FOREIGN INTELLIGENCE.

FRANCE.

ATTEMPT TO ASSASSINATE THE KING OF THE FRENCH.—The King was on his way to the Chambers, which were opened on the 19th. It appears that the assassin was continually surrounded by about thirty individuals, who, to avert suspicion, shouted " Vive le Roi !" In order to place himself in the foremost rank of the spectators, as the King was passing, he pushed back a young female, and stationed himself behind a soldier and a corporal of the line. The young woman seen him stretch out his arm with a pistol, which was aimed at the King. She seized his arm, but the pistol had gone off. Upon this, the assassin violently pushed forward the two soldiers who stood before him, and mixed again with the crowd. He was soon lost amongst the thirty or forty individuals, whose enthusiasm for the king seemed to increase, and who by means of this stratagem, succeeded in averting suspicion and enabling the criminal to escape. The soldier and the corporal, together with a police officer who was near the spot, and a municipal guard on duty at the corner of the bridge, penetrated into the crowd, but the assassin had disappeared. From the loudness of the report, it would seem that the pistol was highly charged. One of the aids decamp immediately exclaimed, " Sire, a musket has just been fired at you." " No," replied the King, " it was a pistol; I saw it clearly." M. Gabriel Delessert leaped from his horse, and picked up the pistol which the assassin had thrown to the ground; and Gen. Pajol rode out of the procession, and ordered the arrest of eight or ten persons who were nearest the point from which the report proceeded. The eyes of the multitude were instantly turned upon his Majesty, who, taking off his hat, exclaimed " I am not hurt," upon which he was cheered with unanimous shouts of ' Vive le Roi !' notwithstanding the denseness of the crowd, no one was wounded. The miscreant who made the attempt is said to be among the persons arrested, having been identified by several individuals who were near him at the moment. The audacity of this attempt excited the strongest feeling of indignation among the crowds, and during the remainder of the way, cries of ' Vive le Roi !' were reiterated from every side with the greatest enthusiasm. The King, who had displayed the utmost coolness when the assassin fired, seemed touched by these marks of attachment, which he repeatedly acknowledged. On his return from the Chambers, the news of the attempt, having by that time spread in all directions, the crowds had much accumulated, and the cheers and shouts of " Vive le Roi !" were loud and incessant.

LONDON, Dec. 3, (*Evening.*)—We have received by express, the Paris papers of Friday and Saturday. The proceedings of the Legislature seem entirely to engross public attention at Paris. The debate on the Address in answer to the King's speech was still going on in the Chamber of Deputies. On Friday one of the amendments proposed implying a vote of censure on Ministers for having counselled the proclamation of martial law in Paris, on the 7th June, was rejected by a large majority, at the end of an extremely animated debate. Count d'Offalia, the Spanish ambassador in Paris, has been called to Madrid, to fill the office of Minister of the Interior, with that of Prime Minister. M. Calomarde, his predecessor in the ministry, has arrived in France in a state of utter destitution. According to our correspondent's letter, the Austrian Ambassador at Paris was still in hopes of bringing about a settlement of the Belgic question without the shedding of much blood, and was using active exertions for that purpose.

HOLLAND AND BELGIUM.

ANTWERP, Nov. 30—*Two o'clock.*—The summons was sent to the citadel this morning; a French officer of the staff, with two trumpets, went to deliver it at day-break. The officer presented himself with a flag of truce, at that part leading to the citadel from the burnt arsenal, and bearing a despatch for Gen. Chasse. He was refused admittance, but his despatch was taken to the General, and he was promised an answer. The following is a copy of the summons :—

" SUMMONS

" Made in the name of France and England, by Marshal Gerard, Commander in Chief of the French Army.

" *To General Chasse, Commandant of the Citadel of Antwerp.*

" HEAD QUARTERS, Bogerhaut, Before Antwerp, Nov. 30.

" GENERAL—I have arrived before the Citadel of Antwerp, at the head of the French army, commissioned by my Government to demand the execution of the treaty of the 15th November, 1831, which guarantees to the King of the Belgians the possession of that fortress, and also that of those forts dependent upon it at both sides of the Scheldt. I hope you are disposed to admit the justice of this demand. If it should be otherwise, I am commanded to acquaint you that I shall employ the means which are at my disposal to get possession of the citadel of Antwerp.

" The operations of the seige shall be directed against the external sides of the citadel : and, notwithstanding that the weakness of the fortress on the side of the city, and the shelter of the houses offer me great advantages of attacking on that side, I shall not avail myself of them : I have, therefore, a right to hope that, conformably to the laws of war, and the usages generally observed, you will abstain from every kind of hostility against the city. I am now in the occupation of a part of it, with the sole object of preventing that which might expose it to the fire of your artillery. A bombardment (of it) will be an act of useless barbarity, and a calamity to the commerce of all nations.

" If, notwithstanding these considerations, you fire on the city, France and England will exact an indemnity equivalent to the damage which may be done by the fire from the citadel, from the forts, and also from the vessels of war. It is impossible that you yourself should not be aware, that in that case you will be personally responsible for the breach of a usage respected by all civilized people, and for the evils consequent thereupon. I wait your answer, and I expect that you will agree immediately to enter into negociations with me for delivering up to me the citadel of Antwerp, and the forts dependent on it. Accept the assurance of my consideration.

