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judge to induce him to deliver a fall written judgment in deciding it. The plaintiff, Crumpton, sued for 7\frac{1}{2}\ddotd, exacted from him by the defendant, Walker, as toll, but which he contended he was not legally bound to pay. The toll was not legally bound to pay. The toll was not legisle under the Statute; and it having already been decided, as the learned judge considered, in the Queen's Bench, (O'Hara Foley,) that an action for money had and received would lie in such a case; the only question remaining was, as to the jurisdiction of the Division Court, which the learned judge decided existed, and gave judgment for the plaintiff accordingly. Another point decided, as to levying tolls for merely crossing the road, where there had been a side bar, as was the case here. sufficiently appears in the following short extract from the judgment. British Canadian.

ment,—British Canadian.

The Governor in Council, of course, has authority to impose tolls at side-bars as well as the gates, but it is quite clear to me, that the proclamation imposes no toll at the side-bars, and no toll can be legally exacted from any person, unless he presents himself at the gate upon the road. I do not mean to be understood that if a person should avoid the gate tor the purpose of atood that if a person should avoid the gate tor the purpose of himself at the gate upon the road. I do not mean to be understood that if a person should avoid the gate for the purpose of avoiding the toll, that he could not be punished for so doing, in the same manner as formerly,—such is not the case in the present instance; but the question is simply one of legality, under the present proclamation, to take toll from a person crossing the road at a point where, before the present act came into operation, a side bar was erected, and at which toll for crossing was not taken. Me company is (supposing it might be succeswas not taken. My opinion is (supposing it might be succesfully contended that there is no exemption for merely crossing the reads, and did not the road), that the proclamation has not made, and did not intend to make any provisions for the side-bars, but merely intended to impose and authorize the collection of tolls at the gates across the road, and therefore the plaintiff in the present case. case has been illegally made to pay toll."

THE BRITISH MAILS.—Great inconvenience is felt from the delay in forwarding the British mails to Western Canada, on the arrival of the Liverpool steamers at Boston, by reason of their being first sent to Montreal, instead of to one or more convenient. The mail by the Cambria, which reached Boston on the even-This was, no doubt, in a great measure caused by the bad state of the roads at this season of the year; the rivers being much swelled, and the bridges carried away in many places along the toute between Boston and Montreal.

Due allowance must therefore be made for this. But the advantage of sneedy and exact correspondence between this

Your Committee have regarded, with much estisfaction, the seesary to accelerate the forwarding of the Canada Great Western Relibus, essential conceiving such of the highest importance to the faces the wind and the main formation of the control of the highest importance to the faces the forwarding of the Canada Great Western Relibus, and the face of the highest importance to the faces of the face of the highest importance to the faces of the face of the highest importance to the faces of the face of the highest importance to the faces of the face of the highest importance to the faces of the faces of the face of the highest importance to the faces of the face of the highest importance to the faces of the faces o ment necessary to accelerate the forwarding of the Canada mails: otherwise correspondents would have been under the necessary to receiving their letters &c. by way of Boston, burdened with the impost of the United States' postage, in addition to the regular British packet rates. To meet this emergency, the Imperial Government concluded an arrangement with the Government at Washington, to permit the mails for Canada, arriving by the Linguistics teamers at Boston, to pass

to the establishment of a Lazzaretto or Quarantine establishment; the appointment of a health officer; boarding the steamers before they arrive at the wharves, for the purpose of separating any sick passengers; and a request will be made to the proprietors of the steamers to enter into some arrangements to have the Immigrants inspected before they are allowed to go to board.

Certain other regulations were adopted relative to removing individuals labouring under contagious diseases in any vehicles except those provided for the purpose by the city.

We are told also that one subject of discussion was the propriety of preventing the Hospital Trustees from receiving the number of fever patients (40) for which they have made arrangements with Government. To accomplish this, a suitable fever hospital must be provided, and several places were mentioned,—Patriot.

The proprietors of the steamers to enter into some arrangements to have defined and sent to the surrounding post-office at Liverpool from the ordinary of the which is have a calculated to place this rising Colony in the position she ought to occupy.

All which is humbly submitted.

We are equire is, to have our mails forwarded direct from Balifax to Quebec, particularly Western Canada. What we require is, to have our mails forwarded direct from Balifax to Quebec, president, which is humbly submitted.

We are told also that one subject of discussion was the propose of separation of the people to be "transplanted" under the view of pursuing it more fully hereafter.—British Colonist.

Emigration Scheme of M. O'Connell. and others.—The principal portion of the people to be "transplanted" under the principal portion of the people to be "transplanted" under the provided, and several places were mentioned,—Patriot.

