Trial of Mr. M'Leod.

COURT OF OYER AND TERMINER OF ONEIDA COUNTRY.

Trial of Alexander M'Leod for the murder of Durfee.

At half-past 9 o'clock His Honor, Judge Gridley took his seat on the Bench together with Judges White, Kimball and Jones of the County Court.

On behalf of the prosecution appeared W. G. Hall, Esq., Attorney General, Timothy Jenkins, Esq., District Attorney of this county, the District Attorney of Niagara county, J. L. Wood, Esq and Seth L. Hawley, Esq., of Buffalo.

On the part of the prisoner appeared Joshua C. Spenser, Esq., and C. Gardner, and Alvin C. Bradley, Esqrs., of Lockport.

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Mr. Hall read to the jury the greater part of the indictment found against the prisoner, at the Niagara Circuit, for the shooting and killing of Amos Durfee, on the 30th December, 1837. There was a great number of counts in the indictment, some charging the murder to have been committed with a gun—some with a pistol; some charged the murder upon the prisoner, and others upon sundry individuals, named and unknown, the prisoner being present and aiding and assisting therein. In these several counts was included every species of murder or killing known to the statute; and these Mr. Hall briefly glanced over to the jury.

THE TESTIMONY.

William Wells, who was sworn and interrogated by Mr. Wood.

Mr. W.—Mr. Wells, where do you reside?

Witness—In Buffalo.

Mr. W.—How long have you resided there?

Witness—I was born there and have always lived there pretty much.

Mr. W.—Was you the owner of a steamboat in the year 1837?

Witness—I was. It was the Caroline. In December she was lying in the canal at Buffalo, and I fitted her up; and ran her to Schlosser. On the 29th December I ran her to Schlosser, arrived there about 6 in the evening, and made her fast with a chain cable to a pile at the end of the dock. As soon as we got our suppers, we set our watch and went to bead. On board of steamboat or vessel, it is usual to set a watch over night. Our watch on that night was set about 9 o'clock. Sylvanus Sarring was one of the watch that night. I do not recollect the others. About 12 o'clock I was awoke by some of the hands, who had been to Niagara Falls, came back and finding their berths occupied by strangers, they called me up and I directed them to get up and give my hands their berths. While on deck one of the hands told me he saw a boat approaching I told him to look after it and see who was in it, but allow no one to come on board, I then went to the cabin and got in bed again, but presently the watch came down and told me there were four or five boats, filled with armed men; and before I could get my clothes on I heard people on the deck, making a great noise, and I also heard the report of several guns or pistols on deck. I heard a good deal of halloing, but could not distinguish what was said. I concluded that the people who had come on board wanted to get possession of the boat; and knowing I could not resist them I dressed myself fully, secured my papers and made for the companion way. Before I got to the stairs which would take me on deck, I heard orders given to "give no quarters," to "kill the damned Yankees," or words to that effect. I then became alarmed, and asked Capt. Appleby, who was with me, what we should do? He replied we must do the best we can.

Capt. Appleby was in advance of me, and had just put his foot on deck; he was seized by the collar by some person, who told him not to go out there, they would kill him. As he stepped back there appeared to be two parties of men, one coming from the bow of the boat and the other from the stern. They met by the cabin door which they closed, and I heard swords clashing and firing. Capt. Appleby and myself then returned into the cabin; I turned round the machinery to the forward part of the boat, to make my escape from the forward hatchway by a plank communicating with the deck; while I stood near the hatch, watching my chance to get out, a man put his hand upon the hatchway, and sprung down into the fire-room without touching the plank; he immediately caught hold of the poker, and commenced working at the fire, as I supposed for the purpose of getting up steam and taking the boat off. I stood there, not daring to make a noise, till he got busily engaged; when I crawled back into the cabin without his hearing me, to escape through the cabin door; when I put my head out of the cabin door, my hat brushed the calf of the leg of a man who was standing there, and thinking he felt it, I sprang below again, the cabin door at the top of the stairs was open at the time, I again went forward, and in doing so I met some one, who ran against me; I supposed him to be one of the attacking party.

We spoke, and each passed on. When I got to the fire room, and watching my chance to escape, the man who first entered still sat there. He soon rose, seized some one who had secreted himself there, hauled him out to the light, and in rough language asked him who he was and what he was doing there. I then saw it was Amos Durfee whom he had seized. Durfee replied that he belonged to the boat. I did not then know his name was Durfee, but only knew him as a stage driver. The other then used very approbrious language to him, and keeping hold of him, ordered him to follow him on deck or he would blow his brains out. They both went upon deck.