" The Marshal Commander in Chief of the Army of the North. COUNT GERARD."

At half-past 11 o'clock the answer of Chasse arrived, and was sent forward to Gerard at Berchem. The contents did not transpire, but the answer was guessed to be in the negative, by the fact that, in ½ an hour after, some guns were fired from the citadel, upon the men engaged in the works.

General Chasse declared that if the French continued their works after 12 o'clock, he would fire.

The French have had at work all night 7,000 men, have opened the trenches around Fort Laurent, and on towards Kiel. They have already cut a considerable distance. At 10 o'clock, it is said, 500 French metres were opened. Some military men have expressed their astonishment that Gen. Chasse could have suffered the French to work so much during the night, and, as it seems, under his nose. At 12 o'clock the first gun was heard in the city; alarm and agitation soon spread on all sides.

BRUSSELS, Dec. 1—6 P. M.—It was Lieutenant Colonel Auvray, of Marshal Gerard's staff, who bore the summons to General Chasse, accompanied by a single trumpet. His reception was cold, but civil, and the answer in the negative. " Tell the Marshal," said he, " that I shall bury myself under the ruins of the citadel—as to the neutrality of the city I promise nothing, that will be regulated by circumstances and events."

PORTUGAL.

PORTSMOUTH, Nov. 29.—The Royal Adelaide, transport, which attempted to take out 40 horses for Don Pedro to Oporto, returned this morning, with the loss of nearly or quite half of them, not having been able to get into Oporto, in consequence of the fire from the battery Miguel has erected on the point at the south entrance of the river. The Adelaide arrived off the port on the 15th and left it on the 22d, during which time she had no communication with the city nor any of Don Pedro's officers; she attempted to enter the river on the 19th, with the Raven, man-of-war-cutter, and two cutters, laden with stores and recruits for Don Pedro, but 26 well-directed shot from Miguel's battery, and at the same time a cross fire from a battery on the north point, which they could not tell whether it belonged to Pedro or Miguel, warned them all to return, and no other opportunity offered for their going in. Nothing was seen of Sartoriosus's squadron, or of the English squadron.

The Adelaide heard from a Portugnese pilot, whom they were obliged to run away with, that Pedro had made a sortie on the 17th, which was crowned with brilliant success; but, brilliant as it may be, it had not opened the entrance of the Douro, or raised its blockade 5 days afterwards—in fact, he must be in a bad plight.

SPAIN.

LONDON, *Dec.* 4.—The Mediterranean packet has brought letters from Cadiz to day of the recent date of the 23d ult. A very remarkable change has occurred in the aspect of affairs in that city since the overthrow of the apostolical party, and the placing the supreme power in the hands of the Queen at Madrid. Nothing could excel the popularity which her Majesty had acquired at Cadiz.

CADIZ, *Nov.* 23.—" The aspect of things in this country has indeed changed wonderfully for the better all at once; it is believed that Mr. Addington is duly appreciated at Madrid. I trust that your Government will take advantage and strike while the iron is hot. Every one seems to expect that Spain will very soon acknowledge the independence of the South American States; I think, too, a strong representation and exertion might induce the Spanish Government to allow the manufacture and produce of Great Britain and Ireland, coming direct in British ships, to be admitted at the same duty as Spanish.

UNITED STATES.

NEW-YORK.—The Legislature of this State assembled at Albany on Monday of last week. On Wednesday the Governor transmitted his Message to the Legislature. It occupies nearly six columns of the Albany papers. He commences by reviewing the pyosperous condition of the State. The penitentiary establishments—the Colleges and other seminaries of learning, and the two medical institutions, are commended. The county poor house has been found beneficial. In 45 counties, farms have been purchased and poor houses erected, at a cost of $268,850, being an average for each county of $5,275. This does not include the Alms House and Penitentiary of New-York, which cost $540,000. The number of persons in the poor houses of the State, is 5554——and the average expence for the support of each pauper is $33 28c.

The condition of the common schools is very satisfactory. Reports have been received from 811 towns and wards (the whole number in the State,) containing abstracts of returns from 8941 districts, in which there are 508,878 children between 5 and 16 years of age, of whom 494,939 have been taught in common schools during the past year. The amount expended for this object has been $1,126,000, of which the public fund of the State contributed less than an eleventh part. A plan for supplying public teachers is recommended.

The income from the Erie and Champlain canals, and the canal fund, last year, is about $1,594,000. The estimated deficiency for the current year, in the revenue of the Oswego canal fund, is $19,376 33c; and that of the Cayuga and Seneca canal, $4350; making together a total of $23,717 36c. The expenditures on the Chemung canal in the last year, were $89,939 68c—aad on the Crooked Lake Canal $67,906 46c. The fund set apart for the encouragement and support of Common Schools, now amounts to $1,735,195, and yields the $100,000 required by law.—*Boston Traveller.*

GEORGIA.—From this State, we learn that the President's Proclamation was there by many or the majority of the people, considered as menacing the rights and liberties of the South. The very women, say the letters, are excited to opposition against it; and every where exists a strong sympathy for the nullifiers of South Carolina. Four Counties are named in the letters, whose whole militia force is ready to be volunteered in aid of South Carolina. In the State Senate a motion was made, and rejected, to print the proclamation.

