

THE ATTORNEY GENERAL'S OPINION,  
Upon Sir Francis Burdett's arrest.

QUERY.

The Serjeant at Arms, attending the House of Commons having, in the execution of this warrant, been resisted and turned out of Sir Francis Burdett's private dwelling-house by force, your opinion is desired, whether, in the execution of this Warrant, he will be justified in breaking open the outer or any inner door of the private dwelling-house of Sir Francis Burdett, or of any other person in which there is reasonable cause to suspect he is concealed, for the purpose of apprehending him. And whether he may take to his assistance a sufficient civil or military force for that purpose, such force acting under the direction of a Civil Magistrate. And whether such proceedings will be justifiable during the night as well as in the day time.

OPINION.

"No instance is stated to me, and I presume that none is to be found, in which the outer door of a house has been broken open under the Speaker's Warrant, for the purpose of apprehending such person against whom such Warrant issued, then being therein. I must, therefore, form my opinion altogether upon cases which have arisen upon the execution of Writs or Warrants issued from other Courts, and which seem to fall within the same principle.

"I find it laid down in Semayne's case, 5 Co. 91, that where the King is a party, the Sheriff may break open the defendant's house, either to arrest him or to do other execution of the King's process; if otherwise, he cannot enter. So if the defendant be in the house of another man, the Sheriff may do the same; but he cannot break into the house of the defendant in execution of any process, at the suit of an individual.—This distinction proceeds, as I apprehend, upon the greater importance of enforcing the process of the Crown for the public benefit, and that of individuals for the support of their private rights. Reasoning from hence, I should think that the Speaker's Warrant which had issued to apprehend a man under sentence of commitment for a breach of the privilege of the House of Commons, might be executed in the same manner with criminal process in the name of the King, inasmuch as those privileges were given to the House of Commons for the benefit of the public only; and the public are interested in the due support of them. If the act had been done, and I were asked whether it could be defended, I should say that it could; but were it previously known that the execution of a Warrant will be resisted by force, and if death should ensue in such a conflict, the Officer who executes the Warrant would stand justified, or not, as the breaking of the house may be held lawful or unlawful. I feel myself obliged to bring this under his notice, leaving him to pledge for himself whether he will venture to act upon my opinion, which has no direct authority in point to support it, but rests upon reasoning from other cases, which appear to me to fall within the same principle. Should the officer resolve to break into the house, if it be found necessary, he must be careful, first, to signify the cause of his coming, and make request to open the doors, and not use any force until it appears that those within will not comply; and he should be assured that the party whom he seeks to apprehend is within the house. For the purpose of executing the warrant, he may take with him a sufficient force of such description as the nature of the case renders necessary. If he has reason to apprehend a degree of resistance, which can only be repelled by a military force, he may take such force with him; but in this case it will be prudent to take with him also a Civil Magistrate.

"I do not think it advisable to execute the Warrant in the night.

"The officer should understand, that when Sir Francis Burdett has been once arrested, if he afterwards effects his escape or is rescued, his own house, or the house of any other person into which he retreats, may be broken for the purpose of retaking him. V. GIBBS."

"Lincoln's Inn, April 8."

PARIS, APRIL 5.

Particulars of the Religious Ceremony of the Marriage of Bonaparte.

In the Chapel of the Louvre where the ceremony was performed, an estrade, surmounted by a canopy, was erected in front of the altar. At the distance of thirty feet from the altar were placed two chairs of state, with a praying desk, for their Imperial Majesties. In two Chandeliers close to the altar were put two large wax candles, each of them encrusting twenty pieces of gold. A basin, containing thirty pieces of gold and the marriage ring, was laid on the altar. At the bottom of the steps were two cushions for their Imperial Majesties, and at the top three chairs for the officiating Grand Almoner and his two assistant Bishops. The Cardinals were seated to the right of the altar, and the Bishops to the left. The Princes, Grand Dignitaries, &c. were stationed, as at the civil ceremony, according to their respective rank and precedence.

The Cardinal Grand Almoner of France, his assistant, the Grand Almoner of Italy, and the body of Clergy, received the Imperial Pair at the door of the Chapel, and presented them with the censer and holy water. Their Majesties and the whole of the procession having taken their places, the officiating Grand Almoner, ordered the *Veni Creator* to be chanted, all present being on their knees. At the conclusion of the first verse, the Grand Almoner proceeded to the highest step of the sanctuary, and standing with his back to the altar, pronounced a benediction on the thirty pieces of gold and the ring.

This part of the ceremony being completed, the Grand Master of the Ceremonies made a bow to the Emperor and Empress, who, taking off their gloves, advanced to the foot of the altar, and there taking each other by the hand, were thus addressed by the Grand Almoner:—

"Sire, you declare, that you acknowledge, and you swear before God, and in the face of his Holy Church, that you now take as your wife and lawful spouse, her Imperial and Royal Highness Madame Maria Louisa, Archduchess of Austria, here present?" The Emperor answered, "Yes, Sir?" The Minister continued, "You promise and swear

to be faithful to her in all things, as a faithful spouse ought to be towards his spouse, according to the commandment of God?" The Emperor answered, "Yes, Sir."

