[From the Fredericton Reporter, April 26.]

On Thursday, the 18th instant, pursuant to leave granted, the MASTER OF THE ROLLS appeared at the Bar of the HOUSE of Assembly and addressed the House to the following effect:—

Mr. SPEAKER,—Having accidentally learned that a measure had been introduced into this House, by the Hon. and learned Attorney General, having for its object the reduction of the salaries of the Judges, and no communication having been previously made to the Judges of this intention, whereby an opportunity would have been afforded, had they thought proper to do so, of laying before His Excellency the Lieutenant Governor and Executive Council any objections they might desire to urge, I have deemed it advisable to address this House on the subject. A further reason for so doing arises out of the somewhat anomalous constitution of this country. The term *Government* is adopted from England, and is the term by which the Ministry were designated from the functions they perform. A colony differs from the mother country inasmuch as it has no question of peace and war, no foreign diplomacy, no army and navy, and the remaining subjects with which the ministry in England are charged are in this colony confided *wholly* to no one body, but are divided. A part of the ministerial duties being discharged by the Lieutenant Governor and Executive Council, and another part *directly* by this House.

For instance, the appointments to office, the general superintendence of affairs, are referred to the Lieutenant Governor and Council; while, on the other hand, the determining the amount and value of the duties to be levied and also the mode in which the Revenue shall be appropriated, which in England rest on the responsibility of the ministry, are here directly regulated by the House of Assembly. This being the case, and constituted as this House is, comprising within it members of the Executive Council,—in addressing this Hon House, I in a manner, and perhaps the most effectual manner, address myself to the Government of the country.

There is a third reason, occasioned by the entire exclusion of the Judiciary from the Legislature. It is well known that the Judges formerly performed executive duties, which I believe with the general concurrence, have long ago ceased, more recently they had seats in the Legislative Council, to which they do not now belong. In this respect the Legislature of this Province differs from that of England. In that country legislation reflects the lights of both branches of the Profession, the Bench and the Bar, the former from the Upper House, the latter from the Lower. Here it reflects the lights derived from the Bar alone. The consequence is, that whatever the subject of legislation, the members of the Bench can communicate their views to the Legislature only in writing or through the public press. All connection being thus ended, there is therefore no channel of communication through the Legislative Council.

Under these circumstances, and believing the subject before the House of much graver importance than it has been considered, I have desired to lay before the House the grounds of my objection to this measure.

I object then to this measure, because it violates private rights—because in order to do so it contravenes a great principle of public policy connected with the administration of justice—and because it places this Province in a false position with the mother country.

It is almost unnecessary to say that the well being of every civilized community depends on the proper adjustment of the three great branches of Government, the Executive, the Legislative, and the Judicial. In some countries, the two first of these several departments are entirely distinct and separate, in others this separation is modified, but in all, the well being of the community in a very great degree depends on an independent Judiciary.

In proof of this look at the state of many countries of the East: there oppression and violence abound—the *defenceless poor* and the *defenceless rich* are alike at the mercy of their more powerful neighbours, *the petty chiefs who tyrannize over their persons and property. And why is this?*—Because there is no arm strong enough to redress their wrongs; there is no tribunal that dares to restrain the hand of power. There is no independent Judiciary.

Look at the despotisms of Europe, both of the past and of the present day. How many tales of oppression could the Bastile and the desert of Siberia disclose. In a memoir of Kotzebue a striking instance of the state of things in Russia is mentioned. Kotzebue, while travelling to St. Petersburgh from Germany, under a safe conduct from the emperor, after he had entered the Russian dominions was suddenly seized, torn from his family who were with him, without any intimation of the cause of his arrest, and sent to Siberia; after some months he was released, and on his return ascertained that an expression in one of his plays which was supposed in some way to reflect on the Emperor, was the cause of his seizure.

The same work mentions the case of a clergyman who had written something, I believe in a sermon, which gave offence to the Emperor, at whose instance he was brought before the Court, and an Imperial mandate was delivered to the Judges that a sentence should be registered against him to be tied up and publicly flogged, which the judges dared not disobey. There was in Russia no independent administration of justice. In Spain also justice is scarcely more than a name.

But what was the state of England itself before the Revolution? The work of Macaulay, which is in every one's hands, exhibits a wretched state of things. "The tribunals, (he says,) afforded no protection against the civil and ecclesiastical tyranny of that period. The judges of the common law, *holding their situations during the pleasure of the King*, were scandalously obsequious. Yet, obsequious as they were, they were less ready and efficient instruments of power than a class of Courts, the memory of which is still, after the lapse of two centuries, held in deep abhorrence by the nation. Foremost among these courts in power and infamy were the Star Chamber and the High Commission, the former a political, the latter a religious inquisition." The cruel and barbarous sentences pronounced by these tribunals are well known, as in the case of Prynne and many others. These were abolished, and Cromwell appointed good judges, but their functions were occasionally superseded by his Major Generals. And the closing infamy of Jeffries commemorated the iniquity perpetrated through the Judicial tribunals. Such was the state of the administration of justice in England before the period of the Revolution. What took place then? What was the remedy which the wise and patriotic men, the Soners and others devised?—It was a very simple one; it was embodied in an act of Parliament, and was comprised in a few words. It was enacted that henceforth the Judges should hold their offices *during good behaviour*, and not as before, *during pleasure*; this was all. The Judges therefore became independent of the power of the Crown, except being removable on the address of both Houses of Parliament. This was not by virtue of any inherent power in either of those bodies, for the House of Commons has no judicial power, and that of the House of Lords is only an Impeachment, or in matters of appeal, but by the express terms of the Act of Parliament itself, which established these tenures. Judicial independence was thus established, and from that time any Minister of the Crown who should venture by any act of the prerogative to attempt to violate that judicial independence, would incur a very grave responsibility before the Commons of England and the people of England.

