

AMERICAN INTENTIONS.

A MIXTURE of motives is apparent in the recent action of leading American statesmen, in reference to this country. Dissatisfied with the dignified neutrality of England, Mr. Seward outwardly, but vainly, seeks to find in it an excuse for the prolongation of a rebellion that he predicted would be quelled in a few weeks or months at most. Pandering to the passions of the lowest grade of his fellow-citizens, and hoping therein to find popularity, he never loses a public occasion to utter sentiments which are readily construed into hostility to England. And beyond all question the rigid enforcement of the passport regulations, almost prohibiting intercommunication, is a part of his scheme to show a petty spite toward England by injuring Canada. His persistence in this matter he cannot but see is daily depriving his country of the sympathy and good-will of a large number of Canadians. In this and other respects he is but fulfilling the most anxious desire of the Confederate plotters who planned the recent raids from this Province, hoping thereby to embroil the two countries in trouble. The prevention of a repetition of these raids by the passport regulations, is on all hands admitted impossible, especially if our people find their efforts to discourage and thwart them misconstrued, and appreciated only by illiberal and retaliatory measures on the part of the United States. Again, the hasty and ill-considered action of Congress on the motion to abrogate the Reciprocity Treaty, and the unanimity of the vote in default of a single conclusive argument, indicates an undercurrent of sentiment, for the expression of which this was but made the occasion, apart altogether from the question of interest, or right or wrong. Mr. Seward and Mr. Sumner, who introduced the motion, have, no doubt, an understanding in this matter. It is absurd to think that a resolution so largely affecting the relations between the two countries, could emanate from the Committee on Foreign Affairs without the concurrence of the Chief Secretary of State, whose peculiar province it is to guard these relations. The conclusion is obvious, that one mind directs the whole tenor of recent occurrences towards this country; and that mind is Mr. Seward's.

Another motive, however, than that of mere petty spite in retaliation for fancied wrongs, impels the American government to pursue their present policy toward Canada. The great majority of the most respectable citizens do not desire war with England. The great body of the people are sick of war. The accumulated debt of the country presses heavily upon every branch of industry. While their currency is inflated, and the hope of an early peace keeps alive confidence in their monetary system, and while prosperity seems abundant on every hand, there is much talk of an ability to "whip all creation." There is not much doubt, that, at the first signs of a new struggle with a warlike nation like England, their baseless financial fabric would fade and leave nothing but a wreck behind. The enormous waste of blood and treasure which the American nation have been suffering in the last four years, the altered social condition which such a great struggle will produce, and above all, the profitable field that, on the advent of peace, the South will open to white labor;—these, with a thousand other considerations, compel the conviction that there will be no war by the United States with England, at any rate for the present. However belligerent Mr. Seward may appear to be, whatever may be the tone, of his despatches, and the interpretation of recent occurrences under his direction, we are persuaded that war is not the end which he seeks. We know it from a source altogether indisputable, that his private correspondence with Lord John Russell is amicable in the extreme; and that Lord Lyons at Washington, and Mr. Adams at the Court of St. James, are strong in the belief on the continued friendship of the two countries. No: another motive must be found for Mr. Seward, aside from a desire to be popular with the mob, to whose bad passions he panders and thus feeds. He is too able a man to run large risks to attain that which could be attained with less, and his conduct toward Canada has for its object a scheme far more comprehensive than the mere gratification of ill-conceived spleen. His aim and ambition as a statesman is, no doubt, to quit public service with his country not only restored to peace and prosperity, but to have its territory largely augmented, its population increased, its power magnified, and finally, to be without a rival on this continent. It is certainly a dream worthy of a great statesman. If after all the misfor-

tunes of a most eventful career, such a consummation could be attained, he might, humanly speaking, die happy. Not only however would such an object be worthy of the most strenuous efforts, but a great constitutional problem would be solved. A return of the South to its allegiance to the Union is no doubt contemplated by the Washington government; and a condition of its return will undoubtedly be its possession of all the privileges and immunities which it formerly enjoyed. To maintain the ascendancy, or the balance of power, new territory in the North would be advantageous, and with it the party to which Mr. Seward belongs might hope to still hold the reins of government.

The recent movement toward Confederation of all the Provinces, and the success which is likely so rapidly to follow, no doubt hastens the action of Mr. Seward and his compeers. Divided and weakened by party strife and sectional controversies, the Provinces apart could never take the stand which—united and consolidated—they promise to occupy. As a chain of distinct governments, with few interests in common, the Provinces have hitherto presented but little of a strong or enduring character, while the sentiment and character of the people apparently partook far less of a national or independent nature than it will under a communion of interests. That this sentiment and character will be strongly British, no one thinks of denying; and Mr. Seward must see in the measures, proposed the prospective establishment of a great nationality on his borders, which, with the opening up of the North-West, the discoveries of mineral treasures and the improvement of internal communication, may in time become a rival of his own country. The presence of such a power to an ambition confined only by the limits of the continent cannot be regarded with favor.

