readers. Payment shall be punctually made for all such papers. You would farther oblige me by ordering them to be sent as early as possible, and, in case of anything of great importance, perhaps you would favour me with slips. It will afford me pleasure to mention the name of your journal as authority for anything taken from it.—I am, Sir, yours respectfully,

"THE EDITOR OF THE PATRIOT." As the above came to us in a printed form, we presume it is one of a number of circulars sent about the country to newspapers which are supposed to be of the right stamp.

While we award all praise to the zeal and industry of the editor

of the Patriot, we are sorry we cannot compliment him and his "religious readers" on either their fairness or their Christian Mr. Smillie himself, Mrs. Smillie, a servant girl and two boys, or charity. Should it not be as gratifying to any truly "religious readers" to have an account of the good deeds of the Established Church, or any other public body, as a narrative of its "bigotry and intolerance?" At all events, if they must have the latter, let them search out the former also. What would be thought of the biographer who exerted himself to rake up all that had been, or could be said, justly or unjustly, against the subject of his me moirs, but who would have nothing to do with anything that told in his favour? We certainly could not compliment him on his honesty and fair dealing, and any pretensions on his part to superiority in "religious" matters would only inspire disgust. Christian charity, as it "rejoiceth not in iniquity," must surely be a very different principle from that which induces our pious contemporary of the property of the contemporary of mporary to compass sea and land in order to take up an ill report against his neighbour. After all, the evils of an Established Church must not be so very obvious as its opponents are wont to cating that he was obliged to make his escape, and he cannot say allege, otherwise our zealous contemporary would not require to take such a step as that to which his necessities have compelled preat that four human beings have perished on this melancholy into on the present occasion, in order to gratify the taste of his occasion; the five persons to whom we have above alluded, were him on the present occasion, in order to gratify the taste of his "religious readers," and to enable them to turn up their eyes and bless God that they were not as other men. Did it not strike him that there was a vast deal of "bigotry and intolerance" in the spirit which prompted him to issue such a circular as that which we have printed above?

#### STATE OF IRELAND. (From the Dublin Evening Mail.)

There is no improvement in the moral condition of Ireland. The Roman Catholic Relief Bill has produced none of the tranquillising effects its friends imagined, and which, in truth, even its opponents might have expected from the closing of an extensive the Custom House. source of irritation. That it has failed of even mitigating the turbulence of the populace and the disaffection of the malcontents is, we firmly believe, to be ascribed to the sufficing fact, that almost ever since the passing of that act the Whigs have been in office, and have maintained for their own especial purposes that kind of misgovernment in Ireland which, while serviceable to the cause of faction, is necessarily most destructive of order, peace, and prosperity. The agitators have been rewarded—the priests been cherished—tenants kept in opposition to their landlords—the magistracy has been degraded—the gentry active in suppresscome a mockery. Thus it comes to pass that, whilst we write, the law has become the shield of the miscreant, and the gaol itself the secret conclave of the traitor. It has, in fact, been just divulged (as will be seen in our following extracts from the provincial journals) that Ribbonism holds its lodges in the county gaol, and that treason triumphs in the scene of its inefficacious pen Nor are the Popish chapels-recognised, but uncontrolled by the laws of the land-more sacred from the profanations of faction than they were before the healing measure was enacted. They are still the theatres of inflammatory harangues and turbulent proceedings. When such is the case, we cannot be surprised that the country presents the troubled picture, of which the extracts we give this day from the provincial press afford a feeble but reon the text of a Whig government:-

FREEDOM OF ELECTION.—On Tuesday several Rockite notices were posted up in the neighbourhood of Old Leighlin, containing threats of extermination against those who voted for the rvatives at the late election. The notices are exceedingly well written, and afford prima facie evidence of the production of the higher class of incendiaries.

mitted in Tullow Chapel on the 6th inst. were again repeated on the day set apart for celebrating the nativity of the Saviour; as ers, was not he a murderer? the renegades should ever enter the chapel."

The adjudication of the magistrates at Tullow was also a subject state.—Montreal Herald. of dehate in another chapel, and they were collectively and indi vidually abused for daring to administer the law in justice and equity, by punishing the wretches who polluted the house of worship by committing assaults therein. - Carlow Sentinel.

FROM A CORRESPONDENT.—If additional proof were wanting to illustrate the system of terror practised by the ruling powers in this, our misgoverned country, it is amply furnished by the details

HIS EXCELLENCY THE RIGHT HONOURABLE CHARLES, we continue to receive from Carlow; where conscientious and patriotic freeholders—especially Romanists—are still subject to outrage and persecution, if they dare to support independent resident gentlemen, the real benefactors of Ireland. Hacketstown as our correspondent informs us—has presented a scene similar to those which have disgraced the *Liberals* of Tullow and Rathvilly. On the Sabbath subsequent to the election, during the celebration of first mass, the respectable wife of Philip Murphy, tenant of Kilmacart, and her sister, were brutally driven from their sittings in the chapel—their form thrown into the street and broken in pieces; such acts of desecration being accompanied by bitter revilings, and language too gross for recapitulation; Murphy himself, hooted and taunted as a rebel and traitor—his young family, despite the most praiseworthy forbearance on his part, insulted at every step; and all this unchristian conduct to a respectable, peaceable neigh bour, because he had the courage to vote, in defiance of threats and denunciations, for Col. Bruen, and add one to the glorious majority which has preserved the independence of Carlow such is the system pursued by the so-called friends of liberty. Such is the conduct of Mr. Ponsonby's adherents; cowardly insalters of defenceless women—descraters of sacred places, who thus seek to avenge the third disappointment of the O'Connell

## NOVA SCOTIA.

THE NEW HOUSES OF ASSEMBLY.

