

THE QUEBEC MERCURY.



TUESDAY, NOVEMBER 24, 1829.

MORES ET STUDIA ET POPULOS ET PRÆLIA DICAM.
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QUEBEC BANK.
DIRECTOR for the present Week,
J. LEBLOND, Esqr.
Days of Discount, MONDAY & THURSDAY.
Notes offered for Discount should be enclosed to the
Director and given in before the day of discount.
Hours for public business at the Bank, from 10 A. M.
to 2 P. M.
Noah Freer, Cashier.
101 St. James Street.

QUEBEC FIRE-OFFICE.
DIRECTOR FOR THE WEEK,
A. BERTHELOT, Esqr.

TO J. E. S.
If she slight me when I woo,
I can scorn and let her go.—*Walter.*
You've sent back my ivory basket,
As an emblem of falsehood and me;
But the gems and the pearls of the casket,
No longer around it I see.
The jewels you've kept, I presume, Ma'am,
To shine on your forehead of snow;
I must say, though you fret and you fume, Ma'am,
That such conduct is only so so.

You've sent back a bushel of letters,
A prudent transaction indeed;
Though you turn up your nose at your betters,
I've discovered you never could read.
The parcel of rings, and the locket,
With the Shakspeare, arrived appropos,
For I popped them all into my pocket,
And took them to Bell Allegro.

The landscape—I'll change at it Hobson's,
For a sketch of a crusty old maid;
But half of the Tasso from Dobson's
Was used your soft ringlets to braid.
The Baskerville Pope I'll take care of;
But the lilac Parisian Manteau,
A man that is nice will be ware of,
For it will not bear washing, you know.

You think you'll have lovers in plenty,
And laugh at the leading of apes;
But a maid, nearer forty than twenty,
Seldom laughs when a lover escapes;
You boast of your Washington cousin,
And her beaux in the reign of Monroe;
I know that she had half a dozen,
But they took to the stage long ago.

You say that you thought I was wealthy,
I'm not quite as rich as a Jew;
I am proud, I confess, but I'm healthy;
If I grumble, 'tis only at you.
You may waltz every night if it please you;
Your flirting never cost me a sigh;
But that every gay charge that sees you,
Will swear your sixteen's—all my eye.

You say that you hate farms and cattle,
You faint at the bleating of sheep;
No noise I despise like the rattle
Of women who talk in their sleep.
You know I've a passion for flowers;
That on lilies and roses I doat;
So you pass the best part of your hours,
In painting your cheeks and your throat.

When I said you were quite a Madonna,
I must have been blind as a bat,
For I swear to you now, on my honor,
I think you're a great deal too fat.
And as to your white downy bonnet,
With its cherry strings dangling down loose,
He'er cast my two eyes upon it,
But I think of the down of a goose.

Adieu! we shall never meet more,
Your falsehood I hope to forget;
The day of my folly was o'er,
When you sent back my gifts in a pet.
Adieu to two hundred and three,
To the prettiest house in the row;
Though you throw out a hint about tea,
PU be ——— if I can.

D. I. O.

Scientific Notices.

MANUFACTURE OF THE DIAMOND.—We some time back announced Mr. Cagniard de la Tour's supposed discovery of a process for manufacturing diamonds, and we now seize the earliest opportunity of setting our readers right, in so important a matter, as M. Thenard has satisfactorily proved that it is not the diamond that has been manufactured, but a beautiful species of silica.

INTRODUCTION OF COFFEE INTO EUROPE.—The period of the introduction of coffee into Europe is not quite certain, but it appears to have been first employed in Venice about 1615, at Paris in 1644, and at London in 1652. It is estimated by the Abbé Raynal, that twelve millions of pounds were imported annually into Europe, before the plantations in the colonies were established. The Dutch introduced it into Batavia about the year 1696. The French into Martinico in 1727, after it had been in the Isle of Bourbon in 1717; and the English into Jamaica in 1728. The cultivation of it was then introduced into Ceylon, and other European possessions in India. It was propagated at Surinam in 1718. This has been found native at St. Domingo, in Abyssinia, at Mosambique, on the coast of Zanguebar, and in the forests of Orapu.

ZOOLOGICAL WEATHER GLASS.—An amusing application of zoological knowledge for the purpose of foretelling the state of the weather, is used at Schwitzengen. Two frogs of the species *Rana arborea*, are kept in a glass jar about eighteen inches in length and six inches in diameter, with the depth of three or four inches of water at the bottom, and a small ladder reaching to the top of the jar. On the approach of dry weather the frogs mount the ladder, but when wet weather is expected they descend into the water. These animals are of a bright green, and in their wild stating Schwitzengen climb the trees in search of insects, and make a peculiar singing noise before rain. In the jar they get scarcely any other food than now and then a fly, one of which will serve a week, though it will eat from six to twelve in a day if it can get them. In catching the flies, which are put alive in the jars, the frogs display great adroitness.

CONDUCTING POWER OF MERCURY IN THE FLUID AND SOLID STATES.—The intense cold produced by the free evaporation of liquid sulphurous acid is such, that a portion of mercury, equal in size to a small nut, is readily frozen by it even in the open atmosphere, and retained in that state for several minutes. M. de la Rive has taken advantage of this process to institute a comparison between conducting powers of mercury for electricity in the fluid and to the solid state. Two similar globules were placed each between two points of platina, and their exactly equal conducting power ascertained by a double galvanometer; all being then arranged so that the electricity experimented with should be divided equally between them, one of them was frozen by sulphurous acid, when it immediately became a better conductor than before; it appears, therefore, that the congelation of the mercury very sensibly augmented its conducting power, and M. de la Rive asks whether this phenomenon may not be connected with the contraction which the metal is known to undergo at the moment of solidification.

INFLUENCE OF DIFFERENT ORGANIC AND INORGANIC SUBSTANCES UPON PLANTS.—The experiments that have been made upon this subject have been repeated by M. Zeller, and many others added to them. He found that it was not poisons only which exerted an injurious action upon plants, but also very many other subjects, such as gertian, volatile oils, valerian, camphor, rhubarb, epicacuanba, emetic tartar, &c. Plants yielding poisons or ethereal oils, faded and dried when they were made to absorb the substances produced by themselves. Narcotic substances, the bitter and volatile oils, and alcohol exercise their influence upon the principal vessels of the plants and then gradually extend it to the circumference of the leaves; the atrate of baryta, emetic tartar, and many other salts, on the contrary, first act at the circumference of the leaves, then on their central parts, on the leaf, stalk, and the stem. Sensitive plants lose the power of contracting their leaves, by the action of laurel-water, opium, and nux vomich. Camphor makes them contract, and then they no longer dilate again. Poisons do not act upon monocotyledonous plants in the same manner; many amongst the latter suffer severely. Coniferous plants are but little sensible, and the same is the case with fatty plants, and those with hard leaves. Plants which have suffered the action of poisons without perishing, lost their lives; and of the branches which

have suffered, most of them shoot forth with vigour. The influence of rain and dew seems advantageous to them. All salts are injurious when used in large quantities, but when used in small quantities, they importantly assist the power of vegetation.

ARBORESCENT PLANTS.—The colouring of leaves is in this season of the year the striking phenomenon in the vegetable world, and depends, it would appear, both on the different structure of the membranes in the several species, and on the different degree of oxygenation which has been produced on their constituent substances. The variety in the colour of leaves of trees is no less remarkable than constant in individual species. The leaves of the plane tree for example, are tawny; of the hazel, yellow; of the oak, yellowish green; of the sycamore, obscure brown; of the maple, pale yellow; of the ash, fine lemon yellow; of the elm, orange; of the hawthorn, tawny yellow; of the cherry, red; of the hornbeam, bright yellow; of the willow, hoary. These are facts with which the painter ought to be acquainted, and they are interesting to every lover of nature.

IMPORTS AND EXPORTS—FREE TRADE NOT A CAUSE OF DISTRESS.

The whole of the imports of Great Britain, taken according to the valuation set on them at the custom-houses, amount to about forty-three millions sterling in value. The exports of Great Britain (taken at the same valuation in the case of the foreign and colonial articles which are re-exported, and in the case of British produce and manufactures at the valuation which the exporting merchants set upon them,) amount to about forty-six millions. Now it will be seen, on comparing the two tables, that while in the list of imports it is difficult to make out a million's worth of manufactured goods (and of this small sum the greater part is re-exported*), we shall scarcely find in the vast and growing mass of our exports, a single article of consequence which is not manufactured, except a few products of our mines and fisheries. If they look, among others, at the threads cotton, woollen, iron & steel, hardware, linen, haberdashery, brass and copper (forming altogether no small portion of all the manufactured goods used by civilized men), and consider the quantity which our manufacturers send burthened with the expenses of freight, insurance, and duties, to meet foreigners in their own markets, or in markets to which their access is as free as our own, they might conjecture how far it would be possible that foreign manufactures could compete with ours in our own markets, even if they did not know by positive testimony that none are sold here. They will judge how far it is probable that the competition which our manufactures meet with in the home market (for the foreign market is out of the reach of our enactments) is the specific cause of whatever distress exists in the country. They may judge, also, how far it is the policy of a country so circumstanced with respect to trade as they will find Great Britain to be, to discourage the interchange of manufactured commodities among nations by new prohibitory enactments levelled against the insignificant portion of manufactures which find their way here among the mass of our imports.—*Globe.*

