The Morning Courier.

FOR THE COUNTRY.

Optimus est Reipublicæ status, ubi nihil deest nisi licentia perundi.—SENECA.

No. 37. MONTREAL, MONDAY MORNING, OCTOBER 5, 1835. VOL. I.

Morning Courier.

MONTREAL, FRIDAY, OCT. 2, 1835.

THE *Quebec Mercury* of Tuesday, furnishes the following additional intelligence from England, to the 27th of August. Advices to the same date have been received at New York.

Capt. Thoms, of the *Robert Kerr*, from Liverpool on the 27th Aug. has politely favoured the Exchange with the London *True Sun* of the evening of Monday, 24th August, the *Liverpool Courier*, of the 26th Aug. and *Gore's Advertiser* of the day of her sailing. The first paper, which is decidedly radical in its politics, has the following rumour: we leave it to stand upon the credit which may be attached to the paper from which we copy it.

REPORTED CHANGE OF THE MINISTRY.—SIR ROBERT PEEL'S VISIT TO THE KING YESTERDAY.—We give it as a *rumour* universally prevalent in the House of Commons yesterday, that Sir R. Peel had been sent for by the King. It may be as well to add, however, that an Honorable Member from whom we have received the information—a tolerable judge of the state of parties—states to us at the same time that "he believed the report to be true." There is a remarkably strong feeling amongst the Members of the House, at this moment, respecting the late proceedings of the House of Lords; but to what "pass the House will come" can hardly be prophesied with safety at present.

It is very probable that the visit of Peel to His Majesty will end in "a talk" and nothing more, and accordingly upon its ending simply in *that*, the rumour may be contradicted; but that Sir Robert was with the King yesterday in a private conference is beyond doubt.

During the whole of yesterday afternoon the "active members" of the Conservative Club were engaged in all directions in endeavouring to persuade those members of the House of Commons who were about to leave town to prolong their stay as "there were matters of great importance on the *tapis* which would require their presence. Numerous letters were sent off to the country last night, urging the immediate attendance of those members of the Club who were from London."

The following notice of the proceedings in the Lords on the Irish Church Reform Bill, is copied from *Gore's Advertiser* of the 27th August:—

HOUSE OF LORDS, *Monday.*—The House, on the motion of Lord Melbourne, being in Committee on the Church of Ireland Bill.—The several clauses down to eight were adopted, after a desultory conversation and some verbal amendments.—To clause eight the Duke of Wellington offered opposition, and proposed an amendment, to the effect that the tithe, or charge on account thereof, be received by the department of Woods and Forests, and thence handed over to the Ecclesiastical Commissioners, an arrangement that he believed would be perfectly satisfactory to the Clergy. After an extended conversation, in which Lord Duncannon, Lord Plunkett and other noble Lords took part, the Duke of Wellington said he had no objection to postpone the amendment till they arrived at another portion of the Bill. The clause allowing the opening of the compositions, should that be deemed requisite, also called forth resistance.—There was a division upon it. The numbers were, Ayes 35. Noes 126. Majority against the clause 91.

All the Clauses to 60 inclusive were then adopted. Clause 61, That beginning the series of "Appropriation" clauses, was opposed by Lord Haddington, who moved its rejection, declaring that he should move the rejection of the series. There ensued an extended and animated debate. Lord Plunkett in particular, strongly defended the principle of "appropriation." Lord Brougham pointed out the consequence of rejecting such provisions of the Bill: that the clergy of Ireland must be immediately called upon to repay the money advanced, and that if their Lordships were to agree to this course the Commons would reject the Bill. Lord Melbourne deemed it right to declare that if this measure were agreed to, he should not be the party to send the Bill back to the Commons. It would expose the measure to the rejection of that House. The Duke of Wellington hoped that Noble Lords would not be deterred from the performance of their duties by the menaces of Lords who had just spoken. Their Lordships divided. The numbers were—for the clause 41—for the rejection 138—majority against the Ministers and the clause 97.

Mr. Perrin, Attorney General for Ireland, has accepted the vacant seat on the Bench. Mr. O'Loghlen is the new Attorney General.

There was a report that Colonel De Lacy Evans had been assassinated; it does not appear to be founded.

The *Wetchman* gives the following increase of the Wesleyan body:—In Ireland, 422—Abroad, 4,618.—In Great Britain there had been a decrease of 951—which leaves the net increase 4,000.

From New York Papers.

The effect of the reported change of Ministry does not seem to have been very alarming, judging from the city article of the *Times*, dated Tuesday evening, (Aug. 25.)

The city has been free from reports today respecting the ministry and the consequences of the threatened collision between the two houses of parliament, which would appear at all events, to be regarded with little apprehension by the fundholders. Stocks have been steady all day, with some tendency toward improvement. Consols left off at 86⅞ @ ⅛ for the account; and Exchequer bills at 20s @ 22s. premium.

The "George III." a convict ship, bound from England, to New South Wales, was wrecked on the 13th of April, on a reef at the mouth of the Derwent. Out of two hundred and ninety-four convicts, one hundred and thirty-four were drowned.

France.

LONDON, *Aug.* 24.—On Friday and Saturday several petitions were presented to the Chamber of Deputies against the project of law for abolishing the liberty of the press. The general impression is that they will have no effect upon the chamber, which scruples not to set public opinion at defiance. By one of the amendments proposed by the committee and adopted by the chamber, no daily journal can appear before the proprietors have lodged the sum of £8000 of ready money in the hands of the government, as a security for the payment of fines and expenses, by whomsoever instituted.—*Sun.*

Spain.

LONDON, *Aug.* 26.—The Paris papers on Monday, which we have received by express, are chiefly filled with particulars of the late occurrences in Madrid. One of them states, on authority which we believe to be official, that the Marquis de las Amarillas had sent in his resignation, and was succeeded in the war department by Gen. Morales. It will be recollected that the dismissal from the ministry of the Marquis de las Amarillas was one of the professed objects of the late insurrectionary movement of the Urbans. The *Courier Français* speaks of letters from Madrid of the 18th, bringing accounts of fresh disturbance, though not of the serious nature of those which were threatened on the 16th. It appears, however, that no messenger had yet reached Paris, after those who had left on the evening of the 17th.

A telegraphic despatch received from Bayonne, brings intelligence of the arrival of generals Alava and Evans at St. Sebastian, with 1500 men. Some of the papers from the south of France state, that Don Carlos had found it necessary to recross the Ebro, and was, when last heard of, in the mountains of Navarre. One of them, however, affirms that he had taken possession of Burgos. Moreno, whose neck it seems was not broken by his late fall from his horse, is said to have taken up a position near St. Sebastian, where El Pastor was blocked up.

LONDON, *Aug.* 24.—Letters from Madrid to the 17th inst. were received in Paris on Saturday morning, in which it was stated that the Spanish cabinet had unanimously resolved to demand from France a prompt armed intervention, in fulfilment of the quadruple treaty. Despatches from Toreno were also received by the Duke de Frias, the purport of which was believed to be the same as that of the private letters addressed to particular members of the French government. It is reported that the events in Catalonia and Saragossa have produced such a sensation at Madrid, that almost all the grandees of Spain, and the principal functionaries, both civil and military, have resolved, in case France refuses to intervene, to join the party of Don Carlos.

We deem it right to say a word or two on the Communication of "A LOYALIST." If Lord GOSFORD did so far forget what common civility and courtesy demanded in regard to Lord AYLMER's departure, from a motive so contemptible, as a fear of giving umbrage to the Revolutionary party, we must denominate such conduct as extremely *little*. But we are unwilling to believe, that the absence of his Lordship on the above occasion was owing either to negligence, or to any intention of marking, by such a trifle, his disapprobation of Lord AYLMER's administration. The lowest of our opponents, if honourable feelings remain to them, could not accept so paltry an offering to their demands for vengeance, as a denial of the customary civilities by a new Governor to his predecessor in office. We sincerely hope that "A LOYALIST" is mistaken in his explanation of the motives which induced Lord GOSFORD to act as he has done in reference to Lord AYLMER.

The Steamer *St. George*, with the Brig *Sophia* and the Schooner *St. Maurice* in tow, arrived here yesterday afternoon, at half-past three o'clock, from Quebec. She left at 9 o'clock on Tuesday night, and had 45 cabin and 85 steerage passengers.

TO THE EARL OF GOSFORD, GOVERNOR-IN-CHIEF, &c &c.

MY LORD,—I am a very humble individual, altogether unknown to your Lordship, and if I were not so, I have no doubt your Lordship, and those about you, would consider it the height of presumption in one so insignificant, to address himself to a person of your Lordship's exalted rank, invested, as you are, with the high dignity of representing His Majesty of England in this valuable portion of his Empire. But, my Lord, your position is so conspicuous, and the functions you have to exercise are so important for the well-being of His Majesty's subjects in this Province, that the lowest of them, if gifted with the powers of perception and reflection, must observe your conduct with interest, and the most indifferent, watch the effect of your measures and decisions with anxiety.

You have, my Lord, assumed the completion of a task which few men would have had the resolution to undertake.—God grant that you may have done so after due deliberation, and that your success in harmonizing the jarring elements of discord—in settling the conflicting interests and pretensions of political parties—and in restoring peace to this fine, but distracted Colony, may be equal to your resolution. The commencement of your career as Governor has not as yet offered, particularly any opportunities of exhibiting that firmness which we have reason to expect will form the characteristic of a nobleman, *selected* as the fittest person for administering the most difficult Colonial Government in the Empire.

But with reference to this point, my Lord, permit me to ask one question.

What cause, or reason, had your Lordship for offering such an indignity to Lord AYLMER, (your Lordship's much calumniated, but much respected predecessor, a nobleman whose conduct had received the marked approbation of your Royal Master, and of successive Administrations, as well Whig as Tory,) as to omit paying him and Lady AYLMER the usual compliment, of accompanying them to the place of embarkation? What other reason, my Lord, could you have had, but the fear of offending a powerful political party, hostile to the best interests of the population of this Province,—a party hostile to the British name and nation,—a party not even professing loyalty with their lips, and with treason actually rankling in their hearts? This circumstance, my Lord, though it has not yet been publicly animadverted on, has been the theme of general conversation in Quebec and Montreal, and, combined with other reasons, has excited concern and sorrow, as well as universal condemnation among those who feel an interest for the dignity and independence of the Executive Government.

Further, the party before alluded to speak confidently, my Lord, of concessions being about to be made to them, almost equal to their demands, and that your Lordship, independently of other more immediate considerations, will shew, *in limine*, your determination to enforce conciliation, by granting to the House of Assembly whatever money they demand, without question, and without remark. Surely, my Lord, it is not possible that you can contemplate such a violation of the rights of the second branch of the Legislature, and the true principles of our Constitution. If the House of Assembly, my Lord, can, by a mere Resolution, obtain money, under the pretext of contingencies, for paying Grievance Agents—hireling Editors of Newspapers—organizing Treasonable Conventions—and for other illegal purposes, they may just as well be permitted to appropriate, in the same manner, the whole revenue of the country, and to do away with the Legislative Council altogether. But, my Lord, I warn you in time, that the inhabitants of British and Irish origin in the Province will not tamely, or submissively, surrender the Constitution which was so benevolently bestowed upon them by the Parent State, and which they so highly value, to the insatiable ambition of a disloyal, democratic French faction. Your Lordship must have already become well acquainted with the unwarrantable and unconstitutional proceedings of that faction in the House of Assembly—of their ends and aims; and you will not, I humbly conceive and hope, sacrifice the interests and feelings of one hundred and fifty thousand men of British and Irish blood, merely to acquire a momentary popularity, with a score of designing demagogues, many of them without any stake in the country, and whose sole object is self aggrandizement.

It is a maxim of the British Constitution, that the King can do no wrong; but, my Lord, his Ministers are not clothed with the same inviolability. They are personally and *morally* responsible for the acts of his Government. You are, my Lord, his Prime Minister in this Colony, and therefore bound, as an honest and honorable man, to maintain, as well the spirit as *the letter* of our Constitution. Though a perpetual attention to this great object, is the interest and duty of every man, who prefers order to confusion, stability and security to rash experiment; it is more particularly the province of your Lordship, placed as you are by our Most Gracious Sovereign in the elevated situation of his Representative, charged with the promotion of the happiness and prosperity, and the preservation of the rights, liberties and properties of all his Canadian subjects. You will, my Lord, be answerable, in your person and character, for every act which you permit to be done, to the prejudice of the Constitution, inasmuch as the preservation of it in its purity and vigour, or the perverting and weakening it, are of greater consequence to the inhabitants of this Province than any other instances of good or bad government. You may conduct the Administration, my Lord, with ability in other respects—be frugal in the expenditure of the public money—exact obedience to the laws and a strict attention to their official duties from all under your authority; but if you will, at the same time, *connive* at such indirect violations of the Constitution, as tend to the destruction of it, or even at such evasions as may tend to render it useless, you will inflict an injury on this Province for which no other act of your government can atone. Finally, my Lord, let no one, no matter with what authority invested, exercise a sinister influence over your mind. Let me entreat you to be firm and resolute in maintaining the Constitution as by law established. Redress all real grievances, and correct all anomalies in the composition of the Executive Government; but never compromise the rights and dignity of the Crown, or the true interests of the people, for temporary expediency and evanescent popularity. If too much be conceded, more will be demanded. One pretension and concession may succeed another, as wave follows wave, until the beautiful fabric of our mixed form of government be overwhelmed and sunk in the gulph of a tyrannical democracy—the most miserable condition of man on earth. I am, my Lord, your very humble servant,

A LOYALIST.

Montreal, Oct. 1, 1835.

TO THE EDITOR OF THE MORNING COURIER.

SIR,—Permit me, through the medium of your valuable journal, to lay before the public a most brutal and bloodthirsty assault, perpetrated this afternoon about six o'clock, upon a seaman belonging to one of the vessels in port, by a party of men who were seen to rush out of a cellar under a tavern near the St. Ann's market in pursuit of the unfortunate man. One of these wretches carried a heavy bludgeon about four feet in length, and as the victim of their vengeance tried to escape, he struck him with all his might on the back of the head. The blows were repeated, until the poor fellow reeled to the ground. He rose again, and when scarcely able to stand, four or five surrounded him and beat him on the head in the most brutal manner. Had it not been for the praiseworthy interference of Mr. TORRANCE, Jun., and others, who were attracted by the savage yells of these bloodhounds, the poor man would have been beat to death.

I trust that, for the security of society, some steps will be taken to bring these men to justice. The parties can be identified; and it is to be wished the city authorities would interfere in suppressing the nuisance of those low taverns, which go by the name of board and lodging houses, where the worst of characters are accumulated, and can becoming no attention from their consciousness of strength, that persons in the neighbourhood are intimidated from making public complaints. I am, *Sir*, your obedient servant,

A CONSTANT READER.

Wednesday evening, Sept. 30.

TO THE EDITOR OF THE MORNING COURIER.