What would then have been thought of this wise provision of the fathers of the Revolution if an ingenious Minister could have said,—"True, the Crown is prohibited from removing them, but we *can deprive the Judges of their salaries*." What would have been the value of the change of tenure, if they could be affected in that way? But when the Crown, as it is authorized by Parliament to do, granted the Judge his office, to hold it *during good behaviour*, it was at the same time and by the same instrument granted to him, to hold the salary affixed thereto, during the tenure. His commission was an *indefeasible title* from the Crown to *hold* both the office and salary during good behaviour, (which, as is familiar to lawyers, is a tenure for life) of neither of which could he be deprived.

When George the Third came to the throne, historians inform us that his address to Parliament on this subject was universally regarded as a most auspicious commencement of his reign. His memorable words on that occasion were—

"*My Lords and Gentlemen*—

"Upon granting new commissions to the Judges, the present state of their offices fell naturally under consideration.

"In consequence of the act passed in the reign of my late glorious predecessor, King William III., for settling the succession of the crown in my family, their commissions have been made during their good behaviour; but notwithstanding that wise provision, their offices have determined upon the demise of the crown, or at the expiration of six months afterwards, in every instance of that nature which has happened.

"I look upon the independency and uprightness of the judges of the land, as essential to the impartial administration of justice; as one of the best securities to the rights and liberties of my loving subjects, and as most conducive to the honor of the Crown; and I come now to recommend this interesting object to the consideration of Parliament, in order that such further provision may be made for securing the judges in their offices, during their good behaviour, notwithstanding any such demise, as shall be most expedient."

Was it, I would here ask, a solicitude for the special interest of the judges which dictated this recommendation to secure them in their offices and emoluments? No! and I beg attention to this point, but because with their independency was essentially connected the "impartial administration of justice, the rights and liberties of the subject, the honor of the *Crown*."

Then turning to the House of Commons, his Majesty continued—"Gentlemen of the House of Commons,—I must desire of you in particular, that I may be enabled to grant and establish upon the Judges such salaries as I shall think proper, so as to be *absolutely secured to them during the continuation of their commissions*."

Since these wise provisions have been adopted, the administration of impartial justice has become so well established in England, and I may say the same, I believe here, that men are almost unconscious of its inestimable worth, like other common blessings, for which we are but little thankful, the air we breathe, the water we drink, flowing from a thousand streams around us; we are apt to forget its value; but let us be removed to a pestilential atmosphere, or placed among those parched deserts where a scanty supply of muddy water is with difficulty obtained, we should soon learn to estimate what now we disregard. And so in regard to the administration of justice: let men taste of the evils which were formerly endured under a servile and dependent Judiciary, and they would very readily understand the value of the change.

In framing the commissions of the Judges of the Supreme Court there, for some reason it was thought proper to pursue the old form, to be held during pleasure, but virtually they hold during good behaviour, and this has been repeatedly acknowledged by Colonial Ministers, by whom the rights of those Judges are held as sacred as if the form of their tenure had been otherwise.

It was well known that by the compromise made with the Crown, the casual and territorial revenues were surrendered to the Province, on the sum of £14,000 being secured annually for the support of the civil list, including the Judges at certain fixed salaries. With that subject I need not further trouble this Hon. House, as with it I have individually nothing to do, but with the despatches written on the subject of that compromise, I *am* concerned, as the principles applicable to it are in like manner applicable to my own position. It is unnecessary that I should read to you in detail the repeated declarations contained in these despatches, that the honour of the Crown is concerned in maintaining inviolably the rights of the officers thereby secured. *This was fully done last year by* the Hon. and learned Attorney General, and it was distinctly declared that it would be a breach of the public faith to interfere with the rights thereby vested.

But consider well the force and import of the expression, the honour of the Crown of England, in what does it consist? Is it in her vast wealth and power, the progress of her arts and arms?—No; not all the triumphs of her army and navy, all the laurels of Waterloo and Trafalgar, have shed so imperishable a glory on England as her lofty moral position among the nations of the world, and her pure, unspotted faith, which has made the word of England current through the world. The Crown of England—aye, and the Crown of New Brunswick too—and the honor of that Crown ought to be dear to every inhabitant of this Province. The Hon. and learned Attorney General himself, last year told you that he could not on his oath advise the Lieutenant Governor to give his assent to a Bill touching the present incumbents.

