be believed the laws of the house permitted him to make. He could assure the house that beyond that he did not wish to go one single step. It would be in the recollection of the house that in the latter period of 1837, at a time when by the gallantry of the troops, both of the line and the militia, rebellion had been put down in the province of Upper Canada, and not a single rebel in arms was left within that province, a band of men, consisting partly of Canadians and partly of American subjects, was organized and armed within the frontiers of the United States, possessed themselves of arms by seizing on the arsenals, the property of the United States, and in open day took possession of an island lying in the Niagara river, the property of her Majesty, to which they transported, also in open day, arms, the property of the United States, ammunition and stores, the property of the United States, and brought frequent reinforcements of men, in order to make their position strong. From that position, and with those means, they for a considerable time fired upon the inhabitants of the Canadian frontier at not more than 600 yards distance, and upon boats passing up and down the river. This band, thus posted, was supplied on more than one occasion by a steamer from the American frontier, which they had chartered for that express purpose, with arms, ammunition, and reinforcements.

On the night of the 20th of December, that steamer having been so employed during the day of the 29th, a body of men by authority of her Majesty, and commanded, or, at least, under the orders of Mr. McNab, Speaker of the House of Assembly of Upper Canada, who at that time commanded the militia of the province, and was active on behalf of her Majesty, attacked the steamer, lying, undoubtedly moored by the American shore, and having boarded her and found it impossible to carry her away, in consequence of the rapidity of the current, set fire to her, and suffered her to fall down the falls of Niagara. Representations relative to that proceeding were immediately made by the authorities of the state of New-York to the President of the United States, and a counter statement was at the same time made by the British authorities of Canada, through the medium of Mr. Fox, our minister to the United States. In consequence of the conflicting nature of the evidence then presented, the President communicated with Mr. Fox, and furnished him with the evidence forwarded to their government by the United States authorities, in order that it might be laid before her Majesty's government, with that demand for reparation for that which they characterised as an outrage upon the neutrality of the American territory, the counter-statement of the Canadian authorities being in like manner made the subject of strong counter-representation from her Majesty's minister at Washington. The whole correspondence, in the course of the months of January and February, 1838, was transmitted for the consideration of her Majesty's government, with the demand for reparation to which he had referred. He believed that after that period they had no information furnished from the Foreign Office of any transactions on this subject.

The Colonial Office, in 1838, and at subsequent periods, laid before the house various papers, among which were the proceedings of the House of Assembly and her Majesty's Lieutenant Governor of Upper Canada, who, in their public despatches, strongly supported the view taken by the Canadian authorities, and spoke in terms of the highest approbation of those who had attacked and sunk the steamer. He believed that the country generally considered this question between the two countries as fairly settled, but on the 12th November last, he was given to understand a gentleman named M'Leod, who belonged to the service of her Majesty, filling in Canada the situation of one of the council, who had taken an active part in repelling invasion from the Province, but who, as far as he (Lord Stanley) was able to learn, had taken no part whatever in the affair of the Caroline, was seized in the State of New York by the authorities on a charge of murder and arson, was committed to jail for an act done under the sanction of the Canadian authorities, to repel the invasion of the Canadian territory, and under the immediate command of the gentleman to whom the military force of the province had at that time been entrusted. Mr. M'Leod was apprehended and was about to be tried by a jury of the State of New York. He hoped that he was stating facts correctly; he did so without making any comments, and if he were not correct, he hoped the noble lord would set him right. In the month of January, Congress, on its meeting, applied to the President to lay before them any communications with the British government on this subject. In doing so, the President among other papers, laid before them a strong remonstrance which Mr. Fox had felt it to be his duty to make as a British Minister and the representative of his Sovereign, against the apprehension of a British subject for an offence, if offence it were, which had received the sanction of the British authorities, and which at that moment was under the consideration of the two governments, and had been for three years the subject of negociation between them.

The answer of the President, continued the noble lord, was to refuse altogether to admit the claim of Mr. Fox, on behalf of Mr. M'Leod, for his liberation, partly on the ground that the Federal government in such cases had no power to interfere with the authority of the several independent states, and also on the ground that, if it possessed such power and the right to interfere, the case stated by Mr. Fox was not one in which it would exercise it, inasmuch as questions of international right between the general governments of the two countries in no degree interfered with the administration of justice by the several states of the Union. Mr. Fox closed the correspondence by the strongest expressions of his regret at the views which the President had taken upon the matter. He said he was not authorised to express the views of his government; but, on his own part he made the strongest protest in his power against these views, and without loss of time would lay the whole before her Majesty's government for its opinion. Sir, this is the position in which the matter at present stands:—A British subject was arrested in the month of November; the assizes will take place during the present month, February; and at this hour, (and this is my vindication for interfering, in any degree, in a matter on which communications have taken place between two great nations, which are now in a very critical state,) at this moment, the life of a British subject may be in jeopardy, in consequence of his having acted in defence of his native country, and under the orders, and by the authority of the military powers of this country, to whom he was compelled to give obedience in repelling invasion and rebellion. The questions I wish to put to the noble lord are, inasmuch as this negociation commenced so early as January, 1838—I wish to ask the noble lord whether he has any objection to lay on the table of the house the correspondence between her Majesty's government and the United States, relative to the destruction of the steamer Caroline, on the night of the 20th December, 1837? Whether the noble lord has received the despatches of Mr. Fox, referred to in the recent accounts from the United States, dated the 20th of December, which Mr. Fox stated he had transmitted to the Government at home, (and which I presume the noble lord has received, he having acknowledged despatches up to the 8th of January,) relative to the apprehension of Mr. M'Leod? Whether her Majesty's government have taken any, and if so, what steps, for the protection of Mr. M'Leod, and whether the noble lord will lay upon the table of the house the correspondence upon that subject between the government at home, and the British representative at Washington, and the representative of the United States. (Hear, hear.)

