**To Advertisers.**

General Advertisers are requested to send in their favors before Eight o'clock, P. M., on the evening prior to desired publication.

Auctioneers will oblige by sending in their Sales before Six o'clock, P. M.


# THE COURIER.

FRIDAY, MAY 17, 1850.


### Homestead Exemption.

We some time since published the Act passed by the Legislature of New York for exempting from sale on execution the Homestead of a householder having a family. We understand that a Bill with a similar object will be brought before the Provincial Legislature.

The formal details of a legal enactment conferring the moral and social privileges of the Homestead Exemption, ought to interest, if it fails to instruct, the agriculturalists of Canada. To many the doctrine is novel—to some it presents itself as a theoretical innovation, contaminated with socialism and agrarianism; and therefore to be sedulously avoided by all true believers in Church and State. To a few the benevolent and philanthropic features of the eminently conservative principle of Homestead Exemption are known and appreciated, but they have neglected to employ the faculties with which Providence has endowed them, otherwise we should not exhibit in Canada a torpidity and apathy irreconcilable with the natural instincts of man. Let no one who avows Homestead Exemption opinions be turned aside from his advocacy by the accusation that such opinions, if realised, would invade the sanctuary of private rights, wresting from the landlord his lands, warding off from the debtor the legal weapons of the creditor, and fostering fraud by investing it with the products of honest industry. Such sounding denunciations may fall from the lips of ignorance and prejudice, and if countenanced by wealth and station, may alarm the timid, and confound the uninstructed with doubts as to the honesty and justice of their cause. In all movements there are to be found the selfish, the cautious, and the cowardly; but where, as in this measure, the labor is one of peace, the execution obstructed by few difficulties and no dangers, and the result conducive to the security and protection of the family of the agriculturalist, indifference degenerates into prive this Province of a Homestead Exemption Law. The Law which has been just enacted in the adjoining State of New York, is conspicuous for its simplicity, brevity, and lucid exposition of the respective rights of the creditor and debtor. Seven short sections suffice for our practical Republican brethren to embody the principles of, and extinguish the objections to, Homestead Exemption.

We admit the principle ourselves in Canada, but we stultify that principle by chaining it to unproductive limitations. We exempt from the creditor a few household articles, but we unhouse the debtor. Nevertheless, we advanced a stage in the right direction when the principle was recognized by the Legislature; all that is now requisite is matter of detail. Some parties may imagine $400 a high exemption, some parties $600 to be moderate. County meetings can readily reconcile discordant views, and instruct County Members to re-echo public opinion. The agricultural voters are numerous enough to carry the law, if they choose, and it is for the interest of their wives and families, as well as their own, that Homestead Exemption should become the law of this land. Were a Committee of twenty farmers to employ and pay an agent to travel from County to County, and expound the theory and practice of the Exemption Law, the cause would become universally popular, and enlist the volunteer sympathies of a now indifferent Legislature.

CANAL TOLLS.—It will be observed that "Railroad Iron" was omitted from the fifth article in the Tariff of Canal Tolls lately published. We beg to call attention to the request that Newspapers which were ordered to publish the former advertisement should insert it one time longer, with the correction made as in our advertising columns to-day.—*Globe.*

Railroad Iron is classed under head No. 5 in the Tariff.

### The Cuba Invasion.

In another place will be found a telegraphic despatch from New Orleans confirming the intelligence given by us yesterday. A correspondent of the *New York Herald*, writing from that city, says, that the new expedition is in the hands of General Lopez, Signor Gonzales, General Henderson, (of Mississippi,) D. J. Segur, and one of the Editors of the *New Orleans Delta*; that four regiments have been raised, one in Kentucky, one in Louisiana,—which have already sailed,—and two others, to follow in a few days,—one from Tennessee, and another from Mississippi. It is said that General Quitman, a distinguished officer of the United States Army in Mexico, is to follow with a reserve, and take command of the whole army. It is supposed that the vessels carrying these men are all to rendezvous at Chagres, previous to their descent on the island of Cuba. The *New York Post* says, that one dealer in that city has sold 30,000 stands of arms within the last month, his usual sales in past years not having amounted to as many hundreds. The *Herald* says that the preparations for this attack on Cuba have been going on for six months, and publicly talked of at Washington, and that the American Government is either cognizant of, and abetting, the proceedings, or "blind, deaf, and dumb." It is said that the English Admiral, commanding the West India Squadron, is aware of the whole business, and ready to assist the Government of Cuba.