SIR,—It has long been a matter of astonishment to me, that no measures have been taken by the Colonial Legislature to amend the copper currency of this Province. The following statement requires no comment; and I trust that another session will not be allowed to pass without the subject engaging the attention of Parliament. But few Bills have hitherto originated in the Upper House, and the country would have cause to be thankful to any member of that body who would bring the question forward.

An English halfpenny weighs 145 grains, there is, therefore, in £1 sterling of copper coin, 73,600 grains, from which deduct one-tenth, and there remains 66,240 grains for £1 Halifax.

The copper in circulation weighs, upon the average, barely 47 grains, consequently, £1 Halifax, in that medium, would weigh 22,560 grains, so that it would require £2 18s. 8½d. to counterbalance £1 Halifax in British copper coin, without taking into account the inferiority of the metal.

The British copper coin is intrinsically worth only 72 per cent. of the nominal value; but as it is taken in payment of duties and taxes, that is of no importance to the public. Whereas the base coin in circulation here, is worth only its weight in metal, and it would take 6s. 2½d. to weigh a pound, of the value of 8d. or 9d.

Montreal, Oct. 1. T. B.

Lower Canada.

QUEBEC CATHEDRAL TRIAL.—Joachim Dumas dit St. Pierre, a respectable looking *habitan*, stood charged with burglariously entering the house of Mr. Murray Bossé, at Rivière Ouelle, in the occupation of Mr. Hadon dit Beaulieu, and stealing therefrom 400 cols, the property of Mr. Maurice Bossé. A true bill in this case was found in last March Term, but the trial had been postponed, and St. Pierre admitted to bail. It appeared from the evidence that the prisoner is son-in-law and *donataire* of Mr. Maurice Bossé having married the widow of Mr. B's. son; moreover he is tutor to his wife child, by her first marriage, and it appeared from the defence set up by the prisoner, that Maurice Bossé having most violent anxiety to dismiss St. Pierre from this latter charge, had actually *stolen* his own cols and conveyed them to St. Pierre's premises, subsequently procuring a search warrant in order to blazon forth the discovery of stolen property in St. Pierre's possession, and by this means obtain a fair pretence for taking away the office of tutor from St. Pierre. The old man (Bossé) had asked several persons whether St. Pierre could not be dismissed from this charge if he were found out to be dishonest. Previous to his obtaining the search warrant the old man had also told another individual where the cols were, and asked them the above question. A most excellent character was given of St. Pierre, by several witnesses, who also said that old Bossé was an *peu bobillard* and quarrelsome, but did not believe that he was of a very malignant disposition. Bossé and St. Pierre live in the same building, but have not been on speaking terms for a length of time. The Jury, without retiring, pronounced the prisoner not guilty.—*Quebec Gazette, Sept.* 25.

MONUMENT TO JACQUES CARTIER.—Pursuant to a public notice, a meeting of a number of respectable citizens took place on Saturday afternoon at the Marine Hospital, at which it was unanimously resolved to erect a monument, in front of the Hospital, to commemorate the landing of Jacques Cartier at Quebec, in the year 1535. The actual landing took place further up the St. Charles, and on the opposite bank, but that spot being private property, the present situation was chosen as being the nearest piece of public ground to the first shelter erected by Europeans in this part of the continent of North America. A subscription list was opened to raise money for the completion of this object, which will be immediately laid before the public. The *Canadian* suggests that it would be desirable that the Monument, which is intended to be elegant and simple, should be ready to be erected on the 14th September, as the anniversary of the landing falls on that day. A Committee has been named to carry the object of the meeting into execution.—*Quebec Mercury, Sept.* 29.

The Hon. Justice Vallere is, we learn, so seriously indisposed as to be unable to perform his judicial duties, and the Hon. Justice Gale, the senior Judge of the Montreal Bench, will proceed to Three Rivers to relieve him.—*Ib.*

The criminal term closed today.

The Grand Jury has made a presentment, stating the great increase of crime, recommending a penitentiary, complaining of the prisoners not placing of young with old criminals in the jail, and the imperfect state of its walls and subdivisions for the safe hanging of the prisoners. It has also made part of its presentment, a petition from certain citizens for the removal of persons of dishonest character, who frequent the table outside St. Louis Gate. All this has been reported by preceding juries, but we do not recollect that it was ever put into execution. The truth is, that the whole of our police establishment is definitive and without finds, and doubtless, nothing will be done, as usual. The public interests are most shamefully neglected, from the Legislature down to the smallest public office. There is something "rotten in the state of Denmark." One fact we are glad to state; it is that not more than two or three of the old offenders are let loose.—*Quebec Gazette.*

Among the passengers in the steamer *St. George*, which arrived on Sunday from Montreal, were the Hon. Messrs. L. J. Papineau and D. B. Viger, on a visit to His Excellency Lord Gosford, these gentlemen saw Lord Gosford, on Monday, and in the evening dined at the old Castle, where his Excellency lodges. Other gentlemen of opposite politics were present. The members of the Assembly residing at Quebec have also had the entree of the Castle, and have most of them been guests there lately.—*Ib.*

We are compelled by the press of matter till next to our next publication, a letter by A. C. Buchanan, Esq. chief agent for emigrants, in which he suggests the substitute of a floating light on the Grand Bank south east of Newfoundland, to a light-house on St. Paul's We think the project not a bad one. The principal objection is the extreme prevalence of fogs, in which case the tolling of bells and the firing of guns must be resorted to. There is little doubt that a light vessel might be safely moored there for the season.—*Ib.*

While the Constitutionalists in Montreal and other parts of the Province, are taking active measures to bring forward the general and local grievances of the Province, and while the Papineau party are every where using every exertion to carry their schemes, a most unaccountable apathy seems to pervade the Constitutionalists of this and Stanstead County. They seem to have settled down into total indifference whether their Constitutional rights shall be protected, their grievances redressed, and their industry and enterprise encouraged; or whether they shall be given over to the domination of a faction, or driven from the Province, is it not necessary that they should make a public expression of their feelings and wishes? If we wish to be heard in regard to the evils which oppress the people, and if we have any hope of obtaining redress, it is time to speak out. It is not to be denied, that the present is a most important period in the affairs of this Province; and those who regard their civil and political rights, should use every laudable means in their power, to secure those rights for themselves and their posterity. We have been hoping that some movement would be made to call a county meeting to consider and lay before the proper authorities, the grievances under which this District, in particular, and the Province generally labors; but as no steps appear to be taking to effect this object, we take the liberty to recommend that a meeting be called as soon as may be, that the voice of this County may be heard in favor of a redress of real grievances, and against the adoption of any measures which shall stamp the prosperity, or paralise the industry of any class of the people or introduce anarchy and misrule into the government. We trust that those whose proper business it is to move on this subject will no longer delay.—*Farmers' Advocate.*

Upper Canada.

FIRE.—About ten o'clock last Sunday evening, the extensive Brewery and Distillery of the late R. Drummond, Esq., occupied by Messrs. Hunt and Morton, took fire, and were totally destroyed, with a great quantity of whisky, ale, grain, barrels, and brewing utensils, and about two and three hundred cords of wood. The hogs that were fattening were driven out of their pens, but four of them, with true piggish stupidity, ran into the flames and perished. The fire began in the distillery, by the bursting of a tube in the rectifying apparatus, by which the whisky caught fire and communicated to the buildings. So much inflammable material, and a westerly wind which blew the flames along the line of buildings, speedily destroyed the whole.—A party of the Royal Artillery with their engine, and the Kingston Volunteer Fire Company with two engines, were speedily on the spot; but the flames spread so rapidly as to render all attempts to check them nearly useless. The buildings and utensils were insured for £2,175, but Messrs. Hunt and Morton had no insurance; their loss is extensive.—*Kingston Herald.*

Yesterday Robert Watson and his son William were tried for the murder of J. Caldwell, of Belleville. It appeared from the evidence that there was some previous dispute between the parties respecting a horse. At the time the unfortunate event occurred there was a disturbance in the street, and Caldwell was standing near the door of a tavern holding the coat of a man who was going to fight. The younger Watson came up to Caldwell to fight him, which the latter refused. The former then laid hold of the latter, and Robert Watson came up with his stick raised to strike him. Caldwell took hold of the stick, and would not relinquish it when ordered to do so by Watson, who then took out a dirk or dagger and stabbed the deceased in the lower part of the abdomen. During this occurrence young Watson still held Caldwell, and wanted to take his father's dagger to repeat the blow. The old man also made two or three attempts to stab Caldwell again, but was prevented by the bystanders, and at length he walked away, brandishing his dagger, and threatening any who might interfere with him. As several persons witnessed the whole affray, the evidence was clear, direct and conclusive, and the Jury found Robert Watson guilty of murder, but acquitted William. Robert, who is a gunsmith and was 48 years in the army, is sentenced to be executed on the 20th of October.—*Ib.*

SARNIA SCATH!—It may be remembered that last year a sale of 14 or 15,000 acres of land in the township of Sarnia, in the Western District, was advertised to take place, at the upset price of *one shilling and tenpence halfpenny* per acre: the land having been returned as interior. The sale was to have been made at the request of Mr. Jones, who appeared to have taken a marvellous fancy to this fine land; but unfortunately for Mr. Jones, the public press took up the matter, and the sale was stopped. It will now be seen by our advertising columns, that the entire block is to be sold, in one parcel—14,777 acres—at the upset price of *four* shillings and eleven pence per acre. We have made inquiry respecting this land, and learn that it is equal to any in its neighbourhood, and which cannot be purchased for less than from 10s. to 15s. per acre. We do not find fault at the lowness of the price at which the lands of Sarnia are put up—perhaps it is quite high enough for any wild land—when we consider that by adding land in such large quantities is giving an advantage to land speculators which they sought not to possess. The conditions of all government sales are actual settlement, and not to enrich a favoured few at the expense of the industrious many. We hope the government will look into this matter. We can assure them that the people are sensitively alive on this subject.—*Hamilton Express.*

New Brunswick.

The weather has already begun to warn us of the approach of winter; the nights of late have been quite chilly, and in some parts of the city the roofs of the houses have been covered with hoar frost in the mornings. From the unusual backwardness of the seasons, we much fear that all the crops are not yet sufficiently advanced to bear the autumnal frosts without injury.—*St. John's Courier.*

Nova Scotia.

ACCIDENTS.—On Friday the 11th inst. as the working party of the 83d Regiment, employed at the Citadel Hill, were excavating for the foundations, after undermining the bank which was intended to be taken out, it gave way so suddenly, that two of the men were buried under it, one of whom was taken away quite dead, the other so much hurt that but slight hopes are entertained of his recovery; another of the party had his leg broke by the fall of the rubbish.—*Halifax Journal.*

FIRE AND LOSS OF LIFE.—On Saturday last a small house in a back court near the South Barracks, was destroyed by fire, and melancholy to state, a little girl between 7 and 8 years of age, daughter of a soldier in the Rifle Brigade, and whose mother died some time since, perished in the flames. The accident was occasioned, it is said, by a woman who thoughtlessly threw some shavings in the fire place. An affecting incident connected with the little girl is related. She had received a new pair of boots the preceding day, and so anxious was she about them, that though herself and brother were out of the house which was on fire—there being no person on the spot at the moment—she returned to fetch her boots, and when found had one of them in her hand.—*Ib.*

DEATH BY DROWNING.—On Saturday, at York Redoubt, a boy, 10 years of age, belonging to one of the Detachment of Rifle Brigade, stationed there, while playing about a pit dug for watering cattle, fell in and was drowned. He was not half an hour out of sight, but every means to restore animation proved ineffectual.—*Ib.*

On Saturday, as the Adjutant of the Royal Artillery, was riding up Sackville Street, his horse took fright, and suddenly turning the corner by Steel's Country Market, came in contact with the shaft of a truck standing there, plunged it into his counter, and fell dead on the spot. The rider, we are happy to state, was not hurt.—*Ib.*

Same day, as an apprentice of Mr. Lownds, carpenter, was shooting on the Common, and firing at some birds on the wing, the shot lodged in the shoulder and arm of a little girl, daughter of Mr. Whytal of this town, who chanced to be near. This accident, which might have been fatal, should be a caution to those youngsters whose practice as sportsmen is limited to a day in the year, and who from the recklessness of unusual excitement on such occasions, are apt to be very careless in the use of fire-arms.—*Ib.*

CAMPOBELLO.—The present proprietor of the Island of Campobello, arrived at that place from England a few days ago, bringing with him a number of emigrant families, with the intention, as we learn, of settling the place. We understand, also, that a number of families more will come out in the spring. Improvements, it is said, are to be commenced immediately. Campobello at present contains but a few scattered dwellings, occupied principally by persons who obtain a livelihood from what is yielded by the waters, in the immediate vicinity. It offers every facility, with regard to its location, for a commercial town—and if proper encouragement be given, will doubtless in time become a town of some consequence. A clergyman, we understand, has arrived among the emigrants, and religious worship, which has only been held there occasionally, as opportunity offered, will now be regularly performed. We are told that Mr. Owen, the proprietor of the Island, has brought with him a town clerk and bell.—*Eastport Sentinel.*

United States.

The Territory of Arkansas has decided by a large majority to apply for admission into the Union as an independent State. Population, 51,809, of whom 5629 are slaves. Deduct 2.5ths of these, and the population, in Federal numbers, is 47,957; or 957 more than the required number.—*Journal of Commerce.*

THE CITIZEN CAIN.—A gentleman from Louisiana, (a subscriber to this paper,) who has travelled some land from Blakely, Alabama, near Mobile, to Charleston, S. C., for the purpose of ascertaining the true state of the cotton crop, assures us that he has never seen one so abundant; that whatever loss may have been sustained by wet in the low lands, it has been much more than made good by the increased cultivation of high lands.—*Ib.*

ENLARGEMENT OF THE CANAL.—A public meeting has been held at Rochester in favour of enlarging the Erie Canal. A Memorial to the Canal Commissioners was adopted, expressing their opinion that the depth of water should not be less than 8 feet, nor its width at the surface less than 80. Readers will recollect that, by the Act of the last Session, the Legislature empowered the Canal Commissioners to go on with the enlargement whenever they should deem it expedient.—*Ib.*

CANAL TOLLS.—The tolls collected on the New York Canals for the week ending on the 21st of September, amount to the sum of $53,323 00. This exceeds the collections for the corresponding week in 1834, by the sum of $6,116 51. The increase on the Erie Canal is $7,480 89—on the Champlain $77 40—on the Oswego $302 10—Cayuga and Seneca $62 17—Chenango, decrease, $8 56—Crooked Lake, increase, $15 55.

