laid down in Burnes's case, "2 Rolls Republications were received. Alse he remanded.

After a short pause, Mr. Hill argued that the parchient containing the returns was nothing more lan the unsupported statement of a person who was a volunteer in this matter, and from which the Court knew nothing more than that he was detaiting certain of the Queen's subjects in custody. Fe therefore made a motion for an attachment aganst Mr. Batchelor, the gooler of Liverpool, for making a false return. Their Lordwhich we heard that that island had felt but slightly the shock of the earthquake.
[Charleston Mercury,]

The New York American of last evening has ne following peragraph:

There is a distressing report in circulation this norning, that the centre of the Island of Guada-oupe had sunk far below the tide level. This etfect is supposed to have been produced by some volcanic action having connexion with the late earthquake at Martinique. Gaudaloupe is divided by a creek running nearly through the centre of the island, on one side of which is a limestone formation, and the other volcanic. Some very celebrated plantations, with extensive buildings, once of great value, are said to be completely submerg-

The arrival at Charleston brings advices from oint Petre of the 16th ult., in which no mention is made of this repeated disaster in the Island of Guadaloupe; yet the report may be true. It is confirmed in the subjoined paragraph from the

Guadaloupe; yet the report may be true. It is confirmed in the subjoined patagraph from the Journal of Commerce.

Letters from Martinique dated Jan. 15th, say that the earthquake which has already been announced as having occurred on the night of Jan. 11th, with such frightful effects, was repeated on the nights of the 12th and 13th, and greatly increased the damage. The whole island was injured more or less, and Fort Royal more especially. In that city eighty houses were thrown down, including the Government House, Hospital, Treasury, Churches, and all other large edifices.

Not a house escaped injury more or less, Six hundred persons were killed. And the rest who were able, had fled to the low grounds. In Guadaloupe and St. Lucia great damage had been done. Two schooners had arrived at Martinique from Guadaloupe laden with wounded persons, a seeking for hospitals; but the inhabitants were compelled to turn them away, as they had more than their hands full of their own wounded.

We notice in the Charleston papers another ar-We notice in the Charleston papers another arrival from Point Petre, the vessel having sailed on

the 20th ult; but nothing is said of disasters in that island.

The Berald.

KINGSTON, TUESDAY, FEBRUARY 26,1839,

On our first page will be found an outline of the plan proposed by the Revd. Wm. M. Harvard for

was true, as set forth in his former affidavits that they had not either been tried or convicted. That would, indeed, be a remarkable fact to be put on the records of an English court of justice. Surely their lordships would think that in a case of such vast importance to the parties there ought to have been some more formal averment that they had been convicted, a fact which they denied; but supposing the document even to have had any efficacacy at all, he would contend that it lost all its power upon its arrival at Liverpool. He would further contend that even if it had any authority or efficacy here, it had one fatal error; it did not bear upon its face the term for which the parties had been transported. bers; but we shall be equally content to have the then it is meant to say that our Legislature is not Churches.

of the Reserves, that it will render the Clergy question. The Patriot seems to place some stres pensioners on the Government, and thus make on his notion that Banking is a matter that "only hem entirely subservient to the pleasure of the concerns the actual residents in the Province," Executive for the time being. The idea that they while the Reserves concern the whole empire.may thus be rendered the instruments of oppress- The distinction is fictitious, and it shows the mud produced a horror of state-paid priests, which, un- alike in this respect; for no man of "the whole less it can be removed or lessened, will go far to- empire" can have any share of the Reserves, or wards destroying the effect of any such public any benefit from them, or any thing to do with both the givers and receivers of it objects of sus- the Province." picion and aversion. Thus both the Government der the impression that they are combined through a bond of self interest against the people's rights

Lord Abinger: It is stated by reference to the pardon.