* * * *

Their attention was at that moment directed by a pistol that was fired behind them, and I stepped off upon the deck, got in a position behind the wheel-house, in which they could not see me, and so effected my escape from the wharf. When I got to the lower track of the rail-road I saw a man lying about four feet from the edge of the wharf with his head to the boat. [The witness here gave the Court and Jury a description of the dock, warehouse, rail-road, track &c.] Seeing 2 men there, I passed on to the other track and got to the other end of the dock, where I saw two men standing there, whom I supposed to be a guard, and concluded I had not got out of trouble yet.—I concluded to hide, and while looking for a place to do so, the people on the boat rushed off, cast her off, and then saw she was on fire. I concluded to try my luck with the two men whom I supposed to be guards, but found them to be men belonging to my boat. It was then nearly light as day from the fire of the boat I asked them where was King—another of the hands—but they said they knew nothing of what had become of him or of any other of the hands. Just then a man whom I supposed to be King made his appearance on the dock. I spoke to him, and he answered. He was very badly wounded. The next morning I saw Durfee lying on his face, dead, in the same spot where I saw the man lying the night before. His head was shattered He appeared to have a ball fired through his head from rear to front, coming out at his forehead. He appeared to have bled a good deal. I saw the sealette cap he wore on that night. There was two holes in it on opposite sides, and appeared to be singed on the black side.

It must have been between 12 and 1 o'clock when the assailants boarded the steamboat.

Witness thinks the number of assailants was between 40 and 50. They came in five yawl boats, each of which would carry 8 or 10 comfortably. The men on watch on the steamboat were not armed, nor was any person who was on board. The crew consisted of ten, and there were 23 sleeping on board. They had arrived too late for the cars, and the public houses being overflowing, provided them with lodgings to accommodate them. I had intended to run up to Black Rock Bend that night, and had invited a few friends to go with me, and they were also on board. Schlosser is about two miles above Niagara falls, in the town and county of Niagara. Of all on board, 9 or 7 were missing in the morning, and as many as 7 have never since been heard of as far as I have heard.

On examining King, he was found very severely wounded on the right shoulder, and his left arm, and his clothes were full of blood and cut in many places where the flesh was not reached. Several others were slightly wounded. John Leonard received a blow on the forehead with a blunt weapon.

Capt. Harding had a severe cut through his cap into his head, barcing the skull.

My object in running my boat from Buffalo and intermediate places on both shores, was to make money, conveying passengers and freight—touching at Grand Island, Tonawanda, Navy Island, and stopping at Schlosser. On the day before she was destroyed, she had made two such trips, but little besides was carried on that day. But little freight was offered *to* Navy Island, and none *from* it. I took what was offered. On that day Captain Appleby acted for me. Neither I nor my boat had any connection with the Navy Islanders, whatever.

I do not think it was Durfee whom I saw lying on the dock in the night. I think I heard as many as 40 or 50 shots fired during the attack on the boat. No swords were in the possession of any body on board my boat, to my knowledge. The assailants boarded the boat in two parties—one at the forward and the other at the after gangway.

There were several lights burning on board the boat.

Cross examined by Mr. Spencer—I do not know of any light at the companion way at the time of the attack. When I left Buffalo, I had but two whom I had a right to call hands—one was my brother in law, King, the other was a black boy. I never found more than one person who was killed in the attack. I do not know the name of any of the missing. There was no appearance of Durfee having taken a step after he was shot. I have been examined several times before on this subject, but do not remember whether on any former occasions I have mentioned the appearance of scorching on Durfee's cap. She was sold in the summer; I become purchaser and sole owner. There was an understanding between Mr. Scranton and myself, that when navigation opened in the spring he was to be entitled to become a joint purchaser. There never was a bond of indemnity given me for running to Navy Island. There was some conversation about giving me a bond to indemnify me for damage to the boat in consequence of running to Navy Island; but I never had an intention to receive such a bond—never knew who was to give it, and never heard of its completion.

But little freight was taken on board at Buffalo that day. There was one cask containing heavy articles, and some other articles I do not remember. I do not think there were more than half a dozen passengers from Buffalo. I saw no arms upon any person, except one man on board had a rifle, with which he shot ducks on the passage. I do not recollect of taking in any freight at Black Rock Bend and but about half a dozen people. I saw no arms with any of them, except the rifle before named. There was an old sword lying about the boat somewhere. It was the first trip I had ever made in her, and my attention was mostly taken up with the machinery, &c. of the boat. I have petitioned the government for compensation for the loss of my boat, and I have been examined by officers of the government on the subject. My intention was to run between Schlosser and Navy Island as long as would be profitable. I have never understood that if my boat was used to convey munitions &c. to the Navy Islanders, Government would not allow me compensation for her loss.

Among the articles I took that day from Schlosser to the Island was a six pounder, some lumber, straw, a horse, &c., which I left at the Island. Some muskets also went over—perhaps 10 or 15—there might have been more—may be a hundred. Also, some articles of provisions. I was informed the Navy Islanders would in the course of a week leave the Island, come to this side, and disperse.