Lord PALMERSTON.—I must confess the noble lord has adverted with great discretion to a subject of extreme interest, and which, from its great delicacy, involving considerations of a very grave nature between the two countries. I am sure the house will feel should be touched upon with great reserve, either by the noble lord or by myself in my answer. Now, as to the statement of the noble lord with respect to the occurrence which led to this matter, it is strictly, as far as my memory serves me, correct. I will first answer the questions the noble lord has put to me, and afterward say one word in explanation of the transaction. I think it is not expedient in the present state of the discussion between the two governments as to the seizure and destruction of the Caroline, to lay on the table that correspondence. Whenever it is brought to a close, of course there can be no objection to do so. Her Majesty's government having received within the last few days despatches from Mr. Fox and his correspondence with the authorities of the United States, which correspondence has been furnished to the public in the American papers, there can be no objection to lay before parliament those papers that are already before the public. (Laughter.) But this is a departure from what I consider an important rule in regard to international affairs, (hear, hear,) and one which may operate injuriously to national interests, to lay before parliament documents relating to pending discussions; but, as I have before said, some of these have been already furnished, as respects them there can be no objection. I think it important to make, with reference to the notice of Mr. Forsyth, one observation. The noble lord said, he believed Mr. M'Leod was not one of the party by whom the Caroline was attacked. My information goes precisely to the same conclusion; but with regard to the ground taken by Mr. Forsyth, in reply to Mr. Fox, I think it right to state, that the American government undoubtedly might have considered this transaction either as a transaction to be dealt with between the two governments, by demands for redress by one, to be granted or refused by the other, and dealt with accordingly; or it might have been considered, as the British authorities consider proceedings between American citizens on the British side of the border, as matter to be dealt with by the local authorities. But the American government chose the former course, by treating this matter as one to be decided between the two governments, and this is the ground on which they are entitled to demand redress from the British government for the acts of its subjects, and from that ground they cannot now be permitted to recede. I assure the house that on a matter of such extreme difficulty it would be improper for me to enter into any further remarks or observations, and I shall therefore content myself with answering the noble lord's questions by stating the matters of fact I have just mentioned.

Lord Stanley.—I apprehend that the noble lord has not correctly understood my questions—for one of them, and that the most important, he has not answered. That question was, whether the government had taken any, and if so, what steps, for the protection of Mr. M'Leod? (Hear, hear.)

Lord Palmerston.—It was my intention to have answered that question of the noble lord before I sat down, but it escaped my memory at the moment. I may state that a case somewhat similar in principle to the present was expected to take place a year and a half, or two years ago, and at that time instructions were sent out to Mr. Fox, on which were founded some of the communications lately made by him to the American authorities. Of course the house will, I trust, suppose that her Majesty's government will send—they have, indeed, sent—certain instructions; but till we get the conclusion of the correspondence it is impossible to send final instructions. I trust the house will believe the government will send further instructions as they may think it to be their duty to do, but I am not prepared to state formally what those instructions may be. (Hear.)

Mr. Hume wished to ask a question of the noble lord, the Secretary for Foreign Affairs, but as the noble lord had made a speech on the subject, he must first beg of the house to suspend their judgment until they had before them the whole of the papers on the subject. The question he wished to ask was this:—It appeared by the papers which he had in his possession, that in January, 1838, a motion was made in the House of Representatives, calling upon the government to place on the table of the house all the papers respecting the Caroline, and in consequence of that motion certain papers which had been received from Mr. Stevenson, had been laid on the table of the house on the 15th of May, together with a letter from that gentleman. In that letter the allegations as to the attack by the Caroline were denied, and he (Mr. Hume) had seen a letter from Mr. Stevenson, in which he stated that no answer had been given to his application in 1838, and he begged to be informed whether he should urge the matter on the attention of the British Government, for the American Government did not yet know whether the enterprise of the Caroline was to be considered as sanctioned by the British Government. What he wanted to know from the noble lord was, what were the instructions of Mr. Stevenson upon which he had acted as he had done? He again hoped that the house would suspend its judgment upon the question until all the documents were before it.