The principal portion of the people to be "transplanted" under the principal portion of the people to be "transplanted" under the principal portion of the people to be "transplanted" under the principal portion of the people to be "transplanted" under t

The principal portion of the people to be "transplanted" under building and several places were mentioned,—Patriot.

The Managing Committee of the Estonant Stretaunt of the properties of the Estonant Stretaunt Stretaunt of the properties of the Estonant Stretaunt Stretaunt

From the Part of the Control of the

The Committee of the Hamilton Board of Trade, in resigning their trust, beg to Report: That during the past season, when so many and such important changes took place in our commercial relations with the Mother Country, when the whole system of protection was done away with, your Committee did not fail in their duty to their constituents, but petitioned her Most Gracious Majesty the Queen, craving time, in order that the Colony might accustom itself to the change; to this petition a reply was received adverse to the prayer thereof. They subsequently forwarded to her Majesty another petition, praying for such a modification of the Navigation Laws, as might place the Canadian produce in a more favourable position; to this peti-tion no answer has been received. That your Committee have continued vigilant, as to many matters of great importance to the welfare of the Colony; among them the necessity of a uniform rate of Postage; the repeal of the Duty upon American Wheat, useless to the farmer, burthensome to the merchant, and affording no revenue to the Colony; the repeal of various duties on American provisions; as were such admitted for home consumption, free of duty, the whole of the very superior articles consumption, free of duty, the whole of the very superior articles produced in Canada, would be put up for consumption in Britain; and thus not only would the Canadian farmer obtain as good prices as are at present, but a trade would be formed of the highest value to the Colony. The assimilation of duties on goods from whatever country derived, as an equivalent for the protection withdrawn from Canadian produce, so considerately permitted to be taken up by the Canadian Parliament, by the permitted to be taken up by the Canadian Parliament, by the authorities, have also occupied their attention, and would, with many other matters, have been urged on the Provincial Government, had there been any Parliament sitting. Your Committee, therefore, can only recommend these matters to their successors in office. The completion of the Canals on the St. Lawrence will do much to facilitate our intercourse with our seaport towns, and should the British Navigation Laws be so far altered as to permit foreign vessels to load at Ouelees and agent appears and the papers &c. on the latter of those days, and doubt, in a great measure caused by the bad state will do much the facilitate our intercents with our sea, no doubt, in a great measure caused by the bad state will be delicited as to permit foreign vessels to load at Quebec and Montreal. This was, no doubt, in a great measure caused by the bad state will be delicited as to permit foreign vessels to load at Quebec and Montreal for ports in Britain, and also allow foreign ships to the between Basan and Montreal.

The warner of a season of business prosperous to the whole colony,—Idid.

The Warner of a season of business prosperous to the whole colony,—Idid.

The Warner of a season of business prosperous to the whole colony,—Idid.

The Warner of a season of business prosperous to the whole colony,—Idid.

The Warner of a season of business prosperous to the whole colony,—Idid.

The Warner of a season of business prosperous to the whole colony,—Idid.

The Warner of the colony,—Idid.

The Warner of a season of business prosperous to the whole colony,—Idid.

The Warner of the colony,—Idid.

The Warner of the colony,—Idid of the colony and the United Kingdom, and that a great deal has been done, the present strange anomaly of our position be denied the privilege of early polling the past few years, to accelerate the despatch of the malls between this colony and the United Kingdom, and that into the different was a season of the company of the season, they were form the improvements that have been the colony and the United Kingdom, and that into the different were of the provided overland from Halifax, and Boston, the mile the present strange and the produced overland from Halifax to Quebe assume the commanding positions light have been possed to the present strange and provided to the present strange and provided to Montreal on the one hand, and the present strange and provided to Montreal on the one hand, and the provided to the present strange and provided to Montreal on the one hand, and the provided of a steamer at Boston before the mail by the previous one had the steamer between Picton and Quebec, rendered some arrangement necessary to accelerate the forwarding of the Canada around the Canada Great Western Railway and the continuous of the Canada Great Western Railway and the co

Vice-President—Archibald Kerr, Esq.
Secretary and Treasurer.—Wm. Atkinson, Esq.
Committee—R. Juson, Daniel Macnab, William Atkinson,
James D. McKay, Hugh C. Baker, W. P. McLaren, J. T.
Gilkison, John Young, James Osborne, James B. Ewart, Wm.
Green, James Stocks, John P. Larkin, Esquires.

institutions, to the level of continental and Romish despotism or of Mexican and South American anarchy?—News.