STANDARD.—There appears to be a progressive but trifling increase of exports during these years, from which, if we rightly understand our cotemporary, it would infer that the general interests of commerce have not suffered by free trade. Exports, however, prove nothing with respect to the home market—the great mart for domestic industry. The only inference which can be drawn from increased exports concurred with a regularly aggravated state of suffering among the manufacturers is, that the home market is deteriorated, in a degree compounded of the improvement in exports and the decline in the sale of manufactured goods. For the rest, these tables prove nothing, but the perfect fallaciousness of all reasoning from such premises. We see the misery, we hear it; we see too that it does not result from the high price of provisions—because, as compared with seasons of prosperity, the prices of provisions are low; but indeed the proximate cause of the distress is too closely linked with it to leave any doubt about it—it is want of employment—want of employment for the capital of the rich, for the machinery of the manufacturer, and for the hands of the labourer; all classes suffering, relatively to their place in society, an equal and impartial distress. When such is the case Parliament may cover the country with returns and reports the people will not be relieved by the display; nor will they be persuaded that an increasing commerce can coincide

* In 1829, there were re-exported from Great-Britain, of the cotton manufactures of India, in value £204,278; of ditto of Europe, (foreign) £34,630; of foreign silks, £45,515; of foreign silk manufactures, £182,650.

with the constant sufferings of every department of trade and with an idleness in all the forms of industry which looks like a great national paralysis. That the people are suffering is but too clear; that they are suffering from want of employment is not less manifest; the remoter causes of the visitation may require a longer process of investigation, but we are mistaken if they may not be detected with perfect certainty. The free trade system has immediately preceded this suffering; it works in the matter of the suffering; it is the contrivance of men who predicted a totally different result: and who, therefore, upon their own confession, stand convicted of blundering. These are facts which no documents can disturb, and they are conclusive without going any further; but if we go farther, we only find matter to confirm the first obvious conclusion.

THE EAST INDIA MONOPOLY.

TIMES—The grievance inflicted both on the united kingdom and on India, by the various modes of vexing and embarrassing the trade of the king's subjects with the latter territory, of which the existing law protects the exercise by the East India Company, and the grievance—still more palpable and barefaced—arising from the open monopoly of trade carried on by the same troublesome company with China, have roused, as is well known, the attention of a large number of enlightened individuals throughout Great Britain, who have formed associations in most of the great commercial towns, and have agreed on a variety of measures calculated to establish an effectual resistance to any such renewal of the company's expiring charter, as might tend to prolong those pernicious monopolies and privileges from which the freedom and productiveness of British industry have hitherto so deeply suffered. Nor is there a shadow of decent pretence, or of reasonable motive, even on just views of the company's own commercial interest, for pressing upon the legislature the continuance of its obnoxious powers. The trade of the India company itself has been gradually withering under the shelter of this much-cherished monopoly; while private merchants have, under every disadvantage created by the charter, been laboriously but successfully extending their commercial intercourse with China, but through the medium of foreigners more favoured than themselves. The trade of the company, whether carried on from India or from England with the Chinese empire has been comparatively insignificant, or in no degree worth speaking of progressively. According to returns printed by order of Parliament, the trade of the company, from its Indian dominions to China and back again, was, including imports and exports, in the year 1820-21, £602,000; in the year 1826-27, it was £362,000. In the same years respectively, the private trade between India and China was, at the beginning of the seven years, £3,328,000, and at the end £3,764,000. So with regard to the British and China trade, for even a much longer series of years. In 1814-15, the company's British trade with China was £2,900,000; in 1827-28, it was above £100,000 less; while the private trade in the same period had increased from £2,570,000, to £3,760,000. Again, the amount of British manufactures exported to India by the company in 1814-15, was £757,000; in 1828-9, it had fallen to £398,000. While the company's trade with its own territories has been so declining, what, under many restraints and hindrances, has been the growth of the private trade with India? In 1814-15 it amounted to upwards of 23,000,000 of rupees; in 1828-29, to upwards of 36,000 in 1814-15, the invoice value of the company's trade between England and China was £2,950,000; in 1827-8, it was £2,690,000—a falling off of 10 per cent! But the American home trade with Canton has more than doubled in 11 years from 1815-16 to 1826-27. As against the British consumer, however, the company knows how to drive a thrifty bargain. From a table of the last prices of tea imported by these monopolists into Great Britain, it appears that they buy at about 3s. 3d. per lb., and sell at about 2s. 4d.—a profit of 90 per cent., levied in great part upon the working classes of the inhabitants of this country. A comparison between the prices for which an English family can purchase tea from Leadenhall street, and an American, French, or Dutch family can have the same comfort from a private trader, forms an instructive, though somewhat mortifying, branch of the information contained in the parliamentary returns. This system will never do.

Varieties.

THE ATTACK ON ALGIERS.

From the United Service Journal.

The ship's company were piped to dinner, and at one o'clock the captain and officers sat down to theirs in the gun-room, the principal dish of which was a substantial sea-pye; wine was pledged in a bumper to a successful attack, and a general expression of hope for an unsuccessful negotiation. At this time, the officer of the watch reported to the Captain, that the Admiral had made the general telegraph. "are you ready?" Chatham immediately directed that our answer "ready" should be blown, and at the same moment the like signal was flying at the mast-heads of the entire squadron. The men now awoke up, each individual of it quietly making arrangements with the other in the event of accident, and we scarcely reached the deck when the signal "bear la" was out, the Commander-in-chief leading the way

with a fine steady breeze blowing on the land. We ran in on the Admiral's larboard beam, keeping within two cables' length of him, the long guns were loaded with round and grape, the carronades with grape only; our sails were reduced to the topsails and top-gallant sails, the mainsail furled, and the boats dropped astern in tow. The ships were now steering to their appointed stations, and the gun-boats showing their eagerness by a crowd of sail, to get alongside the batteries. As we drew towards the shore, the Algerines were observed loading their guns, and a vast number of spectators were assembled on the beach, idly gazing at the approach of the squadron, seemingly quite unconscious of what was about to happen. Far different were appearances at the mouth of the mole as it opened; the row boats fully manned, were lying on their oars, quite prepared for the attack, and we fully expected they would attempt to board should opportunity offer: each boat had a flag over the stern. A frigate was moored across the mouth of the mole, and a small brig was at anchor outside of her.

At fifteen minutes before three P. M. the Queen Charlotte came to anchor by the stern, at the distance of sixty yards from the beach, and, as it was ascertained by measurement, ninety yards from the muzzles of the guns of the mole batteries, unmolested and with all the quietude of a friendly harbour; her flag flew at the main, and the colours at the peak, her starboard broadside flanked the whole ranges of batteries from the molehead to the light-house; her topsail yards (as were those of the squadron,) remained aloft to be more secure from fire, and the sails brought snugly to the yards by head-lines previously fitted; the top-gallant sails and small sails only were furled so that we had no man unnecessarily exposed aloft.

The Leander following the motions of the Admiral, was brought up with two anchors by the stern, let go on his larboard beam, veered away, until she obtained a position nearly ahead of him, then let go an anchor under foot, open by this to a battery on the starboard side at the bottom of the mole, and to the fish-market battery on the larboard side. At this moment Lord Exmouth was seen waving his hat on the poop to the idlers on the beach to get out of the way, then a loud cheer was heard, and the whole of the Queen Charlotte's tremendous broadside was thrown into the batteries abreast of her; this measure was promptly taken, as the smoke of a gun was observed to issue from some part of the enemy's works, so that the sound of the British guns was heard almost in the same instant with that to which the smoke belonged. The cheers of the Queen Charlotte were loudly echoed by those of the Leander, and the contents of her starboard broadside as quickly followed, carrying destruction into the groups of row boats; as the smoke opened, the fragments of boats were seen floating, their crews swimming and scrambling, as many as escaped the shot, to the shore; another broadside annihilated them. The enemy was not slack in returning this warm salute, for almost before the shot escaped from our guns, a man standing on the forecastle bitts, hauling on the topsail buntlines, received a musket bullet in his left arm, which broke the bone, and commenced the labours in the cockpit. The action became general as soon as the ships had occupied their positions, and we were engaged with the batteries on either side; so close were we, that the enemy were distinctly seen loading their guns above us. After a few broadsides, we brought our starboard broadside to bear on the fish-market, and our larboard side then looked to seaward. The rocket boats were now throwing rockets over our ships into the mole, the effects of which were occasionally seen on the shipping on her larboard bow. The Dutch flag was to be seen at the fore of the Dutch Admiral, who with his squadron, were engaging the batteries to the eastward of the mole. The fresh breeze which brought us in was gradually driven away by the cannonade, and the smoke of our guns so hung about us, that we were obliged to wait until it cleared; for the men took deliberate and certain aims, training their guns until they were fully satisfied of their precision. But our enemies gave us no reason to suppose that they were idle, so great was the havoc which they made amongst us, that the surgeon in his report stated, that sixty-five men were brought to him wounded after the first and second broadsides.