Lord Palmerston said—I rather think that my honorable friend will find in that correspondence that instructions from the American Government were given to Mr. Stevenson to abstain from pressing the subject. (Hear.) With regard to the letter of Mr. Forsyth, I beg leave to say that the principle stands thus:—In the case of the American citizens engaged in invading Canada, the American Government disavowed the acts of those citizens, and stated that the British authorities might deal with them as they pleased (hear), and that they were persons who were not in any degree entitled to the protection of the United States. But in the other case they treated the affair of the Caroline as one to be considered as that of the Government, and not to be left upon the responsibilities of individuals. Until, therefore, the British Government disowned those persons, as the American Government disowned their citizens in the other case, they would have no right to change their ground upon the question. (Hear, hear.)

Sir R. Peel wished to ask the noble lord the Secretary for the Colonies, one question as to a matter of fact; it was whether there were not officers of her Majesty's army and navy engaged in the affair of the Caroline, and wounded in that service; and further, whether they had received the same pensions as they would have received if they had suffered such wounds in the service to which they regularly belonged?

Lord J. Russell said, he had understood that officers of her Majesty's army and navy were employed on that occasion, under the orders of the colonial authorities, and that some of them were wounded in that service; but he had not heard that they had received any pensions.

Mr. O'Connell said that the subject just now before the house ought not to be left as it was. (Hear.) The life of Mr. McLeod was at stake (hear,) and he (Mr. O'Connell) was sorry that his hon. friend (Mr. Hume) had interfered (hear,) for he thought that there ought to be expressed in that house that Mr. McLeod should be saved, as he acted under the command of the officers of Her Majesty's Government—in fact, under the command of her Majesty. (Great cheering.) Whether Mr. McLeod was right or wrong, the house ought to declare that it was quite ready to assist the Government in preserving him. (Cheers from both sides.)

*House of Commons, Feb. 9.*

Lord Stanley, referring to what had passed on this subject on the previous evening, submitted to the Secretary for Foreign Affairs, whether he ought not to reconsider the answer he had then given. At all events the production of the correspondence in that form would be a matter for his own discretion. He (Lord Stanley) had asked the noble lord for the production of the whole correspondence—he did not ask him to lay any partial correspondence on the table of the house, and which the noble lord was about to produce, not on the ground that it contained the whole of the facts of the case as it really stood, but on the ground that through some other means it had obtained publicity. He could not but think that that would lead to a very inconvenient precedent, and would place the case on a principle which would be liable to the great misunderstanding as regarded Great Britain in the eyes of the colonies and the world generally. He did not ask for the production of those papers which had been laid before the public. He wished also for a more explicit answer to a question which was asked yesterday, namely whether her majesty's government had taken steps, and what, as regarded the liberation of Mr. M'Leod? The noble lord had told him that her majesty's government would, and indeed had taken such steps as they thought necessary on the subject. He did not ask them what steps they had taken, if the noble lord thought proper to withhold that information, but he did ask him whether he had taken such steps for the protection and liberation of Mr M'Leod (who had been apprehended on the 12th of November, 1840,) as would be effectual in point of time in reference to the proceedings then going on. He was aware of the responsibility which attached to any member calling upon the government for papers which they were not willing, on public grounds, to produce, at the same time reserving to himself the expression of his opinions upon the subject, and the full right of pressing upon the government at a future time for the whole of the correspondence.

Lord Palmerston—When he stated yesterday that he would have no objection—that he could have no reasonable objection to offer against the production of papers which had already been laid before Congress, he did not intimate any intention, on the part of government, to lay on the table of the house any other part of the correspondence, and he thought, therefore, the noble lord had and would exercise a sound discretion in abstaining from pressing for it.

Lord Stanley—I did not ask for it. I asked for the whole correspondence.

Lord Palmerston—With respect to the other question, what he had to state was this. A case of somewhat similar nature happened, or was about to happen, a year or a year and a half ago; and upon that occasion instructions were sent out to Mr. Fox, laying down what the government thought were sound principles in the emergency. At that time it was rendered unnecessary to act upon the instructions; but the case having now actually occurred, Mr. Fox, without waiting for further instructions from home, acted upon the former instructions and made the demand upon the American government, for the liberation of Mr. M'Leod. He then reported the whole case to the government, but from various causes that communication had been much longer on its passage than usual, and it was only a few days ago that he had received the final portion of what had taken place between Mr. Fox and the American government; it was therefore, only that day that an opportunity had presented itself for sending out final and conclusive instructions—they were then ready prepared, and were on the point of being sent off; but what the nature of those instructions was, neither the noble lord nor the house would then expect him to say. Mr. Fox had founded his remonstrances with the American government respecting a case of a similar nature, which it was feared would have occurred.

Lord Stanley wished to understand whether the noble lord received information of the intervention of Mr. Fox, relative to the affair of Nov. 12, 1840, and whether any instructions had been sent to that gentleman upon the subject.

Lord Palmerston said that the instructions given were precisely to the same effect as those which were stated as being given in the former case. It was not til Saturday last that the government had received from Mr. Fox the last communications respecting his correspondence with the United States authorities.

