ed, consequently, improving in quality, by being rendered capable of producing the finer grasses; and the time is drawing nigh, when all the sunken tracts along this noble stream will become so elevated, by yearly accessions of diluvial matter, that they will only be covered by water during extreme floods, and can be extensively cultivated.

From the slow movement of the current, this river may be considered a lake during the summer season; but in the spring and autumn the violence of the flood sweeps down immense quantities of sand, gravel and mud; but as the river may be said to be dammed up at its mouth, the sedimentary matter cannot escape, and by the back current of the tide it is deposited along the banks and low places, which are yearly receiving new deposits. In the meantime the channel is kept freely open, and the sediment brought down is not permitted to lessen its depth; the water always securing for itself a free passage.

When we look back and consider what was the condition of this river valley previous to the collections of alluvium along its borders, we see the site of an ancient estuary of the sea meeting a lake. The elevation of the coast has been already adverted to, and the evidences of that event have been noticed. From all [illegible] appears evident that the physical character of [illegible] has been greatly changed, at a period [illegible] recent in geological chronology. The [illegible] of the revolutions, by which the physical geography of this part of the Province has been altered, may never be perfectly understood; but that they have all improved its most important character, and especially its agricultural condition, is evident; and the wisdom and goodness of Supreme Intelligence are everywhere manifest.

THE UNION PROCLAIMED.

PROVINCE OF LOWER CANADA. } SYDENHAM.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith.

To all our loving subjects whom these presents may concern, Greeting:—

WHEREAS for the good government of our Provinces of Upper Canada and Lower Canada, and for the security of the rights and liberties, and the preservation of the interests of all classes of our subjects within the same, it is, by an Act of Parliament of the United Kingdom of Great Britain and Ireland, made and passed in the fourth year of our Reign, intituled, "An Act to re-unite the Provinces of Upper Canada and Lower Canada, and for the Government of Canada," amongst other things enacted, that it shall be lawful for Us, with the advice of our Privy Council, to declare or to authorize the Governor General of our said two Provinces of Upper and Lower Canada, to declare that the said two Provinces, upon, from and after a certain day, in such Proclamation to be appointed, such day being within Fifteen Calender Months next after the passing of the said Act, shall form and be one Province, under the name of the Province of Canada, and thenceforth the said Province shall constitute and be one Province, under the name aforesaid, upon, from and after the day so appointed as aforesaid—and whereas, in pursuance and exercise of the powers so vested in us by the said recited Act, we did on the Tenth day of August, One Thousand Eight Hundred and Forty, with the advice of our Privy Council, authorise the Governor General of the said two Provinces of Upper and Lower Canada, to declare by Proclamation, that the said two Provinces, upon, from and after a certain day in such Proclamation to be appointed, such day being within Fifteen Calendar Months next after the passing of the said Act, should form and be one Province, under the name of the Province of Canada.

Now know ye therefore, that our right trusty and well beloved Councillor, CHARLES, BARON SYDENHAM, our Governor General of our said Provinces of Upper and Lower Canada, hath, in pursuance of the Provisions of the said recited Act, and under and by virtue of the power and authority by Us granted to him as aforesaid, determined to declare, and it is by this our Royal Proclamation declared, that the said Provinces, upon, from and after the TENTH day of this present month of February, shall form and be one Province, under the name of the Province of Canada, of which all our loving subjects, and all others concerned, are to take notice, and govern themselves accordingly.

IN TESTIMONY WHEREOF, we have caused these our Letters to be made Patent, and the Great Seal of our said Province of Lower Canada to be hereunto affixed.

Witness our right trusty and well beloved the Right Honourable CHARLES BARON SYDENHAM, of Sydenham, in the County of Kent, and Toronto, in Canada, Governor General of British North America, and Captain General and Governor-in Chief in and over our Provinces of Lower Canada and Upper Canada, Nova-Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

At our Government House, in our city of Montreal, in our said Province of Lower Canada, the fifth day of February, in the year of our Lord One Thousand Eight Hundred and Forty-One, and in the Fourth year of our Reign.

By command,

D. DALY,
Secretary of the Province.

His Excellency the Right Honorable CHARLES, BARON SYDENHAM, of Sydenham, in the County of Kent, and Toronto in Canada, one of Her Majesty's most Honorable Privy Council, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New-Brunswick, and the Island of Prince Edward, and Vice Admiral of the same.

SYDENHAM.

A PROCLAMATION.

In obedience to the commands of the Queen, I have this day assumed the Government of the Province of Canada. Upper and Lower Canada, separated for fifty years, are once more re-united, and henceforward will form but one Province under one Administration.