THE BRITISH AMERICAN JOURNAL OF MEDICAL AND PHYSICAL SCIENCE, Edited by ARCHIBALD HALL, M. D.

This volume commences a new series of this valuable periodical, which is now published by Messrs. Salter and Co. It appears in the octavo form, which is, we think, much more convenient, and binds up into much neater volumes. The type is entirely new, and the whole getting up of the publication, so far as paper, print, &c., are concerned, is highly creditable to the publishers. There are some very excellent original and selected articles in this number, among which we notice an able Review of Surgeon Howard's work on the "Anatomy, Physiology, and Pathology of the Eye," a work which we propose, ourselves, to notice in a day or two. We observe the first General Provincial Medical and Surgical Society is in the course of formation, and we cannot help thinking that such a Society will greatly tend to the advancement of the profession in Canada. Under the auspices of this Society, the Periodical before us will in future be conducted, and we trust that the profession will support it liberally.

### Electro-Biology.

We call the attention of our readers to the following letter; any comment on it is unnecessary:—

Ithra School, Quebec,
May 14, 1850.

Sir,—I think it my duty to give public warning (through the columns of your paper) of the dangerous consequences that may result from experiments, such as those which have been exhibited among us of late, and which have been dignified by the name of *Biology*.

A boy, under my charge, was operated upon by another boy, an acquaintance of his (but not, I am thankful to say, a pupil of the High School,) on Wednesday evening last. Violent convulsions were soon brought on; every attempt to counteract the influence communicated was ineffectual; and the poor boy, (naturally of a delicate frame, and nervous excitable temperament,) has had returns of these convulsions, at intervals, gradually increasing in violence, till now (Tuesday) his life is in imminent danger.

I may add that he has never before suffered from any attack of the kind; and that in the opinion of medical men, if not cured, his life be spared, his constitution will have sustained a shock, from which it is not likely ever to recover.

I say nothing against Biology itself. It may one day deserve to be enthroned among the sciences, and to experiments conducted with caution and discrimination there may be no objection; but I do think that the persons, who introduced Biology among us, have assumed an awful responsibility by putting into the hands of children a mysterious power, of which they themselves know little or nothing, and which may, as in the present case, be productive of the most alarming, the most dangerous, results.

I have the honor to be,
Sir,
Your most obedient, servant,
W. WEARE, A. M.,
Rector.

### Vermont Central Railroad.

Mr. J. H. Daley returned a few days since from Boston, where he has made arrangements for forwarding passengers straight through from Montreal, either to that city or New York, the tickets purchased here carrying them through the route, and so obviating the necessity of purchasing tickets at each stopping place. The Office is at No. 2, Great St. James Street, opposite the Bank of Montreal.

### Caledonia Springs.

We direct the attention of our readers to the advertisement of the "Canada House" at the celebrated Caledonia Springs, the favorite watering place, which has been taken by Mr. Brown, an experienced master of hotel, and a gentleman who, we are sure, from our knowledge of him, will be found a most liberal and attentive landlord. The arrangements which he has made for the comfort, convenience, and amusement of his guests, will be best understood by reference to the advertisement.

Mr. Isaac Buchanan has addressed a long letter to Col. Prince, on the subject of his "Independence" letter, in which he tells him that it "has had great weight in this country from your well known loyalty—every one here being satisfied [illegible] Country, that prevents you, as an honest man, being able to continue conscientiously to advocate the British Government AS THE BEST EMBODIMENT OF WHAT IS RIGHT, or otherwise of philanthropy, in Canada."

HOUSEHOLD WORDS.—We have received the fourth number of this periodical from Mr. McCoy. It is the best yet out, and we learn that the little magazine is acquiring great popularity in England.