The Fayetville, (N. C.) Observer says, that reports prevail that the Banks in South Carolina have ceased to discount, and that in consequence business was almost entirely suspended. One gentleman from Camden states that he saw a number of waggons on their way from Camden to Cheraw;—that cash could not be had for the article.

SOUTH CAROLINA.—The Legislature adjourned on the 21st ult. having passed—

An Act to carry into effect in part, an Ordinance to Nullify certain acts of the Congress of the U. S. purporting to be laws laying duties on the importation of foreign commodities, passed in Convention of the State, on the 24th Nov. 1832.—The Replevin Act.

An Act concerning the oath prescribed by the Ordinance.

These Acts are not, according to the Mercury, materially variant from the original bills. If so, we see not how—even with the mediation ! of Virginia—the issue of force is now to be avoided; for the laws are made, the Legislature had adjourned, and the 1st February is at hand.

The U. S. troops, says the Courier of Dec. 25th, which had been located in the Arsenal at Charleston Neck, at the request of the State and City authorities, were removed yesterday, with all the armament attached thereto, to Fort Moultrie.

The Columbia Telescope publishes a letter received by a Member of the South Carolina Legislature, from his wife in Charleston, in which she says, that judging from the ladies she has seen, since the receipt of the President's Proclamation, " they are more determined than ever, to resist even unto blood." She proposes laying in provisions for a siege, and having the windows of their dwelling house grated with iron bars. She mentions the expected arrival of five Companies of Artillery, but declares that she has no fears, and that she dreaded the cholera much more.

Either a very great change has taken place in South Carolina in public sentiment, or the Nullifiers have become alarmed. By the Report of the Committee of Ways and Means, it is doubtful whether the State have a dollar at command. They state that there are three modes of raising funds to defray the expences : first, by taxing the people —secondly, by taking the funds belonging principally to the sinking fund ; and thirdly, by loans. The first cannot be adopted. As to the second they say the funds are all lent out by the Bank, and cannot be got in. They therefore recommend that two hundred thousand dollars be raised by loan, at five per cent; and even this small sum, it is probable, cannot be raised without a great sacrifice.

Cincinnati, Ohio.—The land upon which this City is built, is said to have originally cost 49 dollars. It contained 640 acres, or a quarter section. Now, (in 1832) some part of it is said to be worth $30 a foot.

Mr. Benjamin Phillips, architect, of Philadelphia, proposes to construct a steam car to travel on rivers, at a speed of twenty to twenty-five miles per hour, to carry one hundred passengers, to draw fifteen inches of water, to be only one third the weight of any ordinary steam-boat of the same dimensions now afloat ; of far superior strength and safety, constructed on entirely new principles; the whole materials, except the engine and boiler, not to cost above $1500, complete furnished, and ready for operation by the 1st of May, 1833.

MORTALITY IN BOSTON.—The whole number of deaths during the last year, was sixteen hundred and sixty one. Some of the diseases were as follows:—Consumption 246; Cholera Malignant 78; Delirium Tremens 10; Intemperance 44; Influenza 24; Meazles 70; Old Age 62; Palsy 19 ; Suicide 8; Throat Distemper 50. The greatest mortality was in the month of October, amounting to one hundred and eighty.

COMMUNICATIONS.

[FOR THE COURIER.]

THOMSON versus HUGHSON.

No. I.

THIS was an action of Assumpsit for repairs on the Schooner *Friendship*. At the trial before Mr. Justice CHIPMAN, on Saturday last, it appeared in evidence that John Miles being indebted to the Defendant in the sum of £170, gave him security on the above vessel, by transferring to him the Register, but continued to manage the vessel as before, without any interference on the part of the Defendant. Some time after this transfer, Miles applied to the Plaintiff to repair his vessel, when he was told by the Plaintiff's master builder, that the schooner was not worth repairing, that she was so rotten that it would cost more to repair her than to build a new vessel of the same dimensions ; but Miles replied, that he wished her repaired for the good she had done. Ultimately the Plaintiff entered into an agreement with Miles, (who, it appeared, was in bankrupt circumstances) to repair the vessel, and receive a certain proportion of her earnings until the amount of the repairs should be satisfied, and in the mean time to have security upon the vessel. Repairs were accordingly put upon the vessel to the amount of £390 ; in the course of which her dimensions were so altered that it became necessary to take out a new Register. It appeared that the Defendant was aware that repairs were being made upon the vessel, but he did not know to what extent, nor did he give himself any concern about it, as being a matter with which he had nothing to do. In order to continue his former security, however, the new Register was taken out in his name. This was the first intimation which the Plaintiff had that any other person than Miles had any property in the vessel. After Miles had sent the vessel to sea, the plaintiff rendered an account of the repairs to the defendant, and demanded payment from him as the owner ;—but the Defendant answered, with surprise, that he had nothing to do with it—that he held the Register only as security for his debt, and had insured upon the vessel only to that amount—that if the plaintiff would pay him the amount of his debt, he would, with the consent of Miles, transfer the Register to the plaintiff—but, at all events, when the vessel returned, he would prevent her going to sea again until some arrangement should be made to secure the plaintiff. The plaintiff, however, being advised that the defendant, as the owner of the vessel, was liable for repairs, brought this action.