ITALIAN SCENERY.—Happy is the man, who, leaving the Alps behind him, has the plains of Lombardy on his right hand and on his left, the Apennines in view, and Florence as the city towards which he directs his steps. His way is through a country where corn grows under groves of fruit trees, whose tops are woven into green arcades by thickly clustering garlands of vines; the dark masses of foliage and verdure which every where appear, melt insensibly, as he advances, into a succession of shady bowers that invite him to their depths; the scenery is monotonous, and yet ever various from the richness of its sylvan beauty, possessing all the softness of forest glades without their gloom. Towards Bologna, the landscape roughens into hills, which grow into Apennines, but Arcadia still breathes from slopes and lawns of tender green, which take their rise in the low stream watered valleys, and extend up the steep ascent till met midway by the lofty chesnut groves which pale them in. To these gentler features succeeds the passage of the Apennines, which here, at least, are not, as the author of "Italy as it is" describes them "the children of the

Alps—smiling and gentle and happy as children should be," but as we remember them, their summits themselves into a wild, dreary region, sown with storm mountain tops, and torn to pieces by wind and storm; the only glimpse of peace is derived from the view, either side, of the sea, which sometimes shows itself the horizon, a misty line, half silver, half aether. The barren wilderness again softens into gracefully swelling hills turned towards Florence. The fair olive tree and the dark cypress mingle their foliage with the luxuriant chesnut boughs, and the frequent marble villa flashes white gleam from amid its surrounding laurel bowers. The sky is more beautiful than earth, and each breeze lize peace and serene enjoyment. Both the country and the climate increase in beauty as you approach Rome. The queen of the world, humble in her glory, sits in the lowly plain; she is bid in the misty expanse of the Campagna, till within a few miles, when the long bounding line is broken, and the dome of St. Peter's emerges in single majesty from behind. One by one, like stars in the twilight sky, the smaller cupolas shine out, and the extent of dome, tower, and verdurous wall, disclose itself to the travellers thirsty gaze.—Simon's late Italy.

Mahogany.—The discovery of this timber was accidental, and its introduction into notice was slow.—The first mention of it, that it was used in the repair of some of Walter Raleigh's ships, at Trinidad, in 1596. The fine variegated tints were admired; but in that age the drug of El Dorado caused matters of more value to be neglected. The first that was brought to England was about the beginning of last century: a few planks having been sent to Dr. Gibbons, of London, by a brother who was West India Captain. The doctor was erecting a house in King street, Covent garden, and gave the planks to a workman, who rejected it as being too hard. This doctor's cabinet maker, named Wollaston, was employed to make a candle box of it, and as he was sawing up the plank, he also complained of the hardness of the timber. But when the candle box was finished, it outshone the beauty all the doctor's other furniture, and became an object of curiosity and exhibition. The wood was then taken into favour. Dr. Gibbons had a bureau made of it, and the Duchess of Buckingham another; the despised mahogany now became a prominent article of luxury, and at the same time raised the fortunes of the cabinet maker by whom it had been at first so little regarded. The mahogany tree is found in great quantities on the low and woody lands, and even upon rocks in the countries on the western shores of the Caribbean sea, about Honduras and Campeachy. It is also abundant in the island of Cuba and Hayti, and it used to be plentiful in Jamaica where it was of excellent quality; but most of the trees have been cut down. It was formerly abundant in the Bahamas where it grew on the rocks to a great height, and four feet in diameter. In the earliest period it was much used by the Spaniards in ship building.—Library of Entertaining Knowledge.

CHARACTER OF MASSANIELLO.—All antiquity cannot furnish us with such another example as his; and afterwards will hardly believe what height of power this ridiculous sovereign arrived to, who, trampling barefoot on a throne, and wearing a mariner's cap instead of a diadem, in a few days raised an army of above 150,000 men, and made himself master of one of the most populous cities in the world. In short, it may be averred without contradiction, that, neither the most formidable tyrants, or the princes the most beloved, were ever so much dreaded, or so soon obeyed, as Massaniello was, during his short but stupendous reign. His orders were without reply, his decrees without appeal; and the destiny of all Naples might be said to have depended upon a single motion of his hand.—History of Remarkable Conspiracies.

PALEY'S ARMS.—When I set up a carriage, I thought my armorial bearings should appear on the panels. Now, we had none of us ever heard of the Paley arms, none of us had ever dreamed that such things existed, or had ever been. All the old folks of the family were consulted; they knew nothing about it. Great search was made, however, and at last we found a silver tankard on which was engraved a coat of arms. It was carried by common consent that these must be the Paley arms; they were painted on the carriage, and looked very handsome. The carriage went on very well with; and was not till six months afterwards that we found out the tankard had been bought at a sale! His looks and manner were an admirable running commentary on the story, and rendered it superfluous for him to utter, or he did not make, any remark upon it.—Personal and Literary Memorials.

Novel made of getting a living.—In a neighbouring village resides a middle aged woman of the name of Janet—who for some years past has carried on business in the capacity of instructing young ladies in the art of Courtship. Her success in this novel profession is truly wonderful, a circumstance which may be accounted for from the decidedly popular branch of education she engages to teach, and the extreme moderation of her charges, being only a penny each lesson, while three lessons complete the course. The fact, too, of herself having had, though a widow, less than three husbands in her time, contributes essentially to keep up the number of scholars, inasmuch as it inspires them with confidence in the soundness of the philosophy of her plan. But what, perhaps, of all

considerations, induces crowds of young girls, sighing at the blessedness of matrimony, to become pupils of the school, in the circumstance of several of those who had recently at her school having got made "one flesh" with their lovers. In Janet's method of communicating rules and precepts and admonitions, to her tractable pupils, she uses nothing in the shape of introductory remarks: she proceeds at once to the marrow of her subject—her's, in short, is the *Hamiltonian* method of instruction; her pupils are at all times numerous; but the long dark nights of winter her little school is literally crowded to excess. It is truly gratifying to witness undivided attention which the human mind is capable of giving to a subject in which it feels really interested. As young girls naturally are when a few of them get together to indulge in a little chit chat, even though should be at the expense of their absent companions, all silent as mid-night, while Janet, is engaged in delivering her half oracular instructions. The speculation in question has turned out such a successful one that we scarcely suspect our worthy matron will speedily have more than one rival to compete with.—*Elgin Courier.*

Lieut.-Colonel Monge, of the grenadiers of the French Guard under Napoleon, who followed the Emperor to St. Helena, in 1814, died lately at Paris, in the hospital of St. Louis, after a long illness, and in a state of blindness. This officer, being of a very enterprising character, was employed by Napoleon, after his return from Elba, on a most difficult and perilous mission. It was, to make his way in the greatest secrecy to Vienna, to carry off Maria Louisa and her son, and bring them to France. The letter which was to serve as his credentials, and procure his recognition, contained merely the following words:—"Place every confidence in this brave. He has all mine. Be yourself up to him, and follow him. N." Monge spoke German. He set off for Vienna, where, by the help of disguises, he succeeded in arriving, after incurring numerous dangers. He had to pass through many corps of the allies and Austrians, the vigilance of which was not easily eluded, to say nothing of the difficulty he experienced in preserving the order which was to be proof of his mission. He was at last on the point of executing his arduous task, when the Austrian police obtained some information of the scheme, and he was obliged to fly. He escaped the pursuit, and got back to France shortly before the battle of Waterloo, in which he fought gallantly. Since the restoration he never was employed, and being totally destitute of resources, he was reduced to a state of great distress, and worked as a common labourer. He was only 50 years of age when he died.—*Paris paper.*

PIETY REWARDED.—It can hardly enter into the heart of man to conceive the odd things which people now do to live. Observe the employment of "gravity out of his bed at midnight."

An old man, who said his name was Robison, was charged with being drunk and disorderly in the streets at two o'clock in the morning. In his defence, he said that some persons gave him a few glasses of gin for singing hymns to them.

The propriety of administering gin to a hymn singer is doubtful. It may, indeed, infuse warmth into his manner and vigour into his lungs; yet, if he concludes by knocking down the watchman, or doing worse, of how little avail are his most pious sentiments. The consolations of Lady Hastingdon to a man overwhelmed with mud at midnight, or reposing in the kennel with perfect confidence in a future state, must be of desirable attainment. The way of life of this semi-religious, semi-debauched, old buck, excited the magistrate's curiosity.

Mr. Dyer—"Where did you sing your hymns?" Robison—"In public-houses. I have no other way of procuring my living than by religious tracts and singing hymns."

By being, we presume, the *Tom and Jerry* sort of life is meant—a strange appetite in a reverend personage of so primitive a character and functions so apostolical. We were to say that our old gentleman was incarcerated, that he might in future learn a better correspondence between faith and works.

GOODNESS OUT OF SEASON.—Virtuous sentiments so seldom form an ornament of high official station, that an exhibition of them under any circumstances is calculated to charm the land. But, as Solomon observes, "there is a time to be wise and a time to be foolish." However zealous a man may be in the cause of order and decorum, he should not break through all connection in debate to support it.

At the Mansion-house, on Saturday, a young man named Anderson, was charged by a baker with having stolen his dog. The defendant said the dog was his own, and its name was "Tipoo." The baker denied this, and said the dog's name was "Jack Scroggins."—His lordship called out, "Tipoo, Tipoo," but the dog took no notice.—"Come here, Jack Scroggins," said Mr. Hobler, and the dog was at his feet in a moment amidst the laughter of the crowd.—The lord mayor said, there was no doubt that the dog was "Jack Scroggins," and the name reminded him of the very just sentence of transportation for life just passed upon two brutes in the human form, for manslaughter. He trusted, that though the brutal love for prize fights was countenanced and sanctioned by brutes of high rank, the determination of the Judges of the land to suppress it would be attended with success.

While we applaud the lord mayor's indignation against pugilism, we are mightily puzzled to discover what the stealing of a baker's dog has to do with prize-fights and manslaughter. That the dog's name was *Jack Scroggins* does not satisfy us upon this head. If the accident of a name can thus act upon the fancy of our chief magistrate, upon the same principle the lord mayor might have entered upon the subject of whale fisheries, steam-carriages, or the Polar expedition. *ANDERSON* and the baker appear to be men as peaceably inclined as the lord mayor and Mr. HOBLER, and their edification from the lecture must have been vast. To set before a man convicted of forgery the enormity of arson, or to admonish a fugitive bail upon the impropriety of bigamy, is a new experiment in social polity. Whatever merit belongs to it, is clearly the property of our ingenious chief magistrate.

Latest News.