From the Halifax Times of January 26. The first Session of the new Houses of Assembly will be opened on Wednesday, the third proximo, and will be watched by the country at large with a greater degree of interest than has been attached to any preceding House. On the first exercise by the Representative branch of its privileges, there will, it is more than supposed, be a wide difference of opinion. For the Speakership, evident a hard contest awaits, but in this choice we hope the House will be guided more by a sense of the firmness of the individual, than from a party bias. We would refer our readers to an able communication, signed A Novascotian, which appears in this day's paper, for some sound advice on the present posture of our affairs, and on this subject in particular. There has been some Canvassing for the Clerkship, which would have been vacant had Mr. Whidden been elected a member, but that gentlemen not having succeeded, the situation will probably be filled as before. Some party attempts have also been made to prevent the Deputy Serjeant-at-arms of the last House from being again chosen, on the pretence (a false one we believe) that he took an active part against the members returned for Halifax at the last election. hope that no such republican traits will be evinced, but that there be good sense enough in the new members to maintain the ters of the House, wherever they have been found to perform their duties in an efficient manner-indeed, if one of th appendages is replaced, it will be tantamount to retaining the hole if they desire it, and their character for respectability and faithful performance of their duty cannot be impeached.

not too much to hope that our Assembly, having experienced the evil effects of the folly of their predecessors, will follow a course by which solid advantage will be gained; and that a majority will be found who from the first will discountenance every difestation of party, and keep within bounds the unruly and ambitious demagogues who care little for the public weal when it interferes with their own designs. If this be done-if in the language of the Governor General and Lord Falkland, they will eave fanciful political theories alone, (for the discussion of which Colonial Legislatures were never intended,) and turn their attention to real improvement, they may expect to reap a rich reward for their labours, in the advancement and prosperity of the country, and the applause of its inhabitants.

## LOWER CANADA.

FIRE AND MELANCHOLY LOSS OF LIFE.

At about three o'clock this morning fire was discovered in the large three story house in Mountain Street, opposite the Old Quebec Gazette Office, well known as "Smillie's Jewellery Store." The fire was first discovered in the lower part of the house, and

shortly afterwards an explosion, from confined air it is supposed, took place, which blew out one of the large bow windows, and the house was then observed to be on fire beyond all hope of saving it. Besides Mr. Smillie and his family, Mr. McAdam, shoemaker, and Mr. Leggo, dealer in dry goods, were tenants in the house, but, we understand, Mr. McAdam did not sleep in it; the explosion to which we have alluded took place in Mr. McAdam's shop.

The above are the only particulars respecting the origin of the fire that we have been able to glean, owing to the following truly melancholy circumstances. The family of Mr. James Smillie, weller and Lapidary, who for many years carried on business in Mr. Smillie himself, Mrs. Smillie, a servant girl and two boys, only one of whom, we have every reason to fear, has escaped, and this escape was effected only by jumping from one of the upper windows. The individual thus saved was Mr. Smillie's apprentice; as may be supposed, he was much hurt by his leap, but shortly after, being conveyed to Mr. Douglas's, he was able to answer some estions that were put to him.

He states that he was awoke by the cries of Mr. Smillie's family, from which he found that the house was on fire. He immediately jumped out of bed, and opening the window of the room, cried out several times; just at this moment the explosion down stairs took place, and he determined to jump out of the window, previous to doing which, however, he returned to wake his bed-fellow (another apprentice of Mr. Smillie's;) he shook the little fellow several times, and called out to him to get up as the house was on fire, but by this time the smoke had become so dense and suffowhether the boy got up or not. The probability, however, is too in the house when the fire commenced, and several persons who witnessed the explosion state positively that only one came out by jumping from the window .- Quebec Mercury. Thursday, Feb. 4.

#### PROCLAMATION OF THE UNION.

From the Montreal Transcript, Thursday, February 11.

Yesterday was celebrated in a manner worthy of the variou vents which combined to make it a remarkable day. At twelve 'clock the Royal Artillery fired a Royal Salute on the Champ de Mars. When the firing from this point ceased, it was taken up by another detachment of guns, stationed on the ice nearly opposite

A little before one o'clock the Mayor and Members of the Corporation, in their respective carriages, left the City Hall and repaired to the residence of His Excellency the Governor General, re, being met by the Judges, Chief Justice Sir James Stuart, and the other persons who were to assist at the ceremony, Lord Sydenham was sworn in as Governor of the Province of Canada. The Oath having been administered, a salute of nineteen guns was fired by the detachment of Royal Artillery stationed on the

ing tumult have been discountenanced—justice has been left to numerously attended; and in the evening a very large company jects there—Canada c numerously attended; and in the evening a very large company jects there—Canada c country in the World.

