The affidavit proceeded at some length to trace the history of the case, referring particularly to the proceedings in the Court of Arches, and to those before the Judicial Committee of Privy Council.—The affidavit stated that the Rev. Gentleman would be instituted to the vicarage at a special visitation of the Archbishop, unless a prohibition issued from this Court. The Bishop of Exeter contended that neither the Queen nor the Archbishop had this power, and that the decision of the Dean of the Arches Court was still in force. Such were the facts stated in the affidavit; and it was farther stated, that there was no real appeal to the Judicial Committe of Privy Council, but that the case should have gone to the Upper House of Convocation. (The Learned Judge quoted at length the authorities relied upon by the Bishop.) Appeals of this nature were regulated by the 24th of Henry VIII., in the fourth section of which it was enacted that for any lack of justice in the Court of the Archbishop it should be lawful for the parties to appeal to the King in Chancery, and commission should issue to certain persons to hear and determine the same. In section 6 of the Act it is also said that all appeals relating to priories and heads of houses should thereafter go to the King in Chancery, in like manner as they had formerly been referred to the see of Rome. The present application did not however relate to the cases referred to in the 24th of Henry VIII., so much as to those mentioned in the 25th of Henry VIII., the application to depend upon the construction of the letter of the statue. The 9th section of the 24th of Henry VIII., enacted that when any cause should touch the King, appeal should be made to the House of Convocation, and the first question in the present case, was whether the 25th of Henry VIII., was controlled by the 24th. If that were so, then came the question of whether this cause touched the Crown. The 25th Henry VIII., sect. 3, chap. 19, was general and universal in its terms; the words conveying that appeal under that Act should be made in such manner, form, and condition, as was prescribed by the 24th. The manner of appeal in the present case seemed to be quite a proper one—viz., to the Judicial Committe of the Privy Council—according to the terms of the Acts 24 and 25 Henry VIII., which contained nothing ambiguous. After the former decision of the case the present appeal had been made to that Court, but although considerable skill and talent had been exercised, the appellant had failed to show any precedent for such a case being referred to the House of Convocation. The Learned Judge then proceeded to cite several cases analogous in form of proceeding to the present. All the cases that had been named had occurred when the Court of Convocation was in a more active state than at the present time, and strict reference must have been made to the statutes. In all the cases the decisions were conducted with the decorum of this Court, and one case had occurred where the judgments were conflicting.—It appeared to him that the passages relied upon by the Bishop of Exeter had not been accurately quoted, and that therefore no great reliance could be placed upon them. The passages, indeed, when correctly quoted, were authorities rather against than in favour of the Bishop's argument. On a deliberate view of all the arguments which had been adduced, it did seem that no one of them could be found to affect the construction which had always been put upon the statute, nor did those arguments appear to be the result of examination of the effect of the two statutes in conjunction. On the contrary, some of them gave sections of each statute separately, and others appeared to take the provisions in one statute as the effect of both. Such arguments, could not properly have any effect in controlling the construction which appeared warranted by the language of the statute 25th of Henry the Eighth, supported by the consonant practice beginning in the reign of Elizabeth, and continuing in the year 1812. It did not appear that any book of practice or form relating to appeal contained any form or direction applicable to a case such as the present. In determining the present application, the Court had considered the circumstance that the litigant parties had concurred in prosecuting an appeal to the Judicial Committee of the Privy Council, and after a decision was come to, an objection was raised to the want of jurisdiction of the tribunal. The case was elaborately argued in the Court of Queen's Bench, and a decision given that the applicant, in the exercise of a right which undoubtedly belonged to him, had made a similar application to that Court; and the Learned Counsel who made the motion brought before them all the authorities which he had reason to suppose bore upon the subject. The Court of Queen's Bench cited several instances of appeal to the Delegates founded upon the construction of that Court, and there was no reason to doubt the accuracy of that statement, and the Court had informed itself of such cases having occurred. Under all the circumstances, the Court had reason to conclude that further discussion would not furnish additional information or throw any new light upon the subject; but, passing by that and other consideration to which the present application might be subjected, and founding its decision upon the construction of those ancient statutes which regulated all instances of appeal in matters touching the Crown, the Court considered that it would not be considered that it would not be consistent with a due discharge of its duty to prolong a useless litigation, and therefore it could not grant the rule.

