Copy of a Despatch from Lord John Russell to the Right Honourable C. Poulett Thomson, Governor General of British North America.

Downing Street, 14th Oct. 1839.

SIR—It appears from Sir George Arthur's despatches that you may encounter much difficulty in subduing the excitement which prevails on the question of what is called "Responsible Government." I have to instruct you, however, to refuse any explanation which may be construed to imply an acquiescence in the petitions and addresses upon this subject. I cannot better commence this Despatch than by a reference to the resolutions of both Houses of Parliament, of the 28th April and 9th May, in the year 1837.

The Assembly of Lower Canada having repeatedly pressed this point, Her Majesty's confidential advisers at that period thought it necessary not only to explain their views in the communications of the Secretary of State, but expressly called for the opinion of Parliament on the subject. The Crown and the two Houses of Lords and Commons having thus decisively pronounced a judgment upon the question, you will consider yourself precluded from entertaining any proposition on the subject.

It does not appear, indeed, that any very definite meaning is generally agreed upon by those who call themselves the advocates of this principle; but its very vagueness is a source of delusion, and if at all encouraged, would prove the cause of embarrassment and danger.

The constitution of England, after long struggles and alternate success, has settled into a form of government in which the prerogative of the Crown is undisputed, but is never exercised without advice. Hence the exercise only is questioned, and, however the use of the authority may be condemned, the authority itself remains untouched.

This is the practical solution of a great problem, the result of a contest which from 1640 to 1690 shook the monarchy and disturbed the peace of the country.

But if we seek to apply such a practice to a Colony, we shall at once find ourselves at fault. The power for which a Minister is responsible in England, is not his own power, but the power of the Crown, of which he is for the time the organ. It is obvious that the Executive Councillor of a Colony is in a situation totally different. The Governor, under whom he serves, receives his orders from the Crown of England. But can the Colonial Council be the advisers of the Crown of England? Evidently nor, for the Crown has other advisers for the same functions, and with superior authority.

It may happen, therefore, that the Governor receives at one and the same time instructions from the Queen and advice from his Executive Council, totally at variance with each other. If he is to obey his instructions from England, the parallel of constitutional responsibility entirely fails; if, on the other hand, he is to follow the advice of his Council, he is no longer a subordinate officer, but an independent sovereign.

There are some cases in which the force of these objections is so manifest, that those who at first make no distinction between the constitution of the United Kingdom and that of the Colonies, admit their strength. I allude to the questions of foreign war and international relations, whether of trade or diplomacy. It is now said that internal government is alone intended.

But there are some cases of internal government in which the honor of the Crown or the faith of Parliament, or the safety of the state, are so seriously involved, that it would not be possible for Her Majesty to delegate her authority to a Ministry in a Colony.

I will put for illustration some of the cases which have occurred in that very Province where the Petition for a Responsible Executive first arose—I mean Lower Canada.

During the time when a large majority of the Assembly of Lower Canada followed M. Papineau as their leader, it was obviously the aim of that gentleman to discourage all who did their duty to the Crown within the Province, and to deter all who should resort to Canada with British habits and feelings from without. I need not say it would have been impossible for any Minister to support, in the Parliament of the United Kingdom, the measures which a Ministry, headed by M. Papineau, would have imposed upon the Governor of Lower Canada; British officers punished for doing their duty—British emigrants defrauded of their property—British merchants discouraged in their lawful pursuits, would have loudly appealed to Parliament against the Canadian Ministry, & would have demanded protection.

Let us suppose the Assembly as then constituted to have been sitting when Sir John Colborne suspended two of the Judges. Would any Councillor possessing the confidence of the Assembly have made himself responsible for such an act? And yet the very safety of the Province depended on its adoption. Nay, the very orders of which your Excellency is yourself the bearer, respecting Messrs. Bedard and Panet, would never be adopted or put in execution by a Ministry depending for existence by a majority led by M. Papineau.

Nor can any one take upon himself to say that such cases will not again occur. The principle once sanctioned, no one can say how soon its application might be dangerous, or even dishonorable, while all will agree that to recall the power thus conceded would be impossible.

While I thus see insuperable objections to the adoption of the principle as it has been stated, I see little or none to the practical views of colonial government recommended by Lord Durham, as I understand them. The Queen's Government have no desire to thwart the representative assemblies of British North America in the measures of reform and improvement. They have no wish to make those Provinces the resource for patronage at home. They are earnestly intent on giving to the talent and character of leading persons in the Colonies advantages similar to those which talent and character employed in the public service obtain in the United Kingdom. Her Majesty has no desire to maintain any system of policy among Her North American subjects which opinion condemns. In receiving the Queen's commands, therefore, to protest against any declaration at variance with the honour of the Crown and the unity of the Empire, I am at the same time instructed to announce Her Majesty's gracious intention to look to the affectionate attachment of her people in North America as the security for permanent dominion.

It is necessary for this purpose that no official misconduct should be screened by Her Majesty's representative in the Provinces; and that no private interests should be allowed to compete with the general good.