Mr. Roebuck: But the prisoners swore that they had never been tried or convicted, and they denied the pardon altogrether. According to the cases in the books, that was a fatal error in a criminal commitment. If the other doctrine were to prevail, the document in question would be as good authority to the Governor of Van Dieman's Land as to the gaoler of Liverpool, and the man who might have been transported for seven or fourteen years, might be detained for life. It was not a record of any court; it was a mere warrant of transportation, and it ought to set out the pardon, and not only the pardon, but it ought clearly to show on the face of it the period for which the party has been transported. From all that appeared in the covenant, it was impossible for the court, the gaoler of Liverpool, or any one else, to say that the term of the prisoners' punishment had not expired; it was totally silent on the subject. He thought he had cast sufficient suspicion upon the warrant, and of course, upon the detention of the four prisoners, to justify the court in exercising its discretionary power. Suppose it had been a decision from any court in this country, or was a warrant issuing from any commissioner appointed under the Crown.

Lord Abinger: Suppose a writ of habeas corpus were issued to a gaoler, and he were to bring up the body, and return that the party had been convicted of felony at the assizes, would it be competent to show that the party had not committed a felony or been tried for it?

Mr. Roebuck said that that would be a very different case from the one before the court. In that case there would be proceedings in a court of law. All that was before their lordships was what was called letters patent from Sir J. Colborne to Digby J. Morton; to him they were authority, and he might take them to their destination, but they were no authority to the gaoler of Liverpool.

Lord Abinger: Mr. Roebuck, I think you have and liberties .-This objection, though arising from a principle that should be respected, is yet founded in error when it is applied to the proposed plan of providing for religious instruction. For by this plan the its Act have received the Royal Assent, after hav-Clergy will not be dependent at all upon the Ex- ing lain a given time (we think six weeks [thirty ecutive, who can neither add to nor diminish their days]) before both Houses of the Imperial Parincomes one fraction. If the Executive could inbe by having it in his power to increase or diminish, or withhold altogether those incomes at his pleasure. The Bill must be laid before the two pleasure. This has been the case with such aid as Houses, and they might act on it; but they clear the fall into the Bay of Fundy, content of the country that is watered by pleasure. This has been the case with such aid as Houses, and they might act on it; but they clear the fall into the Bay of Fundy, content of the country that is watered by pleasure. it has been the gift of the Executive, was less or would pay more respect to the Provincial Legisla fore be supposed, whether it actually did so or not, deliberate acts. It is the only suitable and comfore be supposed, whether it actually did so or not, to have had some influence on the Clergy. But on the proposed plan the aid will be a grant from the Legislature, over which the Executive can have no separate control, and which cannot be made a means of corruption, because it is publickforward to "carry or repeal" its provisions on the subject. And therefore the Home made a means of corruption, because it is publickforward to "carry or repeal" its provisions on the subject. And therefore the Home made a means of corruption, because it is publickforward to "carry or repeal" its provisions on the subject. And therefore the Home made a means of corruption, because it is publickforward to "carry or repeal" its provisions on the subject. And therefore the Home made a means of corruption, because it is publickforward to "carry or repeal" its provisions on the subject. And therefore the Home made a means of corruption, because it is publickforward to "carry or repeal" its provisions on the subject. And therefore the Home made a means of corruption, because it is publickforward to "carry or repeal" its provisions on the subject. And therefore the Home made a means of corruption, because it is publickforward to "carry or repeal" its provisions on the subject. And therefore the Home made a means of corruption, because it is publickforward to "carry or repeal" its provisions on the subject. And therefore the Home made a means of corruption, because its publickforward to "carry or repeal" its provisions on the subject. And therefore the Home was all but they would say this, only in that the would be no Nova Scotia to the North-West angle of Nova Scotia to the North-West angle might take them to their destination, but they were no authority to the gaoler of Liverpool.

Lord Abinger: Mr. Roebuck, I think you have stated enough to entitle you to the writs. The proper time to controvert some of your propositions will be when the return is made. Suppose you were to take a rule nisi, we can then avoid the inconvenience of bringing up the prisoners, and the matter can be discussed just as well.

