Summary.

A duel took place on Wednesday evening last, on Wimbledon-common, between Mr. Eliott, the son of Major General Eliott, and Mr. Charles Flower Mirfin which unhappily terminated in the death of the latter. The circumstances which led to this unhappy event, we have been informed upon sufficient authority, were these:—During last Epsom Races, on the Derby day we believe, Mr. Eliott, with a friend was driving towards London in a phaeton, while Mr. Mirfin was driving in a gig; by some accident the two vehicles came in contact, and Mr. Mirfin was overturned. In the fall, some of his ribs were fractured; on getting up, an altercation arose, and offensive language passed, which ended in Mr. Eliott striking Mr. Mirfin a blow on his already injured side, of which injury, however it is due to say, Mr. Eliott was ignorant. The pain at the moment was excessive, and Mr. Mirfin had only a faint recollection that the name of the party with whom he had come in contact was Eliott, but he had been unable to obtain his address, and therefore had no clue to his discovery, although extremely anxious to call him to account. Months rolled on, and only on one occasion, till Tuesday night last, had he obtained a transient view of Mr. Eliott, in a cigar shop, but almost instantly lost sight of him. On Tuesday night last, in company with two friends, he entered the saloon in Piccadilly, and while there, he heard the name of Eliott, mentioned. The name at once struck him, and on looking at the party by whom it was acknowledged, he recognized him as the person whom he had so long sought, and from whom he had received a blow. He immediately requested one of his friends, Mr. Brotherton we believe, to address Mr. Eliott, and call the matter to his recollection. Mr. Eliott at once admitted the fact, and, we are informed, offered to make an apology. It would seem, however that neither was in a situation to enter upon the subject then, and it was agreed that mutual friends should meet at the Opera Colonnade Hotel at twelve o'clock, to discuss the matter. Mr. Mirfin then proceeded to his residence, No. 2, Pleasant-place, West-square, Lambeth, where he retired to rest. At the time appointed the friends met, when we are informed, an objection was made on the part of Mr. Eliott to meet Mr. Mirfin. A firm determination having been expressed, however that such a meeting must take place, on a second application to Mr. Eliott he acceded to the proposition and a hostile meeting was arranged for the same evening on Wimbledon-common. These preliminaries adjusted, pistols were procured, and the principals, each accompanied by two friends, and Mr. Mirfin by a medical gentleman named Scott, likewise, proceeded in a carriage and a cab to the appointed place of rendezvous, where a fitting spot for what was to follow was chosen. After some conversation between the parties, in which we are led to understand, Mr. Mirfin would not consent to receive a verbal apology, the ground was measured twelve paces, and the principals being placed in their positions, each provided with a pistol, at a concerted signal both fired, when the ball of Mr. Eliott's pistol passed through Mr. Mirfin's hat, while that of Mr. Mirfin's passed harmlessly by his antagonist. Mr. Mirfin then impatiently demanded another pistol, having previously declared he would face a dozen shots rather than submit to the insult he had received. The second fire quickly followed when Mr. Mirfin, placing his hand on his side, exclaimed—"He's hit me!" then staggering a few paces back, fell in the arms of Dr. Scott and his second. The former soon ascertained that the wound was fatal, and in a moment, the unfortunate man breathed his last. The ball had taken a transverse direction, and passed through his heart. The fatal result being ascertained, Mr. Eliott and the two seconds left the ground in the same carriage, and, some casual passengers coming up, the body was lifted into a cabriolet, and immediately driven off the ground. We have felt it necessary to be thus particular in describing the origin of the quarrel, as the daily papers attributed it to some altercation respecting an improper female at the saloon—a statement which all parties repudiate, and which, if true, would have placed the circumstances in a less excusable shape, as well as increase the pain of the friends of both parties, who are most respectable. Mr. Mirfin was a young man of independent fortune, was well known as an excellent horseman, an was a constant follower of Her Majesty's hounds. He had a house and paddock on the Uxbridge-road, where he kept his stud of hunters, and was universally respected. Mr. Eliott, too, is a very fine young man, and we believe would willingly have made every atonement in his power for the blow, which, in the irritation of a hasty quarrel on the road, he had given to the deceased. All the parties engaged in the unfortunate affair, with the exception of Dr. Scott, we learn, have proceeded to the continent, to await the result of the inquest.—*London Observer.*

After four days examination, the Jury returned a verdict of "Wilful Murder against Francis Lionel Eliott as principal, and against John Yound, Henry Webber, Edward Delves Broughton, and two other persons unknown, as principals in the second degree." Mr. Scott, the Surgeon, was then called in, and informed by the Coroner, that the Jury had been very considerate in not including him in their verdict, but they had required that he (the Coroner) should bind him over to appear at any time when called upon to give evidence, in case of any of the parties being apprehended. He was bound over in his own recognizances for £300.—*The Sun.*

Sir John Herschel it is said is to be President of the Royal society, in the room of the Duke of Sussex, resigned. Sir John and the Royal Duke were rival candidates for the honours when the last vacancy occurred.

