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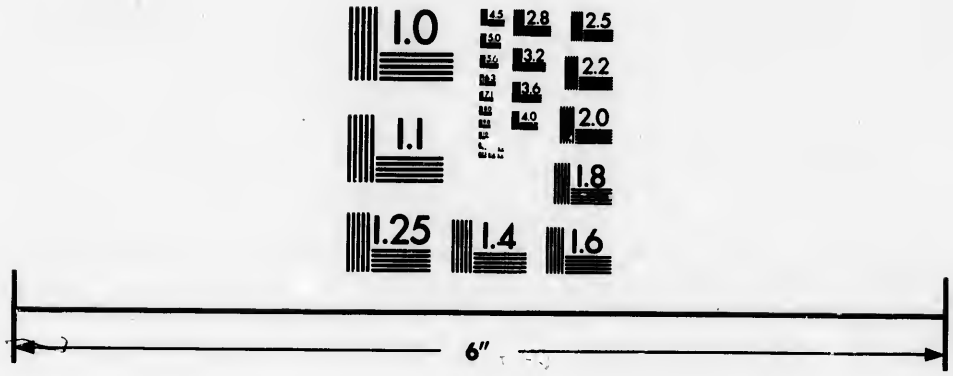

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THE

COLONIAL JOURNAL.

No. III.

OCTOBER,

1816.

(TO BE CONTINUED QUARTERLY.)

London:

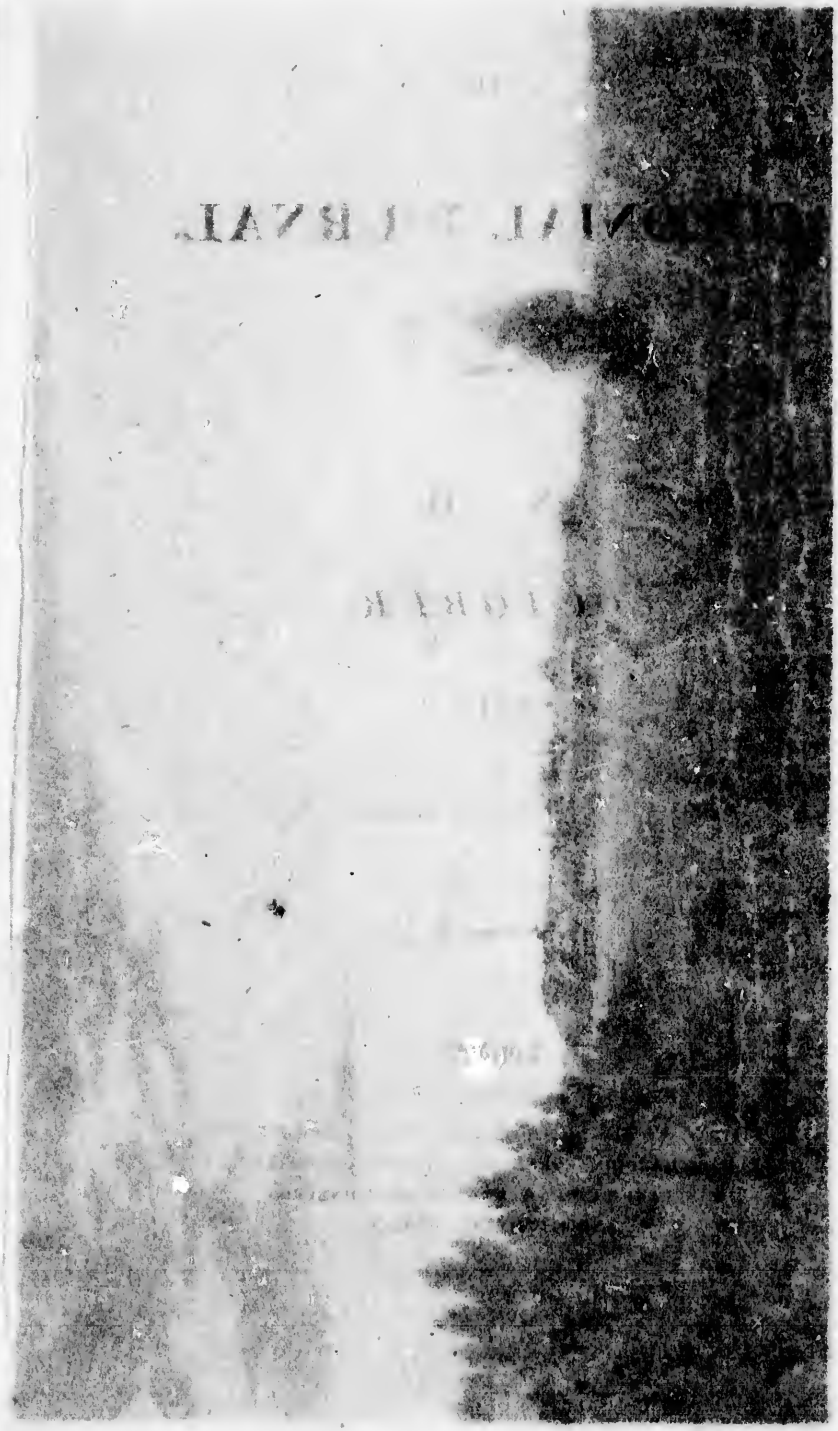
Printed by G. Davidson, Old Boswell Court; for

BALDWIN, CRADOCK, AND JOY, PATERNOSTER ROW

J. M. RICHARDSON, CORNHILL; J. BOOTH, DUKE-STREET,

PORTLAND-PLACE; W. BLACKWOOD, EDINBURGH:

AND J. CUMMING, DUBLIN.



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CONTENTS.

TO READERS AND CORRESPONDENTS.

The Editor feels it to be in vain to repeat his apologies for the irregularity of publication; but flatters himself that the circumstances to which it is to be ascribed will not occur again, and that there will be no cause for future complaints.

Several Papers, intended for insertion in this Number, are reserved for other opportunities.

We regret that the communication of B. B. did not reach us in time to enable us to avail ourselves of it.

We are obliged to C. C., whose favour shall have an early place.

A. Z. is under consideration.

Our thanks are due for several works relating or interesting to the Colonies, which have been obligingly forwarded to us.

A General Geographical, Historical, and Commercial View of the British Empire in Europe, Asia, Africa, and America, with an appropriate Map, in an early Number.

Original drawings of views, objects of art, natural history, &c. will always be acceptable.

The Colonial Occurrences, Appointments, Obituary, &c. for 1816, *which the pressure of other matter prevented us from inserting in Nos. I and II, has almost equally excluded from the present Number, will be fully attended to in Number IV; and those departments of the Colonial Journal will not be suffered to fall into arrear hereafter.*

THE

COLONIAL JOURNAL.

OCTOBER, 1816.

COLONIAL SCENERY.

PLATE III.

A South-west View of the City and Fortress of Quebec.

THE spot occupied by Quebec has a grandeur of appearance, and a natural military strength, which not only adapt it, in reality, to be a foremost seat of commerce and dominion, but strongly impress upon the mind of the beholder the sentiment of that adaptation. The breadth of land and water, the islands, mountains, and capes, which the eye commands on every side; the communication with the sea, accessible to the largest navies, and the sudden contraction of the banks of the river, at the southern foot of the promontory, where a barrier is thus formed between the south and north; and, added to this, the towering height of the surface, and the subjection in which the surrounding landscape seems to lie, all contribute to excite the idea, as, in fact, they compose no small part of the substance, of the advantages ascribed.

Quebec, the capital of the province of Lower Canada, is seated on a bold promontory, on the left bank of the river St. Laurence, in latitude 46° 47′ north, and longitude 71° 10′ west of Greenwich. On the left of the picture represented on the plate is Point Levi, by the projection of which, the upward channel of the St. Laurence is concealed from the eye; and in the low ground on the right is the mouth of the little river St. Charles. Cape Diamond, the highest part of the promontory, rises three hun-

dred and forty-five feet above the level of the river, and owes its name to the quartz crystals that are formed in the fissures of the rock of which it is composed.

Quebec consists of an upper and lower town. The public buildings are the Castle of St. Lewis, the Hôtel-Dieu, the convent of the Ursulines, the monastery of the Jesuits, at present used as barracks for the soldiery; the protestant and catholic cathedrals; the Scots' church, the Lower-town church; the court-house; the seminary; the new gaol; and the artillery barracks; and the city has two market-places, a place d'armes, a parade, and an esplanade. The Castle of St. Lewis is a handsome stone building, supported, toward the steep, which is there two hundred feet above the level of the water, by a solid work of masonry, rising nearly half the height of the edifice, and surmounted by a spacious gallery. It was built soon after the city was first fortified with solid works, and, being latterly neglected as a residence for the governor of the province, had fallen into decay, when, in the year 1808, the sum of £7000 was granted by the provincial parliament for putting it into repair; and, that sum having been found inadequate to defray the expenses of the improvements, upon the scale upon which they had been commenced, an additional grant was made, and the repairs were completed in a style becoming the dwelling of the representative of the sovereign, and highly creditable to the loyalty and liberality of the province.

Fort de Quebec, the origin of the present city, was built by the French, under M. de Champlain, in the year 1608, on the site of an Isoquois town, called Stadagona.

Quebec is distant from the Atlantic Ocean, by the way of the river St. Laurence, three hundred and sixty miles. Its present population is estimated at about eighteen thousand souls. The commercial importance of its sea-port is divided with Montreal; but it is distinguished as being the usual place of residence of His Majesty's Governor-general of Lower and Upper Canada, New Brunswick, Nova Scotia, and their dependencies in British North America*; and as the see of two bishoprics, the one Protestant, and the other Roman Catholic.

* For the exports, imports, vessels, and tonnage, of Quebec, see the Indexes to the volumes of the Colonial Journal.

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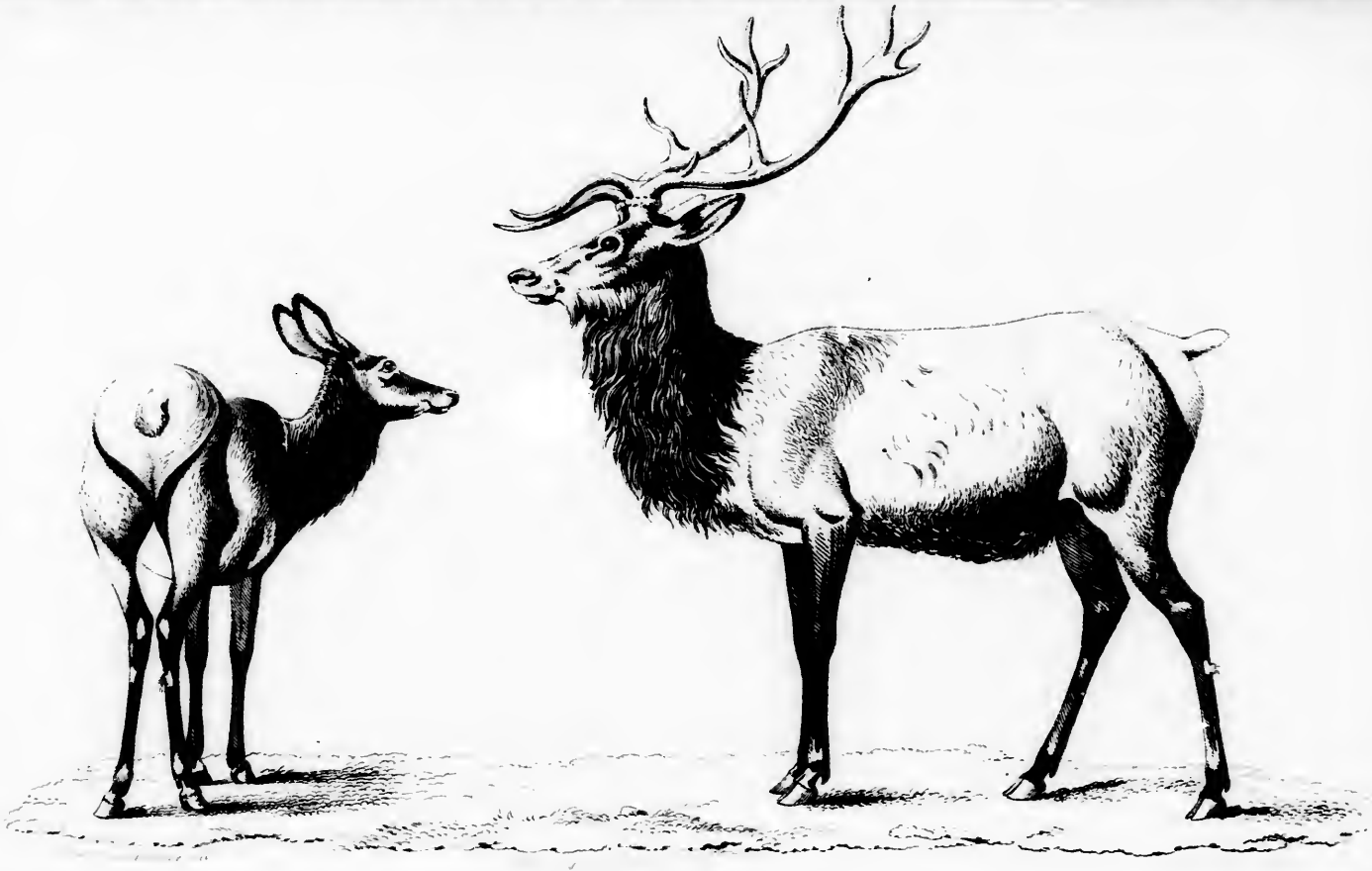

COLONIAL ZOOLOGY.

PLATE III.

THE STAG, OR RED-DEER.

Cervus Elaphus, cornibus ramosis, totis teretibus recurvatis.—*Lin. Syst. Nat. fol.* 98.

PENNANT acknowledged the want of a new treatise on the cloven-footed animals of America, and no writer of more recent date has hitherto filled up the chasm. The Zoology of Dr. Shaw, published in the year 1801, is marked by errors which even Pennant had escaped; and Buffon must still be consulted with advantage, to rectify the mistakes, and supply the omissions, of his successors. Neither Buffon nor Pennant have given any figure of the Stag, Hart, or Red-deer; and that which occurs in the work of Dr. Shaw may safely be pronounced to resemble no animal that has, or ever had existence.

America seems to possess, in common with the old continent, the three larger species of deer, namely the Elk, the Rein, and the Stag or Hart. The last of these is the species represented on the plate.

The animals from which the drawing has been made are now exhibiting, in a stable, the use of which is obtained gratuitously, in the King's Mews, at Charing Cross, where they are described, by those who show them, as having been brought to England from New York, in North America, and to New York, from the river Missouri, in Upper Louisiana. It is added, that the Mandanes, Osages, or other Indians of that part of the continent, distinguish them by the name of Wápiti; that they are long lived, living, in some instances, to the age of eighty years, and giving occasion to a proverbial expression among the Indians, "As old as a Wapiti." Also, that one or more individuals of the species has been so far domesticated, by an inhabitant of Marietta, in the state of Ohio, as to draw a sledge. The animals are called non-descript, and to partake of the nature of the Deer, the Ox, and the Horse, and to

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remarkable for certain *glands* on the hind legs, cavities beneath the eyes, &c. The largest of the males (for there are two males and two females,) is declared to measure eighteen hands from the ground to the withers.

The naturalist, and, indeed, the ordinary spectator, will at once reject the greater part of this history, and doubt much of the remainder. The Stag, as remarked by Buffon, and as has been shown in the figures of Ridinger, in his Wild Thiere, is liable to considerable variety of appearance, dependent on climate and the surface of the soil; and the individuals now exhibited differ little from the ordinary Red-deer of Europe, except, perhaps, in some superiority of size. The height of the largest of the two males is fourteen hands from the ground to the withers*. The present variety appears to be that which is called Tragelaphus, or Goat-stag, by Gesner; Cerf d'Ardenne by the French; and Brandhirtz by the Germans.

The animal before us is that to which the English Americans give the name of Elk, an error in which they have probably followed the Dutch settlers on Hudson's river. The Dutch have given to a small Stag in Ceylon the name of *Elk*. The French in Canada, were more correct, and always described this species of Deer as the *Cerf*. In all English writings from America, for "Moose and Elk," we must read, "Elk and Stag."

The Stag, in North America, is not peculiar to the banks of the Missouri, but spreads over a great part of the continent, the higher northern latitudes, and the mountains and hilly regions, being alone excepted. The shaggy coats of the deer represented on the plate will sufficiently show that they are intended to encounter some degree of cold; but the thickness of the mane and hair varies with the season, and the drawing here copied was made in the winter months. The colour of the hair is likewise subject to change, both from the time of year and age of the animal. The prevailing hue is the rufous brown in which the plate annexed is printed; but the sides of the body are of a pale brown, and the mane inclines to olive. A striking peculiarity is the breadth of pale yellow which covers and surrounds the tail, and which is bordered by a list of dark brown or black.

* Eighteen hands is a height to which even the tallest Elks rarely attain.

POETRY.

ENGLAND AND HER COLONIES.

FROM SOUTHEY'S POET'S PILGRIMAGE TO WATERLOO.

—THAT danger is gone by. On Waterloo
  The Tyrant's fortune in the scale was weighed,
His fortune and the world's—and England threw
  Her sword into the balance—down it swayed:
And when in battle first he met that foe,
There he received his mortal overthrow.

O my brave countrymen! with that, I said,
  For then my heart with transport overflowed,
O men of England! nobly have ye paid
  The debt which to your ancestors ye owed,
And gathered for your children's heritage
A glory that shall last from age to age!

* * * * * * * * * * *

The Muse replied with gentle smile benign,—
  Well mayst thou praise the land that gave thee birth,
And bless the fate which made that country thine:
  For of all ages, and all parts of earth,
To chuse thy time and place did Fate allow,
Wise choice would be, this England and this Now.

From bodily and mental bondage there
  Hath man his full emancipation gained;
The viewless and illimitable air
  Is not more free than thought; all unrestrained,
Nor pined in want, nor sunk in sensual sloth,
There may the immortal mind attain its growth.

There, under Freedom's tutelary wing,
  Deliberate Courage fears no human foe;
There, undefiled as in their native spring,
  The living waters of Religion flow;
There, like a beacon, the transmitted light
Conspicuous to all nations burneth bright.

The virtuous will she hath, which should aspire
  To spread the sphere of happiness and light:
She hath the power to answer her desire,
  The wisdom to direct her power aright;
The will, the power, the wisdom thus combined,
What glorious prospects open on mankind!

Behold! she cried, and lifting up her hand,
  The shaping elements obeyed her will;
A vapour gathered round our lofty stand,
  Rolled in thick volumes o'er the sacred hill:
Descending then, its surges far and near
Filled all the wide subjacent atmosphere.

As I have seen, from Skiddaw's stony height,
  The fleecy clouds scud rond me on their way,
Condense beneath, and hide the vale from sight,
  Then opening, just disclose where Derwent lay
Burnished with sunshine like a silver shield,
Or old enchanter's glass, for magic forms fit field:

So, at her will, in that receding sheet
  Of mist wherewith the world was overlaid,
A living picture moved beneath our feet.
  A spacious city first was there displayed,
The seat where England from her ancient reign
Doth rule the Ocean as her own domain.

In splendour with those famous cities old,
  Whose power it hath surpassed, it now might vie;
Thro' many a bridge the wealthy river rolled;
  Aspiring columns reared their heads on high;
Triumphal arches spanned the roads, and gave
Due guerdon to the memory of the brave.

A landscape followed, such as might compare
  With Flemish fields for well requited toil;
The wonder-working hand had every where
  Subdued all circumstance of stubborn soil;
In fen and moor reclaimed, rich gardens smiled,
And populous hamlets rose amid the wild.

There the old Seaman, on his native shore,
  Enjoyed the competence deserved so well;
The Soldier, his dread occupation o'er,
  Of well-rewarded service loved to tell;
The grey-haired Labourer there, whose work was done,
In comfort saw the day of life go down.

Such was the lot of Eld; for Childhood there
  The duties which belong to life was taught:
The good seed early sown, and nurst with care,
  This bounteous harvest in its season brought:
Thus youth for manhood, manhood for old age
Prepared, and found their weal in every stage.

Enough of knowledge unto all was given
  In wisdom's way to guide their steps on earth,
And make the immortal spirit fit for heaven;
  This needful learning was the right of birth:
Further might each who chose to persevere,
No mind was lost for lack of culture here.

And that whole happy region swarmed with life,
  Village and town;—as busy bees, in spring,
In sunny days, when sweetest flowers are rife,
  Fill fields and gardens with their murmuring;
Oh joy to see the state in perfect health!
Her numbers were her pride, and power, and wealth.

Then saw I, as the magic picture moved,
  Her shores enriched with many a port and pier;
No gift of liberal Nature unimproved.
  The seas their never-failing harvest here
Supplied, as bounteous as the air which fed
Israel, when manna fell from heaven for bread.

Many a tall vessel in her harbours lay,
  About to spread its canvas to the breeze,
Bound upon happy errand, to convey
  The adventurous Colonist beyond the seas,
Toward those distant lands where Britain blest
With her redundant life the East and West.

The landscape changed;—a region next was seen,
  Where sable swans, on rivers yet unfound,
Glided thro' broad savannahs ever green;
  Innumerous flocks and herds were feeding round,
And scattered farms appeared, and hamlets fair,
And rising towns which made another Britain there.

Then, thick as stars which stud the moonless sky,
  Green islands in a peaceful sea were seen;
Darkened no more with blind idolatry,
  Nor curst with hideous usages obscene,
But healed of leprous crimes, from butchering strife
Delivered, and reclaimed to moral life.

Around the rude *morai*, the temple now
  Of truth, hosannahs to the Holiest rung:
There from the Christian's equal marriage-vow,
  In natural growth the household virtues sprung:
Children were taught the paths of heavenly peace,
And age, in hope, looked on to its release.

Then rose a different land, where loftiest trees
  High o'er the grove their fan-like foliage rear:
Where spicy bowers upon the passing breeze
  Diffuse their precious fragrance far and near;
And, yet untaught to bend his massive knee,
Wisest of brutes, the elephant roams free.

The half-brutal Bedah came from his retreat,
  To human life by human kindness won;
The Cingalese beheld that work complete
  Which Holland in her day had well begun;
The Candian, prospering under Briton's reign,
Blest the redeeming hand which broke his chain.

Colours and castes were heeded there no more;
  Laws which depraved, degraded, and oppress,
Were laid aside; for, on that happy shore,
  All men with equal liberty were blest,
And thro' the land, the breeze, upon its swells,
Bore the sweet music of the sabbath-bells.

* * * * * * * * * * * *

Enough! the Goddess cried; with that, the cloud
  Obeyed, and closed upon the magic scene:
Thus much, quoth she, is to thine hopes allowed;
  Ills may impede, delays may intervene,
But scenes like these the coming age will bless,
If England but pursue the course of righteousness.

On she must go progressively in good,
  In wisdom, and in weal—or she must wane;
Like Ocean, she may have her ebb and flood,
  But stagnate not. And now her path is plain:
Heaven's first command she may fulfil in peace,
Replenishing the earth with her increase.

And Thou, to whom, in spirit, at this hour,
  The vision of thy Country's bliss is given,
Who feelest that she holds her trusted power
  To do the will and spread the word of Heaven;
Hold fast the faith which animates thy mind,
And in thy songs proclaim the hopes of human-kind!

NOTICE

OF

"*POEMS, CHIEFLY ON THE SUPERSTITION OF OBEAH.*"

(Concluded from Vol. I. page 309.)

ALLUSION has been made in the former part of this article, to the etymology suggested for the word *Obi*, by Mr. Long, in a paper transmitted several years since, by the Agent of Jamaica to the Lords of the Committee of Privy Council, and by the latter subjoined to the Report on the Slave-trade. Mr. Long expresses himself as follows:—"From the learned Mr. Bryant's Commentary on the word Oph, we obtain a very probable etymology of the term. 'A serpent, in the Egyptian language, was called *Ob* or *Aub*.'—'*Obion* is still the Egyptian name of a serpent.'—'Moses, in the name of God, forbids the Israelites to inquire of the demon *Ob*, which is translated, in our Bible, Charmer or Wizard, Divinator aut Sorcilegus.'—The woman at Endor is called *Oub* or *Ob*, translated Pythonissa; and *Oubaois* (he cites Horus Apollo) was the name of the Basilisk or Royal Serpent, emblem of the sun, and an ancient oracular deity of Africa."

This etymology, if admitted, connects the modern superstitions of the west of Africa with the ancient ones of the east of that continent, from which source they have also been spread in Europe. They are humble parts of the great system which is adorned with the fables of Osiris and Isis; and they comprize, not only the *Obi* of Africa, but the witchcraft of our own countries. That superstition is every where connected with the worship of the serpent, and with the moon and the *cat*. Skulls and teeth of cats are among the foremost ingredients of the African charms or *Obies*. Mr. Long gives the following account of the furniture of the house of an Obi woman, or African witch, in Jamaica:—"The whole inside of the roof, (which was of thatch,) and every crevice of the walls, were stuck with the implements of her trade, consisting of rags, feathers, bones of *cats*, and a thousand other articles. Examining further, a large earthen

pot or jar, close covered, contained a prodigious quantity of round balls of earth or clay, of various dimensions, large and small, whitened on the outside, and variously compounded, some with hair and rags, or feathers of all sorts, and strongly bound with twine; others blended with the upper section of the skulls of cats, or set round with cats' teeth and claws, or with human or dogs' teeth, and some glass beads, of different colours; there were also a great many egg-shells, filled with a viscous or gummy substance, the qualities of which were neglected to be examined; and many little bags, stuffed with a variety of articles, the particulars of which cannot, at this distance of time, be recollected." Shakspeare and Dryden have left us poetical accounts of the composition of European *obies* or charms, with which, and with more historical descriptions, the above may be compared. The midnight hours of the professors of Obi are also to be compared with those of the witches of Europe. Obi, therefore, is the serpent-worship. The Pythoness, at Delphos, was an Obi-woman. With the serpent-worship is joined that of the sun and moon, as the governors of the visible world, and as emblems of the male and female nature of the godhead; and to the *cat*, on account of her nocturnal prowlings, is ascribed a mysterious relationship to the moon. The dog and the wolf, doubtlessly for the same reason, are similary circumstanced.

Obi implies, there is no doubt, first, the Divinity, and secondly, whatever is divine; and, before all, it may signify a serpent. It may be proper too, in this place to remark, that the word appears to have been received in the British West Indies from the Coromantyn Negroes, among whom, as will appear in the sequel, the existence of the superstition first attracted serious attention. In other parts, its place seems to be supplied by the words *Mandinga* and *Greegree*. Of the etymologies of those words no information has yet been given; but it is perhaps, not unimportant to subjoin, that the serpent, which is the *fetish*, or sacred animal, in the kingdom of Wydah, Fidah, or Judah, on the Coromantyn coast, does not enjoy the same honour in all the other places visited by the Europeans *.

In the British West Indies, the Negroes of the Windward Coast are called *Mandingoes*, a name which is there taken as descriptive

* History of Dahomy.

of a peculiar race or nation. There seems reason, however, to believe, that a *Mandinga* or *Mandinga*-man, is properly the same with an Obi-man. A late traveller in Brazil gives us the following anecdotes of the *Mandinga* and *Mandingueiro* of the Negroes in that country. "One day," says that author, "the old man, (a Negro, named Apollinario,) came to me, with a face of dismay, to show me a ball of leaves, tied up with *cypo**, which he had found under a couple of boards, upon which he slept, in an out-house. The ball was about the size of an apple. I could not imagine what had caused his alarm, until he said that it was *mandinga*, which had been set for the purpose of killing him; and he bitterly bewailed his fate, that at his age, any one should wish to hasten his death, and to carry him from this world before our Lady thought fit to send for him. I knew that two of the black women were at variance, and suspicion fell upon one of them, who was acquainted with the old *Mandingueiro* of Engenho Velho; therefore she was sent for. I judged that the *mandinga* was not set for Apollinario, but for the Negress whose business it was to sweep the out-house. I threatened to confine the suspected woman at Gara, unless she discovered the whole affair. She said, the *mandinga* was placed there to make one of the Negroes dislike her fellow-slave, and prefer her to the other. The ball of *mandinga* was formed of five or six kinds of leaves of trees, among which was the pomegranate-leaf; there were likewise two or three bits of rag, earth of a peculiar kind, ashes which were the bones of some animal; and there might be other ingredients besides, but these were what I could recognize. The woman, either could not from ignorance, or would not, give any information respecting the several things of which the ball was composed. I made this serious matter of the *mandinga*, from knowing the faith which not only many of the Negroes have in it, but also some of the Mulatto people. There is another name for this kind of charm; it is *feitiço*, and the initiated are called *feitçieiros*; of these there was formerly one at the plantation of Saint Joam, who became so much dreaded, that his master sold him to be sent to Maranham†."

* A plant.

† Koster's Travels in Brazil, p. 318.

Speaking of the green beads (*contas verdas*) which are another object of superstition in South America, and of the reliance placed upon them by the Valentoens, a lawless description of persons among the colonists of Brazil, the same author gives us this further view of the *Mandingueiros* and their charms: "These men," says he, "wore on their necks strings of green beads, which had either come from the coast of Africa*, bearing the wonderful property of conveying in safety their possessors through all descriptions of perils, or were charmed by the Mandingueiros, African sorcerers, who had been brought over to Brazil as slaves, and in secret continued the prohibited practice of imparting this virtue to them.—Vicente had been acquainted with some of the men, and was firmly persuaded of the virtues of the green beads. When I expressed my doubts of the efficacy of the beads, against a muket ball well directed, his anger rose; but there was pity mingled with it†."

In another place, the same traveller presents us with the *Mandingueiros* in the new character of charmers of snakes. "The Mandingueiros are famous, among other feats, for handling poisonous snakes, and can, by peculiar noises or tunes, call those reptiles from their holes, and make them assemble around them. These sorcerers profess to render innoxious the bites of snakes, to persons who submit to their charms and ceremonies. One of the modes which is adopted for this purpose is that of allowing a tame snake to crawl over the head, face, and shoulders, of the person who is to be *curado de cobras*, cured of snakes, as they term it. The owner of the snake repeats a number of words during the operation, of which the meaning, if they contain any, is only known to the initiated. The rattlesnake is said to be, above all other species, the most susceptible of attention to the tunes of the Mandingueiros. The above accounts I should not have related upon the authority of one or two persons. I have heard them repeated by several individuals, and even some men of education have spoken of the reputed efficacy of the tame

* Labat brings these stones from the Orellana, or river of the Amazons. "I was informed," says our author, "that the *contas verdas* came from Africa; but some may have found their way from the Orellana, and been put into requisition by the *Mandingueiros*." Mr. Southey has given an account of the "green stones of the Amazons," in his History of Brazil, vol. 1. p. 607.

† Idem, p. 252.

snakes of the Mandingueiros, as if they were somewhat staggered in their disbelief of it. These men do certainly play strange tricks very dexterously." "One of the Negroes whom I had hired with the plantation of Jaguaribe," says the same writer, "had one leg much thicker than the other. This was occasioned, as he told me, by the bite of a rattle-snake; he said he had been *cured from* the bites of snakes by a *curador de cobras*, or Mandingueiro, and had therefore not died; "but that as the moon was strong*," he had not escaped receiving some injury from the bite.

Mr. Edwards leads us to believe that the Mandingo Negroes are more or less tinctured with the Mohammedan faith; and that in the countries whence they come, and which border on those of the Moors, religious wars are one source of the supply of the slaves. "There is a sort of people," says another writer, "who travel about in the country, called Mandingo-men, (these are Mohammedans;) they do not work; they go from place to place, and when they find any chiefs or people whom they think they can make any thing of, they take up their abode for a time with them, and make *gree-grees*, and sometimes cast seed from them, for which they make them pay†." On this and other occasions, the word *gree-gree* is applied to a house whence oracles are delivered; but it is also used for a charm or *Obi*. "They themselves," (the natives of the coast,) says the author of African Memoranda, "always wear *gris-gris*, or charms, which they purchase of the *Mandingoes*, to guard them against the effects of certain arms, or of poison, and which they put the utmost reliance on; they have one against poison; another against a musquet; another against a sword; and another against a knife; and, indeed, against almost every thing that they think can hurt them‡." "Mandingo priest, or gris-gris merchant," says the same writer; "that is, a seller of charms, which, carried about a person, secure the wearer from many evils—such as poison, murder, witchcraft, &c. To this priest I had made some handsome presents, and he, this day, in return, gave me twelve gris-gris, and assured me that they would inevitably secure me from all danger;

* "Como a lua era forte."

† Correspondence of Mr. John Kizell, in the Sixth Report of the Directors of the African Institution, p. 136.

‡ Beaver's African Memoranda, 4to. 1805, p. 183.

at the same time, he gave me directions how to dispose of them. Some were to be carried about my person; one secretly placed over each archway; another kept under my pillow; and another under the floor of the house I was building, &c. I was the more astonished at this present, because, in the morning, when he boasted of the strength or virtue of his gris-gris, I ridiculed them, and desired him to put all that he thought proper, to protect against death from a musquet, on the neck of one of my fowls, and that if I did not immediately shoot it dead, I would give him ten bars. He asserted, that if one of them was tied round the neck of the fowl, it was impossible for me to shoot it, and all the natives believed him. The Bijugas hold these people in great reverence, and say, 'that they talk with God.' "

Mr. Long states, that under the general name of Obi-men is also included the class of *Myal*-men, or those who, by means of a narcotic poison, made with the juice of a herb, (said to be the Branched Calalue, a species of *solanum*,) which occasions a trance, or profound sleep, of a certain duration, endeavour to convince the deluded spectators of their power to re-animate dead bodies*."

The superstition of Obi was never gravely remarked upon in the British West Indies till the year 1760, when, after an insurrection in Jamaica, of the Coromantyn† or Gold Coast Negroes, it was found that it had been made an instrument for promoting that disturbance. An old Coromantyn Negro, the chief instigator and oracle of the insurgents of the parish of St. Mary, in which the insurrection broke out, who had administered the *fetish* or solemn oath to the conspirators, and furnished them with a magical preparation, which was to make them invulnerable, was at that time apprehended and punished, and a law was enacted for the suppression of the practice, under which several examples were made, but without effecting, for many years, any diminution of the evil sought to be remedied.

* Hist. West Indies, IV. iii.

† In Brazil, the Coromantyn Negroes of the West Indies, (so called from a fort of that name upon the Gold Coast,) are denominated Minas, (doubtlessly from the Portuguese fort of El Mina:) and the author of the Travels already mentioned, observes, that the Minas, in Brazil, are distinguished for the same ferocious and turbulent disposition which is ascribed to the Coromantyns in the British West Indies.

Additional particulars of this superstition, preserved by Labat, Edwards, and others, are to be joined with those now produced; but after all, the questions to be solved are, whether *obi*, *mandinga*, and *gree-gree*, are really words of similar import, and whether those who are conversant in them are all alike priests of one system of religious faith and worship, or whether the one does not belong to the worship of a good power, and the other to that of an evil one. It is remarkable, that while the etymology of *Obi* has been saught in the names of ancient deities of Egypt, and in that of the serpent in the language of the coast, the actual name of the evil deity, or *devil*, in the same language, appears to have escaped attention. That name is written by Mr. Edwards *Obboney;* and the bearer of it is described as a malicious deity, the author of all evil, the inflicter of pestilential diseases, and whose anger is to be appeased only by human sacrifices. This evil deity is the Satan of our own faith; and it is the worship of Satan which, in all parts of the world, constitutes the essence of sorcery. If this name of *Obboney* has any relation to the *Ob* of Egypt, and if Ob, both anciently in Egypt, and to this day in the west of Africa, signifies "a serpent," what does this discover to our view, but that Satan has the name of *serpent* among the Negro nations, as well as among those of Europe? As to how it has happened that the serpent, which, in some systems is the emblem of the good spirit, is in others the emblem of the evil one, that is a topic which belongs to a more extensive inquiry. It is enough for our present satisfaction to remember, that the profession of, and belief in sorcery or witchcraft, supposes the existence of two deities, the one the author of good, and the other the author of evil; the one worshipped by good men, for good things and for good purposes, and the other by bad men, for bad things and purposes; and that this last worship is sorcery, and the worshippers sorcerers. We have seen above, that some African charms are to prevent evil, and others to procure it; the first belong to the worship, and are derived from the power, of the good spirit, and the second are from the opposite source. It is to be concluded, then, that the superstition of Obi is no other than the practice of, and belief in, the worship of *Obboney* or *Oboni*, the evil deity of the Africans, the serpent of Africa and of Europe, and the Old Serpent and Satan of the Scriptures; and that the witchcraft of the Negroes is entirely the

same with our own. It might be shown further, that the latter have their temporary transformations of men into alligators, wolves, &c.; as the French have their *loups-garoux*, the Germans their war-wolves, wolf-men, and the rest.

In the Travels in Brazil, we read of a Negro who was reported by one of his fellows to become occasionally *lobos homem* or wolf-man. "I asked him," says the author, "to explain; when he said, that the man was at times transformed into an animal, of the size of a calf, with the figure of a dog*;" and in the African Memoranda is an account of a Negro who professed and was believed to have the power of transforming himself into an alligator, in which state he devoured men. Upon being questioned by Captain Beaver, he answered, "I can change myself into an alligator, and have often done it†." But, though these may be genuine African superstitions, and not such as have been introduced by the Portuguese, yet it is certain that there is no part of Europe to which they do not equally belong.

Not to forget the poet whose little volume has invited these remarks, we must now dismiss him with as much haste as may be consistent with a due respect to him and to the reader. In removing the veil attempted to be thrown by this writer over the superstition of the Negroes, and by which its identity with our own was kept from view, a service has been rendered to history and to philosophy; and the same is doubtlessly to be said of the distinction suggested between the good and the bad charms, the things absolutely wicked, and the things merely weak, which are mixed together in the accounts of which we are possessed. It remains only to follow the poet to the conclusion of his narrative. Of his merits nothing that is very flattering can be said. The extract commenced with Mira's threat of destruction to Eliza's children. In the second part, Mira repairs to an Obeah-man, by the aid of whose incantations she accomplishes her malignant purpose. The third and concluding part relates the successive deaths of the children, and consequent triumph of their author's murderous design. The poetry, as the extract will have shown, as insipid as the catastrophe (to say the best of it,) is uninstructive.

* Travels in Brazil, p. 222. † African Memoranda, p. 179.

A GENERAL LIST

OF

THE PRINCIPAL COLONIES AND DEPENDENCIES

OF

The Kingdom of Great Britain and Ireland, in Europe, Asia, Africa, and America. 1817.

EUROPE.

1. Isle of Man.
2. Guernsey.
3. Jersey.
4. Alderney.
5. Sark.
6. Gibraltar.
7. Malta.
8. Ionian Islands.

ASIA.

9. Isle of France.
10. Ceylon.
11. Bombay*.
12. Madras*.
13. Bengal*.
14. Fort Marlborough*.
15. Prince of Wales's Island*.
16. Canton*.
17. New South Wales.

AFRICA.

18. Sierra Leone.
19. Forts on the Gold Coast, under the management of the African Company.
20. Cape of Good Hope.
21. St. Helena†.

AMERICA.

North America.

22. New Brunswick.
23. Nova Scotia.
24. Newfoundland.
25. Cape Breton.
26. Prince Edward's Island.
27. Lower Canada.
28. Upper Canada.
29. Hudson's Bay‡.

* Establishments, the names of which marked with an asterism, belong to the East India Company.

† Settlements have recently been made on the islands of Ascension and Tristan d'Acunha.

‡ A settlement, called Osiniboia, was begun in 1811, by the Earl of Selkirk, under the authority of the Hudson's Bay Company, upon Red-river, which falls

West Indies.

30. Antigua.
31. Bahamas.
32. Barbados.
33. Bermuda.
34. Dominica.
35. Grenada.
36. Jamaica.
37. Montserrat.
38. Nevis.
39. St. Christopher.
40. St. Lucia.
41. St. Vincent.
42. Tobago.
43. Tortola.
44. Trinidad.

South America.

45. Honduras.
46. Demarara.
47. Berbice.
48. Essequibo.

CORRESPONDENCE.

TO THE EDITOR OF THE COLONIAL JOURNAL.

SIR,

In consequence of some paragraphs which have appeared in a morning paper, relative to an unfortunate expedition, undertaken, as the writer states, by "a band of people got together by Lord Selkirk," I address you, not in defence of that nobleman or his proceedings, but as a near relative of Mr. Semple, the gentleman so injuriously, and, as I hope the event will prove, so unjustly brought into public notice in the paper alluded to. Your insertion of these few lines in your Journal will be esteemed a favour.

The writer seems to be aware that Mr. Semple is known to the public by his writings, and he must admit that he is known with some degree of esteem. I must take the liberty to state one fact:—Unless Lord Selkirk formed the whole of the Hudson's Bay Company, Mr. Semple could not be called *his* governor; for I can assure you, from his own information, that he went out to that place under the express authority of all the persons who compose the Company, to assume the government of York factory there.

The reports which have been given in the paper have not as yet the stamp of authenticity; and even if they had, be it remembered, that "English vengeance wars not with the dead."

into Lake Winipic. For a Copy of the Charter of the Hudson's Bay Company, see below, page 88; and for an account of the soil, climate, &c. of the new colony, see page 27.

Mr. Semple is not without a character, either in public or private life. Should he have fallen, I can venture to affirm, that no one in the latter station ever fell who has left more sorrowful hearts behind him, or who will remain longer in remembrance, while superior talents, goodness of heart, gentleness of manners and disposition, and rectitude of conduct, deserve to be remembered. I am, Sir, your humble servant,

Islington, Sept. 30, 1816. ROBERT SEMPLE.

TO THE EDITOR OF THE COLONIAL JOURNAL.

SIR,

PERMIT me to request your insertion, in the Colonial Journal, of the subjoined remarks on the natural products of Demarara and Essequibo, sometimes called British Guiana. They were drawn up in the year 1808, by a Gentleman resident on the spot, in reply to a series of questions, addressed to him by a friend in England.

London, June 12, 1816. COMMUNICATOR.

I. FROM the western boundary of the Essequibo, which may be said to commence at the Ondernaming, the depth, from the sea to the sand, when the sand becomes unfit for cultivation, is very little; not more than from three hundred and fifty, to four hundred rods (Rhynland measure), gradually deepening as you go to the northward, until you come abreast of the Pormaron. That river, and the sea opposite, in nearly a north-easterly and south-westerly direction, form a tongue of land, the northern part of which is opposite to the port the British now occupy at the mouth of the Pormaron, and may be said to commence about No. 1 (adjoining to Durnshire , and is free from sand.

Contiguous to the back of all the estates, from the western boundary of the river, to No. 1, timber fit for all the purposes of building is to be had tolerably conveniently. There is not upon this coast any quantity that could be transported without too much labour and expense, as there are only two creeks or mouths of rivers (of no great magnitude) upon this part of the coast. These creeks, however, furnish plenty of Wallava posts, shingles, paling, staves for sugar-casks, and other kind of wood for posts, &c. and such inferior, but very useful kind of timber. The land on the western side of Pormaron belonging to these colonies is considerable, and has been laid out *upon paper*, but whether it has been actually surveyed I cannot learn. At present there are no settlements.

The land proper for cultivation, from the west coast of the river, to the mouth of the Pormaron, is no where sufficiently deep before you come to the sand (hills they cannot properly be called, they are merely risings,) to admit of a sound estate being formed upon Demarara; that is to say, every estate now settled, and to be settled upon this coast, may be consi-

dered to own all the land aback of it, for the breadth of the estate, as far as it may be useful for the owner to go.

II. The principal part of our timber is procured from the creeks or branches of the main rivers of Essequibo and Demarara, but more particularly Essequibo; these creeks give a facility of its transportation with, comparatively speaking, but little labour.

Our timber in general is very straight, and fit for every purpose of building, and of framings for buildings of the longest descriptions (such are our coffee-logus, sugar-works, cattle-mill houses,) and mill-timber of every description.

For the building of craft, such as are used in these colonies (schooner boats, of from thirty to forty-five keel,) no country in the world can produce finer timber, particularly for the bottoms, which even the worms (bad as they are here,) will not touch. The particular wood applied to this purpose, is chiefly procured from above the falls in the Essequibo and Massarorim rivers, and in the river Demarara, and is called *Sillavabomy*. Of this wood there are several sorts, but the yellow is the best; the different kinds of wood are very numerous, but the principal which are used for buildings, &c. are green hart, for framing and all general purposes considered the best wood there is; bully-tree, excellent for wind-mill shafts, &c. sillownholly, crab-wood, wallabra, delerma and morah: this latter wood is best for boats timbers, knees, &c. and is most excellent wood, but does not do so well in the water, as the worms are very fond of it. Some of the largest of these trees are from forty to sixty feet long, and will square from eighteen to thirty inches; but the general run may be considered from twelve to sixteen. The branches of the morah make excellent crooked timbers, knees, &c. and a considerable quantity has been sent to the navy-yard at Barbados for that purpose.

Shingles of wallaba are procured in great plenty, and are of so durable a quality, that after having been upon buildings for twenty years and upwards, they only require to be taken off the edges, thinned, and turned, and they will do again just as well as ever. Of this same wood too, staves for sugar-casks are likewise made, but it is said to discolour the outside of the sugar a little, and it is rather heavy; but there is a white wood in the country, which makes very good staves: they are rather brittle, and not quite so durable as that of the United States, but would make a very good substitute, and now that the staves of the United States are dear, most estates mix half and half. There is a vine in the country which makes very tolerable hoops; but if they stay too long are apt to get dry-rotten. There is another kind I understand which are as good as those from Europe, but are more scarce than the former.

For ship-timber of a large size, I apprehend it would be too laboribus to procure any considerable quantity, or rather that the labour at present is too valuable.

III. Between Demarara and Berbice there are but too creeks (Matraica and Matraicony,) where timber is procured, it is brought from a considerable distance, and is, I believe, pretty much exhausted. In the latter

creek the principal wood they cut is determa, and of which they build in the creek a considerable number of boats.

IV. Provisions of every description indigenous to a tropical climate can be raised here in the greatest abundance; not only sufficient to supply the present population, but almost any number of people.

V. On the lands already under cultivation, and which are consequently drained, neat cattle thrive remarkably well; but, such is the nature of the sea-coast, that it would require to be drained and cleared equally for the raising of cattle solely, as for any other kind of produce. Up the rivers, the land becomes higher, and is consequently much easier drained; and neat cattle thrive there also particularly well. Another advantage attached to the river is the having always plenty of fresh water; whereas it sometimes happens, in a dry season, that the sea coast labours under great inconvenience in that respect.

I have little doubt, that had we a population of the description of the poorer class of white people in Barbados, that establishments for the raising of cattle would soon be found; and would very soon, I am perfectly convinced, become both valuable and productive, and not only furnish an abundant supply for mutual consumption, but sufficient to assist our neighbours in Barbados, the troops in garrison, &c. The cattle, when any pains at all is taken, are as fine as any I ever saw out of England, and the beef itself is excellent. Our Savannah lands, that are uncultivated in the rainy seasons, would be too wet for either mules or horses; and they would, as I have before mentioned, be subject to drought in a very dry one; they must therefore necessarily be confined to the estates which are already cultivated, and they would thrive there is no question of doubt.

VI. Lands worn out in the cultivation of sugar are here hardly known, at least not in any quantity. When any part is laid by, to cultivate the newer and fresher lands, it answers exceedingly well for pasture; and on old coffee estates, when the coffee has given out, which is generally up the rivers, cattle increase and thrive remarkably.

TO THE EDITOR OF THE COLONIAL JOURNAL.

SIR,

As the present agricultural depression of the country generally appears to occasion many valuable and industrious of our fellow subjects to emigrate to other shores, I am persuaded, that any information which may be deemed useful, relative to such distinct portions of the earth as stand more immediately placed under our own Government and laws, must be held important and interesting.

And as the American continent has long been the favourite resort of the European adventurer of every class, the advantages that will be found annexed to that portion of it, which is comprehended within the British dominion, must hold a pre-eminent claim to our notice.

With such consideration, your insertion in the Colonial Journal, of the following extract of a communication from Red River, which has been

put before me by an enterprizing and intelligent friend, at present employed on an arduous and public-spirited mission in the interior of Canada, will greatly oblige your most obedient Servant,

June 14, 1816. GEO. HENDERSON.

October 4, 1814.

"I have resided thirteen years on Red River, and have always been in the habit of cultivating its soil, and from experience, can take upon myself to say, that the climate is much the same as in Upper Canada, that is, the winters are of a shorter duration, and much milder than at Quebec.

"All fruits produced under the tropics, not requiring more than four months sun, will ripen on Red River.

"Last summer I had water melons from the open ground, sowed the 4th of June, which were ripe early in September; the largest weighing thirteen pounds. The musk melons and cucumbers were as large, and as well-flavoured as any I ever saw at the fruiterer's in London.

"Turnips sown the 25th of June were fit for the table about the middle of August. In October, one of them weighed fourteen pounds and three quarters. A bushel of potatoes will produce from forty to fifty bushels.

"Wheat, barley, and rye, I have seen but in small quantities: but am of opinion that no country will produce a more abundant crop.

"Natural productions of the soil, flax, wild rice, cherries, peas, raspberries, strawberries, grapes, bush cranberries, currants, plumbs, crab-apples, and various roots.

"Salt-springs are very common, and the sugar-maple is to be found in every part.

"Immense herds of buffaloes graze the plains. Elk, and moose-deer are equally numerous in the woods.

"A line with sixty hooks set across any part of the river will give from sixty to more cat-fish per day, weighing from nine to twenty-five pounds. Sturgeon are abundant; and most of the fish peculiar to North America may be plentifully taken in nets.

"In the spring and autumn, wild fowl of almost all descriptions are common. The general price of a buffalo (as large as an English ox) is to be had for twenty or thirty rounds of ammunition, or for one pound of tobacco.

"But the real value of the country is the fertility of its soil, and the facility that nature offers to the industrious, of obtaining the reward of his labour. A luxurious soil here only requires the use of the plough, not a rock or stump requires to be taken up, as the lands are already cleared.

"The plains present you with a pasturage of many hundred miles in extent; and horses and cows, except the latter required for milk, may be left out during the winter. In truth, I know of no country that offers so many advantages,—an wholesome climate, fertile soil; fish, flesh, and fowl in abundance; and sugar and salt for the trouble of making them. In fact, all the necessaries, and many of the luxuries of men are here,—his only want, perhaps is society." P********.

TO THE EDITOR OF THE COLONIAL JOURNAL.

SIR,

SHOULD the following account of the Cape of Good Hope be allowed a place in the Colonial Journal, I shall feel much indebted to your liberality. I am well aware of my inability to give an adequate description of the venality and contracted policy of that colonial Government, and I sincerely regret, that the task has not fallen into more able hands; but yet I trust that some good will arise from the humble efforts of a rough-knotted sailor.

Last year, from the peculiar circumstances of my business, i was compelled to stay in the colony for three months; during that time I had sufficient leisure to observe, that the high road to improvement, which, doubtless, in every country, and particularly in a colony, ought to be as smooth and passable as circumstances will admit, is, in that place, one of the most unfrequented and rugged roads a man can pursue; yet, notwithstanding the many formidable obstacles which on every point present themselves, such is the indefatigable industry of the colonists, that the place is becoming of considerable commercial importance. Surely the advantages which that colony is capable of yielding to the mother country, in the consumption of British manufactures, are of sufficient importance to claim the attention of our Government at this particular juncture. The importation of 1814 was upwards of £300,000 worth of British goods; and if any encouragement were given to increase the population of that fine and extensive colony, it would very soon become a tolerable mart. The salubrity of the climate is proverbial, and inferior to no other part of the globe. Its centrical situation between the eastern world and the western commands, as it were, an intercourse with every national flag; and if a liberal line of policy were adopted, it would most certainly very soon become a very desirable place to live at: but the abuses which exist in that colony are become so glaring, and the effects of those abuses so severely felt by the inhabitants, that a man accustomed to live under a British Government reflects with indignation on the present state of its internal polity. The administration of laws in civil cases are directed by the most arbitrary proceedings, and even in criminal cases are dispensed without even the shadow of an Englishman's pride—a trial by jury. The press is under the immediate control of Lieutenant-Colonel Bird, who is Private Secretary to the Governor, and Deputy Colonial Secretary, for which he receives £2000 sterling per annum, exclusive of his pay as Lieutenant-Colonel in the army; a common advertisement of five lines pays the enormous sum of four rix dollars; and they will not allow any person to suggest any improvement to the colony through the columns of their paper, unless paying for it as an advertisement; so that it is utterly impossible to deviate from the old plodding track. The colony has been ceded and ratified to Great Britain for some time past, yet it does not, in point of government, partake of one single benefit arising from that circumstance. The same judicial court, the same merciful and benign laws, are

most profusely lavished on the colonists, under the profound and sagacious direction of the fiscal; that zealous and most vigilant protector of the rights, privileges, and properties of His Majesty's faithful subjects; according to the unerring principles of equity and justice, laid down and digested by the sapient Dutch legislators about two centuries ago, when commerce was in its infancy, and men just emerging from barbarity. Thus, what time and prejudice have sanctioned, and Dutch custom confirmed, British subjects must be content to receive the inestimable blessings of, and that too without a murmur; for to complain is to receive an order to quit the colony. The principal part of the residents, in point of trade, are British merchants, who surely are entitled to, and ought to receive, some better protection and encouragement than that of the present colonial jurisprudence. If the wisdom of our Government at home should still deem it prudent to continue the Dutch colonies subject to those precious relics of human perfection, at least let them, in their unbounded mercy and goodness, grant the English settlers some redress from those oppressive grievances they daily endure. Give them at least an English court of justice, and let them show to Africa the super-excellency of our constitution in a trial by jury: let them, by example, teach the poor unfortunate slaves, that their lives, in the estimation of British laws, are co-equal with the highest officer of the colony, and that their persons are as much protected from unjust oppression.

A FRIEND TO THE CAPE.

P. S. It is worthy of remark, that the Napoleon code of laws is still administered at the Isle of France.

TO THE EDITOR OF THE COLONIAL JOURNAL.

SIR,

In looking over some papers I found the inclosed. It contains an essay on a subject which (from the opportunities I have lately had of knowing what is going forward in our North American Colonies) will, I think, ere long, become a popular question. I did intend to have written a full state of the case, "Whether Americans, born before the independence of the states, were aliens," but the multitude of my avocations has alone been the cause, I have not. This essay is entirely my own sentiments on part of the question. I think it worth re-printing. I should add, that at the time the paper was sent to me, a note accompanied it, stating, it was from the pen of an eminent Pleader at the United-States' bar; but as the writer was not fully confident that he was the writer, I will not mention his name. Should you think of writing a critique on the subject, let me beg of you a careful perusal of Reeves's two Tracts; they really are astonishing from such a quarter; they are erroneous without doubt, but it would require more time than I can spare to argue the subject fully

Your well wisher,

11th July, 1816. J. W.

P. S. The article is from the George Town Federal Republican, a United States' paper. George Town is the real dwelling-place of most of those who are supposed to reside in the nominal city of Washington. The writer's principles are developed in the course of a discussion of the particular case of the late General Moreau.

What are the doctrines of our Government upon the subject of native and perpetual allegiance? And what are the principles established in the laws of nations, nature, and reason? A few remarks, in answer to these questions, will furnish an appropriate introduction to a particular examination of the conduct of Moreau.

Our Government, that is, the present administrators of the government, affect to think, that allegiance hangs on the citizen, or the subject, like a dirty garment, to be thrown away or exchanged at the pleasure of the wearer. They affect to think, that if they can catch, in our country, any native of Europe, and pass him through the crucible of naturalization, he at once is released from all his former duties, and constituted a legitimate citizen of our republic for ever. It is upon these principles they have dared to stake the interests of their country upon the issue of arms. To protect naturalized seamen against the claims of their native land is the great and professed object of the bloody war they are now waging. But it is a principle which exists no where but in the cabinet of this abused and bleeding country. It exists not in national nor common law, nor is it sanctioned by nature, reason, or policy.

In public law, there are no principles more clear and sacred than these; every citizen of a country, in which there is a regular and legal government, is the child and creature of that country in which, and of that government, under which his father lived and died, and he was born. Every member of a regular community is bound by chains, which he cannot break nor destroy, to that community, to which his father owed the allegiance of birth, and in which he drew his breath. Every man is bound in perpetual allegiance to the Government of which his father was a subject at the time of his birth, and under whose protection he came into life.

We have, I know, some peddling politicians of the French revolutionary school, some scribbling Cincinnati, some profligate John Dickensons of the day, who, in the rage of their disordered fancies, have imagined some exceptions to these rules, and mentioned some cases to which these principles do not apply. Their exceptions and their cases are more specious than solid. But if they are in truth exceptions, instead of refuting, they only prove the soundness of the general principles, and the correctness of the general rules. These principles and rules are firmly established, and universal in their application; founded in public law, sanctioned by nature, reason, and sound policy, and recorded in every page of the genuine archives of the great republic of nations.

Can, then, no native citizen of one country emigrate and spend his

days in another? Yes, undoubtedly. But such emigration in no way destroys his obligations, nor dissolves his bonds of allegiance to his native country. Is there no such thing as a dissolution of the bonds of native allegiance? Can the duties of allegiance never be tranferred from one country to another? No doubt they may be transferred. Not, however, by the act of the citizen or subject alone. From the obligations which bind him to the country of his birth, he cannot release himself at his will and pleasure. He may reside all his life in a foreign land. Nay, if it be necessary for the subsistence of his family, he may fix himself and his posterity for ever in climes remote from the land of his birth, nor can the country of his nativity, the government to which his father owed allegiance, interfere to check or prevent his emigration, unless it be true that such interference is called for by the welfare, the safety, or the existence of the community of his birth. In either of these cases the Government to which his father owed allegiance, and under which he came into existence, has the perfect right to prevent even his emigration. But if this emigration does not affect the welfare and the safety of his native country, or if such country cannot protect his rights, or if such emigration is necessary to his subsistence, it cannot be rightfully forbidden by his Government. But the right of emigration is *one thing*, and the *transfer of allegiance is another*. If one country, America for instance, chooses to receive the native born subjects of another, England for example, into her bosom, she has a right so to do. Nor can England justly complain of such reception. It results of necessity from the right of emigration; and while the emigrant is in our territory, on the one hand he is bound to submit to all our laws, and on the other hand is entitled to their protection, not only in the ordinary rights of life, liberty, and property, but against even the claims of his native country. This protection results not from any laws in favour of emigrants, but from the nature of national sovereignty, from the inviolability of a nation's territory. While *within that territory*, every emigrant is safe; because no foreign arm can reach him, and because no law requires his surrender to any claim of his native country. I speak now of general principles, which apply not in some particular cases, such as those of desertion, state crimes, &c. which are regulated by other rules. I speak of the emigrant who leaves his country by the express or implied permission of his Government. But if such emigrant leaves our territory, and falls within the power of his native country, his adopted country has no claims upon him, and cannot protect him from the duties of natural allegiance. His emigration has not transferred the allegiance due to his native country.

Nothing but the consent of his own native country, either expressed or implied, can dissolve the bonds of his allegiance, and enable him to become exclusively the citizen or the legal subject of an adopted country.

Though he were naturalized thirty times, in thirty different nations, his allegiance to his native country remains unimpaired in full vigour and life, and will so continue until that country consents to the transfer of his allegiance. I have already remarked, that this consent may be either

express or implied. It is not now necessary to define what in law constitutes express or implied consent, or to distinguish between them. It is sufficient to repeat, that one or the other must exist, or native allegiance with all its consequences attaches through life to the emigrant.

To establish these principles, I will not travel back to Greece and Rome, because the learned John Dickenson, the babbling Cincinnatus, and even that great civilian Mr. Joseph Gales to the contrary notwithstanding, I am pretty sure, that the laws and rights of nations, as now established, have no more connection with the customs of these republics, than they have with the statues and superstitions of Owhyhee or Otaheite.

I will only refer to those authorities which cannot lie, and which cannot be mistaken, to wit, the established customs and immemorial conduct of modern nations. There is no principle plainer than this, that the legitimate sovereign, the legal government of a country, has a right to pass such regulations as are consistent with the fundamental laws, in other words, the constitution of such country. Of course, every nation on earth regularly organized, has a perfect right by its sovereign or government to establish a rule or law, by which every member of the community, every citizen or subject of the nation, shall be bound to perpetual allegiance. Vattel and all the phalanx of writers who touch on the subject, lay these principles down as indisputable. When any society or nation has established such a rule, it is binding on all its members; and no other government, by any hocus pocus of naturalization, can release any citizen from such a law or rule of his native country. A citizen might just as well, by the interference of a foreign government, be released from all duty to his native country.

Governments, in conformity with nature and reason, have almost invariably established the principle of perpetual allegiance. The principle is known to be prominent in the municipal laws of every distinguished nation in Europe, and in the laws of our own country. It is a principle of common law in England, that a British born subject cannot expatriate himself—that is, cannot shake off his allegiance to the British government, without the consent of that government. The same principle is and always has been applied by the laws of France to French-born subjects. So also in Sweden, Germany, and all the civilized nations of any leading character and influence in Europe. In our own country the law is precisely the same. In the only case ever decided here, to wit, the case of Williams, at Hartford, the Chief Justice of the United States, the good and the learned Elsworth, decided in solemn form, that a native American citizen could not cease to be a citizen of our republic, without the consent of the American government.

No one will dispute the capacity of Elsworth—no one will doubt his integrity—no one will doubt that he was read in all the recondite learning of the science he professed. He could not be mistaken; he could not be corrupt;—and when our citizens remember that he decided the question after the most patient research, and the maturest reflection, upon the responsibility of his venerable character, and under the sacred obligation

of a holy appeal to heaven;—when they remember, that Williams, his counsel, and his numerous friends, submitted to the decision without appeal; that under it he suffered the painful punishment of the law, and that it has never been impugned or disapproved by any other Judge; but little doubt will remain, that expatriation is not sanctioned by the principles of our law.

"What then becomes of the principle of naturalization? England naturalizes aliens; France does the same; so do all the leading powers of Europe; and the right of naturalization is recognized even in the charter of American independence."

This is all true; but does this at all conflict with the principle of perpetual allegiance? No; nor, first, naturalization may operate upon aliens whose native countries have consented to the change of allegiance; and in such case it is perfect and effectual. But in the second place, even upon those aliens whose allegiance is never severed from the country of their birth, it may impose the heaviest obligations. It may compel them, while among us, to perform the duties of citizens, and entitle them to the exercise of all our constitutional rights. But it cannot, it does not, I trust in God it never will, destroy those duties which are due from every man to the country of his first allegiance.

True it is, this view of naturalization may subject the naturalized citizen to difficulty and danger. But it is difficulty and danger of his own seeking.

Neither the government of his native, nor his adopted country, is responsible for his condition, his difficulties, or his dangers. He has voluntarily incurred inconsistent obligations. He has madly and wilfully thrown himself into a condition despicable and dangerous, and on his own head be the consequences of his madness and folly. Our own constitution in no way militates with this view of the effects of naturalization. It authorizes congress to naturalize; but it does not and it cannot say, that such naturalization destroys the bonds of allegiance which bind an emigrant to his native country. What then is the plain and safe path for the subjects of Europe, who come among us, to travel? Why, if wearied of their own governments and countries, they have flown to us, let them rest in peace! Here, safe under the protection of our law, not meddling with our government, nor our political contests, let them in imitation of the illustrious Moreau, pursue their happiness and perform their duties. Let them not throw themselves upon the ocean in contact with their native obligations and former duties, and thus involve in war, misery, and ruin, that country which has generously received, protected, and sustained them. For if they will become turbulent here, if they will leave the protection of our laws, within our own territories, where they might continue safe and unmolested, they must reap the fruits of their folly. Their adopted country cannot by law, right, or policy, protect them against the claims of their native country, when once they abandon the territory of the former, and come within the power of the latter. This conclusion is irresistible, from the premises which I have established; and from these

premises, it also follows, that all the native born subjects of England who are fighting in the ranks of her enemies, without her expressed or implied consent, are guilty of treason, and when taken in arms against her, may be legally punished with death.

And hence it also follows, that if Gen. Moreau entered the armies of the allies, before the bonds of his native country were dissolved, he was a traitor to France, and might, if in the power of Napoleon, have been executed for his treason.

I examine not now the nature of the French usurpation—the illegality of the Buonapartean dynasty. I inquire not, whether the Corsican is a tyrant and an usurper, who in defiance of man and God, has trampled down the liberties of France, and waded through the blood of her best citizens to the throne of a murdered Monarch? I inquire not, whether every son of France, by the laws of God and man, was authorized to plant a dagger in the tyrant's heart, and rescue his country from slavery? Let the admirers of that ancient Jacobin, the younger Brutus, justify morality and deeds like this! For the purpose of this argument, I admit the tyrant held the sovereignty of France, and was entitled to the allegiance of his subjects. Nay, if it will better please the calumniators of Moreau, let the tyrant for the present be called "the good and the great Napoleon"—"the Apostle of Liberty"—"the supereminent Emperor"—"the favourite of Heaven," or whatever else the present advocates of equality and the rights of man, the genuine republican scribblers of our country, in the aspirations of their holy zeal for liberty, would have him; and then let us ask,—Had this "favourite of Heaven" released his illustrious victim from his allegiance? Had he by his own act severed the obligations which bound the hero to his service? And was the latter free, in the great struggle which now shakes the earth, to choose his country and his cause, unfettered by native allegiance and patriotic duties?

TO THE EDITOR OF THE COLONIAL JOURNAL.

SIR,

The events which have recently occurred in one quarter of our Colonial possessions, having excited a very general share of interest with regard to the present condition, and, perhaps, future welfare of the whole, I therefore venture to believe, that the following slight remarks may receive admission into your Journal.

I consider the entire capital, as connected with our West India colonies, comprehended under the head of lands, slaves, produce, or other hereditaments, as standing wholly dependent on the state of things at present existing within them; and in the event of any sudden or material change occurring in this respect, I should look upon the whole as being in imminent hazard, if not as almost gone. An outline of the nature and value of the above, may, on such account, prove not uninterestering.

The number of slaves in the British colonies (I adopt the enumeration of Mr. Colquhoun,) is given at six hundred and thirty-four thousand and ninety-six. In such as we have recently acquired by conquest, or by treaty, at one hundred and thirty-six thousand: which, at 70*l.* sterling each, will amount to 53,906,720*l.*

Some of the captured islands having been lately restored to their original proprietorships, the slaves annexed to them have consequently been taken out of the account.

In the preceding division I am, however, of opinion, that the number of slaves for some of our settlements, has been rated much too low by Mr. Colquhoun, particularly those of Demarara* and Berbice; and I am disposed to determine, instead of 55*l.*, the valuation which he has placed on each slave, that 70*l.* may more properly be substituted. In bodies, or families, I contemplate them at this rate; although latterly, in many situations, as much as 200*l.* has been given for an effective labourer.

The estimated value of lands, cultivated and uncultivated, is 28,001,718*l.* In the newly acquired colonies, ditto, ditto, at upwards of 14,000,000*l.* In two of the latter, Demarara and Berbice, the lands that are uncultivated are very properly set down in an indefinite way; for it certainly would have been difficult, if not impossible, from the extent and quality of such as are connected with them, to fix on any specific valuation.

The aggregate annual value of the productions of the colonies is given at 18,515,540*l.* Of the new possessions, at 3,980,132*l.* And this last valuation I am much inclined to consider much below the reality.

With regard to the exports of manufactured goods, &c. &c. from the parent state to these dependencies, I obtrude no remark; nor shall I, for a moment, dwell on the important revenue which accrues therefrom, as I cannot but be satisfied, without the above, their importance and value must be sufficiently obvious. Under a like impression, I likewise forbear to lay stress on the employment that such extensive and varied channels daily afford to thousands of our ingenious and industrious fellow-subjects.

In conclusion, from the foregoing imperfect view we shall discover, that the actual, and I may remark for the greater part, active property, connected with the British colonies, stands estimated at a capital of nearly, if not quite, one hundred millions. Of which amount, I presume, that from mortage, and various kinds of engagement, at least one-third of the whole might be found susceptible of transfer from its nominal, to its real possessors, and that the last would be found chiefly resident in the three leading commercial haunts of our country, namely, London, Liverpool, and Glasgow. I am, Sir, your obedient servant,

G. H———N.

* For the number of slaves in Demerara, see Colonial Journal, vol. 1, page 336, article, COLONIAL POPULATION.

TO THE EDITOR OF THE COLONIAL JOURNAL.

SIR,

I HOPE you will contradict a misrepresentation which found its way into some of the newspapers, describing Mr. Jacob Belgrave's property of the Ruby Estate as being that whereon the first fire commenced, which might lead to a supposition that he is either a cruel master, or a bad subject. Having been myself a witness of that gentleman's humanity and kindness to his Negroes, as well as his universal benevolence and generosity towards mankind in general, I was convinced the statement must be erroneous; I however deferred taking notice of it until I should receive an authentic account of the facts, which I have now obtained, and shall state as briefly as possible.

The first signal of the insurrection was a conflagration upon a high ridge of copse-wood, called Bishop's Hill, in St. Philip's parish; this was observed shortly after sun-set; next appeared on fire a large trash-heap, adjoining Congo-road Estate, in the same parish; half an hour afterwards the canes of Lord Harewood, on Thicket Estate, were set on fire; and about the same time Sandy Hill, the property of Mr. Francis Hunt; Rice's Estate, of I. and I. Gittens; Congo-road Estate, of J. A. Halder; Simmon's of J. Simmons; Padmore, of Arthur Aughterson; Parry's, of the Hon. J. Gittens; Sandford, of Mrs. Bengrave; Maps and the River Estate; in all nine estates more, in flames, before they attacked the Ruby Estate.

It was then about eight o'clock in the evening. The approach of the rebels was announced by the blowing of shells, beating of drums, &c. some few of them possessed fire-arms, with little ammunition, others were armed with swords, sticks, &c. After seeing forty-five acres of his best canes in flames, Mr. Belgrave had scarce time to make any preparation for defence, when they beset his house; he shut Mrs. Belgrave, who was far advanced in pregnancy, and eight children, in the dwelling-house, where there were eight accessible doors, and retired himself, with two sons and nephews, and only three domestics, to an adjoining granary, with a view to decoy them from the house where the females were deposited.

Fortunately this plan succeeded. These eight persons, with only six muskets, about two pounds of powder, some shot of broken plates, without ball, kept two whole masses of rebels at bay till day-break, when they retired, a great many being wounded and only one of the rebels killed. Mr. Belgrave's satisfaction at having saved the lives of his family was allayed, on looking around him, by the prospect of all his property destroyed, with the exception of the two buildings above-mentioned, to the amount of ten thousand pounds, as has been since ascertained.

But how came they to meddle with Mr. Belgrave, a man whose character stood so high for kindness to his slaves? A report, it seems, had been

circulated amongst the Negroes, that he had given a *barrel of doubloons* to prevent their obtaining their freedom. This foolish story was believed all over the island—a proof of the weakness and ignorance of the West India slaves. I understand there was only one of his slaves proved to have been concerned in the rebellion, but it cannot be denied that the others might have come forward, and defended their master, which was not the case.

Kindness and attention to the comforts of the Negroes I know to be generally practised in Barbados by the land-owners, although, unfortunately, there are some few examples to the contrary. I can, however, answer, from personal observation, to the conduct of the greater part of Mr. Belgrave's fellow-sufferers, above-mentioned, being of the former description.

I am, Sir,

Martin's-lane, Cannon-street,
21st Sept. 1816.

Your most obedient servant,
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TO THE EDITOR OF THE COLONIAL JOURNAL.

SIR,

I REGRET that in your list of Protestant Colonial Missions, extracted from the general list of missions contained in the Missionary Register for January, 1816, and inserted in your first number (page 76,) no mention is made of the mission of Mr. Curtin, at Antigua, though of so long standing. I may add, that under your head of Religious Ministry in the West Indies, the article derived from the return of Governor Elliot (page 83) does not mention the name of Mr. Devis, who is both rector of one of the parish churches in that island, and (as is likewise Mr. Curtin) a missionary of the Society for the Conversion, &c. of Negro Slaves.

Your rectification of these omissions, in a future number, will not only, I am sure, oblige the Society, but gratify the Planters and Proprietors of estates in the West Indies, who seem very desirous of the acquisition of missionaries of the Church of England.

AMICUS.

TO THE EDITOR OF THE COLONIAL JOURNAL.

SIR,

You would do, perhaps, an important public service, if you were to abridge the Paper of the late Dr. Roxburgh, in the twenty-eighth volume of the Transactions of the Society for the Encouragement of Arts, &c., respecting the mode of manufacturing Indigo by the *scalding process*, and publish the same in the Colonial Journal; thereby circulating beneficial information, however late, of a new means of industry and am-

ple remuneration to certain classes of the inhabitants, (of all colours), in the West India Islands, (the inhabitants of Asia are now the reapers of this beneficial trafic,) who have not pecuniary means to enter on cultivations more expensive and more uncertain. The Indigo plant grows spontaneously and luxuriantly, *as a worthless weed*, in all the islands, where it is unmolested, and on soils that are abandoned to whatever Nature may produce on them.

In the extract you publish of the process alluded to, you would add to the obligation the public would be under, by recommending, in a note, the editors of the newspapers in the islands, also to publish it in their journals two or three times in the year.

Indigo used to be cultivated in Jamaica, in the Carolinas, and the Charibee Islands; but the deleterious effects of the process (having been that by fermentation,) was so destructive to human life, and required such peculiar attention, that very few of the planters of it persevered, and, for the most part, those that did were unsuccessful. The scalding operation is entirely safe, and free from danger of any kind, either to health or fortune, for its results are perfectly certain. The old, the young, the infirm, might attend to this cultivation, which is as simple as can be imagined; for Dr. Roxburgh found it in use by the peasantry in Asia for domestic purposes, and having published the same, it is now cultivated to a very great extent in Bengal, and very large fortunes have been and still continue to be acquired. No doubt, His Majesty's Government would encourage its growth and manufacture in the King's Colonies.

I am, Sir, &c.

London, Oct. 4, 1816. TROPICUS BRITANNICUS.

INDIGO,

ITS HISTORY, CULTIVATION, MANUFACTURE, AND COMMERCE;

Particularly its Manufacture by the Scalding or Digesting Process, and the Practicability of reviving its Manufacture in the British West Indies.

INDIGO is a dying drug obtained from the leaves of certain plants, natives of the tropical climates. In India, its manufacture has been practised from time immemorial, and to the circumstance of its being brought from that country it owes its name of *Indicum*, which it received from the Romans, and from which we have the

modern words Indico and Indigo *. *Anil*, the name under which, in later times, it came, by way of Turkey, into the western markets of Europe, is from the Sanscrit, *Nil*.

Before the discovery of the passage round the Cape of Good Hope, Indigo, like other Indian commodities, formed a branch of the Turkey, Levant, or Oriental commerce of the Mediterranean. In the early period of the English trade with India, Indigo, from Agra, a city of Bengal, formed one of the Company's most extensive and profitable imports; and in the year 1620, the importation into London amounted to two millions of pounds.

It has been represented that the Company's trade in Indigo, after being carried on for a century with considerable success, was voluntarily relinquished for the purpose of favouring the introduction of the commodity from the British West Indies †; but an infinitely more probable account of the decline and subsequent restoration of the Indian Indigo trade is supplied us from another source. A particular history of the commencement of the manufacture of Indigo in the European settlements of America is not to the present purpose. It is enough that we have a distinct acknowledgment from the writer now to be quoted, that the preference acquired by the West India Indigo was the result of no friendly aid on the part of the East India Company, but the natural and necessary consequence of its own acknowledged superiority. The West India manufacture surpassed, for a time, the ancient standard of the Indian commodity; and while that state of things continued, and from that cause, and that alone, the Indigo trade of India was depressed.

"Europe," says the author of Remarks on the Husbandry and Internal Commerce of Bengal, "was supplied with Indigo from India till America engrossed the market. It is not from the practice of making some pounds of it from a few roods of land

* By *Indicum*, the name met with in Pliny, ought we not to understand *cæruleum Indicum*, Indian blue or ultramarine? Ultramarine is called by the Roman naturalist (xxxiv, 12) *cæruleum*. The purplish colour of Indigo seems to have suggested its comparison with the metallic pigment; and the description, "A colour made of blue mixed with the purple," may be more properly a *blue inclining to purple*, or *violet*, as Indigo is now described in commerce. *Indicum* in the Latin makes *Indico* and *Indigo* in the modern dialects of the Mediterranean.

† See Milburn's Oriental Commerce.

that competent skill can be attained. Yet such was the management of the natives. Every peasant individually extracted the dye from the plants which he had ultivated on a few *biswas* of ground; or else the manufacture was undertaken by a dyer, as an occasional employment connected with his profession. The better management of America in this respect, rather than any essential difference in the intention of the process, transferred the supply of the market to America; for, it is now well ascertained that the Indigo of Bengal, so far as its natural quality may be solely considered, is superior to that of North America, and equal to the best of South America; and, although some labour be wasted in the process used by the natives, or, at least, though the labour be not so well applied as it is in manufactures conducted on a larger scale, the cheap price* at which the natives did nevertheless afford it would have preserved the market, had not the superior quality of the Indigo which is made at large manufactories given to this [latter] a decided preference†."

But it so happened, that the substitution of American for Asiatic Indigo in the market was altogether contrary to the commercial interests of Great Britain. It robbed her of a valuable branch of her Indian exports, while, neither in her Sugar Islands nor in the Carolinas, was any quantity of the commodity produced; and while the Spanish and French colonies were the only considerable seats of the transplanted manufacture. In 1747, the Carolinas exported two hundred thousand pounds weight of Indigo, of a good quality, and which accordingly sold to advantage; but in East Florida the Indigo manufactured was of a quality to command, at the date set down, the high price of eight shillings and sixpence per pound; and England and Ireland were then estimated to pay to France an annual sum of two hundred thousand pounds for the Indigo of her colonies. In 1770, the French part of St. Domingo alone exported two millions of pounds of Indigo, for which the export duty was regularly paid‡. In the British

* "It was formerly made and sold, in the province of Agra, at ten or sixteen rupees for the man of forty dams. See the Ayeen Akberry, vol. II. page 46." In 1620, it cost in India, according to Mr. Munn, 1s. 2d. per pound, and sold in England at 5s.

† Remarks on the Husbandry and Internal Commerce of Bengal, p. 153.

‡ Transactions of the Society for the Encouragement of Arts, xxviii.

sugar plantations, in the mean time, the manufacture languished, and was at length totally abandoned. In the end, Great Britain saw the Indigo manufacture of all her colonies, as well in the east as in the west, in a state of entire depression. In the year 1786, she was almost wholly dependent upon Spain and France for the Indigo she required for her manufactures, the quantity imported from India amounting in value to no more than £57,002*. In 1793, Mr. Edwards stated the annual import of Indigo into Great Britain, from all parts of the world, at one million and a half of pounds, and complained, that of that quantity five parts in seven were purchased with ready money of strangers and rivals†.

Of the cause or causes of the failure of the Indigo manufacture in the British West Indies, it is admitted, by the writer just named, that it is not easy to give a satisfactory account. Some writers on commercial history have said, that the cultivation of Indigo, after being taken up and carried to great perfection in Barbados and Jamaica, was abandoned on account of an import-duty of three shillings and sixpence per pound, laid by the parliament of Great Britain in 1745; and Mr. Edwards himself may seem to agree that it was under this burden the planters finally sunk. Others, however, simply insist on the disasters which attended the manufacture; and even Mr. Edwards enumerates a variety of evils, attendant both on the manufacture and cultivation. The duty, it must be admitted, did not operate upon the British Sugar Islands alone; and yet the manufacture flourished in the Carolinas at a period subsequent to its infliction, and even recovered new life in India, under all the hardships of its pressure‡. Beside, the efforts of the British West Indies did not terminate with the year 1745; and it is further remarkable that the misfortunes experienced by the later adventurers do not seem to have borne with equal severity upon the beginners: "To what has been said," observes Mr. Edwards, "of the nature of the plant suiting itself to every soil, and producing four cuttings a-year,—if we add the cheapness of the buildings, apparatus, and labour, and the great value of the commodity, there will seem but little cause for wonder at the splendid

* Idem, p. 271.
† Hist. West Indies, ii. 236.
‡ The existing import-duty is two pence halfpenny per pound.

accounts which are transmitted to us concerning the opulence of the first planters. Allowing the produce of an acre to be three hundred pounds, and the produce no more than four shillings sterling per pound, the gross profit of twenty acres will be twelve hundred pounds, produced by the labour of only sixteen negroes, and on a capital, in land and buildings, scarcely deserving consideration. Unhappily," he continues, "the golden hopes which speculations like these have raised in the minds of thousands, have vanished on actual experiment, like the visions of the morning. I think I have myself, in the course of eighteen years residence in the West Indies*, known at least twenty persons commence Indigo planters, not one of whom has left a trace by which I can now point out where his plantation was situated, except perhaps the remains of a ruined cistern, covered by weeds, and defiled by reptiles. Many of them, too, were men of knowledge, foresight, and property. That they failed is certain; but of the causes of their failure I confess I can give no satisfactory account. I was told that disappointment trod close at their heels at every step. At one time the fermentation was too long continued; at another, the liquor was drawn off too soon. Now, the pulp was not duly granulated, and now, it was worked too much. To these inconveniences, for which practice would doubtlessly have found a remedy, were added others of a much greater magnitude; the mortality of the Negroes, from the vapour of the fermenting liquor, (an alarming circumstance, that, as I am informed both by the French and English planters, constantly attends the process,) the failure of the seasons, and the ravages of the worm. These, or some of these evils, drove them at length to other pursuits, where industry might find a surer recompense." To this Mr. Edwards adds the consideration of the duties under which, he tells us, "it (the commodity) sunk;" but still leaving us in doubt, from a review of his whole statement, of the real and conclusive cause of so much misfortune.