Mr. Roebuck: My Lord, I have very great responsibility thrown upon me in this case, and I should prefer to argue the question upon the return. and by taking the required aid from the power of lature, by requesting it to do what it is not compe-the Executive and giving it to the Legislature, it tent to do! Verily the Patriot is one of the wise should prefer to argue the question upon the return.

The Attorney-General was about to argue upon the insufficiency of the affidavits, when he was interrupted by

Mr. Roebuck, who said that the Attorney-General from the public fund will still be the same,

actions, and may oppose the Executive to the teeth address the Crown to withhold the Roys

gy, and Christian bodies in general, will be much legislation on the Reserves. So that the Patri more dependent on the Assembly than on the Ex- denial is as silly as it is false; for the Province to effect will be of the nature of a compact between legislate at all on the Reserves. The authority the various parties, and therefore must not be altered or disannulled on trivial grounds; yet, as the tional Act on the Reserves, is not given to the I Assembly always exerts a much greater influence perial Parliament, but to the Provincial, and in all pecuniary matters than any other branch of former cannot touch them without authority of the Legislature can do, the Clergy will be much the latter. So much for the Patriot's truth more under the influence of the Assembly, than of knowledge. And as the Provincial Parlia the other branches. These can neither originate must give authority in this matter to the Imnor alter any money bill; it must be done by the in the manner proposed, why shall not the for Assembly: therefore the House pissesses a much decide the matter at once, instead of shifting greater influence in all money matters than can be proper duties to another body? The request possessed by either the Council or the Executive. Imperial interference is very suspicious.

But the Patriot says it is "unjust" also to s It is obvious then that on the plan before us the Not Clergy are much more likely to become subserviand the to the Assembly than to the other branches of petent authority to legislate on this matter. The the Government; and those persons who are in is, the Constitutional Act and the Home Confavour of liberal measures, and who hope to see a liberal Assembly, are throwing away a fine opporunity of gaining some degree of control over the and we shall not spend many words in showing Clergy, by opposing the plan of granting them aid folly. He says that the Reserves were not by a Legislative grant of the Reserve property .-Whatever objections may rest against a gift from ful of population, but for the benefit of the per the Executive, they cannot apply to a grant from the Legislature, in which the Assembly must contend to the people of Upper Can issments of the Government, of which no mention is made in the letters of our correspondents. But from the reports collected from the adjacent countries, we would infer that the sugar factories had suffered considerable already; the known losses are estimated at more than ten million of francs.—
On the 12th a vessel arrived at St. Pierres from St. I have been their that island had felt to the contract of the contract of the Executive, they cannot apply to a grant from the Legislature, in which the Assembly must concur, and must always exercise the principal powers are estimated at more than ten million of francs.—

The contract of the Government, of which no mention is made in the letters of our correspondents. But the Executive, they cannot apply to a grant from the Executive, they cannot apply to a grant from the Legislature, in which the Assembly must concur, and must always exercise the principal powers are estimated at more than ten million of francs.—

The contract of the contract of the Executive, they cannot apply to a grant from the Legislature, in which the Assembly must concur, and must always exercise the principal powers are estimated at more than ten million of francs.—

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> Patriot has made on our late notice of this subject. We objected a fortnight ago to the re-investnent of the Reserves in the Crown, and the reference of the question to the Imperial Parliament, and said that those who opposed the interference of the Home Government on Banking or other loof the Home Government on Banking or other 10-cal matters, would be suspiciously inconsistent in the heads of the various denominations requesting Imperial interference on the Reserve uestion. On this the Patriot asks:

We shall now examine some remarks that the

"Are the questions then alike? Is there no difference between a question of money-changing among traffickers, which only concerns the actual residents in the Province, and a question about a permanent provision for religion, which concerns the rights, and touches the feelings of the whole

Most certainly there is a difference between the two questions: if there were not they would be dentical, and the Clergy Reserves would be neither more nor less than Banking. There is a difference between the two, and so there is between Banking and every other subject of Legislation; so that the Patriot's question amounts to this :-Is there no difference between bread and butter?" Most certainly; and for suggesting the important difference the Patriot shall be voted a large extra slice of bread, buttered on both sides. But the difference between Banking and the