I never had any idea that they would go into Canada; on the 26th I visited Navy Island, saw about 250 persons there, eleven pieces of cannon, some mounted and pointed toward both shores; I do not know who had command at that time, but understood it was Van Rensellaer; I do not know that there had at that time been any firing either to or from Navy Island: I received some $10 for freight of the last day my boat ran between Schlosser and the Island; I did not receive regular freight on that day; I know of no firing between the Island and the Canada shore that day.—There had been firing a few days before and a few days after the destruction of the boat. I saw shells thrown from the Canada shore to the Island; before running my boat to the Island, I saw persons on the Island, with whom I conversed about running her to the Island; I saw Van Rensellaer, Dr. Chapin and Mr. Flagg. They requested me to come there with her, and said I could make money by it; I did not say whether I would run her there or not; I do not recollect that they said any thing about giving me a bond of indemnity nor that they referred me to the "committee of thirteen" at Buffalo. I do not know that I had any conversation with any of the committee about a bond. I have understood that a committee had a Commissary named Phelps, and a Cashier whose name I did not know. The Caroline was at that time lying in Ship Canal, ice bound; and a good many men helped to cut her out. The cutting out was attended with but little expense to me nor to any body else that I know of I would have cut her out for any purpose that would make money. She had been undergoing repairs for a fortnight, at a cost of about $100, which I think I paid with my own money. Mr. Scranton says he paid it, but I think I did. At the time I commenced repairing, I had no idea of running her to Navy Island. I paid $800 for her—the bill of sale is from John B. Mason. I bought her on the 1st of December, 1837; she was cut out of the ice on the 28th and destroyed on the 29th.

I know the time when the band that took possession of the Navy Island left Buffalo. They had a meeting at the Theatre a day or two before, which I attended. The avowed object of the meeting was to sympathize with the Canadians. Mr. McKenzie addressed the meeting. I do not know who else spoke. I understood that the object in taking possession of Navy Island, was to concentrate there, and "free Canada." I was not in their secrets, however, and cannot speak from knowledge. I never had any idea, however, they would "free Canada."

Direct resumed—I never had any connection whatever with any associations or matters of that sort connected with the Canadian insurrection.—My object in running my boat to the Island was my own gain, and the accommodation of the public at Buffalo as well as at the Island. It was an experiment I took up in good faith, uninfluenced by any other consideration than my own pecuniary benefit. A great many went from Buffalo to Navy Island and returned in my boat. I presume I brought back more than I took to the Island.

To Mr. Spencer—I know of no cannon ball or boiler iron punchings taken to the Island in my boat. The Collector told me I might go to Navy Island and carry any thing—arms, ammunition; or anything else to Navy Island for freight. He gave me my papers readily and interposed no objection to anything I had on board.

The examination of this witness here closed; and the court, at half past 6, adjourned to a quarter to 9 o'clock to-morrow morning.

Among the evidences sworn on the 2d day, was Samuel Drown, whose testimony concerning M'Leod is as follows:—

Samuel Drown, sworn: Resides in Canandaigua; resided in Canada in Dec. 1837, at Chippewa; was car tender for Philo Smith; has known prisoner for several years; lived one year at St. Catherines, one third of a mile from Niagara, the residence of McLeod; prisoner was a deputy sheriff: have frequently seen him, saw him at court after the destruction of the Caroline; there is a canal cut from Cippewa Creek to Niagara River some 40 rods; there was a beacon fire at the head of the cut on the night the Caroline was burnt; I went to the fire; Piat Smith went with me: saw two or three boats return from Schlosser; they came to the cut; I followed them towards Chippawa creek on the tow-paths; boats landed some 25 rods above the cut near a mill.

I saw the boats land—there were 16 or 12 men in each; *I should say that McLeod was in one of them*; the men from the boats went to Davis's tavern, I with them; they talked of what had occurred; they stopped in front of the tavern; I saw the man I call McLeod there—was within 8 or 10 feet of him; *I am sure that it was McLeod, as he is now sitting before me.* Some entered Davis's, some went with me to Smith's, between daylight and sunrise; one one came into the bar-room and said McLeod was standing on the steps, and that he was wounded; said 'no he is not wounded.' I saw him but last night. I looked out across the road to see. He had no sign on a sling as they told me. He was standing on Davis's steps. McLeod had a belt on and a sword or cutlass by his side.

Cross examined—and confirmed his previous testimony. Was a baker at St. Catherines—was positive that the person he saw was McLeod.

Henry Myers, who being sworn, deposed that he lives near Canandaigua works on a farm; once resided in Canada; is a citizen of the United States by birth; left for Canada seven years ago has not been there since; has seen the prisoner before the trial; returned from Canada shortly after the Caroline was burnt; saw the prisoner twice in Canada, once at St. David's; and when I moved out of Canada, at Niagara; saw him on the latter occasion in a tavern on the north side of the road, to bait his horses; went into the bar room; saw there a number of soldiers; some had weapons; some had not. There was some talk about the man that shot Durfee; one said "Where's the man?" McLeod said "Here he is—*I'm the man!*" He then pulled out a horseman's pistol and said it was the pistol that shot him. Then he pulled out his sword, and said "there's the blood of a d—d Yankee!" holding out the sword. There was blood on the sword, on the end for about four inches; it was day; witness went out to feed the horses; two or three followed him out; they asked him where he was going; witness replied he was going to Geneva, as his wife did'nt like Canada—some of them said witness was a d—d Yankee, and the prisoner said he was a d—d rebel and should'nt go any farther: witness staid under the shed some time, and at last the prisoner said if witness had a mind to treat the company he might go home; witness said he would'nt mind doing that—then went into the bar room, and treated to the amount of a dollar; then was allowed to go and proceed on his journey. He has not since heard the prisoner say anything of this matter.

