Montreal Herald
AND DAILY COMMERCIAL GAZETTE.

VOLUME XLII. THURSDAY MORNING, JANUARY 31, 1850. NUMBER 14.

NOTICES.

Dissolution.

THE CO-PARTNERSHIP between the undersigned under the Firms of HOOKER, HENDERSON & Co., in Kingston, and HOOKER, HOLTON & Co., in Montreal, expired by limitation on the 31st day of December last. The affairs of the Co-Partnership will be closed up by the undersigned, who will use the names of the Firms in liquidation only.

ALFRED HOOKER,
FRANCIS HENDERSON,
L. H. HOLTON.

Kingston, Jan. 10, 1850. 7

THE Undersigned will CONTINUE the FORWARDING and COMMISSION BUSINESS under the Firm of HOOKER & HOLTON.

They have appointed MR. E. HOOKER Agent for their FORWARDING BUSINESS at KINGSTON, who has rented from them the Stores occupied by their late Firm, and to whom any communications relating to their Business at that place may be addressed.

ALFRED HOOKER,
L. H. HOLTON.

Montreal, January 14, 1850. 7

NOTICE.

THE CO-PARTNERSHIP hitherto existing between the Subscribers, under the Firm of HOLMES, YOUNG & KNAPP, is this day DISSOLVED by mutual consent,—MR. YOUNG retiring from the same. BENJAMIN HOLMES and JOSEPH KNAPP being duly authorized to settle up the Accounts and liquidate the Business of the late Firm.

JOHN YOUNG,
BENJ. HOLMES,
JOSEPH KNAPP.

Montreal, 31st Dec., 1849. 3

NOTICE.

THE Subscribers will henceforward CONTINUE BUSINESS under the Firm of HOLMES, KNAPP & Co.

BENJ. HOLMES,
JOSEPH KNAPP.

Montreal, 1st Jan., 1850. 3

NOTICE.

THE Subscriber will CONTINUE BUSINESS in his own name for his own account.

JOHN YOUNG.

Montreal, 1st Jan., 1850. 3

Dissolution of Partnership.

THE business carried on by the Subscribers, under the Firms of JOHN ROY & CO., in Montreal, and WILLIAM ROY, JR. & CO., in Glasgow, was this day DISSOLVED by mutual consent. All DEBTS due to and by the late Firms in Canada, will be settled by the Subscriber JAMES MOIR.

WILLIAM ROY, JR.,
JAMES MOIR.

Montreal, Dec. 1, 1849. du—2

SPRINGBANK IRON WORKS, GLASGOW.

THE Subscriber has been appointed AGENT for the above IRON WORKS, and is now prepared to receive and execute orders for GAS and WATER PIPES, RAILWAY CHAIRS, POT ASH KETTLES, and every other description of IRON CASTINGS.

JAMES MOIR,
57, Commissioner Street.

Montreal, January 3, 1850. du—2

NOTICE.

THE Subscriber begs to intimate to the public, that he has appointed Mr. ANDREW MANN, No. 12, St. François Xavier Street, Agent, for the sale of the PLANTAGENET WATERS, in Montreal.

E. LAROCQUE.

October 4, 1849. 187

NOTICE.

PARTIES INDEBTED to the Firm of J. M. FERRES & CO., Printers and Publishers of the MONTREAL GAZETTE, are hereby notified, that NO RECEIPTS, for Monies due to the said firm, are VALID, unless signed by the Subscriber.

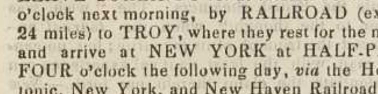
THOS. McKAY.

Montreal, Oct. 9, 1849. 192

WITH reference to an advertisement of MR. THOMAS McKAY'S relative to our affairs, drawn up by a declared enemy to the Firm, and published at his instigation, we have only to say, that we hold ourselves individually, and as a Company, responsible for all debts due by the Firm, and for all settlements effected with it. Our customers we know will require no farther guarantee.

J. M. FERRES & CO.
J. M. FERRES,
JOHN MILNE.

Montreal, 11th October, 1849. 193



From Montreal to New York.

CHEAPEST AND BEST ROUTE.

TICKETS for PASSAGE through from MONTREAL to the CITY of NEW YORK, may be had at the EXPRESS OFFICE.

PASSENGERS LEAVE MONTREAL at SEVEN, A. M.; Sleep at Burlington first night; LEAVE BURLINGTON at HALF-PAST SIX o'clock next morning, by RAILROAD (except 24 miles) to TROY, where they rest for the night, and arrive at NEW YORK at HALF-PAST FOUR o'clock the following day, *via* the Housatonic, New York, and New Haven Railroad.

Passengers will find this the Cheapest and most certain Route—evading the dangers and uncertainty of the Sound Navigation.

GEORGE BENT,
Agent,
183, St. Paul Street.

January 15. 7

Southern and Eastern Express.

UNTIL further notice the EXPRESS for NEW YORK and BOSTON, will be CLOSED on MONDAY EVENINGS, at SIX o'clock, for dispatch the following morning.

GEORGE BENT,
Agent.

January 15. 7

SEAT OF GOVERNMENT AND LAND AGENCY.

THE Subscriber, for the convenience of his correspondents, will REMOVE with the Public Offices, to TORONTO, where he will continue his business as LAND AND GENERAL AGENT and SHARE BROKER, &c.

N.B.—For the information of *Emigrants* and others, a *Register* of "*Lands for Sale*" will be kept, for which no charge will be made until a *sale* is effected. Any accounts entrusted for collection will be punctually attended to.

JOHN COCHRANE.

October 25. mt—204

Cameron's Winter Express,
IN
CONNECTION WITH ALLEN'S UPPER CANADA EXPRESS.

H. CAMERON respectfully intimates that he has made arrangements to continue his EXPRESS BUSINESS during the WINTER. Parcels and Packages conveyed to, and Accounts collected in Quebec, Three Rivers, Montreal, Kingston, Toronto, and Hamilton.

Parcels or orders left at Mr. ANDREW MANN's Spring Water Depôt, St. François Xavier Street, will be strictly attended to.

H. C. will leave for Quebec on FRIDAY MORNING, the 11th inst. Room for one Passenger.

Montreal, Jan. 10, 1850. 5

STEAMER AND BARGES.

FOR SALE OR CHARTER, a high pressure STEAMER, 25 horse power, recently put in good working order; the draught of water is light, and the Vessel adapted to the Forwarding or Lumber Trade.

—ALSO,—

Two BARGES, in good order, fit to carry a large load of Lumber or Thirteen Hundred Barrels each. For further particulars, apply at the *Herald* Office.

Terms Liberal.

July 11, 1849. 184

WANTED.

Notice to Teachers.

THE PROTESTANT BOARD OF SCHOOL COMMISSIONERS, having resolved to Establish a COMMON SCHOOL in Griffintown, persons qualified to take charge of the same, are requested to send in their testimonials to Captain MAITLAND's Office, Great Saint James Street, until SATURDAY, the 9th of FEBRUARY next. The emoluments will be equal to £100 per annum and a free house.

None need apply who are not well acquainted with the most approved systems of teaching.

January 26. 12

THE ST. LAWRENCE AND ATLANTIC RAILROAD COMPANY, are desirous of procuring the immediate services of a BOOK-KEEPER, who will hold the Office of Secretary and Treasurer. Salary, £200 per annum with House Rent and Fuel, after the 1st May next. Security for £2,000 required.

Applications with references to be addressed to the President, until 4th February next.

A. T. GALT,
President.

Office, St. Lawrence & Atlantic Railroad Company, Montreal, 21st January, 1850. 10

WANTED.—A BOOK-KEEPER and SALESMAN to the Wholesale Dry Goods Business. Address to D. & E. M., Box, 237.

January 22. 10

WANTED.—A SITUATION in a Merchant's Office, by a Young Man of 18 years of age, who is desirous of learning business; he is acquainted with Book-keeping by Single and Double Entry, and can speak the French and English languages fluently. Good references will be given as to character. Any communication left at the Herald Office for C. D. G., will be attended to.

January 22. 10

SITUATION WANTED.—A Person would be happy to obtain a Situation in Canada; has been a Book-Keeper in one of the largest Iron Foundries and Machine Building Establishments in North Britain. He is a business character, has a general knowledge of Mechanics and Mechanical Charges, can work at the Lathe and Vice, and will make himself generally useful.

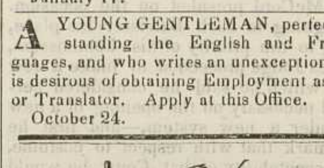
Please apply by letter to S., care of Andrew Hunterson, Worcester, Massachusetts.

N.B. Can produce testimonials as to character and qualifications.

January 17. n—8

A YOUNG GENTLEMAN, perfectly understanding the English and French languages, and who writes an unexceptionable hand, is desirous of obtaining Employment as a Copyist or Translator. Apply at this Office.

October 24. 203



A FORTUNE
FOR £10 OR £5.

BRITANNIA SPORTING PORTRAIT CLUB,
OFFICES, GEORGE STREET,
Plymouth, England.

THE Managers beg to acquaint their numerous Patrons, that the next DISTRIBUTION OF PORTRAITS OF RACE HORSES, will comprise those entered for the forthcoming GRAND NATIONAL DERBY RACE, the number of Shares to be limited to 5,000 each Class.

First Class Member, £10; Second Class do, £5.

Early application for the unappropriated Shares is necessary. A party subscribing for more than One Share has the chance of gaining an equal number of Bonuses. Those Members who Draw the various Portraits will be presented with the following Sums.

Portrait of	1st Class Bonuses.	2nd Class do.
Winner, or First Horse	£20,000	£10,000
" Second Horse	10,000	5,000
" Third Horse	8,000	4,000
Divided amongst Starters	6,000	3,000
" " Non-Starters	6,000	3,000

There are 209 Bonuses in each Class, that being the Number of Horses entered for the Race. The Drawing will be conducted upon the same legitimate principles as those which characterised the late St. Leger and other proceedings.

Full Particulars of the result will be sent to absent members immediately after the decison, that each may know his position.

Subscribers Registered and Scrip forwarded on Receipt of a Remittance. Bills of Exchange, Drafts, Bank Notes, &c. Addressed and made Payable to the Managing Directors.

W. JAMES & CO.

Five per cent. Commission to be Deducted on the Presentation of Bonuses.

Dec. 22. 2m—232

J. WELCH,
Engraver and Designer on Wood.

ALL kinds of DRAWINGS, DESIGNS, HOUSE FRONTS, LABELS, &c. &c. Engraved on the shortest notice.

Office at T. IRELAND's, Engraver, 8, Great St. James Street, adjoining the Bank of British North America, Montreal.

Office up Stairs.

January 5. 1m—3

Bouquets for Sale.

THE Public are informed, that the Subscriber will supply Ladies and Gentlemen with FLOWERS, from his Green House.

EDWARD MERCHANT,
Gardener.

St. Antoine Hall, Dec. 27. 234

THE Subscriber has established himself in New York as a COMMISSION MERCHANT and FORWARDING AGENT, respectfully solicits the support of the Merchants' of Canada East and West.

MARINE INSURANCE, &c., effected.

A. W. HART,
38, Broadway.

December 4. 3m—224

Axes.

THE Subscriber has on hand an assortment of AXES, Manufactured at his own Establishment, and warranted good, for Sale low for Cash.

WILLIAM RODDEN.

December 14. 228

500 BALES COTTON
Wadding and Batting

FOR SALE, by the Subscriber, Agent for the Christieville Factory.

GEORGE BENT.

June 2. 80

Varennes Springs Water

CONSTANTLY on Sale, at the CANADA HOTEL, St. Gabriel Street. Price 3s. per dozen.

October 20. 200

C. SOLOMON

HAS REMOVED to the premises of SIR JAS. STUART, No. 1, corner of Notre Dame and St. Lambert Streets, lately occupied by Messrs James Connell & Co.

May 7 T—57

For Sale,

A SUPERIOR BUILT Light BOX SLEIGH, 4 Seats, with handsome (Prairie Fox) ROBES, APRONS, BUFFALO ROBES, &c. complete—well worthy the attention of Gentlemen driving Tandem. To be seen at GAVIN's Coach Factory, Craig Street.

October 26 205

For Sale.

A BEAUTIFUL BLACK PONEY, Warranted Sound and free from vice, with Harness, Sleigh and Robes.

—ALSO,—

A handsome BAY COLT three years old, Warranted Sound.

Apply at No. 23, Little St. James Street, to J. TWAMLEY, &c., &c.

September 5. 184

TO BE SOLD.

A PAIR of Handsome CARRIAGE HORSES, quiet in Double and Single Harness, the Owner having no further use for them. Apply at the Herald Office.

November 1. 210

OUR COLONIES—CANADA.
(From the Morning Herald.

The following important extracts from letters received in London by an influential firm, from their correspondents in America, will be read with much interest:—

(Extract.)

"Montreal, Dec. 1, 1849.

"I see that you expect me to go more at length into our political and social state here, and especially to say more about annexation. There are very many like myself, who have taken no part in it, and cannot bring ourselves in the least to accelerate it, yet see clearly enough that the thing is inevitable—a mere matter of time; but still cannot take any very active part in retarding it. This shows that though our loyalty, which was highly excited during the rebellion, and till lately was, in fact, the highest ruling principle among us, has got a shake by late events; and that even our loyalty cannot blind us to the cowardice, and ignorance, or duplicity of our governor, and the bad class-spirit of legislation of our Government generally, made up, as it is, of either actual rebels, or known plotters against British rule, whom our own loyalty humbled, but for whose treason and rebellion we are now compelled to concede large grants and rewards, sanctioned and approved by the home ministry—again I say, that even now, it is our loyalty, though weakened, that keeps a large mass, like myself, from assisting a Union with the United States.

"There can be no doubt that the United States will willingly and cheerfully form a partnership on favourable terms—would assume all responsibility on account of our canal and other provincial debt, heavy and unfairly contracted as some of them may have been, and free Great Britain from them. Perhaps they would refuse to pay for the Rideau Canal, which yields comparatively nothing, or for fortifications and barracks, as they would become state property with the ungranted lands.