It is for you its in has day. Of this entertainment we shall speak more at large in our

> The 10th of February is a remarkable day. It is the anniversary of the cession of Canada, by Treaty, in 1763, to the British Crown. It is the anniversary of that Act of the British Parliament whereby, in the year 1838, the representative form of government was suspended. It is the anniversary of Her Majesty's marriage. It is the day on which the Princess Royal of England will be christened. And it will be the birth day of regenerated

One of the most extraordinary items of intelligence brought by We subjoin the details; they are the commentary
Whig government:—

COUNTY OF CARLOW.

the Columbia, and of which we appear to have had the exclusive information, is the appointment of John Frost, the Chartist leader at the insurrection at Newport, to a vacant office in the Commission. sariat at Botany Bay. Our London correspondent states that this mockery of justice will be brought before Parliament when it meets, when we doubt not such a barefaced encouragement given to the most infamous of crimes will be duly commented on. ell written, and afford prima facie evidence of the production of the higher class of incendiaries.

TULLOW CHAPEL.—The disgraceful outrages which were completely and American brigands. If they rebelled, did not he rebel?

we find, by letters received this morning, that Hayden and Byrne,
Jun., of Butler's Grange, were dragged out of the chapel on yesterday, and in all probability would have been killed on the spot,
but for the timely interposition of the constabulary. Amid the
tumult that followed this savage outrage, one of the fanatics cried
out, "He would suffer himself to be torn to pieces before one of
the renegades should ever enter the chanel."

We are sorry to say that this kind of "equal justice" is like
the handle of a jug, all on one side, not confined to Botany Bay
but may be found even in this favoured land. A person named
Marchessault, a leader during the first Canadian rebellion—a man
who was considered of consequence enough even by Lord Durham
out, "He would suffer himself to be torn to pieces before one of
the renegades should ever enter the chanel." ing at St. Charles-the theatre probably of his discomfiture and INTIMIDATION.—On Sunday last some respectable Roman Catholic tenants of the Hon. Somerset Maxwell were publicly denounced by a priest, who declared that "they were damned, and it was out of his power to save them." This attempt to create excitement failed to make an impression on any but the mere mob, but it demonstrates the existence of a ferocious tyranny, that must efficiently fill such a situation, even if they were selected from the be exposed and fearlessly combated before it can be extinguished. Gosford Guards-but if there are not, the country is in a bad

# UPPER CANADA.

From the U. C. Gazette Extraordinary. SYDENHAM.

BARON SYDENHAM, of Sydenham, in the County of Kent, and of Toronto in Cansda, Governor General of British North America, and Captain General and Governor-in-Chief, in and over the Provinces of Canada, Nova Scotia, New Brusswick, and the Island of Prince Edward, and Vice Admiral of

To Major General SIR GEORGE ARTHUR, K. C. H., &c. &c. &c.

WHEREAS in and by a certain Act, made and passed in the fourth year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, intituled, "An Act to Reunite the Provinces of Upper and Lower Canada, and for the Government of Canada," it is amongst other things enacted, that it shall be lawful for our said Lady the Queen to authorise the Governor of the Province of Canada to assign, depute, substitute and appoint, any person or persons, jointly or severally, to be His Deputy or Deputies within any part or parts of the Province of Canada, and in that capacity to exercise, perform and execute, during the pleasure of the said Governor-General, such of the powers, functions and authorities, as well judicial as other, as before and at the time of the passing of the said Act were vested in the Governor, Lieutenant-Governor, or Person Administering the Government of the Provinces of Upper and Lower Canada re-spectively, and which from and after the Union of the said Proinces shall become vested in the Governor of the Province of Canada, as the Governor of the Province of Canada shall deem to be necessary or expedient: Provided always, that by the appointment of a Deputy or Deputies as aforesaid, the power and au of the Governor of the Province of Canada shall not be abridged, altered, or in any way affected, otherwise than as Her Majesty shall think proper to direct: And whereas, by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster, the Twenty-ninth day of August, in the Fourth year of her Majesty's Reign, and directed me, the said Charles, Baron Sydenham, Her amongst other things, constitute and appoint me, the said Charles Baron Sydenham, to be, during Her pleasure, Captain (eneral and Governor-in-Chief in and over the said Province of Canada; and did also authorise and empower me, the said Charles, Baron Sydenham, to assign, depute, substitute and appoint, any person said .- Now Know Ye, that I, the said Charles, Baron Sydenham, in execution of the said authority, so granted and comto me as aforesaid, and in pursuance of the provision of the said recited Act, have assigned, deputed, substituted and appointed, and by these presents do assign, depute, substitute and appoint you, the said Sir George Arthur, to be my Deputy within that part of the Province of Canada, heretofore constituting the Province of Upper Canada; and in that capacity to exercise, perform and execute, all and every the powers, functions and authopassing of the said recited Act, were vested in the Lieutenant Governor of Upper Canada, and which, from and after the Union of the Provinces of Upper Canada and Lower Canada, have become, and now are vested in me, as Governor of the said Province of Canada: Excepting always, all such acts, deeds, matters and things, as relate to, or in anywise affect the keeping and using the Great Seal of the Province of Canada: Provided always, that by this appointment, my authority and power, as Governor of the Province of Canada, shall not be abridged, altered, or in any way affected, otherwise than as Her Majesty shall think proper to The statement of Messrs. Gardner and Bradley will be read with Province of Canada, shall not be abridged, altered, or in any way