Hamilton Board of Trade of Hamilton, took place ou Wednesday evening. the 28th ult. The Committee for the past year presented a Report, which was read and unanimously adopted. It is as follows:—

Report.

R

"THE WEATHER"—Well, every body is talking about the weather, and about the navigation, and all the infinite differences commercial, social, and political, which the variation of the thermometer by two or three degrees makes in this moral (or immoral) world. So far as we of Montreal are concerned all is right; the ice has moved off bodily; the last traces of the winster's snow are disappearing in our fields, and our waters are enlivened by small fore and-aft rigged vessels, and smaller craft enlivened by small fore and-aft rigged vessels, and smaller craft still creeping out of unknown places of refuge, to float on the surface and plough the broad waters of our mighty flood. Besurface and plough the broad waters of our mighty flood. Besurface and plough the broad waters of the late John S. Cartwicht, in extending and improving the water power on the Mill Reserve.—Argus.

Perished in the history of its young life. A great deal of trade, jet in the export trade, yet unmatched in the history of its young life. A great deal of trade, it is true, and pity 'tis 'tis true, is going by way of New York, but still we suspect the balance to the St. Lawrence is greater than the aggregate of former years, and greater still would it be were not the natural uses of our noble waters frustrated by artificial restrictions.—Montreal Gazette, 5th Man.

We learn from a traveller who arrived in this city yesterday.

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We learn from a traveller who arrived in this city yesterday morning from the south-west, that, after a very difficult and laborious journey, he found Lake Champlain open, and the Francis Saltus running down to Plattsburgh. Below that town the lake was covered by masses of loose and friable ice, which is town the lake was covered by masses of loose and friable ice, which it was expected could not interrupt the navigation long—beyond Thursday at the latest, and it is probable that it is open now. The first entry of imported goods this season riverward at St. John's, was made on Monday, by our friend Mr. Brown, of Notre-Dame Street, whose advertisement of his spring stock this morning graces our pages, and which we trust is an earnest of a season of business prosperous to the whole colony—*Hid.* 

daylight this morning, so as to make the attempt to pass lake St. Peter by daylight, which accounts received yesterday describe to be still covered with ice.—Ibid, 7th May.

interest in the prosperity of the Colony. He presented the clock to the English Episcopal Church in Montreal, and a magnificent lastre to the Church of the Hotel Dieu, in St. Paul street. We understand that the bulk of the immense fortune which he left is bequeathed to the family of Joseph Shuter, Esq., of this city.—Montreal Courier.

Great complaints were made on Saturday, that, notwithstanding the promises of the Commissioners of Public Works, the water had not been let into the Lachine Canal. The Department of Public Works seems to have been guilty of great remissness. We hope there will be no further delay.—Yesterday.

day's Pilot.

The Gazette of yesterday announced that the water was let into the Lachine Canal on Saturday, but that the embankments not being yet perfectly free from frost, it was not safe to let the water in so quickly as might have been desired. It was expected that the Canal would be ready for navigation at 3 o'closic.

Mr. Solicitor General Tascherau has been appointed Circuit Judge, an office for which his high legal affairments peculiarly fit him.—Courier.

Sale of Village Lots at Napanes.—At this sale, which took place by auction on Saturday last, all the lots recently laid out were disposed of at prices which show the rising prosperity of this village. Three lots on Main Street, 66 feet front, bernometer by two or three degrees makes in this moral (or thermometer by two or three degrees makes in this moral (or thermometer) world. So far as we of Montreal are concerned all is simmoral) world. So far as we of Montreal are concerned all is Street (the street in rear) brought as high as £94. The whole sight; the ice has moved off bodily; the last traces of the winger of the concerned and the concerned all is street in rear brought £207, £206, £175 each. Some of the lots on Bridge Street (the street in rear) brought as high as £94. The whole sight; the ice has moved off bodily; the last traces of the winger of the concerned all is street in rear brought £207, £206, £175 each. Some of the lots on Bridge Street (the street in rear) brought as high as £94. The whole sight; the ice has moved off bodily; the last traces of the winger of the prices of village lots were £25 and per lot. Two years ago the prices of village lots were £25 and £30. This advance may be mainly attributed to the improvements now making by the Executors of the late John S. Cartwight, in extending and improving the water power on the

which commenced on Saturday, the 17th inst. It appears she left a store not far from her residence to proceed home, and had to cross a small piece of woods—must have missed the road which led to it, got lost, and perished. When her body was found, on the following Monday, a basket which she had carried was also found literally torn into chips, which she must have done in her desperation; one of her hands was gnawed by some animal.—Hamilton Journal, April 27th.