"However, I am running on as if I were an annexationist, which I declare over and over again, I am not, though I can see that the withdrawal of all protection from us—the system of (miscalled) free trade—the extreme blaguardism we suffer from the Times newspaper, supposed here to be government writing—does, by first ruining our trade and then vexing our spirits, operate upon men here as in other countries.

"Great Britain, however, can never readily consent to say "good bye," or to hasten the period of its being said. Whenever she does, depend upon it the first great cause of her grandeur is departing. One thing I am happy to say is that, however violent parties may look, there is, in reality, nothing like fighting. Perhaps, the white feather of our governor has become a fashion.

"Some few of us who are desirous of looking to the bright side of things, still think that the abrogation of the navigation laws may bring relief to our trade; but few only can 'take this flattering unction to their souls.' The shipbuilders and shipowners of the province will surely suffer, and they are not a small part of our active population. Of late it has hardly been possible that our ships can be made to pay their way; what then, when 10 or 15 per cent reduction in freight is submitted to? and that whilst our vessels are subject to the various annoying enactments and expensive arrangements of the British Parliament in regard to emigrants, seamen, provisions, light dues, &c. the foreigner, who sails free of all these, is allowed to carry our goods for us to what is emphatically our own market without any difference.

"Mr. Moffatt, the head of the League, and those who act with him, are of opinion that the confederation of the provinces, with an extension of the elective principle to the Legislative Council, would, in continued connexion with Great Britain, be better than annexation. Thus you see parties, though differing, seem to think that Great Britain has seriously injured us, and that something must be done to set things right and restore the tone of loyalty. For myself, though my loyalty might be saved by such measures, I have no faith in their value as a remedy to our fallen condition. They might prolong connexion, but aggravate many evils and lose some good.

"Both parties point to the neighbouring States, and say, how is it that they look so bright at present, and so much brighter in hope than ourselves—they, too, are all working under a protective Government, even to their coal fields, and though they are manufacturing most extensively in Massachusetts, for protection sake they submit to a heavy duty on coals, and heavy transport charges on their own production, rather than allow the Nova Scotians to deliver them free, though almost at their doors; and also insist on 20 per cent duty on our timber, though it is so much wanted to make frame houses for California, and compel our agriculturists to pay 20 per cent on their produce crossing the line.

GORGEY'S TREASON—KOSSUTH IN HIS OWN COUNTRY.

A correspondent of the Daily News writes as fellows from Pesth:—

The walls of Buda, the citadel of which overlooks the beautiful city of Pesth and its transfluvial suburbs, are still in the condition in which they were left by Gorgey, when battered previous to the final assault. Buda is interesting as the point where the empire was probably saved from destruction by the formidable defence made by the gallant Heintze and the determined disobedience of Gorgey. On this subject people here are amused by the rank nonsense written by a rambling correspondent of the Times, who asserts that Gorgey committed the grave fault of stopping to besiege Buda (instead of pressing forward to Vienna) against his own inclination, and by the positive order of Kossuth. Now, the very reverse is notoriously the case. Gorgey received peremptory instructions from Kossuth to leave a corps of 12,000 men to invest Buda, and to press forward with his whole force to Vienna and Olmutz. Gorgey did precisely the contrary, and sat down with 35,000 men and 7,000 hussars before Buda, where he lost his time by battering with twelve-pounders, and his men by attempting to storm without having made a breach. After these failures, Gorgey wrote to Kossuth, proposing to abandon the seige, and Kossuth then replied that, after having committed so great an error as his disobedience, and after such a failure, Buda must be taken at any cost. A battering train was then brought up, and the place succumbed. This is the real version of the transaction, which, if I am not mistaken, has been given already in your columns. The very order to march on Vienna addressed to Gorgey in the first instance, I have read in Turkey. It is a matter of history already, and I wish only to observe that I find every one here as perfectly cognizant of the fact as myself, so that I am at a loss to know whence the Times' correspondent can have derived his *mis*-information.

At the Hungarian theatre at Pesth, I was witness to a curious scene. In the vaudeville, of which the plot turns on the embarrassment of the heroine at the supposed return of her absent husband after her re-marriage, occurred the remark, "that those only absent are sure to turn up and return some day." This observation was taken as a political allusion to the refugees by the auditory, and responsed to by a momentary burst of earnest enthusiasm, hastily suppressed. A few weeks back even such a demonstration would have had serious consequences, but the government has its hands too full to continue noticing such outbreaks of a feeling which it would fill all its prisons in a vain endeavour to repress. The promulgation of the new constitution meets with the most serious obstacles from the passive resistance of a few ex royalist families who refuse to fill any public situations, and talk seriously of emigrating, while the mass of the people treat it with contempt, as a mere insulting series of ephemeral regulations. In the Bakonya Wald a considerable guerilla force was on foot possessed of 12 pieces of cannon. At the commencement of last month they surprised and cut to pieces 400 Austrians. A large force was being concentrated to sweep and it was said cut down (?) this forest.—Two batteries and three battalions had left Pesth. I have, however, since ascertained that about the 22d a recent Commissary of Kossuth conveyed to them the order to bury their cannon and muskets and disperse. What an extraordinary reputation this man Kossuth has left after him. From Orsova to Vienna, by water or by land, there hardly ever pass ten minutes in the day that you do not hear mention of his name; and in Pesth, where the sale of his portrait is a capital offence, the Magyars club together to purchase a single copy at exorbitant prices, and tear it into fragments, which are shared between them.

A Time to Begin.—At the Liverpool Police Court on Wednesday, an Irish woman, charged with an assault upon one of her country-women, palliated her conduct by saying that she "never interfered until she was murdered with a poker!"

A NIGHT UNDER AN AVALANCHE.

There was, in the interior, a native of Aosta, who meant to leave us at Martigny for the purpose of traversing the Great St. Bernard, at the exaggerated dangers of which pass he laughed very heartily. Accidents, he admitted, did sometimes overtake travelers in that part of the Alps; but generally, he said, the pass of the St. Bernard was open and safe throughout the year, except during the continuance of snow-storms. He had himself, a few years previously, in another pass, (the name of which I forget,) been overtaken by one of these, in company with an English family returning from Italy, and been witness of the way in which the elements sometimes perform the office of sexton.

They set out early in the morning, and arrived a little before nightfall at a part of the pass which, owing to the driving of the winds, is easily choked up. The snow had begun to fall about an hour and a half previously, and was pouring down the ravine before the blast, blinding both horses and postillions, and bringing along with it premature night.

They had hoped to reach the summit before darkness set in; but the horses furnished them were weak, and the snow for the last hour at least, had greatly retarded their progress.—How he came to be in the Englishman's carriage he did not explain. I fancy our countryman had invited him out of sheer politeness. The party consisted of five in all—the husband and wife, the Italian, the nurse and the little baby. How it comes to pass I know not, but it generally happens that the English, when overtaken with danger, display qualities which astonish foreigners. On the occasion in question all the solicitude of the husband seemed concentrated in the wife, while all hers was in the baby. Self seemed to be equally absent in the minds of both. The nurse for her part, displayed the utmost stoicism, except that, as the cold increased and the snow drifts beat more and more furiously against the carriage windows, she pressed the child more closely to her breast, and protected it from the influence of the air with a greater allowance of shawls. Our friend from Aosta, who understood thoroughly the perils of the position, went on talking with the husband, who, while his eyes were fixed upon his wife and child, appeared calm and collected, though, from certain thundering noises above, it appeared probable that the avalanches were in motion.

In every ten yards the carriage was stopped by the accumulated snow, "Jane," said the husband at length to his wife, "tie up your throat carefully; we may have to walk presently; and you, nurse, make the baby comfortable, and give him to me." The nurse obeyed, and the mother, looking anxiously at the child, inquired, with suppressed earnestness, "William, is there any danger?" "Yes, a little, love, just enough to impart an air of romance to our adventure" Hark!" exclaimed the wife, "what's that?" "My God!" said the nurse, "the mountain has fallen on us!" Just at the instant a loud shout was heard from the men outside, followed by a suppressed struggle and a groan, and the most complete silence. All motion was at the same time arrested in the carriage, and on applying the lamp to the window, it was perceived that they were embedded in thick snow. "What is to be done?" exclaimed the Englishman, addressing himself to our friend from Aosta. "Can your experience suggest any means of extricating ourselves from this position? If we force our way out, do you think it possible we could reach some place of shelter?" "No," answered he, "that is impossible. All we can do is to remain where we are; they will dig us out in the morning." "And the drivers," observed the Englishman, a sudden thought flashing across his mind, "what is to become of them? They will die of cold." "They are dead already," answered the Aostan, "the first stroke of the avalanche extinguished life in them; what you heard was their death groan." "Impossible!" cried our countryman; "I must force my way out, and endeavor to drag them hither." The confined space in which they had to breathe would have rendered it necessary to let down the windows, at the risk of admitting a quantity of snow; but all egress was impracticable. They were entombed, as it were, in the avalanche, which, fortunately for them, was soft and spongy, permitting air to pass through its pores. Yet the heat soon became almost insufferable, and once during the night the lady fainted.

Travelling carriages in the Alps are always well supplied with provisions and restoratives, wine, brandy, &c.; and as our countryman never once lost his presence of mind, everything practicable was done for wife, nurse, and child. What their language and feelings were may possibly be imagined. All our friend from Aosta could say was, that it was very terrible, which he uttered in a tone more significant than his words. Well, morning came at last, as they knew by consulting their watches; but it brought no light with it, and for some time no sound. At length a confused rumbling was heard through the snow, which died away and came again by fits, till at length it become evident that it was the voices of men. After a protracted interval, a gleam of light entered the carriage, the snow was cleared partially away, the welcome face of a rustic was seen peering down upon them. Their deliverance was now speedy, and they were conveyed, half dead, to a chalet, together with the bodies of the driver and postilions.

"Such accidents," said the friend, "are rare."

"It is to be hoped so," exclaimed Madame Carli: "and what became of the English lady?"

"Oh, the whole party escaped without injury; and next year I saw them passing into Italy, so little had they been daunted by the perils they had escaped,"—*Tait's Magazine*

DOMESTIC BLISS vs. DINNERS.
(From Punch.)

From Mrs. Mary A— to Mrs. Eliza B—.

Oh, my own Eliza!—For the first time in a married life of many years—sometimes, perhaps, a little tedious, but never decidedly unhappy—I write to you with tears in my eyes; so please excuse blots. You know what a sweet tempered, easily satisfied creature A—— used to be; the best of husbands; never looked at a bill twice; and content with cold mutton when convenient, and nothing better for dinner. If he was a little soft, I felt that it was a mercy that he was not particular, especially in the way of dinners. But my love, all this is at an end! I am in a fair way to be driven to become a desperate woman, or a cook in my own house.

You have heard, I dare say, of one Soyer—cook, I understand, at one of those odious clubs, where he spends his time in inventing new dishes, and has a kitchen I am told, like a drawing-room, with a chemical apparatus, and unlimited credit at the butcher's. My misery lies at that man's door. You will naturally ask how A—— came home the other day. Poor little Maria had the hooping-cough, and I had been at the Zoological Gardens, and there wasn't much of a dinner—but quite as good as many I have seen A—— thankful for. It was a cold joint with pickles. I noticed A—— didn't eat as heartily as usual. In the middle of his dinner he laid down his knife and fork, and inquired in a solemn way if I didn't think there was a sameness about cold meat? I couldn't believe my ears, and I am sure I don't know what I said; when he went on and asked in a confused but still confident way, if I knew how to make *Pot-au-Feu* or *Croquettes*. I tho't he meant crotchet-work; but it appears he alluded to a dish—a French dish.

I said I was astonished at his conduct, when he began and gave me a receipt about cutting cold beef into dice, and putting it into a stew pan, with finely chopped onions and bread crumbs, and fried parsley, and gracious knows what! You may conceive what I looked like, when he went on about a good dinner being no more expensive than a bad one, if you knew how to manage it, and about the best economy being good cookery, and how attractive homes might be made by good dinners—and then at last the murder came out, in the shape of a little blue-covered book, called "The Modern House-wife," which he begged me to study. And I assure you, my dear, that book contains enough to poison the peace of all families that can't keep a professed cook, and gives receipts for all sorts of nice things, and bills of fare for all sizes of parties, and all in a series of letters between Mrs. L—— and Mrs. B——, who I don't believe ever existed. Oh, my love, if you wish to be happy in future, don't let B—— get hold of this book. I hope Soyer is a miserable man who wrote it, as he ought to be.

I remain your unhappy friend,
MARY A——.

From Mrs. Elizabeth B— to Mrs. Mary A—.

My Dearest Mary:—Don't make yourself uneasy on my account. A fortnight before I got your letter, I purchased Soyer's Book, without B——'s knowledge; studied it, and worked from it. B—— has been an altered man ever since.—For remember how he used to dine from home—being detained by business, as he said. But since I've tried some little dinners, he hasn't missed a meal. It was only yesterday, that in return for a shoulder of mutton *a la Provencale*, (which didn't cost more than sixpence to do, beyond what the plain roast would have done,) he took me into Madame Crinoline's and presented me with a love of a bonnet. I want a shawl to match it, and am going to make an attack to-morrow with a "*Turban de Croquettes a l'Epigram.* Don't be frightened at the name. It isn't near so difficult to make as to read, and from the receipt, I think will prove irresistible. What a pity it is that A—— found out the book first.

I'd recommend you to make the best of a bad bargain, however, and submit to the book. I agree with you that plain dinners are done for, and that cold meat two days running will soon be considered good ground for a separation—a *mensa*—at least.

Yours, very faithfully,
ELIZA B——.

THE LAW OF PRIMOGENITURE AND THE COURT OF CHANCERY.

