PROVINCIAL LEGISLATURE.

House of Assembly—Fredericton, *Thursday, March 5.*

QUIT RENTS.—(*Continued from last paper.*

Mr. CRANE said, that the present discussion had arisen out of a change that had taken place in the Colonial system. Formerly, the expence of all the civil establishments in the British Colonies were paid by the British government; but lattetly, the progress of public opinion had caused a change in that policy, and, therefore, such resources as were under the control of the Crown, in the Colonies, were applied to that purpose.—With respect, then, to the present question, he believed this to be the application only of a general measure, whereby the British Government intended to collect all such resources as were under their control in all the Colonies, in which the Quit Rents were included. The right of the King to collect these rents was now very generally admitted; and being so, the next question for consideration was, whether that collection would proceed. He (Mr. C.) thought that intention was pretty clearly evinced, and he was therefore convinced that it would go into effect. He did not agree with those hon. members who seemed to doubt whether any recent instructions to collect the Quit Rents had been received by the Executive in this Province. It was well known that in 1833, such directions had been given and to some extent acted upon, but the collection was suspended in consequence of a general order, relating both to this Colony and Nova Scotia; therefore he presumed the present Message from the Executive must have been founded on communications received from the British Government, since that suspension, and he had therefore no doubt that it was their full intention to resume the collection. The first objection made against the measure was, that government did not want those rents; and certainly from the appearance of the financial condition of those revenues already under their control, it did appear that they did not want them. The Government formerly told the House, that the sum of £14,000 per annum was amply sufficient for all the purposes of the civil establishment of the Province; and now the Casual Revenue was upwards of £20,000 per annum; therefore so far as the House could judge, the Government could not be in any want of the Quit Rents. It had been said, that if Nova Scotia had been in a similar situation, the Quit Rents would not have been collected there; but he (Mr. C.) was by no means certain of that, because it would be recollected, that there £1,000 a year were required to be given in aid of those immensely large salaries, against which so much complaint had been made in that Province; and the people, finding that otherwise the Quit Rents actually would be collected, although the salaries there were on nearly the same scale as in this province, were obliged to commute them. He (Mr. C.) believed that the hon. member for Northumberland's views of the opposition to the measure in Nova Scotia, were not quite correct; because the opposition came principally from the country members, and not from the town; the town members indeed were mostly in favour of commutation in Nova Scotia. On the whole, he thought there could be little doubt as to the intention of the Government to collect the Quit Rents in this Province, and it remained only for the House to determine what would be best for them to do in the matter. He thought they should immediately petition the British Government, and lay the real state of the case before them. Let them present an address,—not to parliament, for he (Mr. C.) would be for first going to the Government,—let them tell the real facts to the Government,—let them tell the real facts relative to the resources of the Crown in this Province; and then, when the Government became perfectly aware that these sums are not required for the support of the civil establishment, and that there is already a large surplus revenue, if then the tax-gatherer should be sent around, the odium would rest on the Government alone.—Perhaps that odium would apply to the House, if they took no measures to prevent it; but it certainly would fall on the Government, if they should proceed with the collection, after knowing all the real facts of the case. It was of as much importance for the Government to conciliate the affections of the people of this Colony, as for the people to be dutiful and loyal in their conduct; each had relative duties to perform. Then the question was, whether the House should commute the Quit Rents or not; and he (Mr. C.) confessed he was not to-day prepared to give an opinion on that point. He had very little doubt, that if they delayed the matter, they would next year return to their posts with full instructions from their constituents to commute them; but it always would be an odious measure, because, as long as such a fund was raised from the people, and placed entirely out of their control, it would always cause great dissatisfaction and discontent; and, perhaps, if the House now commuted the Quit Rents, and thus threw such a large addition into that revenue, the people would be the very first to blame them for so doing; and therefore he fully believed it would be a much more popular measure next year than at present. If the House petitioned the Government, it would be proper to pray the Government to appropriate the Quit Rents, if commuted, to what would be the most beneficial objects. This would be no dictation, but merely a suggestion as to what would be, in the opinion of the House the most useful objects for that purpose. The Crown Lands were now a most fruitful source of revenue; and the House indirectly inhanced the value of those lands by all the byeroad appropriations; therefore it might be hoped that Government might be induced to appropriate the commutation of the Quit Rents to the internal improvement of the Province. If the amount of that money was expended in opening communications throughout the country, it would greatly enhance the value of crown lands, and he (Mr. C.) thought that Government would listen to such a proposal favourably; and if so, he also thought that such an arrangement would remove the unpopularity and odium of the measure. The hon. Speaker had said that all taxes were odious, and that the British government were generally prepared to abandon such taxes as became odious; but this was a very new doctrine to him, (Mr. C.)—That Government had an immense debt, and were obliged to raise enormous taxes; but all taxes were odious there. The hon. Speaker had also said, that he believed the petitions of the House were smothered in Downing Street: that was also new to him, (Mr. C.); and he would have thought, that when the hon. Speaker went home as a Delegate, he would have had an opportunity of ascertaining that fact, and, if so, would have taken measures to prevent it. But he (Mr. C.) thought they went to the proper quarter, though they might not always receive such consideration as the House thought they ought to receive. The hon. Speaker's amendment was a very extraordinary one, and he (Mr. C.) could never agree to it. He believed it was now generally admitted that the Casual Revenue belongs to the British Government, and is under their control; and he believed it was pretty well understood that the Government did not mean to let the House have the control of it; therefore the amendment went to ask the Government what they meant to do with their own money. Now, what right had the House to ask such a question? They had no such right; it would be a very improper question, and therefore he hoped nothing of that kind would be adopted. The hon. Speaker had referred to the different situation of old and new purchasers of lands, and said there would be an invidious distinction between them, with regard to the quit rents; but it was pretty well understood that new purchasers, who had bought their land without a reservation of Quit Rent, had paid pretty well for it; because it was an express condition in such grants, that they should pay an additional price for their land, because the Quit Rents were not reserved. Therefore that argument was answered. As to the largeness of the salaries in the civil list; the British Government had always been famous for their liberality to their officers, both at home and abroad; all salaries were regulated by the view which the Government took of the services, and they were paying those salaries with their own money; therefore, that had nothing to do with this question, but if the Government did pay their officers here such large salaries, the people ought to be very thankful that they were expended among them. On the whole, he (Mr. C.) should be disposed to recommend that these resolutions be laid on the table, for the consideration of hon. members. He hoped none of them would be adopted hastily, especially the hon. Speaker's amendment; but the question might be taken up again to-morrow, by which time hon. members would have had a better opportunity of making up their minds.