On my arrival in Lower Canada I declared that one of the main objects of my Mission was, to put an end to the Suspension of the Constitution in that Province, and to restore to its Inhabitants the full benefit of British Institutions. That object is accomplished. By the Imperial Act which fixes the Union, Representative Government is again established, and that control by the people over their own affairs, which is deemed the highest privilege of Britons, is once more restored to them. The Act which provides for this, affixes certain conditions to the grant, over which the Provincial Legislature can exercise no authority; while it leaves to the final arbitration of that Legislature all questions but those which the Imperial Parliament in its wisdom has deemed essential itself to determine—the Legislative Reunion—the establishment of a secure and firm administration of Government—and the maintenance of the due relations of Colony and Parent State. Efforts have been sedulously made to deceive the unwary, and especially some of our fellow subjects of French origin, upon this point—to represent these provisions as injurious—to treat them as susceptible of change here—and to excite opposition which can only prove as mischievous as it must be useless.

I rely, however, on these efforts proving unavailing; and I appeal with confidence to the loyalty and good sense of the Inhabitants of Lower Canada, of whatever origin, so to use the power which is now again committed to their hands, as to justify the trust which Our Sovereign and the Imperial Parliament have reposed in them, and cordially to join in an endeavour to promote the common interest of the United Province.

In Upper Canada the sense of the people was declared fully and freely, through their Constitutional organs, upon the great question of the Union itself, and on the principles on which it should be based. Those principles have been adopted by the Imperial Parliament, and it will ever be matter of the utmost gratification to me, that my humble efforts have aided in perfecting a measure, securing, as I firmly believe, to that Province, which I regard with feelings of affection as well as interest, advantages, which it could attain by no other means.

Inhabitants of the Province of Canada! Henceforward may you be united in sentiment, as you are, from this day, in name. Who can visit, as it has been my good fortune to do, the extensive regions which are now united in one common denomination, and fail to acknowledge the vast resources they present for all that can conduce to the comforts and happiness of man? A part of the Mighty Empire of England—protected by Her Arms—assisted by Her Treasury—admitted to all the benefits of Trade as Her Citizens—your freedom guaranteed by Her Laws, and your rights supported by the sympathy of your Fellow-Subjects there—Canada enjoys a position unsurpassed by any Country in the World.

It is for you its Inhabitants, to cultivate these advantages—to avail yourselves of the new Era which now opens upon you. Our Gracious Sovereign and the people of England watch with anxiety the result of the great change which has to-day received its completion. It is the first wish of the Queen to rule in the hearts of Her Subjects, and to feel that they are contented and prosperous under Her mild and just sway; Her Parliament and Government, in conferring on you new Institutions, have sought only your happiness and advantage. In your hands rests now your own fate; and by the use which you will make of the opportunity, must it be decided. May the all-wise Disposer of events so ordain your acts that they may tend to the promotion of Peace and Happiness amongst you, and may He pour His Blessing upon that Union of which it is my pleasing duty this day, to announce to you the completion.

Given under my Hand and Seal at Arms, at the Government House, in the City of Montreal in the said Province of Canada, the TENTH day of FEBRUARY, in the year of our Lord, One Thousand Eight Hundred and Forty One, and in the Fourth year of Her Majesty's Reign.

By Command,

D. DALY,
Secretary of the Province.

MONTREAL, February 11.—Yesterday was celebrated in a manner worthy of the various events which combined to make it a remarkable day. At twelve o'clock the Royal Artillery fired a Royal Salute on the Champ de Mars. When the firing from this point ceased, it was taken up by another detachment of guns stationed on the ice nearly opposite the Custom House.

A little before one o'clock the Mayor and Members of the Corporation, in their respective carriages, left the City Hall and repaired to the residence of His Excellency the Governor General, where, being met by the Judges, Chief Justice Sir James Stuart, and the other persons who were to assist at the ceremony, Lord Sydenham was sworn in as Governor of the Province of Canada. The oath having been administered, a salute of nineteen guns was fired by the detachment of Royal Artillery stationed on the Champ de Mars.

His Excellency was attired in the full uniform of his Office, and looked well. Sir James Stuart administered the oaths, the Governor General repeating after him. His Excellency then signed the Oaths, which were engrossed upon parchment, the Judges signing after him as witnesses. The reading of the Commission by Mr. Daly, and the ceremony of swearing in, occupied nearly three-quarters of an hour.

At two o'clock, His Excellency held a Levee, which was most numerously attended; and in the evening a very large company were invited to a Ball, which his Lordship gave in honor of the day.

From the New-Yorker.

THE CASE OF McLEOD.

