

Late Foreign News.

FOREIGN ITEMS.

The Bank Charter renewal, the East India Company, and the Slavery Abolition Bill, have respectively become laws of the realm.

Against the passage of the latter, the Duke of Wellington and others entered the following:

PROTEST

Of his Grace the Duke of Wellington against the West India Slavery Bill.

DISSENTIENT—

1st. Because it is attempted by this bill to emancipate a nation of slaves not prepared by a previous course of education, of religious instruction, or of training to habits of industry, or of social intercourse, for the position in which they will be placed in society.

2d. Because the value, as possessions of the Crown of Great Britain, of the colonies in which these negroes are located, as well as the value of their estates to the proprietors and colonists, depends upon the labor of the negroes to obtain the valuable produce of the soil—sugar—whether as slaves, as apprentices, or as free laborers for hire.

3d. Because the experience of all times and of all nations, particularly that of modern times, and in our own colonies and in St. Domingo, has proved that men uncivilized, and at liberty to labour or not as they please, will not work for hire at regular agricultural labour in the low grounds within the tropics; and the example of the United States—a country but thinly peopled in proportion to its extent and fertility, and always in want of hands—has shown that even in more temperate climates the labour of emancipated negroes could not be relied upon for the cultivation of the soil; and that the welfare of society, as well as that of the emancipated negroes themselves, required that they should be removed elsewhere.

4th. Because the number of negroes on the several islands and settlements on the continent of America, in which they are located, is so small in proportion to the extent of the country which they occupy, and the fertility of the soil is so great, and the climate, (however insalubrious and little inviting to exertion and labor,) is so favorable to vegetation and the growth of all descriptions of the produce of the earth, that it cannot be expected that these emancipated slaves, thus uneducated and untrained, will be induced to work for hire.

5th. Because upon this speculation depends the value of a capital of not less than £200,000,000 sterling, including therein the fortunes and existence, in a state of independence, of thousands of colonists and proprietors of estates in the colonies—the trade of the country—the employment of 250,000 tons of British shipping, and of 25,000 seamen—and a revenue which produces to the Exchequer, upon sugar alone, not less than £5,000,000 sterling per annum.

6th. Because the bill, in enforcing upon the colonists the emancipation of their slaves, attains its object by enactments and measures least calculated to conciliate their feelings and interests, and those of the local legislatures, by whose influence and authority the powers of government in the colonies must continue to be exercised.

7th. Because in the details of the measure an engagément made to the proprietors of estates in the colonies has been violated; and a resolution agreed to by both houses of Parliament, and communicated to the colonies, has been departed from, and the period of apprenticeship altered from 12 to 6 years. Proprietors who have slaves 12 years of age, are under the necessity of making them apprentices as domestics or artificers. Persons are to be appointed special magistrates, (for the execution of the measures ordained by this bill,) unconnected with the colonies, not sufficient in number for the performances of the duty even of protecting the property and persons of the resident proprietors, or sufficiently paid to render them respectable or even efficient.

The colonial legislatures are required to enact laws to carry into execution these measures under pain of loss by proprietors of slaves in the colonies, and of all participation in the compensation held out by the bill, in case those laws should not be conformable to the model therein give to them. The compensation for loss is not in reality raised or granted; nor does the interest upon the grant accrue from the period at which it is stated to be intended that the compensation should be given according to the usual practice.

The colonial legislatures must first pass certain laws; and then commissioners, appointed under the authority of the bill, are to proceed to make a distribution among nineteen colonies of the whole sum held out, and that according to a principle which is considered by many of the colonial proprietors to be partial and unjust. This distribution having been made and agreed to, the detail distribution to each proprietor of the compensation is to be made by the same commissioners; but appeals to His Majesty in council may be made upon the original as well as upon every other distribution by the commissioners, each of them requiring renewed reference to the colony, and occasioning, of course, interminable litigation and delay—postponing the receipt of compensation by the proprietor of the slave, for years after he will have lost the benefit of his services.

8th. Because the extension of the act 52, George III, chap. 155, by the 61st clause of the bill to the colonies, is not necessary for the apprenticeship and emancipation of the slaves in the colonies; it is not justified by any thing that has passed; and will be considered by the colonial legislature as a gratuitous injury, and a breach of their independent authority as provided by the acts of 1773, and respected from that time to this.

