THE BISHOP OF WORCESTER'S CHARGE.

The Lord Bishop of this diocese commenced his visitations on Monday at the Cathedral in this city, and addressed his charge to the clergy as follows:—

My Reverend Brethern—It has always struck me that the best use to which we can apply such occasions as the present, when the Bishop has the opportunity of addressing the whole of the clergy, is for him to dwell on such events affecting the interests of the Church as may have occurred since the last visitation, or on such opinions as may have become prevalent calculated to have a prejudicial effect on the interests of the Church. In reviewing the points which, on this principle, I shall think it my duty to bring before you, the first which presents itself as the most important, not only on account of its effects, but also with regard to the specious grounds on which it rests, is an undue regard for antiquity—an excessive respect for primitive practices: and which has shown itself not only in the restoration of obsolete forms and ceremonies, but even in the architecture and ornaments of our churches. First, then, I will consider whether there be sufficient grounds for regarding, so reverentially, the practice and opinions of the primitive Christians. That the nearer we approach the time of Christ and his Apostles the more correct information we shall obtain as to their doctrines, is a theory so plausible that some close consideration of it is required. Had the immediate successors of the Apostles written detailed accounts of the opinions and practices of the first Christian converts, and had these been transmitted to us unmutilated and unimpaired by time, we should have had occasion to look with the utmost respect on them, as conveying to us the very minds of the Apostles themselves; but what is the fact? Few and scanty are the books which have reached us written by Christians in the first three centuries; and these were invaluable as containing quotations from Holy Scriptures, and thereby establishing the fact of their early circulation, and of the respect in which they were held. His lordship then alluded to the Gnostic heresies of the early ages, and to the labours of Irenæus, showing that the Church had already become so corrupted in the three first centuries, so few were the recognised relics of that date which remained, and so divided was the Church in opinion on controversial points, that it was exceedingly unsafe to appeal to the authority of what was called 'Catholic antiquity.' The few writings which remained of those early fathers were much devoted to the refutation of those gross errors relative to the nature of the Deity, which were first imported from the east; but it might be doubted whether the constant engagements in the discussion of these points did not in some measure imbue the minds of the fathers themselves with the errors they had attempted to put down. What was the main principle of the Gnostic heresy? It was this: a conviction that the corruption of matter had become so great as to render it almost hopeless that we could ever attain the heavenly rest, and be as the angels in heaven, without the use of ascetic practices and self inflicted tortures. Hence we were struck with the difference which at that early period already existed between the inspired writings, which inculcated the full pardon of sins through the merits of the Saviour alone, and the doctrines of the most ancient fathers of the Church, succeeding the Apostles, but whose writings were not inspired. But if the paucity of the early writers, and the errors and contradictions with which their works abounded, rendered it unsafe for us to refer to them in questions of faith and practice, should we be more successful in turning to the fourth and fifth centuries, when the Papacy had reared its head? It had been much the custom to appeal with confidence to the Catholic antiquity of the fourth and fifth centuries, as an authority for the settlement of differences.

Now if, as had been seen, much corruption had crept into the Church during the earlier period, we should have still less ground in reposing confidence in the fourth and fifth centuries, which received Christianity not pure and unadulterated as it came from Christ, but mixed up with many errors, which such a period of false philosophy and zeal could not fail to have introduced into it. In addition to this another fatal error was found to have prevailed. The contests between Paganism and Christianity ended in the victory of the latter, under Constantine; but this victory was not gained without compromise on the part of Christians, and the foundation was then laid for many of the errors of Rome, from which we were happily delivered at the Reformation. Thus, canonization of saints was adopted as a substitute for the high and holy days of the ancient mythology; and no one who had witnessed a Roman Catholic procession could fail to be struck with the similarity between it and the Pagan processions described in the Fasti of Ovid—the festivals of St. Jupiter and St. Martin being substituted for an Apollo and a Bacchus, for St. Agnes and St. Perpetua for a Ceres and a Diana. But not only were the writings of these fathers dangerous on account of their too ready observance of such ceremonials,—the worship of saints, the adoration of relics, the doctrines of the Millenium and of Purgatory, were all to be traced to these early writers; and although the worship of the virgin, transubstantiation, the abuses of the confessional, and the supremacy of the Pope, were errors of later introduction, still even these might plead the authority of considerable antiquity. Besides, if we look to antiquity as our guide, it became a question which of the fathers we would adopt, for they continually contradicted each other. Should we believe, with Justin Martyr and Irenæus, that the dead in Christ should reign with him bodily at Jerusalem, or with others who treated such ideas as the dreams of children? Should we with the Greek fathers, believe that the procession of the Holy Spirit was only from the Father, or, with the Latins, from the Father and the Son? In short, he who trusted to antiquity would find so much diversity of opinion among the fathers of the church that he would so be tossed about upon these troubled waters as to search in vain for an anchor for his soul in patriotic theology. Were then the writings and traditions of antiquity to be repudiated as worse than useless, and calculated to mislead rather than to enlighten Christians? By no means. Not only were they most valuable for the sentiments of piety and devotion which breathed throughout them, but because unto them were committed the oracles of God. To them we were indebted for those frequent quotations from Scripture which not only attested their existence in the earliest times of the Church, but proved that they had always been considered as the works of inspired writers. From these sources had Lardner and Paley drawn their evidences, and collated the most incontrovertible facts and statements in proof of the authenticity of the books of Holy Writ; and deeply were we indebted to antiquity for the foundations of our faith. But beyond this we were in danger of falling on the extremes of Popery if we looked to settle our opinions from antiquity. The Bible, and the Bible alone, was the religion of Protestants. Not that we were to reject any assistance to be derived from the early records of the Church; but Protestants should receive no article of faith that was not found in or could be proved from Scripture. Yet though not admitting the plausible theory of antiquity in favour of things not sanctioned by Scripture, we might yet appeal to it in refutation of many of the errors of the Roman Catholic Church. Thus, while it was no argument in favour of the Millennium, that it was a notion entertained by Justin Martyr [since we did not believe him to have been inspired, and therefore that he was liable to draw erroneous theories from Scripture,] it nevertheless was a doctrine against transubstantiation, that we found no trace of it for the first six centuries nor of the adoration of the Virgin till the sixth century. It was credible that the first writers should have committed errors, but it was not credible that transubstantiation and the adoration should have been transmitted from the Apostles if we found no trace of them for six centuries after Christ. In this negative sense the true value of antiquity consisted. The question was, what could be proved from the Bible, and what could not?

