HOUSE OF LORDS, April 18.

Lord Melbourne rose and said—My Lords, I rise to address your Lordships for the purpose of informing you that his Majesty has been pleased to appoint me the First Lord of the Treasury, and that this day I and my colleagues have received the appointments to our respective offices.—With respect to the difficulties under which the Administration has been formed, and great and many they have been, some indeed of a peculiarly severe and mortifying nature, it is not now my business to say any thing; nor, indeed, need I say more of the principles upon which that administration has been constructed than that they are those principles of economy which have been to a very great extent admitted and confirmed by all who profess to be the true friends of the country, and of that kind of reformation which seeks to be strengthened and established by the good wishes of the people at large. In reference to those particular subjects which lately engrossed the attention of Parliament, and have been alluded to by some noble Lords on the other side,—I mean those measures which relate to Ecclesiastical Government,—allow me to inform your Lordships, and therefore through your Lordships to tell the country, that every measure contemplated in reference to that subject will have for its end and purpose the promotion of true piety throughout the whole and every part of his Majesty's dominions. These are all the observations which I shall make on the present occasion.

Lord Alvanley, we believe, said he wished to put a question to the noble Viscount before the motion of adjournment was put—Hear. He wished to know whether the noble Viscount had or had not the powerful aid of Mr. O'Connell and his party. (Hear, hear.) It was impossible to suppose Mr. O'Connell would have withdrawn his opposition to the Administration, unless he was pacified in some way. (Hear, hear.)

Viscount Melbourne—The noble lord asks me whether I have taken any means to secure the assistance of Mr. O'Connell, and upon what terms? I do not know whether I have the assistance of Mr. O'Connell or not, but I say most distinctly that I have taken no means to secure it, (loud cheers,) and I most particularly state, that I have entered into no terms whatever, or have said any thing, from which any inference can be drawn, in order to secure that individual's support. To the noble lord's question, therefore, I give a most decided negative; and if he has been told any thing to the contrary, he has been told what is false, and without foundation. (Loud cheers.)

The Duke of Buckingham trusted the House and the people would be disabused of the impression that had gone abroad, relative to the imputation that had been cast upon the present government, of desiring to conciliate Mr. O'Connell. The noble Viscount had distinctly stated that the same principles would be acted upon as he pursued before, when the Church question was under consideration, that he was still determined to promote the interests and extend the usefulness of piety and true religion. Every one knew the cause which compelled His Majesty's late Government to resign—namely, the principle of appropriating church property to secular purposes. He (the Duke of Buckingham) begged, therefore, to ask the noble Viscount, (Melbourne) distinctly and emphatically, whether he was prepared to bring forward a measure for relief from the grievances of the Irish Tithe system, and appropriating the surplus revenue to other than religious purposes.

Lord Melbourne—It is premature to go into this discussion at present, for if we enter once upon it, we must take it up as a whole measure, and so consider it. This would be a most inconvenient course now to pursue; but I have no hesitation in declaring to the noble Duke that I hold myself bound, and pledge myself to act upon the principle of the resolution adopted by the House of Commons.

The noble Lord made this statement with peculiar emphasis, which created a great sensation in the House, and was received with loud cheers.

The House then adjourned to the 30th April.

LONDON, April 20.—Lord Amherst transacted business on Saturday at the Colonial Office. The Firebrand Steamer has been ordered to convey His Lordship's Baggage from London to Portsmouth. Yet His Lordship will be ready for sea on Thursday. It is expected the Pique will go to New-York, and remain to bring His Lordship to England again, as his mission will not occupy more than three months.

The Jupiter, fitting for the conveyance of Lord Heytesbury, Gen. S. H. Fane, &c, to India, will be ready for sea on Tuesday.

Lord Brougham has been appointed Lord Keeper of the Great Seal and Chairman of the House of Lords, but not in the cabinet.

Sir C. Pepys and Sir L. Shadwell, Commissioners of the Great Seal.

The Debate on the Irish Church.—(From Mr. Cobbett's *Register.*)—" I mentioned before the fine speeches of Lord Howick, Mr. Gladstone, and the Solicitor-General, to which I now add that of Mr. Sergeant Wilde. The whole of the debate was conducted with great talent; and, though Sir R. Peel, before I was in Parliament, did praise Deman 'for his manly conduct in prosecuting Cobbett,' I will say here of him that I do not believe that Pitt, under similar circumstances, would have displayed anything like the intellectual resources which were displayed by the Minister upon this occasion; divested of all considerations as ro the result, I was filled with admiration as to the exertions he was able to make at the end of a four nights' debate; and under such an accumulation of attacks, and with the certainty of defeat before his eyes."

The celebrated Baron Humboldt, the great Prussian Philosopher, Statesman and traveller, died in Berlin on the 7th of April, at a very advanced age.