The citizens (?) of Lockport engaged in the late remarkable proceedings have published their official statement of the whole affair, and Messrs. H Gardner and A. C. Bradley, the counsel of McLeod, have published their version of the same incidents. As might have been expected, the latter is a good deal more lucid and circumstantial than the former. Indeed, the manifesto of the sovereigns of Lockport is mainly remarkable for the large proportion of the whole story which they leave untold. We shall endeavour to glean from the two documents a full statement of the material facts:

The attack on and destruction of the steamboat Caroline by a British force, while she was lying at the wharf of Fort Schlosser on our shore opposite Navy Island, took place in December, 1837. In that attack Alex. McLeod is charged with participating, on the strength, we understand, of his own declarations. If he did so participate, it was as a subordinate British officer, bound to obey the orders of his superiors under the penalty of death. He had just as much moral agency in the matter as a horse or a cannon may be supposed to have in a charge or a broadside. He had since been several times within our territory prior to November last, when he came over into Niagara County on his private business—some say as a fugitive, being largely a defaulter to the Colonial Government—but this is rumor merely. He was now arrested on a charge of *murder*, growing out of the affair of the Caroline. It appears that he had been once before arrested on a similar charge, but discharged on a *habeas corpus*—no proof appearing against him. He was this time ordered by Judge Bowen to find bail in the sum of $5,000, and in default of it committed to prison. He insisted on his entire innocence, demanded a rehearing from the Judge, but was remanded by that functionary to confinement until the bail should be procured.

On the 27th ult. two gentlemen of Chippewa, U. C., gave a bond of indemnity to William Buel and P. C. H. Brotherston of Lockport, and the latter thereupon proffered bail with satisfactory security to Judge Bowen. It was accepted, and the Judge issued an order for the liberation of the prisoner.

At this juncture the loyal subjects of Judge Lynch awoke to their duty. The story was quickly buzzed about that McLeod had given bail and was about to be released—an occurrence which the enlightened sovereigns of Lockport could not tolerate the bare idea of. Such (says the official bulletin) was the *excitement* which followed that there was a spontaneous "gathering of our citizens at the Court House to the "number of four or five hundred. For the purpose "of preserving *order*, Gen. John Jackson was called "to the Chair, and William O. Brown, Esq. appointed Secretary." The Niagara Courier chorusses: "The meeting embraced a large portion of "the *most respectable* citizens of the community." So the business was commenced in due form according to the business commeneed in due form according to the Code Lynch.

A Committee of nine was now appointed to *confer* with Judge Bowen and the bail, and report to the meeting.

While the Committee were absent, a very animated and patriotic *discussion* was kept up at the Court House, in which the Laws of Nations, the powers of Judges, &c. were luminously canvassed and settled, while the guilt of McLeod and the multiform iniquities of the British were satisfactorily demonstrated. The District Attorney was brought up, and gave it as his legal opinion that the sureties might surrender McLeod if ther saw fit. The Judge got out of his bed to obey the summons of the sovereigns. The bail, deeming their persons quite as safe a fair distance off, kept out of the way. But they were seen and conferred with by the Committee, and Mr. Buel was at length induced to come forward and state that he had become bail *inconsiderately* and in ignorance of the public feeling, and was now disposed to surrender McLeod as soon as it could be legally done. This recantation was generously accepted.

The order of McLeod's liberation had been received about night-fall, but such were the demonstrations of the sovereigns that it was judged his safety depended on his remaining in jail till morning. The order for his recommitment was not completed till about 1 o'clock the next morning. His counsel give the following description of the look of things through the evening:

"Very soon after nightfal, there were appearances of a high state of excitement. Bodies of men were seen moving toward the Court House.—Drums beat, bugles sounded.—About nine o'clock a body of men, armed with muskets and bayonets, took possession of the hall communicating with the jail. At midnight, or later, cannon—a 12 pounder—having been procured, and placed directly opposite McLeod's cell, was repeatedly discharged, demolishing at every peal, a portion of the glass in the Court House windows.

"The Assembly, finally, at about half past one o'clock adjourned until nine in the morning, leaving however a body of armed men in and about the jail, the remainder of the night. In the morning, accordingly, was presented the novel spectacle, of an armed guard, marching with measured tread, in front of the Court House door—and this, too, in a time of peace, and a government of Law, and with no other assignable motive than to deprive an individual of rights which that Law, through its own proper officers, had conferred.

"In the meantime, an express had been despatched to Buffalo, to advise a Mr. Wells, that McLeod was about to be discharged; and to procure a writ whereon he might be again arrested in an action for the damages arising from his alleged agency in the destruction of the Caroline. At the re-opening of the meeting in the morning, the messenger, having now returned, announced that he had accomplished the purpose of his mission. Whereupon he exhibited to the assembly, a *capias*, at the suit of Wells, with a Judge's order to hold McLeod to bail, in the sum of seven thousand dollars. This process, after having been examined by several individuals, and pronounced to be in due form, was put into the hands of the Sheriff's Deputies, and soon after served."

One more extract, touching the *legal* and *peaceable* means by which the sureties were induced to surrender McLeod, and we close:

"One of the bail has a large amount of property and materials, provided for the construction of the Canal Locks, at this place, and particularly exposed to serious injury, with hardly a probability of detection. During these agitations, he was repeatedly warned that this property would be injured or destroyed, unless he surrendered McLeod back into custody. Feeling the force which the existing state of things gave these admonitions, he at length concluded to follow the *advice* of the meeting. At about half past one o'clock in the afternoon, by a singular coincidence, the same Judge, who had been the cause of this great commotion by letting McLeod to bail, announced that a surrender in due form of law had been made. Whereupon the assembly formally resolved that its object was accomplished, and then adjourned."