"The insolent prerogative of Primogeniture," as Gibbon justly characterizes the system which robs all the rest of the intestate's children for the benefit of the eldest son, is the active jackall of our voracious Court of Chancery. This Court becomes the tender and merciful guardian of intestate estates, during the non-age of the heir. Its wardship is frequently that of the wolf, over the lamb. What it receives in trust, it squanders under the deceptive pretence of equity: in hundreds of cases, it makes worse havoc of estates than would the untutored prodigality of the minor. We are told that there are scores of cases, in which nearly the whole estates are swallowed up in the insatiable maw of this *equitable* public guardian of defenceless orphans. It will be recollected that Mr. Blake was a great stickler for the unnatural and cruel law of primogeniture. The cause of this advocacy is now but too apparent. All mystery is cleared away. The dazzling attractions of the Chancellorship were not to be resisted. Alas, that such a splendid object of personal ambition should involve so much public injury and private wrong. Were one half of the pillages, and extortions of this court exposed to the full light of day, the public would stand agast in horror and amazement. The press will not shrink from its duty in informing the public of the delays, the ruinous expenses and the intolerable evils of this Court. *The abolition of the Court of Chancery*, already desired by thousands, will soon become a settled idea, and finding a constant voice in the Reform press will unceasingly importune every administration till it be finally stamped on the statute Book.

The machinery of this Court was forcibly described by "Watchman" in our last.—He promises in future letters to expose its working. A correspondent in the Gore District writes:—"There is a growing desire for the abolition of the Court of Chancery, and since the exposure made by the Examiner, an idea of its enormities have become familiar."

Abolish the law of primogeniture, provide some simple and efficacious plan for guarding intestate estates, and you take from the Court of Chancery much of its ailment and reduce it to a more precarious existence. The existing law under which intestate estates are disposed of is a disgrace to our Legislation, and an insult to the intelligence and humanity of the age. By it primogeniture, the accident of birth, confers rights—the prerogative of the highwayman legalized—with the superadded cruelty that the pillaged victims are the brothers and sisters of the domestic robber. It contravenes, in nine cases out of ten, those equitable desires which some sudden calamity prevented the deceased parent from formally embodying in a written testament. It ignores the just claims of nine out of ten of the children to a share of that property to which their joint labours had contributed. In such cases, it not only robs the nine of their natural share, the birthright of a common inheritance in their parents' property; it exacts wrongfully and in defiance of every principle of justice the positive fruits of their youthful labour. The social effects of this system are frightful. Through their operation the nearest relatives are converted into the most implacable and unforgiving foes. The lives of the whole family are embittered by mutual animosities and inveterate mutual hatreds. Enriched by no merits of his own, but by the legal pillage of brothers and sisters, the privileged member of the family, if he retains the feelings of a man, cannot be happy with his lot. He knows that in the sight of justice the positive conventional law has neither superceded nor satisfied the claims of the natural. If he feels at all, he must feel that he is a self-condemned robber; though avarice may prompt him to retain what conscience will not permit him to enjoy. The necessity of keeping up an exclusive aristocracy, the poor excuse offered in defence of the system in England, is here wholly invalid. The texture of Canadian society, at this day, is necessarily democratic. Democracy may be said to be its sole element. The materials of an aristocracy, the wealth, the leisure, the gorgeous corruptions of old states, do not exist here; and all the primogeniture laws in the world fortunately cannot create so unnatural a state of things as they are avowedly perpetuated to uphold in other countries.

Sidney Smith published that the only countries in the world where the law of primogeniture now exists are England, Portugal, and Spain. This foul blot on our national character ought speedily to be removed. It has formed the germ of the pauperism and pensioned aristocracy of the English nation, and must be removed ere the people can be elevated to their rightful position.—*Toronto Examiner.*

[We suspect the late witty Dean of St. Paul's was not altogether correct in confining the law of primogeniture within such narrow limits—but, whether or not, we cordially concur in the sentiments of the *Examiner*, as to the gross injustice and impolicy of retaining such a law in force in Canada.—ED. M. H.]

M'KENZIE ON THE LAWYER NUISANCE.

Our old friend, William the Lion, of Gallows Hill, as our readers possibly know, has for some time been acting as the *Examiner's* New York correspondent. His letters present a curious *olla podrida* of truth and falsehood, exceedingly characteristic of the writer. The latest missive of the little demagogue contains some stringent remarks on the intolerable legal burdens under which our poor Provance pants and groans, and which, alas! are only too well founded. William observes—

"I do not see what you are to do about the legal profession. They threaten to engulph the country—to take it completely into their power, as the Pope and the Clergy did Christendom in old times, and with far less advantage to society. Every year new burthens are laid upon the people by the lawyers; they make the laws, twist 'em, mend 'em, plead about them, and execute them. The people are as ignorant of the law and its administration as if it consisted of a dice box and dice, and justice was to be meted out by chance. Every year is increasing the legal burthens of the Canadas, and where is the remedy?"

Where indeed! One thing is abundantly clear, that if our farmers do not bestir themselves in the matter, and that energetically and without delay, they will soon sink into the degraded position of serfs to the black brigade. Their hard-won earnings will be entirely sucked up, and absorbed by, the thirsty and insatiable forensic sponge.

The following case, which little Mac cites, is only one of thousands which might be adduced as illustrative of the grinding iniquity complained, of, and most heartily do we endorse the writer's remarks. The truth is the truth, though spoken by Sathanus himself.

"When in West Gwilimbury the other day I meet an old gentleman of upwards of eighty, a magistrate, whose decision in the matter of six bushels of apples had been appealed from—first to the quarter sessions—next to the district court—then to the Queen's bench. Some £50 of costs had been incurred, and of course, it would go next to the court of appeals.—Why not have one appeal only and that a final one? If any one of the above courts was a fit appeale jurisdiction why was it carried to the others? And if neither of them was qualified finally to decide the apple case why not have the proper appeal at once? If this intricate and artful system called law, and which is anything anybody on a bench, chooses to get $5000 a year for professing to dispense, is not simplified, a litigious disposition will be generated in the country that will sap its happiness."

We know that in agitating this question we run the risk of bringing a swarm of infuriated hornets about our ears. The *brigade* is a powerful body, making no small gains by its craft, and most naturally will not passively permit its Dagon to be hurled from its usurped elevation. But convinced as we are, that to the agriculturalists of Canada the question of law reform is one of vital importance, we shall not shrink from the conflict whatever the consequences may be.

Let us repeat what we have so frequently affirmed, that at the polling booths must the first charge be made against the locust-like phalanx. Our Parliament must be purged of red-tape men before any amelioration of our miseries can be looked for. When whales dance polka's on the slack wire, you may hope for legal reform from a Legislature composed of lawyers—but not till then!—*Streetsville Review.*

MISCELLANEOUS.

Extraordinary Despatch.—The remarkable feat has just been accomplished of effecting a communication by railway between London and Paris in the space of 8½ hours. In order to promote the restoration of the mails to the direct route via Boulogne, a deputation of share-holders in the Boulogne and Amiens Company made arrangements to test the time in which the distance could be performed, and the result has been that they have contrived to deliver on the Bourse in the middle of the day on Tuesday London papers of the same morning. It appears they started from London at 5 A. M., left Folkestone at 7. accomplished the voyage to Boulogne in two hours, quitted Boulogne in special train at half-past 9, and reached Amiens, a distance of 76 miles, in an hour and 40 minutes. At Amiens they remained ten minutes, and then, at 20 minutes past 11. proceeded to Paris, where they arrived at half-past 1—making the total eight hours and a half. This is probably the quickest trip by more than four hours that has ever been accomplished between the two capitals; and although it would be impracticable to effect the regular transit of mails with the same expedition, it is sufficient to show that a considerable acceleration might be obtained. At present the rivalries between the Boulogne and Amiens and the Northern line impede the results that might be obtained in this respect, and it is greatly to be wished, for the sake of the mercantile public, that by some fair and rational arrangement, the warfare might be extinguished.

The Bishop of Manchester read a severe lesson to Tractarians, when he presided at the meeting of the Additional Curates' Fund Society at Manchester, last week. "I will aid (he said) on no principles of party, or no principles of private or individual pique or opinion; but if I find incumbents perfcrring the wretched ceremonial of a past time to the vital essence of Christianity—if I find men dwelling upon a dress in the church, instead of the spirit in which the doctrines of that church should be taught—clinging to the surplice in ministration, instead of clinging to the word and the vital truths of God, and telling me they must cling to those antiquated follies, unsanctioned and unauthorized alike by the letter and the spirit of our church, and the church of Christ: telling me, I say, that they must cling to those antiquated follies, or that they must become infidels, then on them I will not bestow your bounty. And if I find under the plea—the affected plea—of catholicism and the ancient customs of an ancient church, disrespect to their official superiors—claiming to themselves, the right of witholding the rite of baptism and burial from others, sending children from the church gates whose parents are anxiously craving for them to be received into that church, sending that same child unburied from their church gates in consequence of the want of that baptism which they themselves refused—on them I will not bestow your bounty. I am speaking of no imaginary evils."

Poor old Bachelors.—Bachelors are a class of men entitled to much sympathy, though they don't always get it. A portion of their miseries in winter has been thus graphically described by a member of that rusty fraternity:—"For a man of phlegmatical temperament—a bachelor—it requires a mighty effort to go to a bed on a cold and freezy night—a mightier, to turn over, when he gets there—but mightiest of all to get up again. Before he goes, he warms and turns, and turns and warms—pokes his toes to the fire, and then his heels—rubs his hands—bakes his shins and then sneaks of to bed. Then if a shank happen to stray over the linen six inches from the warm place where it was originally planted, he snatches it back as though it was snake bitten. But when day comes—when the breakfast dishes begin to rattle on the table—here we must be excused, for' tis no joke.'

Origin of the Funeral Array.—The array of funerals commonly made by undertakers in London, and in many large towns, is strictly the heraldic array of a baronial funeral; the two men who stand at the doors being supposed to be the two porters of the castle, with their staves in black: the man who heads the procession wearing a scarf, being a representative of a herald at-arms; the man who carries a plume of feathers on his head being an esquire, who bears the shield and casque with its plume of feathers; the pall-bearers, with batons, being representatives of knights-companions-at-arms; the men walking with their wands being supposed to represent gentlemen ushers with their wands. Literally, all "the pomp and circumstance" with which the barons of high birth, ancient lineage, numerous heraldic quarterings and large estates, was conveyed in the olden time to "the house appointed unto all living" are now copied without the slightest significance or utility—the mere dry form transplanted into another grade and class to which it is singularly inappropriate and oppressively expensive—in the funerals of the middle classes of society, in those of the humble curate and decent tradesmen, and small shopkeeper, and even the first class artisan. In this way the cost of funerals are swollen to the enormous amount for England and Wales of not less than five milions sterling annually.—*Church and State Gazette.*

An Ingenious Invention for Early Risers.—A mechanic residing at number at 104, Newcastle-street, Hulme, has constructed a little machine for the purpose of awaking himself early in the morning. To a Dutch clock in the kitchen he has attached a lever, from which a wire communicates through the ceiling to the bedroom above, in which he has affixed his novel invention. Having set the lever to any hour at which he may wish to be awakened, when the time arrives, it is released by the clock, and the machinery up stairs rings a bell, then strikes a match, which lights an oil lamp. This lamp runs upon four wheels, and is at the same instant propelled through a tin tube on a miniature railway, about five feet long, which is raised, by small iron supports, a few inches above the bedroom floor. Near the end of the "line" is fixed an elevated iron stand, upon which a small tea kettle is placed (holding about a pint), and immediately under it, by the aid of a spring, the lamp is stopped, and its flame boils the water in the kettle, in twenty minutes, thus enabling him to take a cup of tea or coffee prior to going to work. The bell attached is so powerful that it awakes his neighbour, and the machine altogether is of a very neat appearance, the mechanism being of polished iron. The inventor has made it during his leisure hours, and has been about eighteen months in bringing it to a state of completion. He has also combined economy with utility, as the working of it does not cost more than *a half penny per week!*

The V's and W's.—"Villiam, I vant my vig."

"Vich vig, sir?"

"Vy my vite vig, in the vig box, vich I vore last Vednesday vas a veek, ven I vent to the Viddow Vaddle's vedding."

"I'm worry much wexed at your wulgar pronounciations, Mr. Walentine, you should say wig, not vig. But if you are going a wisiting you had better take your welwet cap that you had on at the last meeting of the westry."

"Vife, you are always vorrying me vith your criticism on my vords. I am not going a wisiting, as you have it, but going to take a valk along the varves, and around Vashington Square, and perhaps I shall go as far as the Vater Vorks.

Simplicity.—A young Scotch girl enquired of a gentleman in broad Doric, the *wye* to Tremont House. He desired her to follow him, and asked how long since she arrived from Scotland. "Sox weeks, your honor." On their arrival at their destination. she very coolly enquired—"Noo, sir, will ye just tell me hoo ye kenned I was frae *Scotlan'*?"

Irish Temperance.—A gentleman from Ireland, on entering a London tavern, saw a countryman of his, a Tipperary squire, sitting over his pint of wine in the coffee room. "Blood an' 'ounds! my dear fellow," said he, "what are you about? For the honor of Tipperary, don't be after sitting over a half pint of wine in a house like this." Make yourself aisy, countryman," was the reply: "it's the *seventh* I have had and every one in the room knows it."

COMMERCIAL.

WHOLESALE PRICES CURRENT.

Montreal, Monday Noon, Jan. 28, 1850.

Ashes—Pots, 32s; Pearls, 30s to 30s 6d. Receipts for the last week averaged about 35 brls a day.

Flour—Nothing doing.

Wheat—Is bought up in the market at 3s 9d to 4s per minot, very little coming in.

Provisions—Nothing doing.

Exchange—Remains at 11¼—Nominal till Packet day.

Montreal Mining Consols—Sold last week at 13s 6d. A considerable amount of City Bank Stock was sold last week at 36 per cent discount on the reduced stock.—*Witness.*

Extracts from T. C. Orr's Circular.
Glasgow, 11th Jan. 1850.

The indications noted in my advices by last steamer of an improvement in the Grain trade, have not resulted in any decided activity, although there has been more firmness in the market.