It will be seen, on reference to our advertising columns, that the Sale of Groceries at Messrs. Holmes, Knapp & Co., will take place on Tuesday next, the 21st, not on Thursday, as previously advertised.

## CITY NEWS.

### Police Court.

WEDNESDAY, May 15, 1850.

CASE OF ASSAULT AND BATTERY.—John Leonard *vs.* Wm. Lawson, Charles Lawson, Charles Johnson, and James Kays, for Assault and Battery.—Mr. Bodwell, Advocate, appeared for the prisoners, and Barnard Devlin, Esq., was Counsel for the prosecution. John Leonard, the Prosecutor, examined:—On Sunday last witness was about going to bed, a little before dusk, having felt himself unwell during the course of the day. Witness was about taking off his clothes for the above purpose, when he heard a loud knock at the door. Witness hesitated for some time about opening the door, but at length ventured to do so. On opening the door, he discovered, just outside his house, Wm. Lawson, Charles Lawson, and the other Defendants. Witness asked the former why they knocked at his door; and the answer was, "because we think proper to do so." Witness upon this ordered William Lawson to go on about his business, and to give his house no annoyance; said nothing else, and was going inside, when he was struck violently on the face.—[The face of the Prosecutor under the left eye was disfigured by a wide scar; he had also been beaten violently upon the head.]—One of the prisoners, named Kays, held him by the hands from behind, and prevented his making any resistance. Witness stated, that Charles Johnson struck him upon the face and head; that the two Lawsons assisted the other persons in beating him. Witness is of opinion that each and all of the prisoners assisted in beating him; saw two sticks with the prisoners. Christopher Leonard:—Is son to the Plaintiff, and recollects the night of the assault alleged; it was near dusk, and his father was in the house a little before he was beaten; there was no appearance of anger in his father at the time before the assault was made upon him; the Plaintiff was about to inquire the cause of the knocking at his door, when some of the Defendants, who were then on the outside, struck him; cannot say whether all the persons struck him; one of them held his hands behind; thinks it was Kays; it was dark at the time, and he could not see accurately all that passed; but he saw all the Defendants in Court to-day, but is of opinion that they were all there; saw William Lawson on the outside; saw also Charles Johnson. *Cross-examined by Mr. Bodwell, Advocate for the defence:*—Did not see any of them strike the door except William Lawson, who struck his father; he was not sure whether Charles Johnson struck him or not. Mrs. Leonard examined:—Is wife to the Plaintiff; would not tell a lie on that account to the Court; requested that the Court would not impute to her any other wish than to tell the truth; saw the whole matter take place exactly as her husband stated it; recollects also that, on the evening in question, her husband had been unwell, and on that account was about going to his bed; thinks that her husband would have been mistrusted, were it not for some of the neighbors, one of whom separated her husband from the person who was holding him; at the time the affray commenced there was no neighbor near her or her husband, and she was in terror of her life. Daniel O'Connell examined:—Remembers, on Sunday evening last, hearing a noise in the street, as if a fight were going on; went out to see the matter, and saw a number of persons at Leonard's door; saw the two Lawsons, Charles Johnson, and Kays; it was rather dusk, but he knew that the prisoners had been beating Leonard, as they had two sticks amongst them, and Leonard was covered with blood. *Cross-examined.