But it is not the declaration of the Colonial Secretaries merely, that forms the bar to interfering. They truly say that it cannot be done. But with the salaries so secured,—if Lord Glenelg, Lord Stanley, Lord John Russell, or Lord Grey had never written a line on the subject, the difficulty would have been equally insurmountable. The objection arises out of the nature of the case, and not from the opinion of the Colonial Minister, and every constitutional lawyer would have returned the same answer.

With regard to my own case, it was thought desirable by the Legislature to establish and provide for a Judge in the Court of Chancery. By the Act of 1st Victoria, the appointment of a Master of the Rolls in the Court of Chancery was authorised, who should hold his office during good behaviour. It was necessary that the person to be selected to fill so responsible an office should be taken from the first ranks of the profession, and it was provided that he should be a barrister of ten years standing. By the second section he is to have the same powers as the Master of the Rolls in England; and by the fourth section, there is granted a fixed sum annually as a salary for the said office. When, then, the Commission under the great seal issued to me, thereby granting me to hold that office during good behaviour, together with the salary thereto attached, it conveyed to me an indefeasible title to that office and to that salary during my incumbency.—But it may be said, "it may be taken away by Legislative enactment." Undoubtedly it may.—We are all aware of what has been called the omnipotence of Parliament; but so an act may be passed to take away my house, or the land on which it stands, and transfer it to my neighbor. I have no better title to it than to the emoluments of the office I hold. My title to each is by the law of the land. If that will not protect me in the one, it is no security to the other.

Here, then, was a special act expressly passed to establish this office and to fix the salary. It was a permanent act, and by it the Lieutenant Governor was enabled to make a selection for the office. I was so selected. And can it be for a moment imagined that it is now competent to break the faith thus pledged, to disown the title thus given and granted; it is utterly impossible. I am quite satisfied when this matter is understood, that the present measure can proceed no further, that the learned Attorney General will see himself that it must be withdrawn.

Why, what would be the effect of passing such an act?—what would become of the independence of the Judiciary? It would lay it prostrate at the feet of the House of Assembly, and the annuitance of the Judges would be the subject of an annual vote.

This proposal, I understand, goes to reduce the Judges to £600. Suppose—nay how long would it remain so? Already a lower note has been sounded, and another Hon. gentleman proposes £500. There it might remain for a year or two, but another Hon. member has declared his opinion that £300 per annum is quite enough for any public officer, and he says the country is fast coming to his opinion; and one Hon. gentleman has expressed his sentiment that the duties of the office I have the honor to hold may very well be performed for *two hundred a-year*—perhaps they may. You see, then, fairly warned—the action of *liability* in what you now do is altogether assuredly repudiated. The reduction of salaries is always a popular cry, and thus, hereafter, the Judges, instead of being secure, will be subjected to the continual agitation which any man may, at any time and for any motive, set on foot in this House. Those who are called on to discharge their high functions between high and low, rich and poor, men possessing political power, and men possessing none, members of this House and those who are not, are to be brought down to be absolutely dependent on the votes of this House. Is it possible the people of New Brunswick desire such a state of things? I do not believe it.

And for what is all this? what is the advantage proposed in return for the dishonour to the Crown, the breach of public faith, and the overthrow of Judicial independence? why, the saving contemplated by this bill, as far as the deduction from the Judicial salaries goes, is about £1200. The inhabitants of this Province are about 248,000. This will make about *one penny* in the year to each inhabitant of the Province. By the year 1870, when probably—if not sooner—the whole, or nearly the whole of the present incumbents, will be gone, the saving will amount to one shilling and nine pence to each individual!! This is literally the whole benefit, and it is for this miserable mess of pottage that the country is to break faith, and barter away its character and render suspected the administration of justice? But it is said there is another advantage; it is the great *moral effect* that will be produced by the reduction of salaries; that the country is "*ground down*" by these high salaries. This may be an excellent reason for the measure of last year, providing for a prospective reduction. Economy in *all* departments is no doubt desirable, but it is no ground for a breach of faith. A moral effect to be produced by means that are not moral is not much to be commended. It would almost be supposed from the language used that the salaries of official men were employed in erecting small fortresses around the country or procuring instruments of torture for the oppression of the people; but after all, the salaries raised by indirect taxation for the most part flow back in small streams over the land, and may occasionally be felt to be not injurious to the poorer classes.

A similar question to the present, has been raised in Nova Scotia; and I hold in my hand a paper in which certain resolutions appear,—whether they were or were not carried I cannot say. They were however introduced into the Nova Scotia Legislature, by the Provincial Secretary, and may therefore be taken to establish the opinion of the Government. There the subject was the reduction of the salary of the Lieut. Governor, and one of the resolutions affirms that as that Salary was fixed in the Civil List Bill, and formed part of the compromise by which the casual and territorial Revenues of the Crown were transferred to the Province, that any breach of that compact would be *dishonorable* to the people and Legislature of Nova Scotia.