Mr. Hume read from a paper, purporting to be a general order, signed by Colonel McNab, announcing his excellency a great satisfaction at the destruction of the steamboat, which was effected in a manner so creditable to the volunteers, and stating his excellency's unqualified approval of the important service thus rendered by those brave men. He inquired whether there had been ever a communication from her majesty's government upon the subject, and whether they signified their approbation of the act?

Lord John Russell believed the purport of the honourable gentleman's question to be, whether the government approved of the orders of the colonial government under which the Caroline was attacked. (Cheers.) His noble friend had already answered the question. (Cheers.)

Mr. T. Duncombe wished to ask the secretary for foreign affairs, whether the government had adopted the act of the captors of the Caroline as their own? He thought it right that the house should know whether they had given their approbation or not, and whether, if they had given it, they had since withdrawn it—(hear, hear)—or did they now adopt it? (Hear, hear.)

Lord Palmerston said that, if the question were whether the government did or did not consider the captors of the Caroline justified, his answer was, that the government did consider them perfectly justified.

Mr. Hume—Has the noble lord or her majesty's government ever signified that to the government of the United States in any form! (Hear.)

Lord Palmerston—Yes: it has been communicated both to the minister of the United States here, and by Mr. Fox to the American government.

The conversation here dropped.

## CHINA AND INDIA.

*(By the Overland Mail, via Alexandria.)*

The advices are from Canton, Nov. 3; from Calcutta, Dec. 22: from Bombay, Jan. 1. The latest intelligence from the island of Chusan is dated Oct. 24, and from Macao, November 3. By these it appears that the posture of affairs in China remains unchanged, and the most gloomy apprehensions as to the final result of the proposed negotiation were entertained. The admiral was expected to leave Chusan for Canton about the middle of November. Letters received at Tinghae from the prisoners at Ningpoo stated that they were treated well, but suffered for want of proper clothing. Mr. Staunton still continued a prisoner at Canton. The British naval force consisted of twenty sail of pennants, exclusive of steamers.

Lin had been deprived of all authority, but he had petitioned the emperor and appealed to his mercy. He admits the superiority of the British in war, but suggests that they may be tired out by delays and sickness, and counsels the emperor to make no concession, as the English would thereupon increase their demands; and he expresses an opinion that our interference and blockade will draw on us the hostility of other nations.

*(From the Canton Press, September 19.)*

The following extracts from a letter from Chinchew have been kindly sent us.

"The Amoy mandarins have at last met their match in the Alligator, assisted by the Braemar. A lieutenant of the Alligator was on board the Lyra, and described the effect of their shot, on the junks as splendid, passing clean through them and then going on shore. They sunk sixteen or seventeen junks, and there could not have been such destruction among the vessels without a very great loss of life; they had nobody hurt on board the ships. When the Chinese found that their junks could not stand the fire from the ships, they throw up a breast-work in one night on the low sandy beach, fronting the channel into the junk harbour, and there they have now mounted 204 guns, some of them very heavy. The ships not having force sufficient to force a landing, retired out of the reach of the shot, many of which had struck them; some they have got of 18lbs. The sloop of war's main yard-arm was shot away, and a shot lodged in her hull. They have also built a fort on the island on the south of the channel, leading into the harbour, and several other forts on projecting points of land in the harbour, and are making active preparations for defence. I rather think the ships have again gone north, as we have seen nothing of them for some days. From what they told Woodrow, the Blenheim is to be stationed at Amoy, to blockade, and they seem to think from the resistance they had that troops would also be sent down to assist."

*Macao, Oct. 12.*

Some circumstances, and some conversations of the admiral at Chusan, convince me his views of the circumstances at or near Canton are not for final settlement, but probably to endeavour to get out, on amicable terms, the tea of the season, and commence a final adjustment next spring.—*Singapore Free Press.*

*From the Overland Courier.*

Private letters from Macao, by the Mor, mention that the Admiral has submitted to the Emperor of China a treaty composed of twenty-six articles, sixteen of which the emperor has accepted, and ten rejected, but what the accepted or what the rejected articles are we know not. We are also informed that the admiral has expressed himself as being fully conscious that the Chinese were only temporising with him, but that the nature of his orders from home prevented his acting a more decisive part.

*Singapore, Nov. 9.*

Mr. King, (of Russell & Co.'s) arrived from Canton last night. He reports that the hong merchants expect Lin to take his departure for Pekin in the course of a day or two, and that they are fully impressed with the conviction that affairs will soon be adjusted; that with this feeling they refuse either to buy or sell, and that in consequence cotton has fallen two taels. We send you to-day's paper, which contains a copy of an imperial edict regarding Lin's proceedings. Although nominally in disgrace, it does not seem, from the accounts we get from Canton, that the court has absolutely determined on his punishment. In fact, we are still in some doubt whether his conduct is really disapproved of, and equally uncertain whether the approaching negotiations are likely to terminate satisfactorily.