Cross examined by Mr. Spencer—Do you live at Geneva village?

No; seven miles west of it.

On the turnpike? Yes.

Have you lived there since coming from Canada? No I lived a year 6 miles from Geneva.

Why did you leave Canada?—On account of the trouble.

Did it trouble you? Not in particular, but my wife wasn't contented.

Have you been very quiet since the trouble?—Yes, and was quiet before.

When did you leave Canada? About ten days after the Caroline was burnt.

When did you get acquainted with McLeod?—About a year before I left Saint David's.

What had you to do with him there? Nothing.

Did he stay over night? Yes, I believe so.

Where did you see him again? At Niagara.

Any body else there that you knew? No.

Had you seen him before he showed his pistol?—No.

Can you now tell what the men said before McLeod spoke? The man asked, "where is the man that shot Durfee?"

What sort of a man was he? a soldier? I reckon he wasn't.

How many were in the bar-room? Twenty or thirty.

Then what did McLeod say? "Here he is, by G—d I'm the one!" Then he held up the pistol that shot him"—then he pulled out his sword and said, 'there is the blood of a d—d Yankee.'

When did you first tell of this? After I got to Canandaigua.

What induced you to talk of it? It was talked of a good deal there about.

Who were present when you talked of it? One Sherman and one Buskirk.

What did you tell them? The same story I told you.

Calvin Wilson was next sworn and examined He deposed that he resides in the county of Niagara; knows the prisoner; owned and kept the ferry across Niagara; saw the prisoner in Jan. '38; saw him in a public house kept by one James Miller, in company with four others; heard them conversing about the Caroline; heard the prisoner say there was one d—d Yankee rebel shot on the wharf

Mr. Spencer then asked the witness, have you taken any interest in the proceedings against Canada?

How has your interest been manifested? I have assisted the Canadian refugees. How? By giving them what little I could spare.

What amount? I could'nt exactly state. Try how much? why bet a rough guess $200. Have you entertained them at your house? Yes—who? several. By the Court—Have you since that gave aid to those persons? I have. Spencer—have you entered into a concert with any for that purpose? Hall objected. The Court ruled the question was relevant—Question repeated.

The Court addressed the witness and said that if he had been engaged in getting up a military enterprize against Canada, and so infringing the laws of the United states and feared that an answer to the question would form any link in a chain of testimony against himself, he could decline answering.

The next witness called to the stand was Elisha D. Effner, who being sworn, deposed—I reside in Buffalo; recollect the Caroline steamboat; was on board of her at Schlosser. The accommodations being poor at schlosser, I applied on board for lodgings. This was between 2 and 4 of the afternoon preceding her destruction. I went through her and found no arms, and asked the people on board how they expected to defend themselves if attacked.—They said they were a ferry boat, and not allowed to carry arms. I was a marshal deputed specially to preserve the peace, at that time. I saw some persons come aboard with arms in their hands.—They were strangers, not Americans; they told me they were from Lower Canada. They wore Canadian caps. It may have been my duty as a marshal to see who they were that induced me to inquire of them.

Cross examined by Mr. Spencer—I had before heard of hunting on Navy Island; but don't think the hunting there could have been very good at that time. I saw no Artillery carried over. I knew no thing of the commander at Navy Island, except by repute. I was not over on the islands, nor do know whether McKenzie was there. Do you know of arms being taken there; if so, how many? Yes sir; I heard——

Mr. Hall interrupted the reply and objected to the question.

Leonard Anson was then called to the stand, and having been sworn deposed as follows—Resides at Niagara Falls; was in Chippewa in Dec. 1837; remembers the burning of the Caroline; I was a Smith's house during the attack; remained in the house till morning; saw McLeod there in the morning; knew him personally; he was well known; there as deputy sheriff; there were a number of people in the bar room who were talking of the expedition and who had done the greatest deed; the persons spoke as if they had been in the expedition; heard McLeod say, "we killed one d—d Yankee and here's the blood." Heard nothing else in particular said; there was a kind of dispute amongst them who had done the greatest deed but none of them discouted from what the prisoner said; staid there some time; knew of the destruction of the Caroline before that morning; knew it the night before; the sentinel told him; was driving a team at the time of the outbreak; gave up that because he couldn't get pay; is now employed by Mr Porter.

Cross-examined by Spencer—Has no connexion with the patriots. No "Patriot" feeling? No more than American citizens would have. Were you ever sworn before about the matter? Yes, at Lewiston in November last, before Squire Bell.—Where did you live than? At Lockport. When did you come to Chippewa? In January '37—Where did you live? At Philo Smiths. How long did you stay there? Till the outbreak. Who did you work for? Isaac P. Corson. When did you leave Canada? In the following September.

