

Debates, continued from page 323.

supplies, compels a redress of grievances. But, has this country any such protection? Have you any such power? You may stop the supplies indeed—but what would be the result? Sackville Bridge might suffer—the Wallace Bridge might go down—the roads might be broke up, and the people put to trouble and expence; but would the Collector of the Customs suffer; would not his salary be paid? Would the Chief Justice be put to inconvenience? No; for even if you could withhold his salary, which you cannot, he could still live upon his fees. This is the state of public affairs, which the people of this country see with sorrow and regret. While the Council possesses unconstitutional powers, and have their various and multiform interests and violations of public right to defend, this house is powerless and useless, and unless they resort to some violent and extreme step, such as that of jeopardizing the public revenue, they have no way of obtaining redress—and if they do, the remedy is as bad as the disease. The people have looked on, as the workings of this machinery were developed, and are they to be blamed, if, in thinking of the strict rights of His Majesty's Council, they sometimes reflect upon their own. They have so reflected; the thought of self-redress has arisen in their minds; and it is because I have feared that sooner or later they would act on that idea, that I have always considered this measure of extreme importance. I have sought the concession peacefully, and I am still disposed to abate public evils in the same temper. It has been said by hon. and learned gentlemen that the Council cannot now open their doors, because I have used some warm expressions. But, Sir, for what did our Constituents send us here, but truly to represent their spirit and their opinions; and what was the demand which your Speaker preferred to His Excellency on the first day of the Session? Did he not ask for freedom of speech—was it denied? if not, it is a right I know how to value; and I have to learn that this house stands pledged for the language of individual members, or is responsible for any but the acts and resolutions which it is the duty of the Clerk to record.

Mr Stewart did not intend to go into the subject, but he could not consent to the idea that had been held out as to the illegality of the Judges' fees. Those fees had been sanctioned by the Legislature of the Province, and there was not such a general opinion as to their illegality as the hon gentleman had imagined. He thought himself, they were perfectly legal, and it would not therefore be right to suffer the observation of the hon. gentleman from the County of Halifax to go forth to the world without contradiction. If reference were made to the dispatch of Lord Glenelg, a man who had shown every disposition for the liberties of the people, and the correction of abuses it would be seen that he had not treated them as illegal exactions. By two acts, passed 1778 and 1779, they were recognized as legal. With regard to the Excise, he believed the head of that department had not the patronage to which the hon member had alluded. He regretted that the Council had not opened their doors, but he did not think it was proper to use the language which had fallen from the hon. member from the County of Halifax. It was true that liberty of speech had been asked with a kind of proud humility, at the beginning of the session, but it was not such liberty as would entitle them to set at defiance an independent branch of the Legislature. He saw now but two courses to be pursued—either to refuse to do business with the Council, or to address his Majesty. Whatever was to be done, should be the result of determination. He was anxious to avoid collision with the Coun-

cil; an unhappy event of that nature on a previous occasion had cost the Province upwards of £40,000. The appeal to his Majesty was the more advisable course. The liberality of the home government had already been shown in the concessions to Lower Canada and New Brunswick, and he thought that an application to it would be the best and most constitutional mode of accomplishing their ends.

Mr Howe asked if the £40,000 would have been lost, had not the Judges had a seat at the Council board?

Mr Stewart said that the answer was plain. The Judges were not in the Council at the time. The then Chief Justice, though a member, was not present, and had not voted. It was replied that the present Chief Justice was.

A call having been made for the question, as to the time for taking up the discussion of the Message, Saturday was decided upon by a vote of the house, which then adjourned.

Gleanings from our Latest Files.

SINGULAR CIRCUMSTANCE.

Some years ago, a vessel named Charles Eaton, was wrecked in Torres Straits, between New Holland and the Island of Papau, and it was generally supposed that the crew and passengers were detained in captivity by the savage natives. Some information was recently communicated to the Lord Mayor of London, by Captain Carr, of the Manglez, which would seem to corroborate the reports heretofore in circulation. We give it as we find it in the English papers:—