*—Does not wish to see the prisoners found guilty; thinks it would be hard to identify the prisoners at the time of the assault, owing to the twilight; came into Court only to do Justice to all parties. John Doran examined for the Defendants:—Recollects the evening in question; saw Charles Johnson, the two Lawsons, and Kays, walking on the plank near Leonard's house; does not think that they intended to offer the least insult to any person at the time; Leonard came out of his house as they were passing, and asked who knocked at his door, and swore by God that he would make them suffer for it; Leonard upon this went into the house, and returned with two sticks in his hand; upon this he made an effort, as if he were going to strike at some person or another; Kays held his hands behind, and there nothing passed, which, owing to the dark, he was unable to explain. Mr. Bodwell, Advocate, addressed the Court for the defence:—He said that he could not, at the moment, do any speaking worth a moment of value; the evidence had not proved, beyond a doubt, that any of the Defendants had struck the Plaintiff; and, as some of them were acquitted, he would not also in Court, but in the interest, to their people, with the charge of the assault, if the Court found them guilty, he would request that every charge be read by the Magistrate then present. Mr. Bodwell proceeded to say, that, from the evidence given, the guilt of the parties did not at all appear. John Leonard, the Prosecutor, had stated that an assault had been made upon him, and at the same time he stated that he could not say exactly how it took place, as at the first blow that was given he had been, according to his own testimony, rendered quite stupid and insensible. Again, is it not manifest that every man assaulted as the Plaintiff had been must have been assaulted on account of some alleged provocation, supposing the parties concerned to have been in their senses? No two of the witnesses for the prosecution had agreed in their testimony; besides, each and all of them stated they were quite in a panic at the time, and consequently unable to judge rightly of what was going on. Besides, there was evidence given, that, in fact, the Plaintiff in this case had been in reality the aggressor; since the last evidence had testified that he (Leonard) had come out of the house with two sticks in his hand, and attempted to make an attack upon the parties. How did he know who it was had knocked at the door? Consequently, what right on earth had he to accuse the prisoners of doing so? Upon the whole, he trusted the Court had nothing to find against the prisoners. *Mr. Devlin, Advocate, addressed the Court for the Prosecutor at some length.*—He observed, that, notwithstanding the intelligent witness who had been examined for the prosecution, it was manifest where the fault in this case lay. It was clear that an assault, and a grievous one, had been committed by the parties now in Court as Defendants, as well as others who were then absent. It was clear that that assault had been committed by them on the Plaintiff. His wounds and bruises, and the testimony of himself and several witnesses besides, showed that all this was true. He saw no doubt in the matter, and, therefore, demanded that the Court would do common justice to his client. Colonel Ermatinger remarked, that, although the evidence had been perfectly sufficient to criminate some of the Defendants, it, nevertheless, was not such as to show them guilty of a grievious assault. Many circumstances had appeared during the evidence given tending in some measure to palliate the offence as stated in the warrant. It appeared to him that some of the parties had been merely spectators, although they appeared as Defendants to-day. Nevertheless, a spectator having it in his power to put a stop to a breach of the law at which he is present, and neglecting to do so, is often recognized by the law as guilty of the offence, and justly. The Court, therefore, fined each of the Defendants then in Court 2s. 6d. and the costs.