FRANCE AND ITS PROSPECTS.

We rejoice that we are able to congratulate the French government for having at length had sufficient energy to take a step in the right direction, by the proposed alteration in the electoral law, which will have the effect of withdrawing from the most dangerous and most worthless classes of society in France the privilege they have shown themselves incompetent to enjoy, and indisposed to exercise with advantage either to themselves or to their country. Contrary to almost universal expectation, the anniversary of the republic has been celebrated without any of those frantic demonstrations of anarchy and revolution which it has been the practice lately to mix up with all its public displays; and it is doubtless as much to be attributed to the moral power acquired by the government as to its imposing military strength, that the rational portion of the French people are indebted for this improvement in their prospects.

The constitution of 1848 has been tried in the balance and found wanting. The principle of universal suffrage adopted by it has had the effect, in operation, of keeping the whole of Europe, as well as France itself, in a state of constant alarm and disquietude. The immense power given by unlimited suffrage to organised violence, enabling it upon every change of whim to turn against the government of the day was speedily apparent and recklessly exercised; and the idols of a week, a day, or an hour, have from time to time been thrown from their altars to make room for other deities as ephemeral and as worthless as themselves.

By the measure now in progress, the present ruling power (that is, the majority of the National Assembly) has attacked the wild beast—Socialism—in its lair.—The limit of the right of voting to residents in the same place for three, or even for two years, will at once cut off from the sources of Red Republicanism the most determined and the most dangerous of its adherents. It will exclude from the electoral booth those unsettled and turbulent beings who are at once the children and the fomenters of political and civil disorder; the wandering emissary of sedition—the restless, half-industrious loiterer from place to place—the talking demagogue, to whom repose is odius and honest labour a curse—will, by this act, be deprived of the dangerous weapon so foolishly placed in their hands, and by the use of which they have for months past retarded the progress of France towards prosperity and repose.

But there is another class of incendiaries amongst French society whose powers for mischief will also be materially curtailed by the proposed limit. There are in Paris, as in other large cities, educated adventurers—teachers of false philosophy, and traders upon popular ignorance, who, through the mis-directed agency of the press, exert a vast influence over the minds of ignorant and unthinking people. This element of mischief will also be restrained, and we do earnestly hope that a feeling of common safety will so unite all parties upon this occasion, that the proposed measure—the only safety-valve for the Republic—will be unanimously and speedily adopted.

At the present time we look upon France as merely in a state of transition; the future is not sufficiently defined, but to that future the destinies of a great people are progressing. It has had enough of calamity to make reflection a necessity; and if, from the lessons of the past, it shall be enabled to mark out for itself a new and brighter career of usefulness than it has hitherto followed, it may well afford to dispense with much of that false glory which has hitherto cast a delusive splendour over the pages of its history.

We repeat that we rejoice, for the sake of France and the world in general, that its rulers have had the courage to tear the poisoned fang from the jaws of Socialism.

One of the great apostles of the monster, that unmistakeable incendiary and most active runaway Ledru Rollin, has been amusing himself, in his state of ignoble safety, by writing a work upon "the Decline of England." It might be expected that the hero of the *Conservatoire des Arts et Metiers* would vehemently abuse any people that gave him an asylum from the laws of his own country, and he has done so in earnest. We have no more respect for his historical talent than we have faith in political honesty or moral courage; and, moreover, we already have enough of our own school of political croakers and prognosticators of evil to pay much attention to the *good-natured* suggestions of such a very doubtful authority. We may be in a state of decline, but we shall not accelerate the climax of our *decadence* by echoing and encouraging the gratuitous advice of quaks and runaway mountebanks.—*London Weekly Times.*

Banquet to Lord Gough—Speech of Mr. Lawrence.—On Thursday evening, May 30th, the Right Hon. the Lord Mayor of London gave a sumptuous entertainment to Lord Gough. The preparations in the Egyptian Hall, which has been the scene of so many remarkable festivites in the present mayoralty, were upon the grandest scale, as if the chief magistrate of the city of London had determined to show his power of rivalling the display of Oriental magnificence.—Covers were laid for 300.

