

Latest Intelligence.

CHINA.

Our advices from China come down to the 4th of August. The news is of very great importance. The British flag waves over a portion of the Chinese empire for the first time! Chusan fell into the hands of the English on Sunday, the 5th of July, and one more settlement in the far East was added to the British Crown.

OFFICIAL ACCOUNT OF THE CAPTURE OF CHUSAN.
Brigade Head Quarters, City of Ting-hae-heen, July 18th, 1840.

To His Excellency the Right Hon. Earl Auckland, G. C. B., Governor General of India, &c.

My Lord—I have the honour to acquaint your Lordship that on the 4th instant Her Majesty's ships Wellesley, Conway and Alligator (to the former of which I had transferred brigade Head Quarters, in compliance with the wishes of Sir Gordon Bremer), with the troopship Rattlesnake and two transports, arrived in the anchorage of Chusan harbour, the ships of war taking up a position in front of a hill, upon which there was a large temple or joss-house.

In the evening a summons was sent to the Admiral, who was also governor of the Chusan group of islands, calling upon him to surrender the island, and soliciting him to do so that blood might not be shed in useless opposition.

The officers bearing the summons returned with the Chinese Admiral to the Wellesley, accompanied by two mandarins, and although they acknowledged their incapacity to resist, they attempted by evasions and requests to obtain time, and left the ship without any satisfactory result, but perfectly understanding that if submission was not made before daylight next day hostilities must commence.

On the morning of the 5th the hill and shore were crowded with a large body of troops, and from the mastsheads of the ships, the city was seen at the distance of a mile from the beach, the walls of which were also lined with troops. On Temple-hill, the landing place or wharf, and a round tower adjacent, there were 21 guns of small calibre, independent of a number of war junks, and from their proceedings it appears that resistance was to be offered. As both wind and tide were against the transports, and only 350 men, including marines, were in the harbour, I availed myself of the time offered to reconnoitre the beach, beyond Temple-hill with a view of landing at some distance from the batteries, but which I abandoned, as if opposed there, the shipping must have opened their fire on the different batteries, and the result have been the same with respect to the loss of life as of opening on the batteries at once; besides which, it was not considered expedient to take from the ships of war, under the prospect of action, so many hands as were required to man the boats.

About 2 o'clock, p. m. Her Majesty's ships Cruiser and Algerine got into position, and as the transports were then entering the harbour, the signal was given for landing in rotation, as boats could be supplied, in the following order:
1st Division—The 18th Royal Irish, Royal Marines, two nine-pounders, and the 26th Regiment.

2d Division—Volunteer Corps and 49th Regiment, and a detachment of Sappers and Miners.

On the 18th and Royal Marines quitting their ships for the boats, the waving of flags and beating of gongs and drums gave further intimation of the decidedly hostile intentions on the part of the Chinese.

As previously arranged with His Excellency Sir G. Bremer, Commander in Chief, a gun was fired from the Wellesley, after the 18th and Royal Marines were in the boats, with a view of ascertaining whether resistance was intended. The gun was fired at the round tower most correctly, and no individual injured thereby. As the whole of the guns on shore were manned, a return fire was immediately given from them and a number of war junks, which brought a fire upon the batteries and junks from the whole of the ships of war, but of very short duration, the guns and hills being abandoned and suburbs evacuated in a very few minutes.

The beach and wharf and Temple-hill being cleared the troops landed without opposition, and I immediately took possession of the hill, from which a good view of the city is obtained, at the distance of about 1,500 yards. As soon as the landing of the 26th Regiment was completed, I pushed forward advanced posts from the 18th and 26th Regiments to within 500 yards of the walls of the city, which, although in a dilapidated state, are extremely formidable and difficult of access, being surrounded on three sides with a deep canal of about 25 feet wide, and a continued flat of inundated paddy land.