PIG IRON, CANADA STOVES,

Camp Ovens, Kettles, &c.

The subscriber is now landing, ex ship Perthshire:

100 TONS No. 1 Scotch PIG IRON;
500 Camp Ovens and Covers;
200 Ewra Covers;
1073 Pcts, assorted, ½ to 12 gallons;
100 Untinned Kettles, No. 0 to 4;
144 Canada Stoves, handsome patterns and well fitted, viz:—33x20 inches, 34x24 ditto, 24x27 ditto, 26x30 ditto, 21x22 ditto.

8th Oct. WILLIAM CARVILL.

THE CHRONICLE.

SAINT JOHN, OCT. 15, 1841.

TRIAL OF MR. MCLEOD.—This important Trial came before the Court at Utica, on Monday the 4th inst., and will probably occupy the remainder of the week. We have published such parts of the proceedings as have come to hand and appear to bear upon the case. It is almost impossible to conjecture what the result of the trial will be; but even if convicted by the jury, it is our opinion, the United States Government, (seeing the injustice of his having been brought to trial,) will immediately interfere and pardon the prisoner. Then we have no doubt will commence a border warfare, partially authorized on the part of the American Government, by their having allowed, time after time, the National Arsenals to be broken into, and cannon, small arms and ammunition to be abstracted therefrom. If another attack is made upon Canada from the American shores, (and every preparation appears to be making for it.) we are at a loss to conceive that the British forces will restrain themselves from crossing the lines, and carrying on the war at once into the American territory. It appears to be mere child's play, that when the British forces had followed the rebels to the American lines, (as was the case in the last rebellion,) that they are there to be received, and protected by a United States army collected there to "protect the neutrality." If the United States Government had been sincere in their friendly pretensions to England, they would in such a case, have driven them back, telling them that they had unlawfully invaded a friendly power, and you may in that territory await the result. It is impossible that the British Government will keep up a War establishment in the Canadas for no other purpose than to check the continued invasion of the country by citizens of a professedly friendly power.

NEW BELL.—A new Bell for Trinity Church was landed yesterday from the ship British Queen, from London: the weight is 17 hundred pounds, and is the largest in the Province. It will be placed in the belfry immediately.

☞ We beg to request that those Gentlemen, both in the United Kingdom and in this Province, will receive our sincere acknowledgments, who have so kindly furnished us with the latest British papers

A Daring Robbery was committed on Monday night last, on the premises of Mr. P. Comeford, Reed's Point. The thieves effected their entrance by raising a window in a room on the first story of Mr. Comeford's dwelling, appropriated by him to the purpose of an office, forced open his desk, and carried off a trunk containing £187 in money.—The trunk was found next morning in the garden of the adjoining premises, where it had been thrown after having been rifled of its contents.—*Courier.*

On Tuesday the 5th instant, a market was held at Springfield, head of Bellisle, at which upwards of two hundred head of Horned Cattle, besides a number of Horses, were offered for sale, and most of them changed owners. The next Fair will be held on the third Tuesday in March, 1842.—*Ib.*

Russian War steamer.—The magnificent steamer Kamskatka, built for the Russian Government, sailed from New York on Wednesday 29th ult. for Cronstadt. She is commanded by an American Captain and crew, till formally delivered to the Emperor.

The Springfield Journal of a late date says that "The secretary at War has written to Governor Cass, informing him that the United States Government were about to forward to some point on Rock River, arms and ammunition, to be subject to the order of the Governor in case hostilities should commence between this country and the British Indians."

H. M. SHIPS IN HARBOUR.—Frigates Winchester, Seringapatum, Crocodile, Cleopatra, Pique, brigs Victor, Racer, and brigt. Charbydis.—It is decidedly stated that most of the above vessels will remain here until the termination of McLeod's trial. —*Halifax Times.*

Mr. Adam Hemeon was yesterday elected a Common Councillor for Ward 5.—*Ib.*

The Caledonia had a rough passage of five days from Boston. Seven of her hands were severely bruised and wounded, and the second mate and carpenter both have had their legs broken by the dashing of a billow which broke over the deck with awful violence. She brought 49 passengers from Boston, of whom 16 left her here; 26 more however embarked, making the number for Liverpool 59.—After a stoppage of 24 hours the Caledonia sailed last evening.—*Acadian Recorder.*

QUEBEC, October 1.