Among the speeches delivered was one by the Hon. A. Lawrence, American Minister, in returning thanks for the toast of the "Foreign Ministers." Mr. Lawrence said—He did not believe there was a man in the City of London who did not do honor to the guest of the evening. For himself they had already laid him under great obligations in having so frequently been honoured to partake of the magnificent hospitality of the City of London; but he especially thanked them for having invited him on the present occasion to pay his respects to a great military hero; for they knew that military heroes had at all times commanded the admiration of mankind. (Cheers.) He was there to offer his respects to Lord Gough, not alone for his military powers, but for his milder virtues: for his religious and moral as well as for his military character, which were sure to command the respect of the people of England, while they admired the hero, respected the man. It was not for him to enter on this occasion on a history of the proceedings or the battles fought by Lord Gough; but he could not do less than assure him as a citizen of a country of the same blood as the race which he was now addressing—(hear, hear)—that his character and conduct commanded the respect and admiration of the world. (Cheers.) He came there not as the mere diplomatic agent of a great country, but he came there as a man of peace—(loud cheers)—and he came to say, as one of the Anglo-Saxon race, that the country which he represented sympathised with everything that was good in Great Britain as well as elsewhere. He thought this was the most brilliant exhibition he had ever witnessed in his life; and it seemed to him to be right that it should be brilliant. It was right that the homage of a great nation should be paid to a man who was an honor to his country.—It was right that a nation should reward its military and naval heroes, as well as those who distinguished themselves in its civil service! and he must say that he knew no nation which expressed, and substantially too, its gratitude for distinguished military, naval, or civil services, more than England. (Cheers.) Even if he did not agree with his company in everything, yet the history of this country from early times—what it had done, and what it was doing—commanded universal respect and admiration.—(Cheers)

COLONIAL BISHOPRICS.—Several meetings of members of the episcopal bench and other ecclesiastical dignitaries have been held within the last few days, with a view of adopting measures for the erection of another bishopric in Canada. For the endowment of the proposed new see between 10,000*l.* and 12,000*l.* will be required to be raised in England to meet the amount to be subscribed in the colony. The sanction of her Majesty's government has been promised as soon as the requisite amount has been raised. The new see will be formed out of the existing diocese of Quebec, which extends over the whole of Lower Canada—a territory three times as large as England and Wales. The seat of the new Bishop will be at Montreal, and the first incumbent will probably be the Rev. Isaac Hellmuth, M.A, Professor of Hebrew and Rabinnical Literature at Bishop's College, Lennoxville, and Missionary in connexion with the Society for the Propagation of the Gospel at Sheerbrooke, Lower Canada.

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THE CHRONICLE.

SAINT JOHN, JUNE 21, 1850.

IMPORTANT.—IF TRUE.—It is stated in the Halifax Recorder, that the British Government have consented to advance three millions of pounds sterling, at four per cent interest, to aid the construction of the Halifax and Quebec Railway.—This is the most important intelligence we have received for a length of time, but as yet, it wants confirmation. Should, however, the Report be true, we shall soon here of it in other quarters, with such matters of detail as will bring the subject fairly before the Public.

THE ELECTIONS.—That for the County of Saint John took place yesterday, and resulted in the return of Messrs. R. D. Wilmot, Wm. J. Ritchie, John H. Gray, and Charles Simonds.—The number of votes polled for each candidate, stands as follows:—

Wilmot,*	860.
Ritchie,*	837.
Gray,	790.
Simonds,	787.
Pattelow,*	694.
Watters,	470.
Jordan,*	367

*Those marked with an asterisk (*) were members of the former House of Assembly.

The elections for York County terminated in the return of James Taylor,* Geo. L. Hatheway, Thomas Pickard, and Hon. L. A. Wilmot.*—The other candidates were, D. S. Kerr, Geo. Minchin, Isaac Kilburn, John Allen, and the Hon. Charles Fisher.* The numbers were, Taylor 1084, Hatheway 884, Pickard 729, Wilmot 591, Kerr 526, Fisher 407, Kilburn 377, Allen 301, Minchin 196.