*Copy of Translation of an Imperial Edict.*—On the second day of the ninth moon (27th September) the following imperial edict was received by the imperial council, (Pekin), written with the vermilion pencil:—

"Lin Tsih Sew. You received my imperial orders to go to Canton to examine into and manage the affairs relating to opium. Your duty as regarded externals was to cut off all commercial intercourse (with the English) and purify the flock of their wicked ones; as regarded internals, to sieze native traitors and cut off all supplies (to the English). Why have you delayed so long the matters connected with these small, petty, contemptible criminals, who are ungratefully obstinate and unsubmissive? You have not only proved yourself unable to cut off their (the English) intercourse, but you have also to sieze native traitors? You laboured in vain with empty words to put a stop to either of the above, and you have screened and glossed over the truth with specious words; and so far from having been of any help in the affair, you have caused the waves of confusion to arise, and the springs of evil to spout out in a hundred directions, numberless and bottomless as the sea; in fact, you only folded your arms without devising any plans, being no better than a wooden image. When in silence you think upon your conduct, your mind must be deeply grieved. I look to you and ask, what have you to say to me, your emperor? I order that your official seals be immediately taken from you, and that you hasten with speed of flames to Pekin, that I may examine you in my presence. Delay not.

"I order the Fooyuen E to take charge of the government of the two Kwang provinces.

"Respect this."—*Canton Press, Oct. 24.*

*Sickness of the British Troops in China.*—The following is an extract from a letter received by the overland India mail:—

CHUSAN, October 22.

Landed, 3650 troops:—

18th, (or Royal Irish.)—Embarked from England and Ceylon, strong, 560; died on the passage, 30; died in Chusan, 37—67; 493; sick in hospital, 169: total on duty, 324.

26th, (or Cameronians.)—Embarked from Calcutta, strong, 904; died on the passage, 10; died in Chusan, 103—113, (of whom 50 died in October); 798; sick in hospital, 551: total on duty, 240.

49th, (or Hertfordshire.)—Embarked from Calcutta, 659 strong; died on the passage, 9; died in Chusan, 41—50; 609; sick in hospital, 148: total on duty, 461.

Artillery, (Europeans.)—Embarked from Madras, 210 strong; died in Chusan, 6—6; 204; sick in the hospital, 78; 120 on duty.—Total of British Troops on duty, 1151.

Artillery, (Natives.)—Embarked from Madras, 79 strong; sick in hospital, (no deaths), 14: total on duty, 65.

Sappers, (Natives.)—Embarked from Madras, 288 strong; died of *coup de soleie*, 1; 287; sick in the hospital, 56: total, 231 on duty.

Bengal Volunteers.—Embarked from Calcutta, 888 strong; died on the passage, 12; died in Chusan, 31—63; 825; sick in the hospital, 231: 594 on duty.—Total native troops on duty, 885; total British troops on duty, 1151. Grand total, 2036.

## INDIA.

An action had occurred in Scinde, on the 1st December, at Kotra, between 4000 Beloeches, posted among the hills, and commanded by Nusseer Khan, 900 Sepoys, 60 irregular horse, and two field pieces, commanded by Lieutenant-Colonel Marshall. The Sepoys attacked the position, and a desperate defence was made by the Beloeches till four of their chiefs and five hundred men were slain. Six other chiefs and one hundred and thirty-two followers were taken prisoners. Nusseer Khan escaped on foot, but all the baggage, &c., were captured by the British, who only lost one officer and ten privates; thirty more were wounded.

Advices from Madras state that Major-General Sir Hugh Gough was to proceed to China in her Majesty's ship Cruiser, to take the command of the land forces on that coast. It is believed that the Chinese traders would take advantage of the position of affairs to organise an extensive smuggling trade through Macao.

The accounts from Aden of the 10th of January state every thing to be quiet there, and that the place was rapidly increasing in population and gradually improving. The "Regenerator of the Faith," as the bigoted old man pleased to term himself, had been totally defeated by the Imaum of Senna, taken prisoner and beheaded, which has of course quieted rebellion to a considerable extent. The Imaum, before another month, will attack the seaport towns of Mocha, Hadaida, and Zebid. He is favourably disposed to the English.

The French had obtained a place called Eyd, on the Abyssinian coast, and it is said to be 38 miles in length by 10 miles in breadth. It is believed their intention is to form a settlement there for commercial purposes.

The climate of Aden is delightful. The troops are in excellent health.