Mr. WELDON said, that though the discussion had taken such an exceedingly wide range, yet the question simply was, whether the House should commute the Quit Rents or not. Commands had been lately received by the Executive, to resume the Collection, unless the House proposed other measures, acceptable to the Government. He (Mr. W.) would not wander so far as to enquire what the Royal Road cost, what were the salaries of the officers of Government, or the expenses of their offices, because such subjects were quite foreign to this question. If the House commuted the Quit Rents, a lesser sum would go into the Casual Revenue than otherwise would; because the King's right to collect them was undeniable, the clause in grants was sufficient to enable him to collect them, and they certainly would be collected. In 1771, before this province was separated from Nova Scotia, the Legislature there petitioned the Government, that the Quit Rents might be expended in the Colony; and in 1785, grants of land were made to certain persons without payment of Quit Rent for a certain term of years. These facts shewed that they actually were intended to be collected, whenever they were required by His Majesty's Government. The Government at the time had thought proper to require them. In 1832 a dispatch was sent out to this Province, directing their collection. A proposal to the House, to commute them, was rejected by a small majority; the Government then went on with the collection, and a considerable sum was paid by the people, though some refused to pay. Measures were taken against the defaulters, and he (Mr. W.) believed the reason why those measures were not vigorously proceeded with, was, because, from the negociations carried on by the House, the Government forbore to proceed, till all those negociations failed. It was very desirable to commute them at once; because, if it was put off for another year or two, the Government would go on to collect them, and if they once commenced and got over the first difficulties, they would ever after be collected with great ease, and then the House would never be able to commute them on as easy and fair terms as they could now. He felt satisfied they could now commute them on as fair terms as they had been in Nova Scotia, viz:—at half the amount of the rents. It mattered not to the House what became of the money, as long as it came from the people.—It was not theirs to appropriate. They could commute them now for £1200 per annum, and if they did not accept the terms, the burden would be increased, because the loss of time to the people would be in addition to the amount of principal. There could be but one opinion as to the impolicy of the measure, because all direct taxes were odious, therefore it was much better to meet all taxation by indirect means. If the collection went on, it would cause litigation, which would be a great evil. In many conveyances of land, of late years, the king's rights were not excepted; and therefore the grantees or purchasers would be called on to pay what they never stipulated for, and would have to look for the original grantees, to obtain indemnification. It had been said, that the collection would excite dismay and confusion; and if so, the House ought to do something to allay it. It was the duty of the House to endeavour to prevent such things. What course would Members take, when they returned to their homes, if they did not now commute the Quit Rents? Would they advise their constituents to pay or not to pay them? If they advised to pay them, they would swell the coffers of the Casual Revenue, which was already so overflowing, and if they advised not to pay, it would throw them into extreme difficulty and distress, because there could be no doubt, that the collection would immediately be followed up. Therefore it was the duty of the House to prevent the proceeding of the collection, and they would then receive the thanks of the country, because he (Mr. W.) believed the country was desirous of commuting them. If they did so, it would not make their case worse, in their endeavours to obtain the control of the Casual Revenue: because if ever they did obtain it, they would also resume possession of this permanent grant. He thought many of the observations of the hon. Speaker were not treating the Government with proper respect, and that they were very injudicious; because they would go abroad into the public prints, and the Government would not be very favorably disposed towards the House, after such observations.