FIRE AND LOSS OF LIFE.—About two o'clock this morning a destructive fire broke out in a block of buildings forming the corner of Couillard and Saint Joseph streets, in the Upper town, owned by the heirs McClure, and for which W. De Lery, Esq., we understand, was agent. The origin of the fire we have not yet ascertained; but we have hastily collected the following particulars. It seems, the night patrole, while passing along Fabrique street, this morning about two o'clock, heard the cry of fire, and on hastening to the spot found that it proceeded from the house occupied by Dr. Dill, in the centre of the building above mentioned. On reaching the door they found the Dr. in his night clothes, in a great state of alarm for the safety of Mrs. Dill, who, he stated was in the room where the fire was, which was in rear of the shop. With the assistance of a citizen the police broke open the door, but found it impossible to proceed further for smoke and flame, the room adjoining the shop being all on fire. They then ran up stairs and made a diligent search, but could find no trace of her, and there seems to be no doubt of the melancholy fact that she has perished in flames The other occupants of house, we are happy to learn, effected their escape. In a short time there were three engines on the ground, two of them manned by the citizens, and the other by the water-police, but they did not succeed in extinguishing the flames until the following damage was done to the houses forming the block.

INSURED AT THE QUEBEC OFFICE.

House of Heirs McLure in Couillard street, damaged to the extent of about £150.

The House occupied by John Codville, was damaged a little on the roof.

John Codville insured for £500 on goods and £150 on furniture, part of which was removed and damaged.

David Coyle, on furniture £150, total loss; on Stock as a Saddler, £650; most part saved.

Mr. Hill, insured on furniture £300, on shop Fixtures £70, Medicines and Drugs £230. Total loss.

Mr. Scott on Furniture £100 and on Stock of Wines and Liquors £100. All saved.

Total loss to the Quebec Fire Office about £1200.

The amount insured on the houses of the heirs McLure, at the Alliance Office, is about £1,600.—*Gazette.*

MONTREAL, October 1.—We understand that a demand has been made by the Governor of the state of Vermont to his Excellency sir Richard Jackson, as administrator of the Government of Canada, for the delivery of the miscreant Grogan, in consequence of his having been arrested on American territory. We believe the claim to be just in a national point of view, and we doubt not it will be accordingly recognized by our Executive. We wish the Americans joy at the prospect of again numbering among their border ruffians as unhanged a villian as ever walked the earth. There are some similar characters in Canada at present, endeavouring to hatch a third rebellion, and the best advice we can give them is to quit the country without much delay, as their carcases may possibly grace the same stage on which Cardinal, Duquette and ten others flourished for their treasonible practices. The disaffected in this city may rest assured that they arwas are well watched—much more so than they imagine. We can assure them that their plans and prospects are well known in certain quarters where they least expect they would be. The pear is not quite ripe, or we would divulge certain particulars which would astonish rebels by our knowledge of their views and organization, and incredulous loyalists who believe that the snake of treason has been killed. It has only been scotched, as the result will yet prove, if the enemies of British connection have only the courage to carry their resolution passed at secret meetings into effect. That they will again, and at no distant date, do so we firmly believe, provided they can again induce the ignorant and unsophisticated *habitants* to embark in the foolish undertaking, and we can only suppose they will do so from our experience of their extreme gullibility. The little cloud of treason, "no bigger than a man's hand," is again darkening the political horizon of Canada, only to be succeeded by a still greater sunshine than heretofore of loyalty and a more utter prostration of the Franco-Canadian and American influence. Without mentioning particulars, we can assure certain influential patriots in this city that more is known of their doings than they are aware of, and that there are traitors in their counsels whom they little wot of and whom they least may be led to suspect. —*Herald.*

We are happy to be able to correct an important error in our information respecting the delivery of Grogan to his virtuous companions of Vermont. We understand that our Government having become convinced that the scoundrel had not got into gaol in the regular way, determined that he should not remain, and accordingly sent him off to the frontier. No demand on the part of the United States was made; and there were, therefore, no ceremonies to be observed, as usual, when great villains are restored to the common sewer in which they are so pertinaciously harboured.—*Montreal Herald.*

The New York Times expresses the opinion that persons, secretly employed in attempts to get up another attack upon Canada, are organizing for that purpose in various parts of the State, and are stealing powder and arms to carry their plans into operation at a suitable time. The editor adds

"We must be prepared for whatever retaliation the British authorities in Canada may see fit to attempt upon our frontier, for this informs attack from a country actually at peace with them. They are not to understand the peculiar character of our State and national sovereignties—they have only to look to the Federal Government for the enforcement of treaties; and if they are again attacked from our lines, it is to be expected that they will not only defend themselves, but carry the war into our own territory, and then the war will become general.

"It is a cruel position of affairs, that a whole country may be plunged into war by the acts of a few lawless depredators in this State, who are beyond the reach of authority, or protected by numbers so as to defy the power of the General Government. We look for some outbreak on or about the period of M'Leod's trial, and it becomes absolutely necessary to embody a force in the vicinity where he is about to be tried, so as to ensure his safety and the peace of the country. If the sympathizers prefer seizing upon Navy Island again, and making that their head quarters, the British will be able to protect that spot, which is in their own territory.—If they will have war, let them wage it upon their own responsibility."

