

ENGLAND AND THE UNITED STATES.

At the close of 1854, when Ministers had hastily carried their Foreign Legion Bill, when every post was bringing tidings of suffering before Sebastopol and at Scutari,—when thousands asserted that the Russian works would never be taken, and all agreed that many months and a larger army were required to take them, the Government of this country bethought itself of the New World, and the many adventurous spirits which it contained cut off from the excitement, and aspiration of European warfare. It had been represented at the beginning of the war, that there were large numbers both in the British Provinces and the United States who would be glad to enter for a time the military service of Great Britain.—The Government therefore gave directions that recruiting-officers should be established within the British territory, where volunteers might be received and enrolled. Now, it is not denied, and never was concealed, that among such volunteers, it was expected that many natives or denizens of the United States would present themselves. The law of England on this subject differs from that of the American Republic. No Englishman is allowed to take service under a foreign power without the royal assent, whether the enlistment takes place within the Queen's dominions or not. In the fact, the policy of this country, as embodied in its law, is to prevent any of its lieges transferring their allegiance so decidedly as to fight in the ranks of foreign armies, and this prohibition is not merely based on the principle of neutrality, for it even applies to persons joining the service of the Queen's enemies. America has no such restrictive law. She has been content to secure her neutrality, by ordering that no enlistment shall take place on her soil, but she has never by any law denied to her citizens the right of entering a foreign service, when beyond the limits of her territory, and a person so doing commits no offence, according to the American law, unless he fights against his own country. This distinction, obviously the result of difference in the age of the institutions, and situations of the two countries, was well known to the statesmen of both, and formed little more than a year ago the subject of a conversation between the British Minister at Washington and the American Secretary of State. The intentions of the British Government were stated by Mr. Crampton to Mr. Marcy in March 1855, and the reply was, "that the neutrality laws of the United States would be rigidly enforced, but that any number of persons who desired might leave the United States and get enlisted in any foreign service." So the Canadian and Nova Scotia recruiting offices were opened with the full assent of the American Government.

In a short time however, it was found that a discussion might arise, likely to counterbalance all the benefit to be derived from any addition of American recruits. It may easily be supposed, that in the prosecution of such an enterprise an overt act of enlistment might often be inadvertently committed. If one German who was about to set off for Canada prevailed on another to go with him, the former might be constructively held a British agent, and the other said to be illegally enlisted. So our Government much to its credit, determined to make an end of the scheme. Before any remonstrance had been received, before the American authorities were known to have noticed the matter, Ministers sent on the 23rd June, orders to discontinue all further proceedings in the matter of enlistment for the Foreign Legion.

On the 6th of July, Mr. Buchanan, the American representative in London, addressed a note to our Government, declaring that certain persons had violated the neutrality laws of the States, and expressing, in the name of the Pre-

sident, a hope that her Majesty's Government had not authorized the proceedings complained of. The reply of Lord Clarendon was full and satisfactory. It stated his belief, that no authorized official had transgressed the law, and explained how the British Government, fearing lest some offence might be inadvertently committed, had of its own free agency a fortnight before, sent out orders to put an end to all enlistment of foreigners within the North American provinces. So fully was Mr. Buchanan impressed with the notion, that a satisfactory answer had been given, and that the matter was at an end, that when another communication from Mr. Marcy dated July 15, came to hand, he actually suppressed it, observing from the date that it had been written before Lord Clarendon's answer had reached Washington. No more was heard by our Government in the affair till late in the year. In September, Mr. Marcy addressed the British Minister at Washington, strangely taking no notice of the former correspondence, and yet bringing no new charges, but dwelling again on transactions which it was fully believed had not been finally disposed of. Again, however, an answer believed to be satisfactory was returned but Mr. Marcy was not satisfied. On the 13th of October, he again addressed the British Cabinet through Mr. Buchanan, asserting that recruiting was still carried on, and demanding that it should be discontinued and all persons enlisted within the United States at once discharged. This despatch is chiefly valuable, as showing that so late as October last, the President's Cabinet complained of nothing but actual recruiting within the States, and did not deny the right of any native or resident to engage in foreign service, provided the agreement were not made within the limits of the Republic. Lord Clarendon again replied at great length, that no illegal proceedings had been committed by British agents, that the recruiting had in fact ceased for four months, and that no illegally enlisted persons were, as far as his knowledge went, in the British service.