The causes of the revival of the Indigo trade of India are perceived with greater distinctness, and the event affords a valuable lesson to nations and individuals; but here, as before, writers appear to mislead us. The separation of the North American colonies from the mother-country, which was completed in 1783, and which period

* Mr. Edwards resided in the West Indies from the year 1760 to 1778.

had been forerun by a long interval of serious hostility, is offered without foundation, by some writers, as an occurrence which, by changing the position of Great Britain, led, even in a considerable degree, to the encouragement of the Indigo manufacture of Bengal. The war with Spain and France, which attended the revolution in North America, may with more propriety be regarded as conducive to that encouragement; and to that impulse, it is possible that we should add what was derived from new acquisitions in India. But, whatever it was that gave motion to the machine, private enterprize and public patronage formed the materials of the wheels and springs. The principles assumed by the writer before quoted, and which appear to have been acted upon in India, are these; that the American Indigo had excluded the Asiatic commodity from the market through a decided superiority of quality; that this superiority had for its cause, that which was preferable, not in the plant, nor in the cultivation, but solely in the manufacture; and that the superiority of manufacture was only attributable to the greater advantage with which it was conducted on a large scale, with European capital, in America, than on the humble footing to which it was confined among the peasants and artisans of India. Such are the principles which we have seen developed in the passage quoted above; and it was in conformity with them, that as related by the same writer, the plans of the new speculators were laid. "Within a very late period," he tells us, "the enterprize of a few individuals has revived the exportation of Indigo, but it has been mostly manufactured by themselves;" and again, "the spirited and persevering exertions of a few individuals," "have restored this commerce to Bengal, solely by the superior quality of their manufacture; for, so far as regards the culture, no material change has been made in the practice of the natives. In the southern provinces, the manufacturers cultivate little themselves, but purchase the plant from the neighbouring peasantry*."

It has been said above, that the revival of the Indigo trade of Bengal affords a valuable lesson to nations and individuals; and this with so much the more reason, as the example before us is admirably adapted to weaken the force of that desponding reflection of

* Remarks, &c.

Mr. Edwards, upon the failure of the Indigo manufacture in Jamaica, which has hitherto been passed over in silence. "Their history," says Mr. Edwards, (the history of the unsuccessful Indigo planters) "furnishes a new illustration to a very trite but important remark, that a manufacture once destroyed, scarce ever takes root again in the same country." The manufacture of Indigo, it is true, had not been destroyed in India, but it had encountered a formidable rival; the demand had been reduced to a fraction of its former amount*; and, in this state, the spirited and persevering exertions of a few individuals effected its revival. In 1786, the import of Indigo into England from India was only fifty-seven thousand pounds sterling value, and about two hundred thousand pounds weight; and in 1807 it had progressively increased to more than five millions of pounds weight, and one million three hundred thousand pounds value. The average value of the import for eight years, from 1802 to 1810 was upwards of twelve hundred thousand pounds, being a total of £9,601,262†. In 1786, England imported from foreign countries five sevenths of her internal consumption of Indigo, and in 1799 she had already become an exporter to a considerable amount, India alone supplying almost the whole that entered her markets.

But it is of the last importance to understand the real circumstances under which the Indigo trade of India has been restored; what natural difficulties it has had to contend with, and what artificial assistance it has received. The inquiry would be indispensable to those who should indulge the hope of entering into rivalry with it in any other part of the world; and the two writers on the Indian trade, already cited above, supply us with valuable particulars under either head.

The natural difficulties, it will be seen from the following extract, are scarcely less formidable in the East Indies than in the West. It is remarkable, indeed, that no comparative inconvenience seems to be felt in India from the vapour arising from fermentation, the usual, if not universal process by which the dye is procured in Bengal. The worm, as appears from the observations of Dr. Roxburgh, on Nerium Tinctorium‡, is the notorious enemy of the com-

* Apparently to a twentieth, if not still lower.

† Milburn's Oriental Commerce.

‡ Transactions of the Society of Arts, xxviii.

mon Indigo plant, as well in Asia as in America*; and from the representations that follow, of the prospects of the cultivator and manufacturer in India, they are placed, as just intimated, in no superior condition to those of the West India planter.

"The produce in the different seasons," says the author of the Remarks, "is most widely unequal; and, in the same season, equal quantities of the plant afford very disproportionate quantities of the dye. However, it may be stated, that four rupiyas for a bígha† do not ill pay the rent and culture; and the manufacturer need not be dissatisfied if he obtain six pounds of the dye from each bígha, at an expense of manufacture, including his own subsistence, little exceeding the cost of the plant ‡. The profit of the manufacturer depends on the quality of the Indigo; and this is very unequal, since it varies according to the skill of the manufacturer. Excluding Indigo of very superior quality, the medium price of it, when sold for exportation, cannot be rated higher than current rupiyas one hundred and forty, or sica rupiyas§ one hundred and twenty for a mán||: this affords to the manufacturer a mere subsistence, from a speculation wherein the expense is certain and the returns precarious ¶. The fact confirms the estimate, for it is well known that little has hitherto been gained by the speculation. The successful planters are few; the unsuccessful, numerous.

* The only remedy, says Mr. Edwards, is to change the soil every year.

† A bígha or bega is an Indian land-measure, equal, in Bengal, to about the third part of an English acre.

‡ The produce in Jamaica, per acre, of the first cutting, if not greatly diminished by the worm, is estimated by Mr. Edwards at about eighty pounds weight of what the French call *pigeon's neck;* or about sixty pounds of a quality equal to the Guatimala. The yielding for the subsequent cuttings somewhat diminished; but in Jamaica and St. Domingo, if the land was new, about three hundred pounds per acre, of the second quality, might be expected from all the cuttings together. In the West Indies, in seasonable situations, our cuttings in the year were sometimes had from the same roots.

§ The imaginary rupee, rupiyah, or rupyah, of Bengal, called the *current rupee*, in which the Company's accounts were formerly kept, was rated at the nominal value of two shillings sterling; and the real coin, called sica or sicca rupee, sixteen per cent. better than the current rupee.

|| Commonly written *maund*.

¶ "It is not easy to estimate the prime-cost of Indigo. In districts, where the production is cheapest in favourable seasons, it is, also, almost precarious, and sometimes fails entirely. From information received, we are disposed to state the prime-cost from sixty to one hundred rupiyas for a mán. Probably the real average of the cost may fall between seventy and eighty rupiyas."

The manufacture is nevertheless pursued with spirit, and not unreasonably; for, experience may be expected to correct the errors which are unavoidable in new undertakings. The sagacity of ingenious men has greatly improved the process, which is still in the progress of improvement, for determining the most advantageous size and proportion of the steepers and batterries, for ascertaining with precision the period of sufficient fermentation and agitation, for drying the Indigo expeditiously, and subjecting it to a process calculated to prevent injury by worms and maggots, and for an arrangement to conduct the process with the utmost cleanliness, with economy of labour, and without wastage."

It is to the foregoing that the writer immediately adds, "From an inconsiderable production, it [Indigo] has grown, through the exertions of private persons, to an object of great commercial importance; and, under a skilful and frugal management, it may be expected to reward the enterprise by which it has been established." But here it is necessary to take notice of the artificial assistance which the trade, and those who ventured in it, experienced from the funds of the East India Company. "In 1799, the Company entered into a contract with an enterprising individual then resident at Calcutta, at very encouraging prices, which led others to embark in the cultivation, from whom the Company also made purchases. In the support of this commodity, the Company are stated to have lost, on the sale of their purchases, £80,000. Having thus fostered and protected this article of Indian produce, and brought it into a state of maturity, the Company agreed to leave it in the hands of their servants in India, and those who live under their protection, to serve as a safe and legal channel for remitting their fortunes to England. When the Company ceased purchasing, the planters felt themselves void of resources for continuing their exertions; upon which the Company again stood forward, and afforded them assistance in the way of loan, having security of their produce for the payment of the sales in London, to the extent of £884,734, in the course of a few years. With this aid," concludes the writer, "they persevered in their exertions, and their labours have eventually been crowned with success. The article of Indigo now bears a distinguished rank in the list of Asiatic products, and may be considered the staple commodity of the private trade from India*."

* Oriental Commerce.

Having thus traced the revival of the Indian trade in the commodity under remark, it will not be improper to advert, with a view to comparison, to the information which is given us as to its cultivation and manufacture in those countries where both are thus advantageously pursued. "Ground of any sort," says the author of the Remarks, "that is fertile, and secure from probable inundation, is prepared as in the common husbandry, and sown in the broad-cast during the latter months of the hot season, or at the commencement of the rains. It should be weeded twice or oftener; and, with no further labour, the early plant is ready for cutting in the beginning of August; and the fields, arriving successively at maturity, supply the works until the commencement of October. Other management has been tried, by throwing the land into furrows, and by sowing in drills, but without much success. One improvement, however, deserves notice, as it enlarges the season of cultivating and manufacturing Indigo; it consists in sowing early in the hot season upon low lands, for a crop to be reaped at the commencement of the rains before the annual inundation, or sowing at the same season upon higher ground, for an early crop, forced by frequent watering of the field. This has been introduced in the western districts, where circumstances have admitted of experiments. In the southern provinces, the manufacturers cultivate little themselves, but purchase the plant from the neighbouring peasantry; it seldom yields produce beyond the year in which it is sown, while rattoons or lay-overs are preserved, in the western provinces, to the second, and even to the third and fourth years. Of the expense and produce it is not easy to form an accurate estimate, because many factories purchase th plant by measure, while others pay for the quantity of land, and some plant their own Indigo."

In what has preceded, there has been in view only the common Indigo-plant, and the common process by fermentation; and it has been seen that it is with that plant, and that process, that all the success in India has been obtained. To these facts the reader's attention should be directed; but, so much premised, it is now to be brought also into view, that India possesses another Indigo plant, and another process for the manufacture, of one or both of which (though neither of them is the foundation of the success in the East Indies,) it is possible that a beneficial use might be made in the West Indies,

A genus of Indigo plants is indigenous in all the West Indies*. The species known in Jamaica are three; the Wild, (*Indigofera argentea* of Linnæus,) the Guatimala (*Indigofera disperma*,) and the French, (*Indigo franc*†,) which is the *Indigofera tinctoria* of Linnæus. Of all these, as there seems great reason to believe, the common wild Indigo of Jamaica (*Indigofera argentea*) is the preferable plant, the inferior quantity of its pulp being compensated for by the greater hardiness of its growth, and better quality of its dye, both in grain and colour‡. Even the Guatimala Indigo, (*Indigofera disperma*,) is hardier, and exposed to fewer mischances in its culture, and yields a finer pulp, than the French or Tinctoria; but still the last is chiefly in favour, both in the East and West Indies.

A fourth species of Indigofera, a native of India, is described by Dr. Roxburgh, and by him named, as expressive of its most predominant quality, *Indigofera cœrulea*, or azure. From the leaves of that Indigofera, the Doctor often extracted "a most beautiful light Indigo, more so than he ever could from the common Indigo-plant, or from *Nerium tinctorium*, and in a large proportion;" but, "after an inquiry of some years, he was not able to discover that the natives of any part of India made use of it §." A fifth and sixth Indigo plants are species of *Asclepias*. Of these the

* Mr. Edwards corrects the error of the Abbé Raynal, who asserts that the Indigo plant was carried to the West Indies from the East, and shows, from Peter Martyr, and all the early Spanish writers, that it was found growing in all parts of St. Domingo by Columbus himself, on the first discovery of the West Indies, and was also indigenous in Mexico and other parts of the continent. But after all, is it certain, that no species of Indigo plant, at present cultivated in the West Indies, was brought thither from Asia?

† Mr. Edwards describes the French Indigo, (*Indigofera tinctoria*,) as a short bushy plant, with roundish leaves, long crooked pods, and yellow seeds. The Wild Indigo (*Indigofera argentea*) has short crooked pods and black seeds. The Guatimala (*Indigofera disperma*) is distinguished by the redness of the stalk, and its seeds are green.

‡ The *Argentea* is described by Dr. Brown, as "very common in Jamaica, and growing wild in all the savannas, where, doubtless, it has been cultivated in former times; for there we often meet with some of those Indigo works which were then built, which remain very perfect to this day. The plant is harder than any of the other sorts, and grows very luxuriantly, even in the driest savana lands." *Browne's Civil and Natural History of Jamaica. London*, 1756.

§ Transactions of the Society of Arts, xxviii. 296.

Asclepias tinctoria of Roxburgh is the Sumatra species* of Indian commerce; and the *Asclepias tingens*, said to yield a green dye, was brought from Pegu by Dr. Buchanan, in the year 1795.

All the species of Indigofera are natives of dry situations, and bear the severest droughts with more ease than excessive wet. The same remark applies to the Indian species of Nerium (mentioned above) introduced to the public by Dr. Roxburgh, as an Indigo plant of superior claims to commercial regard. *Nerium tinctorium* (Roxburgh) or dyer's rose-bay-tree, is a native of the Coast of Coromandel and the Carnatic, where the natives have long made Indigo from the leaves. "In St. Helena and the West India Islands," says Dr. Roxburgh, "there is a great abundance of soil and situation favourable to the culture of this *tree*, viz. hills, and the lower regions of the mountains, where there is little else than rocks, stones, and the most barren soil; such being the soil and situation I have always found it upon†." The *Nerium tinctorium* was received by practical men in India as a very valuable acquisition, not so much because of its adaptation to a sterile as well as a fruitful soil, in which particular all the species of Indigofera resemble it, as because, being perennial‡, and attaining the stature of a tree, it afforded a permanent stock and unfailing resource against the devastations to which the different and more common annual species (generally in use in the Company's provinces) are subject, being exposed to failures from an unfavourable spring or disastrous season §.

But the circumstance which is possibly of chief interest in the history of this new Indigo-plant, is the new process of manufacture which is inseparable from its use. Dr. Roxburgh discovered its indigoferous quality by accident, and was led to the new process by the properties of the plant, though he subsequently learned,

* Taroom-akkar. Marsden's Sumatra, p. 78.

† "The Indigo plant" (*Indigofera*) observes Mr. Edwards, "is a child of the sun;"—and the species of Nerium (for Dr. Roxburgh describes two) "delight most in the south or sunny side of the hills and mountains." "On the rocky barren soil," says he, in another place, "where these bushes grow, the thermometer rises between one hundred and forty and one hundred and fifty; an astonishing heat for vegetables to flourish in."

‡ The Asclepiases of Sumatra and Pegu are perennials also.

§ Letter addressed by Edward Hay, Esq. secretary, for the consideration of the Supreme Government of Bengal.

that both the quality had been long known, and the process long employed, in the countries of which it is a native*. The colour which the leaves acquired, in drying for the Doctor's hortus siccus, particularly if they happened to be bruised, first induced him to suppose them to be possessed of colouring matter; and the peculiar property of the leaves, which do not yield their colour to cold water, forced him to make a departure from the ordinary process of fermentation. He had previously tried every method that could be thought of, for attaining his object with cold water, resorting to rain water, soft water from the well, river water, and various kinds of hard water, but all without any good effect; for with cold water he never could procure any other than a very small proportion of a hard, black, flinty substance, undeserving of the name of Indigo, burning with much difficulty, and with a white smoke, into dark-coloured ashes; whereas, by the new process, that is, by the use of hot water, he obtained a substance which burns readily, with a most beautiful deep violet-coloured smoke, and a strong peculiar smell, into fine white ashes.

The method and benefits of the SCALDING PROCESS, and not the cultivation of Nerium Tinctorium, (which is reserved for a future article,) will be the subject of the remainder of these observations. That process, which is equally applicable to the manufacture of Indigo from every kind of indigoferous plant, is performed in the manner now to be collected from the account of Dr. Roxburgh. The leaves of Nerium Tinctorium, or leaves and twigs of the common Indigo plant, being recently collected, as, for instance, on the preceding day, are put into coppers, or other vessels, in sufficient quantity, full, but not pressed down, and the vessels are filled with cold water to within two or three inches of the top; and this space must be left, because, in this process, the bulk of the leaves and twigs is enlarged as much by the operation of fire on the water, as, in the other, by fermentation. The fire is now

* Dr. Roxburgh's first description of *Nerium Tinctorium*, and the process for manufacturing Indigo from its leaves, were sent to England in 1790, and afterward published in the Oriental Repertory; but he subsequently learned, from a friend in England, that among the papers of Dr. George Campbell, who was a surgeon on the Madras establishment, and who died of the wounds he received in the action between Colonel Baillie and Hyder Ali in 1780, there was found an account of the tree, and of the manufacture, by the natives, o Indigo from its leaves.

lighted, and maintained rather briskly, till the liquor, as seen in the vessel, has acquired a deep green colour, or, if taken out and poured from one vessel to another, appears of a pale but bright green. The leaves, in this stage of the process, begin to assume a yellowish colour, and the heat of the liquor is about one hundred and fifty or one hundred and sixty degrees of Fahrenheit's scale. Little dependence can be placed on the copper or violet-coloured scum, as the leaves must be constantly agitated, and turned upside down, to produce, as nearly as possible, an equal degree of scalding; and if this is omitted, those at the bottom will be much over-done before those at the surface have been sufficiently acted upon. The motion serves, at the same time, to expel the air, which greatly forwards the operation. But, some time before the liquor has acquired the above-mentioned appearance, the fires must be withdrawn, or else suffered to die away; and it is necessary that all the vessels, the contents of which are to be let into the same agitation-vat, should be ready at the same time; a precaution which a little practice renders of easy observance. All the vessels being ready, the liquor contained in the whole is drawn off at once, a contrivance being resorted to to let it pass through a hair-cloth, in order to prevent the admission of any of the leaves, &c. from getting into the agitation-vat.

The whole of the liquor being drawn off, it is agitated, while hot, in the common way, for a few minutes; from five to twenty being generally found sufficient to produce the necessary degree of granulation. A quantity of pure lime-water, equal to about one seventieth or one hundredth part, is then (the liquor being still hot) let in, from the lime-water cistern; which fluid requires only to be sufficiently mixed with the liquor to produce quickly a very large grain, which soons precipitates. The liquor above is now let off, and the remainder of the process entirely resembles that which belongs to the manufacture of the common fermented Indigo. If the process is properly conducted, the supernatant liquor runs off of a clear Madeira wine colour, by which is evinced that it retains none of the Indigo.

This process was performed with ease, by Dr. Roxburgh, twice a-day, and he tells us that it may be done three times. The heating of the liquor in the vessels, to the degree above-mentioned, required only about three hours, and the agitation and precipitation

as long; so, that by the time the heating is completed. the fecula of the preceding operation is ready to be removed from the agitation-vat to the cistern in which it is to remain till it has precipitated into a still smaller bulk.

The chief advantages of the SCALDING Process, over the common one of fermentation, are thus enumerated by Dr. Roxburgh:—

1. The produce is usually larger; it rarely happening that the whole of the colour is not extracted at once, that defect being caused by too early a removal or decay of the fire. To make the perfect extract by means of the scalding process, requires very little practice; whereas, by fermentation, the leaves are left in such a state as to yield Indigo upon being fermented a second time.

2. The health of the labourers is not endangered by the effluvia from the liquor; whereas, in fermentation, great quantities of putrid miasma are constantly exhaling.

3. The heat employed expels the greater part of the fixed air during the scalding, and thus a very small degree of agitation, and very little of the precipitant, become sufficient *.

4. The operation can be performed two or three times daily upon a large scale, which is a very material advantage.

5. The Indigo dries quickly, without acquiring any bad smell, or putrid tendency, which is always dangerous to health.

6. Indigo prepared by the SCALDING PROCESS has never that flinty appearance which is common to fermented Indigo; but in softness and levity resembles or is superior to Spanish Flora †.

THE subject of the construction of Indigo works adapted to the Scalding Process, is reserved, like the cultivation of the Nerium Tinctorium, for an article in a future number of the Colonial Journal. It is sufficient, on the present occasion, to call the atten-

* Cossigny, in his Treatise on Indigo, says, that the Javanese first ferment the plant, then boil a little of the coloured liquor before agitated, and do not seem to make use of any other agent to assist the granulation and precipitation; and adds, that the Indigo itself is very fine, "which," says Dr. Roxburgh, "I attribute to boiling alone—probably *scalding*."

† The benefits to be expected in the West Indies, from the adoption of the Scalding Process, have already been offered to public notice by Mr. Edwards, in the later editions of his work.

tion of the reader to the simplest detail of the new process, recommended, as it is, not less by its celerity and simplicity, than by so many other advantages. The aim of what is now, and what will hereafter be written, is to submit to the consideration of the Colonists in the British West Indies the practicability of resuming their share in the manufacture of Indigo. It has appeared that they are already in possession of the common Indigo plants*, and expressly of that species (Indigofera Tinctoria) which is the common Indigo plant of India; that they have even an indigenous species (Indigofera Argentea) which is less liable to failure in cultivation, and of better quality in its dye, than the common Indian species; that they have no greater difficulties to contend with, either as to culture or as to manufacture, than present themselves, and are overcome, in India; that their manufacture surpassed, while it lasted, that of the banks of the Ganges; that a period has existed, during which, from the effect of that superiority, and from that effect alone, the West India Indigo took the place of the Indian manufacture in the markets of Europe; that the change which has since taken place is the result only of private enterprize, supported, indeed, by the capital of the East India Company, but unassisted by any legislative measure; that the sole secret of the change is the emulation by which the fellow countrymen of the West India planters have equalled in India the perfection which had been reached in the West Indies; that the field is open to all competitors, and that the West Indies have no obstacles before them, from the survey of which any man should despair. Lastly, it has appeared, that even if, from whatever cause, any of the difficulties of the ordinary process of manufacture press with greater severity in the West Indies than in the East, a new process of manufacture is open to their industry, by means of which the severest of the difficulties (that of the mortality or injured health of the labourers,) is entirely removed; and that if this is not sufficient, if neither the possession of the common Indigo-plant of India, nor of the superior indigenous plant of the West Indies, is enough, there is still within their reach a new vegetable, a perennial Indigo-tree,

* Dr. Roxburgh mentions, that the Sumatra species (Asclepias Tinctoria) was sent from the Botannic Garden at Calcutta, where it was introduced in 1793 to Europe, St. Helena, the United States of America, and the West Indies.

prepared to withstand every disadvantage of soil and season and climate. The Athenian orator forbade his fellow-citizens to despair of their efforts against Philip, on the ground that all their failures had proceeded from wrong measures, and that all right ones would be new, and still remained to be tried. In like manner, a new path would be open to the West Indian manufacture of Indigo, even if it were admitted that all the past precluded expectation. There is a new process and a new plant. As to the share which is to be taken by the mother-country, nothing but what is quite simple is requisite. She will buy the best and cheapest Indigo she can get, from the best and cheapest Indigo-manufacturers among her children, whether of the East or West. She did not employ her political power to raise the West India manufacture to its former ascendance over the Asiatic; she did not employ it to restore the manufacture to India; she will not interfere, except as a merchant, between any rival British traders. Doubtlessly we have a more lively interest in the prosperity of the West Indies than in that of the East Indies. The West Indies consume, to their utmost ability, our manufactures, merchandize, and produce, and the East Indies almost entirely reject them; the West Indies, therefore, promote our national industry much more largely than the East. The prosperity of the West Indies increases our numbers as a nation, both at home and in the colonies; the prosperity of the East Indies tends, in great measure, only to increase the numbers of a people allied to us neither by manners, by language, by religion, by laws, nor by any community of wants or of views; while the extension of our own numbers is a guarantee for our national and personal liberties. The possession of foreign countries, the seats of despotic governments, has even a tendency to enslave ourselves; but the multiplication of our fellow-subjects is a source of common security. We shall be free as we are great, and great as we are numerous. Every feeling, therefore, of love of country, every principle of political interest, binds us, by preference, to the West Indies. But the question before us, nevertheless, demands, perhaps, no legislative partialities. Private enterprize and monied capital are all that are wanting; and the public advantage may be sufficiently promoted by the due and unfettered operation of individual enterprize and industry.

AN ACCOUNT

OF THE MISSIONS IN BRITISH NORTH AMERICA,

APPOINTED BY

The Incorporated Society for the Propagation of the Gospel in Foreign Parts.

[Extracted from the Society's annual publications.]

An Abstract of the Charter, and of the Proceedings of the Society for the Propagation of the Gospel in Foreign Parts, from the 17th day of February, 1815, to the 16th day of February, 1816.

King William III. was graciously pleased, on the 16th of June, 1701, to erect and settle a corporation, with a perpetual succession, by the name of The Society for the Propagation of the Gospel in Foreign Parts; for the receiving, managing, and disposing of the contributions of such persons as would be induced to extend their charity towards the maintenance of a learned and an orthodox clergy, and the making of such other provision as might be necessary for the propagation of the Gospel in foreign parts, upon information, that in many of our plantations, colonies, and factories beyond the seas, the provision for ministers was mean, and many other of our said plantations, colonies, and factories, were wholly unprovided of a maintenance for ministers, and the public worship of God; and that, for lack of support and maintenance of such, many of his loving subjects wanted the administration of God's word and sacraments, and seemed to be abandoned to atheism and infidelity, and others of them to popish superstition and idolatry.

The Society was composed, by the charter, of the chief prelates and dignitaries of the church, and of several lords and eminent persons in the state, with a power to elect, from time to time, such others to be members of the corporation, as they, or the major part of them, should think beneficial to their charitable designs, to receive the donations of all charitable and well-disposed persons towards this most pious design; and through an especial blessing this work of the Lord hath all along prospered in their hands.

The Society, as their charter directs, give an annual account to the Lord High Chancellor, the Lord Chief Justice of the King's Bench, and the Lord Chief Justice of the Common Pleas, of the several sums of money by them received, and laid out, and of the management and disposition of the revenues of the corporation, an abstract of which, and of their proceedings, they annually publish.

A List of the Society's Missionaries, Catechists, and School-masters, with their respective Salaries, and the Places at which they officiate.

	NEWFOUNDLAND.	Annual Salaries. £.
1	Mr. David Rowland, missionary at St. John's	200
2	Mr. Marshall, school-master at St. John's	15
3	Mr. Frederick Hamilton Carrington, missionary at Harbor Grace and Carboner	200
4	Mr. William Lampen, school-master at Harbor Grace	20
5	Mr. John Tucker, school-master in Conception Bay	10
6	Mr. John Clinch, missionary at Trinity Bay	200
7	Mr. John Thomas, catechist and school-master at Silly Cove	15
8	Mr. missionary at Placentia,	200
9	Mr. Thomas Plumleigh, school-master at Brigus, Conception Bay	10
10	Mr. William Tulk, school-master at Burin	15
11	Mr. Edward Mullaby, school-master at Bonavista	15
	NOVA SCOTIA.	
12	Dr. Robert Stanser, missionary at Halifax	200
13	Mr. George Wright, missionary to the Germans at Halifax	200
14	Mr. Cyrus Perkins, missionary at Annapolis and Clements	200
15	Mr. Ichabod Corbit, school-master at Annapolis	15
16	Mrs. Rebecca Bailey, school-mistress at Annapolis	10
17	Mr. Thomas Bonthron, school-master at Clements	15
18	Mr. William King, missionary at Windsor	200
19	Dr. William Cochran, missionary at Falmouth	200
20	Mr. John Laird, school-master at Horton	10
21	Mr. Robert Norris, missionary at Cornwallis and Horton	200
22	Mr. Cornelius Fox, school-master at Cornwallis	10
23	Mr. , missionary at Aylesford	200
24	Mr. John Kerr, school-master at Aylesford	15
25	Mr. , missionary at Wilmot	200
26	Mr. Robert Stone, school-master at Wilmot	15
27	Mr. John Millidge, missionary at Granville	200
28	Mr. Robert Dalton, school-master at Granville	10
29	Mr. Roger Viets, missionary at Digby	200
30	Mr. , school-master at Digby	15
31	Mrs. Elizabeth Foreman, school-mistress at Digby	5
32	Mr. Thomas Rowland, missionary at Shelburne	200
33	Mr. Richard Brazel, school-master at Shelburne	10
34	Mrs. Lucy Cowling, school-mistress at Shelburne	10
35	Mr. Thomas Shreve, missionary at Lunenburgh	200
36	Mr. Henry Stafford, school-master at Lunenburgh	20
37	Mrs. Elizabeth Bryzelius, school-mistress at Lunenburgh	10
38	Mr. William Twining, missionary at Rawdon and Douglas	200
39	Mr. Thomas Dewolf, school-master at Onslow	10

		£.
40	Mr. , missionary at Parborough	200
41	Mr. Charles William Weeks, missionary at Guysborough	200
42	Mr. Patrick Patton, school-master at Guysborough	10
43	Mr. Charles Ingles, missionary at Chester	200
44	Mr. , missionary at Yarmouth	200
45	Mr. John Wetmore, school-master at Yarmouth	15
46	Mrs. Anne M'Kinnon, school-mistress at Yarmouth	10
47	Mr. Benjamin Gray, missionary at Sackville	200
48	Mr. George Dill, school-master at Truro	10
49	Mr. John Peitzch, school-master at Campbell Town, Sheet Harbour	15
50	Mr. John Campbell, school-master at Boylston	15
51	Mr. Alexander Stevenson, school-master at Liverpool	15
52	Mr. Daniel Anderson, school-master at Merigonish	15

NEW BRUNSWICK.

53	Mr. George Mountain, missionary at Fredericton	200
54	Mr. Benjamin Williams, school-master at Fredericton	10
55	Mr. George Pidgeon, missionary at St. John's	200
56	Mr. Silvanus Whitney, school-master at Carleton	15
57	Mr. , missionary at Maugerville and Burton	200
58	Mr. , school-master at Maugerville	10
59	Mr. Nelson De Veber, school-master at Burton	10
60	Mr. Elias Scovil, missionary at Kingston	200
61	Mr. Rufus Heald, school-master at Kingston	10
62	Mr. Samuel Andrews, missionary at St. Andrew's	200
63	Mr. Ebenezer Bugbee, catechist and school-master at St. Andrew's	15
64	Mr. Richard Clarke, missionary at St. Stephen's	200
65	Mr. William Todd, school-master at St. Stephen's	15
66	Mr. Samuel Clarke, missionary at Gage Town	200
67	Mr. George Knox, school-master at Gage Town	10
68	Mr. Oliver Arnold, missionary at Sussex Vale and Norton	200
69	Mr. Walter Diblee, master of the Indian school at Sussex Vale, for teaching the white children	10
70	Mr. Frederick Dibblee, missionary at Woodstock, Northampton, Prince William, and Queenborough	200
71	Mr. Beardsley, school-master at Woodstock, &c.	15
72	Mrs. Anne Woodland, school-mistress at Northampton	10
73	Mr. , school-master at Prince William and Queenborough	10

CAPE BRETON.

74	Mr. Robert Ferryman, missionary at Sydney	200

UPPER CANADA.

75	Mr. George Okill Stuart, missionary at Kingston, and to the Mohawk Indians	200

		£.
76	Mr. John Green, school-master to the Mohawks - -	20
77	Dr. Strachan, missionary at York - - -	275
78	Mr. , missionary at Ernest-Town and Fredericksburgh - - - - -	200
79	Mr. Robert Addison, missionary at Niagara, and for visiting the Indians - - - - -	220
80	Mr. Devereux Baldwyn, missionary at Cornwall - -	200
81	Mr. Richard Pollard, missionary at Sandwich - -	200
82	Mr. John Gunter Weagant, missionary at Williamsburgh and Osnaburgh - - - - -	200
83	Mr. John Bethune, missionary at Elizabeth Town and Augusta	200

LOWER CANADA.

84	Mr. John Jackson, missionary at William Henry - -	215
85	Mr. Charles Caleb Cotton, missionary at Dunham - -	200
86	The Hon. Charles Stewart, missionary at St. Armand -	200
87	Mr. Richard Bradford, missionary at Chatham - -	200
88	Mr. Micaiah Townshend, missionary at Christie and Caldwell Manors - - - - -	200

Besides this, the Society are at a considerable expense in furnishing missionaries with books for a library, as well as bibles, prayer-books, and small religious tracts, to distribute among their people, as occasions require; and in gratuities for extraordinary services. And as the Society generally receive from their missionaries, accounts of their proceedings, and of the state of their several missions, it is thought proper to publish the following abstract of such informations as were received from the missionaries, in the year 1815:—

NEWFOUNDLAND.

The Rev. Frederick Hamilton Carrington, missionary at Harbour Grace, in the name of the proprietors of the church at Carboneer, acknowledges, with much gratitude, the liberal donation of the Society in aid of the expenses attending the erection of the church, in that settlement. He also acquaints the Society, that the inhabitants of Harbour Grace propose to enlarge their church during the present year.

The Rev John Clinch, missionary at Trinity Bay, acknowledges, with many expressions of gratitude, the gratuity of £50, granted to him by the board, at the solicitation of Sir Richard Keats; and also the liberal addition made to the salaries of missionaries in general, through the aid of government. Mr. C. sends his Notitia for the last year, viz. baptisms, fifty-five; marriages, seven; burials, eighteen; communicants, forty-two.

The church at Bonavista is in tolerably good repair. A zealous inhabitant has performed divine service, and read a sermon regularly every sabbath-day, without fee or reward.

At Greens, in Bonavista Bay, a new church has lately been built. At several remote harbours also, within the bay, places of public worship

have been erected, exclusive of the one at Silly Cove; which serve to show a manifest thirst for religious knowledge.

NOVA SCOTIA.

The Rev. Dr. Stanser, formerly of St. John's College, Cambridge, missionary at Halifax,* arrived in England in the course of the last autumn, under circumstances of heavy domestic affliction, but proposes to return to Nova Scotia early in the spring. The duties of his mission, during his absence, have been performed, in part by the Rev. Robert Willis, chaplain to the flag-ship at Halifax, and in part by Mr. Milne. Dr. Stanser had forwarded his Notitia for the six months, ending May 6, 1815, which contained baptisms, infants, one hundred and seventeen; adults, five; marriages, eighty-one; burials, eighty-six; previously to his leaving Nova Scotia. This eminent divine has been recently appointed Bishop of Nova Scotia, in consequence of the death of the late Bishop, Dr. Inglis, whose son, the Rev. Dr. Inglis, ecclesiastical commissary, in his several letters, has communicated to the Society a great variety of important matters.

The Rev. Ranna Cossit, late missionary at Yarmouth, died in March last. He had been for more than forty years in the service of the Society, and in consideration of his exemplary conduct, the board have agreed, in addition to Mr. Cossit's salary for the current half year, to allow his executors to draw upon the treasurer for the sum of £200, as a gratuity to his four maiden daughters, who were left, by his death, with a very inadequate provision. Dr. Inglis acknowledges the receipt of four cases of books, sent by order of the Society for the supply of missionaries; some have already been distributed. He assures the Society that no exertion will be wanting to promote the pious objects for which so considerable an expense has been incurred.

The Society have lost another valuable missionary, in the death of the Rev. Mr. Bisset, of Maugerville, New Brunswick, and his place has not yet been supplied.

Dr. Inglis, in the course of the year, had made several visits to the vacant missions, in one of which he had passed some time, in Cumberland and the adjoining country; he had become acquainted with the sentiments of the leading persons in those districts, which he represents to be more favourable to the church of England than at any former period; and he ventures to recommend, in the name of the Bishop, the appointment of a missionary to Cumberland, and the grant of some assistance towards the rection of a new church. From thence he went to Dorchester and Sackle, in New Brunswick, where great exertions have been made, particularly by Mr. Betsford, with a view to raise sufficient funds for the building of a church, which there is every prospect will soon be accomplished,

* By the *provincial* statute of the 32 Geo. II. c. 5, the presentations to livings, in this province, are in the inhabitants of the several parishes; it being therein enacted, "That no minister shall officiate in that province, without a certificate from the Bishop of London, of his qualifications, and on the production of which the Governor of the province is to induct such Minister into any parish that shall make presentation of him."—*E.*

with the aid of the Society, which has been promised to them, as well as to the inhabitants of Cumberland, under the usual conditions.

The vacancy occasioned by the death of the late Mr. Bisset, at Maugerville, has called for additional exertions on the part of the missionaries settled in the adjoining districts, and it appeared adviseable to the Bishop to employ the Rev. Mr. Somerville, master of the academy at Fredericton, in administering to the spiritual wants of the people in that neighbourhood. It will not be inconsistent with his other engagements to spend his Sundays and the whole of his vacation in those places, and the Society have agreed, on the recommendation of the Bishop, to allow Mr. Somerville a salary of £100, so long as he discharges the duties attached to his appointment.

Dr. Cochran, during the long vacation, visited Aylesford, Wilmot, and Parborough, and officiated at those places. Mr. Twining made an excursion to Kermsby, on the Gulf of St. Lawrence, to a settlement on the Cumberland mountains, and to Onslow. Mr. Gray has accomplished his visit to Ristigouche, not without much difficulty, and some danger. The inhabitants of that settlement have expressed an anxious desire to be permanently united to the church.

The Rev. William King, missionary at Windsor, informs the Society that the church at Windsor is completed, at an expense exceeding £1000. He has the satisfaction to add, that his congregation increases. His Notitia from January 1, 1815, to the date of his letter, November 18, in the same year, contained, marriages, nineteen; baptisms, twenty; burials, five; communicants, thirty-two.

The Rev. Dr. Cochran, missionary at Falmouth, writes, that he regularly preaches every Sunday, and uses his best endeavours, by visiting the people at their houses, to induce them to attend the public worship of God, and he trusts, by persevering in the same course, he may, in some degree, answer the benevolent purposes of the Society. Some of the more opulent inhabitants have subscribed in aid of the Society for promoting Christian Knowledge, by which, and the bounty of this Society, his whole congregation will soon be supplied with prayer-books and religious tracts.

The Rev. Mr. Norris, missionary at Cornwallis, writes, that nothing particular has occurred in his mission since the date of his last letter. The Society's schoolmaster at Cornwallis, Mr. Cornelius Fox, is disabled from attending to the school by a severe illness. As he is a very old servant of the Society, Mr. Norris has encouraged him to hope that he may still be allowed to draw for his salary, and he ventures to recommend him to the benevolence of the Society. This recommendation has been complied with. The Notitia contains, baptisms, twenty-one; marriages, thirty-two.

The Rev. John Millidge, missionary at Granville, in a letter, dated November 2, 1814, acquaints the Society that the middle church, in his mission, will be finished on the outside in the course of the ensuing summer. His Excellency, Sir John Sherbrooke, has granted an additional £100 for the use of the church, which, together with the subscriptions on the part of the people, will probably be sufficient to complete the whole in a very handsome manner. Mr. Millidge has reason to hope, that his exertions in the discharge of his duties, have not been altogether unsuc-

cessful. His Notitia for the last six months, contains, baptisms, twenty; marriages, seven; burials, four; communicants, fifty.

The Rev. Roger Viets, missionary at Digby, represents the population of his mission as amounting to one thousand souls, most of them so poor, that little dependence can be placed on the contributions of any of the inhabitants. The glebe-lands have been leased in small lots to poor people, who have destroyed all the valuable timber on them, without bringing them under cultivation. His congregation, on an average, amounts to about one hundred, though, on some particular days, it is more considerable. He has made several visits to the Neck, and also to Weymouth, where there is a congregation amounting to eighty or ninety persons. His Notitia for the last six months, contains, baptisms, twenty-four; marriages, four; burials, five; communicants, twenty-nine.

The Rev. Thomas Rowland, missionary at Shelburne, acquaints the Society, that at the solicitation of the churchwardens of Yarmouth, he had occasionally visited that mission since the death of Mr. Cossit, and administered the sacraments. Dr. Farrish, one of the most respectable inhabitants of the place, reads the prayers, and a sermon every Sunday, in the church. On his last visit he preached two Sundays, baptised one adult, twenty-four infants, and administered the sacrament to twenty communicants; at Liverpool he baptised one adult, five infants. His Notitia for Shelburne contains, baptisms, twenty-seven; marriages, nine; burials, ten.

The Rev. William Twining, missionary at Rawdon and Douglas, writes, that with the permission of the Society, and approbation of the Bishop, he left Cape Breton in the course of the preceding year. The two churches at Rawdon and Newport, where he has officiated regularly since his removal, are distant from each other eight miles; the communication is uninterrupted at all seasons. Both townships contain three thousand three hundred souls. The congregations are large. Douglas is situated at a considerable distance, and the roads impassable, except in summer, in consequence of which, his visits to that settlement have necessarily been confined to that season. The glebe-house is commodious and comfortable, but, being entirely of wood, begins to decay. The glebe-lands have suffered much injury from the present tenants. His Notitia contains, baptisms, thirty-three; burials, seven; marriages, nineteen.

The Rev. Charles Weeks, missionary at Guysborough, reports, that in general his congregation is numerous. The church is entirely pewed in the lower part, and the painting, both inside and outside nearly completed. In the course of the last year he made a pastoral visit to Tracadie and Little River, at the latter of which places he preached twice, baptised eleven children, and administered the sacrament to four communicants. His Notitia contains, for the last six months, baptisms, sixty; marriages, six; burials, four; new communicants, eight.

The Rev. Charles Inglis, missionary at Chester, transmits the Notitia of his parish, and some of the adjoining districts; baptisms, Chester, eighteen; St. Margaret's Bay, fourteen; Blandford, six; marriages, ten; burials, six. He has occasionally visited Blandford, and different parts

of St. Margaret's Bay, and found very respectable and attentive congregations. The church catechism is in much request, which induced him to distribute amongst them some copies of the church catechism, broken into short questions, &c. and such other tracts as he had. At one time there was a prospect of the inhabitants of St. Margaret's Bay building a church, but, in consequence of some recent deaths in that neighbourhood, and an apprehension that they were little likely to be furnished with a missionary before the vacant missions were filled up, their ardour has been somewhat damped.

The last accounts from Dr. Inglis left Mr. Aitkin at Moose Island, but it was expected that early in the present year he would remove to some vacant mission in the diocese of Nova Scotia, and the final instructions of the board to that purpose, have been communicated to him.

In the course of the last year the Society adopted the Rev. James Milne, of the episcopal church in Scotland, as one of their missionaries, who, previously to his embarkation for Nova Scotia, qualified himself, by an attendance at the National School in Baldwyn's Gardens, for the introduction of the Madras system of education into the several schools in that province. He arrived at Halifax early in November, and, in concert with Dr. Inglis, immediately took measures for furthering one of the leading objects of his instructions from the board.

Eight schools in Halifax alone are already in some measure under the superintendance of Mr. Milne. Some additional expense will be incurred in carrying this important object into execution; and, at the recommendation of the Bishop, the Society have agreed to make an extra allowance of 100*l.* per annum, during the period of Mr. Milne's services in that department.

The Rev. Robert Ferryman was again adopted as a missionary by the Society during the course of the last year, and has selected Cape Breton as the place of his residence.

NEW BRUNSWICK.

The Rev. George Mountain, missionary at Fredericton, gives the most satisfactory information respecting the state of his mission; the vestry and churchwardens are well-disposed to forward the interests both of the church and the clergyman. The congregation is respectable both in number and character; the demand for seats has long exceeded the accommodation of the church, an evil which will in some degree be remedied by a small addition to the pews and benches, of which the church still admits. Mr. Mountain has received part of a large grant of books sent to the Bishop, and is in expectation of a still further supply from the Society for promoting Christian Knowledge.

The Rev. George Pidgeon, missionary, St. John's, writes, that in obedience to the commands of the Bishop, he arrived at his mission in the month of June, 1814, and on his arrival Mr Viets removed to Digby. The members of the church of England amount to eight hundred; at the monthly communions, above one hundred attend; at the Easter and

Christmas festivals a great number. The church is a very large and handsome structure, and constantly filled by an exemplary, devout, and attentive congregation. The Notitia for the last year contains, baptisms, seventy-nine; marriages, seventeen; burials, fifteen.

The Rev. Elias Scovil, missionary at Kingston, reports, that by the blessing of God he has been able to discharge the duties of his mission as formerly. He divides his time among the several parishes committed to his care. The church at Kingston has been thoroughly repaired. The new church at Hampton is not yet seated, which delay has been occasioned by the war; throughout the whole province there is a great deficiency of ministers of the church of England; in his county there are seven large parishes, and only two of them supplied with missionaries, and the wants of other counties are equally great. The Notitia contains, baptisms, infants, forty-one; adults, two; marriages, nineteen: burials, six.

The venerable missionary of St. Andrew's, the Rev. Samuel Andrews, still continues to officiate in the town, and was enabled to preach every Sunday during the last year, with the exception of two. He has lately been appointed chaplain to the garrison, with a salary of £60, which he would willingly relinquish in favour of an assistant, could a suitable person be procured for that situation. The vestry have also agreed to allow a salary of £40 for the same purpose; and the Society would be willing to add an annual stipend of £110. These inducements however have hitherto been without success, and the distant parts of the mission have suffered from the inability of Mr. Andrews to attend to their religious state.

The Rev. Samuel Clarke, missionary at Gage Town, reports, that the church is rapidly increasing; he had visited the out-parishes more frequently than usual during the last winter. The Grand Lake is a very extensive establishment, more than twenty-four miles in extent, whither he is frequently called. Long Island is more than nine miles from Gage Town, where he attends every fourth Sunday, and preaches to a large congregation. He is often called upon to attend the sick, fifteen or twenty miles distant. His Notitia for the last fifteen months contains, baptisms, infants, seventy-five; adults, fourteen; blacks, four; marriages, twenty-nine; burials, seven.

The Rev. Frederick Diblee, missionary at Woodstock, reports, that he continues to officiate every third Sunday from May to November, in the two lower parishes, but in the winter he is not able to attend. At Queensbury, nine miles below Woodstock, it is intended to erect a new church, and some progress has already been made in so important an object. Application has been made to the Society for assistance, which has been readily promised under the usual regulation.

UPPER AND LOWER CANADA.

The Lord Bishop of Quebec transmits to the Society an application which had been made to him by some of the most respectable characters in the province, on the propriety of granting an allowance of £50 per annum to a certain number of young men from the age of eighteen or nineteen to

twenty-three, to enable them to pursue their studies as candidates for holy orders, the parents giving security for the repayment of the money should the students relinquish their intention; the Society, duly impressed with the advantages that may arise from an encouragement of this nature, have agreed to place, for a limited time, the annual sum of £200, at the disposal of the Bishop, in compliance with His Lordship's suggestion, and in hopes that it may prove the foundation of future exertions on the part of Government.

In the coure of the last year the Bishop ordained two young men, who had been pursuing their studies for some time, under the superintendance of Mr. Cotton, of Dunham, one of whom, Mr. Townshend, was appointed by Government to the township of Caldwell manor, and adopted by the Society as their missionary at that place; the other, Mr. Reid, had undertaken the care of St. Armand, during the absence of the Hon. and Rev. Charles Stewart, (who had come to England for a short time,) with an understanding that he should be appointed missionary to Stanstead, on the return of Mr. Stewart to America. The Society are in hopes, that with the assistance of Government, they shall be enabled to make provision for four additional missionaries in the Canadas.

The Rev. George Okill Stuart, missionary at Kingston, acknowledges the receipt of two boxes of books, one, containing bibles, &c. for general distribution, the other, for the use of the Mohawks. His congregation had not much increased during the war, but, on the contrary, the perversion of morals and licentiousness had been much extended among the lower class of the community. His Notitia contains, marriages, fifty-five; baptisms, eighty-seven; burials, one hundred and fifteen; including both army and navy.

The Rev. Robert Addison, missionary at Niagara, reports, that on the destruction of the church, and dispersion of the congregation by the enemy, he had, with the permission of the Bishop, accepted the appointment of chaplain to the St. Lawrence; but, on the restoration of peace, he had returned to his mission, where he was actively employed in officiating at several places in the neighbourhood of Niagara. His Notitia contains, baptisms, eighty-six; marriages, five; burials, two.

The Rev. Richard Pollard, missionary at Sandwich, was employed, during the period the enemy occupied that part of the country, at Ernest Town, under direction of the Bishop. At the date of his last letter, he had again taken possession of his own mission, where he performed divine service every Sunday to the troops, at ten o'clock in the morning, and to the inhabitants at noon. The church books and others were all carried off by the Americans, while they were in occupation of the town.

The Rev. John Bethune, missionary at Elizabeth and Augusta, represents the country adjoining his mission as having been settled about thirty years; the population is numerous and wealthy, many of them well-disposed towards the church; there is a district-school, consisting of sixty children, under the charge of the minister; they are catechized every Sunday. At Augusta there is a tolerably good church, but in an unfinished state.

In Elizabeth Town they make use of the court-house for divine service; there is, however, some prospect of building a church in that township.

The Rev. John Jackson, missionary at William-Henry, communicates intelligence of the formation of a new settlement in his immediate neighbourhood, consisting chiefly of discharged soldiers, to be called Drumondville; provision is to be made for a resident minister, but till that takes place, he will consider this colony as comprized within the limits of his mission. The last mortgage of £60 on the church has been paid off by the increase of pew-rents; the building is also in perfect repair.

A short time previously to Mr. Stewart's leaving Canada, he accompanied Mr. Townshend to Caldwell and Christie manors, where the people have engaged to finish the church, and to contribute £30 in addition to the missionary's salary. Mr. Stewart had visited Stanstead, and other townships east of Lake Memphremagog, and found the people well-disposed towards the church. His Notitia from Nov. 1, 1814, to July 13, 1815, contains, Trinity church, baptisms, adults, four; infants, eighteen; marriages, ten; burials, three; communicants, July 9, fifty-four. St. Paul's church, baptisms, adult, one; infants, twenty-five; marriages, three; communicants, July 2, fifty-four.

The Society taking into their serious consideration the absolute necessity there is, that such clergymen, as are sent abroad, should be duly qualified for the work to which they are appointed, desire every one who recommends any person to them for that purpose, to testify his knowledge as to the following particulars:

1. The age of the person.
2. His condition of life, whether single or married.
3. His temper.
4. His prudence.
5. His learning.
6. His sober and pious conversation.
7. His zeal for the Christian religion, and diligence in his holy calling.
8. His affection to the present Government.
9. His conformity to the doctrine and discipline of the church of England.

And the Society requests all persons concerned, that they recommend no man out of favour or affection, or any other worldly consideration, but with a sincere regard to the honour of Almighty God, and our blessed Saviour; as they tender the interests of the Christian religion, and the good of men's souls.

But if any person should appear abroad in the character of a clergyman of the church of England, and disgrace that profession by improper behaviour, the Society desire their friends to examine, if they can, into his Letters of Orders, and to inspect the list of the missionaries annually published by the Society, by which, if it should be found that he came thither with their knowledge, they will, upon due information, put away from them that wicked person.

The Receipts and Payments on the General Account of the Society for the Year past, stood thus at the Audit, on the 26th Day of January, 1816.

RECEIPTS.	£.	s.	d.
By balance of the last account	1166	5	10
By benefactions and legacies	70	15	6
By subscriptions and entrances	401	2	0
By dividends from the funds	4018	8	2
By rent of estates	202	5	9
By annuity from the estate of the late Anthony Barnes	20	0	0
By annuity from the late Mrs. Hanmer	5	5	0
By a grant from parliament in aid of the expenses of the Society in the North American Colonies	5730	0	0
	£11,620	2	3

PAYMENTS.			
To salaries and gratuities to missionaries, catechists, and school-masters, and exhibitions to scholars, at the college in Nova Scotia	8902	16	4
To officers' salaries	461	0	0
To books sent abroad	138	14	0
To the purchase of £358. 7*s*. 3*d*. 3 per cent. consolidated annuities	500	0	0
To printing and dispersing the anniversary sermon, stationery, postage of letters, law charges, the rent of a room for the society's meetings, and other incidental expenses	298	11	11
To balance in the treasurer's hands	1319	10	0
	£11,620	2	3

ANNUAL REPORT

OF THE HALIFAX DIOCESAN COMMITTEE

OF THE SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE,

FOR 1815.

The Halifax Diocesan Committee of the Society for Promoting Christian Knowledge have much satisfaction in offering the following Report of proceedings in the year 1815.

A most satisfactory correspondence has been continued with the parent Society, and every kind assistance and encouragement has been afforded by that venerable body.

They have informed the Halifax Committee of arrangements lately made with their booksellers, which will enable them to reduce even the low prices at which their books have hitherto been supplied.

They have also mentioned the admission into the Society of many members of the foreign reformed churches; especially at the Cape of Good Hope, the Mauritius, and St. Helena. For the particular benefit of those places, and of several settlements in this diocese, the Society have placed on their catalogue the best editions of the Bible, in the German, French, and Dutch languages.

With a view of placing the numerous Diocesan and District Committees on a uniform system, the Society have drawn up a series of papers, containing useful regulations and instructions, which have been duly forwarded to this place.

Books charged to this Committee, at the reduced prices of the Society, to the value of nearly one thousand pounds, have been received for circulation throughout the diocese, and may easily be obtained by application to the clergy, or at the store of Mr. Thomas Heaviside. Catalogues, with the price of every book, have been printed, and circulated through the country.

Many of these books have been forwarded to the several District Committees, and to many individual members of the Society.

Large supplies have been sent to Fredericton, St. John's, St. Andrew's, Kingston, and Gage Town, in New Brunswick; and to Chester, Lunenburg, Shelburne, Yarmouth, Annapolis, and Aylesford, in this province. Packages have also been forwarded to Guysborough, and Prince Edward Island.

Numerous collections and subscriptions have been made, for payment of the expenses thus incurred, and the Committee feel it incumbent on them to acknowledge with gratitude the kindest co-operation on the part of the District Committees.

In New Brunswick they have been actuated by the most laudable zeal, in promoting the noble objects of the Society. The business of their District Committees is transacted in the best method; their members are daily increasing; and their collections and subscriptions are forwarded to Halifax with great punctuality.

They have, indeed, anticipated a recommendation, which the Committee respectfully offer to every member, to have his subscription always paid one year in advance; and not to wait until it is called for, as it is not the usage of the parent Society to *ask* for the payment of subscriptions. The Committee are confident that the mention of this rule will secure attention to it from every member in this diocese.

The attention of the increasing Committee, in Prince Edward Island, to the objects of the Society, is also entitled to very grateful acknowledgment.

One hundred and sixty members, whose names are added to this Report, have joined the Society, through the Halifax Committee, since its formation in July, 1814; exclusive of members in Newfoundland, whose number is not yet ascertained.

From a statement of the accounts, it appears, that during the same period, the sum of £918. 2*s*. 4*d*. has been received by the Committee; and £787. 10*s*. 8*d*. has been remitted to the parent Society. But as a large portion of this sum consisted of the benefactions at entrance, and the

yearly subscriptions of members, which benefactions and subscriptions belong to the parent Society, there is a balance now due from the Halifax Committee, for books, to the amount of more than £250; and the books expected in the spring, will probably amount to as large a sum, even at the reduced prices.

By desire of the Right Reverend the Bishop of the Diocese, information has been communicated to the Committee, of the arrival of the Rev. Mr. Milne, at Halifax, as one of the missionaries from the Society for Propagation of the Gospel, specially qualified to introduce the Madras System of Education into this diocese.

The Committee, considering that the education of children in sound principles of religion, has ever been a prominent object of the parent Society, who have been very instrumental to the extensive adoption of this admirable system in England; and being very desirous to extend the peculiar advantages it possesses, throughout these colonies, have resolved to recommend and encourage its adoption, to the full extent of their means. In pursuance of this resolution, they have agreed to supply all schools, which may introduce it, with the necessary books, at the reduced prices of the Society; and gratuitously, where it may be required.

They have also resolved to attempt the establishment of a parochial school, at Halifax, to be conducted entirely according to the Madras system, under their superintendance and protection, and have appointed a Committee to carry this measure into effect, with the approbation of the churchwardens of St. Paul's.

While the Committee offer their grateful acknowledgments to all the Members, for their zealous regard to the objects of the Society, they have only to add their respectful recommendation for continued perseverance in their good endeavours. An ample supply of very interesting books is now within their reach, for the best religious and moral instruction of their children, their servants, and their poorer neighbours. They will readily consider it a duty to avail themselves of such important advantages, by providing for the instruction of their own families, and of all within their influence; and will assist the effect of such instruction, by personal superintendance and direction. The sphere of their useful exertions may thus be gradually, but powerfully extended, and numbers may be added to the Society, by their recommendation, by the influence of their example, and by the valuable effect of their attention and labour.

The Committee feel that their thanks are especially due, for the exertions in behalf of the Society, which have been made by a very large proportion of the clergy in the diocese; and confidently hope for a continuance of these valuable exertions, as they look for success only through the blessing of divine Providence upon the permanent and untired continuance of the zeal and attention of the Members. The Committee respectfully recommend that a union with the Society should be made *parochial*, whenever it may be possible; for experience has shown that the objects of the Society are most successfully advanced, and always form a very happy bond of parochial usefulness, union, and affection, whenever they are

promoted by the general co-operation of the rector, church-wardens, vestry, and parishioners. The Committee further recommend, that several of the more expensive books in the Society's catalogue, and more particularly that several copies of the Family Bible, be kept in every parish, to be lent to the poorer parishioners.

The Committee very respectfully continue their invitation to those members of the church, who have not yet joined the Society; and especially the clergy, whose assistance and direction, they consider of primary importance. No one need to withhold his support from apprehension that its influence will be unimportant; the continued efforts, even of an individual, will never be without good effect. An union with the Society will certainly increase his means of being useful, and will probably increase his desire also to improve those means.

The Committee have lively pleasure in stating that there is no want of adequate encouragement for the general co-operation which they solicit.

Even in the infancy of their endeavours, the Committee have had an earnest of their ultimate benefit, in the very encouraging success which has already attended them. And they are most satisfactorily persuaded, that a union with the Society for Promoting Christian Knowledge, under the blessing of God, affords great and very important facilities for encouraging and increasing the influence of stedfast loyalty, sound Christian morals, and pure and undefiled religion.

They have the comfort to be assured that their endeavours, from the beginning, have received not only the sanction, but the most cordial approbation and support of the right reverend the Bishop of the diocese.

They have also the satisfaction to observe, that exertions, similar to their humble efforts, have been warmly recommended by several Bishops in the parent kingdom, in their solemn charges to their clergy.

Nor can they withhold an acknowledgment of the gratifying encouragement they derived from the very flattering manner in which their first endeavours have been noticed by the parent Society, in the following passage of the Annual Report for 1814:

"In the above list, it will be observed, we comprise a Diocesan Committee for the Isle of Man, and another (with several subordinate district committees) for Halifax, in Nova Scotia.

"In connexion with the latter a still wider field is opened for contemplation; and more abundant cause administered for thankfulness and joy. It is remarkable, that at the moment when the Society, on occasion of the appointment of the Lord Bishop of Calcutta, were first venturing to express the wishes which they had long cherished, that a great institution might arise in the east, embracing in friendly combination, the several grand designs carried on by this Society, in the promotion of Christian knowledge, a like establishment was taking place in the west, under the special patronage of the highest constituted authorities in church and state there; and which, it is confidently hoped, may be a model and example to others, whereby the pure reformed faith of the English church may be further propagated, and increasingly confirmed in those regions. The primary resolutions of this institution, being the first hitherto established in foreign

parts, in immediate connexion with this society, are, therefore, inserted in the Appendix."

The Committee are very confident that every member will be duly sensible of the value of such testimony, from such a source; and conclude this, their second Report, with their earnest desire for a continuance of the prayers of all pious persons, that the blessing of Heaven may attend the Society, and prosper all their labours, for the glory of God, and the promotion of Christian knowledge throughout the world.

Halifax, Nova Scotia, Jan. 1810.

Members of the Society for Promoting Christian Knowledge, who have joined the Halifax Diocesan Committee.

Almon, W. J. Esq. M. D. Halifax.
Alport, Mr. James, do.
Andrews, Rev. S. St. Andrew's, N. B.
Andrews, Ellsha, S. Esq. do.
Arnold, Rev. O. Sussex Vale, do.
Adams, Mr. Peter, Ristigouche, do.
Adams, Mr. John do.
Armstrong, Lt-Gn. Fredericton, do.
Boggs, Thomas, Esq. Halifax.
Brown, Mr. Samuel, do.
Bolman, John, Esq. Lunenburg.
Black, Wm. Esq. St. John's, N. B.
Huskirk, Henry, Esq. Aylesford.
Binney, Mr. Hibbert, Halifax.
Botsford, W. Esq. Sackville, N. B.
Bliss, J. Murray, Esq. Fredericton, do.
Birnie, A. Esq. Prince Edw. Island.
Bremner, J. Esq. St. John's, N. B.
Busteed, Mr. T. sen. Ristigouche, do.
Busteed, Mr. T. jun. do.
Bates, Walter, Esq. Kingston, do.
Croke, Hon. Alex. LL.D.
Judge of the Court of Vice-Admiralty, Halifax.
Cochran, Rev. Dr. Williams, V. P. of King's College, Windsor.
Cochran, Wm. Esq. Halifax.
Chipman, Hon. W. St. John's, N. B.
Campbell, W. Esq. Mayor of do.
Chahoner, John, Esq. do.
Codner, James, Esq. do.
Cudlip, Lt. James, R. N. do.
Crulekshanks, R. W. Esq. do.
Campbell, J. Esq. St. Andrew's, do.
Campbell, Colin, Esq. do.
Crawley, Hon. T. Cape Breton.
Curtis, J. Esq. Prince Edw. Island.
Cambridge, Artemas, Esq. do.
Dixon, Lt.-Col. W. R. A. Halifax.
Dawes, D. B. Esq. do.
Donaldson, Mr. L. St. John's, N. B.
Donaldson, Mr. William, do.
Dumont, Mr. William, do.
Dunn, John, Esq. St. Andrew's, do.
Desbrisay, Rev. T. Prince Edw. Isl.
De St. Croix, B. Esq. do.
Duncan, M. J. sen. Ristigouche, N. B.
Field, Mr. Robert, Halifax.
Fritsh, H. G. Esq. Yarmouth.
Farrington, Major Henry, Royal Artillery, St. John's, N. B.
Floyd, Mr. David, Chester.
Fleming, Mr. W. Ristigouche, N. B.
Ferguson, Robert, Esq. do.
Foushner, Andrew, Esq. Remsheg.
Gray, Rev. B. G. Sackville, N. B.
Graham, Lieut.-Col. Vernon, Insp. Field Officer, N. S. M.
Gray, Hon. R. Prince Edw. Island.
Goff, Fade, Esq. do.
George, R. D. Esq. Secretary of Nova Scotia.
Gilbert, Mr. H. St. John's, N. B.
Gardiner, Henry, Esq. do.
Gerard, Mr. A. Ristigouche, do.
Gordon, Robert, Esq. St. Vincent's.
Halliburton, Hon. B. Halifax.
Hartshorne, Law, jun. Esq. do.
Hill, William, Esq. do.
Heuvislde, Mr. Thomas, do.
Hobson, Mr. E. J. do.
Hazen, W. Esq. St. John's, N. B.
Hailes, W. H. Esq. Fredericton, do.
Hatch, Col. C. St. Andrew's, do.
Hatch, Harris, Esq. do.
Hanford, Mr. J. T. St. John's, do.
Halsall, Mr. Henry, do.
Hill, John, Esq. St. Vincent's.
Hepburn, Wm. Esq. do.
Henderson, T. Esq. St. Andrew's, N. B.
Jeffery, Hon. Thomas, N. Collector of H. M. Customs, Halifax.

Inglis, Rev. Dr. John, Ecclesiastical Commissary. Halifax
Ingles, Rev. Charles, Chester.
James, Edward, Esq. Lunenburg.
Jarvis, Munson, Esq. St. John's, N.B.
Johnson, Hugh, Esq. do.
Jarvis, Mr. Ralph, M. do.
Johnson, William, Esq. Attorney-Gen. Prince Edw. Island.
Kemball, Lieut. George P. Aide-de-Camp, Fredericton, N. B.
Leonard, Hon. G. St. John's, do.
Morris, Hon. C. Halifax.
Millidge, Rev. John, Granville.
Millidge, Thomas, Esq. do.
Manby, Richard, Esq. Dep. Com. Gen. Halifax.
Moody, Mr. John, do.
Miller, Mr. Jacob, do.
Miller, Mr. Garrett, do.
Milward, Mr. William, do.
Mountain, Rev. G. J. Fredericton, N. B.
M'Donald, D. Esq. St. Andrew's, do.
Mackay, Hugh, Esq. do.
Man, E. J. Esq. Ristigouche, do.
Malcolm, Mr. Alexander, do.
Micheau, Daniel, Esq. Kingston, do.
Nova Scotia, Rt. Rev. and Hon. Charles Bishop of
Nichols, Lt.-Col. Gustavus, R. E. Quebec.
Needham, Mr. M. Fredericton, N.B.
Odell, Hon. Jonathan, do.
Odell, W. Franklin, Esq. do.
Osborne, T. Esq. St. John, do.
Porter, Rev. Charles, President of King's College, Windsor.
Perkins, Rev. Cyrus, Annapolis.
Pyke, John George, Esq. Halifax.
Pryor, Mr. Edward, do.
Pidgeon, Rev. G. Ecclesiastical Commissary. St. John's, N. B.
Parkes, Robert, Esq. do.
Paddock, A. Esq. St. John's, N. B.
Pagan, W. Esq. do.
Peters, Mr. Benjamin do.
Pleace, W. Esq. Prince Edw. Island.
Powell, J. Esq. Richibucto, N. B.
Palmer, J. B. Esq. Prince Edw. Isl.
Pickett, D. Esq. Kingston, N. B.
Purdy, Henry, Esq. Cumberland.
Rowland, Rev. T. B. Shelburne.
Rowland, D. Esq. M. D. Halifax.
Rudolf, Francis, Esq. Lunenburg.
Robinson, J. Esq. St. John's, N. B.
Ritchie, Mr. Andrew, do.
Sherbrooke, His Excellency Lieut-Gen. Sir John C., G.C.B. Lieut-Governor of Nova Scotia.*
Smyth, His Honour Maj-Gen. President of N. Brunswick.
Smith, His Excellency Lt.-Gov. of Prince Edward Island.
Stanser, Rev. Robt. D.D. Halifax.
Shreve, Rev. Thomas, Lunenburg.
Scovil, Wm. Esq. St. John's, N. B.
Saunders, Hon. J. Fredericton, N. B.
Somerville, Rev. James, do.
Smith, Henry, Esq. do.
Stuart, J. Esq. Prince Edw. Island.
Scott, C. Esq. St. Andrew's, N. B.
Smith, Mr. T. St. John's, do.
Slason, Mr. J. Fredericton, do.
Simonds, Mr. C. St. John's, do.
Scovil, Rev. Elias, Kingston, do.
Thompson, T. Esq. Chester.
Thorn, Edward, Esq. Granville.
Temme, Rev. Ferdinand, Lutheran Minister at Luneburg.
Tremlett, Hon. T. Prince Edw. Isl.
Territt, William, Esq. LL.D. Judge of the Admiralty, Bermuda.
Tremain, Richard, Esq. Halifax.
Uniacke, Hon. Richard John Attorney Gen. of Nova Scotia.
Wright, Rev. George, Halifax.
Weeks, Rev. C. Guysborough.
Willis, Rev. Robert, R. N.
Wright, Andrew, Esq. Halifax.
Wainwright, Mr. Charles, do.
Wollenhaupt, H. Esq. Lunenburg.
Wheeler, Z. Esq. St. John's, N. B.
Wetmore, T. Esq. Fredericton, do.
Wyer, T. J. Esq. St. Andrew's, do.
Waters, E. Esq. Prince Edw. Island.
Wright, Hon. George, do.
Waterbury, Mr. J. St. John's, N. B.
Worrall, C. Esq. Prince Edw. Isl.
Worrall, Edward, Esq. do.
Wetmore, D.B. Esq. Kingston, N.B.
Wyer, Col. T. St. Andrew's, do.

* His Excellency the Lieutenant-Governor, and the Right Reverend the Bishop of Nova Scotia, were members of the society before the formation of the Halifax Committee.

PLAIN AND AUTHENTIC DOCUMENTS

IN JUSTIFICATION OF THE CONDUCT OF

GOVERNOR AINSLIE,

IN THE REDUCTION OF A MOST FORMIDABLE

REBELLION

AMONG THE SLAVES IN THE ISLAND OF DOMINICA,

AT A CRISIS OF THE MOST IMMINENT DANGER TO THE LIVES AND PROPERTIES OF THE INHABITANTS.

THE following Documents exhibit so full and faithful a detail of facts, attested by persons, many of them eye-witnesses of the horrid scenes, and severe sufferers by the outrages and devastations there described, that they hardly need a comment or illustration. It may not, however, be amiss to make one remark that cannot fail to have considerable weight, and it is this; that several Gentlemen, some of whom are now in England, who subscribed the different Addresses to Governor Ainslie, were at that very period at variance with him on some political questions, notwithstanding which, with a candour and liberality highly honourable to them, and impelled by a proper feeling of their obligations to him for the signal services he had rendered the colony, and yielding to the irresistible force of truth alone, volunteered their attestations in his favour; attestations, therefore, that cannot be either suspected or impeached. From what authority Mr. Gordon, Sir S. Romilly, and Mr. Smith derived their information, we are unable to conjecture; but of this we are firmly convinced, by our knowledge of the purity of those gentlemen's principles and characters, that the charges and insinuations with which they attacked General Ainslie, could have originated only in the most flagrant misrepresentation, and that converted by the unequivocal evidence now offered them, they will, in justice to that gentleman, retract their former injurious assertions of him; that they will endeavour to heal the wound they have made in his reputation; and will, on mature reconsideration of the subject, from being his accusers, become his advocates.

Roseau, September 7, 1815.

To the Right Honourable Earl Bathurst, His Majesty's Principal Secretary of State for the Colonies, &c. &c.

WE, the President and Members of His Majesty's Honourable Council of Dominica, cannot help observing with equal regret and surprize, after the unanimous and unqualified testimony which we have already borne to the meritorious conduct of Major-General Ainslie, in his well-timed suppression of the Rebellion among the Negro Slaves of this Island,

that the same injurious prejudices and misrepresentations which were, in part, the cause of his recall, still appear to exist in their full force, and to operate against him with unabated influence; prejudices, however, evidently originating in the most glaring error and misinformation; but error and misinformation little to be expected in the quarter where they appeared; for we find it roundly asserted in the House of Commons, by a late Law Officer of the Crown, of distinguished eminence in his profession, that General Ainslie, by a power vested in him as Governor, had reduced free men to slavery, and deprived nearly seven hundred negroes of their freedom, and that he strongly suspected that the war against these people was nothing more than a pretext for recruiting the slave-gangs, since they could no longer be supplied by importation.

Now, Your Lordship well knows, that no Governor of a Colony, where the British Laws prevail, is invested with any power, either of reducing a free man to slavery, or of opposing the manumission of a slave; nor do we know of a single instance where General Ainslie has ever made so violent and arbitrary an attempt. We, therefore, cannot but deem it extremely hard, that the Governor should thus have his feelings wounded and insulted, and his character blackened and loaded with unmerited reproach, that he should be held up to public odium, as an oppressor of the Slave, and an enslaver of the Free, as a contemner and violator of the laws, an abuser of his authority, and an arbitrary, unfeeling tyrant; that he should meet with censure where he merits praise, and be denounced for punishment where he is entitled to reward. A portrait this, no one feature of which bears the least resemblance to that gentleman.

Under this strong impression we beg leave, my Lord, to renew the expressions of our gratitude and obligations to Governor Ainslie for the signal services he has rendered this colony, by his reduction of those rebellious hordes which not long since threatened our lives and properties; and in refutation of the charges brought against him of inhumanity, and undue severity in his prosecution of that object, we owe it to him to add, that he invariably acted on that occasion with marked lenity, forbearance, and moderation, and that the few examples of rigour which he made *in terrorem* to the rest, were of those only who by an extraordinary perseverance in their enormities and atrocities, and by a contempt of the offers of pardon on their return to duty, and in defiance alike of threats, had forfeited all claim to mercy, and were such examples only as sound policy dictated, and imperious necessity demanded. It is our decided opinion, therefore, that General Ainslie is as much entitled to the thanks and approbation of his Majesty's Government on the subject of the war against the Negro Slaves, as he is of this community.

ARCH. GLOSTER, President of Council.

Council Chamber, August 16, 1815.

Dominica, August 17, 1815.

My Lord,—I have the honour to enclose an Address to Your Lordship, unanimously voted by His Majesty's Board of Council of this Island yesterday.

It is with much satisfaction that I am directed to transmit this tribute of applause to Your Lordship, through His Excellency Governor Ainslie, as it will, I trust, not only evince to His Majesty's Ministers the sense entertained by this branch of the colonial legislature, of his merits and services in the successful extinction of a most dangerous rebellion of the runaway-slaves, but may also tend to remove any unfair representations of his motives and conduct which may have been made in the Imperial Parliament.

I have the honour to be, with respect, my Lord,

Your Lordship's most faithful and obedient Servant,

ARCH. GLOSTER, President.

To the Right Honourable Earl Bathurst, &c. &c.

Extract from the Minutes of the House of Assembly of Dominica, August 15, 1815.

Mr. Lowndes moved, seconded by Mr. Fergusson, that the House resolve itself into a Committee of the whole House, to take into consideration the Report of the Committee appointed by ballot to draw up a statement of facts, in order to counteract certain mistatements relative to the administration of Governor Ainslie. Agreed to, Mr. Lowndes in the chair; after some time spent therein, the Chairman made the following

REPORT.

The Committee of the House of Assembly of this Island, appointed by ballot, to draw up a statement of facts, in answer to certain strange mistatements made in the British House of Commons on the second of June last, concerning the conduct of His Excellency George Robert Ainslie, Governor of this Island, in the expeditions undertaken here against the revolted and runaway-negroes, and to report the same to the House: Do hereby report, that they have perceived with astonishment, that the subject appears to have been entirely misunderstood in England; and that some of the Gentlemen, who are reported to have taken part in the debate, appear to be entirely ignorant of the constitution and laws of a West India colony. It is well known to the House, that by a long course of impolitic and unfortunate neglect, the woods of this island had not been ranged for nearly fifteen years before, and that the late expeditions were not undertaken until the revolted-negroes, no longer contented with simple impunity, had begun to commit active depradations upon the peaceable plantations, when prompt and vigorous measures became absolutely necessary upon the principles of self-preservation, to prevent the total ruin of the colony. Governor Ainslie, before the expeditions were undertaken, offered by his proclamations a free pardon to all runaway-negroes, (murderers alone excepted,) who should surrender themselves within a certain time, and the House full well remember that the messengers who carried these offers of peace, were murdered by the runaways, after a mock trial, by what they called a council of war; after which their hearts were torn out, dried in the smoke of their fires, and exhibited at the entrance of their camps; as was detailed in evidence upon the trial of the chief, who ordered the exe-

cution. Here was active warfare begun by the runaways themselves, and not by the Governor—and even after this the Ranger Corps was constantly instructed by His Excellency to take as many prisoners as possible, but to kill none, unless in self-defence, where the runaways attempted to defend themselves *vi et armis*. The extraordinary assertions of Sir Samuel Romilly, which seem to have passed uncontradicted in the House of Commons, are well known to the House to be totally false. That learned gentleman maintained that more than seven hundred of the runaways had been reduced to slavery, and that the expeditions themselves were undertaken with a view of obtaining slaves by capture, since they could no longer be obtained by importation. Whereas the whole body of the runaways was composed of slaves who had fled from their owners; there was not a free person among them, except two deserters from His Majesty's regular troops, who were delived up to their respective regiments, and afterwards shot as deserters, by the sentence of a General Court Martial. Your Committee beg leave to remind the House that a regular census of all the inhabitants is annually taken in this Island, and that every proprietor of slaves is obliged to deliver in a correct list upon oath, of all his slaves, their number, and their names, and that in such list the number of all his runaway-slaves (if any,) must be distinctly noted, their names, their ages, their country, and the time that they have been absent; by means of which census the right of proprietorship to each runaway-slave can, in most cases, be distinctly traced and ascertained. The assertions of Sir Samuel Romilly are not only not true, but not possible; since no person of free birth, and no slave regularly and legally emancipated, can ever be reduced again to slavery for any offence whatever, freedom being an indelible right of which, by the law of the colony, no man can ever be deprived. Your Committee are at a loss to conceive upon what principle of the law of England, Mr. Gordon founded his extraordinary assertion, that many of the runaway-slaves in this island might by prescription be considered as free people. It appears to your Committee, that the law of England acknowledges no such prescription. If a man accept of His Majesty's bounty, enlist in one of his Majesty's regiments, and afterwards desert, he would never be allowed to plead prescription, or length of absence in his defence—such a plea would be considered as adding contumacy to guilt. The law of England is in all cases the same. A man is liable to be tried for the commission of a felony more than an age after the offence, and is moreover subject to all the risks attending the delay. All the witnesses who might have appeared in his defence, may be dead at the time of the trial, yet the absence of those witnesses cannot be pleaded in defence; as the law considers that the prisoner is the cause of his own danger, by not surrendering himself in due time to justice. It appears, therefore, clearly and decidedly to your Committee, that His Excellency Governor Ainslie, in planning and conducting the expeditions against the revolted Negroes, did no more than perform his duty in the strictest sense to His Majesty, and to this colony; that he never exceeded it in the smallest degree; that he always offered mercy in the first instance, and never had recourse to rigorous measures, until mercy had been offered in vain. His

Majesty's Government in England acted in the same manner about four years since, to that lawless body of men, who assumed the name of Luddites; but the executions and the transportations were more numerous than they were among the revolted negroes, although your Committee are not apprised that the Luddites added murder to felony, and they were never accused of condemning and executing peace-officers, carrying His Majesty's offers of mercy, by mock tribunals of their own creation. Upon the whole, therefore, your Committee hope that their Report will tend to counteract the false impression which seems to have prevailed partially in the House of Commons, as to the conduct of Governor Ainslie towards the revolted Negroes in this colony.

JOHN LOWNDES,
THO. H. FERGUSSON,
R. H. NIGHTINGALE, } Members of the Committee.

Mr. Court moved, seconded by Mr. Lowndes, that the Report be confirmed. Agreed to unanimously.

Mr. Andrew Keay moved, seconded by Mr. Lowndes, That an extract of the Minutes of this day, with the Report of the Committee relative to the mis-statements made in the House of Commons, concerning the administration of Governor Ainslie, be printed in the Roseau Gazette, and that the Speaker be directed to sign and transmit a copy of the same to the Right Honourable Earl Bathurst, His Majesty's Principal Secretary of State for the Colonies.—Agreed to unanimously.

WM. ANDERSON, Speaker.

[A true extract.]

E. H. BEECH, Clerk of Assembly.

Dominica, August 18, 1815.

My Lord,—In compliance with the directions of the Honourable the House of Assembly of this Island, I have now, with the greatest personal satisfaction, the honour to hand to you a Copy of a Report of a Committee of that House, appointed by ballot, on the 15th instant, unanimously confirmed, relating to the mis-statements that have taken place in the House of Commons, with respect to the administration of Governor Ainslie in this Island.

This, with the Report, is transmitted through the hands of Governor Ainslie, whose speedy return to his Government, I, in conjunction with a large majority of this community, anticipate with pleasure.

I have the honour, &c.

WM. ANDERSON, Speaker.

To the Right Honourable Earl Bathurst, &c. &c.

Dominica.