Your Excellency is fully in possession of the principles which have guided Her Majesty's advisers on this subject; and you must be aware that there is no surer way of earning the approbation of the Queen, than by maintaining the harmony of the Executive with the Legislative authorities.

While I have thus cautioned you against any declaration from which dangerous consequences might hereafter flow, and instructed you as to the general line of your conduct, it may be said that I have not drawn any specific line beyond which the power of the Governor on the one hand, and the privileges of the Assembly on the other, ought not to extend. But this must be the case in any mixed government. Every political constitution in which different bodies share the supreme power, is only enabled to exist by the forbearance of those among whom this power is distributed. In this respect the example of England may be well imitated. The Sovereign using the prerogative of the Crown to the utmost extent, and the House of Commons exerting its power of the purse, to carry all its resolutions into immediate effect, would produce confusion in the country in less than a twelvemonth. So in a Colony: the Governor thwarting every legitimate proposition of the Assembly, and the Assembly continually recurring to its power of refusing supplies, can but disturb all political relations, embarrass trade, and retard the prosperity of the people. Each must exercise a wise moderation. The Governor must only oppose the wishes of the Assembly, where the honor of the Crown, or the interests of the empire are deeply concerned; and the Assembly must be ready to modify some of its measures for the sake of harmony, and from a reverent attachment to the authority of Great Britain.

I have, &c. (Signed) J. RUSSELL.

Communications.

FOR THE OBSERVER.

MR. EDITOR,—In the Chronicle of Friday last, Mr. *T. G. Hatheway*, in answer to my former communication asks why we should re-elect the present Alderman for King's? "If it is for trying to get the Stock of the Water Company palmed upon the City at par, when it has been offered and refused at 50 per cent below par?" Perhaps a needy individual or two in these times of great commercial distress might be induced to make such an offer, (which however I think is very doubtful, assertions being easily made in Election times); but it is not true that the Stock can be generally had at such rates—neither is it true that the Alderman ever made any such offer. Is it not greatly desired by every citizen that the Water Works should be extended over the City, which if the present holders of the Stock are not prepared to do, the Corporation would be entitled to our warmest thanks for doing. Its efficiency for extinguishing fires has been amply tested of late, and its extension would be a great desideratum. With regard to the law passed in the September session, I would only say, did I believe his assertions, it is the duty of every good citizen to elect men to office who are disposed to enforce the laws—*not violate them*. If they are not good, that is another question. He appears neither to want the City or the landowners to pay for widening and improving the Streets in the burnt district, in accordance with the Report of the Committee. He does not doubt the utility of the improvements contemplated by the act, and somebody must pay for them, yet he does not tell us who. His "*empty* cart" I will not notice. As to King's Ward paying for the "fixing" of the other Wards, their immobility does not depend altogether upon King's, which is about as firmly "fixed" as they, and it would be well for the citizens were its Alderman as securely "fixed."

31st March. AN EX-ASSISTANT.

THE OBSERVER.

ST. JOHN, TUESDAY, MARCH 31, 1840.

We subjoin a few items of news received per steam ship British Queen.

There are reports that Lord Melbourne will be forced out of the Ministry, as the majority of his colleagues insist that the Ballot and the Corn Law questions shall be taken up as Cabinet measures, while Lord M. is opposed to both.

An Anti Corn Law Association on an extensive basis is being formed in London.

The Thames Tunnel is finished to within 70 feet of the wall at Wapping. It will be completed in June.

The Queen is overwhelmed just now with addresses of congratulation on her marriage.

His royal highness, Prince Albert, is a very superior performer on the piano-forte, and his compositions evince considerable melody and sweetness.

Prince Albert's brother is to marry the Grand Duchess Olga, of Russia.

The Queen of the French had started for Brussels to make arrangements for the marriage of the Duke de Nemours with the Princess Victoria of Saxe Coburg, cousin to Prince Albert.

It appears from a Parliamentary return, that the the King of Belgium accepts only £15,000 a year of the £50,000 to which he is entitled.

The Queen went to Drury Lane, Feb. 26th, and to Covent Garden on the 28th. The plays were "Mountain Sylph" and "Raising the Wind" at the former, and "Love," and "Patter versus Clatter" at Covent Garden. Both houses crowded.

The reigning Duke of Saxe Coburg and Gotha, the father of Prince Albert, left Buckingham Palace on the 28th for Woolwich, to embark for the continent. Before his departure the Duke sat for several days to Mr. Hayter, for his portrait of the Queen's marriage, the composition of which has been submitted to, and approved by the Queen and Prince Albert.

The Chartist convicts, Frost, Jones and Williams, had sailed for New South Wales, in the Mandarin, convict ship. The ship was subsequently obliged to put into Falmouth, having lost her topmasts.

Mr. Turton (Lord Durham's coursel) has been made Advocate General in India.

The merchants and others in London connected with Canada trade, intend to present a service of plate to Lord Seaton, (Sir John Colborne.)