The accounts had been kept in the name of the vessel, the charges being made against the schooner Friendship and her owners; and the plaintiff's counsel endeavored to show, that the credit was given to the owners, whoever they might be ; and though it appeared that credit had been given to Miles, yet that it was in his character of owner, and not upon his individual responsibility ; and therefore that they had a right to look to the defendant when they had discovered that he was the legal owner. But this distinction was denied by the Court, the learned Judge saying that the credit given to Miles must be understood to be upon his personal credit.

This cause was very ably conducted by the Solicitor General and Mr. N. Parker for the Plaintiff; and the Advocate General and Mr. Kinnear for the Defendant. The addresses to the Jury were forcible, argumentative, and eloquent.

The learned Judge, with his usual ability and perspicuity, commented upon the evidence, and applied the principles of the law to the facts of the case ; and the clear result of his remarks was, that these repairs had not been made either at the request or upon the credit of the defendant ; nor was there any promise, expressed or implied, on his part to be answerable for them to the plaintiff—that the legal ownership of a vessel was *prima facie* evidence of the owner's liability, and no more ; and *that* evidence being fully rebutted in this case, the defendant was clearly not liable.

The Jury were out two hours, and then being called into Court, they seemed all decidedly of opinion, that it was quite impossible that they should ever agree upon their verdict. Under these circumstances, and it being late on Saturday night, the learned Judge, after considerable conversation with the Counsel on both sides, discharged the Jury.

Nine of this Jury were respectable Merchants, and the other three equally respectable. The Jury were nearly equally divided ; and the ground of difference was, that a part of them thought they were not bound by the law as delivered to them by the Judge. This difference of opinion had also occurred among the Jurors on a former Jury, and one of them (a respectable Merchant) when he was called upon the next Jury, made it a conscientious objection to being sworn ; and though the Court released him from that Jury, as the objection was a novel one, yet the learned Judge afterwards remarked that the objection struck at the very foundation of the Law, and could not be admitted.

When we see the administration of Justice retarded—the time of the country employed to no purpose—and the labours of Judges, Jurors, and Counsel prove abortive, by a fundamental mistake of the Constitution—this is surely a case of sufficient importance to be worthy of some remarks. Nor is this a solitary instance ; unfortunately the opinion that the Jury are not under the controul of the Law, is but too prevalent. But inasmuch as it is an error that affects the rights of every man in the community, and in its tendency strikes at the very foundation of property, I shall, in my next number, consider the point ; and I believe I shall be able to convince every candid mind, not only that is an *error*, but an error dangerous in its consequences. STUDIOSUS.

January 18.

[FOR THE COURIER.]

QUIT RENTS.

MR. CHUBB,—An accredited Agent of Government, who was sent out to the North American Colonies in 1830, to make enquiries, and report upon the state of the Crown Lands, and upon the management of the Land Offices in each of the Colonies respectively, in that part of his Report printed by order of the House of Commons, which treats of New-Brunswick, makes the following observations, which at the present time are worthy of particular attention.

" Of all the inventions intended to check the natural advance of a Colony, I should think the *Quit Rent* system the most effectual ; and considering the experience of 43 years, from 1784 to 1827, during which time no revenue was received from it, one would expect to see no traces of it."

" If a power of attorney were sent out to the President and Commissioners of Crown Lands, to act jointly, but not severally, and under the Governor's approbation, the lands might be released to those who wish to pay for their enfranchisement, but the power to release must be given under the Great Seal. In such a case, Government would be saved from bargaining, and no plan of ulterior advancement in the value of land would be interfered with."

" It might be remarked, that while the grants of lands or Quit Rents has continued, their value has not increased ; for they were let of late, with all the advantages and improvements of New Brunswick, at 2s. the 100 acres, the same rate as at its settlement in 1784, and the tenants have not paid, and do not pay their rent."

From the foregoing extracts it is evident that this Government Agent, considers the Grantees under the Quit Rent system, merely as *tenants to the Crown*, and he speaks of the lands thus disposed of, as *let* or *leased* to the Grantees ; it would appear then, that all the early settlers of this Province, till within seven or eight years, are not considered by Government as *Freeholders*, and that such of them as chuse to redeem the *Quit Rent*, become *enfranchised*, or set *at liberty*.

I mention these things in confirmation of the view which I took of the Quit Rent system, in my communication of the 29th ult., published in the last Courier. I believe that it never entered into the minds of the Loyalists who settled this Province in 1783 and 1784, that the lands then allotted to them by Government, as a reward for their loyalty and devotion to his Majesty's person and Government, were merely on leases, and that they were only *tenants or vassals*, instead of *freeholders* ; however, as this subject will shortly come under the consideration of the Legislature, it is unnecessary to make further observations upon it, as there can hardly be a difference of opinion as to the necessity of petitioning his Majesty to enfranchise his loyal subjects in this Province, by releasing them from the payment of *Quit Rent.*

I am, &c. A NATIVE.

[For the Courier.]