In Witness whereof, I have hereunto affixed my Hand and Seal of Office, at the Government House, in the City of Montreal, in the said Province of Canada, the Tenth day of February, in the said Province of Canada, the Tenth day of February, in the year of our Lord one thousand eight hundred and forty-one, and in the fourth year of Her Majesty's Reign. D. DALY,

Secretary. His Excellency the Right Honourable CHARLES BARON
SYDENHAM, of Sydenham in the County of Kent, and of
Toronto in Canada, one of Her Majesty's Most Honourable
Toronto in Canada, one of Her Majesty's Most Honourable

At that had all oury, who entered upon the case yesterday morning, had arrived at no decision. They have had before
them some of McLeod's witnesses, as well as the witnesses for the
prosecution, which is a very unusual proceeding. We are informationally all the charge of Judges Heritage and important Privy Council, Governor General of British North America, ed that the charge of Judge Hunt was a masterly and impartial and Captain General and Governor in Chief in and over the one.

Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same. SYDENHAM.

A PROCLAMATION.

IN obedience to the Commands of the Queen, I have this day assumed the Government of Canada, Upper and Lower Canada, separated for fifty years, are once more re-united, and hencefor ward will form but one Province under one Administration.

On my arrival in Lower Canada, I declared that one of the main objects of my mission was, to put an end to the Suspension of the Constitution in that Province, and to restore to its inhabitants the full benefits of British Institutions. That object is accomplished. By the Imperial Act which fixes the union, representative government is again established, and that control by the people over their own affairs, which is deemed the highest privilege of Britons, is once more restored to them. The Act which provides for this, affixes certain conditions to the grant, over which the Provincial Legislature can exercise no authority; while it leaves to the final arbitration of that Legislature all questions but those which the Imperial Parliament in its wisdom has deemed essential itself to determine—the Legislative Reunion—the establishment of a secure and firm administration of Governmentand the maintenance of the due relations of Colony and Parent State. Efforts have been sedulously made to deceive the unwary, and especially some of our fellow subjects of French origin, upon this point—to represent these Provisions as injurious—to treat them as susceptible of change here—and to excite opposition which can only prove as mischievous as it must be useless.

of Lower Canada, of whatever origin, so to use the power which is now again committed to their hands as to justify the trust which McLeod readily assented; and the judge of his own motion, fixed Our Sovereign and the Imperial Parliament have reposed in them, and cordially to join in an endeavour to promote the common interest of the United Province.

In Upper Canada the sense of the people was declared fully and freely through their Constitutional Organs, upon the great question of the Union itself, and on the principles on which great question of the control of the principles have been adopted by the Imperial Parliament, and it will ever be matter of the utmost gratification to me, that my humble efforts have aided in perfecting a measure, securing, as I firmly believe, to that Pro-

vince, which I regard with feelings of affection as well as in-terest, advantages, which it could attain by no other means. Inhabitants of the Province of Canada! Henceforward may you be united in sentiment, as you are, from this day in name. Who can visit, as it has been my good fortune to do, e extensive regions which are now united in one common nomination, and fail to acknowledge the resources they present the Other persons who were to assist at the ceremony, Lord by denham was sworn in as Governor of the Province of Canada. The Oath having been administered, a salute of nineteen guns as fired by the detachment of Royal Artillery stationed on the Champ de Mars.

At two o'clock, His Excellency held a Levee, which was most jumerously attended; and in the evening a very large company cars invited to a Rall, which his Loyaletin cave in become of the Country in the World.

It is for you its inhabitants to cultivate these advantages, to avail yourselves of the new Era wich now opens upon you. Our Gracious Sovereign and the people of England watch with anxiety the result of the great change which has to-day received its comple-tion. It is the first wish of the Queen to rule in the hearts of Her Subjects, and to feel that they are contented and prosperous under Her mild and just sway. Her Parliament and Government in conferring on you new Institutions have sought only your happiness and advantage. In your haids rests now your own fate, and by the use which you will make of the opportunity must it be dethat they may tend to the pronotion of Peace and Happiness amongst you, and may He pour His Blessing upon that Union, of which it is my pleasing duty thisday, to announce to you the com-

By Command,
D. DALY, Secretary of the Province.

PROVINCE OF SYDENHAM.