We are aware that there are many people who like this kind oi jurisprudence, and display of popular sovereignty. We have set forth the facts, leaving every one to be guided in regard to them by his own judgment. *Ours* is tolerably well known.

PROVINCIAL LEGISLATURE.

HOUSE OF ASSEMBLY,

THURSDAY, FEBRUARY 12.

The House resolved itself into a committee for the consideration of the Bill for limiting the duration of the Assembly.—Mr. Barbarie in the chair.

Mr. Palmer said he had been prompted to bring in this Bill, not only from a conviction, that it was necessary, and would tend to preserve the purity and integrity of the Assembly, by limiting the time of its sittings to four years; thereby giving to the constituencies of the country, more frequently an opportunity of exercising their elective franchise:—but because similar acts have passed in all the other North American Provinces. In Upper Canada the measure has long been in operation, and has been adopted by the Legislatures of Prince Edward Island, New Foundland, and now, by Nova Scotia; and whatever may be said of the radicalism prevailing in some of those Provinces, yet the Crown have sanctioned and ratified their acts. And the fact that the Canada Union Bill having such a provision in it, demonstrates to a certainty, that the Imperial Parliament recognises the principle, and expects it to become general in the Colonies. New Brunswick, having paved the way and being said to be the standard of rational reform, and the principle, acted upon and so far carried out, as to reconstruct both the Executive and Legislative Councils and give them something of a responsible character, which has been effected by the intervention of this branch of the Legislature; should hon. members stop here, and not apply the balm to themselves—surely not. If it should be urged, that the Bill should not affect the present House, he would mention one instance, namely, when a motion was made the other day, to bring in a Bill to erect the western part of the County of Westmorland into a seperate County, founded on petitions, both numerously and respectably signed, leave was nevertheless refused, without enquiry into the claims of those petitioners. This alone he said was sufficient to justify the passing of the present Bill, and to give the constituencies an opportunity of electing men who would listen to such claims. Other reasons could be brought forward why this Bill should pass, and the present House return to their constituents; but he would not make mention of them at that stage of the discussion, hoping the Bill would pass without opposition.

Mr. Wilson said hon. members generally must feel that the present was an embarrassing question, and one which perhaps, effected the members of the House less than it did the constituency of the country; for it was probable if a new election took place, that either the same peisons or the same sort of men would be returned to the House; and he doubted, whoever might be returned, whether the interests of the public would be better subserved than at present. This opinion he wished the country to know. He would ask if the proposed alteration was popular. He doubted it.—In fact, he was satisfied of the contrary. There would always be found persons who are dissatisfied with the existing state of things, because probably, it did not suit their purposes; and those who understood the workings of the human mind, knew this to be the case. He took it for granted that his hon. colleague was an exception: he was probably sincere; but he, Mr. W. doubted if another member could be found within the walls of the House, who would bring in a similar Bill, or who would agitate the question, although they knew it would be anticipating the feelings of the country. The hon. moyer, he presumed, considered it a useful measure, and therefore proposed the alteration. One of the reasons that had been adduced was the state of the government. But he would ask was the Executive of the country to be complained of. Within the last three or four years, there had been a great reform in that body, and the consequence was, they gave general satisfaction; while the representatives of the people do all that lies in their power to promote the true interests of the Province. Yet although this is the state of things, an hon. member of that House, brings forward a motion to alter the constitution and government of the country; but any measure involving a constitutional change, was entitled to great attention. No such change had taken place in England; and if it had occurred in the neighbouring colonies, it had grown out of circumstances that do not at present exist, and he hoped never would, in this Province.—He meant rebellion in two of the colonies, and an approach to it in one not far off, where radicalism had taken the name of reform, and produced among other things, quadrennial parliaments. Looking at what had taken place there, he thought that reform did not express what the leaders were desirous of obtaining. The hon. gentleman said he thought frequent elections were injurious. If they looked at the United States, it would be found that they had about 250 000 elections in a year. The result was, this state of things had the effect of keeping up a constant state of excitement. Instead of feelings being allowed to moderate, the moment one election was over, another succeeded it; and in this way all social and moral feeling was destroyed; and the result of frequent elections must be the same here. If the principle was at all beneficial, this Province has it in practice, as the House rarely sits more than four years without a new election. Then where is the necessity of the Bill then under consideration, as the House and country already had the benefit of its provisions, if he thought any useful purpose would be answered by its passing, he would go with the measure; but entertaining the views he then did, he should vote against it. He did not care whether his conduct was unpopular or not; he was determined to do his duty; but he did not think his sentiments were at variance with popular feeling. The inhabitants of this Province were too much enlightened, they had the benefit of schools, and possessed too much sound principle, to be led away by groundless agitation. He should not take up more of the time of the committee, but he could not give a silent vote. The committee naturally looked for arguments in support of a measure from its mover; but those which had been adduced on the present occasion, were poor and meagre in the extreme; he had not to be sure, reflected on the purity and integrity of the House; but he could not point out any instance where members had not faithfully performed their duty. He, Mr W. felt equal regret at the fate of the petition and Bill for dividing the County of Westmorland; but if hon. members differed from them on the subject they ought not to be charged with improper conduct. The hon. gentleman concluded by saying he was quite willing to follow the example of England in the affair; she was the great pattern which they should copy; and if this Province formed an exception to the colonies around her, it was greatly to her credit, and manifested a loyal and contented disposition, and its desire to remain a peaceable colony of the great empire of which they formed a part. And although disaffection and agitation had produced in neighbouring colonies, all that seemed to be desired; and although they appeared satisfied with the change; yet they were not in a better position than that in which this Province is placed. These, he said, were excellent reasons why the institutions of the country should continue as they are, and that its Legislature should not introduce any uncalled for or unnecessary change.

