

among the men. The experiment has excited the greatest possible interest in the neighbourhood.—Greenwich Gazette.

THE TRANSCRIPT.

QUEBEC, MONDAY, 23rd SEPT. 1839.

Accounts from New York as late as Thursday morning last have been received by a gentleman who arrived thence yesterday. The British Queen had not arrived, but was anxiously expected.

The papers received by this morning's mail contain nothing of interest. J. G. Parker and his seven associates have arrived at New York.

FROM MEXICO.—Late accounts from Vera Cruz, via Havana, confirm the previous accounts of the peaceful state of affairs in Mexico. The yellow fever was alarmingly prevalent and fatal among strangers at Vera Cruz. The commander of the English packet Hope, which sailed early in August for England, with near a million and a half of specie on board, died of the black vomit before the vessel reached Havana.

YELLOW FEVER.—This terrible disease is more than usually prevalent this year in New Orleans and other cities in the Southern States. On the 7th instant there were 28 fresh cases at New Orleans and 10 deaths. At Mobile the disease has assumed a fearfully fatal character, and several newspapers have been forced to publish once a week only in consequence of the impracticability of procuring hands. The magistrates had given notice that they would not issue any civil process until further notice, and that all processes in the hands of constables would be recalled. At Augusta the number of deaths from yellow fever in two days was fifty one.

One of the New Orleans papers says, with respect to the arrival there of sixty passengers.—"It makes the heart of the philanthropist bleed to witness men in the full ruddiness and prime of health thus working into a groggy yard. That ten of the sixty will be living when the frost comes, we do not believe, unless they leave the city. How are they to do this?"

LOWER PROVINCES.

The Eastern mail, due on Thursday afternoon, did not arrive until Saturday at 2 P. M. having been retarded by the bad state of the roads. By it we have papers from Halifax of the 10th, St. John to the 14th, Woodstock and Fredericton of the 14th, and Miramichi of the 10th instant. We subjoin the speech of His Excellency Sir John Harvey on opening the extraordinary session of the Legislature of New Brunswick, together with a summary of the parliamentary proceedings.

The August English mail has arrived at Halifax, the letters and papers for Canada reached here on Saturday, with the ordinary mail from the eastward.

FREDERICTON, N. B., Sept. 10th.

This afternoon the Legislature assembled, pursuant to proclamation; and at 2 o'clock, the Lieut. Governor proceeded in state to the Province Building, escorted by the troop of York Light Dragoons, under the command of Lieut. Miller; where he was received by a guard of honour from the 36th Regiment.

His Excellency having taken his seat, the Gentleman Usher of the Black Rod was directed to command the attendance of the House of Assembly, the members of which soon after appeared with the Speaker at their head, when the Session was opened with the following

SPEECH.—

Mr. President and Honourable Gentlemen of the Legislative Council, Mr. Speaker and Gentlemen of the House of Assembly.

Having called you together, for a special purpose, at a season of the year when the absence from your homes of some among you, may be attended with inconvenience, I will not unnecessarily prolong that absence, by directing your attention to present, to any other than the immediate objects for which I have deemed it my duty to convene you. These objects are to invite you to take into your consideration—as well the measure and the conditions of the relief which you may deem it expedient to extend to such of the sufferers, from the effects of the late calamitous fire, by which the city of Saint John has again been visited, as may require such assistance—as the still more important subject of devising

and passing Legislative enactments, making more effectual provision for the future prevention or prompt extinction of Fires, (and the protection of property on such occasions,) and thereby restoring confidence to the inhabitants, and upholding the Commercial Credit of that wealthy and enterprising City.

You will, I doubt not, approach the consideration of the details of these important matters, with an entire conviction of the intimate, and the indissoluble connexion of the interests of its great Commercial emporium with those of the Province at large.

It only remains for me to renew to you the assurance of my sincere desire, to co-operate with you upon this as upon every other occasion, in devising and maturing such measures as may tend to promote the general satisfaction and prosperity of the inhabitants of this loyal Province.