DREADFUL Accident.—We are informed that among the many attempts to recover the body of the young lad, Master John McDonald, who was drowned hear Brantford a few days since,—a cannon was procured and discharged several times over the place whore the body was supposed to be, but at length burst, wounding three or four of the persons who were working the gun. We have not learned the names of the persons thus injured, but are informed that they are young men, and employed in the support of this Association will please take notice, that the next meeting will take place, (D. V.) at Kingston, on Wednesday the 19th, and Thursday the 20th, of May next.

Salteen Givins, Secretary.

Mohawk Parsonage, 24th April, 1847. injured, but are informed that they are young men, and employed in the carriage making business in Brantford.—Hamil-

FALL WHEAT.—We regret to hear, that on many farms in this and surrounding townships, the fall wheat is found to be severely injured by the long wet season previous to Christmas, and the alternate freezings and thawings much assailed the root of the plant, when there was no snow to protect it. In some cases whole fields have been ploughed up and sown afresh, and it is only in consequence of the very advanced period of the Spring, that others have not been similarly treated.—Galt

MEXICO.

Battle at Cerro Gordo.

News is brought by the steamer McKinnon, at New Orleans, from Vera Cruz, whence she sailed on the 20th. On the afterfrom Vera Cruz, whence she sailed on the 20th. On the afternoon of the 17th, the advance of our army, under Gen. Twiggs, numbering 8124 men, encountered the Mexicans. A severe conflict took place, entirely decisive in its results. Gen. Scott's intention was to give battle on the 19th, but the action was brought on by the Mexicans, and the main battle fought on the 18th. Santa Anna made his escape after the rout of his army.

Commercial.

(COMPILED EXPRESSLY FOR THIS PAPER.)

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CHURCH SOCIETY.

The Annual Meeting of the Midland and Victoria District SALE OF VILLAGE LOTS AT NAPANEE.—At this sale, which Wednesday, May 19th, 1847, at 7 o'clock in the evening. Kingston, May 11th, 1847.

A General Meeting for the formation of a Branch of the Church Society for the District of Colborne, well be held at Peterboro', on Tuesday, the 25th May next, at half-past 10 A full attendance of the Clergy of that and the neighbour

To the Members of the Western Clerical Society. Reverend Brethren, You are hereby notified that the next Meeting of the above named Society will be held (D.V.) at the residence of the Rev'd. William Bettridge, B. D., Woodstock on Wednesday, and Thursday the 19th and 20th of May next. Dundas, April 6th 1847. WILLIAM MCMURRAY,

Ssc'y. W. C. Society. Midland Clerical Association.

who is competent to teach children the usual course of Education, including French and the rudiments of Music. REFERENCE is permitted to the Ven. Archdeacon BETHUNE

Rectory, Cobourg.

Address to N. N., box 174, Post Office, Cobourg. May 10th, 1847.

RESOLUTION Of the Common Council of the City of TorontO, Rev. James C. Usher, of a daughter.

published in compliance with the 13th Section of Act 9th Victoria, Chapter LXX.

between Nelson Street and Caroline Street; Church Street Mr. Wm. J. White, to Sarah, youngest daughter of Mr. Henry North, through the lands of the late Alexander Wood, Esq., within the Northern boundary of the City; Carleton Street, East of Church Street, to Parliament Street; Gerrard Street, between the same lines; and Parliament Street, South of

ing Street.
Truly extracted from the Journals.
CHARLES DALY.

J. POTTS. Vittoria, Talbot District,

THOMAS WHEELER. WATCH MAKER, ENGRAVER, &c.

No. 6. King Street East, Toronto.

RESPECTIFULLY solicits a share of public patronage. Every description of Wafebes and Clocks cleaned and repaired with accuracy and despatch, and warranted. Arms, Crests, Cyphers, Brass and Silver Seals, Door Plates,

&c., Engraved. Coats of Arms Emblazoned. Jewelry nearly repaired, Hair inserted in Lockets, &c. China and Glass riveted and repaired. \*\* Reference for integrity and ability kirolly permitted to THE LORD BISHOP OF TORONTO: 476-52

( Terrestrial ) GLOBES! GLOBES! Celestial.