WELLINGTON,
ST. VINCENT,
PENSHURST,
WYNFORD.

The London Sun, in commenting upon the acts of the past session, gives the following review, which we are inclined to think, speaks the general sentiment of the people of England:

The session of Parliament is this day brought to a close, as will be seen by the proceedings in another column. It has been a long and momentous one; and though, on the whole, it has not fully realized the public expectations, yet there can be no question that it has effected much good, and shown a disposition—the first Parliament that ever did—to legislate for the general benefit of the community. The three great leading questions of the day, whose settlement was a matter of pressing necessity, have been disposed of, viz: the Bank Charter, the East India Charter, and, (most difficult and embarrassing of all,) the West India Slavery question. Besides these, many minor, but still momentous measures, have been put in train of adjustment—while many more that should have been long ere this decided, have been injudiciously postponed. This ‘tarry awhile’ system has found too much favor in the eyes of our first Reformed Parliament, which must be far more decided and energetic than it has yet shown itself, if it wishes to preserve the respect and confidence of the people.

A Vigilant Watchman.—On the night of the 9th ultimo, as one of the watchmen in New-York was taking a quiet nap on his post, some arch rogue extracted from his vest pocket a gold patent lever watch of the value of 150 dollars.

The case of the Cherokees and Creeks Distressed.—There is such a proneness to misrepresent or misrepresent the questions, which have led to the present difficulties in Alabama, and to confound them with the Cherokee dispute, that we shall for some days continue to insert this brief abstract of the matter, shewing conclusively that the course of the Administration has been perfectly consistent, and strictly in accordance with the law.

The right to remove intruders from the Indian country, is an act of jurisdiction, and is guaranteed by virtue of the act of Congress of March 30th, 1802, which provides for the employment of a military force in the removal of those persons, and then adds, “that nothing in this act shall be construed to prevent any trade or intercourse with Indians, living on lands surrounded by settlements of citizens of the United States, and within the ordinary jurisdiction of any of the individual States.”—The Cherokee country east of the Mississippi, embraces portions of North Carolina, Georgia, Tennessee and Alabama. The “settlements of the citizens of the United States,” surround all these Indians; but they are not all “within the ordinary jurisdiction of any of the individual States.” Georgia and Alabama have extended their laws over them—North Carolina and Tennessee have not. Consequently, the intercourse act, as it is called, being the act of March 30th 1802, does not now, by its own limitation, extend over those portions of the Cherokee country in Georgia and Alabama. It is not the Executive, as has been charged, that nullifies this act in these States. But it is an express provision of the act itself, which terminates its own operation, whenever the two special facts occur; that is, the surrounding of the Indians by white settlements, and extension of ordinary jurisdiction over them.

But in Alabama, the intruders upon the Creek country, do not occupy Indian lands. These lands were ceded to the United States, in March, 1832, by the Creek Indians, and a right to certain reservations, granted to them, to be located as soon as the country could be surveyed. These locations are now going on, and we understand will be completed as soon as possible. The treaty provides, that intruders shall be removed from these lands “in the same manner as intruders may be removed from other public lands,” &c. And the act of Congress, to which the treaty here refers, is entitled “An act relating to settlement on the lands of the United States,” and was passed March 9, 1807. “An act to prevent settlements being made on lands ceded to the United States, until authorized by law,” and was passed March 3d, 1807. It provides, “that if any person shall take possession of or make a settlement on land, ceded to the United States, &c. such person shall be liable to fine and imprisonment, and it shall moreover be lawful for the President of the United States to direct the Marshal, &c. and to employ such military force, as he may judge necessary and proper to remove from lands, &c. any person or persons, &c.” Under this act, agreeably to the requisitions of the treaty, the removals are now directed. And we repeat what we have before said, that the act 1802, providing for removals is an exercise of jurisdiction, as the U. States cannot claim the land in the Indian territories. But the act of 1809 for the removal of intruders from the public lands, is only the exercise of a special power, delegated to Congress by the Constitution “to make all needful rules and regulations concerning the territory and other property of the U. S.” It is simply an act of ownership, and not of jurisdiction. The Cherokees in Alabama yet hold their land. Therefore, this act of 1807, does not extend to them, and this explains in a few words, why the government could not employ military force in the removal of intruders from their lands in that State. If they should cede it, as the Creeks have done, then this act would apply.