The Right Hon. H. Labouchere is about to lead to the altar the daughter Sir T. Baring, Bart.

The Earl of Mansfield died at Leamington after a short illness. His death creates a vacancy in the Commons for the County of Perth.

The last advices from China represent the land force there to number 765,000 fighting men.

Ordnance Estimates.—It appears from the estimates laid before the House of Commons that the amount to be voted this year is £1,825,000. Last year the amount was £1,732,240, being an increase of £152,760.

THE BRITISH NAVY.—Great Britain has increased and is increasing her navy in every possible way; eight thousand men are at work in the dock yards, and preparations seem making in anticipation of a powerful war.

Mr. O'Ferrall moved the navy estimates for the year. He asked for an increase of £461,000; of 1000 men, and fifteen ships in commission in January. The number of ships in commission January 1st, 1839, was two hundred and twenty-four; in 1840, two hundred and thirty-nine. Whole amount asked for 5,659,051 pounds, for the service of the year.

British Fleet at Malta.—The English ships of war in the harbour of Malta, Feb. 12th, were the Ceylon, bearing the flag of Sir J. Louis; the Asia, 84; the Ganges, 84; the Bellerophon, 80; the Vanguard, 80; the Castor, 36; the Daphne, 18; the Zebra, 18; the Beacon, 8; the Magpie, 4; the war steamers, Rhadamanthus, 4, and Confiance, 2; and the steamers, Acheron, Hermes, Hydra, Megara, and Blazer.

PORTSMOUTH, Feb. 19.—Sailed, yesterday, from Spithead, H. M. S. Blenheim, 72, Captain Sir H. Stenhouse, for the East Indies. The Blonde, 46, Captain Bouchier, destined for the same quarter, left for Plymouth on Friday, where a party of men await her. These ships are laden with warlike stores to act against the Chinese, and have been detained by strong adverse gales. Several supernumerary lieutenants, to join the Wellesly, 72, and strong detachments of Royal Artillery and Marines have proceeded in these ships. The Nimrod, 20, and Pylades, 18, are waiting the arrival of the Blonde at Plymouth, to accompany the squadron to China.

FLOUR.—Free American Flour will not bring more than quotations; 3 to 4,000 brls have changed hands at 29s, which is freely paid; 4,000 brls. in bond were sold at 30s 6d to 31s.

THE LIVERPOOL STEAM SHIP.—This vessel is now in the graving dock, at Liverpool, repairing.—She leaves there may 20th. She is to be widened seven feet, and have new boilers.

THE PRESIDENT STEAM SHIP.—This vessel is now in the Sloyne, having her machinery finished. She is 273 feet long, 41 feet beam, two engines of 600 horse power, and a main saloon 90 feet long. It is said Capt. Fayrer will command her.

Since the British Queen's last voyage home, her engines have undergone some repairs, and £10,500 has been expended in improving this noble ship.—£6000 expended on the Great Western.

On Monday last, the American diver, Samuel Scott, took his second leap from the main-top-gallant yard arm of the San Josef, in Plymouth Sound, being a height of 190 feet, without any injury.

We understand that the *Saint John Sacred Music Society* intend giving a CONCERT To-morrow Evening, the 1st of April, at the National School Room; at which a collection will be made for the benefit of the Episcopal Sunday School.

We learn that the Committee of the Provincial Temperance Society are to meet this Evening, to make arrangements for holding a Temperance *Soiree*, in celebration of the Queen's marriage.

We learn that the deputation of the Common Council which proceeded to Fredericton on the subject of the Burnt District assessments, have succeeded in the object of their Mission, but the particular state of the arrangements as now existing, we are not yet informed of.

We also learn that the Legislature was to be prorogued to-day.

Since Saturday last the wind has blown almost a constant gale from South East to South West, accompanied the greater part of Sunday, and again from yesterday afternoon till about 11 o'clock this forenoon, with heavy drenching rain, which has flooded the small rivers and streams, and rendered travelling very heavy and uncomfortable.

We learn that the Hammond River Bridge, on the Eastern Mail route, about 16 miles from the city, has been carried away by the freshet.

The Halifax Mail due early this morning, had not arrived at 4 o'clock this afternoon.

Extract of a letter from St. Andrews to the Post-Master in this city:—

"The Postmaster at Robbinstown has been allowed to receive our Mails at, and to forward them direct to, Dennysville. By this arrangement a saving of 36 hours will accrue in the forwarding of our Mails to the United States, and 8 or 10 in the receiving of them. Mr. Balkam, the Postmaster at Robbinstown, will, I presume, lose no time in carrying this arrangement into effect. The United States Mails will then arrive at St. Andrews fully earlier than they will be received at Eastport or Calais."

DEMONSTRATION OF LOYALTY.—The Volunteer Rifle Company, City Militia, (Captain THURGAR'S,) gave a Ball at the St. John Hotel, last evening, in honor of the QUEEN'S Marriage. The Room was fitted up with unusual taste and elegance. The dance in every variety followed in quick succession, and the party on separating appeared much delighted with the pleasure and good feeling that prevailed throughout the evening.