LONDON, October 9.

As we surmised, the intelligence we copied yesterday from the *Moniteur* of Monday, relative to the termination of hostilities in the East, was perfectly correct, both as regarded the fact itself, and the bases upon which the treaty was concluded, with the exception of two or three points perhaps of subordinate importance, which were then omitted, but which the *Moniteur* supplied in its next number, when it published the whole in a regular and official form. The additional articles, which will be found amongst our French extracts, relate to Servia, the two Principalities, and the affairs of Greece. By one of these articles the full benefits of the stipulations of the Treaty of Akermann, in favour of the inhabitants of Moldavia and Wallachia, are fully secured to them. By another, Servia is placed on a level with the two former, in point of privileges and liberties, and at the same time six districts, which, it is said, were "improperly" separated from it by the Turks, are to be reunited to that province. By the third and last article, the Protocol of the 22d of March is recognised, subject to negotiations, with the Powers parties to the Treaty of London; and we may remark, *en passant*, that this article constitutes the only one in which the Porte seems to have had any voice, all the others having been dictated by the Russians. The Prussian State Gazette, which also contains the official announcement of the signature of peace, supplies us with some interesting facts which occurred previously, and which show that, at one period of the negotiations, it was extremely doubtful whether they would have a favourable result. It appears that the Turkish Plenipotentiaries had hesitated so long before they could be induced to consent to the hard conditions submitted to them, that strong apprehension prevailed amongst the representatives of the European Powers at the Porte, lest the Russian General, taking advantage of this hesitation, should order his troops to march against Constantinople. In this dilemma the English and French Ambassadors had recourse to the Ambassador of Prussia, and persuaded him to proceed to the Russian Headquarters. To these persuasions the "express desire of the Sultan was added;" and this conciliatory mission we are told, (and we readily believe what is stated), "essentially contributed," to remove the objections, which, till then, presented themselves to the signing of the Treaty—thus fully justifying the opinion we hazarded more than once, as to the honourable and highly salutary influence exercised by the Prussian Cabinet in the course of these important negotiations. To this opinion we have now to add our conviction that, but for this influence, the negotiations would have terminated disastrously, and the capital of the Sultan, perhaps his person, would be at this time in the power of the Russians. The situation of that Sovereign looked so utterly hopeless at one time that his escape from it looks like a miracle; and, though we anticipated pretty steadily that which has taken place, we are, nevertheless, astonished that Russia, with the prize she had so long and so ardently aimed at absolutely with her reach, should have, contrary to all expectation, renounced it.

This monarch and his advisers must have either great self-denial or a wonderful faculty of regulating their conduct according to circumstances, to come to a decision by which they renounce, for the present, one of the most splendid objects that ever courted human ambition, in order that they may secure it hereafter with less risk and less exposure to envy. In the galling terms which they have imposed on the hapless Turks, they are sure of finding a justifiable pretext for putting the finishing hand to the long cherished plan of annexing the finest province as well as the capital of Turkey to the Russian Empire. Unless these terms be modified in a Congress, immediately convened for that express purpose, this consummation will inevitably take place; and we, therefore, call upon Ministers to repair the want of foresight and energy by which their past policy, in connection with a question so fraught with dangers to all Europe, has been unfortunately distinguished, and to substitute, without any loss of time, a course of measures more in unison with the honour, the dignity, and the dearest interests of the country, as well as with the preservation of a just balance of power amongst the States of Europe. The recent inroads of Russia upon the European system, as established by several Congresses, have been shamefully connived at; and, to wipe away this stain upon our diplomacy, all the energies and all the vigilance of our Cabinet should be immediately put in requisition; for if Russia be not checked in her career of aggrandisement, the consequences will be the complete overthrow of those securities, in the erection of which the wealth and the best blood of England have been prodigally expended.—*Morning Herald.*

Adrianople, Sept. 14—Peace was signed this morning by the Russian and Turkish Plenipotentiaries; commissioners will immediately go to inform Count Paskewitch of this happy event. Orders will also be sent to the Turkish commanders to cease hostilities. This news has not given pleasure to the inhabitants of Adrianople, who since the arrival of the Russians, have enjoyed tranquillity, and security; and fear, probably with reason, that when they withdraw, some reaction may ensue. Many families, Mahomedan as well as Christian, are preparing to leave the city on the retreat of the Russians, and to fix their residence in the Principalities, for which they are said to have obtained the permission of the Russian General in Chief. All property belonging to the Ottoman Government is now sending away northwards to Aidos and Silistria. In the course of the war, the Porte has lost above 2,000 cannon and 200,000 Muskets. The Turks have also sustained a great loss in fine stallions and mares, which will be a valuable addition to the Russian studs. It is said that for some time past there has been a formal suspension of arms at Schumla, and that it depended solely on the will of General Krassow-sky to make himself master of the place.—*Allgemeine Zeitung, Oct. 5.*

The *Journal of Odessa* of the 15th of Sept. contains the following remarkable passage:—"If the Sultan has sufficient sense to appreciate his true interest, he will seek the alliance of Russia, whose policy is to gain the affections of the Turks and thereby extend her commercial relations both with Persia and Turkey."

Despatches were this morning received at the Foreign Office, from Sir Robert Gordon, dated Constantinople, Sept. 19. A copy of the Treaty of Peace, signed at Adrianople on the 14th, had reached the Turkish capital, and has we understand, been transmitted in Sir Robert Gordon's despatches. We are enabled to state, that the treaty does not contain any such conditions as that mentioned in the French papers, that the passage of the Bosphorus shall be open to the vessels of all nations at peace with Russia and the Porte. On that head, we understand, it merely stipulates that there shall be a free passage to the black sea, for the vessels of all nations at peace with the Porte, without making any reference to the relations which may at the time subsist between such nations and Russia. We believe that the despatches have been forwarded to the Earl of Aberdeen, who, at Windsor, where His Majesty holds a Council of day.

TREATY OF PEACE BETWEEN RUSSIA AND TURKEY.

In the name of God Almighty!—His Imperial Majesty, the Most High and Most Mighty Emperor and Autocrat of all the Russians, and His Highness the Most High and Most Mighty Emperor of the Ottomans, animated with an equal desire to put an end to the calamities of war, and to establish, on solid and immutable bases, peace, friendship, and good harmony between their empires, have resolved, with a common accord, to entrust this salutary work to, &c. [Here follow the names and titles of the different Plenipotentiaries on both sides.]

Article I.—All enmity and all differences which have subsisted hitherto between the two empires shall cease from this day, as well on land as on sea, and there shall be in perpetuity peace, friendship, and good intelligence, between His Majesty the Emperor and Padishah of all the Russias and His Highness the Padishah of the Ottomans, their heirs and successors to the Throne, as well as between their respective empires. The two high contracting parties will devote their particular attention to prevent all that might cause misunderstandings to revive between their respective subjects. They will scrupulously fulfil all the conditions of the present treaty of peace, and will watch at the same time lest it should be infringed in any manner, directly or indirectly.

Article II.—His Majesty the Emperor and Padishah of all the Russias, wishing to give to his Highness the Emperor and Padishah of the Ottomans a pledge of the sincerity of his friendly disposition, restores to the Sublime Porte the Principality of Moldavia, with all the boundaries which it had before the commencement of the war to which this treaty has put an end.

His Imperial Majesty also restores the Principality of Wallachia, the Banat of Crayoxa, Bulgaria, and the country of Dobridge, from the Danube as far as the sea; together with Silistria, Hirsowe, Matzin, Isakiya, Toulza, Babadag, Bazardjik, Varna, Pravody, and other towns, burghs, and villages which it contains, the whole extent of the Balkan, from Emine Bournon as far as Kazani and all the country from the Balkans as far as the sea, with Siliminea, Jomboli, Aidos, Karnabat, Mismanovca, Akhtoly, Bourgas, Sizopolis, Kirkkilissi, the city of Adrianople, Lule Bourgas, and all the towns, burghs, and villages, and in general all places which the Russian troops have occupied in Roumelia.

Article III.—The Pruth shall continue to form the limit of the two empires, from the point where the river touches the territory of Moldavia to its junction with the Danube; from that spot the frontier line will follow the course of the Danube as far as the mouth of St. George's; so, that, leaving all the islands formed by the different arms of that river in possession of Russia, the right bank shall remain, as formerly, in the possession of the Ottoman Porte. Nevertheless, it is agreed that this right bank shall remain uninhabited from the point where the arm of the St. George separates itself from that of Souline, to

distance of two hours from the river, and that no establishment of any kind shall be formed there, any more than on the islands which shall remain in possession of the Court of Russia, where, with the exception of the quarantines which may be established there, it shall not be allowed to make any other establishment or fortifications. The merchant-vessels of the Powers shall have the liberty of navigating the Danube in all its course; and those which bear the Ottoman flag shall have free entrance into the mouths of Keli and Souine, that of St. George remaining common to the ships of war and merchant-vessels of the two contracting powers. But the Russian ships of war, when ascending the Danube, shall not go beyond the point of its junction with the Pruth.

Article IV.—Georgia, Imeritia, Mingrelia, and several other provinces of the Caucasus, having been for many years and in perpetuity united to the empire of Russia and that empire having besides, by the treaty concluded with Persia at Tourkmanchai on the 10th of February, 1828, acquired the Kahnats of Eriwan and Nakhtchiwan, the two high contracting Powers have recognized the necessity of establishing between their respective States, on the whole of that line, a well determined frontier capable of preventing all future discussion. They have equally taken into consideration the proper means to oppose insurmountable obstacles to the incursions and depredations which the neighbouring tribes hitherto committed, and which have so often compromised the relations of friendship and good feeling between the two empires; consequently, it has been agreed upon to consider henceforward as the frontiers between the territories of the Imperial Court of Russia and those of the Sublime Ottoman Porte in Asia, the line which, following the present limit of the Gourié from the Black Sea, ascends as far as the border of Imeritia, and from thence in the straightest direction as far as the point where the frontiers of Georgia, Pachelik of Akhaltzik and of Karsmeatsbora of Georgia, leaving in the manner to the north of sea within that line, the town of Akhaltzik and the fort of Khallalick, at a distance of not less than two hours.

