Communications.

[FOR THE CHRONICLE.]

"I hail this Despatch as conferring a new and in my judgment, an improved Constitution upon these Colonies." Vide Circular Memorandum of the Lieutenant Governor, December 21, 1839.

In the early part of King Geo. III. it was very generally complained of, that there existed *"an influence behind the throne, greater than that of the throne itself."* Whether this complaint were well, or ill, founded remains yet to be proved: but certain it is, that the period at which it prevailed, is the only portion of the long reign of that great and good King, in which he stood low in the estimation of his faithful subjects.

A complaint precisely similar in kind, prevails in this Province to a very great and unpleasant extent, —viz, that there is *an influence behind the ostensible head of the Government, greater than that of Queen's representative himself*; an influence which pervades every branch of the public service, and exercises a pernicious and wide spreading domination:—an influence usurped by two individuals, who attained it by playing for some time the part of *"men of the people,"* and who are now using it, to the destruction of the good old Constitution of good King George, and to the setting up of *a new and improved Constitution*, tinkered up for a special occasion in a neighbouring Province by that futile statesman Lord John Russell.

It is impossible to imagine deeper grief and regret than that which is felt by the friends of Sir John Harvey (and these friends are many, and would be far more numerous, if he could release himself from the malignant influence of these two most obnoxious individuals) at his being compelled to issue his most unhappy, ill advised 'Circular Memorandum.' Every body is convinced that that lamentable document was wrung from Sir John. Every body knows his extreme goodness of heart, a disposition which would make it most painful to him to hurt the feelings of any gentlemen, acting like himself under the Queen's Commission, and every body knows with what malignancy and bitter hatred those two individuals, one of them especially, have for years been attacking, vilifying and abusing the gentlemen, who fill most of the offices designated in that abominable despatch, every body, therefore, can easily imagine the eagerness with which they seized this golden opportunity of adding another to the many insults which they have heaped upon those persons who in time past had enjoyed the confidence of the representative of the Crown.

Deeply censureable as is the whole spirit of that Circular 'Memorandum,' a more unfortunate expression could not by any possibility have been forced upon Sir John, than that which I have put at the head of my paper. "I hail this Despatch as conferring a NEW, and in my judgment an improved CONSTITUTION upon these Colonies." If there be any thing of which the loyal inhabitants of this Province are justly proud, 'tis the excellent Constitution given to their LOYALIST REFUGEE FATHERS, by that gracious monarch who "founded this Province as a refuge for suffering loyalty;"—a constitution granted in the most solemn manner possible, with every possible legal sanction; and which for fifty years has shewn itself admirably suited to the peculiar condition of the Country:—a Constitution than which nothing can be devised better adapted to secure the only *two* important ends which need be regarded, viz the good government of the Province, and its firm dependence on the mother Country. But what care they for good King George's Constitution. There is not a drop of loyalist blood in the veins of either of them! How often has one of them been heard to make loyalists and refugees a subject of mockery and derision? How often been heard to say (I have myself often heard him say so) that the greater part of the loyalists came to this Province, *because during the war, they had committed so many crimes that they dared not remain in the States?* No wonder then that they have so greedily and hastily seized hold of a Despatch, written by Lord John Russel, to bully the loyal subjects of Upper Canada, and made it the occasion of again insulting the public officers, in the expectation, as they foolishly hope of strengthening their own ill gotten power.

But who has asked for a new and improved Constitution? We all know that the restless ambitious demagogues of Assembly sent home two of their body to ask not for a *new and improved Constitution* but for certain alterations in the then existing one; among their demands was one with reference to the composition of the Legislative Council. It will be worth while to refer to Lord Glenelg's memorable despatch of Aug. 31 1836, which gave so much satisfaction to the Assembly, that they not only passed a vote of thanks for it, but requested him to sit for his picture, that being placed in the House they might always have their benefactor in sight.

The Resolution of Assembly was this. "Resolved "that it is highly expedient to bring under the notice "of Her Majesty's Government the present com-"position of the Legislative Council, with a view "of having excluded from that body, *such officers as* "*are immediately dependant upon the government*" "and receive large salaries, in order that so impor-"tant a branch of the Legislature appointed by the "Crown, may exercise without embarrassment, a "proper discretion upon all matters submitted to "them."

To this Lord Glenelg replies—"His Majesty's "Ministers entirely agree in the importance of *se-*"*curing the independence of the Legislative Council*; "they freely admit that the introduction into it of "too large a number of persons, holding places of "emolument under the Executive Government "would tend to detract from its weight as an inde-"pendent Branch of the Colonial Legislature."

Now let us see how the new and improved Constitution goes to secure the independence of the Legislative Council, and give it its due weight as an independent Branch of the Colonial Legislature. The Council is composed of sixteen members NINE of whom are either "Heads of the Civil Departments or members of the Executive Council" viz. Hon. Messrs. Black, Shore, Saunders, Cunard and Botsford, Executive Councillors; Hon. Messrs. Baillie, and Lee, Surveyor and Receiver General; Messrs. Peters, and Street, Attorney, and Solicitor General. In addition to which, Messrs. H. Peters, Chandler, and Kinnear hold places of emolument under the Executive Government. By way of securing *the perfect independence on the Executive Government* of this very enormous majority of the Legislative Council, and putting them in a position to *exercise without embarrassment a proper discretion upon all matters submitted to them*—they are told in this "Circular Memorandum" that "their offices "are held entirely dependant on the will of Her "Majesty's Representative"—and that they must "render "as far as may be possible the most cordi-"al and sincere support, assistance and co-opera-"tion in carrying out his views and policy, and "identify their intrests with that line of conduct," or be cashiered.