Much regret was felt at the absence of Lt. Col. WARD, Commanding Officer of the Battalion, owing to domestic sickness, and of Major WEDDERBURN, from the same cause, the first founder and Captain of the spirited Volunteer Rifles; whose unvarying zeal in the discharge of all their relative duties reflect honor on themselves and the Provincial service to which they belong.—*Com.*

MASONIC BALL IN HONOUR OF THE QUEEN'S MARRIAGE.—Last Wednesday evening the Masonic Brethren of *Saint John's Lodge*, No. 632, gave a splendid Ball under their Banners, and were assisted on the occasion by Members of the *Albion* and *Hibernian Lodges*. The entertainment was given in the large Hall at present used as the School of Arts, in Horsfield-street, which was tastefully decorated with the Parraphernalia of the three Lodges, to which numerous marriage favours were attached, the whole presenting a novel and brilliant appearance from the great profusion of wax-tapers tastefully arranged. Dancing was kept up in the most spirited style until the "rosy morn appearing" induced the Brethren reluctantly to retire.

At high twelve the Brethren were assembled in "circle round," and the healths of THE QUEEN, her ROYAL CONSORT and the CRAFT were drank in "due form."

The fraternity deserves much credit for being the first in our community to give this kind of popular demonstration of respect for our Sovereign, and the harmony and good fellowship with which the whole was conducted reflects much honour on the Worshipful Master, Brother JOHN HAWS, the Stewards, and the Craft in general.

Sorley provided the entertainment, and as usual on similar occasions, gave great satisfaction to the Brethren and Sisters, by the profusion and excellence of the substantials and delicacies which he furnished. Amongst other things, we observed that a large and handsomely decorated QUEEN'S WEDDING CAKE was provided, which, from its very fine flavour, was done ample justice to.—*Courier.*

CORPORATION REVENUE.—The undermentioned sources of Corporation Revenue were leased at public auction on Wednesday last, for one year from the first of April, and, it will be observed by the comparative statement of the several amounts for the past and coming years, were bid off at an aggregate prospective increase of no less than £348 10s.

	1839.	1840.
Market Slip,	£415 0 0	£601 0 0
Slip at Union street,	8 0 0	36 0 0
North Slip,	21 15 0	25 0 0
Lower Cove,	10 0 0	20 0 0
Anchorage,	170 0 0	285 0 0
Weighing Machine, N. Slip,	90 0 0	88 0 0
Ditto, Union-street,	80 0 0	66 0 0
Ditto, Lower Cove,	9 0 0	5 10 0
Wharfage at Breakwater,	115 0 0	141 0 0
Hay Scales, Guy's Ward,	0 5 0	0 5 0
Slip in Guy's Ward,	1 10 0	1 10 0
Total,	£920 15 0	£1269 5 0

An Inquest was held Friday, before Dr. W. Bayard, Coroner, on view of the body of John Williams, late seaman of the ship *Columbus*, who, in an affray, was stabbed by Davis Morris, of the same ship. Verdict—"Wilful Murder against Davis Morris."

CORONER'S INQUEST.—On Saturday last, an Inquest was held before Dr. W. Bayard, on view of the body of David Hunter.—It appearing to the Jury that the death was caused by the ignorant attempt of a man named Robert M'Beath to perform a surgical operation, they returned a verdict of "Manslaughter" against him.

The members of the Wesleyan Methodist Society, at St. Andrew's, celebrated Wednesday last by meeting at their chapel and partaking of Tea and Coffee, and Wedding Cake, in honor of the Queen's marriage.

The *Great Western* started from New-York at one o'clock on the 19th instant.—Among the passengers, eighty in number, was John Wishart, Esq., of this City.

COMMON COUNCIL CHAMBER.

Thursday, March 26.

THE QUEEN'S MARRIAGE.—His Worship observed, that it was very desirable that there should be some public manifestation, in honour of the Queen's marriage; but the difficulty was, what would be the best course to pursue. At the Coronation celebration, an expense of £455 was incurred; an ox was roasted whole; but the expense was almost a mere waste. It was not desirable to adopt that plan again; but a more general and satisfactory demonstration should be made; one, especially, from which the poor should receive some real benefit and gratification. A certain sum might be appropriated, to provide for a distribution of good and well-cooked food to the poor; and such other arrangements might be made, as the Board might deem desirable. A general illumination had been talked of; but in a city composed of such combustible materials, which has so dreadfully suffered from fire of late, and with the natural horror now entertained by its inhabitants of fresh conflagrations, such a thing would be by no means prudent.

The Aldermen of Queen's, Duke's, and Guy's Wards were then appointed a Committee, to report on the best means to be adopted for the celebration.

An address of congratulation to Her Majesty, prepared by Alderman Vanhorne, was agreed to, and ordered to be signed by His Worship, sealed with the City Seal, and forwarded to His Excellency the Lieut. Governor, for transmission to Her Majesty.