Wheat.—Since it has been ascertained that the stocks of fine qualities in granary here is small, buyers have taken those descriptions required for mixing more freely, at rather dearer prices; but other sorts are without change. Prices range from 18s 6d to 21s per 240 lbs.

Flour.—Inspected Canadian "super" and "extra" of good colour, in request; but the larger quantities of inferior now offering meet no sale, the quality being very indifferent and irregular, not suitable for this market. Super and Extra Super are quoted at 23s to 23s 9d per barrel.

Ashes.—In slow retail demand at 38s for Pots, and 36s 6d for Pearls.

Timber—Without change.

LUMBER TRADE—MARKETS.—The Troy *Whig* states a fact with which our dealers here are pretty familiar,—namely, that the chief supplies of Lumber for the State of New York are now furnished by Canada. It says, that there are 28 dealers in Troy, who sold this year two millions six hundred thousand dollars worth of Lumber, and that the quantity sold was 187,142,857 feet, at an average price of $14. The following were the average prices for the year at Troy:—

Pine—First quality, (inch),	$30	@ $33	per M.
" Second do. do.	20	@ 23	"
" Third do. do.	10	@ 17	"
" Plank	18	@ 25c	a piece.
" Boards	12	@ 16c	"
Whitewood—inch boards	$18	@ $20	per M.
" five-eighths	15	@ 18	"
" Chair Plank	30	@ 35	"
Hardwood—Ash (inch measure)	18	@ 20	"
" Maple do do	14	@ 18	"
" Black Walnut, inch measure.	25	@ 60	"
Spruce—Plank, 1¼ inch	12	@ 15c	each.
" Boards, 1 do	9	@ 10c	"
Hemlock—Gang-sawed	9½	@ 10c	"
" Other kinds	7	@ 9c	"
" Joice, 3 and 4	8½	@ 10c	"
" " 4 and 6	18	@ 20c	"
" Wall strips	7	@ 7½c	"
" Two-inch	14	@ 17c	"
Cherry, (inch measure,)	$25	@ $40	per M.
Sycamore, "	14	@ 17	"
Shingles—Pine-shaved, 1st quality	4½	@ 5	"
" Pine, common	2	@ 3½	"
" " sawed	3	@ 3½	"
" Hemlock, do	2	@ 2¼	"

THE TEA TRADE.—Comparative statement of the imports and exports of Teas into the United States for the last two years ending Dec. 31:—

IMPORTS.		1849.	1848.
Hyson	lbs	651,610	767,419
Young Hyson		9,225,754	7,906,995
Hyson Skin		2,167,432	2,320,906
Twankay		662,402	970,698
Gunpowder		839,680	907,107
Imperial		69,722	813,511
Total Green	lbs	14,237,600	13,686,336
Total Black		5,999,315	3,817,652
Total Green and Black.		20,236,915	17,503,988
Increase in 1849—Green	lbs		551,264
Do 1849—Black			2,181,663
Total increase	lbs		2,732,927

EXPORTS.		1849. Fm the U.S.	1848. Fm N.Y. only.
Hyson	lbs	145,950	165,599
Young Hyson		42,780	48,952
Gunpowder		20,890	24,721
Imperial		20,850	23,436
Total Green	lbs	230,470	262,708
Total Black		186,650	194,712
Total Green and Black		417,120	456,920

Statement of Teas exported from China to the United States for the year ending June 30th, 1849, in American vessels:—

GREEN—Hyson	Chests	9,213
Young Hyson		101,705
Hyson Skin and Twankay		36,615
Imperial		7,109
Gunpowder		8,350
		162,992
BLACK—Souchong and Congou		56,650
Pouchong		8,911
Pecco and Orange Pecco		1,461
		67,042
Total		230,034
1848-9		230,034
1847-8		240,867

The whole number of clearances at different ports in the United States for California, since Jan. 1, 1849, has been 698, as follows, viz:—

New York	214	Edgarton	4
Boston	151	Belfast, Me	3
New Bedford	42	Mobile	3
Baltimore	38	Newport, R. I.	2
New Orleans	33	Bristol	2
Philadelphia	31	Holmes' Hole	2
Salem	23	Saco, Me	2
Bath, Me	19	Thomaston, Me	2
Portland, Me	13	Wilmington, N. C.	2
Bangor	13	Stonington	2
New London	17	Plymouth	2
Providence	11	Barnstable	1
Eastport, Me	10	Mystic, Ct	1
Nantucket	8	East Machias, Me	1
Fall River	7	Frankfort	1
Charleston, S. C.	7	Cherryfield	1
Newburyport	6	Bridgeport, Ct	1
Gloucester	6	Newcastle	1
Warren, R. I.	6	Portsmouth, N. H.	1
Sag Harbor	6	Searsport, Me	1
Norfolk	5	Hyannis	1
New Haven	5	Norwich, Ct	1
			698

STATEMENT *of Imports and Exports at the Port of St. Johns during the Quarter ended the 5th day of January, 1850:—*

IMPORTS.

Articles.		*Quantity.*
Animals—		
Horses	number	6
Candles—		
Wax and Sperm	lbs	4605¼
Chocolate and Cocoa	lbs	775
Coffee—		
Green		336 cwt. 0 qr. 6lb.
Corn Brooms	dozen	569½
Fish—		
Salted and Dried		1 cwt. 0 qr. 0lb.
Pickled	barrels	½
Flour	barrels	7
Fruit—		
Apples, Green	bushels	2951½
Figs	lbs	1169
Nuts, all kinds	lbs	610
Peaches	bushels	4
Quinces	bushels	17½
Raisins	lbs	44275
Preserved	value	£ 118 18s 10d
All other kinds	value	£ 111 14s 7d
Grain—		
Meal	barrels	1
Honey	lbs	180
India Rubber Boots and Shoes	pairs	23333
Leather—		
Lamb and Sheep Skins	doz	534 9.12
Goat Skins	doz	73 4.12
Calf Skins	doz	19 6.12
Upper Leather	lbs	55
Sole Leather	lbs	1249
All other Leather	lbs	6695½
Leather Manufactured—		
Women's Boots & Shoes	doz	6 3-12
Girls' Boots and Shoes	doz	28 5-12
Men's Boots	pairs	4
Men's Shoes	pairs	12
Liquids—		
Ale & Beer, in casks	gallons	6081
Cider and Perry	gallons	10350
Vinegar	gallons	5571
Molasses		7765 cwt. 3qr 2lb.
Oil—		
Olive, in casks	gallons	2616
Olive, in jars or bottles	gals	363
Lard	gallons	38
Linseed	gallons	2776
Sperm	gallons	570
Fish	gallons	8161½
Paper—		
Coarse		1 cwt. 2 qr. 12lb.
Writing		27 cwt. 1 qr. 15lb.
Paper Manufactures	value	£ 517 6d 0d
Playing Cards	packs	7562
Potatoes	bushels	165½
Provisions—		
Butter		0cwt. 1 qr. 13lb.
Cheese		59 cwt. 1 qr. 25lb.
Bacon and Hams		0 cwt. 2 qr. 14lb.
Meat, Fresh		0 cwt. 1 qr. 16lb.
Pork, Mess		62 cwt. 2 qr. 0lb.
Spirits—		
Brandy	gallons	1457
Sweetened or Mixed	gallons	15
Spices—		
Cassia	lbs	5157
Pimento	lbs	4032
Pepper	lbs	5551
Sugar—		
Refined		5 cwt. 1 qr. 19lb.
Muscovado		132 cwt. 3 qr. 15lb.
Succades & Confectionary	lbs	57
Tea	lbs	63760
Tobacco—		
Leaf	lbs	42602
Manufactured	lbs	229972
Snuff	lbs	250
Segars, No. 165,700	lbs	1781
Wine, £15 the pipe, and under	gallons	80
Wood—		
Planks and Boards	feet	14500
Burr Stones, 2½ per ct.	number	250
Berries, for dying, 1 per cent	value	£ 156 15s 11d
Bristles, 1 per cent	lbs	3373
Coals, 1 per cent		23 tons 5 cwt.
Boiler Plate, 1 ⅌ cent.	plates	50
Railroad Bars, 1 ⅌ cent.	value	£ 286 2s 4d
Hides, 1 per cent	number	12368
Lard, 1 per cent	lbs	22
Lead, 1 per cent	value	£ 19 18s 5d
Marble, in blocks 1 per cent.	pieces	54
Oil—		
Palm, 1 per cent	lbs	81524
Oakum, 1 per cent	lbs	150
Pipe Clay, 1 per cent	value	£ 72 3s 5d
Resins and Rosins, 1 per cent.	barrels	179
Tar and Pitch, 1 per cent.	brls	184
Tallow, 2½ per cent	lbs	467546
Teasels, 2½ per cent.	number	10858
Other Articles, 2½ per cent.	value	£ 2424 6s 8d
Wool, 2½ per cent	lbs	401
Pig and Old Iron, 2½ per cent.	value	£ 6 7s 1d
Grease and Scraps, 2½ per cent	lbs	7468
Steel, 2½ per cent	value	£ 30 0s 6d
Cotton Manufactures, 12½ per cent	value	£ 4112 16s 4d
Woollen Manufactures, 12½ ⅌ cent	value	£ 5842 12s 7d
Leather Manufactures, 12½ ⅌ cent	value	£ 1141 1s 2d
Hardware, 12½ per cent.	value	£ 4476 7s 0d
All other Articles, 12½ per cent	value	£17000 1s 3d
Ashes and Soda free	value	£ 1146 13s 10d
Cotton Wool, free	lbs	11046
Books and Pamphlets, free	value	£ 2588 0s 1d
Trees and Plants, &c., free	value	£ 105 12s 7d
Seeds, free	value	£ 58 15s 0d
Animals for Breed, free	value	£ 8 5s 0d
Other Free Goods, free	value	£ 346 15s 11d
Coin, free	value	£34000 0s 0d
Settlers Goods, free	value	£ 343 10s 0d

GOODS *entered for Warehousing at the Ports of Quebec and Montreal, &c.*

Articles.		*Quantity.*
Candles—		
Sperm	lbs	286
Molasses		10484 cwt. 2qr. 7lb.
Spices	lbs	19510
Spirits—		
Brandy	gallons	130
Sugar—		
Refined		159 cwt. 0 qr. 0lb.
Muscovado		5549 cwt. 2 qr. 0lb.
Pork—		
Mess, barrels 2003		3576 cwt. 2 qr. 4lb.
Tea	lbs	72390
Tobacco—		
Leaf	lbs	70068
Manufactured	lbs	100842
Segars	lbs	780
Articles at 2½ per cent.	value	£ 847 4s 4d
Articles at 12½ per cent.	value	£ 4175 13s 7d
Articles at 30 per cent.	value	£ 720 16s 8d
Free Goods	value	£ 5 0s 0d

EXPORTS.

Articles.		*Quantity.*
Animals—		
Cows	number	1
Horses	number	244
Sheep	number	8
Ashes—		
Pots	barrels	3859
Pearls	barrels	808
Beef	barrels	100
Butter	lbs	65983
Canada Balsam	barrels	81
Coals	tons	1
Eggs	dozen	18580
Flour	barrels	28196
Fish—		
Mackerel	barrels	43½
Salmon	barrels	19
Salmon	tierces	100
Grain—		
Barley	bushels	3085
Oats	bushels	77339
Peas	bushels	46927½
Corn	bushels	2919
Iron—		
Scrap	tons	29
Lumber—		
Boards	pieces	259706
Planks	pieces	148008
Sawed	pieces	28084
Pine Timber	feet	252000
Cordwood	cords	50
Merchandize	value	£ 1698 19s 3d
Porter	barrels	2
Rags	bales	202
Salt	bushels	1184
Shingles	packs	463
Seeds—		
Hay	bushels	144
Flax	bushels	21232¼
Skins—		
Beaver	number	14
Fox	number	15
Muskrat	number	1000
Wheat	bushels	135705

GOODS *under transit and debenture from the River St. Lawrence to Lake Champlain.*

Articles.		*Quantity.*
Ashes	barrels	288
Flour	barrels	12119
Grain—		
Corn	bushels	1825
Merchandize	value	£ 760 6s 9d
Provisions—		
Butter	lbs	122512
Cheese	lbs	20293
Pork	barrels	11
Saleratus	barrels	129
Shingles	packs	515
Spirits—		
Brandy	gallons	540
Tea	lbs	6400
Wheat	bushels	2584
Wood—		
Boards	pieces	38300
Planks	pieces	582
Sawed Lumber / Spruce	pieces	394

CUSTOM HOUSE, ST. JOHNS,
5th January, 1850.

MONTREAL HERALD AND DAILY COMMERCIAL GAZETTE.

POST OFFICE NOTICE.

COMMENCING on the 9th instant, the MAILS FOR ENGLAND, *via* the *UNITED STATES*, will be DESPATCHED from Montreal, EVERY SUNDAY MORNING during the PRESENT MONTH, up to SUNDAY, 23rd instant, inclusive, and every ALTERNATE SUNDAY during the Months of JANUARY, FEBRUARY, MARCH and APRIL, 1850, commencing on SUNDAY, 6th JANUARY.

The Boxes will be closed for PAID LETTERS on the previous Saturday, at FIVE o'clock, P.M.

UNPAID LETTERS may be dropped into the Box during SATURDAY NIGHT.

NEWSPAPERS must be posted before Four o'clock, P. M., on SATURDAY.

General Post Office, Montreal, 19th Dec., 1849. 231

THURSDAY MORNING, JAN. 31, 1850.

☞ FIRST PAGE.—Our Colonies—Gorgey's Treason; Kossuth in his own country—A Night under an Avalanche—Domestic Bliss vs. Dinners—The Law of Primogeniture and the Court of Chancery—McKenzie on the Lawyer Nuisance—Miscellaneous—Commercial, &c.