All the countries situated to the south and west of this line of demarkation towards the Pachahks of Kars and Trebesond, together with the major part of the Pachalik of Akhaltzik, shall remain in perpetuity under the domination of the Sublime Porte, whilst those which are situated to the north and east of the said line, towards Georgia, Imeritia, and the Gourié, as well as all the littoral of the Black Sea, from the mouth of the Kouben as far as the port of St. Nicholas inclusively, under the domination of the Emperor of Russia. In consequence, the Imperial Court of Russia gives up and restores to the Sublime Porte the remainder of the Pachalik of Erzeroum, as well as all the places occupied by the Russian troops, and which may be out of the above mentioned line.

Article V.—The principalities of Moldavia and Wallachia having, by a capitulation, placed themselves under the sovereignty of the Sublime Porte, and Russia having guaranteed their prosperity, it is understood that they shall preserve all the privileges and communities granted to them in virtue of their capitulation, whether by the treaties concluded between the imperial Courts, or by the Hatti Sheriffs issued at different times. In consequence, they shall enjoy the free exercise of their religion, perfect security, a national and independent administration, and the full liberty of trade. The additional clauses to antecedent stipulations, considered necessary to secure to these two provinces the enjoyment of their rights, shall be inscribed in the next separate act, which is and shall be considered as forming an integral part of the present treaty.

Article VI.—The circumstances which have occurred since the conclusion of the convention of Ackerman not having permitted the Sublime Porte to undertake immediately the execution of the clauses of the separate act relative to Servia, and annexed to the 5th article of the said convention the Sublime Porte engages in the most solemn manner to fulfil them with the least delay, and with the most scrupulous exactness; and to proceed in particular, to the immediate restitution of the six districts detached from Servia, so as to ensure forever the tranquility and the welfare of that faithful and obedient nation. The firman, confirmed by the Hatti Sheriff, which shall order the execution of the aforesaid clauses, shall be delivered and communicated to the Imperial Court of Russia within the period of a month within the date of the signature of the treaty of peace.

Article VII.—Russian subjects shall enjoy, throughout the whole extent of the Ottoman empire, as well by land as by sea, the full and entire liberty of commerce secured to them by the former treaties, concluded between the high contracting Powers. No infringement of that liberty of commerce shall be committed, neither shall it be permitted to be checked, in any case or under any pretence, by a prohibition or any restriction whatever, nor in consequence of any regulation or measure, whether it be one of internal administration or one of internal legislation. Russian subjects, vessels, and merchandise, shall be secure against all violence and all chicanery. The former shall live under the exclusive jurisdiction and police of the Ministers and Consuls of Russia. The Russian vessels shall not be subjected to any visit on board whatever on the part of the Ottoman authorities, neither out at sea

nor in any of the ports or roadsteads belonging to the dominion of the Sublime Porte. And all merchandise and commodities belonging to a Russian subject after having paid the custom house duties required by the tariffs, shall be freely conveyed, deposited on land, in the warehouses of the proprietor or of his consigned, or else transferred to the vessels of any other nation whatever, without the Russian subjects being required to give notice to the local authorities, and still less to ask their permission. It is expressly agreed upon, that all grain proceeding from Russia shall enjoy the same privileges, and that its free transit shall never experience, under any pretence, any difficulty or impediment. The Sublime Porte engages besides, to watch carefully that commerce and navigation of the Black Sea shall not experience the slightest obstruction of any nature whatever. For this purpose the Sublime Porte recognizes and declares the passage of the canal of Constantinople, and the strait of the Dardanelles, entirely free and open to Russian ships under merchant flags, laden or in ballast, whether they come from the Black Sea to go into the Mediterranean, or whether, returning from the Mediterranean, they wish to re-enter the Black Sea. These vessels, provided they be merchantmen, of whatever size or tonnage they may be, shall not be exposed to any impediment or vexation whatever, as it has been stipulated above. The two Courts shall come to an understanding with respect to the best means for preventing all delay in the delivery of the necessary clearances. In virtue of the same principle, the passage of the canal of Constantinople and of the strait of the Dardanelles is declared free and open for all the merchant vessels of the powers at peace with the Sublime Porte, whether bound to the Russian ports of the Black or returning from them—whether laden or in ballast—upon the same conditions as those stipulated for the vessels under the Russian flag. In fine, the Sublime Porte, acknowledging the right of the Imperial Court of Russia to obtain guarantee of this full liberty of commerce and navigation in the Black Sea, solemnly declares that she will never, under any pretence whatever, throw the least obstacle in its way. She promises, above all, never to permit herself in future to stop or detain vessels, laden or in ballast, whether Russian or belonging to nations with which the Ottoman empire shall not be in a state of declared war, passing through the strait of Constantinople and the strait of the Dardanelles, to repair from the Black Sea into the Mediterranean, or from the Mediterranean to the Russian ports of the Black Sea. And if, which God forbid! any of the stipulations contained in the present article should be infringed, and the reclamation of the Russian Minister on that subject should not obtain a full and prompt satisfaction, the Sublime Porte recognizes, beforehand, the right of the Imperial Court of Russia to consider such an infraction an act of hostility, and immediately to retaliate on the Ottoman empire.

Article VIII.—The Conventions of Akerman, for the purpose of regulating and liquidating the claims of the respective subjects and merchants of both empires, relating to the indemnity for the losses, experienced at different periods since the war of 1806, not having been yet carried into effect, and the Russian commerce having since the conclusion of the aforesaid Convention suffered new and considerable injury in consequence of the measures adopted respecting the navigation of the Bosphorus, it is agreed and determined that the Sublime Porte, as a reparation for that injury and those losses, shall pay to the Imperial Court of Russia, in the course of 18 months, at periods which shall be settled hereafter, the sum of one million five hundred thousand francs of Holland; so that the payment of this sum shall put an end to all claim or reciprocal pretensions on the part of the two contracting Powers on the subject of the aforesaid circumstances.

Article IX.—The prolongation of the war, to which the present treaty of peace happily puts an end, having occasioned to the Imperial Court of Russia considerable expenses, the Sublime Porte recognizes the necessity of offering it an adequate indemnity. For this purpose, independently of the cession of a small portion of territory in Asia, stipulated by the fourth article, which the Court of Russia consents to receive on account of the said indemnity, the Sublime Porte engages to pay to the said Court a sum of money, the amount of which shall be regulated by mutual accord.

Article X.—The Sublime Porte, whilst declaring its entire adherence to the stipulations of the treaty concluded in London on the 24th of June, (the 6th of July) 1827, between Russia, Great Britain and France, accedes equally to the act drawn up on the 10th of March, (22d) 1829, by mutual consent, between these same Powers, on the basis of the said treaty, and containing the arrangement of detail relative to its definitive execution. Immediately after the exchange of the ratification of the present treaty of peace, the Sublime Porte shall appoint Plenipotentiaries to settle with those of the Imperial Court of Russia, and of the Courts of England and France, the execution of the said stipulation and arrangements.

Article XI.—Immediately after the signature of the present treaty of peace between the two empires, and the exchange of the ratification of the two Sovereigns, the Sublime Porte shall take the necessary measures for the prompt and scrupulous execution of the stipulations which it contains, and particularly of the third and fourth articles, relative to the limits which are to separate the two empires, as well in Europe as in Asia; and of the fifth and sixth articles, respecting the principalities of Wallachia and Moldavia, as well as Servia; and from the moment when these stipula-

tions can be considered as having been fulfilled, the Imperial Court of Russia will proceed to the evacuation of the territory of the Ottoman empire, conformably to the law established by a separate act, which forms an integral part of the present treaty of peace. Until the complete evacuation of the territories occupied by the Russian troops, the administration and the order of things there established at the present time, under the influence of the Imperial Court of Russia, shall be maintained, and the Sublime Ottoman Porte shall not interfere with them in any manner.

Article XII.—Immediately after the signature of the present treaty of peace, orders shall be given to the commanders of the respective troops, as well by land as by sea, to cease hostilities. Those committed after the signature of the present treaty shall be considered as not having taken place, and shall occasion no change in the stipulations which it contains. In the same manner any thing which in that interval shall have been conquered by the troops of either one or the other of the high contracting Powers, shall be retained without the least delay.

Article XIII.—The high contracting Powers while re-establishing between themselves of sincere amity, grant general pardon, and a full and entire amnesty to all those of their subjects, of whatever condition they may be who, during the course of the war happily terminated this day, shall have taken part in military operations, or manifested either by their conduct or their opinions, their attachment to one or the other of the two contracting Powers. In consequence, not one of those individuals shall be molested or prosecuted, either in his person or goods, on account of his past conduct, and every one of them, recovering the property which he possessed before, shall enjoy it peacefully under the protection of the law, or shall be at liberty to transport himself, with his family, his goods, his furniture, &c., into any country which he may please to choose, without experiencing any vexations or impediments whatever.

There shall be granted besides to the respective subjects of the two powers established in territories restored to the Sublime Porte, or ceded to the Imperial Court of Russia, the same term of 18 months, to commence from the exchange of the ratification of the present treaty of peace, to dispose, if they think proper, of their property acquired either before or since the war, and to retire with their capital, their goods, furniture, &c., from the States of one of the contracting Powers into those of the other, and reciprocally.