BURNT DISTRICT.—His Worship read a communication from the Recorder, detailing the new arrangement lately reported by a Committee of the House of Assembly, relative to the assessment of the burnt district; by which it appeared that the Coporation were to be saddled with a considerable portion of that assessment, in addition to the expense of making roads, &c., under the Act of Assembly.

The Board unanimously resolved, that such an imposition on the City funds under present circumstances, was altogether unjust and unwarrantable; and appointed Aldermen Humbert and Vanhorne to proceed forthwith to Fredericton, with a petition from the Common Council, remonstrating against such an arrangement, and praying that the whole matter might be thrown open for the Corporation to act according to their discretion, and as circumstances might require. His Worship the Mayor, also, was instructed to proceed to Fredericton on the same business, on Saturday afternoon, after closing the business of the Common Pleas Court.

HARBOUR LAW.—His Worship read another communication from the Recorder, stating that the *Harbour* Bill had passed the Lower House, and would pass the Legislative Council, with the *omission of the first section*. His Worship stated, that that section was the very pith and marrow of the Bill, the principal object desired by the Corporation. It was intended to define the line of low water mark, so as to prevent all parties, public and private, from building too far out, and thus filling up and ruining the harbour; and therefore if that section were lost, the Bill would be totally useless.

The Board unanimously resolved to petition the Legislature against passing the Bill, with that omission.

NEW MARKET HOUSE.—A resolution was passed to re-slate the new Market House, the original slating having been so badly done, as to let the water through to such a degree as to render it impossible at present to use the upper part of the building.

ST. JAMES' STREET.—Alderman Vanhorne moved, that £40 be granted to Thomas Jones, in consideration of his great losses, in performing the contract work in St. James' street, and that he be released from all liability under his bonds.

It appeared that the contractor, Carroll, was a person totally ignorant of the nature of road work; that he had tendered for the work at a price L.200 lower than any other offer, and fully that amount lower than it could possibly be done for; that Carroll had abandoned the contract and decamped, leaving Jones, one of his sureties, to carry it on; that Jones had endeavoured to complete the contract without applying to the corporation for any relief; that he had met with a great impediment of peculiarly hard rock, in a part of the work where all parties had expected to find nothing but earth; that he had already expended L.128 beyond the amount of the contract, besides charging nothing for his own time, or the labour of his horses and cart; and that still it would require L.200 to complete the work. He had received L.120 beyond the original contract price, and now prayed for further assistance from the Corporation. Under these circumstances, the motion was supported by Aldermen Vanhorne, Harding, and Bond, and Assistants Hagarty, Fairweather, and Cameron, who contended, that the Corporation were well aware at the first, that the work could not be done for any thing like the contract price; that Jones had acted honestly, uprightly and industriously, in endeavoring to perform the work for which he was security, after the contractor had abandoned it; that his accounts were correctly kept; that he was almost ruined by his endeavours, and that it was impossible for the terms of the contract to be fulfilled.

The motion was opposed by Aldermen Humbert and Salter, and Assistants Coram and Ray, who supported an AMENDMENT, to pass Jones's receipts now, and wait till the completion of the work, before deciding upon allowing him any thing further.—This amendment was NEGATIVED; and the ORIGINAL MOTION was then carried, 7 to 5.

YEAS:—Aldermen Porter, Harding, Vanhorne, Bond: Assistants Fairweather, Hagarty, Cameron.

NAYS:—Aldermen Humbert, Salter; Assistants Ray, Coram, Beatteay. Adjourned.

PROVINCIAL LEGISLATURE.—The committee to whom were referred the subject of the copper coins at present in circulation, have recommended that an address be presented to his Excellency the Lieutenant Governor, praying that he will bring under the notice of her Majesty's Government the propriety of establishing a Copper Coin for the use of the Province,—and that a sum of money be placed at the disposal of His Excellency to defray the expense of procuring such Coin. Until a proper Coin, established by her Majesty's Government, be procured for the use of the Province, the committee do not recommend the passing of any Act to prevent the circulation of the present Copper currency.

A Bill to repeal the sections of the Fire Law which referred to buildings erected after the fire in August last and subsequent to the meeting of the Legislature in September, has passed both houses.

In committee of the whole House, on the 20th instant, it was resolved to recommend to the favorable consideration of His Excellency the proposal of John Walker, Esq. of this city, for erecting a fire proof building for the accommodation of the Customs and Treasury Departments, &c. and that £200 per annum be paid by the Province for the use of such Offices therein as may be required by the Treasury Department.—It was also resolved to appoint a committee to prepare a Bill authorizing a grant of Land to the "*North American Colonial Association of Ireland*," for the purpose of establishing a settlement of Emigrants in this Province.

The Committee on Steam Navigation have recommended an annual sum of £350 for five years commencing from the first of May, 1841, in aid of a weekly steam communication during the season between Miramichi, in this Province, Charlotte-Town, Prince Edward Island, and Pictou, Nova Scotia—provided an efficient boat of not less than eighty horse power, be run on that line.