We, the Inhabitants, Planters, and Merchants of the Island of Dominica, respectively beg leave to convey to your Lordship our expressions of sincere regret, that after the clear and ample testimony we bore to the meritorious services rendered to this colony by Major-General Ainslie, in his

extinction of a most formidable rebellion among the Maroons, a copy of which testimony is hereto annexed, and that document reinforced by two others to the same effect, from the two branches of the Legislature, should not have proved satisfactory, and precluded as unnecessary any further inquiry into his conduct on that occasion; a conduct which has justly gained him the affections and gratitude of every class of this community, which his well-timed and vigorous exertions rescued from the brink of ruin, and from the revival of those horrid scenes of 1785, when numerous estates were set on fire, and totally destroyed, and their owners massacred. Nor is there any thing idle nor fanciful in this idea; for it has been lately proved, on the most incontrovertible evidence, that many valuable lives had been denounced, and would have been sacrificed by those desperate assassins, but for the very critical frustration of their diabolical purpose by Major-General Ainslie's prompt and vigorous attack, and final suppression of them. A poor harmless Carib, a soldier of the 4th West India Regiment, and a white man, named M'Farlane, they actually did murder, in the most wanton and cruel manner; and Mr. Alexander Robinson, a respectable Planter, whom they were in the act of drowning, as he was crossing a river on the road near to his estate, providentially escaped out of their ruffian hands, in consequence of the accidental appearance of some people that alarmed them so as to abandon their almost strangled prey. These assassins were afterwards taken, tried, and executed.

For our hair-breadth escape from these dangers, and these horrors; for our happy return to our present state, and secure establishment of tranquillity and repose, we feel, and gratefully acknowledge ourselves indebted solely to the judicious measures and unremitting activity of Major-General Ainslie, who, we anxiously pray, may be speedily restored to us.

(Signed). Robert Garraway, Thomas Court, H. C. C. Newman, Wm. Anderson, T. H. Fergusson, A. Meuboucher, F. Landat, John Stewart, J. Kirkwood, M. Patterson, John Dunn, J. Kerr, John Appleton, John Champion, John Reynolds, E. Sorhaindo, P. B. Moore, F. Maurillon, Thomas Vidal, James Pradon, M. Girault, F. Girault, A. M. Whitaker, G. Dupueir, David Wells, D. Le Blanc, D. L. B. Bour, J. B. Roux, J. B. Le Blanc, George Deputy, A. Dufrayer, Charles Sablon, M. Vidal, F. Vidal, J. B. Levelloux, J. B. Riviere, G. Riviere, Joseph Court, Peter Philips, Edward Court, Thomas Shillingford, James Wilson, Archibald Taylor, Martin Welch, William Shillingford, R. Keltie, William Collier, John Atkinson, —— Moreau, A. Boyer, —— Serrant, William H. Grane, L. Chevalier D'Origny, J. B. Petit, B. Chopin, Matthew Myler, S. Buraurau, R. De Lamar, J. B. Gautier, A. Fountaine, J. P. D'Anglebermes, Roderick Baird, Nicholas Moreau, A. Sorhaindo, J. A. Laronde, L. A. Laronde, L. Sorhaindo, L. Chasot, M. Botro, J. Hieurtault, E. L. Blee, John Charurier, William Payne, Thomas Crawford, Quintin Osborne, Thomas Myler, John Cubbin, Peter F. Fountaine, J. Giraudel, J. Molinie, L. Sorhaindo, J. J. Letang, Pierre Jolly, —— Arnaud, J. B. De Ravariere, B. De Lamar, J. B. P. Letang, Js. Johnstone, Saml. Gray, M. Ogston, J. L. Belotte, T. B. Guest, R. Dunoyer, John Madey, J. B. Dupegney, L. Cenecour, A. Cenecour, —— Gachet, Randal Righton, J. Foreman, P. Ellisonde, J.

Gordon, Wm. F. Stewart, C. Gaume, F. B. X. De Beltgens, W. Fournier, John B. Fournier, A. Lamarque, J. B. Delor, P. F. Bignon, Joseph Buret, Alexander Dunbar, G. Demaray, J. B. Pellé, G. Demaray, jun. Simon Nattee, Thomas Farranden, A. Patterson, J. Monboucher, W. H. Mason, Edward M'Craith, A. Desmarinire, A. F. Desmarinire, J. L. Desmarinire, Julian Desmarinire, John Hedley, J. Le Baron, Henry Rhoads, Z. Baker, John Spencer, Eloi Petit, —— Renault, W. B. Renault, Charles Harrison, S. Savarin, B. Marceau, Alexander Belair, L. A. Belair, George Belair, P. Motard, P. Motard, jun. S. Caret, R. De Caratis, F. Renault, Q. Fonqual, M. Motard, Francois Gresant, J. B. Perrier, P. Hortique, L. Labadie, Julian Langlais, C. Plifford, J. B. M. Dubue, G. St. Ville, T. Roques, Cha. Courtney, Nicholas Welch, J. P. Courtice, Joseph Langlais, L. Langlais, A. Lirxin, —— Romain, D. Pacquet, A. M. Whitaker, R. Seamen, A. Mourillon, J. Seamen, J. B. Misherau, D. Le Blanc, R. Grano, M. J. Brumant, J. Laville, J. Keay, A. Keay, R. Cantrell, Edw. M. Gray, R. Nightingale, R. Blanc, P. Courche, John Lowndes, John Jardin, A. F. Desmarinier, Thos. Philpot, Edwarp H. Beech, L'Abbe Jean Jos. Piron, F. Menier, Charles Vaughan, J. Le Baron, J. Y. Seyner, F. Avraud, E. M. Casey, C. Middleton, Wm. Hamilton, J. Cross, John Sharpley, William Wright, William Goldsmith, Martin O'Brien, William Cannonier, Thomas Simpson, Edward L. Noble, G. Stephenson, J. Nixon, Isaac Atkinson, C. Johnston, James H. Denbow, Charles Sydenham, F. V. Mourillon, George Jeffery, Walter Burke, J. Stukey, John A. Nisbitt, Christopher Hirriart, D. Letang, Jack Mercier, J. Williams, Ralph Ashton, Thomas Rawsthorn, William Hewitt, J. H. Newman, Joseph Burton, John Chalmers, William Miller, F. Gourd, J. Trocard. Thomas Trocard, J. B. Fort, N. R. Belair, G. Gosselin, F. R. Belair, William Narrale, P. Rondet, P. Clavelle, R. Romain, E. Romain, R. Roduet, P. Lamothe, J. B. Lamothe, jun. M. Robin, Alex. Royer, Royer Belair, F. R. Belair, George R. Belair, J. Larocque, P. Larocque, J. H. Nock, Alexander Watson, John D. Howell, George Cunningham, Thomas Sisson, Daniel Constable, Stephen Blanchard, Francois Long, J. R. Brioland, A. Desseore, J. F. Desseore, Henry Gloster, Thomas Murphy, John Dominique Long, B. Berard.

Roseau, July 29, 1815.

DOMINICA.—*To his Excellency George Robert Ainslie, Esq. Captain-General and Governor-in-Chief in and over the said Island, Chancellor, Vice-Admiral, and Ordinary of the same, &c. &c. &c.*

We, the Planters, Merchants, and Inhabitants of the Island of Dominica, penetrated with a just sense of the important services which Your Excellency has rendered generally to the inhabitants of this Colony, and more particularly to the Planters and Owners of Slaves, by your judicious and salutary measures, for the suppression of a most alarming and dangerous rebellion among the Maroons, that has for a long series of years existed, and was daily increasing in number, force, and audacity, to the great terror and annoyance of the community, feel it an act of justice and a debt of gratitude

due to Your Excellency, to bear our unqualified testimony to your meritorious and well-timed exertions on this very serious and critical occasion.

While we highly admire and applaud the moderation and forbearance which you evinced in the first instance, in your benevolent endeavours to convince those deluded and misguided wretches of their error, and bring them to a sense of their duty, by issuing proclamation after proclamation, offering a free pardon to all such as should voluntarily surrender themselves, and return to their owners, we sincerely lament that those mild and lenient measures, instead of producing the desired and naturally-expected effect on those poor infatuated people, were not only treated by them with defiance and contempt, but evidently served to heighten their boldness and insolence, and to encourage them in their atrocities and enormities; they, perhaps, attributing, if we may judge by their subsequent increased violence, and by the reinforcements which flocked to them, this moderation on the part of Your Excellency, either to the weakness or timidity of your government.

We were particularly gratified in observing the humanity and consideration of Your Excellency, in not only ordering the delivery to their owners, of all children immediately after they were taken, but in repeated instances granting a full and unconditional pardon to the mothers of children, although the lives of some of them were forfeited to the laws of their country, and the others subject to banishment.

What will their most specious and partial advocate attempt to plead in defence or palliation of these desperate and daring rebels, when he is informed, that in return for your most gracious offer of mercy and pardon, on condition of their contrition, and promise of future good behaviour, they barbarously murdered two men, the bearers of your Excellency's commission; and that, not content with this act of savage ferocity, they had the unparralleled audacity to *offer a reward of two thousand dollars for Your Excellency's head?* What will he say, when he is told that they have been known to enter the town at midnight; that they have broken open and robbed private houses; that they have made violent irruptions in numerous bodies, armed with cutlasses and guns, and committing depredations and murders, both by night and day, on the surrounding estates, and plundered them of all kinds of provisions and live stock; that they have even forcibly carried away slaves, and put to death those who attempted to make their escape from them; and that they have made their camp an asylum for deserters from his Majesty's troops, three of which description were lately tried by a court-martial, under the orders of the Commander of the Forces, and sentenced, one to receive a thousand lashes, and to be branded in the arm, with the letter D., and the two others to be shot?

After this short and unexaggerated recital of their crimes and enormities, the catalogue of which might be greatly enlarged, we should have felt as much disposed to censure your Excellency had you not adopted the necessary measures you have done for the reduction of this dangerous intestine enemy, as we now are to testify our warmest approbation and perfect satisfaction at the energy and perseverance with which you have acted. We are convinced that your acts, in this respect, have been no less acts of

mercy than of justice, and that many valuable lives would have been sacrificed, had Your Excellency exercised much longer forbearance; nor do we even think it improbable that a general insurrection of the Negroes, and an indiscriminate massacre of the Whites, and Free People of Colour, might have proved the result of such excessive lenity.

We therefore cannot refrain from acknowledging our great obligations to Your Excellency, for the wise and hitherto successful policy you have pursued on this pressing emergency; a policy which has rescued our lives and properties from the impending horrors and dangers which but lately threatened them.

The examples which imperious necessity required you to make, of a few notorious offenders, have had the desired effect, by striking a proper terror into the minds of all those turbulent and mutinous slaves, who had before betrayed a disposition to revolt, and threatened to join the Maroons. We now enjoy blessings to which we had long been strangers, security, confidence, and repose, the fruits of your Excellency's vigilance and exertions; in which we are persuaded you were influenced by no other view than that of promoting the tranquillity and welfare of the Colony over which you preside.

It is with regret we learn Your Excellency's intended departure, particularly when we contemplate the possible consequences of your leaving the Colony at this critical juncture; and, our most earnest desire is, that Your Excellency could be induced to remain among us until such time as the object so nearly brought to a termination, shall be finally accomplished. Should you, however, Sir, have reasons for deciding otherwise, (an event we shall deeply regret,) accept our best wishes for Your Excellency's speedy return to your Government.

Signed by H. C. C. NEWMAN,
Rector of the Parish of St. George, Chairman,
And one hundred and sixty-two Planters, Merchants, and Inhabitants.

Roseau, June 18, 1814.

To the Right Honourable Earl Bathurst, His Majesty's Principal Secretary of State for the Colonies, &c.

We the Coloured Inhabitants of the town of Roseau, island of Dominica, having heard that General Ainslie is represented in England as our oppressor,

Humbly beg leave to inform your Lordship, that during his administration here, we had not any cause to complain of him, less so than of any former Governor, and must impartially avouch that he neither was oppressive nor injurious to us; therefore, in a strict sense of honour, do unanimously assert he has been falsely accused.

We most gratefully express our thanks to General Ainslie for the vigorous measures he adopted to suppress the runaway-slaves, as our lives and properties were in imminent danger; and particularly that of appointing one or more Commissioners in the different parishes to receive the

grievances of the Slaves, and to alleviate as much as possible, the state of those in the employ of their Owners.

We conclude with our good wishes to Governor Ainslie, hoping his affairs may meet a speedy termination, and that his return to this Government may not be protracted.

We have the honour to be, &c.

(Signed). Pascal Laudar, Aime Blondel, Wm. Cubbin, Thomas Vings, John Vings, Michael Boland, F. Fontaine, Peter Finn, J. Firet, L. Urbain, J. B. Belotte, R. Giraudel, Noël l'Abbé, A. Eloriel, George Galon, E. Eynard, Laurent Poulaint, J. B. Thoro, P. Dubuison, J. B. André, Joseph André, S. Lawny, Edward Seignoret, —— Severin, J. B. Maximin, J. L. Lazaranne, Noël Dejean, J. B. Asser, J. B. Riviere, Charles Mels, A. Gerote, Rigi Bango, A. Renolds, B. Sergenton, B. Darroux, Peter Giroux, Ceril Jolly, Benjamin Dyer, James Rastock, F. Cerille, J. Dominique, L. Moulque, —— Botil.

To the Right Honourable Earl Bathurst, His Majesty's Principal Secretary of State for the Colonies, &c.

We the Free People of Colour, Planters of the Island of Dominica, most humbly beg leave to express to Your Lordship, as an act of strict justice to our best friend Major-General Ainslie, the concern we feel, to learn the injurious prejudices which are entertained, and misrepresentations which have been circulated, of him at home, as an oppressor of us, and as hostile to our order, than which a greater calumny was never uttered or invented, as he has invariably treated us with the greatest consideration, has always been ready to listen to our complaints, and to redress our grievances, and made us the objects of his peculiar care, in proof of which, among various others, that he has our welfare and interests at heart, and not less those of the slave population, he has appointed gentlemen of the first respectability in every parish of the Island, as Commissioners, to hear complaints, and to report all instances of oppression, cruelty, or ill usage, that they may come to the knowledge of; a plan perfectly original and unprecedented, calculated to check and keep in awe the ill-disposed, and to produce the most beneficial effects.

For these and many other reasons, we cannot resist the impulse that actuates us to repel the unwarrantable attempts that have been made to prejudice our Governor in the eyes of the British nation, by depicting him as an enemy to the coloured classes of the community, of which not one solitary instance can be adduced, and for the same reasons we cheerfully re-echo our former testimony of our unanimous approbation of the general administration of his Government, and of his considerate attention in particular to us, and to our order. Accordingly it is our ardent wish and prayer, that he may be speedily restored to us.

(Signed). F. Bellemy, F. Bouganenon, J. Blullian, Renne Claud, A. Dubue, J. Carellis, J. P. Pichaud, M. Chavaroche, S. P. Berseger, G. Menier, E. Lambert, C. Fanconier, L. J. Dubuc, Jacques Luce, J. P. Pacquet, J. B. Memains, H. Vacher, L. Lecointe, J. B. Lecointe, P. Lus-

dar, fils, J. F. Roudet, Wm. Coulby, B. Fermin, A. Fountra, Louis Royer, Alexander Deputy, George Royer, P. Littant, George Royer, G. Scipion, B. Royer, Thomas Champ, B. Royer, Louis Royer, George Royer, B. Roux, J. B. Littant, R. Dessabaye, B. Dubois, M. Dubois, V. Royer, L. Cenecour, P. Gacket, E. Tavernier, E. Laudat, C. L. Titre, J. M. Lafiel, Charles Pacquet, Robert Devie, F. Belott, E. Morise, P. Laudar, P. Chavaroche, J. P. Romains, S. Paxrian, J. B. Dubuc, F. Ravariere, Leonard Gallia, S. Fournette, St. Mark Royer, Joseph Marie, Pierre Loyer J. B. Fournette, sen. J. B. Fournette, Remi Fournette, St. George Codoce, C. Certiff, F. Fournette, Henry Latail, J. B. Royer, St. André Parvitte, —— Paville, D. L. Laville, —— Paville, jun. A. G. Laville, D. Le Blanc, D. Le B. Ferant, J. B. Roux, M. S. Laville, Thomas Leslie, M. Chopin, G. Douglas, P. Pompone, A. Fontaine, L. Florant, D. Stewart, C. Le Maitre, M. Rouer, J. C. Serrant, L. Dubucq, N. Dubucq, George Dubucq, C. Barron, T. Anselme, Casimir Barron, E. Pacquitte, Louis Ceser, Jean Gisse, P. J. Titre, C. Durand, J. M. Titre, F. Morise, C. Barron, jun. Louis Titre, P. L. Titre, G. Paxrian, B. Loyer, B. Berard.

Dominica, July 30, 1815.

His Excellency the Governor, to His Honour the President and Council, and His Honour the Speaker of the House of Assembly.

The Governor informs the Honourable Board and House, that His Royal Highness the Prince Regent has signified his pleasure, through Earl Bathurst, Secretary of State for the Colonies, that he should return to Europe, to give some explanation relative to the operations carried on against the Maroons.

GEO. R. AINSLIE, Governor.

Government House, June 21, 1815.

His Honour the President and Council, to His Excellency the Commander-in-Chief.

The Board have to acknowledge the receipt of Your Excellency's Message of yesterday, and to express their regret, that any explanation which may be judged necessary, respecting the operations lately carried on against the rebellious and runaway-slaves, in the woods of this Island, should have induced His Royal Highness the Prince Regent to consider it necessary to signify his pleasure that Your Excellency should return to Europe for that purpose.

When the Board look back to the alarming state of this Colony about six months ago, at which period, notwithstanding Your Excellency's repeated offers of pardon to these misguided people, their number not only continued rapidly to increase, but their previous depredations and outrages were followed up even by assassination, events which not only threatened the total subversion of order and discipline among the slave population, but highly endangered the lives of the White Inhabitants. The Board consider that they have great reason to return thanks to Your Excellency for the prompt and efficient measures which, when clemency failed, you adopted, to suppress and bring to their duty such hordes of lawless banditti

The exertions of the parties of militia ordered on service, and the Colony Rangers under Your Excellency's able directions, the Board consider as highly commendable, as they have been in an eminent degree successful, and the Board cannot but lament, that Your Excellency's departure will not permit you to bring this warfare to a final and favourable conclusion.

ARCHD. GLOSTER, President.

Council Chamber, 22d June, 1814.

His Honour the Speaker and House of Assembly. To His Excellency the Commander-in-Chief.

The House have to acknowledge the receipt of Your Excellency's message of yesterday, communicating to us the pleasure of His Royal Highness the Prince Regent, to have some explanation from yourself in person, relative to the operations carrying on against the Maroons.

The House cannot view without extreme regret, that the wise and salutary measures adopted by Your Excellency, in a service of such vital importance to the safety and welfare of the Colony, should have been as far misconceived in the mother country as to render such explanation necessary. The state of alarm of this Colony when Your Excellency entered on the command, from the increasing numbers and audacity of those lawless banditti, not only fully justified, but imperiously called for the most vigorous measures to suppress them. Regardless of the repeated offers of pardon held out to them in your several proclamations to that effect, these misguided people not only spurned at your offers, but interpreting them as a proof of their weakness and inability to carry on offensive operations against them, actually became more and more turbulent and enterprising. Besides various predatory excursions on the plantations, and the most audacious threats, have they not imbrued their hands in the blood of a defenceless white Inhabitant of this Island, and one of His Majesty's regular soldiers, and mangled the bodies of their unfortunate victims? Have they not murdered the bearers of Your Excellency's proclamations inviting them to submission, and offering forgiveness for past offences, the harbingers of peace respected by the most barbarous tribes?

It would be superfluous to enumerate the various excesses of these unprincipled vagabonds, whose daring conduct would have justified the severest retribution. In no instance however have their crimes been visited by severer punishment than what is daily inflicted in the mother country, for offences far less dangerous to the peace and security of society.

We trust therefore that when His Majesty's Government are correctly informed of the magnitude of the danger that threatened the colony, and from which we have escaped through the wise and vigorous measures pursued by your Excellency for the suppression of the Maroons, your conduct on this occasion will appear fully justified by existing circumstances.

JOHN GORDON, Speaker.

House of Assembly, June 22, 1814.

Extract of an Address from His Excellency the Governor to the New House of Assembly.

Mr. Speaker and Gentlemen,

I have directed Returns of Casualties since the commencement of the Maroon war, to be laid before you, and I earnestly recommend a certain provision to be made for those men who have been maimed in freeing the country from bands who carried desolation and terror, wherever they appeared. I congratulate the House on the return to their masters and habits of industry of so many Maroons, the interior (of which not long since they had entire possession) being almost free from those sanguinary marauders. The supreme head, as well as the principal chiefs, have been killed with arms in their hands, and the colony enjoys a security which it has not known for a long series of years;—Justice has been appeased by the sacrifice of 8 or 10 lives at the place of execution, a necessity always to be deplored, but in this instance unavoidable, when we consider, that this daring banditti was so formidable at the commencement of the year, as to cause the senior Member of His Majesty's Council to seek refuge in town with his family, and a party of regular troops to protect his property, although only half a mile distant. It is still fresh in the recollection of every person, that a short time previous to my assuming the government, a body of 20 armed Maroons entered this town the capital of the island, and after robbing a house in one of the principal streets, to the amount of six hundred dollars in provisions, &c. &c. retired unmolested—example was necessary to prevent a recurrence of these scenes.

GEO. R. AINSLIE, Governor.

Government-House, October 14, 1814.

Extract from the Reply of the Assembly, to His Excellency George Robert Ainslie, Governor and Commander-in-Chief, &c. &c.

May it please Your Excellency.

We are perfectly persuaded that the examples made by Your Excellency were unavoidable—that the promptness with which they were made had the desired effect of saving many valuable lives, and that thereon ultimately depended the vital existence of the colony.

We shall duly attend to Your Excellency's recommendation to provide for the public revenue, and the keeping up the Ranger Corps, of whose service this House is duly sensible; trusting that a reduction in that corps will take place, when the nature of the circumstances will permit: it being the wish of the House to give perfect efficiency to your Excellency's measures, and entertaining a perfect confidence that you will be the first to announce the time when a reduction in that corps may take place.

WM. ANDERSON, Speaker.

House of Assembly, October 10, 1814.

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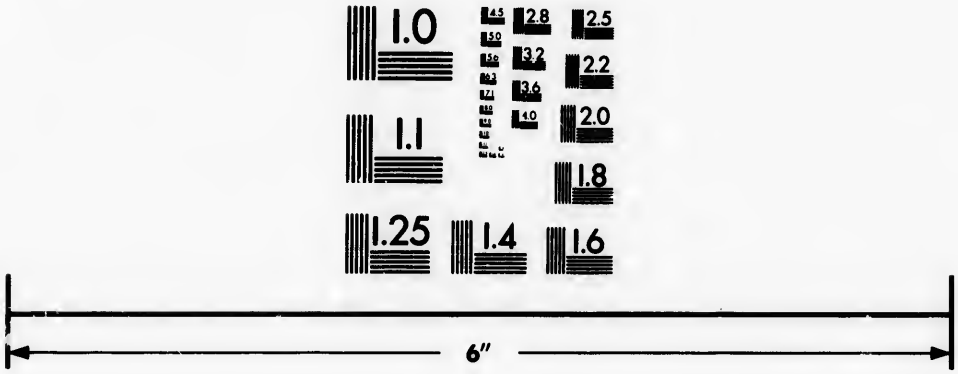

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Extract of a Message from His Excellency the Governor, to His Honour the President and Council.

The Governor thinks it right to inform His Honour the President and the Honourable Board of Council, that he intends returning to England, and shall embark on the 8th November for that purpose. The object of his going, is to give further explanation on the subject of the Maroons, than can be conveyed in a despatch.

GEO. R. AINSLIE, Governor.

Government-House, Oct. 24, 1814.*

Extract of an Address from His Honour the President and Council, to His Excellency the Governor, and Commander-in-Chief.

The Board learn with regret, Your Excellency's intention of so soon leaving the Colony, but as the object of Your Excellency's visit to England is merely to give further explanation to His Majesty's Ministers respecting the Maroons in this Colony, they are pleased to find that your Excellency's absence is likely to be of so short duration.

ARCHD. GLOSTER, President.

Council Chamber, October 25, 1814.

Extract from the Message of His Honour the Speaker and House of Assembly, to His Excellency the Governor and Commander-in-Chief.

The House have received with regret the notification of Your Excellency's so speedy intended departure, as they could have hoped that the object which Your Excellency's prompt, energetic, and judicious measures have so nearly brought to a final termination (the Maroon war) had been previously completely accomplished; yet when they reflect that the existence of this dangerous intestine evil is now nearly extinct, and that it is what forms the subject for which Your Excellency's presence is required in England, they cannot refrain from expressing the high sense they entertain, and shall ever continue to entertain of the eminent services Your Excellency has rendered to this Colony, by restoring that quiet and security which may be justly said to have been lately in such imminent danger.

The House trust, Sir, that His Majesty's Ministers will contemplate Your Excellency's conduct through the arduous pursuit of this ferocious banditti in the same point of view as they do, and anticipate in the British Cabinet the most flattering testimony of the approbation of His Royal Highness the Prince Regent.

WM. ANDERSON, Speaker.

House of Assembly, Oct. 28, 1814.

* The same to the House of Assembly.

His Honour the President and Council, and the Speaker and House of Assembly, to His Excellency the Governor in Chief.

The Board and House having come to the following resolution:—

"*Resolved.*—That the highly important services rendered to this Colony, by the prompt and vigorous measures adopted by His Excellency Governor Ainslie, in subduing so large a number of Maroons, demand our warmest gratitude, and that in consequence, he be requested to accept of two hundred guineas, for the purpose of purchasing a sword, as a mark of their approbation of his conduct in the Maroon war, regretting at the same time that the state of the colonial funds will not enable them to be more liberal in their grant, request Your Excellency's assent thereto, and that you will be pleased to issue your warrant to the treasurer for the payment thereof."

ARCHD. GLOSTER, President.

Council Chamber, Nov. 17, 1814.

WM. ANDERSON, Speaker.

House of Assembly, Nov. 17, 1814.

His Honour the President and Council, and the Speaker and Gentlemen of the House of Assembly, to His Excellency the Governor and Commander-in-Chief.

The Board and House inform Your Excellency that they have adopted the following as an inscription on the sword:—

"TO HIS EXCELLENCY MAJOR GENERAL
AINSLIE,
GOVERNOR OF DOMINICA, &c. &c. &c.
This sword is presented by the two branches of the legislature, in testimony of his meritorious conduct in the reduction of the Maroons, in the year 1814."

ARCHD. GLOSTER, President.

Council Chamber, Nov. 18, 1814.

WM. ANDERSON, Speaker.

House of Assembly, Nov. 18, 1814.

Address from the Free Coloured Inhabitants to Governor Ainslie.

We, His Majesty's dutiful and loyal subjects, the inhabitants of colour of this Island, having heard of Your Excellency's premature departure, beg leave to offer our sincere acknowledgments and grateful thanks for Your Excellency's timely and judicious measures taken in suppressing the late rebellion among the runaway-slaves of this Island, and we say, in almost extirpating them from the woods where they so long inhabited, and which rendered our lives and properties in perpetual danger, until the wise steps adopted by Your Excellency had restored peace and tranquillity to every individual in this community; under these circumstances we cannot but regret Your Excellency's departure, and we sincerely hope that Your

Excellency's absence will not be of a long duration, as we feel in reflecting that all Your Excellency's exertions have been for the well being, good policy, and welfare of this Colony.

We therefore offer our most fervent prayers and cordial wishes for Your Excellency's safe arrival in England, and a speedy return to your government.

Signed by WM. ROSSINGTON, and 162 free people of colour.

Roseau, June 21, 1814.

COLONIAL COLLECTIONS.

No. IV.

HUDSON'S BAY COMPANY.

A Copy of the Royal Charter, for Incorporating the Hudson's Bay Company, granted by His Majesty King Charles the Second, in the Twenty-Second Year of his Reign, A. D. 1670.

CHARLES the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. to all to whom these presents shall come, greeting: Whereas our dear and entirely beloved cousin, Prince Rupert, Count Palatine of the Rhine, Duke of Bavaria and Cumberland, &c. Christopher, Duke of Albemarle, William, Earl of Craven, Henry, Lord Arlington, Anthony, Lord Ashley, Sir John Robinson, and Sir Robert Vyner, Knights and Baronets, Sir Peter Colleton, Baronet, Sir Edward Hungerford, Knight of the Bath, Sir Paul Neele, Knight, Sir John Griffith, and Sir Philip Carteret, Knights, James Hayes, John Kirke, Francis Millington, William Prettyman, John Fenn, Esquires, and John Portman, Citizen and Goldsmith of London, have, at their own great cost and charges, undertaken an expedition for Hudson's Bay, in the north-*west* part of America, for the discovery of a new passage into the South Sea, and for the finding some trade for furs, minerals, and other considerable commodities, and by such their undertaking, have already made such discoveries as do encourage them to proceed further in pursuance of their said design, by means whereof there may probably arise very great advantage to Us and Our Kingdom. And whereas the said undertakers, for their further encouragement in the said design, have humbly besought Us to incorporate them, and grant unto them and their successors, the sole trade and commerce of all those seas, streights, bays, rivers, lakes, creeks, and sounds, in whatsoever

latitude they shall be, that lie within the entrance of the streights, commonly called Hudson's Streights, together with all the lands, countries and territories, upon the coasts and confines of the seas, streights, bays, lakes, rivers, creeks and sounds aforesaid, which are not now actually possessed by any of our subjects, or by the subjects of any other Christian Prince or State. Now know ye, that We being desirous to promote all endeavours tending to the public good of Our people, and to encourage the said undertaking, have, of Our especial grace, certain knowledge, and mere motion, given, granted, ratified and confirmed, and by these presents for Us, Our Heirs and Successors, do give, grant, ratify and confirm unto Our said cousin Prince Rupert, &c. by the name of the Governor and Company of Adventurers of England, trading into Hudson's Bay, and them by the name of the Governor and Company of Adventurers of England, trading into Hudson's Bay, one body corporate and politique, in deed and in name, really and fully for ever, for Us, Our Heirs and Successors, We do make, ordain, constitute, establish, confirm and declare, by these presents, and that by the same name of Governor and Company of Adventurers of England, trading into Hudson's Bay, they shall have perpetual succession, and that they and their successors, by the name of the Governor and Company of Adventurers of England, trading into Hudson's Bay, be, and at all times hereafter shall be, personable and capable in law to have, purchase, receive, possess, enjoy and retain, lands, rents, privileges, liberties, jurisdictions, franchises and hereditaments, of what kind, nature or quality soever they be, to them and their successors; and also to give, grant, demise, alien, assign and dispose lands, tenements and hereditaments, and to do and execute all and singular other things by the same name that to them shall or may appertain to do. And that they, and their successors, by the name of the Governor and Company of Adventurers of England, trading into Hudson's Bay, may plead, and be impleaded, answer, and be answered, defend, and be defended, in whatsoever courts and places, before whatsoever judges and justices, and other persons and officers, in all and singular actions, pleas, suits, quarrels, causes and demands whatsoever, of whatsoever kind, nature or sort, in such manner and form as any other Our liege people of this Our realm of England, being persons able and capable in law, may, or can have, purchase, receive, possess, enjoy, retain, give, grant, demise, alien, assign, dispose, plead, defend, and be defended, do, permit, and execute. And that the said Governor and Company of Adventurers of England, trading into Hudson's Bay, and their successors, may have a Common Seal to serve for all the causes and businesses of them and their successors, and that it shall and may be lawful to the said Governor and Company, and their successors, the same Seal, from time to time, at their will and pleasure, to break, change, and to make anew, or alter, as to them shall seem expedient. And further We will, and by these presents for Us, Our Heirs and Successors, We do ordain, that there shall be from henceforth one of the same Company to be elected and appointed in such form as hereafter in these presents is expressed, which shall be called the Governor of the said Company. And that the said Governor and Com-

pany shall or may elect seven of their number in such form as hereafter in these presents is expressed, which shall be called the Committee of the said Company, which Committee of seven, or any three of them, together with the Governor or Deputy-Governor of the said Company, for the time being, shall have the direction of the voyages of and for the said Company, and the provision of the shipping and merchandizes thereunto belonging, and also the sale of all merchandizes, goods, and other things returned, in all or any the voyages or ships of or for the said Company, and the managing and handling of all other business, affairs and things, belonging to the said Company. And We will, ordain, and grant, by these presents, for Us, Our Heirs and Successors, unto the said Governor and Company, and their successors, that they, the said Governor and Company, and their successors, shall from henceforth for ever be ruled, ordered, and governed, according to such manner and form as is hereafter in these presents expressed, and not otherwise: And that they shall have, hold, retain, and enjoy the grants, liberties, privileges, jurisdictions, and immunities, only hereafter in these presents granted and expressed, and no other. And for the better execution of Our will and grant in this behalf, We have assigned, nominated, constituted, and made, and by these presents for Us, Our Heirs and Successors, We do assign, nominate, constitute and make our said cousin, Prince Rupert, to be the first and present Governor of the said Company, and to continue in the said office from the date of these presents, until the 10th November then next following, if he, the said Prince Rupert, shall so long live, and so until a new Governor be chosen by the said Company, in form hereafter expressed. And also We have assigned, nominated, and appointed, and by these presents for Us, Our Heirs and Successors, We do assign, nominate, and constitute, the said Sir John Robinson, Sir Robert Vyner, Sir Peter Colleton, James Hayes, John Kirke, Francis Millington, and John Portman, to be the seven first and present Committees of the said Company, from the date of these presents, until the said 10th day of November then also next following, and so until new Committees shall be chosen in form hereafter expressed. And further We will and grant, by these presents, for Us, Our Heirs and Successors, unto the said Governor and Company, and their successors, that it shall and may be lawful to and for the said Governor and Company for the time being, or the greater part of them present at any public assembly, commonly called the Court General, to be holden for the said Company, the Governor of the said Company being always one, from time to time to elect, nominate, and appoint one of the said Company to be Deputy to the said Governor; which Deputy shall take a corporal oath before the Governor, and three or more of the Committee of the said Company for the time being, well, truly, and faithfully to execute his said office of Deputy to the Governor of the said Company, and after his oath so taken, shall and may, from time to time, in the absence of the said Governor, exercise and execute the office of Governor of the said Company, in such sort as the said Governor ought to do. And further We will and grant, by these presents, for Us, Our Heirs and Successors, unto the said Governor

and Company of Adventurers of England, trading into Hudson's Bay, and their successors, that they, or the greater part of them, whereof the Governor for the time being, or his Deputy, to be one, from time to time, and at all times hereafter, shall and may have authority and power, yearly and every year, between the first and last day of November, to assemble and meet together in some convenient place, to be appointed from time to time by the Governor, or in his absence by the Deputy of the said Governor for the time being, and that they being so assembled, it shall and may be lawful to and for the said Governor, or Deputy of the said Governor, and the said Company for the time being, or the greater part of them which then shall happen to be present, whereof the Governor of the said Company, or his Deputy for the time being, to be one, to elect and nominate one of the said Company, which shall be Governor of the said Company for one whole year, then next following, which person being so elected and nominated to be Governor of the said Company, as is aforesaid, before he be admitted to the execution of the said office, shall take a corporal oath before the last Governor, being his Predecessor or his Deputy, and any three or more of the Committee of the said Company for the time being, that he shall, from time to time, well and truly execute the office of Governor of the said Company, in all things concerning the same; and that immediately after the same oath so taken, he shall and may execute and use the said office of Governor of the said Company, for one whole year from thence next following. And in like sort We will and grant, that as well every one of the above-named to be of the said Company or Fellowship, as all others hereafter to be admitted, or free of the said Company, shall take a corporal oath before the Governor of the said Company, or his Deputy, for the time being, to such effect as by the said Governor and Company, or the greater part of them, in any public court to be held for the said Company, shall be in reasonable and legal manner set down and devised, before they shall be allowed or admitted to trade or traffic as a freeman of the said Company. And further We will and grant by these presents, for Us, Our Heirs and Successors, unto the said Governor and Company, and their successors, that the said Governor, or Deputy Governor, and the rest of the said Company, and their successors, for the time being, or the greater part of them, whereof the Governor, or Deputy Governor, from time to time, to be one, shall and may, from time to time, and at all times hereafter, have power and authority yearly, and every year, between the first and last day of November, to assemble and meet together in some convenient place, from time to time, to be appointed by the said Governor of the said Company, or in his absence by his Deputy; and that they being so assembled, it shall and may be lawful to and for the said Governor or his Deputy, and the Company, for the time being, or the greater part of them, which then shall happen to be present, whereof the Governor of the said Company, or his Deputy, for the time being, to be one, to elect and nominate seven of the said Company, which shall be a Committee of the said Company, for one whole year from then next ensuing, which persons being so elected and nominated to be a Committee of the said Company as aforesaid, before they be

admitted to the execution of their office, shall take a corporal oath, before the Governor or his Deputy, and any three or more of the said Committee of the said Company, being their last predecessors, that they, and every of them, shall well and faithfully perform their said office of Committees in all things concerning the same, and that immediately after the said oath so taken, they shall and may execute and use their said office of Committees of the said Company, for one whole year from thence next following. And moreover, Our will and pleasure is, and by these presents, for Us, our Heirs and Successors, We do grant unto the said Governor and Company, and their successors, that when, and as often as it shall happen, the Governor, or Deputy Governor of the said Company for the time being, at any time within one year after that he shall be nominated, elected, and sworn to the office of the Governor of the said Company, as is aforesaid, to die, or to be removed from the said office, which Governor or Deputy Governor not demeaning himself well in his said office, We will to be removeable at the pleasure of the rest of the said Company, or the greater part of them which shall be present at their public assemblies, commonly called, their General Courts, holden for the said Company, that then, and so often as it shall and may be lawful to and for the residue of the said Company, for the time being, or the greater part of them, within a convenient time, after the death or removing of any such Governor or Deputy Governor, to assemble themselves in such convenient place as they shall think fit, for the election of the Governor or Deputy Governor of the said Company; and that the said Company, or the greater part of them, being then and there present, shall and may, then and there, before their departure from the said place, elect and nominate one other of the said Company, to be Governor or Deputy Governor for the said Company, in the place and stead of him that so died or was removed; which person being so elected and nominated to the office of Governor or Deputy Governor of the said Company, shall have and exercise the said office, for and during the residue of the said year, taking first a corporal oath, as is aforesaid, for the due execution thereof; and this to be done from time to time, so often as the case shall so require. And also, Our will and pleasure is, and by these presents, for Us, Our Heirs and Successors, We do grant unto the said Governor and Company, that when, and as often as it shall happen any person or persons of the Committee of the said Company for the time being, at any time within one year next after that they, or any of them shall be nominated, elected, and sworn to the office of Committee of the said Company as is aforesaid, to die, or to be removed from the said office, which Committees not demeaning themselves well in their said office, We will, to be removeable at the pleasure of the said Governor and Company, or the greater part of them, whereof the Governor of the said Company, for the time being, or his Deputy, to be one: that then, and so often, it shall and may be lawful to and for the said Governor, and the rest of the Company for the time being, or the greater part of them, whereof the Governor for the time being, or his Deputy, to be one, within convenient time after the death or removing of any of the said Committee, to assemble themselves in such convenient place as is, or shall be usual and accustomed for the election of the

Governor of the said Company, or where else the Governor of the said Company, for the time being, or his Deputy, shall appoint. And that the said Governor and Company, or the greater part of them, whereof the Governor for the time being, or his Deputy, to be one, being then and there present, shall, and may, then and there, before their departure from the said place, elect and nominate one or more of the said Company, to be of the Committee of the said Company, in the place and stead of him or them that so died, or were or was so removed, which person or persons so nominated and elected to the office of Committee of the said Company, shall have and exercise the said office, for and during the residue of the said year, taking first a corporal oath as is aforesaid, for the due execution thereof, and this to be done from time to time, so often as the case shall require. And to the end the said Governor and Company of Adventurers of England, trading into Hudson's Bay, may be encouraged to undertake, and effectually to prosecute the said design, of Our more especial grace, certain knowledge, and mere motion, We have given, granted, and confirmed, and by these presents, for Us, Our Heirs and Successors, do give grant, and confirm, unto the said Governor and Company, and their successors, the sole trade and commerce of all those seas, streights, bays, rivers, lakes, creeks, and sounds, in whatsoever latitude they shall be, that lie within the entrance of the streights, commonly called Hudson's Streights, together with all the lands and territories upon the countries, coasts, and confines of the seas, bays, lakes, rivers, creeks and sounds aforesaid, that are not already actually possessed by, or granted to any of Our subjects, or possessed by the subjects of any other Christian Prince or State, with the fishing of all sorts of fish, whales, sturgeons, and all other royal fishes, in the seas, bays, inlets, and rivers within the premises, and the fish therein taken, together with the royalty of the sea, upon the coasts within the limits aforesaid, and all mines royal, as well discovered as not discovered, of gold, silver, gems, and precious stones, to be found or discovered within the territories, limits, and places aforesaid, and that the said land be from henceforth reckoned and reputed as one of Our Plantations or Colonies in America, called Rupert's Land. And further, We do by these presents, for Us, Our Heirs and Successors, make, create, and constitute, the said Governor and Company, for the time being, and their successors, the true and absolute Lords and Proprietors of the same territory, limits, and places aforesaid, and of all other the premises, saving always the faith, allegiance, and sovereign dominion due to Us, Our Heirs and Successors, for the same to have, hold, possess, and enjoy the said territory, limits, and places, and all and singular other the premises, hereby granted as aforesaid, with their, and every of their rights, members, jurisdictions, prerogatives, royalties, and appurtenances whatsoever, to them, the said Governor and Company, and their successors for ever, to be holden of Us, Our Heirs and Successors, as of Our manor of East Greenwich, in our county of Kent, in free and common socage, and not in capite, or by knight's service; yielding and paying yearly to Us, Our Heirs and Successors, for the same, two elks, and two black beavers, whensoever, and as often as We, Our Heirs and Successors, shall happen to enter into the said countries, territories, and regions hereby granted. And

further, Our will and pleasure is, and by these presents, for Us, Our Heirs and Successors, We do grant unto the said Governor and Company, and to their successors, that it shall and may be lawful to and for the said Governor and Company, and their successors, from time to time, to assemble themselves, for or about any the matters, causes, affairs, or businesses of the said trade, in any place or places for the same convenient, within Our dominions or elsewhere, and there to hold court for the said Company, and the affairs thereof; and that also, it shall and may be lawful to and for them, and the greater part of them, being so assembled, and that shall then and there be present, in any such place or places whereof the Governor or his Deputy for the time being to be one, to make, ordain, and constitute such, and so many reasonable laws, constitutions, orders and ordinances, as to them, or the greater part of them being then and there present, shall seem necessary and convenient for the good government of the said Company, and of all Governors of colonies, forts and plantations, factors, masters, mariners, and other officers employed, or to be employed, in any of the territories and lands aforesaid, and in any of their voyages; and for the better advancement and continuance of the said trade, or traffic and plantations, and the same laws, constitutions, orders and ordinances so made, to put in use, and execute accordingly, and at their pleasure to revoke and alter the same, or any of them, as the occasion shall require: And that the said Governor and Company, so often as they shall make, ordain, or establish any such laws, constitutions, orders, and ordinances in such form as aforesaid, shall and may lawfully impose, ordain, limit and provide such pains, penalties and punishments upon all offenders, contrary to such laws, constitutions, orders and ordinances, or any of them, as to the said Governor and Company for the time being, or the greater part of them, then and there being present, the said Governor or his Deputy being always one, shall seem necessary, requisite, or convenient for the observation of the same laws, constitutions, orders and ordinances; and the same fines and amerciaments shall and may, by their officers and servants, from time to time to be appointed for that purpose, levy, take and have, to the use of the said Governor and Company, and their successors, without the impediment of Us, Our Heirs or Successors, or of any the officers or ministers of Us, Our Heirs or Successors, and without any account, therefore, to Us, Our Heirs or Successors, to be made. All and singular which laws, constitutions, orders and ordinances, so as aforesaid to be made, We will to be duly observed and kept under the pains and penalties therein to be contained; so always as the said laws, constitutions, orders and ordinances, fines and amerciaments, be reasonable, and not contrary or repugnant, but as near as may be agreeable to the laws, statutes or customs of this Our realm. And furthermore, of Our ample and abundant grace, certain knowledge, and mere motion, We have granted, and by these presents for Us, Our Heirs and Successors, do grant unto the said Governor and Company, and their successors, that they, and their successors, and their factors, servants and agents, for them, and on their behalf, and not otherwise, shall, for ever hereafter, have, use and enjoy, not only the whole, entire, and only trade and traffic, and the whole, entire, and only liberty, use and pri-

vilege, of trading and trafficing to and from the territory, limits and places aforesaid; but also the whole and entire trade and traffic to and from all havens, bays, creeks, rivers, lakes and seas, into which they shall find entrance or passage by water or land out of the territories, limits or places aforesaid; and to and with all the natives and people inhabiting, or which shall inhabit within the territories, limits, and places aforesaid; and to and with all other nations inhabiting any the coasts adjacent to the said territories, limits and places, which are not already possessed as aforesaid, or whereof the sole liberty or privilege of trade and traffic it not granted to any other of Our subjects. And We of Our further royal favour, and of Our more especial grace, certain knowledge, and mere motion, have granted, and by these presents for Us, Our Heirs and Successors, do grant to the said Governor and Company, and to their successors, that neither the said territories, limits and places, hereby granted as aforesaid, nor any part thereof, nor the islands, havens, ports, cities, towns or places thereof, or therein contained, shall be visited, frequented or haunted, by any of the subjects of Us, Our Heirs or Successors, contrary to the true meaning of these presents, and by virtue of Our prerogative royal, which We will not have in that behalf argued or brought into question; We straitly charge, command and prohibit, for Us, Our Heirs and Successors, all the subjects of Us, Our Heirs and Successors, of what degree or quality soever they be, that none of them, directly or indirectly, do visit, haunt, frequent or trade, traffic or adventure, by way of merchandize, into, or from any the said territories, limits or places hereby granted, or any, or either of them, other than the said Governor and Company, and such particular persons as now be, or hereafter shall be, of that Company, their agents, factors and assigns, unless it be by the license and agreement of the said Governor and Company in writing, first had and obtained, under their Common Seal, to be granted, upon pain that every such person or persons that shall trade or traffic into, or from any of the countries, territories or limits aforesaid, other than the said Governor and Company, and their successors, shall incur Our indignation, and the forfeiture, and the loss of the goods, merchandizes, and other things whatsoever, which so shall be brought into this realm of England, or any the dominions of the same, contrary to our said prohibition, or the purport or true meaning of these presents, for which the said Governor and Company shall find, take and seize, in other places out of Our dominions, where the said Company, their agents, factors, or ministers, shall trade, traffic or inhabit, by virtue of these Our letters patent, as also the ship and ships, with the furniture thereof, wherein such goods, merchandizes, and other things, shall be brought and found, the one-half of all the said forfeitures to be to Us, Our Heirs and Successors, and the other half thereof We do by these presents clearly and wholly for Us, Our Heirs and Successors, give and grant unto the said Governor and Company, and their successors. And further, all and every the said offenders, for their said contempt, to suffer such other punishment as to Us, Our Heirs and Successors, for so high a contempt, shall seem meet and convenient, and not to be in anywise delivered until they, and every of

them, shall become bound unto the said Governor, for the time being, in the sum of one thousand pounds at the least, at no time then after to trade or traffic into any of the said places, seas, streights, bays, ports, havens or territories, aforesaid, contrary to our express commandment in that behalf set down and published. And further, of Our more especial grace, We have condescended and granted, and by these presents for Us, Our Heirs and Successors, do grant unto the said Governor and Company, and their successors, that We, Our Heirs and Successors, will not grant liberty, licence, or power, to any person or persons whatsoever, contrary to the tenor of these Our letters patent, to trade, traffic or inhabit, unto or upon any the territories, limits or places, afore specified, contrary to the true meaning of these presents, without the consent of the said Governor and Company, or the most part of them. And, of Our more abundant grace and favour to the said Governor and Company, We do hereby declare Our will and pleasure to be, that if it shall so happen, that any of the persons free, or to be free of the said Company of Adventurers of England, trading into Hudson's Bay, who shall, before the going forth of any ship or ships, appointed for a voyage, or otherwise, promise or agree by writing, under his or their hands, to adventure any sum or sums of money, towards the furnishing any provision, or maintenance of any voyage or voyages, set forth, or to be set forth, or intended, or meant to be set forth, by the said Governor and Company, or the more part of them present at any public assembly, commonly called their General Court, shall not, within the space of twenty days next after warning given to him or them, by the said Governor or Company, or their known officer or minister, bring in and deliver to the treasurer or treasurers appointed for the Company, such sums of money as shall have been expressed and set down in writing, by the said person or persons, subscribed with the name of said adventurer or adventurers, that then, and at all times after, it shall and may be lawful to and for the said Governor and Company, or the more part of them present, whereof the said Governor or his Deputy to be one, at any of their general courts, or general assemblies, to remove and disfranchise him or them, and every such person and persons at their wills and pleasures, and he or they so removed and disfranchised, not to be permitted to trade into the countries, territories, and limits aforesaid, or any part thereof, nor to have any adventure or stock going or remaining with, or amongst the said Company, without the special license of the said Governor and Company, or the more part of them present at any general court, first had and obtained in that behalf, any thing before in these presents to the contrary thereof in any wise notwithstanding. And Our will and pleasure is, and hereby We do also ordain, that it shall and may be lawful to and for the said Governor and Company, or the greater part of them, whereof the Governor, for the time being, or his Deputy, to be one, to admit into, and to be of the said Company, all such servants or factors, of or for the said Company, and all such others, as to them, or the most part of them present, at any court held for the said Company, the Governor, or his Deputy being one, shall be thought fit and agreeable with the orders and ordinances made, and to be made for

the government of the said Company. And further, Our will and pleasure is, and by these presents, for Us, Our Heirs and Successors, We do grant unto the said Governor and Company, and to their successors, that it shall and may be lawful in all elections and bye-laws to be made by the General Court of the adventurers of the said Company, that every person shall have a number of votes according to his stock, that is to say, for every hundred pounds by him subscribed, or brought into the present stock, one vote, and that any of those that have subscribed less than one hundred pounds, may join their respective sums to make up one hundred pounds, and have one vote jointly for the same, and not otherwise. And further, of Our especial grace, certain knowledge, and mere motion, We do for Us, Our Heirs and Successors, grant to and with the said Governor and Company of Adventurers of England, trading into Hudson's Bay, that all lands, islands, territories, plantations, forts, fortifications, factories, or colonies, where the said Company's factories and trade are or shall be, within any the ports or places afore limited, shall be immediately, and from henceforth, under the power and command of the said Governor and Company, their successors and assigns; saving the faith and allegiance due to be performed to Us, Our Heirs and Successors as aforesaid; and that the said Governor and Company shall have liberty, full power and authority, to appoint and establish governors, and all other officers to govern them, and that the Governor and his Council of the several and respective places where the said Company shall have plantations, forts, factories, colonies, or places of trade within any the countries, lands, or territories hereby granted, may have power to judge all persons belonging to the said Governor and Company, or that shall live under them, in all causes, whether civil or criminal, according to the laws of this kingdom, and to execute justice accordingly. And, in case any crime or misdemeanor shall be committed in any of the said Company's plantations, forts, factories, or places of trade within the limits aforesaid, where judicature cannot be executed for want of a Governor and Council there, then in such case it shall and may be lawful for the chief factor of that place, and his council, to transmit the party, together with the offence, to such other plantation, factory, or fort, where there shall be a Governor and Council, where justice may be executed, or into this kingdom of England, as shall be thought most convenient, there to receive such punishment as the nature of his offence shall deserve. And moreover, Our will and pleasure is, and by these presents, for Us, Our Heirs and Successors, We do give and grant unto the said Governor and Company, and their successors, free liberty and license, in case they conceive it necessary, to send either ships of war, men or ammunition, unto any their plantations, forts, factories, or places of trade aforesaid, for the security and defence of the same, and to chuse commanders and officers over them, and to give them power and authority, by commission, under their Common Seal, or otherwise, to continue or make peace or war with any prince or people whatsoever, that are not Christians, in any places where the said Company shall have any planta-

tions, forts, or factories, or adjacent thereunto, as shall be most for the advantage and benefit of the said Governor and Company, and of their trade; and also to right and recompense themselves upon the goods, estates, or people of those parts, by whom the said Governor and Company shall sustain any injury, loss or damage, or upon any other people whatsoever that shall any way, contrary to the intent of these presents, interrupt, wrong, or injure them in their said trade, within the said places, territories, and limits, granted by this charter. And that it shall and may be lawful to and for the said Governor and Company, and their successors, from time to time, and at all times from henceforth, to erect and build such castles, fortifications, forts, garrisons, colonies or plantations, towns or villages, in any parts or places within the limits and bounds granted before in these presents, unto the said Governor and Company, as they in their discretion shall think fit and requisite, and for the supply of such as shall be needful and convenient, to keep and be in the same, to send out of this kingdom, to the said castles, forts, fortifications, garrisons, colonies, plantations, towns or villages, all kinds of cloathing, provision of victuals, ammunition and implements, necessary for such purpose, paying the duties and customs for the same, as also to transport and carry over such number of men being willing thereunto, or not prohibited, as they shall think fit, and also to govern them in such legal and reasonable manner as the said Governor and Company shall think best, and to inflict punishment for misdemeanors, or impose such fines upon them for breach of their orders, as in these presents are formerly expressed. And further, Our will and pleasure is, and by these presents, for Us, Our Heirs and Successors, We do grant unto the said Governor and Company, and to their successors, full power and lawful authority to seize upon the persons of all such English, or any other Our subjects, which shall sail into Hudson's Bay, or inhabit in any of the countries, islands or territories hereby granted to the said Governor and Company, without their leave and license in that behalf first had and obtained, or that shall contemn or disobey their orders, and send them to England; and that all and every person or persons, being Our subjects, any ways employed by the said Governor and Company, within any the parts, places, and limits aforesaid, shall be liable unto, and suffer such punishment for any offences by them committed in the parts aforesaid, as the President and Council for the said Governor and Company there shall think fit, and the merit of the offence shall require, as aforesaid; and in case any person or persons being convicted and sentenced by the President and Council of the said Governor and Company, in the countries, lands, or limits aforesaid, their factors or agents there, for any offence by them done, shall appeal from the same; that then and in such case, it shall and may be lawful to and for the said President and Council, factors or agents, to seize upon him or them, and to carry him or them home prisoners into England, to the said Governor and Company, there to receive such condign punishment as his cause shall require, and the law of this nation allow of; and for the better discovery of abuses and

injuries to be done unto the said Governor and Company, or their successors, by any servant by them to be employed in the said voyages and plantations, it shall and may be lawful to and for the said Governor and Company, and their respective President, chief agent, or Governor in the parts aforesaid, to examine upon oath all factors, masters, pursers, supercargoes, commanders of castles, forts, fortifications, plantations or colonies, or other persons, touching or concerning any matter or thing, in which, by law or usage an oath may be administered, so as the said oath, and the matter therein contained, be not repugnant, but agreeable to the laws of this realm. And, We do hereby straightly charge and command all and singular, our admirals, vice-admirals, justices, mayors, sheriffs, constables, bailiffs, and all and singular other our officers, ministers, liege-men and subjects whatsoever, to be aiding, favouring, helping and assisting to the said Governor and Company, and to their successors, and to their deputies, officers, factors, servants, assigns and ministers, and every of them, in executing and enjoying the premises, as well on land as on sea, from time to time, when any of you shall thereunto be required; any statute, act, ordinance, proviso, proclamation, or restraint heretofore had, made, set forth, ordained, or provided, or any other matter, cause or thing whatsoever to the contrary in any wise notwithstanding. In witness whereof, we have caused these Our letters to be made patent; witness Ourself at Westminster, the second day of May, in the two and twentieth year of Our reign.

By writ of Privy Seal,

(Signed) PIGOTT.

No. V.

LOWER CANADA.

1.—*An Account of the Quantity of Wine and Spirits, and West India Produce, imported into Lower Canada in* 1815.

WINE.	Gallons.	SPIRITS.	Gallons.
Madeira	35,854	Rum	1,156,123
Port	79,442	Whiskey	15,811
Teneriffe	151,521	Brandy	53,003
Spanish	220,063	Geneva	61,701
Sicilian	31,339		
French	11,055	Molasses	21,434
Sherry	6,589		Pounds.
Lisbon	1,290	Loaf Sugar	502,532
Hock	280	Muscovado	1,269,633
		Coffee	230,348

2.—*An Account of the Number of Ships and Vessels which cleared outwards, from the Province of Lower Canada, in* 1815.

From Quebec	Vessels, 194	Tons, 37,382	Men, 1847
Gaspé	16	1,904	103
New Carlisle	13	1,459	77
Total	223	40,745	2027

3.—*Imports into Quebec during Years* 1811 *to* 1815, *inclusive; with an Account of the Vessels and Tonnage cleared in the same period from the same Port, as communicated by Messrs. Woolsey, Stewart, and Co. of Quebec, under date April* 12, 1816.

Years.	Pipes Madeira.	Pipes Port Wine.	Pipes Teneriffe.	Pipes Spanish Red.	Puncheons Rum.	Pipes Foreign Brandy.	Puncheons Molasses.	Hhds. Loaf Sugar	Hogsheads Muscovado Sugar.	Pounds Coffee.	Hhds. Leaf Tobacco.	Minots Salts.	Chests Hyson Tea.	Chests Green Tea.	Pipes British Brandy.	Pipes Geneva.	Puncheons Whiskey.	Vessels cleared.	Tonnage.
1811	220	324	368	95	7,750	10	643	342	2,850	393,421	60	100,755	11	19	10	5	—	532	116,687
1812	108	120	513	142	7,949	88	617	479	2,016	64,330	36	120,884	30	331	—	4	—	399	86,136
1813	59	240	309	473	7,781	400	176	142	2,796	155,452	82	74,980	285	3,415	—	68	—	184	38,896
1414	341	813	1118	1097	14,784	581	1271	314	4 307	165,000	27	85,904	—	6,716	—	348	994	173	31,082
1815	350	620	1215	2000	11,053	436	280	603	1,730	230,000	10	114,525	251	3,916	—	540	148	194	37,352
	1078	2117	3526	3807	49,317	1515	3017	1880	13,699	988,203	215	497,048	577	14,397	10	965	1142	1482	301,493

CIVIL LIST

OF THE

PROVINCE OF LOWER CANADA, 1816.

GOVERNOR, His Excellency Lieut.-General Sir John Coape Sherbrooke, K.C.B.* Captain-Gen. and Governor in Chief in and over the Provinces of Upper Canada, Lower Canada, Nova Scotia, and New Brunswick, and their several Dependencies, Vice-Admiral of the same, Lieut.-Gen. and Commander of all His Majesty's Forces in the said Provinces of Lower Canada and Upper Canada, Nova Scotia and New Brunswick, and their several Dependencies, and in the Islands of Newfoundland, Prince Edward, Cape Breton, and the Bermudas, &c. &c. &c.

Hon. Francis Nathaniel Burton, Lieut.-Governor of the Province of Lower Canada.

Edward Brabazon Brenton, Esq. Sec. to the Gov.-Gen.

Andrew Wm. Cochran, Esq. Ass. Sec.

Alex. Forbes, Esq. Lt.-Gov. of Gaspé.

The King's Hon. Executive Council.

The Hon. the Chief Justice.

Rt. Rev. Jacob Lord Bishop of Quebec.

The Hon. Thomas Dunn,

——— François Baby,

——— Chief Justice Monk,

——— P. A. Debonne,

——— John Young,

——— Jenkin Williams,

——— John Richardson,

——— James Irvine,

——— A. L. J Duchesnay,

——— James Kerr,

——— Ross Cuthbert,

——— M. H. Perceval,

——— John Mure,

——— Olivier Perrault.

Hon. H. W. Ryland, Clerk.

Ph. A. De Gaspé, Esq. French Translator and Sec.

F. Romain, Door-keeper.

Ls. Harper, Messenger.

The Hon. the Legislative Council.

The Hon. Jonathan Sewell, Speaker.

Rt. Rev. Jacob Lord Bishop of Quebec.

The Hon. Thomas Dunn,

——— François Baby,

——— *Sir G. Pownall, knt.

——— *William Osgood,

——— Chief Justice Monk,

——— Sir J. Johnston,

——— Chartier De Lothiniere,

——— Jenkin Williams,

——— Charles De St. Ours,

——— John Hale,

——— A. L. J. Duchesnay,

——— J. B. M. H. De Rouville,

——— John Caldwell,

——— I. A. De Gaspé,

——— H. W. Ryland,

——— James Cuthbert,

——— Charles Wm. Grant,

——— John Blackwood,

——— William M'Gillivray,

——— Pierre Dom. Debartzch.

William Smith, Esq. Clerk of the Parliament.

Chas. Et. De Lery, Esq. Clerk Ass.

James Voyer, Esq. Clerk of the Journals.

Mr. Wm. Boutillier, Gentleman Usher of the Black Rod.

Mr. Wm. Ginger, Serjeant at Arms.

Mr. François Romain, Door-keeper.

Charles Bellouin, Messenger.

François Royé, Office-keeper.

The Hon. the House of Assembly, elected April, 1814, Eighth Provincial Parliament.

The figures after the names denote the number of Parliaments for which the Members have already served. Those whose names are marked thus † were not of the last Assembly.

Speaker ———

Gaspé.— ———.

Cornwallis.—Joseph Levasseur Borgia (3), Joseph Robitaille (3).

Devon.—†François Fournier, †Jos. F. Couillard Dépré.

Hertford.—Etienne Féréol Rol (4), François Blanchet (2).

* Appointed Jan. 16, 1816. See Colonial Journal, vol. 1. APPOINTMENTS.

Dorchester.—L. T. Taschereau (1), †John Davidson.
Buckinghamshire.—François Bellet (1), James Stuart. (2)
Borough of William Henry.—†Robert Jones.
Richelieu.— ———
Bedford.—†Henry Georgen.
Surrey.—Pierre Amiot (1), † Etienne Duchesnois.
Kent.—†Joseph Bresse, † Noel Breux.
Huntingdon.—†Augustin Cuvillier, †Michael O'Sullivan.
Montreal.
East Ward.—†Saveuse de Beaujeau, †George Platt.
West Ward.—J. L. Papineau (3), †J. Fraser.
County.—James Stuart (2), †Augustin Richer.
York.—E. N. L. Dumont (1).
Effingham.—Joseph Malbœuf, (1), Samuel Sherwood.
Leinster.—D. B. Viger (3), †Jacques Lacombe.
Warwick.—Ross Cuthbert (5), †Jacques Deligny.
St. Maurice.—†Etienne Le Blanc, †Joseph R. Vallieres.
Three Rivers.—†Charles R. Ogden, †A. Bethelot.
Hampshire.—François Huot (5), †G. W. Allsopp (1)
Quebec.
Upper Town.—Jean Antoine Panet (7), Claude Dénéchau (3).
Lower Town.—Pierre Bruneau (1), †Andrew Stuart.
County.—Louis Gauvreau (1), †Peter Brehant.
Northumberland.—Thomas Lee (2) †Etienne C. Lagueux.
Orleans.—Charles Blouin (1).
William Lindsay, Esq. Clerk.
P. E. Desbarats, Esq. Clerk Assistant.
Charles Frémont, William Green, } Esqrs. Translators.
W. B. Lindsay, } Clerk to attend Committees and Copying Clerk.
Ant. Parent, Serjeant at Arms.
Augustus Welling, Deputy do.
Mrs. Labadie, House-keeper.
Jacques Langlois, Messenger.
Etienne Drolette, Jean Fluet, } Door-keeper.

Officers of different Departments.

Tho. Amyot, Esq. Secretary and Registrar of the Province.
John Taylor, Esq. Deputy Secretary and Registrar of the Province.
W. Smith, Esq. Master in Chancery.
Hon. H. W. Ryland, Clerk of the Crown in Chancery.
Hon. John Caldwell, Receiver-General.
Hon. John Hale, Auditor and Inspector General of Accounts.
Joseph Houchette, Esq. Surveyor-Gen.
Joseph Planté, Esq. Inspector General of the King's Domaine, and Greffier du Papier Terrier.
Edward Brabazon Brenton, Esq. Auditor of Land Patents.
Andrew Wm. Cochran, Acting Auditor of Land Patents.
Fred. East, Esq. Naval Officer.
Louis Bourdager, Esq. Superintendant Post Houses.
Lt.-Col. Fleury Deschambault, Esq. late 109th Regiment Dep. Agent for Indian Affairs.
Louis De Salaberry, Esq. Deputy Superintendant of the St. François and Abenaquis Indians.
———, Esq. Storekeeper General to the Indian Department.
Jn. Lambly, Harbour Master, Quebec.
James Lempriere Marret, Assistant do.
Hon. Ross Cuthbert, Inspector of Police, Quebec.
Thos. Cutlin, Esq. Inspector of Police, Three Rivers.
J. B. le Compte Dupré, Esq. Inspector of Police, Montreal.
And. W. Cochran, Esq. Clerk of the Prerogative Court.
J. Ste. Destimauville, Esq. Grand Voyer, Quebec.
Chev. D'Estimauville, Député do.
John Antrobus, Esq. Grand Voyer, Three Rivers.
Louis Rene-Chaussegros De Lery, Esq. do Montreal.
William Le Maitre, Esq. Grand Voyer Gaspé.
Paul Lacroix, Surveyor of Highways above the Long Sault, on the Ottawa River.
Rob. D'Estimauville, Inspector of Highways, Quebec.
Mr. Jacques Viger, ditto at Montreal.
Mr. Wm. Burns, Auctioneer at Quebec.
Mr. Alexander Henry, do. at Montreal.
Mr. Jean Bouthilier, Mr. W. Johnson Holt, } Inspectors of Pot & Pearl Ashes at Montreal.
James R. Hogel, Charles Hyatt, ditto at Three Rivers.
Mr. Charles Fremont, ditto at Quebec.
Mr. Wm. Philips, Inspector of Flour at Quebec.
Mr. Geo. Hobbs, do. of do. at Montreal.

Mr. Wm Boutillier and Mr. Anthony Anderson, Inspectors of Beef and Pork for the District of Quebec.
John Charles Turner and François Tison, Inspectors of Beef and Pork for the District of Montreal.
Minard Harris Yeuuman, Gauger at the Port of St. John.
George Chapman, Clerk of the Market at Quebec, and stamper of weights and measures.
Wm. Jos. Merchler, Inspector of the Hay Market and stamper of weights and measures at Montreal.
Pierre Charland, Clerk of the Markets at Montreal
Mr. William Martin, Inspector of Chimneys at Montreal.
Mr. John Grant, Inspector of ditto at Quebec.
Mr. Louis Joseph Le Proust, ditto at Three Rivers, and stamper of weights and measures.
John M'Rae, Alex. M'Rae, John Duthie, Hector Morrison, John Cruger, Benj. Le Blanc, Andrew Caldwell, David Connacher, and Peter Lynd, Cullers and Inspectors of Fish for the District of Gaspé.

Justices of the Peace appointed on the 19th June, 1807, to administer Oaths to Half-Pay Officers.

District of Quebec.—Louis De Salaberry, John Blackwood, John Painter, Hon. John Mure, esquires.

District of Montreal.—The Hon. John Richardson, William M'Gilliwray, Patrick Murray, Calvin May, Philip Ruiter, Philip Lake, John Whitlock, Hon. James Cuthbert, Samuel Willard, Wm. Sturge Moore, esquires.

District of Three Rivers—Thomas Coffin, David Monro, Lewis Gugy, Jesse Pennoyer, Henry Coll, Gilbert Hunt, Pierre Ignace Daillebout, Nicolas Benjamin Doucet, esquires.

Interior District of Gaspé.—William Crawford, Philip Robin, esquires.

Commissaires pour exercer le pouvoir de faire réparer les Eglises, &c. &c.

DISTRICT DE QUEBEC.

Thomas Dunn,
Jenkin Williams,
P. A. De Bonne,
J. Bte. le Comte Dupré.

DISTRICT DE MONTREAL.

Hon. M. E. G. Alan, Esq.
Chartier De Lothbiniere, Esq.
Hon. James Reid,
J. M. Mondelet, Esq.
David Ross, Esq.
Louis Guy, Esq.
James Caldwell, Esq.

DISTRICT DES TROIS-RIVIERES.

Thomas Coffin, Nicolas St. Martin, David Monro.

Commissioners for the Execution of an Act of the 40th Geo. III, for the Relief of Insane Persons, and for the Support of Foundlings.

QUEBEC.

James Fisher, Esq.
Joseph Planté, Esq.
Thomas Wilson, Esq.
Claude Dénéchau, Esq.
Ls. Montizambert, Esq.

MONTREAL.

George Selby, Esq.
L. C. Foucher, Esq.
Frs. Desrivieres, Esq.
James Caldwell, Esq.

THREE-RIVERS.

Louis Gugy, Esq.
Chas. Thomas, Esq.
Etienne Le Blanc, Esq.
René Kimbert, Esq.
Charles Fortier, Esq.

Commissioners for the Administration of the Estates heretofore belonging to the late Order of Jesuits.

The Hon. Francis Baby,
Thomas Dunn, Esq
Jenkin Williams, Esq
Berthelet Dartigny, Esq.
H. W. Ryland, Esq. *Tr.*
——————— Esq.

COURS DE JUSTICE.

COUR PROVINCIALE D'APPEL.

Le Gouverneur, le Lieutenant Gouverneur, ou la Personne ayant l'Administration du Gouvernement, les Membres du Conseil Exécutif, le Grand Juge de la Province, et le Juge en Chef de la Cour du Banc du Roi pour le District de Montréal, ou cinq d'entr'eux (les Juges de la Cour du District dans laquelle le jugement dont est appel, a été rendu, exceptés.)

Jacques Sheppard, Ecuïer, Greffier.

Cour du Banc du Roi pour les Causes Criminelles.

A QUEBEC.

L'Honorable Jonathan Sewell, Ecuïer, Grand Juge de la Province, et Juge

en Chef de la Cour du Banc du Roi pour le District de Quebec.
N. F. Uniacke, Ecr Procureur-Géné.
Steph. Sewell, Ecr. Solliciteur-Géné.
George Pyke, Ecr. Avocat-Général.
W. Pollock, C. De Lery, et W. Green, Ecrs. Clercs de la Couronne.
Js. Tanswell, Interprète.

A MONTREAL.

L'Honorable James Monk, Ecr. Juge en Chef de la Cour du Banc du Roi pour le District de Montréal.
Wm. Pollock et J. Reid, Ecrs. Clercs de la Couronne.

Cour de Vice-Admiraute', pour les Causes Criminelles.

Le Gouverneur, le Lieutenant-Gouverneur, les Membres du Conseil Législatif, et autres nommés dans la commission, Juges.—La Cour droit être composée de sept Membres au moins.
James Kerr, Ecuïer, Juge.
J. B. Destimauville, Ecuïer, Greffier.
James L. Marrette, Maréchal.

Cour du Banc du Roi pour le District de Quebec.

Le Grand Juge de la Province.
James Ker, Olivier Perrault, et Edward Bowen, Ecuïers, Juges.
J. F. Perrault, et John Ross, Ecuïers, Greffiers.
James Shepherd, Ecuïer, Sheriff.
Henry Blackstone, Ecuïer, Coronaire.
William Reid, Geolier.

Cour du Banc du Roi pour le District de Montréal.

Le Juge en Chef pour le District de Montréal.
Isaac Ogden, James Reid, et Louis Charles Foucher, Ecuïers, Juges.
John Reid, et Louis Levesque, Ecrs. Greffiers.
Fred. Wm. Ermatinger, Ecr. Sheriff.
Jean Marie Mondelet, Ecr. Coronaire.
Jacob Kinn, Geolier.

Cour Provinciale pour le District des Trois-Rivieres.

Pierre Bedard, Ecuïer, un des Juges de la Cour du Banc du Roi pour le District des Trois-Rivieres, et Juge Provincial.
Char Thomas, et Hugh Fraser, Ecrs. Greffiers.
W. Pollock, et C. Thomas, Ecrs Clercs du la Couronne.
L. Guay, et J. Badeaux, Ecr. Sheriffs.
Hugh Fraser, Coronaire.
——— Johnson, Geolier.

Cour Provinciale pour le District Inférieur de Gaspe.

W. Crawford, Ecr. Juge Provincial.
Amasa Bebee, Greffier.
Thomas Man, Ecuïer, Sheriff.
——— Coronaire.

Civil Magistrates, Indian Territories.

Wm. M'Gillivray, Rod. M'Kenzie, Sir Alexander M'Kenzie, John Ogilvy, Arch. M'Leod, Angus Shaw, Miles M'Donnell, William Auld, Thos. Thomas, Wm. Hillier, T. Vincent, John Thomas, George Gladman, W. H. Cook, Thos. Tapping, Abel Edwards, and John Johnson.

A List of the Clergy of the Established Church, in the Provinces of Upper and Lower Canada.

The Right Reverend Jacob Lord Bishop of Quebec.

Quebec.—The Rev. S. J. Mountain, Chaplain and Secretary to the Lord Bishop, and Rector of the Church at Quebec.
The Rev. J. L. Mills, Evening Lecturer at Quebec, and Chaplain to the Forces.
Montreal.—The Rev. Dr. Mountain, Official of Lower-Canada, and Rector of Christ Church, Montreal.
Three-Rivers.—The Rev. Mr. Short, Rector.
William Henry.—The Rev Mr. Jackson, Rector of Christ Church, William Henry, and Chaplain to the Lord Bishop.
Missiskouy Bay.—Hon. and Rev. Mr. Stewart, Rector of St. Amand, and Chaplain to the Lord Bishop.
The Rev. Mr. Cotton, Rector of Dunham.
Chatham.—The Rev. Mr. Bradford, Rector.
York, (U.C.)—The Rev. Dr. Strachan, Rector.
Kingston.—The Rev. G. O. Stuart, Official of Upper Canada, and Rector of Kingston.
Niagara.—The Rev. Mr. Addison, Rector.
The Rev. John Bethune, Rector of Elizabeth Town and Augusta.
Williamsburg.—The Rev. J. G. Weagant, Rector.
Cornwall.—The Rev. D. Baldwyn, Rector.
Fredericksburg and Ernest Town.—The Rev. R. Pollard.
Sandwich.—(vacant.)
The Rev. G. Jenkins, Chaplain to the Forces.
The Rev. Tho Norris, ditto to ditto.

REVIEW OF BOOKS.

ART. I.—1. *Travels in Brazil.* By Henry Koster. 4to. pp. 501. London. Longman and Co. 1816.

2. *On the Amelioration of Slavery.* By Henry Koster, Author of Travels in Brazil. 8vo. pp. 336. Printed in the Pamphleteer. London. Gale and Fenner. 1816.

IT will be no proof that we are absolutely conjurors, if we boldly yield to the conjecture, that Mr. Koster is the identical traveller in Brazil, of whom Mr. Southey has given us the following account, in his Pilgrimage to Waterloo:

" A third, who, from the Land of Lakes, with me,
Went out upon this pleasant pilgrimage,
Had sojourned long beyond the Atlantic Sea;—
Adventurous was his spirit as his age,
For he in far Brazil, thro' wood and waste,
Had travelled many a day, and there his heart was placed.

" Wild region! happy if at night was found
The shelter of some rude Tapuya's shed;
Else would he take his lodgment on the ground,
Or from the tree suspend his hardy bed;
And sometimes starting at the Jaguar's cries,
See thro' the murky night the prowler's fiery eyes.

" And sometimes over thirsty deserts drear,
And sometimes over flooded plains he went;
A joy it was his fire-side tales to hear,
And he a comrade to my heart's content:
For he of what I most desired could tell,
And loved the Portugals because he knew them well."

Mr. K.'s volume is dedicated to Mr. Southey, and his short preface informs us, that he has " had the advantage of Mr. Southey's

advice and extensive library." The *Jaguar* of the Indians is the *onça pintada* of the Brazilians, and painted ounce of Buffon; and *Tapuya*, as we learn from Mr. K., is the general name given in Brazil to the unconverted Indians, while those who are converted are as generally denominated *Chabolcos*. We do not observe, indeed, that Mr. K. passed much of his time with the Tapuyas; but of his "love for the Portugals" we have, in this volume, the following testimonial, equally creditable to the personal feelings and to the patriotism of the author:—

"England is my country, but my native soil is Portugal; I belong to both; and whether in the company of Englishmen, of Portuguese, or of Brazilians, I feel equally among my countrymen. My constant and fervent prayers are offered up for their prosperity, and for a continuance of that friendship which has borne the test of so many years. Fresh causes have lately occurred for rivetting the links which bind the two united nations; their people have fought together, and neither have been found wanting." p. 335.

Of the countries of the western hemisphere, scarcely any one is entitled to inspire a stronger present interest than Brazil. Raised from the rank of a colony to that of a state*, and become the seat of an European sovereign, it is also signalized by the unequivocal disposition of its government to promote its internal improvement. At such an epoch, a volume which promises to enlarge the stock of our information in its regard is tolerably secure of a welcome.

Brazil has been said to equal the whole of Europe in size; but, though its extent is truly considerable, this statement is an exaggeration. Brazil, including Portuguese Guiana, stretches from the frontier of French Guiana, south latitude 1° 30′, to Port St. Pedro, south latitude 32°, being thirty-three degrees and a half, or two thousand geographical miles; and the breadth, from Cape St. Roque to the furthest Portuguese settlement on the Orellana, or river of the Amazons, called Sapatinga, equals, if it does not exceed that extent†. It is bounded on three sides by the Spanish territory, and on the fourth by the sea; or, more precisely, on the south, by a line running through Paraguay; on the west, by Peru;

* A recent edict declares the present style of the kings of Portugal to be, "King of the United Kingdoms of Portugal, Brazil, and the two Algarves."

† These boundaries were fixed in 1777, by the treaty of St. Ildefonso, the terms of which are cited by Mr. Pinkerton, vol. ii, page 634.

on the north, by a line running through Amazonia; and, on the east, by the Atlantic ocean*. It was discovered in the year 1500, and obtained its name from its produce of brazil-wood. Its discoverers and first settlers were the Portuguese. In 1580, it passed, with Portugal itself, to the crown of Spain. In 1640, the Dutch, under Prince Maurice, accomplished a settlement in it, which they surrendered to the Portuguese in 1661. For the administration of government, Brazil is divided into greater and lesser districts, denominated *captaincies* and *captain-generalships* †.

Mr. K.'s local knowledge of Brazil is limited to the captain-generalship of Pernambuco ‡, at the chief town of which, named St. Antonio do Recife, but commonly called Pernambuco, he first landed, after a voyage from Liverpool, on the 2d day of November, 1809. Recife, the topography of which is given by Mr. K., is a thriving place, increasing daily in opulence and importance, and its prosperity is in some measure to be ascribed to the public virtues of its captain-general. In political rank, the captain-generalship of Pernambuco holds either the third or fourth rank in Brazil §; but, in a commercial view, and with reference to Great Britain, Mr. K. is disposed to give it the first. Its chief exports are cotton and sugar, of which the first, in greatest part, comes to England, and may be reckoned at eighty or ninety thousand bags annually, averaging one hundred and sixty pounds weight each bag. Two or three ships sail annually from Recife for Goa in the East Indies, and the trade to the coast of Africa for slaves is considerable. Flour, household furniture, "and other kinds of lumber," are imported from the United States, in return for sugar, melasses, and rum. When the war of the latter with England interrupted this trade, flour was obtained from Rio Grande de Sul, in the southernmost part of the kingdom. The climate and scenery of the neighbourhood of Recife are thus described by Mr. K.:—

* Europe is about three thousand three hundred British miles in length, by two thousand three hundred and fifty in breadth.—*Modern Geography.*

† Mr. Pinkerton falls into great confusion as to *governments, provinces, captaincies*, &c.

‡ Mr. K. writes Pernambuco. Phernambuco has been written for Fernambuco, and thence Pernambuco.

§ Are there more than three captain-generalships in Brazil?

"As this was the summer season, great numbers of the inhabitants were out of town; they remove to small cottages at Olinda, and upon the banks of the rivers, to enjoy a purer air, and the amusement and comfort of bathing, during the months most subject to hot parching weather. The heat is, however, seldom very oppressive; the sea-breeze, during the whole year, commences about nine o'clock in the morning, and continues until midnight. When exposed to it, even standing in the sun, the heat is so much alleviated by its influence, as to make the person so situated forget, for a moment, that in the shade he would be cooler. At the time this subsides, the land-breeze rises and continues until early in the morning; and the half hour in the forenoon which occasionally passes between the one and the other, is the most unpleasant period of the day. In the rainy season, just before the commencement of a heavy shower, the clouds are very dark, dense, and low; the breeze is suspended for a short time; there is then a sort of expectant stillness, and the weather is very sultry.