The following is from the *Gazette* of yesterday :—

But, however we may doubt as to the opinion of the Democratic *Herald*, respecting the formation of the Society, we can have none as to the following sentence :—

"Notwithstanding the efforts of the newly-formed 'Society for the Reform of Colonial Government,' to reconcile the contradictory elements of self-government in the Colonies, and their political dependence upon a Mother Country, which does not even affect to favour them beyond foreign States, *but which expects them to bear the cost of their own defence, when attacked as Colonies*—notwithstanding all these efforts, and they will be vigorous, we can have no doubt as to the results."

The *Herald* knows that the assertion in italics is not true. Great Britain has never expected the colonies to pay for external defence, and does not now. The very prospectus of the association referred to, and published in the *Herald* of yesterday, also explicitly states that—

"It will be a main object of the society's endeavours to relieve the mother country from the whole expense of the local government of colonies, *except only that of the defence of the colony from aggression by foreign powers at war with the empire*."

The only man who, as we have yet seen, has proposed to make the colonies pay for external defence, is Mr. Cobden, and even he has abandoned the idea, and become a member of the Council of this Association. For what object, then, is the constant reiteration of so notorious an untruth. For none other than to create an impression in Canada hostile to the Mother Country.

We shall not take the trouble of answering to our contemporary's "hard words." If we stated, as he maintains, that which is not true, we did so from misapprehension and, most assuredly, from no desire to create any "impression in Canada hostile to the Mother Country." But, we maintain, that what we stated was strictly true, and in perfect accordance with the views of the Colonial Government Reform Society, as expressed in the passage above quoted from its prospectus. Our readers will judge for themselves. What we said was, that the Mother Country "expects them (the Colonies) to bear the cost of their own defence, when attacked, *as Colonies*"—and we printed the two last words in italics, that we might not be misunderstood. The proposition of the Society is, it will be seen, that the Mother Country shall bear the expense of defending the Colonies, only "from aggression by foreign powers *at war with the Empire*." The meaning is plain enough—namely, that, when the war springs from a difference between the Mother Country and some "foreign power"—the Colony having no direct interest in the matter—she will bear the expense of its defence: but should the war, on the contrary,—like the Caffre wars in the Cape, or the Indian wars in North America—spring from a difference between the Colony and its neighbours,—in which the Mother Country has no direct interest,—the Colony must bear the cost of its own defence. That we did not exaggerate, but cautiously restricted our meaning to what we may call *Colonial wars*, we think, after this explanation, even our contemporary will admit: but, supposing we had not done so, we should only have erred, in company with the *Gazette's* own very able correspondent "An Advocate",—published in the same issue in which we are misrepresented,—who says :—

"If the people at home are gravely proposing, and *there is little doubt the scheme is in agitation*, to withdraw her Majesty's garrison and stores, and make us provide for our defence in case she happens to plunge into war with our only neighbour, shall not we, who are most interested, consider whether it is worth while to prepare against that which never ought to happen, and whether our true interest is not "like kindred drops to mingle into one" with those from whom we are called on to defend ourselves? If they meditate *virtually casting us off*, sawing away the branch of the British Oak on which we are sitting, does not prudence and the instinct of self preservation teach us to consider whether we shall fall on our head or heels?"

We shall merely add that, as the first fruits of the "scheme," we have just learned, from what we believe to be reliable authority, that orders have been received for the immediate disbanding of Captains Ermatinger, Jones, and Sweeny's troops of Provincial Cavalry. The *Gazette* may think it good policy to support Lord Elgin and Mr. Justice Draper, in their base attacks upon the loyalty of braver and better men than themselves; but, so far from Annexationists entertaining a "hostile feeling to the Mother Country," the very object of their movement is to prevent such a feeling arising in the Colony.—They believe that annexation will be for the mutual benefit of both countries, and that it is only with the consent of both that it is "either practicable or desirable." The *Transcript's* silly and unmeaning, and the *Pilot's* self-interested billingsgate, we were prepared for; but we expected better things from the *Gazette*. What has lately occurred to induce him to assume so offensive a tone, towards those whom he has hitherto treated with courtesy at least?

———— what means that prayer,
Springs it from *piety* or from *despair*?

THE WITNESS.—Our only reply to our contemporary's quotations from the Old Testament, is that they have *special* reference to *special* divine interpositions. *We* read the *rule* in Matthew chap. 5 v. 45—"he maketh his sun to rise on the evil and on the good, and sendeth rain on the just and on the unjust". *The Witness* must excuse us, if we refer him to the immediately preceding verses, in reply to what he calls being "taken rather severely to task for a lack of charity". He might have "noticed", and refuted if he could, what he conceived to be our error, without indulging in mere vituperation—"infidel cant" and "practical atheists", are bitter words to apply to any one, and altogether unbecoming in a professedly religious journal.

Seventeen Branches of the British League have declared for Elective institutions, ten against hem.

The three persons found guilty of riot and assault at Toronto, have been sentenced to one month's imprisonment in the common gaol. John Wilson is sentenced, in addition, to pay a fine of £12 10s.

All these have been since released by the Governor General. His clemency, we hope, will be duly appreciated.—*Pilot*.

What does the *Pilot* mean by "his (the Governor General's) clemency"? According to the *Pilot's* interpretation of Responsible Government, his Excellency is a mere concentration of negatives—he can neither do good nor evil, excepting as he is acted upon by his Responsible Advisers, whose "clemency", (and what a ludicrous idea!—the "clemency" of Mr. Hincks!!) and not Lord Elgin's, is the matter to be appreciated. "Dignified neutrality"—or as the *London Chronicle* calls it "beatific repose"—is a mere negative state of sufferance: "clemency", on the contrary, implies positive action on the part of "the native"—as the astrologers used to call the individual whose character and destiny they sought to read in the stars. And this reminds us that the ancient soothsayers were wont to read the future in the dung of birds and other animals—"the Bruce" knows its value better, as the purchaser of the lease of Monklands can tell to his cost—*aurum e stercore*—the nightman's profits are as welcome as the quarter day; for money, it is well known, however obtained, always smells sweet in the nostrils of the avaricious. We find the following upon this "savoury transaction," in Yesterday's *Gazette*. It is, so far, satisfactory to learn that the incoming tenant, and not the Province, pays his Lordship for the *fulzie*!

In reply to the *Kingston Argus*, we have the honor to state that one of the conditions of the sub-lease of Monklands is, that the sum of £22 be paid by the sub-tennant for the manure left by Lord Elgin on the premises. The only loss to the province, therefore, if any, upon this savoury transaction, is a small mite of interest; but as that goes into Lord Elgin's pocket, no body will grudge it, considering the great expense at which he lives, the numerous charities to which he subscribes, and the small saving he is able to make from his shabby salary.

The following letter has been published and circulated in Toronto. It will repay a perusal, and, we suppose, may be considered as containing the sentiments of the republican branches of the B. A. League. We, perhaps, go too far in using the word republican, but our readers will judge of its correctness :—

To the Members of the Yorkville Branch of the British American League.

MY FELLOW LEAGUERS.—It is with much concern that I have read in the *Patriot*, a resolution passed by you in reference to my views on the question of elective institutions. Had those views been met by argument, or any position I assumed, been controverted by you in the slightest degree, some benefit might have arisen from its publication; but passing over the direct personal allusion to myself, which, to say the least, conveys a sort of censure upon the presiding officers of the central committee of the League, a course not likely to strengthen their hands, I submit, whether any advantage to be derived from parading before the public, merely conflicting opinions of members of an association, whose utility depends upon its unanimity, and whose measures, to carry weight with them, must be based upon some show of reason and sound sense is not more than doubtful. Believe me, my present views have not been adopted without deep reflection, and the conviction has been forced on me, in spite of long cherished feelings, that Canada does not possess the peculiar materials upon which depends the excellence of British institutions, and that there is little analogy between the British Constitution and the system of government that now obtains in Canada. Take for instance the two higher branches of the legislature, where is their parallelism with the throne and peers? Take the government of Canada as now constituted, what is it? A rampant democracy of the worst description; a democracy without any counteracting influence to hold it in check or prevent the party in power from wreaking their vengeance upon their opponents. Would its character be changed by the advent of the Conservatives to power? Do you desire to see the system perpetuated? Instead of prerogatives that cannot be exercised, I propose substituting defined powers, that can be called into action when the necessity for their use arises. To illustrate my meaning, take the Indemnity Act; it passed both branches of the legislature. A hundred thousand freemen petition that the royal assent may be withheld from that obnoxious measure; their earnest and respectful request is treated with contempt. The atrocious bill becomes law, in downright outrage to the feelings of at least a large minority of the people of the province. Now, under the other system, suppose the act passed in the same manner, the elected governor, whose interests are identified with our own, and who would understand the feeling of the country, interposes his veto; the bill goes back to the other branches, and unless re-passed by a majority of two-thirds of both Houses, remains a dead letter. He fears not to exercise the power entrusted to him for the public good; neither his salary nor his tenure of office is jeopardized thereby; while the governor appointed by the crown dares not to carry out the wishes of the petitioners, lest, upon a fresh election, their views, unsustained by perhaps a bare majority, should hurl him from his place and deprive him of his income. In the one case, due provision is made for insuring respect for the opinions and feelings of the minority; in the other they are recklessly sacrificed to individual selfishness, as base as it is paltry. This first places a man in a position to discharge an onerous duty with impartiality, the other offers a bonus to injustice.

With regard to the royal authority, I know of no authority inherent in a British monarch, other than that exercised by the ministers of the crown; that is the authority of the House of Commons, the authority of the British people; that is the authority known to the constitution, and the people are its source. That authority is in Canada delegated to the governor, as a subordinate officer. It was not only with the consent of that authority, but by its avowedly actively exercised influence, that those great changes were effected during the rule of Lord Sydenham, which have resulted in the present appropriation of the clergy reserves, the exclusion of even the form of religion from the university, the domination of the French Canadians, and the imposition of the system falsely styled responsible government, which the sentiment of loyalty to the sovereign led us so long honestly to oppose. That same authority, by its influence, secret and open, has deprived the conservatives of political power, driven some to resign their commissions, placed the feet of their adversaries (the rebels of 1837) upon their very necks, and, lastly, sanction ed the principal of rewarding treason at the cost of the loyal. Will my friends calmly look at their position, and ask themselves are these things so? Do not these events speak loudly, and tell them as plainly as events can speak, that unless, they, as a party, can advance some principle that will at once appeal to the hearts of the masses and carry them with them, their fate is sealed, their cause is hopeless. The right principle I believe to be that involved in elective institutions, that principle which insured to those of the old colonies possessing liberal charters, and the spirit to stand up for the liberty those charters secured, a century of undisturbed quiet previous to the American revolution and a long course of prosperity ever since. Had that principle entered into the appointment of our present legislative council, would the Indemnity Bill ever have reached the Governor? I think not.

The present system places our liberties, rights and privileges at the will of a single democratic body—the Legislative Assembly—without check, without control, save when Downing Street interposes to protect and foster British interests at the expense of our own. Compared with this, are not the elective institutions, associated with those checks common to the free republics of the United States, conservatism itself. The sentiment of loyalty has hitherto led us to overlook the democratic principle as displayed in British institutions, a principle derived from our Anglo-Saxon forefathers, which underlays the very foundation of the constitution itself, and its spirit pervades every part of that massive structure. That principle has been extended by the descendants of those same Anglo-Saxons: and upon it, controlled by salutary checks, they have founded a government of a confederacy of states, the rapidity of whose growth in wealth, population and power, is unsurpassed in the annals of the world, and which points as a beacon to those who will be instructed by the history of the past. I tell my friends, that as a conservative, my heart was with their heart, my feelings with their feelings my sympathies with their sympathies; but as I gaze upon the onward course of events, I feel convinced that the sentiment of loyalty, however sacredly cherished, must gradually yield before the irresistable spirit of civil freedom; and I have been compelled to ask myself the question, am I justified, for the mere gratification of a feeling—a feeling that must daily be growing less—in retarding a change that cannot fail to advance the interests of my children and my country? I feel persuaded that Canada never can prosper till her industrious pursuits are efficiently protected; I feel assured that protection never will be accorded while British interests control her commerce. To attain that one end, "protection," I am prepared to yield many of my preconceived opinions, and to sacrifice my feelings, my inclinations, and my prejudices, if you will.

Feeling an earnest conviction of the truth of these statements, and of the duty arising therefrom, what upright course was open to me but the one you deprecate? The man who wilfully persists in error while he knows it to be error, may dread the finger of scorn; but he who acts up to his honest convictions, even though those convictions do involve a change of opinion, may defy the world, so long as his conscience tells him that change has been induced by no selfish or mercenary motive. I am not one of those who would willingly forsake old friends, in search of new ones. To me, my long connection with the conservative party has been a source of pride; I desire not to forsake them; but would fain carry them with me in that path, which my judgment tells me can alone restore to them that influence they formerly enjoyed in the councils of their country, and to which their wealth, their education, their intelligence and their romantic loyalty, so justly entitle them

Who among us cannot bear testimony to the superior energy of our opponents in all political contests? Who among us has not, election after election, deplored the apathy of their fellow conservatives? Is it not a fact that nothing short of the Indemnity Act, nothing short of the burning of the parliament house, would have aroused them from their deadly torpor? How then can you ever expect to succeed without infusing new and life-giving principles into such an apathetic body? I speak the words of soberness, and tell my friends plainly that they are like children playing upon the edge of a precipice, whose foundation the ocean waves are rapidly undermining; they neither know nor believe the extent and the power of the annexation movement; it is guided by men of reflection and intellect; it is supported by individual contributions, with a liberality to which you will hardly yield your credence; it is carrying with it two-thirds of the inhabitants of the cities of Lower Canada, with nearly all the rural constituencies, and will soon speak in a voice not to be misunderstood. It is folly to believe in the opposition to that measure of those in Canada West whose whole lives contradict the assertion now upon their lips; another shifting of the scene on the political stage, and those men go with Lower Canada, the ground glides from under our feet, and the stars and stripes tell the tale. Listen then to him who dislikes annexation, both from feeling and conviction, as heartily as yourselves. Go with the advocates of the elective institutions, and thereby cut the very ground from under the feet of this party, and you may yet aid in preserving a territory of greater area than the whole United States, as a field for British industry and British enterprise; you may yet level with the ground the annexation movement, and erect a fair temple to social order and civil freedom upon its ruins. Neglect this advice, disregard this warning, and the precipice upon which you are standing will tumble into the ocean, burying beneath the waves everything British in name, heart, and sentiment. I speak earnestly upon these matters, for I feel deeply; the one chance of preserving British connection is by the abrogation of that power which, in the collision caused by the conflicting interests of the two countries, sacrifices those of the greater. *To continue British, Canada must possess a prosperity as great and as rapid in its growth as that of its neighbor, and with institutions not less favourable to popular liberty.* If my views are erroneous, refute them; if you have a more promising policy, propose it; but do not, I pray you, by increasing our divisions and by giving them publicity, prostrate the party of your friends at the feet of its opponents.