The Assembly have granted £100 to reimburse James Cameron, of Fredericton, for the expense of printing 1000 copies of the "Militiaman's Guide," and 500 copies of the "Officer's Instructor," and to remunerate him for his valuable services in preparing these works for the press, and distributing them throughout the Province.

From a Report of the Commissioners appointed to examine the accounts of the Crown Land Office, read in the House on Tuesday last, it was understood that the deficiency which had been ascertained amounted to £3222, part of which had occurred during the absence of the Commissioner of Crown Lands from the Province.

The Revenue Bill passed both branches of the Legislature and received the Governor's sanction on the 25th inst. in order that the Officers in the different parts of the Province might be prepared to act upon it on the 1st of April, when it comes into operation. The principal alterations from the Bill of last year are—a reduction of 3d. per gallon on Brandy, the duty on which is to be 2s. 3d.; Rum or Spirits, of proof 26, 1. 6d. per gallon, an additional 1d. per gallon for every bubble below 26; 6d. per gallon additional on Whiskey; this last will oblige the Collector of H. M. Customs to exact 6d. per gallon on all Gin remaining in Warehouse after the 1st of April, or that may be afterwards imported. Wine imported direct from its place of growth is to pay 1s. 9d. per gallon, but otherwise imported, 2s. 6d. per gallon. The duty on Horses is raised to £5, and on Oxen and other horned cattle £1.

The Committee appointed to take into consideration the Petition of the Justices of the Peace for the City and County of St. John, praying further Legislative aid towards the House of Correction now building near the City of St John, and tendering the use thereof to the Province at large for the purpose of security to convicted Criminals and keeping them employed at hard labor, reported—That there being no establishment in the Province for the purpose of placing convicted Criminals to hard labor, when sentenced thereto by the Courts, your Committee think it highly desirable that the House of Correction now building near the City of Saint John should be accepted as a Provincial Penitentiary, and that an Act should be passed at the next Session to authorize the transportation of Criminals from the several Counties to St John; and they further recommend that a grant of money be made at the present session, to the Justices of the Peace for the City and County of St John, payable in 1841, to enable them to complete the said Building.

The Committee of Assembly on the subject of a Canal to unite the waters of the St. Lawrence with those of the Bay of Fundy, by means of a Canal, have reported in favor of an immediate survey of the several proposed routes by an experienced British Engineer, and recommend that the sum of £1000 be placed at the disposal of His Excellency the Lieut. Governor, towards defraying the expense of said new survey; and that his Excellency be requested to communicate with his Excellency the Governor General, and also with the Lieut. Governors of the neighboring Colonies, and desire their assistance and co-operation in this important measure. The Committee are also in favor of insuring the assistance of British capital in the prosecution of this great enterprise; and that its completion will not only greatly advance the commercial interests of this Province, but will also conduce to the Colonial union and strength of all the North American Colonies.

The Committee on Light Houses to whom was referred the Message of His Excellency of 22d February, submitting a Report from L. Donaldson, Esq, who was employed to inspect the Light Houses in the Bay of Fundy, and recommending that provision be made for the permanent appointment of a Surveyor of Light Houses with an adequate salary, as well as remuneration to Mr. Donaldson for his past services, reported—That from the services rendered by Mr. Donaldson, they think that the commission allowed on expenditure is by no means a remuneration for the same, and in accordance with the views expressed by the Commissioners last year and the present, they now recommend the sum of £175 18 7 be appropriated, to make the salary equal to £250 per annum; but they cannot recommend that any provision should be made for past services, although they agree that those past services have been very valuable to the public. The Report of Mr. Donaldson on the state of the Light Houses, is very lengthy and ably drawn up, and shews the different establishments to be in a very efficient state.

On motion of Mr. Allen,—Whereas highly important Military services were rendered to their Queen and Country by Lieutenant Colonel Maxwell, of Her Majesty's Thirty Sixth Regiment, and the Officers, Non-Commissioned Officers and Soldiers under his command, while commanding the forces stationed at the Upper St. Johns for the protection and defence of the Northwestern Frontier of this Province; and whereas those services were eminently distinguished, as well by unfailing zeal on the part of the said Lieutenant Colonel Maxwell, and the Officers under his command, for the improvement of the Provincial Militia, as by the most unremitting vigilence over the extended line of defence, whereby those Officers and Soldiers have not only obtained the highest approbation of His Excellency Major General Sir John Harvey, Commander in Chief of this Province, in the District General Order of the 27th of March last, but have justly merited the grateful acknowledgments of Her Majesty's subjects in this loyal Province; therefore

Resolved, That the thanks of this House be presented to Lieutenant Colonel Maxwell, and the Officers, Non-Commissioned Officers and Soldiers of the Thirty Sixth Regiment; to Major Brookes and the Officers, Non-Commissioned Officers and Soldiers of the Sixty Ninth Regiment; to Major Winyates, and the Officers of the Royal Engineers; to Captain Stow and the Royal Artillery, and to William H. Robinson, Deputy Commissaty General, and the Officers of the Commissariat Department, for their distinguished services on that occasion; and further

Resolved, That His Honor the Speaker do communicate the same to Lieutenant Colonel Maxwell.