### To Her Most Gracious Majesty "Victoria," Queen of Great Britain and Ireland.

MAY IT PLEASE YOUR MAJESTY:

Your Majesty's Representative has been pleased, by the advice and consent of his Council, to remove from the Commission of the Peace of Canada East, as also from their commands in the Militia, a number of influential gentlemen, whose distinguished loyalty was most prominent in the suppression of the Rebellion of 1837. It is not my province or wish to question the policy of this measure in the enlightenment of Your Majesty on Canadian affairs—my object has a higher aim. The Manifesto, signed in a *bona fide* manner by 1800 influential persons of all classes of religious and political denominations, setting forth in a humble but firm and temperate document the reasons they assign for seeking a peaceable disconnection of the Canadas from Great Britain, has prompted Lord Elgin to the [illegible] the favorable moment that might present to them an opportunity of joining the general stream which flows towards this desirable attainment. Your Majesty is well aware that the movers and leaders of the late rebellion ranked amongst the masses the names of Papineau, Lafontaine, Baldwin, Morin, Aylwin, and Leslie, with a host of others, who, by "concession" on the part of previous Governors, subsequently to the declaration of the General Amnesty, have been called to their Councils, and are the traitors and fomentors of Treason in 1837; and from amongst these names can Your Majesty now call the recipients of your favor—the responsible and confidential advisers of Your Majesty's deputy, Lord Elgin—they are the men who sanctioned the contemptible measure. In the constitution of Your Majesty's Councils in Canada, we find that the most prominent then are the two Attornies General of Canada East and West, Messrs. Lafontaine and Robert Baldwin. A slight reference to their public and political acts is desirable, in order to exhibit the true worth of such advisers, their weight amongst Loyalists, and the sincerity of their professions. Mr. Lafontaine was a violent partizan, and headed the movement which caused the rebellion in Canada, and, after the flight of Papineau, he emerged from seclusion, to which he had fled from offended justice, (a warrant for his apprehension on a charge of High Treason having been issued against him,) and became the idol of the French Canadian party. Upholding Papineau's views, and appealing to popular prejudices, he ultimately secured the support of those notoriously disaffected, and became the leader, vice Papineau, attainted of Treason and an Exile, with a price set upon his head. As regards Mr. Baldwin, his movements were not so open or conspicuous; but with Messrs. Hincks, Rolfe, Mackenzie, and Duncombe, in Upper Canada, their speeches and sympathies lay with the rebels, and Mr. Baldwin's speeches in the House of Assembly amply testify at that period to the feelings he exhibited in his Anti-British convictions, *and to his hostility to existing loyalty!* Messrs. Price, Hincks, and Leslie, also members of Your Majesty's Executive Council, were also noted for the public missions they undertook to Washington, the violence of their harangues in public, and the secret support they gave to the disaffected! Here, Your Majesty, do I give you your present Council, *in extenso.* I humbly ask, as a Canadian, *are these the men to put forth, in 1850, their views of loyalty, after the consummation of that bloody struggle which characterized the year 1837*—a struggle which received their support!—and which received the services of the very men, *now ignominiously dismissed*, to suppress and quell! On the other side, I pray Your Majesty to mark the character of that Manifesto, and cause a minute examination of the intelligence, wealth, and influence, which attaches itself to the party who promoted this appeal—and let it be asked, are the Canadas to remain as America did before the revolution, in a state of vassalage and poverty, or as a Colony possessing every element to render her as powerful and valuable an agent in the prosperity of Great Britain as any country in the world—nay, even the very United States—by Independance, or Annexation, benefit the Mother Country, and advance themselves? The Canadians have for years petitioned, not for state legislation, but for a redress of grievances. They have found the country too young to bear the cost of the restless patronage created by "Responsible Government," and they find Colonial credit at so low an ebb, that even emigrants are now afraid to make Canada the home of their adoption, but seek a retreat amongst the genial States of America, where "prosperity gilds the poor man's labor." The Manifesto simply agitates a question, which, *if calmly and temperately considered now, may be the means at a future period of averting a movement which would continuate in a deluge of blood*; but, in endeavoring to suppress inquiry, you take from Canadians that which is not denied the most abject slave on earth—the *consolation of complaint and the hope of relief!* I humbly ask Your Majesty to refer to the Judiciary of the Province of Canada, which has not failed to attract the notice of those who, residing in Canada, and paying their quota of taxes, feel that the number of Courts now constituted in this limited Province exceeds that of the entire Judiciary of Great Britain, and that the patronage has been created to reward political apostacy, and favoritism for political support. Attornies General are generally members of Council and hold important Colonial appointments, and the names of Smith, Drummond, Blake, Aylwin, Draper, &c., present instances of Judges, now on the Bench, whose elections were solely influenced by political bias, *and in some instances of self-appointment from the Bar to the Bench*; and I may also point to instances where recent appointments to the Courts of Queen's Bench in Lower Canada are held by men whose intemperate habits alone would disqualify them from holding a Judicial appointment in any other country, *and these men are the nominees of the present Government!!* Recent events in Montreal have also prompted Your Majesty's Representative to remove, at a great cost to the people of Canada, the Seat of Government from Montreal to Toronto, in contradiction to his sentiment in public. Unquestionably this act is a misdirection of power, and has been perverted into *ridicule* by Lord Elgin as a *revenge for personal disagreement*, and I do regret that Your Majesty should possess a Representative, on whose the silence of the entire mass of the population is hoped "consent and" [illegible] Lansdowne has expressed in the Commons, and where the silence of the Colonies is taken for a manifestation of a [illegible] Government, [illegible] Lord Elgin is the Representative of Your Majesty in Canada, [illegible] Lord Elgin is the Representative of Your Majesty in Canada, [illegible] Lord Elgin is the Representative of Your Majesty in Canada