Whole sum collected from the opening of the navigation to the 21st of September, *one million and seventeen thousand dollars.* Increase, compared with 1834, $186,000.—*Argus.*

GALE ON LAKE ERIE.—The North America, on her late passage from Detroit, was run foul of, at night, by the Queen Charlotte, and had her bow and bowsprit, part of her wheel house, and one of her fire pipes carried away. In this condition, when near Portland harbour, on Saturday night, she was struck by a squall, which, with the high sea on, came near overwhelming her, and being unable to use but one engine, shipped several seas, and was in imminent danger, during this perilous scene, of being set on fire by the sparks from the broken pipe. The cook room was in fact several times on fire, and

MONTREAL:—Printed for the Proprietors, by ROLLO CAMPBELL, St. François Xavier Street. The *Morning Courier*, for the Country, is published on Mondays and Thursdays in the Summer, and on Tuesdays, Thursdays, and Saturdays, in the Winter. Terms:—Five Dollars in town, and Six Dollars if sent [illegible] than six months.

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with difficulty extinguished. The greatest alarm was occasioned among the passengers, but the vessel finally arrived at Buffalo in safety.—*Commercial Advertiser.*

ANOTHER FIRE.—Last night at twelve o'clock the bells sounded another alarm of fire, which broke out in the rear of an extensive furrier establishment, occupied by Messrs. S. and M. Hunted, at No. 114 Allen, adjoining the corner of Delancy-street. The building has recently been erected, is four stories high and near ninety feet deep, in which was a large amount of furs and skins, and some valuable machinery, most of which were destroyed. The roof—the two upper stories of the building are also destroyed, and a portion of the northern wall. The loss must necessarily be considerable, but no estimate has yet been made of the amount. The property was insured for ten thousand dollars.—*Ib.*

THE SCHOOLMASTER ABROAD.—A schoolmaster in Ohio has been indicted for bigamy. It is said that he has twelve wives living. There is no doubt that the schoolmaster has been abroad. —*New York Times.*

BANK OF THE UNITED STATES.—The last Boston Atlas has the following information in regard to the winding up of this institution:—"The Bank has twenty-five branches. Eight of them are sold, or nearly wound up. These sales have been effected at one, two, three, and four years credit. Two other branches will be sold, probably in a few days. A negotiation for them is in progress. The eight branches above alluded to, are Portsmouth, Hartford, Utica, Buffalo, Louisville, Lexington, Charleston, and Baltimore. The two under negotiation are Fayetteville and Nashville."—*N. Y. Commercial Advertiser.*

YANKEE TRAVELLING.—A down-easter, in returning from New York homeward, states that he had before heard of the great speed on the Providence railroad; but, says he, in a letter, "it beat all my acquaintance; just at the time we started, the town clock in Providence had begun to strike twelve, and we *were* lodged at the Tremont house in Boston when the Old South clock had given the winding up stroke."—*Ib.*

Mr. M'Nab has returned to Upper Canada, having finished his mission to this city in reference to the Port Dover and Hamilton railroad, to his entire satisfaction. This work when completed will be of great use in facilitating the passage of goods to the far western country, in the direction of the great lakes.—*Emigrant.*

TO THE EDITORS OF THE COMMERCIAL ADVERTISER.

GENTLEMEN,—It affords me pleasure to acknowledge in your columns the receipt of a liberal donation from his Majesty the King of England to the Library of the University of the city of New York, through the Honorable Mr. Vail, and General James Tallmadge. The donation embraces State Papers, Historical and Diplomatic Documents, fac-similes of Charters and Treaties, the celebrated Doomsday Book, the Statutes of the Realm, Political Essays, Catalogues of the manuscripts in the Harleian, Cottonian, and Lansdown Libraries in the British Museum, and other works of interest not merely to the statesman and politician, but to the general scholar and the student of history and antiquities.

By order of the Council,
J. M. MATHEWS, *Chancellor.*
University of New York,
Sept. 15, 1835.

ATTACK OF AN ALLIGATOR.—A young man by the name of Norton, resident at a place called Brandy Branch, about twenty-five miles from here, was bitten in the hand and arm by an Alligator, about two weeks since, and a bone fractured. We understand that he was endeavoring to get some water from a stream, and while cleansing the surface with his hand, the Alligator seized it, and he was only saved by gouging the animals eyes, upon which he relinquished his hold. The young man is much injured, and it may yet be necessary to perform amputation. The Alligator was afterwards taken and measured almost ten feet in length.—*Jacksonville (Florida) Courier.*

Scotland.

At the High Court of Justiciary, Edinburgh, on Monday, Elizabeth M'Niel was convicted of administering arsenic, mixed with salts and water, to her husband, Peter Banks, residing at Dewartown, Borthwick. The evidence was chiefly circumstantial, but strikingly connected. The purchasing of poison by the prisoner, under the pretence of killing rats, was proved by Mr. Otto, surgeon, of Pathhead, by Mrs. Otto, and their daughter Sarah, and the mixing of a whitish powder along with the salts was deposed to by a son of the prisoner by a former husband, as were his severe pain and vomiting, and consequent death. Ann M'Gregor, the house-keeper at Chester Hall, gave the prisoner a shilling as charity, and the Ottos deponed to the prisoner tendering a shilling in payment for the arsenic, she receiving tenpence in change. Jean Scougall, a very old woman, a next-door neighbour of Banks, deposed, to the state in which she saw the deceased, whose illness the prisoner said was cholera, but that he would not hear of a doctor. The prisoner had a discoloured eye at the time, for which she accounted in various ways, but she had been heard to say that her husband had struck her, and that he would repeat it. She was sentenced to be hanged on the 3d of August. The prisoner is a thin spare woman, apparently about 50.

EXECUTION IN EDINBURGH.—James Bell, the trooper, of the 5th Dragoon Guards was hanged in Edinburgh on Monday, for the murder of Sergeant-Major Moorhead, of the same regiment, whom he shot. The executioner, from some blunder when on the scaffold, could not adjust the rope properly; and it had to be done by Mr. Brown, superintendent of public works, who adjusted the rope to the scaffold with his own hands. The bungling, however, had not terminated, for when the culprit jerked aside the fatal signal, with which the drop should have given way almost simultaneously, a few moments' dreadful suspense ensued, during which the miserable victim shook with a sort of convulsive tremor, at the same time stretching out his hands in the attitude of prayer, as if to snatch the last moment of intercession. At last, however, the melancholy business terminated, and he died, after one or two severe struggles. The concourse of people was very great, indeed equal to that congregated at the execution of the notorious Burke. One policeman fainted during the spectacle, and was carried away. This was the first time the executioner had officiated in Edinburgh, although he had previously performed the duty twice—at Sterling and Greenlaw. Bell was in his twenty-sixth year, and was born at Clones, in the north of Ireland. He was formerly a weaver.

Mr. Lindsay, teacher in Dundee, formerly lecturer to the West Institution, succeeded, on the evening of Saturday the 25th ult., in obtaining a constant electric light. The light, in beauty, surpasses all others; has no smell, emits no smoke, is capable of explosion, and, not requiring air for combustion, can be kept in sealed glass jars. It ignites without the aid of a taper, and seems peculiarly calculated for flax-houses, spinning-mills, and other places containing combustible materials. It can be sent to any convenient distance, and the apparatus for producing it may be contained in a common chest.—*Dundee Advertiser.*

SINGULAR IMPRISONMENT.—In 1301, King Edward I. ordered the Countess of Buchan to be placed in a wooden cage in the shape of a crown, and shut up in one of the towers of Berwing Castle, for crowning Robert Bruce, at Scone. She was attended by two Englishwomen, and remained six years in this confinement.

Commercial.

There was considerable animation in the Ashes market yesterday and Wednesday. Pots have been sold in large parcels at 33s. ℔ cwt. on the spot, as well as for delivery 20th instant. Pearls are quite scarce,—sales have been made at 37s. 6d., and this price can be readily obtained.

The Flour market has been quiet.

In Beef there have been further transactions at $74 for Prime, and $85 for Prime Mess, equal quantities of each.

LIVERPOOL CORN EXCHANGE, *Aug.* 25.—During the whole of the past week, the weather has continued as favourable as possible for the uninterrupted progress of harvest throughout this district, with a rapidity almost unprecedented;—but some quantity of fine British and Irish Wheat has again been taken by speculators, influenced by the present ow prices, almost as low as ever remembered, and by the continued unfavourable reports of the Wheat crops in some of the influential Corn Counties, in the interior and south east of England.

At this day's market there was a moderate attendance, and sales only to a very limited extent were effected, of every article in the Corn Trade; for inferior qualities a small reduction must be quoted, but generally we can make no alteration in the prices current of this week; the weather has the appearance of becoming unsettled, and at this critical period if it should so continue, it is impossible to foresee the consequence of the crop throughout this district, Scotland and Ireland—where they may be considered to be only in the middle of the harvest.

Wheat, Canadian Red, 5s 10d @ 6s 2d; do. White, 6s @ 6s 4d. Flour, Canadian free, 23s @ 24s.

Aug. 27.—Ashes, Montreal Pot, 29s @ 30s; Pearl, 37s @ 37s 6d. Staves, Quebec Red, £50 @ £60 ℔ 1000; Oak, 2s @ 2s 9d; Pine, B. A. Com. 1s 6½d @ 1s 7½d; Red, 1s 7d @ 2s 2d; Yellow, 1s 7½d @ 2s 5d.

BALTIMORE MARKET, SEPT. 25.

FLOUR.—There is no change in the Flour Market, except that it is rather more firm. Howard Street, from stores, $6.25; waggons $6—a fraction more has been paid for some small parcels of choice brands. Susquehanna Flour—very little in market—firm at $6.25.

GRAIN.—Wheat is still advancing—we quote for good to prime Red, $1.26 @ $1.28; strictly prime, $1.30; fair to good, $1.23 @ $1.25. Rye, 70 @ 72 cents. Corn, white and yellow, 80 cents. Oats, Maryland, 40 @ 42 cents; Virginia, 38 @ 40 cents.

ALEXANDRIA MARKET, AUG. 24.

FLOUR.—No alteration in the price of Flour. We quote the waggon price at $6.

MONTREAL, SATURDAY, OCT. 3, 1835.

We have republished so much of the Merchant Seamen's Bill as we deemed of interest to our readers. It will be seen that the provisions of this Bill will in a great measure put a stop to the vexatious and expensive proceedings for the recovery of small sums by seamen in the Provincial Vice Admiralty Court.

It is a vulgar and coarse principle of action, which our Correspondent "COZ" attributes, and we believe justly, to the Revolutionists, of opposing immigration from a dread of the increase of a British population in this Province. Political power is the great aim of these men, and to attain this, they do not hesitate at the adoption of the most degrading expedients. We will do them the justice to believe, that their opposition to any ameliorations in the system of law prevalent in this Province, does not arise from any conscientious regard to the system as the best that could be adopted; but they would uphold it, because it has proved subservient to their plans of political aggrandizement. But we hold that no political preponderance can ever compensate for so deplorable a result, as the country being condemned to perpetual sterility, and its inhabitants to a condition little removed from pinching want. True patriotism shuns an alliance with such a course of policy, unredeemed as it is by any praiseworthy character.

"COZ" imagines that it will take about twenty years, under the most favourable circumstances, to equalize the numbers of British and Canadian inhabitants in the Colony. From the past progress of the Province, it is certain that long before the two races become equal in numbers, the British portion will, under the supposition that they were as a body to ally themselves to the loyal side in politics, have the sway in the House of Assembly. We are aware that feudal barriers stand in the way of this consummation; but we are convinced that the Revolutionary leaders, great as is their influence, cannot much longer prop the present vicious system relating to property. Although the effect of a change would not be immediately felt on the comparative strength of parties, yet, with it, we should live in the consciousness that the country had entered upon a new career, that would speedily lead to national prosperity.

We have often wondered at the short-sighted nature of the policy which our opponents have adopted. The peculiarity and main pillar of their party is *national origin*, based upon the lowest foundation—prejudice and ignorance. Can they be so blind to their actual position, as to imagine that this exclusive and selfish system can much avail them? Do they never reflect that their nationality could be at once swamped, by a union of the Provinces; or that is most inevitably become so in the course of a few years, from the influx of British settlers? How much more philosophic and patriotic, then, would it be in them to give the reins to the enterprise and capital of the country, to diffuse education and knowledge among the Canadian majority, and thereby render their power tenfold greater than it is. How much wiser would it be for those to whom political influence has become a necessary element in their existence, to take their stand on broader and more worthy grounds of combination than on those of mere nationality, to which no moral character can ever attach. The only barrier to the accomplishment of this state of things is the unworthy ambition and selfishness of the few Canadian leaders. These men are afraid to trust their influence in the keeping of truly liberal principles. It is, therefore, that they cling to the adventitious circumstances of birth and of country. To rear for themselves a solid and lasting popularity, let them throw away so vile a bond of union as national origin, and, devoting themselves conscientiously to the making of wholesome laws and to reforms, seek support among Colonists of all origins. Certain it is that if it is longer attempted to isolate and preserve as a distinct political power the French Canadians, that, shut out as they are from all accessions to their number from their Parent Country, they must soon be borne down before the accumulating numbers of those of British and Irish origin.

We are requested to state that the whole of the valuable and splendid furniture, horses, carriages, &c. belonging to WILLIAM BINGHAM, Esq. will be sold by auction. Particulars and day of sale will be advertised in a few days.

A table containing the sales of immoveable property by the Sheriff, during the month of October, will be found in our fourth page.

TO THE EDITOR OF THE MORNING COURIER.

SIR,—None of the writers in the Province have as yet ventured to propound a feasible plan for the final adjustment of our political difficulties. Your men of war, and your magpie politicians, those of "sound and fury," compose a pitiable pack of ninnies, as to number and every thing else—of mere idle brawlers, without one idea in their craniums, worth a straw, on the settlement of our grievances. Many pride themselves upon their long revidence in the Colony, and on being able to trace the rise, progress, and height of the pretensions and power of the Canadian demagogues, and yet these same patriarchs are completely floored, when you ask the remedy, or the means they propose to coerce the dominant faction. Would you believe it, I find these characters more ignorant of what ought to be done, than most of ordinarily intelligent people, who have never seen Canada. They would persuade the world that Canadians do not act upon the ordinary principles of human nature. But the truth is, in studying rather too exclusively the individual phasis of character developed in the Canadian mass, and mixing up personal and national feelings with their views, they have received distorted impressions of the subject of their research; and from having long been partizans and opponents, they are rendered, in a measure, incompetent to judge. The man who has studied human nature, under every variety of climate and circumstance, and who has enlarged views of human nature, is as superior to our Canadian political bigot, as light is to darkness. What is really the exact position of the House of Assembly of Lower Canada at this moment? There is nothing in it strange. The men who compose it, have only gone to the extreme limit allowed them by the political Constitution of the Province. They are now at the end of their *tether*. It is all talk to rail and abuse them, and prove them to be acting wrongly. The question constantly recurs, how is their *tether* to be shortened? Can they be tried before any court of the empire for exceeding the beneficial exercise of their powers? Can they be legally or constitutionally punished for what they have done? There is, we fear, no way to punish them immediately and directly. Some desperate and hotheaded politicians propose to disfranchise the whole race of the majority, in other words, to break up the Constitution and remodel it. Few rational men would consent to this.