Spain.—A letter from a Christino quarter estimates the loss before Morella at ninety-one officers killed and two thousand men hors de combat. One immediate consequence of this victory of the Carlists is, that the peasantry of Arragon have risen en masse in their favour, thus leaving the whole army of Cabrera at full liberty to pursue the flying enemy.

The Harvest in Ireland.—A most favourable change has taken place in the weather, with every prospect of its continuing to be fair; and we may reasonably hope, notwithstanding the cold and ungenial winds which have so long prevailed, and the heavy rain that has fallen within the last fortnight, that no injury has been done which fine weather may not retrieve; and that the crops will not be eventually damaged. We do believe that the representations of the state of the latter in several districts have been greatly exaggerated for interested purposes; and that no absolute failure has in any instance taken place. It is admitted on all hands that the potato crop will be most abundant—great in produce and excellent in quality; and this in itself is a great blessing, and one for which we should be duly grateful, being that upon which the poor mainly depend for food.—*Dublin Evening Mail.*

Lord Durham's Ordinances.—We have heard that the horses were to Lord Brougham's carriage, for the purpose of conveying him to the country, when copies of these celebrated ordinances reached his lordship. The moment he read them he saw their illegality, and took his course accordingly.

Communications.

[FOR THE CHRONICLE.]

RADICAL—ROOT OR RASCAL.—The *initial* all the same—the *meaning* nearly so—truly "words are things"!—The Root of all political evil in these Days is

RADICAL RASCALITY

or *pure* Democracy, as the *poor* Federalists in the United States used to call it; but I prefer the other Word and Letter—as they afford a two fold verbal Beauty which in phrenological phrase perhaps I may be allowed to call the *alliterative prim-ative* style.

How the Beauties of the new Schools crowded upon me?—one after another they introduced themselves swiftly as Burns' Rhymes—"rattle: at ithers ——'s."

Poor Lord Durham—alas he has in his turn fallen a victim to this *Root* of *Rascality!*—Although his Lordship was educated in the Whig school unfortunately, and cannot immediately and entirely renounce its peculiarities, I nevertheless believe he was becoming satisfied that their principles were something worse than fallacious; in short that his Lordship meant well, but from want of a good political or Statesman's education, he has been at a loss how to carry his good intentions into good effect.—However faulty this may have rendered him, or however ready, we in America are to forgive him,—clothed as he was in so large a portion of our beloved Sovereigns power—however all this may be, assuredly he did not deserve, *from the Quarter it came*, the vile treatment that he has received; but 'tis all of a piece with other ministerial Deeds that we have witnessed in this our Day, worthy of a Whig-radical, O'Connell, Hume, M'Kenzie, Gosford, Howe, Papineau Ministry.—How very much is it in the style of what we have seen in our own province? How truly Glenelg-ish!—None of us here can yet have forgotten the way in which this latter Lord buttered over the plain, honest-hearted, fighting old General Sir Archibald Campbell—or how for years, until the very last indeed, and *almost after the last*, did the said Lord Glenelg, praise and be-praise again, our Crown Land Commissioner Mr. Bailey for high ability and perfect good conduct; but dropped him at last, leaving him to the tender mercies of the Blue Nose Reformers—as Sir Archibald would have been left, had not his fortunes happily rested upon a very independant basis.—Is not this exactly in the manner of Lord Durham's recent treatment by the Ministry? flattering and praising, and sacrificing him at the same moment. And should their Ministerial life continue much longer, can Sir John Colborne and Sir George Arthur expect any thing better?—Both the latter eminent men have already received broad warnings; and what has been the Ministerial boon to Sir Francis Head for his most distinguished, his valuable and important services? Indeed such unworthy returns will probably fall to the share of all the *honest* men who may become connected with a Ministry that invariably succumbs to such demagogue Leaders, as O'Connel, Hume and their associates, possessing a decided weight in keeping together the weak majority which still sustains its tottering power—unless indeed that power be near its termination. How humiliating to our Country is the existence of such a Confederacy—I will not call it a Government.—For its unworthy Deeds the Individuals should be driven from amongst men—expelled from the community of worthy statesmen.—Let them form a wonderful coalition of their own peculiar stamp—*worthy of themselves.* I should love to dwell upon this Panegyric, but the mass of materials whence it could be framed is too mighty to be shapen by ordinary labour in any moderate period of time. Who shall name the choice spirits to compose this honoured Band;—a few of the chief of the mightiest, we may imagine—and place the reverend Brougham at the Head, without attention to any claims of preference they may set up, with regard to Eminence, whether in the rank or merits of those who follow; but who will say the wise Gosford should stand far below the most religious and virtuous chief—or O'Connell—or far from them, the renowned Hume and M'Kenzie, (let the two last never be parted) nor forgotten, Howe (Joe) and Papineau. With these to lead, and many to follow—let imagination form the Galaxy! But how is Justice to be done to their *collective* Worth and Virtue?—I should not dare the attempt.—What trumpet is loud enough to sound their praise—what language sufficiently powerful to express due admiration? For this we should find a style more beautiful than the glittering Oratory of Counsellor Phillips, or the redundant radiance of Doctor Chalmers!