It was natural to think, that now, at least all was over, but such an expectation was to be disappointed. Mr. Marcy suffers two months and a half to elapse and then returns to the subject, but with largely increased demands.—He now, in the most unaccountable manner, asks for the recall of Mr. Crampton, the British Minister, and the consuls at New York, Philadelphia, and Cincinnati. It will hardly be believed, that no new event had been brought to light since October, and that all the United States Government knew at the close of the year it had known for months before, when it urged no such requirements, but the most singular feature of this despatch is, the new principle of public law which it lays down. It has been said that a difference between the enlistment laws of Great Britain and the United States had been long recognised. It had been discussed by Mr. Crampton and Mr. Marcy, and the latter had fully admitted that no law prohibited a citizen of the United States from enlisting at Quebec or Halifax. But now Mr. Marcy talks of the policy of the United States which was contravened by the enrolment of its citizens anywhere. This is evidently an afterthought, intended to strengthen the demand for Mr. Crampton's recall it, is of course, easily disposed of by Lord Clarendon, who states that a nation's policy must be judged of by its law and that if America did not prohibit its citizens from enlisting another power could do no wrong in receiving them when they offered themselves. Lord Clarendon's despatch of April 30 goes through the whole discussion, and we think must decide the opinion of any man capable of impartiality and reflection.—London Times.

HASZARD'S GAZETTE.

Saturday, May 31, 1856.

WHAT is Responsible Government? The only reply to which—at least that we know of—is "a question more easily asked than answered." If we are to believe the Editor of the Examiner, Mr. Coles, Capt. Swahey, and others, it is a miniature copy of the British constitution, in which the Governor represents the Sovereign, the Legislative Council, the House of Lords, and the Assembly, the House of Commons. The analogy as regards the latter is as complete as well can be; both are the representatives of the people, exercising the same functions and governed by the same rules of conduct and practice; with respect however to the Legislative Council, except that it is a chamber of Legislation and as such has a voice in the enactment of the laws, the analogy wholly ceases. The members of these Legislative Councils for the most part, are selected by, and hold their offices at, the will and pleasure of the Crown; or as it now happens, they are chosen out of their own adherents by the party in power. The House of Lords are possessed of the greatest part of the real estate of the kingdom, and of course, exercise a vast influence on a great and powerful body of which they are connected intimately with the Commons by means of descendants and other relations, for the children of peers are all commoners, and thus as a body they are extremely powerful, for they not only represent themselves in their own House of Peers, but they have a considerable share in the representation of the Commons by means of their children, kindred or dependents. The Governor represents the Sovereign, when in the Queen's name he assents to the local laws, or when, in the same name, he extends mercy to the criminal whose life or liberty has been forfeited to the law. In all other respects, he is the officer of the Government of the day, in the parent state, is removable at pleasure, and is coerced and bound by the letter of his instructions, whether public or private.

When Lord John Russell or Earl Grey determined upon giving what is termed by some, "Responsible" by others "Departmental Government," they but looked at the surface of things and must have totally forgotten that one of the most important ingredients was an "Hereditary Aristocracy," a body whose rank, wealth and independence were such, that it might successfully resist the encroachments of the Crown as at Rummelyde, and yet whose material interests were so identified with those of the Commons as to not only disarm jealousy, but add to its respect from the certainty of succession in some of the third order, and by the possibility to all of being enrolled in its ranks by success in the avocations of Law, the Army or Navy, or by distinguished merit or influence in the House of Commons. It seems to have been forgotten also, that there is not even at least in these American Colonies aristocracy of wealth, for where all hereditary succession to real estate has been (and properly) abolished, there are few families able to afford well educated men, whose accustomed comforts and luxuries amply provided for, are enabled to devote their time and talents to the public service. In these colonies generally every man of talent is a man of occupation, and has some profession, trade or calling necessary to the subsistence of himself and family. The consequence has been, that the aspirants for office are for the most part needy men, and what is worse, men whose antecedents have not been the means of qualifying them for political life, but on the contrary rendered them totally unfit for it. Hence none of the Responsible administrations have carried with them into office the prestige of either wealth, great influence or superior talents. Elected by comparatively ignorant constituencies they have been generally of the same stamp with the electors. Hence they have endeavoured to imitate their prototypes of Downing Street, but have been successful only in their rapacity for power and the influence and emoluments of place. These remarks may seem to many somewhat out of place, in commenting upon the dissolution of the Provincial Parliament of New Brunswick, but upon reflection, they will see that it has much to do with it. In England, so long as the Ministry can maintain a majority in Parliament, it is perfectly safe, and a Sovereign who would attempt to order a dissolution would be very soon convinced, that however the theory of the constitution might warrant such a measure, the practice would interpose an insuperable obstacle to it; yet the Governor of a Colony who holds a more vicarious office can do that which the King or Queen is unable to do. The Lieutenant Governor of New Brunswick has, it seems, dissolved the Assembly against the advice of his Council, at the request of certain petitioners, who it seems have been dissatisfied with the proceedings of the House. The St. John Morning Courier terms it "the use of a prerogative which has never been used in this way before in British America since the establishment of Responsible

Government." He is mistaken; the Lieut. Governor of Prince Edward Island, Sir Alexander Bannerman, set the example and was banished from civilized life to the Bahama Keys; a well deserved punishment for such an unconstitutional act. These things show the extreme folly and nonsense of making comparisons between the Government of the Colonies and that of the Mother Country. In the latter, as we have observed, the thing could not happen. A jealousy of the power of the Crown pervades both Lords and Commons, and the idea of the Crown acting on its own responsibility would awaken in it that spirit of action that would remind the tenant of the times of Charles the First.