DEAR MR. EDITOR,—I have been bamboozled, humbugged, insulted, and quizzed, by a parcel of fellows, who, under pretence of explaining away several matters recorded in my Journal, have only added falsehood to the original impropriety of their actions. I can scarcely suppress my indignation at their futile endeavours to persuade me that I alone have been in error ; this proves clearly that they feel the mutable nature of their official tenure, and at the very instant when they are exerting their utmost influence, and trying every scheme to exonerate themselves from blame, and turn the tide of public feeling against John Gape and his brother writers; they ostensibly profess to be wholly indifferent about the event. John Gape is really ashamed of such mean and contemptible prevarication.—If they are animated by a sense of conscious innocence, let them come forward boldly and demand, or at all events, court a scrutiny into their official conduct. But let them not basely attempt to cajole John Gape into measures of mere neutrality.—John Gape was tame, very tame, in his last communication, because he was assured that some proper and satisfactory explanation would be furnished to him respecting several of the matters contained in his former Letters; such as the Survey or *Secret Service Money*, the Island Lot, the Military Lot, the bounty charged upon refusing the prayer of a timber Petition, and some other particulars; but in all he has been grossly deceived ;—but he will be just, and confess that no blame can be attached to any person about the matter of the military lot:—here however, he must stop, he can go no further in his confessions, and he will not be so *wickedly malicious* as to repeat the various arguments, conveyed to him by a friend, which are designed to extenuate the charge of misappropriation of public monies (the survey money), the Grant of the Island Lot, and the 5s. on petitions returned; he will not publicly comment upon the ridiculous nature of these arguments, nor expose their fallacy, because it is his anxious desire that the Gentleman, whose actions have been arraigned, may be able to exonerate himself from blame; but although John Gape is thus moderate in the present instance, he will not suffer another such attempt at deception to pass with impunity; and if any one shall endeavour to refute his arguments by that devious and specious description of Logic, which seems generally to prevail at the Office, he will retaliate with a degree of severity which they have not yet seen in his strictures;—with these remarks, dear Mr. Editor, I pass to the summing up of my evidence—but first let me say a few words by way of introduction.—It has been alleged that I have attacked the *private character* of a certain great Officer, and shamefully insulted him, and wounded his feelings; and I don't know what else.—Have I done so, Sir? —If I have in reality descended to record *private* matters, I solemnly regret the circumstance, and publicly declare that I cannot, though he were, in his private capacity the very worst of mankind, —nay, Sir, were he guilty of the most atrocious crimes that can disgrace humanity, I would not turn out of my path to cast a passing glance at him; therefore I again declare, that in all my *remarks*, &c. I had reference to him only in his public and official capacity ;—let this then be taken as an *amende honorable* for the *vituperation and terms of reproach* with which I may have assailed the *private and domestic character* of that gentleman.—Now, dear Mr. Editor, I will proceed with my promised task of summing up; but I must confess, Sir, that I find this more difficult than I had anticipated. The precipice which at a distant view appears bounded by a gentle declivity: is yet, when approached, found so abrupt, as almost to bid defiance to the agile efforts of the hunter in climbing its frowning brow; perhaps a method may be discovered of avoiding the difficulty—suppose, for instance that John Gape shall state a few simple facts, and suffer the Representatives of the people to demand an explanation of the several matters which they shall involve,—methinks this would be the preferable mode; and here goes for a trial.

One shilling and sixpence is (or was) charged at the Crown Lands' Office for every search.—*Mem.* The highest charge for search which the Law provides, is one shilling,—but where does the search money go ? and is it a legal charge ?

Upon all petitions presented at the Office between the first of April and the first day of May, for Timber to be cut during the subsequent season, 45s. of fees are deposited upon presentation;—and if the ground described in any of these petitions shall have been embraced in a previous application, *or if the last* occupant of the ground shall put in his application previous to the 1st of May, forty shillings *only* is returned to the petitioner, the Office retaining 5 shillings—which 5s. is believed to be a perquisite of the principal Officer.—How will this be justified ?

The sum of *three pence per ton* is demanded upon all timber licensed in this Province, *to meet the expense of salary*, (such is the language of the license),—this sum, it is conjectured, is not in any instance expended in the manner, and for the purpose for which it is avowedly destined. John Gape has been *favoured* with explanatory remarks upon this subject by one of his friends, who appears to have received pretty accurate information upon the subject,—but John Gape sincerely trusts that the officers will assume a more tenable position when they next endeavour to remove the charge of impropriety in this matter.

Where timber has been surreptitiously cut by persons upon Crown lands, such timber is seized, and either sold for the benefit of the Crown, or released upon payment of extra tonnage; and this too, although license may have actually been granted to some other person to cut the same identical timber, which has been thus stolen from him by a trespasser. In all such cases the only compensation which is given to the honest lumberer, who has been deprived of his birth, is the privilege of having his license transferred to some other spot, if he can discover any such—is this equitable? In transactions between man and man, the person who suffers injury has his redress by the operation of the Law; but here he has no reparation—he cannot even receive back the money which he has paid for the timber that has been most improperly taken away from him;—indeed it may be laid down as a principal regulation of the Crown Land Office, from which no departure has ever come to the knowledge of the public, *that no money is ever returned !*