BAGATELLE.

Communication from the Halifax Times.

FOR ALL THE LOYAL PAPERS OF BRITISH AMERICA.

As there exists a strong Republican and Radical Reform Party in the House of Commons, headed by Hume, Warburton, Molesworth, Leader, and others of that gang who are enemies to the loyal Colonies, and were the correspondents of the miscreant rebels, McKenzie and Papineau, and were the instigators and encouragers of both the Canadian rebellions, and to which abominable list we might also add Roebuck who (although no longer a member, is consideration of his former services to the French Canadian Rebel party, and of his hostility to the British, and in consequence of his having been the paid agent of the late Rebel House of Assembly of Lower Canada,) is allowed the unconstitutional privilege of making a speech in favour of French Canadian Rebellion, and colonial dismemberment whenever it suits the views of the republican, destructive, reform party, it is absolutely necessary for the Loyal British Americans to watch the manœuvres of this formidable and destructive party. They are continually misrepresenting the expenses and other affairs of this part of the Empire, in their traitorous speeches in Parliament, which misrepresentations, in consequence of the utter apathy and ignorance of the Government, Parliament and people of the mother country on British American affairs, are allowed to pass unanswered, and are copied into all the radical papers on both sides of the Atlantic, without contradiction or comment. This notorious fact shows the absolute necessity of petitioning Her Majesty for a representation in the Home Parliament, say of two members from each of the Provinces, who would be on the spot to contradict the misrepresentations, and expose the designs of those traitors who wish to bring about a dismemberment of the Empire, under the plan of establishing a confederated republic, to enjoy, like the Yankees, the free and independent privilege of providing for the expences of our own Government, army, and navy, &c. &c. and that too very shortly and before the Colonies are able or willing to enjoy such humbug yankee-like independence. The provinces could not support their independence, as the Yankees have too keen an appetite for our fish, and want our coal mines to get their steam up for their next deadly struggle with the Mother Country. The Yankees are particularly anxious to possess the harbour fisheries and coal mines of Newfoundland and Nova Scotia, as they are perfectly aware that any sympathy they might have for *Ireland or the Isle of Man*, would never be allowed to extend to the eastward of the Island of Grand Manan, so long as British America constituted a part of the Empire; but as soon as Hume's party cause an abandonment of these provinces, there will be no Falls of Niagara or British American Loyalists to prevent the Yankee, republican, piratical, rebel sympathizing steamer Carolines from meddling in *Irish* instead of Canadian affairs.—The voyage of a fleet of Yankee republican, neutral, Van Buren, steam sympathizers from the Cape Breton coal mines to *Ireland, &c.* would occupy only a week, and is much safer than their ludicrous nocturnal excursions over the Falls of Niagara last winter, when on their way to establish republican anarchy, yankee tariffs and taxation in Upper Canada, as there would be no British American loyalists to alter their course because the loyalists through disgust at the unnatural and causeless abandonment of the Mother Country, will of course be amalgamated with the Yankee republicans, Hume's republicans, and other numerous enemies and traitors of Britain. Hume's rebel party in the House of Commons will never forgive Sir Francis Bond Head and Sir John Colborne for destroying the plans of their correspondents, McKenzie and Papineau, consequently they have been ordered home, and as the late French Canadian House of Assembly, or *Agitation nest* under their protection, has been crushed in consequence of the premature breaking out of the rebellion, they appear to be endeavouring to establish an agitation nest on a more extensive scale—to which the Loyal as well as the rebellious provinces, should be parties, and which agitation Congress should be purely republican and mobocratical, without the constitutional check of an upper house. This scheme would be more democratical than the old rebel Congress of the thirteen revolted colonies, that declared their independence, and subjected their deluded constituents to continual heavy tariffs and taxation, to support an independent but weak and unprincipled government, which is both unwilling and unable to control their own frontier vagabond population. There are too many agitation nests already in British America, and their sittings are so frequent and long, that their time for want of something better to attend to, is occupied in endeavouring to differ with the other branches of the Legislature, in order that their leaders and demagogues may have an opportunity of making long speeches to court popularity, and recommend themselves to the Republicans at home, who influence every thing in these provinces, otherwise the rebels would not have been allowed to escape the gallows. The agitation nest lately established in Newfoundland is a disgrace to civilized society, and should be abolished till men of landed property and proper respectability could be sent to the House of Assembly, which will never be till that valuable Island is properly colonized. As soon as this Republican Congress (now by report in agitation) is established, the leading Radicals at home will immediately take all the Reform demagogues belonging to it under their protection and patronage as they did Papineau and McKenzie, and Nova Scotia and all the other loyal and contented provinces will be involved in their revolutionary plans for a dismemberment of the Empire. The British Americans double their numbers every twenty years, and therefore increase in a quicker ratio than the Yankees, who altho' they have the benefit of the British and Irish emigration, double only in twenty five years; and in consequence of this rapid increase and of the great extent of the territory under the British flag, being able to support one hundred millions of British people, it is not likely we should long continue an expense to the Mother Country, but on the contrary a source of much strength and wealth within a very few years, to any power that would protect us from Yankee and Humeite republicanism. Hume's party have also been trying to establish a House of Assembly, or agitation nest, in the now happy and prosperous colonies of Australia, with a view no doubt also of taking their radical reform demagogues under their patronage, in order to strengthen their own republican influence in Parliament; this ambitious character has constituted himself a representative for both hemispheres, instead of only an obscure Irish market town.