"One afternoon, I rode out with several young men to a village in the neighbourhood, for the purpose of delivering a letter to one of the rich merchants. We passed through Boa Vista, and proceeded along a narrow sandy road, formed by frequent passing and repassing; and along the sides of this are many of the summer residences of the wealthy inhabitants of the town, which are small, neat, white-washed cottages of one floor, with gardens in front and at the sides, planted with orange, lemon, pomegranate, and many other kinds of fruit trees; some few are inclosed partly by low walls, but for the most part they are protected by fences of timber. About half way, we came out upon the banks of the Capibaribe; the view is exceedingly pretty: houses, trees, and gardens on each side: the river bends just above, and appears lost among the trees; the canoes going gently down with the tide, or more laboriously forcing their way up against it, formed altogether a delightful prospect. The river is here rather narrower than the Thames at Richmond. Along the side of the road, at this spot, are several black women selling oranges, other kinds of fruits, and cakes, and canoe-men with their long poles, unable to delay, bargaining with them for some of their commodities. This was the first time I had left the town, and I was truly pleased with these first looks of the country of which I had become an inhabitant. We again left the river, continuing along the road, still bordered by cottages of a better or worse appearance, until we reached a small village; through this we passed, and soon afterwards arrived at the end of our ride. The situation is very picturesque, upon the northern bank of the Capibaribe, and at the foot of a steep hill clothed with wood. On our arrival at the house, we entered immediately from the road into a hall with a brick floor, of which the doors and windows are very large, so as to leave the front very nearly open. We were received by the lady of the house, and her husband soon appeared; they were exceedingly civil, and ordered sweetmeats to be brought out."

Mr. K.'s pages are rendered entertaining by numerous anecdotes of manners and customs in Brazil; but as many of these relate to the

ceremonies, festivals, and institutions, of the Roman church, they must be regarded as common at least to Portugal, and not peculiarly characteristic of Brazil. Passing over some passages of this description, we permit ourselves an extract or two which more strictly apply to the state of manners and society in the latter country:—

"I dined with a friend on St. Peter's day, the 29th June, and in the evening I proposed walking to the church, dedicated to this saint. As usual, the blaze of light was great, the congregation numerous, and the whole affair very brilliant. After the service, we recognized a party of ladies with whom we were acquainted, and one of them requested us to look for a young priest, her son; on making inquiries, we were desired to walk up stairs into a large room over the vestry, in which were several priests, and a table covered with refreshments of many descriptions. The young man came to us, and was soon followed by others, who invited us to stay and partake, but we declined and went down to the party we had joined; some of the priests accompanied us, and persuaded the ladies to ascend, and have a share of the good things; we were also requested to return, which we did. There were great quantities of fruit, cakes, sweetmeats, and wine. We met with the most marked attention from these ministers of the Roman Catholic religion; greater politeness could not have been shown to any person; even many with whom we had not been acquainted before, offered us wine, and requested to be introduced to us. I mention the conduct of these men more particularly, as I think it showed a great degree of liberality, and a wish to conciliate, and more especially as there were likewise several laymen present of their own nation *. About ten o'clock we left the church, and taking one family of our party home, remained with them until a very late hour.

"We were invited to pass the following Sunday with this family, which consisted of the father and mother, and a son and daughter; they were all Brazilians; and though the young lady had never been from Pernambuco, her manners were easy, and her conversation lively and entertaining. Her complexion was not darker than that of the Portugueze in general, her eyes and hair black, and her features on the whole good; her figure small, but well shaped. Though I have seen others handsomer, still this lady may be accounted a very fair sample of the white Brazilian females; but it is among the women of colour that the finest persons are to be found, —more life and spirit, more activity of mind and body; they are better fitted to the climate, and the mixed race seems to be its proper inhabitant. Their features too are often good, and even the colour, which in European climates is disagreeable, appears to appertain to that in which it more naturally exists; but this bar to European ideas of beauty set aside,

* "In speaking of the priesthood, it must be always recollected that the secular and regular clergy are two totally different bodies of men, and as distinct in their utility, their knowledge, and their manners, as they are in their situation in life."

finer specimens of the human form cannot be found than among the mulatto females whom I have seen.

"We went to them to breakfast, which was of coffee and cakes. Backgammon and cards were then introduced until dinner time, at two o'clock. This consisted of great numbers of dishes, placed upon the table without any arrangement, and brought in without any regard to the regularity of courses. We were, as may be supposed, rather surprised at being complimented with pieces of meat from the plates of various persons at the table. I have often met with this custom, particularly amongst families in the interior, and this I now speak of had only resided in Recife a short time; but many of the people of the town have other ideas on these matters. Two or three knives only were placed upon the table, which obliged each person to cut all the meat upon his own plate into small pieces, and pass the knife to his next neighbour. There was, however, a plentiful supply of silver forks, and abundance of plates. Garlic formed one ingredient in almost every dish, and we had a great deal of wine during the dinner. The moment we finished, every one rose from the table, and removed into another apartment. At eight o'clock, a large party assembled to tea, and we did not take our departure until a very late hour. On our arrival at home, my friend and I sat together to consider of the transactions of this day, which we had thus passed entirely with a Brazilian family, and both agreed that we had been much amused, and that we had really felt much gratification, save the business at the dining table. The conversation was trifling, but entertaining; there was much wit and sport. The ladies of the house, joined by several others in the evening, talked a great deal, and would allow of no subject into which they could not enter.

"It will be observed from what I have described, and from what I still have to mention, that no rule can be laid down for the society of the place in question; families of equal rank, and of equal wealth and importance, are often of manners totally different. The fact is, that society is undergoing a rapid change; not that the people imitate European customs, though these have some effect, but as there is more wealth, more luxuries are required; as there is more education, higher and more polished amusements are sought for; as the mind becomes more enlarged, from intercourse with other nations, and from reading, many customs are seen in a different light; so that the same persons insensibly change, and in a few years ridicule and are disgusted with many of those very habits which, if they reflect for a moment, they will recollect were practised but a short time before by themselves.

"On St. Anne's day, the 29th July, two young Englishmen and myself proceeded by invitation to the house of one of the first personages at Pernambuco; a man in place, and a planter, possessing three sugar works in different parts of the country. About ten o'clock in the morning, we embarked in a canoe, and were poled and paddled across the bay, on the land side of the town. On our arrival upon the opposite shore, the tide was out, and the mud deep; in fear, and trembling for our silks, two of us clang to the backs of the canoe-men, who with some difficulty put us down safe on dry land; but the third, who was heavier, for some minutes

debated whether to return home was not the better plan; however, he took courage, and was likewise safely conducted through this region of peril. We then walked up to the house, which covers much ground, and of which the apartments are spacious, and all upon the first floor. The garden was laid out by this gentleman's father, in the old style of straight walks and trees cut into shapes. A large party was already assembling, as this was the anniversary of the birth-day of our hostess; but the females were all ushered into one room, and the men into another; cards and backgammon, as usual, were the amusements, but there was little of ease and freedom of conversation. At dinner, the ladies all arranged themselves on one side, and the men opposite to them; there were victuals of many kinds in great profusion, and much wine was drank. Some of the gentlemen who were intimately acquainted with the family, did not sit down at table, but assisted in attending upon the ladies. After dinner, the whole party adjourned into a large hall, and country dancing being proposed and agreed to, fiddlers were introduced, and a little after seven o'clock, about twenty couples commenced; and continued this amusement until past two o'clock. Here was the ceremony of the last century in the morning, and in the evening the chearfulness of an English party of the present day. I never partook of one more pleasant: the conversation, at times renewed, was always genteel, but unceremonious, and I met with several well-educated persons, whose acquaintance I enjoyed during the remainder of my stay at this place.

"I had an offer of introduction to another Brazilian family, which I readily accepted, and on the 7th August, I was summoned by my friend to accompany him to Olinda. He had been invited, and liberty had been given to take a friend. We went in a canoe, and were completely wet through on the way; but we walked about the streets of Olinda until we were again dry. The family consisted of an old lady, her two daughters, and a son, who is a priest, and one of the professors or masters of the seminary. Several persons of the same class were present, of easy and gentlemanlike manners; some of them proposed dancing, and although they did not join in the amusement, still they were highly pleased to see others entertained in this manner. Our music was a piano forte, played by one of the professors, who good humouredly continued until the dancers themselves begged him to desist. About midnight, we left these pleasant people, and returned to the beach; the tide was out, and the canoe upon dry land; we therefore determined to walk; the sand was very heavy, the distance three miles, and after our evening's amusement, this was hard work. I did not attempt this night to go beyond Recife to my cottage, but accepted of a mattress at my friend's residence.

"Three or four families are in the practice of having weekly evening card parties, as was usual in Lisbon. I attended these occasionally, but in them there was no peculiarity of customs.

"The foregoing pages will, I think, suffice to point out the kind of society to be met with in Pernambuco, but this must be sought for, as the families in which it is to be found, are not numerous. Of these, very few are in trade; they are either Portugueze families, of which the chief is in

office, or Brazilian planters who are wealthy, and prefer residing in Recife or Olinda; or, as is frequently the case, a son or brother belonging to the secular priesthood, has imbibed more liberal notions, and has acquired a zest for rational society. As may naturally be supposed, the females of a family are always glad to be of more importance, to be treated with respect, to see, and to be seen. The merchants, generally speaking, for there do exist some exceptions, live very much alone; they have been originally from Portugal, have made fortunes in trade, and have married in the country; but most of them still continue to live as if they were not yet sufficiently wealthy, or at least cannot persuade themselves to alter their close and retired manner of living, and, excepting in the summer months, when sitting upon the steps of their country residences, their families are not to be seen.

"The gentleman, chiefly by whose kindness I had been introduced and enabled to partake of the pleasantest society of Pernambuco, was among the first British subjects who availed themselves of the free communication between England and Brazil, and he even already observed a considerable change of manners in the higher class of people. The decrease in the price of all articles of dress; the facility of obtaining at a low rate, earthenware, cutlery, and table linen; in fact, the very spur given to the mind by this appearance of a new people among them; the hope of a better state of things, that their country was about to become of more importance renewed in many persons, ideas which had long lain dormant; made them wish to show, that they had money to expend, and that they knew how it should be expended.

"It was the custom in Pernambuco, to uncover when passing a sentinel, or on meeting a guard of soldiers marching through the streets. Soon after the opening of the port to British shipping, three English gentlemen accidentally met a corporal's guard of four or five men, and as they passed each other, one of the latter took off the hat of one of the former, accompanying the action by an opprobious expression; the Englishmen resented the insult, attacked and absolutely routed the guard. This dreadful mark of submission to military power was universally refused by every British subject, and has been very much discontinued even by the Portugueze. Another annoyance to these visitors was the usual respect paid to the Sacrament, carried with much pomp and ceremony to persons dangerously ill. It was expected, that every one by whom it chanced to pass, should kneel, and continue in that posture until it was out of sight; here Englishmen, in some degree, conformed in proper deference to the religion of the country, but the necessity of this also is wearing off."

The third chapter treats of the government, taxes, public institutions, and military establishments. Since the removal of the Court to Brazil, a botanic garden has been established at Olinda. This is one of the instances in which a regard for science has been manifested by the sovereign, and it is also one of those on occasion

of which, as we think, a want of political wisdom has been manifested. "A botanist has been appointed," says Mr. K. "with an adequate salary. He is a Frenchman, who had resided at Cayenne; and with this choice many persons were much dissatisfied, as it was thought, and with good reason, that a Portugueze subject might have been found, quite capable of taking the management of the garden." We should be pleased to know, that the objection was not only general to a foreigner, but specifically to a *Frenchman*. A number of ingenious Frenchmen, from among the malcontents under the present system, have lately been imported into Brazil, for the sake of their attainments in the arts and sciences; but the importation, at the same time, of French principles in politics and morals, must be a serious inconvenience, to which the government ought not to be blind. The reception of German visitants, which has also been spoken of, and which the Austrian alliance will also promote, is infinitely to be preferred.

The captains-general are officers with discretionary power, appointed for three years, and capable of being re-appointed without limitation, at the pleasure of the crown. The arbitrary authority of these officers appears, however, to be, in some degree, counterpoised by the existence of a public body in each government, called *Senado da Camara*. To this body, which Mr. K. calls the "municipality of the principal town," but the constitution of which he does not describe*, the captain-general, after his nomination, but before he can exercise any office, must present his credentials. The captain-general, as may be supposed, is commander-in-chief of the forces.

The *Ouvidor* and *Juiz de Fora* are the judges in civil and criminal cases respectively. The former has precedence. Both are appointed for three years, and, as in the case of the captain-general, the appointment may be renewed. Opportunities, as we are told by Mr. K., of amassing large fortunes are more numerous in these offices than the other appointments of the crown; and "it is certain," he adds, "that some individuals take advantage of them in a manner which renders justice but a name. A *Juiz Con-*

* It is formed, according to Mr. K., "of persons of respectability in the place," but how chosen or appointed we are not told.

servador, Judge Conservator of the British, had been appointed for the British nation; but, at the period of Mr. K.'s departure from Recife, he was not arrived. . ery soon after the commencement of a direct commercial intercourse with Great Britain, a vice-consul was appointed for Pernambuco by the consul-general at Rio de Janeiro; but this person was superseded by a consul sent out from England, subject to the consul-general for Brazil, but appointed at home.

The captains-general may hear and determine a criminal cause without appeal, or refer it to the competent judge. The other officers are the *Procurador da Coroa*, attorney-general; *Intendente da Marinha*, port-admiral; *Escrivam da Fazenda Real*, clerk or secretary of the treasury; and *Juiz da Alfandega*, or comptroller of the customs. These seven officers form a council for the affairs of the captain-generalship. Here, we find a second check on the power of the captain-general. The ecclesiastical government is exercised by the bishop, with a dean and chapter, vicar-general, &c.

"The number of civil and military officers is enormous; inspectors innumerable—colonels without end, devoid of any objects to inspect—without any regiments to command; judges to manage each trifling department, of which the duties might all be done by two or three persons; thus salaries are augmented; the people are oppressed, but the state is not benefitted.

"Taxes are laid where they fall heavy upon the lower classes, and none are levied where they could well be borne. A tenth is raised in kind upon cattle, poultry, and agriculture, and even upon salt; this in former times appertained, as in other Christian countries, to the clergy*. All the taxes are farmed to the highest bidders, and this among the rest. They are parcelled out in extensive districts, and are contracted for at a reasonable rate, but the contractors again dispose of their shares in small portions; these are again retailed to other persons, and as a profit is obtained by each transfer the people must be oppressed, that these men may satisfy those above them and enrich themselves. The system is in itself bad, but is rendered still heavier by this division of the spoil. The tenth of cattle, as I have al-

"* When Brazil was in its infancy, the clergy could not subsist upon their tythes, and therefore petitioned the government of Portugal to pay them a certain stipend, and receive the tenths for its own account; this was accepted, but now that the tenths have increased in value twenty-fold, the government still pays to the vicars the same stipends. The clergy of the present day, bitterly complain of the agreement made by those to whom they have succeeded."

ready said, is levied in kind upon the estates in the interior of the country, and, besides this, a duty of three hundred and twenty *reis per arroba* of 32lbs. is paid upon the meat at the shambles, which amounts to about twenty-five per cent. Fish pays the tenth, and afterwards a fifteenth. Every transfer of immoveable property is subject to a duty of ten per cent. and moveables to five per cent. Besides these, there are many other taxes of minor importance. Rum, both for exportation and home consumption, pays a duty of eighty *reis per canada*, which is sometimes a fourth of its value, but may be reckoned as from fifteen to twenty per cent. Cotton pays the tenth, and is again taxed at the moment of exportation six hundred *reis per arroba* of 32lbs. or about 1¼d. per pound. Nothing can be more injudicious, than this double duty upon the chief article of exportation from that country to Europe. The duties at the custom-house are fifteen per cent. upon imports, of which the valuation is left in some measure to the merchant to whom the property belongs. Here, I think, ten per cent. more might be raised without being felt. A tax is paid at Pernambuco for lighting the streets of the Rio de Janeiro, whilst those of Recife remain in total darkness."

The expenses of the provincial government are great, but this is owing to the number of officers, and not to the amount of their respective salaries; hence peculation, bribery, &c. The salary of the captain-general of Pernambuco is no more than 4,000,000 *reis*, or about 1000*l.* per annum.

The only manufactures, of any importance, in Recife, are gold and silver trinkets, and thread lace and embroidery; but none in any considerable quantity.

There is an excellent seminary for priests at Olinda, and free-schools are established in most of the small towns in the country, in some of which Latin is taught, but, in most, only reading, writing, and arithmetic. Neither in these, nor in the seminary, is any expense incurred by the pupils. There are hospitals for the sick, but all in miserable condition. The Foundling Hospital *(Roda dos Engeitados)* is upon the most liberal footing.

There are about one hundred and fifty friars in Olinda, Recife, Iguaraçu, and Paraiba; but no nuns in the captain-generalship. Three *Recolhimentos*, or Retreats, for females, are under the direction of elderly persons of that sex. They educate girls, and receive females who have deviated from the paths of propriety, but whose characters are not notorious, and who are placed here by their relations to prevent further shame. This mixture of innocents and Magdalens may excite surprize.

"The number of churches, chapels, and niches in the streets for saints, is quite preposterous; to these are attached a multitude of religious lay brotherhoods, of which the members are merchants, and other persons in trade, and even some are composed of mulatto and black free people. Some of these continually beg for a supply of wax, and other articles to be consumed in honour of their patron. Almost every day in the year, passengers are importuned in the streets, and the inhabitants in their houses, by some of these people, and among others, by the lazy Francisan friars. A Portugueze gentleman refused to give money for any of these purposes, but after each application, threw into a bag, placed apart for the purpose, a five *reis* coin, the smallest in use, and in value the third part of a penny. At the end of a twelvemonth, he counted his five *reis* pieces, and found that they amounted to thirty thousand *reis*, about 8l. 6s. He then applied to the vicar of his parish, requesting him to name some distressed person to whom he should give the money."

The Inquisition never had an establishment in Brazil, though several priests formerly resided in the country, employed as its familiars, and persons held to be amenable to the tribunal were sometimes sent in confinement to Lisbon. The English reader will remember with an honourable pride, that the total cessation of the power of the Inquisition in Brazil was stipulated for and obtained by Great Britain, in the ninth article of the Treaty of Friendship and Alliance between the two crowns, signed at the Rio de Janeiro, in 1810.

Recife has neither printing-press nor bookseller. There is a theatre, in which are performed Portuguese farces, but in a very humble manner. The prisons are in a wretched state. The most usual punishment inflicted, even for crimes of the first magnitude, is banishment to the coast of Africa. White persons must be removed to Bahia, in order to be punished with death; and sentence of death cannot be passed on persons of colour, nor on Negroes, but in the presence of several judicial officers. The military establishments are much neglected. Mr. K. exposes the dreadful state of the convicts confined on the small island of Fernando do Novonra.

Mr. K. had always wished to perform some considerable journey into the less populous and less cultivated part of the country, and, in the month of October 1810, an opportunity at length presented itself by which he might be enabled to advance as far as the captaincy of Seara. At fifteen leagues from Recife is the town of

Goiana, at which Mr. K. arrived through the valley of Merueira, the town of Iguaraçu, and some villages and hamlets. The hills, on each side of the valley, are thickly clothed with wood, and in the valley are scattered several cottages, banana-gardens, and mandioc-lands, with a large inclosed piece of ground, in which cattle graze. The ascent, on the opposite side, is very steep; in the bottom is the long straggling village of Paratibe, with mandioc-lands and plantain and tobacco-gardens intermixed with the houses. The inhabitants are mostly labouring free persons, white, mulatto, and black. The houses are built on each side of the road, at intervals, for the distance of a mile.

The town of Goiana, one of the largest and most flourishing in the captaincy of Pernambuco, is situated on the banks of a river of the same name, which, at this spot, bends so considerably, that the town is almost surrounded by it. The number of the inhabitants is between four and five thousand, and it is an increasing place. The trade with the interior is considerable. In the vicinity are many fine sugar-plantations. Goiana stands four leagues distant from the sea in a direct line, but, by the river, the distance is reckoned to be seven.

"We dined on one occasion with the proprietor of the Musumba estate; this gentleman and a few others, besides ourselves, dined in one apartment, whilst the ladies, of whom we were not permitted to have even a transient view, were in another adjoining. Two young men, sons of the proprietor, assisted their father's slaves in waiting upon us at dinner, and did not set down themselves until we rose from table. The owner of the place is a Portugueze—it is among this portion of the population, who have left their own country to accumulate fortunes in Brazil, that the introduction of improvement is almost impossible. Many Brazilians likewise, even of the higher class, follow the Moorish customs of subjection and seclusion, but these soon see the preference which ought to be given to more civilized manners, and easily enter into more polished habits if they have any communications with the towns."

"The road between Goiana and Paraiba presents nothing particularly interesting—the hills are steep, but not high; and woods, plantations, and cottages, are, as usual, the objects to be seen. The distance is thirteen leagues. The city of Paraiba, including the lower town, contains from two to three thousand inhabitants. It has six churches and two public fountains. Here, as the

houses are mostly of one story, while those at Goiana have only the ground floor; and a few have glass windows, a luxury only lately introduced at Recife. In the person of the captain or governor of Paraiba, Mr. K. presents us with one of the numerous examples which human history continually affords, of the chances of fortune that are presented by the acquirements of education:—

"His parents were respectable people in one of the northern provinces of Portugal; he was placed at some seminary for the purpose of being educated for the church, but he escaped from thence, and enlisted as a private soldier in Lisbon. One of the officers of the regiment in which he was enrolled, soon found out that he was a man of education,—having learnt his story, he was made a cadet, as being of good family. He came over in the same ship with the Princess of Brazil, a captain of infantry; married one of the maids of honour on their arrival at Rio de Janeiro, and in about eighteen months, had advanced from a captaincy to the government of Paraiba, and a commandery of the order of Christ."

The prospect from the windows of the palace "presents Brazil scenery of the best kind; extensive and ever-green woods, bounded by a range of hills, and watered by several branches of the river, with here and there a white-washed cottage, placed upon their banks, and these, though they were situated on higher spots of land, were still half concealed by the lofty trees. The cultivated specks were so small as to be scarcely perceptible."

"The late governor, Amaro Joaquim, brought the captaincy into great order, by his necessary severity. A custom prevailed, of persons walking about the town at night in large cloaks, and crape over their faces; thus concealed, to carry on their irregular practices. The governor, not being able to discover who these persons were, gave orders one night for the patrole to take into custody all who were so dressed; this was done, and some of the principal inhabitants were found the next morning in the guard-house. A man of the name of Nogueira, the son of a black or mulatto woman, and of one of the first men in the captaincy, had made himself much dreaded by his outrageous proceedings; he had carried from their parents' houses, the daughters of some persons of respectability in the captaincy, murdering the friends and relatives who opposed his entrance. The man was at last taken; Amaro Joaquim would have had him executed, but he found this was not to be done, from the interest which the family made for him, and therefore ordered him to be flogged. Nogueira said, that being half a *fidalgo*, a nobleman, this mode of punishment could not be practised upon him. The governor then ordered that he should be flogged upon only one side of his body, that his *fidalgo* side might not suf-

fer, desiring Nogueira to say which was his *fidalgo* side. He was accordingly punished in this manner, and after remaining some time in prison, was sent to Angola for life. The city of Paraiba still enjoyed the good effects of Amaro Joaquim's strict government."

In returning to Goiana, Mr. K. passed through Alhandra, an Indian village:—

"This village is not so regularly built as many of the others which I have seen; instead of a square, with houses on each side, it is built in streets, and though the square is preserved, still it is not the principal feature of the place. The Indians of Alhandra, from their vicinity to Goiana, which is distant about three leagues, are not so pure as those further from a large town; they have admitted among them some *mamalucos* and *mestizos*."

Mr. K. had hitherto travelled in company with a Portugueze gentleman, Senhor Joaquim, but his companion not being disposed to go further, he was now left to proceed alone. He now purchased three additional horses, and hired a guide for the Sertam *, who was a white man of the country, and two Indian lads of about sixteen years of age. "On the 3d of November," says Mr. K., "I again set forth, accompanied by my English John, Francisco the guide, Julio, and the other boy, his companion." The Sertam is the cattle-country, and distinguishable from the plantations.

"From Dous Rios, we advanced the following day to the sugar plantation of Espirito Santo, situated upon the banks of the river Paraiba, which becomes dry in the summer, at a short distance above this estate. I had letters to the owner of it, who is a member of the Cavalcante family, and the capitam-mor of the captaincy of Paraiba I was received by him in a very friendly manner. The house is in the usual style of the country, having only the ground-floor, and no ceiling, the tiles and rafters being in full view. Supper of dried meat, and the flour of the mandioc made into paste, and called *piram*, was placed before me; also, some hard biscuits, and red wine. I was not then sufficiently a Brazilian to eat *piram*, and took the biscuits with the meat in preference, which much astonished my host. Sweetmeats were afterwards brought in, which are always good in the houses of persons of his rank in life; the opulent people in Brazil taking as much pride in their *doces*, as an English citizen in his table or his wines. The cloth was laid at one end of a long table, and I sat down by myself, whilst the capitam-mor placed himself upon the table, near to the other end, and

* Mr. K. supposes that *Sertam* is a contraction of *Desertam*, used as an augmentative (in the Portugueze manner) for *Deserto*, the desert, wilderness, or uninhabited country.

talked to me; and some of the chief persons of his establishment stood around, to see the strange animal called an Englishman. We adjourned from the supper-room into another spacious apartment, and each of us took a hammock, of which there were several in the room, and swung and talked until we were half asleep. One of his men supposed, that as I spoke Portugueze, either I must be an Englishman who did not speak English, or that any Portugueze, on going to England, would immediately speak the language of that country, as I did Portugueze. The capitam-mor seldom leaves his estate to go to Recife, or even to Paraiba, and lives in the usual style of the Brazilian gentry, in a kind of feudal state. He had several young men about him, some of whom were employed by him; neither his wife, nor any of his children appeared. The principal apartments of this house are two spacious rooms, having a great number of doors and windows; in one, were several hammocks and a sofa; and in the other, the long table upon which I supped; there were a few chairs in each of them; the floors were of brick, and the shutters and doors were unpainted. The owner of this mansion wore a shirt and a pair of drawers, a long bed-gown, called a *chambre*, and a pair of slippers. This is the usual dress of those persons who have no work to perform. When a Brazilian takes to wearing one of these long gowns, he begins to think himself a gentleman, and entitled, consequently, to much respect."

At Cunhàû, Mr. K. experienced a further example of Brazilian hospitality:—

"The next day we proceeded to Cunhàû, the sugar-plantation of the Colonel Andre d'Albuquerque do Maranham, the chief of the Maranham branch of this numerous and distinguished family of the Albuquerques. He is a man of immense landed property. The plantation of Cunhàû extends along the road fourteen leagues, and the owner has since purchased another large estate adjoining; his lands likewise in the Sertam for breeding cattle are supposed not to be less than thirty to forty leagues in extent—of those kind of leagues that sometimes take a man three or four hours to get over one.

"I had letters to him from some of his relations and friends at Pernambuco; he was sitting at his door, with his chaplain and several of his stewards and other persons employed by him, to have all the benefit of the fresh air. He is a man of about thirty years of age, handsome, and rather above the middle size, with genteel manners, rather courtly, as the Brazilians of education generally are. He lives quite in feudal state; his negroes and other dependants are numerous. He commands the regiment of militia cavalry of Rio Grande, and has them in good order, considering the state of the country. He came forwards on my dismounting, and I gave him the letters, which he put by to read at leisure, and then desiring me to sit down, asked me several questions of my wishes, intentions, &c. He took me to his guests' apartments at a little distance from his own residence, where I found a good bed: hot water was brought to me in a large brass basin, and

every necessary was supplied in a magnificent style—the towels were all fringed, &c. When I had dressed myself I expected to be called to supper, but, to my amazement, I waited until near one o'clock, when a servant came to summon me. I found in the dining-room a long table laid out and covered with meat of several kinds, and in quantity sufficient for twenty persons; to this feast the colonel, his chaplain, another person, and myself sat down; when I had tasted until I was quite tired, to my utter dismay another course came on, equally profuse of fowls, pastry, &c. &c. and when this was removed, I had yet a third to go through of at least ten different kinds of sweatmeats. The supper could not have been better cooked or handsomer, if it had been prepared at Recife, and even an English epicure might have found much to please his palate. I was not able to retire to rest until near three o'clock; my bed was most excellent, and I enjoyed it still more from not expecting to find one. In the morning, the colonel would not allow me to leave his house, until I had breaktasted; tea, coffee, and cakes were brought in, all of which were very good. He then took me to see his horses, and pressed me much to leave my own, and take one of his for my journey, that mine might be in good condition on my return, and he also urged me to leave my pack-horses, and take some of his; but as mine were still all in working order, I declined accepting his offer. These circumstances are mentioned to show the frankness with which strangers are treated. I could not get away before ten o'clock, and therefore only advanced two leagues to dinner; I stopped by the side of a rivulet under some trees, upon a most beautiful spot."

The city of Natal is situated upon the banks of the Rio Grande, or Potengi:—

"A foreigner, who might chance to land first at this place, on his arrival upon the coast of Brazil, would form a very poor opinion of the state of the population of the country; for, if places like this are called cities, what must the towns and villages be; but such a judgment would not prove correct, for many villages, even of Brazil, surpass this city; the rank must have been given to it, not from what it was or is, but from the expectation of what it might be at some future period. The settlement, upon rising ground, rather removed from the river, is properly the city, as the parish church is there; it consists of a square, with houses on each side, having only the ground floor; the churches, of which there are three, the palace, town-hall, and prison. Three streets lead from it, which have also a few houses on each side. No part of the city is paved, although the sand is deep; on this account, indeed, a few of the inhabitants have raised a foot path of bricks before their own houses. The place may contain from six to seven hundred persons.

"I rode immediately to the palace, as I had letters of introduction to the governor, from several of his friends at Pernambuco. He received me in the most cordial manner. He asked me for my passport, which I pro-

duced; it was scarcely opened, and he immediately returned it, saying, that he only did this, that all necessary form might be complied with. He said, that I should stay with him, and he would provide a house for my people. At one o'clock we dined, and one of his aide-de-camps was with us. In the afternoon, we walked down to the lower town. It is situated upon the banks of the river; the houses stand along the southern bank, and there is only the usual width of a street between them and the river. This place may contain from two to three hundred inhabitants, and here live the men of trade of Rio Grande. The bar of the Potengi is very narrow, but is sufficiently deep to admit vessels of one hundred and fifty tons. The northern bank projects considerably, and for this reason it is necessary that a ship should make for it from the southward. The entrance to the reef of rocks, which lies at some distance from the shore, also requires to be known, so that altogether the port is a difficult one.

The river is very safe, when once within the bar; the water is deep, and quite still, and two vessels might swing in its breadth; but it soon becomes shallow, and in the course of a few miles is greatly diminished. I should imagine that six or seven vessels might swing altogether in the harbour. The bars of rivers that are formed, as in this case, of sand, are, however, not to be trusted to, without good pilots, as they soon change their depth, and even their situation. When the tide enters, the northern bank is overflowed about one mile from the mouth of the harbour, and spreads over a considerable extent of ground, which, even during the ebb, is always wet and muddy, but never comes sufficiently deep to prevent passing. The governor was raising a road over this piece of land, and the work was then nearly half finished. The new road would be about one mile in length. The captaincy of Rio Grande is subject to the governor of Pernambuco, and those of Paraiba and Seara were formerly in the same situation, but have of late years been formed into independent provincial governments*."

The few inhabitants of the Sertam are exposed to great sufferings from dry seasons. Leaving Natal, Mr. K. reached the Lagoa Seca, or Dry Lake:—

"We remained at this place during one entire day, and the next morning set off, intending to sleep at a hamlet, called Pai Paulo. We rested at mid-day near to a well, and in the afternoon proceeded. Wells are generally formed in these parts by digging a hole in the ground, to the depth of two or three feet, until the water appears; if a person in the neighbourhood of one of them, who takes water from it, should be nice about these matters, a fence is made round it, but if not, as is oftener the case, the well remains

* It were much to be wished that travellers in Brazil would forego the idle use of the words *governors* and *princes* in their descriptions of that country. The governments, as we have seen above, are either captaincies or captain-generalships.—Rev.

open, and the cattle come down to drink at it. These pits or wells are called *caçimbas*. The grass was burnt up, but still there was plenty of it.

In the afternoon we passed over some stony ground,—it was the first I had met with, and it was very painful to the horses which had come from the sandy soil of Pernambuco; but we soon entered upon a long though narrow plain, bounded by brushwood, over which the road was clear, and the grass burnt up entirely on each side. We overtook a white man on foot, with twelve loaded horses, and a very small poney which carried a saddle; the loads were all alike, each horse carrying two skins or bags of some kind of provisions. I was much surprised at the circumstance of this man having the management of so many horses, because generally, the number of men is nearly equal to that of the beasts. I observed that his horses began to spread upon the plain, and seemed inclined to take to the brushwood; I called to my guide to ride to the right, whilst I did the same to the left, and go in quickly between them and the wood, to prevent the animals from separating. The man thanked me, which brought on further conversation; he asked the guide where we intended to sleep, and was answered, "at Pai Paulo." The wells at Pai Paulo, he told us, were all dried up, and the inhabitants had deserted their houses. What was to be done: he said, that he intended to remain upon a plain two leagues distant from where we then were, that no water was to be had there, but that for our party and himself, his slave would bring a sufficient quantity, who had remained behind to fill a skin at a well which we had passed. There was no alternative; to remain here was impossible, for there was no grass. Therefore I ordered Julio and his companion to let our horses and those of our new friend remain together, and to look to them equally. The slave soon joined us with the water, gave the skin to my guide, and went on to assist Julio, whilst I advanced very slowly, that I might have some more conversation with the owner of the *comboio*, or convoy, which we had thus joined. He was the son of a man of property, who resided upon the banks of the Açu, and possessed several cattle estates in those parts; the old man was a colonel of militia, and he with whom I conversed, was the major of the same regiment. The drought had been so severe with them, that they feared a famine, and he had been sent down to the coast to purchase *farinha* for the family, which the skins contained, with the exception of one load consisting of maize for his horses. After he had purchased his *farinha* he heard of the prohibition of the governor respecting it, and understood that a guard of soldiers was to be sent down to the lake to take it from him; he had, therefore, stolen a march, and that nothing might be suspected, he had left all his people, excepting this one slave, and had even left his cloaths. His saddle horse carried a heavy load, and he set off a day before he had intended; the animal upon which he had placed his saddle was a colt and too young to bear any further weight. Thus was this major, in true Brazilian campaining style, in his shirt and drawers, his *alpargatas* or sandals, upon his feet, his musquet upon his shoulder, his sword by his side, hanging from a belt over one shoulder, and his long knife in his girdle. He was a stout, handsome man, about forty years of age, and where his skin

was not exposed, it was as white as that of a European, but his face, neck, and legs, were of a dark brown colour. This man, who at other times enjoyed all the comforts that his country affords, who was respected for his rank and wealth, was obliged to make this journey absolutely to save the lives of his family. True it is, that he is not to be considered as we should persons of his situation in Europe; like most of these people, he had been from his infancy daily accustomed to what men in a more civilized state would account very great hardships.

"The *alpargatas* are pieces of leather, of a size rather larger than the soles of the feet of the person for whom they are intended. Two loops are fastened in front of each, through which two of the toes are placed; there is a ring of leather round each ancle, through which are drawn and tied two thongs, which proceed from each side of the hinder part. These are the shoes of the Brazilians, who live removed from great and improving towns. Julio was now provided with a pair of them, else I hardly know how he could have proceeded.

"We halted at the place appointed, upon an immense plain; the grass was all gone, and even the hardy trees, the acaju and mangaba, seemed to feel the want of water, for their leaves had begun to fall. The two parties took up their stations under separate clumps of trees; but upon these plains, the trees scarcely ever grow sufficiently near to each other, to enable the traveller to hang his hammock between two of them. The poor horses were taken to a dell at some distance, to try to pick up what they could find, that had escaped the drought and the traveller. Our allowance of water was not large, and therefore we were afraid of eating much salt meat; we did not pass the night comfortably, for the wind rose, and scattered our fires, nor did we sleep much, and at four o'clock the horses were fetched to give to each of them a feed of maize. One of them refused to eat his portion."

The paragraphs below continue this description, and bring us acquainted with the shrubs Pereiro and Yco:—

"The following day, we proceeded again in the same manner. I had by this time fully entered into the custom of smoking early, and as we could never get any thing cooked until twelve o'clock, I found that this prevented any unpleasant sense of hunger. My people could not have any thing to eat early, as it would have caused delay; therefore it would not have been proper for me to show a bad example. I had become very intimate with my friend the major—he learnt from me that we had horses, and cows, and dogs, in England, and he liked me the better for this; at first, he wondered how it happened that I could ride: he thought I must be an apt scholar to have learnt since I had gone over to Brazil. He was also much surprized to hear that we had churches in England, which he had never understood before. He said he should not believe henceforwards that the English were *Pagoens*, heathens. I told him that one chief point upon which our religion differed from his, was in ours not enjoining

us to confess; he thought confession a great annoyance, but he could not doubt its propriety.

"We reached another dirty pool or well of water in the river, which we had again crossed several times. Our resting-place at mid-day afforded no shelter, excepting what could be obtained from one small shrub, which was in full leaf. The leaves or branches of it reached to the ground. I lay down upon the sand, and pushed my head in among them, covering the rest of my body with a hide; this was a hot birth, but better than to be completely exposed to the sun. I was astonished at the appearance of this shrub. There are two kinds of trees in certain parts of the Sertain, which are called Pereiro and Yco; both seem to flourish most when the seasons are the driest, and both are particularly dangerous to horses; that is, as they do no mischief to the wild cattle or wild horses, they may be supposed not to possess any pernicious qualities, if the animals which eat their leaves are not overheated and fatigued; the latter of these plants kills the travellers' beasts, and the former has the effect of appearing to produce intoxication, and sometimes also proves fatal. The major said, that this part of the country abounded in these trees, and consequently our horses were tied to those around us, and to each was given a feed of maize. The plant, of which I have spoken above, was very beautiful, the green of its leaves was bright and healthy, and I afterwards saw many more of them upon this *travesia*, or crossing. I particularly observed them on this track of country, as other plants had lost all appearance of life."

Of the wanderings of animals during those inhospitable seasons, the subjoined is an interesting anecdote:—

"We had often seen cattle about the pools or wells; on this occasion, one miserable cow came down to drink; the Major happened to be near the pool at the time. He looked at the mark she bore, and knew it to be that of the cattle upon his own estates. 'How can this animal,' he exclaimed, 'have strayed so far from its own home?' The want of water had made it stray at least one hundred leagues."

The same day, the travellers overtook a party of Sertanejos, as the inhabitants of the desert are called. They were at the mid-day resting-place, and one of the horses was tottering from having eaten of the Yco. They were trying to give it maize, in the hope of recovering it, that grain being said to have that effect. Mr. K.'s difficulties increased, and his little adventures are not to be read without interest:—

"Towards evening my guide began to try me. I found that there had een some c onversation between him and the two Indians respecting the

journey, and now he sounded me about returning. I told him I had perfectly determined to go on, and that I would most certainly shoot the man who attempted to go back, and that even if he then escaped me, I would follow him until I overtook him. He had not said that he would return, but had hinted at the danger of the undertaking at this season, and that the two lads were afraid of proceeding, but I knew him to be the mover. At night he could not have found his way back, as the only mark of a road that was to be perceived, proceeded from the sand being more worn away, and the banks of the river being broken down at the proper crossings. In fact, the marks were such, that even in the day-time, a man accustomed to this description of road, could alone find it out—therefore I was certain that desertion could only take place in the day-time, which was almost impossible, as I always rode in the rear of the whole party. The guide had no fire-arms of his own; besides he never would have made any attempt to murder me, as he knew how little I slept, and that my pistols were always with me in my hammock; besides, any thing of this sort could only have been done in concert with Julio, who, in the sequel, proved worthy of the greatest confidence. I found more necessity to be on my guard in returning, when John was no longer with me; however, although this man had sufficient courage, he had no watchfulness. The summary manner in which I threatened to treat the guide, can only be justified by the necessity of the case, for had he returned, the two Indians would most probably likewise have deserted me. If a man suffers himself to be trifled with, he cannot possibly succeed under circumstances such as these; however, I made the threat under the conviction of that being sufficient.

"We carried water from the resting-place at mid-day, and, as usual, fixed our quarters at night upon the banks of the river.

"The next day we advanced again exactly in the same manner, but at noon, to our dismay, there was no water; the pool had dried up, but we rested the horses for a short time, notwithstanding this dreadful disappointment. My thirst was great, for I had not drank the night before. We had still some lemons left, which were distributed, and these afforded much relief. In the afternoon, the major told me to follow his example, and put a pebble into my mouth, which was the usual resource of the Sertanejos on these occasions. I did so, and certainly found that it produced considerable moisture. This was a dismal day, and we knew not whether we should be able to reach a well before some of our horses failed. One of those belonging to the major, already ran loose among the others, as he was weak, and his load had been changed to the horse which had carried the maize, the remainder of this being distributed in small portions, that it might be carried by the rest. My horses bore it very well, as those which had been loaded with provisions, were, of course, in part relieved, and the largest load, that of my trunk and case of bottles, was carried by each of them in turn, that the hard work might be equally divided. This day we passed some deserted cottages. Our night was very miserable, for some of the horses refused to finish their feeds of maize; the danger of their failing prevented our thinking so much of our own inconvenience—

my spirits were kept up by the necessity I felt of keeping up those of others. John was not quite well, and this made me uneasy, as it was as much as we could do to carry ourselves; indeed, had any of the party fallen sick, I know not how we should have proceeded.

"The next morning, about nine o'clock, we reached a well, to our great joy, but, fortunately for us, the water was so bad, that we could not drink much; it was, as usual, dirty and brackish, but of the first draught I shall never forget the delight;—when I tried a second, I could not take it, the taste was so very nauseous. On looking round, we saw some goats, Julio went towards them, and then discovered some fowls, proceeded a little farther, and found an inhabited cottage. He came and gave us the joyful intelligence; we determined to remain near to rest, if the people could give us any hopes of food for our horses. I found an elderly woman and her two daughters in the hut; the father was not at home. The old woman seemed quite astonished to hear that we had crossed the Seara-Meirim; she said, she did not know how soon she and her family might be obliged to leave their cottage, as many others had done. She directed the major and my people to a dell at some distance, where dry grass and leaves might, perhaps, still be picked up; she said, that it was the last place which could have any, for travellers did not in general know of it, and she and her husband made a point of not discovering it. But I paved the way, by making her a present of some *farinha*, throwing maize to the fowls, and by pouring in an immense number of *minhas Senhoras*. I had purchased a kid and a fowl, and laid down the money immediately. Persons circumstanced as these were, are sometimes robbed in a most unpardonable manner by travellers, who take advantage of their houses, eat their poultry, and leave them without paying; but considering the entire non-existence of law in these regions, I am only surprized that greater enormities are not committed; however, every man feels it to be his own case, if he has a house and family; he is aware that on going from home, those he may leave are in the same helpless state. These persons and their property were at the mercy of any travellers; if they had been murdered, and the cottage from being deserted began to fall, it would have been supposed that its inhabitants, like many others, had decamped, and no inquiry would be made about the direction they had taken; such is the rambling disposition of the people in general, and the state of this part of the country, at the period of which I speak. They have nothing to make them remain upon one spot, neither comfort nor security."

The barren country of thirty or thirty-two leagues, was at length crossed, but the effects of the drought were still felt, and Mr. K. resolved on commencing his return. We are here introduced to the Fazendas, or cattle estates:—

"We had now reached again the habitations of man; there was still the same burnt-up appearance, but the wells were taken care of, the water

was better, and grass, although it was dry, was still to be had. I intended to accompany the Major part of the way to his home, or the whole, but it was necessary that I should be guided by circumstances,—by the accounts we heard of the state of the country; we advanced in our usual manner, resting more at mid-day, traversing a dead flat, and passing two or three *Fazendas*, or cattle estates, each day, of which the live stock was looking very miserable, and the people half starved.

"After being with the Major four days, since we had left the Seara-Meirim, I saw that it would not be prudent to proceed farther; the accounts from the interior were bad, and we arrived at one estate, of which the cattle were all dying, and the people intending, if there was no rain very soon, to leave their houses. I now judged myself to be distant from the coast not less than two hundred miles. We had advanced northward and westward, and were therefore not far to the southward of Açu, but were to the westward of it. I now resolved to make for it, for my horses might fail, and all the country was in so bad a state, that we might not have found others in a proper condition to go on with us; in fact, as I was not acting from orders, but merely for my own amusement, and as the guide was afraid of proceeding, I did not think I was authorized in persevering; if I had had orders for the purpose, the case would have been altered, and I must have run all hazards. Here, also, desertion was easier in the night, as the country was comparatively inhabited towards Açu.—The difficulty was in advancing, and not in retreating.

"Each cattle estate has a tolerably decent house, in which the owner or herdsman resides, and usually a few smaller habitations are scattered about upon the plain around it. The pens stand near to the principal house, and enable the travellers to distinguish immediately, although at some distance, the site of a *Fazenda*."

In these thinly-peopled regions, the want of religious ministry would be severely felt, were it not for what we are rather surprized to find Mr. K. calling "a strange custom." Where is the essential difference between what is here related and the itinerant preaching and praying of protestant ministers, and the travelling priests of all persuasions?

"I heard of a strange custom existing in these parts of the country that are so thinly inhabited, which arises from this state of things. Certain priests obtain a licence from the bishop (of Pernambuco,) and travel through these regions with a small altar constructed for the purpose; of a size to be placed upon one side of a pack-saddle, and they have with them all their apparatus for saying mass. Thus with a horse conveying the necessary paraphernalia, and a boy to drive it, who likewise assists in saying mass, and another horse on which the priest himself rides, and carries his own small portmanteau, these men make, in the course of the year, between one hundred and fifty and two hundred pounds—a large income in Brazil, but hardly earned, if the inconveniences and privations which

they must undergo to obtain it, are taken into consideration. They stop and erect the altar wherever a sufficient number of persons who are willing to pay for the mass is collected. This will sometimes be said for three or four shillings, but at other times, if a rich man takes a fancy to a priest, or has a fit of extreme devotion upon him, he will give eight or ten *mil reis*, (two or three pounds,) and it does happen, that one hundred *mil reis* are received for saying a mass, but this is very rare;—at times an ox or an horse, or two or three, are given. These men have their use in the world; if this custom did not exist, all form of worship would be completely out of the reach of the inhabitants of many districts, or at any rate they would not be able to attend more than once or twice in the year, for it must be remembered, that there is no church within twenty or thirty leagues of some parts; besides, where there is no law, nor real, rational religion, any thing is better than nothing. They christen and marry, and thus preserve these necessary forms of religion, and prevent a total forgetfulness of the established rules of civilized society; a sufficient link is kept up to make any of these people, if they removed into more populous districts, conform to received ideas."

From Aracati to Seara, or *Villa da Fortaleza do Seara Grande*, is thirty leagues, and from Seara to Natal, one hundred and sixty leagues, according to the vague computation of the country. Mr. K. had performed the entire journey in thirty-four days. The number of inhabitants of Seara is estimated at a thousand, or twelve hundred. In this neighbourhood, Mr. K. found three villages of converted Indians. The Indian character, as drawn by this writer, is chiefly remarkable for its agreement with the observations that have been made upon it in all other parts of the continent. The Indian nations, undoubtedly, comprize a diversity of races; but, whether from similarity of situation, or some other cause, their moral features have every where a remarkable uniformity.

Mr. K., on his return, shot an *antelope*, and fell in with one of those birds which nature has made the inhabitant of wide and naked countries. The Emeu, or Emé or Cassowary, (written Ema by Mr. K.) is a species of Ostrich, *(struthio casuaris,)* hitherto described only among the birds of Amboyna and New South Wales. In North America, its place is supplied only by the Turkey. In Europe we have the Bustard:—

"We entered upon a plain, and now for the second time I saw an *ema*, a species of ostrich. Notwithstanding my attempts to prevent them, the dogs set off after it, and, much against my inclination, I was obliged to

wait until their return. The bird ran from them with great rehecity, flapping its wings, but never leaving the ground. The emas outstrip the fleetest horses. The colour of the one which we saw was a dark grey; its height, including the neck, which was very long, was about that of a man on horseback, and it had that appearance at first sight, when at some distance. The Sertanejos say, that when pursued, the ema spurs itself to run the faster; that the spurs, or pointed bones, are placed in the inside of the wings, and that as these are flapped, the bones strike the sides and wound them. I have heard many people say, that when an ema is caught after a hard chace, the sides are found to be bloody. It is possible that this effect may be produced by some cause similar to that by which a pig cuts its own throat in swimming. The eggs of the ema are large, and although the food which they afford is coarse, it is not unpalatable. The feathers are much esteemed."

The author's account of the Sertam, and its inhabitants, the Sertanejos, is very full and entertaining. The administration of justice, in this part of the country, is obstructed, as much, or more, by the remains of feudal manners, by which the laws are set at defiance, as by any negligence or misconduct of the magistrates. A remarkable instance is given in the history of the family of the Feitozas, of which description, we may presume, were the Paulists, or free-booters of St. Paul, so troublesome to the adjacent Spanish territory, and so renowned in the history of Brazil. On reaching his friends at Goiana, Mr. K. found their town in a melancholy state from the scarcity of provisions; one person was said to have died of hunger, and Mr. K. was told by an inhabitant, that several respectable women had been at his house, to beg for flour, and offering to pawn their gold ornaments to procure it. From Goiana Mr. K. rode to Recife, and, eight days after his arrival, found occasion to make a voyage to St. Luiz, on the island of Maranham, a more northerly settlement on the coast. St. Luiz contains twelve thousand souls, or more, of which a great proportion consists in Negroes. It appears, from a statement supplied to Mr. K., that the export of cotton from St. Luiz or Maranham has declined, rather than increased, since the year 1809; but whether this circumstance is to be attributed to the increase of manufactures in the country, we are not enabled to explain. When the first parcel of cotton, ever exported from St. Luiz, was about to be shipped, a petition was presented to the *Camara* by several of the inhabitants, praying that the trade might not be permitted, lest there should be want of

the commodity for internal use. The petition was disregarded; and, for some years, from fifty to seventy thousand bags, of one hundred and eighty pounds each, were exported, chiefly to Great Britain. The exportation for 1814 and 1815 was no more than as follows:—

	Vessels.	*Bags.*
1814—To Great Britain	22	31,205
To other parts	34	14,490
1815—To Great Britain	32	28,539
To other parts	49	22,213

As a port of trade, St. Luiz may be accounted the fourth establishment upon the coast of Brazil, giving place to Rio de Janeiro, Bahia, and Fernambuco. Here, as at the place last mentioned, all the wild Indians are called *Tapuyas*, and all the converted ones *Caboclos*. The Tapuyas, who were described to Mr. K. as of a darker complexion than the Caboclos, with excessively ugly features, and black hair, preposterously long both before and behind, have occasionally crossed from the main land to the island of Maranham, and committed depredations. No pains is taken, as our author suspects, to conciliate these people.

In the spring of 1810, Mr. K. returned to England; but, on the coming on of winter, was advised to revisit Brazil, the motive of health dictating the second voyage, as it had done the first. In the description of the fresh visit, as in that of the original one, many traits of manners, as well as other topics of information present themselves, of which we are unable to take notice. Brazil, we may briefly observe, is described by our author as a country still "literally covered with woods." Its population, as we learn from a previous writer (Mr. Mawe), is estimated at three millions eight hundred thousand souls.

Mr. H. concludes his work with six consecutive chapters, in which he severally treats of the culture of Sugar and Cotton in that part of Brazil with which he is acquainted; on "The Free Population;" on "Slavery;" on the "Impolicy of the Slave Trade;" and on the merits of the Treaties between Great Britain and Portugal, signed at Rio de Janeiro in 1810; adding to the whole an Appendix, which contains accounts of some vegetable productions of Brazil.

The subject of Slavery has engaged much of the attention of Mr. K. He was, for a short time, the possessor of a plantation, and the

owner of slaves, in Pernambuco. Beside the dissertation on Slavery, which has just been mentioned as occupying one of the chapters of Mr. K.'s Travels, the author has subsequently written and published an Essay on the Amelioration of Slavery, the title of which appears at the head of this article. Of our author's views upon these points we shall give some account; and the length at which we foresee that we must speak of them, will forbid us from entering upon the other topics to which we are invited.

Mr. K. concludes his chapter on Slavery with the remark, that it will be seen, from the statement he has made, that the slaves of those parts of Brazil which he had opportunities of seeing, are more favourably situated than those of the West India, or, as, yielding to an idle innovation, he expresses himself, "the Columbian islands." By other passages, the inadvertent reader might be led to suppose the author to intend some favourable difference, on the side of Brazil, in the conduct of masters, or in the labour or treatment of the slaves; a conclusion which, upon the whole, does not appear to us to be intended by Mr. K. Speaking, indeed, of the West Indies with a licence of imagination, and of Brazil under the correction of actual acquaintance, Mr. K. is, doubtlessly, as he betrays, disposed to treat the former with little gentleness; and it is, without question, to be regretted, that being in possession of a personal knowledge of the one country, he should have permitted himself to touch, without an equal share of information, upon the other; but the facts communicated by Mr. K. himself are sufficient to convince us, that the condition of the Negro slave under a British master is not so inferior to that of the same description of individual under a Portugueze master, as to appearance, Mr. K. is disposed to believe. The rashness, indeed, of our author, in the manner in which he suffers himself to echo reproaches with the justice or injustice of which he is confessedly unacquainted, would deserve, perhaps, to be censured in harsher terms than we feel disposed to employ; contented as we are to express our wishes, that the same candour with which he has observed what was before him in Brazil, had been extended to what he has heard of the West Indies. "The world," says Mr. K., "has heard so much, and from so many quarters, of the enormities which have been committed by slave-owners in the Colonies with which England has

had any communication, *that no doubts can be entertained of their existence.*" The closeness of this reasoning will not fail to afford amusement to the reader. A few lines further, Mr. K. subjoins, "*I have to say, that in Brazil, too, such instances of barbarity are spoken of: that they do exist; they are, however, of rare occurrence; they are seldom heard of, and are always mentioned with abhorrence.*" We submit to the cooler judgment of Mr. K., whether, had his knowledge of the West Indies been equal to that which he possesses of Brazil, it may not be possible that he would have said the same thing of the one as of the other?

To examine the whole question raised by our author, we shall, in the first place, collect those features of his account of slavery in Brazil which belong to the fairer side. "Slaves, in Brazil," says Mr. K., "have many advantages over their brethren in the British Colonies." Let us hear how far the assertion is supported:—

"The numerous holidays of which the Catholic religion enjoins the observance *, give to the slave many days of rest or time to work for his own profit; *thirty-five* of these, and the Sundays besides, allow him to employ much of his time as he pleases. Few masters are inclined to restrain the right of their slaves to dispose of these days as they think fit, or at any rate *few* dare, *whatever their inclinations may be*, to *brave public opinion* in depriving them of the intervals from work which the law has set apart as their own, that their lives may be rendered less irksome. The time which is thus afforded enables the slave, who is so inclined, to accumulate a sum of money; *however*, this is by law his master's property, from the incapability under which a slave labours of possessing any thing which he can by right call his own. *But I believe* there is no instance on record in which a master attempted to deprive his slave of these hard-earned gains. *The slave can oblige his master to manumit him*, on tendering to him the sum for which he was first purchased, or the price for which he might be sold, if that price is higher than what the slave was worth at the time he was first bought †. This regulation, *like every one*

* "A Portugueze writer says, 'When permission was given in Portugal to work upon several of the holidays, the same was not extended to Brazil from a principle of humanity, that the slaves might not be deprived of any of their days of rest.'—Correio Brazilliense, for December, 1815, p. 798."

† "In the island of Grenada "every manumission is by an act of the island, charged with a fine of one hundred pounds currency;' it is said that this law has neither operated as a productive fund nor as a prohibition ‡.'—Edwards' History of the West Indies, vol. i, p. 380.

"At Surinam, says another writer, '*Si un maître voulait affranchir son es-*

‡ Mr. K., like so many others, needs information respecting the nature and

that is framed in favour of slaves, is liable to be evaded, and the master sometimes does refuse to manumit a valuable slave; and no appeal is made by the sufferer, owing to the state of law in that country, which renders it *almost impossible for the slave to gain a hearing;* and likewise this acquiescence in the injustice of the master proceeds from the dread, that if he was not to succeed he would be punished, and that his life might be rendered more miserable than it was before*. *Consequently a great deal depends upon the inclinations of the master*, who will, however, be very careful in refusing to manumit, owing to the well-known opinion of every priest in favour of this regulation, *to the feelings of the individuals of his own class in society*, and to *those of the lower orders of people*, and likewise he will be afraid of losing his slave; he may escape with his money, and the master will then run much risk of never seeing him again, parti-

clave, outre la perte qu'il fesait de son negre, il étoit encore obligé d'acheter fort cher des lettres de franchise, sans lesquelles aucun noir ne pouvait être instruit dans la religion Chrétienne, ni baptisé.'—Voyage a la Guiana et a Cayenne en 1789, et années suivantes, p. 224.

" Bolingbroke says, 'It is by no means an uncommon thing in these colonies for Negroes, when they have accumulated a sufficiency, to purchase their freedom; and I have known many instances of Negroes who paid their owners a proportion of the purchase-money, and were allowed, after emancipation, to work out the balance.'—Voyage to the Demerary, &c. p. 65.

" I give this statement, and should be happy to transcribe any other, with which I might meet in the course of reading, of the same tenor; but it must be recollected that the 'Voyage to the Demerary' is decidedly written in favour of the slave trade and of slavery."

* " The owner of a sugar plantation, with whose sons I was well acquainted, possessed a slave, who had the management of the sugar boiling house during crop time, and who was accounted, by all all who knew him and understood the business, to be a most excellent workman. This man accumulated a sum of money, which he offered to his master for his freedom, but it was not accepted; and although the slave made great interest with persons of consideration in the country, he could not accomplish his end. His master loaded him with irons, and he was made to work in this state. He did not obtain his liberty till after his master's death, when the widow received his money, and manumitted him. His trade of sugar-boiler renders him large profits yearly, and this injured man now lives in ease and comfort. *This instance of refusal, and some others of which I have heard, would make me doubtful of the foundation upon which the custom of manumitting is placed, if I did not know how easily the laws relating to many other important points are evaded through the influence of wealth and power. I did not see a copy of the law or regulation on the subject*, but I never met with any one who made a doubt of its existence. I never met with any one who doubted that the slave had a right to appeal, if he thought proper; *whether he would be heard or not was another question.*"

the object of restraints upon manumission; an act which is capable of being made the most injurious to the slave and to society, as we shall presently see, on the authority of Mr. K. himself, and as occurring in Brazil.

cularly if the individual is a creole slave. In general, therefore, no doubts are urged, when application is made for manumission by a slave to his master; who is indeed oftentimes prepared for it by the habits of industry and regularity of his slave, and by common report among the other slaves and free persons upon the estate, that the individual in question is scraping together a sum of money for this purpose. The master might indeed deprive the slave of the fruits of his own labour, but this is *never thought of, because* the slave preserves his money in a secret place, or has entrusted it to some person upon whom he can depend, and would suffer any punishment rather than disclose the spot in which his wealth lies concealed. A still more forcible reason than any other, for the forbearance of the master, is to be found in the dread of acting against *public opinion*, in *the shame which would follow the commission of such an act*; and perhaps *the natural goodness which exists in almost every human being*, would make him shun such gross injustice, would make him avoid such a deed of baseness.

"*A slave is often permitted, by his owner, to seek a master more to his liking*; for this purpose a note is given, declaring that the bearer has leave to enter into the service of any one, upon the price which the master demands being paid by the purchaser. With this the slave applies to any individual of property whom he may wish to serve; owing to having heard a good report of his character towards his slaves, or from any other cause. This is a frequent practice, and at least admits the possibility of escape from a severe state of bondage to one that is less irksome.

"*A considerable number of slaves are* manumitted at the death of their masters, and indeed some persons of large property fail not to set at liberty a few of them during their own life-time. A deed of manumission, however simply it may be drawn out, cannot be set aside; a register of these papers is preserved at the office of every notary-public, by which any distress which might be occasioned by the loss of the originals is provided against, for the copy of course holds good in law. A slave who has brought into the world, and has reared *ten* children, *ought* to be free, for so the law ordains; *but this regulation is generally evaded*; and besides, *the number of children is too great for many women to be enabled to be benefited by it* *. The price of a new-born child is 5*l.* (20,000 *milreis*,) and the master is obliged to manumit the infant at the baptismal font, on the sum being presented. In this manner a considerable number of persons are set at liberty, for the smallness of the price enables many freemen who have had connections with female slaves to manumit their offspring; and instances occur of the sponsors performing this most laudable act. Not unfrequently female slaves apply to persons of considera-

* "The following circumstances occurred under my own observation:—A negress had brought into the world ten children, and had reared nine of them. These remained to work for their owners; the woman claimed her freedom, for the tenth child did not die until it had arrived at an age when it did not require any farther care from her; but it was refused."

tion to become sponsors to their children, in the hopes that the pride of these will be too great to allow of their god-child remaining in slavery. Thus by their own exertions, by the favour of their masters, and by other means, the individuals who gain their freedom annually are very numerous.

"*The comforts of slaves in different situations are widely disproportionate;* whilst some are doomed to an existence of excessive toil and misery, from the nature of their occupations and the characters of their masters, others lead a comparatively easy life.

"Masters are punished by the payment of fines, for cruelty to their slaves, if any account of such behaviour should reach the ear of the Ouvidor of the province; but I never heard of punishment having been carried further than this trifling manner of correction. The emoluments which proceed from this mode of chastising the offenders weigh heavily in its favour; the injury which the slave has received is not, I am afraid, the only cause which urges the exaction of the stipulated penalty; of this the slave does not receive any part."

We have printed in Italics those words and phrases of the author, which, joined to the concessions that proceed from his candour, appear to us to afford an useful commentary on his text; and we shall now take specific notice of some of the propositions advanced.

The object of the writer is to show, that "slaves in Brazil have many advantages over their brethren in the British Colonies;" and we are to see in what manner this assertion is supported.

1. It appears, that slaves in Brazil, have *thirty-five* Catholic holidays, exclusive of Sundays, as days of rest, or time to work for their own profit. In Jamaica, and generally in the other British Colonies, the slaves are allowed *twenty-six* Saturdays (one Saturday in every fortnight) exclusive of Sundays, and holidays at Christmas, Easter, and Whitsuntide, one day each; so that, under this head, a difference of *six* holidays in the year might seem all that is to be found in favour of the slaves in Brazil.

2. In Brazil, some masters, as must be inferred from the observation, interfere with the right of the slaves to dispose of these days as they think fit. Any property which the slave can accumulate by his earnings on his holidays, is, by law, the property of the master; and the Brazilian masters are doubtlessly under great obligations to Mr. K., who has made the discovery, that the slave's privation of that property is *never thought of* by those persons, (1.) "*because* the slave preserves his money in a secret place;" or (2.) "*because* he has entrusted it to some person on whom he can depend," &c. That is, the master *never thinks of*

taking it away, because the slave uses every human precaution to keep it out of his reach!

3. In Brazil, "the slave can oblige his master to manumit him." This important particular, though here stated in a positive form, is, in a note in the succeeding page, represented as doubtful. Mr. K. has never seen "a copy of the law or regulation on the subject," and, but for a vague understanding which he has found prevailing, the facts with which he is acquainted would make him doubtful of its existence. For any thing, therefore, that Mr. K. is enabled to state, it is not true that in Brazil, any more than in the British Colonies, "the slave can oblige his master to manumit him." Only one of two things is ascertained by Mr. K.; namely, that either there is no such law, or that if there is such a law, it is violated, and yields no benefit to the slave; "it being almost impossible," in Brazil, "for a slave to obtain a hearing." Whether Mr. K. intends to intimate, unacquainted as he is with the British Colonies, that law is of as little or less authority in the British Colonies than in Brazil, and that in the British Colonies it is equally or more "impossible for a slave to obtain a hearing," we are not sure; but of the rashness and culpable carelessness with which Mr. K. can treat of the character and conduct of his fellow-subjects, we may judge from the vagueness of his terms in what belongs to his favourite Brazilians. Mr. K. is not sure that compulsory manumission is any part of the law of Brazil; and yet he does not hesitate to attribute the refusal of manumission, and the forbearance of appeal, to the "state of the law," meaning "of the administration of the law." But Mr. K. superadds, that in Brazil, "every regulation framed in favour of slaves is occasionally evaded;" that one reason, why the slave acquiesces in the refusal of manumission, is the rigorous treatment he expects from his master, in case of his persistance; and that "a great deal depends upon the inclinations of the master." So much for a part of what Mr. K. advances, as to the advantages of slaves in Brazil over their brethren in the British Colonies.

4. In Brazil, "a slave is often permitted by his owner to seek a master more to his liking, &c. &c." In the British Colonies, the same indulgence is usually granted.

5. In Brazil, "*a considerable number of slaves are manumitted*

at the death of their masters, and indeed some persons of large property fail not to set at liberty a few of them during their own life-time." By these words, as we apprehend, the author means no more, than that many slaves, in Brazil, acquire their freedom through the bequest of their owners, as well as by free gift during their owners' life-time; occurrences which Mr. K., upon inquiry, will probably find to be not unknown in the British Colonies. Of the peculiar footing, however, upon which manumission is placed in Brazil, we shall presently speak more expressly.

6. In Brazil, "a deed of manumission, however simply drawn out, cannot be set aside; a register of these papers is preserved at the office of every notary-public, &c." Is Mr. K. persuaded that the liberty of a manumitted slave is less secure in the British Colonies? The true foundations of any really superior facilities of manumission in Brazil, are however, as just intimated, to be more distinctly pointed out.

7. In Brazil, "a slave, who has brought into the world, and has reared, *ten* children, ought to be free, for so the law ordains; but *this regulation is generally evaded;* and, besides, *the number of children is too great* for many women to be benefitted by it." This statement is made with candour, and adds nothing to the list of "advantages of the slaves of Brazil, over their brethren in the British Colonies." In Jamaica, a slave, who has *six* children living, is not made free, but exempted from labour; and it will appear probable, even to Mr. K. that more women are likely to be benefited by this latter regulation than by the former.

8. "In Brazil, masters are punished," says Mr. K. "by the payment of fines, for cruelty to their slaves, *if* any account of such behaviour should reach the ear of the *Ouvidor* of the province; but I never heard of punishment having been carried further than this trifling manner of correction. *The emoluments* which proceed from this mode of chastising the offenders *weigh heavily* in its favour; *the injury which the slave has received* is *not, I am afraid, the only cause* which urges the exaction of the stipulated penalty; of this the slave does not receive any part."

In Jamaica, persons who wantonly or cruelly whip, maltreat, beat, bruise, or wound any slave, or imprison or confine him without support, may be indicted in the Supreme Court of judicature,

and fined or imprisoned, or both, as the court may think proper; and no slave, under a penalty not less than ten pounds, and not exceeding twenty, is to receive more than ten lashes at one time, and for one offence, unless in the presence of proper persons, nor more than thirty-nine lashes in any case. Justices, receiving "any complaint or *probable intelligence*, from any *slave* or otherwise, that any slave is mutilated, or confined without sufficient support," are "empowered and required" to issue their warrants "to any constable, ordering him immediately to proceed to the place where such slave is confined, and to release such slave and bring him before such justice," who, on view of the fact, is to "send such slave to the work-house, for protection, there to be kept, but not worked, until inquiry shall be made, according to law." Persons who murder slaves are to suffer death. Persons mutilating or dismembering slaves, or consenting thereto, are to be punished by fine not exceeding one hundred pounds, and imprisonment not exceeding twelve months; this punishment is without prejudice to any action brought at common law, for the recovery of damages; and, in very atrocious cases, the court, in case it shall think it necessary for the future protection of the slave, is to declare the freedom of such slave, to order the penalty of one hundred pounds to be paid into the vestry, to the use of the parish to which the slave belongs, and which parish, in consideration of that payment, shall thereafter allow, to the slave so made free, the sum of ten pounds per annum for his support and maintenance during life. Slaves suffering mutilations may present themselves to the vestries, which, upon such presentation, becomes *de facto*, and by the provision of the law, a "council of protection of such slave," and is to make further and full inquiry, to send the slave to the work-house for support and protection, to sue the owner for costs, &c." The superiority of these provisions against cruelty to slaves, as compared by those described by Mr. K. as established in Brazil, are obvious to every reader. The punishments are infinitely more serious; the slave has a public appeal; every fellow slave may carry *probable intelligence* to a public meeting, and the avarice of an *Ouvidor* is neither tempted to oppress the planter through malice, nor for the sake of gain by prosecution, nor to wink at misconduct from favour, or for the sake of gain by silence.

9. In Brazil, "iron collars, chains, and other punishments of the same description, are made use of." In Jamaica, "a mischievous practice has sometimes prevailed, of punishing ill-disposed slaves, and such as are apt to abscond from their masters, by fixing round the neck of such slave an iron collar, with projecting bars or hooks, to prevent the future desertion of such slaves;" and "such practice is declared to be utterly unlawful, and that no person shall, on any pretence whatsoever, punish any negro or other slave, by fixing an iron *or other* collar round the neck of such slave, or by loading the body or limbs of such slave, *for any offence whatsoever*, with chains, irons, or weights of any kind, other than *a light collar, without hooks*, to indicate that such slave is an incorrigible runaway, under a penalty of not less than five pounds, nor exceeding fifty*."

10. In Brazil, "the price of a new-born child is *5l.* (20,000 *milreis*,) and the master is *obliged* to manumit the infant at the baptismal font, on the sum being presented." In the British colonies, "the price of a new-born child is stated by Mr. Edwards, in 1790, at *5l.* Whether, in Brazil, the master is *obliged* to accept this sum, &c. Mr. K. is evidently unable possitively to inform us.

11. In Brazil, "The comforts of slaves in different situations are widely disproportionate; while some are doomed to an existence of excessive toil and misery, from the nature of their occupations, and the characters of their masters, others lead a comparatively easy life." Would the British Colonies, in Mr. K.'s opinion, furnish, to one locally acquainted with them, a view less favourable than this which is sketched for Brazil? Of the conduct of the owners of slaves in the latter country, his work presents us with descriptions, the colours of which he can hardly think would want deepening, to pourtray the planters of those British Colonies whom he attempts to make odious by the comparison.

"Some planters follow the system of performing certain kinds of work during the early part of the night, besides making the Negroes work for the full usual time during the day;—for instance, the whole of the labour

* This and the foregoing quotations are from the laws of Jamaica, reduced into one act, under the title of the Consolidated Slave Act, in the year 1792, and re-enacted, with amendments, under the title of an Act for the Protection, &c. of Slaves, in 1809.

of making the mandioc flour, preparing with the feet the clay for making bricks and earthen ware, also building mud walls; besides removing bricks, fire-wood, and so forth, from one place to another. This extra work is called *quingingoo*. I even knew of one instance in which the field labour was continued until twelve o'clock at night, by the light of large fires which had been kindled in several parts of the ground. For this manner of proceeding there was no reason, excepting that it was the master's pleasure so to act; for the season was favourable, and not so far advanced to have continued the work in the usual manner, and yet have accomplished the planting of the field in proper time. Of cruelty I could say much; but I have gone far enough, and must not enter into any further details on this part of my subject."

So, also, in speaking of the manners of the slaves, he gives us a feature of the conduct of Brazilian masters and mistresses which we suppose he is not yet prepared to ascribe to those of the British Colonies:—

"In towns, there is more licentiousness among the Negroes, as there is among all classes of men. The base, the abominable practice of some masters and mistresses, and of the latter oftener than the former, increases the bias which these miserable, these uneducated beings must be expected to have toward licentiousness. Females have been punished because they have not increased the number of their owner's slaves. This is a fact; but it is almost too much to believe. On which side does the extreme of depravity lie?"

12. The comparison, or rather the contrast which Mr. K. attempts to institute, is sometimes equally unfortunate, we suspect, when he presents us with Brazilian virtues of which he appears to think that the practice is not elsewhere to be found. Dr. Johnson pronounced Goldsmith unqualified to travel, as the latter had proposed, in search of mechanic inventions, and said, "Sir, if he meets with a grinding-barrow, he will bring it home as a curiosity." An equal novice, we should think, is Mr. K. who, at p. 427, mentions, doubtlessly to the credit of Brazil, "an old slave who had been invariably well treated, because he had never deserved punishment." Nearly of the same description are some parts of the account of the favourable treatment experienced by the slaves of the monastery of St. Bento:—

"The provision grounds are never interfered with by the monks; and when a Negro dies, or obtains his freedom, he is permitted to bequeath

his plot of land to any of his companions whom he may please to favour in this manner. The superannuated slaves are carefully provided with food and clothing."

Mr. K. cannot be uninformed that this picture would suit the British Colonies as well as Brazil. In the following extract from the History of the British West Indies, we have a luminous commentary on many of the topics introduced by Mr. K.;—as, the *property* of slaves—the *time* allowed to themselves—the *provision-grounds*, &c. "In Jamaica," says Mr. Edwards, "the Negroes are allowed one day in a fortnight, except in time of crop, besides Sundays and holidays, for cultivating their grounds, and carrying their provisions to market. Some of them find time, on these days, besides raising provisions, to make a few coarse manufactures, such as mats for beds, bark ropes of a strong and durable texture, wicker chairs and baskets, earthen jars, pans, &c. for all which they find a ready sale; but I cannot say much for the elegance of the workmanship. The most industrious of the Negroes do not, I believe, employ more than sixteen hours in a month, in the cultivation of their provision gardens, (leaving all further care of them to the beneficence of nature,) and in favourable seasons this is sufficient*. Sunday is the day of market; and it is won-

* According to some passages in Mr. K.'s two works, (for the statements are not uniform,) the slaves are allowed, in Brazil, the Saturdays of every week, besides the Sundays, and the thirty-five holidays of the Roman Church; and Mr. K. takes occasion, both in his quarto and his pamphlet, to declare, that even the whole twenty-six Saturdays are not sufficient to provide for the remaining days of the week, unless the gains of the slaves, on Sundays and holidays are added; but the facts stated by Mr. Edwards, in the text above, seem to be decisive as to the sufficiency of time. Another fact, also stated by Mr. Edwards, and rather insisted upon than disputed, is also confirmatory of the abundance of food which is at least not uncommon among the slaves. "It is reckoned," says Mr. Edwards, "in Jamaica, on a moderate computation, that not less than ten thousand of such as are called head negroes (artificers and others) possess from two to four wives." Now, this practice of polygamy, however to be lamented under other aspects, is no sign of poverty. Mr. K. is indignant, even to a loss of temper, with the Assembly of Jamaica, for its statements of the facility with which vegetable food is raised in the tropical climates; but the best answer is contained in the statement above, by Mr. Edwards, and we may even refer Mr. K. to a passage in his own Travels, for a representation which helps to give probability to what is advanced, both by the Historian of the West Indies and the Assembly of Jamaica:

derful what numbers are there seen, hastening from all parts of the country, towards the towns and shipping-places, laden with fruits and vegetables, pigs, goats, and poultry, their own property. In Jamaica, it is supposed that upward of ten thousand assemble every Sunday morning in the market of Kingston, where they barter their provisions, &c. for salted beef and pork, or fine linen and ornaments for their wives and children. I do not believe that an instance can be produced of a master's interfering with his negroes in their peculium thus acquired. They are permitted, also, to dispose of what little property they possess; and even to bequeath their grounds or gardens to such of their fellow-slaves as they think proper. These principles are so well established, that whenever it is found convenient for the owner to exchange the Negro-grounds for other lands, the Negroes must be satisfied in money or otherwise, before the exchange takes place. It is universally the practice *."

But Mr. K., though he would persuade us that the laws regulating the condition of slaves are more favourable to their condition in Brazil than in the British Colonies, yet repeatedly acknowledges the frequent nullity of the effect of the laws, and continually declares to us, that after all, the slave's best security, in Brazil, is in "public opinion;" in the "known opinion of every priest;" in the "feelings of the individuals" of the master's "own class in society," and in "those of the lower orders of people;" in "the shame which would follow the commission" of a bad ac-

"The rapidity of vegetation in Brazil is astonishing. Rain in the evening, upon a good soil, will, by sun-rise, have given a greenish tinge to the earth, which is increased, if the rain continues, on the second day, to sprouts of grass of an inch in length; and these, on the third day, are sufficiently long to be picked up by the half-starved cattle." *Travels*, p. 132. Mr. K. however argues the insufficiency of the time allowed to the slaves, from what he asserts to be the known fact in Brazil. Are we to conjecture that the slave has less land, or is otherwise less favourably circumstanced in Brazil than in the British Colonies? Mr. Edwards has a further statement as follows. After observing, that in the large island of Jamaica, the slaves are seldom either stinted in quantity of land, or confined as to situation, he adds, "In fact, if the owner's territory is sufficiently extensive, the Negroes make it a practice to enlarge their own grounds, or exchange them for fresh land, every year. By these means, having quicker and better returns, *they raise provisions in abundance, not only for their own use, but also a great surplus to sell*."

* History of the West Indies, book iv, c. 5.

tion on the part of a master, and "perhaps the natural goodness which exists in almost every human being." These admissions are not uninteresting, as to the question of comparative happiness as of the slaves in Brazil and the British Colonies. When, in answer to the aspersions so liberally and unceasingly thrown upon the latter, their laws in behalf of the slaves are produced, an answer is attempted to be given, by denying that the laws are executed. But, in Brazil, "every regulation in favour of the slaves is evaded," and it is "almost impossible for a slave to obtain a hearing." And what follows?—Why, that after all, the slave has a security in "public opinion," in the "shame" which would follow the misconduct of a master, and "in the natural goodness which exists in almost every human being." Now, if it were true that the laws in the British Colonies, in favour of slaves, were a dead letter; if the structure of the laws, and if the spirit of British administration of laws, left it in our power to believe that they were as little executed as the laws of Brazil, would it be easy to get rid of the conclusion, that the slaves in the British Colonies have (at the least) as good a security as those of Brazil, in "public opinion," in the "shame" which attends misconduct, and in the "natural goodness which exists in almost every human being?" or, is it expected of us to sit down in the persuasion, that it is among Englishmen, among men possessed of a British education, and nurtured under British laws and liberty and humanity, that "public opinion" is in no hostility to oppression, and that the "natural goodness which exists in *almost* every human being," is a treasure not to be found? There is sometimes a morbid liberality, which looks for virtue every where but at home, and teaches us to discover good qualities in all men, except those of our own kindred and neighbourhood and nation. We must never cease to repeat, that Mr. K. has rashly permitted himself, to mingle the facts and reasonings which rest on his personal knowledge and observation in the one country, with those of which he has no personal knowledge in another. Standing, we say, on the 'vantage-ground of personal observation, as to what relates to Brazil, we are surprized that he should have allowed himself to descend from it, and depend for his information upon others, as to what relates to the West Indies. That he has lived in the Portugueze Colonies, and has not lived in the British; that in re-

spect of the one, his imagination has had an opportunity of receiving correction from the evidence of his senses, and that in the other it has not, are circumstances which are not to be overlooked, while we listen to any part of the testimony which he offers, that "slaves in Brazil have many advantages over their brethren in the British Colonies."

We might go much more into detail in our examination of the statements and reasonings of Mr. K.; but we have exhibited the spirit, both of his animadversions and of the answers of which they are susceptible, and shall confine the remainder of our remarks to the three heads under which alone we are able to discover any thing entitled to serious attention, and where any real superiority of condition, in the slaves of Brazil, as compared with those of the British Colonies, is to be found. Of Mr. K.'s pamphlet on the "Amelioration of Slavery," it may be sufficient to observe, in this place, that it chiefly purports to recommend, for application to the British Colonies, those observances which the author reports to be in use in Brazil.

The three heads, then, to which we purpose to reduce the more weighty part of Mr. K.'s representations and suggestions, comprehend, 1. Marriage; 2. Religion; and, 3. Compulsory manumission; and these we shall severally discuss, though in a reversed order to that in which we have now placed them.

1. Compulsory manumission is the favourite plan of Mr. K., and it is to be confessed that its adoption would change the whole face of slavery. It would put the African slave almost upon the same footing with the European emigrant to the United States, who, under the barbarous name of *redemptioner*, becomes an indentured servant, for a term of years, in order to be *redeemed* from the consequences of his debt, contracted for the passage. But the subject of this compulsory manumission is more grave and more complex than Mr. K. appears to think. He tells us, in his Travels, first, that the master is obliged to manumit his slave, upon being presented with the amount of his purchase-money, or with that of the value of the slave at the time of the manumission. Subsequently, however, he confesses, that he has no real acquaintance with any Brazilian law to that effect, and that from circumstances within his knowledge, nothing but the statements

he has heard respecting such a law, would make him believe that it exists. Without ascertaining the truth upon this head, Mr. K. continually assumes its existence, and then proceeds, both in his Travels and in his pamphlet, to call for the imposition of such a law upon the British Colonies. For ourselves, we suspect that Mr. K. will find, upon more careful inquiry, that no such law exists in Brazil; and that the only foundation upon which the matter rests, is the prevalence of public sentiment in favour of manumission. The grounds of that sentiment it may be worth while to examine, in order to see how far they are of a kind to be applicable to the British Colonies. Theorists are continually satisfied to stop at abstract views, without reflecting on the influence, perpetually operating in human affairs, of a greater or less number of local circumstances.