I will cause copies of several despatches to be laid before you, by which you will find, that our gracious Sovereign is daily sensible of the loyalty and devoted attachment to Her Majesty, of her faithful subjects in this Province, and is highly gratified at observing the cordiality subsisting between all the branches of the Provincial Legislature. You will also find that prompt attention has been paid by Her Majesty's Government to your representations regarding the protection of the fisheries and other matters connected with the welfare and interests of New Brunswick.

I have satisfaction in acquainting you, that Her Majesty's government has recently sent out to this Province, a commission composed of two gentlemen of eminent scientific attainments, for the purpose of making a topographical examination of certain parts of the territory on the frontier of this Province and Lower Canada, which is in dispute between Great Britain and the United States. The Commissioners have commenced their operations, and I indulge a confident hope that the result of their explorations may enable the general governments of the two nations to bring to this long agitated question a final and amicable determination.

In conclusion, I will offer you my sincere congratulations, upon the abundant harvest with which it has pleased the bountiful giver of all good things to bless this section of the globe—a blessing in which this Province has largely participated.

On the 12th, the Bill for preventing fires in the city of St. John was taken up, and some progress made, the height of wooden houses in the burnt district, exclusive of the roof, is to be 15 feet; with brick partition walls 8 inches thick. Yesterday it was again taken up, and nearly passed, the Committee adjourned to prepare a section for compelling parties to remove buildings, which may have been erected since the fire.

The Bill for widening and extending the streets of the city, was passed in Committee. The Bill for suspending the 5th clause of the Civil List Bill was also passed without any alteration. In the afternoon the Lieut. Governor transmitted the despatches included in His Excellency's Speech; and also the correspondence applied for relative to the purchase of land by the Nova Scotia Land Company.

It appears that the Land Company complain, that the survey is not in agreement with the grant which they have obtained, and they state that they are prepared to pay the balance, nearly £30,000, when they shall receive such a document as will be satisfactory. They so state, that they expect an allowance will be made, in consequence of the royal road now having been opened.—Fredericton Sentinel.

A detachment of 61 men for the 36th Regt. and a quantity of government stores, arrived at St. John, N. B. on the 8th inst. from Halifax, in the transport bark Valleyfield.

The following from the Woodstock Times of the 14th., corroborates the report respecting the attack upon the Yankee lumber yard!—

It seems that on Saturday last, Mr. Tibbets had a reaping frolic. After the business of the day was over, some 25 or 30 getting pretty mellow, felt spirited enough to call upon brother Jonathan. But getting a hint of their intended visit, and probably not being desirous of getting into company with such customers, a sample of those off-handedness, by the way, he had experienced last winter in the capture of his Land Agent, &c. thought it advisable to keep them at a respectable distance. To do this—he lighted a number of fires around the fort, so that he might be enabled to describe the approach of his friends (the reapers). In due time his friends arrived, and some of them

walked up to the fort without being perceived, but such was the churlish hospitality of Jonathan, that he denied them admittance. Although he deemed it the part of prudence to keep the pine logs between them, yet he had courtesy enough to honour his visitors with a formal salute: first one gun, then another, then a regular volley. As a climax to the whole, he thrust out his field-piece, (for Jonathan is very fond of parade,) but alas! poor Yorick! owing to the inderexterity of the gunner, "it was no go."—The ladies finding their neighbours so excessively polite, and that they could not have out their spree, concluded they had better be off.—We have detailed the affair much in the same strain as we received it. We have been assured, however, that it was nothing but a regular frolic, that no one was hurt, and that nothing serious was intended. It is said that it was highly amusing to see the confusion that evidently reigned among the inmates of the fort, who no doubt expected that they were about to sustain a regular siege.

TRIAL OF THE COBURG CONSPIRATORS.

SIX of the Coburg conspirators have, we are happy to find, been sentenced, after due conviction, to various periods, ranging from seven years to six months, of incarceration in the penitentiary, where, it is to be hoped that, in converting old rope into oakum, they will bear in mind the fact that a repetition of their offence would likely cause their neck to be encircled with a new rope. The Montreal Gazette gives the following synopsis of the trial:—

We learn, by private accounts, that at the Assizes lately sitting at Coburg, the trial of the brigands who landed at that place, in the latter end of July last, with the intention of murdering some of the inhabitants and plundering the town, had been closed; and that the prisoners were convicted and sentenced as follows:—

Samuel P. Hart, to be confined in the Penitentiary for seven years.