If through Whig Radical management, Papineau should again be restored to his influence in Canada, it is to be hoped his dominions will be lessened by the district of Gaspe at least—which ought to be attached to New Brunswick, as it is rapidly settling with British Colonists, who are more numerous in it than Papineau's subjects. British schoolmasters should likewise take the place of all the Yankee republican schoolmasters on our frontiers, and the rising generation should receive a more loyal education than the Upper Canada newspapers in McKenzie's interest appear to be giving them. Some universal and great effort should be made by the loyal colonists in America, to baffle the plans of the republicans and Yankee sympathizers, who appear to be sided and assisted by an ignorant and anti-national party in parliament, who are always holding up the odious and unprincipled slave holding Yankees, as the *great model of a republic*, and continually speechifying of the expenses of holding Canada. Yours, &c.

A LOYAL BRITISH AMERICAN.

THE CHRONICLE.

ST. JOHN, OCTOBER 12, 1838.

To Geo. G. Gilbert, Esq.

Sir,—We have recently been informed by the Gentleman whom you directed to institute legal proceedings against us, for the publication of a libellous article in the Chronicle of 24th March, 1837, under the signature of "Brutin," that if we made an ample apology for the publication of that offensive article, you would withdraw the prosecution. As we do consider the publication of that article an unjust attack upon your character, and the article itself equally unjust, unprovoked and malevolent, we do thus publicly express out sincere regret, and our willingness to apologize most amply; and now thank you for the liberal manner in which the suit was conducted, by your instructions, as we were informed by your legal adviser.

No later European intelligence has been received during the past week.

We would direct the attention of our readers, and particularly those of the mercantile body, to the following documents respecting the imposition of an additional duty on Foreign Sugars imported into these Provinces. The arguments adduced by Mr. Gould in favour of the British Plantations, and of supporting the productions of our own Islands in preference to those of Foreign, must, we think, carry conviction of the justness of the expanded views he has so ably set forth; and we hope his intentions will be fully appreciated and carried into effect.

St. Christopher, Sept. 12, 1838.

HOUSE OF ASSEMBLY.

Sir,—I have the honor to state, for your information, that at the time when your Circular Letter, addressed to the Speaker of the House of Assembly, upon the subject of the inadequacy of the amount of the duty at present imposed upon Foreign Sugar imported into the British North American Colonies, fairly and properly to protect the importation of British Plantation Sugar into these Colonies, arrived here, there was not any House of Assembly in existence, a dissolution having then lately taken place. Since that period, a new House of Assembly has been called together, and having been re-elected to the Chair, I have now the pleasure to acknowledge the receipt of that letter, and to thank you, in the name of the House, for the valuable information and useful suggestions therein contained; acting upon which, the Honorable the Board of Council and House of Assembly have appointed a Joint Committee to frame a Memorial to be presented to the Imperial Parliament upon the subject of that letter.

I have the honor to be, Sir,
Your obedient servant,
A. HART RAWLINS,
Speaker.

To Samuel Gould, Esquire, &c.

[*From the St. Christopher Gazette, August* 3.]

We have received from Samuel Gould, Esquire, a merchant in St. John, New-Brunswick, a Circular addressed to the British West India Colonies, on the subject of the slight protecting duties laid on Foreign sugar imported there, to the encouragement of the foreign slave trade, and the consequent injury to the interests of the British sugar Colonies. The Circular will be read with much interest, and we prefix to it an extract of a letter from Mr. Gould to a mercantile house in Barbados, Messrs. H. Arnott & Co. taken from the *Barbadian*, which paper also contains the Circular.

'Extract of a Letter from Samuel Gould, Esq., Merchant of St. John, N. B., to his correspondents in this Island, Messrs. H. Arnott & Co.'

"From the heavy importation of Foreign sugars last year and this, and the slight protecting duty laid on them, I have been induced to address Circulars to all the British West India Islands, addressed to the Speakers of the different Houses of Assembly, and to my correspondents, one of which I have forwarded to your house. It is a subject of serious interest to all residing in or connected with the West Indies. I have only given a statement of the quantity of foreign sugar imported into this City, which is not one twentieth part. I may say not one fiftieth part of the quantity imported into the Provinces generally. I trust the subject will be taken up as it ought to be. I will feel obliged to you by informing me what your folks think and say, after receipt of my communication, and if any active steps are likely to be taken."

(CIRCULAR.)

To the British West India Islands and Colonies.