There was another evil arising from an excessive regard for antiquity; true, it was a matter of very inferior importance compared with error of doctrine, but in many cases it had produced evil results to the Church. He alluded to the pedantry [if he might use the term] of introducing ornaments and forms supposed to have been used in the ancient church: thus, a stone instead of a wooden communion-table, a lectern for a reading-desk, sedilia in churches in which it was not likely that more than one clergyman would officiate at the same time, a rood-screen, and credence-tables, with candlesticks on the communion-table never intended to be lighted, and the walls covered with scriptural sentences in old English text that could never be read. Other things were now heard of besides, as being essential to the true ecclesiastical structure. Now he objected to the revival of these practices long set aside, not on account alone of the expense which they incurred [though he thought that at least should be a consideration with those who had the disposal of others' money], but he thought them abstractedly reprehensible, as having a tendency to convey false notions unsuited for the purpose for which a Protestant assembly met together. They did not come together, like the Roman Catholics to gaze with awe and superstition; they looked for no processions of stoled priests, nor to fall down and worship the sacramental emblems. But Protestants assembled humbly to confess that they had left undone those things which they ought to have done, that they had done those things which they ought not to have done, and to pray that God would spare those who confessed their sins—to offer up prayers and thanksgivings for blessings conferred, and to ask for the gift of his Holy Spirit through the sacrament. These were the spiritual exercises for which Protestants assembled in the house of God; it might be doubted therefore, whether there was any propriety in restoring ecclesiastical ornaments at a time when [his Lordship said it with emphasis] vital religion was almost lost amid these formalities. And here he wished to be allowed to say a word in favour of one of the internal arrangements of our churches which had lately been made the subject of much vituperation and ridicule; he alluded to that mode in the distribution of the seats by which each family, as it were, was allowed to form a family congregation in the midst of the general congregation. Such an arrangement was not necessary in Roman Catholic churches, where the people assembled not to pray but to gaze, where the service was conducted in an unknown tongue, and the offices of religion were confined to the priest; but in Protestant churches he thought it contributed much to piety at home, and to that family religion which might be considered the peculiar characteristic of this nation. What father of a family who had been in the habit of humbling himself before God in the privacy of his pew, with his wife and children, would willingly resign the feelings naturally resulting from such worship out of a regard for the supposed practices of antiquity? While his Lorpship would thus raise his voice in favour of that arrangement which protected from the public gaze the devotions of a pious family, he was not insensible at the same time to the abuse of the system, and that in many cases pews had been constructed of much larger than necessary dimensions, whereby sufficient accommodation had not been left for other parishioners. Let all such abuses be corrected by the competant authorities, but do not let us denounce a practice simply because we cannot find for it a date earlier than Henry VIII. That it did not originate with the Puritans was proved from Bacon, who, when speaking of Sir Thomas Moore, the then Lord Chancellor, said 'He did use to sit at mass in the chauncel, and his ladye in the pew.'