Mr. HILL said that the example of Nova Scotia had been quoted by the advocates for commutation, and urged as a reason why this Province should tread in their steps. Whether the Legislature has acted wisely or not, was extremely problematical. Honorable members had already shewn that the cases were not parallel—but he would call the attention of the Committee to the Speech of the Lieutenant Governor of that Province at the opening of the Legislative Session in December last. He then read an extract from the Speech, shewing that the Government felt itself compelled to enforce the collection of quit rents, unless commuted, it *having no other resource for defraying the expenses of the civil list*; and observed that this measure was entered upon with much reluctance by His Majesty, which reluctance was overcome by the necessity of the case, and that here no such necessity existed, and no such plea could be urged. Honorable members in favour of commutation had discoursed largely on the rights of the Crown, and sparingly on the rights of the subject. Ancient mythology relates that the earth is supported by a serpent, which is supported by a tortoise—but it omits to tell us what it is that supports the tortoise, so that the reader is left as much in the dark as before. Honorable members had said much about the rights of the Crown, but had omitted to inform us of the nature and object of those rights—from whence they were derived, or for what purpose. They reasoned as the high prerogative lawyers in the time of the Stuart's would have reasoned, when the doctrine of the divine right of kings was in vogue—that if the House of Stuart held the sovereignty of the nation by a *jure divino*, the House of Brunswick were usurpers—the Revolution of 1688 was a rebellion, and the occupation of the Throne, since that time, an usurpation.—Their doctrine proved too much;—traced to its legitimate results, it would go to deprive the present reigning family of all rights *de jure*, whatever they might possess *de facto*. If, therefore, they had dug deep, they had not dug deep enough to find truth at the bottom of their shaft. It was unnecessary to say more on this part of the subject; the doctrine of a divine right to sway the sceptre of England having long since been exploded. The King of England was a constitutional Sovereign; who was amenable to the laws, not in person, but through his Ministers or legal advisers. He was necessarily entrusted with a large prerogative, to meet the exigencies of government, and for the benefit of the subject. The presumption was, that this prerogative would always be beneficially exercised, and never to the detriment of the subject; if it should be so exercised, it was attributable to *evil advisers*, who were the persons held responsible, theoretically at least, if not practically. It was the king in his regal office, that this question concerned, and not the individual as such. As an individual he had no rights but such as were strictly private, and such as were enjoyed by him in common with his subjects. As King, he possessed no rights, but such as were originally granted to him by the people themselves. Lord Lyttleton, in his Persian letters, says, that if the privileges of the people were concessions from the Crown, the Crown itself was a concession from the people. As king, he was the guardian and protector of the public interests—the general representative and trustee of his subjects. That the king was, in *stricto jure*, invested with a power to collect the quit rents, no one would doubt.—An agent might violate his duty to his principal, without exceeding the letter of his authority—so the king might violate his duty to his subjects, without transcending the strictness of his prerogative powers. But law or prerogative, construed according to the *strictí juris*, might be made, and was often made, an instrument of oppression. The question for the Committee to decide upon was not, whether the Crown had the power to collect the quit rents, but whether it was for the benefit of the country that he should do so. If this question were rightly decided in the negative, then it would follow, that their collection would be an improper exercise of the Royal Prerogative, and an act of oppression. Burke says, that "the consequences of any political tenet go a great way in deciding upon its value. That political problems no not primarily concern truth or falsehood, they relate to good or evil. What, in its consequences is productive of good, is politically true—that which is productive of evil, politically false."—If the king have the same right to collect and appropriate the quit rents, that any individual has to collect and appropriate the debts due him, (for this was the doctrine of hon. and learned members,) what were the consequences? That he might withdraw the money from the country, and put it in his own private purse. For the same reason, he might do the same with the whole public property of the province. He might say to the settlement of the country and to commerce, thus far shall they go and no farther—he might put a stop to the settlement of the country, by locking up the wilderness lands, and to commerce, by refusing to cut timber, which furnishes the principal, and, indeed, he might add, the only staple of exportation. This done, and the axe of the woodman would cease to resound in their forests—their harbours would scarcely be whitened by a yard of canvass in the year; they would become as desolate, as dreary, and deserted, as they were before civilization reached the shores of New Brunswick. Would not this be productive of evil to the country? He need not wait for a reply. The doctrine of hon. members therefore was politically and constitutionally false. But who where the country?—the few who exercised authority, or the many who constituted the mass of the people? He took the latter to be the country. If he was wrong, his reasoning was "the baseless fabric of a vision,"—and he must give it up. If the House commuted the quit rents, they would fasten a burden on the country forever—if they did not, they might hope to be able to throw them off, when His Majesty's Government become convinced of the inutility and impolicy of enforcing their collection;—the burden once fixed, was always fixed. There was, as all experience showed, a cohesive property in these fiscal burdens, which no ascertained power of legislative repulsion was adequate to throw off. Paley says, and the sentiment is adopted by Blackstone, that "it is not the rigor of laws, but the inexpediency of laws and acts of authority, which makes them tyrannical." Was an act of authority enforcing the payment of quit rents necessary or expedient? Was not the Casual Revenue amply sufficient to meet the expenses of the Civil List, besides leaving a handsome surplus at the disposal of Government? If so, then again their collection would be an improper exercise of the royal prerogative, and an act of tyranny. If he were wrong in his deductions, he wished to be set right. He had placed himself, or, at least, had endeavoured to place himself, on the pedestal of the constitution. If he had misconstrued or misapplied it, let the error be pointed out, and he should readily recant. He could submit to reason and argument, but not to the dogmas of mere authority or the pertinacity of mere assertion.—It was not probably, originally, the intention of Government ever to call for the quit rents. They were intended rather as an acknowledgment of sovereignty on the one hand, and subjection on the other, than a source of revenue; in the same manner as the pepper-corn rent, under the feudal system, was an acknowledgment of vassalage.—The Colonial Assemblies, in point of comparative power with the other branches of the Colonial Government, have but a faint resemblance to the House of Commons. The House of Commons was the strongest branch of the Government. Here the Colonial Assemblies were the weakest—and shall we still further enfeeble that, which was already too weak? There was great danger, lest the House of Assembly, by successive concessions, should fritter away the *modicum* of power which it held in the councils of the Province, until it should become entirely annihilated. Of the above fact, Mr. Stanley seemed to have been fully aware. He declared, in a speech on the ordnance estimates, in 1834, that the Colonial Office was anxious to increase the powers of the the Colonial Assemblies, when it could be *safely done*." What he meant by the expression "safely done," was left to conjecture. Perhaps his meaning was, that the Colonial Assemblies were not yet sufficiently intelligent and sufficiently enlightened to bear a greater measure of authority. Be this as it might, it behoved the Assembly not to commit an act of political suicide, by diminishing its own weight and power, as it would do, by permanently fastening a fiscal burden on the ordinary revenue of the Province. He was unwilling to suppose that His Majesty's Government were not disposed to deal fairly and justly with the Colonial subject. He was unwilling to suppose, that he was placed in the condition of the Pagan, who consulted his own safety, by worshipping a demon to appease his wrath.