As few if any persons residing in or connected with the British West India Islands and Colonies are aware of the slight protecting duty imposed on Foreign Sugars, on their importation into the British North American Colonies, I have been induced to draw up and offer for the consideration of all interested, the following remarks:—

Foreign Sugars are imported into the British North American Colonies, paying only five shillings sterling per cwt. more duty than Sugars imported from the English Islands. I will state a few facts to prove how ruinous to the interests of the British West India Colonies this trade is, and will be, if continued.

First.—Vessels are laden at ports in Nova-Scotia and New-Brunswick with the productions of the Provinces, and despatched to the various English Islands, where they dispose of their outward cargoes for specie, with which they proceed to the Foreign Islands and purchase sugars; these sugars are bro't into the Provinces to the exclusion of the same article from the West India Possessions, the planters in the Foreign Islands being enabled to grow and manufacture their sugars at a much less expence than the planters in the British West India Islands, and consequently dispose of their products at much less prices.

Second.—The slave trade, with aggravated horrors, is now carried on by persons residing in or connected with the inhabitants of Cuba and Porto Rico; the system of trade as at present pursued by vessels belonging to the British Provinces in America greatly facilitates the views and interests of the Planters residing in the Foreign Islands, as they furnish them with specie, which is drained from the British Colonies in the West Indies, thereby giving them the means of increasing their stock of unfortunate Africans, for however vigilant our cruisers are or may be, they cannot entirely prevent this inhuman traffic, as thousands of these poor creatures are yearly smuggled into the Islands of Cuba and Porto Rico.

Third.—I shall now state why the Planters in the Foreign Islands are enabled to sell their products at less prices than the planters residing in the British West India possessions? The products of the United States are admitted into the foreign Islands on the same terms, whether in English or American bottoms, either from the United States or the Provinces, while a heavy protecting duty is laid on some of the products of the United States, when imported into the British West Indies from the United States, either in English or American bottoms, and other products of the United States are entirely interdicted. Fish, an article of great consumption, both dry-salted and pickled, in all the West India Islands is interdicted from the United States, into the British West Indies, and heavy duties are laid on other articles, some of which I shall proceed to enumerate:—On Lumber of all kinds, 21s. sterling per thousand feet; on beef and pork, 12s. sterling per cwt.; on flour, 5s. sterling per barrel; on staves and on Shingles, 14s. sterling per 1000. These duties were imposed by the Imperial Parliament to protect the interests of British North America, which the planters, as consumers, in the British West India Possessions are obliged to pay, and from which the planters in the Foreign Islands are exempt; it is no more than fair then, that a proportional protecting duty should be laid on foreign sugar when imported into the British Provinces in America, in the proportion of the relative cost or value of the sugar, compared with the productions of the Provinces, which are protected by the duties, stated above. Again, the Planters in the foreign islands being enabled to increase their stock of slaves whenever they have the means or wish, and their islands being yet young in cultivation, produce double the quantity of sugar per acre, and with less labour than in most, if not in all the British West India possessions.

Fourth.—I now give you a comparative statement of the quantity of British plantation and Foreign sugar, imported into the City of Saint John, from the 1st of January, 1836, to the 31st of May, 1838. I would beg to observe that British plantation sugars are imported in the largest quantities in the Spring—the reverse with Foreign: the heaviest importation of Foreign sugar being in the fall of the year. This statement has been taken from the Custom House Books:

BRITISH PLANTATION SUGAR.

In 1836—10,003 cwt.
1837— 4,435 cwt.
1838— 1,598 cwt. up to the 31st of May.

FOREIGN SUGAR.

In 1836— *None.*
1837— 6,762 cwt.
1838— 1,963 cwt. up to the 31st of May.

The arrangements entered into for the importation of Foreign sugar, this year, are on an extensive scale, and in a year or two more, unless a check be given to the trade, little, if any, British plantation sugar will be consumed in the North American provinces.

Fifth.—You have a claim on the British Government of so serious and sacred a nature, that I feel confident, on a proper representation, your interests will be protected. Slavery is abolished in the British Dominions; our possessions in the West Indies are, or are about to be cultivated by free labour; can it then for a moment be supposed that the British Government would knowingly encourage the inhuman traffic which is now carried on? She virtually does at present, by allowing the consumption of foreign sugar in the British provinces in America, and the greater encouragement given to the cultivation of Foreign sugar, the greater number of slaves will be imported. If the British Government should object to prohibit altogether the importation of foreign sugar into the British provinces in America, justice requires that an increase of duty should be imposed.

I close this communication by stating that I am, (and I am proud to say it), by birth and affection a West Indian.* Residing as I have been in this Province for four years, and conducting a mercantile establishment in the West India trade, an anxiety for my country's welfare has induced me to draw up these remarks. I am satisfied that a prompt appeal to our most Gracious Queen will result in the proper protection being afforded; and if I should be in any way instrumental in hastening such an event, be assured that I shall feel amply repaid.

SAMUEL GOULD.

St. John, N. B., May 31, 1838.