The Right Hon Sir Henry Ellis, the new Special Envoy to the Persian Government, will take his passage about the end of the month, on board the Pluto, Government-steam-vessel, now fitting out at Woolwich. The Pluto will convey the envoy and his suite to Trebisond, a sea-port of Asiatic Turkey, on the Black Sea, whence they will proceed to Ispahan. The sum of £12,000 has been voted for the expense of this special mission.

A great grievance to the people of Wales, is the putting over them English clergymen and bishops, who do not understand a word of the Welch (ancient Gaelic) tongue, more difficult to be acquired, it is said, than Hebrew.

France.—By the Napoleon, the important and agreeable intelligence was received, that the French Chambers had passed the American Indemnity Bill. After a long debate it appears that the vote was taken and decided in the affirmative, not only for the whole amount, but for the interest also; so that the sum total to be paid by France, will amount to nearly thirty millions of francs. The question was decided by a vote of 289 to 137; majority 152.

The Bill, however, contains a clause to the effect, that the indemnity shall not be paid until satisfactory explanations are made by the government of the United States to the government of France for the warm language of the President's Message. The term "satisfactory explanation," is one that will admit of considerable latitude in the hands of an ingenious politician, and now that the great barrier is passed—that of voting the money—we have no apprehension that the progress to a final adjustment will be interrupted in consequence of this clause. A disavowal of intended insult to the Sovereign of France, or to the people of that high spirited nation, we should suppose, would be all sufficient, and if we mistake not, the Message itself contains expressions almost to this effect. The mere fact of passing the Bill is an acknowledgement that the indemnity is due, and France, we feel satisfied, will not lower herself by insisting upon apologies that cannot be made, for suspending still further the liquidation of the debt,—this would be compromising her own character by her own act, while seeking to preserve it from the attacks of strangers. We do not see then that any further impediment, of moment, exists to the amicable consummation of the Treaty.—*New York Albion.*

The affairs of Spain are unhappily in the same unfortunate situation. The civil war in the north rages as fiercely as ever, with alternate success, although in the aggregate, the fortunes of Don Carlos would seem to be in the ascendant. Mina has failed to effect any decisive military advantage, and has resigned the command of the army acting against the insurgents, and has been succeded by Valdez.

THE OBSERVER.

ST. JOHN, TUESDAY, JUNE 9, 1835.

We have but little of British or other extra-provincial intelligence to communicate to our readers, in addition to what we laid before them last week. In other columns will be found such information as has come to hand, relative to the completion of the new Ministry; and the address of Lord John Russell to his constituents on taking office, which, as embodying the line of policy of the Melbourne administration, will be found interesting. Writs had of course been issued for the election of new Members in the room of those M. P's. who had accepted offices under the Crown, but of the result of the elections no information has yet reached us. The rumour to which we alluded last week, of the intended separation of the political from the judicial functions of the Lord Chancellor, has been fully authenticated, by the appointment of Lord Brougham as *Chairman of the House of Lords*, and by entrusting the Great Seal to the custody of three Judicial *Commissioners*, until arrangements are completed for establishing a non-political Chief Judge in Equity. We shall follow up our ideas on this highly important and admirable reform, at an early day.—The French Chambers have at length voted, by a large majority, the complete satisfaction of American claims, with interest; *conditioned*, upon receiving satisfactory explanation of the strong language contained in the President's late Message on the subject; a condition so easily, and which will doubtless so readily be complied with, (seeing that Jonathan will scarcely lose 30 millions of francs for the sake of a few smooth-sounding words,) that all probability of hostilities is happily at an end.

Our attentive Westmoreland correspondent has furnished us with an account of a public meeting lately held there, on the exciting subject of the new regulations proposed to be inflicted by the Crown Land Office. We are glad to see our fellow countrymen arousing themselves to oppose this threatened oppression, and hope that the voice of rational but firm remonstrance will be general throughout the Province.

The following is the Charge of the Recorder (R. F. HAZEN, Esquire,) to the Grand Jury at the opening of the Quarter Sessions of the Peace for this City and County on Tuesday last, a copy of which having been given by his Honor, at the request of the Grand Jury, for publication, has been handed us for insertion in our paper of to-day. We with pleasure give it a place in our columns.