The debate after this degenerated into a series of violent personal contests, which neither our time, nor limits, nor our exhausted strength would permit us to adjoin to this already immense report; till at length, upon motion of Mr. Chandler, the heated contest was allayed, by *reporting progress*, &c

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(From the Courier.)

We publish the subjoined document as a relic of olden times, well worthy of preservation by the descendants of those devoted men who were induced by their unshaken loyalty to seek refuge in a wilderness under its provisions;—and we cannot help asking, are these provisions likely to be maintained?

ARTICLES
OF THE SETTLEMENT OF NOVA-SCOTIA,
Made with the Loyalists at New York, at the time of the Peace of 1783.

THE Reverend Doctor Samuel Seabury, and Lieutenant Colonel B. Thompson, of the King's American Dragoons, having been appointed by the Board of Agents to wait on His Excellency Sir Guy Carleton, Commander in Chief, in behalf of the Loyalists desirous of emigrating to Nova Scotia, they read the following rough proposals, as articles of supply for the sailors in Nova Scotia:—

1st.—That they be provided with proper vessels and Convoy to carry them, their Horses and Cattle, as near as possible to the place appointed for their Settlement.

2d.—That besides the provision for the Voyage, one year's Provision be allowed them, or money to enable them to purchase.

3d.—That some allowance of warm Clothing be made in proportion to the wants of each family.

4th.—That an allowance of Medicines be granted, such as shall be thought necessary.

5th.—That pairs of Millstones, necessary iron works for constructing Grist Mills, and Saws, and other necessary articles for Saw Mills, be granted them.

6th.—That a quantity of Nails and Spikes, Hoes and Axes, Spades and Shovels, Plough Irons, and such other farming Utensils, as shall appear necessary, be provided for them, and also a proportion of Window Glass.

7th.—That such a Tract or Tracts of Land, free from disputed titles, and as conveniently situated as may be, be granted, surveyed, and divided at the Public Costs, as shall afford from three Hundred to six Hundred Acres of useful Land to each family.

8th.—That over and above 2000 Acres in every Township be allowed for the support of a Clergyman, and 1000 acres for the support of a School; and that these lands be unalienable for ever.

9th.—That a sufficient number of good Musquets and Cannon be allowed with a proper quantity of powder and ball for their use, to enable them to defend themselves against any hostile invasions; also a proportion of Powder and lead for hunting.

His Excellency the Commander in Chief, in reply, was pleased to say that in general he approved the above Articles, and that at least the terms of settlement should be equivalent to them. He was pleased to say further that he would give every encouragement to the settlers in Nova Scotia, that he would write to the Governor of the Province respecting the matter.

He advised that some persons might be sent to examine the vacant lands and see where the settlement could be made to the best advantage.