A correspondent of the New York American, writing from Niagara Falls under date of the 21st, states that the "Patriots" have made that neighborhood the scene of their operations, in order, if possible, to embroil both countries in war. The machine with which the recent attempt was made to blow up the two British steamboats, consisted of two casks containing 150 lbs. of powder. They were placed on a frame one hundred yards apart, (but connected by a rope,) with a leaden pipe and fuse therein inserted, and thus towed from Grand Island and sent drifting towards the vessels. One only of the casks exploded, but most fortunately, prematurely, being 300 yards short of the mark—otherwise every soul on board, with the vessels, must have been destroyed.

GREAT ROBBERY.—The *Herkimer County Bank*, at Little Falls, was robbed on Saturday night, by the book keeper, A. C. Brown, and a young man named Green, and another named Franciscus, from Baltimore.

The sum stolen is $70,000, of which $64,000 consist of notes of the Bank, of $100, $50, $20, $10 and $5, and $7,200 of other Banks; of which $1000 of the Ontario branch, $500 of Fort Plains, $500 of Oneida, and $2200 in gold.

The robbers were tracked to Albany yesterday morning, whence they started at nine o'clock in a carriage for Hudson. Hot pursuit is made, but as yet without success.

Brown is a young man raised in Herkimer, that has borne heretofore an irreproachable character. He effected the robbery by going to the Cashier on Saturday evening, with two checks, for which he said the drawers wanted money to pay off men—this not being unusual, the Cashier gave the key to Brown, who went to the Bank, unlocked the doors, and leaving them unlocked immediately returned the key to the Cashier. He then at his leisure took what plunder he could from the Bank, and took the cars for Utica at 10 o'clock at night.

Brown is a stout, sandy complexioned man, about 21 years of age. Green is of about the same size and age, with dark hair. Franciscus is tall and erect, with black whiskers and curly hair.

We trust these rogues will be speedily caught.—*New York American.*

Great Robbery at Chicago.—By a handbill signed E. S. Prescott, Receiver, dated Land Office, Chicago, Sept. 13, 1841, we learn that the office of the Receiver of Public Moneys in Chicago was entered on Saturday or Sunday night last, the Sub-Treasury safe opened by false keys, and the following amounts stolen, viz: $10,833 in gold, $300 in silver, $400 in Treasury notes, $100 Military Land Scrip, and one $50 note. Bank of North Adams, Mass. The Receiver offers a reward of $1000 for the recovery of the money, and $500 for the arrest of the robber.—*Cleveland Herald.*

SPIRIT OF THE BRITISH JOURNALS.

(From the Britannia.)

We rejoice at the fall of the Whigs. We have no idea of joining in the panegyrical puling which is now emptying its sensibilities over the late administration. For a manly cabinet, however misled, we could feel respect as much as any of our countrymen; for the errors of administrative ignorance we could feel as much compassion; but for pitiful craft and mean clinging for a craving for emolument without a sense of dignity, for a passion for place without real power, and a submission to every insult for the sake of the trappings of office, we never had but one feeling, and that feeling we have still.

We congratulate the country on the accession of Sir Robert Peel; though we cannot congratulate Sir Robert on his accession to power. He will exchange ease for embarrassment; the calm prevention of the errors of a contemptible government, for the difficult reparation of those errors; the repose of a guardian of the constitution, for the anxious toil of directing the deranged and rusted machinery of state, handed over to him by the most worthless of political engineers. Still, on the other hand, he will have the highest gratification which can be offered to a public mind; the consciousness of having effected great public services which the country, by an unanimity, in itself the highest panegyric, demanded of him alone, and which he alone was adequate to perform.

To his coadjutors much of the same class of merit must be attributed. There are men among them to whom office, for its own sake, is unquestionably irksome; but who feel their duty, and will do it with the spirit of patriots, and the efficiency of statesmen.

The Duke of Wellington stands at the head of European fame. His triumphs as a soldier have had no rival. History will only repeat the language of the living world—the living world only anticipates the praises of posterity. Though this distinguished personage declines actual office, he gives the ministry the benefit of his countenance and counsel. He takes a seat in the cabinet.

Lord Lyndhurst has no equal since his entrance into the House of Peers. Eloquent, sagacious, and accomplished; no man, from the days of Chatham, has exercised a more constant and exclusive influence over its deliberations. A style grave yet ardent, dignified yet acute, and filled with knowledge yet utterly remote from the dry or the dull, render him the most effective of all speakers to a patrician assembly.

Lord Stanley is first-rate as a debater. No man better comprehends the feeling of the House of Commons, or more dexterously seizes upon the true point of discussion. Sometimes playful, often sarcastic, he is always argumentative. All his speeches are logical in a remarkable degree. Those who think that no man can be excellent in more styles than one, and deny that a great speaker can be at once solid and satirical, should read his speeches. The debates on the Irish election bill have admirably answered that cavil. In those he exhibited at once unwearied diligence and animation. His attempt for the intriguers was incomparably commended with his exposure of the intrigue; while he tore the load from the ass's back, and showed its ridiculous and worthless compound, no man could exhibit the long-eared animal of faction itself to the house with happier derision. But every day of his career shows the powers of more than the debater, of the statesmen—patient investigation, vigorous research, and sound judgment. No man has grown more rapidly upon the public mind, no man, of late years, who began so high, has so strikingly outstripped the estimate of his own career; and no man has fixed himself higher among the hopes of the country.