Peter Wilkins, Henry Wilson, and Wm. Baker, do. five years.

Joseph Ash, Senior, and Joseph Ash, Junior; the one to be confined in the Penitentiary for six months, and the other for twelve months, and to pay a fine, one of fifty pounds, and the other one hundred pounds.

It is said, that, from the nature of the evidence adduced on the trial of the prisoners, nothing could exceed the atrocity of their designs. It was proved by Moon, who gave the information which led to the secret of the prisoners, and who admitted himself to be a confederate Patriot, that their object was not only to murder and plunder some of the inhabitants of Coburg; but to render a systematic plan of this kind subservient to the overthrowing of the Government of Upper Canada. To the latter, he had no objections; but he hesitated as to the assassination of the inhabitants proscribed by the brigands. These principally consisted of Maurice Jaynes, a wealthy farmer, who lives on the back road, about four miles from Cobourg, and who was supposed to have a quantity of specie in his house; the two Messrs. Boulton, and Mr. R. Henry, Cashier of the Commercial Bank at Cobourg. After perpetrating their diabolical purposes, it was the intention of the brigands to have made their escape to the United States, by means of a schooner lying at the wharf at Cobourg. Moon further stated that the brigands fully expected to have been joined by about eighty Confederates on the Canadian side, for the purpose of effecting a general rising, and they brought a supply of arms in that expectation. It is to be hoped, however, that the punishment which has overtaken the miscreant will be a warning to others of a like character, and whom we greatly fear, there are still a number in Upper Canada, as well as in the United States.

UPPER CANADA.

Yesterday's and Sunday's mails have furnished us with Upper Canada papers from all parts of the sister province; the subjoined is the most interesting intelligence afforded by them:—

At a meeting of the Grand Lodge of Orange-men for the County of York, held at Montgomery's tavern, Etobicocke, on Friday, the 13th instant, called by R. Ogil Gowan, Esq. Provincial Grand Master, the following resolution was passed unanimously:—

On motion of O. R. Gowan, Esq., seconded by Major Elliot,

Resolved—That we entirely eschew, condemn and repudiate every doctrine, opinion and sentiment, uttered, expressed, or written, by the Right Hon. the Earl of Durham, in his Lordship's Report on the state of these Provinces.

That we equally repudiate the government of any faction in the colony, who are determined to resist the sway of radical, which seek in any manner to impair our institutions, or withdraw from the essence and principles of the British Constitution.

WRECK.—We have a letter from Mr. Rose, of Marysburgh, saying that the American schooner, New York, of Oswego, came ashore in their harbour, on the 15th inst. Two bodies have been found; all the crew must have perished; part of the cargo and the rigging of the vessel have been saved.

We have been informed, upon undoubted authority, that several of the miscreants who risked their all in the late piratical attempts upon this Province, are now banding themselves together with a determination to retrieve their pecuniary losses by acts of piracy and brigandage. Their plan is, at some early and well understood period, to take passage at various parts on board the Great Britain, and seize the first opportunity of overpowering the crew and passengers; they also intend to plunder the town of Belleville this fall. Whether our information be correct or not, we must prove; at any rate we deem it to be our duty to put those it may concern on their guard.—Toronto Herald.

The Canadian has become quite solicitous with regard to the honour of old England; in the number of Friday we find the following paragraph:—

"It was said at Montreal that the Buffalo is fitted with sixty and some odd cells for the prisoners who are to be transported, and that there will be only one for each cell. In this case, and if there be prisoners from Upper Canada, there will be only a part of our transported this time. At all events there will be too many for the 'honour of England.'"

We cannot see the thing in this light. If the convicted traitors were not punished, then the "honour of England" towards the loyalists of this country, might be said to be tarnished.

COURT OF KING'S BENCH.

CRIMINAL TERM.

Saturday, 21st Sept. 1839.

The September Criminal Term opened this day, the Hon. Chief Justice of the Province presiding, assisted by the Hon. Justices Dval and Cochran, the former of whom took his seat on the Bench for the first time.