Truly this is a NEW Constitution, and an IMPROVED one with a vengeance! It certainly is new! Let any one look back and see with what perfect disregard of party, promotion to the Council used formerly to be effected, and offices of emolument under the government distributed. With the exception of Mr. Crane every successive speaker of the Assembly, no matter what his politics might be, has been raised to the Council; and in the distribution of the Law offices under the Crown, and in elevations to the Bench, every thing has been given according to SENIORITY without regard to political opinions. Yet this system has worked well for upwards of half a century, and would continue to work well for another half century, unless indeed demands are to be made upon the members of Council which no honourable man can submit to.

I am aware that by many persons of experience a different view is taken of this matter; but I can hardly bring myself to concur in their view of it. They say that Lord John Russel's despatch is intended to apply to this Province, and is designed to prepare the way for, and secure the acquiescense of the Legislative Council in a most important measure; and insure their most cordial and sincere support, assistance and co-operation in carrying out the destructive views and policy of Her Majesty's Government in one great particular, VIZ THE DISMEMBERMENT OF THE PROVINCE: by ceding and conveying to the United States, in return for their consenting to allow the British Mails to pass to Canada along the road made on British ground, by British subjects, at British expence, and used as such from almost time immemorial, *the whole of the Country extending westward from the River St. John, between Eel River, and the Restook River, with the free navigation of the River St. John, and a port of entry on the Western bank of it!!*

In either of these cases to what a depth of wretchedness must this unhappy Country be degraded, when it is possible for such a creature as Lord John Russel, the 'whipster of a faction,' the nominee and bondslave of Dan the Big Beggarman, to destroy with the mere scrape of his wretched pen, the Magna Charta of the great King George, granted under his Royal Sign Manual, (we now see the advantage of crying down the Sign Manual) and to substitute for it *a new and improved one*, as respectable as himself, and which will prove as beneficial to the Province, as his own administration has been to the Empire at large.

A LOVER OF THE OLD CONSTITUTION.

United States.

BANK FRAUDS.

The statement of another gigantic fraud in the banking of Philadelphia, mentioned in a morning paper of Friday, is not yet confirmed, though ample time has elapsed since its annunciation, for news of its confirmation to reach this city. We therefore do not believe it, though the discovery of some new fraud, to some extent, is highly probable. We cannot yet suppose that any great fraud, like that of the Schuylkill Bank, has been committed by any officer of the United States Bank; for most of the directors are too intelligent to be deceived, and possess characters that would not admit a ready belief in their connivance at any thing improper.

But if no other fraud has been committed, enough has already been developed in Philadelphia, to call for the severest animadversion from the press, to impose upon the courts the duty of a rigid investigation, and a stern application of legal penalties, and upon the legislature that of a thorough reformation. In no part of the Union have monetary institutions been so badly conducted as in Philadelphia. We believe that most of its banks are sound, and know that some of them are judiciously managed; but we find ample ground for this assertion, in the gigantic swindling of Dyott, the explosion of its loan companies and savings institutions, and in the mighty *speculations* of Hassinger and Levis. If such things are overlooked by that community, it may bid farewell to the credit which it has heretofore maintained. But they will not be overlooked. We have reason for believing that the spirit of the people of Pensylvania is thoroughly roused, and that the punishment of the guilty and the establishment of better securities for the future will ensue. Judge Bouvier, well known for his firmness and independence, has called the attention of the Grand Jury to the stockholders and directors of the Schuylkill Bank, and several of them are now under examination by that body. Some of them, and perhaps the whole board of directors, deserve to be indicted, and to be sentenced to the penitentiary; for they either directly participated in the frauds of the cashier, or were so grossly negligent of their duty, as to exhibit a criminal disregard to the safety of the stockholders or the community. It is vain to expect confidence in banking, when such frauds can be perpetrated without immediate discovery; or integrity in business, if the perpetrators, whenever within reach of law, are allowed to escape from its penalties.

The Directors of the Schuylkill Bank disclaim all knowledge of this fraud. If this disclaimer be true, it shows that the Cashier of the Bank had unlimited control over its proceedings, and that the directors, utterly ignorant of its affairs, grossly betrayed their trust to the stockholders and the public; for only through their direct participation or excessive carelessness, would the Cashier perpetrate such a fraud without immediate discovery. But is not this carelessness, though beyond the reach of the criminal law, as criminal, morally speaking, as direct participation? We can see no other difference than between deliberately shooting a particular person, and fireing a bullet at random into a crowd. In the latter case, the perpetrator has no particular malice, but is regardless of human life. So these directors, if thus grossly careles, did not intend to commit a fraud, but were perfectly indifferent to the integrity of their own subordinates. Bank Directors, at least a portion of them in Philadelphia, are too generally disposed to consider themselves the agents of the Bank, and bound only to consult the interests of the stockholders. They should remember that they are also the agents of the public, and under equal obligations, moral and legal, to consult the interests of both. Hence a board of directors who would plunder or harrass the community to enrich the banks as much deserve the penitentiary, morally speaking, as a band of robbers.