Reserve question is so far from being a reason why

Imperial interference should be denied on the former and sought on the latter, that it is the very reverse. For the Reserve question is one that the people understand much better than they do Banking. There are hundreds and thousands who know little or nothing about Banking, but who know very well that to give one-seventh of the Province to one or two Churches would be neither wise nor just. They know little or nothing about currency or exchanges, but they know very well He will be a thousand times more of a Public that to establish one or two favourite Churches in the Province would make this country a second dia bonds lower, 63 61.

Paris, Js. 23.

Resignation of the Cabinet formed by Count Mole is dissived; nor does it appear possible that any reconsuction of the ministry can include that statesman who has fallen under a determined and successfit coalition against him of all parties of the chambs, except the purely ministerial one. Yet it was of against Count Mole that this coalition was dected: is account Mole that the prisoners facility of the more and more evidenfact, that the King was forming in the chamber party personelly attached to himself, and followigh his bid-Ireland. The Reserve question is also one on urged the principle of division according to num- ment is thread-bare and almost useless. Unless proceeds of the Reserves divided according to the fit to decide any thing, it must be conceded that "The Atlantic Ocean." Yet in every map mount contributed from private sources, or in any it is quite adequate to settle the long contested other way, in short, that secures the great princi- Reserve question; and we still maintain that those ple of equality of privileges between the different | who reject Imperial interference in Banking and other local matters, will be suspiciously inconsist-But it is objected to any such plan of disposing ent in requesting that interference on the Reserve ing the people and abridging their liberties, has dy state of the Patriot's brain. The subjects are provision as is above contemplated, by making them, unless he become an "actual resident in But the Patriot also denies that the Provincial

and the Clergy will be distrusted and opposed, un- Legislature is the only suitable and competent authority to legislate on the matter, and says that to affirm this is " a most false and unjust assumption." Is is neither false nor unjust, the Patriot's shallow reasons notwithstanding. He says it is false, "because no legislation by the Provincial Legislature on the Clergy Reserves can be effective, till liament." Well, and what of that? The Royal to the Americans, "shall respectively louch assent is required to every act. The Imperial ATLANTIC OCEAN AND THE ATLANTIC OCEAN in footh has hitherto been given to religion in the province: might not, and most probably would not. They more, or nothing at his pleasure, and may there- ture than to interfere with its legitimate duties and rule, based on the artual state of things in the But according to the very simple Patriot this incountry. The contemplated plan, then, differs vitation is a mere mockery. The Home Governwidely from that to which the objection applies, ment have been mocking and insulting our Legisremoves the danger of the Clergy becoming de- men of Gotham, a thousand times wiser than the pendeats on the Executive. The latter cannot Home Government and the framers of the Consti-

so that they will be quite independent in their or disannul it. If they do not like it, they m from it: but more than that they cannot do, and if they think proper to do so.

In point of fact, on the proposed plan, the Clerwould not probably do even that,—and that is not probably do even Because, though the rlan, if carried in- Parliament is the only body that is authorized " vary or repeal " the provisions of the Co

ment both require our Legislature to do what unjust! If the Parriot believes this we do tended for the " sole benefit of the present ada, be they few or many. And as for "the n ple of the empire at large," of what bene the Reserves be to them unless they come side here? But this part of the Patrict's and designedly obscure. ciple which he was afraid to ext that the Reserves shall be div ferent denominations, in proportion to their resp tive numbers at home. This crotchet, which w proposed in the Assembly last year, has only to ntioned to receive general contempt and

The Patriot says that the Imperial Parliame tition the Imperial Parliament on the subject And, notwithstanding the Patriot's opposition repeat our caution to the members o bly who are not disposed to give the Rese not be settled at all, or else that the Reserv be given solely to the Church of England. Patriot may say again that we malign the tocracy, but for that we care nothing, any r than we do for his quoting Cobbett, too, that we do not want to have the question set tled, an assertion which is neither true nor fair. We have much better reason for charging that a him; because we want to have a set shall be final, but that the Patriot's not be. Let him not deceive himself an by supposing that agitation on this sure ever cease, until equal rights and privil secured to all denominations. Till then the ship will continue, and when that is attained it will cease. We might say a good deal more, but His Excellency's reply published in our last

forward by Government.