W. G. GAMBLE.

The following resolutions have been moved for the adoption of the New York Legislature now in session at Albany. The resolutions were ordered to be printed, by a vote of 76 to 28 :—

ANNAXATION OF CANADA.

Mr. WHEELER offered the following :—

Whereas by the original article of the confederation adopted by the States of this Union, it was provided that "Canada acceding to this confederacy, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of the Union." And whereas recent occurrences in the Province of Canada indicate a strong and growing desire on the part of the people thereof, to avail themselves of the advantages of the foregoing offer, and to apply for admission among the sovereign States of this Union. Therefore—

Resolved, (if the Senate concur,) That believing the admission of Canada into this Union, to be a measure intimately connected with the permanent prosperity and glory of both countries, the people of the State of New York are earnestly desirous to see such union effected, without a violation on the part of the United States of the amicable relations existing with the British government, or of the laws of nations.

Resolved, (if the Senate concur,) That the annexation of Canada, and the other Provinces of Great Britain in North America, effected by negociations with the British government and with the voluntary consent of the people of said provinces, upon equitable and honorable terms, is an object of incalculable importance to the people of the United States. It would re-unite into one family, and make citizens of a brave, industrious and intelligent people, who are now our brethren in interest and language; it would save this country the expense of maintaining a line of custom houses and fortifications, three thousand five hundred miles in extent, and give to the whole continent the blessing of free and unobstructed trade; it would secure the preponderance of free institutions in this Union; and it would unite under one republican government all the people, and all territory between the Atlantic and Pacific—the Gulf of Mexico and the Artic Ocean.

Resolved, (if the Senate concur,) That our Senators and Representatives in Congress be requested to co-operate in any measures which the General Administration may adopt to promote the peaceful annexation of the British North American possessions in this country.

We have been requested to publish the following letter :—

LIEUT. COL. STANLY BAGG, 5TH BATTALION MONTREAL MILITIA.

SIR,—With reference to your letter of the 3rd November last, and 14th and 18th January, present month, I beg to say the conduct of the Deputy Adjutant General of Militia, in interrogating me as you state him, in your letter of 3rd November, to do, by command of the Governor General, is not such as I should have expected at the hands of that gentleman.

I am surprised, Sir, that you have submitted to be the instrument in his hands to put to me such unconstitutional questions, holding, as I believed, you to have held from your expressions to me, the same opinions on the great question of annexation as myself, you will recollect my consulting you shortly after I signed the manifesto as to whether I ought to resign my commission.

If the Government imagined that I was one of those miserable creatures who would apologize for having signed the manifesto it was much mistaken, the more so as this is not the first occasion upon which some of the present advisers of the Governor General have done what they could to oppress me (as I have been well informed by a colleague of their own), for my loyalty in 1837. Now, Sir, if my conduct in 1837 and 1838, in assisting to maintain the honor of the British Crown was a crime, as it would seem is my present desire for a peaceable severance of the Province from the Parent State, and its annexation to the United States of America, I wish to be informed how I should, in future, comport myself so as to escape the censure of the powers that be.

But rather then remain exposed to such interrogations as the Deputy Adjutant General of Militia has put to me or hold a commission, subject to the tenure of submitting my will and opinions to those of any men or man, I now do what I would have done some time since had you not forbid me to do so, that is to say, I resign my commission of Lieut. in the 5th Battalion Montreal Militia, and as proof of such resignation my commission dated 14th July, 1847, is herewith enclosed to you, that the Governor General may dispose of it as to him may seem best.

I have the honor, to be,
Sir,
Your very obedient servant,
THOS. McGRATH.

Montreal, 23rd January, 1850.

We are indebted to Mr. Daly, agent for the Vermont Central and Canada line of Stages, for a Boston paper dated Tuesday the 29th.—We notice in the *Daily Mail*, that "a more particular examination of the ashes found under the grate at Professor Webster's room at the Medical College, has brought to light another tooth, several small bones, and a wedge of gold of the value of about $3."

A foreign letter says that "the French are gaining ground against the Arabs, but at a fearful cost of blood. These defend themselves and their country bravely, dying but not surrendering. Eight hundred of them had retreated to an oasis, where they fought until the last man was killed. Literally there was not one left to tell the tale. This beats Thermopylæ, from which there was one fugitive."

UNIVERSITY LYING-IN-HOSPITAL BALL.—We have the greatest pleasure in stating that the efforts of the charitable and generous persons who exerted themselves in getting up the Charity Ball on Tuesday evening, were crowned with success. We think all will agree with us, that a more brilliant re-union had not been seen in this city for some years, and if the result for the charity, be as favorable as the entertainment was delightful, all who worked for the good cause, will have reason to congratulate themselves.

Too much praise cannot be given to the liberality with which the views of the Committee were met on all sides. It gives us sincere pleasure to say that the room was most kindly offered by Mr. Hayes—an act of generosity enhanced by the difficulty of obtaining so large a room in Montreal, or so beautiful a one, any where.

Mr. Compain too, merits the sincere thanks of the Committee, for the very low terms on which he undertook to provide the refreshments, and the admirable manner in which he more than fulfilled his agreement. Few people were prepared for so splendid and abundant a supper.

We have been particularly requested to make Mr. Compain's extreme liberality known, least any friends of the Institution to be benefitted by the work, should fear too much of the funds intended for charity have been expended on the supper. The entire expenses will certainly not exceed those of former years, while we think there is no doubt that the entertainment fully came up to its predecessors.

For the music, which was unusually good, the committee acknowledge the kindness of Lieut. Col. Hay, and Lieut. Col. Sir Hew Dalrymple. The beautiful music of the 19th Band is too well known here to require any lengthened praise from us, and when we say the musicians played their best, and were as fully appreciated as usual, we need say no more.

The Bugle Band of the 71st was, indeed, a valuable addition to the evening's entertainment. The extreme precision of time and great beauty of tone with which it delighted all hearers, were the subject of universal admiration.

With such incitement to merriment, there could be no drawback to general enjoyment. About 300 persons were present. Dancing was kept up till after 4 o'clock, when silence and darkness once more reigned, where all had so lately been brilliancy and laughter.

We have not yet heard what are the proceeds of the Ball, but we earnestly trust they will more than meet the expectations of the Treasurer, to whom, with the Committee, the public are indebted for a delightful evening, and the charity for so much exertion made in its behalf.

The following is the report of the state of the poll at Quebec, at its close on Monday afternoon :—

Chabot	1921
Legare	1252
Majority for Chabot	669

MONTREAL EYE AND EAR INSTITUTE.—We have received the annual statement of this admirable Institution, by which, it appears that Dr. Howard, its Surgeon, has during the past year, treated, with the following results, no less than 520 patients :—

Diseases of the Eye,		Cured	346
"	"	Relieved	45
"	"	Incurable	15
"	Ear	Cured	60
"	"	Relieved	15
"	"	Incurable	17
Discharged for want of Hospital convenience			12
Under treatment			10
			520

The following resolutions were adopted by the Committee, of the Institution, to whom Dr. Howard's report was submitted :—

Resolved,—That the above Report be received and adopted: and while the Committee express their gratification at the increasing numbers treated in the Institution, during the last year, which furnishes an unanswerable argument for its usefulness, and an incontestible proof of Dr. Howard's success in the treatment of diseases of the Eye and Ear, they desire to tender him their thanks for his successful and gratuitous services in the cause of the poor.

Resolved,—That each member of the Committee pledges himself to use every exertion to increase the subscription list, by application to the charitable persons of his acquaintance.

T. B. ANDERSON, Chairman,
W. AGAR ADAMSON, Secretary.

We regret to state that Kenneth Mackenzie Walker, Esq., one of the oldest residents of our city, and a gentleman highly esteemed by all classes, died at his residence, Radagone Street, yesterday.

We would beg to call the attention of the laughter-loving portion of the community, to the entertainment of Sands' American Minstrels, on Saturday evening next, at the Theatre Royal, being for the benefit of the enterprising and indefatigable proprietor.

HUNTS' MERCHANTS' MAGAZINE AND COMMERCIAL REVIEW, for January, 1850. New York: Freeman Hunt. R. W. Lay, 197, Notre Dame Street.

We have received, from R. W. Lay, the January number of this Magazine. As usual, it contains a great variety of valuable information, embracing not merely commercial affairs, but subjects of general interest in various other departments of public utility. The article on "the condition and prospects of American Cotton Manufactures in 1849", by Mr. Lawrence, of Massachusetts, and that on the "Practical working of cheap postage", by Joshua Leavitt, Esq, will be found highly interesting. To advocates and counsellors at law, the recent decisions of mercantile law cases in the United States Courts, furnished in the present number, will afford valuable precedents in similar cases which may occur in the jurisprudence of Canada.

In the "Commercial Chronicle and Review" of the present number, we find desirable, and, doubtless, very correct information as to every matter connected with the gold region of California: the arrival of gold—emigration—its difficulties and requirements—productions of the mines, and the tendency to speculate in those daily enterprises hazarded for the realization of immediate wealth. In properly estimating the value of this excellent Magazine, and the large amount of statistical and other information which it statedly furnishes, we most cordially recommend it to that extensive patronage which it so justly deserves.

We have been requested, by Mr. H. Barnes, agent for the express line of mail stages, between Montreal, Boston, New York, &c., to state that the last English Mail left Boston on Saturday morning, instead of Friday morning, and arrived here between the hours of 10 and 11 o'clock on Sunday morning.

LARGE MAIL.—The Steamship Canada took out 64,361 letters. This is the largest mail of letters ever taken by a steamship.

LOOK OUT FOR THIEVES.—A family residing immediately behind Beaver Hall, have had their outhouses broken into no less than three times within the last fortnight, and a large quantity of fire wood, with some valuable fowls and pigeons carried off.

The famous Slave Mart, long known and held in execration, under the name of Gallinas, at the mouth of the river of that name, on the Coast of Africa, has at last been totally destroyed and broken up by the British Cruisers; and all the slaves there given up to the British Admiral.

COUNTY OF MISSISQUOI—PARISH OF ST. ARMAND-WEST—PUBLIC MEETING.

We, the undersigned inhabitants of the Parish of St. Armand-West, request the inhabitants of said Parish to meet at Pigeon Hill, on Saturday, the 26th instant, at 10 o'clock, A.M., to take into consideration the question of Annexation, and the propriety of forming an Annexation Association, in this Parish.

Parish of St. Armand, West, Jan. 17.

Pursuant to the foregoing requisition, which was numerously signed, a large number of the inhabitants assembled on Saturday last, at Pigeon Hill.

On Motion of Mr. B. J. KENNEDY, JAMES TAYLOR, Esq, was elected Chairman, and Mr RALPH TAYLOR appointed Secretary.

The Chairman having read the requisition convening the meeting, stated that the subject upon which they had met to deliberate was now open for discussion.

The Hon. ROBERT JONES being present, was called upon to address the meeting, which he did in his usual clear, succinct and logical manner.—A. L. TAYLOR and WM. MORGAN, Esqrs., also addressed the meeting, adducing clear and convincing arguments in favour of the Annexation movement.

After which the following resolutions were severally submitted, and unanimously passed :—

Moved by WM. MORGAN, Esq., seconded by Mr. WM. FELLERS:

Resolved, 1.—That the commercial and political evils, which have for a long series of years oppressed this colony, have become insupportable, and have arrived at a climax under which it cannot long continue.

Moved by Mr. JOSEPH N. DURRELL, seconded by Mr. LEWIS RHICARD:

Resolved, 2.—That we cordially concur in all the views and sentiments set forth in the Montreal Address to the People of Canada, which we now adopt, conceiving, as we do, that the scheme of peaceable separation from Great Britain, and annexation to the United States of America, is practicable and desirable, and that there is no other course which holds out equal promise of remedying our political and social condition.

Moved by JOHN S. HOLT, Esq., seconded by C. R. CHEESEMAN, Esq:

Resolved, 3.—That this meeting views with deep regret, the proscriptive course pursued by the Provincial Administration, and regards the dismissals, "for opinion's sake", as unconstitutional, and antagonistic to the principles of self-government.

Moved by Mr. GEORGE ADAMS, seconded by Mr. LYNDS SMITH:

Resolved, 4.—That under the existing circumstances of the colony, this meeting considers it the duty of all men animated by a desire for their country's welfare, to bury in oblivion all party differences and dissensions, and unite together to render their assistance in promoting, by all constitutional and legal means, the attainment of a peaceable separation of this Province from Great Britain, and a union, on equitable terms, with the United States, and that we do now form an association for that purpose.

Moved by Mr. B. J. KENNEDY, seconded by Mr. H. DEATH:

Resolved, 4.—That our Association shall be called the Annexation Association of the Parish of St. Armand-West, and that the affairs of the Association shall be administered by a committee, consisting of the following gentlemen, viz: Lewis Rhicard, James Taylor, George Adams, John S. Holt, Joseph N. Durrell, C. R. Cheeseman, Nelson Reynolds, Roswell Yates, Wm. Fellers, Wm. Morgan and Ralph Taylor, Esquires, they having power to add to their number, and choose their office bearers from among themselves.