If this disclaimer of these directors be not true, and they have really participated in this fraud, the community of our sister city will forfeit all claim to public confidence, if it do not, through its courts and juries, sentence them to the penitentiary. It set a salutary example in the punishment of Dyott. Let it proceed in this noble work of vindication, till every one of its wholesale swindlers receives the doom awarded to that great dealer in '*currency*.' The covered waggons that ply daily between the court houses and Moyamensing Prison, now produce no great effect upon public morals; for they merely bring up and carry away the petty larceny knaves, and the helpless wretches ground out from those manufactories of misery and crime, the whisky shops. With *them*, the law is *prompt*; because nobody cares about them. The public seems to consider them born for *punishment*; and their offences, involving, in a majority of cases, little or no moral guilt, like their trials and sentences, excite little general interest, and are expelled from the public mind by the trial of the next array of unfortunates, leaving no salutary impression. But when the law shall show equal promptitude with the 'rogues in ruffles;' when one of those covered waggons shall carry off a load of bank directors to Brush Hill, then will a deep and salutary impression be produced; then will the public believe that the laws are *practically*, as well as *theoretically* equal; then will the reckless speculator upon public credit be induced to pause upon the threshhold of wholesale crime; then will the real merchant and mechanic, the real producer, the man of real business, begin to feel that banks are established for the benefit of honest and useful industry, and not for that of daring speculators, insatiable usurers and magnificent thieves.

A heavy responsibility now devolves upon the legislature of Pennsylvania; and by discharging it faithfully, without the least regard to partizan interests, they will deserve the respect and gratitude of the whole country. They have now an opportunity of thoroughly reforming the banking system. Let them thoroughly investigate the affairs of every bank in their commonwealth, consign to the criminal courts every case of fraudulent delinquency, and revoke every charter which has been violated. Then let them sustain such banks only as are necessary or useful to real business, and impose upon them restraints that shall effectually secure the public. If they prosecute the work of reformation thoroughly and judiciously, heeding neither the destructive cry of 'down with all banks,' nor the devices of speculators and usurers to convert banks into instruments for preying upon useful industry, they will set an example that will be followed in most or all of the States, and will thus earn the credit of *really reforming the currency*.

A Philadelphia paper says that a gentleman belonging to the interior of the State, placed in the Schuylkill Bank, on special deposit, seventy-five thousand dollars, of which he afterwards drew twenty-five thousand dollars. After the recent explosion, he inquired for the balance, and learned that no minute of such sum had been made on the books of the bank, and that the bank contained nothing to indicate to the directors the receipt of such sum. If this be true, how was that bank conducted? If the directors filled their post with common honesty, they would not have been so thoroughly ignorant about the transactions of their banks. If they were thus ighorant, they evinced a degree of carelessness about their trust which is utterly inconsistent with common honesty, and they should be compelled to indemnify the cheated depositor. This story is incredible, and is fitted to justify the suspicions already entertained about the directors. The depositer took, of course, a certificate of deposit; for no man of common sense, having $75,000 to deposit, would leave such sum without taking some written acknowledgment of its receipt. Such certificates are made out by a clerk or teller, and not by the cashier.—Then how could such sum be received at the bank without the knowledge of some other officer than the cashier? One teller receives and accounts for all the receipts at the bank, and another pays and accounts for all the expenditures, and they, with the clerks and book-keepers, are checks upon each other. How then could they be ignorant of this deposite? Besides, the depositor admits the subsequent receipt of $25,000. He could not draw this excepting through the paying teller, who must report it to the book-keeper, who must enter it on the books. Hence if no record had been already made of the deposite, this very draft of a part would lead to inquiry among the officers, and the detection of any fraud. If the depositor's draft for part were paid by the cashier, he could not take the money from the bank for such payment without the knowledge of the tellers.

The story is too lame for our belief, and fortifies our suspicion of a confederacy among the directors and the cashier, to defraud the stockholders and the public. Let the Grand Jury ferret out the fraud.—*Brother Jonathan.*

THE CHRONICLE.

SAINT JOHN, JAN. 17, 1840.

We have no later intelligence from Europe.

FRANCE AND ALGIERS.—The latest accounts from this quarter, state that war has broken out afresh, and that the French being inferior in numbers to the Arabs, were unable to maintain the contest; in consequence of which, large reinforcements were to be sent from France with the utmost expedition.

The Earl of Durham is severely indisposed at Lambton Castle, and will remove to the south with all convenient speed.

The Marquis of Anglesey is, we are told, to be elevated to a Dukedom, by the title of Duke of Mona.

The Hon. Spencer Cowper, now Secretary of Legation at Florence, has been for about five years the confidential Private Secretary of Viscount Palmerston, and he is to be succeeded by the Hon. James Howard, who has been, for the same period, Precis Writer at the Foreign Office, a situation very much analogous to that of Private Secretary.

Dr. Hastings, who was chosen Mayor of Worcester has refused to accept the civic dignity, and has paid the fine of £50 imposed upon those refusing to accept the office.

The Marchioness Wellesley continues much indisposed at Kingston House, Knightsbridge.