NIAGARA WHIRLPOOL.

This whirlpool, which is several miles below the Falls of Niagara, is a large deep basin, about the size of Primrose Hill, at the back of Chalk Farm, in which the waters of the mighty St. Lawrence revolve in one perpetual whirl, caused by their being obstructed by an angle of the deep and dreary banks which overhang this dreadful place. Mr. Wallace the blacksmith, had a son, a fine youth, who one day went down to the whirlpool, and the current proving too strong for him, he was carried into the whirl. His poor distracted mother sat on the gloomy bank for hours and days, and beheld the body of her own darling carried around in a circle by the water, sometimes disappearing for a time and then coming up and revolving upon the surface of his watery grave, and thus continuing for several days, no human aid being available even to obtain his remains. After five or six days, bodies which get into this dismal cauldron are carried down the river. It is usual for persons rafting timber from places between the Falls and the Whirlpool, to get off the raft before they come to the basin, first placing the raft in such a position as may best enable it to float down the stream without being carried into the whirl.

On one occasion, however, one of the raftsmen refused to leave the raft, he was not afraid, all would go safe, entreaty was unavailing, and the raft with the unfortunate headstrong man upon it, made its way downwards, and was soon drawn within the fatal circle, around which for three days and three nights it continued to revolve, all the efforts of a thousand anxious spectators proving availing. The continual and sickening motion he underwent, robbed the poor sufferer of all power to eat—sleep he could not, a dreadful death was before his eyes, so much the more terrible that it was protracted night after night in such a place. At last a man was found who ventured into the whirl as far as he could with the hopes of life, a strong rope being tied around his middle, one end of which was on shore.—He carried a line to throw the raft, succeeded: the agonized sufferer fastened it to the raft, and in this way he was drawn on shore, and his life preserved.

M'Kenzie's Sketches of the U. States.

Original, (of course.)—In collecting the various items that filled our last paper, several *prolific* cases were inserted.—How many, we did not know, until a friend related to us a conversation he had with a lady on the subject. “Well,” said the lady, throwing down the paper, “I hope the gentlemen will speedily recover their usual health.”—“Why so?” said our friend.—“*Why so?*” said the lady—“indeed—why, they have presented us with no less than *fifty* children this week.”

Republican and Banner.

Extraordinary Case.—A St. John (N. F.) paper of the 20th ult. relates the following particulars of the dangers and delays of a voyage from Cork to that port, which, if it came from a less satisfactory source, would appear almost incredible. The annals of the trade, says the St. John writer, cannot, we believe, furnish a second instance of a vessel having been driven by the ice a distance of nine hundred miles from her track.

The schooner Maria Eliza, Captain Hughes, which arrived here on Saturday last, from Cork, via Greenland, has been a missing vessel for some months past. She sailed from Cork on the 15th of March, for this port, with a cargo of pork, butter, potatoes, &c. and on the 11th of the following month, fell in with fields of ice, by which she very shortly became surrounded. From that period the vessel became the sport of the wind and current, and ice, until the 30th of April, she was driven (still locked up) towards the land, which was extremely difficult to distinguish from the immense islands of ice, by which it was bounded.—After considerable exertion, the crew succeeded in getting the vessel through and found to their great astonishment, they were on the Coast of Greenland, some of the natives having pushed off in their canoes. On the 15th May, they entered a small harbor called Nennocelik, about four miles east of Cape Farewell, very much exhausted from their sufferings in the ice, and, having no fuel or water remaining, received hospitable reception from the Danish factor there. After some days delay at this place, they proceeded along the shore, which was only clear of ice to the extent of a mile—to the principal port, Julianehab, in lat. 61, the residence of the Governor, who rendered them every assistance in his power.

About two months after their arrival at this port, a Danish brig, which is annually despatched from Copenhagen with supplies for the factories, arrived there, and Captain Hughes there finding it would be impossible for him to get clear of the coast or the ice without assistance, concluded on remaining till the brig was ready to sail. On the 31st of August, he sailed in company with the brig, and arrived at this port on Sunday last just six months from the time of her leaving Cork. There were two gentlemen passengers on board, Mr. Hickson and Mr. Propham, whose friends had long since mourned for their loss. During the vessel's detention in Greenland, the agents at the several Danish Factories were very ready to offer them kind assistance, and the native Esquimaux, who appear a simple honest race, afforded very acceptable services. While the vessel was coasting along shore, it was found necessary to tow through the floating ice, which was done by skin boats, rowed by the native women, who were also very useful in providing articles of clothing for the crew. The winter had set in very severely previous to the departure of the Maria Eliza.