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the

To all our loving subjects whom these presents may concern

WHEREAS, in and by a certain Act of the Legislature of Upper Canada, made and passed in the seventh year of the reign of His late Majesty King William the Fourth, intituled, "An Act to establish a Court of Chancery in this Province," it is amongst other things enacted, that the said Court of Chancery shall be holden at the Seat of Government in the said Province, or in such other place as shall be appointed by Proclamation of the Governor, Licutenant Governor, or person administering the Government of the said Province: And whereas it is necessary to make provision for the future holding of the said Court: Now therefore know we, that our Governor of one said Province hath e know ye, that our Governor of our said Province hath deemed it advisable, and it is hereby appointed and declared, that until the further signification of our pleasure, the said Court of Chancery shall be, and shall continue to be bolden at our City of Toronto to which all our loving Subjects are to take due notice,

Witness our right trusty and well beloved the Right Honorable CHARLES, BARON SYDENHAM, of Sydenham, in the County of Kent, and of Toronto, in Canada, Governor General of British North America, and Captain General and Governor in Chief in and over our Provinces of Canada, Nova Scotia,

At our Government House, in our City of Montreal, in our said Province of Canada, the Tenth day of February, in the year of our Lord one thousand eight hundred and forty-one, and in the Fourth year of our Reign.

By Command D. DALY,

The Hon. J. H. Dunn is to be the Receiver-General of Canada, if, indeed, he has not already received his appointment.

The following are said to form the Executive Council of Canada :- J. H. Dunn, Robert Baldwin, R. B. Sullivan, S. B. Harrison,

W. H. Draper, D. Daly, — Ogden, — Day.

We believe the above to be a correct list. Mr. Dunn was
Receiver-General of Upper Canada; Mr. Baldwin, Solicitor-Gen-Receiver-General of Opper Canada; Mr. Baldwin, Soilettor-General, do; Mr. Sullivan, Commissioner of Crown Lands, do; Mr. Harrison, Civil Secretary, do.; Mr. Draper, Attorney-General, do.; Mr. Daly is the Secretary of the Province of Canada; Mr. Ogden, Attorney-General of Lower Canada; Mr. Day, Solicitor-General,

From the British Whig.

The assurance that Kingston is to be the Seat of Government of the Province of Canada, and the permanent residence of His Excellency, the Governor, has created a sensation in town, unequalled in its annals. Every body and every thing are on the qui Property of all kinds has risen in value, and is daily changing hands. Rents, as a matter of course, are enormous, and happy is the householder who has secured a lease of his tenement. Mr. Killaly, the President of the Board of Works, has returned to Kingston, and is making active arrangements for the reception of the Government Officials. The Parliament will be held in the General Hospital, and the residence of the Hon. W. C. Grant is to be rented, for the dwelling house of Lord Sydenham. The Mayor, Dr. Sampson, accompanied by Mr. Kirkpatrick, recently Mayor, Dr. Sampson, accompanied by Mr. Kirkpatrick, recently paid a visit to Montreal, for the purpose of purchasing this said house of Mr. Grant, in order that no obstacle should lie in the road of His Lordship's wish to reside in it. At least, such is the ever, with the matter, with which he stands charged; attacks popular rumor. Several gentlemen of Kingston have offered to the only possible effect of which must be, to render it yet more difrelinquish possession of their residences, in order to accommodate the numerous hangers-on of Government. The Writs, calling the be his triers, that strict impartiality which the law guarantees to orm and execute, it is the strength of the Parliament, will be issued immediately, and the Session is to be every one, no matter how slight may be the offence, for which he held so soon as the arrangements are perfected.

> CASE OF ALEXANDER M'LEOD. From the Niagara Chronicle of Thursday, Feb. 4.

There has been a demonstration of mob tyranny in the case of country in which it took place as any thing we remember to have read or heard of. Subjoined will be found a letter from Mr. Mc-

In justice to Mr. Brotherson we should state that he was not

Sir George Arthur has forwarded despatches to the Governor General, and to the British Minister at Washington relative to We have intelligence from Lockport up to two o'clock this day.

At that hour the Grand Jury, who entered upon the case yester-

mob demonstration have been indited for conspiracy

Should the Grand Jury find a bill against Mr. McLeod it is supposed that a special commission will be issued to try him in some other county than Niagara, where it is manifest he stands no

chance of receiving any thing like fair treatment. TO THE PUBLIC.

Lockport, Feb. 1, 1841. The undersigned—the counsel of Alexander McLeod, now a prisoner in this country, on a charge of Murder,—in view of the very exaggerated and erroneous statements concerning the objects of the attempt to procure his discharge upon bail; and actuated by the belief that these statements tend, though they may not be designed, to prejudice the cause of our client, before the people, from whom a jury, in case he shall be indicted, must be obtained, feel called upon to submit to the public an unvarnished history of

the transaction. Mr. McLeod was committed to the jail of this city about the 18th November last. But the mittimus being void on its face, we procured the allowance of a habeas corpus with a view to his discharge. At the hearing before Judge Bowen, the District Attorney conceded the nullity of the process, but suggested nevertheless, that the judge had jurisdiction to hear proof anew, and to recommit if possible cause should be shown. To this Mr. McLeod did not object, but desired such an examination as would satisfy charge, committed to jail, and finally discharged on habeas corpus. I rely, however, on these efforts proving unavailing, and appeal In accordance with this desire, it was suggested that he give bail with confidence to the loyalty and good sense of the inhabitants to appear at the next court competent to try him, and, if indicted, have the matter passed upon by a jury of the country. To this the bail of five thousand dollars, an amount which the undersigned then believed, and now believe, amply sufficient to secure his

The prisoner then returned into custody, there to remain until his friends in Canada should give an indemnity to some persons residing here, to become his bail. Not being able to effect this, however, as soon as he expected, he determined to be again brought before the judge, and then underwent another examin officer, however, for reasons doubtless satisfactory to himself, saw fit to remand him, unless he gave the bail required above.