There is, Sir, a very numerous class in the Province, who look to an increase of British inhabitants as the real source of their future freedom and prosperity. To accelerate, and indeed to render this possible, the great aim of these individuals is to encourage settlers by rendering the acquisition of landed property easy and certain. Hence their hostility to feudal usages, and their anxiety for the establishment of registry offices. I highly approve of this plan, in every particular. Its completion would not only enable our political machinery to be wrought more smoothly, but more beneficially to the interests of the Province in general. I would not, however, have my fellow Constitutionalists buoy themselves up by the false hope that this remedy can be immediately effective. Twenty years will scarcely suffice for its maturity. This can be made apparent, by considering the probable increase of emigration from Britain to the Lower Province, in future. Were our population returns in any way accurate, a pretty close estimate could be formed; but more of this by-and-bye. Upon the whole, Sir, the more I examine the best and deepest laid schemes of Provincial politicians, the more am I inclined to stick to my old proposal of a union of the Provinces. Will any body propose a better? None can be offered by your obedient servant, COZ.

Montreal, Oct. 2.

Commercial.

REVIEW OF THE MONTREAL MARKETS, FOR THREE DAYS ENDING FRIDAY EVENING, Oct. 2, 1835.

ASHES.—An animated demand has existed for both sorts, and higher prices have been realized. Large transactions have taken place in Pots, at 33s. ℔ cwt, at which price it would be difficult to secure any quantity, an advance on this rate being generally demanded. Of Pearls the quantity coming in is very trifling, and this sort is quite scarce, not more than about 400 brls being in store, and those in few hands; 37s. 6d. would be readily paid, but there are no sellers.

FLOUR.—There has been a fair enquiry for Flour without any business of importance being transacted, that we have heard of. With the exception of a lot of 150 brls superfine U. S. deliverable in Quebec, and subject to inspection there at 31s.—90 days, and some inconsiderable sales to consumers, no bargains have transpired. There are buyers of U. C. fine, at 27s. without finding sellers thereat.

PROVISIONS.—In Pork no business has been done, except to supply the wants of the retailers, from whom the demand has been good at full prices. Of Beef further sales, to the extent of 150 to 200 brls. have been made at $74 for Prime, and $85 for Prime Mess, the buyer taking equal quantities of both. The advance in Butter is maintained, and higher prices are asked, this article being firmly held at 9d. ℔ lb. for prime new.

WEST INDIA PRODUCE.—In this market we have no change to notice. There have been no extensive transactions. Sales of Jamaica Rum, proof 1 @ 2¼, at 4s. 1d., and proof 1 @ 2, at 4s. 3d., and of Leewards, ordinary proof, at 3s. 9d. @ 3s. 3d., have been made to the trade. Bright Muscovado Sugar has been sold at 48s. 6d. ℔ cwt. in quantity. Black Pepper is looking up.

REFINED SUGAR.—Is not quite so eagerly sought for. Sales have been made at 7¾d. for Scotch Single, but 7¾d. ℔ lb. may be noted as the current price.

BRANDY.—At auction this day, 15 hhds OTARD's brought 5s. 3d. @ 5s. 5d., and a parcel of FAVRAU'S 4s. 4d. @ 4s. 6d. ℔ gallon.

FISH.—Mackerel has been in demand, and sales to the extent of about 500 barrels No. 3, were made yesterday, at from 15s. 6d. @ 16s. 3d., cash.

EXCHANGE AND STOCKS.—The rate of Exchange on England may be noted a shade lower, The Montreal Bank draws on London, at 60 days, at 9 ℔ cent. Merchants' Bills bring 8½ @ 8¾ premium. City Bank Stock has been sold at 6 premium; there are now no sellers under 7 premium.

The advices from New York of Tuesday evening, state that Western Flour had come more freely, and the Market had become heavy—the principal sales had been made at $6. Ashes continued to sell freely at $5 for Pots, and $7 for Pearls.

TO CORRESPONDENTS.

Mr. WHIPPLE's Letter was received too late for this day's publication, but will be attended to.

MONTREAL, MONDAY, OCT. 5, 1835.

THE *Canada* Steamer, which left Quebec on Friday night at twelve o'clock, arrived in port yesterday morning at three. She had 27 cabin and 72 steerage passengers, and the brig *Victoria* in tow.

We would assure our contemporary of *L'Ami du Peuple*, that *religious intolerance* had no share whatever in inducing us to regard as an *extravagant supposition*, that the three Catholic Bishops would be elevated to seats in the Legislative Council The temper and principles of the present Ministry are in direct opposition to such an idea. Individual members of it are known to be against the British Bishops *retaining* their seats in the House of Lords in England. Under such circumstances then, is it likely that those same individuals would recommend the adoption of an arrangement in Canada, which has been productive of great evil to the popularity of the heads of the Episcopal Church in England. Our conviction is, that no Bishops, whether Catholic or Protestant, should be made Members of any political Council. We do not wish to see the legitimate influence on the public mind of teachers of Christianity lessened, or the sacredness of their profession jeopardied, by their taking a prominent part in politics. All parties unite in commending the good sense and moderation of the present Bishop of Quebec in absenting himself from the Legislative Council, and most people allow that it would have been far better had a "Venerable" ecclesiastical dignatory in a neighbouring Province imitated his example.

On the 14th of September last, a Wooden Cross was erected near the Marine Hospital, Quebec, in commemoration of the landing of JACQUES QUARTIER, on 14th September, 1535. The Quebec *Mercury*, of Thursday, informs us that at a meeting of the inhabitants, on the 26th ultimo, among other Resolutions, the following was passed:—

"That in order to commemorate an event so interesting in the annals of Canada, and to mark the spot where Jacques Quartier, the celebrated navigator and discoverer of Quebec, passed the winter of 1535-6, it is proper, in the opinion of this meeting, to erect a durable Monument to his honor, upon the banks of the St. Charles, which river he entered with his ships on the 14th Sept. 1535."

A Committee of fifteen gentlemen was at the same time appointed to carry the above Resolution into effect, by procuring subscriptions, &c. To the knowledge and perseverance of Dr. FRENZE and Mr. FARRAULT are the public chiefly indebted for determining the spot where the first European braved a Canadian winter, and for suggesting the idea of erecting a Monument to perpetuate the memory of the event.

A meeting of delegates of the London and Western Districts has been held at Moss, for the purpose of devising measures for the improvement of the River Thames, as far as the town of London.

AGRICULTURAL REPORT FOR SEPTEMBER.

The greater part of September was dry, and from the 14th of the month to the end was favorable for harvesting the crops which then remained out. In the neighbourhood of Montreal, all the grain, except a few late Oats that probably will not ripen perfectly this fall, has been got in. Much of the crops, particularly of Wheat, Barley and Peas, is damaged, and has been greatly wasted in harvesting. I hope, so far as regards Wheat, the injury may not be general. I know that Wheat has suffered more from the ravages of the fly, in some parishes and fields, than in others, and that Wheat, so injured, was more subject to sprout than that which was not eaten by the larvæ of the fly. I fear, however, that in general this crod will be found deficient in quantity and of inferior quality. The Barley, though it may not be short in quantity, is generally injured in quality for malting. Oats are abundant. The grain, particularly of that which was late sown, has not filled so well as usual. Indian Corn, planted on suitable soils, will yield a fair return to the farmer; the season has not been sufficiently warm to bring it to perfect maturity, yet it will answer a good purpose for feeding stock, the best use it could be applied to. Potatoes have suffered considerable damage from the constant moisture, more especially in all clay lands; in light soils, where the seed did not rot after planting, the crop is good. The produce on an average, will be very short of the usual return, but a great quantity has been planted this year, and as Potatoes cannot be profitably applied to the feeding of stock, if above a certain price in market, (about 1s. or 1s. 3d. the minot) there is no great probability of the price being very high, if the supply be fully sufficient for the demand for the table, which I believe it to be. The latter part of the season was favorable for Turnips, and where the crops escaped the turnip fly, a reasonable produce of Turnips will be obtained. The season was very favorable for Carrots, as most seasons are in Canada for this root, when properly cultivated on suitable soils, and I do not know a more profitable crop for farmers.

Hay was, in the neighbourhood of Montreal, in process of cutting and curing to the end of the month, and on meadows that were perfectly dry. This crop has certainly been produced in abundance this summer on most meadows, but a large proportion of it has been injured in harvesting, both in quality and colour. It is probable that much of what will be offered for sale this winter will be *inferior* to that which was usually to be purchased in our Hay Market, where, I believe, the quality of Hay was generally equal, if not superior, to any that could be found in the British Dominions. The price of Hay is low at present, and probably will continue so for some months. The unfitness of straw, from its damaged state this year, to be used as fodder for cattle, should have a material influence on the value of Hay, and must greatly diminish the quantity that farmers will have to dispose of, if they do justice to their own stock. I am convinced, Hay, of fair quality, should be worth, on the farm, four dollars the hundred bundles, *in any situation in Lower Canada, if judiciously* applied in feeding cattle and sheep, under the *existing circumstances, of our having to buy cattle and sheep from a Foreign State partly to supply our tables with beef and mutton.*

I am not an advocate for creating monopolies, by granting exclusive privileges, even in favour of farmers, however much I desire to promote the prosperity of this class in Canada; but I would wish to see agriculturists profit fairly by their situation and circumstances,—and I cannot bring myself to believe they do this, if they sell any agricultural produce in a raw state, at a price sometimes less than the cost of production and bringing to market; when this produce, if applied in another way, to the manufacture of butcher meat, and other articles for the use of our population, now in part supplied from abroad, would give *better returns*, and be in every way more beneficial to farmers, and to the community at large.

If grain crops could, on the same soils, be constantly produced in perfection, and if a given quantity of land would yield larger returns in this way, than if applied to the raising and feeding of cattle, it would then be proper to grow corn, and exchange it for cattle, or sell the corn where we could find a market, and buy cattle where we could purchase them cheapest. But if we are convinced, by experience, that arable culture cannot be profitably maintained, without keeping a due proportion of cattle to manure the soil, and allowing it to repose in pasture, to recover its exhausted fertility, the matter would appear determined,—*that a due proportion of cattle should be kept.* The farmers of Lower Canada might have corn and cattle in abundance for all the wants of our population, *and over that to sell* to others; and this population should never merely require to buy cattle, corn, or any agricultural produce, from any other country in the world. Before distilleries were much in use here, Barley was selling at from twenty pence to twenty-five pence the minot, and heavers charged about one-third of that price for their waste grains. Now the price of barley is generally double what it was then, though produced in much greater quantity, and the waste grains sold only for a twelfth or less; and Oats seldom sell at a very low price. Hence, it would appear that the encouragement of distilleries has created a Home market for our inferior grain, that would not otherwise find a market at almost any price; and it is well known to farmers how necessary it is to grow a diversity of species of grain, in a proper rotation of crops, and on an improved system of agriculture. If farmers will increase the number of their cattle, sheep, and swine, (not the number of horses,) and supply the markets to the full extent required, with every necessary article that can be furnished from their lands, managed in the best manner, they will soon experience as favourable results as I have pointed out to have been the consequence of introducing distilleries, which may also be still further increased, until they furnish a full substitute for rum.

I profess that my object in publishing agricultural reports, is to promote the interest and prosperity of agriculturists, of whom I am one; nevertheless, I would not, if I could, do so to the prejudice, or at the expense, of any other class or portion of the community. It has ever been my conviction, that the prosperity of this country depends altogether upon her agriculture —that it is her agriculture that must furnish almost all the funds her population may require, whether for carrying on successful commerce, or for other purposes—and that her agriculture, judiciously managed, would be able to furnish abundant means of wealth and prosperity to all her population.

We possess a soil that is exceedingly fertile, and of almost boundless extent, with a thin population and scarcely any manufactories. So circumstanced, we surely ought to be able to find our own people in food of every description that is necessary; and I never can convince my understanding, that it is not from some defect in our system of husbandry, or neglect to avail ourselves of some advantages which our situation and circumstances afford us, that we have not done so hitherto in the most ample manner. There are many articles necessary for us, that we may buy cheaper than manufacture; for these we might exchange corn and cattle. We possess the means of doing all this, if we only make them available, by introducing the most approved system in our agriculture—by keeping corn and cattle in due proportion, and managing them in a judicious manner—and encouraging any manufactures that can be directly and cheaply made from our agricultural produce, for the use of our people.

I hope I shall be excused for this long report. I have been induced to extend it, from a conviction that it is only by the judicious application of the produce of agriculture, that its profitable employment can be promoted. Rearing stock is a sure market for our produce, at a price that will pay the expense of production, and give a moderate profit to the farmer—that will afford farmers funds, or capital for the employment of labour, to be applied to extend improvements for new productions, from which we may make new accumulations, that may be again expended in the same way, and produce fine results, and thus continually go on augmenting our means of usefulness and securing the prosperity of the country.

WILLIAM EVANS.

Cote St. Paul, Oct. 3, 1835.

Lower Canada.

The gold medal offered some months ago by the proprietors of the *Ami du Peuple*, for the best literary production, the scene of which was to be laid in Canada, and its author to be of Canadian birth, was recently awarded by the Hon. Dominique Mondelet and A. N. Morin, Esq M. P. P. who kindly undertook the office of judges, to the author of a tale entitled "Louise Chawinkisique." The successful candidate is Mr. George De Boucherville, of this city. The same proprietors, with a most praiseworthy liberality, announce a premium of twelve volumes of modern French literature by the most approved authors, for the best poetical effusion, in the French language, by a native of this country. The subject is to be drawn from the last American war—it may be written in a serious or comic style—it must contain at least sixty verses, and be presented at the *Ami du Peuple* office by the 1st November next.—*Montreal Gazette.*

Last night some thieves entered the counting houses of Messrs J. W. Leayeraft, Dunscomb & Co. and Mr. Wm. Stevenson, on the East India Wharf. In the latter office they broke open a trunk belonging to the late Lieut. Collins of the Royal Navy, and took therefrom a gold watch, £14 in money, and several articles of wearing apparel. The trunk had been landed from the surveying cutter *Beaufort*, and being under the seal of the Magistrate who had made the inventory of the late Lt. Collins's effects remained in Mr. Stevenson's counting house, till orders should be received from the relatives of the deceased as to the future disposal of its contents. —*Quebec Mercury, October* 1.

Office of the Secretary of the Province,
Quebec, September 23, 1835.

His Excellency the Governor in Chief has been pleased to make the following appointments, viz:—

The Hon. Samuel Gale, Esq, to be Resident Judge of the District of Three Rivers, during the illness of the Hon. Joseph Remi Vallieres de St. Real, Esq.

Louis Flavien Goudreault, Gentleman, to be a Public Notary for the Province of Lower Canada.

Upper Canada.