GENTLEMEN OF THE GRAND JURY,—

Having received His Majesty's commission to act as Recorder of this City in the *absence* and *place* of WILLIAM B. KINNEAR, Esquire, it becomes my duty to address you at the opening of this Court of General Quarter Sessions of the Peace for this City and County, and to call your attention to several of the matters which by the constitution and laws of this country are peculiarly within your province, and the manner in which that attention is to be directed towards them. Having six several Grand Juries assembled in this City and County annually, the labours devolving on any one of them are consequently very light, and I have now to congratulate you and the public in general that the cases of crime are so few. Situated as we are here in the midst of a large and increasing population, it must be a matter of surprise and also of satisfaction that *crime* has not increased with *numbers*. There is but one prisoner in gaol for prosecution at this Court, and only one other named in the Sheriff's Calendar, awaiting the sitting of the Court of Oyer and Terminer.—This Court, Gentlemen, by our Provincial Act, "*has power to deal with, try and determine any Larceny* "*or any accessories thereto, or any offence of receiving stolen* "*Goods in which the value of the property in or with respect to* "*which the offence shall be committed shall not exceed Five* "*Pounds.*" The prisoner in gaol, who will be prosecuted in this Court, stands charged with a Larceny cognizable here.—Larceny, Gentlemen, is in law defined to be "The wrongful "and fraudulent taking and carrying away by any person of "the mere personal goods of another from any place, with a "felonious intent to convert them to his (the taker's) own use "and make them his own property, without the consent of the "owner." In order to constitute the offence of Larceny, you must be satisfied, by evidence, that there was an actual *taking* and removal of the property from the possession of the owner, without the consent of the owner, and with a *felonious intent*. The intention of the party taking the goods of another is of the utmost importance in this offence,—if a party takes the goods of another by mistake, under a claim of right to them, or with any other intention than to *steal* them, it is not a Larceny, though the taking may be wrongful and illegal. You must therefore be satisfied that the party charged with the Larceny, took the goods with the felonious purpose of converting them to his own use and make them his own property without the consent of the owner.

The chief objects of investigation for this Court are those termed in the law, *Misdemeanours*—under which term all indictable offences not amounting to the degree of Felony may be comprehended—such as battery, libels, and public nuisances,—and to this latter description of misdemeanour, I shall now call your attention. The legal definition of a common nuisance is, that it is "*an offence against the public either by doing a thing* "*which tends to the annoyance of all the King's subjects, or by* "*neglecting to do a thing which the common good requires.*" Nuisances of the first class or of *commission* ordinarily consist in placing obstructions in highways, carrying on offensive trades, callings, or manufactures, keeping disorderly houses of all descriptions, exposing in public any objects generally dangerous to health or personal safety, or offensive to decency and subversive of public morals. Obstructions on highways constantly occur, and although I have none in particular at this time to point out to you, yet I have no doubt that many, and those perhaps very obnoxious and detrimental to the public, exist. All encroachments by buildings or otherwise on streets, roads and ways dedicated to the public, and all things *encumbering* the harbour or navigable rivers ought to be removed, and there is no more effectual method of causing such removal than their being noticed by Grand Juries.

The carrying on noxious and offensive trades in such an inconvenient place that the business cannot be done without greatly incommoding the neighbourhood, may be indicted as a common nuisance, and if a nuisance be created or continued near the highway by which the *air* thereabouts is corrupted, it must in its nature be a nuisance to those who are in the highway, and consequently may be indicted. In all offences of this kind, the situation of the nuisance with regard to buildings and the common road or highways must be taken into consideration. Trades in themselves *noxious and offensive*, may be *legally* carried on in those situations where no public inconvenience can arise, but the manner in which the parties exercising those trades conduct themselves as to removing all filth and foul matter, or letting it remain and constitute a nuisance, must also be considered. Parties exercising a trade not noxious in itself may create a nuisance by their negligence, and if the *air* is infected by means of such negligence and the public are damnified, the parties causing it will be liable to an indictment for a public nuisance. Having made these remarks, I must now state to you that a nuisance of this kind has existed and still exists near the public highway in the Parish of Portland, leading towards Indian Town. A slaughter house has been erected a short distance to the northward of the road, and either from the nature of the business carried on therein or from the quantities of blood or other offensive matter allowed to accumulate on the premises, a nuisance has undoubtedly been created, and it will be your duty, Gentlemen, to examine into the case and make your presentment accordingly. I am bound to state that every exertion has been used as well by the Board of Health established in this place as by Magistrates, to have this nuisance removed, but no steps appear to have been taken by the parties in possession to remedy the evil. If the trade now pursued there cannot be carried on in that place without affecting the air thereabouts to the detriment of the public, a removal must take place. No nuisance must be allowed to exist, that will in any wise endanger the health of the place. In times such as the present, when disease is ravaging many parts of the world and is threatening us, no exertions ought to be spared by either Courts, Magistrates, or Juries, to remove every thing tending to encourage it. That dreadful pestilence, the Cholera, has visited us, and may visit us again—nothing is more probable than its again breaking out in this place. It last year was confined to a small part of this City and of the adjoining Parish—when it next comes it may not be so limited, and it is the duty of all to use those *human means* which appear most likely to keep it from us, or to alleviate its virulence when it does come. *Cleanliness* is one of those means most recommended for that purpose, and I therefore most particularly urge upon you, Gentlemen, that you do not fail to take notice of every thing coming to your knowledge, having an opposite tendency to cleanliness, and make your representation accordingly to the Court, that the proper measures may be adopted to cause its removal. Although the Board of Health is invested with the most extensive powers for cleansing and purifying all the districts under its control, and for punishing such as disobey its orders, still we should not hesitate about rendering every assistance in our power to accomplish the like objects. I know the Grand Jury will not withhold its exertions in the same cause. To the Grand Jury all persons under our blessed Constitution look for aid in redressing public wrongs, where it has the power to render it, and I feel justified in saying that they never have and never will look in vain.