Having thus considered the errors arising from an undue regard for antiquity, his Lordship said he could not conclude that part of his subject without alluding to the use of certain formularies themselves so unreasonable as to throw a portion of the Church into disorder, though happily they did not prevail to any great extent in the diocese. He meant the clergyman's turning to the east, not only during the creed, but when offering up prayers. This was unquestionably a practice of great antiquity, but it might be doubted whether even the high sanction of antiquity might well warrant its continuance, when the priest turned his back on the congregation while offering up prayers in which he and they ought to join. There was also the less reason to reverence this practice when we reviewed the ridiculous reasons assigned for its observance by many of the old writers. Lactantius accounted for it by saying that the east was more particularly ascribed to God, as the author of light, and the west was the quarter he hides the light from man and produces darkness to him: Tertullian and others said that the east was the country of Christ's adoption as the scene of his life and labours, and therefore the church turned herself in that direction; while others gravely announced that the east was the more honourable part of creation, and therefore we should turn to it, and by the same rule as we made our signatures with our right hands. Thus it was found that the fathers themselves were at a loss how to assign a valid reason for practices not sanctioned by Scripture—practices which were repugnant to the acknowledged universality of that God whose way was in the sea, and whose path was in the great waters; moreover, their churches stand wide open early and late, inviting, as it were, all comers; so that a poor troubled soul may have access thither at all hours to breathe out the pantings of his heart, and the ejaculations of his soul, either in prayer or praise. Nor is there any exception of persons in their churches; for the cobbler will kneel with the count, and the beggar dress pig-by-poll with her lady; there being no pews there to cause pride and envy, contentions and quarrels, which are so rife in our churches.

"The comely prostrations of the body, with genuflexion and other acts of humility, in time of divine service, is very exemplary. * * * * Furthermore, the conformity of seculars, and religious of the same profession to the prayers of the church is remarkable; there are not such sceptics and cavillers there as in other places: they humbly believe that Lazarus was three days in the grave, without questioning where his soul was all the while.

"Lastly, they think nothing too good or too much for God's house or for his ministers; no place too sweet, no buildings too stately for the living of the best profession. The most curious artists will employ the best of their skill to compose hymns and anthems for God's house, &c. * * * *

"Some shallow-pated Puritan in reading this will shoot his bolt, and presently cry me up to have a Pope in my belly; but you know me otherwise.—We are come to such times, that I may would maintain those decencies and humble postures, those solemnities and rites which should be practised in the holy house of God, (and holiness becomes his house for ever,) nay, if one passing through a church should put off his hat, there is a giddy and malignant race of people who will give out that he is running post to Rome; notwithstanding that the religion established by the laws of England did allow of them ever since Reformation began, yet you know how few have run thither."

Howell's notice of an Act of the Republican Parliament, which has been unhappily imitated in our own times, is worth transcribing.

"For home news, the freshest is, that whereas in former times, there were complaints that Churchmen were Justices of the Peace, now the clear contrary way, Justices of the Peace are become Churchmen: for by a new act of that *thing* in Westminister called now a Parliament, the power of giving in marriage is passed over to them, which is an Ecclesiastical Rite every where else throughout the world."

Trusting that these extracts will be acceptacle to some of your readers who have not had access to the very amusing volume from which they are taken,

I remain, Sir,

Yours, &c., J. H.

TRIAL OF JOHN REAS THOMPSON, STORE-KEEPER AT THE CAPE OF GOOD HOPE FOR EMBEZZLING THE SUM OF £10,920 10s. 5d.

Cape Town, May 3, 1845.

The court having formed, at 10 o'clock, A.M., the prisoner, John Reas Thompson, late Naval storekeeper and Agent victualler at Simon's Town, Cape of Good Hope, was placed at the bar charged with having embezzled the sum of £10.920, the property of the Queen. He was dressed in a suit of mourning, and looked extremely agitated and unwell. Some of the jury was challenged; and the indictment being read, the prisoner, in a weak and tremulous voice, pleaded "Not Guilty."

Thomas Collings, chief clerk in the Imprest-office Somerset house, London.—This gentleman's evidence was remarkably well given, and shewed that he was thoroughly conversant with the different matters introduced for his elucidation. He stated that he arrived in Simon's Bay on the 5th of February last, under directions from the Lord's Commissioners of the Admiralty; he proceeded immediately to Green Point, near Cape Town, and there on the same night arrested the prisoner, who shortly afterwards was conveyed to Simon's Town, to be present during an investigation into the state of his cash account, which Captain Charles Eden, of H. M. S. Winchester, and Captain Collings, had been ordered to commence. The result of this inquiry proved that the prisoner had taken up large sums of money from the Commissirat, unauthorised by the Admiral, and had ommitted to debit himself with the same; that two requisitions, duly approved by the Commander in chief, were never used, but were found in Mr. Thompson's own office during the examination of his accounts; the ficticious entries were made evidently (as it would seem) for the purpose of deceiving the Admiral, when that officer should come to inspect the balance of cash on hand; that the prisoner had sworn, before a justice of the peace, to the correctness of his accounts, knowing that he had falsified them, and that they were perfectly incorrect; that Mr. Thompson had kept back five quarters' accounts, which he should have sent to England, doubtless with a view of delaying as long as possible the detection that would inevitably occur when the total amount of disbursements came to be compared with the total of receipts as shown by Mr. Deputy Commissary General Palmer's account of the deficiency amounting to £10,920 10s. 5d.