Ira West Gardner.—This individual, convicted in Trumbull county of murder in the first degree, and who was sentenced to be executed on the 4th ultimo, was respite, it will be remembered, to the 1st instant. Gov. LUCAS having declined to extend to him further mercy, the criminal, in all probability, has now paid the forfeit of his life to the offended laws of his country.

Columbus Sentinel.

In a letter addressed to the Sheriff of the county, which we find published under date of the 12th Oct., Gov. Lucas sets forth the reason for the course pursued by him, in a manner that must prove satisfactory to all. Having examined the documents connected with the trial with that solemn attention, says the Governor, their importance demanded, he is “unable to discover any palliating circumstance that would justify further Executive interference in his (the criminal's) case.”

“He has been charged—tried—and found guilty of a crime which the laws punish with death. The Supreme Court has pronounced that Sentence against him; and as far as I have been enabled to learn public opinion, the people of Trumbull county, where the offence was committed, generally approve the sentence, and have no desire to have it commuted.

“Whatever may be my private opinion as to the propriety of public executions, and the utility of adopting solitary confinement for life, instead of capital punishment, as Executive, I am under a solemn obligation to execute the laws as they are—and cannot without substantial and satisfactory reasons arrest their progress—no such reasons exist in the present case.

“I therefore consider it my duty to inform you, and through you to inform said Gardner, that the Executive will not interfere further in his case—but that on the first day of November next, as specified in the warrant of respite, the sentence of the Court against him will be executed.”

A case in point.—Not long since, a man at the West was prosecuted for employing a *Ranaway Apprentice*, and \$100 recovered, together with cost of suit, which when added to the fee paid his Lawyer, and his own personal expenses, amounted, perhaps, to the comfortable sum of one hundred and fifty dollars more.

The usual caution was given, by advertising the runaway in a local Newspaper—but the defendant had never taken a Newspaper and did not know that he was obliged to take one! his wife had subscribed for the New-York Observer and did not believe that the advertisement was in that! This is as it should be—ignorance, parsimony and folly should be punished.—Sag-Harbor Corrector.

A panic.—In consequence, it is supposed, of digging the foundation of the large brick store now erecting in Ann street, adjacent to the Catholic Church on the west, that side of the latter edifice losing its support, was observed some time ago to be giving away, and props were applied to prevent its falling, but not till several fissures had appeared in the front wall—particularly two over the western door about an inch wide, and extending irregularly to the roof. The building by this means has been materially injured; and it has been not without serious anxiety for the personal safety that the congregation have attended there since the occurrence. In this state of feeling, they were assembled and engaged in divine service yesterday morning, when about half after eleven, a sudden gust of wind shaking the window, which had been loosened by the fissures above spoken of, some person cried out that the house was falling, and spread a general panic throughout the congregation. A simultaneous rush was made for the several doors and windows; a scene of confusion and alarm ensued that defies description. The house was clear-

ing, we saw several children much disordered in appearance, and complaining of having been thrown down and trampled by the crowd, but who were probably more alarmed than hurt. One lady we observed with bonnet and cap torn off, hair dishevelled, and face covered with blood—having thus suffered while endeavoring to extricate her little daughter, from whom she had become separated. Another female had just been carried away with a limb fractured just above the ankle. One gentleman also had his arm bruised, by throwing himself upon the pavement from the front window of the second story, from which several others subsequently descended by means of a ladder. The destruction of apparel was of course ample. The hats, bonnets, caps, shawls, kerchiefs, combs and shoes found trampled under foot after the house was cleared, would have been a clever load for a porter's cart. Many of the assembly were a good deal bruised; but the broken limb already mentioned, was, we are happy to learn, the most serious injury experienced.

N. Y. Enquirer.

A trial took place in Providence last week, of very considerable interest, from the novelty as well as the turpitude of the crime charged upon the prisoner.