Sums voted by the Legislature.—To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £2,000 for the payment of extra work done in and about the Province Hall during the past year, and for the completion of the work yet in progress.—To Xenophon Jouett, late Usher of the Black Rod to the Honorable Her Majesty's Council, the sum of £25 in consideration of his long services and advanced age, having served that honorable body nearly thirty-eight years.—The following sums for the use of the Agricultural Societies in the respective Counties: Restigouche, £100; Northumberland, 100l.; Westmorland, 100l.; St. John, 100l.; Queen's, 100l.; York, 100l.; Gloucester, 100l.; Kent, 100l.; King's, 100l.; Charlotte, 100l.; Sunbury, 100l.; Carleton, 100l.

DECK LOAD LAW.—By the annexed correspondence it will be seen that the construction put upon the Deck Load Law by the Collector of Her Majesty's Customs at this Port and the Law Officers of the Crown in this Province, accords with the opinion entertained on the subject by the Committee at Lloyd's.—*Courier.*

St. John, N. B. 10th Dec., 1839.

SIR,—I should wish to be informed what construction is put upon the term *Timber* used in the Act to prohibit vessels carrying Deck Loads, (2 & 3 Victoria, c. 44)—whether it is confined to square Timber, or is general, and includes Deals, Boards, Staves, &c.

Your obedient servant.
(Signed) W. P. RANNEY,
Agent for Lloyd's.

WM. DOBSON, Esquire,
Secretary at Lloyd's.

Lloyd's, 5th Feb. 1840.

SIR,—I beg to acknowledge the receipt of your letter of the 10th December, requesting to be informed what construction is put upon the term "Timber" used in the Act of Parliament for prohibiting Deck Loads, and to acquaint you that it has been laid before the Committee for managing the affairs of Lloyd's.

I am directed to inform you that the Committee are of opinion, that the term "Timber" used on this occasion is intended to apply to Timber of every description, but what construction a Court of Law might put upon it, it is not in their power to determine.

I am, Sir, your obedient servant,
(Signed) W. DOBSON.

W. P. RANNEY, Esquire,
Agent for Lloyd's, St. John, N. B.

HALIFAX, March 25.

The Legislature.—The Session is drawing rapidly to a close, and the House will probably rise on Thursday or Friday. A string of strong resolutions, moved by Mr. Huntington, on the subject of the Civil List Bill, destroyed by the Legislative Council, passed yesterday by handsome majorities. The Judiciary Bill has also been defeated in the Council. To-morrow the final Address to the Crown will be submitted.

Martin Gay Black, Esq. has declined serving as a member of the Legislative Council, preferring, we presume, the honorable station of an independent merchant, without an enemy, to a seat in a political assembly, whose conflicts are foreign to his habits.

Alex. Stewart, Esq. having been appointed to the Executive Council, the House yesterday passed a Resolution, by an overwhelming majority, declaring that few men enjoyed less of their confidence, and that they declared his appointment an insult to the House.

The Delegates are again to go without their pay. The House having passed a vote of £1000 to Messrs. Young and Huntington, the Council withheld it, and demanded pay for Messrs. Stewart and Wilkins. The House refused to give it, and their own vote came down rejected. The Governor then sent a Message requesting pay for the Council's delegates. The following answer was returned:

"We, Her Majesty's dutiful and loyal subjects, the representatives of the people of Nova Scotia, having maturely considered your Excellency's message, recommending a grant of money for the payment of the expenses of certain persons, named by your Excellency, at the desire of the Legislative Council, to proceed on a mission to England, beg leave most respectfully to decline granting any portion of the funds entrusted to our care, for that purpose.

"The House of Assembly, at the last session, before those Delegates were appointed, expressed their opinion on this subject—they thought a Delegation from the other Branch of the Legislature unnecessary, and that the reasons assigned for it were not such as would justify the expenditure of the public money; and they can find nothing in the claims of the persons appointed, nor in the manner in which they executed their mission, to entitle them to the favourable consideration of this House. They appear to have used their best endeavours to render the deliberate action of this House, on various subjects involving the welfare of the people of this Province, nugatory and inoperative; and this House would but ill perform their duty to the Country, by lavishing its resources upon those by whom they feel that it has been deeply injured."

So that the two gentlemen, who have spent six months of their time in a laborious and expensive mission, are to go without the money necessary to pay their expenses! If the country suffer this, then it really is not worth fighting for.—*Novascotian.*

The Assembly have done themselves some credit during the past week, by passing a Resolution by a large majority, abolishing the monopoly of Provincial printing. That is now to be opened to contract, and we have no doubt that a benefit will thereby arise, not only to the public in the shape of an annual saving, but also to the trade interested in the work.—*Halifax Times.*

We are informed that an Address was this day presented to his Excellency Sir Colin Campbell, from Pictou, signed by 3,700 persons, approving of his Excelleney's administration of the government, and expressing their confidence in the Executive Council.—*Halifax Journal.*

The Bishop of Nova Scotia had an interview with Lord John Russell, at the Colonal Office, on the 2d of January.