He was accordingly remanded. Being closely imprisoned, he did not succeed in obtaining bail until the 27th ult., when two gentlemen, residing in or near Chippewa, Upper Canada, gave William Buel and P. C. H. Brotherson, of this county, their bond to save them harmless, and the latter entered into the necessary recognizances; and an order was made by Judge Bowen discharg-McLeod from imprisonment.

But the order was not obtained until nearly nightfall; and owing to a rumour that there were persons about the country pre-pared to commit upon McLeod personal violence in case he should be discharged on bail,—and owing to an appearance of agitation ng some persons here, it was deemed prudent that he should remain in jail until next morning, and then make his appearance in the day time, publicly among our citizens.

Very soon afterwards, there were appearances of a high state of excitement. Bodies of men were seen moving towards the court house, drums beat, bugles sounded,—about nine o'clock a body of men, armed with muskets and bayonets, took possession of the hall, communicating with the jail. At midnight, or later, a cannon, a 12 pounder, having been procured, and placed directly opposite McLeod's cell, was repeatedly discharged, demolishing at every peal a portion of the glass in the court house windows.

While these proceedings were going on below, a meeting of se-

veral hundred men was organized in the court room above. About May the All-wise Disposer of events, so ordain your acts | 12 o'clock at night, committees were appointed to wait upon the Judge who had granted the order; and the gentlemen who had become McLeod's bail, and request their immediate appearance. The Judge, we understand, deemed it most prudent for him to get etion.

Given under my Hand and Seal at Arms, at the Government

out of his bed, and obey the summons. The bail did not appear.

One of them being told that it was stated by some of those House, in the City of Montreal, in the said Province of Canada, the TENTH day of FEBRUARY, in the year of our Lord One Thousand Eight Hundred and Forty One, and in the Fourth year of Her Majesty's Reign. they would adjourn until the next morning he would appear be-

The assembly, finally, at about half past one o'clock, adjourned until nine in the morning, leaving, however, a body of armed men, in and about the jail, the remainder of the night. In the morning, accordingly, was presented the novel spectacle of an armed guard marching with measured tread in front of the court house door—and this too in the time of peace, and a government of law, and with no other assignable motive than to deprive an individual of rights which that law, through its own proper officers, had con-

In the meantime, an express had been despatched to Buffalo to advise Mr. Wells, that McLeod was about to be discharged; and to procure a writ whereon he might be again arrested in an action for damages arising from his alleged agency in the destruction of the Caroline. At the re-opening of the meeting in the morning, the messenger having now returned, announced that he had ac-complished the purpose of his mission. Whereon he exhibited to the assembly a capies, at the suit of Wells, with a Judge's order to hold McLeod to bail in the sum of seven thousand dollars. The process, after having been examined by several individuals and pronounced to be in due form, was put in the hands of one of the

Sheriff's deputies, and soon afterwards served.

After the captain of the Watch had formally reported the occurrences subsequent to the adjournment, a great variety of motions and propositions were made and discussed. Among them was one, whether the suit commended by that capias might not be settled by the plaintiff and defendant? An affirmative answer being in the comprehensive sketch of Grammar, with Moraing and Evening Frayers comprehensive sketch of Grammar, with Moraing and Evening Frayers and govern themselves accordingly.

In testimony whereof, we have caused these our letters to be made Patent, and the Great Seal of our said Province of Canada to be hereunto affixed.

was one, whether the suit commended by that capas higher be settled by the plaintiff and defendant? An affirmative answer being given, it was followed by a motion, that "the bail surrender the suit commended by that capas higher be settled by the plaintiff and defendant? An affirmative answer being given, it was followed by a motion, that "the bail surrender the suit commended by that capas higher be settled by the plaintiff and defendant? An affirmative answer being given, it was followed by a motion, that "the bail surrender the suit commended by that capas higher be settled by the plaintiff and defendant? An affirmative answer being given, it was followed by a motion, that "the bail surrender the suit commended by that capas higher be settled by the plaintiff and defendant? An affirmative answer being given, it was followed by a motion, that "the bail surrender the suit commended by that capas higher be settled by the plaintiff and defendant? An affirmative answer being given, it was followed by a motion, that "the bail surrender the suit commended by that capas higher be settled by the plaintiff and defendant? An affirmative answer being given, it was followed by a motion, that "the bail surrender the suit commended by that capas higher be settled by the plaintiff and defendant?" An affirmative answer being given, it was followed by a motion, that "the bail surrender the suit commended by the plaintiff and defendant?" An affirmative answer being given, it was followed by a motion, that "the bail surrender the suit commended by the capacity and the surrender the suit commended by the plaintiff and defendant? An affirmative answer being given, it was followed by a motion, the surrender the suit commender the suit commended by the plaintiff and defendant? evidence of his willingness to do so, that motion was withdrawn. Whereupon, another, "that the meeting do not adjourn until a surrender had been completed," was adopted without a dissenting voice. Various legal questions, involving the jurisdiction of the Judge to re commit, of bail to surrender, the effect of an unexe-New Brunswick, and the Island of Prince Edward, and Vice cuted order for a previous discharge, and the requisite formalities to make a surrender effectual, were mooted, and after the Judge and District Attorney (who had been brought up again by a fresh committee) as well as other individuals had been heard, were satisfactorily to the meeting disposed of.