Having consulted with Lieut. Col. Montgomery, C. B. of the Madras artillery, and Capt. Pearse, the senior officer of the Engineers, I decided upon breaching the walls of the city near the west gate, and throwing shells into the west angle, so that in the event of the ordnance being inadequate to breach the point already specified, the northwest angle, which I meant to attempt by escalade, might be more easily carried from the fire kept upon that point having weakened the defence. On the advance post taking up this position, a fire was opened upon them from the walls of the city, and kept up at intervals till nearly midnight. A few shots, not exceeding eight or nine, were fired from our battery, which tended to silence their firing without doing any injury. Whilst I was visiting them several shots were fired without any other effect than proving that the Chinese were utterly ignorant of gunnery.

The second division, consisting of the Madras Sappers and Miners, Bengal Volunteers, and 49th Regiment, were landed without delay, and having taken up their positions, threw out advanced posts to the front, the latter corps protecting the left of the suburbs.

Early on the morning of the 6th, I was happy to find, from the very great exertions of Lieutenant Colonel Montgomery, that during the night he had, in addition to the two nine-pounders landed with the troops, got into position six other guns of the same size, two 5 1/2-

howitzers, and two mortars, making a total of 10 guns, in a position within four hundred yards of the walls. From the stillness of the city, I apprehended a change had taken place there, and I waited for day-light before issuing orders for offensive operations; on the first dawn the flags were seen on the walls, as they were the preceding evening; but as the light increased there did not appear a single person where there had been thousands the preceding evening, which gave reason to suppose that the city was evacuated, and I sent forward Lieutenant Colonel Montgomery, Major Mountain, Deputy Adjutant General, and Captain Pearse, Field Engineers, with a small escort, to reconnoitre as closely as possible the state of the works, and endeavour to ascertain whether the city was abandoned or not.

These officers passed the canal (the bridge over which had been broken up) by throwing spars across, and with Captain Bethune, of the Conway, who had now joined them, scaled the walls by means of a ladder found amongst the buildings outside. One or two unarmed Chinese who appeared above the gate, hung a placard over the wall, and refused by signs to admit them, but offered no other opposition.

The gate was found strongly barricaded within by large sacks of grain, and by the time that a few planks had been thrown over the canal a company of the 49th which I had sent for, took possession of the principal gate of the city of Ting-hae-heen, upon which the British flag was hoisted.

A return of ordnance captured on shore is herewith transmitted; that on board the war junks was considerable, but of which I have not a return.

The loss of the Chinese is estimated at about 25 killed; the number wounded I cannot learn, but it must be very small, from round shot having been fired. The Admiral is said to be among the latter. I am happy to say Her Majesty's troops escaped without loss of any description, and are prepared for any further services required.

The city of Ting-hae-heen is extensive, the walls being about six miles in circumference; they are built of granite and brick of inferior quality, and with the exception of a hill, where the fences are unusually high, there is a deep ditch or canal about 25 feet wide around the wall at the distance of a few yards. There are numerous bastions in the works, and with good troops, in its present state, the city is capable of making a good defence.

The despatch will be delivered to your Lordship by the Hon. Captain Osborne, to whom I beg to refer you for further particulars respecting the island of Chusan, and our positions here.

I have the honor to be, &c.
GEORGE BURRILL, Brigadier,
Commanding the Eastern Force.

The Ordinance captured at Chusan (on shore) by the combined naval and military force, under the command of Commodore Sir J. G. Bremer, C. B. and K. C. H. &c., and Brigadier Burrill, on the 5th July, 1840, consists of 30 iron two to three pounders, 40 iron four to six pounders, 15 iron six to eight pounders, 5 iron nine pounders, one brass 6 1/2 pounder—total 91.

A considerable quantity of gunpowder has been found, and three magazines, containing an extensive supply of iron shot, jingals, matchlocks, swords, bows and arrows, &c., with steel helmets, and uniform clothing for a large body of men, the particulars of which have not been ascertained, but of which an inventory is being made. With the exception of the ordnance, most of the articles are packed and stored with much method, and are in very good order.

In coming up the coast the Admiral despatched the Blonde into Amoy with a message. On her rejoining His Excellency at Chusan it was discovered that she sent in a boat with a flag of truce. This, on approaching the beach, was fired on by the Chinese soldiers, large bodies of whom were drawn up in line along the shore. The frigate immediately returned the fire, and continued it for two hours, by which time the Chinese troops were scattered in all directions, and the walls of Amoy levelled with the ground. The loss of the Chinese is killed and wounded is not known, but it is supposed to have been considerable.