SOUTH AMERICAN BLOCKADES.—The merchants of Liverpool have at length resolved to make such energetic remonstrances on the ruin occasioned to our trade by the wanton aggressions of the French, as even Lord Palmerston shall be compelled to hear. We trust the commercial interests throughout the country will second the appeal. The closing of South America is the main cause of the distressing stagnation of commerce.—*Manchester Chronicle.*

Mr. Benjamin Wood on the liberal, and Mr. Walter on the conservative interest, are candidates to fill the vacancy in the representation of Southwark, occasioned by Mr. Harvey's acceptance of the city police commissionership.

We learn, from undoubted authority, that the following is a correct list of the honours which her majesty has graciously intimated her intention to confer on the undermentioned eminent persons for their services during the late expedition into Affghanistan, viz., Lord Auckland, to be raised to the dignity of an earl of the United Kingdom; Sir John Keane, to be created a baron of the United Kingdom; Mr. Macnaughten and Colonel Pottinger, to be made baronets; Lieut. Colonel Wade, to be knighted, and made a companion of the order of the Bath; Brigadier Sale, to be made a knight commander of the order of the Bath; Captain Thomson, to be major and a companion of the order of the Bath.—*Liverpool Mail.*

THE PRESIDENT STEAMSHIP.—This splendid vessel, which has for some time past been building in Messrs. Curling and Young's yard, Limehouse, London (the builders of the British Queen), will be launched on Saturday, the 7th of December. The President is the largest ship in the world. Its dimensions are as follow:—

	Ft.	In.
Length (extreme)	268	0
Ditto, for measurement	230	0
Ditto of keel	220	0
Breadth	42	0
Ditto, including paddle-boxes	64	0
Depth in the hold, midships	23	6
Height of upper deck	7	6
Diameter of paddle-wheel	21	0
Draught of water with cargo	17	0
Burden in tons (old measurement)	1,921 57-94	
Weight of engine, boiler, &c.	500 tons.	
Power of engine	600 horse.	

Thus it appears that the President is 126 tons larger and has 100 horse power more than the British Queen.—*Times.*

The office of printer of the *Gazette* is to be abolished. There were three candidates for it, but, as not one of them had any ministerial connexions, the ministers have cut short the dispute by abolishing the office.

GAMING IN THE METROPOLIS.—The police have seized the dice and roulette table at the gaming-house in the Regent's Quadrant. One case of dice contains eight pair, of which six pair are falsely numbered, and so contrived as to exclude altogether particular chances or results. The remaining two pair, though rightly numbered, are "loaded." The roulette table is also constructed for robbery. These are facts which we feel it our duty to state thus openly to the public, in order that every man entering a gaming-house may be assured that he is not merely indulging in the ruinous excitement of play, but that he is wilfully handing himself over to a gang of professional robbers.—*Observer.*

An inhabitant of Strasburg has just lost five out of six children by the small pox, within the space of three days.

Lord John Russel, it is said, will return to the Home Office, and will be succeeded in the Colonial Office by Lord Clarendon.

THE TRADE WITH CHINA.—In reference to the dispute with China, we find the following in Friday's *Morning Herald.*—"The anxiety which has lately prevailed amongst all parties connected with the China trade, appears to be somewhat on the increase, respecting the real intentions of her majesty's government on the subject of the late destruction of the opium drug by the Chinese autorities. We have received information from a source upon which we can confidently rely, that Lord Palmerston has forwarded a note to the United States Minister, intimating that it is the intention of her majesty's government to blockade the Chinese ports rigidly, if circumstances render it necessary."

STATE OF TRADE AT PRESTON.—The market has undergone a further decline of $\frac{1}{4}$d to $\frac{1}{2}$d per lb. upon yarns, and 3d to 6d per piece upon manufactured goods Several speculators in yarns and goods, who had, last week, procured samples and entertained intentions to purchase, with the view to re-sell during next spring, have declined, for the present to treat at all, except at a still further and ruinous reduction in prices. The present losses, sustained from spinning and manufacturing of cotton-wool, have now, almost, wholly to be borne by the joint stock bank shareholders, whose money was so lavishly and carelessly entrusted from 1835 to 1837, to all parties who had not the firmness to withstand the persuasive temptations, then so alluringly held out. In this town, the cotton trade is, we are told, about as bad as it can be. Money is exceedingly scarce, and in every branch of business complaints are loud and startling.—*Preston Chronicle.*

M. de Tiszkiewicz, the richest landholder in Russian Lithuania, died a short time since. The St. Petersburg papers inform us, that he left to his three sons 2000 villages, containing more than 60,000 serfs, and in ready money 10 millions of crowns, and that it was this gentleman who was said to have refused the hand of his daughter to Duke Alexander of Wurtemberg, who, afterwards, married the Princess Marie Orleans. His daughter has since married Prince Sadiona and had two millions of crowns for her dowry.

Counts Paul and Anatole de Demidoff have just given 200,000 roubles (or 826,000fr.) to the Foundling Hospital at Saint Petersburg, established by Count Benkendorff, under condition that the Empress be constituted guardian of the institution; and in case of her Majesty's demise, a member of the Demidoff family shall be the curator of it.