On Saturday last an inquest was held on the body of a man named Henry Olde, a private of H. M. 24th Regt., who came by his death under the following circumstances. On the 23d of August last, he had been ordered out on escort with a corporal and another man for the purpose of patrolling the town in search of a man named John M'Auliffe, who was absent from the tattoo roll-call. The escort succeeded in finding him in Quarry-street, and consequently took him in charge. When proceeding down Front-street, near the barracks, the prisoner became outrageous, and struck the deceased with a stick, upon which the corporal desired the deceased and the other man he had with him to seize him, when a scuffle ensued, in which M'Auliffe stabbed the deceased, Henry Olde, in the lower part of his belly with his bayonet, inflicting a wound about five inches in depth, and one in breadth. The deceased was conveyed to the Regiment Hospital shortly after, where he lingered until Saturday last, when he died. The Jury after mature deliberation, returned a verdict as follows:—

"That the said Henry Olde, came to his death from a wound inflicted by a sharp instrument, called a bayonet, by John M'Auliffe."

M'Auliffe was committed to prison on Monday morning, on the authority of the Coroner's warrant, "for the wilful murder of Henry Olde."

Yesterday his trial came on at the assizes, when the Jury returned a verdict of guilty—but in consequence of a disputed legal point, sentence was not pronounced, until his Lordship has the benefit of the opinions of the other Judges in Toronto.—*Kingston Chronicle.*

We are most happy in contradicting the report of the death of Admiral Sir Thos. Fuchenham, G. C. B. which appeared in the papers of last week. Admiral Fuchenham has been seriously indisposed for some time back, in Dublin, a circumstance that gave rise to the report of his death, but is now in a state of convalescence.—*English Paper.*

Public Record Office Reference C.O. 47/42

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ON SEPTEMBER.

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I profess that my object in publishing agricultural reports, is to promote the interest and prosperity of agriculturists, of whom I am one; nevertheless, I would not, if I could, do so to the prejudice, or at the expense, of any other class or portion of the community. It has ever been my conviction, that the prosperity of this country depends altogether upon her agriculture—that it is her agriculture that must furnish almost all the funds her population may require, whether for carrying on successful commerce, or for other purposes—and that her agriculture, judiciously managed, would be able to furnish abundant means of wealth and prosperity to all

[illegible] exceedingly fertile,
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done so hitherto in the most ample manner. There are many articles necessary for us, that we may buy cheaper than manufacture; for these we might exchange corn and cattle. We possess the means of doing all this, if we only make them available, by introducing the most approved system in our agriculture—by keeping corn and cattle in due proportion, and managing them in a judicious manner—and encouraging any manufactures that can be directly and cheaply made from our agricultural produce, for the use of our people.'

I hope I shall be excused for this long report. I have been induced to extend it, from a conviction that it is only by the judicious application [illegible] ours, that its profitable [illegible] Rearing stock is a [illegible] at a price that will [illegible], and give a mode [illegible] will afford farmers [illegible] ployment of labour, [illegible] provements for new [illegible] may make new [illegible] again expended in [illegible] like results, and [illegible] menting our means [illegible] of continuous and wearing the prosperity of the country.

WILLIAM EVANS.

Cote St. Paul, Oct. 3, 1835.

Lower Canada.

The gold medal offered some months ago by the proprietors of the *Ami du Peuple*, for the best literary production, the scene of which was to be laid in Canada, and its author to be of Canadian birth, was recently awarded by the Hon. Dominique Mondelet and A. N. Morin, Esq M. P. P. who kindly undertook the office of judges, to the author of a tale entitled "Louise Chavanikisique." The successful candidate is Mr. George De Boucherville, of this city. The same proprietors, with a [illegible] worthy [illegible] of twelve volumes [illegible] by the most approved [illegible] al effusion, in the [illegible] e of this country, [illegible] om the last Ameri- [illegible] n a serious or co- [illegible] least sixty verses, [illegible] *Peuple* office by [illegible] *ntreal Gazette.*

[illegible] ntered the counting [illegible] eraft. Dunscomb & [illegible], on the East India [illegible] they broke open a [illegible] Lieut. Collins of the Royal Navy, and took therefrom a gold watch, £14 in money, and several articles of wearing apparel. The trunk had been landed from the surveying cutter *Beaufort*, and being under the seal of the Magistrate who had made the inventory of the late Lt. Collins's effects remained in Mr. Stevenson's counting house, till orders should be received from the relatives of the deceased as to the future disposal of its contents. —*Quebec Mercury, October* 1.

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[illegible] est was held on the [illegible] y Olds, a private of [illegible] by his death under [illegible] On the 23d of [illegible] ordered out on es- [illegible] cort with a corporal and another man for the purpose of patrolling the town in search of a man named John M'Auliffe, who was absent [illegible] ing him in Quarry-street, and consequently took him in charge. When proceeding down Front-street, near the barracks, the prisoner became outrageous, and struck the deceased with a stick, upon which the corporal desired the deceased and the other man he had with him to seize him, when a scuffle ensued, in which M'Auliffe stabbed the deceased, Henry Olds, in the lower part of his belly with his bayonet, inflicting a wound about five inches in depth, and one in breadth. The deceased was conveyed to the Regiment Hospital shortly after, where he lingered until Saturday last, when he died. The Jury after mature deliberation, returned a verdict as follows:— [illegible] y Olds, came to his death [illegible] by a sharp instrument, [illegible] M'Auliffe."

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THE BUTTERFLY AND THE ROSE.

FROM THE ITALIAN OF BERTOLA.

[illegible] y painted butterfly
[illegible] y stating took one day
Upon a fragr at rose;
[illegible] e," he cried, "this sweetest flower
[illegible] er bloom'd in summer bower,
For me alone she grows."

[illegible] orth he spread his chequer'd wing,
[illegible] any a live-long hour did sing,
With blithe and merry glee,
[illegible] 't mine, thou'rt mine, sweet queen of flowers,
[illegible] laymate of my laughing hours,
Yes, thou wert born for me."

[illegible] while he spoke, a country maid
[illegible] ach'd, with stealthy step, and laid
Her hand upon our bean;
[illegible] on she tore his beauteous wing,
[illegible] agments on the ground did fling,
Then pluck'd his mistress too.

[illegible] pilgrim! be not thou elate
[illegible] fe's journey, prosp'rous fate
Should cheer thy opening day,—
[illegible] rtune's clouds may o'er thee lower,
[illegible] ith the insect on the flower,
And darken all thy day.

M.

EXTEMPTU TO A VERY TALENTED AND WITTY FRIEND WHO WAS BALD.

[ORIGINAL.]

[illegible] nsoled, my dear friend, though your pate is so
[illegible] e,
[illegible] make up in brains what is wanting in hair;
[illegible] h confirms what is said,—by the learned, no
[illegible] bt,—
[illegible] a rich golden mine has no pasture without;
[illegible] ence may infer, your bald nob was design'd
[illegible] omen, to point out the wealth of your mind.

E. C.

ANOTHER WAITER.

From Leigh Hunt's London Journal.

[illegible] ing into the city the other day upon busi- [illegible] we took a chop at a tavern, and renewed [illegible] acquaintance, after years of interruption, [illegible] that swift and untiring personage, yclept a [illegible] r. We mention this long interval of ac- [illegible] tance, in order to account for any defi- [illegible] cies that may be found in our description of [illegible] Our readers perhaps will favor us with a [illegible] r. He is a character before the public; [illegible] ands are acquainted with him, and can fill [illegible] e outline. But we feel irresistibly impelled [illegible] etch him; like a portrait painter who [illegible] suddenly upon an old servant of the fa- [illegible]

[illegible] e speak of the waiter properly and general- [illegible] called, the representative of the whole, real [illegible] al race, and not of the humourist or other [illegible] tric genius occasionally to be found in it, [illegible] ng out of the orbit of tranquil but fiery [illegible] ng, not absorbed, not devout toward us, [illegible] nient or monosyllabical; fellows that af- [illegible] a character, beyond that of waiter, and get [illegible] ed in club-rooms, and places of theatrical [illegible] t.

[illegible] our thorough waiter has no ideas out of the [illegible] e of his duty and business; and yet he is [illegible] arrow-minded either. He sees too much [illegible] ty of character for that, and has to exercise [illegible] uch consideration for the "drunken gen- [illegible] n." But his world is the tavern, and all [illegible] kind but its visitors. His female sex are [illegible] maid servants and his young mistress, or [illegible] widow. If he is ambitious, he aspires to [illegible] y one of the latter: if otherwise, and Molly [illegible] udent, he does not know but he may carry [illegible] off some day to be the mistress of the [illegible] n Lion at Chinksford, where he will [illegible] ew off" in the eyes of Betty Laxon wat re- [illegible] d him.—He has no feeling of noise itself, [illegible] as the sound of dining, or of silence but as [illegible] ing before dinner. Even a loaf with him is [illegible] lly a loaf; it is so many "breads."—His [illegible] reat speech is the making out of a bill wiz [illegible] —"two beefs, one potatoes, three ales, one [illegible] ne, six and twopence," which he does with [illegible] indifferent celerity, amusing to new-comers [illegible] o have been relishing their fare and not con- [illegible] ring it as a mere set of items. He attributes [illegible] irtues to every body, provided they are civil [illegible] liberal; and of the existence of some vices [illegible] has no notion. Gluttony, for instance, with [illegible] is not inconceivable, but looks very like a [illegible] ue.—He sees it in only so many more [illegible] efs," and a generous scorn of the bill. As [illegible] ine, or almost any other liquor, it is out of [illegible] r own power to astonish him with the quan- [illegible] you call for. His "yes sir" is as swift, in- [illegible] rent, and official, at the fifth bottle as at the [illegible] Reform and other public events he looks [illegible] n purely as things in the newspaper, and the [illegible] wspaper as a thing taken in at taverns for [illegible] tlemen to read. His own reading is confined [illegible] accidents and offences," and the advertise- [illegible] nts for butlers, which latter he peruses with [illegible] admiring fear, not choosing to give up "a [illegible] tainty." When young, he was always in a [illegible] rry, and exasperated his mistress by running [illegible] inst the other waiters, and by breaking the [illegible] eguses." As he gets older, he learns to unite [illegible] ftness with caution; declines wasting his [illegible] ath in immediate answers to calls; and [illegible] ows, with a slight turn of his face and an [illegible] ration of his voice, into what precise corner [illegible] the room to pitch his "coming sir." If you [illegible] d him that in Shakspeare's time, waiters said, [illegible] hon, anon, sir', he would be astonished at the [illegible] etition of the same word in one answer, and at [illegible] use of three words instead of two; and he [illegible] uld justly infer, that London could not have [illegible] en so large, nor the chop houses so busy in [illegible] ose days. He would drop one of the two syl- [illegible] bles of his "yes, sir," if he could; but busi- [illegible] ss and civility would not allow it; and there- [illegible] re he does what he can by running them to- [illegible] ther in the swiftest sufficiency of his "Yessir."

Thomas!
Yessir.
Is my steak coming?
Yessir.
And the pint of port?
Yessir.
You'll not forget the postman?
Yessir.

For in the habit of his acquiescence Thomas [illegible] dom says "yes, sir, for no, sir," the habit it- [illegible] f rendering him intelligible.

His morning dress is a waistcoat or jacket: [illegible] coat is for afternoons. If the establishment [illegible] flourishing, he likes to get into black as he [illegible] ows elderly, by which time also, he is gener- [illegible] y a little corpulent, and wears hair powder, [illegible] asing somewhat lazily about the waist, for [illegible] nvenience of movement. Not, however, that [illegible] draws much upon that part of his body, ex- [illegible] pt as a poise to what he carries; for you may [illegible] erve that a waiter, in walking, uses only his [illegible] west limbs, from his knees downward. The [illegible] ovement of all the rest of him is negative, and [illegible] odified solely by what he bears in his hands. [illegible] this period he has a little money in the funds, [illegible] d his nieces look up to him. He still carries [illegible] napkin under his arm, as well as a corkscrew [illegible] his pocket; nor, for all his long habit can he [illegible] elp feeling a satisfaction at the noise he makes [illegible] drawing a cork. He thinks that no man can [illegible] it better; and that Mr. Smith who under- [illegible] ands wine, is thinking so too, though he does not take his eyes off the plate. In his right waistcoat pocket is a snuff-box, with which he supplies gentlemen late at night, after the shops are shut up, and when they are in desperate want of another filip to their sensations, after the devil and toasted cheese. If particularly required, he will laugh at a joke, especially at that time of night, justly thinking that gentlemen toward one in the morning "will be facetious." He is of opinion it is in "human nature" to be a little fresh at that period and to want to be put into a coach.

He announces his acquisition of property by a bunch of seals to his watch, and perhaps rings on his fingers; one of them a mourning ring left him by his late master; the other a present, either from his niece's father, or from some ultra-good-natured old gentleman whom he helped into a coach one night, and who had no silver about him.

To see him dine, somehow, hardly seems natural. And he appears to do it as if he had no right. You catch him at his dinner in a corner, huddled apart, "Thomas dining!" instead of helping dinner. One fancies that the stewed and hot meats and the constant smoke ought to be too much for him, and that he should have neither appetite nor time for such a meal.

Once a year (for he has holydays) a couple of pedestrians meet him on a Sunday in the fields, and cannot conceive for the life of them who it is; till the startling recollection occurs, "Oh, now I know! It's the waiter at the Grogram!"