WE whose names are hereunto subscribed do agree to remove to the Province of Nova Scotia, on the above encouragement, with our families, in full reliance on the future support of Government, and under the patronage of the following gentlemen as our Agents, they having been approved of as such by His Majesty's Commissioner for restoring Peace, &c.:—

Lieut. Col. B. Thompson, K. A. D.
Lieut. Col. E. Winslow, C. G. M. P. F.
Major J. Upham, K. A. D.
Rev. Dr. Samuel Seabury.
Rev. John Sayre.
Capt. Mandsley.
Amos Botsford, Esq.
Samuel Cummings, Esq.
Judge John Wardle, Esq.
James Peters, Esq.
Frederick Hauser.

CANADA.—Owing to the late severe snow and hail storms, which have added nearly two feet of snow to the quantity already on the ground; the Canada Mail had not arrived at Fredericton on Wednesday last, when the Courier started for this City.—We have, however, been favoured with Quebec papers (received through a private source,) one day later than those brought by last week's mail. The following extract is from the *Mercury*.

QUEBEC, March 10.—This day, shortly after one o'clock, Mr. Secretary Craig went to the Assembly with two Messages from His Excellency the Governor in Chief. The first was the estimate for the Civil Expenditure of the current year. The second the anxiously expected communication of His Excellency's decision upon the Address of the House for a sum to cover the arrears due for the Contingent Expenses of the Assembly for the two last Sessions, and to enable them to meet the current demands of the present Session.

This document is too long to admit of our obtaining a copy in time for this day's publication, but it is in substance—that His Excellency having given the matter his fullest consideration, would direct the advance of the sum required, deducting therefrom the charges made for the expenses of the Agents to England and the salary of the Librarian, as disbursements which have been made in an irregular and unconstitutional manner.—These deductions being made, and a Bill passed for the indemnification of the Executive, for advances already made, His Excellency would direct the issue of the sum necessary to defray the arrears, and would, then take into his further consideration the propriety of authorising an advance to meet the current expenses.

Immediately after the Messages were read a motion of adjournment was made to which Mr. Gugy moved, in amendment, that the Messages of the Governor in Chief be taken into consideration to-morrow. This was got rid of by the previous question being moved: and the adjournment passed.—Yeas, 34; Nays, 11.

It is supposed that there will not be a quorum in the Assembly after the present day.

[From the Royal Gazette.]

Head Quarters, Fredericton,
17th March, 1835.

MILITIA GENERAL ORDERS

His Excellency the Lieutenant Governor and Commander in Chief has been pleased to accept the resignation of the following Officers of Westmorland Militia, whose rank will cease from this date, viz:—

Lieut. Col. Philip Palmer, 3d batt. Westmorland.
Lieut. T. Kidder, 2d " ditto.
Ensign James A. Black, 2d " ditto.

Lieutenant Maxwell, of the Artillery Company, attached to the 4th Battalion Charlotte County Militia, is reinstated in his rank, &c. he having been superseded, in consequence of an error in the report of Lieut. Col. Mowatt.

It having been reported to the Commander in Chief that Capt. N. J. Brown of the Saint John City Rifle Battalion, has, by his irregular habits, rendered himself totally unfit to hold a Commission in the Militia of New Brunswick—His Excellency therefore directs that his Commission be cancelled, and that he cease to be an Officer in the Militia from this date.

By Command,
GEO. SHORS, *A. G. M.*

From the Bermuda Royal Gazette, Feb. 24.