To be continued.

Yesterday while the House was in committee on the Bankrupt Bill, we understand there was a very interesting discussion in the Council Chamber, which grew out of a despatch from Lord John Russell, with reference to the College; the Lieut. Governor being instructed to consult with the leading members of the Assembly, as respects that institution; the Legislative Council considering that as one of the branches of the Legislature, they should have been also referred to.—*Fred. Sentinel, Feb. 20.*

LEGISLATIVE SUMMARY.

Saturday, Feb. 13.

The Honorable Mr. Johnston, Chairman of the Committee on Roads, reported that the Committee had under consideration the subject of the Bye Roads throughout the Province, and submitted a Report; and having then read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to take into consideration and report to the House what sums it may be necessary to grant for repairing and improving the Great and Bye Roads throughout the Province, during the present year, recommend that the sum of £15,675 be granted for the Bye Roads in the several Counties, and apportioned as follows, viz:

"For the County of York	£1480
Carleton	1480
Queen's	1380
Gloucester	1050
Westmorland	1680
Charlotte	1630
King's	1580
Saint John	1180
Kent	1010
Sunbury	825
Northumberlad	1555
Restigouche	825
	£15 675

"H. JOHNSTON, W. WILSON, J. A. STREET, JAMES BROWN, Jun. J. M. CONNELL, CHARLES FISHER, J. R. PARTELOW, GEORGE HAYWARD, WILLIAM END, SAMUEL FREEZE, J. W. WELDON, A. BARBARIE.

Ordered, That the Report be accepted; and, on motion of the Honorable Mr. Johnston, Ordered, that the said report be referred to the Committee of supply.

On motion of Mr. Hill.—Whereas the Salaries now received by some of the public Officers of the Province far exceed a just and fair remuneration for the duties and responsibilities of the incumbents—are greatly disproportionate to the wealth, population and resources of the country, and injurious to the social condition of the people:—And whereas it is not fit that public Officers, receiving large and over-remunerating salaries, should also receive fees for services falling within their appropriate duties; therefore Resolved, that a Select Committee be appointed to inquire into the amount of salaries received by the principal public Officers of the Province, and so prepare such a scale of salaries for the said Officers, as, in their opinion will be just, as well to the public, as to the incumbents themselves; and also to inquire what fees of public Officers, receiving salaries, ought to be abolished, and what retained and paid into the Treasury of the Province for public uses, and report to this House on the several matters of this Resolution by Bill or otherwise.—Ordered, that Messrs Hill, Fisher, and Woodward, do compose the said Committee.

Monday, Feb. 15.—Mr. Partelow, Chairman of the Committee on Public Accounts, submitted a report on the Accounts of the Auditor General, in which are the following remarks relative to the distribution of the Surplus of the Civil List for the year 1840:—

"In the above it will be observed that the sum of £560 2s. 8d. has been paid to the Hon. Thomas Baillie, late Surveyor General, as a retired allowance, at the rate of £600 per annum. Your committee are not aware under what authority such an appropriation of a part of the surplus of the Civil List Fund could have been made, and therefore recommend that information be sought for on the subject.

"It appears that £500 have been paid to the Hon. J. S. Saunders, the present Surveyor General, on the 26th August last, on account of his services, but the salary allowed to him is not defined; Your Committee are of opinion that some action of the House is necessary in this matter, in order that the views of the assembly with regard to the proper compensation to be allowed that Officer should be distinctly brought under the notice of Her Majesty's Government."

On motion of Mr. Barbarie,—*Resolved*, That if any provision be made for a Reporter of the Debates of this House, the same shall be made in Supply, and not inserted in the Contingent Bill; and further,—That the contingent Bill of this House be hereafter printed for the information of the Constituency of the Country.

To which Mr. Owen moved as an amendment—To expunge the whole of the Resolution after the word *Resolved*, and substitute the following:—

"That no sums shall hereafter be voted by this House under the head of Contingencies, before the particular charges contained therein have been submitted to its full consideration."