The next class of common nuisances of commission to which I must refer, consist in disorderly houses—and of the offences of this class there are very many, but that most needing our present consideration arises from those houses in which spirituous liquors are sold, whether licensed or not licensed. Many and almost innumerable are the evils which flow from this source. The congregating of persons together merely for the purpose of gratifying an inordinate lust for drinking intoxicating liquors, too often leads to the most baneful effects upon society at large. The Parent's fondest hopes and expectations are blasted by the consequences of this practice. Human laws are made to check the progress of this mania, but in vain—in vain are coercive measures resorted to. Nothing, I am convinced, will have the effect but the *public voice* against the practice. Public opinion will do more in such cases than all restrictive measures. Yes, Gentlemen, I believe if the penalty imposed upon persons found intoxicated extended to the deprivation of a limb or even of life itself, still there would be found individuals daring and reckless enough to hazard it—but, although Gentlemen we cannot repress this vice, yet we can enforce those wholesome and salutary laws we find on our statute book. The provisions of the law just read to you, are reasonable and good, and doubtless the best effects would arise if they were strictly and vigilantly enforced. If we can restrain the minor, the apprentice and the servant from frequenting such places and there gaining habits that may cleave to them during the remainder of their lives, much advantage to the present and rising generation must ensue; and the seventh section of the law points out the method of doing it by prohibiting the sale of any spirituous liquors to them, except by order of their parent, master or guardian, and inflicts a penalty for the breach of it. The ninth section provides that no liquors shall be sold on the Sunday. This clause ought to be enforced—intoxication is more prevalent on the Sunday than on any other day during the week, and little doubt can exist of the liquor being sold on that day to many if not most of the persons we see labouring under its influence. Is this right? Is it proper that offences of this kind should take place, and no convictions under the act made?—Certainly not. To the breaches of these sections of the act, I charge you to direct your most particular attention, and not to these only, but to every offence committed against any clause of the same. By that act this Court is directed to charge the Grand Jury to make diligent inquiry and presentment of all and every person or persons who shall be guilty of any breach or offence against the Act, and I have now accordingly directed your attention thereto; and upon your presentment of any parties transgressing, the necessary steps shall be taken to have these penalties duly enforced.

Nuisances of the second class, as of *omission*, usually arising from the neglect of persons who are by law bound to maintain, repair and keep in repair highways, bridges and such like, are not so numerous, but they equally require the vigilant eye of the Grand Jury. All defects in roads or bridges, public wharves and such like, whereby the public are inconvenienced and the safety of people passing is endangered, must be remedied—and it has been the usual course for Grand Juries to make presentments of all offences of this kind, and measures are then adopted by the proper authorities to remedy the evil.

I shall now, Gentlemen, take up but little more of your time in pointing out the manner in which you are to attend to your duties, and in so doing I shall advert to the oath just taken by each of you as explaining it in a few but most comprehensive words. You have sworn,—"That you will diligently inquire "and true presentment make of all matters and things which "shall be given you in charge. The King's Counsel, your fellows, and your own, you will keep secret: you will present "no one for envy, hatred or malice, neither will you leave any "one unpresented from fear, favor, affection, gain, reward "or the hope thereof; but you will present all things truly as "they come to your knowledge, to the best of your understanding." By this oath you are compelled to investigate and inquire into all offences that have been committed within this City and County, of the nature and kind to which I have before alluded, and which shall be brought before you by the Court, and these inquiries you are to prosecute in every legal way that may lead to discover the truth, and while making them you are to guard yourselves against being led away by any of the passions or feelings incident to the human breast. Every hatred and malice, as well as fear, favor and affection are to be banished while attending to your duties as Grand Jurors—You are not to be actuated by any motives but the desire and wish of doing your duty and of discharging faithfully that part which in the administration of justice is by our constitution appointed to you. All men are to be to you the same—the high—the low—the rich—the poor—the friend—the foe—are all to have the same justice meted out to them—they are all governed by the same laws, and the offences committed by the one are no more to be overlooked than those committed by the other. Secresy is also enjoined—The divulging of any matter relating to the subject of inquiry before you might have a very pernicious effect. Criminals might escape that punishment which their offences have merited, and the ends and purposes of Courts and Laws for the prevention of offences against the due ordering and regulation of society thereby frustrated. You are also called upon to make known to the Court all offences whatsoever that have come to your knowledge, so that offenders may be brought to justice. You will also bear in mind that a majority of not less than twelve of your number must agree in the finding of any bill before you.—The evidence before you is on the part of the prosecution, and upon that evidence you are to say if there are sufficient grounds to put the person charged on his trial to answer for the offence laid against him. The finding of the Grand Jury being only in the nature of an accusation, need not be supported by such *strong* testimony as that necessary before the Jury for trial, yet the Grand Jury must feel a degree of certainty as well as to the commission of the offence as to the offender before they ought to agree to the finding of a bill.

