

part of this House upon that subject, so far as the conduct of his Excellency Sir John Harvey in that matter is concerned, might at this particular juncture be embarrassing to the British Government; therefore—Resolved, That it would be impolitic and improper to make any allusion to the Boundary Question in the proposed Address of this House to his Excellency Sir John Harvey, on his departure from this Province. Upon the question for sustaining the Resolution, the House divided:—Yeas 4, Nays 25. Whereupon it was decided in the negative.

March 9.

Mr. End, from the Committee appointed to take into consideration the Petition of the "Building Committee" of the Roman Catholic Church now in progress in Fredericton, praying a grant of money to assist the same.

Report, That while the Committee fully concur in the reasons which have hitherto influenced the House in refusing grants of money to aid the erection of Churches and Chapels in this country, peopled by various denominations of Christians, equally attached to our inestimable constitution and to the Throne, they unanimously admit that this application involves a special case, intitled to the favourable consideration of the Legislature.

The Petition comes before the House on behalf of an exceedingly numerous congregation, a people (to adopt the language of the Petition) 'declare themselves not to be out-rivalled by any class of her Majesty's subjects in this Province in their fidelity and attachment to the happy constitution under which they have been placed by a kind Providence.' This congregation, composed principally of the working classes, have already most liberally contributed, and are still exerting themselves for the erection of a Building of spacious dimensions, and great architectural beauty, influenced, as well by a desire to provide accommodation for such of her Majesty's Troops quartered in this Garrison, as profess the Roman Catholic Faith, and for their own convenience.

Under a conviction that the Building already well advanced, must probably remain a long time in an unfinished state, unless aided by Legislative grant, assured that nothing conduces more to the orderly and peaceful character of any community, than a regular attendance upon Public Worship. That the erection of the Building was suggested by an ambition, laudable and deserving of encouragement—not unmindful that the influence of its worthy Pastor has at all times been exerted for the best interests of his flock—and believing that its participation in Legislative bounty will be recognized by the members of the Roman Catholic Church, as a proof of the existence of that bond of union which should unite Christians of all denominations in this loyal and happy land.

Your Committee therefore in view of the accommodation to be afforded to her Majesty's Troops, recommend that a sum of money not exceeding Two Hundred Pounds, be placed at the disposal of his Excellency the Lieutenant Governor, so soon as it shall be certified to his Excellency that a convenient and sufficient portion of the Building has been set apart for the reception of such of the Troops as may be disposed to make use of it.

Respectfully submitted,

(Signed) JOHN ALLAN,
W. END,
W. WILSON,
J. W. WELDON,
JAMES BROWN.

March 19.

On motion of Mr. Fisher, Resolved, That it is the opinion of this House, that the Resolution of yesterday the 18th March, instant, relating to the amendments made by the Legislative Council to the Bill for restraining the provisions of the fifth Section of the Civil List Bill, be expunged, there being no necessity for any other Resolution, except the expressed opinion of this House on negating the Resolution made to take the said amendments into consideration.

Mr. Street moved for leave to bring in a bill, relating to the sale and disposal of Crown Lands and Timber in this Province. And upon the question for granting leave, the house divided as follows:—Yeas, hon. Mr. Johnston, hon. Mr. Weldon, Messrs. Street, Wilson, Rankin, H. T. Partelow, Barberie, M-Leod, Freeze, Tayslor, L. A. Wilmot. Nays, Messrs. Woodward, Hanington, Jordan, M'Almon, Palmer, Partelow, Connell, Beardsley, J. M. Wilmot, Fisher, Hayward.

The division being equal, the hon. Mr. Speaker decided in the negative.

To Alexander Goodfellow, the sum of £134 11s. expended by him in repairing Bartibog Bridge, situate between the parishes of Newcastle and Alnwick.

To Edmund Ward, the sum of £— to remunerate him for his services performed in reporting and publishing the Debates of this House during the present Session. Upon the question for filling up the blank with the sum of 100l the committee divided—Yeas 7, Nays 21. And so it was decided in the negative, and the blank then filled up with the sum of 140l.