The City Election for Saint John took place this day.—the candidates being Messrs. Woodward and Ansley, the former members, with the addition of Messrs. S. L. Tilley and W. H. Needham.

The numbers at the close of the poll stood as follows:—

Woodward,*	835.
Ansley,*	722.
Tilley,	951.
Needham,	748.

Mr. Ansley, it is understood, will demand a scrutiny of the votes polled for Mr. Needham, at the declaring time on Monday.

On Wednesday, 19th inst., the children of the Sunday School, in connection with Trinity Church, underwent their Annual examination. The selection of this day, instead of Saturday, which was made in consequence of the approaching Elections, precluded some children from attending, who would otherwise have been present. There were, notwithstanding, not less than 420 pupils in attendance, the whole number belonging to the school is upwards of 600, and the number of Voluntary Teachers attached to it, 56. The proceedings were conducted by the Rev. the Rector, and the Rev. Messrs. Stewart and Wiggins, assistant Ministers. Several other clergymen were also present, who kindly rendered their assistance, and a number of parents and other friends of the Teachers.

After singing and prayer, and a short address from the Rector, the several divisions were examined in the portions of Scriptures they had studied during the year.

The first division was questioned in the Book of Job, and evinced a very fair acquaintance with the historical circumstances connected with that ancient and interesting portion of the sacred volume, together with a general knowledge of its scope, design, and practical learning. They also, adduced proofs from Scripture, illustrating the internal evidences of Christianity. The second division were examined in the Epistle to the Hebrews; the third in Genesis and Matthew, the fourth in the Gospel of St. Luke; and it may be said, with truth, of all these divisions, that their acquaintance with these portions of the inspired volume, shewed that no small pains had been bestowed upon them by their Teachers. The children were in attendance at the School from 9 till 2 o'clock, and during all that time, conducted themselves with quietness and attention. The proceedings of the day were closed with singing and prayer, when all the children retired in a respectful and orderly manner. They are to meet at Trinity Church on Sunday evening next, when a Sermon will be preached, and a collection made, in behalf of the Institution. Sermons will also be preached and collections made for the same object, on the morning of that day, at Trinity and St. John Churches.

The Honorable CHARLES SIMONDS has resigned his seat in the Legislative Council, in consequence of coming forward as a candidate in the popular branch of the Assembly—to which he has been returned.

The Steamship *Asia*, Captain Judkins, sailed from Boston on the 12th inst., on her return trip to England. She had on board 132 passengers, and an unusually heavy mail.

The steamship *Atlantic* left New York on Saturday last, for Liverpool, with 72 passengers.—She carries out over fifty thousand gold sovereigns.

The steamer *Viceroy* reached New York on Saturday, in 64 hours from Halifax.

HOUSE BREAKING AND BURNING.—On the night of the 1st of June, the shop and dwelling-house belonging to Thomas Dunn, in the Parish of Upham, K. C., were broken into and burned, and property to the amount of £150 stolen or consumed. On the 8th instant, the tills of his chest and several articles were found at a short distance from the place. The perpetrators have not yet been detected.

SAINT ANDREWS AND QUEBEC RAILWAY.—We learn from St. Andrews, that this great work is now going forward, with all the zeal, enterprise and industry, that the warmest friends of the undertaking can possibly desire, and that within two years, it is contemplated, that Saint Andrews and Woodstock will be brought within *such a railway distance* of each other, as can be readily traversed in about a couple of hours.—Fifteen years have now elapsed since the late James Rait, Esquire—at the time an enterprising merchant in Saint Andrews—first suggested this magnificent project, and associated with a few kindred spirits, Mr. Rait procured the draft of a Bill to incorporate the St. Andrews and Quebec Railway company which in pursuance with a parliamentary requirement, was read at the Charlotte General Sessions of the peace held in September, 1835. The project by some, who heard the Bill read, was looked upon with indifference, and by the public generally, with that degree of apathy, which is too frequently the reward a master mind has to receive for some bold and novel conception, which the common mass of humanity cannot comprehend, and much less, appreciate.