And upon the question for adopting the amendment, it was decided in the negative.

The question was then taken upon the original Resolution, and it passed in the affirmative.

Communications.

FOR THE OBSERVER.

MR. EDITOR.—I wish the public to be informed if any sufficient reason exists why the situation of Physician and Surgeon to the Alms House, &c., should not be thrown open *annually* to competition?—The Gentleman who now performs the duty, obtained it, I believe, in that way, some five or six years ago; but seems not to have been disturbed since. For my part I believe there are many other young Practitioners here, equally as well qualified, and as much entitled to share in the emoluments as the present incumbent, who would gladly make a public application, but disdain interfering in a private way. A sense of even-handed justice induces me to crave insertion for the foregoing. FAIR-PLAY.

MR. PETERSILEA wishes to state to his Friends, and the Public in general, that, in consequence of renewed encouragement, he has altered his determination of leaving St. John.—He will continue to instruct on the Piano, Guitar, in Singing, and in Thorough Bass, either by the Quarter or single Lesson. He will also tune and repair Piano Fortes. February 15.

RECEIVED
Per ship Andover, *from Liverpool*,—
10 CASES Naylor & Co's warranted CAST STEEL, assorted.
10 Bundles do German do. do.
12 do. do. Granite Wedge do. do.
10 do. do. (L) Blister do. do.
10 do. do. Sleigh Shoe do. do.
And for sale low by
Feb. 16.—4w WILLIAM CARVILL.

THE OBSERVER.

ST. JOHN, TUESDAY, FEBRUARY 23, 1841.

THE FEBRUARY MAIL.—It is reported that an Express Mail with the Dispatches for the Governor General, Sir John Harvey, &c. passed through Sussex Vale about 12 o'clock yesterday, on its route from Halifax to Fredericton and Canada. The steamer, we learn, arrived at Halifax on Friday.

The mail for this City had not arrived at 5 o'clock this afternoon—We had hoped to put our readers in possession of the important intelligence expected by this mail, but have been disappointed. The Halifax mail was due last night; and if dispatched at the usual time on Saturday, should have arrived this forenoon, which would allow several hours for the extra weight of the bags—It is not fair that St. John should *always* be kept in the back ground in the receipt of the English mails The news may probably reach Washington as soon as it does St. John!

The Digby Packet, with the mails for three weeks, arrived this morning.

In Committee of Supply, on Tuesday last, among other customary grants, was one of £350, for the purpose of remunerating Dr. Gesner for his services the past year in continuing the Geological Survey of the Province.

The documents regarding the income and expenditures of King's College, the number and names of Professors and Students, lands sold and leased, the names and degrees of Graduates, &c., as required by Mr. L. A. Wilmot's proposed address to His Excellency the Lieutenant Governor, were furnished to the Assembly on Thursday last, previous to passing the address.

We understand that the "*Humbert Sacred Musick Society*" intend holding their first regular Public Quarterly Concert early in March next, when it may be expected, from the gratification expressed by the crowded and highly respectable audience who witnessed their late "Introductory Concert," that a choice selection of Sacred Poetry adapted to appropriate (strictly vocal) Musick, will be furnished to the lovers of "Sacred Song."

MECHANICS' INSTITUTE.—*Captain O'Halloran's Lecture on War.*—It has been stated by one of our "contemporaries," who admits that he was not present, but derived his information from "hear-say," that Captain O'Halloran's Lecture was in the main occupied by such irrelevant and frivolous matters as "Ladies' dresses" and "Valentines."—Capt. O'H., deeply wounded by the above misrepresentation of his labours, addressed a letter to the Corresponding Secretary of the Institute, (which letter was read at a subsequent public meeting,) complaining of the injustice done him by some of the City Journals, and pointing attention to the fact that he had lectured for nearly "*two hours*," upon matters involving the "intellectual," the "religious," and the "military" interests of the Province, before he said "one word" upon any thing less important.

"Our own recollection" of what passed is as follows.—After concluding the account of "Corunna," the Captain referred to his watch, stating that he felt the necessity of not trespassing to any much greater extent upon the good-nature of his audience; but he had yet a few words to say to the Ladies—*not* upon "fashions"—though he could if required give them some valuable hints even upon that head, and he forthwith proceeded to do so, very much to the entertainment of the audience generally, who showed how amused they were by the unceasing merriment which ensued—The remarks upon "dresses" might have occupied some five minutes, certainly not more; and the captain then proceeded to inquire *which* of the fair ladies present it was, who had sent him a "Valentine" that morning. The Valentine, a most humorous production, was read amid roars of laughter, and this led to certain remarks suggested by the circumstance of the day upon which the Captain's lecture fell, being the *Anniversary of St. Valentine.* We perfectly recollect the following introduction to the Captain's remarks upon that subject.