The same form was gone through with respect to the Empress; with this distinction only, that in compliment, no doubt, to her religious creed, the Minister omitted in the question put to her, the word "acknowledge," which he had introduced in addressing Napoleon, to denote the validity of the prior civil marriage, according to the modern code of France.

The Minister then delivered the ring, and the pieces of gold, one by one, to the Emperor, who presented the latter in like manner to the Empress. By her they were transferred to a Maid of Honor, standing behind her, who finished this part of the scene by handing them to an assistant of the ceremonies. The Emperor then put the ring on the ring finger of the Empress's left hand, saying, "I give you this ring in token of the marriage we contract;" and the Minister making the sign of the cross upon the hand of the Empress, pronounced them "Man and Wife together, in the name of the Father, and of the Son, and of the Holy Ghost." The parties then kneeling, and continuing to hold each other by the right hand, the Minister gave them the nuptial benediction by repeating the two prayers, *Deus Abraham, &c.* and *Respice quæsumus Domine, &c.*

The Imperial Pair then resumed their seats on the throne, and went through the forms of kissing the Gospels; after which they advanced in succession to the altar, each bearing one of the wax candles inclosing twenty pieces of gold, and delivering the same as their offering to the Grand Almoner.

High Mass was then performed, during which the happy couple took the Sacrament, and were repeatedly perfumed with incense, and sprinkled with holy water. During the *Propitiare*, the Emperor and Empress knelt on the cushions placed for them at the foot of the altar, under a canopy of silver brocade, held over them by the Archbishop of Rohan and the Bishop of Versailles.

From the Philadelphia Democratic Press.

BONAPARTE.

The traffic of war (for it is a trade) has widely changed since the ascendancy of the Bonaparte dynasty. The policy of France has been the aggrandizement of her territorial dominions, and the subjugation of every spark of national independence on the continent of Europe. Whoever even cursorily reviews the eventful period of Napoleon's reign, must admit the evidence of a deliberate system, planned with consummate skill, and conducted with a cautious patience unexampled in history.—He appears to have placed in review all the unsuccessful monarchs that have reigned in Europe; to have studied the sources of their overthrow, and wisely avoided a similar course. Uncontrolled Monarchy has from the beginning been his Polar Star, but most unlike Charles the first—he has pursued his object, not by bold and rapid strides, but a cautious path strewn over with many internal blessings. Charles persecuted the Puritans; Bonaparte reconciled the Protestants. Mark his footsteps! Dictator, Consul for ten years; Consul for life—and then Emperor. Had he precipitated, and at once rushed upon his mark, probably, like most other despots, he had fallen a prey to an ill guided ambition. The boldest apologist for Bonaparte must, if he has any sense of justice, crimson at the base attempt to justify his conduct. The memory of *Palm*, the book seller, announces him a Murderer!—His invasion of Spain, and his preparatory steps, cancelled the last claim he had to even the shadow of moral honesty, and the enrichment of his private treasury by acts of sequestration on commerce, without discriminating between fraudulent and legitimate, shews that his soul and system were alike callous to every sentiment of justice; he appears to have embraced the tory *Hume's* Philosophy, that expediency is the only test of principle.

FRANCE and the UNITED STATES.

Letters of the 28th ult. from France, state, that Mr. ARMSTRONG has terminated his correspondence with the French Government without coming to a successful issue. Matters have proceeded so far, that he has chartered a vessel for purpose to convey home himself, family, and suite. It was his intention to have taken his passage on board the John Adams, but there was a want of accommodation.—Mr. ARMSTRONG takes his departure the moment he receives an answer to some dispatches, recently sent over to Mr. PINKNEY.—The British Government, on application from Mr. PINKNEY, has agreed to forward the answer with a messenger in a cartel. The prevalent opinion among the Commercial Politicians is, that there will be war between France and America, and peace between the latter country and England. Boston, May 22.

BY THE HONORABLE  
MARTIN HUNTER, Esquire,

PRESIDENT of His MAJESTY'S Council, and  
(L. S.) Commander in Chief of the Province of New-BRUNSWICK, &c. &c. &c.

MARTIN HUNTER,

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to the first Tuesday in this inst. JUNE; I have therefore thought fit, by and with the advice of His MAJESTY'S Council, further to prorogue the said General Assembly, and the same is hereby prorogued to the first Tuesday in SEPTEMBER next ensuing.

GIVEN under my Hand and Seal at Fredericton, the first day of June, in the Year of our Lord One Thousand Eight Hundred and Ten, and in the Fiftieth Year of His MAJESTY'S Reign.

By the PRESIDENT'S Command,  
JON. ODELL.

LOST some time last month,  
A GOLD SEAL (the mounting partly broke) supposed to be dropt in the Street, or given away by a Child—Whoever has the same and will leave it with the Printer, shall be handomely rewarded. JUNE 4, 1810.

SAINT JOHN, June 11, 1810.

Monday last being the Anniversary of the Birth of Our Most Gracious Majesty, the same was observed here with the usual demonstrations of joy.