A "spring time was coming" however, and in the spring of 1836, out came word from home, that the Lieutenant Governor was authorized to appropriate £10,000 of the Casual Revenue—then under the controul of the Imperial Government—towards exploring a line for a railway, St. Andrews and Quebec to form the termini. It was truly amusing then to behold the wonderful change which came o'er the spirit of the dreams of those, who during the autumn and winter previously, scoffed and jeered at the absurd notion of Mr. Rait. Presto! the monied encouragement of the Colonial Secretary, operated like the "little powder" of Signor Blitz, doubts of success were annihilated, tremendous difficulties were instantly removed, and insurmountable obstacles were overcome, with all the ease and agility displayed in a hop, skip and a jump. The incredulous believed and confirmed sceptics suddenly became the most conspicuous amongst the truly orthodox.

There were hundreds *then* to lay claim to the *originality* of the design which alone belonged to Mr. Rait, and thousands of suggestions were not wanting, for even perfecting the details of an undertaking, which only a few short months before was condemned as utterly impracticable.

Through good report and bad report, the people of Charlotte County have struggled on, and bent upon one common object, they now have by the exercise of indomitable perseverance and praiseworthy unanimity the contemplation of a work before them, which will build up that section of New-Brunswick, and enrich the inhabitants who may be located along the line of this important railway. They have our best wishes for their success.

NEWFOUNDLAND.—A correspondent at St. John's, Newfoundland, has recently furnished us with a few of the principal statistics relative to the trade of that Island during the year ending 5th January, 1850, which we now lay before our readers. The number of vessels entered Inwards was 1149—132,321 tons; Outwards, 1077 vessels, 127,074 tons. The number of vessels owned in the Island was 970—59,501 tons. New vessels built last year, 36, measuring 1055 tons. The quantity of Wine imported was 37,137 gallons.—The value of *Imports* from Great Britain was £278,732; from British West Indies, £8003; from British North America, £94,835; from the United States, £234,852; from other Foreign countries, £144,522; and from other British places, £12,239. The total value of goods imported was £770,190. The value of their *Exports* was as follows:—To Great Britain, £281,964; the British West Indies, 58,782; to British North America, £49,139; to the United States, 29,859; to Foreign States, £456,033; to other British places, £9791. The total value of goods exported during the last year was, £876,567. It will be seen from this that their Exports exceed their Imports by over £100,000, whereas the Imports of New-Brunswick have generally greatly exceeded the Exports. The new vessels built in this Province and exported, make up the difference, however; the tonnage of new vessels built at Newfoundland is extremely small, not amounting last year to more than the tonnage of *one* of our large vessels. The value of goods imported into Newfoundland exceeds that of New-Brunswick by over £100,000, and the value of goods exported from the Island also exceeds ours by over £300,000. The quantity of Dry Cod Fish exported from the Island last year, was 1,175,167 quintals; Seal Oil, 4190 tuns, (240 gallons to the tun;) Cod Oil, 4300 tuns; Herrings, 11,471 barrels; Salmon, 5911 barrels; and the number of Seal Skins exported during the year, was 309,072.—[Courier.

NEWSPAPER MENSURATION.—The press sends forth in daily papers alone a printed surface amounting in 12 months to 349,308,000 superficial feet. If to these are added all the papers printed weekly and fortnightly in London and the provinces, the whole amounts to 1,446,150,000 square feet of printed surface, which was in 1849 placed before the comprehension of John Bull.

FROM CHAGRES.—Steamship *Empire City*, arrived at New York on Saturday morning from Chagres whence she sailed on the 6th inst. She left Kingston on the 9th. No later intelligence from California is brought by this arrival, as the Sarah Sands and Isthmus had not yet arrived at Panama, but were daily expected. Peace and quiet seem to have been completely restored at Panama, there having been no further outbreak, although disquietude prevails among the better class of Grenadians, as well as among the Americans, lest the few designing Grenadians may succeed in inducing the blacks to attack the whites. Commodore McCauley has promised, at the request of Mr. Carwine, on behalf of the resident Americans at Panama, to despatch a ship-of-war to that port. The Government of Grenada are wholly unable to put down any outbreak that may occur between the natives and the white population.