The ship Mangles arrived under Murray's Island, in Torres Straits, on the evening of the 18th Sept and on the following morning, fourteen or fifteen canoes, each containing about sixteen men, came along side with shells and other curiosities for trading. In one of the last canoes which approached, there was a white man, who appeared a seager to trade as the savages. Captain Carr learned that he was an Englishman, who, about two months preceding, had been wrecked in the Charles Eaton, and that he desired to come on board, which the savages would not allow him to do. The Captain then ordered a cutter to be manned, and proceed, with the second officer, the boatswain, and six men, to take him at any price. The cutter hooked the canoe with the boat-hook, and told the white man they were come for him. He, however, pointing to a savage, said, "take that man, he will go with you." "No," said the second officer, "I have come for you, and you I will have." The white man then threw down his paddle, and dashed under the masts of the canoe out of sight. Captain Carr seeing this, ordered the cutter to return, and observed that "if he preferred the savages to them, he might stay." His skin was of the colour of mahogany, and, with the exception of a piece of leather around his waist, he was naked. Some of the crew said, he tried to get into the jolly-boat, but the savages drew him back. Afterwards, Captain Carr learned from the fourth officer, that there were eight or ten more Europeans on shore, all detained by the natives. Conceiving this to be a very serious matter, he determined to man a cutter, and examine the beach. This he did for two hours, and observed the natives were very anxious for him to land; but seeing so many of them on the beach, many more behind the bamboo-work, and a large canoe ready for launching, he did not think it prudent to attempt it. They bro't a little European boy, about three years old, with light curling hair and entirely naked, down to the beach, apparently to induce Capt. Carr and his men to land. He offered them some axes as a ransom for the child, which they refused. He saw a boat partly finished,

which must have been built by Europeans, but saw no white persons. Not daring to make a hostile attempt, for fear of hazarding the vessel and endangering her cargo, and thereby incurring a dangerous responsibility he returned on board. But hoping that some of the captives might make their escape, he watched all that day, and remained at anchor all the succeeding night, before he weighed and came up through the Straits. Captain Carr said he was most desirous to obtain the fullest intelligence for the friends of the unfortunate passengers and crew, and he said he should be around there very soon. He would then, he solemnly declared, do all in his power for the miserable persons who had been the subject of his enquiry.

INDIAN WAR.

LATEST INTELLIGENCE FROM THE SEAT OF WAR.—The schr. Oscar, Capt. Kenyon, arrived at this port yesterday, in 2 days from St. Augustine.

We are indebted to the attention of Capt. Kenyon for the following intelligence, being the latest from the Floridan army and, what is more gratifying, affording an indication that the Indians are in a fair way of being subdued.

The news is contained in a slip from our correspondent of the *Augustine Herald*.

Office of the Herald, }
ST. AUGUSTINE, Jan. 20, 1837. }

On Sunday night last, the sentinels stationed at the gate and bridge, heard distinctly the report of three muskets at Hanson's plantation and early next morning it was ascertained that some Indians or negroes had made their appearance there, and had attempted to steal some horses. They had broken off a board from the stable and taken a saddle when the sentinel hearing the noise fired. He was instantly fired upon by the intruders, who immediately fled. Capt. Hanson followed the trail for several miles and discovered signs which accumulated as he went, when he judged it prudent to return.

On the next day he started with a larger force, and followed them to William's plantation, 30 miles from thus, and discovered their fires about 10 o'clock at night, and a number from 8 to 12, around it. The party crept up and fired a volley which killed 3, and the remainder fled, leaving every thing, rifles, muskets, packs and blankets. There were two rifles and six muskets, which were brought to town. The whole gang were principally negroes. Not more than two Indians were supposed to be among them. Those killed were negroes. One of them was a free negro whose name was Joe Merritt, who had gone off with another, about six weeks since. The others Indian negroes. Trails of blood were seen on the ground. They had with them powder, buckshot, calico, needles and thread, which had been bought in town, a few weeks since.

There was no doubt, a communication between them and the negroes in town. A package of tobacco was taken, which had not yet been opened. These negroes, have no doubt, been prowling around for some days.

Strong suspicions are now entertained that the supplies have been furnished by some free negroes, who reside on Anastatin island, and a warrant is now out for their apprehension; they will be brought to town for examination this afternoon. It is ascertained in what store the articles were bought.

A letter from an officer of the army, dated Camp Dade, 10th January, 1837, states—"Today Gen. Jesup arrived from Tampa Bay. A scouting party captured fifteen negroes near Wahoo Swamp, who state that Powell was then in the swamp with a few of the Micousky