The timber licenses, as at present framed, provide that no license shall have *more than one mile of front*, (generally upon some stream)—commencing at a given point and extending up (or down, as the case may be) and to the rear, a sufficient distance to embrace the quantity licensed—and no timber is to be cut beyond the bounds of the license, *on pain of forfeiting the whole.* The regulatious annexed to the licenses, direct that no timber shall be cut *previous to the issuing of the license, nor until it is surveyed and laid out by a Deputy Commissioner*,—what a farrago of nonsense ! and how is the License forwarded to the applicant ? by mail—at an expence of 4s. or 5s. postage on each ; and perhaps it may never reach its destination, but if it should happen to find its way to the lumberer, how shall he procure his birth to be surveyed?—is it by paying the Deputy out of his own pocket ? or will an officer be sent from the Department ? John Gape is informed that in no instance are the surveyors now employed, unless when parties come into collision, and even then the difficulty of procuring an order for the surveyor to perform that duty, induces many persons to surrender their indubitable rights, rather than incur the risk of delay and expense consequent upon an application for survey, to the Office.

Although in very few cases are officers sent to examine, what is technically termed, the Timber Brow, during the winter and Spring, previous to rafting (as was formerly the mode of proceeding)—a measure which has a powerful tendency to prevent surplus quantities of timber from being cut ; and although by their omission a species of encouragement is virtually held out to the lumberer to cut a greater quantity than is specified in his License,—yet the utmost vigilance is exerted by the Deputies *when the timber is brought to market;* a *faithful and confidential* officer is stationed at every port, where he compels every man to present to him a Survey Bill of the Timber which they may have cut and carried to the port; oftentimes harrassing them by impertinent demands of proof as to their having got any portion of the timber upon granted lands; compelling them to make affidavit to the facts; and exercising despotic sway over honest men. Can no better mode be devised than first to offer a bait, and then punish for seizing it.

In various general grants thoughout the Province, sundry lots of land were reserved for *public uses* —many of these have latterly been sold by the Commissioner for the benefit of the Crown—is this proper? The reservations may in themselves have been wrong or established upon a false principle; but the destiny of the lands being once decided, they ceased to be Crown property, and ought not to have been directed from their original destination.—In many instances large clearances had been effected upon them, by persons who had been encouraged to settle them by the general assurance, that to churches and schools alone would the lands eventually be granted, and with these Corporations a compromise could easily be effected; but at the moment, when by their labour, the land is rendered valuable, the Crown officer pounces upon the prey, and sells it to the *highest bidder*, paying an arbitrary sum to the settler for his improvements.—John Gape need not point out to the public the peculiar impropriety of these proceedings ; the efforts of the settler alone gave to the land a superior value ; and if the Crown had any right to dispose *again* of the land which had been already virtually granted, the settler should have it for the same sum which would be demanded for wilderness land of equal relative value ; but John Gape denies that the resumption of ownership over these lands by the Crown, was ever contemplated till within the last two or three years, when the imperious voice of necessity caused the Colonial Government to disregard the dictates of strict justice and public good faith.

Certain monies received for the sale of public lots in the town of Fredericton, have been directed to be paid into the Casual Revenue—this is another instance of the power of necessity. These monies were to all intents and purposes, and by every principle of justice, the property of Fredericton, to be expended for its exclusive use and benefit. The Lots were not what is called *vacant and ungranted lots*, but reserved for a common and other public uses ;—the late Attorney General is said to have declared that the Governor and Council had no power to sell the Lots, except for the benefit of the Town ; and for that purpose, and with that object alone, are they sold ;—but the omnipotent power which seems to bear down all opposition, trampling us in the dust, orders that the Casual Revenue shall be the depositary of that money.—John Gape has been informed that an intimation to this effect was accidentally given some time ago by the Leviathan of office, but it then passed as a harmless jest—it is one no longer.

John Gape will say nothing at present about the sale of the triangular lot of land in the lower part of Fredericton. He has received an abstract of the whole proceedings in relation to that affair, as also the substance of an official letter, all of which he will most probably serve up to the public during the Legislative Session. He will be understood by some persons when he declares, that a more contradictory or ridiculous piece of composition never yet appeared in the form of an official document—but he is happy to find that the transaction furnishes a confirmation of the high opinion which he has always entertained of the integrity and honour of Sir Archibald Campbell, and he would gladly hope that the other parties may also be prepared to offer an exonerative explanation of *the matter.*

John Gape will also have a few more dishes ready for the public next week, and he will now finish his summary by one or two extracts from late records in his Journal.

Heard from an attentive correspondent that *some one* has said John Gape is *getting flat ;* wonder whether my present communication is sharp enough for him—if not, will endeavour to shave him a little more closely. John Gape is a capital Barber, though there are some faces that defy the keenness of his instrument. *Innocence blunts its edge.*

John Gape presents the compliments of the season to Mr. Know-nothing, and will be glad to have a little further *chit chat* with him, so soon as Mr. Know-nothing shall have collected a new stock of ideas; for John hears that his whole stock was exhausted by the sublime effort which he made a few weeks ago. John Gape trusts that Mr. K. N. will not again convey a censure where he designed to praise; and begs them to examine more narrowly into authorities before he quotes them in support of his own opinions.

