

dians, the perfect neutrality of the U States, and of her citizens in their individual capacities, and entire sympathy with the Lower Canadians on the part of the people of the other British American colonies. Have the official tribe of Lower Canada and their Downing-Street patrons convinced Lord John Russell that he can rely upon the occurrence of all or any of these events.

We are anxious that the hopeful prospects of the new reign should not be overcast by the lowering clouds of a transatlantic war. We beg his lordship not to lean with any confidence on the assurance of Governor Head or his packed Assembly. In the day of trial the Upper Canadians will assuredly vindicate themselves from the aspersions thrown upon their patriotism. No people ever willingly surrendered their liberties into the hands of such perverting rulers as the officials of the Upper Province; and there is no doubt the compliant Assembly has been obtained by means which will spread disaffection to the colonial rule over the whole province. We have now before us the seventh report of the select committee of the Commons of Upper Canada, dated April, 1835, which fully proves that official profusion and corruption are more rife in the Upper than even in the Lower Province, and that the practical acts of misrule are infinitely more flagrant. The less resistance in the former arises from the comparative weakness and scattered location of the population. We shall take an early opportunity of giving some instances of the misdeeds of the Upper Canada officials, which have been proved before that committee.

**COLONIAL.**

From the Newfoundland Patriot, Sept. 9.

**A SUSPECTED JUDGE!!**

House of Assembly, St. John's, N. F., Aug. 10.

Mr Nugent said, there were rumours abroad that the Chief Justice of Newfoundland, upon the Bench, in the exercise of his judicial functions had made himself the instrument of party—that he suffered himself to sink into the Bigot and the Partisan—it was rumored that at one fell swoop he swept away the laws and Constitution of Newfoundland. It was stated that while unsworn he had done that which, under the obligation of an oath, he dared not to attempt—to alter the constitution of the Juries.—It is said that in the very first term of the Supreme Court the Petty Juries were empannelled illegally, the Grand Jury empannelled illegally, and that British subjects were tried and convicted by these illegally constituted Juries, and that human lives were taken by the award of that hon. Judge founded on these verdicts, which he must have known to be illegal—and that the Grand Juries of every succeeding Term of that and every other Court in Saint John's from that day have been also empannelled illegally. It was whispered that the Common Law had been swept away—that the Statute Law had been swept away and that party vengeance had been perpetrated upon the people in the name of justice—all this and more had been bruted abroad—that the hon. Henry John Boulton had been the Arch Malefactor—the slayer of the laws—the murderer of the constitution. Here were charges of the gravest nature, charges of the greatest magnitude alleged against the highest judicial functionary in the Country, and would it be said that it was not of importance that such charges should be investigated?—He (Mr Nugent) was astonished that this investigation had not long taken place—in 1834 immediately after the arrival of Mr Boulton as Chief Judge, an effort was made in the House of Assembly by the hon. the present Speaker to have an enquiry made into the charges against the Judge, but

strange to say a majority of those who professed themselves friends of the hon. Judge defeated the intentions of the Representatives of the people; thwarted thus in their endeavours in their own country, the people the next year appealed to the British Legislature for that Justice they were denied at home, and five thousand poor Irishmen of Saint John's pray their Sovereign to have the Bench of Justice freed from pollution, but in vain.—But did this neglect damp the ardour of the people? No, by no means—still confident of meeting redress in the end, they again wrote in prayer and the exemplar of Ten Thousand Inhabitants cruelly injured and insulted is wafted across the Atlantic and strikes upon the ear of the British people and startles them into an attitude of attention, while in 1837 a flood of petitions, of indignant petitions, inundates the House of Commons demanding that Justice shall be administered impartially in Newfoundland, and that the Arch Despot whose will is now the only Law in this Colony, be driven from our Shores.—Thus has there been every year a struggle made to free the country from his Tyranny, but there has been a powerful influence which constantly rendered unavailing the exertions of the people to procure their liberty.—But the whole question was this—were these charges unfounded and was the character of the Supreme Judge of the Supreme Court wantonly assailed by a base assassin?—If so, let the Traitor be unmasked—let the foul calumniator be detected—and let the slanders be hurled back with infamy upon the foul defamer of him who virtuously guards the rights, the liberties, the property, the lives of the people, holding with an even and impartial hand the scale of Justice. This could only be accomplished by investigation. He (Mr. N.) was astonished that so many attempts to procure such an inquiry had proved fruitless—for all the prayers of the petitions of the people were only for enquiry—he was astonished that all these attempts had proved unavailing.—He had expected in 1834, when the efforts to procure an enquiry in the House of Assembly had failed, & particularly when the failure arose from the exertions of Boulton's friends, that his gentleman being the President of the Council was determined to have his character vindicated in that house, but he (Mr N.) was wrong in so supposing.—It was not in the Legislature before the Country and where the Journals in after times would bear evidence of the result—it was not there he wanted to be justified—No, but when an enquiry in the House of Assembly was refused the very members of that House who voted against the enquiry, actually got up an enquiry,—but an enquiry without evidence—in the Merchants' Hall, and the very next Term of the Court the Judge decided that the 5000 Fishermen who petitioned against him should lose their wages, and that the Merchants who without evidence voted him a character, that these Merchants should pocket the produce of the people's toil.

In 1835 again, when 10,000 Inhabitants petitioned for enquiry, who was it that prevented the prayer being granted!—surely it must have been some secret enemy of the hon. Judge, some one interested in keeping his pure character still subject to the gross imputations which had been thrown upon it? No such thing.—It was the Hon. Judge himself—he fled to England for the purpose, but first once more appealed, not to the public, but to his friends the Merchants, who in an address to Lord Glenelg once more befriended him with a character.—It was under such circumstances that he implored the hon. member for St. John's to persevere.—If the Judge were guiltless he could not be hostile who gave him no early opportunity to vindicate his high character, but if on the contrary the charges that had been

whispered abroad were well founded—if the laws of their country had been violated—if their charter had been broken—if their constitution had been outraged—if the Judge who ought to have been the Protector had proved the assessor of their liberties—if blood—human blood—were upon the hands of the Judge—he would call upon them in the name of their constituencies to hurl the modern Jeffries from their Shores. He had in fact forfeited his life to the offended laws, and instead of the Judge he ought to be regarded only as the great criminal arraigned at the bar of his country as a Traitor to the Sovereign and an enemy to the People. He begged to withdraw his motion.

**ALEX. McPHEAL,**

**B**EGS respectfully to intimate to the inhabitants of Pictou, that he has OPENED SHOP, next door to Mr. James Dawson's Book-store, Where he offers for sale, an assortment of **GOODS,** Suitable for the season. Pictou, June 21, 1837.

**CARD.**

Mr JAMES FOGO, Attorney at Law, has opened office in Mr Robert Dawson's new stone building, opposite the establishment of Messrs Ross & Primrose, where he will be prepared to transact business in the various branches of his profession. Entrance to the office, by the Western end of the Building. May 31st if

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