The next witness called by the Attorney General was Captain Charles Eden, of H M.S. Winchester, who merely corroborated what had been said by Mr. Collings.

Mr. Deputy Commissary General Paulmer proved the fact of his having from time to time made certain advances to the prisoner, whose receipts for the several amounts thus advanced were exhibited in court.

This terminated the evidence for the persecution. The defendant's counsel were endeavored to make it appear (and the attempt was indeed an unfortunate one), that the fact of his client having appropriated to his own private purposes nearly eleven thousand pounds of the public money, as clearly demonstrated by the strongest possible evidence, was ascribable to a sort of general confusion in the dockyard offices, and the want of clerical assistance.

The Jew, and his wife and children, were then addressed the jury on behalf of the prosecution; but in an account like this it is impossible to do credit to his remarks, but the substance of them were as follows:—He called the jury's attention to the strength and clearness of the evidence afforded by Mr. Thomas Collings, and Mr. Deputy Commissary General Palmer, and spoke of the fraudulent intention with which the prisoner had evidently made ficticious entries in the accounts, omitting to debit himself with very large amounts actually received from the Commissariat, and charging himself with some few much smaller amounts which he had never obtained. Mr. Porter refuted the idea of supposing that the want of proper clerical assistance (if such did in reality existed) could destroy the proof that Thompson had embezzled £10.920. He (the Attorney General) complimented very handsomely Captain Eden and Mr. Thomas Collings on their indefatigable exertions during the investigation into the cash accounts. He said Captain Eden was an ornament to his profession; and that Mr. Collings had, after the most laborious exertions, produced an abstract of the particulars concerning every procurable check bearing Thompson's signature, that had passed through the Cape of Good Hope Bank since 1841; when they first kept an account there.

The Jury, after a deliberation of about 10 minutes returned with a verdict of "Guilty;" and on the 14th May he was brought up to receive judgement, and after disposing of a motion of arrest of judgement on some alleged informality in the indictment, the court sentenced him to be transported to Van Dieman's Land for a term of 14 years, and hard labor in the gaol of Cape Town, or such other place as the Governor shall direct—the whole period of such imprisonment and transportation not to exceed fourteen years.

☞ Blanks, Handbills, and Job Printing of all kinds, executed at the Chronicle Office at lowest prices.

THE CHRONICLE.

SAINT JOHN, OCTOBER 3, 1845.

HALIFAX AND QUEBEC RAIL ROAD.

Our readers may have perceived, that a portion of this stupendous undertaking has already attracted the attention of capitalists in the Coionies, and in the mother country. A well written Prospectus which details the advantages, and likelihood of profit to be derived from a line of Rail Road, of which this city, and the Grand Falls are to be the termini, has already been published; and the approval of this enterprise, by gentlemen of intelligence, and whose opinions are entitled to consideration, has been readily obtained.

The projectors of this scheme have, it certainly appears to our minds, carefully weighed the matter, before promulgating their views to the public, and we are greatly mistaken if their calculations of profit are not *under*, rather than *over* estimated. In every instance where facility of transport is afforded for passengers, or ordinary freight, the custom of the *common carrier*—let his mode of conveyance be accomplished as it may—rapidly increases, whilst the old jog-trot pace of his predecessors, suffers so badly by the comparison, that even those dangerous weapons, satire and ridicule, lend their powerful aid, in effecting its complete annihilation.

It is to be hoped that our fellow colonists in Nova Scotia will not be found wanting in public spirit and patriotism, now that their aid and co-operation are required, in carrying out the great plan of communication between the capitals of Canada and Nova-Scotia.

The advantages in favour of the route from Halifax, direct to some point on the western coast of the sister Province, and from thence, by steamer to this city, are too obvious to need much elucidation.

In the first place—the great distance *around* the head of the Bay of Fundy, would so materially increase the expense of the undertaking (stupendous under the most favourable circumstances) as to render it too formidable in magnitude, even for the consideration of the *millionare* of the mother country, whose capital must necessarily be enlisted in the great work, wheresoever the line may ultimately be decided to run.

Again,—should the line commence, and go directly from Halifax to some point on the Nova Scotia coast, in the same latitude as Saint John, it would thus pass by, or through, many important and growing towns, and settlements, whose latent resources by this means, would be amply developed, and rendered lucrative to their possessors, as one, if not two great markets, would at once present themselves, which would furnish numerous customers for their Agricultural and Domestic produce, and the disposable results of their industry; from which markets, such places, by reason of their present remoteness, are now necessarily denied all means of access, at all events, for the purpose of disposing of the fruits of their labour.