### THE BRILLIANT AFFAIR OF KOTRA.

*(From the Bombay Times, Jan. 1.)*

We have just received full particulars from Kotra of the brilliant action between our troops under Colonel Marshall and the Brahoe army of Nusseer Khan. Captain Smith, aid-de-camp to General Brooks, having received his instructions, left Sukkur, and in thirty-eight hours effected the journey to Kotra, a distance of 130 miles. Having delivered his instructions, the force, composed of the 25th regiment, two companies of the 21st, two companies of the 24 Grenadiers, and 90 of the Poonah Horse, at half-past-eight on the morning of the 1st of December, made a chupao on the rebel camp in two parties, one under Colonel Marshall with two guns, 350 men, and 50 horse; and the other under Captain Teesdale, of the 25th, with 500 men. Captain Teesdale's party went round by the pass of Pen Chuttur, a distance of twenty-one miles, and Colonel Marshall advanced about six miles in a direct line between two irregularly formed hills, which were covered by the Brahoes in lines, their heads and shoulders just appearing above the ridges. The rebels were estimated at 3000, 1500 being their best warriors, the rest followers of the camp. The position they had taken up was extremely strong, but the sepoys fought nobly, exposing themselves in the most fearless way, and cheering each other on with the watchword of Lieutenant Loveday's fate. The enemy at length were driven up a steep hill to the right, and proceeded to crowe it, waving their flags. Here the brunt of the affair fell upon Captain Ennis, but, by the gallant conduct of our sepoys and their leaders, the rebels, notwithstanding their advantage of position on the summit of a hill broken by gullies, ravines, and scarps, were compelled to put their Korans on their heads and cry for quarter, when one hundred and thirty-two were taken prisoners, among whom were four of the most influential chiefs. Nusseer Khan, with two followers, unfortunately escaped, climbing over the summit of a lofty hill, where he was seen followed by a small mountain pony; it was supposed Goel Mohammed was of the party. Our own loss consisted of one officer, (Mr. Lodge, of the 25th, who was shot through the leg, and bled to death in a few minutes,) eight sepoys, and one horseman. The wounded were from thirty to forty men, with one or two officers slightly hurt by spent balls.

It would be injustice to pass over this affair without remarking strongly on the energy and real bravery displayed throughout the action by our sepoys. The enemy made a strong defence, but were driven from their post, where they evidently considered we should not dare to follow them, by the firmest and most undaunted courage, and numbers alone prevented the total annihilation of the whole of the Khan's forces.

*Egypt.*—The advices from Alexandria announce the arrival of Commodore Napier in the Stromboli, accredited by Admiral Stopford, to offer the original treaty for the Pacha's acceptance; an offer which he of course eagerly embraced. Two days afterwards the Scutari steamer arrived at Alexandria with Muzloum Bey and Admiral Walker on board, for the purpose of claiming the Turkish fleet, which left Alexandria on the 21st ult. Ibrahim Pacha had quitted Damascus, and arrived at Ramley, near Gaza, where he was making preparations for embarking his troops to Egypt. Arrangements were in progress at Alexandria for the dissolution of the Redif, or National Guard, which would, it was believed, take place on the Turkish New Year's day, corresponding with our 20th February. Commodore Napier was at Alexandria, awaiting further orders. He and the Pacha had grown quite intimate, and were about to visit Cairo together.—*London correspondent of the New-York Herald.*

## SUMMARY.

*Sudden Illness of the Duke of Wellington.*—The noble Duke was on Friday evening 5th Feb seized with sudden indisposition in the House of Lords. As is his custom, he occupied his usual seat before five o'clock, and appeared to be in good health and spirits, conversing cheerfully and familiarly with the Earl of Aberdeen and Lord Ellenborough. About a quarter after five o'clock, the head of the noble duke was seen suddenly to droop forward, as though he were fainting. His arm was immediately laid hold of by the Earl of Aberdeen, who, assisted by Lord Ellenborough, removed him instantly from the house, and he was conveyed home, where he had some hours of refreshing sleep. The attack was one of giddiness, supposed to have been occasioned by that abstemiousness from food, which is one of his Grace's characteristics. The occurrence caused the greatest consternation in and about the house. His grace has since nearly recovered.—*European.*

The Right Hon. Sir Robert Peel completed his 53d year on the 3d of February.

THE ARMY.—During the last two years there have been thirty-seven promotions from the ranks. A correspondent of the Naval and Military Gazette complains that none have been promoted from the Ordnance corps, in which there are a great number of steady, intelligent men. The commissions have been given chiefly to sergeant-majors and colour-sergeants. Four common sergeants are in the list of promotions.

Lord Cardigan's trial by the House of Peers, for fighting a duel with Lieut. Tucket, is to commence on the 16th February.

The severity of the weather has been almost unprecedented in England. There have been various instances of able-bodied men having been frozen to death while walking in the public roads.

At Dublin, Feb. 4th, snow fell to the depth of four or five inches, and the cold was very intense.

The bill for the fortification of Paris had passed the Chamber of Deputies by a vote of 237, to 112. It had yet to pass the Chamber of Peers.

FIRE IN MANCHESTER.—Yesterday morning, (Feb. 9,) Messrs. Crofts and Stell's warehouse in Nicholas-street, was burned down in the unprecedented short period of scarcely twenty-five minutes, not an article of value being saved. Messrs. Crofts and Stell were insured in the Royal Exchange for £10,000, and the building also, for £3000. The next warehouse occupied by Mr. Henderson, was also destroyed, as well as the stock; the building was insured in the Sun office for £1500 or £2000, and the stock for £3000 in some other office. Two dwelling-houses were completely gutted, and the furniture destroyed.