But I have said this measure, if carried, will place this Province in a false position with England; we have been told by Secretary after Secretary, that in England this proceeding is held to be dishonest, a breach of public faith. Is there a different standard to be established here?—we may doubt the wisdom of her commercial or her financial policy, but who doubts the wisdom of her good faith? Is this House about to proclaim that England's honor is too pure for New Brunswick, that we must lower the standard; that we must have a sort of Provincial honesty and faith. That, what minister after minister tells you is dishonorable in England—what your fellow-subjects in Nova Scotia tell you is dishonorable there, will do well enough for New Brunswick! Last year you were warned in reference to this measure, "let there be no *repudiation*."—Why then is that which was disgraceful in 1849, recommended in 1850? Is it possible that, like the disease that affects our wheat or our potatoes, this baleful principle has crept upon us by degrees until it has infected the very lips of him who last year warned you against it? If this is indeed the case, then have we made greater strides towards separation than I was aware of; but whatever may be the future destinies of New Brunswick, if the standard of England must come down, I trust it will not be to be replaced by a banner of *drab!*

Is it that since last year the powers of this Legislature have been enlarged, and is it the first use to be made of your enlarged powers to commit an act of public dishonor, and a breach of public faith?—I am satisfied that this measure has been introduced without sufficient consideration, and that it can never pass into a law.

The following is the Address of the House of Assembly, to Her Most Gracious Majesty the Queen, relative to an Elective Legislative Council:—

"To the Queen's Most Excellent Majesty.

The Humble and Dutiful Address of the House of Assembly of New Brunswick.

MAY IT PLEASE YOUR MAJESTY,

We, the Representatives of Your Majesty's faithful and loyal Subjects, the People of New Brunswick, beg leave to approach Your Majesty with assurances of devoted attachment to Your Majesty's Person and Government.

Believing the happiness of Your Majesty's Subjects in every part of Your widely extended Empire to be an object of Your highest regard, we confidently lay before Your Majesty this our Humble Petition.

With thankfulness and pride have we witnessed the stability of the Institutions of our Father-land, securing to our fellow subjects the blessings of civil and political liberty, while the inhabitants of less favoured Nations were involved in all the ills of anarchy and revolution.

The Constitution established in this Province by King George the Third was intended to be a miniature of that of the Parent State, investing the whole Legislative power of the Province in three Branches, thereby uniting the Monarchical, Aristocratic and Democratic elements; the combination of which principles, and their gradual adaptation to each other, having secured to the inhabitants of the British Isles so large a measure of religious, political and civil liberty.

In the absence of a Colonial Aristocracy in the North American Provinces, the composition of the second Branch of the Legislature has at all times been a difficult question.

In the first settlement of New Brunswick, the Legislative Council, from necessity, was composed of the principal Officers of the Provincial Government, including the Judges, and exercised Executive as well as Legislative functions. As the country grew in wealth, population and intelligence, the Judges were removed, the Council was deadled of its Executive character, and ever since it has been the avowed policy of the Government, in the selection of its Members, to secure a representation of all the great leading interests of the Province.

The extension of the principle of self-government has so increased the power of the house of Assembly over the Legislative Council, in consequence of the appointment to Seats in that House being virtually vested in the Executive Council, that the Legislative Council does not now return the constitutional check which that Branch is called upon to exercise according to the theory of our mixed form of Government.

Regarding the undoubted advantage of the second Branch of the Legislature as an object of paramount importance, we are desirous of adopting means to accomplish that end.

Believing that the mode of appointing Legislative Councillors by the Crown is open to the objection we have before stated, we humbly suggest, that an Elective Legislative Council could be so formed as to secure a more perfect constitutional balance in the adjustment of our Provincial Government than any other attainable in the present state of Colonial Society.

In advocating that measure, we humbly submit that we are not seeking the introduction of a principle unknown to the British Constitution; we need not remind Your Majesty that the Representative Peers of Ireland and Scotland are now elected, and so will the Hereditary Peers of the Realm, in cases of such election.

In the original colonization of the Continent, the principle of election was applied to the second Branch, and we believe Your Majesty now proposes to extend that principle to some of Your Colonial Dominions. If there be a Colony in Your Empire where Your Majesty can with safety rely upon the patriotism and loyalty of Your Subjects, it is New Brunswick.

We abstain from offering to your Majesty any opinion as to the practical details by which this change in our Constitution can be best effected; satisfied that under the guidance of Your Majesty and Your constitutional Advisers, the Legislature of New Brunswick can settle such details in such manner as will give effect to that principle consistently with our Institutions, and secure such a representation of the wealth, property and intelligence of the Country in the Aristocratic Branch of the Legislature, as is consistent with the happiness and constitutional security of Your Majesty's Subjects in this Province.

We therefore pray Your Majesty to take this our Humble Petition into Your most gracious consideration, and grant us such relief as to Your Majesty's wisdom may seem meet.

And as in duty bound will ever pray.

JOHN W. WELDON,
Speaker of Assembly.