Article XIV.—All prisoners of war, of whatever nation, condition or sex they may be, which are in the two empires, must immediately, after the exchange of the ratifications of the present treaty of peace be set free, and restored without the least ransom or payment; with the exception of the Christians who, of their own free will, have embraced the Mahomedan religion in the States of the Sublime Porte, or the Mahomedans who, also of their own free will, have embraced the Christian religion in the territories of the Russian Empire.

The same conduct shall be adopted towards the Russian subjects, who, after the signature of the present treaty of peace, in any manner whatever have fallen into captivity and be found in the States of the Sublime Porte.

The Imperial Court of Russia promises, on its part, to act in the same way towards the subjects of the Sublime Porte. No payment shall be required for the sums which have been applied by the two high contracting parties to the support of prisoners. Each of them shall provide the prisoners with all that may be necessary for their journey as far as the frontiers; where they shall be exchanged by commissioners appointed on both sides.

Article XV.—All the treaties, conventions, and stipulations settled and concluded at different periods between the Imperial Court of Russia and the Ottoman Porte, with the exception of those which have been annulled by the present treaty of peace, are confirmed in all their force and effect, and the two high contracting parties engage to observe them religiously and inviolably.

Article XVI.—The present treaty of peace shall be ratified by the two high contracting Courts, and the exchange of the ratifications between the respective Plenipotentiaries shall take place within the space of six weeks, or earlier if possible. In faith of which

(Signed) Count ALEXIS ORLIFF,
Count J. PAHLEN.

In virtue, &c.
(Signed) DEBITSCH ZABALKANSKY.

LONDON, Oct. 12.

By accounts from Lisbon we learn that the young Queen of Portugal, Donna Maria da Gloria, landed at Terceira on the 7th Sept. where she remained but a short time and proceeded on her voyage to Rio Janeiro.

Oct. 13.—According to the private letters from Lisbon, this morning it was expected Don Miguel would be recognised as the king by the English Government. This appears to be generally current at Lisbon.

The revenue for the quarter ending Oct. 13th amounts to 13,383,877 pounds, being an increase over the corresponding quarter of last year of £63,942. This increase was less than anticipated, owing to a decrease of excise, amounting to £446,162. The increase on Customs was £363,724.

Official accounts have reached London of the rejection of the application made by Don Miguel to the Pope for a recognition of his authority as King of Portugal.

Parliament was prorogued to the 10th of Dec. though it was said that it would probably assemble earlier.

An investigation in the case of the goods smuggled into Calis under the name of Lord Stuart, the English Ambassador, has shown a servant of his lordship to be concerned in the fraud. This servant was at one time dismissed from Lord Stuart's establishment on suspicion of a similar transaction, but afterwards reinstated. The goods will be re-exported to Calis, to be disposed of according to the laws of France.

A destructive fire occurred at Manchester on the morning

Oct. 12th. by which the extensive warehouses of the company of merchants trading to and from Liverpool, Leeds and Halifax were laid in ashes. Four barrels of gunpowder which were in one of the warehouses, exploded during the conflagration, shaking the surrounding fabrics and causing an earthquake. The warehouses were full of bales of cotton. Many firemen were injured, and one lost his life. A new tragedy, entitled *Epicharis*, by T. H. Lister, author of "Granby" and "Herbert Lacy," was to have been performed on the 10th, at Drury Lane; but was postponed in consequence of the death of a son of Mr. Wallack, to whom a principal part had been assigned. The papers mention that Henry Wallack, "the most popular actor on the American stage" and brother to the manager of Drury Lane, with whom he went to England, has been playing with considerable applause in the provincial theatres. Secretary of Legation to the United States, has arrived in London from the Continent. The Naval Commands at Halifax and Jamaica hitherto separate, are in future to be combined, and the command extended. will, for the first time, be vested in Rear Admiral Colpoys, who is to hoist his flag in the *Winchester*. This ship is now undergoing alterations (with others of giving her a poop), and will be ready for Commission about the 15th of next month. Capt. C. J. Austin is nominated as the Captain.—*Morning Herald* 3d.

Provincial.

From Halifax Papers to the 11th inst. received yesterday.) P. E. ISLAND.—We have the Register of the 2d inst. from which we learn that the usual exhibition of grain, cattle, &c. took place at Charlotte Town, on the 25th inst. under the auspices of the Agricultural Society. When prizes were bestowed on the finest specimens of stock and agricultural produce, and every exertion used to keep alive a spirit of emulation and industry among the farming classes. In the evening a numerous party sat down to an excellent dinner at the Wellington Hotel; his Excellency the Lieutenant Governor, the patron of the society, honored the company with his presence. On his Excellency's health being drunk, he rose to return thanks, and said although the society had a great deal of uphill work, he felt assured that the difficulties they had to contend with were now overcome; they might be assured of his continued support. He wished to see District Societies formed throughout the Island; he had offered pecuniary aid to those which had been formed, to be expended either in premiums, on ploughing matches, seeds, or whatever they might think most beneficial. He was sorry to see such a small show of horned cattle. The sheep and pigs were very good. He proposed the health of the President and success to the Agricultural Society. The President returned thanks, and said he was in England a short time since, when he visited the principal grain markets, and he could safely say, the specimens of barley and oats exhibited to-day were superior to any he had seen there. There is nothing to which the attention of the Executive, and of the leading men of P. E. Island, can be so beneficially turned, as to the improvement of its husbandry. A Governor who honors the plough, and assists its free operation, best serves the interest of a country that only requires cultivation, to become an extensive garden. Even though there may be more "up hill work" to perform, we trust the efforts of this valuable society will still be continued, and the amount of its usefulness annually increased.—The Rev. Matthew Richey, Wesleyan Missionary at Charlotte Town, has published a Discourse, "on the witness of the Spirit." THE KING'S HAZARD.—Some discussion took place in the Supreme Court, Charlotte Town, on the 31st Oct. upon a rule nisi, obtained by Mr. Palmer, for a criminal information against the defendant, for an alleged libel, contained in reports of a former trial, and certain comments thereon, published in the Registers of the 14th, 21st, and 29th of July. There being an informality in the affidavit on which Mr. Palmer applied, the Court objected to it, and it was withdrawn by Mr. P. he having obtained leave to prepare another. We omitted to notice the trial out of which these subsequent contentions have arisen; and we therefore take this opportunity of expressing our regret that any Printer should be harassed in a Colonial Court of Justice, for reporting the proceedings of the Legislature, after his report had been declared impartial. Nay, we will go further, and assure the people that if ever they expect to have fearless and full accounts of the doings of Judicial and Legislative Bodies, they must watch over the privilege of reporting as they would over the apples of their eyes. If an Editor is to subject himself to a prosecution for every trifling error that may creep into a report, or to be held responsible for the sentiments which he catches in the senate house, for the information of the public at large, he will soon grow weary of his occupation, and neglect the performance of a duty which those whom it most concerns do not appreciate.—*Nova Scotian*.

St. Johns, (N. B.) 10th Novr.

KING'S COLLEGE, NEW BRUNSWICK.—This noble edifice will soon, we must, be fully occupied for the Academical Education. At a recent meeting of the College Council, the Rev.

Edwin Jacob, D. D. was introduced as Vice-President of the Institutions; and the Reverend James Somerville, E. L. D. and the Rev. George McCawley, A. M. were also appointed Professors.

Students will now be matriculated on application to the Vice-President, and permitted to choose their rooms in the order of seniority. Those who have been members of the former College will be entitled to the Terms which they may have kept; and all Graduates of the acknowledged Universities of the British Empire will be admitted *ad eundem*.—[*Royal Gazette*, Nov. 3.]

An American Man-of-War.—A Philadelphia paper says that the ship *Pennsylvania*, now in progress at the navy-yard in that city, "has three decks, independent of the spar deck, and is pierced for 160 guns, but will carry 200. With her complement of men, which will not be less than 13 or 1400, her gigantic dimensions, rounding stern, and an able commander, she may literally sweep the sea, and woe to the enemy who attempts to cope with her single-handed. The best bower anchor of the *Pennsylvania* weighs 10,171 pounds!"

The laborers on the road from the Madawaska settlement to Temiscouata, lately found under a decayed tree, seven French gun barrels, supposed to have been concealed there by a party watching the British, expected from Halifax in 1756.

A Virginia paper contains an advertisement, with the following heading: "Negroes, Cattle, Hogs, Mules, and a good assortment of Farming Implements, for sale."

COMMISSARIAT EXCHANGE. 4s. 1½d Sterling per \$.

QUEBEC, NOVEMBER 24, 1829.

Yesterday London dates to the 13th ult. were received by way of Halifax, and to the 16th by way of New York. The intelligence brought by these arrivals is of the most important character. Peace has been concluded between Russia and Turkey, the translation of the official copy of the treaty will be found in this paper, and the moderation shown by Russia, on this occasion, fully justifies the reliance which was placed in the forbearance of the Emperor who has afforded a rare example of magnanimity to an obstinate, though prostrate, enemy. The conquered provinces and towns are to be fully restored to Turkey, when the indemnity to be paid by the Porte to Russia shall be completed. The amount of the indemnity for the expenses of the war is stated at 10,000,000 of ducats, or about £5,000,000 sterling. This amount the *Courier* considers so far beyond the ability of Turkey to pay that it will not be rigorously insisted on by Nicholas, but that he will relax them and render them more commensurate with the ability of the Porte to satisfy them. There are other papers, however, and amongst these the *Morning Herald* and the *Sun*, which treat the moderation of Russia as hypocrisy, and look upon the enormous indemnity, exacted as a mere pretext for appropriating to itself, at leisure, the territory which is yielded as security for the amount. This speculation certainly is not warranted by the previous conduct of the Emperor Nicholas.