DEATHS.—Sir David Erskine, Mr. Thornhill, the East India Director, Lord Henly, Lady Stuart, and Lord Wrottesley, are dead.

Sir Astley Cooper lies dangerously ill, with faint hopes of his recovery.

The event of the christening of the Princess Royal was to be celebrated at Buckingham Palace with magnificence. The whole of the ornamental gold plate has been forwarded from Windsor Castle to town, to be used on the occasion.

The King of the Belgians arrived at Ramsgate on the 7th ult., to be present as one of the sponsers.

Her Majesty the Queen of the Belgians has presented a series of very beautiful robes, composed of Brussels lace, of the most recherche manufacture, for the use of the infant Princess.

The Marquis Camden has paid into the Exchequer the sum of £24,051 1s. being the amount of the late marquis's voluntary contribution to the public service for the year 1840, which sum, added to former payments by the late marquis, forms an aggregate of £366,116 14s. freely surrendered to the state.

An account of the nett public income and expenditure for the year ending 5th January, 1841, has been laid before the House of Commons, from which it appears that the total revenue amounts to £47,567,565 12s. 11., and the expenditures were £49,161,536 8s. 1d., leaving a deficiency of £1,593,970 15s. 2d.

The Messrs. Keasley, tanners in Sing Lane, Bermondsey, have failed, their liabilities amounting to from 100,000 to £250,000. The firm was considered the richest in that part of London, and their horses and harness were exceeded by those of no House in the metropolis.

ENGLISH WAR STEAMERS.—Bell's Weekly Messenger of the 30th of January, says that five new war steamers of the largest class have been finished in her Majesty's dock yards, and are to be immediately fitted for active service. They are to be furnished with two 96 pound guns on the upper decks working on swivels, besides other guns of large calibre on their lower decks.

AUSTRIA.—The *Suabian Mercury*, under date 28th ult. states that the Austrian army was on its full war footing. At a moment's notice the Austrian government could bring into the field 300,000 men and 600 pieces of cannon.

## PROVINCIAL LEGISLATURE.

*House of Assembly, March 8.*

The Bill to vacate the seats of Members in certain cases, (such as accepting offices of profit under the government) was negociated on Monday last, on the motion that it do pass and be sent to the Council for concurrence.—*Yeas*—Messrs. Hill, Rankin, Boyd, Fisher, Wilson, M'Leod, Taylor, Gilbert, Woodward, Barbarie—10. *Nays*—Hon. Messrs. Johnston and Weldon, Messrs. M'Almon, Hennington, Palmer, Partelow, Jordan, Freese, Hayward, Owen, Brown—11.

Mr. Fisher gave notice, that at an early day of the next Session of the General Assembly, he will again introduce a Bill to vacate the Seats of Members of the House of Assembly, in certain cases; which Bill will contain provisions rendering any Member of the House of Assembly, who shall either be appointed to the Office of Executive Councillor, or to any Office of profit or emolument under the Crown, incapable of holding his Seat in the House of Assembly of the Province, unless re-elected after such appointment.

On motion of Mr. Woodward, the House went into Committee of the whole, on a Bill to authorise a Loan of Money to John Walker, of Saint John, for the purpose of assisting him to complete the building of the Custom House at Saint John,—which was agreed to, Yeas 19, Nays 5,—and the bill ordered to be engrossed. [The Bill authorises a loan of Six Thousand Pounds to Mr. Walker.]

*Tuesday, March 9.*

On motion of the Honorable Mr. Weldon, *Resolved*, That this House do concur in the proposed Joint Address of the Legislative Council to be presented to Her Majesty, upon the subject of the Act relating to the widening and enlarging of certain streets in the City of Saint John, which was requested on the 4th day of March instant. *Ordered*, That the Honorable Mr. Weldon do communicate the aforegoing Resolution to the Council.

The Honorable Mr. Weldon, from the Committee to whom was referred the Petition of Thomas Barlow and others, presented to the House on the 6th day of February last, praying that measures be adopted to introduce into the Province a Copper Coin of proper value, submitted their Report, as follows:

"The Committee appointed to take into consideration the propriety of adopting some measures to prevent the circulation of base Copper Coin, having taken the same into consideration, recommend that a sum of money not exceeding Five Thousand Pounds Sterling be placed at the disposal of His Excellency the Lieutenant Governor, to procure a proper Copper Coin for the Province.

J. W. WELDON, *Chairman.*

On motion of Mr. Hill,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause measures to be taken for the immediate collection of the arrears of interests due on the Loans to the Saint John Bridge Company and Saint John Water Company, and also for the payment of the principal of the Loan to the Saint John Bridge Company, in three equal instalments; the first instalment to be paid on the first day of December next, and the two remaining instalments in one and two years from the said first day of December, together with the interest that may be due on the said instalments respectively, at the said several times of payment.

*Ordered*, That Mr. Hill, Mr. J. M. Wilmot and Mr. McLeod, be a Committee to wait upon His Excellency with the Address.