In our last publication, we mentioned the circumstance of the American brig *Enterprise*, Elliott Smith, Master, with 78 slaves on board, having put into the port of Hamilton, in distress, being blown off the American Coast, when on her passage from Alexandria to Charleston. We then refrained from further alluding to this circumstance, merely mentioning the fact. On the day following, (Wednesday,) Captain Smith stated himself ready for sea, as we are informed, requesting the Officers of H. M. Customs, to report the *Enterprise*, outwards; they however by the advice of his Majesty's Law Officers of this Colony declined doing so, until the pleasure of His Excellency the Governor was known with regard to the Slaves, as it was thought that these poor creatures should be made acquainted with the situation in which they stood, in a country where Slavery had ceased to exist. It was about 2 o'clock, P. M. that application for the Vessel's papers was made, and the Public Offices close at 3. In the mean time *A Friendly Society*, instituted by the better description of the colored inhabitants (a Society which is much to their credit) learning that these unfortunate beings did really wish to be rescued from durance vile, obtained from His Honor the Chief Justice, a Writ of Habeas Corpus, to bring them all before him to answer for themselves, whether they would proceed with the vessel to her destined port and continue Slaves or remain here and be free. The Constable with the Writ went off to the vessel, (then lying about 300 yards from the shore) and requested to see the Master, into whose hand the Writ was delivered, he passed it to a gentleman on the deck of the vessel, and asked him to read it; who, when he had done so, observed that the document was not served in proper form, and on the Constable declining to take it back, it was dropped into the bottom of his boat. The Constable immediately returned to the shore, to report proceedings. In the interim the Master having landed a Merchant of the town of Hamilton, who had witnessed the transaction, very kindly intimated to Smith, the necessity of his regaining possession of the Writ, which he fortunately succeeded in doing. The Master then came into Court, and pleaded very hard, that the compliance with the writ might be deferred till the following morning, but under existing and somewhat suspicious circumstances the Court was peremptory; accordingly about 9 o'clock, P. M. the whole of the Slaves were marshalled into Court; there were children without a single connexion with them, who had no doubt been torn from the very arms of their parents to gratify man, who is ever inventing means to gain filthy lucre; there were women too, with infants at the breast; and altogether, they presented a scene most degrading and revolting to Christianity.—It has been asserted, and we place implicit confidence in our informant, that an attempt was made to tamper with these unfortunate creatures before they left the Brigantine by promising them money if they would but say when questioned they had rather proceed with the vessel. But how little did the tempter reckon on human feeling (though his anticipations were very great) where such strong self interest was concerned; he little thought that the heart of the poor and oppressed colored mortal could, with freedom in prospect, beat with as anxious a joy as that of a white person for any other cause; the result proved how groundless were his expectations.—The first man called upon was desired to stand up, and turn himself towards His Honor the Chief Justice, who plainly, kindly, and very appropriately, addressed him to this effect:—"Your name is *George Hammett*, you came in the brig *Enterprise*, as a Slave, and it is my duty, (understanding that you were kept on board that vessel against your will,) to inform you that in this country, you are free,—free as any white person; and should it be your wish to remain here, instead of proceeding to the Port whither you were bound, to be sold or held to service as a Slave, you will be protected by the authorities here; and if you decide to remain, you will become, as I have observed, a free person, and will be punished for any breach or breaking of the laws of this colony, while if you conduct yourself with propriety, soberness, honesty and industry, you will meet with encouragement from the whole community—do you therefore wish to remain and be a free person, or continue your voyage to the vessel's destined port, and remain a Slave?" It would be difficult to describe the sort of joy and wonderment, that was depicted in the poor fellow's countenance, unawed now by the perhaps worse than frowns of his late oppressor, when he audibly and unhesitatingly declared he would rather remain and be a free man. The whole of them were made acquainted *singly* with their condition, and each answered *singly*: when the poor little boys, some of whom were barely six years old, were kindly spoken to by the Attorney General, and said they had no relation whatever with them; it was a most interesting and at the same time, melancholy scene. Oh! that other Nations would follow the glorious example of the British people in doing away the odious system of Slavery, which no matter by what political party brought about, will in after ages be spoken of as one of the noblest acts a nation ever accomplished, and one that will ever redound to the immortal honor of a Christian people. But to continue, the whole of the Slaves, save a woman and her five Children, by name Ridgly, declared themselves more desirous of remaining and being free, than proceeding in the vessel. The Chief Justice gave them a parting admonition, somewhat to this effect: that they were not to suppose because they were free, they were not to labor, but on the contrary, endeavoured to impress upon their minds, the necessity of an industrious, sober, honest line of conduct, as by their good or evil course of life they must stand or fall; and he trusted they would appreciate as they ought to do, this unlooked for boon of freedom, which by Divine Providence had been granted to them. He also observed, that too much could not be said in praise of the *Friendly Society* of colored people, who had thus generously exerted themselves to rescue so many of their fellow beings from cruel thraldom.

The Attorney General, then moved that a Subscription be immediately entered into for the present emergencies of those now free persons, until as he observed, "they began to feel their way, and had obtained employment." About 70$ was the amount collected.

The crowd assembled to welcome the landing of these people was immense, they were received with cheers—The Court Room was filled almost to suffocation.—The feeling of commiseration exhibited throughout the proceeding, by the Bermudian people of color, was really gratifying. These persons who had but a short time since, been owners of Slaves, spoke with disgust and utter detestation of the Slavery system, and described it, quite as much as any Anti Slavery Society in the Mother Country could have wished, so thorough a change has taken place of late years in the minds of the people of this Colony.—The Court did not adjourn till near midnight, when a shelter was afforded to the now liberated people, by the Worshipful William M. Cox, Esq., in an unoccupied Store-Room in the town of Hamilton. They have all been since, as we understand, provided for, either as domestic servants, or taken under the protection of the members of the *Friendly Society*, before named.