About $7000 in gold dust and coin was stolen from Capt. Bowman while crossing the Isthmus, on his way home from California, by the negro in charge of the mule to which the trunk containing the gold was lashed—part of the gold was recovered. Another gentleman, belonging to the same party with Capt. Bowman, was robbed of $10,000, the half of which he succeeded in recovering.

Steamship Tennessee, Capt. Cole, with 450 passengers, left Panama on the 30th ult., for San Francisco. Two other vessels, the British bark Sarah, with 220 passengers on board, and the California, Capt. Budd, were expected to sail on the 1st or the second inst. The three vessels have in all about one thousand passengers, bound for California. In consequence of the limited number of vessels in port, the rates of passage were higher than formerly. Prices of passage in the steerage were $150, second cabin 200 first cabin $250.

Lumber was worth $115 a $120. Beef and Pork $25 a 35 per barrel at Panama.

SERIOUS RIOT AT PANAMA.—We learn, says the New York *Herald*, that a serious disturbance had occured between the Americans and some of the natives of Panama in which *two Americans and several natives were killed, and a few of each wounded.* The affair, it appears, commenced by the Americans accusing a lad, the son of one of the natives of Panama, of theft, of which the others believed him innocent. The riot resulted in the death of two Americans, (Mr. Wm. A. Sempler, of New York, and Mr. John Everett, of Cayuga county, N. Y.,) and one person wounded severely, and several natives killed.

On the inst., Mr. Edward Frankland, of Grand Manan, was lost from on board the Packet Prince Albert, while laying at anchor off Lubec. When last seen it was about 9, P. M. He was then sitting upon deck, and it is supposed by some means have fallen overboard and got drowned.—He was about 46 years of age, and has left a large circle of relations on the Island, where he owned a good property.—[Charlotte Gazette.

Another new writer from the ranks of the aristocracy is spoken of as about to make her *debut* in the literary world; and it is said that her production is one singularly adapted to meet the religious feeling which has arisen from the recent schism in the church. The work takes the popular form of the novel, and bears the title of "Sin and Sorrow." It is reported to be a touching exposition of the evils that necessarily follow the development of human passion uncontrolled by religion. The author, we understand, is a relative of the Marquis of Sligo, and from her reputation for talent, her work is looked for by her numerous friends with considerable interest.

PROTECTION OF THE PRESS.—Henry Kleber, a musician, was convicted in a Pittsburg Court, recently, of cowhiding an editor for a criticism upon him. In passing sentence, the Judge said: "You have been found guilty of assault and battery. If you had been libelled or slandered in a newspaper, you might have obtained legal redress. Artists, as well as statesmen and politicians, are open to criticism. The man who in this country, where liberty prevails, and where all men should be sensitive of their honor, raises a cowhide to his neighbor, should be prepared to die at his feet. It is a gross outrage. The sentence of the court is, that you pay a fine of $100 and the cost of prosecution.

THE Yankees are some cheese. A circular of a large cheese importing house of this city gives the supply of cheese brought to the tide-waters of the Hudson in 1839-50, 43,097,818 pounds, against 43,278,526 pounds in 1848-9. The decrease the present year is attributed to the severe drought of last summer in Western New York and Ohio. The export of cheese to Great Britain from New York, will reach this year 12,000,000 pounds, against 15,336,836 in 1848 9, being a decrease of one fifth. This decrease is attributed to the inferior quality of cheese. A table appended to the circular shows the receipts of cheese at New York, since 1834, and also the exports to Great Britain. The receipts in 1834 were only six million of pounds, from which they have gone on in a regular gradation of increase to 1848-9, when 43,287,526 pounds were received. The exports to Great Britain commenced in 1840 with seven hundred thousand pounds, and have increased to fifteen million pounds in 1848-9.