Puckler Muskau, according to a letter from Pesth is likely to make some stay in that city, having taken apartments for several months. In his suite this letter adds, besides a young and beautiful Abyssinian girl, who speaks Italian and is very amiable in her manners, are a Turkish dragoman, a young and handsome Greek, and a young negro from Sennaar. The last three, with two footmen, always wait at table. They wear liveries.

A young woman, in the neighbourhood of Blaye, was recently, asserts the Courier de Bordeaux, delivered of a child with three heads perfectly formed. In this phenomenon it was remarked that the features of each head were different; one resembling the father, another the mother, and the third the paternal grandfather. One had dark hair, another light, and the third deep red.

DANGEROUS LARKING.—About three nights ago the police saw a cab on the stand in Piccadilly unattended. On opening the door of the vehicle, they found a livery servant inside, asleep, who, on being questioned, said that the driver had given him leave to remain in the cab, as he had been shut out from his master's house. The cab was taken to the greenyard, and remained unowned until yesterday, when the proprietor came forward and claimed it. The next inquiry was, what had become of the driver; no one could give any account beyond that he had been seen not far from the house of an affluent individual, who was in the habit of playing "larks" of a mischievous and dangerous nature with unwary individuals. Information yesterday reached the police that a person answering the description of the missing driver had been taken into an hospital (either the Charing-cross or St. George's) in a state of insensibility, apparently arising from some liquid which he had imbibed, and that he had since died. An inquiry was instantly set on foot by the police, but the truth or falsehood of the rumour has not yet been ascertained. An exposure of the practices adopted by the person alluded to will, perhaps, have the effect of putting persons on their guard, and of checking, a practice that, in more than one instance has been attended with fatal results. The individual in question accosts persons in the lower ranks of life, and invites them to partake of a glass of spirits at his house. The invitation is of course immediately accepted. A glass of something is given and swallowed, and a second glass tendered and pressed on the drinker with such earnestness that it is seldom or ever refused. The effect of this liquid is to produce almost immediate delirium or insensibility. Several of the police have been tempted in this way. One in particular, known by the name of Darby, was induced to drink a couple of glasses. In a few minutes afterwards, the policeman on the next beat was surprised to see the constable flying along the street at furious speed, and bawling in a dreadful manner. The unfortunate man was next seen to tear off his great coat and his strap and to throw them into the middle of the street. His other clothes were about to share the same fate, when attention was attracted to his situation by a sergeant going the rounds, who ordered him to be conveyed to the station-house. While there the man continued to utter the most horrible cries, and to exhibit unequivocal symptoms of insanity. In the morning he so far recovered as to state the circumstance of having been plied by the person in question with two glasses of the unknown liquor, and that almost immediately afterwards he lost all recollection of what had occurred. As the man continued afterwards to display appearances of madness, he was soon afterwards discharged from the police force. He never, however, again recovered his perfect senses.

The next case was that of a person of respectability, who died almost in the person's house after having been induced to drink a glass or two of the liquor. Another instance was of a more ludicrous character. Fifteen scavengers were busily employed sweeping the road in Piccadilly. They were all called and treated with bumpers of this magical liquor. In a few minutes an irresistibly comic scene ensued. One after the other the scavengers began flourishing their brooms, like maniacs, and making desperate efforts to resume their labours. Their brooms, however, only performed sundry whirligigs, and one after the other down the scavengers tumbled in an insensible state in the street. Twelve of these mudlarks found their way into the Vine-street station-house on stretchers. One had nearly been killed but for the timely application of the stomach-pump and the care of the surgeon of the force. The two drivers, who had each taken their share, were seen hanging on by the shafts in a state of complete stupefaction. The horse was going on, and had the police not succeeded in rescuing them they must have fallen under the wheels of the loaded mud-cart. These are only a few of the instances which have occurred. It is to be hoped the missing driver does not form a third case in which life has been sacrificed through the indulgence of this criminal practice.—*Liverpool Observer.*

ALEXANDER'S WEEKLY MESSENGER.—We have received a new enlarged and beautiful edition of this weekly journal, which is published at Philadelphia; it is one of the largest journals, its selections are good, has superior wood cuts, and makes a most interesting Family newspaper.

CIRCUIT COURT.—The Sittings of this Court commenced on Tuesday last, His Honor Judge PARKER presiding.—The number of criminal cases were stated to be much less than on former sittings. His Honor spoke impressively and feelingly on the condition of that large and useful class of subjects, the Seamen of the port of Saint John; appealing forcibly to the mercantile part of the community to unite in endeavouring to make some permanent provision towards ameliorating the condition of our Seamen.

An Inquest was held on Monday before Dr. W. Bayard, Coroner, on view of the body of HENRY MORGAN, mate of the ship *George*, who fell over the side of the ship when in a state of intoxication.—Verdict, "accidental death by drowning."

THE WEATHER.—Stern Winter has at last made its appearance; sufficient snow having fallen during the week to make it pleasant sleighing, in the City. The cold has been gradually on the increase, and from appearances, we look forward in expectation of finding our thermometer some few degrees below zero.

STAGE ACCIDENT.—On Monday last, as Green's Stage was returning from Fredericton to the City, being unfortunately off the regular winter track, and proceeding at a good pace, it suddenly broke through the ice, and being heavily laden with passengers, it was for some time extremely doubtful whether they could be saved. After great perseverance, they were all finally extricated. One lady passenger, Miss McLeod, of this City, suffered greatly from the length of time she was immersed and exposed to the cold, and great fears were entertained of her recovery.