As a people the Americans have a most exaggerated idea of the superiority of their own system of government. They have been taught to revere their constitution as a "heaven born gift," as something so perfect that divinity only could have originated it. This is all right enough, and no one will quarrel with their contentment. But they make the mistake to suppose other people have the same notions. We are sure not a few of our readers have been amused, in their contact with even intelligent Americans, to hear them express surprise at the continuance of the monarchical system of government, especially on this continent. A large portion of them have been taught to believe the English government was but a system of despotism from which their forefathers made a most fortunate escape; and we have met numbers who have been at a loss to perceive the slight but strong bond which bound this colony to the mother country. Mr. Seward himself, ten years ago, while a guest of one of the leading men of Toronto, expressed sentiments exactly akin to these; and made the prediction, which he since publicly repeated at St. Pauls, that the time was not far distant when the American Union would include the whole continent. Any one at all conversant with the American people will confirm the statement, that as a rule they think Canada is only waiting to be asked to join the Union, and that the annexation party, though they hear nothing of it, must be large and influential. How grossly mistaken this idea is, we need scarcely point out. Never in the history of this country was there less disposition to make a change of rulers than now; and certainly the history of the United States never presented a time when admission into the Union was less to be desired. In Canada the man who moots the desirability of annexation is at once a mark for suspicion; and there is no more prospect at the present moment of our being annexed to the United States, than there is our being annexed to the Moon. Mr. Seward, however, has evidently different views. He fancies it will require only slight pressure to induce Canadians to come into the Union,—at most, a fear of war will do the business. Accordingly, he takes advantage of the smallest pretext to enforce an antiquated and absurd passport system, and attempts the abrogation of the Reciprocity Treaty, practically shutting his country against our people, and its market to our produce. He will be disappointed if he expects such a policy will make annexation any more probable: he may take more decisive measures, but the same result will follow. But we believe he will never go the length of an open rupture with England to carry out his designs; and hence, we have no fear of war.

We are confirmed in this belief by the confidence we have in Mr. Lincoln's pacific intentions. His absorb-

ing anxiety now must be to be at peace at home; and after the terrible ordeal through which his country has passed, he cannot desire war abroad. The reconstruction of his cabinet in March will probably develop this intention. He will likely call about him men of moderate principles, dispense with the extremists of all parties, and address himself to the task of obtaining an honorable and lasting peace. If, as is hoped, Mr. Adams, the present ambassador at London, should succeed Mr. Seward, a marked change will be certain in the conduct of foreign affairs; and we have little fear but that the relations between the United States and Canada will ere long be restored to their former satisfactory condition.

COMMERCIAL LAW.

THE following questions have arisen within the last few weeks in this city. Their answers are, of course, but the opinion of our legal editor, and—"doctors differ."

Question.

John Jones, a failed man, holding nothing in his own name, is doing business in Upper Canada in the name of William Robertson. Jones has no power of attorney from Robertson, yet buys goods in his name from James Jenkins & Co., who make out invoices to Robertson, and mail them to his post office. Several payments have been made by Jones in Robertson's name, but Jenkins & Co. have never had any communication direct from him. Can Robertson be made liable?

Answer.

If it can be shown that Robertson was aware that Jones was using his name, and did not repudiate his purchases, or deny his authority to purchase in his (R.'s) name, Jenkins & Co. can hold Robertson liable. Robertson might clear himself by proving that the credit was in fact given to Jones and not to himself; but in the case as above put this could hardly be done.

Question.

R. Reading, doing business in Western Canada, gets involved, and by deed which he and his creditors sign, Moreton, a Bank agent, is appointed Trustee, and is placed in possession on behalf of all the creditors, including the Bank, to receive a composition,—the Bank to be paid in full. The deed limits the trust to two years, at the end of which time all general creditors have received the composition agreed upon, but the Bank's claim has not been paid. The arrangement continues for two and a-half years longer, during which Reading makes large purchases, and at length fails, and it is found that the trustee or agent still has possession, and will not give it up until paid 20s. in the £, while the estate does not show 10s. The question is,—Does not the extension of the trust beyond the two years, the time specified, render it null and void thereafter, especially as it is ascertained that the trustee had been impoverishing the estate by a large commission which he had received on the entire sales, bearing in mind also that the present creditors are not the same as the old ones who received the composition? The moral appearance of the case is that the Bank manager postponed the collection of the Bank claim from year to year (for it could long ago have been collected), in order that he, in his private capacity, might continue to receive a handsome commission. What is the legal bearing of the case?

Answer.

In the case put, there might be some argument made in favor of the claim of the Bank to be paid in full, even after the expiration of the two years, if time is not made the *essence* of the arrangement, (as lawyers say,) and if the estate did not show sufficient to pay the claim in full before the two years had expired. If there were sufficient assets to pay the claim of the Bank in full within the two years, it seems clear that by postponing the collection of their debt they elected to take the security of Reading himself, and released the estate from their claim, if they did not lose it altogether. In that case they could stand in no better position than other creditors subsequent to their assignment. The fact that the Bank acquiesced through their agent in allowing Reading to speculate, and the estate to be impoverished after the expiration of the two years, would tell very much against them if the subsequent creditors sought relief in a Court of Equity.

THE stock of Breadstuffs in Liverpool at close of last year as compared with that of 1863, was as follows:

	Wheat, qrs.	Flour, brls.	Flour, sks.	Corn, qrs.
1863,	866,112	183,408	84,980	191,328
1864,	618,027	195,014	106,746	139,796