To the Lieutenant Governor, the following sums:—200l to encourage the running a covered Stage Coach from Dorchester to Miramichi; such sum to be paid to such persons or persons who shall run a Stage Coach for the space of one year, at least twice a week, the same to be certified by commissioners to be appointed by his Excellency for that purpose, 100l to en-

courage the running a Stage Coach from Miramichi to Bathurst; such sum to be paid to such person or persons who shall run the Stage Coach for the space of one year, at least twice a week, the same to be certified by commissioners to be appointed by his Excellency for that purpose.

Whereas upon further information afforded the committee, it is found the sum of 200l already granted in aid of the running of the Stage by James Kelly, between Fredericton and Miramichi, is insufficient; therefore Resolved, That there be granted to his Excellency the Lieutenant Governor, the further sum of 50l for the same purpose, and subject to the same restrictions as the former grant.

THE BRITISH JOURNALS.

London Morning Chronicle.

TRIAL OF THE EARL OF CARDIGAN.

* * * We wish it to be understood that these observations are dictated by no feeling of hostility to the Earl of Cardigan. But we cannot conceal from ourselves that the judicial farce exhibited in the House of Lords will materially fortify the impression, already only too strong, that in England the rich and the powerful have nothing to dread from the law. If caught in its meshes, they can always disentangle themselves with ease.

The demoralizing tendency of judicial exhibitions, in which it is demonstrated that law is always subservient to the possession of wealth, is too obvious to require our enlarging on the subject. Can we be astonished that the demon of avarice should hurry men every day to the commission of wholesale frauds with which the newspapers teem, such as those of the Annuity Company of Baker-street, when the omnipotence of wealth is constantly impressed on them? The rogue says to himself, 'I may fail in my attempt, it is true, but if I can once clutch the gold, I have the ball at my foot.' What most astonishes us is, that the demoralizing lessons taught by our courts of law have left so much honesty as still exists in the country.

* * * It is impossible to deny that the effect of this trial on foreign nations will be anything but favorable to us. That the upper branch of the Legislature should be withdrawn from the business of the nation to sit in judgment on a paltry case of duel—that four or five thousand pounds should be expended in getting up the solemn farce of trial—that the prisoner should be suffered to escape, not because there was any lack of evidence of his having shot Captain Tuckett, was legally entitled to the name given him. It is true a soldier, tried some time ago on the Western Circuit for the murder of his comrade, was acquitted because the evidence produced did not satisfy the jury as to the Christian name of the murdered man. But the whole matter wears such an air of absurdity to men not used, like the English, to submission to the most contemptible judicial trifling, that it will be most difficult to persuade foreigners, that the acquittal was not an insulting piece of aristocratical mockery towards the nation.

London Times.

The extraordinary termination of the proceedings of the highest court of criminal jurisdiction in Lord Cardigan's case reflects deep disgrace upon the present state of the English law, and suggests very grave doubts as to the manner in which the officers who represented the crown on this occasion have discharged their duties. James Thomas, Earl of Cardigan, was arraigned before his Peers under the act of Victoria, cap. 85, which makes the crime of deliberately shooting at any of her Majesty's subjects, with intent to kill or do grievous bodily harm, a felony punishable with transportation or imprisonment; and, in cases where the attempt to kill is followed by a wound, imposes the still graver penalty of death. The crime of which Lord Cardigan was accused was, that on the 12th of Sept. last he fired a loaded pistol at one of her Majesty's subjects, with the intent to kill, or to maim, or to do grievous bodily harm. Evidence, perhaps the clearest and the most convincing ever submitted to a court of justice, was produced to show that on the day in question the prisoner had deliberately, and with premeditation, fired a loaded pistol at one of her Majesty's subjects, and wounded him. And yet the Earl of Cardigan was acquitted of the crime laid to his charge by the unanimous verdict of a very numerous assemblage of the nobles of Great Britain and Ireland. How was this? Could the members of that august tribunal be so forgetful of their honour as to conspire for the purpose of shielding one of their order from the consequences of his actions, at the expense of decency, truth, and justice? Were they capable of confounding their judicial and their legislative character, of disregarding a long and uniform series of decisions and cases of duelling from the time of Lord Hale downwards, and of avowing the principle that henceforward the laws of God and man must give place to the licentious and sanguinary code of what is called society? No; we have not come to this—we will not believe that there is one indivi-