There is one circumstance mentioned in the preceding, which we think deserves a more than casual notice; we allude to the reception and subsequent treatment of the Writ of Habeas Corpus. The indignity offered to an authority the most celebrated in English Laws, very justly called forth the censure of every man in the community, and the friendly advice given to Captain Smith, on landing from his vessel, led him to the wise though humbling necessity of soliciting first from the Boat's crew who refused, and eventually from the Constable, the restitution of the Writ; had not a most lenient disposition swayed His Majesty's Attorney-General on the occasion, which deterred him from bringing the circumstance before the Court, Captain Smith, would now have been in Prison, there to remain until the sitting of the Court of General-Assize, as no bail could be accepted in such a case.—We know not what induced Capt. Smith, to conduct himself in this lawless manner, for it is reasonable to infer, that he, a Citizen of the United States of America, is familiar with the laws of his own country, which differ not so materially with ours, as to impress him with a belief, that they could be lightly treated or disregarded with impunity. In many countries, such disrespect to the Laws, shewn by a foreigner, would have been visited with even more rigour than if *shewn* by one of their own subjects, as it would be considered, and punished, as contempt of their Institutions and their Country. But fortunately, no such feeling existed here, or if it did exist, the balance has swayed favorably for the aggressor. If Captain Smith was acting under the impression that physical force alone would exonerate him in the opinion of the shippers, he erred sadly; for, as the Attorney General eventually told him, the writ was the only document that would bear him out on his return to the United States: that no informality existed in the serving of the writ, a fact we know from circumstances; and as to the necessity of a *silver oar*, no such authority or badge of office appertains to the Court from whence this process emanates. "A writ of Habeas Corpus, may run into any port, harbour, road, creek or bay, although the same shall be out of the body of any county." Had the *Enterprise* gone into the port of New-York, instead of coming in here, as she is owned in that State, and the Slaves intended for sale, we question much whether both Vessel and Slaves would not have been seized.

SUMMARY.

The plot begins to thicken in England as the meeting of Parliament approaches. It is supposed that Parliament will assemble as early as the 19th of February, and that the King will open the session in person. His Majesty, it is said, will be accompanied by the Queen, the Court, and a large company of nobility. By the late arrivals we find that Mr. Spring Rice has been abandoned as Speaker, and Mr. Abercrombie named as a candidate instead. This the latter consents to be at the express wish of Lord John Russell. The result we cannot pretend to predict; but it is sufficiently certain that Sir Charles Manners Sutton has a powerful opposition forming against him, and that his prospects are rendered much less certain by the tenor of the last accounts.

A Commission is named for examining into the state of the English Church, for the purpose of reporting what reforms in the ecclesiastical establishments are necessary. This is done in pursuance of the plan of Church reform announced in the Standard some time ago. The Commission embraces the Archbishops of Canterbury and York—the bishops of London, Lincoln, and Gloucester—Lord Harrowby, Sir Robert Peel, Mr. H. Hobhouse, Mr. Goulbourn, &c.

The London Spectator publishes a complete list of members of the New House of Commons. It is probably correct, or nearly so, and exhibits a dead majority against Sir Robert Peel, unless about one hundred of the moderate reformers can be brought over to him. We recapitulate the numbers—

For England and Wales,

	Reformers	tories	doubt.
	238,	190,	42
Scotland,	35,	14,	4
Ireland,	67,	33,	5
	370	237	51

General total 658.

The brig Fair Acadian, Adams, (arrived at St. Andrews from St. Vincent.) spoke the brig Friendship, for Grenada, having on board the master and crew of the schr. Mary, of Marblehead, bound from Wilmington, N. C. to Port au Prince, which vessel was capsized in a gale on the night of the 14th Feb.—she righted in about 24 hours, with the loss of foremast and bowsprit. The crew had been on the wreck 9 days, when they were fallen in with by the Friendship.—Three of the men were taken on board the Fair Acadian, and landed at Eastport.

MR. R. K. ADDISON'S LECTURE ON ASTRONOMY.

Mr. CHUBB.—I had the pleasure of being present at Mr. Addison's Lecture, on Wednesday evening last, at the Masonic Hall. I am not deeply learned in the science of Astronomy; yet according to my judgment, his Lecture was highly creditable both to his head and his heart. As I am not one of his particular friends or acquaintance, you must not look upon what I say, as anything akin to flattering unction—but as I have dabbled a little in Geometry and Astronomy, and am also a great reader and admirer of sublime poetry; I am bound to confess I was extremely gratified with the young man's whole performance—his calm, cool, and perfect self-possession is admirable—his quotations truly sublime, judiciously select and appropriate—his diction high dignified, chaste and perspicuous, whilst the harmony and congruity of his arrangement are above commendation. But above all, his awe and admiration of the Deity, in the contemplation of his stupendous works, were plainly evinced through the course of his Lecture, to a degree of enthusiasm, yet undeniable by rational adoration; the moral inferences and deductions he drew from the works of Creation, were well calculated to humble human pride, and to excite in the hearts of his hearers the warmest sentiments of gratitude and piety to Him, who is good as he is great, and whose tender mercies are over all his works. I may add, the only regret I felt on the occasion was, that he had not an audience, as to largeness, commensurate with his merit.

AN ADMIRER OF GENIUS.

St. John, March 27th, 1835.

P. S. Were the young man patronised according to his promising talent, he might soon be enabled not only to procure an Orrery; but to assist an aged Father, who has struggled through many years of comparative poverty, in the pursuit of his favourite hobby—Mathematical knowledge.

The Twopenny Magazine,
OR,
Weekly Museum of Literature, Instruction, and Amusement.