To those who contemplate carrying the Grand Colonial Railway around the head of the Bay of Fundy, we would respectfully intimate, that their project meets with little favour in our eyes. The increased distance, and the consequent enormously additional outlay. The paucity of the number of inhabitants, in comparison with the *direct* line, who are to be accommodated, are stubborn facts, which no ingenuity of reasoning, or the most plausible sophistry can possibly pervert, and as such are barriers in the way of custom, and consequently profit, and the prospect of *gain* will only recommend the undertaking to the mind of the capitalist—that we have little apprehension, that such a route, when duly and impartially considered by prudent and scientific men, will be abandoned, as unwise, if not impracticable.

From the manner in which this gigantic scheme has been considered and approved of, and from a favourable opinion extracted from the Colonial Secretary, we have good reason to hope that in due time, it will be completed. And then, these favoured North American Colonies will be united, literally, with bands of iron!—and, the desirable communication, by furnishing the ready means of a frequent intercourse between every section of the Provinces, will doubtless, be the happy cause of diffusing throughout their inhabitants, a steady and undying attachment to these glorious principles, which have elevated and ennobled the Country from which they have sprung; those constitutional principles we mean, which should ever form the basis of our political institutions, whilst their respectability and permanency are deemed worthy of our regard.

☞ On Saturday morning last Her Majesty's steamer *Vesuvius*, Commander O'Callaghan, arrived here from Halifax, bringing Major General Sir Jeremiah Dickson, Commander of the Forces at this station on the usual tour of inspection. Sir Jeremiah inspected the troops in garrison during the morning of Saturday, and left at noon in the steamer *New Brunswick* for the purpose of inspecting the right wing of the 33d Regiment stationed at Fredericton.

The Vesuvius also brought Captain Stanway's company of Royal Artillery, which arrived at Halifax in the Barretto, transport, after a fine passage of 25 days. We have Captain Mee's company, which embarked in the Vesuvius on Tuesday morning, and sailed immediately afterwards for Halifax, where they will take passage for Head Quarters in the same transport.—It is due of Captain Mee's company to say that during their stay among us they have conducted themselves in the most steady and soldierlike manner—been always ready to assist the authorities either at a fire or a *fracas*; and have fully sustained the eminent standing for which the Regiment to which they have the honor to belong is so highly distinguished.

Accidents.—An inquest was held on Saturday last before Aldermen Porter and Smith, (in the absence of the Coroner,) on view of the body of Samuel Russell, who was found near his own house at Mispeck, with his throat cut. No circumstances appearing to the jury that this act was done by other than his own hands, a verdict to that effect under temporary insanity was returned.

On Monday a man named Patrick Flavin, laborer, on board the ship *Loodstalk*, fell from the deck into the hold of that vessel, by which accident he received such injuries that he died in a few hours afterwards.

An inquest was held on Monday on view of the body of Patrick Dougherty, who was found drowned near the end of the South Market Wharf: It appears that the deceased had been missing for several days, and it having also been ascertained that when last seen he was going on board a steamer at one of the wharves, his friends determined on "dragging" for him, when his body was soon found; it appearing evident that he fell between the vessel and the wharf in attempting to get on board, a verdict to that effect was returned by the jury.

New-Steamer.—A fine new steamer called the *Reindeer* arrived at Indian Town on Tuesday from Fredericton, where she was built and entirely fitted out, we are informed that she is owned by Mr. Pickard, of Fredericton, and that her engines are built upon a plan of Mr. Tibbets, to whom much credit is due for projecting and carrying it out. She has two engines, the one a high pressure and the other a low-the latter taking the steam from a receiver after it has performed its office in the former; but we have not as yet been informed whether the estimated combined powers of the engines have, or are, likely to produce the same effect as an engine of either high or low pressure of the same power. One thing is certain, that her consumption of fuel is extremely small; and we suppose that like all other new inventions, the projector will see in her practice many trifling alterations that will be required to give his plan full effect, and thus obtain the requisite degree of speed.

Provincial Appointments.—John Ultican, John M'Nair, John Cook, to be Justices of the Peace and Arthur Ritchie, Esquire, to be a Justice of the Common Pleas, in and for the County of Restigouche.

Thomas Jones, Esquire, to be a Director of the Saint Andrews Grammar School.

Joseph Read, Francis Ferguson, William Stevens, Thomas M. Deblois, John Woolam, and Wm. Deacon, to be Firewards for the Town of Bathurst

Edward Williston to be a Fireward for the Town of Newcastle.

James Bustin and John M'Kay to be Justices of the Peace for the City and County of St. John.

George Morehouse to be a Coroner for the County of York.