With these remarks I dismiss you to your jury room, merely stating that should you require any further information it will be given you on application either to the Court or to the Clerk.

REVIEW.

"*The Legislative Council not chargeable with the Loss of the Appropriation Bill; with observations on the dangerous and unconstitutional proceedings of the House of Assembly.*"

WE have carefully perused this truly extraordinary pamphlet, and are indeed astonished at its shallowness, virulence and inconsistency. It is no credit to its concealed Author; and although it is by many considered to "bear the impress of the same framer" as the ever memorable "RESOLUTION" which has of late excited such general derision, it is certainly utterly unworthy of that honourable personage. Others, however, conceive that altho' the material was furnished by some high and *interested* individual, yet the actual concoction was effected by (to *use a favourite phrase of its Author,*) some "hireling" scribbler, who was glad to earn his patron's favour by fathering his impotent production. But be this as it may, the publication before us is intended as a reply to, while it is throughout by no means a tender assault upon, a pamphlet recently issued from our own press, entitled "*The Loss of the Appropriation Bill chargeable on the Legislative Council, with a vindication of the proceedings of the House of Assembly:—by a Freeholder.*" As we had nothing to do with penning this latter work, we are not now called upon to enter into a *seriatim* refutation of its opponent; than which, however, nothing is easier for any one sufficiently interested in the matter to bestow the necessary time and attention upon it. A hastily written review for a weekly paper, must be confined to fewer observations, and we shall therefore content ourselves with briefly touching on some of the most prominent features of our subject. The pamphlet is pretty tolerably replete with sarcastic and virulent assaults upon "*A Freeholder*" and his talented essay; and we cannot do better, therefore, in the first place, than point out wherein the learned assailant is guilty of the very same sins which he charges upon the assailed. It is very evident, that the writer had not in his remembrance the pacific advice, "Let him that is without sin cast the first stone"; while, on the contrary, the ancient classic fable, in which Man is represented as receiving from Jupiter two wallets, one containing his *own* faults, which he hangs *behind his back*, and the other his *neighbour's* peccadilloes, which he hangs *before his eyes*, is tritely exemplified in this production. The writer thinks he has found a capital bone to pick, by discovering, from what he is pleased to consider good internal evidence, that "*A Freeholder's*" Pamphlet is written by a Member of the Legislature, because it contains allusions to the proceedings in the House of Assembly, (which *hundreds* of *strangers* might have been equally well acquainted with,) to the private opinions of Members of that House, (which might easily have been learned in conversation out of doors,) and to the views of Members of the upper House, which are quite as easily come at in the same way. These things, therefore, form no proof whatever of the Legislative Authorship of the Pamphlet of a Freeholder; but on the other hand, most strange and ludicrous to say, the author of the one under review has most *unequivocally proved himself to be a member of the Legislative Council*, because he reports in his pamphlet not only the proceedings, but the actual *terms of debate* in that House, which *none but* Members or Officers of that House could have reported! It is not for a moment to be supposed, that any *officer* of the Council would have ventured to report the debates of that body; but as the Pamphleteer has favoured us, in his 10th and 11th pages, not only with details of movements among that body which never could have been learnt from their Journals, but also with extracts from a speech of an Hon. Member, he has at once identified himself as a Member of the Legislative Council!—So much for his first inconsistency.—In the next place he most absurdly charges "A Freeholder" with wandering from his subject, and introducing irrelevant matters into his pamphlet. This charge is utterly false and groundless; while, on the other hand, the accuser himself has done the very thing which he attempts to fix on his opponent! The Pamphlet of "A Freeholder" is composed of well connected historical detail, logical argument and incontrovertible conclusions (as is plainly proved by the utter failure of the present weak attempt to assail them); and therefore it is no more *strange* that *the* Appropriation *Bill* is not *mentioned* therein till after the *introductory history* is concluded, than that the Legislature itself did not pass that bill the very first day of their being in Session, or that, in every historical or descriptive work, the primary causes and inductive circumstances, which led to the occurrence of an event, should be perspicuously detailed before that event itself is brought into notice. But does the present Pamphleteer avoid irrelevant introductions into his pages? On the contrary, we have therein, nearly 6 pages of dissertation on the *Militia* question, a matter utterly foreign to his professed subject; nearly 8 pages on the establishment of an *Elective Council*, equally unconnected with it and unnecessary, and intended to controvert principles which *have not been broached* by the other side; about 6 pages of panegyric upon the political character of the deceased ancestors of our present legislators, whose reputation nobody for a moment ever thought of assailing, and whose names nobody before ever attempted to lug so foolishly and absurdly into a contest solely affecting the living and their *descendants;* and sundry other equally puerile, ridiculous and inappropriate quotations! Yet this is the inconsistent course pursued by a writer, who falsely charges his opponent with irrevelant introductions into his pages!—"Therefore thou art inexcusable, O man, *whosoever thou art* that judgest: for wherein thou judgest another, *thou condemnest thyself;* for thou that judgest *doest the same things!*" So much for manifest inconsistencies, of which the above are but a few specimens. Now for a sample of the *truths* contained in this heterogeneous and preposterous pamphlet. Its author tells us in page 11, after quoting proceedings and *debates* in the Council, that the acts of that body "clearly and fully prove" that the Appropriation Bill was rejected by them, "*not on selfish but constitutional principles*"!—"*Credat Judæus Apella!*"—Doubtless the writer imagines the position fully proved in his own mind; but he has neglected or been wholly unable to adduce any such convincing proof in his pamphlet.—In page 13, he further dogmatically asserts, "that the whole stream of "authority is against the pretensions of the House [of "Assembly];—that there is not an inch of ground on "which they can set their feet;—that the principles, "practice, and forms of the British Parliament are "against them", &c.