The Patriot challenges the world to show s an instance of " remorseless contention he says we displayed by opposing the ment of the Reserves in the Crown. But we challenge the world to produce greater absuble than runs through the Patriot's article. The how which he hoped to demolish laughs at this ray tent attack, and the blow which he aimed it has recoiled on himself, and broken his own him. guarding against any Imperial interference in local matters, instead of encouraging it in all which are specially placed under the contour Provincial Legislature.

which the phrase-" The Bay of Fundy"; made synonymous and identical with the phra geographical work, The Bay of Fundy is cont distinguished from The Atlantic Ocean, and name of the former is as peculiar and appropriate to it, as any other specific geographical term its appropriate object. And besides the gent use of the term, the treaty of 1783 expressly is printedly distinguishes the Bay of Fundy in the Atlantic Ocean; so that if it were the proper to confound them together now, it is evident that they were not confounded by makers of the treaty. In its second article, w describes the boundaries, the east boundary is scribed to be " along the middle of the Rivet Croix, from its mouth in the Bay of Fundy to source." But according to the American cla the St. Croix should have been described as h ing its mouth in the Atlantic Ocean! But the a clause is still more pointed, and it blows the Ame ican claim to the limbo of fraud and folly for which it came. The treaty says-"compreh ing all islands within twenty leagues of any of the shores of the United States, and lying tween lines to be drawn due east from the put where the aforesaid boundaries between Not Scotia on the one part, and East Florida on other, shall respectively touch THE BAY of Fusi AND THE ATLANTIC OCEAN." That is, according treaty itself contradistinguishes them. I ble republicans might as well and coest the St. Lawrence is part of the Atlantic Ocea claim New Brunswick, Nova Scotia, Cap E. Prince Edward's Island, &c. We do not do but is expressly distinguished the but is expressly distinguished the and by the latter especially, in a constant be mistaken by those who are cannot be mistaken by those who are what the American warms. do what is right. What the Americans leave undecided, but they construe the tement that their boundary line shall "to Allantic Ocean and the Atlantic Ocean"? I call Long Island Sound, Chesapeoke Bay Gulf of Mexico, the Atlantic Ocean? even did, it would not serve them; for the iteal of the control of the state of th

THE BOUNDARY. The following from the Quebec Tuesday, seems to be about as much in regard to the fraces on the disputed A gentleman who arrived yesterday ricton, reports that Sir John Harvey ericton, reports that ing that an armed force from the Sta ing that an armed force from the Sta had entered upon the disputed territor had entered upon the Ristook River had entered upon the Ristook River up their position on the Ristook River up their position on the Ristook River up their position of the Engineers to end circumstance, and should he find the required it, directed him to procure to for troops, which would be immore their positions which would be immore their positions which would be immore their positions of their positions and the British residents took five Officers with a two horse sleigh and two der. The officers have been sent to be a sent

rederickton.
It is added, that the men finding wi hout their officers, retreated, ab heavy baggage. Extract from a letter from Wood lated 13th February:— On the night of the 11th inst., the of Woodstock provided themselves of Woodstock provided themselves the extent of 110 stand, and, proceed the extent of 110 stand, and proceed to repel the Americans who had inva-ince. The lumberers in that quarter of d to fight upon their "own hook" u Harvey sends up a competent force which, I have no doubt, he will do

We shall in an proposed and it is neighbourhood very soon—and it is reflection to as that every man in the the finest spirit, and pro BRITISH CRUELTY .-- HORRIBLE BRITISH CRUELTY.—HORRIBLE is reported that two carioles with the expedition which lately entered country, were met near Tobique of Fredericton. No doubt they will merciless Harvey as a tribute to his it is the fashion in this country to paragon of delicacy and humanity.