G. JOSEPH, OPTICIAN AND MATHEMATICAL INSTRUMENT MARER, 56, King Street, Toronto, returns
his sincere thanks to his Friends and the Public generally, and
would inform them, that he has just received direct from England, CELESTIAL AND TERRESTRIAL GLOBES, land, CELESTIAL AND TERRESTRIAL GLOBES, from 5 to 18 inch diameter, which he offers on reasonable terms. Also, in connection with his former assortment of Spectacle, Mathematical Instruments and Jewellery, he has received Ladies' and Gentlemen's Gold and Silver L'Epine, Lever and Vertical Watches, ditto, ditto, Chains, Broaches and Pins, and Rings; Silver Suuff, Scent and Presentation Boxes; pure Gold Wedding Hings; Tea, Table and Soup Spoons; Sugar Tongs; Plated Candlesticks; Salvers; Cake and Fruit Baskets; Papier Maché Trays—to which he invites the inspection of his friends and the public, and hopes to give general satisfaction; and say article purchased of him, and not approved of on trial, will be exchanged. All kinds of Instruments, Spectacles, Jewellery, and Watches, made and repaired to order, by experienced Workmen.

Nov. 26, 1846.

WANTED for the Boy's PAROCHIAL SCHOOL. CORN-WALL, a Teacher competent to instruct in the usual Branches of a good common English Education. He must be a Member of the Church of England. Apply, (if by letter post paid,) to REV'D. HENRY PATTON, Rector of Cornwall. April 1st. 1847.

GOVERNESS. A LADY capable of giving Instruction in the usual branches of an English education, will be happy to en-

gage in a family as Resident Governess.

Apply to the Office of this Paper. 20th April, 1847. S. C.

LAKE ONTARIO.

THE ROYAL MAIL LINE OF STEAMERS. WILL leave Toronto for Kingston, touching at Cobourg (weather permitting) every day (Sundays excepted), at 12 o'clock noon, precisely, until the 10th day of June next; and from the 10th of June to 10th September, at 1, P. M., precisely; from 10th September, to close of the Season, at 12,

oon, precisely.
Will leave Kingston for Toronto, every afternoon (Sundays excepted) at 5 o'clock precisely. Royal Mail Office, Toronto, April 15, 1847.

THE STEAMER AMERICA WILL leave Toronto for Rochester, touching at Cobourg and intermediate Ports (weather permitting), every Tuesday, Thursday, and Saturday Morning at Eleven

Will leave Rochester Landing for Toronto, touching at Co-bourg and intermediate Ports, (weather permitting), every Monday, Wednesday and Friday Morning, at Eight Luggage and Parcels at the risk of the owners, unless booked

and paid for as Freight.

The Proprietor will not, in addition to the ordinary exemption from liability, hold himself responsible for any property lost in said Steamer, owing to accidental fire or collision with

any other vessel,

Royal Mail Office,

Toronto, April 22, 1847. BIRTH.

In Brantford, on the evening of the 3rd inst., the wife of the MARRIED.

In this city, on Wednesday, May 12th, at St. George's Church, St. George's Square, by the Rev. C. Ruttan, W. Porter Street, Esq., of the Bank of Montreal, to Sarah, daughter of the late RESOLVED,—That notice be given in the several Newsto pass an Act, to authorise the opening and extension of the following Streets in this City, to wit:—QUEEN STREET East,

In this city, on Wednesday, May 12th, at St. George's Church. St. George's Square, by the Rev. C. Ruttan, W. Porter Street, of the Bank of Montreal, to Sarah, daughter of the late Thomas Henderson, Esq., formerly of Berwick-on-Tweed.

At St. Thomas, on the 22nd ult., by the Rev. M. Burnham.

On the 24th April at her residence, near Toronto, Elizabeth, widow of the late Capt. Thomas Merigold, and mother of Mr.

Sit. Peter by daylight, which accounts received yesterday describe to be still covered with icc.—Hid., 7th May.

The details from the rive between here and Quebe generally represent the ice as on the move, but a few bours will probably strip them of interest by effecting a general clearance. And —A division of each on the first an incident took place not remembered by when dilect inhabitant"—namely, the planning a Mayole on the ice, gaily decorated.—Ibid.

PAYER EXURATION.—In reference to the proposed grand scheme of emigration, whereby Canada is to be saddled with a million of the stream of the first and bloody one of the far them. On reaching this side of the further of the first and bloody one of the proposed grand in the long of the stream of the proposed grand in the long of the planning of the planning of the planning and the more of the continuous proposed grand scheme of emigration, whereby Canada is to be saddled with a million of the long of the planning of the plan

LETTERS received to Thursday, May 13: Rev. Wm. Dawes

508-3m Mr. Thos. Ryall, rem. add. subs.

10 0 s taken passyship will be n, and Capt. cury. tand that a His Worship the Medical nmendations ill be embo-They relate