—But after all this tirade of exulting *dicta*, he absolutely abandons every attempt at *proving* the truth of his assertions, knowing perfectly well that the contrary has been repeatedly and triumphantly established by other writers in the course of this controversy, and that he has nothing in the world to adduce in suppport of his positions, but his own opinions as above quoted. Throughout his pamphlet, indeed, he almost exclusively relies for argument in favour of the late doings of the Legislative Council of this province, on quotations from "The constitution of the *United States*," and from the commentary thereon by Mr. Justice Story, a *Republican* writer and judge! Yes, truly, this *British* pamphleteer, writing solely on matters of British Legislation, and in defence of an *imitative* British House of Lords, can find nothing with which to bolster up his most lame and impotent conclusions, than quotations from American Authors and references to republican practices! Weak, indeed, must be the cause, which can find so little *kindred* or *congenial* aid.—Having, however, fulminated his unsupported dogmas, as already noticed, the writer next proceeds to analyse and comment on that most extraordinary of all extraordinary things, the oft quoted "*Resolution*" of the Council of the 16th February; but, to be *consistent in inconsistencies*, as he at one time vindicates characters never assailed, and at another attacks principles never propagated, so now he wisely *explains a* RESOLUTION *which he is ashamed to quote!* So completely do the very advocates of the Council themselves feel the utter absurdity and extravagance of that ever-to-be-remembered "*Resolution*", that even their pampleteering Champion durst not adventure upon admitting it into his pages! He feels that its own language would so condemn its preposterous nature, that he dare not present it to his readers, even accompanied by his own *peculiarly luminous* exposition. This is honest candour and impartiality with a vengeance!—The whole production, indeed, is full of similar inconsistencies, weaknesses and fallacies. Argument it has none, proof it contains not, conviction it utterly lacks; excepting that it proves beyond a doubt the baseless nature of the fabric it has feebly endeavoured to sustain, and that it has done more to overturn the positions assumed by its party, than a dozen direct assaults might have produced. The pamphlet, indeed, as a whole, is one of the shallowest pieces of empiricism that ever was set forth in a political contest; its *sense* and *reasonings* being, as tritely defined in Shakespeare's brief sarcasm, "like three grains of wheat in three bushels of chaff; you shall search all day ere you find them, and when you have found them, they are not worth the search."—Even were we inclined to enter into a detailed examination of its abundant follies, it would be a superfluous task; because, when we say, that every shadow of an argument which it pretends to advance, is but a repetition of what has been repeatedly urged in newspaper correspondence by the same parties, and as often and utterly refuted by others, we do, in fact, in one sentence, explain the character of the whole, and shew the needlessness of any more extended reply.—It is most lamentably pathetic, indeed, in appealing to the filial piety of our living legislators, to rescue the memory of the dead from insult and obloquy, such as it never entered into the head of any but the pampheteer himself to conceive, and such as no other writer for an instant either offered or implied. The absurdity, therefore, of this lachrymose and unnecessary apotheosis is too apparent for further notice. Our Author, however, in the midst of it, travels rather out of his course, for the purpose of belching forth a little of the rankling spleen with which he labours. After concocting a terribly hard batch of strong observations, by *packing together* a variety of short and *detached* phrases, all extracted, as he tells us, "from one of the many articles which have lately appeared in the *Observer*," he spitefully asks his Legislative readers, "Will they allow the memory of their *Fathers* to be thus insulted "by a Newspaper hireling, by a thing that is paid "by the line for the abuse which he thus bestows "upon those that are no more?" Now this sentence demands *our* especial attention, because it, as well as its preceding and succeeding connecting phrases, are a combination of the most barefaced, malevolent falsehoods that ever disgraced the pen of a public writer. The *whole* of the detached *expressions* which this candid pampleteer has thus unfairly crowded together, for the mere purpose of drawing the most false conclusions from, and founding the most contemptible scurrility upon, are extracted from a *communication* in the "*Weekly Observer*," of *May* 12*th*, signed "*An Observer.*" It so happens, that in that particular paper, there is not *one word* of *editorial* remark upon this subject, nor one single syllable in any way applicable to it, *penned by any individual connected with this paper;* consequently the scurrility above quoted can only *actually* apply to the respected *correspondent* who furnished that communication, and who is a gentleman, in every respect, infinitely beyond the reach of this vituperator; one, indeed, who would scorn to consider such paltry virulence worthy of a moment's notice. Did his calumniator know that writer, he would not dare to charge him, face to face, with having insulted the memory of the dead in any portion of his writings: but because this anonymous pamphleteer erroneously *imagines* he is attacking an individual of less influence and consideration in society, he plumes himself upon the security of his incognito, and fancies he can, with impunity, vilify the writer when he cannot refute his arguments. The term "newspaper hireling" was intended for ourselves, though it has happened to come connected with the production of a very different person; and for ourselves, therefore, we fling back the epithet with scorn on its author. True it is, that we are the *stipendiary* Editor of this paper; but when we engaged to render our services in that capacity for a stipulated remuneration, we did so independently and untrammelled in every respect, reserving to ourselves the right of exercising our own opinions and marking out our own course. If, then, we be honoured with the term of "hireling," it must be on that principle only, which entitles *every* Editor in the civilized world (not being a sole Proprietor) to the same title; and thus the talented conductors of nearly all the most celebrated British journals unequivocally come within the same denomination. On the same principle, every *Governor*, every *Judge*, every *Lawyer*, every civil and military officer in the world must equally be denominated a hireling, because *all* are *paid* to perform public services, which they would not otherwise undertake. We know of no country, (even New-Brunswick not excepted,) where men can be found so disinterested and patriotic as to discharge these high and onerous offices *gratuitously;* they *sell* their services to the public, they are the *paid servants* of the people, and so are we: we perform a public duty for remuneration, but we no more barter our independence of principle and opinion in doing so, than they do; if, then, we are hirelings, so are they, and we have at least the consolation of being included in honourable company. [*To be concluded in our next.*]