Fredericton, 25th April, 1850.

The Observer.

SAINT JOHN, MAY 14, 1850.

The English Mail of the 27th April, per steamship Niagara, in a fine passage of 9½ days to Halifax, was received in this City on Wednesday afternoon. The Niagara brought out 100 passengers. Among those who landed at Halifax were the Rev. Mr. Burpe, Baptist Missionary from Nova Scotia and New-Brunswick to Burmah, who returned on account of ill health, Mrs. Burpe, and two children.

During the week there had not been any symptom of improvement in commercial affairs.

The Grain trade exhibited a little more firmness, but no change in prices.

"The events," say Willmer & Smith, "of the week, have been few, the parliamentary proceeding drowsy, and nothing has occurred at home or abroad to relieve the general intelligence since our last from the charge of monotony."

TIMBER.—The published reports of the Timber trade at Liverpool, give sales of a cargo of excellent St. John Pine, 19 inches average, of three years' standing, at 10½d per foot, and two cargoes of 18 and 19 inches average, at a shade under 17d. and 18d. respectively, and from yards, upwards of 100 logs, in lots, at 18½d. to 20½d. per foot. A parcel of St. John Birch, comprising 106 logs, had been divided at 17d. to 20d. per foot, and with cargo a parcel at 19½d. per foot.

St. John Deals brought £7 15s. per standard by the cargo, and in parcels as high as £8 10s.—Spruce Palings, with cargo, had been sold at 30s. per M., and spart at 57s. 6d. to 60s. Some parcels of Railway Sleepers sold at 2s. 6d. to 2s. 7d. for 9x10x5, and 2s. for 9x10x4½ each.

The money market is easy, and the rates of discount are unchanged. The bullion in bank has also slightly decreased. Consols have fluctuated very little. The closing price on Friday was 96¼.

The court remains at Buckingham Palace until after the accouchement of the Queen. Her Majesty felt indisposed on Sunday, and the Archbishop of Canterbury and others were sent for, but she recovered and walked next day in the royal gardens.

The new steamer Asia, of the Cunard line, arrived at Liverpool, from the Clyde, on Friday. She is said to have made at times 14 1-2 miles per hour. She will sail for Boston on the 18th inst.

The Court of Queen's Bench has unanimously refused the Bishop of Exeter a *rule nisi* for a prohibition against the Ecclesiastical Court in the Gorham case. What the prelate will do next is everybody's enquiry. Hitherto he has been fighting a losing battle. That he will solicit deprivation is not believed.

MR. GORHAM IN HIS PARISH.—This reverend gentleman's parishioners, at a large and influential meeting on Monday last, with but one dissenting voice, passed a vote of congratulation to him on the successful issue of the suit between him and his diocesan, involving, as they believed it did, vital Christian truth.

The Bishop of Landaff has begun to preach in the Welsh language, to the great satisfaction of the natives of the principality.

We announce with deep regret that England has lost the greatest of her modern Poets. Mr. Wordsworth died at Rydal Mount on Monday, 23d ult. He had completed his 80th year on the 7th.

The celebrated Dr. Gutzlaff, who has passed nearly twenty years in China, has arrived at the Hague. There is to be a public meeting, at which he will give an account of the state of China.

The Duchess of Orleans and her two children are shortly expected in England; during their stay they will reside in the house belonging to Lady Byron, at Esher, close to Claremont.

A Scotch girl, named Barbara Crawford, has been found in one of the islands in Torres Straits. She was the only person saved from a wreck, and had been kindly used by the natives, among whom she lived five years.

The Rev. Mr. Irvine, and Mr. Lewis Bloom, of the United States, have recently arrived in England, with an unique exhibition, illustrating the African and American slave trade, in a number of moving panoramic views.

The Cairngorm mountains, in Inverness shire, is yielding greater abundance than ever of the kind of precious stone which goes by its name. One shepherd has got wealthy by the discovery of a splendid fragment of pure chrystal, weighing 10¼ lbs., which he found in what a gold-hunter of California would call a "placer" or pocket.

The Plymouth Town Council are about to lay down a quantity of glass pipes, joined with gutta percha, as an experiment, for the conveyance of water.

It is proposed to erect a monument at Runnymede to mark the place where Magna Charta was obtained in the 12th century.

IRELAND.—The late severe storm is said to have caused the destruction of property in Dublin to the amount of £30,000 sterling, principally in glass and slate. Scarcely a building escaped injury. Immediately after the storm glazier's wages rose to 15s. per day and glass commanded ten times its original price. Emigration is less general than heretofore. The crops throughout the United Kingdom promise well.

From France the approaching election appears to be the only subject of interest.

A Te Deum was performed in Paris on the 21 in for the Pope's return to Rome, to which court Rayneval has been appointed Plenipotentiary.

The Assembly has voted 15,000 francs to the survivors of the disaster at Angers and the families of the deceased.

The *National* states that nearly four thousand country schoolmasters have been dismissed by the Prefects, under the new laws, for Socialism.