The effect of the destruction of the fort of Amoy seems to have been excellent; for the communication with the Admiral at the mouth of the Ningpo river were extremely courteous, and for the first time perhaps in the Chinese annals, the Governor of the Ohikien province conducted his correspondence upon terms of equality with the English, calling them the honorable officers of the great foreign nation. The letter to the Emperor was not formally sent by the Governor, but an open copy of it was shown to His Excellency, who, it was believed, would immediately despatch an express to the Emperor mentioning its purport. The blockade of the Ningpo river had been established—50 or 60 junks were turned back, but no attempt at resistance was made by this accommodating Governor, although the boats of the squadron, constantly employed in enforcing the blockade, were close in shore. The Admiral only waited the arrival of the Blonde, when he would proceed to the mouth of the Pesho, to deliver the ultimatum of the British Government, and the documents of which he is the bearer.

The Chinese appear to be as untractable as ever. At Amoy, the Blonde's boat, with a flag of truce, was fired upon; and the Blonde in return battered down the fort and destroyed the junks there. At Ningpo the letter to the Emperor was returned open to Captain Elliot, who eventually delared Ningpo and Shanghae and all the intermediate ports to Nankin in a state of blockade. It was reported that Admiral Elliot intended to proceed to Pee-chee-lee, in the neighbourhood of Pekin, with a part of his force. It appears by the accounts from Macao, that the blockade of Canton had not been very rigorously enforced. In the meantime Governor Lin was making very active demonstrations of hostility.—London Courier.

ALL FOREIGNERS ORDERED TO QUIT CANTON.—A fast boat from Canton has brought the intelligence that a day or two ago all the Hong merchants were sent into the city by the Governor, who expressed a wish to see all the foreigners in Canton within the city; this wish he afterwards abandoned. But the Hong mer-

chants, when they returned from the city, described the Governor as being highly enraged at the capture of the salt junks, and recommended all the foreigners forthwith to leave Canton.—Canton Register, July 7.

ADEN.—Strange reports are in circulation about this new possession in the India papers. The Bombay Overland Courier reports that the cruiser Elphinstone has had a tremendous engagement with a French frigate. The story is, that the Elphinstone was on a cruise to Nassabah, and found the said frigate there at anchor. Upon some of the officers of the cruiser proceeding ashore, they were hailed by the frigate and told that they were not permitted to land. The commander, incensed at this, attempted to land in the gig; but he was fired upon. He then went back and a fierce action ensued. Report says that the Elphinstone was triumphant, and captured the frigate, but was left in a very disabled state herself. A vessel has been sent from Aden to ascertain the truth.—Bombay United Service Gazette.

EASTERN QUESTION.—SUBMISSION OF THE PASHA.

Alexandria, Nov. 23.—Commodore Napier, who had arrived off the port in the Powerful on the 21st inst. sent in the steam frigate Medina and a flag of truce yesterday, with a letter to the Pasha, borne by his old acquaintance, Captain Maunsel, of the Rodney, accompanied by Lieut. Scott, to re-open the negotiation respecting an adjustment of the grand question. The letter of Commodore Napier is stated to be rather of a friendly than of an official character, combining salutary advice, and even admonition, with a frank offer of his services to bring about a satisfactory termination of the present very dangerous position of affairs, and informing the Pasha that the Sultan had been prevailed on by the four allies to revoke his deposition and restore to him the hereditary pashalic of Egypt, if he at once and forever gave up all pretensions to Syria, Candia, the holy cities, &c., and send back the fleet without any further delay or effusion of blood. The hopelessness of resistance in Alexandria, after the recent events in Syria, was also plainly stated, and an appeal made to his good sense to seize the moment when he might by making the first step towards a reconciliation secure the approbation and good offices of the four great Powers. He also proposed an exchange of 60 Syrian officers, prisoners, for Egyptian.