* Mr. G. is a native of St. Christopher.

School of Arts.—Mr. Fellis will give his eighth Lecture on Chemistry, on Thursday evening next, at half past 7 o'clock. The subjects introduced last evening will be concluded. Electrical Phenomena will be considered and exhibited by experiment.

Public Dinner to Robert Rankin, Esq.—On Wednesday evening, last, a number of our principal Merchants and Inhabitants gave a public Dinner, at the St. John Hotel, to Robert Rankin, Esquire, as a parting tribute of respect for the highly honorable and useful course which he has pursued, as a leading member of our Mercantile community for many years past. About fifty gentlemen sat down to dinner; the Chair was ably filled by the Honorable William Black, who was well supported by J. R. Partelow, Esq. as Vice President. The Dinner was superb, and the finest wines sparkled on the board, while the exquisite performance of the excellent band of the 11th Regiment added much to the pleasures of the evening. The following Toasts were drank on the occasion:—

1. The Queen.—God bless her!
2. The Army and Navy of Great Britain.
3. The Earl of Durham, Governor General of British North America.—Influenced by those noble and patriotic feelings, which adorn his character, to undertake a mission of unexampled difficulty, and possessing in a pre-eminent degree the rare qualifications for so important a trust, we deeply lament its sudden and abrupt termination.
4. Sir John Harvey, our worthy Lieutenant Governor.
5. Robert Rankin, Esq., our worthy guest, whose strict integrity and unassuming manners during a residence of seventeen years among us, have justly gained for him the esteem of all classes of this community; and at whose departure from the Province to assume his mercantile operations in England on a more extended sphere, we are now assembled to pay this tribute of respect.

In returning thanks for this toast, Mr. Rankin spoke very neatly, appropriately, and with much feeling. He alluded to the unvarying kindness and attention he had at all times received from the Merchants of Saint John, and expressed his high respect for them, and said that he should ever remember the present occasion as the proudest moment of his life. He concluded by observing that in the sphere to which he was about to be removed, he trusted he would be found more useful to this community than he had ever yet been.

6. Colonel Goldie and the gallant 11th Regiment—their colors bear testimony to their distinguished services.
7. Lady Harvey and the fair daughters of New Brunswick.

Our informant states that the health of Earl Durham and the sentiment accompanying the toast, were drank with great applause—after which, two of the Provincial Delegates, lately returned from Quebec, James Kirk and John Robertson, Esquires, severally addressed the meeting. The latter gentleman spoke at some length, and although quite unprepared, gave a very clear and spirited account of their reception by the Noble Earl, and of the circumstances which transpired during their stay in Quebec. We regret that we are unable to lay these details before our readers, as we are assured they were highly interesting.

The greatest harmony prevailed during the evening, and a more respectable and intelligent body of gentlemen has seldom been gathered together in New-Brunswick. Much good feeling was elicited, and many kindly sentiments were expressed during the evening, and we deem this handsome and well merited compliment creditable alike to Mr. Rankin and the givers of the feast.

SAINT JOHN YOUNG MEN'S DEBATING SOCIETY.

Last Wednesday evening, being the third anniversary of this Society, Members and their friends celebrated it by Dining together at Betts' Long Room. The manner in which the Dinner was served up reflects much credit on the good taste of Mr. Betts, whose endeavours to please gave the utmost satisfaction. The evening was spent with the utmost conviviality, during which the following Toasts were given from the Chair.

1st. *Our youthful and beloved Queen, and her Illustrious Family*—May they always protect that freedom of Debate, which has exalted them and the nation, to a position of unequaled splendour and renown.

2d. *Our Constitution*—May it continue to prosper, and may its members ever partake of that usefulness which it is so competent to diffuse.

3d. *Free Discussion*—The first grand object of our Society.

4th. *Religious and Political Liberty*—Two of the fairest plants in the garden of our native Home.—May it ever be our boast to rear and protect them, while we tread down the noxious intoads of sectarian strife, and revolutionary aggression.

5th. *New-Brunswick.*—Prosperity to her trade, let "OWWARD" be her motto.

6th. *Our Twin Sister "Nova-Scotia,"* and her "Mechanics' Institute"—May success attend them.

7th. The President and Members of the St. John "Philosophical Society."

8th. *Literature and Education.*—May they ever bloom brightest, in our garland of National fame.

9th. *Old England*—The home of our Fathers, the palladium of true liberty, long may we continue to enjoy the blessings of her Constitutional Government.

10th. *The British Army & Navy*—Bodies, which, whilst her religion and the intellect of her sons, have raised Britain to wealth and eminence, have extended her dominions over a hemisphere, and her renown throughout the universe—By whose valour she has been exalted, supreme on the land and Queen of the ocean.

11th. Absent Members.

12th. Woman—A cup thus devoted,
Yields solace to man.

Volunteer Toasts: By Mr. J. W. Delaney—"The Mercants of St. John"—Prosperity to their enterprise and perseverance.