Mr. Solicitor General Stuart conducts the prosecution for the Crown.

The usual proclamations having been made, the Grand Jury panel was called over, and the following named gentlemen were sworn in:—

- | | |
|-------------------------------|-----------------------|
| JACQUES VOYER, Esq., Foreman. | FABRIC OUELLETTE, |
| JAMES HUNT, | EDMUND BAKER, |
| ANTHONY A. PARENT, | ANTOINE PLAMONDON, |
| JOHN HADLEY, | MICHAEL SAVAGEL, |
| PAUL LEPPER, | WILLIAM NEWTON, |
| LAURENT PARADIS, | JOSEPH GOSWELL, |
| CHRISTIAN WURTELE, | JOHN BURNS, |
| J. B. THOMAS dit BICQUETTE, | LOUIS-MARIE MORRIS, |
| JOHN YOUNG, | THOMAS CURRY, |
| JAMES MCKENZIE, | JOHN MALCOLM FLEMING, |
| HYPOLITE DUBROD, | |

The following, whose names also appear on the panel, were not sworn in:—L. T. Marpherson, (excused,) Robert Pope Esq. (absent from the Province,) James Green Heath, (absent at Montreal,) F. X. Bourne, Louis Methot, William Chapman, Ignace Gavelle, Damase Lavue, Jean-Marie Belanger, and J. Gow Smith, who did not answer their names.

The Chief Justice delivered a very able charge to the Grand Jury, explanatory of the important duties devolving on them. In the course of the charge the learned Chief Justice alluded to the establishment of offices for the sale of Foreign lottery tickets and the publishing of advertisements for the sale thereof, a practice which had obtained to a considerable extent in this Province, and which had been allowed to escape with impunity. The practice was clearly against a statute of the Criminal law in England, which was in force in this country, and if it came to the knowledge of the Grand Jury that such officers were or such advertisements published, it would be within their province to present the infractions of the law so committed.

THE QUEEN VERSUS

Mr. Primrose, who the prosecutors in the Wm. Coates, now stand stated that he wished a trial. All the witnesses were in attendance, and a man from Montreal, a renegade if compelled Monday. He (Mr. P.) to have the trial fixed.

The Chief Justice was aware of his incompetence He thought the best would be to take a consilium for trial.

After some further course of which Mr. I. Mr. Aylwin complain notice, the trial was adjourned.

The names of the in under recognizances la day were called over: Doyen, Charles Bolduc, Fethomme, Thibert, James Burke, J. Bte. P. Napoléon F. Aubin, George Bride, François, Auguste Lec, John Teed, Pierre Cha Etienne Parent, Alexis ger, Fr. Belanger, jr.

Those with an asterisk names did not appear, declared to be forfeited.

The Solicitor General that he believed Mr. A tion to make on behalf of Grand Larceny last term were to be brought up a portion of their sentence.

Mr. Aylwin rose to n The Chief Justice sai not the power to stop th without the interposition the prerogative of miti lay; no such interpositio the sentence must be ca ing to law.

Mr. Aylwin.—Perha ad will have no objecti The Chief Justice—

nor any other officer of the course of the law, I understood the Solicitor ed for the production of that they might undergo first day of term, acco sentence.

The Solicitor Genera to press the motion at The Grand Jury bro Bill:—

The Queen vs. Jam sent for Grand Larcen The Court then adjou in which hour the Gro following bills:—

The Queen vs. Josep ent, true bill.

The Queen vs. Joseph The Queen vs. Archi prively from the pe: The Queen vs. Corn are, no bill.

The persons first nam ed, and having pleaded red to prepare themse (this day).

The Court then adjou

THE VACANT SHERIFFS' HERDSDOM in Montre Messrs. Stuart and Pol being the office of Sh partnership proffered b ur is again busy with e of persons who it is objections to the app

THE QUEBEC EXCHANGE

The New-York Heral es of the American I of \$170,860,177

Better LATE than N the Gazette, on any Mr. John Lait, of W S. Nover, aged 70

J. J. O I

graver and Copi EMOVED to No.2, next door to the Al