November 24.—The reply of the Pasha (through Boghos Bey, to whom the letter of Commodore Napier was officially addressed) is, I am assured, decidedly pacific; but, at the same time, characterised by that peculiar oriental turn of thought which regards every offered negotiation as a snare. It recognises the bearer, Captain Maunsel, as an old friend and a brave officer; thanks Commodore Napier for his excellent advice, and does not attempt to dispute either that his power over Syria is virtually departed, or that he could not hope to successfully resist the naval forces of the allies in Alexandria. He declares that it never was his intention to keep the Sultan's fleet, and that if the communication made by Sami Bey had been attended to, the ships would have been restored long since. In short, he thankfully accepts the advice of Commodore Napier, and undertakes to make every concession required, in consideration of an assurance of being guaranteed a free possession and succession of Egypt, and will cheerfully restore the fleet, as soon as the communication of his reinstatement comes to him in an official form from Constantinople, accompanied by the necessary guarantees. Till that arrives he can take no step in the matter.

Alexandria, Nov. 26, 11 o'clock, A. M.—As the Oriental is starting, I have only time to say that the negotiation is happily concluded; that the Pasha has consented to give up the Turkish fleet, and sent an order for the prompt evacuation of Syria by sea; and in return is to be guaranteed the hereditary possession of Egypt. Commodore Napier has had an audience at the Palace this morning, and is now, it is understood, arranging the only point yet to be settled, viz. the port of embarkation of Ibrahim Pasha and his army on their return to Egypt.

Ibrahim Pasha was at Zahlé, immediately under the Lebanon range. Soleyman Pasha was with him, and their united force amounted to about 15,000 men.

DISASTER AT ACRE.

London, Dec. 7.—We have received by extraordinary express from Marseilles, accounts from Syria and the Levant, bringing dates from Acre to the 15th, Beyrout, 18th, and Malta, 25th November.

We have the painful task of announcing that a terrible disaster occurred at Acre on the 6th November, three days after the capture of that place, by the explosion of another powder magazine within the fortress. The number of killed and wounded amounts to 280. The sufferers are chiefly natives, including many women and children; but we regret, also, to add that there were about 20 British seamen and marines killed, and several officers and men wounded. Amongst the latter are Brigadier Sir Charles Smith, commanding the land forces; Captain Collier, of the Castor; Lieut. Johnson and the Rev. Mr. Kitson, of the Princess Charlotte. No light has been thrown on the immediate cause of this calamity.

AFGHANISTAN.—DEFEAT OF DOST MAHOMED.

Letters from Cabul, of the 20th of September, give the particulars of a decisive victory obtained over Dost Mahomed, on the 18th, at Bamean, by a small force under Brigadier Dennie, consisting of six companies of the 35th native infantry, six pieces of horse artillery, and between 400 and 500 of the Sahab's troops. The enemy were 10,000 strong, headed by Dost Mahomed and the Walee of Khonun in person. They left three Sidars and 500 men dead on the field, together with their entire baggage, standards, and the only piece of ordnance in the possession of Dost Mahomed, who fled seriously wounded.

A rumour, circulated last evening on good authority, stated, that letters had been received from Cabul, announcing the death of Dost Mahomed, in consequence of the wounds he received in the late engagement with Brigadier Dennie.

BELOOCHISTAN.—Capt. Brown has been enabled to make his retreat from the perilous position at Khan, where he was so long cooped up, and is now in safety at Shikarpore. The great loss sustained by the Murrees, or Hill Belooches, in their conflict in the mountain pass of Surtof, with the force of Major Clibborne, had its effect on their subsequent proceedings, for they afterwards offered no molestation to the fortress at Khan, and seemed inclined for peace rather than for a renewal of hostilities.

General Holt, with a division of Bengal troops was advancing on Khelat, for the recapture of that fortress, and large bodies of troops were concentrating in the Northern provinces.

A detachment under Sir R. Sale had been repulsed in an attack upon a small fort in Kohistan, near Cabul, with the loss of 12 killed and several wounded.

United States.

CAPTURE OF THE CAROLINE.—CASE OF MR. M'LEOD.

Mr. Fox to Mr. Forsyth.
WASHINGTON, Dec. 13, 1840.