We have much pleasure in stating that the funds of the St. John Auxiliary Bible Society have received a further increase, by a liberal donation of Five Pounds from Lieutenant Colonel Maxwell, commanding 36th Regiment. The gallant Colonel, addressing himself to a military friend at St. John, states that he has read with deep interest the report of the speeches delivered at the late Auxiliary Bible Society meeting; and sensibly alive to the sacredness of these claims upon his attention as a christian, he begs to transmit in humble aid of the Gospel cause, a donation of Five Pounds.

We trust that the gallant Colonel will find many imitators amongst his brother soldiers of this and the Sister Province; and we must not here omit to notice, which we do with very great pleasure, that a donation of Five Pounds from the Officers of the 69th Regiment, (in addition to Capt. O'Halloran's gift of £5,) has been lately received by the Treasurer of the Bible Society, through one of that body.

We understand that His Excellency the Chancellor of King's College, has appointed Honble NEVILLE PARKER, a Member of the College Council, and conferred the rank of a Professor on Dr. ROBB.—*Royal Gazette.*

REPORT OF THE LATE EXAMINATIONS OF THE COLLEGE AND COLLEGIATE SCHOOL.

To His Excellency the Chancellor of King's College.

The Examination of the College took place on Monday the 16th December, and was conducted in the usual manner. Among the Visitors, who were fewer than on most former occasions, I observed the Master of the Rolls, and the Hon. J. S. Saunders. Both of these Gentlemen have spoken very favourably of what they witnessed, and I cannot but regret, that a greater number of competent and disinterested Judges of such matters were not present, to whom I might appeal as to the present state of an Institution which I fear is not valued as it deserves to be.

The lamented departure of Professor Gray, immediately after the preceding Examination, had put a stop of course to farther progress in the Branches which he had so ably and successfully taught; but in every other subject, the progress which the students had made, was very conspicuous, all acquitted themselves creditably; and there are several among them of whom I persuade myself that the College and the Province will one day have reason to be proud.

It was especially gratifying to me to hear that the conduct of all the students had been uniformly regular and correct—so that no punishment had been inflicted or required throughout the term.

I was informed that the Vice President had given three additional Lectures every week, which were attended by all the students: two of them on the Greek Testament and the third on Composition—to supply the place of those which used to be given by Dr. Somervile; and that the subject of Dr. Robb's instructions had been the "Philosophy of Natural History." Thus upon the whole a very useful course of study although necessarily incomplete, had been provided for.

The number of undergraduates on the College board, is I believe sixteen, but five of them were not examined.—Three because they were preparing for their degree, and two because they had resided only part of the Term. In the Greek Testament and in Natural History, the remaining eleven were questioned, as they had been Taught altogether.—The Classical studies had been carried on in three classes which were separately examined.

The 1st in Pindar and Thucydides.
The 2nd in Herodotus Juvenal and Livy.
The 3d in Zenophon and Livy.

In these subjects I expected to find them expert, and was not disappointed, but I was surprised as well as pleased at the Proficiency they all exhibited in Natural History: and so I believe were all those who heard their prompt and accurate answers to the questions which were put to them during nearly an hour by Dr. Robb. I should not have thought it possible to make a whole class of students so juvenile, take such an interest in that subject, as they manifestly did.

There was not time to look over the Weekly Essays which each Student had composed, but the Vice President declared himself highly pleased with what had been done in that way. I brought away with me some specimens which were particularly commented, and having since looked over them at my leisure, I am able so far to testify to the justice of the commendation.

The Collegiate School was examined on the day following with the assistance of DR. ROBB, and the Rev. J. M. STERLING, who has also assisted at the occasional inspections of the School, appointed by the College Council. On this occasion the Examination was more than usually exact, as the extent of the new School room in which it was held, allowed of its being carried on in several subjects at the same time by different examiners, who all expressed the same satisfaction with the part which came under their observation as I felt myself at what came under my own.

I can myself bear testimony to the skill and success with which the Mathematical Department is conducted in this school. The first four books of Euclid's Elements are very thoroughly taught in an excellent manner, and several of the Boys shewed themselves very expert in those parts of Algebra in which they had been instructed.

On this occasion, for the first time, the Boys of the English Department were examined in Arithmetic, and although taken somewhat by surprise their performance was creditable.

Dr. Robb, who conducted the examination in French, reports very favourably of the result, he found them well instructed in the Grammar of that language and able to translate fluently.

In every other respect the School maintains the character it has always borne since I knew any thing of it. From the number of the Scholars who now attend it (about 80) I presume the manner in which it is conducted gives satisfaction to the Public—as certainly it ought.

It is an invaluable appendage to the College and deserving of all the encouragement it has of late received.

All which is respectfully submitted, by His Excellency's most faithful servant,

GEORGE COSTER.

Fredericton, January 7 1840.

The dwelling house of Mr. George Perley of Wakefield was consumed by fire on the night of Monday last; very little of the furniture &c. we understand, was saved. We have not heard the particulars of the origin of the fire.—*Woodstock Times.*

(From *Galignani's Messenger*, Nov. 26th.)

MUTINY ON BOARD THE BUFFALO.