A company of New York and Maine men have purchased three hundred thousand acres of wild land in West Virginia, on the Guyandott river, and have sent a company of workmen to erect six dams, with locks and piers upon the river, to render it boatable.

ARREST OF MUTINEERS.—The Norfolk Herald of the 10th inst. says the crew of the British Brig Emblem, from Newport, Wales, mutinied, when 64 days out, and took entire control of the vessel, which continued until the brig arrived off the coast, when the captain procured a crew of Baltimore pilots, who brought her into port. Four of the mutineers were arrested and put in irons.

A PRINCE INCOGNITO.—The Count of Capua, brother to the tyrant Ferdinand of Naples, was recognised in this city on Friday evening. He was walking down Broadway with a companion, who is supposed to be the Marquis C., one of the buffoons of the Neapolitan Court. Our informants, were several Italian gentlemen, who have good reason to remember the Count's features.—[N. Y. Tribune.

The mail and baggage car on the Railroad from Detriot to Chicago was burnt on the night of the 5th, and the through mail from New York nearly destroyed. Every article except eight or ten trunks was destroyed, and the loss will not fall short of $10,000.

The Case of Prof. John W. Webster—Argument for a Writ of Error before the Full Bench.

This morning, before a full bench of the Supreme Judicial Court, the application for the Writ of Error in the case of John W. Webster, now under sentence of death, was presented by his counsel, and ably argued for the applicant by Hon. C. B. Goodrich. But few citizens were present, except members of the Bar, which was numerously represented.

The following is a copy of the petition, which was read by Judge Merrick:—

SUFFOLK, ss.

SUPREME JUDICIAL COURT, March Term, 1850.

John W. Webster, Plaintiff in Error, vs. The Commonwealth, Defendant.

And now, John W. Webster, heretofore the defendant in a certain indictment for an alleged murder, whereon judgement was rendered against him at this present March Term of this Honorable Court, comes and prays the Court here that a *Writ of Error* may issue on the judgement aforesaid, returnable to this Honorable Court at its present Term, on such day as the Court may direct, to the end that certain *errors* in the proceedings and judgement of the Court on this indictment aforesaid may be corrected, and this Honorable Court will cause to be done in the premises what of right and according to the law of the land ought to be done.

(Signed) JNO. W. WEBSTER.

F. D. Sohier, Esq., then presented the grounds upon which the above petition is based, as follows:

1st. That this Court has not acquired jurisdiction in the case, and had no right to proceed in the trial against John W. Webster.

2d. Neither the judgement or sentence are in accordance with the requirements of the Statute.

3d. That it does not appear that the Municipal Court ever adjudicated upon, or determined, or ordered the case to this Court by any record found in said Municipal Court.

4th. That it does not appear that even legal service was made of the indictment, or order of Court thereon, upon said John W. Webster.

5th. That the sentence or judgement of this Court is not in accordance with the Statute, which was, that said Webster should be taken to the jail, and from thence to the place of execution.

6th. This Court has not the original jurisdiction in capital cases, but acquires jurisdiction by certain proceedings of the Municipal Court, which were not had by said Municipal Court, and therefore this Court has not yet acquired such jurisdiction.

7th. This Court has not yet been furnished with the records of said Municipal Court, by which they only could have legal knowledge of the proceedings of said Municipal Courts and that the simple endorsement of the Clerk of the Municipal Court upon said indictment, is not sufficient to give this Court jurisdiction in a capital case.

8th. The Chap. 139, Sec. 12, of the Revised Statutes requires that in all cases of the execution of sentence in capital cases, it shall be within the prison wall of the jail where the prisoner is confined.

The Seal Fishery of this season has terminated most successfully. In St. John's alone nearly 350,000 seals are now in course of being manufactured, and we think we shall not exaggerate when we set down the arrivals into the different outports at 150,000. In the year 1840, 630,000 seals we taken; in 1843 650,000 and in 1844 680,000. Yet the superior quality of the seals of this year, together with the advanced price of oil and of seal skins, bring up the value of this year's produce to that of any previous year. The calamitous circumstances of the past few years will soon be forgotten if our fisheries continue to be successful.—*Newfoundland paper.*

DEPARTURE OF SIR JOHN ROSS.—STRANRAER, May 25.—Between ten and eleven o'clock last night, Sir John Ross, with Commander Phillips, left Loch ryan, on his hazardous enterprise.—The Felix, with her tender in tow, was towed out of the Loch by one of the Stranraer steamers.