The injustice of holding a proprietor under a perpetual obligation to part with his property, whenever called upon, at its original cost, or even at its current price, is so glaring that we ought to wonder how it can have escaped the reflections of Mr. K. We know, that in particular cases, and under the authority of express laws, a compulsory alienation of property is ordained; as, where a road or a canal is to be carried through a landholder's estate; and we know the frequency of the examples in which such laws, enacted for the benefit of the community, inflict the severest private hardship. But let the question be put generally, that every man shall be compellable to part with whatever he possesses, the moment that the original cost, or the actual market price, is tendered to him, and who does not see the gross violation of the rights of property which such a system creates? Does the original cost, or actual market price of any commodity or possession necessarily constitute the whole amount of its value to the possessor; or is not the ordinary fact directly opposite? And has not every proprietor a right to attach even an arbitrary or fanciful value to his property?

We believe, then, that the manumission spoken of by Mr. K. has no foundation in the law of Brazil; but we purpose to show, that if it had, there would still be a wide difference, as to the justice and policy of such a law in Brazil and the British Colonies. As to the difference in the justice of the law, it is to be remarked, that *the Slave Trade still exists in Brazil.* It follows, that supposing

the existence of the law, first, the master purchases the slave with the previous knowledge of the terms upon which he lays out his money; and secondly, that upon being obliged to manumit his old slave, there is always a market in which he can purchase a new one. Then, as to the public sentiment in favour of such manumission, let it be remembered, that this same sentiment is coupled with the continuance of the trade. The clergy, whom Mr. K. describes as unanimous in favour of manumission, are also unanimous, as admitted by Mr. K. in favour of the continuance of the Slave Trade. The truth is, that in their religious view, the trade and the manumission are alike works of mercy. In the prosecution of the trade, as we shall presently more distinctly observe, they see the means of bringing the heathen to Christianity. In manumission, they see Christians made free men. We must not separate the manumission of Brazil from the continuance of the Slave Trade in the same country, nor omit to remark how the one, even in a private view, bears upon the other.

But it is still more as a question of state policy that we should examine manumission, both in Brazil and in the British Colonies; and here we shall probably find, that as the circumstances of the two countries are very opposite, so their policy ought to be opposite also. Brazil possesses an enlightened and ambitious government, and its geographical condition is such, that if the law supposed by Mr. K. does not in reality exist, its existence might be recommended, provided always that it were joined to a continuance of the Slave Trade, and that it were made inapplicable to any slaves but those to be imported subsequently to the date of the law. In the actual state of things, and believing, as we do, that no such law has ever existed in Brazil, it is still easy to discern that the policy of the state directs the utmost encouragement to manumission; a policy which, at the same time, is the last which is to be adopted by Great Britain.

We may cite, from the volume of Mr. K. himself, those views of the situation of Brazil which dictate the policy to which we allude. "The insufficiency of the population of Portugal," says our author, "to the almost unbounded plans of the rulers of the kingdom, has, in all probability, saved her South American possessions from the dreadful contests which are to be apprehended in

the neighbouring Spanish Colonies, between the creole white inhabitants and those of colour *." "In the Portugueze South American dominions, circumstances have directed that there should be no division of casts. That this was not intended by the mother country, but was rather submitted to from necessity, is to be discovered in some few regulations, which plainly show, that if Portugal could have preserved the superiority of the whites, she would, as well as her neighbours, have established laws for this purpose. *The rulers of Brazil wished to colonize to an unlimited extent; but their country did not possess a population sufficiently numerous for their magnificent plans*†." Here, we venture to say, is, or ought to be, the foundation of the policy of Brazil, now especially that the country is erected into a kingdom, and become the metropolis of the sovereign. Its population is as scanty as its area is vast, and Portugal is insufficient to supply the defect. Hence the wisdom of every attempt to exalt the rank of the coloured inhabitants—of encouraging the Slave Trade, in order to supply the material of a population, and of encouraging manumission, to give that population freedom and numbers‡. The Slave Trade, viewed, by the clergy of Brazil, as the means of bringing souls into the church, is to be viewed by the prince as bringing subjects into the state. For the interests of the public, there cannot be too large an importation of slaves§, nor

* "The struggle," says Mr. K. "yet rages with exterminating violence between the *descendants of Europeans, born in South America*, and the *natives of Old Spain*; but, when this is at an end, another, equally, if not more destructive, is to be looked for, between *the former* and *their countrymen* of mixed cast.

† Page 385.

‡ "The free population of Brazil," says Mr. K., "at the present time consists of Europeans; Brazilians, that is, white persons born in Brazil; Mulattos, that is, the mixed cast between the Whites and Blacks, and all the varieties into which it can branch; Mamalucos, that is, the mixed casts between the Whites and Indians, and all its varieties; Indians in a domesticated state, who are called generally Caboclos; and those who still remain in a savage state, and are called generally Tapuyas; Negroes born in Brazil, and manumitted Africans; and lastly Mestizos; that is, the mixed cast between the Indians and Negroes.

§ Mr. K. has a chapter, as has been mentioned, on the "impolicy of the Slave Trade," as respecting Brazil, in which the strongest part of his argument rests on the amount of poor free persons already in Brazil, with the value of whose labour the introduction of slaves may be supposed to interfere. But against this inconvenience it should be a foremost part of the policy of the state to provide. While it encourages the ingress of new inhabitants, it should

too numerous manumissions; and manumission may be reconciled to private interests, so long as it is counterbalanced by importation. It ought to be, as, to a great extent, it appears that it is, a matter of indifference to the Brazilian government, what is the colour or extraction of its people*. No scheme can be more grand, and more wise, more in consistence with what philanthropy desires for the advancement of the world, than that of peopling Brazil from among the barbarous nations of Africa, with such additions as the House of Braganza may be able to draw from Portugal. With respect to the British Colonies the question is essentially different. The more the structure of society in the Colonies of the Crown in the West Indies, is assimilated to that of the possessions of the East India Company in the opposite hemisphere,—that is, the smaller their resident free population—the greater their political security. Nothing can be more in unison than that which ought to be the policy of the British government, and that which constitutes the views of the British planters; and nothing, there is little risk in advancing, could be more inconsistent, at once with the interests of the Mother Country, and the rights of the Colonists, than that system of compulsory manumission which Mr. K. so earnestly recommends. For the rest, manumission, as we have before had occasion to remind the reader, is an act which may be performed either from the best or the worst motives:—

take care of the settlement and multiplication of those that are possessed already. These should have the most liberal settlements placed before them, in the boundless waste of unoccupied lands.

* "In Brazil," says Mr. K. "even the trifling regulations which exist against them [the people of colour] are unattended to. A mulatto enters into holy orders, or is appointed a magistrate, *his papers stating him to be a white man, but his appearance plainly denoting the contrary*†. In conversing, on one occasion, with a man of colour who was in my service, I asked him if a certain *Capitam-mor* was not a mulatto-man; he answered, 'he was, but is not now.' I begged him to explain, when he added, 'can a *Capitam-mor* be a mulatto man?' I was intimately acquainted with a priest, whose complexion and hair plainly denoted from whence he drew his origin." In his pamphlet on the Amelioration of Slavery, Mr. K. greatly enlarges his list of men of colour who fill the offices of whites, and rank with them in society.

† Fictions like this compose the sort of gradual changes which are best admitted in society, instead of violent revolutions.

"Miserable objects are at times to be seen in Recife, asking alms in various quarters of the town, aged and diseased; some of these persons have been slaves, and where, from infirmity, they have been rendered useless, their masters have *manumitted* them; and thus, being turned away, to starve, in their old age, or in a crippled state, their only resource is to beg in the public streets."

II. There remain two other subjects for examination, with respect to which our opinions are less at variance, at bottom, with those of Mr. K., than with respect to that which we have just dismissed; but which, nevertheless, appear to us to be embarrassed with more difficulties than Mr. K. permits himself to see: these are, Marriage and Religion. The more general introduction of marriage among the slaves in the British Colonies, and consequent abolition of polygamy, is an object of unqualified merit and importance; and we differ with our author only in our estimate of the amount of the blame which is to be attached to the Colonists for the degree in which it yet remains to be accomplished. Mr. Edwards has said, "It is a truth well known, that the practice of polygamy, which universally prevails in Africa, is also very generally adopted among the Negroes in the West Indies*; and he who conceives that a remedy may be found for this, by introducing among them the laws of marriage, as established in Europe, is utterly ignorant of their manners, propensities, and superstitions." Mr. K. expresses himself vehemently on this passage, and asks whether the real obstacle does not lie in a disregard of the practice on the part of masters. "As long as the work," he adds, "is done, little else is thought of. Where the *interest* of the master," he sarcastically adds, "is concerned, the 'manners, propensities, and superstitions,' will soon be overcome." For ourselves, we cannot avoid believing, that it may be much easier to govern a slave upon those points which immediately concern his master's business, than upon those which, not having that direct connection, he will think that he is entitled to regulate for himself. Doubtlessly the slave (whatever

* We have remarked, in a note above, that the practice of polygamy, among the Negroes in the West Indies, is no proof of their poverty. It is the common remark of travellers in countries where polygamy exists by law, that it is in general an indulgence only claimed by the rich, the poor having but one wife.

his advocates may say for him) does not think himself placed in a situation to which no natural rights remain, and he will unavoidably make a distinction between different commands of his master, acquiescing the most readily in the justice of those in which his master's *interest* is most obvious. Further, we cannot refuse to understand, that the practice of polygamy being universal in Africa, it will be maintained, among the natives of that country, and transmitted to their descendants, in connection with the native manners and religion, and eradicated only with difficulty. In reality, the subject is strictly involved in that which it is to follow, namely, the instruction of the slaves in Christianity; and if there is another resource than that of a *change of religion*, it must consist, not in punishments for the practice of polygamy, but inducements to adopt, upon this subject, the laws of the Whites. We observe that it is stated, in the evidence given before a Committee of the House of Commons on Transportation, that a reluctance to enter into marriage, which had been experienced among the convicts at New South Wales, had, in part, been overcome by the distribution of rewards and concession of advantages to those who marry. An imitation of this practice is certainly within the reach of the masters of slaves in the colonies, and it is certainly consistent with their *interest*. At the same time, in calculating its effect, we are not to forget, that in the English convicts there were no prejudices of education to overcome; to go back to them was the task, comparatively light, which was alone to be performed. In conclusion, it may be proper to add, that in Brazil it is a consequence of the practice of marriage, that neither husband nor wife can be sold separately from the other, the church not allowing "man to put asunder those whom God has joined." The protection does not extend to the children.

III. The religious instruction of the slaves is called for by every consideration of policy and of humanity. Whatever some persons may ignorantly pretend, man is no where without religion; it is one of his natural wants; there is no condition of his existence so rude but he is indulged in it; and, in all, it ministers to his virtues and to his happiness. The African was not without religion, without his gods, his creed, his worship, and his priests, on his own side of the Atlantic; and not the least of the hardships attending

his removal and separation from it, is the absence of those spiritual restraints and consolations which he leaves behind him. Humanity requires that the place of these should be supplied, and every motive dictates that the slave should be taught the religion of his master. But we deceive ourselves if we do not believe that there are difficulties belonging to the reduction of these principles into practice, as regarding the British Colonies. Here, as in the former instance, we must call the reader's attention to *the whole case*, as it exists in Brazil, and beseech him to consider, as before, the natural dependence of the parts. "All slaves, in Brazil," says Mr. K., "follow the religion of their masters;" but, truly! what is that religion? Let us hear the entire statement of Mr. K.

"All slaves in Brazil follow the religion of their masters; and notwithstanding the impure state in which the Christian church exists in that country, still such are the beneficent effects of the Christian religion, that these, its adopted children, are improved by it to an infinite degree; and the slave who attends to the strict observance of religious ceremonies invariably proves to be a good servant. The Africans who are imported from Angola are *baptized in lots* before they leave their own shores, and on their arrival in Brazil they are to learn the doctrines of the church, and the duties of the religion into which they have entered. These bear the mark of the royal crown upon their breasts, which denotes *that they have undergone the ceremony of baptism*, and likewise *that the king's duty has been paid upon them*. The slaves which are imported from other parts of the coast of Africa, arrive in Brazil unbaptized, and before the ceremony of making them Christians can be performed upon them, they must be taught certain prayers, for the acquirement of which one year is allowed to the master, before he is obliged to present the slave at the parish church. This law is not always strictly adhered to as to time, but it is never evaded altogether. The religion of the master teaches him that it would be extremely sinful to allow his slave to remain a heathen; and indeed the Portugueze and Brazilians have too much religious feeling to let them neglect any of the ordinances of their church. The slave himself likewise wishes to be made a Christian, for his fellow-bondmen will in every squabble or trifling disagreement with him, close their string of opprobrious epithets with the name of ** agan* (pagan.) The unbaptized Negro feels that he is considered as an inferior being, and although he may not be aware of the value which the whites place upon baptism, still he knows that the stigma for which he is upbraided will be removed by it; and therefore he is desirous of being made equal to his companions. The Africans who have been long imported, imbibe a Catholic feeling, and appear to forget that they were once in the same situation themselves. The *slaves are not asked whether they will be baptized or not; their entrance into the Catholic church is treated as a thing of course*; and indeed they are not considered as members of

society, but rather as brute animals, until they can lawfully go to mass, confess their sins, and receive the sacrament.

The slaves have their religious brotherhoods as well as the free persons; and the ambition of a slave very generally aims at being admitted into one of these, and at being made one of the officers and directors of the concerns of the brotherhood; even some of the money which the industrious slave is collecting for the purpose of purchasing his freedom will oftentimes be brought out of its concealment for the decoration of a saint, that the donor may become of importance in the society to which he belongs. The Negroes have one invocation of the Virgin, (or I might almost say one virgin) which is peculiarly their own. Our Lady of the Rosary is even sometimes painted with a black face and hands. It is in this manner that the slaves are led to place their attention upon an object in which they soon take an interest, but from which no injury can proceed towards themselves, nor can any through its means be by them inflicted upon their masters. Their ideas are moved from any thought of the customs of their own country, and are guided into a channel of a totally different nature, and completely unconnected with what is practised there. The election of a King of Congo* by the individuals who come from that part of Africa, seems indeed as if it would give them a bias towards the customs of their native soil; but the Brazilian Kings of Congo worship Our Lady of the Rosary, and are dressed in the dress of white men; they and their subjects dance, it is true, after the manner of their country; but to these festivals are admitted African Negroes of other nations, creole blacks, and mulattos, all of whom dance after the same manner; and these dances are now as much the national dances of Brazil as they are of Africa. The Portugueze language is spoken by all the slaves, and their own dialects are allowed to lay dormant until they are by many of them quite forgotten. No compulsion is resorted to to make them embrace the habits of their masters, but their ideas are insensibly led to imitate and adopt them. *The masters at the same time imbibe some of the customs of their slaves*, and thus the superior and his dependant are brought nearer to each other. I doubt not that the system of baptizing the newly-imported Negroes, proceeded rather from the bigotry of the Portugueze in former times than from any political plan; but it has had the most beneficial effects. The slaves are rendered more tractable; besides being better men and women, they become more obedient servants; they are brought under the controul of the priesthood, and even if this was the only additional hold which was gained by their entrance into the church, *it is a great engine of power* which is thus brought into action.

Mr. K., in other parts of his book, denominates the Roman Catholic religion "a religion for slaves;" and without designing

* A jocular ceremony (in which, however, the parish church and the priest and the mass have a share) among the slaves in Brazil, of which the reader may see an account in our author's sixteenth chapter.

to speak irreverently of a system which, with all the list of its enormous vices, has many brilliant, and a still greater number of endearing virtues, we are much disposed to rest the cause upon this phrase. But how many other observations present themselves! What will our Protestant teachers say to this baptism "by lots," and in which the mark of the royal crown on the breast denotes, at once, "that the slave has undergone the ceremony of baptism, and paid the king's duty?" What a mixture of God and Cæsar! Things must be taken altogether. We cannot separate them into parts, and take this, and leave the other. The Roman Catholic priest applauds the Slave Trade, baptizes the slaves "by lots," does not ask the slave whether he will be baptized or not—thrusts him into the church as a thing of course—and for this plain reason—that at the time he so thrusts him, that is, at the time when he cannot lawfully go to mass,—he "does not consider him as a member of society, but rather as a brute animal"—and being this "brute animal," he baptizes him. Let the reader reflect, for a moment, on the difference between placing a slave in the hands of such a clergy as this, and in the hands of Protestant missionaries, or of Protestant clergymen of any class! Let him go on, too, and reflect on the difference of the subsequent religious callings. Let him see the "religion for slaves" amusing the mind of the slave with the figure and decorations of a Black Virgin, and let him contrast this scene with that of a conventicle of slaves, listening to the ravings of an untutored Protestant zealot. The Catholic priest sets out, let it not be forgotten, with the principle, not only that slavery is lawful, but that the slave is a favoured individual, rescued by his slavery from Paganism, delivered from the wrath of God, and made an heir of salvation. Among Protestant teachers, there are not wanting those who venture to teach that slavery is forbidden by the Scriptures, as well as to pervert a thousand scriptural expressions to the uprooting of the whole social system, and most of all to the destruction of the relations between master and slave. We know that in Europe, where the foundations of society are older and lie deeper, an unbridled religious enthusiasm has often shaken at least their superstructure; we know how much of this calamity is even felt at this day in England; we know how many engines are at work to undermine the chastened system of the

"Church by law;" and we cannot be insensible of the greater dangers to be feared from the admission of similar disorder into the West India Islands. The recognized doctrines of the Church, the disciplined and responsible ministers of the Church, are alone fit to fill, with respect to the slaves, the place of the Church of Rome; and, even with this qualification, it is to be feared that the "religion for slaves" has an immense practical superiority. The Catholic religion is a system of *duties;* the Protestant, something too much of a system of *doctrines.* We know the value, in the mean time, of Protestantism; we have no disposition to exchange it for Catholicism; but each has virtues of its own, not to be obtained by the other; and we must escape inconsistency in our expectations. The instruction of the slaves of the British Colonies, in the religion of the masters, is an object, nevertheless, which must not be lost sight of, and the means of doing this to general advantage are earnestly to be sought for.

We are now to take our leave of the volume of Mr. K., after offering such remarks as have more prominently struck us, on that gentleman's handling of what is the common-place of every writer—the demerits of the British West Indies. We have rejected his doctrine of manumission, and have stated the difficulties which we think attached to those other points, which we value as highly as himself, that is, the religious instruction and the marriages of the slaves. These are things to which all concur in anxiety to promote, and to which it is to be trusted that every practicable assistance will be given.

II. *Penal Enactments of the Slave Registry Bill examined, &c.*

(Concluded from Vol. I. page 448.)

THE historian of the British West Indies has pertinently observed, that though, from various causes, the bulk of the Sugar Colonists of the present day are successively composed of emigrants from various parts of the Mother Country, of whom it is certain that the major part retain, in a considerable degree, the manners and habits of life in which they have been educated, yet there are never wanting writers who affect to describe the inhabitants of all the West Indies as a herd of criminals and convicts, and who cite the stale crimes

and violences of lawless men, committed a century ago, when those islands were the rendezvous of pirates and bucaniers, as a just representation of the reigning colonial habits, manners, and dispositions.

The suggestion thus cited is of importance, as serving, perhaps, to point out the origin of a traditionary system of misrepresentation of the Colonies; a basis of which the influence upon the public mind in Europe will appear in no degree questionable, and on which it has doubtlessly been easy to raise, from time to time, a superstructure of calumny for which the world was thus prepared.

To bring down our view of the misfortune to a more recent period, it seems equally reasonable to observe, that when, in the second era, still subsisting, in which the concerns of the West Indies have fixed attention on this side of the Atlantic, another source of error has presented itself, not less fruitful than the preceding. The history of the past, rather than a picture of the present, has been continually set before our eyes; the remoteness of situation, and limited intercourse, have favoured the illusion; and while every part of Europe has made striking advances during the last forty, thirty, twenty, and even ten years, in social improvement, and while the Colonies have been continually replenished with new emigrants from home, as well as irradiated by their share of the general illumination of their fellow-subjects, they only are treated of as if they had stood still in the march of mankind, and were still to remain at the point occupied by a preceding generation. We know how absurd it would be to attribute to the English of the present day numberless ignorances of a preceding age; we know how much the manners of England are changed, even within the recollection of persons now living and still young; we know the mistakes into which we are led concerning foreign countries, if we trust to authorities that are only a few years old; and yet we are continually tempted to speak of the West Indies without adverting to any one of these considerations, and to allow nothing for the lapse of ten, of twenty, or of even thirty years!

A prominent cause of the perpetuation of those views of the West Indies, in addition to the constant proneness of mankind to fall into the darkest ignorance concerning objects but in a small degree concealed from observation, is to be found in the controversy so long and earnestly maintained for the abolition of the

Slave Trade. Political leaders will not refuse to avow, that even in the pursuit of the best and most reasonable aims, they find a constant temptation from without, and a too frequent disposition in their own bosoms, to practise upon the passions of the multitude; and that in the heat of the chace they are not always very scrupulous as to what they trample upon or overleap. In the struggle for the termination of the Slave Trade, no blow has been thought too hard for the West Indies, and the basis of obloquy and popular hostility to those parts of the empire has, at the least, been maintained in its original depth, extent, and solidity.

The value of the West India Colonies to our manufactures, our commerce, and our maritime interests, to our wealth and political grandeur, is too well known to be insisted on; but there is rarely a national interest, however general or important, to which some partial interest is not in opposition, or which some political theory, or other speculative opinion, does not undervalue or reject. At the present day, a host of enemies to the Colonies may be counted, each marshalled under a separate banner, but following a common standard, for that which is alone the common end, the injury of their Colonies; while the motives by which they are impelled, and the ultimate objects they pursue, are as diversified as their colours in the field. There are, in the long line of the enemy's front, preachers of morality and religion, to whose enthusiasm it would be an easy sacrifice to throw away the goods of the world, for the fulfilment of some visionary hope of virtue, or persuasion of duty; votaries of ambition and of wealth, who seek to govern the Colonies by their power, and to enrich themselves by the patronage; mercantile adventurers, whose gains the destruction of the West Indies would advance; rival Colonists, who would build up for themselves, on the east side of the Atlantic, what they would take from others on the West; not to mention a small and inconspicuous groupe of reasoners, who, perhaps, would persuade us that all our Colonies might be safely parted with.

It results from the facts at which we have glanced, that the West Indies are made to stand before the British public an object which every one may, with a certain impunity, revile, insult, and oppress. It is to this source that we are to attribute the introduction into Parliament of the Slave Registry Bill, the tone in which

it was offered, and the provisions which it contained. The British public, it was thought, might be called upon for any measure of rigour against the West Indies, and enactments which it could not have been presumed to suggest, for the coercion of any class of subjects at home, were expected to be imposed with facility upon Colonists at a distance and in disgrace.

The result of the debate in the late session of Parliament has assuredly produced a pause. The dangers which the insurrection in Barbados have incontestibly proved to belong to the agitation of questions concerning the slaves in the West Indies, have brought sober men to the reflection—not, perhaps, that no such questions are to be agitated—but that they are not to be agitated unnecessarily—that the motives must be strictly sifted, the mode cautiously considered, and the end accurately weighed; and that without the most unequivocal need, without the surest prospect of benefit, risks are not to be encountered, which threaten, not only the holders of slaves, but slaves themselves—which have already shed Negro blood in Barbados*, which open scenes of another St. Domingo, which may equally destroy whites, blacks, and mulattos, which are equally dangerous to the lives and property of their fellow-subjects, to the Colonies themselves, and to the welfare and durability of the British empire.

We have already characterized the Slave Registry Bill as unnecessary in its object, oppressive in its operation, and mischievous in its tendency; and it is to be trusted that with this epitaph it may now be laid at rest. His Majesty's Ministers have taken the prudent course of recommending to His Royal Highness the Prince Regent to call the attention of the Colonial Legislatures to its objects, and to make provisions for attaining them; provisions which they will doubtlessly render consistent with local circumstances, and with the rights and liberties of the Colonies.

* That the Registry Bill, and the expectations of freedom which the Bill and the language of its supporters held out, were the direct causes of the late insurrection, is beyond controversy. No other cause has even been hinted at; no other particular occasion of discontent has been mentioned; the objects of the insurgents were political†; and the immediate victims of their anger were those whom rumour represented as unfriendly to their promised emancipation‡.

† See Colonial Journal, vol. 1, page 465. ‡ See above, page 37.

But the failure of the Registry Bill is not, as we are taught by its partizans, to be regarded as the overthrow of the "Reformers of Slavery," the band of warriors against the West India Colonies. The threat has been held out, that if the Registry Bill should fail to be passed, other, and even less palatable measures will be attempted*; and hence it is still worth our while to keep in mind, both those circumstances of the Colonies, and that character of their adversaries, of which we commenced by drawing an outline, and shall conclude by adding some portions of the minuter parts and colours.

The West India Colonies, it is always to be borne in mind, were early established, by the acts of our princes, under the authority of our laws, and with the consent of public opinions, as *colonies to be cultivated by the labour of slaves.* The island of Jamaica, it is generally known, was wrested from Spain by Cromwell. The proclamation of Charles II, which is usually regarded as comprizing the political constitution of the Colony, sets forth, that "our island of Jamaica, being a pleasant and most fertile soyle, and situate commodiously for trade and commerce, is likely, through God's blessing, to be a great benefitte to this and our other kingdoms and dominions." It therefore invites the subjects of His Majesty to transport themselves to the island of Jamaica, and promises to allot to the Colonist a certain quantity of improvable land in the Colony. Many accepted the invitation; and the practice of cultivating the land by means of slaves imported from Africa being previously established, the Colonists were expected to be of sufficient substance to purchase slaves for that purpose. A disappointment, in this respect, having ensued, it was subsequently determined by His Majesty's Government, that land should not be granted, except to such as were first actually *owners of slaves;* and accordingly, it is found, on reference to the Patent Office in Jamaica, that in all patents granted by the Crown, the grantee, *being an owner of slaves*, is declared to be one motive for granting the land to him and his heirs. It is hardly necessary to add, that had the slaves not been bought, the land would not have been granted.

* See Mr. Stephen's Reasons for Establishing a Registry of Slaves.

It is in this manner that a certain proportion of British subjects have become owners of slaves. The property, so acquired, passed from one individual to another, by descent or otherwise, and though it would not be difficult to destroy the existence of this property, it is less easy to exchange it, without deterioration, for property of a different kind. While this state of things is pending, an alteration takes place in the public opinion; the principle upon which the property was acquired is condemned; and this, so far as regards those who have no share in it, is a matter very simple, and without inconvenience. Those concerned, in the mean time, have a right to expect, that what the laws of their country sanctioned in the acquisition, they will protect in the enjoyment.

As to those, who are now united in a common sentiment of hostility against the West India Colonies, and who, in the language and conduct of which they are the authors, or to which they give their sanction, too often betray a feeling not quite consistent with the moral and religious views upon which they lay stress—those are composed, as suggested above, of individuals to be very variously characterized. A great number, doubtlessly, are governed only by the belief that they are enlisted in the cause by no voices but those of philanthropy and piety. Others have aims more interested; and where a body of men act together, as in the case of the African Institution, from which society the Registry Bill has proceeded, a few necessarily lead the rest, and the majority are little able to understand the secret wheels by which they are themselves carried round. Of the motives of hostility to the West Indies to which we have alluded, we shall end the present article by adverting more particularly, though with brevity, to but two; namely, the rivalry between the East Indies and West Indies, of both which countries the productions are, in several instances, the same*; and the project, avowedly entertained, of establishing new Sugar and Coffee Colonies on the coast of Africa. France has a plan of the latter description, for indemnifying herself for the loss of St. Domingo, and for rivalling the Colonies of foreigners; but the African Institution adopts it in order to rival the British West Indies.

* The list of Directors of the African Institution includes several names that are deeply interested in the East India dominion and trade.

COLONIAL SUMMARY.

OCTOBER, 1816.

THE BRITISH WEST INDIES.

A MODERN writer inculcates, apparently with the best foundation in truth, that Europe is indebted to her foreign settlements for those great accessions in wealth and civilization which history authorizes us to date from the eras of the discovery of the Cape of Good Hope and the western hemisphere, and for all that political pre-eminence which she possesses, at this day, above the other quarters of the globe. But if Europe at large is thus raised to pre-eminence by this possession of foreign settlements, so those particular countries of Europe, which share in a greater or less degree in the benefits of the colonial system, are raised above the countries that have no share; and thus the United Kingdom, which is so rich in colonial possessions, derives, from that source, the same political superiority to the rest of Europe, as Europe to the rest of the world.

If such, then, to Great Britain, is the value of the colonies, the safety and the prosperity of those parts of the dominion are objects of an earnest solicitude; objects of which the safety must not be endangered for the gratification of any description of assailants. Yet the fabric of the British West Indies is shaken on many sides. Fitted by nature, and by every political circumstance, to remain in loyal attachment to the mother country, it is the misfortune of those colonies to be threatened with internal destruction.

The French revolution, from the effects of which Europe, at this day, remains impoverished, indeed, but not convulsed, is still operating on the West Indies. The situation of St. Domingo and of Spanish America afford local causes for apprehension; and, in the mean time, a spirit exists in England, fed from the various sources, which strives incessantly to ensure the calamity. Whatever practical incitement to revolution is afforded by occurrences

on the spot, is at the same time aided and invigorated by the theoretical partizans of revolution in Great Britain. It is, no doubt, amusing to their fellow-subjects in this country, seated at ease upon the solid foundations of their national strength, to rock the plank upon which others are compelled to walk with circumspection, and which already totters under them; but the good-nature, the humanity, the morality, and the wisdom, of the diversion, are questions of a different kind. The English experimentalists have commenced in Barbados what the French ones completed in St. Domingo. That the insurrection at Barbados was produced by the measures of the African Institution, is a fact established beyond doubt.

But the West Indies have one hope, and already it promises not to deceive them. It is in the wisdom and the firmness of His Majesty's government. It is in the extension, to their case, of that wisdom and that firmness which has saved Europe from the French revolution, and which may yet equally save them. It is in the extension, to their case, of that wisdom which penetrated alike through the shallow pretences, the painted decorations, and the more solemn impostures of the French disturbers, and of that firmness which withstood at once the insidious arts and the open violence of Jacobinism abroad, and the clamours of Jacobinism at home. Let the spirit of PITT preside in our Colonial Cabinet, as it has done in our foreign and domestic politics, and the Colonies, as well as the empire, are saved. The great truth, to be distinctly understood, and perpetually recollected, is, that there are persons in this country, who are, to the colonies, what the Cobbetts, the Hunts, and the Spences, are to ourselves. If the pretence, or even the possession of philanthropy, belongs to the one class, it belongs equally, perhaps, to the other; and if the love of notoriety, or the lucre of gain, be the secret vices of those who set up for reformers on the British soil, the same motives are not wanting among the reformers of our Colonial possessions.

But that fairer prospect, just adverted to, is happily opening before us. The events of the late session of Parliament have discomposed those who had fancied that the colonies were placed at their discretion. The parliamentary conduct of His Majesty's ministers, on those occasions, is not to be forgotten nor left unpraised.

Their feelings, upon this great question, have been tried, and their actions have been such as ought to set the Colonists and the country at large at ease with respect to the future. They will no more abandon the Colonies to the reformers abroad, than the kingdom to the reformers at home. The good men of the African Institution had, indeed, persuaded themselves, that the King's government would lend itself to any thing, provided it were saved the "trouble of thinking*." That insinuation, it ought to be confessed, was enough to draw the drowsiest man in office from his chair. "Non omnibus dormio" was the natural reply; and if there ever was a time when the influence of the party was as powerful, as their declaration of it was audacious, that time is assuredly past.

Of the real state of West Indian affairs, considered in reference to the views of Ministers at home, the following letter of Mr. Jordan, Agent for Barbados, to his constituents, extracted from the printed Minutes of the Colonial Assembly, affords a satisfactory picture. The proposed erection of a bishopric, or rather of bishoprics, in the West Indies, is, in a particular manner, entitled to applause. No government does its duty to its people, which does not provide for their spiritual, as well as for their temporal wants. Mankind have both; and the intention of a church establishment is to protect society from two of its greatest evils, irreligion on the one hand, and fanaticism on the other; evils between which human nature is perpetually inclined to vibrate, and into the extremes of one or the other of which, if left to itself, it alternately falls. For the rest, Mr. Jordan's account of the sentiments of Ministers discovers the temperate disposition by which they are swayed, and entitles the Colonies to expect from them, in regard to the future, what they have eminently found in the recent instance—a protecting hand against both the zeal and the machinations of their adversaries:—

"DEAR SIR, "*June* 21, 1816.

"On the 15th May, a General Meeting of Colonial Agents was convened at the Secretary of State's office. Lord Bathurst opened the conference, by observing, that the first object of consideration was the Registry Bill, which had been introduced into Parliament during the last session. With respect to the right of legislation, brought into question by the Bill, he thought it right to observe, that without yielding the question, it was

* Mr. Macaulay's letter to Governor Ludlam.

yet the opinion of Government, that it should never be enforced nor resorted to, except in extreme cases, where necessity required, and the colonial legislatures would do nothing. He was therefore desirous that, in this case, the colonial legislatures should pass Registration Bills for themselves, which many circumstances required. The facilities which peace afforded might tend to the illicit import of slaves, although, hitherto, no practices of this sort, be admitted, had been shown to exist. Foreign nations expected from us, who pressed so hard on them, some measures to show, on our part, a resolution to enforce the abolition; and Government, for itself, wished for a measure that would furnish them with information respecting the state of the slave-population; that it was therefore proposed to instruct governors to recommend to their respective legislatures, to adopt for themselves registrations which would further those objects; and he called upon us to give the measure our consideration and co-operation. To this we all readily acceded. I stated, that our legislature had already declared and pledged themselves to this effect; and that the colonies would cheerfully undertake what Government recommended; but that the notice given by Mr. Wilberforce, of again introducing his Bill into Parliament, to be hung up, *in terrorem*, over the heads of the colonists, would, I feared, operate against any proceeding with good will of the colonial legislatures, for the purposes recommended. It was therefore agreed, that Lord Bathurst should endeavour to prevail upon Mr. Wilberforce to withdraw his Bill, without discussion, if possible—a general reservation of the right of legislation on both sides being made, and of the right of replying to any observations coming from Mr. Wilberforce or his party. At the same time, Lord Bathurst announced to the agents, that Government, at the recommendation of the Bishop of London, had under consideration a measure, which proposed the appointment and residence in the West India Colonies of a Bishop, or, as we suggested, of more than one, for the purposes of annual visitations. And his Lordship further stated, that Government had come to a resolution to give the colonies a coinage.

"After some delay and hesitation, Mr. Wilberforce withdrew his Bill for this session; but, in order still to obtain his object of inflammatory discussion, for the purposes of public effect in this country, without any regard to the consequences in and to the colonies, gave notice of a motion for papers on a future day. This day was further adjourned, and before his motion came on, the news of the insurrection in Barbados arrived in London.

"Upon the arrival of that intelligence in London, the principal colonial agents, and many of the principal proprietors of Barbados, on the 6th June, waited on Lord Bathurst, at the Colonial Office, by appointment, and were there received by his Lordship and Lord Castlereagh. The state of Barbados, as collected from private letters, was detailed, and their Lordships were urged to adopt with speed, measures that might prevent, as far as in them lay, the renewal of those scenes in Barbados, or their existence in other colonies not so capable of putting them down.

"Whilst Government waited for official dispatches, Mr. Wilberforce's

motion in Parliament was adjourned, until at length the packet arrived, bringing the duplicates which came to hand on the 16th instant. On the 19th, Mr. Wilberforce moved for papers; and Mr. Pallmer, our chairman, following, moved, as an amendment on that motion, that an address be presented to the Prince Regent, praying that instructions be sent out to the governors of the colonies, to take immediate steps to proclaim His Royal Highness's displeasure at the daring insurrection which has taken place in Barbados, and to express His Royal Highnessess's surprise and concern at the false and mischievous opinion entertained, that it was the intention of His Royal Highness, or of the British Parliament, to emancipate the Negroes; and to recommend the adoption of measures tending to improve the moral and religious condition, and the happiness and comfort, of the slaves.

"Mr. Ponsonby, after stating that the only object immediately deserving the attention of the House, was the preservation of the West India colonies, recommended Mr. Wilberforce to withdraw his motion, and that the House should unanimously proceed previously to vote, as a distinct, substantive measure, the amendment proposed by Mr. Pallmer. After some debate, this was acceded to, and the vote of address carried by the whole House resounding "aye," to the Speaker's question, as of one man and of one voice.

"I feel happy in communicating this result to the legislature; and it now only remains for me to recommend to them to turn their attention seriously to the redemption of the pledge given in their resolutions, respecting the adoption of a registration of slaves in the colony. I see nothing in the Registry Bill to recommend to them; but, conformably to what I recommended two or three years ago, I would advise a Bill to be framed from the Annual Bill for the support of Government, No. 66 of Moore's Laws, requiring, (but without interfering with the Annual Bill,) triennial returns to be made, in the same way, and under similar penalties, of schedules, containing, in five columns, the name, country, colour, reputed age, and sex, of every slave; these schedules to be entered into two books, one to be kept for reference, and for certified extracts by the treasurer; the other to be sent home, through the Commander in Chief, and a certified extract of the registration to be rendered necessary in cases of freedom, upon all issues at law and complaints before magistrates. Such a bill, I conceive, will answer all the purposes before mentioned, and save all rights, at only the additional expense which the treasurer will require for his trouble and costs.

"I have further to recommend, that official inquiry and report be made of the causes, origin, and progress of the Insurrection, and estimates, on oath, of the losses sustained by individuals, such as may be produced before a committee of the House of Commons, upon petition for compensation, and that the same be transmitted, with as much expedition as may be, previous to the commencement of the next session.

"I remain, dear Sir, your's sincerely,

G. W. JORDAN.

"To the Hon. John Foster Alleyne,

"Chairman of the Committee of Correspondence, Barbados."

BRITISH NORTH AMERICA.

There are persons who hold forth the doctrine, that the North American Colonies are insecure. They pretend that those possessions must soon be overrun by the United States; and they infer, that Great Britain would be wise in giving a preference to establishments elsewhere. In support of the general argument, reference is also made to the emigrations, which sometimes take place, from Canada into the United States; and by means of which, if we do not lose our colonies, we lose at least our colonists, in that part of the globe.

There is no objection to a wide dispersion of our settlements through all the different regions of the earth. Let the British nation be composed of communities established upon every shore. Many recommendations belong to the Cape of Good Hope. The extension of our colonies in New Holland and New South Wales offers very flattering prospects. The chains of populous islands, which ultimately join those countries with India and with China and Japan, present an inexhaustible field for future mercantile adventure, and sources of a perpetuated maritime dominion. Let those who are disposed to repair to our colonies have an ample range, and a various choice, before them. There are seats for men of different inclinations, and different habits of life.

But the North American Colonies are placed in countries so highly adapted to be valuable to the parent state, that it would be matter of serious regret if we were forced to believe that there are any circumstances which should induce us to relax in promoting their advancement. Their contiguity to the mother-country, their numerous islands, their indented coasts, their accessibility to our ships and fleets, their northern position, and consequent consumption of our woollen and other manufactures, their timber, furs, and invaluable fisheries, the demand in our own markets for all their exports—are considerations of too much importance to be lightly overlooked; and we should hence be slow in giving credit to the suggestion, that we cannot long defend them against the grasp of a foreign foe.

Before the occurrence of the late war with the United States, nothing was thought, in that country, at least, so easy as to con-

quer Canada. The event has proved, that as far as relates to the condition of the two countries, down to the era of that war, the calculation was erroneous; and there are sound reasons, perhaps, for believing, that the relative proportion of strength, for the decision of a similar contest, is not altering in favour of the United States.

Little comparative importance belongs to that which has been thought to involve much, the increase of the British naval equipments upon lakes Erie and Ontario. The service is under too many disadvantages upon those lakes, to remedy the original error of allowing the United States to rule upon any of their banks. But Great Britain possesses, through the aid of her fleets upon the ocean, a power of transporting men and stores to the very walls of Quebec and Montreal, such as deserves to be reckoned for something against all the countervailing facilities that are in the hands of the enemy.

But the United States are undergoing a great internal revolution, the effect of which cannot be that of increasing their means of annoyance to the British colonies in the north. The British colonies in the south, the British West Indies, have, perhaps, stronger grounds for apprehension. Every thing in the United States is tending to the south—to the south-west—to the gulf of Mexico, and not to the gulf of St. Lawrence. Thither, with a continual tide, is floating the population and the capital of the United States. In this general loss of strength, the southern states suffer along with the northern. Already, the settlers in the west denominate all the countries on the Atlantic, "the Old United States." This desertion of the northern, maritime, and comparatively sterile regions, is a natural consequence of the acquisitions in the country of the Mississippi, with all its recommendations of soil and climate and trade, and crops of sugar, cotton, and indigo; but the disastrous issue of the war, the terms judiciously imposed by Great Britain at the peace, and the policy at present acted upon by that country, for the benefit of her North American colonies, have also had their share in producing this effect.

Another cause is the general peace in Europe, and the consequent loss, on the part of the United States, of those advantages in commerce and navigation which they had enjoyed through the

long warfare which preceded it. Deprived, in this manner, of much of their fisheries, of nearly the whole of their carrying-trade, and of a great part of their export-trade, the maritime states are necessarily in a state of depression, and, in short, but a few words would be required to show, that the entire federation, considered as a political power, has passed its zenith. It was raised by the troubles of Europe, and it will decline through its repose. The United States, about to be increased to twenty, may double their number, and spread their population to the Andes and the Pacific Ocean; but they will only be so much the more incapable of motion as a single body, and, especially, they will be so much the more harmless in their northern maritime parts. The loss of their foreign trade and fisheries will turn their capital into manufacturing channels; and Great Britain, by interrupting their trade with the West Indies, and the fishery to the northward, unavoidably assists the progress of their manufactures, which must henceforth become the primary concern of the Eastern States, and for which the natural market is in the south-west. But this order of things is, on the whole, the best that Great Britain can desire; it clips the wings of the United States as a maritime and naval power, and thins and retards and impoverishes the population of the countries which border on her northern colonies, and of which countries even the manufacturing progress is no object of serious jealousy. On the whole, both the motives and the means for the conquest of Canada are daily weakening in the United States. It is in the south, as above intimated, that their strength, or, at least, a certain political strength, is advancing; and if there is a new object, on the North American continent, for Great Britain, to whom, unfortunately, the war did not give Louisiana, it is the acquisition of Florida, with the good-will of the court of Spain. Florida has been thought a country of no importance; but, if in time past, that estimate may have been just, the time is, nevertheless, now come, when it is quite erroneous.

The North American Colonies have little, therefore, to fear from foreign levy, and as little, as may be argued at another opportunity, from domestic treason. As to the emigrations that have been alluded to, they experience them only in common with the United States themselves. It is perhaps but little known, that while emigrations

place in Europe, from the British dominions to those of the United States, nothing is of more daily occurrence, than emigrations from the United States to all parts of the British dominions in America. New York and Pensylvania supply the greater part of the new settlers in Upper Canada; and there are constant murmurs, among the French inhabitants of Lower Canada, on account of the number of natives of the Eastern States who are constantly transporting themselves into that portion of the British soil. It may be left to others to determine, whether this love of change ought chiefly to be ascribed to poverty and discomfort in the countries that are left, or to a spirit of adventure and hope of something better, very naturally springing from the original impulse to emigration, and from the facility of continued removals. Under every view, the North American Colonies are secure, and we may safely labour for their growth. With respect to the inducements to settle in them, their coasts and islands invite the establishment of fishing-towns, their forests supply lumber and potash, the landscape of the interior is magnificent and beautiful, and there is a wide extent of surface and climate which reward with abundance the labours of the plough.

Nor is the value of these colonies to the mother country confined to their own consumption and produce. The gulf of St. Lawrence is the natural inlet of trade, not only to the Indian countries on the south and west of Lake Superieur, but to all those parts of the United States which lie west of the Allegheny mountains; that is, the countries of the Ohio, Mississippi, &c. The Allegheny mountains interpose great difficulties in the transport of goods from the ports on the Atlantic; and the currents and obstructions of the rivers Mississippi and Ohio embarrass the supply of the interior from the gulf of Mexico. It is true, that severity of climate is a disadvantage on the side of the gulf of St. Lawrence, but it occasions only an interruption of intercourse during the winter season; while the obstacles to the southward route are constant. The navigation of the river St. Lawrence is interrupted, it must be acknowledged, by several impediments in its channel; but these are susceptible of remedy at a small expense, and require nothing but the most moderate application of British capital and industry. In periods of war with the United States, the trade of the St. Lawrence with the interior will always be greater than even in periods

of peace, and a very little time and money is all that is required to provide a route between Montreal and Lake Erie, by which the carrying-places, as well as the long line of the enemy's frontier, may be avoided. To suppose that the natural advantages of Canada will not be properly seized upon and employed by the wisdom of Government, and by the enterprize of individuals, would constitute a severe national reflection; and this especially at a moment when the creation of new branches of national industry and full improvement of those we possess, are the only wants of our vast and glorious empire.

RED RIVER COLONY.

The Earl of Selkirk's colony on the Red-river of Lake Winipic continues to be bateable ground. The dispute to which it has given rise, as to the rights of the Hudson's Bay Company, having drawn some portion of the public attention to the terms of the Royal Charter possessed by that body, a copy is printed in the present number of the Colonial Journal. But while this controversy subsists between two bodies of British subjects, the United States, if we were to trust their map-makers, would seem to be putting in a third claim, by carrying their frontier through the heart of the new settlement! On the whole, fresh settlers will hardly resort to it, in its present uncertain state.

NOVA SCOTIA.

An excellent weekly newspaper was commenced at Halifax, in May last, entitled, the Free Press. Its politics are truly British, and its literary merits would be respectable, even printed in London. The number and talents of the Correspondents which it already appears to possess, reflects credit upon the whole province.

Halifax and Pictou (says the Free Press of the 4th of June last, upon occasion of the arrival of the Louisa, from Aberdeen, with passengers,) are the only places in the province to which emigrants resort from Great Britain. Their situation, upon landing, is sometimes a deplorable one. Strangers in a foreign country, they have no directing friend to take them by the hand, and warn them of the difficulties they must expect to encounter, or show them a mode of obviating them. The consequence is, that they too frequently

become disgusted with their reception; make Nova Scotia a stepping-stone to the United States; and deprive the province of a race of hardy and industrious inhabitants, and the mother country of a set of loyal subjects. There is no way, continues the writer, in which the provincial legislature could better dispose of a part of the public revenue, than in forming some establishment for the protection and assistance of emigrants, upon their arrival among us; but as that is not now sitting, it behoves us to consider whether private benevolence may not exert itself to the same end.

Upon these suggestions, a Correspondent of the same paper observes, that measures will doubtlessly be promptly adopted for taking care of the individuals referred to, and effecting their speedy establishment in comfort; that the provincial government is always eager to patronize and assist all undertakings for the public benefit; and that precedents are upon record, in the province, of the grant of sums of money by its legislature, for the encouragement and settlement of emigrants. In the year 1786, when the revenue was not such as to bear a comparison with its present improved condition, the legislature, desirous of establishing a whale-fishery for the province, granted a considerable sum of money for building houses on the plots of ground given to settlers in the town of Dartmouth, opposite to that of Halifax.

On the subject of private efforts, the writer adds, that his fellow-townsmen are not customarily backward in contributing to the relief of the distressed, and that many benevolent societies exist among them; and then subjoins, "Let this be added to their number—The Society for the Protection, Advice, and Assistance of Loyal Emigrants, arriving in the port of Halifax, with intention of becoming settlers in the province of Nova Scotia."

"The members of the society," he continues, "must subscribe a reasonable sum per annum, for the furtherance of the object in view, and there should be a committee to collect contributions in money, clothing, provisions, and such other necessaries as their respective cases may require.

"There should likewise be a committee, appointed from time to time, whose duty it should be to go on board vessels arriving with emigrants, to inquire their number, their state of health"—he should have added, their age—"their several trades or usual occupations, and their means of settling; to attend very particularly to their pressing wants, and cause them to be relieved: the same committee should advise them what course to pursue, in order to their obtaining lands by grant, lease, or by gift of members, or others, who are holders of

large tracts; and, with respect to such of them as they find to be handicraftsmen, where or to whom to apply for employment, &c. &c. It should be a further duty of this committee, to inform the public, through the medium of the newspapers, of the arrival of emigrants, (supposing them to arrive in considerable numbers,) and their several occupations; in order, particularly, that the benevolent, in distant parts of the province, might assist in providing for their comfort and support, and taking proportions of them for settlement in their respective counties.

"There is," concludes the author, "A WANT OF PEOPLE—of industrious people—in this province, to assist in the vast deal of work yet to be done; and there are A THOUSAND SITUATIONS where they might be settled to the great advantage of the country, and comfort to themselves;—but their energies must be directed by those who are able to direct them, and they must be assisted, at first, at least, as others have been before."

To the local success of this humane and patriotic proposal, every reader must give his warmest wishes; but, in so doing, he will discharge but a small part of his duty. The mother country is the place where a metropolitan institution of the kind ought to be found; the writer of this article has long regretted its want of existence; and he seizes the opportunity here afforded him, to submit some brief outlines of its recommendations to the serious regard of the public, both at home and in the Colonies.

Assuming, that the possession of Colonies is an undoubted source of national wealth, and of maritime and therefore political strength to this kingdom, the furtherance of colonization is to be esteemed a public benefit, and an act worthy of the assistance of every British patriot.

But a time is arrived, in which new motives, both of patriotism and philanthropy, point to the multiplication and encouragement of British Colonies. The human species, like every other production of the earth, is increased wherever and whenever there is a demand for it. In a community in which the arts are but little advanced, where human agents are but little in demand, man multiplies with comparative slowness. Where civilization is higher, that is, where the arts are improved, where the means of life are more constant, its duration more assured, and an increased activity creates a new demand for human labour, there the progress of population is proportionably rapid. Thus, civilized countries become crowded with inhabitants, while uncivilized countries remain solitudes. But when the demand for the labour of man has rendered the human species valuable, then the destruction of the species, like the destruction of any other marketable commodity,

increases its value, and, increasing the value, increases the supply. It increases the supply, not by bringing about a formal breeding of the species, like cattle for the shambles, but by the increased value of the labour of the survivors, and therefore by the gains, by the wealth, which it disperses through the nation, and the consequent ease of living, and contraction of marriages, which is the result. In this manner, pestilence, wars, manufactures, navigation, mental fatigues, all the destroyers of human life, contribute, not only to its reproduction, but to its increase. The wars in which Europe, for a quarter of a century, has been engaged, have both brought into life as many individuals as they have destroyed, and also given existence to millions, who, but for them, would never have been. Further, the same wars have given occasion to an increased exercise of the arts, have added to their number, have called forth fresh efforts of human ingenuity and human industry; have thus increased the value of human hands, in the towns and fields as well as in the camps; and have thus, under an additional view, produced, in the countries that have been directly or indirectly affected by them, a temporary increase of velocity in the progress of the multiplication of the species.

It is not, therefore, the cessation of war-employments alone, but also the existence of a war-population, that produces, in all the nations that have been in any degree affected by the wars that are just finished, an excess of hands to work, beyond the amount of work to be performed. The wars employed those whom the wars created; but the occupations of peace cannot absorb those whom the peace-demand for men would never have brought into life. Thus the peace produces, among all the nations whose numbers have been multiplied by the wars, a temporary redundance of population *.

There is no difficulty in pointing out the natural remedy for this natural excess. As men increase where and when they are wanted, so they decrease when and where they are out of demand.

* See the newspapers of the United States of America, for the state of the poor in that country. Subscriptions for distributing soup, fuel, and clothing are raised. The papers contain appeals to those who are not in the habit of visiting the "abodes of wretchedness," to satisfy themselves, by the testimony of their own eyes, of the existing sufferings. More than one writer ridicules the indulgence of philanthropy for distant objects, while so many around them are destitute of bread.

The demand for labour feeds the labourer, and he lives and multiplies his species; take away the labour, and the labourer starves, and dies, and his posterity dies with him. Man may fluctuate and perish, but Nature is constant and eternal; deserts and solitudes may grow into villages and cities, and cities and villages may return into deserts and solitudes; Nature is unmoved; her plans are not deranged; the human subject suffers, and that is all.

But it is at this point that man is to become, through his wisdom, a providence for himself. Nature supplies the materials; it is for man to supply the skill and the hands. Nature is passive; man is free to save himself or to die, and yet the means of succour are not omitted to be placed before him. Has any cause produced, on any given portion of the earth, an excessive population, what is the natural impulse, but to remove to some spot that is vacant, or less thronged? Does the earth present any such spot to the eye of those that are pressed in the crowd? If it does, shall they not fly to it?

We speak, thus far, in reference only to the individual; to a man's care for himself; and not to the interests of society, nor to the policy of states, nor to the dictates of philanthropy; but is there any variance between these several motives of action? Does self-love teach one thing, and society claim another, or humanity disagree with either? Assuredly not.

If the individual would obtain benefit by his transplanting from a soil which is too thickly grown, so would all the individuals which had surrounded him, and which he leaves behind. Useless from situation, and not from his own qualities, he is a burden upon society, while he remains with it; remove him, and at least the burden is taken away. His removal to another soil is at least equal to his removal by death, since, in either case, he contributes to that consumption of man, which, as we have seen above, is one means of increasing the demand, or, in the other words, of adding value to the species.

Thus, the condition, both of those who go, and of those who stay behind, is improved by the simple act of removal. But there are circumstances under which the amount of the benefit is greatly enhanced. The latter occur, if those who change their situation are prosperous in the new one, and if, in any way, they become promoters of the industry of their countrymen at home. In that

case, the nation is not merely relieved, but is also enriched by their departure; and, from having been a burden upon it, they grow to be among its supporters. So far, even, are they, in this case, from lessening its population, that they increase it. They encourage the national industry, they increase the demand for labour, they increase, therefore, its reward, and, by that means, they increase the supply of labourers. Thus, while they create, upon foreign ground, a new population for the parent state, they multiply, at the same time, the population within its proper limits.

Such, in any case, are the results, to the colonist and to the parent state, of prosperous colonization. Such, for example, must be the result of colonization by a land state, which settles colonists on its frontier. But a maritime and insular state, of circumscribed territory at home, has an interest peculiarly its own in the possession of foreign colonies. It is not alone the increase of its trade, its wealth, and its population, that it obtains from this source; but it obtains, also, that incitement to the maritime industry of its people, which is the first element of its maritime power, and must be the only safeguard of its political existence. All the foreign Colonies of Great Britain are necessarily placed beyond the ocean; and all intercourse with them must be effected through the medium of her shipping and seamen.

We, in England, are placed, then, at this day, in those circumstances in which colonization is the dictate of nature; in which it is the means for the sufferings of individuals and of society to which the skilful statesman will resort, not only to deliver his country from present evil, but also to procure for it future good. Instead of listening to visionary schemes for maintaining within the state a population unprovided with labour; instead of yielding to an ignorant persuasion that a public calamity has come into existence; he will know how to avail himself of the treasure which is put into his hands: and, by an adequate system of colonization, at once put a stop to individual misery, purge society of crimes, relieve the state from danger, enlarge its limits, and increase its population and its wealth. To him, the circumstances in which England is, at this day, placed, instead of being seen with grief or with alarm, will be viewed only as the means of new and solid acquisitions of power; while, to the philanthropist, on his side, will present itself an increase of human life, and a provision for its en-

joyments. Emigration alone is sufficient for the ends of the philanthropist, and is pregnant both with present and future benefit to the state, but to make that emigration an immediate source of increased power, to retain within the dominion even those who depart from the country, is the peculiar duty of the statesman and the patriot.

The time, therefore, in addition to the permanent interests of this kingdom, demand, what is now to be proposed—the establishment, in London, of a new philanthropic and patriotic institution, to be called the Patriotic Metropolitan Colonial Institution—a few outlines of a plan for which is here subjoined.

PLAN.

1. The objects of the Patriotic Metropolitan Colonial Institution to be two only; first, the assistance of new settlers; and, secondly, the encouragement of new branches of industry; both within the Colonies now or hereafter to be established by His Majesty.

2. It being the practice of His Majesty's Secretary of State for the Department of the Colonies to give, in certain cases, to approved applicants, letters of recommendation to the respective Governors abroad, the Institution, whenever it shall be disposed to assist intended settlers, shall, in such cases, consider the possession of such letters as indispensible on the part of persons desiring its assistance.

3. The Institution shall grant premiums for the encouragement of new branches of industry in the Colonies.

4. The Institution shall, from time to time, judge for itself of the propriety of confining its aids to settlers to the period of their arrival in the Colonies, or of extending them to that of their departure from this country; and to the propriety of encouraging settlers in any particular Colony, &c. &c.

5. The Patriotic Metropolitan Colonial Institution shall correspond with any local institutions or societies, within the kingdom, or in the Colonies; assist their funds, desire their information and advice, &c. &c.

6. Members of the Institution to consist of annual and life subscribers, hereditary governors, &c.

7. A Report of the receipts, disbursements, and proceedings of the Institution to be published annually.

Such may be the leading features of the proposed Institution. Of the utility of its establishment to individuals, to the Colonies, and to the mother country, there can be little doubt; space is wanting for any fuller exposition of its nature on the present occasion; but the future pages of the Colonial Journal will be open to communications for maturing the design, and for promoting the execution *.

* See A Proposal for establishing, in London, a new philanthropical and patriotic institution, to be called the Patriotic Metropolitan Colonial Institution, &c. &c. just published.

CAPE BRETON.

THE following is a Copy of an Address, presented to the President of His Majesty's Council for the Island of Cape Breton :—

To His Honour Colonel Jonas Fitzherbert, President of His Majesty's Council, and Commander-in-chief in and over the Island of Cape Breton and its Dependencies, &c. &c. &c.

The Address of the Freeholders and Inhabitants of the Town of Sydney and its Vicinity:

It is with extreme regret we are compelled to approach Your Honour, at so early a period after your accession to the administration of the government of this island, in a manner so little expressive of our satisfaction and content; but we feel we should neglect the duty we owe to our Sovereign and ourselves, were we to delay for a moment to state, for their redress, those complaints and grievances so often represented without effect, but which we now trust Your Honour's wisdom and justice will perceive absolutely necessary to be removed, as on that measure the security and happiness of His Majesty's faithful subjects depend, and as such we conceive it becomes the most immediate duty of the person delegated to represent His Majesty in this government.

The first object of all human institutions ought to be the preservation of men's lives, liberties, and properties, and on that basis have those laws and that constitution of which we so justly boast been founded, in support and defence of which we shall ever be ready to sacrifice our lives and fortunes; at the same time, however, we consider ourselves equally bound to watch over and repel every attempt to violate or infringe them, and from that constitution it is we ought to enjoy the envied blessing and superiority over most other nations, of being subject to no laws to which our consent has not first been obtained.

Under the foregoing impressions it is that we cannot fail to enumerate the following prominent violations of those constitutional laws, and benign instructions of our Most Gracious Sovereign, wisely calculated and framed to promote the happiness, prosperity, and protection of his subjects in this colony, and which imperiously manifest the immediate necessity of carrying his Royal Commission at this period into effect, by convening the only legal and permanent legislature recognized therein; and we beg leave to express that we are instructed to consider all other bodies assuming that power, (except the Parliament of Great Britain), as violating the laws of the land, and the rights and liberties of the subject. To particularize every instance injurious to or affecting those rights, would be to comprehend every act of the present assumed legislature; but among others equally unjustifiable, those of peculiar magnitude, and that create in us the most serious alarm, are those that arbitrarily deprive us of our

real and personal property, without our consent first legally obtained, and compelling us to infringe the rights of property in others, by invading the lands of individuals seized without indemnification, for roads frequently useless, and injudiciously laid out, and the compulsive labour thereon enforced by severe fines, on those who refuse to concur in such depredations, or attempt to preserve their own from similar violence, subject also to the fluctuating and capricious directions and opinions of boys and others as incapable as unqualified, while even those regulations are perpetually changing and uncertain, either to gratify the views of particular individuals, or to extend an undue influence for the worst of purposes.

The ordinances, laying taxes on the subject, at first obtained surreptitiously, under pretexts unfounded in truth, we consider not only in a light equally odious, tyrannical, and destructive to our privileges, but which if suffered to be drawn into a precedent, will eventually end in a total privation of our freedom and subversion of the law. In a view similarly oppressive we observe those ordinances made for the regulations of the militia forces throughout the island as in them we notice a system; framed for purposes widely different from the reasons set forth as the ground for their adoption, and solely calculated for a source of emolument to individuals, no advantage in rendering the militia more efficient having been produced; on the contrary, universal dissatisfaction has been the only result, in consequence of the severity with which fines have been illegally extorted, often without any, and generally for the most trifling causes, by officers unacquainted with the slightest elements of the military profession; and to heighten the odium of this measure, that day, which has ever been held sacred by Christians, was selected for training, without the existence of that necessity which alone could justify the violation of it; and to add to the harshness of this act, not even a reservation for those whose tender consciences and religious scruples the laws of England have ever respected.

The large sums of money drawn from the community, by illegal fines, taxes on importations, on licences, and officers dismissed from the militia, as an exemption from service, have been imposed and expended by the colonial council, and finally, their accounts secretly passed by themselves, without the inspection, control, or knowledge of the public, thus affording an easy means of binding our chain with greater firmness, while we have long looked for promised benefits that have never been realized; but, on the reverse, that portion of the revenue that has been applied to the object assigned, as the course for its original institution, appears to have been so partially and injudiciously lavished, as to have yielded but little permanent advantage to the colony, and notwithstanding some of those ordinances have been declared, by a full and legal council, oppressive, odious, and unconstitutional, we have painfully observed them revived by some of the same persons on a subsequent occasion.

To attempt resistance to those tyrannic measures, when an appeal to the tribunals of justice would be vain, illusive, and expensive, without the most distant prospect of redress, as the persons presiding therein, being

members of the Council, could not otherwise than support what they had previously advised.

Burthened with such accumulated grievances, and stripped of our rights as Britons, we can no longer, under such degrading circumstances, hesitate to exercise that constitutional privilege, of remonstrance and complaint, the only legal means at present left us to pursue, and which we trust will produce from Your Honour's justice a revision of those ordinances unauthorized by the laws of England, and the immediate formation of that legislature, as required by His Majesty's command.

PRINCE EDWARD ISLAND.

THE subjoined extracts discover the existence of some subsisting discontent in the Colony of Prince Edward Island, in the Gulf of St. Lawrence:—

It appears that the measure of a union, has been partially discussed at the island—that the landed proprietors are averse to it, and the inhabitatants are rather disposed toward its adoption. This we mention merely as a current report; and it may not be unworthy of notice. Lieut. Governor Smith has not called the House of Assembly during the two last years; he has resorted to various modes, with a view of supplying this deficiency, such as sending for the grand jury, the magistrates, and militia officers at different times, and pointing out to to them a specific mode of conduct, which it appears they have not adopted. A construction lately given to an old militia law of that island has afforded a considerable degree of discontent, if we may judge by the rejection of several field-officers, captains, and subalterns, and the dismissal of different captains. The militia volunteered their services during the war, but did not consider that during peace they were either bound by law or necessity to attend so frequently as they have been ordered. The commanding officer of the garrison received verbal orders that a detachment of the 60th regiment, under his command, should load with ball-cartridges, at a militia-muster, which orders he did not think himself justified in obeying; and for some reasons not yet communicated, he has been put under arrest. The principal inhabitants have petitioned the Lieutenant-Governor, praying that the Legislative Assembly may be convened. It is said, that upwards of one thousand signatures are subscribed to this petition; the language is strong, and we give it to our readers without any comment, sincerely wishing for a reconciliation on all sides.

To His Excellency Charles Douglas Smith, Esquire, Lieutenant-Governor and Commander-in-Chief in and over His Majesty's Island Prince Edward and its Dependencies, &c. &c. &c.

The humble Petition of certain Inhabitants of said Island.

May it please Your Excellency,

We, the undersigned persons, faithful subjects of the King's Most Excellent Majesty, and resident inhabitants of Prince Edward Island, beg leave

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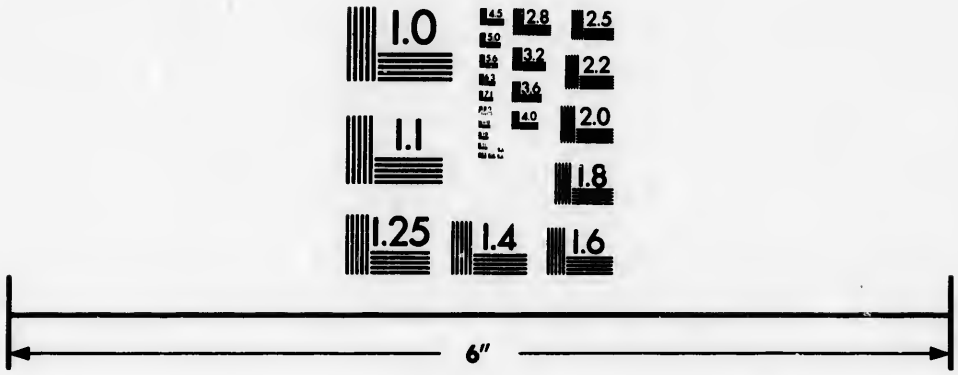

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to approach Your Excellency with that profound respect which is due to His Majesty's representative, and to submit to Your Excellency, that after two years' experience of your admininistration in the government of this His Majesty's colony, we do not see any reasonable ground to form even a hope, that unless the Legislative Assembly shall be convened as usual, this island will prosper, or its inhabitants enjoy the privileges, which it has been the wise and liberal policy of the parent government to afford to His Majesty's other colonies in North America, upon the faith of experiencing which privileges, we or our ancestors have settled here, and laboriously contributed to the improvement of the country.

The lower House of Assembly, may it please Your Excellency to recollect, had, in our humble opinion, at their last session, various difficulties to encounter, which it would be neither prudent or necessary to disclose, especially at present; but we trust that the bills passed in that house, as well as the general proceedings therein, until the time of its sudden and unexpected prorogation, at a critical period, will evince, that some of the difficulties alluded to, actually existed, and were of a peculiar nature, demanding more than common attention and investigation.

The want of a regular and effective militia law, the ruinous state of the highways, the defects which experience daily discloses in the existing laws, and the utter want of any system of local jurisprudence, must, we are convinced, have attracted Your Excellency's attention, notwithstanding your engagements have hitherto prevented even a momentary departure from the seat of government, for, the purpose of acquiring knowledge and information of the country at large; but independent of those principal defects, we humbly conceive that there are many other subsisting, of a more minute or secondary nature, fit objects peculiarly for the vigilance of the lower House of Assembly to consider of and represent.

We therefore, most humbly entreat, that Your Excellency may be pleased to take the foregoing matters into consideration, and to call together the Legislative Assembly for the dispatch of business, either at the time it at present stands prorogued to, or at such other time as in Your Excellency's wisdom you shall deem fit and proper,

And Your Petitioners will ever pray.

Extract of a Letter, dated 22d March, 1816.

"The Petition was presented personally to Lieut. Governor Smith, by four merchants of Charlotte-Town, on the 27th Jan. last, signed by 1134 inhabitants. A note dated the 4th Feb. by command, announced that they should hear further, and a second note about three weeks afterwards desired their attendance, when His Excellency said to this effect, 'that he would call a meeting of the House of Assembly, when he considered it to be for the public good.' A further prorogation has since taken place. The west road having been stopped by the fall of snow on the 22d Feb. and succeeding days, a subscription was opened on the 20th instant, by the inhabitants of Charlotte-Town, to break down the road, and the ad-

vertisement called it a shamefully neglected object. This was deemed as a reflection on Government.

"A Council has been called to-day, and a great number of persons examined on oath, (a new mode,) upon those and other subjects of moment; particularly relative to the difference between His Excellency and the officer lately commanding the military—in the mean time, no charges have yet been notified to that gentleman.

"The proposed union with Nova-Scotia has become a subject of general discussion, and a public representation of the matter is soon expected."

WEST INDIA COLONIAL CUSTOM-HOUSES.

A MEMORIAL, of which the following is a copy, was lately presented to the Lord's Commissioners of His Majesty's Treasury, complaining of the charges at His Majesty's Custom-houses, in most of the West India Colonies:—

To the Right Honourable the Lords Commissioners of his Majesty's Treasury, the following Memorial of the Members of the Ship-Owner's Association of Liverpool.

Most humbly showeth,

That your memorialists are the owners of ships trading between the port of Liverpool and the British West India colonies.

That they have long experienced great hardship and injury, from the grievous and exorbitant charges made in most of these colonies, by the officers of his Majesty's different custom-houses, and others, on the entering inwards and clearing outwards of their vessels.

That, in most of these colonies, the custom-house charges and fees were nearly doubled in amount, between the years 1804 and 1811, without any known legal authority for so doing. That in the last of these years commissioners from England arrived in the West Indies, authorized to investigate these and other grievances; and reductions were then made, and a most liberal docquet of fees settled, and ordered to be exhibited and adopted; which, however, from the time of their departure has been generally put aside, and the fees have been again gradually increased to their present exorbitant rates, and which, in many instances, amount to one-tenth, and from that to one-twentieth part of the gross freight earned by each vessel. And it is the general practice, in most of the colonies, for the officers to make the charge of a gross sum for each vessel, without specifying any particulars; and when they are requested to furnish the items and grant receipts, they have uniformly refused, and at the same time have not permitted the vessels to be cleared out, and the necessary papers to be furnished, until the sums so charged were paid.

That in each of the colonies of Demerara and Berbice, there are two

classes of custom-house officers, known as the British and the Dutch, by both of whom enormous heavy fees are levied, and only a small distinction made on account of the size of the ships, although some are double the tonnage of others.

That the following are the particulars of charges at present paid on entering and clearing, in different colonies, viz.—at Demerara, on a ship of 404 tons register.

	Security Bond	f. 22	0	
Dutch Offices	Fiscal	12	0	
	Colony receiver	144	5	
	Harbour master	43	0	
	Secretary's office	24	10	
	Government office	20	0	
	Naval officer	44	0	
	Fort pass	18	0	
	Pilotage	392	10	
Custom-house,	Collector's fees	427	10	
	Comptroller's fees	142	10	
	Secretaries and waiters	328	0	
	Sugar certificate	6	0	
	Collector's clerk	66	0	
	At f 12. per £...	f.1600	5	
	Sterling.....	£.133	2	0

At Demerara, on a ship of 229 tons register

	Security bond	f. 22	0	
	Permit to unload	7	0	
Dutch Offices	Fiscal's office	12	0	
	Colony receiver	90	15	
	Harbour master	43	0	
	Secretary's office	22	10	
	Government office	20	0	
	Pilotage	275	0	
	Naval officer	44	0	
Custom-house	Searchers and waiters	191	0	
	Collector	285	0	
	Comptroller	95	0	
	Sugar and rum, and affidavit and list of men	7	10	
	Collector's clerk	66	0	
	Fort pass	18	0	
	At f.12 per £...	f.1195	15	
	Sterling.....	£.99	17	11

At Berbice, on a brig of only 200 tons register.

	Entering at Custom-house	ƒ.232	10	
	Noting protest	16	10	
Clearance,	Receiver General's Office	314	0	
	Petty Duty Office	16	10	
	At the Custom-house	395	10	
	Searchers and waiters	196	0	
	Pilotage in and out	235	0	
	Harbour master's fees	44	0	
	Colonial secretary	110	0	
	Government ditto	88	0	
	Fort Pass	18	0	
	At ƒ.12 per £	ƒ.1060	0	
	Sterling	£.138	10	8

The heavy sums charged for pilotage in these colonies are paid to a particular officer, who gives only a small proportion thereof to the pilots employed, for their services.

At St. Vincent's, on a ship of 418 tons register.

Clearance at Custom-house	£143	10	3
Treasurer's Pass 4s. 6d. Government Pass 18s.	1	2	6
Harbour master for anchorage	3	6	0
At 175 per Cent	£.148	7	9
Sterling	£.84	15	10

At St. Lucia, on a ship of 235 tons register.

Clearing at Custom-house	290	0			
Naval officer	10	0			
Harbour master	10	0			
Fort Pass	2	0			
At 175 per Cent	324	0,	or	£.145	10 0
Sterling				£.83	0 3

At Jamaica and Barbados the fees are more moderate than in any of the other colonies, as will appear from the following instances, viz.—at Kingston, Jamaica, a ship of 319 tons discharged her cargo outwards there and loaded at Port Antonio, and her charges were as follows:—

Collector £.9 6 3—Comptroller £.3 2 1—Naval Officer £.4 7 6	£16	15	10
Trans. Tax	1	9	2
Surveyor £.1 0 0—Secretary £.3 10 0	4	10	0
Fees clearing at Custom-house	6	6	8
Custom-house expenses at Port Antonio	3	13	4
Ditto Clearing ship at ditto	28	6	3
Fort Pass	0	13	4
Exchange at 140 per Cent	£.61	14	7
Sterling	£.44	1	8

At Jamaica, a ship of 308 tons arrived at Port Antonio, in ballast, and loaded there—her charges were only as follows:

To collector and comptroller	£.14	10	4
Secretary and naval officer	5	4	2
Surveyor, waiter and searcher	1	6	8
Fort George Pass	0	6	8
Exchange at 140 per Cent	£21	7	0
Sterling	£.15	5	0

These charges in Jamaica are, in this first instance, only about one-third part of the rates levied in Demerara and Berbice, and about one-eighth part, in the last instance.

At Barbados, on a ship of 380 tons register, including three coasting clearances for cargo brought in craft.

Custom-house expenses	£40	6	3
Filing list of seamen	0	12	6
Three qualifications	1	10	0
Certificate for bond	1	5	0
Fort pass	0	6	3
Entry fee	1	17	6
Three permits and certificates	3	5	7½
Package money	4	6	7
Powder office	0	12	6
Secretary	1	17	6
Molehead	0	12	6
Exchange 133 per cent	£74	9	1
Sterling	£55	16	1

(The charge for package-money being a new one, and the amount of charges being higher than at Jamaica, but lower than in the other colonies.)

That in consequence of the great number of ships which have been dismissed from the transport service, and which are thrown upon the general commerce of the country for employment, the aggregate number (which was previously too large for the trade,) is thereby importantly increased; and from various and obvious causes, the means of employment are also materially diminished, by which the rates of freight are every where reduced to the lowest ebb, and in the result, great distress prevails amongst the ship owners, and those connected with, or dependent on, shipping for employment. Many ships are laid up by the walls, in the docks, here, and those, which have been sent out, under systems of the most rigid economy, do not, in many instances, reap sufficient freight to defray the unavoidable expenses of their voyages. And it is, therefore, become imperiously necessary for your memorialists to endeavour to procure a considerable abatement in those grievous, and, as they presume to think, unjustifiable, charges, to which they have hitherto been made subject.

Your memorialists, therefore, most humbly solicit your lordship's interference and protection, that an end may be put to so oppressive and injurious a system; and if it should not be deemed advisable to abolish the system of fees altogether, as has been done, with so much advantage, in the ports of Great Britain, that a regular standard or docquet may be framed, as a rule or authority for the regulation of all fees to be paid in the West India colonies, on the entering inwards and clearing outwards of each ship or vessel. That the docquet may be directed to be placed in a conspicuous public place in each custom-house, under the forfeiture of a considerable penalty, to be paid by the collector, for omission. That the collector and comptroller, or each officer, should be required *to give a receipt for the money paid to them*, for each vessel, wherein shall be expressed the particulars of each charge, with reference to the docquet of fees, and to be subject to heavy penalties in case of refusal, and consequent interruption to the clearing out of vessels. A moiety of such penalty to go to the parties aggrieved, and to be recoverable by an action at law in any of the courts of justice in the colonies where such circumstances may happen. Your memorialists being deeply impressed with the opinion that, by some such measures, these practices would be effectually prevented, and their reasonable interests protected, if a law was to be enacted by the legislature, to make illegal any attempt of the officers to charge or receive higher fees than those set forth in the public table or docquet.

And your petitioners, as in duty bound, will ever pray.

For and on behalf of the Members of the Liverpool Association of Ship Owners.

A. Littledale, Chairman.

Liverpool, 18th May, 1816.

PARLIAMENTARY PROCEEDINGS.

HOUSE OF ASSEMBLY OF BARBADOS,

BARBADOS, TUESDAY, AUGUST 6, 1816.

At a Meeting of the Honourable and Worshipful Gentlemen Representatives of the people of this Island, at Mason's Hall, on Tuesday the 6th day of August, 1816, pursuant to original Writs from the Hon. John Spooner, Esq. President of His Majesty's Council, and then the Commander in Chief of this island, Chancellor Ordinary and Vice-Admiral of the same,

The Members present, on the returns of the Election for the several parishes, appeared to be as follows:—

Christ Church	John Sullivan and J. R. Best, Esqrs.
St. Phillip	J. T. Lord and F. Hunte, Esqrs.
St. Michael	The Hons. J. Beckles and J. P. Mayers.
St. George	J. B. Nurse and R. Cobham, Jun. Esqrs.
St. John	R. Haynes and J. H. Pinder, Esqrs.
St. Thomas	J. Williams and Geo. Williams, Esqrs.
St. James	J. G. Alleyne and James Alleyne, Esqrs.
St. Peter	Wm. Hinds and J. Leacock, Esqrs.
St. Lucy	J. W. O'Neale and J. Griffiths, Esqrs.
St. Andrew	R. Skinner and J. W. Jordon, Esqrs.
St. Joseph	R. J. Haynes and Wm. Adamson, Esqrs.

The Members present, after taking the oaths before His Excellency the Governor in Council, proceeded to the choice of a Speaker, when the Hon. J. Beckles, on the motion of Mr. Mayers, seconded by Mr. Sullivan, was unanimously chosen, and, having taken the Chair, addressed the Members in the following words:—

"*Gentlemen,*

"Flattered by this further mark of your regard and good opinion, in making choice of me for your Speaker at this time, I will not decline the honour you have thus unanimously conferred upon me, although I cannot accept it without great diffidence; for, conscious of my declining health and strength, I fear that I shall not be able to execute the duties of this important station, attended as they must be with trouble and difficulties, as well as I could wish. But I will do my best, and must now bespeak your kind indulgence. Indeed, I must candidly acknowledge, that I had at one time meditated to relinquish my seat in the House of Assembly; but a few friends whom I consulted dissuaded me from it, and upon reflection, I was convinced that it would be making an ungrateful return to my Constituents, whose free and voluntary choice I have been for upwards of thirty-four

years, to desert them at this most momentous crisis in the annals of the country. There never was a time when the service of the country so imperiously called upon every member of the community to exert his abilities, whether great or small. We must not expect to meet here, as has been usual in common times. Our attendance ought to be unremitted—we ought to meet day after day. The variety of important business, which will probably come before the House, must not be hurried over—it will require our most serious deliberation. The insurrection has been quelled, but the spirit is not subdued; nor will it ever be subdued whilst those dangerous doctrines which have been spread abroad continue to be propagated among the slaves. It behoves us to be upon our guard—to keep watch, that we may not again be caught so shamefully unprepared. The comfort and happiness of our families require it—the safety and tranquillity of the island call for it. We must all determine to sacrifice our private interests to the public good. It is a duty which we owe to our constituents—it is a duty which we owe to our country."

The Members then returned to the Council-chamber, and presented their Speaker to the Governor, when Mr. Speaker addressed his Excellency as follows:—

"*May it please Your Excellency,*

"Partial to their old servant, the House of Assembly have been pleased to overlook all my imperfections, and to make choice of me again for their Speaker. Sensible that my bad state of health renders me but ill qualified to undertake the arduous task at this momentous juncture, it is only in compliance with the wishes of the House that I presume to present myself to Your Excellency for your approbation."

To which the Governor replied:

"*Sir,*

"I see with satisfaction the first result of the deliberations of the House of Assembly, in having been guided by the test of experience, which has so amply enabled the representatives of Barbados to judge of the zeal and ability with which you have long presided in the Assembly. Their choice has been honourable to them and to you; and I am sufficiently acquainted with your merits to feel entire confidence in its being beneficial to the public service. If to motives of duty any thing were still to be added, I have great pleasure also to give you the assurance of my personal esteem, in approving and confirming the unanimous vote of the House of Assembly."