At the annual meeting of the Bible Society held in the Calvinistic Church of the Redemption, Paris, M. Guizot was called to the chair, and addressed the meeting in an admirable speech—the first time he had spoken in public to a French audience for the last two years.

GERMANY.—It is said that Prussia is seeking an alliance with Denmark and Sweden, and that she has, with this object in view, availed herself of an opportunity to withdraw from the Schleswig dispute.

The Diet having entered on independent negotiations for peace, Prussia has left them to their own resources.

A great Protestant movement is preparing in Bohemia and Saxony.

In Russia and Poland, there are 1,188,111 Jews, who have 630 synagogues, 2270 smaller places of worship, and 5208 schools.

The Emperor of Russia has issued an official notice to the officers of the army of occupation in Moldavia and Wallachia, to ally themselves in marriage with native ladies, who possess landed property, whenever it be possible.

According to private intelligence lately received at Tiflis, a very rich gold mine has been discovered in the vicinity of Jemaverofpol, government of Tiflis.

Letters from Smyrna state that a dreadful earthquake occurred there at half-past 3 A. M., on Wednesday, the 3d inst. The greatest alarm prevailed. The noise which preceded the shock was terrific.

RECIPROCAL FREE TRADE WITH THE UNITED STATES.—Information having been received from various quarters that a reciprocal Trade is about to be established between the United States and Canada, without any reference whatever to this Province or the other Lower Colonies, a Meeting of the Chamber of Commerce was held yesterday, the Hon. JOHN ROBERTSON in the Chair—when, after much animated discussion, the following Petition, addressed to His Excellency the Lieutenant Governor, was adopted, and ordered to be signed and forwarded to His Excellency.—We trust that our Government will at length exert themselves efficiently, to make up for their past apathy, as it is a matter in which the whole Province is deeply interested. If a new Trade cannot be opened for us, we are much afraid that our Loyalty will get *starved out*.

To His Excellency SIR EDMUND HEAD, *Baronet, Lieutenant Governor and Commander-in-Chief, &c. &c.*

The Petition of the undersigned, Members of the Chamber of Commerce, Merchants, Citizens, and Inhabitants of the City of Saint John—

SHEWETH.—That Your Petitioners have heard with equal surprise and alarm, that her Majesty's Minister Plenipotentiary at Washington, is about to conclude an arrangement for reciprocal free trade between the United States and Canada only, to the exclusion of this and the neighbouring Colonies. That your Petitioners respectfully submit, that the people of this Province have never yielded to any other portion of Her Majesty's subjects in loyalty and affection to the British Government, and that they are at least entitled to equal consideration; and they are unwilling to believe that their interests will be so seriously overlooked and disregarded, as is now proposed to be done in the arrangement for reciprocal free trade between the United States and Canada.

Your Petitioners therefore respectfully pray, that your Excellency will be pleased, with the least possible delay, to despatch one or more Members of the Executive Government of the Province to Washington, specially commissioned to represent to Sir Henry Bulwer, the depressed and hopeless condition in which this Colony has been reduced, from the recent changes in the commercial policy of the Mother Country, the discontent and disaffection which are springing up in consequence, and the manifest injustice and impolicy of excluding this and the other Colonies from an arrangement, upon which the hopes of the people have been steadily fixed; as also, to remonstrate in the strongest possible manner against any agreement for reciprocal free trade which refers to Canada alone, and does not include this Province.

And your Petitioners as in duty bound, &c.

We take from the *New-Brunswicker* of this morning, the subjoined abstract, containing the substance of a most important decision, materially affecting the interests of the people of St. John. By this it appears that the Carleton Corporation Lands still remain liable to the Creditors, for such debts as were incurred in making improvements on that side of the Harbour. It is said that the balance of account will show some thousands of pounds in favor of Carleton, and the inhabitants of that portion of the City are said to be so elated, that they talk loudly of applying immediately for a separate Charter. The abstract, we learn, may be relied upon, as it has been carefully prepared by the Register of the Court.

"FREDERICTON, 11th May, 1850.

"The Master of the Rolls this day gave a judgment of great importance affecting the City of Saint John, in the case of the Attorney General *ex rel* Littlehale, *et al*, and Littlehale *et al*, *vs.* the Mayor of St John and the Trustees. He decided that the common lands on the West side comprise all the lands ungranted at the date of the Charter, as well above water marks as between high and low water mark, and that the rents, issues, &c., of the said common lands on the Western side are to be applied to the *sole improvement, benefit and advantage of that part of the City which lies on the Western side of the said harbour, and of the inhabitants thereof*. And decrees that an account be taken by a Master in Chancery, of what part of the common lands on the West side have been sold or leased, &c., and at what price and for what time; also of the rents and profits arising from such sale or other disposal of the said common lands on the West side, and of any part thereof come to the hands of the Corporation or of any third person to their use, or by which without their default might have been received. Such account to commence from 1811. Also, an account of the said rents and profits which may have come to the hands of the other defendants (the City Trustees), or any of them under the deed of Trust, or which without their wilful default, they might have received. Also, an account of the several sums paid, expended and applied by the Corporation, for the *sole improvement, &c.*, of the West side, and from what sources derived. Such account to commence from same date. Also, to state the amount justly chargeable on account of the same, against such amount of rents and profits, with the usual directions for production of books, &c., and examination of parties, &c. And that the *Trust Deed* in the said Hilt case, dated the 20th Sept. 1832, in respect of such part of the said common lands situate on the West side of the said harbour (excepting nevertheless Navy Island, Public Slips and Wharves, Market House and Market place, Toll House at the end of Rodney Wharf, the Public Squares, and the Store Lots, so ended,) are to stand as security for such amount of debt specified in schedule A. annexed to the said Bill, as shall be found justly chargeable upon the common lands on the West side of the Harbour. And with regard to all and singular the other lands and premises on the West side of the Harbour, *the said Trust Deed is declared to be null and void!*"