Tribute to the Press!—A Silver Pitcher, about twelve inches in height, and holding nearly three quarts, with a handsome gilt stand four inches high, subscribed by Novascotians resident in the city of New York, and forwarded to Halifax, was presented to JOSEPH HOWE, Esquire, Editor of the *Novascotian*, at a public meeting convened for that purpose at the Long Room of the Exchange in Halifax, on the 30th ult., an account of the proceedings on which occasion appears in the Halifax *Times* of the 2d inst.—The following words, which fully express the cause of this handsome compliment, are inscribed on the Pitcher.

Presented to
JOSEPH HOWE, ESQ.
by
Nova Scotians resident at New-York,
as a testimony of
their respect and admiration
for his honest independence in publicly exposing
Fraud,
improving the Morals,
and correcting the errors of Men in Office,
and his eloquent and triumphant defence
in support of
THE FREEDOM OF THE PRESS.

City of New-York,
1835.

A labouring man named James Desmond, employed on board the barque Woodman, at Merritt's wharf, fell overboard from that vessel yesterday, and was drowned.

WESTMORELAND.

Notices having been posted up by the Sheriff in pursuance of a requisition from a number of the inhabitants of this County, a Public Meeting was this day held at the Court House in Dorchester, "for the purpose of taking into consideration the necessity of petitioning His Most Gracious Majesty that no additional duty may be imposed on timber, or any advance on the price of wilderness land."—WILLIAM P. SAYRE, Esquire, having been unanimously called to the Chair, the following Resolutions were carried unanimously:—

1st. *Resolved*, That whereas the trade in Timber and Deals—the staple articles of export from this Province, is the only means of paying for the extensive imports of British Manufactures, necessary for the comfort and happiness of the people, therefore this Meeting cannot view any change in the above trade without feelings of the deepest concern.

2d. *Resolved*, That the new system lately announced by the Commissioner of Crown Lands, of granting licences for five years from the same tract of berth, at a still further advance of thirty-three and one-third per cent must tend to the destruction of the commercial and farming interests of the Province.