Even if it were possible to suppose, that the Queen could be so infatuated, as to entertain such an idea, to whom could she entrust the seals? Who would accept them if offered? The minority could not consistently with the acknowledged principles of Government take them. And should the same party return to power, a contingency in that country almost certain to happen, an impeachment of the holders would be as certain and sure to be followed by exemplary punishment. But with such a body of men as the Peers combined with the gentry and Yeomanry of England, such an occurrence could not happen. It is only in the Colonies, that such an anomaly could be found. We refrain from making any further observations at present, we shall be most anxious to see the upshot of the matter. If such acts are constitutional, there is an end of Responsible Government, or rather it is a mere sham, a disreputable farce.

The Edinburgh Review for April has been received: Its contents are as follows, viz: 1st. Modern History. 2. The Corroctor of the Shakespeare. 3d. The Greek People and the Greek Kingdom. 4th. Body and Mind. 5th. The Austrian Concordat. 6th. Sir Isaac Newton. 7th. Ruskinism. 8th. French Judgments of England.

Haszard & Owen, Booksellers, Queen Square, Agents for this and the other Reviews and Magazines, published by L. Scott & Co., New York.

We would caution the buyers of imported Lumber not to take the Surveyor's mark on the article, as it comes from the vessel, without proper examination by a sworn City Surveyor. We were shown an evening or two since a pile of Lumber from New Brunswick, landed on Powell Wharf, apparently surveyed, and with great care, and marked in red chalk.

On several of the boards being remeasured by Mechanics of the first respectability, every board turned out more or less short of the measure marked; sometimes a foot, at others 10 or 11 inches were wanting. A serious fraud may be thus easily committed upon the ignorant or unwary.

THE DIFFICULTY BETWEEN THE AMERICAN AND BRITISH GOVERNMENTS.—We see various rumours in the Colonial and American papers in regard to the dismissal of Mr. Crampton, but we believe the following, taken from the Boston Journal of the 22d of May is the latest and most authentic news on the subject.

THE ENLISTMENT DISPUTE. The National Intelligencer mentions that the reply of Lord Clarendon to Mr. Marcy's despatch of Dec. 28, has been received by our government, and adds:

"Rumour adds, likewise—we are pleased to learn, but how truly we are, of course unable to say—that the reply of the British Cabinet, while they decline acceding to the American demand for the recall of Mr. Crampton, adduces a mass of testimony not before known to our government, and a variety of elucidating circumstances and facts tending very much to mitigate the gravity of the offence charged against the British Minister, and altogether presenting so softened a view of the case, as to justify our government in not only not insisting on the expulsion of the offending Minister, but accepting the expressed regret of the British government for its unintentional offence as a sufficient reparation for the disrespectful act we have complained of."

This statement of the Intelligencer coincides with information received from other sources in Washington, and may be regarded as pretty nearly correct.

The Lady Le Marchant arrived with the mails from Picou, yesterday, she brings little or no news. The following is the list of the Passengers politely handed us by Capt. Irving: Messrs. Dugald McKinnon, James Muirhead, Colin McLennan, J. H. Lane; Rev. A. M. DesBrisay and Lady.

Launched at Quebec, a few days since, a very fine Ship of about 900 tons, called the Elizabeth Yeo, built for Messrs. James Yeo & Son, of P. E. I. and Appleton.

Died, In this City, yesterday, suddenly, Mary Eliza, only daughter of the late Lawrence W. Gall, Esq., aged 6 years and 5 months.

At the residence of Rev. Donald M. Stephen Towns, Quarris, daughter of De Sable. By the Rev. Miss Jane: Bl... At Gaysboro... bride's father, John M. Murray... District, the... BERRY, Weekly... to LUCRETIA A... J. Cunningham... Port... May 29th, L... m... H. I... Pollard, Sh... Pughwash; li... Vine Camp... May 28th, I... 29th, Lady I... Sarah, Moor... Charlotte... Beef, (small)... Do. by quarter... Park. Do. (small)... Metton, Lamb-per q... Butter (fresh)... do. by tub 1... Tallow, Flour, Pearl barley, Oatmeal... HAVI... Barrister... NOT... OLD C... W... T. HEATH H... FREDRICK B... J. FEL... Ornament... rings... Estima... Near t... T... Under the... Sons of... THERE... THE... JUNE next... The use... public gene... this source... Speeches... Gentlemen... And Mr. L... culiver the... TICKET... W. Morris... Stamp's... By or... F... FOR... situ... rough Str... LEAM B... Charlotte... A STIC... who... weeks sin... ving prop... within ter... Charlotte... CIATT... con... form, Gro... vis: All... All ov... All fa... SEVER... for... Townshi... Also... town, an... For p... HAZON