Theatre.—Several new and talented Actors are now performing at this establishment. A better system of order and punctuality have been introduced, and every thing done by the manager to meet the wishes of the Public.

Montreal, September 22.

Murder of Mr. Samuel O'Rourke, the Pugilist.—The inhabitants of Grenville, at the head of the Longue Sault, on the Ottawa, were last week thrown into a state of great alarm and consternation by some strange reports which were circulated throughout the whole length and breadth of that immense township, concerning the mysterious absence of Samuel O'Rourke, the celebrated Prize Fighter, from his *lee* to raise a barn on Monday, the eight instant.

The barn was to have been a log building of large dimensions. The timber, therefore, was very heavy, and consequently required a great number of hands to put it up.

To be sure of having a competent number, he had invited all far and near, to come to his assistance.

The day was fine, the last fine day indeed that we have had now for some time; and a right stalwart set of young fellows, anticipating a little hard work, and a great deal of fun and frolic, assembled at his house at the appointed hour.

O'Rourke, to their wonder and astonishment, was not at home. They were told that he had ridden out back into the woods the day before to a neighbour's house, about three miles from his own, to get this neighbour to come and help him to raise his barn the following day, and to bring with him a horse and "travail" he had lent him about a month before, as they might be wanted to haul the timber to different sides of the barn. He was to have returned home to his dinner the same day.

Three or four hours passed away before the patience of the persons assembled was exhausted, and yet he came not; at length the party dispersed and returned to their several homes.

O'Rourke, when he left his house, had with him two faithful dogs; he was seldom indeed seen without them. One of them returned home the next morning with his head bruised and torn as if beaten violently with a stick. This cirumstance alarmed his friends a good deal, and one of them with a farmer went over to Brady's house to enquire after him. Brady said he had not seen him for more than a week. They, therefore, returned home, thinking he must have gone off in some other direction, and would very likely be back before them.

That whole day and night passed away without bringing any tidings of him, when his neighbours became seriously alarmed for his safety, and set off in search of him, to Brady's house, but could find no traces of him or his horse. Others again went in the same direction the day after this, but their search also was as fruitless as the former one had been.

The next day the search was again renewed, and with some determined vigour. Captain George Kains the acting Coroner, an experienced woodsman, went himself with a large party. On his way to Brady's, he picked up three Indians with their dogs from a party going up the river to hunt, who had encamped in the neighbourhood the night before. This party on arriving at the vicinity of Brady's house dispersed themselves in small detachments all round the little clearing adjoining it in order to discover some traces of the lost man. The man Brady himself, against whom some dark suspicions began to be entertained from a report that he had threatened O'Rourke's life sometime before, joined one of these little parties to assist in the search, which continued all day, and not now without some success.

[We are unable here to continue the circumstances in detail which led to the discovery of the body, which are given at great length in the *Montreal Courier*, and accompanied by a woodcut representing the scene of the murder and adjoining grounds.]

The Coroner's Jury after a consultation, found that the decessed Samuel O'Rourke came to his death by gun-shot and other wounds, inflicted by one John Brady with intent to murder, and that the said John Brady is guilty of wilful murder of the deceased Samuel O'Rourke.

The prisoner was subsequently conveyed to Montreal, and lodged in gaol.

(From the Miramichi Gleaner.)

ADDRESS TO THE REV. HENRY F. RUSSELL, OF BATHURST.

To the Rev. H. F. Russell, A. B.

Reverend and Dear Sir,—We, the Church Wardens, Vestry, and Parishioners, of the Parish of New Bandon, havind heard of your approaching departure, desire most respectfully to offer you our thanks for the services which you have done us since your arrival amongst us. We deeply regret that anything should have occurred to induce you to tender your resignation; nor can we urge any plea why this act on your part should have taken place, as we have always placed the mos implicit confidence in you. Be pleased, therefore, to accept this testimony to your worth and character; and believe me to be truly and sincerely yours. Signed by the Church Wardens, Vestry, and Parishioners.

August 20, 1845.

REPLY.

Gentlemen,—Accept my grateful thanks for the kind Address which has been presented to me thro' the Church Wardens of this Parish, and be pleased to convey them to those who have signed it. Wherever I may chance to sojourn, "the remembrance of you all" will not be wanting in my memory for the many acts of kindness and courtesy which I have so often received from your hands.

And in bidding you farewell, I commend you and yours to the care and Providence of Him, who is all serve; and may He who is rich towards all, make you to abound in every good work, to His glory, is the sincere wish of, Gentlemen

Henry F. Russell.