ANOTHER FIRE IN PORTLAND.—Between two and three o'clock on Sunday morning, a fire broke out in a dwelling house on the North East corner of the Bridge leading from this City to Portland, owned by Mr. John McGilleway, which, with three adjoining houses, was consumed. The other houses were owned respectively by Mr. Richard McCullough, Mr. Southers, and Mr. Thomas Corkery,—all erected on lands owned by His Honor the Chief Justice. The buildings were occupied by several families, some of whom, we learn, lost a considerable portion of their effects.

The several Volunteer Engine Companies were early at the fire with their Engines, and exerted themselves with their usual energy and efficiency to subdue the progress of the flames. The Military were also present with their Engines. There was but slight insurance on the property destroyed.

The steamer *Western Miller*, from Toronto, for Halifax, arrived at Picton on Tuesday last; she had a passage of eight days from Toronto, and met with much ice in the Straits. Her coal being exhausted she put into Picton for a supply. The Picton Chronicle says the Western Miller has a full freight for Halifax, with passengers from Toronto, Montreal and Quebec. She has two masts, and is rather novel in her rig, and is painted white.

The yellow fever was raging with great mortality at Rio Janeiro, at the latest dates from that city, the 4th April. It is said that full 14,000 people have been swept away, in some cases entire families have fallen victims. All classes have greatly suffered, but especially poor native residents and foreigners. Many vessels have lost their entire crews.—Vessels stopping there, on their way to California, have suffered much.

BANK OF NEW-BRUNSWICK.—The annual meeting of the Stockholders in this Bank took place on Monday 6th instant, when L. A. Robinson, John Boyd, M. D. L. H. DeWolf, Thomas Leavitt, Thomas E. Milledge, H. Bowyer Smith, Benjamin Smith, Frederick A. Wiggins, and William Wright, Esquires, were elected Directors for the ensuing year; and at a meeting of the Board on Tuesday morning, Thomas Leavitt, Esquire, was re-elected President.

COMMERCIAL BANK OF NEW-BRUNSWICK.—On Tuesday the annual meeting of the Stockholders in this institution was held at the Banking House, and Mark Hale, John Duncan, Stephen Gerow, Hon. R. L. Hazen, Wm. Jack, Geo. A. Lowell, Daniel J. McLaughlin, Chas. Merrett, William Parks, Edward Sears, John M. Walker, Charles Ward, and John Wishart, Esquires, were elected directors for the year. At a meeting of the Board on Wednesday, D. J. McLaughlin, Esq. was re-elected President.

GAS COMPANY.—The annual meeting of the St. John Gas Light Company was held on Monday evening, when the following gentlemen were chosen Directors of the Company for the ensuing year:—Geo. Carroll, John Duncan, Robert Jardine, Wm. G. Lawton, Daniel J. McLaughlin, Wm. Parks, Wm. J. Ritchie, John M. Walker, and John Wishart, Esquires.

At a subsequent meeting, Robert Jardine, Esq. was re-elected President.

At the Annual Meeting of the Shareholders and Proprietors of the Saint John Rural Cemetery Company, held on Monday the 6th day of May, instant, the following Gentlemen were elected Directors:—J. M. Walker, J. Partingell, William Parks, W. G. Lawton, C. Drury, W. J. Ritchie, Dr. Geo. P. Peters, Dr. L. B. Botsford, Hon R. L. Hazen, B. Robinson, S. Hersey, and A. Jack, Esquires.

At a subsequent meeting of the Directors, Mr. J. M. Walker was elected President.

FATAL CASUALTY.—Mr. Thomas Halsall, of this City, was accidentally drowned out of a small boat, on Wednesday night last, while attempting to land at Gagetown from the Steamer Reindeer. Mr. H. was eldest son of the late Henry Halsall, Esquire, formerly a Captain of the 40th Regiment.—*Cour.*

NAVIGATION OF THE ST. LAWRENCE.—Sir Henry Bulwer's letter to Mr. Secretary Clayton deplores the policy of Great Britain, with respect to the extension of her commercial freedom to the river St. Lawrence. It is a step, however, which the English government reserves the right of taking backward as well as forward, not being quite sure that they will be able to yield such privileges for any long period. Much will depend upon the operation of this arrangement. The English are a loyal people, and it is always safer to concede to them in commercial matters, too much than too little. Great Britain can only preserve her colonies by liberal measures. Let her colonial commerce thrive, and her colonial disaffection will cease. When men are prosperous they are loyal.—*New York Herald.*

TORONTO, May 7.