*Wednesday, 10th March.*

On motion of the Honorable Mr. Weldon.—The House went into Committee of the whole, in further consideration of the Messages from His Excellency the Lieutenant Governor, as well as the various Documents communicated to the House by His Excellency's commands. Mr. Hanington in the chair.

The Chairman reported, that the Committee, in resuming the business referred to them, had taken under their consideration the several Documents laid before the House on Thursday the 4th and yesterday the 9th instant, upon the subject of the claim for a retired allowance to the Honorable Thomas Baillie, late Commissioner of Crown Lands and Surveyor General of the Province,—when the following Resolution was first moved:—

*Resolved*, As the opinion of this Committee, That the allowance of a retiring Pension to the Honorable Thomas Baillie, under all the circumstances of the case, cannot be justified on any principle of sound policy, and still less by any claim which that Gentleman has on the favorable consideration of the Assembly, as the faithful guardian of the public interests.

To which an amendment was proposed—To expunge the whole of the Resolution after the words "opinion of this Committee," and substitute the following:—

"That it is not expedient to express any opinion upon the subject of Mr. Baillie's retiring allowance, while the Reports of the Commissioners on his Accounts continues the subject of legal investigation."

That an amendment was then moved to the said last proposed amendment—To expunge the whole thereof, and substitute the following:—

"That as Mr. Baillie does not come under the description of the persons mentioned as proper subjects for retired allowances in Lord Glenely's Despatch of the 17th July, 1835, to the Right Honorable Lord Gosford and the Commissioners of Inquiry in Lower Canada, and referred to in Lord John Russell's Despatch of the 5th June last, to His Excellency Sir John Harvey upon the subject, it will not be proper for this House to recommend a retired allowance to Mr. Baillie, especially under the circumstances upon which his claim is founded."

The question being taken in the Committee upon the last proposed amendment, they divided as follows:—*Yeas*—Honorable Mr. Johnston, Messrs. Street, Allen, End, Wilson, L. A. Wilmot, Taylor, J. M. Wilmot, Fisher, M'Leod. *Nays*—Hon. Mr. Speaker, Hon. Mr. Weldon, Messrs. Palmer, M'Almon, Barbarie, Jordan, Partelow, Woodward, Connell, Freese, Gilbert, Hayward, Brown, H. T. Partelow, Boyd, Hill, Rankin.—Whereupon it was decided in the negative.

The question was then taken upon the first proposed amendment, when the Committee again divided as follows:—*Yeas*—Messrs. End, Allen, Barbarie, Wilson, L. A. Wilmot, Taylor, J. M. Wilmot, H. T. Partelow, Boyd. *Nays*—Hon. Mr. Speaker, Hon. Mr. Johnston, Hon. Mr. Weldon, Messrs. Palmer, M'Almon, Jordan, Partelow, Street, Woodward, Connell, Freese, M'Leod, Gilbert, Fisher, Hayward, Brown, Hill, Rankin.—And it was also decided in the negative.

The question was then taken upon the original Resolution, when the Committee again divided as follows:—*Yeas*—Hon. Mr. Speaker, Hon. Mr. Weldon, Messrs. Hill, Palmer, M'Almon, Jordan, Partelow, Woodward, Connell, Freese, Gilbert, Hayward, Brown, Rankin. *Nays*—Hon. Mr. Johnston, Messrs. Allen, Barbarie, Wilson, End, Street, L. A. Wilmot, Taylor, J. M. Wilmot, Fisher, M'Leod, H. T. Partelow, Boyd.—And so it passed in the affirmative.

That the following resolution was then moved in the Committee:—

*Resolved*, As the opinion of this Committee, That a re-appointment of the Honorable Thomas Baillie to the Office of Surveyor General, would be inconsistent with a right and satisfactory administration of that Department, incompatible with a due regard to the feelings, wishes and interests of the Country, and adverse to the frequently expressed opinion of the Assembly.

To which an amendment was moved—To expunge the whole of the said Resolution after the words "opinion of this Committee," and substitute the following:—

"That as proceedings are pending by the Crown against the Honorable Thomas Baillie, for the recovery of the amount found due by the Commissioners for investigating the Casual Revenue Accounts, it is premature to come to any Resolution expressive of Mr. Baillie's disqualification to hold the Office of Surveyor General, arising from those alleged deficiencies."

That an amendment was then moved to the said proposed amendment—To expunge the whole thereof, and substitute the following:—

"That any dictation to Her Majesty's Government as to who should or should not fill the situation of Surveyor General of the Province, would be highly improper."

The question was then taken on the last proposed amendment, when the Committee divided as follows:—*Yeas*—Hon. Mr. Johnston, Hon. Mr. Weldon, Messrs. Partelow, Barbarie, Allen, End, Street, L. A. Wilmot, Taylor, Fisher, M'Leod, Hayward, H. T. Partelow, Wilson. *Nays*—Hon. Mr. Speaker, Messrs. M'Almon, Jordan, Palmer, J. M. Wilmot, Woodward, Connell, Freese, Brown,