Saw an editorial in the Gleaner, desiring John Gape to state explicitly what course of conduct the Editor ought to pursue.—John Gape is an advocate for political consistency; and therefore, as he is a little doubtful of the politics of the person who penned that editorial, he advises the Editor " *to Bay the Moon.*"

I am, dear Mr. Editor, your quizzical friend,
JOHN GAPE.

[FOR THE COURIER.]

MR. CHUBB.—The communication in your last number, bearing the *signature* of " F. E. BECKWITH," does not a little surprise me. I think, Sir, that Mr. B. is rather intemperate in his language, as well as obscure in his style; but,—waving these small objections, the former of which must have been occasioned by the tumultuary association of feelings excited by the illiberal attacks made upon *his* character as a man and as a merchant, in the public prints, and the latter having probably *crept in*, through the *hurry* of composition,—I would request Mr. B. again to examine the letter of " A Merchant," and he may discover that no charge is brought against him, except the erroneous allegation, that *he* was the person who made the feigned purchase of the Road; and this error, might, I conceive, have been corrected in fewer words than Mr. B. has thought proper to bestow upon the subject; however, Sir, as Mr. B. has honored me with an elaborate declamation, extending to a full column of your paper, I feel myself bound in courtesy to give a passing notice to the various assertions made by him. But, first of all, I beg the public to remember, that the Secretary of the Royal Road is John Adolphus Beckwith, Esquire, principal Clerk and Recorder in the Crown Lands Office; that the Commissioner of Crown Lands is one of the Commissioners of the Royal Road; and that J. A. Beckwith, Esq. and F. E. Beckwith, were partners in the mercantile firm of J. & F. Beckwith, until a dissolution of that co-partnership was ordered by Sir Howard Douglas, in 1827 or 1828, and that many persons believe that they are yet in some measure jointly connected in business—this, however, is but mere conjecture. Pass we on now to the communication: that Mr. B. is justly entitled to the Country's gratitude, none will deny, who believe his own allegations : he undertook the task of acting as Treasurer for the *expenditures* to be incurred in opening a Road towards the Great Falls, making *weekly* cash advances to the married *emigrants*, and paying *all wages* in cash, and not less than once per month—the workmen *finding* themselves; and as a further proof of his public spirit, he suffers the Secretary of the Royal Road to *oblige* him to put his articles lower than they could be had elsewhere,—that the men received their wages in money, and had the money in their pockets before they purchased one article from Mr. Beckwith, (although they found themselves); and notwithstanding all these sacrifices of profit, and of time, and of labour, *not one-sixth of the money expended for the Road was laid out in his store.* Truly, Sir, his office was no sinecure ! But suppose we come now to calculation: from one to three hundred workmen were employed for about five months—say an average number of 200; the monthly wages of the axemen was £5, and of the labourers, £4—but we will suppose that the average rate may be only £4: the amount of expenditure would then be £800 per month—out of all which sum not more than £120 per month could have been laid out in Mr. B's store !

Again, we will suppose that many of these persons were married men with families: we may therefore add to the number (by Mr. B's own calculation) one-half, making in all 300 persons, who require only £120 worth of provisions per month ! or about eight shillings each !—Ridiculous assertion ! This, Sir, is so supremely absurd, that I am only astonished at the folly which believes the public capable of being so easily deceived by mere words.

Now, Sir, I will tell Mr. B. a little secret : If any inquiry was made at the principal cash stores, about their *prices*, no explanation was given as to the object of such inquiry—competition was not only not courted, but actually prevented;—accounts were kept with the working Emigrants by Mr. B., who advanced them *Goods*, instead of money, to any amount that they might require, to the extent of their wages; and a fair and proper mode of surveillance was *not* adopted for their superintendance. Suffer me to ask Mr. B. if he knows any thing of a complaint having been preferred to the Quarter Sessions, against one of the Overseers of the Royal Road, for selling spirits, without license, to the labourers ?—If he knows that *miniature* Taverns were erected upon the Road ?—that drunkenness, and even a more beastly propensity, was not suffered to exist among many of the labourers to a most alarming extent ?—that the Emigrants were induced to remain in an assembled body, for the purpose of being employed on Government Works, instead of being directed to disperse throughout the Country, as former Emigrants had done ?—and if the Commissioner of Crown Lands did not allege that only one half of their monthly wages was being paid to them during the summer, the remainder being retained to support them in winter ? And will he inform the public, whether some kind of pledge was not given to *some* of the people, that they should receive, even during the winter, such wages as would suffice for the support of themselves and families ! I will tell Mr. B. that some of the men have offered to make affidavit to facts *partly* similar to the subject of these queries. So soon as Mr. B. shall have replied to these several matters, I will then tell him how much has been expended by the *Parochial* Overseers of Fredericton and Douglas; how much by the Emigrant Society, and how much by the Commissioners of the Alms House, in relieving the persons on the Royal Road. But I will also request Mr. B. to inform me why he is so very solicitous to vindicate the conduct of the Commissioners and the Secretary of the Royal Road, and how does *he* happen to be *assured* that *all* their services were gratuitous ?—how does he happen to remember the exact words in which the Secretary sold the Road to himself ? And will he also tell us why the Commissioners thought it necessary to be present at the settlement of the accounts between him and the Secretary ? when the Secretary had contracted to perform the work at a certain rate per mile, one would think that such settlements could not assume the nature of Public Audits. If the sale was not a mere hoax, methinks the only duty of the Commissioners was, to ascertain the number of miles or rods of Road that had been completed, paying the Secretary at the rate of £160 per mile for such quantity, leaving the subsequent arrangement to be made between the merchant and the contractor.—I have declined at present to furnish any additional proofs of the facts which I had before advanced; but so soon as Mr. B. will, in fair and intelligible terms, refute my assertions, I will then perform my promise.