A serious accident occurred at Prescott, during the celebration of Her Majesty's birth-day. A man named Johnston, belonging to the Royal Canadian Rifles, whilst loading a piece of Artillery, was blown from the muzzle of the gun, by the unexpected explosion of the charge. The *Prescott Telegraph* says, he was immediately removed to the hospital, where amputation of two fingers of the left hand was skilfully performed by Dr. Scott, the civil practitioner in medical charge of the post, assisted by Dr. Grainfort; and the man was doing as favorably as could be expected.

It has been estimated by a "wide awake" London tradesman, that the forthcoming Industrial Exhibition will be the means of distributing 6,000,000*l.* sterling in the great metropolis; and that the London season of 1851 will be more profitable to those engaged in trade than any that have preceeded it since the visit of the allied sovereigns in the year 1814.

ST. LAWRENCE AND CHAMPLAIN RAILROAD COMPANY.—The following is the return for last year, presented to Parliament by this Corporation:—Receipts, £31,060 2s. 4d. Expenditure, £22,885 14s. 1d.; Tonnage, 29,916; Passengers, 16995.

THE PACIFIC OCEAN.—The Nicaragua route to the Pacific will be perfected in about four months. It will be opened for travel and the transportation of freight by the first of September, *via* the river San Juan, lake Nicaragua to the Pacific, and must form the most healthy, most convenient, most economical, and most expeditious line to the Pacific and California. A steamboat and several barges drawing two feet of water each, will soon be placed upon the river and lake, and a carriage way is already constructed from the city of Nicaragua, a distance of fifteen miles, to a port on the Pacific. The steamships Empire City and Cresent City will, as soon as the internal route is regulated, be placed on this side, to run between New York and Greytown; and the steamships Sarah Sands and New Orleans will ply between the outlet, on the Pacific coast, and San Francisco. Propositions have been made to the association, to place other steamships on the Atlantic end of the route, but they have not been entertained.—*New York Herald.*

MELANCHOLY ACCIDENT.—On Thursday last a respectable man, whose name, we understand, is Michael Garvey, met with a watery grave while attempting to sail down the River St John, in the neighbourhood of this City, on a piece of large pine timber. The accident happened by the steamer "St. John" passing near where the unfortunate man was sailing on his insecure means of transportation, which caused an agitation in the water, and, losing his balance, he sunk to rise no more alive. Every exertion was made by those on board the steamer to save him, but all proved unavailing. The body was recovered on Sunday last, after a diligent search, and delivered to his friends for interment in the Roman Catholic burial ground. The funeral took place on Monday last.—[Head Quarters.

HOW TO MAKE AN ENGLISHMAN.—Among the shipping detained by Sir W. Parker's squadron is a Maltese vessel, which, probably to secure the advantages of nationality in the ports of Greece, had procured Greek papers, and therefore, though really British as to ownership and crew, became liable to the consequences of the blockade. The master had married a young person of Falmouth, and the time for the appearance of their first born arrived during their detention. The parents could not bear the thought of their little one being a Greek, and as the lady was staying on shore at Piræus, a Union Jack was landed and substituted for the counterpane of the bed. In spite of the locality, therefore, it was undeniable that the child was born under the British flag.

GREAT SPEED.—The *Banshee*, Holyhead mail steamer-packet, Master Comm. Smithett, having been ordered round to Chatham to be paid off, the following detail of the total distance gone over by her may prove interesting to the public:—The *Banshee*, constructed by C. W. Lang, and fitted with engines of 350-horse power, by John Penn & Son, was commissioned Jan. 5, 1849, and including her trial trips, passages round, and passages made on the Liverpool station, ran over 32,000 miles at the rate of 16 miles per hour of average passage. (Considering that this is no smooth