THE Editor and Proprietor of the above Periodical, desirous of conducting it in such a manner as may be satisfactory both to his subscribers and himself, and feeling it to be impossible to do so, without such a measure of patronage as may at least secure him from actual pecuniary loss, respectfully appeals to his present supporters and the public at large in its behalf.—Having announced the work for publication, *about two months before its first appearance*; having actually published it during *nine successive weeks*, and having given further time for consideration, by suspending it during his unavoidable absence and occupation at the House of Assembly, he had ventured to hope that, by this time, the prospects of support would be sufficient to warrant his resuming the work with, at least, a certainty of compensation for its actual expense. Although the number of Subscribers has increased during the period of suspension, yet their whole number is at present by no means equal to the expense of publication; and the Editor therefore feels that prudence forbids his proceeding further with certainty of loss.—Under these circumstances, he ventures to appeal to the judgment of his subscribers and the public, by requesting their exertions in favour of his little work; pledging himself to resume the publication of the Magazine immediately upon receiving such a number of subscriptions as will meet the bare expenses; but feeling that he cannot be expected otherwise to continue the hazard. He would only, in conclusion, express a hope, that the only Literary effort of a Periodical nature, in the Province, moderate as it is in expense, will not be suffered to fall into oblivion.

The terms are 8s. 8d. per annum for the Magazine, and 7½d. per ann. postage, to Country Subscribers.

Subscribers' names can be forwarded (*post paid*) to the COURIER OFFICE, or to the undersigned. G. BLATCH.

St. John, March 28, 1835.

SPRING IMPORTATIONS.

The subscriber has just received by the Millman from London, and Hannah from Liverpool—a supply of GOODS, suitable for the season—amongst which are:

BALES of CLOTHS and Cassimeres;
Ditto of FLANNELS and Blankets;
Ditto printed, plain, and furniture Cottons;
Ditto Linens and Fustians;
Ditto Bleached and Brown CANVAS;
Ditto Grey and Shirting COTTONS;
Ditto Stuffs and Slops; do. Checks & Stripes;
Ditto Carpeting and Threads;
Ditto Osnaburg and Ducks;
Cases Hats; casks White Lead and Paints;
Casks boiled and raw OIL;
Pipes and hhds. GIN and BRANDY;
Boxes Soap and Candles; Lines and Twines;
Lead and Shot; Coal Tar and Varnish;
40 tons IRON and SPIKES, assorted sizes;
10 ditto assorted sizes CORDAGE, Spun Yarn and Bolt ROPE; 100 bundles Oakum.

He expects farther shipments daily, comprising a large and general assortment of first quality articles, the whole of which having been purchased at the lowest rates for cash, he will be enabled to dispose of them on the most favourable terms for approved payment.

Also, in store—5000 bushels Liverpool Salt.
St. John, April 19. JOHN WISHART.

JUST RECEIVED,
Per schooner Jane, from Baltimore, and for sale at low rates, (in Bond or duty paid):

600 BARRELS and 150 half-do. Superfine, Fine, and Middlings FLOUR.
100 ditto PITCH, TAR, and ROSIN.
Also, per schooner *Charles King*, from Philadelphia
Rowland's Mill Saws, (warranted,) 6 to 7½ feet each.
Nov. 15. D. & P. HATFIELD.

TO CLOSE CONSIGNMENTS,
THE SUBSCRIBERS will Sell a Lot of CANVAS, considerably under the Market prices.
Also—Chain CABLES and ANCHORS, various sizes and lengths, at exceedingly low prices. MACKAY & CO.
3d January, 1835.

BONNETS and HATS.

The Subscriber has just received, per brig Hannah, and ship Edmond, from Liverpool, the remainder of his Fall Supply—consisting of:

LADIES' waterproof Black and Drab BONNETS; Misses' ditto ditto ditto;
Girl's ditto ditto ditto;
Gentlemen's first quality Beaver HATS;
Ditto second do. do. ditto;
Ditto Plated ditto.
Together with the remainder of his former Importations of Hats, Caps, &c. on hand, and those of his own manufacturing, is well worthy the attention of purchasers—*Wholesale* and *Retail*. C. D. EVERITT.

☞ *Cash and the highest prices paid for FURS of every description.*

Market Square, 13th December, 1834.

JAMAICA RUM.

30 HALF-HOGSHEADS choice JAMAICA RUM.—Landed from the schooner *Lavinia*, and will be sold on reasonable terms, by JAMES T. HANFORD.
14th March, 1835.

BRANDY, GIN, WINES, &c.
The Subscriber offers for sale,
PIPES and Hhds. BRANDY—*Martell's Brand*,
Pipes and Hhds. superior GENEVA,
Hhds. and Qr.-casks Madeira WINE,
Hhds. and Qr.-casks Teneriffe do.
Hhds. and Qr.-casks Marseilles do.
Hhds. PORT WINE,
Hhds. double and single refined SUGAR.
ALSO—2 tons Sheathing Paper.
Dec. 6. JOHN WALKER.

Stuart's Antiquities of Athens,

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