I am, Mr. Chubb, your obedient servant,
A MERCHANT.

Fredericton, 15th January, 1833.

The Courier.

SATURDAY, JANUARY 19, 1833.

BANK OF NEW-BRUNSWICK.

Director next week, ... *S. Wiggins, Esq.*

DISCOUNT DAY,........THURSDAY.

Hours of business, from 10 to 3.

☞ BILLS for Discount must be lodged with the Cashier before three o'clock on TUESDAY.

A GENERAL MEETING of the STOCKHOLDERS of the BANK OF NEW-BRUNSWICK, will be held at the Bank on SATURDAY the 26th day of January next, at eleven o'clock in the forenoon, for the purpose of considering of an application to the General Assembly at the approaching Session, for an increase of the CAPITAL STOCK of the BANK, and for a continuance of the Act of Incorporation for a longer period. By order of the Directors.

H. GILBERT, *President.*

Saint John, 20th December, 1832.

MARINE INSURANCE COMPANY.

Committee for January:

JOHN WARD, Jun. President.

J. V. THURGAR, | R. W. CROOKSHANK,
I. L. BEDELL, | G. D. ROBINSON.

NEW-BRUNSWICK
Fire Insurance Company.

Committee for January:

CHARLES SIMONDS, Esq. President.
R. F. HAZEN, JOHN KERR, JOHN HAMMOND.

THE Office of this Company, is open for business every day, (Sundays excepted,) from 11 A. M. till noon.—Answers to all applications for Insurance, will be given at noon on the day following that on which they are made.

☞ *All communications by Mail must be post paid.* By order.

D. JORDAN, *Secretary.*

St. John, September 3, 1831.

The Liverpool packet ship *North America*, which arrived at New-York on the 6th instant, brings English dates of the 5th December.—Parliament, it is stated, was dissolved by Proclamation, on the 4th, and new writs ordered, returnable on the 29th January.—An Order in Council had also been issued, releasing Dutch vessels that had been detained with perishable cargoes on board, and permitting vessels to clear out from British ports for Dutch ports in the East and West-Indies.

We are indebted to the *Journal of Commerce* for the following summary of the intelligence contained in the papers:

They contain news of the commencement of the siege of the Castle of Antwerp—the resignation of the Belgian Ministers in consequence of having lost a legislative majority—the dissolution of the British Parliament—the complete triumph of the French Ministers by large majorities in the Legislature of that nation—the effectual commanding of the river Douro by the batteries of Don Miguel, so as to prevent reinforcements and supplies to Don Pedro, &c.

The Dutch King has sent a message to the States General with the project of a law for calling out the Landstrum or Militia of the Kingdom.

The health of the King of Prussia is said to be in a bad state.

English Funds, City, Saturday Evening.—Consols 83¼ a ⅜. The Dutch and other foreign funds are quoted generally at higher prices.

It is said to-day that the contract for a new Russian loan had been refused by the houses of Baring and Rothschild,—a result, indeed, which it required but a very small share of sagacity to anticipate.—Some houses of less note appear to be wavering its acceptance, but it would be clearly impossible for them, at such a time as this, to conduct an operation of that nature. The Ambassador has no alternative but to wait till it is made apparent to the dullest capacity that his government means honestly, and that the danger of a continental war is removed by the settlement of the Belgian question.

Upon the great question of a general war we have the unequivocal declaration of Marshal Soult, the Prime Minister of France, in the negative. Such a war cannot result but by the perfidy of the Northern Powers, who, if they had desired war might very easily have accomplished that purpose without any expense of their honour in this respect. The London Times says of the proceedings at the opening of the French Chambers:

" The Ministers, besides the general declaration of their political principles, through the mouth of M. Thiers and Marshal Soult, attempted to justify their late conduct on all points, and showed such a force even on the question of the Paris state of siege, that the opposition were afraid to try their strength in a formal vote against them. The approving paragraph of the address was therefore adopted without any amendment or division. This unanimity in the Chamber, or rather this feebleness of the movement party, deprives the discussion on the address of nearly all the interest which, in other circumstances, it was calculated to excite.

Marshal Soult in defending the internal and external policy of the Government, was listened to with marked attention, and seemed to meet with general assent. In speaking of the Belgic question, he used none of that high sounding language, as President of the Council, which he uttered last session on the same topic, as Minister of War. " Nothing," said he, " was changed in the foreign relations of France. It remained to consolidate the general peace by the execution of treaties; and to make the harmony of the great Powers evident to all interests. It was therefore necessary to dissipate the last pretext for the embarrassments which existed in Europe, and thus to prove the fidelity of all Cabinets *to engagements which they*