That part of the treaty which is of interest to all nations is that of the passage of the Dardanelles, and of the canal of Constantinople, is open to merchant vessels of all countries not at actual war with the Porte, and that they are not to be checked nor detained under any pretence whatever.

A report prevailed at Lisbon that the formal acknowledgement, by England, of Don Miguel as King of Portugal, would be immediately promulgated; but it is said that the Pope has refused to receive him in that character.

The state of trade in England was improving.

Yesterday evening Mr. McGillivray arrived from New York with despatches for His Excellency the Administrator of the Government, received by the 16th Packet ship and forwarded from the British Consulate.

TRANSACTIONS OF THE LITERARY AND HISTORICAL SOCIETY OF QUEBEC.

The first volume of these transactions was published last week, and contains a number of valuable papers which do great credit to the industry and science of their respective contributors, and afford a fair promise of the future utility of the Society, in eliciting much valuable information which, but for its existence, might otherwise remain in the portfolios of individuals and be lost to the public.

The establishment of this Society originated with the Earl of Dalhousie, whose zeal in the encouragement of science shewed itself in the magnificent liberality with which he supported the infant institution. In the preface which has appeared to the volume before us this benefit is acknowledged, but in a manner, in our opinion, in no way commensurate with the benefits that distinguished nobleman conferred has it. His Lordship has now left this Government and has, in the service of his country, been honored with a distinguished command in the most important of His Majesty's foreign possessions—whatever difference of opinion may exist as to the poli-

cy of his Administration, there can be but one sentiment when His Lordship is spoken of as the patron of Literature, of Science and the Arts in the Colony committed to his government. To withhold any part of the tribute which is so justly due to the noble founder of the Society is an act, the commission, or permission, of which by any member of the original members cannot but excite surprise in all who are acquainted with the extent of the Earl of Dalhousie's Bounty to the Society.

Of the contents of the book it is impossible to speak in other than terms of commendation. We regret that our present notice must be made in general terms, and limited to little more than a table of the contents.

1. *The Inaugural Address by the Honorable Chief Justice Sewell*, being an Essay on the Juridical History of France previous to the erection of the Sovereign Council of Quebec in the year 1663, is remarkable for its clear and perspicuous style, and will be read with equal pleasure by persons of information as by those of the Legal profession. The recommendation, in the conclusion, of the establishment of a Society for promoting the study of the Law in a solid Scientific method deserves the attention of the profession, and we are happy to learn there is a fair prospect of its being carried into operation.

2. *On the Geology of Lake Superior by Commander H. W. Bayfield, R. N.*, is a paper which is highly spoken of by scientific persons. In the preliminary remarks Captain Bayfield expresses an opinion founded on the observations he made on the spot, that Lake Superior, as well as the other Canadian Lakes, was originally larger, but whether a continued diminution of their works is now going on, he conceives, no one is at present capable of giving an opinion. Captain Bayfield also inclines to the hypothesis that the Lakes were once salt, which he thinks probable from the nature of their fish, and therefore that there may be a marine formation below that which is at present depositing. He denies the existence of those periodical risings and fallings of the Lakes which has been asserted by some less accurate observers, the rise or fall of their waters may be traced, when it occurs, to accidental causes.

The Minerals found on Lake Superior are, by Capt. B. classed according to the system of Possessor Jameson, who divides them into three classes. The Earthy, Saline and Metalliferous. Those hitherto found on Lake Superior belong to the first and third classes, the geological and geographical situation of these is noticed with some occasional remarks.

3. *Memoranda respecting colouring Materials produced in Canada*—By Wm. Green, Esqr. is short but highly interesting. This paper was, with specimens of the raw and prepared materials, on the motion of the Earl of Dalhousie, transmitted to the Society of Arts, Manufactures and Commerce, of London, and procured for the writer the Gold Isis Medal.—4. *On the Meteorological Phenomena observed in Canada*, by Captain Bonnycastle, R. E.—5. *Notes on the Saguenay Country*, by A. Stuart, Esq.—6. *Observations on a few of the Rocks and Minerals of Upper Canada* by Captain Bonnycastle, R. E.—7. *On the Geology of a portion on the Labrador Coast*, by Lieutenant Baddely, R. E.—8. *On the Geognosy of a part of the Saguenay Country*—9. *On the Ancient Etruscan Tyrrhenians or Tuscans*, by A. Stuart, Esq.—10. *Notes on the Country about the Falls of Montmorency*, by Wm. Green, Esq.—11. *On the Recent Shells which characterise Quebec and its environs*, by Mrs. Sheppard of Woodfield.

It is pleasing to find a contribution from a Lady in this Volume. The time is past when literary and scientific pursuits were considered as beyond the attainment of the female mind; happily, at the present day, a woman is not considered a less agreeable companion or a less estimable member of society from being well informed on such subjects. It is a fact highly creditable to the sex that very many of the contributors to the Annuals and Periodicals of the highest literary character now published in England are ladies; and we are happy in seeing those of Canada contributing by their talents to the support of the cause of Literature and Science.

12. *Journey across the Continent of North America*, by an Indian Chief, from Mr. Le Page du Pratz, communicated by A. Stuart, Esq.—13. *Observations on the American Plants, described by Charlevoix*, by William Sheppard, Esq.—14. *Observations on the Myrtus Cerifera or Myrtle-wax Shrub*, compiled by W. Green Esq.—15. *Catalogue of Remarkable Coincidences inducing a belief of the Asiatic Origin of the North American Indians*, by Major Mercer, R. A. This paper discovers great research and observation and many of the coincidences recorded by Major Mercer, certainly afford strong support to the theory that this continent was originally peopled from Asia. 16. *Observations on Crickets in Canada*, by the Hon. J. Hale.—17. *Catalogue of Canadian Plants*, presented to the Literary and Historical Society by the Right Hon. the Countess of Dalhousie. The plan to which this Catalogue refers were collected and preserved, as dried specimens, by the Countess of Dalhousie, during Her Ladyship's summer residence at Sorel, and in Her different excursions through the Canadas. They are a memorial of Her Ladyship's good wishes to the Society to which they were presented, and at the same time afford a pleasing testimony of the elegant pursuits with which this much esteemed Lady amused her leisure hours.—18. *Catalogue of the Mineralogical Collection belonging to the Literary and Historical Society.*

ERRATA.—We were surprized in a Work of this nature to find such an article, care and attention whilst it was

in the course of printing, should have precluded the necessity of devoting a single line to the correction of the errors of the press.

The prints at the end of the Volume are to be considered merely as rough sketches to illustrate subjects which could not be clearly understood without their aid. But two of these (An unknown Fossil Organic Remain, and the Gigantic Trilobite, both from Lake St. John) etched by Lieut. Ditmas, 66th Regiment, and engraved by Mr. Smillie, junior, are very cleverly executed both in the drawing and engraving.

We must remark that the Volume which does credit to the Society, has derived, as will be seen by referring to its contents, great assistance from the Military Officers, particularly those of the Royal Engineers, who are, or have been recently stationed in the Canadas.

At the latter end of last week the greatest activity prevailed in getting the outward bound vessels ready for sea. On Sunday there was a snow storm from the Eastward, which in the course of yesterday terminated in a sleety rain, towards evening the wind came round to the North West, and the remaining vessels sailed this morning. The *Felix Souigny* has arrived from Montreal, and it is expected she will sail this afternoon.

Letters from Liverpool of the latest dates quote Pot and Pearl Ashes at 3s.

The Transports with the 69th Regt. had, we learn, arrived at Cork.

On the 10th inst. a male child was still born in the parish of St. Charles, River Boyer, in this district with two distinct heads, three arms, very flexible, the parts being well proportioned. The third arm had a hand with eight fingers, and was rooted in the nape of the neck, and circulating one of the necks of the heads. The child was strongly formed and might have lived for some time, if medical assistance had been had at its birth, and thus given an opportunity for some interesting scientific observations. — O. Q. G.

THE LOSS OF THE FULWOOD.—The unfortunate wreck of this vessel on Langley Island, Miquelon, on the 18th Nov. 1828, and the death of Mr. Martinucio, late of this place, who was passenger on board the Fulwood and had with him a considerable sum in specie, as it is said, has been frequently canvassed here—A belief existed with many that Mr. Martinucio came to his death by unfair means. The Captain of the Fulwood, Mr. James Morrison was in this port in August last, and having been sent for, to the Police Office, by Mr. Christie, gave an account upon oath of the accident that befel his ship of which the following is the substance:—

“He sailed from Quebec with the 27th October, with a crew of 17 hands, which with himself and two passengers, Mr. Martinucio and another person, made in all, twenty persons on board—On the 13th Novr. at 1 in the morning, the vessel then lying to, drifted ashore on Langley Island, or rather on the sandy beach between that Island and Miquelon. There had been a very heavy gale, and the weather was inclement—Two men attempted to get ashore on a raft but were drowned—The remainder staid by the vessel and before day-light seven expired from the effect of cold and the inclemency of the weather—among these was the passenger Martinucio, who fell from the main-rigging, about two hours after the ship struck. The bodies of the seven sufferers, left on the wreck when the survivors got on shore, where picked up at St. Pierre's, about 40 miles from the spot where the accident happened, and buried by the Inhabitants, but the bodies of the two who were lost from the raft were not found.