"Were I not to notice such matters upon such a day as this, it would be far better for me not to undertake to lecture at all.—The Gentlemen must bear in mind, that they have had their full share of "guns, and drums, and wounds, God save the mark," and now it is but reasonable that the fair and youthful portion of my auditory should hear somewhat of a science that will sound far more sweetly and intelligibly in their ears."—*Communicated.*

To day, by request, we publish Capt. O'Halloran's preliminary address, which was so generally admired, and to which we beg to call attention.

Several letters from Capt. O'Halloran were read by the Secretary, last evening, from which we understood that that gentleman proposed delivering his lecture on the science of *Field Fortification* on some unoccupied evening, to be hereafter agreed upon.

It gives us pleasure to announce that in our next number, we shall be enabled to present the public with a copy of the Stanzas, entitled the "Army and Navy—the radiant Gemini of England," composed by Captain O'Halloran, and introduced by him into his Lecture, immediately after his reference to the brilliant events of the Peninsular War, and those of more recent date in Syria.—They consist of 228 lines, and were the rapid result, we understand, of a few hours on the forenoon of the Monday which preceded his Lecture.

Last evening, Mr. Perley lectured on Saw Mills, to a crowded auditory. Mr. P. stated that the earliest account we have of Saw Mills was in the reign of the Emperor Augustus of Rome, from which time they have gone through successive stages of improvement to the present day; some of the latest and best principles of Mill Machinery being found in the Mills in this Province, and particularly in the vicinity of this city. Mr. P. explained, in a clear manner, a variety of overshot, undershot, and breast-wheels, as applied to different kinds of mills; and also particularly noticed a *new* kind of wheel, lately invented by Mr. Armstrong, of Newcastle-upon-Tyne, (Eng.) adapted to the moving power of *small mountain-streams*, and which may be called the "the *mountain wheel*." A very neat model of an improved Saw Mill, made by Mr. James McGregor, Mill Engineer, of this city, and Son, was exhibited and set in motion by the Lecturer, which afforded much gratification to the audience: this model, it was announced, has been presented to the Institute by Mr. McGregor. An *Electro-Magnetic* Mill, and diagrams of a variety of wheels, &c. were also exhibited, and their properties and advantages explained; together with a large model of the Saw Mills of Messrs Everett & Co. at Union Point, which those gentlemen had kindly presented to the Institute. The Lecture was enlivened by several interesting anecdotes, and was altogether a very pleasing address.

The Rev. Mr. Macgregor will deliver his Lecture on *Eclipses* before the Mechanics' Institute, To-morrow evening, at the usual hour. On Friday evening, W. Jack, Esq. will lecture on the *Rise and Progress of Literature.*

General Harrison, President elect of the U. States, arrived at Washington on the 9th instant, and on the following day called on President Van Buren, by whom the General was received very politely. Gen. H. received and accepted an invitation to dine with the President.—It is expected that the Hon. Daniel Webster, of Massachusetts, will be the new Secretary of State.

AGRICULTURAL.—Agreeably to notice, Dr. R. Bayard delivered a public Address on Agriculture, in the Lecture Room of the Hall of the Mechanics' Institute, on Thursday evening last preparatory to the formation of an Agricultural and Horticultural Society for the County of Saint John, of which we have elsewhere given the particulars. Dr. B.'s Address, was written in his usual happy style, and while it acknowledged the disadvantages under which our Province naturally labours, it also pointed out many of the advantages it possesses over more genial but less healthy countries—as well in having a climate and soil which produce all the necessaries and many of the luxuries of life, as in being ruled by a Governor who was ever desirous of promoting whatever would tend to the happiness and prosperity of the people of his charge.

Viewing Agriculture as a science, Dr. B. endeavoured to impress upon the Meeting the necessity of pursuing it systematically and scientifically; and adverted to the Agricultural Schools, having this object in view, which exist in the North of Ireland; but while he acknowledged that we could not expect at present to have such institutions established here, yet much might be done in other ways towards the improvement and encouragement of Agriculture—namely, by attention in the selection of seeds, adapting the manure to the soil, and by taking advantage of every new discovery in the arts connected with husbandry. As great means of accomplishing these desirable ends, Dr. B. urged the necessity of a periodical publication to be devoted to the advancement of Agriculture, through which the improvements adopted in the Mother Country and elsewhere might be made known in New-Brunswick.

During the Address, Dr. Bayard mentioned several instances where he had been called, professionally, to attend persons who had returned to this Province from the Western States in impoverished circumstances, and with debilitated constitutions, the effects of a mistaken notion that this Province was inferior, both in respect of climate and soil to the Ohio, but of which delusion, personal experience, the effects of which were but too apparent, in their case, had sufficiently convinced them.—*Courier.*

At a Meeting held in the Hall of the Mechanics' Institute, on Thursday evening, the 18th February, 1841, for the purpose of forming an Agricultural and Horticultural Society for the County of Saint John,—

It was moved by Dr. Bayard, and seconded by Mr. George Younger,—That John Duncan, Esq., President of the Mechanics' Institute take the Chair, when the following Resolutions were carried unanimously:—

Moved by Ralph M. Jarvis, Esq., and seconded by Dr. Bayard,—That a Society be formed, and called the Agricultural and Horticultural Society of the County of Saint John.