Mrs. Frances Leach was indicted jointly with David Gibbs for the murder of a girl named Burdeck, a domestic in the service of Gibbs, who was an innkeeper in the town of Coventry. The death of the young woman resulted from an attempt on the part of the prisoner to procure an abortion: Gibbs being joined in the indictment as an accessory before the fact. Judge Eddy, who presided at the trial, which lasted ten days, charged the jury clearly and forcibly, that the offence was murder, or it was nothing, and told them that they were the judge of law as well as fact. Notwithstanding this, the jury found a verdict of *involuntary manslaughter*, and the court was of course bound to receive it, and awarded the punishment of 2 years imprisonment and one thousand dollars fine, being the extent of the statutory punishment. The principal culprit, Gibbs, escaped entirely, there being no such thing as accessories before the fact, in manslaughter.

A more miserable verdict than this was never rendered in the United States, except, perhaps, in a case which we have frequently heard alluded to (and if we mistake not it occurred in this very Rhode Island,) of a fellow who had stolen a horse, the punishment for which at that time was death, and the jury, in order to save the villain from the gallows, rendered a verdict of *manslaughter*, for which he was merely imprisoned. N. Y. Enquirer.

Martin Duffy was tried lately in the court of quarter sessions for Philadelphia county, upon a charge of stealing from one Hugh Quin a Leghorn hat, one skin trunk, one pair of gold ear rings, a flannel petticoat, &c. The prosecutor, alleged that these commodities were stolen from said Quin while he and his wife were absent, and that Duffy immediately absconded with them, and also the sister-in-law of the prosecutor. The trial was a very interesting one, as might be supposed from the nature of the larceny. This matter of abducting a flannel petticoat is new in the annals of modern history; but to carry off the living in this way, is an enormity not to be tolerated. Certain letters written by Duffy, were read in court, which are exceedingly rare gems in epistolary literature. One of the most interesting of which, like Voltaire's message to the playwright, gave information of his own death! The orthography of these letters is equalled only by the beauty of their syntax. The lovely Miss Rosina McKenney, the interesting damsels carried off in the stolen petticoat aforesaid, took laudanum and died of it—the only tragic circumstance in the transaction.

The jury, under such circumstances, had great difficulty in finding a verdict; but, after two or three attempts, they returned into court with an acquittal, and Mr. Martin Duffy was discharged.

An estray.—Mrs. Elizabeth Bullock advertises her husband Zurnal Bullock, in a late Ohio paper, who, she says, has strayed from her enclosure, or been stolen. The beast ought to be impounded where ever he may be discovered, until he can be carried back. We believe he left several little Bullocks behind him.

We are of opinion that the health of the city has been improved by the cold spell we had about a week since. The daily interments have greatly diminished within a few days past, and should the present weather continue, which although warm, is not oppressive, owing to the fine breeze with which we are favored, our city will soon be restored to its usual health. Upwards of five hundred strangers have entered the city since Saturday, some of whom, we understand, have fallen sick and died.

There was a rumor afloat this morning that the Cholera was again amongst us. We inquired into the matter, and have ascertained that two or three cases occurred yesterday, which are attributed to imprudence in eating oysters.

New Orleans Courier.

The BANK OF LOUISVILLE has been designated by the Secretary of the Treasury, to receive the public deposits at this place, instead of the Branch Bank of the U. States. The notes of the Bank of Louisville will, of course, be hereafter receivable in payment for public lands in the neighboring States; her credit will be increased—the circulation of her paper will be extended, and she will be enabled to afford increased facilities to those engaged in the commerce of the country.

Louisville Ad.

The Hon. T. P. Moore proposed, on the 29th ult., to submit to referees, the contest between himself and Mr. Letcher for a seat in Congress. The proposition was not acceded to by Mr. Letcher, and a contest before the House of Representatives of the U. States must follow.

Dr. Lewis H. Linn, of St. Louis, has been appointed Senator of the United States by the Governor of Missouri, in the place of Mr. Buckner, deceased.

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From the N. H. Patriot.

The Bank party take it very hard that Messrs. M'Lane and Cass will not quarrel with the President and resign their places, in consequence of the removal of the deposits. They manifest a great desire to witness the breaking up of another cabinet. Should they succeed, it can avail them nothing. The people are decidedly with the President, and should a prompt administration of the Government according to their views make it necessary to break up the cabinet forty times, it will not weaken the President a particle. They rely upon the