

Editor's Department.

MIRAMICHI: T. S. J.

WEDNESDAY MORNING, MARCH 6, 1844.

ARRIVAL OF THE SOUTHERN MAIL.—The Southern mail reached the Post Office, on Monday afternoon, at 4 o'clock. We went to press to-day at three o'clock.

BREACH OF PRIVILEGE.—The monotonous proceedings of our Legislature was broken in upon during the week, by the imprisonment of the Editors of the Loyalist. We copy below, from the New Brunswicker of Saturday last, the following report of the affair:—

"In the Loyalist of the 23d of February, there appeared a most atrocious article reflecting upon the Hon. Mr Wilmot, and the course he had pursued with respect to the address to Sir Charles Metcalfe. On Saturday last, this article was brought under the notice of the assembly by Colonel Allen, but as the doors were closed, we are unable to state what took place. On Monday, the subject was resumed with closed doors, and the result was, that the speaker issued his warrant to the Sergeant at arms, to bring up Messrs Doak & Hill, the editors and publishers. These persons were shortly brought up in custody, and being placed at the bar of the house, were asked if they, and each of them, were publishers of the paper called the Loyalist—they answered in the affirmative and were ordered to withdraw. A motion was then made, that they should be committed to Gaol for a breach of the privileges of the house for which motion every member then present voted, except J. A. Street, Esq., who was the only dissenter.

"Messrs. Doak & Hill were forthwith locked up in Gaol. The following day they sued out a Habeas Corpus, by D. S. Kerr, Esq., their counsel, returnable before Judge Carter. To this Habeas Corpus, the Sheriff of York returned, that the prisoners were in his custody by virtue of a paper writing, signed John Weldon, Speaker, a copy of which was annexed.

"Upon this return, a motion was made for the discharge of the prisoners, on the ground that a colonial assembly has no power to commit for a breach of privilege, not committed within its presence, and the recent case of Keilly vs. Carson was relied upon, as exactly in point.—In that case, an action had been brought against the speaker of the assembly of Newfoundland, for illegal imprisonment, under similar circumstances, which was heard on appeal before the Judicial Committee of the Privy Council in England, and it was decided, that colonial assemblies had no power to commit, except for a contempt committed in their presence, in the same manner as practised by courts of Law.

"His Honor Judge Carter deferred his decision until he should consult the chief Justice and the other judges, on so important a case, and immediately wrote for their opinions, Meantime Messrs. Doak and Hill are closely locked up in the Gaol at Fredericton, abiding the decision of the Judges.—Should their honors be governed by the case of Keilly vs. Carson, they will no doubt be forthwith discharged; but if otherwise, they will remain in custody until the end of the present session of the assembly, and then try the question, by action against the speaker for false imprisonment."

Nothing can be said in defence, or extenuation of the conduct of the proprietors of the Loyalist; the attack on Mr. Wilmot was couched in low, vulgar language, disreputable to the parties, as well as to the Press of the Province. But we contend, that the Legislature have not the power to punish, even in such a case—it is merely usurped, and we are glad to find that it is at length to be put to the test. Would it not have been more manly, and in better keeping with the loud talk of the majority of Legislators of the present day, about the rights of the people—and the denouncement of old exploded theories and practices, if the parties grieved had prosecuted Messrs. Doak & Hill for Libel, and brought them up before a Jury, to answer for their conduct; and not adopted this arbitrary, anti-English mode of punishment, so repugnant to the spirit of the age, and contrary to the "well understood" meaning of the law of the land, which considers a man innocent until he is found guilty by his peers.

The Editor of the New Brunswicker closes his remarks on this affair as follows—his sentiments are just and true, and we most heartily respond to them:—

"The House of Assembly at present enjoys the privilege of libelling and slandering with perfect impunity. It is a privilege they exercise very freely, and with that they ought to be content; yet not satisfied, they would endeavor to prevent the expression of public opinion by the exercise of arbitrary power. If the members or even the speaker could be made amenable, for the gross slanders occasionally put upon the Journals, there might be some excuse. In the present instance, gross as the case is, they will fail, and fail signally, whereat the whole country will rejoice at the final downfall of arbitrary power in New Brunswick, and the abolition of punishment without trial by jury."