Extract of a letter, dated 21st Oct., 1839, lat 25, 23 N., long. 33, 30 W.:—

"On Friday, October 12th, the rebels, (from Canada,) 111 in number, formed a conspiracy to murder the ship's crew, but fortunately it was discovered in time. They were secured, and the ship's company and soldiers have been day and night under arms."

No further particulars are known.—(*Globe.*)

Toronto, December 31.

ATROCIOUS MURDER.—About 6 o'clock on Thursday evening the 26th instant, Henry McCaul, a fine young man, aged 21, was barbarously murdered in a tavern kept by the Widow Coryell, Township of Whitby, under the following circumstances:—There was a party assembled in the bar-room, among whom was the deceased and Chauncy Skinner, the ruffian who murdered him. An amicable wrestling match took place between the two, in which McCaul was worsted in the first round. On the second trial Skinner fell rather hardly under his opponent, at which he took offence, and a quarrel ensued, which was temporarily compromised by a mutual agreement between the parties to "fight it out" next morning. After the lapse of some time, during which they had been in separate apartments of the house, they again met; upon which Skinner again resorted to irritating language, and while McCaul was in the act of entreating him to be quiet and leave the settlement of their dispute till morning, the miscreant drew a large butcher's knife, which he had gone to the kitchen, in the interval, to procure on purpose, and concealed in his sleeve, and three times deliberately stabbed the poor youth, who died of the wounds in a few hours. A few years since he was convicted at the Assizes of a rape, and sentenced to be hanged, which was afterwards commuted to banishment, whence, two or three years ago, he returned to the neighborhood of his crimes, where he has ever since been a terror and a pest; yet has no Magistrate caused his arrest. We are informed that after his banishment he perpetrated sundry crimes in the United States, and was confined in the common gaol at Buffalo, whence he escaped and came over here. He boasts of having killed two or three people in the United States, of which, we believe he is a native. An inquest was held on Sunday before Mr. George Walton, one of the Coroners of the Home District, and a highly respectable jury of the Township of Whitby, when a verdict of WILFUL MURDER was returned. The murderer is safe in Toronto Gaol.—*Patriot.*

We have heard it stated that Flood, who was found guilty of treasonable conspiracy at the last Assizes held in this City, is to receive the royal pardon, on the ground that the evidence on which he was convicted, does not appear to the Executive to have been sufficiently conclusive to justify the verdict of the Jury.—*Ib.*

EXTRACTS FROM GOV. FAIRFIELD'S MESSAGE.

"The long pending question in relation to our Northeastern boundary is still open and unadjusted, though we have reason, perhaps, for believing, that it has made some advances during the past year.—We have had a renewed expression of opinion on the part of the General Government, that the territory in dispute is a part of the State of Maine—an indication of a determination to discharge, in good faith, the duty of that Government to this State, of maintaining the integrity of its territory—and a national sanction of the military demonstrations made by this State in February and March last. It is also well understood now by all parties, that however patient and forbearing Maine will be while honest and earnest attempts are being made to run the line and definitely settle the question, she will not submit longer to be deprived of her territory by such a system of vexatious and unjustifiable procrastination as has heretofore been practised: and that the question must be settled speedily, in some way or other, if hostilities would be avoided. This is gaining something. When parties are fully aware of the precise position they occupy, the next step taken by them will be taken understandingly, whatever else may be said of it. Again, the occurrences of last winter served to awaken the attention of the country to the momentous importance of the question, and to induce such an examination of it as to result in a strong and universal conviction, that the pretence of claim set up by Great Britain to the disputed territory is palpably unfounded and unjust, and can be persevered in, only, through an utter disregard of the plain and unambiguous terms of the treaty of 1783.

Soon after the termination of your session in March last, a proposition was made by the British Government to the Government at Washington for establishing a commission for the purpose of exploration and survey, but it was connected with such limitations and conditions, as, it is understood, caused an immediate rejection by the President.—After which, and believed to be as early as July last, a counter project was submitted to the British Government, to which, as we learn by the late message of the President, no reply has been received.

Pending this negotiation, it seems, the British Government has deemed it expedient to make an exploration of the disputed territory by commissioners sent out for that purpose—the alleged object being to obtain topographical information &c., as a means of promoting an early and just determination of the question in dispute. These commissioners have completed the exploration and returned to England to report to their Government. What that report is to be, or what is to be the effect of it remains to be seen. The courtesy due from one government to another requires of us, perhaps, to believe, that the real and avowed design are the same, and that this survey has been undertaken really for the acquisition of information and not for mere purposes of delay. At all events, a short time will determine. As the commissioners may be expected to have reached England about the first of January, there will be ample time before the termination of your present session, supposing it to be of the usual length, for the British Government to avail itself of its additional information and to communicate with the government of the United States, in reply to the counter proposition submitted many months ago.