Kingston Races and Riot.—Kingston Races commenced last Thursday, and the day's *sport* ended with a dreadful riot and fight between the soldiers of the 71st Regt. and the civilians. Among the numerous conflicting statement of events, it is hard to arrive at any conclusion that we can put forth as quite correct, but the following is as near the truth as we can make it. The riot began a little before 6 o'clock with a quarrel between one of the 71st and a sailor, when the former was struck by the keeper of the booth in which they were assembled at the time. Others interfered on both sides until a general row ensued, and the whole mass of military and the people were fighting with everything they could lay hands on. The soldiers had no side arms, except a picquet on duty, but they used stones and sticks, and some who had them, bayonets, and the populace stones, fence rails, &c. After the fight had continued for some time, the officers who were aided by some other gentlemen, succeeded in parting the combatants, and collected their men to march them home; but the populace followed, pelting them with stones, by which Adjutant Hamilton was hurt and had to be taken into a neighbouring house. Upon this the soldiers broke loose, and commenced the fight anew. It continued with greater severity than ever, until Major Dennie arrived with two companies under arms, with which he proceeded to clear the ground, and arrested every man, whether soldier or civilian, that was pointed out to him as having been engaged in the riot. These prisoners, about 16 of them civilians, were marched down by the troops, and thrown into the Black-hole in the Barracks. Afterwards the Mayor, accompanied by Henry Smith, Jun., Esq., went and demanded the civilians from the military; they were given up, and taken to the Station House, where they were liberated on bail to appear next morning. Accordingly, the prisoners appeared on Friday morning at ten o'clock at the Town Hall, which was nearly filled with people in a state of great excitement.—After waiting and consulting until 12 o'clock the magistrates decided on discharging all the prisoners unconditionally, taking their names in case any thing should come up against them hereafter.

Six or seven of the soldiers are considerably injured, but we understand that only two of them are in a dangerous state. Of the civilians, eight or nine were badly hurt and among them two were not expected to recover—Murdoch a carter, whose head was beaten to mummy; and Mr. Thomas Ovens, Tavern-keeper, who besides six or seven other wounds, has a dangerous rifle-sword wound above his right ear.—[Herald.

Later from Texas—A U. S. Steamer blown up with Troops on Board.—The steamship Alabama, arrived at New Orleans, on the 18th inst., with later news from Corpus Christi. She sailed thence on the 15th. For the news we are indebted to an extra from the office of the Picayune.

On the 12th inst. the steamer Dayton, burst her boilers, when about half way between Corpus Christi and St. Joseph's Island. Between thirty and forty persons were on board, including United States soldiers, and the hands attached to the boat. Ten individuals were killed on the spot, including among them Lieut. Wiggins and Berry of the 4th Regiment of Infantry. Seventeen were wounded, some of whom were not expected to survive. Captain Crossman, the Quarter Master, was on board together with two other officers.—They were blown to the distance of one hundred yards, but were not severely injured. Captain C. had one of his legs somewhat bruised, but the next day was able to walk and attend to his business.

Horrible Fight in Philadelphia.—During Saturday night and Sunday, says the correspondent of the Com. Advertiser, dated Sept. 29, our city was again disgraced by another series of brutal fighting between the members of the Weccacoe and Moyamensing hose companies, the latter, as usual, being the assailants. Clubs, stones and pistols were frightfully used, and a number of persons were dangerously injured. It is said one man cannot recover, such is the extent of his wounds.

The fight took place in city proper, commencing at 6th and Prune streets, within two and a half squares of the Mayor's office, and continued for several squares! It was a fearful scene, the residents of the streets being compelled to close their houses to save their lives and property.

This Moyamensing company is composed of a band of lawless ruffians, who defy all civil authority, and appear to be encouraged by the commissioners of the district, from the fact, if there be none other, that their services at the polls in time of election are of great benefit to the locofoco party.

Fatal Accident.—A sailor fell from the foretop of H. M. S. Vindictive, on the 19th inst., and the injury he received was so severe that he survived only three hours. He lost his balance in reaching for a rope. His skull was fractured, and a thigh and an ancle bone were broken by the fall, but he retained his senses until the moment he expired.—He was only 23 years old. On another station, he fell once before, from the foreyard of a man-o'-war, overboard, but sustained no harm.—*Halifax Recorder.*

Anonymous Generosity.—An Englishman, who served several years on board of several men-of-war on this station, was in the debtors' gaol, for several months for a debt of a few pounds. One day last week his wife after returning from the gaol, found a sum of money in a piece of paper with the following inscription:—"Get out, B——, from that infamous den," and the person was agreeably surprised by being liberated a few hours afterwards. It is supposed that some jolly tars, his former shipmates played him this British sailor trick.—*Malta Times.*

Communications.

[FOR THE CHRONICLE.]