QUEBEC, March 17.

A melancholy event took place yesterday, by which Sergant Major Greer of the Coldstream Guards, was unhappily deprived of life. The Sergeant Major was attending the parade of a Company at ball practice and imprudently standing in front of the division, whilst instructing the men, he gave the word "present," hauing sufficient confidence in their steadiness that they would wait for the word "fire" before a trigger would be pulled. One man, by name Hugh Gray, who stood the second or third file from the flank, unfortunately touched the trigger of his piece, or it got entangled in the cuff of his great coat, in bringing it to the present, when it went off and the ball passed through the head of the ill-fated Sergeant Major, who was scarcely three paces from the muzzle of the musket; he fell, and was carried from the ground to his barrack room, where in a quarter of an hour he breathed his last. The lamentable event was clearly accidental: the man who occasioned it is an old soldier and bears an excellent character, and the Sergeant Major, who was highly esteemed by the Officers, was also a favorite with the men. He was a man in the prime of life, aged about 37 years, and has left a widow to mourn his untimely end. A Coroner's Inquest was this morning held upon the body, when a verdict was returned of "Accidental Death."—*Quebec Mercury.*

Yesterday, the remains of the late Sergeant Major Greer, of the Coldstream Guards, were interred in the Protestant burying ground, St John's Suburb.—It was a grand military funeral, and was attended by Major General Sir JAMES MCDONNELL, and we should think from the appearance of the *cortege*, by more than half the officers and men of the different corps composing the garrison of Quebec. The deceased was very highly esteemed by all who knew him, and his untimely and accidental death in the prime of life is sincerely deplored.—*Transcript.*

QUEBEC, March 18.

ST. PATRICK'S DAY—The anniversary of the Tutelar Saint of Ireland, was celebrated in this city yesterday, with that spirit which distinguishes Irishmen in every thing connected with their country.

Divine Service was celebrated in St. Patrick's Church, by the Right Reverend Bishop of SIEYME, Coadjutor of the Diocese of Quebec, and the sermon was preached by the Rev. Mr. M'MAHON, Pastor of the Church, with his usual eloquence.

The St. Patrick's Society attended in a body, and the Church, spacious as it is, was crowded by the congregation, and numerous visitors of different religious denominations in this city. St. Patrick's Church is, indeed, a durable memorial of the liberality of the Irish Catholics of Quebec, and of the good feeling of their Protestant fellow citizens, by whose joint voluntary contributions it has been (chiefly) erected and decorated.

In the evening, the St. Patrick's Society had a dinner at the Albion Hotel, to which the Presidents and Vice Presidents of the Sister Societies of St. George, St. Andrew and Caledonia, and several guests, were invited.

At six o'clock about sixty gentlemen sat down to a splendid dinner prepared in the best style, by Mr. Hoffman, jun., the landlord of the hotel.—T. RYAN, Esq., one of the Vice-Presidents, presided. The fine band of the 11th Regiment was in attendance.

The Irish inhabitants of this city have become numerous and respectable. We recollect a time that not half a dozen natives of Ireland, could be found in Quebec, to join in a dinner such as that which was spread last evening on the table of the Albion. The attendance yesterday was much diminished by accidental circumstances; but it is sufficient to prove that notwithstanding all the drawbacks that have been experienced by the visitation of sickness, unfavorable seasons, and political troubles, during the last eight years, Quebec is a city where the Irish emigrant may thrive by honest industry and enterprize, and we are happy to bear testimony, that in general, they are able and willing by their good conduct to participate in the advantages which they enjoy in this country.—[Neilson's Gazette.

Alexander Gillespie, Jun. Esquire, of London, has transmitted one hundred guineas to the Rev. Dr. Cook, of Quebec, in aid of the Presbyterian College at Kingston, Upper Canada. The subscriptions in aid of the College now amount to upwards of £15,000. Professors have been sent for, and the institution it is expected will be opened next autumn.

From the Boston Daily Advertiser.

FROM CANTON.—The ship Navigator and bark Trenton, have arrived at New-York from Canton, Whampoa and Tungkoo, bringing news to 1st of Dec. The Chinese commenced a cannonade upon the British shipping at Hong Kong, on the 12th of November, but without effect. The shipping soon after removed to Tungkoo bay, where they remained at anchor under the protection of the sloops of war Volage and Hyacinth. No material change seems to have taken place in the relations of the parties at the last dates. The American vessels were carrying on a brisk business, in transporting goods between the British ships and Canton, but apprehensions were entertained that this business would be very shortly cut off. The course which would be adopted by the imperial government, on receiving news of the conflict with the two British ships on the 2d, was not known.

A friend who has arrived at New-York in the Trenton, which left Whampoa,