Address of the British American League to the People of Canada.—The central committee of the British American League have issued an address to the people, in which they represent the duty of Canadians to be, to urge our Legislature by petitions to pass an address to our Gracious Sovereign and both houses of Parliament, praying them to authorize, by an imperial act, to the people, to whom they profess to have already granted self government, to hold a general convention of delegates, for the purpose of considering and preparing a constitution for the government of this province, and with power to act in concert with delegates from such of the other British provinces in North America as may be desirous of forming a federal union with Canada, such constitution to be afterwards submitted to the people for ratification.

BUFFALO, May 7.

Another Steamboat Disaster and great Loss of Life.—The British steamers Despach and Commerce came in collision last night near Port Maitland, on the Canada side of Lake Erie. The Commerce sunk in eight fathoms of water. She was transporting a portion of the 23d Regiment of British troops, twenty-four of whom were drowned; also one officer and eleven passengers—thirty-eight in all.

The steamer Atlantic was spoken on the 29th ult., at 7 o'clock, P. M., by the Bremen ship Columbus, in lat. 41 10, lon. 61 40. She had been out forty-nine hours, and was about 630 miles from New York. This would give her nearly *thirteen* miles an hour, and would take her to Liverpool in ten days.

The steam ship British Queen, from Hamburgh, arrived at New York on Thursday last, after a long passage, with loss of sails, spars, &c. She put into St. John's, N. F., for coals.

The ship Andalusia arrived at Baltimore, May 7th, from California, with a valuable cargo of copper ore, gold dust, skins, &c. She is the first Baltimore vessel that has returned from California.

A great freshet has recently occurred in some parts of the New England States, by the rivers overflowing their banks, which has caused a great destruction of property in various towns and farming districts.

THE MANUFACTURING CITY OF LOWELL, MASS., it is said, has nineteen churches, and a population numbering 34,000, and seven Societies worshipping in halls, or small buildings.

Eleven Camels were imported into Baltimore last week from the Canary Islands.—They are intended for the Far West, to test whether they can be raised and acclimated.

LATER FROM HAVANA.—By the arrival of the steamship Georgia, from Havana, we have thirteen days later intelligence from that port. The yellow fever was raging at Havana when the Georgia left. She brings no other news of importance.—*N. York Herald.*

SANDWICH ISLANDS.—The port of Lahaini, Maui, was visited by a hurricane on the 15th of February, which did great damage to the shipping in the harbor, and destroyed much property in the town.

NEW YORK, May 8.

There were three arrivals of the first class steamships at this port yesterday. The Empire City arrived first, the Georgia next, then the Cherokee, representing about six thousand tons of shipping. They brought an aggregate of 277 passengers, (of whom about two hundred are from California) and about $2,656,345 in gold dust on freight.

It is estimated that there are also £300,000 in the hands of passengers.

The passengers report that gold is more plenty than ever, and that property has fallen somewhat in price, provisions, and even luxuries, being very abundant in San Francisco.

The *Georgia* has had a very quick passage. She sailed from Chagres on the 27th, and run to Havana in three days and 12 hours. Left Havana on the 3d and run to New York in 3 days and 20 hours, whole running time from Chagres 7 days 8 hours.

The steamship Alabama arrived at New Orleans May 5th, from Chagres, with one hundred passengers, and two hundred and seventy-five thousand dollars in gold dust.

The steamer Carolina from New York, had arrived and sailed from Panama for San Francisco, having made the run in the extraordinary quick time of 66 days from port to port.

The Sarah Sands and Carolina had gone up to San Francisco full of passengers. About 3,000 still remained on the Isthmus, waiting their chance. The rainy season had not yet set in, and Chagres and Panama were still healthy. Many robberies were daily taking place at Panama, and on the Isthmus.

All the reports indicate the most favorable prospects. The facilities for communication with the mines are increasing daily. Science and experience are becoming more abundant, and the imagination wearies in the effort to measure the wealth which is destined to flow from these inexhaustible sources.

A law has passed the Legislature of California, imposing a tax of $25 a month on every foreigner who works at the mines.

The utmost content prevails among the miners, who are all perfectly satisfied with the results of their winter's labor.

We have been informed by a gentleman just from the North Fork, that the bars on that stream were found to be very rich by those who have commenced digging. On the Yuba, those who could procure places were employed, were doing very well, and our advices generally continue favorable.

The San Joaquin Valley.—We learn from a friend that the travel towards the southern mines is increasing every day, and the prospects in that region, the coming season, are more flattering than last year. New places are discovered as explorations are made by our adventurous citizens, and new towns laid out as the population increases. Stockton is said to be growing rapidly, and business becoming br