Lord Aberdeen, the Foreign Secretary, is a man of clear, calm, and well informed intellect. Habitually acquainted with foreign politics; at an early period of his life remarkable for scholarship; completing it by classical research throughout Europe; and consummating his education for public life by long personal intercourse with the most distinguished names in the most distinguished era of modern history; he probably possesses as large a political experience as any living statesman. We cannot forget that he was the Ambassador of England to the Allied Cabinets in the field in the memorable year 1814; and that, in conjunction with the Marquess of Londonderry, he finished, by the vigour of negotiation, the mighty overthrow of the French Jacobin empire, which, in the glorious conflict of Leipsic, was begun by the sword.

Sir James Graham has long been among the most accomplished speakers of the House of Commons. His style, at once rich and clear, fluent without feebleness, and impressive without being ponderous—always attracts, and always rewards the general ear. Some of his speeches have been powerful bursts of oratory. All exhibit an accomplished understanding.

The three Secretaries of State do acknowledged honour to the choice of the Premier; but they had already been chosen by the public voice—the highest honour that can be awarded to a statesman.

Mr. Goulburn, as Chancellor of the Exchequer, will have the advantage of succeeding Mr. Spring—it is scarcely possible to have a more obnoxious one. But his former tenure of office has shown that he does not require the force of contrast to give him the national confidence. He is, perhaps, more profoundly skilled in finance than any head of the exchequer since the days of Pitt. But to this knowledge he adds manners and principle; he will offend no man with the arrogance of new office; he will exhibit none of the airs of a *parvenu* astonished at his own elevation.

The Earl of Ripon has been educated in public life, and for public life. At one period the head of an administration, he has at all times held a conspicuous rank in the debates relating to the great commercial interests of the empire. His government of the colonies gave high satisfaction, and his personal grace of manner and kindliness of disposition have long made him popular with men of all varieties of opinion.

The Duke of Buckingham is a powerful accession to the cabinet, for he carries with him the whole agricultural interest of the country. This important confidence he has earned by his character. He is the total reverse of the political charlatan. He has never sacrificed to the populace; he has never stooped to purchase applause by the surrender of his principles, the betrayal of his honour, or the submission of his understanding. Straightforward, manly, and intelligent, he seems formed to take the head of that noble and gallant portion of the people, the country gentleman of England.

Sir Henry Hardinge, as Secretary at War, brings to his office distinguished military character, earned in the severest struggles of the Peninsula; military knowledge of the most valuable order—the knowledge acquired by vigorous experience; and personal habits and manners worthy of the rank which he has so long held in the estimation of the army and the people. Already adding to his professional knowledge the practical acquirements of statesmanship, he has been Secretary for Ireland, where he coerced violence without exciting anger, and held the demagogue and curse of that unhappy country in chains, which he dreaded more than the fetters of the law. The army and the nation will alike congratulate themselves on Sir Henry Hardinge's appointment to an office to which no public personage exhibits higher claims.

Lord Warncliffe's Presidency of the Council obtains for the cabinet the aid of a remarkably intelligent and well-informed mind, of high principles and vigorous resolution. In the House of Peers, Lord Wharncliffe has always shown himself an able debater, a full, forcible, and effective speaker. He is, altogether, a powerful man, and fit for public station.

From the John Bull.

We have the pleasure of laying before our readers an authentic list of the new Ministry, which, as it will be seen, is now completed, with the exception of a few minor arrangements. Yesterday the formal resignation of their seals of office to Her Majesty by the late Ministers, and the transferring of them into the worthier hands of the Members of the new Administration, by their Royal and Gracious Mistress, took place at Claremount. The details of the week's proceedings connected with this auspicious event will be found elsewhere—and now England, dear old England, rejoice, for you will once more "march o'er the mountain wave" as your undisputed home, be contented, loyal, and happy in yourself, and be looked up to with mingled feeling of awe, envy, and admiration by all other nations.

The names of the new ministers are their own eulogy. What epithets could we add to the all-honoured name of Wellington, that could speak the sensations which it raised in our grateful hearts, or reflect lustre on its own brilliant and commanding significance. What can we say of a Peel, Stanley, and a Lyndhurst, which can sufficiently describe our respect for their past services, or our hopes, our certainties with regard to the future benefits which England will derive from their patriotism, high and steadfast purpose, and comprehensive intellect.

To borrow, with some slight alteration, the eloquent and no less eloquent than truthful language of the Right Hon. Frederick Shaw, at the late election for the University of Dublin—"We have now a strong and rational Conservative Government formed—one which a firm but temperate hand, will enforce obedience to the laws—administer equal justice to every class of Her Majesty's subjects—discountenance agitation—impartially preserve the peace and good order of society—and uphold the sacred and civil institutions of the country—*above all, the Protestant religion in connexion with the State, in every portion of the United Kingdom*—yet, without permitting offence to those of a different cre