dual peer who, after having solemnly invoked the direction of God upon his counsels, in delivering his sentence upon his honour, could act the compurgator's part, but, if even this were credible, it would be utterly impossible for the whole illustrious order to plunge suddenly from the height of nobility to the depth of business. Why then was Lord Cardigan acquitted? We blush to write the reason, but it must be said. He was indicted for shooting at 'Henry Garnet Phillips Tucket.' He was proved to have shot at a person who passed by the name of 'Captain Harvey Tucket.' Harvey Garnett Phipps Tucket was proved to be a captain on half-pay in her Majesty's service; but because no distinct evidence was brought to show that the Captain Harvey Tucket who was shot was also baptised by the names of Garnet and Phipps, the proof of the indictment was considered to have failed in an essential point, and Lord Cardigan was pronounced (as the Duke of Cleveland emphatically said) 'legally not guilty.'

Morning Chronicle.

THE CAROLINE.—RIGHTS OF NATIONS.

Were any government in Europe to suffer a body of men to seize on the arms and stores in its depots, wherewith to invade a neighbouring state, and to continue to draw supplies through the medium of a steam vessel chartered by the invaders, and plying regularly between some point of the territory whence the armament proceeded and the theatre of the invasion, the state thus invaded would be justified, not only in attacking the invaders, but in destroying the vessel employed in conveying to them supplies, though that vessel might be within the territories of the state whence the armament proceeded. To maintain that any government is to look on with folded arms, while the means of attack are maturing in a neighbouring state which is without the means of preventing the aggression, is a doctrine in variance not only with every principle of international law, but with the plainest dictates of common sense. The United States did not hesitate to invade the territory of Spain, and seize Arbuthnot and Armbrister, on the ground that a government which was not able to prevent its territory from being used for purposes dangerous to the peace of its neighbours, was not entitled to have that territory respected.

London Morning Chronicle.

CONTINUED ARMAMENTS OF THE FRENCH.

Our objection is not so much to the number of the French army as to the spirit generated. Although France may have 700,000 soldiers, Germany has still more. What we grieve at and object to is to see every young Frenchman forced to imbibe the ideas of a camp and broken in to military rules. The ultra-military institutions of the Germans are bars to their liberty and civilization. We see all these strengthened by the new policy of France. We see the sergeant taking the place of the schoolmaster, and the general that of the statesman. What we object to, is precisely the moral effect of Marshal Soult's military legislation, even though his measures may have been conceived in nothing menacing the state of present peace. It is not our intention to continue harping upon this theme, denouncing quarreling, and irritating; for we are well aware, that ill temper and remonstrances on our part would but strengthen the French in their resolutions. And we are also aware, that if these warlike measures and laws are to be annulled, it must be by the French relapsing from irritation and fear to calm and confidence. When they do so, they cannot but see the absurdity of wasting the resources of their country, and the best years of its youth on the means and the science of slaughter, instead of employing both in the great paths of improvement and national wealth. It is a poor spirited consolation for such losses, for the French to know, that such expenditure of money and man's time, and intellectual aims, sorely annoys the English and the Germans, by forcing them to imitate them. The French are not the people to carry on so mean a war as this. They are too high to stoop, and ought to be too fair minded to permit it.

Colonial.

NOVA-SCOTIA.

Halifax Novascotian, March 24.

An alarm of Fire was made on Saturday. It proceeded from a Coal Yard Shed, which was consumed.