The Speaker then claimed the privileges of the House of Assembly, saying—

"Your Excellency having been thus graciously pleased to approve of the choice of the House, it now becomes my duty, in their behalf, to demand the free exercise and full enjoyment of all their accustomed rights and privileges. I therefore, with all due respect, claim, first, exemption from arrest of their persons and servants during their attendance upon the House; secondly, freedom of debate; and lastly, access to your Excellency's person whenever the service of the country may require it.

To which His Excellency answered,—

" *Mr. Speaker,*

" Satisfied as I am that the Assembly will always use their accustomed rights and privileges for the public advantage alone, I am happy to confirm them in their full exercise, by exemption from arrest of the persons of the Members, and of the servants of the Assembly, when in attendance on the House; by permitting and protecting freedom of debate; and by access to my person whenever the public service may require it."

The Members having returned to their House, proceeded to the choice of their Officers, and unanimously chose the Rev. W. M. Payne, their Chaplain; Mr. J. R. Phillips, their Clerk; Mr. J. N. E. Elder their Deputy Clerk; and Mr. J. Spencer, their Marshal.

The Speaker stated to the House, that when they attended his Excellency the Governor in Council, he was pleased to make a speech to the Council and Assembly, of which his Excellency had been pleased to give him a copy; and he delivered in the same at the table, when it was read in these words:

" *Mr. President, and Gentlemen of the Legislative Council.*

" *Mr. Speaker, and Gentlemen of the Assembly.*

" The regret, with which I advert to the circumstances that lately involved a part of this colony in the destructive and painful consequences of internal commotion, is mitigated by the re-establishment of public order, on a basis which promises stability. I lost not any time, after the unfortunate event of the late insurrection, to remove from the minds of the slave population that delusion, which appeared to have been its immediate cause.

" I endeavoured, and I trust successfully, by a personal intercourse with the generality of the insurgent slaves who had been misled, (and who were assembled in bodies for that purpose,) to prevent the possibility of mischievous persons being again able to mislead them, on a misconception of the real state of their condition. I felt it my duty also to remind the deluded slaves, of the necessary although painful illustration of the strength of the law, which the insurrection had occasioned; and I am confident, that the complete promulgation of the truth, which has taken place on every point that is connected with the slave population, has secured the tranquillity and re-established the interrupted industry of this island.

" I congratulate you on the ample scope which the liberal spirit of the Imperial Parliament, and the internal strength of this colony, have afforded you for those laws of Barbados, which the lapse of time, the change of circumstances, and experience of their defects, have marked as fit objects of your deliberation.

" I recommend to your wisdom, justice, and liberality, the consideration of those laws which relate to the formation of a constitutional force for the security of the colony—to the free people of colour—and to the slave population, which latter, the Council and Assembly of Barbados have already declared their intention of improving.

" In a particular manner does it appear most important, that the promulgation of a knowledge among the slaves of that sense of duty, which

is founded on the Christian religion, should receive the fostering care, protection, and encouragement of the laws.

"*Mr. Speaker and Gentlemen of the Assembly,*

"While this colony was necessarily deprived of the aid of your collective opinions by the exercise of martial law, and the dangers to which the country was exposed, required some expenditure for quartering the troops and for the public security, which it was impracticable to derive from your vote as the representatives of the colony, the members of his Majesty's Privy Council advised some part of the expense to be incurred, bearing in view not only its necessity, but public economy.

"I will order the necessary information to be laid before you; and I have not any doubt, but that you will take that subject into your consideration with a view to the interests of the colony; and that you will provide for that, and such farther expenses, as your duty may point out for the permanent internal security of Barbados.

"There are other contingent expenses which have been incurred, under circumstances equally unavoidable, accounts of which I will also cause to be laid before you; and I am confident, that whatever may be necessary for upholding the useful establishments of the colony, will be sanctioned and provided for by you.

"*Mr. President, and Gentlemen of the Legislative Council;*

"*Mr. Speaker, and Gentlemen of the Assembly:*

"The zealous and useful co-operation of the militia with His Majesty's regular troops, in the restoration of tranquillity, is a subject of congratulation.

"I am also happy to think, although we have to regret the individual losses which have been felt from the unfortunate events of the late insurrection, that the colony, generally, has had the advantage of a most productive return for the labours of agriculture, and that the present appearance of the country is equally promising.

"In whatever regards my duty, I shall feel sincere gratification in co-operating with you for the reciprocal interests of Barbados, and for the maintenance of the just relations of the Parent State, and of this ancient and flourishing colony."

Mr. Mayers, Mr. Pinder, Mr. Best, Mr. Jordan, and Mr. Cobham, were appointed a committee to answer the Governor's speech.

Mr. Speaker recommended that the House should present addresses to the Prince Regent, the Princess Charlotte, and Prince Leopold, upon the late marriage of the Princess Charlotte with Prince Leopold; which addresses were accordingly prepared, read, and agreed to.

Mr. Mayers introduced a Bill of Settlement for his Excellency the Governor; which being read, and referred to a committee of the whole house, the blank was filled up with the sum of four thousand pounds. The House having resumed, the Bill was read a second and third time, and passed *nem. con.*

Mr. Mayers introduced a Bill to excuse such persons as had neglected to give in for their slaves, wind-mills, &c. &c. and moved that it be read; and, his motion being seconded by Mr. Pinder, the same was read. The

House went into a Committee on the Bill; and on the House being resumed, Mr. Mayers moved, that the Bill be amended by also extending the time of giving in for land; and the further consideration of it do lie over until the next meeting, which was agreed to.

The Governor's Settlement Bill was returned and passed by the Council.

Mr. Speaker, at the head of the House, presented the Bill of Settlement to His Excellency for his assent, and addressed him as follows:—

"*May it please Your Excellency,*

"I am to present for Your Excellency's assent, a Bill entitled, 'An Act for the better support of His Excellency Sir James Keith, K. C. B. during his administration of the Government of this island.'

"Notwithstanding the sufferings of the inhabitants from the late dangerous insurrection of the slaves, which at its commencement threatened the destruction of the island, and notwithstanding it will be necessary to lay heavier burthens upon the people, the House of Assembly could not think of making Your Excellency a sharer in their losses. They have, therefore, Sir, unanimously voted the same settlement which they had granted during Your Excellency's late administration; and they only regret, that the circumstances of the country would not allow them to make Your Excellency an offer better worth your acceptance."

To which His Excellency replied:

"*Mr. Speaker,*

"I have to express the high sense which I entertain of the liberality and kindness of the Assembly in originating, and of the Legislative Council in concurring in the Bill, which you now present to me; and for which I beg of you to convey to the Assembly my acknowledgments and thanks.

"Under the circumstances, however, of the late calamitous events which unfortunately occurred, I should neither do justice to my official situation, nor to my own personal feelings, if I were to remain the only person in the colony, over which I have the honour to preside, who should not in any degree be a sharer in the losses which have fallen on the community.

"In withholding my assent to this Bill, which has been framed for my personal advantage, I have, however, to assure the Assembly, that I would receive, as an additional mark of their kindness, that they should consider the amount of the salary, and by a new vote diminish it one-fourth.

"I ought to be the last person to throw any gloom on the affairs of this ancient and loyal colony; and, notwithstanding the untoward circumstances to which allusion has been made, I see, with great satisfaction, the appearance of general prosperity, with which the bounty of Providence, by a most favourable season, promises the industry of agriculture and commerce. But, however happy I am to join with you in congratulations on this part of the picture, it leaves my motives unchanged; for it is fitting, that he who is highest in authority, should be the most sensitive in whatever even threatens to press on a community over which he is placed to govern."

Mr. Speaker and the other members returned to their House, and took their seats:

Mr. Mayers rose, and spoke as follows :—

"*Mr. Speaker,*

"I rise to undertake that which, however congenial to my own feelings, some other Members of the House, I am sure would be better able to execute. We have an important and indispensable duty to discharge to our constituents and our country, in embracing the earliest opportunity to make every suitable return in our power to the gallant and judicious Commandant, and the Officers, Non-commissioned Officers, and Soldiers, of the garrison of St. Anne's, for those vigorous and decisive measures on the morning of the 15th of April last, by which the most valuable properties were saved, and the desolation of our fine country, and all the concomitant horrors of a slave insurrection, were happily suppressed. A perfect sense of my own incompetency to do ample justice to a subject of so much importance would make me shrink from attempting it, were I not prompted by a zeal which I cannot help feeling whenever the character of our country is concerned; and encouraged by the conviction, that the same gratitude, which warms my heart toward His Majesty's troops for their prompt and spirited aid, glows with equal fervour in the breasts of our countrymen. From this short prelude, gentlemen will perceive it is my opinion, that we ought to adopt some signal method of evincing our obligation. I propose to submit to the consideration of the House, first, a vote of Thanks to the worthy Commandant, and the Troops under his command, which shall remain a recorded testimony to remotest posterity of the grateful sense we entertain of their gallant exertions; and, secondly, the grant of a sum of money for the purchase of a few articles of plate, to perpetuate in the family of the worthy General, our faithful remembrance of his important services. With respect to the first of these objects, as a similar opportunity of shewing such a distinguished mark of respect has never before occurred in this island, we must be guided by the practice of the British Parliament, by which the honour of a vote of Thanks is, I believe, always conferred on services which cast a lustre on the character of His Majesty's forces, or materially tend to benefit the interest of the country. The services, which we are at present called upon to notice, are of a nature and character that will bear the strictest examination by that standard, whether we call to mind the alacrity with which the garrison turned out on the morning of the alarm, their zeal and constancy in pursuing and securing the insurgents, or the patience with which, under every privation, they endured the most harassing and fatiguing marches. With respect to the other object, I feel convinced it is the wish of our constituents that we should present some other token of remembrance besides a vote of Thanks to the worthy Commandant, which shall mark the generosity as well as the gratitude of our country. I shall, therefore, first have the honour to move—

"That the Thanks of this House be given to Edward Codd, Esq Lieut. Col. of the 60th regiment, and Commandant of the Garrison of St. Ann's, for the great and important services which he rendered to this island during the late unfortunate rebellion of the slaves, for his prompt and decisive measures, his vigilant and unremitted exertions, and his judicious arrange-

ment of the forces under his command, by which good order, tranquillity, and security, were in a short time restored, as well as for his humane interference, whereby all unnecessary effusion of human blood was prevented.

"That the Thanks of this House be given to the Officers, Non-commissioned Officers, and Privates of St. Ann's Garrison, for the prompt, spirited, and efficient aid rendered to the inhabitants of this island, during the late insurrection of the slaves."

Resolved unanimously, that the Thanks do pass, and that the same be conveyed to Colonel Codd by the speaker.

Mr. Mayers introduced a Bill to vote the sum of One Thousand Pounds sterling to Colonel Codd, to purchase such articles of plate as he might think proper, and moved that the same be read; and his motion being seconded by Mr. Hinds, the Bill was read three times, and passed the House unanimously.

Mr. Mayers then introduced a Bill for voting Two Hundred Guineas to Major Cruttenden, for the purchase of a sword; which, being seconded by Mr. Best, was read three times, and passed the House unanimously, the two Bills were then sent up to the Council by Mr. Jordan and Mr. Cobham.

The above two Bills being returned passed, the Speaker, attended by the whole House, presented them to His Excellency for his assent, and addressed him as follows:—

"I am to present for Your Excellency's assent a Bill, entitled, 'An Act for appropriating a certain sum of money out of the public treasury of this island, to the use hereinafter mentioned.'

"By this Bill, the House of Assembly have unanimously voted the sum of One Thousand Pound sterling to Colonel Codd, to be laid out in such articles of plate as he shall choose. I have also in my hand a Bill, entitled, 'An Act for appropriating a certain sum of money out of the public treasury of this island, for the use hereinafter mentioned.'

"By this Bill, the sum of Two Hundred Guineas has been unanimously voted to Major Cruttenden, to purchase a sword, as a small remuneration for his activity, zeal, and exertions in the service of the country, during the late unfortunate insurrection."

To which His Excellency replied,

"*Mr. Speaker*,

"I assent with pleasure to the Bill now presented to me in consequence of the zealous and active exertions of Colonel Codd, not only to put down insurrection, but to prevent the unnecessary effusion of human blood—and I also assent to the Bill expressive of the favourable sense which is entertained of Captain Cruttenden, Major of Brigade."

(To be concluded in the next Number.)

STATE AND OFFICIAL PAPERS.

IONIAN ISLANDS.

RETURN

TO AN ORDER OF THE HON-OURABLE HOUSE OF COMMONS, FOR PAPERS RELATIVE TO THE IONIAN ISLANDS,

As far as the said Order relates to the Office for War and Colonies,

No. I.—*Proclamation by His Britannic Majesty's Civil Commissioner to the Government of the Ionian Isles.*

HIS Royal Highness the Prince Regent of the United Kingdom of Great Britain and Ireland, having been pleased, in the name and behalf of His Majesty, his Royal Father, to nominate me to the administration of the civil concerns of the Ionian Isles, as his commissioner, as also to the command of his forces serving therein, and throughout the Adriatic; I do hereby give notice, that I have taken upon myself the discharge of the important duties which have been thereby confided to me; and, in compliance with the directions conveyed to me by his Britannic Majesty's government, do, in this manner, publicly announce, that I have been thus specially appointed by His Royal Highness the Prince Regent, to exercise the civil government of these islands, in consequence of the desire expressed to that effect to Great Britain, by the Comte de Foscardi, in the name of the Ionian Islands.

I am moreover directed to impress most earnestly upon the minds of the inhabitants in general of these islands, the deep interest which His Royal Highness the Prince Regent, and the British nation feel in their prosperity, and of His Royal Highness's gracious intention to order the adoption of all such measures as may appear best calculated to promote and extend the commerce and agriculture of the Ionian Isles, and to afford to the people the blessings of freedom, justice, and security.

Having thus expressed the orders of the British Cabinet, it only remains that I should, in my own name, give assurances to the inhabitants of these islands, and their governments, that employed for the last eight years upon public service in the Mediterranean, I have contemplated, and taken a sincere interest in their welfare and proceedings, from their earliest more intimate connection with Great Britain, and that I am equally prompted by

duty, as by inclination, fairly and impartially to fulfil the instructions which my superiors have given me, and which have for their avowed and direct object, the prosperity, aggrandizement, and improvement of the Islands of the Septinsular Circle.

Given at head-quarters, in the Island of Zante, this 30th day of April, 1813.

(Signed) J. CAMPBELL.

No. II.—*Proclamation by his Britannic Majesty's Civil Commissioner, and Commander of the Forces in the Ionian Islands.*

Notice is hereby publicly given, That until further orders, or that it may be judged expedient or necessary to adopt other measures and regulations, all the administrative bodies, as also the whole of the civil and military authorities throughout the Ionian Isles, are to be continued to be exercised in like manner as has hitherto been in practice, while under the control of Major-General Airey; and all public functionaries whatever, are hereby ordered to make their several arrangements, and to guide themselves accordingly.

Given at head-quarters in the island of Zante, this 30th day of April, 1813.

(Signed) J. CAMPBELL.

No. III.—*Proclamation by His Excellency Lieutenant-General James Campbell, Civil Commissioner of his Britannic Majesty, for administering the government of the Ionian Islands, and commanding his Majesty's troops in [illegible]d Islands and in the Adriatic, &c. &c. to the Publi[illegible] Functiona[illegible] [illegible]ergy and Inhabitants of the City and Island of Corfu.*

His Royal [illegible]ness the Prince Regent, who acts in the name and on the behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, and the August Allies of His Majesty, have been graciously pleased to nominate me their commissioner for receiving the surrender of the fortresses and of the island of Corfu, from the constituted authorities of His Most Christian Majesty Louis XVIII, King of France, in virtue of a convention signed at Paris the 23d of April last.

The cession of the fortresses and of the island of Corfu, which will be made to the troops of his Britannic Majesty under my command, will be ratified by me in the name of all the High Allied Powers.

In consequence of the full powers with which I have been vested, and in concert with his Excellency Rear-Admiral Sir John Gore, commanding the squadron of his Britannic Majesty in these seas, I have settled the cession of the fortresses and island with his Excellency General Baron de Boulnois, commissioner of His Most Christian Majesty, regularly nominated at Paris for this purpose, in conformity with the convention above mentioned.

According to the tenor of what has been arranged, a part of the military works of this place, viz. the camp of Ascension, and the redoubt of St. Pantaleone, were occupied this day by the troops of Great Britain under

my command; and the remaining fortifications will, without delay, be ceded progressively, as soon as the measures shall have been completed which have been agreed upon for embarking the troops of His Majesty the King of France, on board of the squadron that has been sent here for this purpose, and on board of the British transports which his Excellency Rear-Admiral Sir J. Gore has offered to His Excellency the French Admiral for this purpose.

Having thus made manifest to all the classes of inhabitants in the island of Corfu the object of my coming to this place, and the great and happy results derived from the harmony and peace which exist so happily in every part of Europe, it only remains for me to declare my firm determination that, in the execution of the honourable charge confided to me by my Sovereign, and by his August Allies, I will administer impartial justice, and always be guided by those principles of honour, integrity, and liberality which constitute the public and private character of the British nation.

Given at my head-quarters, Corfu, 17th June, 1814.

(Signed) J. CAMPBELL, Lieut. Gen.

No IV.—*Proclamation by his Excellency Lieutenant-General James Campbell, Commissioner of his Britannic Majesty, and of the August Sovereigns his Allies, in the Island of Corfu; to the Public Functionaries, Clergy, and Inhabitants of Corfu.*

The Lieutenant-General Commanding and Commissioner, at the moment of assuming the honourable charge conferred upon him for carrying into effect the cession of the island and fortresses of Corfu, made to the troops of his Britannic Majesty under his command, in the name of all the August Allied Sovereigns, and on the departure of the troops of His Most Christian Majesty Louis XVIII, fixed for this day, must repeat to the inhabitants of this island, that in the execution of the very comprehensive orders with which he has been charged by his superiors, relative to this cession, he has acted, and will continue to act in the manner most conformable to the spirit of the same. It will, at the same time, be always gratifying to his heart to adopt in future whatever measures may be most adapted to establish the welfare and happiness of this island.

Such has always been the line of conduct held by the British Government towards all the people it has undertaken to protect; and great have been, on all occasions, the sacrifices made by Great Britain in maintaining the sanctity of her engagements and the loyalty of her friendship.

The Lieutenant-General Commanding and Commissioner, in order to obviate idle inventions and false reports, that might be circulated by evil-disposed persons, with the view of disturbing the public mind, and more particularly in order to explain with candour to all the inhabitants of Corfu, the full extent of his powers, publicly announces and makes known, by these presents, that he is invested with full powers to regulate, amend, and alter, inasmuch as the public good may require it, any branch or department of the government of this island.

The Lieutenant General Commanding and Commissioner, hereby so-

lemnly declares, that in the exercise of the powers with which he has been invested, he will never neglect any thing calculated to protect the good and the industrious; as, on the other hand, he will not fail to punish, in the most expeditious manner, all those who may dare to compromise the public tranquillity, offend the laws, or violate the well-founded and acknowledged regulations of society, and the due subordination towards the government.

Given at head-quarters, Corfu, the 24th June, 1814.

J. Campbell, Lieutenant-General.

NEW SOUTH WALES.

Copy of a Letter from the Earl Bathurst, to Governor Macquarie, dated Downing-street, 23d November, 1812. Printed by Order of the House of Commons, June 11, 1816.

Downing-street, 23d Nov. 1812.

Sir,—I have the honour of transmitting to you herewith, the Report of the Select Committee of the House of Commons on Transportation.

As the course of their inquiries has been principally directed to ascertain the state of New South Wales, and the alterations which might be made with most advantage in its existing laws and regulations, it cannot fail to obtain, as it deserves, your most serious consideration.

On perusing the Report, you will observe that many of the regulations which the Committee has pointed out as peculiarly objectionable, have either been already abolished, or are now in a train of modification and amendment: of this description are the traffic of civil and military officers in spirituous liquors; the restriction on the power of granting licences; and the maximum on the price of grain, meat, and merchandize: the two former of which have long ceased to exist, and the latter has been removed since your accession to the government. To these, I trust, may also be added, that commercial regulation, by which every vessel is compelled to touch at Port Jackson, previous to discharging any part of its cargo in Van Diemen's Land; a measure, on the expediency of which I have already sufficiently animadverted in my letter of the 14th of July last.

The regulations which you have established with respect to the importation of spirituous liquors, have met with the same approbation from the Committee which they had already received from his Majesty's Government; but the Committee equally express their regret at the contract which (in contradiction to the principles originally laid down by you,) you had been led to sanction with Messrs. Wentworth, Riley, and Blaxell.

The propriety of allowing the distillation of spirits within the colony,

is one of the points most strongly recommended by the Committee, and is that, in consequence, to which I shall most particularly advert. The contract to which I have just alluded, places it out of the power of His Majesty's Government to sanction the immediate adoption of any measure by which it might be indirectly violated; but even if this difficulty did not exist, they would be but little disposed to authorize so entire a change in the principles upon which the spirit-trade of the colony has hitherto been conducted, without a full communication with the Governor, and a previous knowledge of his opinion on the subject. My object, therefore, at present, is merely to lay before you some few considerations, by which a decision, as to the propriety of authorising distillation, ought, in my opinion, to be influenced.

The principal benefits which are expected to result from this measure are an extension of agricultural speculation, and a consequent resource in times of scarcity, and the production of a better spirit than the rum hitherto imported into the colony. Among the minor advantages are stated the prevention of illicit distillation, and the consumption of that redundancy of corn crops, which is assumed, upon the evidence of Mr. Johnstone, to have occasionally existed in the interior of the colony. If by encouraging the distillation of spirits from grain within the settlement, it is proposed only so to apply the grain, which is more than equal to the consumption, it must be intended also to suspend the distilleries whenever the crop is less productive than usual, and the settlement will be by its situation, placed under great difficulties by the uncertainty that will exist, whether foreign importation of spirit will or will not be required. By a reference to Mr. Campbell's evidence, it will appear, and indeed you must be aware from your own experience, that the colony does not produce grain more than sufficient for its own consumption, and consequently that whatever proportion of the corn-crop were now applied to distillation, must be withdrawn from the subsistence of the inhabitants. From the avidity with which spirits have uniformly been sought after, there is some reason to think that the eagerness on the part of the distilleries to meet the demand, might therefore produce an improvident consumption of grain, so as to lay the foundation of a scarcity the ensuing year. Whether the deficiency of grain arises from the want of proper encouragement to agriculture, or from an inability on the part of the colony, to raise, in its present state of advancement, an adequate supply, it is most material to ascertain. It appears, from statements which have been made by merchants at Calcutta, that wheat may be imported into New South Wales at the rate of eight shillings per bushel, while, upon a reference to the prices paid for wheat grown in the colony, they appear to vary from ten to twelve shillings; a price which, considering that the grower has his land rent free, together with other advantages, seems to hold out very great encouragement to its proper cultivation. The settlers, however, have stated that the price is much too low: but if it be to be raised considerably, the Government, which already feels very severely the annual expense of the colony, can no longer be expected to continue its purchases within the colony, when corn can be procured at so much lower a rate in the markets of India.

It will therefore be a matter of calculation, in considering the advantages to be derived from distillation, whether the quantity required for the distillery will be such as to compensate the grower for the loss of that demand for his crop which is created by the large purchases of Government.

Whether the quality of the spirit made in the colony will be superior to that now imported from Bengal or America, is a point on which I possess no very adequate means of deciding.

I confess myself at a loss, in some degree, to comprehend the effect which the proposed measure is intended to produce upon illicit distillation, unless it be understood that the distillation of spirits should henceforth be generally permitted, without any restriction or limitation whatever. For if duties are to be imposed, they will be met with the same desire of evading them; and if they are altogether withdrawn, there is too much reason to apprehend the consequences which may result from the reduced price of an article, the injurious effects of which, upon the morals and health of the inhabitants, is only equalled by the avidity with which it is required.

The next important point referred to by the Committee are the judicial establishments of the colony. The construction of the courts of judicature, and their incompetence satisfactorily to discharge the duties imposed upon them, have engaged the serious attention of his Majesty's Government.

Their establishments, when they were originally introduced, were, perhaps, as good as any which could have been at that time recommended; but the settlement appears now to have outgrown them; and the inconveniences, which possibly are at present not very severely felt, are likely to increase, and occasion serious embarrassments.

The Judge-Advocate, Mr. Bent, in his letter addressed to the Earl of Liverpool, bearing date the 19th day of October, 1811, has stated strongly, and very much at large, the objections which exist with regard to the present establishment. With the growing prosperity of the colony, the number of causes has rapidly increased, to an embarrassing extent. The civil causes now involve property to a considerable amount. They are in many instances complicated, and require more elucidation than what the parties, as they have no professional assistance, are able to produce. Under these circumstances, therefore, the decisions upon them are unavoidably given when the questions at issue are but imperfectly stated. While these decisions are frequently too summary, they are at the same time not sufficiently conclusive, and from most of them an appeal to His Majesty in Council is allowed; but it rarely happens that a creditor will not be happy to compound on any terms, rather than be exposed to the expenses of the appeal.

In order to obviate the embarrassment arising from the number of causes, it will be expedient to divide the labour. It is therefore intended that there should be established two courts in the settlement; one, the Supreme Court; the other, the Governor's Court; to be constituted as hereafter will be stated.

In the Governor's Court, the Judge-Advocate shall preside. The Court shall be constituted as the Civil Court of Judicature now appears to be; but it is not to take cognizance of any suits, the amount of which shall be above the value of 50*l*. From the decision of this Court no appeal is to be al-

lowed; causes of this description will, generally speaking, be more satisfactorily decided by a summary and final proceeding. The Judge-Advocate will be called upon to establish such regulations respecting its proceedings as may to him appear requisite, and they shall be published as the Rules of the Court. It is further intended that a court of the same description shall be established at Van Diemen's Land, to which a Deputy Judge-Advocate will be regularly attached: this will relieve those settlements from the embarrassments under which they labour, by not having any court of Judicature established within themselves. There must, however, be the same limitations as to the amount of the actions which this court is to try, and all above that amount must be brought before the Supreme Court of judicature in Sydney.

This Supreme Court is to consist of a Chief Justice, and two persons to be chosen by the Governor, in rotation, from among the magistrates of the territory; solicitors are to be employed on either side, and for that purpose proper encouragement will be given to a sufficient number to go out; but it does not appear that there exists, at present, the same necessity for advocates. Of the solicitors, one will receive a salary of 300*l.* per annum, and fill the situation of King's Proctor; while the other may be appointed Coroner of the territory, in the manner recommended by Mr. Bent.

In actions where the amount of the suit exceeds 3000*l.* an appeal may be made to His Majesty in Council; but the appellant, if the debt be due from him, or he has possession of the property claimed, must first pay the amount of his debt into Court, or surrender the property in question to trustees to be named by that Court.

Real estates, such as lands, houses, &c. in the settlement, must be rendered liable to all just debts and demands, and to be seized or let by virtue of the process in the Supreme Court, in the same manner as personal chattels. This provision, however, should not extend to debts under 50*l.* which are to fall under the jurisdiction of the inferior court.

In cases where the opinion of the Judges shall not concur, the opinion of the majority shall be considered as binding; but if, on any consultation, the Chief Justice shall be in the minority, if he protests against the decision, upon such protest being duly recorded, the party may, in all such cases, at once appeal to the Governor, who shall be assisted by the Judge-Advocate: from his decision an appeal will be allowed to his Majesty in Council, in all suits which exceed the value of 3000*l.* subject to the aforesaid regulations with regard to appeal. A Clerk of the Peace to be appointed to act agreeably to Mr. Bent's suggestion, as a public notary and a registrar.

The Supreme Court, constituted in all respects as already described, shall take cognizance of all criminal cases; and shall act also as a court of equity.

It is, however, a question worthy of consideration, how far, in criminal cases, the trial by jury may not be advantageously introduced. It is not necessary to dilate on the beneficial effects to be derived by that system of dispensing justice; but before it is adopted in New South Wales, it is

very necessary gravely to consider how far the peculiar constitution of that society of men will allow the application of this distinguished feature of the British Constitution: are these settlers in number sufficient, capable and willing to undertake the duties? In a society so restricted, is there not reason to apprehend that they may unavoidably bring with them passions and prejudices which will ill dispose them to discharge the functions of jurymen? The great principle of that excellent institution is, that men should be tried by their peers. Would that principle be fairly acted upon, if free settlers were to sit in judgment on convicts; and that too in cases where free settlers might be a party? Would it be prudent to allow convicts to act as jurymen? Would their admission satisfy the free settlers? Would not their exclusion, &c. be considered as an invidious mark placed upon the convicts, and be at variance with the great principle upon which the institution itself is founded.

These are questions which it is very desirable should be well weighed, and on which I shall be happy to have your opinion.

The proposed alterations in the court of judicature need not wait for this solution. On the contrary, it may perhaps be desirable that alterations in so important a part of the internal policy should be gradually introduced.

The attention of His Majesty's Government has, in the next place, been directed to those restrictions which it may be proper to impose upon the authority of the Governor; and on this point they so far concur with the opinion expressed by the Committee, as to consider the power with which he is at present invested, of granting real or conditional pardons, as unnecessary, and, in some instances, extremely inconvenient. The manner in which you have exercised this branch of your authority, sufficiently evinces your opinion of the very great discretion with which it should be used, and I have therefore the less hesitation in discontinuing a power, which, at the same time that it is liable to great abuse, is not necessary to the good government of the colony. It is, however, by no means intended to withhold altogether from the Governor this mode of encouraging the convicts to endeavour, by good conduct, to ameliorate their condition; His Royal Highness the Prince Regent will always be ready to listen to the recommendations of the Governor, and to extend the royal mercy to deserving objects; and as it is not proposed to interfere with the power of granting tickets of leave, the Governor will still possess the means of affording immediate relief from the pressure of their original sentence, to those who may have entitled themselves to this favour. You will, I am sure, also, not fail to have observed the propriety of that suggestion of the Committee, that recommends that there should annually be transmitted to this office a return of all the tickets of leave which you may have thought it expedient to grant, with a statement of the prisoner's original sentence, and of the circumstances which have led to its alleviation.

To the recommendation which the Committee have made of assisting the Governor by a Council, His Majesty's Government feel no disposition to accede. The difficulty of selecting proper persons for the situation of members of the council, the dissensions and disputes to which their oppo-

sition to the Governor, or their protest against his conduct, must give rise; the parties which would thence arise in the colony; the length of time during which the public tranquillity would be interrupted before a communication could be received from home; the danger of weakening the higher authorities, in a society composed of such discordant materials; are all causes which have more or less influenced the determination of his Majesty's Government to leave the Governor unfettered by a Council.

The Committee appear to be sufficiently aware of the anxiety which his Majesty's Government have always evinced to encourage a religious feeling in the colony; nor have I neglected the course which I conceive to be best calculated to promote this desirable object, by endeavouring to procure persons properly qualified for the situation of clergymen in the colony.

You will be sorry to learn that Mr. Kerr and Mr. Campbell, to whom, in consequence of your recommendation, I had applied, have both declined accepting the situation of Chaplain.

I forbear to make any observations on that part of the Report which relates to the transportation of offenders, as it does not fall in any degree within your jurisdiction: measures, however, shall be taken to give effect to that part of the Report which relates to the return of female convicts to their native country, at the expiration of the period of their sentence, as soon as I shall receive from you a return of the number of such females, for which the Government may annually be required to provide.

Having thus adverted separately to the principal subjects embraced in this Report, I have only, in conclusion, again to recommend the whole to your most attentive consideration, and to request that you will, at the earliest opportunity, furnish me with your opinion upon the expediency of the proposed alterations. I need not, I am convinced, press upon you the earnest wish of his Majesty's Government to adopt the measures best calculated for the advancement of the colony, nor assure you, that whatever difference of opinion may upon some topics exist between them and the Committee, the object which they both have in view is to promote the prosperity of the settlement, to advance its civilization, and to raise its character.

I have the honour to be, &c.

BATHURST.

Governor Macquarie, &c. &c.

[The Report referred to in this Dispatch will be given in the Colonial Journal, No. IV.]

NEW TARIFF

OF THE

UNITED STATES OF AMERICA.

A.

Ale, Beer, and Porter, in Bottles	15 cents per gallon.
Ditto ditto imported otherwise than in Bottles	10 ditto
Alum	100 ditto per cwt.
Almonds	3 ditto per pound.
Anchors	150 ditto per cwt.
Articles imported for the use of the United States	free.
Apparatus, philosophical instruments, books, maps, charts, statutes, busts, casts, paintings, drawings, engravings, specimens of sculpture, cabinets of coins, gems, medals, and all other collections of antiquities, statuary, modelling, painting, drawing, etching, or engraving, specially imported, by order, and for the use of any society, incorporated for philosophical or literary purposes, or for the encouragement of the fine arts; or by order, and for the use of any seminaries of learning	free.
Antimony, regulus of	free.
Animals imported for breed	free.

B.

Brushes	30 per cent ad valor.
Bottles, glass, black, quart	144 cents per groce.
Boots	150 cents per pair.
Bristles	3 cents per pound.
Bark of the cork-tree, unmanufactured	free.
Burr-stones, unwrought	ditto.
Bullion	ditto.
Brass, in pigs, bars or plates, suited for sheathing of ships	ditto.
Brass, old	ditto.
Barilla	ditto.

C.

Cotton manufactures of all descriptions, or of which cotton is the material, or chief value, and on cotton twist, yarn, or thread, (see note A.)	25 per cent. ad valor.
Cosmetics, washes, balsams, perfumes	30 ditto.
Capers	30 ditto.
Comfits or sweetmeats, preserved in sugar or brandy	30 ditto.
Cabinet wares, and all manufactures of wood	30 ditto.
Canes, walking sticks, whips	30 ditto.
Clothing ready made, (*see note* B.)	30 ditto.
Carriages of all descriptions and parts thereof	30 per cent ad valor.
Cables and cordage, tarred	3 cents per pound.
Ditto ditto untarred, yarns, twines, packthread and seines	4 ditto.

Candles, tallow	3 ditto.
Ditto wax and spermaceti	6 ditto.
Cassia, Chinese	6 ditto.
Cinnamon	25 ditto.
Cloves	25 ditto.
Cheese	9 ditto.
Chocolate	3 ditto.
Cocoa	2 ditto.
Copperas	100 cents per cwt.
Coal	5 cts. per heap'd bu.
Copper rods, bolts, spikes, or nails, and composition rods, both spikes or nails	4 cents per pound.
Coffee	5 ditto.
Cotton	3 ditto.
Currants	3 ditto.
Cigars	250 cents per 1000.
Clay, unwrought	free.
Copper, imported in any shape for the use of the Mint	ditto.
Copper, in pigs, bars, or plates, suited to the sheathing of ships	ditto.
Copper, old	ditto.

D.

Dyeing Drugs, and materials for composing dyes, not subject to any other rates of duty	7½ per cent. ad val.
Duck, Russia, (not exceeding 52 archeens, each piece,)	200 cents per piece.
——— Ravens, (not exceeding 52 archeens, each piece,)	125 ditto.
——— Holland, (not exceeding 52 archeens, each piece	250 ditto.

F.

Figs	3 cents per pound.
Floor-cloths, painted; matts of grass in flags	30 cents ad valor.
Fish, foreign caught	100 cents per quintal.
—— mackerel	150 cents per barrel.
—— salmon	200 ditto.
—— on all other pickled fish	100 ditto.
Furs, undressed of all kinds	free.

G.

Gum Arabic	7½ per cent ad val.
Gum Senegal	7½ per ditto.
Gold leaf, and all articles not free, and not subject to any other rate of duty	15 ditto.
Glass, window, not above 8 inches by 10 inches, in size	250 per 100 squ. feet.
——— not above 10 inches by 12 inches, in size	275 ditto.
——— above 10 inches by 12 inches	325 ditto.
Glue	5 cents per pound.
Gunpowder	8 ditto.
Gold Coin	free.

H.

Hempen Cloth, or Sail Cloth, except Russian and German Linens, Russian and Holland Duck	20 per cent ad val.
Hats, or Caps, of wool, fur, leather, chip, straw or silk	30 ditto.

Hemp	150 cents per cwt.
Hides raw, and skins	free.

I. J.

Iron or Steel wire, not exceeding No. 18.	5 cents per pound.
——— over No. 18.	9 ditto.
Iron, in bars and bolts, excepting iron manufactured by rolling	45 cents per cwt.
Iron, in sheets, rods, and hoops	250 ditto.
——— in bars or bolts, when manufactured by rolling, and on anchors	150 cents per cwt.
Indigo	15 cents per pound.
Implements, or tools of trade, of persons arriving in the United States	free.
Jewellery, gold, silver, and other watches, and parts of watches; gold and silver lace, embroidery and epaulets; precious stones, and pearls of all kinds, set or not set; Bristol stones, or paste work, and all articles composed wholly, or chiefly, of gold, silver, pearl, and precious stones	7½ per cent ad val.

L.

Laces, lace veils, lace shawls or shades of thread or silk	7½ per cent ad val.
Leather, and all manufactures of Leather, or of which Leather is the material, or chief value	30 ditto.
Lead, in pigs, bars or sheets	1 cent per pound.
Lead, white and red, dry, or ground in oil	3 ditto.
Lapis Calaminaris	free.

M.

Manufactured articles of brass, copper, iron, steel, pewter, lead, tin, or of which these metals or either of them is the material of chief value; brass wire, cutlery, pins, needles, buttons, button moulds, and buckles, of all kinds, gilt, plated, and japanned wares, of all kinds, cannon, muskets, fire arms, and side arms, Prussian blue, China ware, earthen ware, stone ware, porcelain and glass manufactures, other than window glass, and black glass quart bottles	20 per cent ad val.
Millinery, viz. bonnets and caps for women, fans, feathers, ornaments for head dresses, artificial flowers, and every kind of millinery	30 per cent ad val.
Mustard	30 ditto.
Mace	100 cents per pound.
Molasses	5 cents per gallon.
Models of machinery and other inventions	free.

N.

Nails	3 cents per pound.
Nutmegs	60 ditto.

O.

Oil, salad	20 per cent ad val.
Olives	30 ditto.
Oil, spermaceti of foreign fishing	25 cents per gallon.
——— whale, and other fish oil, of foreign fishing	15 ditto.
Oil, olive, in casks	25 ditto.

Ochre, dry	1 cent per pound.
——— in oil	1½ ditto.

P.

Printing Types	20 per cent ad val.
Pickles	30 ditto.
Paper of every description, paste board, paper hangings, blank books, parchment, vellum,	30 ditto.
Playing Cards	30 cents per pack.
Pepper	8 cents per pound.
Pimento	6 ditto.
Plumbs and Prunes	3 ditto.
Plants and Trees	free.
Pewters, old	ditto.
Plaister of Paris	ditto.

R.

Raisins, muscatel	3 cents per pound.
——— in jars and boxes	3 ditto.
——— all other Raisins	2 ditto.
Rags, of any kind of cloth	free.

S.

Salt petre	7½ per cent ad val.
Stockings, of wool or cotton	20 per cent ad val.
Saddles, bridles or harness	30 ditto.
Shot, manufactured of lead	2 cents per pound.
Salt 56lbs.	20 cents per bushel.
Steel	100 cents per cwt.
Spirits from grain, of 1st proof	42 cents per gallon.
——— 2d proof	45 ditto.
——— 3d proof	48 ditto.
——— 4th proof	52 ditto.
——— 5th proof	60 ditto.
——— above 5th proof	75 ditto.
——— from other materials than grain	
——— 1st and 2d proof	38 ditto.
——— 3d proof	42 ditto.
——— 4th proof	48 ditto.
——— 5th proof	57 ditto.
——— above 5th proof	70 ditto.
Shoes and slippers of silk	30 cents per pair.
——— of leather	25 ditto.
Shoes and slippers for children	15 ditto.
Spikes	2 cents per pound.
Soap	3 ditto.
Sugar, brown	3 cents per pound.
——— white clayed, or powdered	4 ditto.
——— lump	10 ditto.
——— loaf, and sugar candy	12 ditto.
Snuff	12 ditto.
Specimens in natural history, mineralogy, botany and anatomical preparations	free.
Silver coin	ditto.
Sulphur or brimstone	ditto.

T.

Tallow	1 cent per pound.

Tea, from China, in ships or vessels of the United States, as follows, viz.	
Bohea	14 cents per pound.
Souchong, and other black . . .	34 ditto.
Imperial, gunpowder and gomee . . .	68 ditto.
Hyson, and Young Hyson . . .	56 ditto.
Hyson Skin, and other green . . .	38 ditto.
Tobacco, manufactured, other than snuff and cigars	10 ditto.
Tin, in pigs or bars . . .	free.

U.

Umbrellas, parasols, of whatever materials made, and sticks, or frames for umbrellas or parasols .	30 per cent ad val.

W.

Woollen manufactures, of all descriptions, or of which wool is the material, or chief value, excepting blankets, woollen rugs, and worsted or stuff goods, (see note (C)	25 per cent ad val.
Wafers	30 per ditto.
Whiting, and Paris white	1 cent per pound.
Wines, Madeira, Burgundy, Champagne, Rhenish, and Tokay	100 cents per gallon.
——— Sherry and St. Lucas	60 ditto.
——— other wines, not enumerated when imported in bottles or cases	70 ditto.
——— Lisbon, Oporto, and other wines of Portugal, and of those of Sicilly	50 ditto.
——— Teneriffe, Fayal, and other wines of the Western Islands	40 cents per gallon.
——— other wines when imported otherwise than in bottles or cases	25 ditto.
Wearing apparel and other personal baggage in actual use	free.
Wood, Brazil, Brazillets, Redwood, Camwood, Fustic, Logwood, Nicaragua and other dye woods .	ditto.
——— unmanufactured, of any kind . . .	ditto.

Z.

Zinc, tentenague, or spelter . . .	free.

The foregoing List of Articles comprises all the various descriptions of goods, wares and merchandize, enumerated in the first and second sections of the Act, establishing a new Tariff of Duties, either as free or subject to duty, carefully collated from the official Act of Congress.

The remaining Sections of the Act of Congress are given entire, viz.

(ADDITIONAL DUTIES.)

Sec. 3. *And be it further enacted*, That an addition of ten per cent shall be made to the several rates of duties above specified and imposed, in respect to all goods, wares and merchandize, on the importation of which in American or in foreign vessels, a specific discrimination has not been herein already made, which, after the said 30th day of June, 1816, shall be imported in ships or vessels not of the United States: *Provided*, That this additional duty shall not apply to goods, wares and merchandize imported in ships or vessels not of

the United States, entitled by treaty, or by an act or acts of Congress, to be entered in the ports of the United States, on the payment of the same duties as are paid on goods, wares, and merchandize, imported in ships or vessels of the United States.

(DRAWBACKS.)

Sec. 4. *And be it further enacted*, That there shall be allowed a drawback of the duties by this act imposed on goods, wares, and merchandize imported into the United States, upon the exportation thereof within the time, and in the manner prescribed by the existing laws, subject to the following provisions, that is to say: That there shall not be an allowance of the drawback of duties in the case of goods imported in foreign vessels, from any of the dominions, colonies, or possessions of any foreign power, to and with which the vessels of the United States are not permitted to go and trade; that there shall not be an allowance of the drawback of duties for the amount of the additional duties by this act, imposed on goods imported in vessels not of the United States; that there shall not be an allowance of the drawback in case of foreign, dried or pickled fish, and other salted provisions, fish-oil, or playing-cards; that there shall be deducted and retained from the amount of the duties on goods exported with the benefit of drawback, (other than spirits) two and a half per centum, and that there shall be retained in the case of spirits exported with the benefit of drawback, two cents per gallon upon the quantity of spirits, and also three per centum on the amount of duties payable on the importation thereof. But, nevertheless, the provisions of this act shall not be deemed in any wise to impair any right and privileges which have been or may be acquired by any foreign nation, under the laws and treaties of the United States, upon the subject of exporting goods from the United States, with the benefit of a drawback of the duties payable upon the importation thereof.

(EXPORTATION-BONDS.)

Sec. 5. *And be it further enacted*, That after the 30th day of June next, in all cases of entry of merchandize for the benefit of drawback, the time of twenty days shall be allowed from the date of the entry, for giving the exportation-bonds for the same. *Provided*, That the exporter shall, in every other particular, comply with the regulations and formalities heretofore established for entries of exportation, for the benefit of drawback.

(TONNAGE DUTY.)

Sec. 6. *And be it further enacted*, That the duty on the tonnage of vessels, and the bounties, advances, and drawbacks in the case of exporting pickled fish, of the fisheries of the United States, in the case of American vessels employed in the fisheries, and in the case of exporting sugar, refined within the United States, shall be and continue the same as the existing law provides: *Provided always*, That this provision shall not be deemed in any wise to impair any rights and privileges which have been, or may be acquired by any foreign nation, under laws and treaties of the United States, relative to the duty of tonnage on vessels.

(COLLECTION OF THE LAW, SAME AS FORMERLY.)

Sec. 7. *And be it further enacted*, That the existing laws shall extend to, and be in force for the collection of the duties imposed by this act on goods, wares, and merchandize imported into the United States; and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, and for the allowance of the drawbacks, and bounties by this act authorized, as fully and effectually as if every regulation, restriction, penalty, forfeiture, provision, clause, matter, and thing, in the existing laws contained, had been inserted in, and re-enacted by this act, and that all acts and parts of acts, which are contrary to this act, and no more, shall be and the same are hereby repealed.

(ACT, REPEALING DISCRIMINATING DUTIES, CONTINUED.)

Sec. 8. *And be it further enacted*, That the Act passed the third day of March, 1815, entitled, "An Act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandize, imported into the United States, as impose a discriminating duty on tonnage between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels, and vessels of the United States," shall apply and be in full force as to the discriminating duties established by this act, on the tonnage of foreign vessels, and the goods, wares, and merchandize therein imported.

H. CLAY,
Speaker of the House of Representatives.
JOHN GAILLARD,
President, pro tempore, of the Senate.

April 27, 1816.—Approved, JAMES MADISON.

NOTES.

Note (A.) To continue for three years; after which the duty to be reduced to 20 per cent ad valorem, provided, that all cotton cloths, or cloths of which cotton is the material of chief value, (excepting nankins imported directly from China) the original cost of which at the place whence imported, with the addition of 20 per cent if imported from the Cape of Good Hope, or from places beyond it, and of 10 per cent, if imported from any other place, shall be less than 25 cents per square yard, shall, with such addition, be taken and deemed to have cost 25 cents per yard, and shall be charged with duty accordingly. Provided also, that all unbleached or uncoloured cotton twist, yarn, or thread, the original cost of which shall be less than 60 cents per pound, and shall be charged with duty accordingly. And all bleached or coloured yarn, the original cost of which shall have been less than 75 cents per pound, shall be taken and deemed to have cost 75 cents per pound, and shall be charged with duty accordingly. Provided further, that cotton piece goods, imported in ships or vessels of the United States, which shall have sailed from the United States before the passing of this act, and shall arrive therein between the 30th day of June, 1816, and the 1st day of June, 1817, the original cost of which cotton piece-goods, at the place whence imported, shall have been less than 25 cents per square yard, shall be admitted to entry subject only to a duty of thirty-three and a third per centum, on the cost of the said cotton goods in India, and on the usual addition of 20 per centum on that cost.

Note (B.) Provided, that in all cases where an ad valorem duty shall be charged, it shall be calculated on the net cost of the article, at the place whence imported, (exclusive of packages, commissions, and all charges,) with the usual addition, established by law, of 20 per cent on all merchandize imported from places beyond the Cape of Good Hope, and of ten per cent on articles imported from all other places.

Note (C.) These duties to be levied, collected, and paid from and after the 30th day of June, next, until the 30th day of June, 1819, and after that day, 20 per centum on the said articles.

NEW FRENCH TARIFF.

Extracted from the Loi sur les Finances du 28 Avril, 1816.*

Tarif des Droits.

Art. Ier. Le tarif des douanes sera modifié et publié d'après les dispositions suivantes :

Droits d'entrée.

2. Les droits imposés par les décrets des 5 Août et 12 Septembre 1810, et qui n'ont été réduits ni par l'ordonnance du 23 Avril, ni par la loi du 17 Décembre 1814, le seront ainsi qu'il suit :

ÉCORCE DE QUERCITRON de 30 fr, ; savoir :

Par navires français,	
des pays hors d'Europe, par 100 kil.	6 fr.
des entrepôts d'Europe et de la Méditerranée	9
Par navires étrangers et par terre	12
Sumac de toute sorte, redoul et fustet	de 30 à 15
Gingembre	30 à 20
Ipécacuanha	1200 à 500
Rhubarbe, et, par assimilation, *mechoacan*	600 à 300
Cachou	600 à 100
Casse ou *canefice*	150 à 100
Orseille ditte *tournesol en pâte*	200 à 100
——— ditte *gudbeard* continuera à payer	200

HUILE DE POISSON, de 25 francs, savoir :

Par navires français,	
de la pêche française	1
des pays hors d'Europe	20
des entrepôts d'Europe et de la Méditerranée	24
Par navires étrangers et par terre,	28

RÉSINES.

De gaïac	de 75	Comme les gommes non désignées ci-après par l'article suivant.
Ammoniaque	de 200	
Sagapenum, séraphique, tacamaca	de 200	
Elémi	de 500	
Gutte, ou de Cambogium	de 600	
Opopanax	de 400	

BOIS EXOTIQUES

De Caïenne satiné, ou de férole	de 30	Comme les dénommés ci-après.
De palixandre, ou bois violet	de 30	
Rouge	de 150	

* Budget de 1816, Paris, 18mo. 1816.

D'aloès, ou aspalathum	de 800	à 70
Néphrétique	de 500	
De Rhodes	de 200	
Du santal citrin	de 250	
Tamaris	de 150	
Ouate de coton	de 800 à 100	

3. Les droits fixés par la loi du 17 Décembre 1814, sur les marchandises ci-après, sont portés, savoir :

CAFÉ.

Par navires français :

DES COLONIES FRANÇAISES

Au-delà du cap de Bonne-Espérance, par 100 kil.	50 fr.
En-deçà du cap de Bonne-Espérance	60
De l'Inde (*)	85
D'ailleurs, hors d'Europe	95
Des entrepôts d'Europe et de la Méditerranée	100
Par navires étrangers	105

SUCRES BRUTS

DES COLONIES FRANÇAISES, sans distinction d'espèces	45

Étrangers, *autres que blancs :*

Par navires français,

De l'Inde	60
D'ailleurs, hors d'Europe	70
Des entrepôts d'Europe et de la Méditerranée	75
Par navires étrangers	80

Étrangers, *blancs :*

Par navires français,

De l'Inde	70
D'ailleurs, hors d'Europe	80
Des entrepôts d'Europe et de la Méditerranée	85
Par navires étrangers	90

SUCRES TERRÉS

DES COLONIES FRANÇAISES, sans distinction d'espèces	70

Étrangers, *autres que blancs :*

Par navires français,

Des pays hors d'Europe	95
Des entrepôts d'Europe et de la Méditerranée	100
Par navires étrangers	105

Étrangers, *blancs :*

Par navires français,

Des pays hors d'Europe	115
Des entrepôts d'Europe et de la Méditerranée	120
Par navires étrangers	125

SUCRE RAFFINÉ

En pains, en poudre, ou candi. prohibition ininterrompue.

Il est accordé, après une année de la publication de la présente loi, une prime

(*) Ce qui s'entend, quant à l'objet de la présente loi, des pays situés à l'est du cap de Bonne-Espérance et à l'ouest du cap Horn.

d'exportation pour les sucres raffinés blancs, en pains, de deux à cinq kilogrammes, expédiés directement pour l'étranger des fabriques françaises ayant plus de deux années d'exercice.

La prime sera de 90 francs par 100 kilogrammes.

Des ordonnances du Roi régleront le mode d'exécution.

CACAO ET PELURES.

Par navires français,		
Des colonies françaises, par 100 kilog.	80 f.	90 c.
Des pays hors d'Europe	115	
Des entrepôts d'Europe et de la Méditerranée	120	
Par navires étrangers	125	

THÉ.

Par navires français,		
De l'Inde, par kilogramme	2	50
D'ailleurs, hors d'Europe	3	
Des entrepôts d'Europe et de la Méditerranée	3	25
Par navires étrangers	3	50

POIVRE ET PIMENT.

Par navires français,		
Des colonies françaises, par 100 kilog.	90	
De l'Inde	130	
D'ailleurs, hors d'Europe	140	
Des entrepôts d'Europe et de la Méditerranée	145	
Par navires étrangers	150	

GIROFLE (clous, queues et antolles de).

Par navires français,		
Des colonies françaises, le kilogramme	2	
De l'Inde	3	
D'ailleurs, hors d'Europe	3	50
Des entrepôts d'Europe et de la Méditerranée	3	75
Par navires étrangers	4	

CANNELLE ET CASSIA LIGNEA.

Par navires français,		
Des colonies françaises, le kilogramme	4	
De l'Inde	5	
D'ailleurs, hors d'Europe	5	50
Des entrepôts d'Europe et de la Méditerranée	5	75
Par navires étrangers	6	

MUSCADE ET MACIS.

Par navires français,		
Des colonies françaises, le kilogramme	8	
De l'Inde	9	14
D'ailleurs, hors d'Europe	9	50
Des entrepôts d'Europe et de la Méditerranée	9	75
Par navires étrangers	10	

COCHENILLE ET PASTEL D'ECARLATE.

Par navires français,		
Des pays hors d'Europe, le kilogramme	4	
Des entrepôts d'Europe et de la Méditerranée	5	
Par navires étrangers	6	

INDIGO.

Par navires français,		
Des colonies françaises, le kilogramme	1	

De l'Inde	1 f.	50 c.
D'ailleurs, hors d'Europe	1	75
Des entrepôts d'Europe et de la Méditerranée	2	
Par navires étrangers	2	25

ROCOU.

Par navires français,	
Des colonies françaises, les 100 kilog.	10
Des pays hors d'Europe	20
Des entrepôts d'Europe et de la Méditerranée	25
Par navires étrangers	30

BOIS DE BRÉSIL, FERNAMBOUC.

Par navires français,	
Des pays hors d'Europe, par 100 kilog.	7
Des entrepôts d'Europe et de la Méditerranée	10
Par navires étrangers	15

BOIS DE TEINTURE (tous autres), et le GAIAC (par exception).

Par navires français,	
Des colonies françaises, par 100 kilog.	1
Des pays hors d'Europe	2
Des entrepôts d'Europe et de la Méditerranée	4
Par navires étrangers	7

BOIS DE TEINTURE MOULU.

Fernambouc		30
Tous autres	droit actuel	20

BOIS D'ACAJOU

En arbres ou blocs ayant plus de 3 décimètres d'épaisseur,

Par navires français,	
Des colonies françaises, par 100 kilog.	10
Des pays hors d'Europe	40
Des entrepôts d'Europe et de la Méditerranée	50
Par navires étrangers	55
En planches, ais ou madriers, ayant de 3 décim. à 2 centim.	100
En feuilles de placage ayant moins de 2 cent. d'épaisseur	200

AUTRES BOIS D'ÉBÉNISTERIE.

Par navires français,	
Des colonies françaises, les 100 kilogrammes	10
De l'Inde	20
D'ailleurs, hors d'Europe	27
Des entrepôts d'Europe et de la Méditerranée	30
Par navires étrangers	35

Ne seront considérés comme bois de teinture que ceux présentés en copeaux, en petites pièces, en éclats ou en bûches irrégulières, dont il ne peut être tiré ni planches ni feuilles pour l'ébénisterie.

Les espèces ci-dessus et autres bois d'ébénisterie (le gaïac excepté) qui seront présentés en blocs, poutrelles, planches et madriers, paieront comme bois d'ébénisterie.

En cas de difficulté, les employés des douanes feront scier, fendre ou briser les pièces qu'on déclarerait comme teinture.

COTONS EN LAINE.

	f.	c.
Des colonies françaises et par navires français, sans distinction d'espèces, les 100 kilogr.	10	

Etrangers, *longue soie*,

Par navires français,

Des pays hors d'Europe	40 fr.
Des entrepôts d'Europe	50
Par navires étrangers	55

Etrangers, *courte soie*,

Par navires français,

De l'Inde	15
Des autres pays hors d'Europe	20
Des entrepôts d'Europe	30
Par navires étrangers	25

Etrangers, *de Turquie*,

Par navires français	15
Par navires étrangers	25

Il sera accordé une prime de 50 francs par quintal métrique de tissus de pur coton exporté à l'étranger par les bureaux que le Gouvernement désignera.

GOMMES ET RÉSINES EXOTIQUES,

D'acajou—adragant et de Bassora—arabique de toute sorte—ammoniac—caoutchouc—de Mombain—sandaraque—du Sénégal ;

Par navires français,

Des colonies françaises les 100 kilogrammes	10
Des pays hors d'Europe	20
Des entrepôts d'Europe et de la Méditerranée	25
Par navires étrangers	30

Toutes autres gommes, résines et gommes résineuses non spécialement taxées a un droit au-dessus de celui ci-contre ;

Par navires français,

Des colonies françaises	20
De l'Inde	40
D'ailleurs, hors d'Europe	50
Des entrepôts d'Europe et de la Méditerranée	55
Par navires étrangers	60

DENTS D'ÉLÉPHANT ENTIERES.

Par navires français,

Des colonies françaises, les 100 kilog.	80
De l'Inde	90
Des autres pays hors d'Europe	100
Des entrepôts d'Europe et de la Méditerranée	105
Par navires étrangers	110

Les dents d'éléphant non entières paieront un droit double.

PEAUX SECHES

En poil de vache, bœuf et cheval.

Par navires français,

Des colonies françaises, par 100 kilog.	1
Des pays hors d'Europe	5
Des entrepôts d'Europe et de la Méditerranée	10
Par navires étrangers et par terre	15

TOILES ECRUES *sans apprêt*.

Par le seul bureau de Lille,

Grossières ou d'étoupes	25
De moyenne qualité	25

Vines	60	fr.
Par les autres bureaux ouverts, *sans distinction de qualités*	60	

Le Gouvernement déterminera les moyens de rendre la division des qualités certaine et facile dans l'application.

Pour jouir de la modération des droits, les toiles devront être présentées à Lille, séparément par espèce, suivant les divers droits établis.

Les toiles écrues cylindrées ou autrement préparées, et les toiles teintes, paieront, comme les toiles blanches, un droit commun fixé à . 150

NOIX DE GALLE.

Par navires français,	
De la mer Noire et des pays hors d'Europe	8
Des entrepôts d'Europe	10
Par navires étrangers et par terre	15

NANKIN DES INDES.

Par navires français,	
Des pays hors d'Europe, le kilog.	8
Des entrepôts d'Europe et de la Méditerranée	9
Par navires étrangers	10

SALAISONS.

Beurre, par 100 kilogrammes	9
Viande de porc (lard compris)	15
Autre viande	19

POTASSE ET PERLASSE.

Par navires français,	
Des pays hors d'Europe, les 100 kilog.	15
Des entrepôts d'Europe et de la Méditerranée	18
Par navires étrangers et par terre	21

4. Les objets ci-après seront spécialement taxés comme il suit :

Aiguilles à coudre, le kilogramme	2	
BESTIAUX.		
Bœufs et taureaux, par tête	3	
Vaches, génisses et bouvillons, idem.	1	
Veaux, béliers, brebis, moutons, chèvres et porcs, *idem*.	"	25
Agneaux, chevreaux et cochons de lait, *id*.	"	10
CAMPHRE brut, les 100 kilogrammes	150	
——— raffiné, *id*.	300	
Céruse et *blanc de plomb*, idem.	30	
Chanvre, y compr. les étoupes et le battin, *id*.	2	

CHARBONS DE TERRE, importés.

Par mer,		
Par navires étrangers, les 100 kilog.	1	50
Par navires français, *id*.	1	
Par terre, *id*.	"	30

EXCEPTIONS.

De la mer à Baisieux, exclusivement	"	60
Par les départemens de la Meuse, de la Moselle et des Ardennes	"	15
CHEVAUX, MULES ET MULETS, par tête	15	

CIRE JAUNE non ouvrée.

Par navires français,	
Des pays hors d'Europe	8
Des entrepôts d'Europe et de la Méditerranée	10
Par navires étrangers et par terre	15

COULEURS PRÉPARÉES.

	f.	c.
Non spécialement taxées, qu'elles soient sèches, ou liquides, en sacs ou vessies, en bottes, en vases, ou en trochiques	35	
Couleurs fixées sur des laques ou mauvelle en drapeaux	25	

CUIVRE ROUGE ET LAITON BRUT.

Par navires français,	
Des pays hors d'Europe	1
Des entrepôts d'Europe et de la Méditerranée	2
Par navires étrangers et par terre	4

ÉTAIN non ouvré.

Par navires français,	
De l'Inde	5
Des autres pays hors d'Europe	7
Des entrepôts d'Europe et de la Méditerranée	8
Par navires étrangers et par terre	10

FANONS ET BARBES DE BALEINE, bruts.

De la pêche françaises, les 100 kilogrammes	1
Des pêches étrangères,	
Par navires français *(droit actuel)*	30
Par navires étrangers et par terre	35

Leur admission au droit d'un franc sera subordonnée à la preuve qu'ils proviennent réellement de la pêche française. Cette preuve résultera de l'examen des papiers de mer, et, en outre, de la déclaration faite, sous serment, par le capitaine du navire, et revêtue de l'avis de la chambre de commerce du port d'arrivée.

En cas de suspicion, il y aura lieu à faire entendre les gens de l'équipage.

Si la fausse déclaration est constatée, le signataire sera condamné à une amende égale au double des droits dont le trésor aurait été frustré, la fraude, n'étant pas découverte; et il ne sera plus admis à produire d'autres déclarations.

Horloges en bois, la pièce	1 f.	0 c.
Houblon, par 100 kilogrammes	15	
Kermès, dit graines d'écarlate, par kilogr.	2	

Nota. S'il est en poudre ou pastel, *comme cochenille.*

LAQUE

Naturelle, en bâtons, en grains ou en table (comme les autres gommes non dénommées).		
Préparée en petits carrés ou lack-lack, et toutes autres préparations de laque, le kil.	0	50
Lin, y compris les étoupes, les 100 kilogr.	4	
Minium, idem.	18	
Nerprun, graine jaune ou graine d'Avignon, idem.	10	

PLOMB.

Par navires français, les 100 kilogr.	5
Par navires étrangers et par terre	7
Poulains, par tête	5

RIZ.

Par navires français,	
De l'Inde, les 100 kilogrammes	1
Des autres pays hors d'Europe	2
Des entrepôts d'Europe et de la Méditerranée	4
Par navires étrangers et par terre	7
Riz du Piémont, par terre	4

SUIF de toute origine.

Par navires français . . .	2f. 50c.
Par navires étrangers et par terre . .	5

TABAC EN FEUILLES, importé pour la Régie.

Par navires français, ...	exempt.
Par navires étrangers, le 100 kilogr. . . .	10

VINS ORDINAIRE, IMPORTÉS.

Par mer, par hectolitre	35
Par terre, idem.	15

5. L'application du décret du 8 Février 1810 sera régularisée ainsi qu'il suit :

Les droits antérieurs à ce décret seront portés à cinq francs par cent kilogrammes, pour les marchandises, dénommées en la première section du tableau ci-annexé sous le n. 1.

Les droits sur celles comprises en le deuxième section demeureront simplement doublés, en complétant, quand il y aura lieu, le dernier franc par l'addition du nombre nécessaire de centimes.

Celles comprises dans la troisième section paieront les droits spécialement indiqués pour chaque article.

6. Les droits d'entrée qui n'ont été changés ni par le décret du 8 Février 1810, ni par aucune disposition postérieure, seront mis en rapport avec les autres taxes du tarif, au moyen d'augmentations proportionnelles établies sur les bases de l'article précédent, et d'après le tableau ci-annexé, sous le n. 2, lequel est également divisé en trois sections.

7. Les marchandises importées autrement que par navires français, à l'égard desquelles il n'est fait aucune distinction d'origine par les trois premiers articles de la presente, seront assujetties à un droit supplémentaire d'après le tarif ci-après.

Le droit principal fixé au poids sera augmenté ; savoir :

1. Jusques et y compris cinquante francs, du dixième de ce même droit ;

2. De cinquante jusques et y compris trois cents francs, du vingtième de cette seconde portion du droit.

Nulle augmentation n'affectera le surplus.

La surtaxe établie par le présent article sera réduite au tarif des douanes, de manière à ce que les centimes de chaque droit soient toujours en nombres décimaux.

Droits de sortie.

8 Les produits exotiques ci-après pourront être exportés en payant : savoir :

Café, cacao, sucres brut, terré et raffiné, lorsqu'il n'y a pas lieu à la prime.—Mélasse.—Poivre et Piment. 0. fr. 25 c. par 100 kilogrammes.

Cochenille, Coton en laine de toute sorte —Indigo sans exception. Riz.—Soufre brut, en canon, en fleur, et mèches soufrées, 50 c. par 100 kilog.—Corail brut, 0 f. 2 c. par 100 kilogrammes.

9. Les droits de sortie des produits agricoles et industriels ci-après que les besoins du royaume ne réclament pas exclusivement seront réduits de la manière suivante.

	les 100 kilogrammes.
Caractères d'imprimerie neufs. .	de 4 f. 08 c. à 1 f.
Couperoses et vitrioles de toutes sortes .	de 4 08 à 1
Ouvrages en cuivre, laiton, bronze, airain et autres alliages, à l'exception des objets compris dans la classe de la mercerie, et des instruments et outils et du cuivre laminée, et autres désignés par la loi du 8 floréal an XI. . .	de 4 08 à 1

	les 100 kilogrammes.
Ouvrages en étain (excepté les objets de bimbaloterie et de mercerie)	de 5 f. 10 c. à 1 f.
Fonte en gueuses	de 5 10 à 1
Graine de trèfle	de 9 00 au droit de balance
Pâte de pastel et autres pour teinture	de 10 00 à 5
Laines filées blanches de t. s.	de 90 40 à 10
—— filées teintes	de 51 00 à 5
—— non filées teint	de 90 40 à 10
Liéges en planches	de 4 00 à 1
Miel	de 5 00 à 1
Marrons et châtaignes sauf les prohib. temporaires ou locales	de 9 00 au droit des fruits
Millet, mil, alpiste et escajoles	de 3 00 à 9 00 c.
Parchemin et vélin, y compris les bandes	de 10 94 à 1 00
Plomb battu, laminé, en grenailles et ouvrages en plomb	de 5 10 à 0 50
Sel marin et de saline *du dr. de balance*	à 0 01

SUBSTANCES VÉGÉTALES.

Propres à la médecine, à la teinture ou aux tanneries, qu'elles soient ou non dénommées au tarif actuel de sortie

	par 100 kilogrammes.
Racines et écorces, sans préjudice à la prohibition du tan et des écorces à tan	de 10 f. 90 c. à 4 f.
Tiges herbacées, feuilles, bois et brindilles	de 90 40 à 6
Fleurs, fruits, baies, graines et capsules séminales	de 10 90 à 8
Mousses et lichens du droit de balance	à 9

VINS DE TOUTE SORTE EXPORTÉS.

	par hectolitre.
Par les frontières de terre et les côtes de la Charente-Inférieure, de la Vendée et de la Loire-Inférieure	à 0 f. 50 c.
Par la Méditerranée et les frontières d'Espagne	à 1 00
Par tout ailleurs	à 9 00

Charbon de terre, de 10 c. à 1 cent. par 110 kilog.

BOURRES DE LAINE de toute couleur.

Entières, ou produit de l'épilage des peaux passées, par 110 kilogrammes	10
Lanice, ou déchet produit par le battage des laines et le peignage des draps, *idem*.	5
Tontisse, ou déchet produit par la toute des draps, *idem*.	8

10. Pour les mêmes motifs que ceux de l'article précédent, et afin de favoriser l'agriculture, la sortie des produits ci-après sera permise, moyennant les droits qui vont être fixés ; savoir ;

Chanvre de toute sorte, y compris les étoupes (par 100 kilog.)	6	
Cuivre, laiton, airain, bronze et autres alliages en lingots et en mitraille	2	
Engrais (ce qui ne s'entend que des matières animales et végéto-animales, sans autre destination)	"	25
Étain brut, soit en lingots soit en mitraille	2	
Foin et fourrages, et toutes herbes de pâturage	"	50
Graine de pastel	2	
Graisses et suif	10	
Graphite (mine de plomb noire)	3	
Houblon	2	
Indique	5	10
Lin de toute sorte et étoupes	10	
Œufs, sans distinction de frontières	2	

PEAUX SÉCHES EN POIL.

De cheval, d'âne, de bœuf, vache, bouvillon et génisse	25	
De veaux, moutons, brebis, beliers et agneaux	70	

Nota. Les peaux en vert ou salées ne paieront que les 273 des droits fixés ci-dessus.

Les peaux passées ou préparées pour parchemin	4	
Plomb brut en saumons ou en mitraille	2	
Potasse et salins	"	25
Tourbes	"	1

BESTIAUX.

Sauf les prohibitions temporaires ou locales, et le régime particulier aux mérinos et métis.

Bœufs et taureaux, la pièce	6	
Vaches, génisses et bouvillons	3	
Veaux et porcs sans distinction	2	
Chèvres, beliers, brebis et moutons de race commune	"	50
Agneaux et chevreaux	"	25

Beurre, *sauf les prohibitions temporaires ou locales*, 5 francs par 100 kilogrammes.

11. Les droits de sortie des marchandises et denrées ci-après seront augmentés ou régularisés ainsi qu'il suit :

Cailloux à faïence et à porcelaine, de 51 c. à 2 fr. par 100 kilog.—Derle, ou terre de porcelaine, de 1 fr. 2 c. à 3 fr. par 100 kilogrammes.

BOISSONS SPIRITUEUSES.

L'hectolitre d'eau-de vie de vin simple, double et rectifiée, ou esprit-de-vin, de 10 c. à 50 c.—de kirchwasser *du droit de balance*, à 40 c.—des liqueurs et ratafias de toute sorte du droit de balance, à 25 c.

Os, cornes et sabots de bétail, de 10 f. à 20 f. les 100 kilog.—Plâtre et pierres à plâtre, de 1 fr. les 1565 kilog. à 15 c. les 100 kilogrammes.

RÉSINES de *pin*, de *sapin* et de *mélèze*.

(Les 100 kilog.) Brutes d'exsudation *molle*, *concrète* ou *barras* et *galipot*, de 1 et 2 fr à 5 fr —Brutes obtenues par combustion *concrète* ou *brai gras*, *liquide* ou *goudron*, de 1 et 2 fr. à 1 fr.—Epurée, ou pâte de térébenthine *commune*, *fine*, *de Venise*, *de Chio* ou *de Soleil*, de 51 c. à 5 fr.—Distillées, ou essence de térébenthine, de 51 c. à 50 c.—Résidu de la distillation, *brai sec* ou *arcanson*, *colophane*, *résine d'huile*, de 1 c. à 1 fr.

TERRE DE MARNE, de 15 c. les 2,000 kilog. à 2 c. les 100 kilog.

TERRE DE PIPE, de 10 fr. 20 c. les 2,000 kil. à 60 c. *idem*.

Droits de balance du commerce.

12. Les droits établis par la loi du 24 nivôse an V, pour faciliter la formation d'une balance de commerce, sont modifiés par les dispositions suivantes:

La faculté de déclarer à l'entrée les mêmes marchandises au poids ou à la valeur, est supprimée : on devra énoncer exclusivement, soit le poids, le nombre, la mesure ou la valeur, conformément au tarif établi, pour l'entrée, par le tableau ci-annexé no. 3.

13. Les marchandises dont l'exportation est autorisée moyennant le simple droit de balance, comme n'étant pas dénommées au tarif de sortie, devront être déclarées sous des noms admis au tarif général d'entrée.

14. *Elles paieront.*

1. Celles qui, à l'entrée, sont taxées au poids, ou prohibées	25 c. par 100 kil.
2. Celles qui, à l'entrée, resteront taxées à la valeur, nonobstant les articles ci-après	174 pour 100 de la valeur.

13. Les droits de balance et autres encore fixés sans nécessité à la valeur, ou qui portent, à l'entrée, sur des unités différentes de celles admises pour la sortie, seront mis en concordance par le tableau ci joint sous le n. 4.

16. Toute marchandise admise au tarif d'entrée, qui paie maintenant à la valeur, d'après les lois des 22 Août 1791 ou 30 Avril 1806, 20, 10 ou 3 pour cent, ne pourra être importée que par un bureau principal de douane, où le droit de l'article le plus analogue lui sera appliqué.

Decime additionnel.

17. Le décime additionnel, tel qu'il est établi par la loi du 6 prairial an VII. est maintenu, jusqu'à ce qu'il en soit autrement ordonné.

Taxe de consommation sur les sels.

18. Le taxe sur les sels continuera à être perçue à raison de trois décimes par kilogramme, jusqu'à ce qu'il en soit autrement ordonné.

Timbre des Expéditions de douanes.

19. Les actes délivrés par les douanes porteront un timbre particulier, dont le droit est régié comme il suit, sans qu'il puisse y avoir addition du décime :

Pour les acquits à caution, les actes relatifs à la navigation et les commissions d'emploi . . .	"	f. 75 c
Pour les quittances de droits au-dessus de dix francs .	"	25
Pour toutes les autres expéditions . . .	"	5

L'administration des douanes fera elle-même appliquer ce timbre, et comptera de son produit.

Les dispositions ci-dessus ne concernent pas les actes judiciaires dressés par les agens des douanes : ces actes seront assujétis au timbre ordinaire.

NEW RUSSIAN TARIFF.

(Concluded from p. 496.)

List of Compound Drugs and Medicines.

Oleum dest. Juniperi e ligno, per pood . . .	2	50
—— —— lauri baccarum, per pound . . .		25
—— —— lavendulae .		50
—— —— ligni rhodii .	1	25
—— —— sassafras		25
—— —— Macis .	1	
—— —— Majoranae .		25
—— —— Melissai .		25
—— —— Menthae .		25
—— —— Millefolii .		25
—— —— Neroli .	1	25
—— —— Nucis moschatae	1	25
—— —— petrae, pay per pood . . .	1	50
—— —— Rosarum, pay per pound . . .	2	50
—— —— Rutae .		25
Oleum dest. Sabinae .		25
—— —— Salviae . .		25
—— —— Stauregae .		55
—— —— Serpilli . .		25
—— —— Spicae, pay per pood . . .	2	50
—— —— Succini, pay per pound . . .		13
—— —— tanacetí .		25
—— —— thymi .		25
—— —— Valerianae .		25
—— —— Zedoariae .		25
—— —— Ziuziberis .		25
—— —— Jasmini per infusum, per 12 flasks .		75
—— —— Tuberosi per infus, do.		75
—— —— flores aurant, per infus. ditto. . .		75
Oleum vitrioli, pay per pood	1	50

Os saepiae	1	25
Poma aurantiorum immatura		75
Radix Ninsi Americana et Orient. pay per pound	2	50
Resina elastica	2	50
——— Guajaci		25
——— Jalappae		25
——— Scammonii		25
Sacharum cant. nigr. pay per pood	3	75
Sanguis draconis	2	50
Seliqua dulcis	1	25
Spatum ponderosum		75
Spermaceti	1	50
Succinum	1	50
Sulphur griseum		75
Talcum	1	50
Vaniglia	30	

List of Compound Medicines.

Acidum aceticum, pay per pound	1	
——— benzoicum	1	50
——— Muriaticum, pay per pood	2	15
——— Nitricum	2	15
——— Phosphori, pay per pound		50
——— Sachari	1	50
——— Succinum	1	50
——— tartari		50
Aether aceticus	1	
——— Sulphuricus	1	
Alcali volatile		13
Aqua florea naphae, per bottle		25
——— menthae piperitae, do.		25
——— Coloniensis, per 12 flasks		75
——— Hungarica, per bottle		75
Arcanum duplicatum, pay per pood	1	50
Butyrum Antimon. pay per pound		25
Calomelas, pay per pood	2	50
Colcothar		50
Conditum aurantiorum fruct et cort.	5	
——— citri corticum	5	
——— citri fructus	5	
——— Cydoniorum	5	
——— Cynosbati	5	
——— Nicum Juglandum	5	
——— moschatorum	5	
——— Zinziberis	5	
——— alkermes		25
——— aromat.		25
——— cynae		25
Confect. menthae piperit		25
Conserva rosarum	2	50
Cerullia alba et rubra praeparata	2	50
Cornu cervi praep.	1	
——— raspatum		1
Ebur ustum album	2	50
——— nigrum	1	
——— raspatum	2	50
Elixir Paregoricum, per pint		25
Emplastrum angl. super Tafeta nigr. alb. et rosar	1	25
Emplastrum anglic, per 12 pieces		75
Emplastrum in frustria		25
Extracta, pay per pound		25
Flores sulphuris, pay per pod		50
——— Zinci	2	50
Kali causticum, pay per pound		13
Kermes minerale		25
Lacca in globulis		75
Lac sulphuris, pay per pond	2	50
Lapis infernalis, pay per pound		50
Magisterium marcasit	1	50
Mercurius alb. praec.		25
Mercurius dulcis, pay per pood	2	50
——— praecip. rubr. per pound	2	50
——— solubil		25
——— sublimatus, per pood	2	50
Opodeldoch, per 12 flasks	1	
Phosphorus, pay per pound		75
Pulvis pro Limonade		25
——— Unzerii		50
Sal acetosellae		50
— anglicane, per pood	1	
— Cathart.	1	
— Cornu cervi volat, per pound		50
— Glauberi, pay per pood	1	
— Nitri	1	50
— Sedlicense	1	
Sapo Hispanicus albus	1	
——— marmor	1	
——— Venetus	1	
Soda		25
——— depurata	1	
——— phosphorata, pay per pound		25
Species, pay per pood	2	50
Sulphur, pay per pound		25
Syrupi, per bottle		50
Tartarus vitriolatus, pay per pood	1	50
Terra foliata tartari, pay per pound		50
——— ponderosa salita		50
Trochisci, 12 boxes		75
A. pay per pound		25
Vitrum antimonii, pay per pood	1	50

FRENCH WEST INDIES.

Decree of Louis XVIII, respecting the Trade of Guadeloupe.

I. French vessels, coming directly from French ports, shall be admitted in all ports of Guadeloupe, and in those of the isles and its dependencies, with an injunction to report their arrival at the nearest custom-house; to perform all the formalities according to law; to take from thence their return cargoes; to pay the duties into the hands of the receiver of the district.

II. Until otherwise ordered, foreign vessels shall be admitted at Basseterre, as well as Pointe à Petre; in consequence it is allowed them to introduce into the said ports the articles mentioned in article 2d of the decree of the 30th August, 1784, and even, provisionally, salt pork, on paying the ordinary custom-house duties, according to the tariff hereinafter mentioned.

III. Foreign salt beef and pork, admitted in virtue of the preceding article, shall be subjected to pay the additional duty required by article 5th in the said decree of the 30th August, 1784.

IV. Foreigners have likewise the liberty of introducing cod-fish of foreign fishing, by paying the additional duty as mentioned in the royal ordinance of February 8th, 1816.

Cod-fish of French fishing, and that of foreign, introduced by French vessels, shall be free from this duty.

V. The product of additional duties being destined to the premiums of encouragement of French owners, the administration of marine and that of the custom-houses shall conform, on this account, to what is prescribed, as well by the said decree of the 30th August, 1784, as by the royal ordinance of the 8th of February, 1816.

VI. We permit, moreover, in the two free-ports of the colony, the entrance of cocoa, indigo, rocoa, bark, cassia, sarsaparilla, ginger, gayac, and campechy-wood, morphil, caret, whalebones, spices, and foreign rums, by paying the duties as mentioned in the tariff.

VII. We confirm, at the same time, the prohibition of the foreign colonial productions whose introduction would be contrary to the preference which those of the growth and product of the colony merit.

As to the productions of other French islands, they shall be admitted in both ports of the colony by paying the duties according to the tariff.

VIII. The European productions and merchandize of French manufactures, as well as the articles whose importation is allowed by the decree of the 30th August, 1784, shall be exported out of the colony, free from all duty of custom-house, both by French and foreign vessels, the articles of first necessity excepted, upon which we reserve to ourself to determine according to the circumstances and necessities of the colony.

IX. Are annulled, from this day,

1st. The additional duty of five centimes per franc on all those of entry and exportation.

2d. That of seven and a half centimes on colonial produce in compensation of the poll-tax.

Expecting to provide in a more simple manner for the expense of the royal bridges and roads, to which the produce of these taxes was assigned,

X. The duty of anchorage, established by the local regulations of the 26th of January, 1806, is now under the title of Domain Maritime Duty, but the actual taxes are reduced one-third.