CHINA.—By the arrival at New York, of the ship Ann M'Kim, advices have been received by the editor of the Sun, from Canton, to the 10th of November, being nearly a month later than the date of intelligence received by the last British steamer.

We give below the extracts furnished.

A fire broke out at Canton on the night of the 24th October, which destroyed 1500 houses, among which were the Danish, Spanish, and French Hongs, together with several large packing houses. The Canton Register of the 25th October says—One of the destructive fires which occur annually in Canton during the cold and dry season, occurred on Wednesday and Thursday last, and we regret to say, entirely destroyed the Spanish and Danish hongs, and a portion of the French. The ancient temple of Paktai-mum, dedicated to the God of the North Pole, shared the fate of its humbler neighbours. Fortunately the fire had given sufficiently timely warning to the inmates of the foreign factories, to enable them to save their treasure and most valuable effects, and the night was spent by them in removing them to boats on the river, which was effected with little or no molestation, some pilfering of course excepted.

The supplementary treaty between the Chinese and British Governments, permits Foreigners to buy or rent houses in any of the ports opened for trade. Criminals are to be mutually delivered up between the British and Chinese authorities.

The accounts we continue to receive from Hong Kong, are in many respects far from satisfactory—sickness still prevails to a very alarming degree, particularly among the garrison, and but in too many instances terminates fatally. The complaints of robberies are also again becoming more numerous.

The Rev. Samuel Dyer, of London, Missionary at Singapore, died at Macoa on the 24th October, aged 39. He was a scholar of some eminence, and had studied the Fukien dialect for the last eleven years. He has left 2000 moulds for a like number of Chinese letters and characters, which are supposed to be of great value.

There were fifty British ships at Whampoa, and sixty more in the outer waters, the greatest fleet ever known in the Chinese waters at one time.

Another fire broke out in Canton on the night of the 29—30th October, destroying 100 houses, and caused considerable alarm to the six factories still left standing.

The Honorable Erskine Murray has fitted out an expedition for Borneo, with the hope of opening a negotiation with the native chiefs, for a tract of land for the purpose of British colonization.

A riot occurred between the native populace and some British troops. Three Chinese were killed, and a night or two after a British soldier was found murdered.

WEST INDIES.—Two shocks of an Earthquake were felt in Grenada on the morning of the 19th January, and one at Trinidad. Little or no damage was done.

SAINT JOHN.—The papers from this place state, that there is not a single Debtor confined at present in the Gaol for the city and county.

WOLVES.—A correspondent at Shediac, under date of February 29, informs us, that a large Wolf was trapped and killed there on the Sunday previous, by Zedore Galland. It measured six feet from the tip of the nose to the end of the tail.

PROCEEDINGS OF THE LEGISLATURE.—Our Journals are to the 24th February, and we have selected from them all such matter as we considered likely to interest our readers.

We perceive that His Excellency the Lieutenant Governor has received a Despatch, authorising him to give his assent to the Export Timber Duty bill, should it pass the Legislature with the alterations suggested by the Home Government.

We are indebted to the Sentinel of Friday last, for the following additional items of intelligence.

"Hon. Mr Wilmot, by command of His Excellency, laid before the House a message from the Lieutenant Governor, accompanied by despatches and correspondence relative to the establishment of warehouses at Bathurst, Restigouche, Chatham and Newcastle in Miramichi, and at the Ledge at St Stephens; together with the Reports of the officers of Her Majesty's Customs in this Province upon the subject, which as these documents caught our ear were not very favorable to the claims that had been put forth.

"The hon. Mr. Simonds, by command, laid before the House a Message from the Lieut. Governor, communicating a despatch from the Colonial Secretary; stating that it is Her Majesty's intention to erect New Brunswick into a separate Diocese, and to appoint a Bishop to preside over the Episcopal church in the colony. Mr Simonds at the same time stating that in communicating the despatch, he was acting in accordance with the desire of the Colonial minister; but that every member of the Government could vote as he pleased. The object he said was to offer the £25,000 at 4 per cent.,

which would be an advantageous investment; and would enable the Province to pay off the remainder of the debt, and would not be embraced by the Loan of £70,000. He repeated, every member of the government was at liberty to vote as they pleased; and the despatch was laid before the House, not as a distinct recommendation of the government, or as a government measure.