COURT MARTIAL.—The court-martial on Mr. Cardew, late mate of the Algerine, for mutiny in depriving Lieutenant Stovin of the command, and Mr. Heath, the master, for aiding him therein, commenced last Monday. Lieutenant Stovin was the first witness examined, and he stated, that when put under arrest Mr. Cardew placed his hand on his (Lieutenant Stovin's) shoulder, and the corporal laid hold of his arm, and that when he attempted to address the ship's company a hand was thrust over his mouth, but it was too dark to see whose it was. He further stated, that before Mr. Cardew took away his pistols, and when he gave them to the corporal to load, he said he intended to try and recover the command of the ship, and hoped the marines would stand by him. These were the most important points in the evidence for the prosecution, which closed on Tuesday at noon, and the Court agreed to allow the prisoners till Friday morning for the preparation of their defence. On the opening of the Court on that day, the prisoners put in their defences, Mr. Cardew's being read by his counsel, Mr. R. Missing, and Mr. Heath's by his solicitor, Mr. George L. Greetham. Both defences were very able documents, pointing out the cases in which the evidence for the prosecution had been at variance with itself, as well as those cases where it would be contradicted by the witnesses on the defence, and more particularly dwelling on the discrepancies in the evidence of Lieutenant Stovin himself. The hinging point of Mr. Cardew's defence was the uncertainty of Mr. Stovin's actions, it being impossible, on account of his repeated inebriety, to place any reliance on his conduct, especially as he had once chased a vessel which he believed to be a slaver without serving out any arms to the crew. [This fact was afterwards stated in evidence by Mr. Roberts.] Under these circumstances, Mr. Cardew declared that a desire to promote the interests of the service had alone induced him to pursue the course he had, which, as his mind was free from any mutinous intent, he hoped would be considered by the Court a mere error in judgment. Mr. Heath's defence ably urged his want of motive to concur in the arrest, as no end which he could have in view could be promoted by it, and his previous high certificates removed the suspicion of his being actuated by a spirit of insubordination. The only evidence of importance adduced for the defence was that of Commander Booth, late of the Trinsule, and who, as the superior officer at the Cape, had inquired into the circumstances of Lieutenant Stovin's arrest, when the Algerine arrived there. Commander Booth stated distinctly, that when he asked Lieutenant Stovin if he had made any resistance to the arrest, he answered in the negative, nor did he say anything about his statement to the corporal, that he hoped the marines would stand by him. The case for the defence was then specially closed, and the court cleared, and after two hours' deliberation the court reopened, and the Judge Advocate read the sentence:—that the charge had been proved, but in consideration of the prisoners' previous good character they were only sentenced to be dismissed the service, and to be imprisoned for three calendar months in the Marshalsea. A vast deal of interest had been excited by this trial, it being doubted by naval men whether the Court would consider the mitigating circumstances, or award the full penalty attached to the crime. The general opinion is that the sentence is extremely lenient.—*Portsmouth Herald.*

DIVERS, AND THEIR POWER OF SUSPENDING RESPIRATION.—Surprising statements have been made by travellers—a privileged race—respecting the powers of pearl-fishers and others in voluntarily suspending their respiration under water at considerable depths: some have mentioned half hours, and some even longer periods, as within the bounds of possibility. Dr. Lefevre, of Rochefort, who was lately stationed at Navarino, had ample opportunity of putting the powers of the best divers to the test. He witnessed the performance of those who were employed to fish up the relics of the Turkish fleet sunk in Navarino harbour. The depth to which they had to plunge was 100 feet; but though the Greek divers are, and have always been, famous for their prowess, none of them could sustain submersion for two whole minutes together. Seventy-six seconds was the average period in fourteen instances accurately noted; and frequently, after reaching the surface, blood issued from the mouth, eyes, and ears of the diver. But in general these people can repeat their task three or four times in an hour.—*Medical Gazette.*

MACKINTOSH'S CHARACTER OF SPENCER.—I have finished the "Faerie Queene." I never parted from a long poem with so much regret. He is a poet of a most musical ear—of a tender heart—of a peculiarly soft, rich, fertile and flowery fancy. His verse always flows, with ease and nature, most abundantly and sweetly; his diffusion is not only pardonable, but agreeable. Grandure and energy are not his character istic qualities. He seems to me a most genuine poet, and to be justly placed after Shakspeare and Milton, and above all other English poets. Spencer and Cervantes, within a few years of each other, wrote great works, founded on the system of expiring chivalry. Spencer has treated it like a poet, and Cervantes like a wit; but those who can laugh at wit are far more numerous than those who can feel poetry; and hence without derogating from the transcendant genius of Cervantes, must, in a great measure, he explain, ed the superior popularity of "Don Quixote." Sir Philip Sidney, Sir Walter Raleigh, Bacon, Shakspeare, and Spencer! What a glorious reign. —*Life of Sir James Mackintosh.*

DEATH OF FIGAULT LE BRUN.—Figault Le Brun, the Fielding of French novelists, died recently at the advanced age of 83. It is now sixty years since he commenced writing. His novels are for the most part, delineations of low life, for he rarely alluded to the manners of higher classes, except in the way of satire and ridicule. The morality of his works, is to say, the least, of a questionable character. In his own department he has had no equal among cotemporary writers.

Commercial.

IMPORTS FROM UPPER CANADA.

THURSDAY, OCT. 1, 1835.

270 brls Flour	.	To Gillespie, Moffatt & Co.
80 do do	.	„ Mittlebarger & Platt.
284 do do	.	„ W. L. Whiting & Co.
45 brls Ashes	.	„ Macintosh & Co.
20 do do	.	„ Gillespie, Moffatt & Co.
32 do do	.	„ Order.
18 kegs Butter,	.	„ W. L. Whiting & Co.
17 do do	.	„ Gillespie, Moffatt & Co.

FRIDAY, OCT. 2, 1835.

540 brls Flour	.	To C. & J. M'Donald.
94 do do	.	„ Wm. Bradbury & Co.

SATURDAY, OCT. 3, 1835.

224 brls Flour,	.	To S. F. Holcomb.
4 do Ashes	.	„ Moison, Davies & Co.
6 do do	.	„ P. M'Gill & Co.
43 do do	.	„ Order.
18 do Pork	.	„ M'Pherson & Co.
30 do Apples	.	„ Order.

ASHES-STORE COMPARATIVE STATEMENT.

	Pot.	Pearl.	Total.	
October 1, 1835.				
Shipped.....	15416	4161	19577	
In Store.....	1978	410	2388	
	17194	4571		21765
October 1, 1834.				
Shipped.....	10567	4378	14945	
In Store.....	1779	569	2348	
	12346	4947		17293
Excess in 1835.....				4472

On Saturday about 1100 brls. Canada Fine Flour changed hands at 27s. 6d., and 300 brls. fine middlings at 26s. ℔ brl., 90 days.

Further sales of No. 3 Mackerel, to the extent of about 280 brls., have been made at 17s. @ 17s. 6d. ℔ brl. A lot of 100 brls. No. 1 Herrings has brought 21s. 3d. ℔ brl.

Pale Seal Oil is scarce, and 2s. 6d. ℔ gallon is demanded for fine quality.

A public sale of Rums, Sugars, &c. took place on Saturday, of which the following was the result:—20 hhds. Demerara Rum, proof 1 @ 5, at 3s. 4d. @ 3s. 4½d.; 5 puns. Jamaica, 3 @ 5, at 4s. 6d. @ 4s. 7d.; 6 puns. 1 @ 3, at 4s. @ 4s. 1d.; 5 puns. 2 @ 7, at 4s. 3d. Bright Jamaica Sugar, 47s. @ 47s. 9d. ℔ cwt. Molasses, 4 puns., 2s. 2d. Nutmegs, 8s. 6d. @ 8s. 9d., middling quality.

Our Quebec advices of Friday evening state, that a speculative demand had been experienced there for Fish, particularly Mackerel, of which about 1000 brls No. 3, on the spot had been sold at 16s. @ 16s. 3d., with some sales to arrive at 16s. Herrings, No. 1, were held at 19s. ℔ brl. The stock of Flour was light, and mostly held at 30s.

The wreck of the ship *Thomas Wallace*, was sold at auction on Friday; the hull brought £35, cargo £67, and the materials £352.

REVIEW OF THE NEW YORK MARKETS FOR THREE DAYS PRECEDING

WEDNESDAY, *September* 30, 1835.

ASHES.—We have advices from Liverpool to 27th August, but do not notice any change in the article there. The arrivals here continue very small, and prices remain without alteration. Sales of Pots at $5, and Pearls at $7.

COTTON.—The principal transactions have been comprised in about 1000 bags St. Domingo at 11 @ 11½ cents; and 800 Brazil at 11 cents, cash, to 12 cents on time.

FLAX SEED.—Small sales of rough continue to be made at $12 ℔ tierce, and $1,62½ ℔ bushel; but it is yet too early in the season for a business of much extent.

FLOUR AND MEAL.—The market continues heavy for all kinds of Wheat Flour, and Western Canal has further declined about 12½ cents. Common brands were offered yesterday at $6, without finding buyers. Prices of Southern are nominally the same, but there have been no transactions of any importance. Some Troy in market, but no sale. Rye Flour and Corn Meal remain as last noticed.

FRUIT.—We have heard of no important transactions at private sale. The sales by auction, are 50 bales Bordeaux Soft Shell Almonds at 14½ @ 15½ cents; 123 bales Marseilles Soft Shell, 13½ @ 13¾; 10 bales Molier, 12½; 15 bales Hard Shell, 7¾ @ 8½; 20 boxes Shelled, 18½; 50 boxes Malaga Raisins, $3,25; 8 casks of Smyrna 7½ @ 7½ cents; 21 cases inferior Prunes, 5½ @ 5¾ cents; and 400 boxes Malaga Lemons, in fair order, $1,95, part cash, and part 3 mos.; 10 bales Bordeaux Almonds at private sale, at 16 cents, cash.

GRAIN.—We have no sales of Wheat to report. Sales of Northern Rye yesterday at 91 cents. Corn maintains full prices. There have been sales of Northern Yellow at 100 @ 102 cents; North River Brigg, 94 cents; and Oats, 56 cents. Exports, from the 1st to 24th inst., Corn, 1329 bushels.

NAVAL STORES.—Supplies of Turpentine are not equal to the demand, and it is now held firmly at $3,75, for North County; and $4,25 for Wilmington. In Tar nothing of importance done.

PROVISIONS.—There have been sales of city inspected Beef at $8,50 for prime; and $11,75 for mess; which is a further reduction of 25 cents. Pork maintains full prices; the supply being hardly equal to the demand, particularly of prime.

TEA.—A public was made yesterday of about 600 packages, mostly of the *Emily Taylor's* cargo, and inferior quality. The prices obtained for that importation were Hyson, 43½ @ 47; Young H a, 38½ @ 54; and Skin, 25 @ 29½ cents, 6 mos.; 60 chests Souchong of oriental congous, sold at 25 @ 26½ cents, 6 mos.

TOBACCO.—Small sales of good Kentucky were made at 10 cents; and, by auction, 14 hhds. common, 7½ cents; and 96 hhds. not merchantable, 50 averaging 7 cents, and 46 averaging 5½ cents, 3 mos.

SPICES.—Sales of Sumatra Pepper at 7½ cents; and Pimento, 5½.

EXCHANGE.—There were sales yesterday to some extent of Bills on England at 9½ @ 9 ℔ ct. premium; and on France at 5.5,92½.

The advices from New York of Thursday evening state, that a fair business had been doing in Western Flour, the principle sales of good brands had been made at $6, though in some cases a reduction of 6¼ cents had been made.

Schr *Excellent*, at New Bedford, from a fishing cruise in the Gulf St. Lawrence, reports that mackerel have been very scarce this season, and a very great multitude of vessels have been engaged in the business. No less than 2500 sail have passed Cape Canso since spring, in search of fish; and the catchings have not averaged more than 100 brls each.—*Hudson's N. Y. Shipping List.*

The Cincinnati Gazette of September 23d, quotes Flour at $5,75 from store, being an advance upon the previous week's prices. Pork is quoted at $14 prime, $16 mess, and $18 clear, being an advance of $2 ℔ brl.

BALTIMORE MARKET, SEPT. 28.

FLOUR.—Howard Street is rather more active today, and sales are making freely at $6,25. We have heard of no quotations in City Mills, but quote it at $6,12½ @ $6,25. There has been no Susquehanna in market for some days past.

GRAIN.—We are not advised of any alteration in prices; transactions limited, and arrivals continue light. We quote Wheat, best white, at $1,35 @ $1,38, best red $1,27 @ $1,28, fair to good $1,30 @ $1,27.

CORN.—We quote 90 cents as the ruling price for both white and yellow.

PORT OF QUEBEC.

ARRIVED—SEPT. 22.

Ship Robert Kerr, Thoms, 27th August, Liverpool, Atkinson & Co, ballast.

Bark St. John, Davidson, 2d do, Glasgow, Gilmour & Co, do.

Brig Rhydiol, Reddill, 2d do Aberdeen, Symes & Ross, do.

Ardgowan, Whitehead, 18th do, Wigton order, do.

Brothers, Money, 8th do, Waterford, T. Ryan, do.

Quebec Packet, Stephen, 11th August, Aberdeen, G. H. Forsyth, ballast, 3 settlers.

George Lockwood, Starkie, 16th do Milford, W. Price & Co. do.

Schr Mary, Pettipat, 11th Sept. Halifax, Murison & Co. rum and tea, 7 settlers.

Sept. 26.

Bark Glasgow, Grey, 7th August London, Gilmour & Co, ballast.

Halcyon, Shepherd, 30th July Hull, Symes & Ross, do.

William & Mary, Scott, 1st August Colchester, Pembertons, do.

Brig Amaranth, Leaman, 11th do Jamaica, Tucker, Heath & Co, rum.

Eleanor, Nicholson, 4th do Colraine, Atkinson & Co, ballast.

Mary Bell, Brown, 10th do London, Lemesurier & Co, general cargo.

David, Thompson, 13th do Belfast, order, ballast.

Ollo, Dobson, 7th do Bridgewater, W. Price & Co.

Innes, Overton, 15th do Leith, Rodger, Dean & Co, do.

Orus, Bell, 7th do Sunderland, R. F. Maitland & Co, general cargo.

Swallow, Legendre, 10th do Montross, do, bal.

Oct. 1.

Triton, Clark, 9th do Shoreham, W. Price & Co, do

Oct. 2.

Bark Sahn, Metcalf, 12th do Portsmouth, do, do.

Thomas Carty, Kelly, 23d do Drogheda, Lemesurier & Co, do.

Lord Mulgrave, Cordingley, 7th do Hull, Symes & Ross, do.

Brig Martin, Crooks, 7th Sept. Newfoundland, Wm. Sharples & Son, do.

United Kingdom, Finlay, 16th August Balaos, Lemesurier & Co, do.

Victoria, Berrie, 23d do Dundee, Montreal, general cargo, 1 settler.

Britan, Lightfoot, 18th do Gloucester, Pembertons, ballast.

CLEARED—SEPT. 28.

Brig Merchant, Molderum, Liverpool, Atkinson, Usborne & Co.

Ship Dryope, Hamilton, do Symes & Ross.

Mary Ellen, Owen, Milford, Atkinson, Usborne & Co.

Sept. 29.

Ship Airthry Castle, Carling, Bristol, Gilmour & Co.

Bark Bregilla, Taylor, Falmouth, G. Black.

Brig George Barclay, M'Kenzie, Hull, C. E. Levey & Co.

Sept. 30.

Bark Fanny, Veale, London, C. E. Levey & Co.

Ship Albion, Thomas, Bristol, Atkinson & Co.

Brig Hector, Davidson, Greenock, W. Price & Co.

Oct. 1.

Prince George, Morrison, Leith, Rodger, Dean & Co.

Eliza, Harvey, Hull, H. Burstall.

Deer Dove, Wade, Cork, B. Gowen & Co.

Calypso, Field, Plymouth, Atkinson & Co.

Ship Sir T. Acton, Young, Liverpool, W. Sharples & Son.

IMPORTS.

Sept. 21.—Bark *Gungea*, Crawford, Liverpool, 120 bdls nails, 4 brls varnish, 4 casks nails, 29 tons iron, 1 do steel, 30 casks spikes, A. Gilmour & Co.