Moved by Mr. J. B. TAYLOR, seconded by Mr. M. BAKER:

Resolved, 6.—That a copy of the proceedings of this meeting be sent to the Montreal *Herald*, Montreal *Courier*, *L'Avenir*, and St. John's *News*, for publication.

On Motion of WM. MORGAN, Esq., the thanks of the meeting were tendered to the Chairman and Secretary, for the able services they had rendered.

JAMES TAYLOR, Chairman.
R. TAYLOR, Secretary.

Parish of St. Armand, West, County of Missisquoi, Jan. 26th, 1850.

COUNTY OF HUNTINGDON.

The undersigned inhabitants of the County of Huntingdon, take the liberty of inviting their fellow citizens of this county, to assemble at the village of St. Edouard, on Monday, the 28th inst., at noon, in order to take into consideration the general state of the country, and particularly the opportunity of an amicable separation of Canada from the mother country, and of her annexation to the United States.

(Signed by one hundred inhabitants of the county, French and English.)

The meeting was accordingly held on the 28th instant, at St. Edouard. J. G. Laviolette, Esq., J. P. and Captain of Militia, presided, and P. Benoit, Esq., acted as Secretary.

The following resolutions were adopted :—

1st. Proposed by HYPOLITE LANCTOT, Esq. of St. Edouard, seconded by ANTOINE MERIZZI, Esq., of St. Cyprien, and resolved:

That the County of Huntingdon is firmly persuaded that the deplorable state into which Canada is plunged in every respect—commercially, politically and industrially, is due to the colonial condition, and believes it to be beyond any doubt that the situation which the country now holds cannot be continued much longer, without leading it to complete ruin.

2nd. Proposed by J. O. BUREAU, Esq., N.P. of St. Remi, Adjutant of Militia, seconded by J. B. JERVAIS, Esq., of St. Isidore, and resolved:

That besides the immense advantages of a purely industrial and commercial character, which annexation would confer on Canada, there are moral considerations of a superior order which would alone suffice to demonstrate the benefit, which would accrue from the attainment of our political independence. The elective system in all its plenitude of action and universality of application, would be secured, and would replace the bureaucratic oligarchy, of which the present government of Canada consists. Under this system of colonial and non-elective institutions, the functionaries of state appointed without the choice or control of the people, unite in their hands very powerful means of illicit influence and corruption, by the aid of which, the government maintains, in a tyrannical manner, its power over political society, and is able to prevent all political progress which may be considered contrary to the interest of an egoistical governmental oligarchy and by imposing pecuniary restrictions on the suffrage of many members of society, thus places the strongest barriers in the way of the diffusion of political education among the masses of the people. In the United States on the other hand, the political organization is of such a character, that no administrative agent can withdraw himself from the vigilance of the nation, which purifies all in the crucible of frequent elections. Thus, the confidence of each citizen in the greatness of his country, in the stability and goodness of its institutions, give him more dignity and confidence in himself and thus affords a most powerful spring to human intelligence, for which self confidence is a necessary lever.

3rd. Proposed by J. M. THYFAULT, Esq., M.D., of St. Cyprien, seconded by D. LAFONTAINE, Esq., of St. Edouard, and resolved:

That the colonial condition is, by its nature, essentially transitory, since, according to natural right and reason, it ought not to exist, except so long as the feebleness of the colony requires the protection of the metropolitan. This period in the life of nations being past, it is evident that the principles inherent in the rights of humanity announce that the hour of independence of the colony is come.

4th. Proposed by A. DEMARAIS, Esq., N. P., of St. Philippe, and seconded by JOHN WILLIAMS, Esq., Captain of Militia, of St. Cyprien, and resolved:

That this meeting is of opinion that the only means of salvation, which is to-day open to Canada, is that of an amicable separation from England and Annexation to the North American confederacy of free and sovereign States.

5th. Proposed by DANL. STOTTS, Esq., of Lacolle, seconded by LOUP ODELL, Esq, Col. of Militia and J. P., of St. Cyprien, and resolved:

That the favourable reception already given by the press and by many eminent men in England, to the first declaration made in Montreal relative to annexation, on the 9th October, 1849, is a proof that the separation of Canada from England will not encounter opposition from the latter.

6th. Proposed by M. LANCTOT, Esq., of Laprairie, seconded by MOYSE BRASSARD, Esq., of Laprairie, and resolved:—

That to obtain this great and important measure of Annexation in Canada, and to lay the largest and most solid foundations for new social institutions, it is of the first necessity that harmony and good understanding of the most generous and perfect kind should unite all citizens who desire to work for the attainment of the common object. This meeting therefore solemnly invites all who will set their hands to the work to forget all past dissensions, and to unite in a simultaneous movement, which does not concern the interests of parties, but rather the regeneration and welfare of our common country.

7th. Proposed by P. BOUCHER, Esq., of St. Remi, seconded by JOS. NORMANDIN, Esq., of St. Constant, and resolved:

That the County of Huntingdon has seen with much pleasure, that its representative, T. Sauvageau, Esq., has not followed the self opiniative course of some representatives, who have publicly protested against annexation, without consulting the views of their constituents. This meeting, therefore, invites, T. Sauvageau, Esq, Member of Parliament for this County, to declare himself publicly in favor of the Annexation of Canada to the United States, and if he refuses to accede to the wishes of his fellow citizens on this subject, the County desires him to resign his seat.

8th. Proposed by A. DUGOS, Esq, M. D., and Adjutant of Militia, of St. Constant, and seconded by JOSEPH BROUSSEAU, Esq, Ensign of Militia of St. Remi, and resolved:

That the County of Huntingdon cannot too severely blame the deprivations of the Justices of the Peace, Commissioners, and Militia Officers, who have freely expressed their opinions in favour of Annexation; and believes that so strange a violation of inherent rights, the title of all British subjects, for ever dishonours the Colonial Government, which has used such means to suppress liberty of thought, and political opinion.

9th. Proposed by MEDARD BRUNEAU, Esq., Cultivator and Captain of Militia, of St. Constant, seconded by PASCHAL PINSONNAULT, Esqr., Cultivator, of St. Phillipe, and resolved:

That this assembly being fully convinced of the injustice of the present system of tythes, inasmuch as they are a direct and heavy impost, weighing exclusively on the agricultural classes, and being proper to keep up ill feeling between the *Curé* and his parishioners by maintaining a spirit of distrust, and allowing room for continual suspicions on one side and the other, having also an immoral effect on the population, desires their abolition, and to substitute a system more just and more in accordance with the wants of our age.

10th Proposed by LEON BANE, Esq, of St. Constant, seconded by ANTOINE MERIZZI, Esq., N. P. of St. Cyprien, and resolved:

That this meeting cannot allow the occasion to pass, without again protesting against the Seigniorial Tenure, and without declaring that it desires its entire abolition.

11th. Proposed by I. B. COTE of St. Philomene, seconded by Mr. PIERRE VIAULT, of St. Constant, and resolved:

That this meeting is of opinion that jurymen ought to be recompensed for their expenses during the time they attend in Court, especially since by the new law, the inhabitants of rural Districts are called on to sit in civil cases as well as criminal ones.

12th. Proposed by M. PIERRE PHIBODEAU of St. Jacques, seconded by M. BRUNEAU, Esq., and resolved:

That the proceedings of this Assembly be published in L'Avenir, Le Moniteur Canadian, La Minerve, the Herald and Courier, and that a copy be sent to T. Sauvageau, Esq., representative of the County.

13th. Proposed by JOHN STEEL, Esq., J.P., seconded by PIERE HEBERT, Esq. J. P. both of St. Cyprian, and resolved:

That the thanks of this meeting, are justly due to the President and Secretary, for the able manner in which they have performed their duties.

(Signed) J. G. LAVIOLETTE, President.
" P. BENOIT, Secretary.

RELIGIOUS ANNIVERSARIES.—The Anniversaries of the Religious Societies, which have been held last week, have been remarkably well attended. The Reports of the Societies were generally favourable. We have only room for the following notices:—

Monday, Jan. 21.—Montreal Religious Tract Society. Joseph Wenham, Esq., in the Chair. Receipts during the year, £358 5s; Publications sold, 73,225; gratuitously distributed, 56,479; Movers and Seconders, Revd. Messrs. Macloud, Lavelle, Dewolfe, Burns, and Wilkes, and B. Lyman, Esq. Collection, £12 10s.

Tuesday, Jan. 22.—Canada Sunday School Union. Hon. Jas. Ferrier in the Chair. Publications sold, 15,712; Libraries, 73; Movers and Seconders, Revd. Messrs. Lavelle, McGill, Macloud, Taylor, Cox, Wilkes, and Messrs. J. Holland and Watson. Collection, £12 5s 5d.

Wednesday, Jan. 23.—Montreal Auxiliary Bible Society. Dr. Holmes in the Chair. Number of copies of the Scriptures distributed during the year, in thirteen languages, 7,981; Receipts, £925 10s; Movers and Seconders, Revd. Messrs. McGill, Dewolfe, Jenkins, Muir, Wilkes, Girdwood, Irwin and Burns. Collection, £36 1s 4d.

Thursday, Jan. 24.—French Canadian Missionary Society. Lieut. Col. Wilgress in the Chair. Receipts during the year, £1,431 5s 10d; Movers and Seconders, Revd. Messrs. Taylor, Dewolfe, Wilkes, Tanner, Bond, Jenkins, Burns, Girdwood, and Messrs. D. Davidson, and J. Redpath. Collection, £36 0s 5d.—*Pilot*.

The Official Gazette contains a Proclamation, offering a reward of fifty pounds for the discovery of the person or persons who set on fire the School House in the District Number Eight, in the Township of Hemmingford.

Among a number of appointments of School Commissioners for Lower Canada, we notice the following:—Rev. J. Irwin, John Frothingham, and Addrew Watson, Esquires, for the city of Montreal.

CORRESPONDENCE.

To the Editor of the MONTREAL HERALD.

SIR,—You are aware that the Anniversary Meetings of the different Religious Societies, were held during the past week, in the Wesleyan Church, Great St. James' Street—at all, of which I was present.

I do not pretend to be able to give a particular account of what was "resolved" upon at these meetings; but only of the impression left upon me after a careful retrospect of them; and for the expression of which I crave a small corner in your valuable and widely circulated journal.

The first two, Sir, viz.:—The TRACT SOCIETY and the SABBATH SCHOOL UNION, were very interesting, and the building, which is by far the most roomy Protestant place of worship in the city, was comfortably filled.

The three last, viz:—The BIBLE, the FRENCH CANADIAN MISSIONARY, and the TEMPERANCE SOCIETIES, caused a sensation amongst the protestant christian public, that must have been refreshing to every lover of religious freedom. The house on these occasions was literally crammed, and the union and good feeling which prevailed, particularly at the first four meetings, clearly shewed, that however much the "leaders" in these Evangelical movements may differ in some things—and in denominational distinctions they differ in *many*—yet, in matters of vital importance, they are, whether Episcopalians, Presbyterians, Methodists, Independants or Baptists, all ONE.

But I must not encroach too much upon your space, or the patience of your readers, Mr. Editor, so I will, without further remarks, give you a Resolution which I did *not* move at the last of the Meetings already alluded to, it is as follows:—

Resolved,—That in future, all movers and seconders of resolutions at the Anniversary Meetings of these Societies be limited to fifteen minutes each, and no more, until the business is got through with; and that it shall be the duty of the gentleman presiding to call any speaker to order, who shall exceed the time so allotted him.

In supporting this resolution Sir, I would only remark, that if there is really a desire to keep up the interest that now so happily exists in reference to these important Societies—the rules laid down in Committee *must* be strictly attended to by those who take the initiative in getting up and conducting these interesting Anniversaries. Not a speaker, Sir, but took care to tell the audience that he had only the time alluded to in this resolution allowed him, viz:—A quarter of an hour, and I remarked Sir, that those who were the most pointed in this matter, and who promised the most faithfully not to exceed, were the very individuals who monopolized most of the time at the meetings; so that those who wished to get home by "Elders' hours" were denied the pleasure of hearing all the speakers, or joining in the doxology. Now, Sir, I contend that if after the business has been done with "neatness and dispatch", more speeches are considered necessary, they should be brought in at the close, and as a "practical application of the subject". I was often struck, Sir, with the force of the following charge, given by a professor of divinity, in your native Edinburgh, to his students; and which, I think, cannot be too generally attended to by each and every public speaker when he rises to address a popular audience—"Never rise up to speak till you have something to say, and always stop when you have done".

With these few remarks, Sir, I beg leave to submit the above resolution, in the hope that it may prove, if adopted—

PRO BONO PUBLICO.

Montreal January 28, 1850.

To the Editor of the MONTREAL HERALD.

SIR,—I apprehend the public will conceive *Punch* ought to drive at other quarry than that of a species, whose keenness of sight and swiftness of wing, place them beyond the reach of his feeble powers, before he, in his dreams, in imagination, roasted and eat them; or that, at any rate, before he attempted to gratify his ravenous appetite, he should have feared, lest the crooked bone of some tough Annexationist, might stick in his greedy throat, and choak him; or prove so hard to the digestion of his rapacious maw, as to bring on dyspepsia, which might prove fatal.

He is at present but an innocent frog, croaking in the muddy marshes of political chicancery and strife, under shelter of the wall of Toronto, but, if he unfortunately, in his pride, inflate himself to show his children how nearly he resembles an ox, he may burst the skin of his little mass of deformity: or should he not attain this objection of his ambition, he may, in attempting to make himself so conspicuous be gobbled up by some of these winged bipeds he affects to despise. At any rate, all will concur in prognosticating that if, like his prototype, Paddy Kelly, of Dublin, from whom, in all probability, he has been sprung, he meddles with private character and business, he will soon become a loathsome toad, and be cast out, as *he* was, from the pale of civilized society.

It would be considered a lamentable circumstance, if, after sustaining the character of a public mentor, he should descend to that of a private calumniator, and be hailed from the hollow sepulchral caverns of departed polluted greatness and oblivion, by the spectors of Paddy Kelly and his compeers, with the insulting exclamation, "art thou also become one of us"!