One of the bail has a large amount of property and materials provided for the construction of the canal locks at this place, and particularly exposed to serious injury, with hardly a probability of detection. During these agitations he was repeatedly warned, that this property would be injured or destroyed unless he surren-dered McLeod back into custody. Feeling the force which the existing state of things gave these admonitions, he at length concluded to follow the advice of the meeting. At about half past one o'clock in the afternoon, by a singular coincidence, the sa Judge, who had been the cause of this great commotion by letting McLeod to bail, announced that a surrender in due form of law had been made. Whereupon the assembly formally resolved, that its object was accomplished, and then adjourned.

In submitting the foregoing details of facts, our purpose is not to cast censure upon any one; for, whatever may be our own opinions of these transactions, this is not the time, or the place, to express them. Our sole object is to protect the interest of our client. We are advised, that an effort is already in progress to persuade the public, that the object of bailing McLeod was to avoid a trial. Knowing that no such design existed for a moment, we feel called upon to repel the charge at once, that the convic tion of its truth may not settle upon the public, and operate to his prejudice on trial,

For ourselves we not only believe McLeod to be entirely inno-cent of the charge, but it is what we have no doubt upon. Andit is painful to us, to witness the effort now making, to procure an universal condemnation of him, by the public press, and through that, by the whole body of the people, without having heard one ficult than it has already become, to find among those, who are to may be arraigned.

In these circumstances, it seems to us that it is not only our right, but our duty to appeal—not to the sympathies—but to the sense of Justice of our Fellow citizens, and ask them, until they have heard his cause, to suspend their judgements, as to the guilt this persecuted gentleman, at Lockport, quite as disgraceful to the country in which it took place as any thing we remember to have before it those very officers by whom that law has declared its own decrees shall be pronounced. In making this appeal to American citizens, whose pride it is to administer to all even-handed justice, we are confident we shall not appeal in vain.

H. GARDNER,

From the same of Thursday, February 11.

We understand that the Grand Jury at Lockport have found three bills against Mr. McLeod, namely, one for stealing sperm candles, boots, and other articles, from on board the Caroline; one for arson, and the third for murder. When it is recollected that in addition to these charges, he has been arrested for the timated value of the Caroline, which is now stated at \*7000 dols.

our Government for smuggling .- What was she valued at then?

Five or six of the "citizens of Lockport" who figured at the it will seem as if the Americans have thus done every thing in their power to harass and perplex him, and that they have every engine at work for the purpose of destroying him under colour of

their laws. The Counsel of Mr. McLeod recommended him to apply to the Court for leave to take his trial at Albany, on the ground that the recent manifestations by the citizens of Lockport precluded every hope of his having a fair trial at that place; but Mr. McLeod, when last heard from, had declined acting on this advice, as, it tried at Albany he would remain in prison until October, while, by remaining at Lockport, he expects to obtain his release in April, his trial coming on in that month. It is evident from this fact that Mr. McLeod has no doubt of

an acquittal, and those who are aware, as all in this vicinity are, that he had no more to do with the destruction of the Caroline than he had with the late eclipse of the moon, would think it impossible for any Jury to convict him. Yet it must be borne in mind that the witnesses against him are of a class that will stick at nothing; the sacred character of an oath they regard not; being, generally speaking, affiliated "patriots," they hate a loyal British subject with perfect hatred; and against Mr. McLeod they british subject with perfect harred; and against Mr. MicLeud they have a personal spite, in consequence of the active part which his courageous spirit induced him on all occasions to take against them. From these considerations it is to be feared that nothing will be left undone which hard swearing can accomplish towards procuring his conviction, and if a conviction takes place, short "shriving time" will be allowed him. An idea may be formed of the sort of swearing that will take place on his trial when we state the sort of swearing that will take place on his trial, when we state a circumstance which has been related to us on authority that we place confidence in. A man has been found in Buffalo who is ready to swear that he was one of the persons engaged in the destruction of the Caroline, and that Mr. McLeod was one of the party! When the oaths of such infernal monsters as this are permitted to weigh against the prisoner, what chance of even a show of justice will he have?