— 22. Jane Ann, Jenens, St. John, Newfoundland, 76 casks seal oil, H. Dalbord.

— 23. Schr *Martha*, Boulanger, Miramichi, 90 brls. bass, 5 do salmon, Rodger, Dean & Co; 43 do, 211 cwt cod fish, 7 casks cod oil, F. Buchanan & Co.

— Brig *Lady Young*, Doyle, Newfoundland, 60 puns rum, 3 hhds 1 bbl sugar, J. Lemesurier & Co.

— Brig *Jessie*, Nolan, Miramichi Bay, 5 puns 3 hhds 59 tcs 13 brls oil, 118 tcs salmon, 2 brls boots, 1 tierce 1 bbl 1 box furs and skins, 3 puns 1 tierce deer skins, 5 jars 2 brls seal do, 12 do feathers, 1 box glass, 4 grapnels, D. R. Stewart.

— 25. Schr *Elizabeth*, Landrin, Arichat, 271 brls 37 half do herrings, 153 do mackerel, Ayiwin & Noad.

— 26. *Argyle*, Baldwin, Waterford, 500 boxes bloo, W. Price & Co.

— Brig *Elizabeth*, Higgs, St. John, Newfoundland, 40 puns molasses, 24 do 76 puns 3 hhds rum, 10 do Muscovado sugar, 70 brls herrings, 1 qr cask port wine, 10 dos sherry do, J. W. Lempriere, Dumaresq & Co.

— Bark *Royal Adelaide*, Hallowes, London, 1 cask 12 ounce Modoira, 2 qr casks 4 ounce Spanish, 2 qr casks 10 ounce port, 2 do French wines, 5 do Sherry do, 2 trunks 22 cwt 3 reams 1 basket merchandize, M'Pherson & Co; 6 casks olive oil, 5 carotoch currants, 5 boxes cassia, 15 do candles, M'Donnell, Holmes & Co; 3 casks olive oil, 2 boxes silks, 10 puns 10 hhds brandy, Gillespie & Co; 8 casks olive oil, 1 chest candle, 19 bales almonds, 50 boxes candles, 1 trunk 1 case sampling needle, 12 do sewing do, 1 do seed, 15 boxes cheese, 4 hhds mustard, 1 pckg macaroonis, Gibb & Shaw; 10 boxes sugar, 1 cask sausages, 1 chest Lemourine, 125 boxes merchandize, 10 bags 3 trunks do, 1 case cards, J. Gibb & Co; 16 carotoch currants, 5 bales almonds, 1 chest 1 box 1 bag pepper, 3 cask sausages, 25 hams, 5 casks 14 cases merchandize, 2 cases confectionary, 6 casks port wine, 2 do ginger, H. Logan & Co; 2 bales silk, Masson, Strang & Co; 2 do do, 1 trunk handkerchiefs, 3 case ribbons, 1 do merchandize, Paterson, Young & Co; 1 do ribbons, 3 packs 1 case do merchandize, W. L. Whitney; 1 do do, 3 casks 3 bales 3 cases merchandize, 1 do do, 1 do hardware & Co; 1 trunk 1 case hardware, 6 bales flannels, 3 cases woollens, W. Price & Co; 3 do ribbons, W. Wilson; 1 cases merchandize, J. Clark; 4 do 1 parcel do, 7 cases boots, Gibb; 17 casks olive oil, 500 fire wheels, Lemesurier & Co; 1 case books, Wilson & Co; 1 trunk merchandize, J. Linn; 3 cases woollens order.

PASSENGERS.

In the Sophia, from Liverpool—Messrs. Kemp, Burlap, Massey and Parsons.

In the Quebec Packet, from Aberdeen—Miss H. Campbell and Miss E. Murray.

In the Victoria, from Dundee—Miss Miller and Mr. Kinloch.

SHIPPING INTELLIGENCE.—OCT. 2.

The Telegraph announces thirty-six square-rigged vessels at the Mission, but the thickness of the weather has prevented their names from being reported. Several arrived this afternoon, but are not yet boarded; among others, the Earl of Dalhousie, from Greenock, West, R. W.

H. M. Brig Serpent, bound to Halifax, was spoken of Cape Antonio 4th inst., by English ship Union, Vaughan, 20th August from Montego Bay, at Norfolk, U. S.

Brig Mary Bell, reports the Brig Devron, of Whitby, stranded at sea.

The Barter is advertised in Gore's Liverpool Advertiser, of the 18th, to sail about the 25th August, and would be succeeded by the brig Roxana, Capt Stockjam.

PORT OF MONTREAL.

ARRIVED—OCT. 1.

63. Brig Sophia, Easton, 13th August, Liverpool, Redpath, Shaw & Co, gen cargo.

Oct. 2.

64. Sch. John, Gedies, St. John's, N. B., M. Marshall & Co.

65. Brig Mary Bell, Brown, 10th August London, Lemesurier, Ewart & Co.

66. Victoria, Berrie, 23d do, Dundee, Nelson, Hunter & Co, gen cargo.

CLEARED—OCT. 1.

74. Bark Kilmarnock, Sharp, Liverpool, Bellingham & Dunlop.

Oct. 2.

75. Sch. *Sir John Newport*, Nicholls, London, Robert Frosts & Co.

EXPORTS.

Oct. 1.—Brig *Sophia*, Easton, Liverpool, 7 bales cotton stuffs and calicoes, 1 pkg counterpanes, white and dyed calicoes, &c., 1 do cotton handk.s, 2 do do stuffs, F. Parish; 30 bales woollen do, 6 do 1 box plain cottons, 1 do coloured do, W. M'Intosh & Co; 6 do woollen cloth, J. Miller & Co; 2 casks hardware, 200 boxes Canada plates, Watkins & Harris; 1 hhd assorted earthenware, H. Jones & Co; 17 crates do, T. M'Adam & Co; 7 cases printed cottons, Lemesurier, Routh & Co; 62 kegs nails, Wm. Edington; 3 trunks 3 bls woollen cloths, 1 do blankets, 9 do 3 bls plain stuffs, 10 do 1 do mixed, W. Smith & Co; 5 do blankets, 1 do woollen stuffs, 2 do worsted do, 1 do cotton do, 1 do plain do, J. & J. Scott & Co; 1 bale woollen cloths, A. Miller & Co; 2 boxes dry goods, P. M'Gill & Co; 2 bales worsted hosiery, 1 box glass, 2 boxes hardware, Hector Russell and Company; 2 casks 2 bales printed cottons, J. F. M'Donald & Co; 6 trusses grey cottons, 3 boxes printed do, 1 do thread do, 1 truss cotton shirting, 1 box col'd cottons, 1 do linens, E. Cheney; 1 cask hardware, 1 case silver watches, jewellery, &c, G. Savage & Son; 14 trusses woollens, 3 boxes cottons, 1 crate earthenware, John Greenshields; 3 cases printed cottons, Henderson, Hooker & Co; 1 box wearing apparel, N. Bethune; 1 case woollens, 1 bale worsted stuffs, W. Cormack & Co; 4 bales blankets, 4 boxes small wares, 6 bales 1 box cottons, Playfair, M'Lean & Co; 1 bale blankets, 1 box small wares, 1 do hats, 2 do cottons and wadding, 2 bales cotton hose, Bryce, Buchanan & Co; 3 cases 14 pkgs containing chintzes, gig, wearing apparel, 1 basket plate, Macpherson & Co; 1 truss cottons, J. Connell & Co; 2 do 6 bales woollen stuffs, W. L. Whiting & Co;

AN ACT TO AMEND AND CONSOLIDATE THE LAWS RELATING TO THE MERCHANT SEAMEN OF THE UNITED KINGDOM.

§ I. After 31st July, 1835, the Acts 2 and 3 Ann. c. 6; 2 G. 2 c. 36; 2 G. 3 c. 31; 31 G. 2 c. 39; 45 G. 3 c. 81; 37 G. 3 c. 73; 56 G. 3 c. 39; 4 G. 4 c. 25; 5 and 4 W. 4. c. 88; and 59 G. 3 c. 56—shall be repealed.

§ II. No Seaman to be taken to Sea without a written Agreement.

§ III. Regulations respecting Forms of Agreement.

§ IV. Penalty for Default.

§ V. And be further enacted, That in Cases in which it may be necessary that the Agreement should be produced to sustain a Claim on the part of a seaman no obligation shall lie upon the seaman to produce the same, nor shall any seaman fail in any suit or proceeding for the recovery of his wages for want of the production of any such agreement, or of any deposited copy thereof or aforesaid, or for the want of any Notice to produce the same; any Law or Usage to the contrary notwithstanding.

§ VI. And be it further enacted, That in case a seaman shall at any time, after having signed an agreement as herein-before mentioned, neglect or refuse to join the Ship on board of which he shall have engaged to serve, or shall refuse to proceed to Sea in her, or shall absent himself therefrom without leave, it shall be lawful for any Justice of the Peace in any of His Majesty's dominions at home or abroad near to the place where such Ship shall happen to be, upon complaint of the fact made upon oath by the Master, Mate, or Owner thereof, and such Justice is hereby required, by his warrant to cause such seaman to be apprehended and brought before him; and in case such seaman shall not give a reason to the satisfaction of such Justice for his neglect, refusal, or absence, as the case may be, upon due proof of such neglect, refusal, or absence it shall be lawful for any such Justice to commit such seaman to the House of Correction, there to be kept to hard labour for a period not exceeding thirty days; provided always, that in case such seaman, on being apprehended and brought before the said Justice, shall consent to join the Ship and proceed on the voyage for which he shall have agreed, it shall be lawful for the said Justice, at the request of the Master, instead of committing such seaman, to cause him to be conveyed on board the said Ship or to be delivered to the Master for the purpose of proceeding on the voyage, and also to award to the Master such costs incurred in the apprehension of the seaman as to such Justice shall seem reasonable, not exceeding in any case the sum of forty shillings, which shall be chargeable against and may be abated from the wages to grow due to such seaman.

§ VII. And be it further enacted, That if any seaman, after having signed such agreement as aforesaid, or after the ship on board which he shall have agreed to serve shall have left her first port or clearance, and before the period for which he shall have agreed to serve shall be completed, shall wilfully and without leave absent himself from the ship, or otherwise from his duty, he shall (in all cases not of absolute desertion, or not treated as such by the master,) forfeit out of his wages to the master or owner of such ship the amount of two days pay for every twenty-four hours of such absence, and in a like proportion for any less period of time, or, at the option of the said master, the amount of such expences as shall have been necessarily incurred in hiring a substitute to perform his work; and in case any seaman while he shall belong to the ship shall without sufficient cause neglect to perform such duty as shall be reasonably required of him by the master or other person in command of the ship, he shall be subject to a like forfeiture in respect of every such offence, and of every twenty-four hours continuance thereof; and in case any such seaman, after having signed such agreement, or after the ship's arrival at her port of delivery, and before her cargo shall be discharged, shall quit the ship without a previous discharge or leave from the master thereof, he shall forfeit to the master or owner one month's pay out of his wages: provided always, that no such forfeitures shall be incurred unless the fact of the seaman's temporary absence, neglect of duty, or quitting the ship shall be duly entered or recorded in the ship's log book, which entry shall specify truly the hour of the day at which the same shall have occurred, and the period during which the seaman was absent or neglected his duty, the truth of which entry it shall be incumbent on the owner or master in all cases of dispute to substantiate by the evidence of the mate or some other credible witness.

§ VIII. How amount of forfeiture is to be ascertained when seamen contract for the voyage.

§ IX. And be it further enacted, that every seaman who shall absolutely desert the ship to which he shall belong, shall forfeit to the owner or master thereof all his clothes and effects which he may leave on board, and all wages and emoluments to which he might otherwise be entitled, provided the circumstances attending such desertion be entered in the log book at the time and certified by the Signature of the Master and Mate or other credible witness; and that an absence of a seaman from the ship for any time within the space of twenty four hours immediately preceding the sailing of the ship without permission from the Master thereof, or for any period however short, under circumstances plainly showing that it was his intention not to return thereto, shall be deemed an absolute desertion; and in case any such desertion shall take place in ports beyond the seas, and the Master of the ship shall be under the necessity of engaging any seaman as a Substitute for the deserter at a higher rate of wages than that stipulated in the Agreement to be paid to the seaman deserting, the Owner or Master of the ship shall be entitled to recover from the deserter by summary proceeding, in the same manner as wages are by this act made recoverable, any excess of wages which such Owner or Master shall pay to such Substitute beyond the amount which would have been payable to the deserter in case he had duly performed his service pursuant to his agreement.

§ X. And be it further enacted, that if any person shall, either on shipboard or on shore, harbour or secrete a seaman who shall have signed an agreement to proceed on a voyage to parts beyond the seas, and shall have deserted or absented himself without leave from his ship, knowing or having reason to believe him to be a deserter or to be absent without leave, every person so offending shall for every such seaman so harboured or secreted forfeit and pay the sum of ten pounds; and that no debt exceeding in amount five shillings, incurred by any seaman after he shall have signed any such agreement as aforesaid, shall be recoverable until the voyage agreed for shall have been concluded; nor shall it be lawful for any keeper of a public house or of a lodging house for seamen to withhold or detain any chest, bed or bedding, clothes, tools, or other effects of any seaman, for any pretended debt alleged to have been contracted by any such seaman; and in case any such chest, bed, bedding, clothes, tools, or other effects as aforesaid shall be withheld or detained contrary to this act, it shall be lawful for any Justice of the Peace in any part of His Majesty's dominions, upon complaint upon oath to be made by any such seaman or on his behalf, to inquire into the matter, and if he shall see right by warrant under his hand and seal to cause any such property or effects so withheld or detained contrary to this act to be seized and delivered over to the seaman.

§ XI. The period within which wages are to be paid.

§ XII. Such Payment of Wages to be deemed valid notwithstanding Bill of Sale, &c.

§ XIII. Masters to give Seamen the Certificates on their Discharge. Penalty for Default £5.

§ XIV. And be it further enacted, That if after a seaman shall have been discharged from any ship or vessel three days he shall be desirous of proceeding to sea on another voyage, and in order thereto shall require immediate payment of the wages due to him, it shall be lawful for any Justice of the Peace in any part of His Majesty's dominions, on application from such seaman, and on satisfactory proof that he would be prevented from employment by delay, to summon the master or owner of such ship or vessel before him, and to require cause to be shown why immediate payment of such wages should not be made; and if it shall appear to the satisfaction of such Justice that there is no reasonable cause for delay he shall order payment to be made forthwith, and in default of compliance with such order, such master or owner shall forfeit and pay the sum of five pounds.