If such communication should not be made within the time anticipated, I think you may fairly, regard the British Government as having returned to its old practice of procrastination, and will be justified in adopting more vigorous and determined measures than have ever heretofore been adopted, to secure to this state both her property and jurisdiction in her lawful territory; unless the necessity for such a course should be obviated by the action of the General Government. What those measures should be, may properly be left to future consideration. I need not say, that, in all your ef-

forts to secure to Maine her just
pend upon my hearty co-operat
"In further compliance with
23d of March, the Land Agent
armed *posse* remained in the ter
drawal of the troops. For a p
his proceedings I must refer yo
seems that during most of the
the service about two hundred
have not been idle, will appear
at what they have accomplish
the labor expended in finishing
fortifications erected upon the A
large block houses and simil
mouth of Fish river, they have
dred miles of road through the
ness—all of it being suitable for
riages and for the transportat
Booms have also been extende
took and Fish rivers, of the mo
acter, and much valuable tim
On the whole though the expe
cessarily great, it is believed, th
of the state have been promoted
sued by the Land Agent and t
associated with him.
"The views which I have pr
munication upon the important
dary, were those entertained in
is now an ascertained fact, to w
is actually invaded, and of cour
by that circumstance. Official
fact was received by me a few
my way to this place, in a repl
Governor of the Province of N
letter of inquiry addressed to hi
lation to this subject. It is adm
companies of British troops ha
Temiscouta Lake, but it is all
Governor to have been done,
ders, but by the authorities of Lo
movement. I cannot but rega
branch of British authority, or o
it may have been made, not o
the spirit of the arrangement a
last, but as clearly an invasi
Under these circumstances I
duty immediately to communi
President of the United States,
less official information receive
barracks by the British Gover
of St. John, near the mouth of
ver, which I did, calling officia
on the part of the General Gov
case required, and the Constitu
the United States clearly enjoi

Supposed loss of the brig Virg
of U. S. Artillery.—The Boston
es the following letter from i
Portsmouth:
PORTSMOUTH, N.
Sir—Great fears are entertai
ty of brig Virginia, of Jacks
Charles Willey, master which
New York, on Wednesday, the
passengers Lieutenants Fowle
about forty recruits of compan
U. S. Artillery, seven women,
the Captain's and another the r
residue wives of the soldiers;
passengers and several childre
bout sixty souls on board.

TO CORRESPONDENTS.—Nu
been received which are defer
and for further consideration.
"Dublin Mirror" will be co
number.

MARRI

On the 7th instant, by the R
Peter Bogan, to Miss Ellen Su
day, by the same, Mr. Thoma
Margaret Huttson.—Mr. John
liza Doherty.—Mr. Henry Wi
Stone.
At Sussex Vale, on the 31s
Rev. H. N. Arnold, Joseph C
of Lansdale Lodge, a descend
of North Britain, to Charlotte
ter of Henry Leonard, Esq. an
the late Hon. George Leonard.
At Chipman, on the 9th ins
Doyle, Mr. John Strange, of S
Caroline, youngest daughter o
Langan, of Maugerville.
At Coverdale, Westmorland
by William Chapman, Esq
Weldon, of Dorchester, to Cat
of Mr. James Gildart.
On the 7th inst. by the Rev.
William Blizzard, to Miss Eli
the Parish of Fredericton.
At Burton, on the 7th Nov.
Milner, Rector of Maugerville,
Barker, to Miss Elizabeth Bel
Mr. John Bell, both of Burton.

DIED

On the 9th inst. Jane, only c
liam Hill, aged two years and
On Friday morning, in the C
after a long and severe illness,
christian fortitude, Sarah, wif
Thomas.
On Friday evening, Mary A
Samuel Green, aged three yea
On Tuesday morning, after
fourth year of her age, Julia,
win Ketchum.
On Wednesday, James Bru
Mr. Samuel Holsted.
In Portland, on Saturday, a
ness, Mr. John Carr, aged 57
At Portland, this morning i
her age, Mary, wife of Mr. Ch
of Digby N. S.—Funeral on
o'clock, from the residence of
when friends and acquaintan
attend.
Suddenly, at Greenwich,
the 8th instant, Jane, wife of
ling, in the 48th year of her a
by her family and friends.
At Sheffield, on the 1st inst
Mr. John Taylor, in the 34th
endured for many months wi
patience the ravages of a viru
ing God in her affliction.
At Fredericton, on Monday
short illness, Mr. Thomas B.
year of his age.
At Fredericton, on the 5th
and severe illness, which he
fortitude and resignation, dec
amiable wife and children, Mr.
tenant and Adjutant of the N
ment of Artillery, and late Ser
Royal Artillery. He was a k
band, an affectionate and hone
At Newport, Nova Scotia,
ber, aged 54 years, Sophia,
Bennett, and daughter of the
Esquire, of Barrington.
At Coverdale, Westmorland
Miss Caroline O'Brien, in the
In the same Parish, on the 21s
her age, Miss Mary Colpits,
Mr. George Colpits, of Cove
ult. of typhus fever, Mr. John
North of Ireland.
At Pottsville, (New Orleans
fever, Mr Edward P. C. Pit
of the late George Pitfield, Es
On the 19th Aug., aged 4
est son of Mr. Law, of Doddi
shire: on the 11th Sept., aged
dest daughter: on the 13th S
brose, the eldest son: on the 3
George, the second son: on th
William, the father; and, on
19, Harriet, the second daught
daughter are the only survivin
ly in which the hand of death ha
such fearful rapidity.—*Liverpo*

SHIPPING

PORT OF ST. JOHN, Arrived,
Giggy, Boston, 5—J. & H.
Ariadne, Webber, Bermuda,