"The Lieut. Governor has directed the commissioners to receive fresh tenders for the Loan; which were to be delivered last Tuesday evening, in time to be sent off to Mr Bliss, for his approval by the English mail, which left St. John on the following day.

"We understand this morning, that the Bank of New Brunswick tendered for £25,000, at the rate of interest decided upon by the House, —five and a half per cent. and for the whole amount at six per cent. To the former extent therefore, the Loan may be considered as effected; should not Mr Bliss, the other commissioner demur.

"Yesterday the Bill for repealing the present Bankrupt Law, was passed in committee of the house, by an overwhelming majority; and the unfortunate debtor will again be thrown upon the mercy of his unfeeling or embarrassed creditor. It provides however, that all persons who shall have commenced proceedings in the Bankrupt Court, may proceed to their conclusion. Those therefore, who mean to avail themselves of the present law, will have an opportunity of doing so, until the bill just passed by the assembly, shall have been concurred in by the Legislative Council—of which there is little doubt, and shall have received the sanction of the Lieutenant Governor.

"In the house of Assembly this forenoon, Mr. Fisher moved the following resolutions:—

"Resolved, as the opinion of this committee, that the house should express their unfeigned satisfaction and gratitude to Her Majesty's Government, for the recognition of the main principles of the address of the house, upon the subject of the composition of the Legislative council, expressed in the despatch of the Right Honorable Lord Stanley, Her Majesty's principal secretary of state for the colonies, of the 11th of July, 1843; evincing at it does, a solicitude truly maternal, on the part of Her Most Gracious Majesty, for the welfare of Her Loyal subjects in New Brunswick.

"Resolved, as the opinion of this committee, that the house should express their disappointment and regret, that the Executive Government in the recent made changes in the Legislative council, have not given effect to the Despatches of the right honorable Lord Stanley, in answer to the address of this house.

"Resolved, as the opinion of this committee, that the house should express their opinion that the assurance of Lord Stanley 'to bear in mind' in the selection of Legislative councillors, 'the leading interests of this Province, as well as the principal denominations of Christians,' as prayed for by the address of this house, has in the recent change been entirely disregarded by the Executive Government, and the just expectation of the great and influential denominations of Christians, now either too partially represented, or altogether unrepresented in that House, have been greatly disappointed."

CAPE BRETON.—The Spirit of the Times furnishes us with the following piece of melancholy intelligence:—

"A boat belonging to St. Anne, containing six individuals, got entangled in the ice, in her passage from North Sydney to that place. The boat was found, completely imbedded in a mass of ice, driven by the wind on the north shore of the St. Anne's, with her crew frozen to death. Unfortunate men, they perished within sight of their homes, and almost within hearing of the voices of their friends, and yet beyond the reach of human aid! One of them was a married man named Matheson, by his death two young children are left fatherless and unprotected; the remaining five are young unmarried men. Two of them were to have been married in a few days, and it was for the purpose of purchasing supplies for the expected wedding that they had undertaken the hazardous voyage to North Sydney, at such a boisterous season, thus risking and sacrificing their lives."

RESPONSIBLE GOVERNMENT.—The following remarks, which we copy from the Quebec Gazette, give the practical results of this much lauded system of government, after four years trial in Canada:—

"We have had the system publicly proclaimed, as understood by its friends, and recognised by Governors four years past, and professed to be acted upon for three years. Judging by 'the fruits,' we should say hitherto it has produced the worst Government that ever prevailed in Canada; we appeal to facts; to Lord Sydenham's Ordinances, the re-union of the Provinces, based on an apportionment of the representation, destructive of the professed principle of governing 'in accordance with the well understood wishes of the people, as expressed through their representatives,' large sums of money permanently appropriated without the consent of the people, and burthening them with debts which they never contracted, organised violence, resulting in murders, to carry a number of elections, places promised and bestowed to buy off opponents representatives of the people; increased salaries allowances and contingencies; new debts and taxes, the creation of numerous offices not required by the people, and to be provided for at their expenses; legislation incapable of execution, but creating great and wasteful expenditures, innovations not asked for by the country; de-

creasing revenue, with diminished trade and industry, and poverty spreading over the face of the Province; and to conclude the whole, collision with the Imperial authority, and renewed discord, agitating its firebrands throughout the province, about the disposal of office and emoluments, without the least security that those who hold them will earn the money paid by the people, by adequate services, rather than by being the mere tools of those by whose 'influence' they obtain and hold their situations."