3d. *Resolved*, That wilderness lands which previously to the year 1828 had been freely granted by the King, have since been sold at rates continually increasing from two shillings to six shillings per acre, which compelled many who would have become valuable settlers here, to seek that encouragement under a foreign government which has been denied them by their own.

4th. *Resolved*, That the above exactions cannot be justified on the ground of necessity, as the Casual Revenue, at the former rates of duty on timber, and the former prices of lands, already yields more than is required for the Civil List of the Province.

5th. *Resolved*, That a Committee be appointed to prepare a Petition to His Majesty on the foregoing Resolutions.

6th. *Resolved*, That Mr. Thomas Prince, and Charles F. Allison, Esq., be a Committee for that purpose.

The four first Resolutions were moved by Mr. D. B. M'Kay, and seconded by William Wiley, Esq.—The fifth was moved by W. Wiley, Esq., and seconded by E. B. Chandler, Esq., M. P. P.—The last was moved by the latter gentleman, and seconded by Mr. Wiley.—After a vote of thanks was passed to the Sheriff for his gentlemanly conduct in the Chair, the Meeting adjourned.—[*Communicated.*]

Dorchester, June 4th, 1835.

Extract of a letter from a gentleman in St. Andrews, dated 2d instant:—

"We had a Meeting here on Saturday, when a Resolution passed unanimously approving of the conduct of the *majority* of the House of Assembly, and a vote of thanks to the *minority* of the Legislative Council, and that it was not expedient to call the House together until the next winter."—*Courier.*

County of Kent.—An occurrence lately took place up the Richibucto river, which very nearly led to tragical consequences to a whole family. The daughter of Mr. John Graham, of Oak Point, gathered in the marsh and swamp adjoining her father's house, several roots, which she took for what are called Indian Potatoes. She eat plentifully of them herself, and gave some to her mother and her brothers. Some hours afterwards the little girl manifested every symptom calculated to alarm her family on the ground of having taken poison. On Dr. Grierson being hastily sent for, he found not only the child, but her mother, and those members of the family who had partaken of the root, in a very dangerous state. The instantaneous application of emetics however soon relieved the stomach, and after a few days the whole were restored to health. The root is called by the Indians Tragobean, and it was recognized by several Irish people as what is called in their country Water Mercury.—*Miramichi Gleaner.*

The Rev. Matthew Richey, Wesleyan Minister, sailed from Halifax last Tuesday, on his way to Montreal, to which place he has been appointed by the British Conference. Mr. Richey has thus terminated a residence of some years in Halifax He has been a highly popular and useful preacher here, and his private worth was much valued by those who have had opportunity of estimating it. He preached his farewell sermon last Sunday evening, in Brunswick street Chapel, to a crowded and deeply attentive audience.—*Novascotian.*

THE ARMY.—The 43d Regt. is now, we understand, on the passage, to relieve the 34th in New Brunswick, which Regt. will proceed from thence to Halifax to relieve the 96th, which goes to England.

BERMUDA, May 19.—Arrived on Tuesday last, H. M. S. *Vestal*, Capt. W. Jones, from Jamaica. We are concerned to state that previous to the *Vestal's* leaving Jamaica, she lost her Surgeon, [Williams,] two Midshipmen, and several Seamen; and since, her Assistant Surgeon, by Yellow Fever. The Officers and crew of the *Dee*, Steamer, also suffered from the same cause, and the Regiment in garrison at Kingston, [we believe the 64th] was reduced to a skeleton.

The *Forte*, *Serpent*, *Gannet*, and *Magnificent*, were at Port Royal on the 26th.

The Marquis of Sligo, was about to leave Jamaica, on a cruize in H. M. S. *Forte*, for the benefit of his health, having recently suffered from sickness.

The Lord Melville Transport, with *granite stones*, had sailed from Portsmouth, for Bermuda.

QUEBEC, May 25.—It will be observed under the Shipping head that 103 vessels have entered for loading. They will experience considerable delay, from the scarcity of timber in port, owing to the detention of rafts by contrary winds. Sales of White Pine are making by the rafts as they arrive, at 5d. per foot, measured off. Red Pine is selling at 11d. per foot, in shipping order, from the stock wintered over.

Comparative statement of Arrivals, Tonnage & Settlers.

May 23, 1834,	250 vessels,	74,363 tons,	5471 settlers.
" 1835,	178 "	58,621 "	951 "
Difference,	72	15,742	4250

Light Houses in Antigua and Barbuda.—We perceive by an Antigua paper of the 31st March that it has been decided at a public meeting, held in St. John's, on the 24th of that month, that Light Houses are to be immediately erected on the islands of Antigua and Barbuda, with as little delay as possible.—[Bermuda paper.