Mr. Editor,—I have been an attentive observer of the dispute, or difference of opinion, that seems to have been engendered between the Provincial Legislature and the Common Council of this city, respecting the Tax imposed by the former body in favour or on behalf of the Water Company; and from the statements published by the Committee of Common Council, I confess I was strongly inclined to believe that the stand taken by this body was a just and wholesome one. I was still further confirmed in this opinion by the very well written communication of your correspondent "W." in the last number of your independent paper; and I was only deterred from coming to the full conclusion that the Common Council were perfectly correct in their views, by the announcement in the *Colonial Advocate* of the 25th ult that the sage and learned Editor of that paper, was, in his next number, to expose the "sophisms" of the committee. Surely thought I, I must have read the statement in question, superficially or incorrectly, and I looked it over again, and again, to discover my error—but all in vain. Still I dare not set up my judgment in opposition to the Editor of the *Colonial Advocate*. I therefore waited with no small degree of anxiety, for the promised exposition. You may therefore judge of my surprise, (for I cannot express it,) on reading the last 'Colonial Advocate,' to find that the question at issue—the justice or injustice—the legality or illegality—of the two Acts of the Legislature was altogether forgotten, or studiously avoided by the learned Editor; the palpable contradictions between the two Provincial Acts are not even noticed. We are gravely told by the Editor that an Act has passed the three Estates of 'Queen, Council, and Assembly" and therefore the Common Council are bound to carry it into effect. If I read these Acts correctly, one of them is based upon, or has direct reference to the other, but the terms used in this reference are so different, that no analogy cannot be found, and the Common Council cannot, if they would, carry these conflicting Laws into operation, either as to assessment or collection.

But let us analyze the worthy Editor's production a little more closely. In the first paragraph we are told that the Common Council have ventured to express an opinion, that they are servants of the Public, and their opinion was unasked, they had no right to give it; in other words they are mere Automatons; and because they are public servants they have no right to think or speak; they must do as they will be told by the Legislature; be the orders just or unjust, consistent or inconsistent, utterly regardless of the interests of that public whose servants they are.

In the second paragraph we have the doctrine of passive obedience and non resistance, resuscitated from the grave of the Stewarts, to its full extent. Certain laws have been enacted, and the common Council must enforce them—the citizens must be taxed right or wrong, even although it may be legally impossible to do so.

I would dwell longer on this subject, but I am afraid of trespassing at too great length on your valuable columns. I must therefore hasten to the concluding paragraph. We are there told "that the law was not made imperative." So it seems after all that the common Council had a right to exercise their judgment in the matter. The statement or avowal, taken in connection with what precedes it, in my humble opinion, caps the climax of absurdity.

I have all due respect for the venerable Editor of the "Colonial Advocate," and I hope I do not infringe on that respect when I respectfully recommend him to be more thoroughly conversant with his subjects before he undertakes to promulgate his opinions in the matter now under consideration. I rather think the time is past when patronage or popularity is to be gained simply by abusing the common Council without cause; and I confidently hope that that body will never be deprived of the power to think and act independently, as they may deem best for the public good.

In a subsequent article to that now under consideration, the Editor has taken much pains to inform his readers that he is not "under the guidance and subject to the controul of certain friends." Perhaps he may now find it expedient to reiterate this statement, and therein expressly deny being under the influence of the Water Company.

I am sir, your obedient servant,

Oct. 3. OBSERVER.

TO THE EDITOR OF THE CHRONICLE.

Gentlemen,—Our pugnacious little town has been thrown into a state of awful excitement and confusion, which years alone can quell, in consequence of another of these dreadful affairs of honor having been expected to take place; which did not; and no blood having as yet been spilt, it still keeps boiling.

It seems that a few nights ago, (for our Inferior Courts are generally held here *by night*, in order to be enlightened, which they much require, by aid of candles from lack of other luminaries,) in the course of the trial of a very weighty cause, of vast importance, for the termination of which much anxiety was experienced by a gaping multitude, in order that the important decision of the Inferior Judge might be a guide for future conduct, one of the learned Counsel, not having taken the precaution to provide himself with a Galvanic Ring to allay excitement, and regardless of the Manifesto recently published in this city and circulated throughout the Province as a *caution* to the Profession, in his zeal for his client, betrayed his temerity, by denouncing his opponent in language not fit to be repeated among christians; upon which the offended party shyed a candlestick of brass at the brazen face of the aggressor.

The Inferior Judge immediately ordered the luminaries of the law to be *extinguished*; and the Cryer conceiving the remaining candles to be the only luminaries in the Court, immediately put them out. Such a scene as ensued is beyond description: at it the whole multitude went, pell mell. The Judge himself did not escape: for one of the constables, owing His Worship a grudge, for having given him a rap over the knuckles, a few nights before, for having sat too long over his *Kaughy* whilst the Court required his services, under the pretence of keeping order, and that he did not recognise the Judge, cracked His Worship over the cocoa nut with his staff—but he did not knock any brains out.

The chief man of the County was judiciously applied to by the insulted counsel for the loan of the proper means to execute this offender, and the learned gentleman swore all over the town he