"We shall join in the admiration of the system of my Lords Durham and Sydenham, and our ex-Ministers, when we see that it really works for the 'peace, welfare and good government' of Canada, when it produces reforms, not in words but in deeds. Till then, we shall only look upon it favourably, as a means, we hope an honest one, which may conduce to a good end; but the failure of two ministries in two years, and the state into which they have reduced or left the country, we confess, leaves us but poor prospects."

COMMUNICATED.

To Miss Layton, Miss Susan Samuel, and Miss Johnson,

My Dear Friends,

I beg to acknowledge having accepted some weeks ago, through your kind medium, a beautifully made Lawn Surplice, and six Handkerchiefs, all of which were presented to me, as you stated, by many of my former parishioners, as trifling tokens of their sincere regard for past labours: if my memory is not incorrect, you also expressed a flattering wish, at the time of presentation, that I might for many years, be spared to wear the Surplice in The Church of God.

For all your expressions of Christian kindness and undeserved approbation, for the offerings of handkerchiefs and surplice, the habit whose white colour aptly represents the innocence and righteousness, at which the Christian Priest should continually aim; for all of these, accept such poor return as I can offer, the grateful thanks of a full heart. Accept my best wishes that God may soon return seven fold into the bosom those fruits of affection and regard which I have lately received from those to whose bounty I have not the least claim. And accept the sincere assurance that altho' five years of my life have now rolled away since official duties, the most sacred and responsible, have been terminated in my first field of labour, to the cultivation of which, imperfect and unskilful as it was, an anxious heart has been devoted. I have not forgotten during this chequered interval, to remember in my prayers at the Throne of Grace, those with whom I was privileged for a few years to enter into the courts of the Lord's House together, and to walk in it as friends.

I must apologise to you, and through your medium, to all my other kind benefactors, for not making a more timely acknowledgment of the undeserved gifts to which allusion has been made; but I entertained a pleasing hope that long ere this it would have been in my power, with the permission of the Rector, to have returned my best thanks to all my friends from the Pulpit in the Chapel of Saint Mary the Virgin.

Believe me, most affectionately and faithfully your friend,

JAMES HUDSON.

Miramichi, Feast of St. Matthias, 1844.

UNITED STATES.—The New York Sun says—Father Mathew, the distinguished Temperance Reformer of Ireland, having been kindly offered a free passage to this country in any of the splendid London or Liverpool packets belonging to Messrs. Grinnell, Minturn & Co. has accepted the offer in the same generous spirit in which it was tendered, and intends to come to New York in June.

Suicide of the Governor of Missouri.—Governor Reynolds committed suicide at Jefferson, Missouri, on the 9th inst. He was discovered by the members of his family, lying perfectly dead in his room. The manner of his death was as follows: He procured a rifle—fastened a string to the trigger, placed the muzzle against his forehead, and shot himself. He left a letter upon his table, addressed to Colonel W. G. Minor. Whether this memorial will disclose the causes which led to this melancholy event, is at present unknown.—New York Sun.

THE FLOODS IN ALABAMA have been almost unprecedented: advices from Mobile of the 4th instant, state that the road from that city to Claiborne was inundated. The trees and house tops where they were visible, were crowded with poultry, and ducks and geese were swimming through the windows. Fences had been carried away in all directions and much cattle swept off. The waters were, however, fast subsiding.

The Season in Louisiana.—Up to the 25th ult., there had been no winter in Louisiana, and, what is altogether unprecedented for forty years before, the sugar cane was in blossom at that date, at Point Coupee. There had been no frost there whatever.

TEXAS.—Mr Elliott, British Charge de Affaires at Texas, has taken up his residence at New Orleans, to have a nearer or closer intercourse with the new British Minister at Washington, who is doubtless instructed as to the course to be pursued, in case annexation should be determined upon.—President Houston has undoubtedly considered it a breach of good faith in the pending negotiations with Great Britain to push the question of annexation; but the people seem anxious for it, and the new President will be chosen in reference to this important measure.—New York Sun.

Thirty thousand Valentines went through the New York Post Office on the 14th ult.