[Penobsco

We shall in all probability have f

The following is the American ac ed in a Message from the Governo the Legislature, A Proclamation Harvey follows. GOVERNOR'S MESSA

The following message was sent retary of State.
To the House of Representatives:
In comply with the House of Representatives to the remaining the communicate such information relation to the reported abduction Under the resolve of the 24th of Ja

titled "Resolve relating to tresponding Lands" the Land agent rebout two hundred chosen men to the erations on the Arostook river. P reaching there, it is understood that amounting to about three hundred well armed, had combined and we well armed, had combined and we to resist every effort that should be them up. Finding, however, that had prepared himself with a six those to retire from the ground, pas

The Land Agent with his compa down the Arostook to near its mou several places of operation abandons passers. On Monday last they cap about twenty, who had been operat the river, and sent several who we the ring leaders to Bangor, where

they are now in jail.

On Monday, the Land Agent so Mr. McLaughlin, the Land Agent ince of New Brunswick, inviting him at the house of a Mr. Fitz Heri miles from where the company wered; and on the same evening, with Mr. McIntyre repaired to the house Herbert, intending to pass the night trespassers, however, became possess and detached a company of about fit the Agent and those accompanying ported them, it is believed, beyond the state.

ortified and anticipating an attack, ttempt should be made on our part Resolve of the 24th of January, by mber which has already been cut I have advised the sending of a three hundred men, as it is prob-the tresspassers will be constant id if a resolve to that effect be point an Agent to supply temporar Mr. McIntyre, and lead on the ex-I have also despatched a spec fir John Harvey, Lieut. Governor wick, for the purpose, among oth certaining whether these high han espassers are authorised, enanced by the Provincial G to procure the release of the Agent with him. The Agent was also her matters pertaining to this mo

and outrageous proceeding.

The facts above stated, except in the facts above been communicated the facts above the fact nally by the Sheriff of Penobse one of the company of the Land Ag
This is the only communication Agent or his Company, which I have or otherwise, that could be relied to

Council Chamber, Feb. 15, 183 By His Excellency Major Go Harvey, K. C. B. and K. C. Governor and Commander in C. JOHN HARVEY.

A PROCLAMATIO
Whereas, I have received infi
party of armed persons, to the num
dred or more, have invaded a porti
ince, under the jurisdiction of Her
eithnent, from the neighboring Sta
the professed object of exercising
driving off persons stated to be
therein; and that divers other person
out any legal authority, taken to
intention of resisting such invas
and have broken open certain store
in which arms and ammunition be
Majesty were deposited, and have
away for that purpose,—I do here
command all persons concerned in
forthwith to return the arms and
illegally taken, to their place of
Government egally taken, to their place of overnment of the Province will dopt all necessary measures for re invasion or upon any part of her Majesty's te

opon any part of her Majesty's tejects.

And I do hereby charge and co
gistrates, Sheriffa, and other office
aiding and assisting in the apprehbons so offending, and to bring it
And in order to aid and assist
that respect, if necessary, I hav
cient military force to proceed for
place where these outrages are
have been committed, as well to
vasion, as to prevent the illegal as
by Her Majesty's subjects in this
And further, in order to be prep
ry, to call in the aid of the Const
force of the country, I do hereby
mand the officers commanding the
Battalions of the Militia of the Co
forthwith to proceed as the Law di
ing of a body of men, to consist
the strength of each of those b
readness for actual service, shoul
quire.

Given under my Hand and Seal the thirteenth day of February, our Lord one thousand eight hu-nine, and in the second year o Reign. By His Excellency's Command,
WM.

God save the Queen.

FOR PERMISSION TO REPRODUCE, APPLY TO PUBLIC ARCHIVES, OTTAWA