§ XV. And whereas seamen, in cases of dispute, may be exposed to great inconvenience, expence, and delay in obtaining payment of their wages; for remedy thereof be it enacted, That in all cases of wages not exceeding twenty pounds which shall be due and payable to a seamen for his service in any ship as aforesaid, it shall be lawful for any Justice of the Peace in any part of His Majesty's dominions residing near to the place where the ships shall have ended her voyage, cleared at the Custom House, or discharged her cargo, or near to the place where the master or owner upon whom respectively the claim is made shall be or reside, upon complaint on oath to be made to such Justice by any such seaman or on his behalf, to summon such master or owner to appear before him to answer such complaint, and upon the appearance of such master or owner, or in default thereof, on due proof of his having been so summoned, such Justice is hereby empowered to examine upon the oath of the parties and their respective witnesses (if there be any) touching complaint and the amount of wages due, and to make such order for Payment thereof as shall to Justice appear reasonable and just; and in case such order shall not be obeyed within two days next after the making thereof it shall be lawful for such Justice to issue his warrant to levy the amount of the wages awarded to be due, by distress and sale of the goods and chattels of the party on whom such order for payment shall be made, rendering to such party the overplus (if any shall remain of the produce of the sale) after deducting thereout all the charges and expences incurred by the seaman in the making and hearing of the complaint, as well as those incurred by the distress and levy in the enforcement of the Justice's order; and in case sufficient distress cannot be found it shall be lawful for the said Justice to cause the amount of the said wages and expences to be levied on the ship in respect of the service on board which the wages are claimed, or the Tackel and apparel thereof; and if such ship shall not be within the jurisdiction of such Justice, then he is hereby empowered to cause the party upon whom the order for payment shall be made to be apprehended and committed to the common gaol of the county, there to remain without bail until payment shall be made of the amount of the wages so awarded, and of all costs and expences attending the recovery thereof; and the award and decision of such Justice as aforesaid shall be final and conclusive as well on every such Seaman as on the owner and master of the ship.

§ XVI. And be it further enacted, That if any suit for the recovery of a seaman's wages shall be instituted against the ship, or the master or owner thereof, either in the High Court of Admiralty, or in any Vice-Admiralty Court, or against the master or owner in any court of record in His Majesty's Dominions, and it shall appear to the Judge in the course of such suit that the plaintiff might have had an effectual a remedy for the recovery of his wages by complaint to a Justice of the Peace as herein-before provided, then and in every such case it shall be lawful for such Judge, and he is hereby required to certify to that effect, and thereupon no costs of suit shall be awarded to the plaintiff.

§ XVII. When ship is sold at a foreign port, the crew to be sent home at the expense of the master or owners.

§ XVIII. A supply of medicines to be kept on board, and seamen hurt in the service of the ship to be provided with advice, &c., gratis.

§ XIX. Establishment of Register Office for Seamen.

§ XX. Letters to and from Registrar to be free from postage.

§ XXI. Masters of ships trading abroad to deliver lists of their crews on their return,—4 and 5 W. 4. c. 52.

§ XXII. Masters of ships in the Home Trade to return similar lists.

§ XXIII. Return to be made in case of ship lost or sold abroad.

§ XXIV. Lists to be certified, and transmitted to the Registrar. Penalty on the master for neglect, £25.

§ XXV. As to the disposal of the effects of seamen dying abroad.

§ XXVI. Parish boys may be put out apprentices in the sea service.

§ XXVII. Parish apprentices may be turned over to the sea service.

§ XXVIII. Indentures may be assigned on the death of the master.

§ XXIX. Parish officers to prepare indentures. Constable to convey the apprentice.

§ XXX. How counterparts of indentures to be attested.

§ XXXI. And be it further enacted, That the master of every ship belonging to any subject of the United Kingdom, and of the burthen of eighty tons or upwards, shall have on board thereof, at the time of clearing out from any port of the United Kingdom, one apprentice or more, in the following proportions to the number of tons of his ship's mea tonnent, according to the certificate of registry; that is to say, every ship of eighty tons and under two hundred tons shall have one apprentice at the least, every ship of two hundred tons and under four hundred tons shall have two apprentices at the least, every ship of four hundred tons and under five hundred tons shall have three apprentices at the least, every ship of five hundred tons and under seven hundred tons shall have four apprentices at the least, and every ship of seven hundred tons and upwards shall have five apprentices at the least, all of whom at the period of their being bound respectively shall have been under seventeen years of age, and shall have been duly bound for the term of four years at the least; and if any such master shall neglect to have on board his ship the number of apprentices so hereby required he shall for every such offence forfeit and pay the sum of ten pounds in respect of such apprentice so deficient.

§ XXXII. Apprentices exempt from contributions for hospitals.

§ XXXIII. Indentures and assignments to be registered.

§ XXXIV. Indentures of Apprentices to be registered. Assignments to be registered.

§ XXXV. Agreements and Indentures of Apprentice exempt from Stamp Duty.

§ XXXVI. Penalty on Masters neglecting to register Indentures; and for suffering Apprentices to quit their service.

§ XXXVII. And be it further enacted, That any two or more Justices of the Peace residing at or near to any port at which any Ship in aforesaid, having on board thereof any Sea Apprentice, shall at any time arrive, shall have full power and authority to inquire into and examine, hear and determine, all claims of Apprentices upon their Masters under their Indentures, and all complaints of hard or ill usage exercised by their respective Masters towards any such their Apprentices, or of misbehaviour on the part of any such Apprentice, and to make such orders therein as they are empowered by Law to do in other cases between Masters and Apprentices.

§ XXXVIII. And whereas by an Act passed in the ninth year of the reign of His late Majesty King George the Fourth, for consolidating and amending the Statutes in England relative to offences against the person, a summary Jurisdiction is provided for the punishment of persons guilty of common assaults and batteries: and whereas it is expedient that the provisions of the said Act should be extended to similar offences committed on board Merchant Ships as hereinafter provided; be it therefore enacted, That in the case of any assault or battery which shall after the commencement of this Act be committed on board any Merchant Ship belonging to any subject of the United Kingdom in any place at sea, or out of His Majesty's dominions, it shall be lawful for any two Justices of the Peace in any part of His Majesty's dominions, upon complaint of the party aggrieved, to hear and determine any such complaint, and to proceed and make such adjudication thereon as by the said Act any two Justices are empowered to do, subject however to such provisos and limitations as are contained in the said Act with respect to the cases of assault and battery therein mentioned; and the fine or forfeiture to be imposed in any such case shall be payable to the Merchant Seaman's Hospital or Institution at or nearest to the port or place where such adjudication shall be made.

§ XXXIX. Masters entitled to receive the wages of Apprentices entering into the Navy.

§ XL. Forcing on shore or leaving behind any person belonging to the crew deemed a misdemeanor. Jurisdiction of courts for trying such misdemeanors.

§ XLI. And be it further enacted, That no such master shall discharge any individual person of his crew, whether British Subject or foreigner, at any of His Majesty's Colonies or plantations, without the previous sanction in writing of the Governor, Lieutenant Governor, Secretary, or other officer appointed in that behalf by the government there, or in the absence of all such authorities at or near to the port or place at which the ship shall be then lying, then of the chief officer of customs of such colony or plantation resident at or near such port or place; nor shall he discharge any such person at any other place abroad without the like previous sanction in writing of His Majesty's minister, consul or vice-consul there, or in the absence of any such functionary, then of two respectable merchants resident there; all which said functionaries respectively are hereby authorized and required, and all which said merchants are hereby authorized, in a summary way to inquire into the grounds of any such proposed discharge by examination on oath, and thereupon to grant or refuse such sanction according to their discretion, having regard to the objects of this act.

§ XLII. And be it further enacted, That no such master shall be at liberty to leave behind at any place abroad, either on shore or at sea, any person of his crew as aforesaid, on the plea of such person not being in a condition to proceed on the voyage, or having deserted from the ship, or otherwise disappeared, unless upon a previous certificate in writing of one of such functionaries or merchants as aforesaid, if there be any such at or within a reasonable distance from the place where the ship shall then be, if there be time to procure the same, certifying that such person is not in such condition, or has deserted or disappeared, and cannot be brought back; and all such functionaries as aforesaid are hereby authorised and required, on the application of any such master, to inquire by examination on oath into the circumstances, and to give or refuse such certificate according to the result of such examination.

§ XLIII. If any of the crew are left behind, the proof of sanction or authority shall be upon the master.

§ XLIV. Seamen when allowed to be left behind to be paid their wages.

§ XLV. Provided always, and be it further enacted, That nothing in this act or in any agreement contained shall be deemed to extend to prevent any seaman or person belonging to any merchant ship whatever from entering or being received into the naval service of His Majesty, nor shall any such entry be deemed a desertion from the Merchant ship, nor incur any penalty or forfeiture whatever, either of wages, clothes, or effects, or other matter or thing, notwithstanding any agreement made to the contrary hereof; and all masters and owners of ships are strictly prohibited from introducing into any ship's articles of agreement with the crew any clause or matter by which any penalty or forfeiture of any kind is agreed to be incurred by a seaman upon his entry into His Majesty's service.

§ XLVI. Upon entry of seamen into the navy from merchant ships, they shall be entitled to the immediate delivery up of their clothes and payment of any wages that may be due.

§ XLVII. Power to His Majesty to sue for the amount advanced for the relief of seamen left abroad.

§ XLVIII. Ship's agreement on arrival at a foreign port to be deposited with the consul. Penalty for neglect, £25.

§ XLIX. No seaman to be shipped at a foreign port without the privity of the consul.

§ L. Masters to produce agreements to officers of King's ships.

§ LI. Registrar and officers of customs empowered to require production of the agreement and muster roll.

§ LII. Definition of the terms, master, seaman, ship and owner.

§ LIII. Recovery of penalties. Application of forfeitures.

§ LIV. Provided always, and be it further enacted, That this act shall not extend or apply to any ship registered in or belonging to any British Colony having a Legislative Assembly, or to the crew of any such ship, while such ship shall be within the precincts of such colony; anything herein-before contained to the contrary in anywise notwithstanding.

§ LV. Act may be amended during this session.

A GENERAL assortment of STAPLE FANCY DRY GOODS, *cheap for Cash*, at FERRAULT & SPINK'S New Shop, No. 99, *St. Paul Street.*
June 6. 63-u, tuth

JUST recieved, and for sale by the Subscribers, a few hhds and qr casks of "Blackburne" cliocoat MADEIRA.
LEMESURIER, ROUTH & Co.
Sept. 14. 148

JUST received by the Subscribers:—
Real Chintz Prints
—ALSO,—
Melbourne finetas & other fashionable new stiles
Very fashionable new colors in Cassimeres
Complete services in British Plate, consisting of Candlesticks, Coffee and Tea Pots, Creams, Butters and Sugars, Crust and Liquor Stands, Fish and Butter Knives, Spoons and Forks complete.
86 ATKINSON & Co.

SHERIFF'S SALES IN THE DISTRICT OF MONTREAL FOR OCTOBER, 1835.

Plaintiffs.	Defendants.	Nature of Property.	Situation.	Extent.	Boundaries.	Place of Sale.*	Date.	Hour.
J. A. M. Fraser,	Angelique Belanger,	Emplacement	St. Paul	1 x 1 arpent	Front:	St. Paul	Oct. 5	10 forenoon
Agnes Ferrier,	Paul Bailie,	No. 1, Lot of land	St. Thérèse	3 x 33 arpents	Rear:	St. Thérèse	9	11
P. Morris,	Samuel Andrew,	No. 2, Emplacement	Do	Do	Do	Do	9	11
Henry Chapell,	Alexander Bardin,	Lot of ground	Chambly	60 x 125 feet	Do	Chambly	15	10
Henry P. D. Debartzch,	Raphaelle Lafaille,	Lot of land	Beauharnois	4 x 25 arpents	Do	Do	6	10
Benjamin Hale	Joseph Buchanan,	No. 1, Lot of land	Do	130 x 160 feet	Do	Do	6	11
			Do	70 x 160 do	Do	Do	6	11
J. W. Mackay,	Pierre Pariée,	Lot of land	St. Athanase	1 arpent superficies	Rochelle		17	10
J. & J. Scott & Co.	Pierre Pariée,	Do	Do	1 do do	Do		17	11
Abbot Cowan,	John Forbes, &c.	Lot of ground	St. Ann Sabrevois	45 x 90 feet	St. Jean		15	10
Abbot Cowan,	Louis Lizotte,	No. 1, Emplacement	Do	45 x 90 do	Do		15	11
Benjamin Hanson,	Urbain Brûlard, &c.	Lot of ground	Laprairie	60 x 150 feet	Do		16	10
Ann Dalgeish,	Ann Dalgeish,	Do	Do	60 x 150 do	Do		16	11
Bagly, Kane & Co.	Charles Ouimette,	No. 1, Emplacement	Do	60 x 150 feet	Do		17	10
Abel Adams,	Abraham Hubbs,	Lot of land	Do	1 arpent superficies	Do		17	11
Abel Adams,	Edward Hartley,	Do	St. Athanase	1 do do	Do		18	10
David Ballantyne, &c.	Thomas Girard,	Lot of ground, No. 2	Montréal	27 x 70 do	Do		18	11
John Girard, &c.		Do	Do	27 x 70 do	Do		18	11
		Do	Do	27 x 70 do	Do		18	11
Amable Meunier,	Augustin Brodeur,	Lot of land	St. Laurent	3 x 17 do	Do		19	10
		Do	Do	3 x 17 do	Do		19	11
L. Lamothe dit Lafontaine	L. Lamothe dit Lafontaine	No. 1, Emplacement	Côte St. Louis	45 x 45 feet	Do		20	10
L. Lamothe dit Lafontaine	L. Lamothe dit Lafontaine	Do	Do	45 x 45 do	Do		20	11
Emile A. Chaffeurs	Emile A. Chaffeurs	Lot of land	Do	1 arpent superficies	Do		21	10
Jeremie Dupuis,	Jeremie Dupuis,	Do	Do	1 do do	Do		21	11
		No. 1, Lot of land	St. Sulpice	30 x 70 feet	Do		22	10
		No. 2, Do	Do	30 x 70 do	Do		22	11
George Bailey,	George Bailey,	Do	Do	30 x 70 do	Do		23	10
		Do	Do	30 x 70 do	Do		23	11
		Do	Do	30 x 70 do	Do		24	10
		Do	Do	30 x 70 do	Do		24	11
		Do	Do	30 x 70 do	Do		25	10
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		Do	Do	30 x 70 do	Do		31	10
		Do	Do	30 x 70 do	Do		31	11
		Do	Do	30 x 70 do	Do		Nov. 1	10
		Do	Do	30 x 70 do	Do		1	11
		Do	Do	30 x 70 do	Do		2	10
		Do	Do	30 x 70 do	Do		2	11
		Do	Do	30 x 70 do	Do		3	10
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		Do	Do	30 x 70 do	Do		31	10
		Do	Do	30 x 70 do	Do		31	11
		Do	Do	30 x 70 do	Do		Feb. 1	10
		Do	Do	30 x 70 do	Do		1	11
		Do	Do	30 x 70 do	Do		2	10
		Do	Do	30 x 70 do	Do		2	11
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