Sir—I am informed by His Excellency the Lieutenant Governor of the Province of Upper Canada, that Mr. Alexander M'Leod, a British subject, and late deputy sheriff of the Niagara district in Upper Canada, was arrested at Lewiston in the State of New York, on the 12th of last month, on a pretended charge of murder and arson, having been engaged in the capture and destruction of the piratical steamboat "Caroline," in the month of December, 1837. After a tedious and vexatious examination, Mr. M'Leod was committed for trial, and he is now imprisoned in Lockport jail.

I feel it my duty to call upon the Government of the United States to take prompt and effectual steps for the liberation of Mr. M'Leod. It is well known that the destruction of the steamboat "Caroline" was a public act of persons in Her Majesty's service, obeying the order of their superior authorities. That act therefore, according to the usages of nations, can only be the subject of discussion between the two national Governments; it cannot justly be made the ground of legal proceedings in the United States against the individuals concerned, who were bound to obey the authorities appointed by their own Government.

I may add that I believe it quite notorious that Mr. M'Leod was not one of the party engaged in the destruction of the steamboat "Caroline;" and that the pretended charge upon which he has been imprisoned rests only upon the perjured testimony of certain Canadian outlaws and their abettors, who unfortunately for the peace of that neighbourhood, are still permitted by the authorities of the State of New York to infest the Canadian frontier.

The question, however, of whether Mr. M'Leod was or was not concerned in the destruction of the "Caroline," is beside the purpose of the present communication. That act was the public act of persons obeying the constituted authorities of Her Majesty's Province. The National Government of the United States thought themselves called upon to remonstrate against it; and a remonstrance which the President did accordingly address to Her Majesty's Government is still, I believe, a pending subject of diplomatic discussion between Her Majesty's Government and the United States Legation in London. I feel, therefore, justified in expecting that the President's Government will see the justice and the necessity of causing the present immediate release of Mr. M'Leod, as well as for taking such steps as may be requisite for preventing others of Her Majesty's subjects from being persecuted or molested in the United States in a similar manner for the future.

It appears that Mr. M'Leod was arrested on the 12th ult.; that after the examination of witnesses, he was finally committed for trial on the 18th, and placed in confinement in the jail of Lockport, awaiting the assizes, which will be held there in February next. As the case is naturally occasioning a great degree of excitement and indignation within the British frontier, I earnestly hope that it may be in your power to give me an early and satisfactory answer to the present representation.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. FOX.
Hon. JOHN FORSYTH, &c.

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,
Washington, December 26, 1840.

Sir—I have the honor to acknowledge, and have laid before the President, your letter of the 13th inst., touching the arrest and imprisonment of Alexander M'Leod, a British subject, and late deputy sheriff of the Niagara district, in Upper Canada, on a charge of murder and arson, as having been engaged in the capture and destruction of the steamboat "Caroline," in the month of December, 1837; in respect to which you state that you feel it your duty to call upon the government of the United States to take prompt and effectual steps for the liberation of Mr. M'Leod, and to prevent others of the subjects of Her Majesty the Queen of Great Britain, from being persecuted or molested in a similar manner for the future.

This demand, with the grounds upon which it is made, has been duly considered by the President, with a sincere desire to give to it such a reply as will not only manifest a proper regard for the character and rights of the United States, but, at the same time tend to preserve the amicable relations which, so advantageously for both, subsist between this country and England. Of the reality of this disposition, and of the uniformity with which it has been evinced in the many delicate and difficult questions which have arisen between the two countries in the last few years, no one can be more convinced than yourself. It is then with unfeigned regret that the President finds himself unable to recognize the validity of a demand, a compliance with which you deem so material to the preservation of the good understanding which has been hitherto manifested between the two countries.