Moral Reform.—Last Sunday 120 additional Temperance pledges were taken at St. Mary's. The good effects of recent and continued changes, are inestimable. The best foundation for national wealth and strength, is national morals; if the former were possessed without the latter they would not be a tithe as valuable,—while the latter include the former, and to the widest and best sense. A citizen reformed, or pre-

vented from a course of evil, is the best contribution which a patriot can make to his Country.

FATHER MATHEW, the 'Apostle of Temperance,' has, it is said, invitations from the King of the French, the Duke of Devonshire, and the Protestant Bishop of Norwich, to visit their respective districts.

NEW-BRUNSWICK.

The St. John Herald of Wednesday last, contains the following paragraph:—

Despatches from Lord John Russell have been received this Mail by Sir John Harvey, approving of his Administration of the Government of the Province: but concurring in his interference with Lord Sydenham. These were no sooner received at Head Quarters, than they were promulgated throughout the Province.—Sir John held the Despatches received last Mail for some days, informing him of his removal, without even disclosing them to the members of the Executive Council. Thus we go.

The London Times of the 19th contains some very severe remarks upon the interference of Sir John Harvey, with the line of policy displayed by Lord Sydenham, with regard to the troops on the Disputed Territory; and attributes the removal of Sir John to this interference. The successor to Sir John in all probability, may be expected next packet.

An address to Sir John Harvey has been got up within the past few days. It is signed by the Magistrates and several respectable individuals, but although every effort has been made to increase the number of names on the list, yet we believe that not over 150 or 200 persons have subscribed thereto. Many have placed their names there, who, although fully aware of the incompetency of Sir John to govern the Province, yet do it as a mark of respect which they consider every Governor is entitled to, when he leaves a Province. We think that were a counter-address got up, we could out-number the present one by some hundreds in a very short time.

From the Fredericton Gazette of Wednesday.

Two o'clock yesterday being appointed by his Excellency the Lieut. Governor to receive the joint Address of the Legislative Council and House of Assembly on the occasion of his Excellency's recall, the Committee consisting of six Members from the Council and thirteen from the Assembly (being one member from each county,) proceeded to the Government House at the hour above mentioned.

It is gratifying to us to add that all the other Members of both Houses, with their President and Speaker, also attended upon the occasion, both Houses being adjourned for that purpose.

His Excellency received them in the great Drawing Room, attended by his personal Staff, and all the Officers of the Garrison.

The following are copies of the Address which was read by the hon. A. E. Botsford, and of his Excellency's answer. The latter was evidently delivered and received with feelings of strong emotion. The Members then retired, after taking a warm and affectionate leave of his Excellency.

HIS EXCELLENCY'S REPLY.

Gentlemen,—Cheered and sustained by this Address, I shall be enabled to present myself with confidence to my Sovereign, and to render such an account of my stewardship as may satisfy Her Majesty's maternal heart, that Her anxious wishes for the happiness and prosperity of Her Loyal Subjects in New Brunswick have not been lost sight of by me, nor Her Majesty's delegated authority abused in my hands.

With regard to the munificent testimonial of your kind feelings towards me, I can only say, that I am proud and happy in receiving it,—subject nevertheless to Her Majesty's approbation—as the memorial of a degree of Legislative harmony, which may have been equalled, but which can never have been exceeded.

For myself I feel that it is unnecessary for me to say more;—I am known to you, as you are to me,—and our sentiments of mutual esteem and good will cannot change;—but for my family—for my children—and my children's children, I take upon myself to assure you, that my (and consequently their) connexion with this noble Province, which the splendid memorial now presented to me is intended to commemorate, will be affectionately cherished in their grateful recollections when the actors in the present scenes shall have passed away.

Government House, March 23, 1841.

ORIGINAL.

ON FEMALE EDUCATION.

NO. VI.

ADVANTAGES of a Local Seminary, and disadvantages attending the employment of a domestic governess, and the education of young ladies abroad.

Mr Editor—In my last letter, I shewed