XI. The duty of departure, both for coasters and for ships on long voyages, equally established by local regulations of the 24th December, 1806, is also reduced to one-third, and its product shall serve hereafter, either to the re-imbursement of the amount of the documents and receipts delivered by the custom-houses, or to cover the expenses and furniture of the offices appertaining to that direction, and to account to the treasurer for the overplus. The duty of weighing is annulled.

XII. Through the dispositions of the present ordinance, the new custom-house duties and receipts which belong it, are fixed as follows, viz.

Entrance Duties.

French merchandize, coming directly from a French port, shall continue to pay two and a half per cent. on their value.

Those foreign, determined by article 2d of the decree of the 30th of August, 1784, that determined in article VI of the present ordinance, shall pay henceforth only three per cent.

The same, introduced by French vessels, shall pay only one and a half per cent.

Live stock, for tilling or markets, coming from foreign countries, shall be free.

Those of luxury, imported in foreign vessels, shall pay three per cent.

And in French vessels one a half per cent.

The productions of the other French islands shall pay eight per cent.

Foreign rums, or ratifias, shall pay, for every hundred gallons, thirty-six livres twenty-one francs sixty centimes.

Foreign cod-fish, and salt beef and pork from foreign countries, shall be submitted to the additional duty, whose destination is mentioned in article V, of three francs per quintal.

Export Duties.

All colonial productions, together with the articles whose introduction is allowed by article VI of the present ordinance, and which shall be directly exported to France in French vessels, shall pay only three per cent.

Syrups and ratafias exported in foreign vessels shall pay three per cent.

And when by French vessels, going to a foreign port, one and a half per cent.

Productions and merchandize of French manufacture and growth, with the exception of those mentioned in article VIII, shall be exported to foreign countries free of duty.

Anchorage Duties.

Agreeable to the disposition of articles X and XII of the present ordinance, the duties of anchorage and departure shall be as follow:—

	Anchorage.		*Departure.*	
	French.	Foreign.	French.	Foreign.
	fr. c.	fr. c.	fr. c.	fr c.
Vessels of 50 tons and above	21 60	28 80	21 60	21 60
80 to 100	25 20	33 60	25 20	26 50
100 to 150	32 40	43 20	32 40	32 40
150 to 200	43 20	57 60	43 20	43 20
200 and above	54 0	72 0	54 0	54 0
Coasters from 5 to 10 tons ..	— —	— —	1 80	— —
10 to 30	— —	— —	3 60	— —
30 to 50	— —	— —	7 20	— —
50 and above ..	— —	— —	14 40	— —

Duties on Colonial Produce,

In lieu of the poll-tax on the negroes on extensive plantations.

	Liv. s.		fr. c.
Per thousand, on Clayed Sugar	27 0	or	16 20
Muscovado	18 0	or	10 80
Per quintal on Cotton.....	13 10	or	8 10
Coffee	4 10	or	2 70
Per hundred gallons of Syrup	9 0	or	5 40

XIII. The duties mentioned in the preceding tariff shall be settled by the custom-houses, according to the following regulations, viz.:—

Those of entrance, both for French and foreign vessels, on the wholesale prices. Those of exportation, both for French and foreign vessels, by orders which shall be issued the first and sixteenth of each month, by the judges of commerce of the cities of Basseterre and Pointe à Petre, conjointly from the comptroller of marine and collector of the custom-houses.

XIV. It is expressly forbidden, under the penalty of forfeiting ship and cargo, to any vessel, either French or stranger, to go through the Salt River.

XV. The decree of the 30th August, 1784, regulating the conditions and formalities according to which foreign vessels shall be admitted in the colony; the dispositions of the act concerning them shall be printed at the end of the present ordinance.

XVI. The dispositions of the regulations decreed by our predecessors, which are not contrary to the present ordinance, and particularly those of our ordinance of the 23d instant, relative to the exportation of specie, are equally maintained.

XVII. We request the members of the superior council, and order the officers of the inferior courts, to record the present ordinance, which shall be read, published, and pasted up, in all places where it shall be deemed necessary. It will, moreover, be recorded in the records of the colony, and notified to the superior officers to enforce its execution.

BRITISH NORTH AMERICA.

AN ACCOUNT *of the Number and Tonnage of the Ships and Vessels which have entered Inwards, and cleared Outwards, at* CANADA, NOVA SCOTIA, NEW BRUNSWICK, PRINCE EDWARD'S ISLAND, CAPE BRETON, *and* NEWFOUNDLAND, *to and from any part of* EUROPE, *South of* CAPE FINISTERRE, MALTA, *the* WESTERN ISLANDS, *and* MADEIRA; *distinguishing each, in each year, from* 1806 *to* 1814, *both years inclusive; and the Number of Men employed therein.*

Years.	Number and Tonnage of Vessels entered Inwards at the British North American Colonies, from the South of Europe.											
	Canada.		Nova Scotia.		New Brunswick.		Prince Edward's Island.		Cape Breton.		Newfoundland.	
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.
1806	1	192	3	423	..	..	..	..	The Returns from this Colony are not yet received at the Custom House, at London, for the years prior to 1814.		18	2121
1807	3	632	3	436	1	161	..	..			19	2090
1808	7	1753	3	374	..	..	..	..			11	1366
1809	6	1100	1	102	..	..	..	..			25	3111
1810	8	1316	5	618	..	..	..	..			58	7214
1811	62	11,446	14	2517	2	459	..	..			95	12,753
1812	26	5264	12	1862	1	256	..	..			39	5921
1813	1	170	4	630	1	175	..	..			72	10,653
1814	3	480	11	1924	1	190	..	..	3	425	38	6438

Years.	Number and Tonnage of Vessels cleared Outwards from the British North American Colonies, to the South of Europe.											
	Canada.		Nova Scotia.		New Brunswick.		Prince Edward's Island.		Cape Breton.		Newfoundland.	
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.
1806	6	1173	2	261	..	..	..	..	The Returns from this Colony are not yet received at the Custom House, London, for the years prior to 1814.		57	7868
1807	8	1600	2	340	1	161	..	..			42	5553
1808	2	374	4	398	..	..	..	..			42	5792
1809	8	1327	3	300	..	..	..	..			95	12,776
1810	12	1235	4	419	..	..	..	..			144	18,961
1811	11	1875	4	654	..	..	..	..			143	19,625
1812	22	4057	3	335	9	1586	..	..			113	15,945
1813	1	108	1	125	..	..	..	..			185	28,797
1814	5	838	3	346	..	..	..	..	7	1135	163	26,130

An Account of the Number and Tonnage of the SHIPS *and* VESSELS *employed in each Year in* CANADA, NOVA SCOTIA, NEW BRUNSWICK, PRINCE EDWARD'S ISLAND, CAPE BRETON, *and* NEWFOUNDLAND, *from the Year* 1800 *to the Year* 1814, *both inclusive.*

Years.	Number and Tonnage of Vessels entered Inwards at the British North-American Colonies from the British West Indies.											
	Canada.		Nova Scotia.		New Brunswick.		Prince Edward's Island		Cape Breton.		New-foundland.	
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.
1800 -	6	846	48	4357	12	1209	—	—	The Returns from this Colony are not yet received at the Custom-house at London for the years prior to 1812.		35	3864
1801 -	13	1783	57	5675	12	1830	—	—			46	4588
1802 -	20	2564	64	6554	20	2315	—	—			22	2276
1803 -	20	2749	59	6438	20	2283	—	—			31	2847
1804 -	13	1916	42	4947	14	1306	—	—			37	3780
1805 -	21	2927	42	4641	14	1340	—	—			48	4950
1806 -	17	2386	44	4405	15	1682	—	—			47	4950
1807 -	7	972	48	4792	14	2001	Nil.	Nil.			50	5078
1808 -	26	3598	122	12650	27	3328	—	—			57	5681
1809 -	24	2975	123	12095	17	1834	—	—			64	6778
1810 -	24	2848	119	11422	18	1825	—	—			82	8812
1811 -	46	5447	120	12396	28	3682	—	—			85	9352
1812 -	29	4054	87	9916	30	4147	—	—	—	—	57	6177
1813 -	18	3008	116	14699	21	2422	—	—	—	—	65	7653
1814 -	29	4545	114	14418	34	4518	—	—	1	169	51	7447

Custom-house,
London, 27 May, 1816.

WILLIAM IRVING,
Inspector General of the Imports and Exports of Great Britain and the British Colonies.

ABOLITION OF THE SLAVE TRADE.

Treaty between Great Britain and Portugal, respecting the Slave Trade; signed at Vienna the 22d of January, 1815.

IN THE NAME OF THE MOST HOLY AND UNDIVIDED TRINITY.

His Royal Highness the Prince Regent of Portugal having, by the tenth Article of the Treaty of Alliance, concluded at Rio de Janeiro on the 19th February, 1810, declared his determination to co-operate with his Bri-

tannic Majesty in the cause of humanity and justice, by adopting the most efficacious means for bringing about a gradual Abolition of the Slave Trade; and his Royal Highness, in pursuance of his said Declaration, and desiring to effectuate, in concert with his Britannic Majesty and the other Powers of Europe, who have been induced to assist in this benevolent object, an immediate Abolition of the said traffic upon the parts of the Coast of Africa which are situated to the northward of the Line; his Britannic Majesty and his Royal Highness the Prince Regent of Portugal, equally animated by a sincere desire to accelerate the moment when the blessings of peaceful industry and an innocent commerce may be encouraged throughout this extensive portion of the Continent of Africa, by its being delivered from the evils of the Slave Trade, have agreed to enter into a Treaty for the said purpose, and have accordingly named as their Plenipotentiaries, &c.

Art. 1. That from and after the ratification of the present Treaty, and the publication thereof, it shall not be lawful for any of the subjects of the Crown of Portugal to purchase Slaves, or to carry on the Slave Trade, on any part of the coast of Africa to the northward of the Equator, upon any pretext or in any manner whatsoever: provided, nevertheless, that the said provision shall not extend to any ship or ships having cleared out from the ports of Brazil, previous to the publication of such ratification; and provided the voyage, in which such ship or ships are engaged, shall not be protracted beyond six months after such publication as aforesaid.

Art. 2. His Royal Highness the Prince Regent of Portugal hereby agrees, and binds himself to adopt, in concert with his Britannic Majesty, such measures as may best conduce to the effectual execution of the preceding engagement, according to its true intent and meaning; and his Britannic Majesty engages, in concert with his Royal Highness, to give such orders as may effectually prevent any interruption being given to Portuguese ships resorting to the actual Dominions of the Crown of Portugal, or to the territories which are claimed in the said Treaty of Alliance, as belonging to the said Crown of Portugal, to the southward of the Line, for the purposes of trading in Slaves, as aforesaid, during such further period as the same may be permitted to be carried on by the laws of Portugal, and under the Treaties subsisting between the two Crowns.

Art. 3. The Treaty of Alliance concluded at Rio de Janeiro, on the 19th February, 1810, being founded on circumstances of a temporary nature, which have happily ceased to exist, the said Treaty is hereby declared to be void in all its parts, and of no effect; without prejudice, however, to the ancient Treaties of Alliance, Friendship, and Guarantee, which have so long and so happily subsisted between the two Crowns, and which are hereby renewed by the High Contracting Parties, and acknowledged to be of full force and effect.

Art. 4. The High Contracting Parties reserve to themselves, and engage to determine by a separate Treaty, the period at which the Trade in Slaves shall universally cease and be prohibited throughout the entire Dominions of Portugal; the Prince Regent of Portugal hereby renewing

his former declaration and engagement, that, during the interval which is to elapse before such general and final abolition shall take effect, it shall not be lawful for the subjects of Portugal to purchase or trade in Slaves, upon any parts of the Coast of Africa, except to the southward of the Line, as specified in the second Article of this Treaty; nor to engage in the same, or to permit their flag to be used, except for the purpose of supplying the transatlantic possessions belonging to the Crown of Portugal.

Art. 5. His Britannic Majesty hereby agrees to remit, from the date at which the ratification mentioned in the first Article shall be promulgated, such further payments as may then remain due and payable upon the loan of 600,000*l.* made in London for the service of Portugal, in the year 1809, in consequence of a Convention signed on the 21st of April of the same year; which Convention, under the conditions specified as aforesaid, is hereby declared to be void and of no effect.

Art. 6. The present Treaty shall be ratified, and the ratifications shall be exchanged at Rio de Janeiro in the space of five months, or sooner, if possible. In witness whereof the respective Plenipotentiaries have signed it, and have thereunto affixed the seals of their arms.

Done at Vienna this 22d day of January, 1815.

(Signed)
(L. S.) CASTLEREAGH.

(Signed)
(L. S.) CONDE DE PALMELLA.
(L. S.) ANTONIO DE SALDANHA DA GAMA.
(L. S.) B. JOAQUIM LOBO DA SILVEIRA.

Additional Article.

It is agreed, that in the event of any of the Portuguese settlers being desirous of retiring from the Settlements of the Crown of Portugal on the Coast of Africa to the northward of the Equator, with the negroes *bonâ fide* their domestics, to some other of the possessions of the Crown of Portugal, the same shall not be deemed unlawful, provided it does not take place on board a slave-trading vessel, and provided they be furnished with proper passports and certificates, according to a form to be agreed on between the two Governments.

Dispatch from Viscount Castlereagh to the Earl of Liverpool, relative to the Abolition of the Slave Trade; Paris, July 27, 1815.

My Lord; I have the honour to enclose to you an Extract of a Protocol of the fifteenth Conference, held between the Ministers of the four Allied Powers. I likewise transmit to your Lordship a Note, which, in consequence of what passed at the fifteenth Conference, I have addressed to Prince Talleyrand on the subject of the Slave Trade. I have, &c.

(Signed) CASTLEREAGH.

(First Inclosure.)

Extract of the Protocol of the Fifteenth Conference.

Viscount Castlereagh, his Britannic Majesty's Principal Secretary of State, &c., in reference to the communication he has made to the Conference, of the orders addressed to the Admiralty to suspend all hostilities against the coast of France, observes, that there is reason to foresee that French ship-owners might be induced to renew the Slave Trade, under the supposition of the peremptory and total abolition decreed by Napoleon Buonaparte, having ceased with his power; that, nevertheless, great and powerful considerations, arising from motives of humanity and even of regard for the King's Authority, require that no time should be lost to maintain in France the entire and immediate Abolition of the Traffic in Slaves; that if, at the time of the Treaty of Paris, the King's Administration could wish a final but gradual stop should be put to this trade, in the space of five years, for the purpose of affording the King the gratification of having consulted, as much as possible, the interests of the French proprietors in the colonies, now, that the absolute prohibition has been ordained, the question assumes entirely a different shape, for if the King were to revoke the said prohibition, he would give himself the disadvantage of authorizing, in the interior of France, the reproach which more than once has been thrown out against his former Government, of countenancing re-actions, and, at the same time, justifying, out of France, and particularly in England, the belief of a systematic opposition to liberal ideas; that accordingly the time seems to have arrived when the Allies cannot hesitate formally to give weight in France to the immediate and entire prohibition of the Slave Trade, a prohibition, the necessity of which has been acknowledged, in principle, in the transactions of the Congress at Vienna.

The other Members of the Conference entirely coincide in opinion with Viscount Castlereagh, and in order to attain this end in the manner the most advantageous to the authority and consideration of the King, it is agreed that it would be adviseable to preface, by a few observations, the verbal communication to be made to the King and to his administration, in order that his Majesty may be induced voluntarily to make the arrangement in question, and thus reap the advantage of an initiative, which will remove the idea in the interior of the kingdom of a tendency towards reaction, and will conciliate to the King, in foreign countries, the suffrages of the partisans of liberal ideas. A confidential representation is to be made to the King accordingly.

(Second Inclosure.)

Note from Viscount Castlereagh to Prince Talleyrand; Paris, July 27, 1815.

Prince; the official order to the Admiralty, which I had the honour of transmitting to your Highness on the 25th, having suspended hostilities against the coast of France, and against French ships carrying the white

flag, I have been directed by my Court, without delay, to call your attention to the necessity of guarding, under these circumstances, against any possible revival of the Slave Trade.

The British Government conceive that, under the operation of the law of France, as it now stands, it is strictly prohibited to French subjects to carry on a Traffic in Slaves; and that nothing but a specific ordinance could again revive that commerce: but, whether this be the true construction or not of the state of the law in a technical sense, they feel persuaded that his most Christian Majesty will never lend his authority to revive a system of this nature which has been, *de facto*, abolished.

I have desired Sir Charles Stuart to communicate to your Highness what passed on this subject at Ghent; the assurance the King was at that time pleased to give to the British Ambassador entirely tranquillized the Prince Regent's Ministers on this subject; but now that his Majesty has been happily restored to his throne, they are most anxious to be enabled at once to relieve the solicitude of the British nation, by declaring, that the King, relieved by the state in which this measure now stands from those considerations of reserve which before influenced his conduct, does not hesitate to consider that question as now for ever closed, in conformity with those benevolent principles which are at all times congenial with the natural feelings of his Majesty's breast. I have, &c.

(Signed) CASTLEREAGH.

Dispatch from Viscount Castlereagh to the Earl of Liverpool, relative to the Abolition of the Slave Trade; Paris, July 29, 1815.

My Lord; I had the honour of transmitting to your Lordship, by the last courier, the note which I had addressed to Prince Talleyrand on the subject of the Slave Trade, as also the protocol of the proceedings of the Allied Ministers on this point. I have since omitted no suitable means of following up this representation with the French Government, and I have the satisfaction of acquainting your Lordship, that Prince Talleyrand has given me reason to expect, that I shall receive, in the course of to-morrow, an answer, signifying the King's concurrence in the measure of immediate and general abolition. It is my duty to acknowledge the decided and prompt support which I have received from the Allied Sovereigns on this important question. They have, in the most honourable manner, redeemed the pledge which they gave to the world, during the late Congress, on the measure of abolition. I have, &c.

(Signed) CASTLEREAGH.

Dispatch from Viscount Castlereagh to the Earl of Liverpool, relative to the Abolition of the Slave Trade; Paris, July 31, 1815.

My Lord; it gives me great satisfaction to find myself enabled to transmit to your Lordship, to be laid before the Prince Regent, the final act of

his most Christian Majesty, declaring the Slave Trade for ever abolished throughout the dominions of France. I have, &c.

(Signed) CASTLEREAGH.

P. S. I likewise transmit to your Lordship a copy of the answer which I have addressed to Prince Talleyrand on this subject.

(First Inclosure.)

Note from Prince Talleyrand to Viscount Castlereagh, declaring the Slave Trade for ever abolished throughout the Dominions of France; Paris, July 30, 1815.

My Lord; I have the honour to acquaint your Excellency that the King, in consequence of the conversation he has had with Sir Charles Stuart, and of the letter which your Excellency did me the honour to write to me on the 27th instant, has issued directions, in order that, on the part of France, the traffic in slaves may cease from the present time, every where and for ever.

What had been done in this respect by the Usurper was in the first place null and void, as were all his decrees, and moreover had been evidently dictated to him by personal motives of interest, and by hopes, which he would never have conceived, had he been capable of appreciating the British Government and people. It had not, therefore, and could not have, any weight with his Majesty.

But it was with regret, that, last year, his Majesty stipulated the continuance of the traffic for a few years. He had only done so, because, on the one hand, he was aware that on this point there existed in France prejudices, which it was at that time advisable to sooth; and that, on the other hand, it was not possible to ascertain with precision, what length of time it would require to remove them.

Since that period these prejudices have been attacked in several publications, and with such effect as to afford his Majesty, this day, the satisfaction of following, without reserve, the dictates of his inclination, the more so, since it has been proved, by inquiries made with the greatest care, that the prosperity of the French colonies, not being compromised by the immediate abolition of the trade, the said abolition is not contrary to the interests of his subjects, interests which above all his Majesty thought himself bound to consult. This satisfaction is increased by the idea, that his Majesty at the same time does what is agreeable to the Government and people of Great Britain. Accept, &c.

(Signed) THE PRINCE DE TALLEYRAND.

(Second Inclosure.)

Note from Viscount Castlereagh to Prince Talleyrand in reply; Paris, July 31, 1815.

The undersigned, his Britannic Majesty's Principal Secretary of State for Foreign Affairs, has the honour to acknowledge Prince Talleyrand's

note of this date, conveying to him the decision taken by his most Christian Majesty finally to abolish the Slave Trade throughout the French dominions. The undersigned will lose not a moment in transmitting this communication to his Court, and he ventures, in the mean time, to assure his Highness, that the King could not have taken any determination more personally grateful to the Prince Regent and to the whole British nation.

The undersigned, &c.

(Signed) CASTLEREAGH.*

TREATY WITH SPAIN.

Treaty of Friendship and Alliance between his Britannic Majesty and his Catholic Majesty, Ferdinand the 7th. Signed at Madrid, the 5th day July, 1814.

IN THE NAME OF THE MOST HOLY TRINITY.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and his Catholic Majesty, being equally animated by a desire to strengthen and perpetuate the union and alliance which have been the principal means of re-establishing the balance of power in Europe, and of restoring peace to the world, have constituted and appointed, &c.

Art. 1. There shall in future be strict and intimate alliance between his Majesty the King of the United Kingdom of Great Britain and Ireland and his Catholic Majesty, their heirs and successors; and in consequence of this intimate union, the high contracting parties shall endeavour to forward by all possible means, their respective interests.

His Britannic Majesty and his Catholic Majesty declare, however, that in drawing closer the ties so happily subsisting between them, their object is by no means to injure any other state.

Art. 2. The present alliance shall in no way derogate from the treaties and alliances which the high contracting parties may have with other powers, it being understood that the said treaties are not contrary to the friendship and good understanding, which it is the object of the present treaty to cement and perpetuate.

Art. 3. It having been agreed by the treaty signed at London on the 14th day of January, 1809, to proceed to the negociation of a treaty of commerce between Great Britain and Spain, as soon as it should be practicable so to do, and the two high contracting parties desiring mutually to protect and extend the commerce between their respective subjects, promise to proceed without delay to the formation of a definitive arrangement of commerce.

Art. 4. In the event of the commerce of the Spanish American possessions being opened to foreign nations, his Catholic Majesty promises that

* For the remaining papers relating to the Abolition of the Slave Trade, see No. IV, STATE AND OFFICIAL PAPERS.

Great Britain shall be admitted to trade with those possessions as the most favoured nation.

Art. 5. The present treaty shall be ratified, and the ratifications shall be exchanged within forty days, or sooner if possible.

In witness whereof, we the undersigned plenipotentiaries have signed, in virtue of respective full powers, the present treaty of friendship and alliance, and have sealed it with the seals of our arms.

Done in Madrid, this 5th day of July, 1814.

(L. S.) H. WELLESLEY.

Three Additional Articles to the Treaty of Friendship and Alliance between his Majesty and his Catholic Majesty Ferdinand the Seventh, signed at Madrid, August 28, 1814.

Art. 1. It is agreed that, pending the negociation of a new treaty of commerce, Great Britain shall be admitted to trade with Spain upon the same conditions as those which existed previously to the year 1796. All the treaties of commerce which at that period subsisted between the two nations being hereby ratified and confirmed.

Art. 2. His Catholic Majesty concurring in the fullest manner in the sentiments of his Britannic Majesty with respect to the injustice and inhumanity of the traffic in slaves, will take into consideration, with the deliberation which the state of his possessions in America demands, the means of acting in conformity with those sentiments. His Catholic Majesty promises, moreover, to prohibit his subjects from engaging in the Slave Trade, for the purpose of supplying any islands or possessions excepting those appertaining to Spain, and to prevent likewise, by effectual measures and regulations, the protection of the Spanish flag being given to foreigners who may engage in this traffic, whether subjects of his Britannic Majesty or of any other state or power.

Art. 3. His Britannic Majesty being anxious that the troubles and disturbances which unfortunately prevail in the dominions of his Catholic Majesty in America should entirely cease, and the subjects of those provinces should return to their obedience to their lawful sovereign, engages to take the most effectual measures for preventing his subjects from furnishing arms, ammunition, or any other warlike article to the revolted colonies in America.

The present additional articles shall form an integral part of the treaty of friendship and alliance signed on the 5th day of July, and shall have the same force and validity as if they were inserted word for word, and shall be ratified within forty days, or sooner, if possible.

In witness whereof, we the undersigned plenipotentiaries, in virtue of our respective full powers, have signed the present additional articles, and have sealed them with the seals of our arms.

Done at Madrid, this 28th day of August, 1814.

(L. S.) H. WELLESLEY.

LAW PROCEEDINGS.

CHARLES BURTON WYATT, ESQ.

versus

FRANCIS GORE, ESQ.

Copy from Mr. Gurney's short-hand Notes of the Proceedings on the Trial of this Cause, in the Court of Common Pleas, by a Special Jury, before the Right Honourable Lord Chief Justice Gibbs, at Westminster, Thursday 11th July, 1816.

The Declaration was opened by Mr. RICHARDSON.

Mr. Serjeant BEST. "May it please Your Lordship; Gentlemen of the Jury;

"I am also, in this case, Counsel for the Plaintiff; and, Gentlemen, I am free to confess to you, in the outset of the cause, that this is a case that is, on the part of the Plaintiff, attended with very considerable difficulty; difficulty which I should consider insurmountable, but for a most dreadful breach of the law of which this Defendant has been guilty, whose duty it was to maintain that law; I say, Gentlemen, but for that, the difficulties I should have to contend with upon the counts of this declaration which have been first opened to you, would be insuperable.

"Gentlemen, there are upon this record three grounds of complaint stated. The complaint stated in the first three counts is this, that the Plaintiff, being what is called Surveyor-General of the Crown-lands in Canada, had been, without any reasonable or probable cause, suspended from that office by the Defendant, who was the Lieutenant-Governor of that province. The second ground of complaint is, that after the Plaintiff had been so suspended, the Defendant wrote letters to the Secretary of State for the Colonial Department, for the purpose of preventing the Plaintiff from being by His Majesty restored to the office from which he had been suspended. I should state to you, that to this second complaint the Defendant has pleaded a justification, upon which I shall say something to you in the proper stage of the proceeding. The last ground of complaint is, that the Defendant, being the Governor of the Province of Upper Canada, in which the Plaintiff held the situation I have stated to you, published of the Plaintiff a false and infamous libel. Gentlemen, upon the latter part of the charge I have no difficulty, and if I substantiate that, whether I shall be able to get over the difficulties that apply to the other parts of the case or not, I shall have a claim for very large damages.

"Gentlemen, I will endeavour to relieve your minds as I go on from such parts of the case as I feel I cannot establish, because I think I should not be dealing fairly, either with His Lordship or you, if I were to take up your time in the discussion of points on which I know I must ultimately fail. I will state, therefore, candidly to you, that upon the second charge I must fail; and I will tell you why, and I will, therefore, not attempt to offer you any evidence.

"You will recollect that the second complaint is this, that after Mr. Wyatt was suspended from his office, Mr. Gore, the Defendant in this action, wrote certain letters to His Majesty's Secretary of State, for the purpose of preventing Mr. Wyatt from being restored to that office. Now, Gentlemen, in order to prove that case, it would be necessary for me to produce to you here the letters which were written by Governor Gore. My Lord will tell you I can give no other evidence of them but the letters themselves, because we have stated, and properly stated upon the declaration, that the Governor did write certain letters, stating the contents of those letters, and stating the effect of the writing those letters to Government; that the suspension was not taken off, but that in fact he continued to be suspended. I say, therefore, for the purpose of proving that charge, it is necessary I should produce those letters: you will ask why I do not produce them, my answer is, we have applied to His Majesty's Government for those letters, and cannot obtain them. Do not understand, Gentlemen, that I complain of His Majesty's Government for refusing to produce those letters; it would be highly improper in me to make such a complaint. I am not directed by Mr. Wyatt to make such a complaint. I can easily conceive there may be many causes which may prevent the production of letters from the Governors abroad to the Secretary of State."

Lord Chief Justice Gibbs. "There must be, brother Best; the objections are insurmountable; for where an officer is removable at pleasure, and is under the superintendence of a superior officer, whose duty it is to send representations of the impressions upon his own mind, founded upon such intelligence as he receives, to those to whom the administration of His Majesty's Government is committed, if you could call upon the Secretary of State to produce that information, it would be impossible that any man could ever do his duty; and it would be to put him upon his defence for sending the information, and render it impossible that the duties of the Government abroad should be discharged: how is it possible that any such intelligence can ever be collected if it is to be disclosed."

Mr. Serjeant Best. "I hope Your Lordship understood me."

Lord Chief Justice Gibbs. "I interposed for the sake of its being understood that the law was as you state it."

Mr. Serjeant Best. "Gentlemen, I have no disposition myself to find fault with His Majesty's Government on that account, and I only do justice to my client when I say he finds no fault; he is as well satisfied as I am, that there is a good reason why those letters are not produced, but it was my duty to state what I have stated, because it would otherwise be imagined that there was probable cause for the writing of those letters, and

that, therefore, I did not undertake the making out of that charge against Governor Gore, because I felt that his conduct in that particular had been correct: Gentlemen I feel no such thing; on the contrary, I am confident that if I could get the letters I could make out the charge, but as I cannot get them, I feel anxious to relieve your minds at once from that charge.

"Gentlemen, I should state before I quit this part of the case, that the Defendant has, under excellent advice, pleaded a justification to this point; he pleaded a justification to that part of the case which he knew I could not, for this reason, prove; but when the same thing is imputed to the Governor, only in a different shape, where he equally had an opportunity of pleading a justification, he has done no such thing; however, Gentlemen, it will be for him to-day to substantiate that justification, and I believe he will have as great difficulties in doing that, as I shall have in proving the charge.'

Lord Chief Justice Gibbs. "You know, brother Best, the justification is pleaded only to the second charge; if the justification be pleaded only to the second charge, as they have pleaded the general issue to the other counts; if you do not in proof make out the second charge, they are not called upon to prove their justification."

Mr. Serjeant Best. "They are not called upon, My Lord, but if they do not, that issue must be found for the Plaintiff, for that will be upon them.

Lord Chief Justice Gibbs. "No, that will be disregarded by the Jury, as you give no evidence upon it."

Mr. Serjeant Best, "I am quite content that it should be so, My Lord. Gentlemen, I desire you to dismiss from your minds all I have said as to the second charge, except my apology for not proving it. I have quite enough to settle with the Defendant upon the first and third charges, both of which I have no doubt I shall make out, and when I have made them out, I think they will give me a claim to as large damages as ever were pronounced by a jury in a court of justice.

"Gentlemen, the first charge is this; that the Defendant being the Lieutenant-Governor of the province of Upper Canada, in which province the Plaintiff held the situation of Surveyor-General, for the admeasuring, surveying, and setting out lands; that whilst the Defendant was standing in the situation of Lieutenant-Governor, and the Plaintiff was acting as such Surveyor-General, the Defendant, as such Governor, suspended the Plaintiff from the execution of that office, and of course deprived him of the profits of that office, and that he did this (and it is necessary this should be stated upon the record, in order to give us a cause of action against the Defendant,) maliciously, and without any reasonable or probable cause.

"Gentlemen, the law upon this subject I will state, subject to His Lordship's correction, anxious I assure you to state it correctly; and most desirous, that if I should fall into any mistake, what I state should be corrected by the high authority, before which I have the honour to address you.

"Gentlemen, a Governor may, if he pleases, suspend a man in the execution of an office, or dismiss him from that office; if he does this, though

there was no cause of suspension, yet, if the Governor had reason to suppose there was cause of suspension, and he did it in what he conceived to be the due discharge of the duty he owed to the superior government which sent him there, no action lies against him. Gentlemen, no man would accept the situation of Governor of any province, if he was to be made answerable, either in an action, or in a criminal proceeding, for that which he did *bonâ fide;* though, therefore, I should prove that the Plaintiff was suspended in the execution of this office, and suspended by the act of the Governor, yet, Gentlemen, I admit, unless I can go further, and satisfy you that the Governor suspended the Plaintiff, knowing at the time he had no cause for suspending the Plaintiff, and that he did it from motives of malice against the Plaintiff, I cannot, upon this part of the charge, ask for your verdict; it is for me to make out, not merely the suspension, but the want of probable cause for that suspension, and the malice operating upon the mind of the Defendant, suspending and inducing him to cause that suspension to be made; and, Gentlemen, here arises the difficulty that I alluded to just now, a difficulty I never could have got over but for the pamphlet I hold in my hand, and which I shall shew to be an extraordinary account of this most extraordinary Governor.

"Gentlemen, if a Governor would hold his tongue, and keep his pen out of the ink-stand, it certainly would be almost impossible to shew that an act of this description, was an act done without probable cause, and done maliciously, but unfortunately the Governor has learned to write; and the Governor, in a pamphlet which he has published, and upon which I shall have some strong observations to make in another part of this cause, has stated his reasons for suspending the Plaintiff from this office, and, Gentlemen, I undertake to prove that every one of those reasons is false and unfounded, and false to the knowledge of the Governor; Gentlemen, when I shall have done that, shall I not have brought you to the conclusion to which I must bring you, that he not only, at the time he suspended the Plaintiff, had no cause for such suspicion, but that he knew he had no such cause, and that he did it maliciously; for if a man does a thing which he knows he has no right to do, and assigns a false reason for doing it, the inference, that he does it maliciously, arises immediately from the act itself, and My Lord would tell you it would be unnecessary for me to give other proof of the existence of malice in the mind of such a person. What further proof can we require than a man's doing a thing, and assigning a false reason for doing it; to what can we attribute that but private malice; but if I wanted to give direct proof of malice, I do it by the libel; for if the paper be a libel, the paper in itself is evidence of malice, and to be sure that would be the case with respect to any common or indifferent person; if any man libels any one of you, he is taken by the law to have done it maliciously; but if a Governor of a province, whose duty it is to maintain the law, whose duty it is to put down libels, after he has done to a man all the mischief he can do, by removing him from the situation by which he is to get his livelihood, and to maintain himself and his family in credit, is, after that, to become the violator of the law which he ought to maintain,

and after he has ruined a man in his circumstances, to attempt to destroy his character by a false accusation; is not this the most cogent and irresistible evidence of malice?

"Gentlemen, I shall prove to you the suspension of the Plaintiff by the Defendant, and I will read to you the account given of that suspension from the pamphlet, which I undertake to prove to be published by the Governor, in his government in Canada, not in England, but in Canada, where he could be called to no account. I undertake to prove this pamphlet to be published by him; and, Gentlemen, we shall have in this pamphlet the reasons he assigns for his conduct; it purports to be a letter addressed to the Right Honourable Lord Castlereagh, one of His Majesty's Principal Secretaries of State. It begins in this way, 'My Lord, as the Province of Upper Canada has recently become an object of the first consideration to Great Britain, and as several attempts have been made by a few turbulent and factious individuals to disturb the peace of the province, and impress the public mind with an unfavourable opinion of its government, and when the authors of those mischiefs are not contented with being let down easily.' Gentlemen, you will find by and by that he is speaking of the Plaintiff as one of those factious individuals, whose intention it was to disturb the peace of the province; and this gentleman who published this pamphlet thinks this Plaintiff is let down easily, by being suspended from his situation, and reduced from opulence to a state of beggary. I should like to know what the Governor would think severity after this, 'but have had the effrontery to bring their complaints before the public, and make an appeal to the British Legislature for redress; I trust no improper motives will be imputed to an individual totally independent of either party, for submitting to Your Lordship such information as he has been able to collect on this important subject.' An individual totally independent of either party writes this, that is the Governor, against whom the Plaintiff had had the effrontery to complain to the English House of Commons, and that is the height of impudence; it seems it is effrontery for a man who resides in a foreign colony, and considers himself oppressed by the Governor of that colony; it is the height of impudence for that man to call for the protection of the Government of that country from whence he went to that colony. Gentlemen, I am quite sure that the House of Commons, and the Government at home will never think this impudence; on the contrary, I am persuaded that I do but justice to the Executive Government—I do but justice to the House of Commons, whose first duty it is to protect every man in this happy country against the abuse of authority, when I say, that so far from its being considered an effrontery to petition the House of Commons, and to make a complaint against any Governor, that the House of Commons will always lend a most willing ear to such complaints, and, if there be any foundation for them, will think it its first duty to take care that those complaints be redressed.

"Now, Gentlemen, I come to the parts which shew what was the cause of removal.—'The Governor,' you will recollect it is the Governor who writes this himself.—'The Governor is accused of having driven from the

highest offices, gentlemen of the most upright and honourable conduct, merely for having, in their official capacities, opposed the arbitrary mandates of the Executive Government, and that neither persons nor property was secure in the province.' Now, Gentlemen, that you may have no doubt that the Governor is here speaking of the present Plaintiff, I will read another paragraph in the same page. 'Upon inquiry I learned that the gentlemen alluded to', that is, the gentlemen who were disturbing the country, and were petitioning the House of Commons, 'were Judge Thorpe, Mr. Wyatt, the Surveyor-General, and Mr. Wilcocks, formerly a Sheriff; Judge Thorpe, an Irishman, friend and associate.' Gentlemen, I will not state what is said of Mr. Thorpe, we have nothing to do with him to-day; the reckoning with him may come another day; but that he is considered as one of the persons whose object it was to impress the public mind with an unfavourable opinion of the Governor of Canada, and that he was associated with persons for the purposes of sedition.

"We come, in page 5, to the part Mr. Wyatt is supposed to have had in this, 'The Surveyor-General' that is Mr. Wyatt, for he is mentioned as such, 'during this period was not wanting in zeal. He was persuaded by the Judge that his Commission was paramount to the Governor's; and upon the strength of this persuasion he committed the most arbitrary, and unwarrantable acts in his department; his first clerk (a respectable old gentleman, who had been in the service before Mr. Wyatt was in existence) had presumed to give his vote for a member who was considered as well affected towards Government; for this offence he was instantly dismissed from his office.' So that it seems one of the grounds for the Governor dismissing him was, that he had turned out a man because he had voted for Government. Gentlemen, you will find this to be absolutely false, for the gentleman had desired, himself, to resign, and was not removed; his resignation was accepted, he having, himself, for some reason or other, what we know not, desired to resign his situation. 'One of the principal subjects of clamour against the Executive Government was, what they termed the improvident waste of land.' Gentlemen, I must beg your particular attention to this, for it seems to be stated as a strong ground on which this gentleman was removed. 'But some little discoveries, that were made about this period shewed, that they were as ready as their neighbours to avail themselves of any advantages of this sort, and not over scrupulous in their means of obtaining them; Mr. Wyatt had obtained a grant of one thousand two hundred acres,' that is very true, Gentlemen, he had from a former Governor, 'and in selecting parcels of land in favourable situations, to complete this grant, he fixed his eye upon a lot of two hundred acres, near Niagara, which had been cleared and occupied by a disbanded serjeant of Butler's Rangers, named Young, for upwards of twenty years. Mr. Wyatt imagined Young had a defective title, and that the land might be legally wrested from him,' so that the law is made to wrest a thing from a man, which is not the way in which the law proceeds in general; it does not wrest from a man by force; only takes that which does not belong to a man; 'regardless of the injustice and inhumanity of the deed, he first examined the premises, as-

sisted in this pious and christian-like act by the Rev. Mr. Addison, curate of Niagara, and finding the farm a desirable acquisition, he immediately set to work to rob this old soldier of his hard-earned rewards, and the fruits of twenty years industry, and turn himself and family pennyless upon the world. Previously to any land being granted, an official paper is presented from the office of the Surveyor-General, detailing the circumstances of the lot in question. This report is divided into several columns, and in one the name of the present occupier (if occupied) is inserted; this column was left blank and the land represented as vacant and grantable, by which means he surreptitiously obtained the grant of a valuable farm; Young shortly after this died, and left a wife and numerous family in the utmost distress; this came to the ears of Mr. Clench.' I beg you will attend to this; ' who with a humanity and zeal which will ever reflect honour upon his name, immediately applied to the Governor for relief. Governor Gore instantly ordered a minute investigation to be instituted, and fortunately for the cause of humanity and of justice, it was discovered by the Registry of the Province, and the Auditor-General's entry, that a deed had been issued by General Simcoe in the year 1794 or 5, thus defeating a deep-laid scheme to rob the widow and fatherless of their lawful inheritance; who, after such acts, can question the justice and propriety of dismissing such a person from his office?'

" Here we have it then, Gentlemen, in the Governor's own words, what he was dismissed for; for he says, ' Who, after such acts, can question the justice and propriety of dismissing such a person from his office.' He was then, Gentlemen, as it appears from this statement, dismissed for what, for being an enemy to Government, for circulating reports most injurious to Government, but most particularly for a most tyrannical, unjust, and iniquitous act, in depriving an old soldier of the reward of his services, and in taking from him a portion of land which had been already regularly allotted to that old soldier. Now, Gentlemen, I shall be glad to hear my Learned Friend prove this fact, I will tell you by and by what was the truth, but it is enough for me to say, that not one word of the allocation of this land was known in the Province of Upper Canada at the time of this suspension. I admit that there was inquiry afterwards respecting an irregularity, and it went no further, but I will state by and by what it was—an irregularity in the conduct of Mr. Wyatt upon this subject; but I state broadly that when the Governor assigns, as I conceive he does, this as a ground for the act that he has done, nothing upon the subject was known at the time, and therefore it is a reason that is absolutely false; for Gentlemen, remember that he states that Mr. Clench discovered this, and that it was through Mr. Clench it reached him. Now that enables me to state, that the Governor could not know any thing about this at the time, ' this came to the ears of Mr. Clench, who with a humanity and zeal which will ever reflect honour upon his name, immediately applied to the Governor for relief.' Now Gentlemen, I state in this part of the case that all this is false, that is, that it is false as a reason for suspending this Gentleman from his office, for I state that Mr. Clench

never made any communication to the Governor till after Mr. Wyatt was removed; till after he had left the province, and was travelling towards England. Gentlemen, if that is so, whatever irregularity or impropriety of conduct may belong to Mr. Wyatt upon this subject, it is not true that the Governor suspended him for that reason, for a man cannot act upon any cause without having information of the existence of that cause, and I state most broadly, and I defy my Learned Friend to contradict me upon this, that the reason assigned upon this pamphlet for the suspension of Mr. Wyatt is false, for it was not known to the Governor that any such land was in existence; that no one fact here stated, came to the knowledge of the Governor till Mr. Wyatt had left the province. If I am correct in this, I shall have made out, to your satisfaction, that this gentleman has given a false reason for the act he has done; and if that be so, he has done it for some reason he dare not avow; for when a man gives a false reason, he does it because he dare not give the true one; and you must know that the true reasons of his conduct are such as would make against him. I have no objection to state to you the fact as to this land, but if it were so bad as is here represented, still it could not be the motive for the act of the Governor.

"Gentlemen, upon that part of the case I should hope some evidence will be gone into on the other side, if there is, this will appear, that after the Government in England had examined into this business, they were perfectly satisfied, and so expressed themselves, that the conduct of Mr. Wyatt upon this occasion was most honourable and most correct; Gentlemen, I will state to you what it was, and let my Learned Friend see whether he can vary it in proof. Mr. Wyatt had obtained a grant of 1200 acres of land; Mr. Wyatt was desirous of having this land in the district of Niagara. Gentlemen, he selected 1200 acres of land in that district, in what is called the Location Paper; there stood certainly in one of the columns, the name of Shubal Welton; Mr. Wyatt inquired what had become of Shubal Welton, and if they go into this case, this will appear. It is enough for me that nothing of this was known at the time; and he had a letter from the highest person in that country, that no such person was known to be in existence; he examined to see whether there was a grant to Shubal Welton, and could find no grant to him. He appeared therefore to be a nonentity; he naturally conceived that this name had got by some mistake into the Location Paper, and he took the grant to himself, as he legally might. This is the whole of the case as it appeared to His Majesty's Government when examined into, and they came to the resolution they were justified in doing, and to which the Government acting on principles of justice as they always will do, would necessarily come, justifying the conduct of Mr. Wyatt; but, taking this to be as bad as it is here represented, it could not be a motive for this conduct; I am aware it is stated upon this paper, and if I put in this paper" ———.

Mr. Serjeant LENS. "Brother Best, I trust you will give some evidence of this, for otherwise you put us under this difficulty, that the allegation on one side can be met only by the assertion on the other. If you put in the direction of His Majesty's Government upon the subject, we

shall see what it is, but our representation is directly the reverse of that which you state."

Lord Chief Justice Gibbs. "In regard to any answer given to His Majesty's Government, I shall not presume what it is, unless proof is gone into, and I am sure, Gentlemen, you will not suffer any of these statements to rest in your mind, beyond the proof that shall follow them."

Mr. Serjeant Best. "Gentlemen, I do assure you, and I assure His Lordship, I desire this cause to be tried upon the evidence which shall be produced, and only wish I should be permitted to go on."

Mr. Serjeant Lens. "My Lord, I must interpose if this is to be persisted in."

Lord Chief Justice Gibbs. "I really think, brother Best must be permitted to state what he conceives to be the facts of the case, and the law bearing upon these facts."

Mr. Serjeant Lens. "My brother Best is aware, that upon these facts he is deprived of the possibility of evidence."

Lord Chief Justice Gibbs. "Certainly, brother Best has placed the Defendant in an aukward situation, in that part of the case, for he has stated that he deserts the second charge, on which the justification is pleaded; and he is now saying something that looks like relying upon it; but I understand him to say he proceeds upon the first count, and that he shall give these facts in evidence, as proof on the first count."

Mr. Serjeant Best. "Certainly."

Mr. Serjeant Lens. "I am perfectly content, if my Learned Friend will give these facts in evidence."

Mr. Serjeant Best. "Gentlemen, my Learned Friend states that he is content, if I give these facts in evidence; and I will state what I shall give in evidence; I shall give this pamphlet in evidence."

Mr. Serjeant Lens. "This pamphlet!"

Mr. Serjeant Best. "Gentlemen, I must complain of this."

Lord Chief Justice Gibbs. "Whatever brother Best states of the falsehood of that pamphlet, I shall take not to be so applicable to the first count, unless he goes on to prove it; but he must be permitted to state his own case."

Mr. Serjeant Best. "Gentlemen, I stated that that was my intention; I stated that it would be necessary for me, when I gave you this as an assignment of the reasons for the Defendant doing the act he has done, to shew the falsehood of those reasons; and I shall do it; I shall do it in this way, leaving my Learned Friend to get out of the difficulty; I shall put him in the best way he can; I shall call to you witnesses, who will state that Clench gave this information long after Mr. Wyatt left the province; and when I have done that, I shall have falsified this part of the case; and I leave my Learned Friend to explain this prophetic suspension from office, upon improper conduct, that was discovered by mortal eyes, in the best way he can.

"But, Gentlemen, I am aware there are here other charges stated; that it is stated upon this pamphlet, that this gentleman was a person

disaffected to Government; not, I believe, that he was, himself, a companion of Mr. Emmett; Mr. Emmett was never in the province when he was there, but it is stated that he was disaffected to the Government; this is a charge which it is exceedingly difficult to meet, and, therefore, a charge no Governor ought rashly to make; but I can meet it; I will call to you persons high in the colony; I will call to you Mr. Justice Thorpe, and His Majesty's Attorney General in that province; and I will prove by them, that so far from Mr. Wyatt being engaged in any of those factious conspiracies that were possibly existing in that colony, Mr. Wyatt had nothing to do with them; that a more honourable man in his public duty, and private life, was not known in the colony.

"Gentlemen, it is insinuated in other parts of this pamphlet, that Mr. Wyatt was intriguing with the Indians; you know that that province adjoins the desert inhabited by Indian tribes; they are sometimes, generally speaking, very good friends to the British Government in that quarter; it is insinuated that Mr. Wyatt was intriguing with them; Gentlemen, I shall call before you the chief of one of those tribes, who is a British subject. Gentlemen, it is stated to me that that gentleman is not here at this moment, we had reason to expect him to be here, and I do hope that he will come before the cause is over; but as I wish to deal fairly with my Learned Friends, I thank my Learned Friend behind me for stepping me, and preventing my stating that, before we know whether he will be here or not. I hope and trust he will be here before the cause is over, and he will be called; but by the witnesses who are here, by the Learned Judge, and the Attorney-General, I undertake to dispose of that part of the case, and I think you will have no difficulty in judging of that, when I falsify the main ground of accusation stated upon this pamphlet.

"Gentlemen, I come now to the last charge I have to make against the Lieutenant-Governor; but before I part from this, I shall also prove, by the testimony of one of the gentlemen to whom I have alluded, that Lieutenant-Governor Gore, in conversations he had with him, stated, that it had been his determination, ever since he came to the province, to remove that gentleman from his situation; he must have been acting, therefore, on some malice in his mind, which had originated antecedent to any conduct which could give occasion for that malice in the execution of his office in Upper Canada.

"Gentlemen, I come now to that part of the case to which it is impossible that my Learned Friend, as the Counsel of Governor Gore, can offer any justification, or an apology. Gentlemen, no man can offer a justification or apology, of publishing of another a false or scandalous libel; but if a private man cannot, how is the Lieutenant-Governor of a province to do it; his first duty is to maintain and vindicate the laws of the province; his first duty is to put down libels; and yet you will find that this gentleman, in the province of which he was Governor, circulated, as I will prove he has, the pamphlet I hold in my hand, a pamphlet containing as foul a libel, as it is possible to put upon paper; he states him to be an associate with 'Mr. Willcocks, formerly a Sheriff, Judge Thorpe, an Irishman,

friend and associate of the celebrated Emmett, and head of this trio;' so that Mr. Emmett was the head of the trio, speaking of Ireland, the gentleman is a little Irish in his calculation, having mentioned four, and then he describes that gentleman as 'the mover of all the faction and turbulence in the province.' He then states that which I have read from the other paragraph. Can there possibly be a more abominable libel, if it is not true, than that I have mentioned; it charges gentlemen high in office under Government, receiving large emoluments from Government, with being traitors to the Government, with leaguing with persons who were disaffected; we all know what was the time of the publication of this paper, and at such a time this gentleman is stated to be in league with the enemies of his country. Gentlemen, a more malignant libel than this cannot be published of any man. Is this false then? I say it is; the Plaintiff has taken the course which would have given the Defendant an opportunity, if he had thought proper, of proving its truth; because, Gentlemen, you know that though if a man be prosecuted by indictment, he cannot give the truth in evidence, if the person libelled knows that it is false, and has the courage to bring an action, he challenges the Defendant to prove the truth, and the Defendant might have put this upon record. I published this libel of the Plaintiff, because I undertake to prove that the facts which that libel states, are true; that he might have done; and if he had proved the truth, however improper it would have been for a Governor to suffer his anger to boil over in this sort of way, instead of taking the proper course against a person known to have acted in this manner, I must have had your verdict against me, for he would have made out his justification; but he has not done that, for he has admitted, by the position in which this cause is presented to you, that if these facts have been published by him, they are published without any foundation in truth; for he merely says he is not guilty, he does not attempt to assert their truth; then it must be taken that all which is here said is absolutely false, and that the Governor has, therefore, said of a person, in the situation of the Plaintiff, that he is guilty of absolute treason, and of gross abuse of his office, and all without any support in point of truth.

"Gentlemen, if I had nothing more to state to you, could a case calling upon you to give larger damages be presented to you? But, Gentlemen, for God's sake, when is this libel published?—after the Lieutenant-Governor had thought proper to suspend him from his office—after he had driven him from the settlement—after he had ruined him in point of circumstances—when he was gone and could not justify himself from this attack—then it is that the Lieutenant-Governor is found stepping down from the high station in which His Majesty has placed him in that colony—the immediate representative of the King himself—the fountain of all justice—then it is that this person, in this high situation, is found playing the part of a common libeller, and circulating this pamphlet, not by sale certainly, for it was not sold, but causing to be printed; and I will shew you, that he has boxes full of them, for the purpose of distributing in every part of the colony; causing to be distributed in every part of the colony in which he presided, a libel upon an unfortunate man, who was already completely

ruined by the wanton conduct of this Defendant. Gentlemen, if malice could ever be satisfied, he had surely done enough to satisfy the most malignant mind; he had removed this man from his office, and driven him from the colony; might he not have been content with that? But this would not do. After he had done all that his legitimate authority enabled him to do, he then thinks it decent and proper to act in direct defiance of the laws, by libelling the person he had ruined.

"Gentlemen, this is the case I have to present to you, with respect to this party. If my Learned Friend cannot justify—if my Learned Friend cannot extenuate—if he can offer you nothing in the shape of an apology, the damages you will have to give must be considerable. Gentlemen, I have a great curiosity. I know my Learned Friend's talents. I know his ingenuity. I shall wait with the greatest possible anxiety to see what topics my Learned Friend can offer to you, in the shape of an apology, for a Governor turning anonymous libeller, nothing of the sort occurs to my whole mind; I can find no excuse whatever for it, and therefore I shall wait with extreme impatience to hear how superior ingenuity will deal with a case of such extreme delicacy.

"Gentlemen, I take for granted I shall have no opportunity of addressing you again. I take for granted my Learned Friend will offer no evidence, for I take for granted my Learned Friend can offer no evidence, that will do him any good; if that should be the case, however, I shall have an opportunity of remarking upon the evidence—if untrue, of contradicting it, or explaining it—but I expect no such thing. I expect from my Learned Friend that which on many occasions I have witnessed, a display of the greatest talents, a putting forward of the most ingenious arguments, and an enforcement of those arguments in the highest strains of eloquence; but this, Gentlemen, will have no weight upon your minds; you will listen to the facts, and upon the facts you will decide, and the facts are these: in one word, he is a man suspended from his office, and a cause avowed for that suspension, which does not exist at the time, and after he is removed he is calumniated by the publication of an anonymous libel. Gentlemen, I believe this office was worth, to the Plaintiff, upwards of 1000*l.* a year, of that he has been deprived. Until he has vindicated himself by this action, he never can be restored to any office under His Majesty's Government, for while such a libel as this is circulated, known to come from the pen of a Governor, it is impossible that he can be employed again. He was driven, therefore, to make the appeal he has, putting himself upon his country, and defying this calumniator to come forward and prove this charge; it was the only way in which he could be restored to a situation, by which he should be enabled to maintain himself and his family. He was driven to it not only from the consideration of its being necessary for his support, but he was driven to it for the purpose of that which is more valuable to a man than life, for the purpose of vindicating his honour, upon which a stain has been fixed by the act of this Gentleman. Gentlemen, his character would have borne up against a libel from any other person, but even a pebble thrown from a great height comes with considerable force; consider the height from which this pebble

has been thrown upon the head of my client, from the representative of Majesty itself. There was but one way of answering this, and how could this gentleman meet the great and respectable connexions he has, and whom, when I mention the name of Wyatt, you know he has, till he had taken the course he does to-day; when I mention his name, I shew him connected with persons of the greatest consideration; with a person, who has added as much to the beauty and ornament of this country, as any man in it; so connected, it was absolutely necessary he should take the steps he has taken; he, knowing his innocence, is fearless of the result; to you to-day he commits every thing which is valuable in life, and he knows that an innocent man may fairly commit that to the charge of a British Jury."

EVIDENCE FOR THE PLAINTIFF.

William Firth, Esquire, sworn.—Examined by Mr. Serjeant Pell.

You were some sime since Attorney-General of Upper Canada?—I was.

In what year did you go out to Canada in that capacity?—In the year 1807.

How long did you continue there in that capacity?—For upwards of four years.

Till 1811?—Yes.

You know Mr. Gore of course?—I do.

What was Mr. Gore in Upper Canada?—Lieutenant-Governor.

Was he the Lieutenant-Governor when you first went there?—He was.

Did he continue so during the whole time of your being Attorney-General?—He did; we came home together.

Mr. Charles Burton Wyatt, the Plaintiff, what was he?—He was Surveyor-General.

In Upper Canada?—Yes.

Did he come out after you went there, or did you find him there, do you recollect?—He had left the province before I arrived there.

In 1807?—A few months before.

What is the nature of the office of Surveyor-General, is it an office of great trust and confidence in the colony?—Certainly.

Mr. Serjeant Pell. Of great trust and confidence?

Lord Chief Justice Gibbs. Did you say it was an office of great trust and confidence?—Yes, I think it is.

Mr. Serjeant Pell. In your judgment it is an office of trust?—Of course, every office is an office of trust.

What are the particular duties of the office?—To regulate the location of land, and the passing of grants through the office, and of course previous ————.

Is he a person who was consulted?—I was going to add, of course previous to the location of lands, to superintend the survey of them.

And the measuring of the lands?—Yes.

Do you know what was the salary of the office, or the annual value of it?—No, I do not.

Have you ever heard from Mr. Gore?—His fixed salary, I believe, is £300 a year, but that is entirely exclusive of all perquisites.

Then there are perquisites besides?—Oh yes; certainly.

According to your knowledge, what is the annual amount of the perquisites?—I can only tell what is generally supposed to be the amount.

Lord Chief Justice Gibbs. That is not evidence, certainly.

Mr. Serjeant Lens. Your Lordship sees, as to perquisites, they are of an equivocal nature, if they are such as are authorized by the commission.

Lord Chief Justice Gibbs. There is nothing proved on the subject?—It is one of the land-granting departments; the Governor and Attorney-General, and the Secretary and Registrar, and the Surveyor-General, every one of these has a certain per centage or fee on every grant of land which passes under the great seal.

Did you ever learn from the Defendant, Mr Gore, what the amount, or nearly the amount, of the perquisites and fees of the Surveyor-General was?—I do not know; it is supposed to be five or six hundred pounds a year.

Lord Chief Justice Gibbs. As Attorney-General you know that is not evidence, therefore you should not let it pass your lips.

Mr. Serjeant Pell. Did you ever happen to hear from Mr. Gore, in any conversation you have had with him, what the value of the place was?—I do not recollect that I have.

You went out in 1807?—I was appointed in March, 1807, when Mr. Windham was in office.

Do you recollect, soon after arriving in Canada, having any conversation with Lieutenant-Governor Gore about Mr. Wyatt?—Yes; many times.

Lord Chief Justice Gibbs. I must give you one caution here; you were at this time Attorney-General?—No.

I thought you went out as Attorney-General?—Yes, I thought you meant now.

You were at that time?—Yes.

Governor Gore was the acting Governor there?—He was.

Lord Chief Justice Gibbs. Nothing that passed between you and him upon private communication from him to you ought to be disclosed; you must feel that yourself, from the situation in which you stood, because there must be much of communication between the Governor and the Attorney-General, and nothing that passed officially between them ought to be communicated?—I presume the question would not have been asked if it had not been proper. I should have answered it under that idea.

Lord Chief Justice Gibbs. You must not act upon that; that correct practice may prevail in your court, but you cannot expect it here.

Mr. Serjeant Best. I should not wish, and I am sure my Learned Friend still less, to ask any question as to any prosecution which the Governor proposed, but any loose conversation I should submit would be evidence.

Lord Chief Justice Gibbs. I have learned, and you may learn here.

after, there is much communication, not immediately for the purpose of giving a direct opinion upon any subject, but such communication passes between the officers of Government and the Attorney-General for their guidance, which ought not to be divulged.

Mr. Serjeant Best. If it was for the purpose of any proceeding it ought not to be divulged.

Lord Chief Justice Gibbs. Without being for that purpose, communications which pass between them, because the one is Governor and the other Attorney-General, ought not certainly to be disclosed.

Mr. Serjeant Best. Your Lordship sees this places us in considerable difficulty.

Lord Chief Justice Gibbs. Let me put this case to you, suppose the Secretary of State wishes to enter into a discussion with an officer employed in the Government, upon the mode of conduct he should pursue, and he consults the Attorney-General, is that a communication which should be disclosed?

Mr. Serjeant Best. I should say that would be improper.

Lord Chief Justice Gibbs. There is a delicacy in the mind of every man who has filled an office of that sort, that will inform him whether it be loose conversation that he should disclose or not.

Mr. Serjeant Best. Certainly, my Lord.

Mr. Serjeant Pell. I would put this question, whether soon after you arrived in Upper Canada, you had any conversation with Mr. Gore relative to Mr. Wyatt?

Mr. Serjeant Lens. I will submit to your Lordship, whether I am not entitled, first to shew a fact which renders this inadmissible, that is, that inquiry was then going on in several branches of Government relative to Mr. Wyatt.

Lord Chief Justice Gibbs. Was there any matter then going on—any inquiry respecting the conduct of Mr. Wyatt?—Not that I know of.

There had been no complaint?—Not that I know of.

You did not understand it to be then in the mind of the Governor?—Your Lordship sees that when I first went over, Mr. Wyatt had been suspended a few months.

Lord Chief Justice Gibbs. He has said so before, that he had been suspended.

And he had left the Province, I never saw Mr. Wyatt there.

Mr. Serjeant Pell. Do you remember, at any time, in any of those conversations which you might have had with the Lieutenant-Governor, his reading ———.

Mr. Serjeant Lens. Be kind enough to fix the date and the time.

Mr. Serjeant Pell. I will first fix the fact and then the time.

Mr. Serjeant Lens. The time may render it evidence or not, that is my reason.

Lord Chief Justice Gibb. It must have been after the suspension of the Plaintiff.

Mr. Serjeant Pell. Do you remember, in any of those conversations, Lieutenant-Governor Gore reading to you any paper respecting

Mr. Wyatt?—Yes, I do, he has read to me—but I am under his Lordship's direction—he has read to me parts of letters.

Just to fix the time, look at that book; I shall have occasion to go back to that former question. Have you a book of that description in your pocket?

[The witness produced a pamphlet.]

This is the book I was subpœnaed to bring with me.

Lord Chief Justice Ginns. What is that?—This is a book I was subpœnaed to bring with me.

[It was handed to his Lordship.]

Mr. Serjeant Pell. Was that book delivered to you by Lieutenant-Governor Gore?—It was.

Can you tell when that book was delivered to you?—The latter end of the year 1809.

You have been speaking about a paper that Lieutenant-Governor Gore had read to you?

Lord Chief Justice Ginns. No, I think not; he said he had read to him extracts of letters; I thought you dropped that question, and gave him a book?

Mr. Serjeant Pell. If they have not had notice to produce it, I cannot go into it, certainly. That book was given to you by the Defendant, at the latter end of 1809; was any body present when the book was given to you?—No.

Where was the book given to you by Lieutenant-Governor Gore?—In his library?

What did he say to you when he gave you the book?—I do not recollect.

Have you read the book?—I have.

Recollect as nearly as you can what passed between you and him, when the book was delivered to you?—I cannot recollect.

Where did he take the book from?—He took it from a box, a deal box, which appeared to have been recently unfastened; it had been fastened with nails; you understand what I mean, that the nails remained in the lid.

Had you an opportunity of seeing what was in the box?—Yes.

What appeared to you to be in the box?—The box was full of copies?

Of similar pamphlets?—Yes.

Did you read any part of the pamphlet in the presence of the Defendant; do you recollect?—No, I do not think I did; I do not recollect that I did.

After he had given you the book, had you any conversation with him about the book at all?—I dare say I had, but the particular conversation has escaped my recollection at present.

For what purpose was the book delivered to you?—To read, of course.

Had you ever had any conversation before the book was delivered to you with Mr. Gore, the Defendant, about the book, or any thing of that natur—cabout writing it?—I think I had.

Can you tell me how long it was before the book was given you?—Some time in the summer.

Of the same year?—Yes.

Tell me, as nearly as you can, what passed between the Defendant and you at that time upon this subject?—I do not recollect particularly.

If you have no distinct recollection of it, I would not wish to press you upon the subject; but if you can recollect any particular expressions used by Lieutenant-Governor Gore, I would wish you to mention them?—I am afraid that will come under my restriction.

I should wish to confine you to the book.

Lord Chief Justice Gibbs. I ought, on account of the witness, to point out to him what his situation is; you see he is the Attorney-General. I do not mean in strictness of Lieutenant-Governor Gore; but Lieutenant-Governor Gore represents His Majesty there, and in the same degree of confidence with Governor Gore as the Attorney-General there, that the Attorney-General in this country stands to His Majesty and His Ministers; and it is in the course of that confidence that these communications took place. I feel this very strongly; such offices cannot be executed, if the private communications between those who execute them are to be disclosed.

Mr. Serjeant Pell. I should not put any such question to the witness, certainly.

Lord Chief Justice Gibbs. No, but if you have to go through the communications which pass between persons in this situation, and pick out particular parts that may not allude to official business, you throw a necessity upon them to go into the official business, in order to explain those parts; you see in what a situation the witness is placed.

Mr. Serjeant Pell. My question rather confined itself to that book which is given in evidence.

Lord Chief Justice Gibbs. And he says he has no recollection of any conversation previous to that book being given to him.

Mr. Serjeant Pell. I am satisfied.

And if I had, it would fall under the head of confidential communication.

Lord Chief Justice Gibbs. Then it ought not to be stated; confidential communications between the Governor of the province, and the Attorney-General, who is the only person upon whom he can lean there, ought not to be disclosed.

Mr. Serjeant Pell. Have you ever seen any other books of this description in Canada?—I have.

Where have you seen them?—I have seen them in the hands of other officers of Government.

Do you recollect whether or not you have seen them in the possession of any persons but officers of government, or do you confine yourself to those particular people?—I do not recollect having seen them in the hands of any other persons.

Can you tell me whether it was before, or subsequent to your having received the book yourself from Governor Gore, your seeing copies in the hands of other officers of government?—Yes.

William Firth, Esq.—Cross-examined by Mr. Serjeant Lens.

I understand you to say that at the time you state this box to be open, you had not, at that time, seen any other copies of the book presented to you?—No.

Perhaps, though you had not seen it in any shop, you had seen the substance of it in a paper called the Guardian?

Mr. Serjeant Best. How can that be asked?

Lord Chief Justice Gibbs. In point of fact, if he had seen the substance of it in a paper, called the Guardian, it may be proved.

Mr. Serjeant Best. Does not your Lordship think they ought to produce the Guardian itself?

Lord Chief Justice Gibbs. No, I think not.

Mr. Serjeant Pell. It rests upon the recollection of the party, that it is the same in substance.

Lord Chief Justice Gibbs. Then you may produce the Guardian if it is not.

Mr. Serjeant Best. We take it upon this pamphlet itself, and let them produce the Guardian.

Lord Chief Justice Gibbs. I am only throwing this out to you; if your case is as you have stated it, I do not mean to say you may not do it; my judgment is, that he may give in evidence, that reports of this kind were in public circulation at that time; you may ask what the nature of them was.

Mr. Serjeant Best. I wave all objection to that; I am desirous that they should be given in evidence.

Mr. Serjeant Lens. Had you not seen the substance of this?

Mr. Serjeant Best. The question His Lordship admits of is, whether there were not reports of this sort?

Mr. Serjeant Lens. Was there, or was there not, distributed through the province, a public newspaper, called the Guardian?—Yes.

Had that paper been in existence some time when you arrived in the province?—Yes.

Had you not seen in that public newspaper, so distributed in Canada, the substance of this, if not precisely the same?

Mr. Serjeant Best. I object to that question; I perfectly acquiesce in the decision of Your Lordship, that my brother Lens might ask whether there were not reports of this kind, for that would operate in mitigation of the damages; but my Learned Friend is not content with that; but when he asks what there was in writing, I submit to Your Lordship, that the writing itself must be produced.

Mr. Serjeant Lens. I submit to Your Lordship; that need not be done; and I will bring to Your Lordship's recollection precisely the same case; Mr. Webster, against the Editor of a Morning Paper, Mr. Baldwin, where what had been read in the newspaper at Brussels was admitted; I was then under the necessity of giving evidence as to what had appeared in the Brussels newspaper, and that evidence was admitted; and on the principle that newspapers, which are the publications of the day, contain the reports

of the day; and it cannot be, that persons should be expected to keep the newspapers for such a time; I submit it is sufficient to ask whether he had seen it in circulation in the province; I run the risk of his memory; I cannot go beyond that; I take the chance of what his memory may be of that which he so read; the substance of this is, whether this communicated to his mind, for the first time, the contents of this box of letters, their being actually in the Guardian, or not, is collateral to the main thing; what he recollects to have seen in that paper is, in substance, the report of the day. I do not know how I should get on, even if the unwritten reports could be received; for it would be asked next, from whom did you hear it, and how, and so on; but I submit, that the reports of the day may be admitted, without producing the papers, and particularly when the object is to shew that there was in the mind of the person who received the book, an antecedent knowledge of those facts.

Mr. Serjeant Best. My Lord, I perfectly recollect the case of Webster and Baldwin, to which my Learned Friend has alluded; I perfectly recollect, that as Counsel for the Plaintiff, I myself invited the sort of evidence; I stated, that I would consent to my brother, who was Counsel for the Defendant, producing the papers, from whence it might appear, that those reports had been circulated upon the continent; and unless my memory more deceives me than it ever did, no such paper, nor any such evidence was given.

Lord Chief Justice Gibbs. Nor does brother Lens say that such papers were produced.

Mr. Serjeant Best. Nor such evidence given.

Lord Chief Justice Gibbs. That I cannot say, indeed.

Mr. Serjeant Best. Whatever was done in that case, I submit to Your Lordship, that it is impossible this evidence can be received; for I take it to be one of the first principles of the law of evidence, that as to that which is in writing, the paper itself must be produced, and no other evidence can be given of it than the production of the paper itself; I have always understood that to be the rule, almost without an exception; my Learned Friend is not content to take what Your Lordship has been pleased to say he may do, and what I have no objection to, but rather desires the reports that there were; that will give me an opportunity of finding out what were the sources of those reports; but my objections are to the way in which these reports are to be proved; if they are written reports, they can be proved only by the production of the writing.

Lord Chief Justice Gibbs. I am of opinion, that under the circumstances of the case, presented as it is, the question may be put; and I entertain that opinion upon this ground; the witness in the box, is selected by the Plaintiff to prove the publication of this libel, by the delivery of it to him, and he stands in a peculiar situation with respect to the Defendant; and the delivery to him may, possibly, not have the same effect with a delivery to another person; supposing it to have that same effect, and supposing this to be a libel published, it will be for the Jury, ultimately to say what damage the Plaintiff has sustained, by the delivery of this libel to

this witness; the Defendant cannot tell what witness will be called by the Plaintiff to prove, that the paper in question was delivered to him, the Defendant, therefore cannot be prepared to shew what that witness had seen or heard, before this paper was delivered to him; nor can he be prepared to produce those papers, which had come to the knowledge of the witness, before the paper in question was delivered to him. I am of opinion, therefore, that where it has been proved that this paper, at a given time, was delivered by the Defendant to the witness, in the situation in which he then stood, that the witness may be asked, whether he had not seen, in the public paper of the day, previous to the delivery of this paper to him, the substance of what was contained in this paper.

Mr. Serjeant LENS. Will you inform us, whether this was entirely new to you, or whether you had similar publications in the Guardian before this time?

Lord Chief Justice GIBBS. In any public paper or papers?—I had not.

Mr. Serjeant LENS. You had been in the habit of seeing the paper they call the Guardian?—I had; I took all the papers that were circulated in the province.

I understand you to answer, that your recollection enables you to say, you had not seen this at the time in the Guardian, therefore it was perfectly new to you?—I do not understand you.

You had not, at the time this book was delivered to you, seen any thing of that kind in the Guardian?—No, I am sure it was not, and I will give you a reason: the Editor of the Guardian, if he had written any thing about Mr. Wyatt, would have written in his favour, for he advocated the cause of Mr. Wyatt. I never saw any imputation on Mr. Wyatt in the Guardian, nor do I believe there ever was.

Who was the Editor of the Guardian; was not Mr. Willcocks, the gentleman of whom we have heard?—Yes, he was.

He is not living?—No, he was killed.

He fell in action?—No.

Mr. Serjeant BEST. I must object to evidence about Mr. Willcocks, he may be hanged for aught I know.

Mr. Serjeant LENS. Then we will take it so.

Mr. Serjeant BEST. No, you must not take it so.

Mr. HARRISON. He deserved to be.

Mr. Serjeant BEST. That may be for aught I know, I know nothing of him.

Mr. Serjeant LENS. This was a sort of exclusive paper, admitting only on one side. In which character were you attending Governor Gore, as Attorney-General, or as a private visitor, when you received this?—Only as a private visitor.

There were probably other persons besides yourself who dined with the Governor; did you dine with the Governor?—No, I do not recollect that I did; I was in the habit frequently of calling on the Governor.

Were you taken into the library, or did you go into the library, and there find Governor Gore?—He used to sit in his library.

Then, according to your recollection, this was an accidental call upon him, and you were shewn into the library, and there this passed between you?—Yes.

You were not attending or expected on any business?—Not that I recollect. I do not recollect any official business taking place between us on that day, and I dare say there was none.

Do you recollect the time when there was a Government prosecution of the Guardian?—Yes, I filed several informations.

Do you recollect whether there was any one filed at that time, or before that time, I merely put it to bring the time to your recollection?—I recollect that very soon after I arrived in the province, I prosecuted the Guardian.

This was about two years after you arrived?—Yes.

Mr. Wyatt had at that time come to England?—Yes, he had left the province.

He had left the province under this suspension, the merits of which we are not inquiring into now?—He had.

Where is Governor Gore now; he has returned again as Governor, has he not?—Yes.

Mr. Wyatt has not returned again as Surveyor-General?—No.

How long did you continue Attorney-General?—About five years; I came over with Governor Gore, that is at the same time, in 1811.

And you are not returning to that country?—No, I voluntarily relinquished my situation.

When did you first know that there was any proceeding or inquiry making about this location of the lands?—I cannot recollect when it was; if you have any means of fixing the time I will answer to it.

In 1809, at all events, an inquiry was going on about the location of Young's lands, was it not?—No, I do not believe it was; I believe that the inquiry was at the time that Mr. Ridout, the successor of Mr. Wyatt, came over to England, for the purpose of obtaining the Surveyor-Generalship.

I only want to know when you can fix the date of the inquiry going on in Canada, about the location of those lands?—Mr. Wyatt made an application to Mr. Baldwin, in Canada, to procure some documents.

Lord Chief Justice Gibbs. This was before you got there?—No; to procure some information respecting those allotments of land, for the purpose of exculpating Mr. Wyatt.

Mr. Serjeant Lens. At what date was this?—I cannot say indeed.

Do you remember the date of Mr. Clench's memorial?—I do not.

Do not you remember the date of the inquiry before the Council upon Mr. Clench's memorial?—I was not present; I was not one of the Council.

It was matter of public history of the country, do you recollect the period?—I can only fix the time, for I do not know when Mr. Ridout came over to England, by saying that it was about that time.

William Firth, Esquire.—Re-examined by Mr. Serjeant Pell.

Do you happen to recollect, whether Mr. Ridout had succeeded Mr. Wyatt before the inquiry was set on foot?—No, I do not.

Mr. Serjeant Bert. Was not it after Mr. Wyatt had left the province?

Mr. Serjeant Lens. Undoubtedly.

Mr. Serjeant Pell. It was after the period that Mr. Wyatt had left the province?—Certainly.

Mr. Serjeant Bert. I will trouble your Lordship by reading the passages.

Mr. Harrison. Will you give us the record?

Mr. Serjeant Bert. I am about to read passages not in the record first; we shall afterwards read the passages which are in the record.

[The title was read as follows:]

"To the Right Honourable Lord Castlereagh, one of His Majesty's Principal Secretaries of State, &c. &c. &c."

[The following extracts were read:]

"My Lord,—As the Province of Upper Canada has recently become an object of the first consideration to Great Britain, and as several attempts have been made, by a few turbulent and factious individuals, to disturb the peace of the province, and impress the public mind with an unfavourable opinion of its Government, and when the authors of those mischiefs are not contented with being let down easily, but have had the effrontery to bring their complaints before the public, and make an appeal to the British Legislature for redress, I trust no improper motives will be imputed to an individual totally independent of either party, for submitting to Your Lordship such information as he has been able to collect on this important subject ———"

"He is accused of having driven from the highest offices, gentlemen of the most upright and honourable conduct, merely for having in their official capacities opposed the arbitrary mandates of the Executive Government, and that neither person nor property was secure in the province. Upon inquiry, I learned the gentlemen alluded to were Judge Thorpe, Mr. Wyatt, Surveyor-General, and Mr. Willcocks, formerly a Sheriff."

Mr. Serjeant Bert. The remainder of that belongs to Judge Thorpe; turn to page 5.

Lord Chief Justice Gibbs. I think that latter part is not in the Declaration.

Mr. Serjeant Bert. No, my Lord, I read that for the double purpose.

Lord Chief Justice Gibbs. Certainly; I understand your object.

Mr. Harrison. Read that over again.

[The following extract was read:]

"Upon inquiry, I learned the gentlemen alluded to were Judge Thorpe, Mr. Wyatt, Surveyor-General, and Mr. Willcocks, formerly a Sheriff. Judge Thorpe, an Irishman, friend and associate of the celebrated Emmett,

and head of this trio, the principal mover of all the faction and turbulence in the province ———"

Mr. Serjeant Bear. The next extract we read is at the bottom of the same page.

[The following extract was read:]

"They still, however, found a great obstacle to their views in revolutionizing the province, from the publisher of the provincial paper refusing to insert some of these inflammatory addresses. To obviate the evil, they resolved upon establishing a printing-press of their own, and to effect this object, called to their assistance another Irishman, of a very suspicious character, named Willcocks, who has on all occasions done credit to their choice. By the establishment of what they termed an independent press, they were enabled to proceed rapidly in the work of sedition. The plan being organized, this triumvirate instantly became the rallying point for all the disaffected and turbulent spirits in the province, and gained strength daily. They every where gave out, that the Governor would be recalled, and a new order of things established, consonant to the views of Mr. Justice Thorpe; that the Judge had already been the means of removing one Governor, and that there was no doubt but he possessed sufficient influence to effect the recall of this one. The effect produced by this doctrine was not confined to the low and illiterate, but extended to gentlemen who, from their education and high rank, ought to have known better. Amongst others Mr. Wyatt, the Surveyor-General, joined their standard, and became one of the Judge's most useful and active partizans. The state of the province at this juncture was truly deplorable ———"

Mr. Serjeant Bear. Now begin "Men filling the highest offices ——"

[The following extracts were read:]

"Men filling the highest offices, heading a daring faction, organized in the capital, and extending itself to the remotest parts of the province. The natural and just prerogative of the Governor attacked in the House of Assembly, and no effort left untried to wrest from him the patronage by law invested in his hands. During this period, their grand engine, the press, was kept constantly employed in the work of defamation ———"

"The Surveyor-General, during this period, was not wanting in zeal. He was persuaded by the Judge, that his commission was paramount to the Governor's, and upon the strength of this persuasion he committed the most arbitrary and unwarrantable acts in his department. His first clerk (a respectable old gentleman, who had been in the service before Mr. Wyatt was in existence) had presumed to give his vote for a member who was considered as well affected towards Government; for this offence he was instantly dismissed from his office ———"

"The Indian department is also laid hold of as a pretext for calumniating the Government. It is well known, that this cabal seized every opportunity of misrepresenting the Government to the Indian Chiefs, and left no means untried to alienate their minds from the country. And it is notorious, that the only symptoms of discontent which have been manifested

by the Indians, have been excited by this daring faction. After the most minute inquiry, I can venture to state with confidence, that in all the transactions our Government has had with them, either in the purchase of lands, or otherwise, they have been paid the sums stipulated in the most honourable manner, and have no complaints against the Government. It is true, they have suffered considerable losses by the fraudulent conduct of some of their own Chiefs, or Agents, who did not render a just account of the sums they received. I have been present at the distribution of the annual presents, both at Amherstburgh and Niagara, and I never witnessed more impartiality than was observed in the distribution of these gratuities; and it was impossible to manifest, in a stronger manner, their grateful sense of the favours bestowed upon them. I am, however, far from thinking, that the system observed towards the Indians is a good one; it certainly introduces pauperism and idleness ———".

"Thus far I have followed the footsteps of Messrs. Thorpe and Company, and have, in as narrow a compass as possible, endeavoured to give the public some idea of the authors of this famous pamphlet, and have only to regret, that the limits prescribed me will not admit of the details I could enter into, or the documents I could adduce in support of them. This task is reserved for a more able pen, one who will such a tale of iniquity unfold, as would make men and angels blush to hear."

Robert Thorpe, Esquire, LL. D. sworn.—Examined by Mr. Richardson.

Were you formerly a Judge in the Province of Upper Canada?—I was.

During the time that Mr. Wyatt, the Plaintiff in this cause, was the Surveyor-General of lands there?—Mr. Wyatt was there during some part of the time.

Do you remember the time of his being suspended from his office by the Governor?—Yes, perfectly well.

Do you remember the circumstance of an inquiry being instituted at any time, respecting the location of some land in the Township of Niagara; an official inquiry?—No, there was no official inquiry that I know of; I mean while I was there.

When did you leave the province?—I left the province about the latter end of October, 1807.

During the time you remained in the province there had been no official inquiry, to your knowledge?—None, to my knowledge.