By Mr. S. L. Tilley.—The "Church and State"—A Union, which in its efficacy and effects, have offered an ample illustration of the sacred truth—*That it is righteousness which exalteth a nation.* May it always continue to exist.

Launched on Tuesday 2d inst. from the ship yard of Messrs. Francis & Joseph Ruddock, Portland, a fine brig called the *Albion*, of 170 tons, old measurement. She was built for Messrs Barlows & Ketchum, of this city, and is pronounced by competent judges to be as strong and well finished a vessel as has yet left this port.—*Observer.*

Messrs. Gibbs, Bright & Co. of Liverpool, the Agents for the ship *Thetis*, of this port, in a letter addressed to the owner, says, "Your very handsome new ship, the Thetis, which is very generally admired, and is considered the handsomest ship that has for a long time made her appearance from New Brunswick, from drawing so little water was enabled to dock immediately."—*Ib.*

Estimated receipts of the Great Western on her last passage from Bristol to New-York.—140 passengers at 35 guineas each, $24,690; 150 tons merchandise, at £3 per ton, $2160; letters $1000; total, $27,850. A very handsome business for 16 days running and ten days in port. The problem of Atlantic steam navigation is indeed solved, both as to feasibility and profit.—*Journal of Commerce.*

Movement of Troops.—The Bangor Whig says that three companies of the First Regiment of Artillery have been ordered to proceed forthwith to Hancock Barracks, Houlton, to relieve the two companies of the second Regiment of Infantry, which have been stationed there for some time past. The latter are ordered to join the Florida Army.—The Fourth Regiment of Artillery have received the same orders.

HEAD QUARTERS, FREDERICTON, 4th October, 1838.

MILITIA GENERAL ORDERS.

No. 1. The Court of Enquiry of which Lieutenant Colonel B. Peters was president is dissolved.

No. 2. The Lieutenant Governor and Commander-in-Chief having had under his consideration, the Proceedings of a Court of Enquiry held at St. John, on the 1st day of October instant, for the purpose of investigating and reporting upon certain charges preferred by Lieutenant John Hooper of the Saint John City Rifle Battalion, against Lieut. Colonel Ward his Commanding Officer, and Capt. T. B. Millidge of the same Corps, His Excellency has been pleased to direct that the following observations and decision be promulgated for the information of the Military Forces of the Province, "A Court of Enquiry whether recognized by the Militia Laws and practice of this Province or otherwise, is considered in the British Army as the most equitable mode of instituting preliminary enquiry into the grounds of alleged misconduct or of complaint, in order to enable the highest authority to form its judgment as to the institution of ulterior proceedings: And so far from objecting to a proceeding of so fair and open a character, it should be regarded, as what it really is, in the light of an opportunity to each party to put forward his case in the most favourable manner for the consideration of the Commander in Chief.

In this case it was intended for the purpose of affording the complainant an opportunity of shewing that he had just cause of complaint. He has declined to avail himself of that opportunity. On the other hand Lieutenant Colonel Ward has shewn that no injustice has been exercised towards Lieutenant Hooper, by the promotion of Captain Millidge.

Lieutenant Hooper standing convicted therefore of having preferred an accusation against his Commanding Officer, which he has failed or declined to substantiate: the Commander in Chief does not consider it for the good of the Militia Service that Lieutenant Hooper should be continued in his present rank, as Lieutenat in the Saint John City Rifle Battalion, from which he is accordingly discontinued."

By command of His Excellency the Commander in Chief.
GEORGE SHORE,
Adjutant General Militia Forces.

HEAD QUARTERS, FREDERICTON, 8th October, 1838.

MILITIA GENERAL ORDERS.

His Excellency the Lieutenant Governor and Commander in Chief, has been pleased to make the following promotions and appointments, &c.

2d Battalion Carleton Militia.

To be Ensigns.—Francis Tibbetts, Gent. dated 6th October; George Perley, do. 7th do.; Jeremiah Tomkins, do. 8th do.

3d Battalion Carleton.

John Suttor, Gent. to be Captain; John Coombs, do. Lieutenant; William Suttor, do. Ensign.

Captain John Jordan, of the 2d Battalion Saint John County Militia, is permitted to retire from the Militia Service, with the rank of Major.

By command.
GEO. SHORE, A. G. M.

STATE OF MAINE.

Executive Department,
Augusta, Sept. 25, 1838.

To His Excellency Major General Sir John Harvey, Lieutenant Governor of the Province of New Brunswick.

Sir,—I have the honor to inclose to your Excellency a copy of a Resolve passed by the Legislature of the State of Maine, and approved by the Governor, March 23d 1838, and also to inform you that the contingencies therein named not having occurred, and the Commission referred to not having been established, it became my imperative duty after the first day of September instant, to appoint suitable Commissioners and Surveyors for the purposes specified in said Resolve, and that I have appointed and commissioned John G. Deane, Milford P. Norton, and James Irish Esquires, as Commissioners; and William P. Panott, Surveyor under said Resolve.