Moved by W. Tisdale, Esq., and seconded by Mr. James Dunn,—That those persons who intend to become Members, come forward and enrol their names as such.

Moved M. H. Perley, Esq., and seconded by T. L. Nicholson, Esq.,—That the Members of the Society pay annually the sum of Five Shillings for its funds; and that any person paying that sum may become a Member.

Moved by G. C. Carman, Esq., and seconded by Dr. Cook,—That His Honor Judge Parker be requested to become Patron to the Society.

The following gentlemen were then appointed Office Bearers:—

The Hon. Charles Simonds, President; Ralph M. Jarvis, Walker Tisdale, Archibald Menzies, (Musquash.) and James Brown, (Gardner's Creek,) Esquires, Vice Presidents; John Duncan, Esq., Treasurer; Mr. George Younger, Secretary; Robertson Bayard, Esq., Corresponding Secretary; Messrs. George G. Gilbert, James Dunn, Charles Drury, W. O. Cody, J. Sintell, James Cother, G. C. Carman, John Kerr, Dr. Cook, Dr. Bayard, A. Wedderburn, Peter Dewar, M. H. Perley, John Gillies, W. Ritchie, T. L. Nicholson, Thomas Trafton, James W. Peters, Isaac Clark, Richard Calvert, James Travis, George Bond, George Brown, and Thomas Bean, Directors.

Moved, by Jas. W. Peters, Esq., and seconded by Mr. W. O. Cody,—That the thanks of this Meeting be given to Dr. Bayard for the very able and interesting Address on Agriculture and Horticulture, which he delivered before the Meeting this evening.

Mr. Duncan having been requested to leave the Chair, and Ralph M. Jarvis, Esq. to take the same, it was moved by T. L. Nicholson, Esq. and seconded by George Matthew, Esq. that the thanks of the Meeting be given to Mr. Duncan for the able manner he had filled the Chair.

GEO. YOUNGER, *Sec'y.*

The Books were afterwards opened, and fifty persons enrolled their names on the list of Members of the Society.

☞ Introductory address by Captain O'HALLORAN, 69th Regt., to his "*Lecture upon War*," delivered in the Hall of the Mechanics' Institute, St. John, N. B., on Monday Evening, 15th February, 1840.—(Published by request of the Directors of the Institute.)

Ladies and Gentlemen:

In presenting myself before you for the first time as a "Lecturer," I feel that I stand in need of no common share of indulgence. You may question, perhaps, the entire sincerity of this language, from your knowledge of the fact, that I have had some recent practice in addressing public bodies; but there is this marked difference in the relative conditions attached to "speaking" and "lecturing." The speaker's province is essentially to persuade—to gain converts, if possible, to his views upon any particular subject—and should his premises and conclusions be occasionally based in error, provided only that his language be good, and that there is some share of talent discernible in what he utters, the hand of criticism will in few instances be raised to inflict any very severe blow upon him. It is not the act of delivering our opinions upon any subject, but the "*assumption of teaching*," which arouses jealousy, and gives an extra wrinkle to our neighbour's nostrils. The Speaker, therefore, unless I have taken a prejudiced view of the case, has a tolerably secure and comfortable pedestal to stand upon; but the Lecturer's footing is far more precarious and circumscribed. He has to deal far less with arguments than with "principles," which are "fixed things," admitting of no fallacy in their treatment, and presenting no door of escape, should they be in any respect unskilfully handled. There are a hundred "Argus eyes" directed to the Lecturer upon any scientific subject, watchful to detect, and ready also to expose, even the semblance of error. Censoriousness is no "Endemic," engendered by the air of this or that soil, or confined to this or that trade or profession. It pervades all communities, and every class of a community. No one can be said to be entirely free from its influence, in judging of others, still less can any one lay the flattering unction to his soul, that he is not the subject of it himself. I am well aware that a lecturer is supposed to be "master of his subject." I am well aware that he ought to be so; and I am by no means blind to the fact, how "short I must measure," if tested by this, the prescribed standard. I am duly sensible that my habits as a military man have but little tended to qualify me for the position which I have dared to occupy. I feel that I have undertaken a task, which I may fail satisfactorily to fulfil; and, if so, I become liable to a charge from which every well regulated mind must shrink—the charge of presumption. This is not only an uncomfortable but a paralyzing consideration at the outset; and were it not that I have already experienced, in my efforts as a speaker, at Bible and Temperance Meetings, the evidence that you are not severe judges, I should reproach myself with deep indiscretion at having acceded to the proposal made me by the Directors of the Institute, to come before you in my present capacity, this evening. All that I will attempt to urge in my defence, is, the "desire to be useful;" the desire to contribute, as far as in me lies, to the support of an Institution, which promises, not only to confer essential advantages on the now existing community,