Extract from Sir Alexander Cochran's orders to the Ships in the West-Indies, dated December 11, 1806.

"As His Majesty's Ministers have signified their intention to give every possible protection and encouragement to the Ships and Vessels trading between the British Colonies in North America and the West-Indies, it is my particular direction that no part of the crews of the above Vessels are impressed, nor are they to be molested in any way whatever, but on all occasions to receive every protection and assistance from His Majesty's Ships."

CLEARED—Ship Neptune, Smith, Portsmouth; Brig Dromedary, Reed, Liverpool; Sloop Industry, Mason, Boston; Brig Jean and Ann, Caldwell, Clyde; Schooner Hiram, Yeamans, Boston; and Brig Woolfington, Hurry, Liverpool.

DIED] On Sunday the 19th ult. at his Seat in the Parish of Prince William, Captain JOHN DAVIDSON, whose probity and candour entitled him to general estimation, and makes his death regretted by all who set a proper value upon an honest man, a good christian, and a valuable member of society. He was in short a man in whose mouth there was found no guile.

From HALIFAX, May 29.

Arrived, yesterday, H. M. S. Swiftsure, Vice-Admiral the Right Honorable Sir JOHN B. WARREN, Bart. K. B. and K. C. Capt. Austen; and the Martin, Captain Evans, from Bermuda.

The Swiftsure had 7 days passage—and we are happy to state that Sir JOHN and Lady WARREN, have returned in good health.

We are extremely sorry to learn the loss of Capt. CONN, late of H. M. S. Swiftsure: on the 4th of May, to the southward of Bermuda, he fell out the Cabin window; having, it is supposed, over-reached himself, observing some painting that had been done to the stern of the ship.

JUNE 1.

On Monday last off Port Matoon, the Eliza fell in with the Atalanta, from Newcastle for St. John, N. B. under jury masts—intended should the wind come against her, to bear away for this Port.

The Grand Jury of York, Upper Canada, having presented a Mr. WILLCOCKS, publisher of a paper called *The Upper Canada Guardian*, for a seditious libel against His Majesty's Government and the Lieutenant Governor (FRANCIS GORE, Esq.) of that Province:—The Attorney General, after expatiating on the language held in that paper, and declaring that, for a length of time, it had been directly calculated to "mislead the people, to alienate their minds from their lawful allegiance to their good old King, from his Representative in the Province, and to bring into contempt the general administration of the Government;" Yet, the loyalty of the Province being undoubted, and the shafts having therefore, fallen pointlessly.—Stated, that he had it in command from his Excellency the Lieutenant Governor, to enter a *nolle prosequi* on the Presentment.—It did not, however, appear that this lenity had produced a proper effect on Mr. Willcocks, who behaved rather rudely on the occasion.

NOTICE.

ALL Persons having any just Demands against the Estate of JOHN GARRISON, Esquire, late of the City of Saint John, Merchant, deceased, are requested to present the same, duly attested within Eighteen Months from the date hereof; and all Persons indebted to the said Estate, are requested to make immediate payment to ISAAC WOODWARD, Administrator. Saint John, 7th June, 1810.

JACOB S. MOTT,

Has Received by the Ship HAMILTON and Brig BRITISH UNION from LONDON, A GENERAL ASSORTMENT OF BOOKS and STATIONARY,

Consisting of the following Articles, viz:

GUTHRIE'S Geographical Grammar; Ainsworth's Latin Dictionary; Lilley's Latin Grammar; Bailey's Dictionary; Entick's do. Johnson's do. in miniature; Entick's Speaker; Young's Night Thoughts; Hervey's Meditations; Robinson Crusoe; Pilgrim's Progress; Collins' Ready Reckoner; Priestley's Rudiments of English Grammar; Hamilton Moore's Navigation, latest edition; Ship Master's Assistant and Owner's Manual, do.; Fordyce's Sermons; Buchan's Family Domestic Medicine; Watt's Psalms and Hymns; Common Prayer Books with the Companion to the Altar; Bibles; Testaments; Psalters; Spelling Books; with a great variety of Youths' and Children's History and Story Books.

Superfine hot-press'd and wove Imperial, Royal and Medium Paper; large thick and think Folio post; superfine hot-press'd, wove, gilt and plain Foolscap; common do, large hot-press'd, wove and gilt Quarto Post; fine Pot; Cartridge, Blossom Blotting, and Blue paper; Demy Ledgers, four and six quires; blank Books from 1 to 4 quires, ruled and plain; Receipt Books with clasps; Memorandum Books; Seamen's blank Journals, ruled; best and common Dutch Quills; Slates and Slate Pencils; Walkden's Ink Powder, red and black; Office Tape; Desk and Pewter Ink Stands; Ivory Letter Folders; Copy Slips for the use of Schools; red and black Sealing Wax; Crown and common Wafers; Shining Sand; best and common Black Lead Pencils; large and small Message Cards; best Ivory Pounce Boxes with Wafer Seals; Pounce; Pocket and Pen Knives of a good quality; Office do. with Ivory handles; red and black Morocco Pocket Books; a very handsome assortment of Silver Pencil Cases; Wax Tapers, &c.