I have also the honor to inform your Excellency, that I have instructed the said Commissioners and Surveyor, to proceed to the Eastern Boundary Line of this State, and to explore and examine the country bordering on the same, and to ascertain how far any line of exploration or otherwise has been traced and marked towards the North West Angle of Nova Scotia, as claimed by Maine and the United States, and to follow the same, examining the face of the country, the streams, and ascertaining elevations—and to move on a due North Line towards the height of land, where is to be found the spot which we claim as the North West Angle of Nova Scotia—making careful observations of all facts relative to the character of the country, and bearing upon the question pending between the two Governments; and also in like manner tracing and examining the Northern Line along the Highlands, which divide the Rivers falling into the St. Lawrence, from those falling into the Atlantic Ocean.

In short the object of the expedition is, to ascertain by examination upon the face of the earth, the actual facts, and the practicability of running and locating the due North Line, according to our construction of the treaty—and to obtain a topographical report of the country, particularly about the North West Angle of Nova Scotia.

The sole design of this Note, is to give to your Excellency the facts relative to the nature and object of the expedition under present instructions, that you may understand the exact state of the matter; knowing that there are many vague rumours and unfounded reports, on this subject, tending to mislead and deceive.

With great respect, I have the honor to be,
Your most obdt. Servant,
(Signed) EDWARD KENT,
Governor of the State of Maine.

Government House, Fredericton, N. B. October 1, 1838.

Sir,—I have the honor to acknowledge the receipt, by the hands of J. S. Little, Esquire, of your Excellency's communication of the 25th ultimo, enclosing the copy of a "Resolve," of the Legislature of the State of Maine, and informing me that you have appointed Commissioners and Surveyors under that Resolve, and have furnished them with instructions, of which your Excellency has been pleased to detail to me the substance.

After having seen the Resolutions adopted by the Congress of the United States on the 4th of July last, I confess I had not expected any further action on the part of the State of Maine, in reference to a question which is now in discussion betwixt the two General Governments, with, as I firmly believe, a sincere desire to bring it to an early and satisfactory close.

Of the courtesy of your Excellency's communication, I beg you to believe that I am perfectly sensible; and when in reply thereto, I inform your excellency, that I shall not deem it necessary to interfere with a mission, whose operations shall be confined to the purpose stated in your Excellency's Letter, namely, that of merely obtaining topographical information, it is incumbent upon me to add, that it will be my imparative duty, not to suffer any infringement of the possession and jurisdiction which Great Britain holds in the Territory in dispute, until the question of Right is decided.

With great respect,
I have the honor, &c. &c.
(Signed) J. HARVEY.
Lt. Governor of H. B. Majesty's Province of New Brunswick.

To His Excellency Governor Kent, &c. &c.

An arrangement has been entered into between T. A. Stayner, Esquire, Deputy Postmaster General, Quebec, and the Postmaster General at Washington, for an official Post communication between the United States and this Province, via Houlton. Through the exertions of His Excellency Sir John Harvey, this desirable object was brought under the consideration of the head of the department at Quebec, and the Deputy Postmaster General has lost no time in extending to the inhabitants of Fredericton, and the upper parts of the Province, the desired accommodation. The time of arrival and departure by this route will be made public as soon as official notice is received at this office of the line being in full operation.

W. B. PHAIR, P. M.

Post Office, Fredericton, 9th Oct. 1838.

Maurice Doyle, who murdered John Clem, at River Philip, in June, was executed at Amherst on Monday last.

PRINCE EDWARD ISLAND.

SECRETARY'S OFFICE,
September 26, 1838.

Sir—It having been represented to the Lieutenant Governor that Mr. Le Lacheur, on his return from Quebec, had stated that he had received a promise that a Court of Escheat should be established in this Colony, and as it appeared to the Lieutenant Governor that this statement was calculated to mislead the public mind, he deemed it advisable to apply to His Excellency the Governor General to learn what foundation Mr. Le Lacheur had for making this assertion; and I am directed to desire you to take the most prompt and effectual means of giving publicity to the answer which the Lieutenant Governor has this morning received. I have, &c.

J. P. Collins, C. S.

To J. D. Haszard, Esq.
Queen's Printer.

Castle of St. Lewis,
Quebec, September 22, 1838.

My Dear Sir,

I can with sincerity assure you that nothing ever fell from me, or from any person connected with this Government, which could impress Mr. Le Lacheur with a notion that I was favorable to the establishment of a Court of Escheat in Prince Edward Island;—I had no conversation with him on the subject—I only saw him at dinner; and I find on inquiry, that no encouragement in such a project was given him by any person connected with my Government.

I remain, my dear Sir,
Your's very sincerely,
His Excellency DURHAM.
Sir Charles Fitz Roy, K. C. H.
&c. &c. &c.

Quebec, October 1.—It will be seen that despatches for the Governor General were forwarded from the Colonial Office on the 6th of September. Various reports have been circulated here for some days past, regarding the Provincial Government and Lord Durham, which are without foundation. We presume, from the general adherence of his Lordship to his public declarations, his determination to resign continues as expressed to the Deputations from the Lower Provin