Allow me, Mr. Editor, in anticipation of this event, to say to him—"Adieu for ever, *Punch*! and may you, if you adopt and persevere in the course of private scandal, speedily sink into the abyss of political oblivion, in which your species have been engulphed".

Begging pardon for this intrusion,
I remain, Sir,
obediently yours,
JOS. T. DUTTON.

Craig Street, Jan. 25.

[We regret to say that our friend Punch, since his removal to Toronto, shows alarming symptoms of "ruin and decay." Impertinence and scurrility are but poor substitutes for wit and humour. If he don't "mend his manners," his hump wont save him.—ED. M. H.]

THE CIRCUIT COURT.

FRIDAY, Jan. 25.

Present:—JOHN S. McCORD Esquire, Circuit Judge.

The Circuit Court for the Montreal Circuit, opened this day for the first time, for despatch of business.

Judge McCord presided on the occasion. After assigning to each Barrister his place, according to the priority of his Commission, the learned Judge proceeded to make a few remarks, which he said he considered pertinent and necessary on the opening of a new Court, under a new system,—and first he would remark that with respect to costume, for the respectability of that Court, he would rigidly require the observance of the Rule, that all Lawyers should be habited. He then remarked that, contrary to his views and intentions, frivolous exceptions had been admitted too frequently in the pleadings in the late Commissioners Court, thereby causing great inconvenienee—that in that Court there had been great confusion—but that in the Circuit Court in cases of £6 5s., and under, he would follow strictly the letter of the present Act, and would not admit such exceptions. When a man takes exception, declairng that his name is not James, but Thomas, the question would be, is he the man intended to be summoned? If it be answered that he is, then he would order the process to be amended, and immediate proceedings had.

In the case of H. Munro *et. al. vs.* Thomas Watson, it was moved by Rose & Holmes for the Plaintiff, that the Defendant be called in open Court, and, failing to appear, that a default be recorded against him. The motion was made for the purpose of getting a decision on the question as to whether any provisions existed for recording defaults in appealable cases. Messrs. Holmes, Montizambert, and Bethune, urged different grounds in favour of having the cases called in open Court, and defaults recorded on Defendant not appearing when called. The main points were the following:—No provision, it was admitted, was to be found in the Statute,—unless one was made by implication that the appealable cases had been assimilated to the cases in the Superior Court in all matters respecting pleading; but the intention of the Legislature to introduce with respect to them a similar provision as that contained in the 23rd section, for Superior Court cases, had not been expressed. The form of the summons given in the Statute to direct the Clerk, ordered the Defendant to appear before *our Court*. Could this mean at the Prothonotary's office?

Could it be said that because the Act declared that in all appealable cases the same delay for pleading, answering, and replying, should be allowed, as in the Superior Court—that, therefore, the provisions respecting defaults and the calling of Defendants in the Superior Court, should also be a provision for that Court? Could that Court supply a deficiency? Could it create a whole section by implication? Debtors for the most part were ignorant of Law. What was their guide? the Queen's Writ, commanding them to appear before *the Court*? It could not be expected that they would understand from that that they should appear at the Clerk's office! All admit that it presents a great difficulty, and one which must be felt by the Bar; but the rights of the individual should be regarded. That all the gentlemen of the Bar foreseeing the difficulty had made their apppealable suits returnable in Term.

Mr. George Cartier spoke in favour of the appearance being put in at the greffe. He said that the Act provided that in appealable cases there should be the same time allowed to plead, answer, and reply, as in cases of the Superior Court; this presumed that the party must have appeared, and it was clearly the intention of the Legislature that he should also appear within the same time, in order to be able to reply. He attempted to draw a parallel between the Writs of Summons in question, and Writs of Appeal—but the learned Judge interrupted him, saying that they were not all similar in any one respect.

The learned Judge then said that he had wished that the question had come up in such a shape as would have enabled an appeal to lie to a higher Tribunal, for it was an important question. He would, however, decide on the motion, and when the question was again brought up in another shape, he would review his judgement. He then asked what is the question to be decided; is it not whether the omission of repeating the 23rd section is of such a fatal nature as to render the provisions in appealable cases inoperative? The Act declared that every day was a return day for appealable cases. Then what is to be done with those cases in vacation; the Court is not then Sitting? Then where return them? We must presume, from analogy, in the Prothonotary's office!

To declare that the omission of the provision for recording these defaults is fatal, would be to render a large portion of the Statute inoperative. He would be sorry to see the Bench turned into a Legislative Body—but from the powers vested by the 122nd section, he must give effect to the Act whenever it was possible;—the judgment, therefore, was, "the Plaintiff takes nothing by his motion."

SATURDAY, Jan. 26.

The Judges, Vanfelson and Mondelet, of the Superior Court, intimated to the Prothonotary that they would not allow the Circuit Court being held in the usual Court room, which, owing to its size is most inconvenient, if not impracticable for such purposes. The reasons given by the Honorable Judges were, that they could not *delibere* while the Court was sitting. Mr. Justice Mondelet put a very singular case; He said, suppose they choose to fire cannons in that room. His Honor Judge Day replied, I can *delibere* even if they do.

The Lawyers were always great guns.

This information was conveyed by Mr. Prothonotary Papineau to Judge McCord and the Bar. The Bar urged Mr. McCord to open the Court as usual, and he complied with their request.—*Courier*.

LOWER CANADA.

In common with some 20 or 30 Militia Officers in this County, the Editor of this paper has received the following Circular from the Lieutenant Col. Commanding the 1st Battalion Sherbrooke Militia."

LENNOXVILLE, Jan. 18, 1850.

"Sir,—I have been instructed by Deputy Adjutant General of Militia, to ascertain, for the information of His Excellency the Governor General, whether the name of J. S. Walton, attached to the Address presented to A. T. Galt, Esquire, M.P.P., as appeared in the *Sherbrooke Gazette* of the 10th November, 1849, is your signature, or was placed there with your consent."

Of course it was, and we shall take infinitely more satisfaction in being deprived of our Commission for that act, than we did in receiving it a few months since, (at the urgent solicitation of a highly esteemed friend and superior officer,) from a Commander-in-Chief who showed the "white feather" to riotous citizens of Montreal, whom he was in duty bound to punish with the ample means at his command.—But no, arson, and stoning and egging a Governor, were minor offences compared with expressing a political opinion to Mr. Galt; hence the perpetrators of the former were suffered to defy the authorities, while the latter are attempted to be degraded —We say attempted, for we are sure that no one whose good opinion is worth seeking, will look upon this proceeding of His Excellency, otherwise than with pity and contempt. To be deprived of a Military commission by a brave Governor like Sir John Colborne or Lord Metcalfe, would be a mark of disgrace,—but when it comes from the man who sanctioned a bill to reward rebels and traitors, and instigated too, by a Ministry, for whose apprehension—some of them—for treason, a thousand pounds has been offered the intended disgrace is but a mark of merit. We have a bit of paper, conveying to us the thanks of Sir John Colborne, during the rebellion of '38, which is worth a thousand commissions from the Hero of Egg-harbour.—*Sherbrooke Gazette*.

UNITED STATES.

RIVAL STEAM SHIPS.

On Wednesday last the Cunard Steam Ship Canada, Capt. Judkins, proceeded to sea at her usual time, that time being chosen by the owners of the new and splendid American Steamer Georgia, for what may properly be called the trial trip, erroneously set down in some of the city journals as a fair and duly appointed race with the Canada. Now, when we find so cautious and trustworthy a paper as the *Journal of Commerce* giving currency to an incorrect impression of the facts of the case, and the result of the trial, we feel called upon to protest on behalf of our countrymen, and set the matter right before them. The Cunard Steam Ships *may* be beaten, some day, by their vigorous rivals. The Canada, in the opinion of competent judge, was *not* beaten on Wednesday last. The trial of speed, if such it were, is thus described in the paper above mentioned.

Ocean Steam Navigation.—Our harbor yesterday presented a spectacle, of which there were very many deeply interested observers, both on land and on board the shipping lining the wharves. The two noble steamships, the Georgia and Canada, the most perfect specimens of sea-going steamers yet produced by the ship-builders of the respective nations represented by their flags, were brought out in competition, with a view to test their comparative speed. The Georgia had been conducted around from the East River by Captain Glover, on the previous day, and moored alongside of her antagonist, at Jersey City. At 12½ o'clock, the latter vessel being out half a mile in advance of the Georgia, on her way to Liverpool, gave the challenge by firing two guns. Dense masses of smoke issued from the funnel of the two steamers, and they were seem to be in rapid motion down the bay. The Georgia, however, gradually gained, and when opposite the Quarantine ground, lay abreast of her competitor. The Canada at length discharged two more guns, signifying a surrender, at the same time hauling down her flag. When the Georgia reached the South West Spit, it was estimated that she was two or two and a half miles ahead. The triumph was signalized by spirited cheers, and the Georgia's company, numbering some two or three hundred persons, among whom were many prominent navigators, retired below to partake of the refreshment provided for the occasion. Under 16 lbs. steam, her wheels made thirteen revolutions; under 12 lbs., 18 revolutions.

Considering the advantages under which the Georgia labored, being depressed ten inches at the stern, also that her machinery was new, and consequently stiff, while the Canada, which is claimed to be the most fleet of the English steamers, was in good trim, the trial of their relative speed may be considered satisfactory, and as establishing the fact that Americans can build steamers susceptible of a speed equal to any yet afloat, of English construction. It must also be borne in mind that the engines of the two steamers are nominally of the same power, while the tonnage of the Georgia is considerably the greatest.

The little flourishes about "bringing out in competition," and firing challenge guns, are scarcely worth notice, everybody being aware that the Canada only kept to her time, and that these steamers always fire two guns as a courteous salute at parting. As for racing, a man riding 20 stone would as soon think of challenging a high-mettled racer under a feather weight, as Captain Judkins thinks of testing the speed of his ship against the Georgia's on this occasion. The Canada's best draught for sailing is about 16½ feet, on Wednesday she drew 19½, according to the Pilot's certificate, which we have seen. On her last inward voyage, with 700 tons of goods on board, she drew 17—her excessive draught of water now being caused by the weight of 700 tons of coal. On the day after the trial, the Georgia at her wharf drew something less than 15 feet on an even keel. So much for the relative state of the vessels; now for the result. The "Journal" says that, at the S. W. Spit, the Georgia was two, or two and a half miles a head. Capt. Judkins wrote word that the distance was about three quarters of a mile, which the Pilot states is rather above his own estimate.

The race, if such it may be called, lasted one hour and twenty minutes, and it is a well known fact that the Cunard Steamers average 2½ to 3 miles per hour greater speed at the latter part of the voyage, when lightened by consumption of coal, than when they start weighed down with it to inconvenient draught. The Canada did not fire "two more guns" and haul down her colours *in token of defeat*. She paid the usual naval compliment to the Georgia on taking leave, in the same friendly spirit with which we pen this notice, and hail the real *bonâ fide* rivalry that awaits the British Steamers. The "wish was father to the thought" when the *Journal* announced the triumph of its favourite; but no candid man with the least nautical experience can substantiate the claim therein put forth.—*New York Albion*.

PASSENGERS SAILED.

Liverpool—Steamship Canada—Mr and Miss Simonnet, Paris; Mr F A Clark and lady, Mr F Hirseh and lady New York; Madame Recio, Mrs M Sinclair, Lexington; Rev E G Monk and lady, England; Mr H T Weld and lady, Maryland; Miss Monk, Messrs E Joy Morris and lady, Philadelphia; E Colquhoun, Montreal; Smith, C E Brass, New York; Pelkington, Liverpool; Struver, Meyer, Jno Isler, N Y; Samuels, Havana; Leon, N Y; T Berthemy, France; Charles D Ross, Montreal; L Teta M de Embil, Havana; Hill, N Orleans; Vebech, N Y; Chas E Fisher, Phila; Stuart Maitland, Simonnet, Paris; Thomas, N Y; Sinclair, Auguste Simonnet, Paris bearer dispatches; Chas H Rogers, N Y; A P Montout, Forbes, J R Callender, Glasgow; Messrs David Price, England; Kipling, N Y; Schmewend, Phila; Porzat, Germany; Lowing, N Y; J Hollord, London; Jas Faul, ——; L Leon, France; Jas P Clark, Montreal; M Pollock, Glasgow; S Williams, Jos Anderson, Jr, Abel Chapman, Jno Stilling, Montreal; Prevost, do; A Proven, Quebec; Chs Balling, Baltimore; A Paterson Quebec; Chas Robertson, Toronto; J C Gilmor, do; J G Ross, Quebec; Geo Oakey, N Y; Jas Roy, Montreal; D Smith, do; W Stephens, do; Wilchehause, N Y; J L Beaudry, Montreal; John Frazer, do; Jas Brown, do; Reis Key, Germany; Ghs Satro, Liverpool; J Fordham, England; T Newmann, Jno Phillips, Canada; Skerving, Washington; Coleman, Jersey, Chrisholm, Montreal; E Wilkin, H Golding, W Heath, Utica; G Heath, do; L Dexter and lady, Boston; Miss Dexter, do; Messrs W Findlay, Havre; J B Case, Boston; R Mantle, London; E J Bigelow and servant do; T Moony S Lolis, Phila—90.

BIRTH.

At 129, St. Joseph Street, on the 29th instant, Mrs. Wm. Darling, of a son.

DIED.

At his residence, St. Radegonde Street, on Wednesday, the 30th instant, after a very protracted and painful illness, Kenneth MacKenzie Walker, Esq., aged 78 years, justly esteemed through life for his probity and integrity. Mr. Walker was one of the oldest British inhabitants in Montreal, having resided upwards of 58 years in the city.

Friends and acquaintances are requested to attend his funeral, on Saturday afternoon, at half-past three o'clock, from his late residence, to the place of interment, Old Burying Ground.

Georgian Spring Water.

JUST RECEIVED Fresh from the SPRINGS of PLANTAGENET.
Price 1s. per gallon, by
W. E. BOWMAN,
Agent, McGill Street.
January 31. 14