The jurisdiction of the several States which

constitute the Union is, within its appropriate sphere, perfectly independent of the Federal Government. The offence with which Mr. M'Leod is charged, was committed within the territory, and against the laws and citizens of the State of New York, and is one that comes clearly within the competency of her tribunals. It does not, therefore, present an occasion where, under the constitution and laws of the Union, the interposition called for would be proper, or for which a warrant can be found in the powers with which the Federal Executive is invested. Nor would the circumstances to which you have referred, or the reasons you have urged, justify the exertion of such a power, if it existed. The transaction out of which the question arises, presents the case of a most unjustifiable invasion, in time of peace, of a portion of the territory of the United States, by a band of armed men from the adjacent territory of Canada, the forcible capture by them within our own waters, and the subsequent destruction of a steamboat, the property of a citizen of the United States, and the murder of one or more American citizens. If arrested at the time, the offenders might unquestionably have been brought to justice by the judicial authorities of the State within whose acknowledged territory these crimes were committed; and their subsequent voluntary entrance within that territory places them in the same situation. The President is not aware of any principle of international law, or, indeed, of reason or justice, which entitles such offenders to impunity before the legal tribunals, when coming voluntarily within their independent and undoubted jurisdiction, because they acted in obedience to their superior authorities, or because their acts have become the subject of diplomatic discussion between the two Governments. These methods of redress, the legal prosecution of the offenders, and the application of their Government for satisfaction, are independent of each other, and may be separately and simultaneously pursued. The avowal or justification of the outrage by the British authorities might be a ground of complaint with the Government of the United States distinct from the violation of the territory and laws of the State of New York. The application of the Government of the Union to that of Great Britain, for the redress of an authorized outrage of the peace, dignity, and rights of the United States, cannot deprive the State of New York of her undoubted right of vindicating, through the exercise of her judicial power, the property and lives of her citizens. You have very properly regarded the alleged absence of Mr. M'Leod from the scene of the offence at the time it was committed, as not material to the decision of the present question. That is a matter to be decided by legal evidence; and the sincere desire of the President is, that it may be satisfactorily established. If the destruction of the Caroline was a public act of persons in Her Majesty's service, obeying the orders of the superior authorities, this fact has not been before communicated to the Government of the United States by a person authorized to make the admission; and it will be for the Court which has taken cognizance of the offence with which Mr. M'Leod is charged, to decide upon its validity when legally established before it.

The President deems this to be a proper occasion to remind the Government of Her Britannic Majesty that the case of the "Caroline" has been long since brought to the attention of Her Majesty's principal Secretary of State for Foreign Affairs, who up to this day, has not communicated its decision thereupon. It is hoped that the Government of Her Majesty will perceive the importance of no longer leaving the Government of the United States uninformed of its views and intentions upon a subject which has naturally produced much exasperation, and which has led to such grave consequences.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

JOHN FORSYTH.
H. S. FOX, Esq., &c. &c.

Mr. Fox to Mr. Forsyth.

WASHINGTON, Dec. 29, 1840.

Sir—I have the honor to acknowledge the receipt of your letter of the 26th inst. in which, in reply to a letter which I had addressed to you on the 13th, you acquaint me that the President is not prepared to comply with my demand for the liberation of Mr. Alexander M'Leod, of Upper Canada, now imprisoned at Lockport, in the State of New York, on a pretended charge of murder and arson, as having been engaged in the destruction of the piratical steamboat "Caroline," on the 29th December, 1837.

I learn with deep regret that such is the decision of the President of the United States, for I cannot but foresee the very grave and serious consequences that must ensue if, besides the injury already inflicted upon Mr. M'Leod, of a vexatious and unjust imprisonment, any further harm should be done to him in the progress of this extraordinary proceeding.

I have lost no time in forwarding to Her Majesty's Government in England the correspondence that has taken place, and I shall wait the further orders of Her Majesty's Government with respect to the important question which that correspondence involves.

But I feel it to be my duty not to close this communication without likewise testifying my vast regret and surprise at the expressions which I find repeated in your letter with reference to the destruction of the steamboat Caroline. I had confidently hoped that the first erroneous impression of the character of that event, imposed upon the mind of the United States Government by partial and exaggerated representations, would long since have been effaced by a more strict and accurate examination of the facts. Such an investigation must even yet, I am willing to believe, lead the United States Government to the same conviction with which Her Majesty's authorities on the spot were impressed, that the act was one in the strictest sense of self-defence, rendered absolutely necessary by the circumstances of the occasion, for the protection of Her Majesty's subjects, and justified by the same principles which, upon similar and well known occasions, have governed the conduct of illustrious officers of the United States.