But if he escape being murdered by form of law, he is in imminent danger from the assassin's hand. It is a well known fact, although not stated in the letter of his counsel, published in our last, which contained so many other facts almost equally disgraceful to the "citizens of Lockport," that some persons were prepared with rifles to shoot him, in case he was liberated on built During the "excitement" at Lockport, it was proposed that the jail should be forced, and the prisoner taken out, tried, and executed the state of the s cuted on the spot, and attempts were even made to force the door!

And Lett, already known as an assassin, and who some time ago escaped the punishment in the State prison to which he was sentenced, by the presumed connivance of the so called officer of justice, is prowling about Lockport, with the supposed object of adding another to the list of bloody deeds be has already committed. In whatever view we may look at the circumstances in which Mr. McLeod is placed, the fearful conclusion presents itself that

his life is in imminent danger.

Should that life be taken, either by the government or by the mob, the act will be one for which Great Britain is bound by every consideration to exact terrible vengeance, but what will it avail the sufferer, what pang will it spare him, what consolation will it afford his afflicted friends, if hetacombs of republicans are sacrificed to his manes?

We await with inexpressible anxiety the determination and action of the Home Government on Mr. McLeod's case. Mr. Fox's despatches would scarcely reach England till the latter part f January, so that the first tidings we shall receive will pro be by the Halifax steamer, which would sail on the 4th or 5th inst. By that time the affair will no doubt have attracted the attention of Parliament-and we shall then see whether the British people will tamely bear the gross insults and villainous wrongs offered themselves in the person of a fellow subject. If the treatment to which Captain Elliott was subjected by the Chinese, furnished justifiable cause of war against that people, the treatment of Mr. McLeod by the United States, is a no less flagrant casss belli, and we are much mistaken if it is not viewed in this light by the

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THE PUBLIC are requested to take Notice that the Annual Meeting of "THE TORONTO CHURCH OF ENGLAND TRACT SOCIETY" will be held in the District School House, on Saturday, the 27th instant, at half-past three o'clock.

G. W. ALLAN, Secretary.

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BROCK DISTRICT SCHOOL. ANTED, a Teacher to the Brock District School. References as to Qualification, &c. to be forwarded to H. C. BARWICK. Woodstock, 16th February, 1841.

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antageous opening.
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Kingston, Dec. 30, 1840.

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AND BROCKVILLE ACADEMY.

THE Winter Vacation of this Institution will terminate on Saturday January 9th, 1841. Ten additional Boarders can be admitted.—A valuable Philosophical Apparatus has been secured by the Principal. Apply to the Rev. H. Caswall, Brockville, U. C.

N. B.—An Assistant in the Male Department is now wanted.

"The members of Trinity Church at Chippewa, U. C. acknowledge, with feelings of sincere gratitude, the receipt of £13 9s. 9d. Sterling, collected by a Lady in England, in aid of the funds for rebuilding that Church, which was destroyed by incendiaries in the autumn of 1839. It may be gratifying to that much esteemed Lady, having been once a resident in the vicinity of Chippews and whose interest in the welfare of the Canadian Church has been evinced on other occasions, to learn, that the erection of a new church of somewhat larger dimensions, on the old site, will be commenced early in the ensuing spring."

At Montreal, on the 6th inst., the lady of C. R. Ogden, Esq., Her Majesty's Attorney General, of a daughter. MARRIED.

At Merrickville, on the 10th instant, Isaac Brock Landon, of Merrickville, merchant, to Pamelia, youngest daughter of Captain Elisha Coller, of the same place. DIED.

In this city, on Tuesday the 16th inst., Edward Reyner, infant on of Charles Cosens, Esq. He was a truly interesting child and gave bright promise of proving in after years, had he been spared, a comfort to his affectionate parents. But it pleased the Almighty, in His tender mercy, to take him to himself, ere he had felt the bitter pangs of sin, and to preserve him from the cares and On Wednesday last, Feb. 10th, in the 63d year of her age, Mrs. Mary Tredger, wife of Robert Tredger, formerly of Andover.

LETTERS received during the week ending Friday, Fcb. 19:-D. Campbell Esq.; Rev. Jas. C. Usher, rem.; Rev. Thomas Greene, add. subs.; F. Allan Esq.; Rev. H. Patton; Rev. A. N. Bethune, (2) add. sub. and rem.; J. T. Cunningham Esq. (all are printed for some months onwards); A. Davidson Esq., rem.; A. B Townley Esq.; H. C. Barwick Esq.; Rev. W. McMurray, add. sub.; Col. Light (7s.6d., please pay to Agent); Rev. W. Leeming; F. B. Morley Esq.; S. C. Wood Esq.

The following have been received by the Editor :-

Rev. R. Rolph, rem. [ nothing has been heard from the parties to whom the MS. was transmitted]; Rev. R. D. Cartwright, rem. J. White Esq.; Capt. Moorhouse, rem. in full to Jan. 23, 1841 Job Hall Esq. rem. in full vol. 3; Rev. W. Arnold, add. sub.

ERRATUM .- In the Editorial on the late Meeting of the Midland Clerical Association in our last, near the conclusion of the \* At the time she was burnt the Caroline was under bond to first paragraph, for Proverbs vii. 29, read Ecclesiastes vii., part of