Were you acquainted with Mr. Wyatt's conduct in his office of Surveyor-General?—Yes, perfectly well.

As far as your knowledge extends, was his conduct satisfactory?

Mr. Serjeant Lens. I must object to that question, and you must have expected that his conduct is before the proper tribunal, and will be investigated, but it is not the question in this action.

Mr. Serjeant Best. I should submit, my Lord, it is; for the question is, whether he was properly suspended, and we can get at it only in this way.

Lord Chief Justice Gibbs. I cannot try the propriety of Mr. Wyatt's

suspension by the opinion of Mr. Thorpe; the Surveyor-Generalship is an office at will.

Robert Thorpe, Esquire, LL. D.—Cross-examined by Mr. Harrison.

When was Mr. Wyatt suspended?—I think it was either the 3d or 4th, it was not later than the 6th of January, 1807.

He went away in March; he left the province in March?—He went away early in February.

You came home in October, 1807?—Yes,

Mr. Serjeant Best. We forgot one thing.

Mr. Richardson. Do you happen to know at what time the paper, called the Guardian newspaper, first began to be published, whether before or after Mr. Wyatt left the country?—Oh! a good while after; I think it was about July or August.

Mr. Serjeant Lens. In what year?—In July or August, 1807.

Lord Chief Justice Gibbs. When did he leave the country?—He left York about the 6th or 7th of February; I remember it was the first or the second day of the meeting of the Legislature, therefore I am able to state the day.

When was the Guardian first published?—It was either July or August, in the same year.

Which was it, July or August?—I cannot state the exact date.

Mr. Richardson. Till that time do you know whether there was any other press than the province press?—No other but the Gazette; the Government paper.

Mr. Harrison. I believe you were yourself suspended?—I was.

At what time?—I was suspended some time about the latter end of October.

Were you restored to your situation as Chief Justice of Canada?—No, I was promoted; I was suspended for the purpose, as Lord Castlereagh informed me.

Mr. Richardson. You were appointed to another situation?—I was immediately; not one day intervened.

Lord Chief Justice Gibbs. Who were the publishers of the Guardian; to whom did it belong?—Mr. Willcocks; I am not certain whether there was any body else; I think his name was to it.

Who were really the persons who put it in motion?—I know not.

Lord Chief Justice Gibbs. You know not; that is an answer.

Mr. Serjeant Best. My Lord, I call Mr. Norton, the Chief of one of the Indian nations, to prove that that part is untrue, as to Mr. Wyatt intriguing with the Indian nations.

Lord Chief Justice Gibbs. You cannot give that in evidence.

Mr. Serjeant Lens. You see, my Lord, how we suffer by this.

Lord Chief Justice Gibbs. I am sure the Jury will not permit you to suffer by that which ought not to be given in evidence.

Mr. Serjeant Best. My Lord, we have to grapple with the powers of my Learned Brother.

Lord Chief Justice Ginns. Do you wish to be heard upon it?

Mr. Serjeant Best. No, my Lord; this is the case on the part of the Plaintiff.

Mr. Serjeant Lens. " May it please Your Lordship; Gentlemen of the Jury;

" It is my duty to address to you some observations on the part of the Defendant; and, with respect to the spirit of exaggeration, which has run through the whole of this case, and the sort of representation which is made of every thing, you cannot judge better than by the circumstance with which my Learned Friend concluded; that for the purpose of the cause, and the convenience of the cause, he has chosen to attribute to me qualities which do not belong to me. It is distressing to be obliged to feel the contrast between qualities so attributed, and the reality; but evidently in the same strain of exaggeration has the whole case proceeded. Gentlemen, I have no particular eloquence, and I affect none; I hope I know the humility of my own talents, and that I shall never affect it. He has supposed me to intend to argue for the right of a Lieutenant-Governor to remove an officer of the Government arbitrarily, of his own will; that would be, Gentlemen, as vain before you, as that which my Learned Brother also puts abstractedly; namely, justifying the Lieutenant-Governor for libelling unnecessarily, and for the purpose of private malice, a person in a high situation in the same Government, but in a subordinate situation to himself; surely, my Learned Friend could not be serious, when he put either the one or the other, as matter for your consideration.

" Gentlemen, when this case, as proved in evidence, is contrasted with the case laid before you, upon this declaration, and opened to you by my Learned Friend, I think it will appear that my Learned Friend, or at least those who instructed my Learned Friend, are not entitled to claim any credit for that candour to which he endeavoured to lay claim, by announcing to you, that with respect to that which was put forward, as the main and principal object in this inquiry, namely, the manner in which this person was removed from his office, and the letters upon that subject, addressed to Lord Castlereagh, he should now give you no evidence, nor dwell upon it; why, because he had learnt that Lord Castlereagh would not produce those letters; Gentlemen, this candour comes a little late—if it had really been the object of the party not to lay before you, and dwell upon circumstances which he knew did not admit of proof, (it being doubtful, at least, whether that proof could be received or not,) he would have withdawn them altogether from your consideration. For the party to entitle himself to any candour, (what his rights, standing in a Court of Justice, are, is quite another matter,) but to entitle himself to any candour, he ought first to have ascertained whether the evidence could be produced; and when he found Lord Castlereagh would not so far forget what he considered the duty of his situation, as to lend these letters for that purpose, he ought to have brought forward, as the subject of complaint, those things

only upon which he was enabled to proceed, and to have abandoned, altogether, the other charges—charges of a sort even more heavy than those upon which he has proceeded.

"Gentlemen, I know perfectly well you will dismiss from your minds, things which are not proved; you will not suppose that I suspect you, who have sat, all of you, long in the seat of justice, will suffer things to avail which are not in evidence; but when matters appear to be blended together, it is better, for the purposes of justice, that nothing should be alluded to, or stated, which is not meant to be the subject of evidence; if those things had any reality; if there was any foundation for the first charge, that those things had been maliciously, and without proper cause, represented to Lord Castlereagh; then that might have been extremely well presented in evidence, and would have applied to my Learned Friend's case, though the fact itself could not be substantially made out, because the letters themselves were not produced. Where is this malice, and the want of probable cause? If that existed it all, it was capable of proof; such as was not capable of proof, ought not to have been stated in a Court of Justice; the mere subject of the letters is quite distinct from this. Is there any evidence laid before you that at the time when those letters were laid before Lord Castlereagh, there was, in the mind of this Defendant, an express intention to injure; an express design of malice? If there was any such thing, the proof of that must have accompanied the production of the letters, for my Learned Friend knows, that if the letters were here, and had been produced, my Learned Friend must have failed in that which was the main part of the inquiry; for as to the sending of the letters, and the conduct of the Lieutenant-Governor, the thing itself could not be inquired into, but must be taken to be proper; he must have gone on further, to establish from other sources; all of which, if they had existed, my Learned Friend might have applied to that to which he reduces this case, the proceeding upon a libel; but the entire absence of which, except as it is to be deduced from the libel itself, shews this is introduced for a purpose for which it ought not to be introduced, on the absolute failure of that which would justify bringing an action upon such a case; my Learned Friend said he abandoned the first charge."

Lord Chief Justice Gibbs, "No, not the first charge; the second."

Mr. Serjeant Lens. "Then, Gentlemen, if my Learned Friend must be taken not to have abandoned the first charge; what evidence has he given to shew that the act of suspension, preparatory to the communication to Lord Castlereagh; (an act done by a Governor, towards a person under his jurisdiction in the province, who himself admits, that the Lieutenant-Governor had the power, and, therefore, the duty to remove;) what evidence upon this subject, as connected with the rest, or distinct from the rest, has he given to shew, that the Lieutenant-Governor, whose duty it was to remove, and to suspend in proper cases, was induced, in violation of his duty to his country, and for the purpose of gratifying spleen and malice, to do this? I trust and hope, that for the sake of human nature, no such case exists; but at all events you would expect my Learned Friend

to shew what was the malice; what was there existing between these persons, that would give rise to the possibility of suspecting that a removal, regularly made by a person, stated by themselves to have the authority to make it; laid before the proper officer, who had authority to inquire into it; what ground is there for supposing this proceeded from malice; unless my Learned Friend could produce before you something which would induce you to suppose there was a previous quarrel existing, or any circumstance, shewing a disposition to injure this gentleman; here is an entire blank of any possible motive, but the mere motive of malevolence, (exercised indiscriminately, as it appears;) for it is not even suggested what possible cause the Lieutenant-Governor could have for suspending this gentleman from his office; but that he thought he ought to be suspended from his office.

"Gentlemen, the Plaintiff is sent here, and it is stated that he is suspended till His Majesty's pleasure is known; and it is an avowed fact in this case, that up to this day this gentleman has not been yet restored; what must we conclude from that? that the cause of removal was such as not only to justify the suspension, but that, even to this day, the cloud which hung about the Plaintiff, has not been removed; and that even to this day, His Majesty's Government at home, being called upon to do justice to an individual, which it is to be supposed they would promptly and readily do, have been slumbering over this charge from 1807 to 1816; never attending to it; never, as we are to suppose, called to attend to it by the party most interested; why, Gentlemen, is this possible? Are we not to conclude from that fact, that there must have been an investigation; and that the result justified that which had taken place; for if, in the course of nine years, His Majesty's Government have not been able to say that this gentleman was improperly removed from his office, will you, without something satisfying your mind, (why this should have been done for any other but the apparent cause,) believe, that in the year 1807, this gentleman was suspended, from no other motive, but the malice of the person suspending him, in the absence, even, of probable cause on which he could act; and yet, that for nine long years together, this should remain in suspense; that the Lieutenant-Governor, this unjust calumniator, is restored to his office, and that the person calumniated, remains in this country? I will not go beyond the evidence, but that he is not restored to his office, from which he was thus improperly removed; I think, with respect to this first charge, I may say that my Learned Friend must have felt the total absence of all evidence, to bring this charge into Court, and that, in bringing this charge, the Plaintiff is acting most unjustly to the person against whom it is brought; the circumstances in themselves, shew most strongly, and I submit most positively, not only that there was probable cause for the suspension, but that there was sufficient cause, which has induced His Majesty's Government, for nine years, to continue the suspension; the difficulty of the case is, that at this moment, Mr. Wyatt, called upon by the loss of that of which he complains in the present action, has never yet been able to satisfy those who are his proper judges, that he

was not properly removed, and that the Governor did not deserve that commendation, and deserve that approbation which he has since received, by being restored by the very same Government.

"Taking these two facts together, I think I may venture to infer, and that you will infer, that, though the propriety of the suspension is not the proper subject of inquiry here, nor could be made the proper subject of inquiry here, that inquiry has taken place, that the Lieutenant-Governor remains justified, and the Plaintiff properly removed; that His Majesty's Government have been of opinion that he deserved not to remain in that situation, and that he deserved not, from any thing which has appeared through nine long years, to be sent back again; but, Gentlemen, what is the necessary consequence of the facts as they appear; that the one did abuse the situation in which he stood, and has been properly removed; that it has never been thought proper to send him back; but that his calumniator, his accuser, has been sent back, to remove other Mr. Wyatts from other situations, to gratify his own malice; to act, as it is charged, from private caprice, and private malice; that he is now sent back to this unfortunate country, to wreak his private vengeance, armed with the authority of Government, leaving the person who was his first victim, oppressed and unredressed, in respect of any part of the injury he had received; Gentlemen, this is a much greater libel upon His Majesty's Government of this day, and upon the Government for the last nine years, than is made upon the Defendant. I think, therefore, that so far from there being positive and distinct proof to satisfy a Jury, of the want of probable cause, and the existence of malice; that in this case it is proved there was proper cause, and that the facts are proved to be such, as would have made it inconsistent with the duty of the Governor to have suffered Mr. Wyatt to have remained longer in that situation; if my Learned Friend, therefore, wishes to adhere to this charge, it is not only negatived, but, if it was proper to bring that before you, it stands confessed, that upon this part of the case, at least, Mr. Wyatt was the only person to blame; and that the Lieutenant-Governor has acted properly, and is sent back to exercise the same sort of justice. If this be an act of injustice, Mr. Wyatt should have been restored to his situation; but that which is the proper tribunal, and the only tribunal, for a judge in that matter, have decided against Mr. Wyatt, and in favour of Mr. Gore; my Learned Friend shakes his head at this, and says it is no such thing; if so, I defy the ingenuity of any man to make out how that can be, without implicating His Majesty's Government in the charge of removing without probable cause.

"My Learned Friend says, this action was necessary in order to bring this matter before the public. Gentlemen, give me leave to say, that this action was not necessary, nor ought this action to have been brought before the public; it ought not to have been brought before the tribunal before which it is; it ought not to be brought before a Jury; do not understand me to say that the province of a Jury is not important; but it ought not to be brought before this tribunal, before the removal has

been pronounced, by the proper tribunal, to be improper, and in violation of the principles of justice; because, if it was supposed that nine years was too short a period; and that the matter is still pending; and that there may still be a judgment to restore Mr. Wyatt, and recall Colonel Gore, at least my Learned Friends should have waited till that judgment was passed; and I appeal to you, whether that matter ought to be inquired into on a partial statement on assertions on one side. Appealing to you in this stage of the business is neither correct nor proper; nor, in my humble judgment, tending, in the smallest degree, to raise the character of the party, who flies from the tribunal where his conduct can be investigated; in order to state his own case to another tribunal, to have a partial judgment found by them, the materials upon which only that judgment can be obtained, being necessarily withheld from their observation. So far, therefore, from this action being a necessary proceeding, it does appear to me, that a Plaintiff, who really regarded his own character, would have abstained from doing that which the Plaintiff is doing; it does appear, that though the day is so distant, the time is not yet come, at which it ought to be submitted to a Jury, if there had been that which there might have been in this case, if that tribunal, which alone can take cognizance of the case, had done that which my Learned Friend's client would have wished, namely, had pronounced his suspension to be not entirely all which is here stated, but had pronounced his suspension to be improper; if it had so pronounced, inasmuch as the other tribunal can give no retribution for the consequences, it would have been proper to have required from you, as a Jury of the Country, those damages, which could not otherwise be given, but until that declaration of the innocence of the Plaintiff has taken place, give me leave to say, that, so far from his being intitled to represent himself here, in a Court of Justice, as a person improperly suspended and removed, he stands here as a person suspended, up to this moment, without even a suggestion, that he desires to have that matter further inquired into, or that there is any proceeding going on; if there were, it would be liable to the same objection.

"Gentlemen, I am aware, that though this disposes of the first charge, that is of the improper suspension, the very essence of which is, the want of probable cause; yet that the party may have subjected himself, by his imprudence, by having stated something on this matter in a way prudence will not justify, to an action for damages, for improperly publishing that which does, in point of law, amount to a libel, and which no man can justify; but it is a material fact, that the libel is a part only of the case; that the libel is so incidental a part of the case, that, even taking it as it now stands, before one can form a correct judgment of the merits of it, except the formal and technical matter, my client fell into the error which my Learned Friend's client is acting under. After grave advice he is acting, I will not say under advice, but with regard to a publication of this sort, which is supposed to have injured the Plaintiff. Did any man ever hear of a publication, so slight in itself, amounting, in point of law, to a libel; for I do not mean to contend that it is not. If a party chuses at

any time, where it is not distinctly made out, that he was addressing Mr. Firth, as Attorney-General, as one of the high officers of that Government, and where it does not distinctly appear, that he was asking him his advice in that character, or asking him his friendly advice, in such a way as would make the whole of his conduct innocent, to put this pamphlet into the hand of another, he would be answerable for the consequences; but you will judge from what passed, and the way in which it was presented, and after all you will have to determine, what sort of publication this was, and what portion of the injury, for that is all it comes to; what portion of the injury, supposed to be sustained by Mr. Wyatt, is to be supposed to result from the publication proved by Mr. Firth.

"Gentlemen, with regard to that, I should conceive, that unless Mr. Wyatt could remove the impressions, and could alter the state of the circumstances, the distribution even of this pamphlet, if proved in a very different way from that in which it is proved to day, would have been but a drop in the ocean; it was two years after Mr. Wyatt had left the country; it was a publication in Canada, to which country this gentleman has not since returned, and there is no prospect of his returning. What is the injury he has received? It appears, that Mr. Firth was not sent for the purpose of its being put into his hand. Mr. Firth's memory is not so correct as I should have expected; to be sure it is a good many years ago, but if this was the first time Mr. Firth had ever seen this pamphlet, or any thing connected with this in any shape, one should have expected it would have dwelt upon his mind, how it happened that this communication took place between him and Lieutenant-Governor Gore, upon this occasion; but we must take it as it appears, that he called upon him that day; that he gave him this pamphlet; and that he read it. I will not inquire, whether that box was full of similar papers, he was not asked the question."

Lord Chief Justice Gibbs. "He said it was full of similar papers."

Mr. Serjeant Lens. "We will take it so, that this was a packet of papers of this description, though it did not appear that he examined whether they were the same pamphlets. This was in 1809, two years after this gentleman left the province, nearly three years indeed, for he left the colony in January, 1807, and this was in October, 1809. Would you not expect this should have been followed up by some communication? I expected this would have been attended, at the time, with something proving it was with a view to injure this gentleman in the estimation of Mr. Firth, because, unaccompanied with any thing of that sort, it is unquestionably a publication. My Learned Friend stated, and I expected proof of that, that the Governor was the author, as well as the publisher, and so it is alleged. I am perfectly aware, that the proof of any one of them is sufficient; but my Learned Friend dwelt upon that circumstance. But, Gentlemen, I think we may take it, that this gentleman could not have been the writer of this. If it was his object to give an unfair representation of this, would he not have done it at the time he was sending this gentleman home to be tried, under the suspension he had

inflicted; it might then have been an object to this gentleman to write an account of that, not that this is an account of the circumstances which led to the suspension

"My Learned Friend has referred to this as being a statement of the grounds on which the suspension proceeded. Gentlemen, this does not profess to be a statement of the causes, nor of every circumstance. That the suspension had taken place three years before, is sufficient to shew it could not be so; but what I was observing was, that my Learned Friend had no right to infer, that the Defendant was the writer of this; because, if it had been an object for him to have written it, it would not have taken place three years afterwards, when it was an object of indifference to him whether it was known or not, but the publication would have accompanied his dismissal, in order to have possessed the minds of those in the province of the motives and the reasons for the suspension. When, therefore, the whole, which was the subject of complaint, had passed over three years before, what is this but a publication of a thing, infinitely better not published undoubtedly, though three years might have appeared to have sanctioned the ground of suspension; it would have been better to have waited three years longer, or, I have no hesitation in saying, to have waited for ever, and never to have published or sanctioned the publication of this account, for this could be of no avail; the matter was before those who were properly to inquire into it. If Mr. Wyatt was sent back with honour to his station, that would be the best justification of himself, and the best censure on the Governor. The Governor wanted no justification at the time this was published, and it is so small a part of the transaction, that when the case is reduced to this, you will have to judge what possible injury this gentleman has sustained in his character and condition, by this publication to Mr. Firth; and by the by, I should have expected from a gentleman in Mr. Firth's situation, if this was a libel, whether Mr. Firth was solicited to give his advice to the Lieutenant-Governor, or not, I should have expected a friendly admonition from him to that gentleman, that he would have said, why do you put this into my hand; this is a publication which ought not to go forth into the world; and I should have expected a reproof instead of a hearty acquiescence in it. I think his expression was, "I read it as of course;" it is not of course to read all libels put into one's hands. When was it that Mr. Firth found that this was a libel? If he put it into his pocket and read it afterwards, I should have expected (and that would have been most natural), that Mr. Firth, would have gone back and said—for God's sake hold your hand; I stand here as Attorney General; I am continually prosecuting persons for libels; do not, on any mistaken notion of what is necessary for your justification, give circulation to this libel. For any thing which appears, if Mr. Firth had done that, the whole of this mischief might have been prevented. I think we may fairly conclude, from the circumstance of Mr. Firth's calling as he did, that the box was but just opened; this was the very first perhaps, or nearly the first, publication which had been made by the Lieutenant-Governor. When you find, therefore, Mr. Firth not

interposing in the way one should have expected, and that he did not think it of sufficient consequence even to go back to the Lieutenant-Governor, and to beg him to proceed no further; however, this is now magnified into a serious libel, to call for important damages; I think you will be of opinion, it has not always been so considered. Taking it by itself, undoubtedly publishing a libel is a serious matter; but where a thing is not going on for three years, and is to a certain purpose at an end, where a party gives an account of it, it is very imprudent and unwise to do so, but it is wholly different from that which my Learned Friend stated, that this was an exhibition for the first time, and an attack upon the character of the Plaintiff, there having been nothing to lead to it. Gentlemen, what I have been stating would have been most important, if my Learned Friend could have proved, that Mr. Firth had done that which I think he ought to have done immediately; my Learned friend says this is not fair ——"

Mr. Firth. "I dare say I did do it."

Mr. Serjeant Lens. "This comes a little late."

Mr. Firth. "I think it is very likely I did mention it."

Lord Chief Justice Gibbs. "I cannot take the probability of it."

Mr. Firth. "I trust Your Lordship will permit me to justify myself; a person in my situation must intimate his opinion very gently (Your Lordship knows what I mean) to a Lieutenant-Governor."

Lord Chief Justice Gibbs. "No, I do not know what you mean; for I know that those who fill the situation of Attorney-General in this country, and I hope in other countries, will speak as boldly to those who consult as those who speak to the Counsel."

Mr. Firth. "And so I did my Lord."

Lord Chief Justice Gibbs. "Then you did right."

Mr. Firth. "But still I did it in a mild way."

Mr. Serjeant Lens. "Gentlemen, taking it as it is now represented, I impute nothing but what I openly state that I should have expected."

Lord Chief Justice Gibbs. "Nothing has been said of Mr. Firth at which he can take any reasonable offence; the Counsel is observing upon the evidence that Mr. Firth gave, and upon that which was, and that which was not said by him to Lieutenant-Governor Gore; and it would be a strange situation, indeed, in which a Defendant would be placed, if his Counsel were precluded from making those observations."

Mr. Serjeant Lens. "Gentlemen, I am extremely sorry observations should be necessarily made, that are painful to any gentleman who hears them; but if they be such as the case requires, I cannot abstain from making them."

Mr. Serjeant Best. "Perhaps Your Lordship will allow me to say, that Mr. Firth wished to state all which passed, and that it was in consequence of what Your Lordship said, that he did not."

Lord Chief Justice Gibbs. "I stopped no evidence."

Mr. Serjeant Best. "Mr. Firth said, 'I feel, if I state that which passed, it will come within the rule laid down by the Court.'"

Lord Chief Justice Gibbs. "Really, nothing has been said; no observation has been made upon the conduct of Mr. Firth, that ought to excite in his mind any degree of uneasiness."

Mr. Serjeant Best. "My Learned Brother says, Mr. Firth should have given him some advice, as to not publishing this; I cannot state what Mr. Firth did say upon this, but I believe Mr. Firth is very desirous of doing so."

Lord Chief Justice Gibbs. "I never did stop any such question."

Mr. Serjeant Best. "Mr. Firth so understood, I believe."

Mr. Serjeant Lens. "Gentlemen, it would be most unfortunate ——"

Mr. Serjeant Best. "Probably, as Mr. Firth has misunderstood Your Lordship, Your Lordship will allow him now to state what passed."

Lord Chief Justice Gibbs (to Mr. Firth). "Did you advise the Lieutenant-Governor not to communicate that to any persons."

Mr. Firth. "I think it is very likely."

Lord Chief Justice Gibbs. "That is what he said before, and how can I take as evidence what a gentleman thinks it very likely he should have done; that was the reason I wanted to put an end to it."

Mr. Serjeant Lens. "Allowing it probable that it was so, but not taking it absolutely that it was so, I should have thought it necessarily so important, that I should never have forgotten that I did so; I should never have forgotten the manner in which it was received; and when the question comes, under what temper and disposition did Governor Gore proceed; I never could have have forgotten that I did go back to him, or that I did at the time caution him, and that, to my great regret, sorrow and surprise, what I said was not attended to, and he proceeded still to publish this."

Mr. Firth. "I am sure, now, I do perfectly recollect having a communication with Governor Gore; and I recollect particularly one part of it, which was this, that it was not probable that Mr. Wyatt would ever return, and I did advise Governor Gore not to mar his future prospects; that I recollect perfectly well."

Lord Chief Justice Gibbs. "I apprehend you do not know, that after that time he ever did disseminate any of these."

Mr. Firth. "No, I do not know that he ever did; with regard to mine, it never passed from myself, I never showed it to any one."

Mr. Serjeant Lens. "Gentlemen, I do not wish to dwell any longer upon this, particularly as it is unpleasant to Mr. Firth."

Lord Chief Justice Gibbs. "I do not think that any thing has been said which need be unpleasant to Mr. Firth."

Mr. Firth. "I was restricted, my Lord."

Lord Chief Justice Gibbs. "I did not restrict you, indeed; but when you once stated that you did not recollect, I thought it ought to stop there: I am irregular in having permitted this; but let it stop here."

Mr. Serjeant Best. "I will now beg of Your Lordship to ask him, whether these conversations passed while this was in manuscript."

Lord Chief Justice Gibbs. "We have heard of no manuscript. This really prevents one's interposing, to relieve parties, when it is wished to press the matter on in this way; I have permitted Mr. Firth, perhaps irregu-

larly, to give the explanation which he thought necessary to set himself right, and there the matter must stop."

Mr. Serjeant Lens. "Really, Gentlemen, I should have thought that what I was stating, would not make any unpleasant impression upon the mind of Mr. Firth, for I wished only to say, that Mr. Firth thought this a matter of so little moment, that he never remarked upon it, and that he read it as of course; that that which is now produced to-day, as the principal cause, and the only cause that is sustained before you, is not only of minor consideration, but a consideration that has been resorted to, because every other has failed; that it was not thought of any moment, nor was it of any moment, at the time, but is now clung to as the only remnant of a case, which can, with propriety, be brought before you. This does not appear to have been published to any human soul but Mr. Firth, and here again, though it is not a blame to any man, not to have his recollection about him at the moment; if it had fortunately occurred to Mr. Firth, that he was the person to whom the communication had been first made, I think he would have said, put up that box, and let this pamphlet go on no further; but when, from his private suggestion, or his own good sense, Governor Gore abstained from publishing any other, as there was a box full, and they are not able to shew the publication of any other, I think that we may fairly infer, that that was the only one published; and though the Governor had not that legal advice, which, if it had occurred to this Gentleman, he would, at the moment, immediately have given; and though it did not occur to him to return, and make the suggestion, as soon as he had read this pamphlet, there is no instance proved of a publication afterwards. Does not that shew that the publication now complained of, would never have existed at all, if Mr. Firth had had the prudence to give the admonition I have mentioned. I think we may assume, that this paper was never sent into the world by Mr. Firth; it went into his pocket, but never, by that means, got out into the world; Mr. Firth very properly says, 'Certainly not;' I think I may assume, therefore, that if it never did get out into the world, in the shape in which it was, in any other way but that which has been proved, the utmost extent of this publication is, (whether he was in an official situation at the moment, or not, does not signify;) but that the Attorney-General of the province, calling on the Governor of the province, he receives from him one of those books, puts it into his pocket, reads it as of course, and the thing is never heard of from that day to the present. Gentlemen, is this a case that calls for exemplary damages? Can it be said that any real injury to the character of this gentleman has been sustained, by that part of the transaction, which is alone before you to-day? What injury Mr. Wyatt may have sustained from other parts of this transaction, will not be taken into the account by you, but will be shut out of the account;—it is clear it bears another character from that my Learned Friend laid before you.

"Gentlemen, my Learned Friend mentioned a circumstance which I think he should have abstained from on this occasion. It puts one in an unpleasant situation, when an assertion is made which can be met only by assertion on the other. He states, that the Secretary of State acquitted

the Plaintiff of any blame in this matter. If my Learned Friend was in possession of any acquittal, he would not have required the presence of the Secretary of State; it must have existed somewhere in public, or been addressed to Mr. Wyatt. That evidence, therefore, should either be produced, or the assertion should have been abstained from by my Learned Friend, for it leads only to this conclusion, that I must, on the contrary (supported by the whole course of the proceedings since), deny, that the Secretary of State has ever acquitted Mr. Wyatt. If there ever was such a communication, there would be a difficulty in accounting for the reason why Mr. Wyatt is not restored, and why Governor Gore is. If this matter had been ascertained to be of that description, I am at a loss to reconcile the existing fact, at this moment, with any such supposition; but it is sufficient to say, there is no evidence of any such thing; it appears highly improbable there should be, and I think I may venture to deny it, particularly from the conduct of His Majesty's Government being utterly at variance with it.

"Gentlemen, I beg your pardon for troubling you at such length. Whatever Mr. Wyatt may require, strictly and legally, you will give him. I lament that Governor Gore was not more prudent, and did not abstain from publishing this paper, even in the way in which it was published. I regret that he was so unfortunate, as having the opportunity of being corrected at the moment, that he was not corrected; but that he published this, even in the limited measure you have heard; for that publication you will give such damages as you think proper; but I think it does appear, that this gentleman came to the recollection of what was proper conduct, and that the libel, in this shape, was never afterwards published to any human soul."

SUMMING UP.

Lord Chief Justice Gibbs. "Gentlemen of the Jury;

"Before I proceed to state this cause to you, I wish to remove from the mind of that gentleman, who has been called as a witness in the case, any unpleasant feeling that may now trouble him, as resulting from the evidence that he gave, and any observations made upon it. It is open to the Counsel to make such observations as may occur to him upon the evidence of any witness. The education of that witness must have informed him, that this is the course always allowed in courts of justice; but I think in this case, no ground whatever is offered for his taking offence at anything which has been said; nor do I think that he, in the evidence he gave, furnished any ground to any one for saying, that in any part of his conduct he has conducted himself in a manner that deserves animadversion.

"Having said thus much, I proceed to state to you what this case is. It is an action by Mr. Wyatt, who was Surveyor-General in the Province of Canada (which, as it appears, was an office held at will by him), against Lieutenant-Governor Gore, for having originally, from malicious motives, suspended him from that office. For having afterwards, from

malicious motives, misrepresented the truth to the Secretary of State, in order to prevent him from being restored; and for having likewise published a malicious and defamatory libel against Mr. Wyatt. It turns out, most unfortunately for the public, and for those who were administering the affairs of the public, that this Province of Upper Canada was in a very troubled and confused state; that those, who, at a distance from the mother country, filled high offices there, and ought to have had no object in view but the advancement of the interests of the community at large, were quarrelling amongst themselves, and that the population of the district was torn to pieces by dissentions of this description. When I say this appears, I mean that, in point of fact, it appears from the publication that has been proved to us in the course of this cause, and from the evidence of the two witnesses who have been called. Mr. Wyatt had been Surveyor-General, I know not for how long, for some years I think. In 1807 he was suspended from that office by Lieutenant-Governor Gore. Now Lieutenant-Governor Gore had a right to suspend an officer who held his office at will, and he had a right to suspend him without being answerable for the motives on which he acted, for if you make an officer in that situation answerable for the grounds on which he acts in this way, that is, to be questioned by the persons whom he suspends, and to go into proof in a court of justice of the evidence before him, and the grounds which actuated his conduct, it would be utterly impossible, that any office of the sort could be executed by any person with security to the interests of the public. He was suspended so long ago as the year 1807. It was for His Majesty's Government, upon the representations made to them, to judge whether that suspension was or was not well founded. From that time to this, nothing has been done for restoring Mr. Wyatt; on the contrary, instead of being suspended, which was the only act that Governor Gore did, he has been in effect removed by the appointment here of a successor. Therefore it stands, that Mr. Wyatt never has been restored to his office; that it was open to him to make any representation that he pleased to the Secretary of State, no one can doubt; and if he had any thing to charge against Lieutenant-Governor Gore, for his conduct in suspending him, it was open to him to lay that charge before the Secretary of State; if there is any such we must suppose he has advanced it, but the result is, that Mr. Wyatt remains suspended, and ultimately removed, and that Lieutenant-Governor Gore is sent back to his office. Now, from these circumstances we cannot collect, that Lieutenant-Governor Gore, in suspending Mr. Wyatt, acted from any malicious motives, for if he had, one should have expected, that on investigation, he would have been sent back to his office, and not Lieutenant-Governor Gore, to the Government where he had so misconducted himself.

"Gentlemen, I stated, while the Counsel for the Plaintiff was opening his case, and in answer to inquiries he evidently meant to make in the progress of his address to you, what it was incumbent upon him to prove, in order to support the first charge in this declaration. Upon the second charge he admits, that he has no evidence, namely, that misrepresentations were sent over by Lieutenant-Governor Gore to the Secretary of State, to pre-

vent his being restored again after his suspension, therefore of that you will discharge your minds altogether. The charge upon this part of the case rests entirely upon that which he brought forward in the front of his statement, namely, that Lieutenant-Governor Gore suspended him originally, from malicious motives. I have observed to you, what was to be inferred from the result. It lies upon the Plaintiff, as I stated to the Counsel in the progress of the cause, in order to support any charge of this sort, against a person acting in the situation in which the Lieutenant-Governor acted, to prove positive and actual malice; you cannot call upon him to go into a defence of his conduct; he must be supposed to have acted conscientiously, until the contrary is proved. There may be cases in which an action might be maintained against a Governor, for suspending an inferior officer, but not merely because the Governor did not, in a court of justice, lay before the public the grounds upon which he acted. The sort of case that will authorize such an officer to maintain an action against the person who removed him, must be a case resting on positive proof of malice, such as was opened by my Learned Brother, to whom the interests of the Plaintiff in this case are committed. Evidence of declarations, that he would, right or wrong, remove this man from his office, and if any such declarations, previous to his dismissal, had been proved upon Lieutenant-Governor Gore; or if any declarations of his, subsequent to the suspension, of his having acted from such motives, had been proved, then this part of the charge against him might unquestionably have been supported; but without any evidence of that sort, without something that fixes positive malice upon him, the action cannot be supported, and in this case I find no proof of that sort.

" It has been urged by the Counsel for Mr. Wyatt, that the subsequent publication of this Pamphlet which now lies before me, furnished proof that the precedent suspension of Mr. Wyatt must have proceeded from malicious motives, for the learned Counsel says, 'this Pamphlet which I shall fix by evidence upon Lieutenant-Governor Gore, contains an admission from him, that the circumstances stated in it were the reasons for Mr. Wyatt's suspension;' and when I have proved out of his own mouth, that those were the reasons upon which he pretends that he suspended Mr. Wyatt, I will go into further proof, that those reasons on which he defends that conduct of his had no foundation in truth; the ground work of that argument fails him altogether, there is no statement in this pamphlet that the reasons stated in it, were those upon which the Lieutenant-Governor founded his suspension of Mr. Wyatt. This pamphlet you will recollect is published in October, 1809; Mr. Wyatt having been suspended early in 1807, and having removed from the province early in 1807; it appears from various parts of this pamphlet, that there had been previous publications of a very different description in the province, arraigning the conduct of Government there, particularly one pamphlet, of which the writer states certain persons, whose names have been repeatedly mentioned to you, to be the author.

" In one part of this pamphlet which has been read to you, he says, 'the want of religious instruction is lamented by the authors of this

pamphlet,' which shews it is considered an answer to that pamphlet which had been previously published; in another part, he says, 'This pamphlet, (or rather Judge Thorpe) complains of the inadequacy of the salaries of the Judges. Thus far I have followed the footsteps of Messrs. Thorpe and company, and have in as narrow a compass as possible, endeavoured to give the public some idea of the authors of this famous pamphlet, and have only to regret that the limits prescribed to me, will not admit of the details I could enter into.' It is evident therefore, that this publication was meant as an answer to a previous publication, taking up the facts as they stood at the time of the publication now before me, stating every thing that had occurred subsequent to the suspension of Mr. Wyatt, that the author of this book thought tended to represent him in the light that belonged to him, but no where stating in any part of the publication, that the imputations cast upon Mr. Wyatt in this pamphlet, were the grounds upon which Governor Gore had suspended him from his office. I have been attempting from the opening of this cause to the present moment, to catch a single expression that would justify that allegation, but I have found none; this therefore is to be considered as published, not with regard only to these charges, nor particularly referrible to them, but with reference to those unfortunate disputes which had taken place in the province, and as an answer to what had been contained in other publications there; I do not think therefore, that this publication connected with the act of Governor Gore, of suspending Mr. Wyatt two years before, can be pressed into the service as proof of, that, in that act of suspension he was himself influenced by motives of malice; and unless it be affirmatively proved by the Plaintiff that he acted from malicious motives, that part of the charge cannot be supported.

" If you should think that there is no proof in the case of actual malice against Governor Gore, that disposes of the first charge that was opened by my brother Best, on behalf of Mr. Wyatt.

" With respect to the second charge, it is not pretended that any evidence in the case applies to it.

" We come then to the third charge, the charge of having published this pamphlet itself, which was unquestionably an offence against the law; was an act against which Lieutenant-Governor Gore, who did publish it in the manner stated to you, cannot certainly defend himself in a Court of Justice. I cannot therefore state to you that there is any doubt in the case, but that the Plaintiff on the last charge, the charge for publishing this as a libellous paper is entitled to your verdict; I think that he is. It is not necessary for me to go through the different paragraphs contained in this paper; you have heard what sort of misconduct they impute to Mr. Wyatt, and it will be for you to estimate the damage that he is likely to have sustained in his character from this publication, always carrying along with you the manner of the publication, and the circumstances under which it is proved to have been made; and the limits which the evidence given has prescribed to that publication.

" The witness called to prove the publication, is a gentleman who has filled the office of Attorney-General in Upper Canada; I say nothing of

the manner in which he conducted himself in giving his testimony, because all I meant to say upon that subject I have already laid before you, but the account he gave of this publication was this, he was in a situation of the highest confidence with the Governor; the person to whom the Governor ought on all occasions to resort for advice, and to rely on the advice he received from him; it appears that on a particular occasion, he, having called on the Governor, the Governor took the pamphlet which has been produced in court to-day, out of a box which appeared to have been recently opened, for there were the marks of the nails which had originally kept the sides of the box together; he produced to him that pamphlet which has been produced to-day, and it appeared to the witness that there were contained in the box several others of the same description; he says he has no doubt, that having looked over this pamphlet, he did state to the Governor, that it was of a description that should not be published; he says likewise that he has now a perfect recollection that he said to the Governor, 'Mr. Wyatt is now out of the country, he probably never will come back, and therefore I would advise you not to do any thing that may mar his future prospects;' very proper advice, such as it did the witness great credit to give, and which it would be equally creditable to the Defendant to follow. Let us see how far he has followed it. The witness tells you, that from this time he never knew an instance of any one of these pamphlets having been disseminated in the province."

Mr. Serjeant Best. "I beg Your Lordship's pardon, he saw some in the hands of the officers of Government."

Lord Chief Justice Gibbs. "You are mistaken brother Best; I take upon myself to say you are mistaken; Mr. Firth told me on his last examination, that from the time when he gave that advice to Lieutenant-Governor Gore, he did not know a single instance of this pamphlet ever having been disseminated by him; Mr. Firth said so, I am sure."

A Juryman. "We understand it so."

Lord Chief Justice Gibbs. "Then we need not enter further into that."

Mr. Firth. "I said the copy given to me by Lieutenant-Governor Gore, never was out of my possession; that I shewed it to no soul alive."

Lord Chief Justice Gibbs. "The question I asked you was this, and the Jury understood you as I did, whether, after the time that you said to Lieutenant-Governor Gore, that it was not probable that Mr. Wyatt would return to the province, and that it would be a pity to mar his future prospects, you knew of any instance of his having delivered out any one of those pamphlets."

Mr. Firth. "Certainly, I can answer that very readily; I cannot prove that Governor Gore ever distributed any others than that he gave to me."

Mr. Serjeant Best. "It was a former part of his examination."

Lord Chief Justice Gibbs. "I know every part of his examination; the observations I am making are perfectly just upon that part of the evidence to which I am applying them. I was just about to state to the Jury that to which you are adverting, but it cannot be expected that the Judge will shape every fact proved in the cause, to that colour which the Counsel

wishes to give it; I must state it according to the impression upon my mind, for if the Counsel for the Plaintiff were to direct the Judge in what form he was to state the facts proved, applying his own reasoning upon them, it would be difficult to arrive at justice.

"Gentlemen, I have stated this to you, that Mr. Firth admitted that he gave this advice to Lieutenant-Governor Gore; and he admitted that he knew of no instance in which Lieutenant-Governor Gore, after that time, ever published any one of these pamphlets; that was what he said before; that is what he now says: I know that Mr. Firth, in a former part of his evidence, had said, that he had seen these pamphlets in the hands of other persons; having said that he had seen them in the hands of other persons, he was asked in addition, whether he had ever seen them in the hands of any but the officers of Government, and in answer to that question, Mr. Firth said, No, never; that he never had seen any one of them in the hands of any person but in the hands of the officers of Government; now, although I do not state to you that the delivering them out to the officers of Government was a justification to Mr. Gore, for I think he was not justified in so delivering them out, yet it is a very different thing, after those dissensions that had taken place in the province, delivering out a publication of this description only to the officers of Government, who might be consulted in the investigation of these matters, and delivering them out generally for publication. It does not appear, as far as the evidence goes, that any instance had occurred of their being delivered out to any but the officers of Government; to the officers of Government it does appear that they were delivered out; not only to Mr. Firth, but to others in the province; that act was not justifiable; for that act Lieutenant-Governor Gore is unquestionably answerable to Mr. Wyatt in damages; he has violated the law in so delivering out those pamphlets, and whatever injury you think Mr. Wyatt has received by the publication of those pamphlets so delivered out, for that injury you will give him a compensation—to that he is entitled, beyond that he is not entitled.

"Upon the first charge, you have heard the observations I have made, and you will consider whether you think there is any actual malice in the act of suspension proved against the Defendant. If you think there is not, you will find a verdict upon that for the Defendant; if you think there is, you will find upon that for the Plaintiff. With regard to the second charge, it is deserted. With respect to the third, the Plaintiff has made out his case fully, so as to entitle him to a verdict; and it is for you to say what damages he is entitled to for that publication, which has been proved."

The Jury withdrew, and returned in a quarter of an hour, finding a verdict for the Plaintiff,—Damages 300*l*.*.

Lord Chief Justice Gibbs. "Upon which count do you find for the Plaintiff?" Foreman of the Jury. "On the third count."—Lord Chief Justice Gibbs. "For the Libel?" Foreman of the Jury. "Yes, my Lord."—Lord Chief Justice Gibbs. "That is, on the fifth count."

* The Plaintiff's damages were laid at twenty-six thousand pounds.

IMAGE EVALUATION
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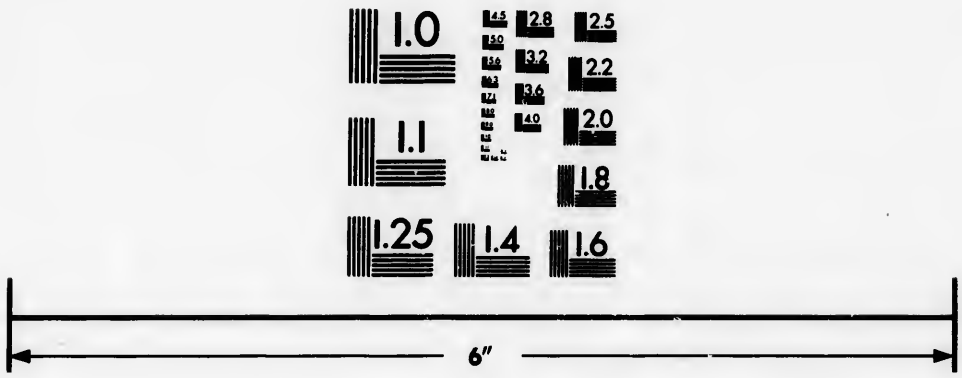

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Mr. Cox. "You find for the Defendant on the other counts?" Foreman of the Jury. "Yes."

Counsel for the Plaintiff, Mr. Serjeant BEST, Mr. Serjeant PELL, and Mr. RICHARDSON.

Solicitors for the Plaintiff, Messrs. JENKINS, JAMES, and ABBOT.

Counsel for the Defendant, Mr. Serjeant LENS, Mr. HARRISON, Mr. Serjeant COPLEY, and Mr. COLTMAN.

Solicitor for the Defendant, Mr. ATCHESON.

OCCURRENCES.

LOWER CANADA.

PREVIOUSLY to the departure of Sir Gordon Drummond from Lower Canada, His Excellency received the following Addresses from the inhabitants of Quebec and Montreal :—

MONTREAL.

To His Excellency Sir Gordon Drummond, Knight Commander of the Most Honourable and Military Order of the Bath, Administrator in Chief of the Governments of the provinces of Upper and Lower Canada, Vice Admiral of the same,

May it please Your Excellency,

We, the inhabitants of the city of Montreal, have been informed, that Your Excellency is immediately about to avail yourself of the permission to return to England, which His Royal Highness the Prince Regent has been pleased to grant.

Such an occurrence, although not unexpected, could not fail of exciting sincere regret, since none can be so ignorant of the events of the last few years, as to be unacquainted with Your Excellency's claims to our regard; and we cannot, without equal injustice to our own feelings, and to the merits of Your Excellency, allow your departure to take place unaccompanied by those expressions of respectful gratitude and attachment, to which Your Excellency's character and services in the two Provinces have justly entitled you.

Of those services, neither the time afforded us, nor the limits of an address, would permit us to give an adequate description; but we feel it, nevertheless, our duty to state, that while we were engaged in an arduous and dangerous war with the people of the United States, whose armies had entered and laid waste many parts of Upper Canada; and while in other respects we were labouring under circumstances of peculiar difficulty and distress, with weak and limited means of defence, Your Excellency

assumed the command of His Majesty's forces in the Upper Province, and after a series of gallant and well contested actions, in which Your Excellency's valour and conduct were successfully and conspicuously displayed, the enemy was compelled to quit the country.

Your Excellency was afterwards appointed to the Government of this part of his Majesty's dominions, and we feel happy in declaring our firm conviction of the purity and propriety of intention by which Your Excellency has been actuated in the administration thereof, during the short period you have remained amongst us.

We feel satisfied, that whatever may have been Your Excellency's personal sufferings and privations, the time passed in this country will always afford you a subject of pleasing reflection, in the remembrance, that after returning into Canada, your native country, in a period of difficulty and danger, and after having fought and bled in its defence, you are enabled to quit it in a state of peace and security.

We entreat Your Excellency to accept, not merely as the effusion of personal feeling, but as a debt of justice, the expressions of our warmest interest in your welfare, of our sincere hope that your voyage to England may be safe and speedy, that those honourable testimonials of royal approbation which constitute the most distinguished reward of merit may await you on your arrival, and that in the bosom of your own family, you may long continue to enjoy that prosperity and happiness which Your Excellency's exertions have greatly contributed to secure for others.

To which Address His Excellency was pleased to return the following answer:—

Gentlemen,

I receive with the liveliest satisfaction your very flattering Address.

Your approbation of my conduct in this Government, therein communicated, in terms so very gratifying to my feelings, calls for my warmest acknowledgments; for you could not have bestowed a reward more dear to me, than the sense you have been pleased to declare of the integrity of my intentions in the discharge of my public duties.

My former residence in this my native Province, and more immediately at Montreal, was of sufficient duration to implant and establish in my breast the warmest interest for its inhabitants. You will, therefore, readily believe, that I shall ever have truly at heart the welfare of a city, which so highly claims my anxious wishes for its prosperity.

Suffer me to add, that I should consider myself guilty of great ingratitude, could I ever forget those kind expressions of regard and esteem, which your Address conveys towards myself and family.

QUEBEC.

To His Excellency Sir Gordon Drummond, &c.

May it please Your Excellency,

We, the subscribers, inhabitants of the city of Quebec, having learned Your Excellency's intended departure from the Province, avail our

selves of the opportunity to fulfil a pleasing duty, that of offering our sincere acknowledgments to your Excellency, for the uniform justice and moderation by which your public conduct has been marked, during the whole time that you have held the administration of this Government; which has called forth general respect and esteem.

When, in the administration of that of our Sister Province, during the war, as General commanding, you had a most arduous task to perform, frequent attempts were made, by a comparatively overwhelming force, to invade that Province, and we had as frequent opportunities of admiring the brave and unconquerable perseverance by which Your Excellency's military command was distinguished; and to those inestimable qualities of a soldier, infused by Your Excellency's personal example into the minds of all descriptions of persons serving with you, we attribute, under Divine Providence, the glorious result, which, in each successive campaign, left you, at its close, in possession of the entire Province.

Satisfied that you cannot be otherwise than graciously received by His Royal Highness the Prince Regent, acting on behalf of our much revered Sovereign, and that your public conduct will receive the unqualified approbation to which it is so justly entitled, we most respectfully take our leave, praying that Your Excellency may long enjoy good health, and every earthly happiness in the bosom of a beloved family, from whom you have been so long separated, and that by a safe and pleasant passage you may speedily be conveyed to them.

To which his Excellency was pleased to make the following answer:—

Gentlemen,

Permit me to express my sincere acknowledgment for this your very gratifying Address.

It gives me the greatest satisfaction to find that my endeavours to discharge the important duties intrusted to me, in the administration of the government of this Province, have met your approbation and gained your flattering esteem; nor are your expressions, with regard to my services in the Sister Province, during the late war, less grateful to a soldier's heart.

Believe me, Gentlemen, truly sensible of their value; and be assured, that on my part, I shall ever retain the most anxious wishes for the general interests and welfare of the Province, and for the happiness and prosperity of the highly respectable inhabitants of Quebec.

UPPER CANADA.

The return of tranquillity in Upper Canada has been accompanied by several agreeable occurrences. In the late session of the Parliament or Assembly of that province, in addition to the laudable desire which was manifested to further the general cause of education, there was displayed, in more than one particular, a temper

which bespeaks a loyal and satisfied community. On the 26th of March, the two houses of the legislature waited upon His Excellency the Lieutenant-Governor, and presented the following Address, to be transmitted to England:—

To His Royal Highness George, Prince of Wales, Prince Regent of the United Kingdom of Great Britain and Ireland.

May it please Your Royal Highness,

We, His Majesty's most dutiful and loyal subjects, the Legislative Council and House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled, impressed with a lively sense of the firm, upright, and liberal administration of Francis Gore, Esq. Lieutenant-Governor of this Province, as well as of his unceasing attention to the individual and general interests of the colony during his absence, have unanimously passed a Bill to appropriate the Sum of Three Thousand Pounds, to enable him to purchase a service of plate, commemorative of our gratitude.

Apprized that this spontaneous gift cannot receive the sanction of our beloved Sovereign in the ordinary mode, by the acceptance of the Lieutenant-Governor in his name and behalf, we, the Legislative Council and Assembly of the Province of Upper Canada, humbly beg leave to approach Your Royal Highness with an earnest prayer, that you will approve this demonstration of our gratitude, and graciously be pleased to sanction, in his Majesty's name, the grant of the Legislature in behalf of the inhabitants of Upper Canada.

Legislative Council Chamber, March 26th, 1816.

(Signed) W. DUMMER POWELL, Speaker.

Commons House of Assembly, March 25, 1816.

(Signed) ALLAN MACLEAN, Speaker.

Several other addresses, no less flattering, have been presented to the Lieutenant-Governor, from the different districts, congratulating His Excellency on his return to the province, and thanking him for his previous services.

By private letters from the province, written before the Provincial Legislature had concluded its Session, the most pleasing and satisfactory accounts are given of the cordial co-operation of the Legislative Council and Assembly with the Lieutenant-Governor, in all measures of public utility recommended by him to their attention. Indeed, every proposition from His Excellency has been met with extreme liberality, and in a manner which clearly evinces the proper sense entertained by the other branches of the Legislature, of the great importance of employing the present period of respite from war, so as to provide most effectually for security, in the unhappy event of its recurrence.

Some important measures were still under consideration. An annual sum of 2500*l.* has been placed at the Governor's disposal, in aid of the Civil List. An act is passed preparatory to the organization of parishes and institution of parsons. A bill was under consideration modifying the provisions of the present School Act, organizing, in the townships, Primary Schools, from which scholars may advance to the District Schools, and establishing a Provincial Seminary, where young men, designed for the liberal professions, and higher walks in colonial life, may receive a suitable education.

Though the means of the Province are yet too circumscribed, and other calls for their application are too numerous and pressing to admit of such an establishment on a scale nearly commensurate with the object, yet it may be hoped, that a foundation will be laid for future structures; and even by this much will be achieved.

The Militia Act was undergoing revision, and it was in contemplation to restore the system of flank companies, upon the principle adopted by the late gallant General Brock, under whose auspices they were so eminently serviceable in the beginning of the late war.

The fiscal relations between Upper Canada and the Lower Province were a subject of much discussion, as, indeed, they were last year; and on that head, it seems, some injustice is apprehended by the former, which may render necessary an appeal to the mother country.

Police Offices will be established at York and Kingston, as in Quebec and Montreal. The salaries of the Speaker and Officers of the House of Assembly, and the allowances of the Members, will be increased.

An act has also passed for forming a Ninth District, from contiguous parts of the Home and Niagara Districts, which were thought too extensive for convenience in the internal administration of justice, and in several other respects. The new District is called "CAMDEN," and the county-town is to be built, it is said, in Barton, where the road ascends the mountain, a delightful situation, commanding a beautiful prospect of Lake Ontario, and of Burlington Bay.

A bill was in committee, and was expected to pass, for

establishing a resident Agent in England, to solicit the interests of the Colony. It was in contemplation to vote 3000*l.* for the purchase of plate for Lieutenant-Governor Gore, as a public mark of approbation of his Excellency's former administration of the Government, and his constant and zealous attention to all things connected with the true interests of the Province; and this, as is seen above, has been since done.

These liberalities of the Legislature are a pleasing assurance, not only of the most desirable and most cordial unanimity, but also of the increased means of the Province, which enable them to do so much.

Besides the pecuniary appropriations above-mentioned, and the provision for contemplated establishments, they have been able to devote 25,000*l.* to the improvement of the public highways through the Province. Last year they gave 20,000*l.* to the same object, and such sums, judiciously expended, as no doubt they will be, under the inspection of intelligent and active Commissioners, will go far in facilitating the land communication throughout Upper Canada, which is at present, in some parts, much deficient. This is a measure of primary importance to the prosperity of the Province during peace, and to its security in war. Whatever could be spared from the provincial revenue has been always hitherto devoted to the improvement of the roads; but it has been only within the last few years that the increasing commerce of the country has placed such considerable sums at the disposition of the Legislature.

Within the limits of the province, a new settlement has recently been formed, upon an island in Lake Huron, which is denominated Drummond's Island. Neither the insertion of the following extract of a letter from the island, which is in part historical, and which also displays the political feelings and interests of the place, nor of the list of Waterloo Subscription which does so much honour to the patriotism of those, who, in that remote quarter, sympathize with their British brethren, will need apology:—

"Our town has started up from its primeval wilderness with astonishing rapidity, and is already a handsome settlement. Its situation, even in this frigid season, is striking, but in summer singularly beautiful and

picturesque. When the proposed improvements of this year are carried into effect, it will vie with most in the Upper Province. The dull monotony of St. Joseph's forms a strong contrast to the lively cheerfulness of Drummond's Island. It possesses a noble harbour, and, in fact, every advantage that would rapidly advance it to wealth and prosperity. The recent commercial treaty with the Americans may, however, retard its progress. Those Ministers, who evinced such firmness and magnanimity in saving Europe, seem to lose all political sagacity when they come in contact with the wary *Jonathan*. The Indians, notwithstanding their fidelity and gallant behaviour in the war, are voluntarily renounced; our reiterated assurances, that we held them *firm by the hand*, and would never abandon them, are forgotten. They too sanguinely believed, that if honesty and good faith were to be found on earth, they were enthroned in the bosom of their English Father; and so they would have found them, had He been conscious of what had been promised in his name! They are now given up, and either doomed to a gradual extermination, or to be driven from their sole remaining lands by their implacable enemies. The poet finely describes their probable destiny :—

> "So the bold Sauk, by Mississippi's tide,
> Nurs'd hardy on the brindled panther's hide,
> As fades his swarthy race, with anguish sees
> The *Yankee* cottages among their trees;
> Driven from the shelter of his native wood,
> He leaves the murmur of his much-lov'd flood,
> And northward rushing, in indignant grief,
> Where never foot has trod the fallen leaf;
> He bends his course where twilight reigns sublime,
> O'er forests silent since the birth of time!"

The following are the Names of the Subscribers at the Post of Drummond's Island, for the Relief of the Widows and Orphans of those who fell at the Battle of Waterloo :—

Lieut.-Col. R. M'Donall, Commander	£20	0	0
Major Cochrane, 37th Regiment	12	0	0
Charles O. Ermatinger, Esq.	6	0	0
Mr. Lenthal	4	0	0
Capt. R. Stephens, 37th Regiment	8	0	0
Dep. As. Com. Gen. G. H. Monk	8	0	0
Mr. Bennett	3	0	0
Lieut. Moir, 37th Regiment	6	5	0
Mr. Mich. O'Connor	4	0	0
Lieut. Adam Gordon, Royal Navy	5	0	0
John Johnston, Esq. (Sault St. Mary)	10	0	0
Lieut. Keating, Fort-Adjutant	5	0	0
Mr. George Johnston	3	0	0
Carry forward	£94	5	0

Brought forward	£94	5	0
Lieut. R. Heane, Royal Navy	5	0	0
Lieut. Moses, 37th Regiment	4	0	0
Barrack Master Sentlow Ranson	5	0	0
Mr. William Simpson	2	10	0
Mr. William M'Pherson	1	0	0
Captain Th. Anderson, Indian Dept.	8	0	0
Doctor Mitchel, do.	6	0	0
Lieut. Lewis S. Johnston, do.	3	0	0
Lieut. Brishois, do.	3	0	0
Lieut. Cadotte do.	3	0	0
Interpreter Solomon do.	1	3	4
Do. Assignach, Indian Chief, do.	1	3	4
Do. St. Germain, do.	1	3	4
Do. Dusang, do.	1	3	4
Do. Desonier, do.	1	3	4
John Roy (Blacksmith) do.	0	10	0
James Farling do.	0	10	0
Mr. J. Solomons	5	0	0
Mr. L. Rolette	2	10	0
Mr. M. Coursolle	2	10	0
Mr. Francis Gruet	2	10	0
Mr. George Gordon	2	10	0
Mr. Joseph Bailly	5	0	0
Messrs. Bertholotte and Rolette	5	0	0
Garrison Serjeant Major Parker	1	0	0
Henry Fleury (late Serjeant of Captain Anderson's Company of Mississippi Volunteers	1	0	0
One day's pay by civil servants of Government	7	2	6
Detachment Royal Sappers and Miners	4	7	6
Detachment Royal Artillery	5	11	0
Captain Stephens's Company 37th Regiment	15	5	0
Captain Taylor's do.	6	7	0
Total amount currency	£207	4	8
Exclusive of a sum subscribed at Montreal, by desire of John Askin, Esq. Storekeeper, Indian Department, Drummond Island	4	0	0
	£211	4	8

APPOINTMENTS.

BRITISH NORTH AMERICA.

NOVA SCOTIA.

CIVIL.

Febr. 20. 1816. John Robinson, Esq. Treasurer of the province of Nova Scotia.
—— 20. James White, Esq. Sheriff of the city and county of St. John.
Mar. 30. Lewis M. Wilkins, Esq. third Assistant Judge of the Supreme Court of N. S.
—— 30. Peleg Wiswall, Esq. Associate Circuit Judge of the Supreme Court, N. S.
April 10. Wm. Lawson, Esq. Commissioner of the Revenue.
—— 10. James Fraser, James Douglas, and S. Cunard, Esquires, to Commissioners of all the light houses on the coasts of N. S.
—— 10. J. Prescott and J. Money, Esquires, to be Justices of the Peace for the county of Halifax.
—— 10. J. Hendricken, Esq. to be Justice of the Peace for the county of Sydney.
—— 10. John C. Rudolf, Esq. Justice of the Peace for the county of Lunenburgh.
—— 29. Hon. Michael Wallace, to be Judge of the Vice Admiralty Court for the province of N. S.
—— 29. Hon. James Stewart, to be a Master in the Court of Chancery.
June 22. James Creighton, James Thom, J. Pryor, Wm. Lawson, and T. Heaviside, all of Halifax, Esquires, to be Justices of the Peace for the county of Halifax.
—— 26. John Evans, Esq. and Edward Enwright, Esq. to be Justices of the Peace for the county of Lunenburgh.
July 1. James Cochran, Esq. to be Secretary for Annapolis Royal.
—— 5. Crofton Uniacke, Esq. to be Judge of the Court of Vice Admiralty, and one of the Members of H. M. Council for Nova Scotia.
—— 28. Wm. Ross, Esq. to be a Justice of the Peace of the county of Annapolis.
—— 28. Peter Lanigan, Esq. to be a Justice of the Peace for the county of Sydney, and a Commissioner for building a light-house on Cranberry Island.
—— 28. Andrew Snodgrass and W. F. Bonnell, Esquires, to be Commissioners to re-build the light-house on Brian Island.

BIRTHS.

BRITISH NORTH AMERICA.

CANADA.

Febr. 3. At Montreal, the lady of Leonard Mailor, Esq. of a daughter.
—— 10. At Montreal, the wife of Mr. John Coward, of a son.
Mar. 12. At Quebec, Mrs. Everitt, wife of Lieut. Everitt, 4th R. V. B. of a son.
—— 17. At Montreal, the lady of Lieut. John Stevenson, 100th regt. of a son.
April 3. At Chambly, the lady of Geo. P. Woolley, Esq. of a daughter.
—— 6. At Montreal, the lady of Wm. Green, Esq. of a daughter.
—— 12. At Montreal, the lady of George Platt, Esq. of a daughter.
June 3. At Chambly, the lady of Assistant Commissary Gen. Kuper, of a daughter.

July 6. At Montreal, the lady of Major Loring, of a son.
— 25. At Montreal, the Lady of Mr. Adam L. Marnider, of a daughter.

NOVA SCOTIA.

Mar. 19. At Halifax, the lady of the Hon. Commissioner Wodehouse, of a daughter.
June 11. At Rawdon, the lady of Lieut. Maxon, of a son.
Aug. 6. At Horton, the lady of Dr. Bayard, of a son.
Sept. 10. At Halifax, the lady of Major St. Clair, of a son.

MARRIAGES.

BRITISH NORTH AMERICA.

CANADA.

Jan. 5, 1816. At Sutton, Mr. Jacob De Witt, to Miss Sophronia Prary.
— 23. At Montreal, Mr. David Connell, to Mrs. Aminta Farrell.
— 25. At Montreal, Mr Robert Wisely, to Mrs. Thomson.
— 27. At Montreal, Albert Bender, Esq. to Miss Theresa, daughter of I. F. Perrault, Esq.
Febr. 6. At Montreal, Lieut. Jos. Wittmen, of the Regt. de Meuron, to Mrs. Maria Theresa Vaucher.
— 10. At Montreal, Andrew Porteous, Esq. to Ann, daughter of the late Captain John Mompesson.
— 10. At Montreal, Henry Cox, Esq. to Miss Henshaw.
Mar. 8. At Burlington, Mr. Morey Bingham, to Miss Sarah Winas.
— 12. At Montreal, Captain R. E. Armstrong, of the Nova Scotia regt., to Georgiana, eldest daughter of Henry Wright, Esq.
— 17. At St. David's, Upper Canada, Mr. John Lampman, to Miss Mary Secord.
— 18. At Quebec, George Hamilton, Esq. to Susan, second daughter of the late Hon. John Craigie.
— 19. At St. David's, Upper Canada, Mr. Wm. Serros, to Miss Ball.
— 25. At York, Captain Thos. Butler Fitzgerald, to Sally Anna, only daughter of Col. Chewit.
— 25. At Quebec, the Rev. George Jenkins, B. D. to Miss Harriet Playsted.
— 31. At Montreal, Charles Porteous, Esq. to Miss Laura Brownson.
April 1. At Three Rivers, Mr. Solomon Benjamin, to Miss Mary Duncan.
— 13. At Montreal, Geo. A. Aynge, Esq. to Miss Mary Julianna Jones.
— 15. At Quebec, Mr. Charles E. Collier, to Miss Rebecca Stilson.
— 28. At New York, Mr. Benjamin S. Solomon, to Miss E. M. Seixas, daughter of the Rev. J. M. Seixas.
May 15. At Kingston, in Upper Canada, Ambrose Blacklock, surgeon, R. N. to Miss Catherine M'Donald, of Glengary.
June 20. At Montreal, Mr. George Chapman, to Mrs. Mary Gilmore.
— 22. At Montreal, Richard Saxton, Esq. to Miss Frances May, daughter of Mr. James Marshall.

NOVA SCOTIA.

Jan. 6. At Halifax, Mr. Andrew Nisbet, to Miss Ann Phillips.
— 11. At Halifax, Mr. John Peeples, to Miss Eliz. Shaffroth.
— 13. At Halifax, Mr. Rob. Hen. Henry, to Mrs. Margaret Forrestall.
— 16. At Sackville, Mr. Daniel M'Duff, to Miss Rispiza M'Kill.
— 28. At Halifax, Mr. Edward Brunen, to Mrs. Ann Burrows.

Febr. 2. At St. Helens, Lancashire, John Sheppard, Esq. to Miss Eleanor Murray.
—— 3. At Halifax, Mr. Henry Rider, to Miss Elizabeth Street.
—— 7. At Digby, Mr. Tobias Sullivan, of Clare, to Miss Eliz. Smith.
—— 10. At Halifax, Mr. William Robbins, to Mrs. Sarah Reep.
—— 12. At Halifax, Mr Adam Hemmean, to Miss Sophia Glashan.
—— 13. At Liverpool, N. S. Mr. Charles W. E. Prescott, to Miss Mary A. Calkin.
—— 17. At Liverpool, Mr. Henry Hopkins, to Miss Martha Freeman.
—— 23. At Halifax, Mr. William Walker, to Miss Rose M'Ilreath.
—— 25. At St. Paul's Church, David S. Clarke, Esq. to Mrs. Jane Mary Bowley.
Mar. 2. At Halifax, Mr. Arthur M'Dougall, to Miss Mary Ann Irish.
—— 5. At Halifax, Mr. Peter Gephard, to Miss R. E. Frederick.
—— In Portland, Massachusetts, Thomas Paddock, Esq. to Miss Mary M'Lellan.

OBITUARY.

BRITISH NORTH AMERICA.

CANADA.

Jan. 3, 1816. At Montreal, Louis Daniel le Compte Dupré, Esq. aged 45 years.
—— 4. At Montreal, in his 21st year, James Walker, Esq. Purser in the R. N. and Deputy Naval Storekeeper in Canada.
—— 4. At Montreal, Miss Isabella Brown, eldest daughter of James Brown, Esq. proprietor of the Montreal Gazette.
—— 15. At Elizabeth Town, Upper Canada, in the 48th year of his age, Robert M'Lean, Esq. Deputy Surveyor of that province.
—— 17. At Montreal, Mr Thomas B. Scott, of the Commissariat.
—— 26. At Montreal, Mr. Henry D. Delisle, second son of John Wm. Delisle, Esq. Notary Public.
—— 27. At Mall Bank, Mr. Wm. Hunter.
—— 28. At Montreal, Mrs. Mary Gonnerman, aged 40 years.
—— 30. At Montreal, Capt. Pierre Harting, of De Watteville's regiment, aged 64 years, and formerly an Ensign in the Swiss Guards of Louis XVI.
Febr. 4. At Berthier, in the 57th year of his age, Louis Olivier, Esq. Major of Militia for that parish.
—— 18. At Montreal, Catherine M'Dowell, aged 28 years.
—— 18. At Montreal, Miss Grace Chew, daughter of the late Jos. Chew, Esq.
—— 20. At Montreal, aged 34 years, Mr. Charles Brown, printer of the Montreal Gazette.
—— 22. At Montreal, aged 65 years, Mrs. Mary S. Fleming.
Mar. 15. At Montreal, aged nine months and two days, Sarah Macknit, daughter of Mr. Benaiah Gibb.
—— 24. At St. Francis, Catherine, wife of Lieutenant M'Carthy, 4th R. V. B.
—— 24. At Blairfinde, Jacques C. Herse, Esq. Major of Militia of that parish.
—— 27. At Montreal, aged 30 years, Mrs. Julia Walker, consort of Jean M. Mondelet, Esq.
April 5. At Montreal, in his 65th year, Mr. Wm. Gerard.
—— 5. At Montreal, Mr. John Ballentyne, son of Mr. James Ballentyne.
—— 10. At Montreal, Jean J. Torand, Esq.

April 19. At Montreal, after a lingering illness, Mr. George Servante.
— 20. At Montreal, Mr. John H. Fraser, aged 28 years.
— 25. At Montreal, Mr. Alexander Robertson.
— 28. At Terbonne, Mr. Thomas Johnston.
May 3. At Montreal, Mr. Jacob Porter.
— 15. At Dorvilliers, near Berthier, Mrs. Jane Webster (wife of Mr. Thos. Webster), aged 23 years.
— 26. At Montreal, Mr. Robert Street, aged 56 years.
June 2. At Montreal, in her 8th year, Miss Jessie Hunter, daughter of Mr. Thomas Hunter.
— 8. At Montreal, Captain Joseph Osborne, of the late Nova Scotia Volunteers.
— 8. At St. Eustache, Antoine L. De Bellesfeuilles, Esq. aged 60 years and 10 months.
— 12. At Montreal, Michel F. X. Toussaint, only son of the Hon. Chartier de Lotbinlere
— 18. At Montreal, Mr. James Innis Knight, aged 27 years.
— 22. At Montreal, Mr J. Morand, aged 30 years.
— 25. At Montreal, Mr. Duncan Deward, aged 42 years.
— 29. At Montreal, Mrs. Ann Black, wife of Mr. George Black.
July 2. At New York, the Rev. Gersham R. Seixas, in the 50th year of his age.
— 15. At Montreal, Mrs. Mary Ann Lacasse, relict of Lieut. Alexander Proudfoot, 55th regiment.
— 20. At Montreal, Miss Elizabeth Aird, daughter of Mr. William Aird Berthier.
— 20. At Montreal, Miss Mary M'Adam, daughter of Mr. Hugh M'Adam.
— 22. At Montreal, Master John Wurtle, son of the late Mr. John Wurtle, aged 16 years.
Aug. 8. On his way from Lorette to Montreal, Mr. John Mathison.
— 11. At Montreal, Mr. Jenkin O'Hara, late of Ireland.
— 12. At Beauharnois, Mr. James Anderson, aged 34.
— 14. At Montreal, Mr. Wm. Edge Painter, aged 52.
— 15. At Montreal, Master George E. Gundlack, aged 8 years.
— 22. At Lower Point, Mr. Alexander Pedding, aged 24 years.
— 27. At Montreal, Mr. Gavin Bell.
— 29. At Montreal, Agnes, daughter of Robert Armour, Esq.

NOVA SCOTIA.

Jan. 2, 1816. At Halifax, Mr. Thomas Donaldson, aged 59.
— 3. At Halifax, Mr. Samuel Smith, aged 63.
— 4. At Mill Village (Liv.), Mrs. Lydia Mack, aged 39.
— 4. At Liverpool, Mrs. Douglas, wife of Mr. R. Douglas.
— 6. At Pictou, Dr. John Burton.
— 9. At Newport, Mr. Wm. Lockhart, aged 40.
— 9. At Halifax, Mrs. Catharine Smith, aged 30.
— 10. Captain Alexander Fullerton, of the brig Maria, on his passage from Jamaica.
— At St. John, N. B., Mrs. Lenah Woodward.
— 11. At Halifax, Mr. Thomas M'Kraeth, aged 47.
— 12. At Liverpool, N. S., Mrs. Elizabeth Freman.
— 17. At Halifax, Mr. John Hockenhull, aged 77.
— 19. At Halifax, Mrs. Catharine Brown, aged 30.
— 19. At Halifax, Mr. Robert O'Brien, aged 60.
— 25. At Halifax, Mr. George Ord, aged 37.
— 28. At Halifax, Mrs. C. Hurst, aged 55.
— 29. At Halifax, Mr. John A. Peitzsch, aged 76.
— 31. At Halifax, Mrs. Elizabeth Best, aged 94.
— 31. At Halifax, Miss Dorcas S. Best, aged 18 months.

Febr. 1. At New York, Mr. Daniel Robertson.
—— 1. At Halifax, Mrs. H. Grant, aged 90.
—— 2. At Halifax, Mrs. Eliz. Drillio, aged 43.
—— 3. At Halifax, Mr. James Donaldson, aged 61.
—— 5. Mr. William Larkin, of Argyle, N. S., aged 16.
—— 8. At Liverpool, Mrs. S. Howel, aged 53.
—— 9. At Trinidad, Mr. James M'Guire, aged 28.
—— 11. At Lunenburgh, Robert Bethell, Esq.
—— 18. At Halifax, Mr. Thomas Adams, aged 70.
—— 18. At Dartmouth, Mrs. Mary M'Minn, aged 50.
—— 19. At East River of Pictou, Janet, wife of Wm. M'Kay, Esq.
—— 23. At Dutch-town, Mr. Jacob Andrews, aged 78.
—— 24. In the 82d year of his age, the Right Rev. and Hon. Charles Inglis, D. D. Bishop of Nova Scotia.
—— 25. At Halifax, Mrs. Margaret Kelly, aged 41.
—— 25. At Halifax, Mr. John Parret, aged 37.
—— 26. At Port Mutton, Mr. John Fig, aged 83.
—— 27. At Liverpool, Mr. Benoni Gardiner, aged 63.
—— 29. At Halifax, Mr. Thomas Tolbert, aged 36.
—— 29. At Halifax, Mr. Thomas L. Dewolf, aged 31.
—— 29. At Truro, Mrs. Susannah Wilson.
—— 29. At Halifax, Mr. William Graham, aged 73.
Mar. 5. At Liverpool, William Freeman, Esq. many years Justice of the Peace, and Judge of the Court, and Lieut.-Col. of Militia, aged 75.
—— 9. At Trinidad, Mr. J. H. Jacobs, Harbour Master for many years.
—— 14. At St. John, N. B. William Hazen, Esq. High Sheriff of that city and county.
—— 15. At Guysborough, in the county of Sydney, Joseph H. Marshall, Esq. aged 32.
—— 18. At Halifax, Mark Murphy, Esq. aged 64.
—— 19. At Halifax, Miss Margaret A. M'Farlane, aged 29.
—— 19. At Halifax, Mrs. Margaret Gibson, wife of Capt. Gibson, aged 33.
—— 19. At Halifax, Miss Margaret M'Farlen, aged 26.
—— 22. At Halifax, Mrs. Ann Handy, aged 29.
—— 27. At Blairfinde, Jacques C. Herse, Esq. Major of that parish.
—— 27. At Halifax, Mrs. Martha Hall, aged 44.
April 2. At Newport, Mr. Joseph Wier, aged 26.
—— 2. At Barbados, Mr. Charles Spike, aged 26.
—— 7. At Windsor, Miss Jane Sentell, aged 17.
—— 12. At Halifax, Mr. Frederick Hinkell, aged 53.
—— 14. At the Catholic Glebe House, the Rev. Mr. M'Donald, aged 62.
—— 15. At Halifax, Mrs. M. Hurd, widow of the late J. Hurd, Esq. aged 77.
—— 15. At Windsor, Mr. Peter Hall, in the 92nd year of his age.
—— 18. At Halifax, Capt. Ritchie, a native of Scotland.
—— At Guysborough, Mrs. Elizabeth Toby, aged 96 years, leaving alive two children, 24 grand-children, 66 great-grand-children, 12 great-great-grand-children, making, in the whole, 104 descendants.
—— 19. At Newport, Thomas Thomas Allan, Esq. aged 61.
—— 25. At Halifax, Miss M. E. A. Spencer, aged 25.
—— 25. At Liverpool, Mr. Thomas Barss, aged 27 years.
—— 25. At Windsor, Mrs. S. Franklin, aged 76 years.
—— 25. At Halifax, Mr. Alexander Smith, aged 58.
—— 30. At Halifax, Mr. William Carroll, aged 50.
—— 30. At Halifax, Mrs. S. M'Kenzie, aged 28.
May 1. At Halifax, Mrs. S Hamilton, aged 33.
—— 2. At Halifax, Mr. James Condon, aged 50.
—— 3. At Halifax, Mr. Henry Haverstock, aged 36.
—— 4. At Halifax, Capt. John Westmacott, R. S. C.
—— 5. Mr. Peter Smith, a native of the county of Galloway.
—— 6. At Halifax, Peter Smith, Esq.
—— 7. At Halifax, C. Connor, Esq.

SHIP-LETTERS, PACKETS, &c.

General Post Office, Thursday, October 31, 1816.

THE following Vessels will carry sealed Bags of Letters from the Ship-Letter Office, under the Act of 39 Geo. III., imposing a Half-Rate of Packet-Postage on such Letters:—

FROM LONDON TO

Names of Places.	*Names of Ships.*	*Time of sailing.*
New South Wales,	Harriet,	Oct. 31.
Senegal, Goree, and Sierra Leone,	Findlay,	Nov. 3.
———,	Echo,	Nov. 31.
———,	Euphemia,	Nov. 5.
Gibraltar, Carthagena, and Alicant,	Comet,	Nov. 1.
Trieste and Venice,	Albion,	Nov. 10.
Genoa,	Griffin,	Nov. 10.
Lisbon,	Lady Frances,	Nov. 10.
Philadelphia,	Severn,	Oct. 31.
Charleston,	Ann,	Oct. 31.
———,	Oscar,	Oct. 31.
New York,	Victory,	Oct. 31.
———,	Hyder Ally,	Nov. 1.
———,	Traveller,	Nov. 10.
St. John's, Newfoundland,	Royal George,	Oct. 31.
Grenada,	Louisa,	Nov. 15.
Berbice,	Plutus,	Nov. 15.
Jamaica,	Preston,	Oct. 31.
Trinidad,	Harvey,	Nov. 10.
Barbados,	Richard and Sibella	Nov. 15.
Madeira, Tortola, and St. Thomas,	Henry Wellesley,	Nov. 10.
Madeira and St. Michael's,	London,	Nov. 15.
———,	Resolution,	Nov. 20.
Demarara,	Alfred,	Nov. 7.

Beside the above, the Ship-Letter Office forwards Letters through the Outports, as often as opportunities offer.

RETURN OF PACKETS.

THE return of the packets is calculated thus: To Jamaica and back 17 weeks; America 15; Leeward Islands 13; Malta 12; Brazils 18; from Sept. to Feb. inclusive, the packet touches at Bahia, on her outward passage to Rio Janeiro, and the other six months on her homeward, In Nov. Dec. Jan. and Feb. the packets, touching at Bermuda, go to New York direct. The other eight months they go and return *via* Halifax.

DEPARTURE OF MAILS.

MEDITERRANEAN.

Osborne, with the Mail of 29th inst. will sail on the arrival of last Night's Post at Falmouth.

MADEIRA, CANARIES, AND BRAZIL.

Speedy for the Mail of 5th Nov.

AMERICA AND WEST INDIES.

Grace for the American Mail of 6th November.

Manchester for the Jamaica ditto.

Lord Hobart and Diana preparing for service.

PACKET-BOATS FOR THE COLONIES.

FALMOUTH STATION.

Postage of a Single Letter. To or from LONDON. s. d.	Postage of a Single Letter. To or from FALM. s. d.	Destination.	Mails made up in London.	Last Packets sailed.	Next Packets due.	Arrivals, with Date of Mails.
2 6	1 7	Lisbon	Every Tuesday.	*D. of Kent* (2) Oct. 20	*D. of Marlbro'* Nov. 5	
2 10 3 2	1 11 2 3	Gibraltar and Mediterranean ..	Every 3rd Tuesday. Next Mail 19th Nov.	*Chesterfield*, . Oct. 12	*Sandwich*, .. Nov. 22	
2 7 3 6	1 3 2 7	Madeira and Brazils.....	1st Tuesday each Month.	*Fox*, ... Oct. 15	*L. Wellington*, Oct. 20	
		America	1st Wednesday ditto.	*Nocton*, ... Oct. 7	*Queensberry*, Nov. 3	
2 2	1 3	Jamaica, Leeward Islands, and Demarara	.....ditto.....	*Walsingham*, Oct. 7	*Pss. Charlotte*, Dec. 13	
		Leeward Islands and Demarara ..	3rd Wednesday ditto.	*Montagu*, ... Oct. 20	*Lady Louisa*, Nov. 25	
Cape, India, &c.	3 6	India	.....	*Heywood*, ... Oct. 5	*Eclipse*, ...	

			Leeward Islands and Demarara ..	3rd Wednesday ditto.	*Montagu*, ... Oct. 20	*Lady Louisa*, Nov. 25	
Cape, India, &c.	3	6	India	.....	*Heywood*, ... Oct. 5	*Eclipse*, ...