“He had no knowledge that any money or effects, of any kind, belonging to Martinucio were saved, except his Pocket Book, which was picked up by one of the Sailors before leaving the wreck, this he took from the Sailor and carried to England, where he delivered it to Wm. Smith & Sons, Merchants, at Liverpool, and Agents for the Ship—He had no knowledge that any money was saved from the wreck nor did he know that Martinucio had money on board. He was himself totally destitute when he landed and saved nothing. There were no persons at that time (August) at Quebec who were with him in the Fulwood when she was lost. The French Government sent a Commissary from St. Pierre's to the wreck, but he was unable from the bad weather to get on board during the three days the informant remained there. They also paid the Captain of a Schooner bound to St. Malo, in France, for the passage of himself and the surviving crew to England, and they landed at Weymouth, on, or about, the 21st Decr. 1828.”

This statement is clear enough, and it must forcibly occur that had the act of piracy in murdering and robbing Martinucio been committed, as was reported here, it is very improbable that ten persons, common seamen, should have kept the secret after their arrival in England, and would afford an instance of secrecy without parallel in the annals of crime. The workings of conscience in some of the less guilty, or the fear that one might be found to betray them, in others, would no doubt have produced a King's evidence who, had there been any such foul play, as has been imputed to the Capt. & survivors of the crew,

would have secured his own safety by the conviction of his accomplices. But the public mind was excited when the master of the late Ship Fulwood was last here, by the horrid reports from Anticosti, and there was an avidity to receive these marvellous tales of terror without sufficiently investigating their truth or even their probability.

Law Intelligence.

In the Court of Appeals last week, the cause alluded to in our list of the Hon. John Richardson, Appellant, and John Molson and others, Respondents, was argued by the Attorney General on the part of the Appellant, and Messrs. Andrew Stuart and William Walker, for the Respondents.

It arose out of the disputes so long existing, and the details of which have been so much before the public, on the subject of the Estate of the late firm of McGillivray, Thain & Co. of Montreal; and the immediate cause of the Appeal was as follows:—

In an action instituted by John Molson and others, creditors of that firm, against the Hon. John Richardson and Peter McGill, Esquire, as Curators respectively of Thos. Thain and Simon McGillivray, the surviving partners, both absent from the Province, in order to recover payment of a debt of £1000, and to obtain the rescindment of the deed of assignment which had been made by Simon McGillivray, of all the Estate and effects of that firm to Trustees for the benefit of the creditors signing the same, (amongst whom were Messrs. Molson's,) upon the ground of the deed being founded on misrepresentation, and fraud; an affidavit was made by Mr. Molson that S. McGillivray and T. Thain, so indebted to him, *do secrete their Estate, debts and effects*, and praying an attachment upon the books of account, writings, vouchers, documents, securities for money, and correspondence, of the said firm, and of Simon McGillivray and Thos. Thain, then being in a building in St. Gabriel street, occupied in the business of that concern, and likewise in the hands of the above two defendants as curators, and of Samuel Gerard, and Geo. Gregory, Esq. (who along with the Hon. John Richardson were named as trustees in the deed of assignment.) The affidavit further states that the said books, &c. have been and continue to be changed, altered and cancelled by and with the privity of Simon McGillivray and Thos. Thain, to the prejudice of the creditors, and that without the benefit of an attachment for seizing the books, &c. to await the future judgment of the Court, the creditors will be deprived of the means of obtaining payment of their debts.

The attachment was accordingly granted by Judge Pyke, with an injunction to the Sheriff to hold the books, &c. that might be found and seized, in his hands and custody to abide the future order of the Court; and return was made by the Sheriff on the 6th of May, that the attachment had been executed in conformity; and that the books, &c. seized remained in his custody.

On the return being made Mr. Richardson obtained a rule for quashing the writ, as having been illegally issued: the parties were heard, and the Court of K. B. on the 19th of June, discharged the rule; against which judgment this Appeal was instituted.

The argument occupied the Court two days, and it is impossible to give within the limits of a newspaper report anything but a sketch of the leading points urged in the argumentative, elaborate, and able speeches of the counsel on both sides.

In opening the case of the appellant, the Attorney General in his usual perspicuous manner, after an exordium, as to the importance of the case, and the oppression and violation of the most sacred rights it exhibited, divided it into two main questions; 1st. whether such a writ could legally issue in any case, and under any circumstances; and 2d. whether sufficient grounds existed even for issuing a writ under the legal forms. It was most manifest on the face of the writ that it was illegal. Attachments issue for the seizure of personal goods, susceptible of being sold under execution, in the hands of debtors to prevent their being disposed of, and to secure them for the creditor; and as to such things as were not liable to be sold, termed in the English law *choses in action*, they were attached in the hands of third persons. These two processes were the *arret simple* and the *saissie arret*.—These were distinct processes, but yet this attachment contained both, and yet also specified nothing but things that were unsusceptible of attachment as not being corporeal goods. The Ordinance of 1787, the only rule to go by, defined the forms of process by attachment, and the matters that were liable to it. He quoted a considerable number of French law authorities, which are useless to general readers, whilst they are familiar to professional men, and which we therefore abstain from enumerating, in this, as well as in the subsequent parts of the arguments. His object was to show that nothing but corporeal goods could be seized under all attachment—moveables—such as can be sold under execution, and explained at some length the meanings attached to the French term *meubles*, from which stand excluded all papers, instruments, securities for money, &c. The writ of attachment is therefore illegal in directing those things to be attached, which are unattachable. The Ordinance of 1787, says estate, debts, and effects—these are the terms prescribed by law, and had the attachment issued in those words, it would have been matter of construction in the Court when the re-

turn was made, whether books, &c. were included. Any violation of the law was, in the writ not directing the attachment in the hands of the debtor, but in a certain designated building. All security would be prostrated if attachments were allowed to issue in this way, for if they were not limited to effects in the possession of the debtor, the premises on which they contained goods belonging to him. But still it were to be seized, but “elsewhere;” a more comprehensive expression could not be used; this, if tolerated would open the door of every house in the district to the Sheriff's search for books and papers, and create an intolerable degree of oppression, which it would be impossible for men to bear under. The learned counsel here alluded to Mr. Wilson's case in 1763, when his papers were seized under a writ from the Secretaries of State, and which created a great sensation in England, and in consequence of which it was afterwards established that the seizure of papers, excepting cases of high treason, is illegal. The term “correspondence” used in the writ was also the extreme irregularity of such expression ever occurred before in any legal instrument of this nature. He ridiculed its use of it; perhaps it might in civil cases could letters of correspondence be considered as liable to seizure. These were objections which arose intrinsically from the writ; he would now consider those that were extrinsic. The law requires, in the first place, that to attach secrets his effects; or is absconding; the affidavit states that Simon McGillivray and Thomas Thain are secreting their effects, but it also states they are absent from the Province, and as by secreting must be understood a secretion within the jurisdiction of the Court, it was physically impossible they could be secreting, as, moreover, all the estate, debts, and effects here, were in the hands of the Curators who are not stated to be secreting them. A second ground was this: no attachment could issue without proof that the defendant in the cause is secreting or absconding; now Simon McGillivray and Thomas Thain, who are alleged to be secreting, are not parties to the cause—the parties accused are not parties to the action. It was also an essential formality prescribed by law, that the oath should be endorsed on the writ; but Mr. Molson's affidavit was not endorsed on the writ. It is likewise prescribed in the terms that the plaintiff must swear, he will lose his debt, or sustain damages, without the benefit of the attachment. Now, though there are some expressions in the affidavit, which resemble this prescribed form, they are not in conformity with the form, and other words are substituted. But a fourth objection is still more material; the attachment is obtained for a debt not due. From the declaration annexed to the writ, it appears the debt had been discharged by the deed of assignment, which was signed by Messrs. Molson with other creditors, by which they agree to take the effects assigned thereby, in full satisfaction of the debt. Mr. Molson's honorable character and high respectability prevents any unfavourable impression arising from this, as to himself, but it is nevertheless the fact that, under erroneous advice, he has sworn to a fact that is wholly untrue. The learned Counsel then animadverted strongly on the declaration, stigmatising it as a mass of contradictions; relative to the demand for rescinding the deed of assignment, drew a distinction between debts that were void, and those that were only voidable; of the last description was the present deed; it was only voidable, and must remain in force until actually set aside by the Court, which should have been the remedy resorted to first in order of time. The debt claimed was therefore not due, and could not be revived until the deed was actually set aside. He next proceeded to what he called the monstrous irregularity of a direction given by the Judge to the Sheriff, to take and retain in his custody the books, &c. The Judge had no right to prescribe to the Sheriff how he was to execute the writ, and had thereby taken away the privileges both of appointing a guardian, and of obtaining back the things seized upon giving security, which the *partie saisie* was legally entitled to, a very serious innovation, by which the Judge took upon himself to controvert the King's writ. Another absurdity was that, by the writ of attachment, the trustees under the assignment, were made garnishees personally, whilst all the effects of Simon McGillivray and Thomas Thain, had come into their legal possession as trustees under the authority of the assignment executed by Molson himself. How could they be considered as garnishees, when they held the property of the trustees of the plaintiff himself, who did not seem to know what was his own property, and what was not, by effecting an attachment on his own property in the hands of his own trustees. The learned Counsel then referred to some further authorities, and enlarging again on the vexatious injustice, and oppression of this proceeding, and its being illegal; concluded by mentioning that the judgment against which this appeal was instituted, was given in a Court composed of three puisne Judges of Montreal, Messrs. Justices Pyke, Urtache, and Foucher, and that Mr. Justice Foucher having dissented from it, it was in fact the judgment of two puisne Judges alone.

Mr. William Walker, for the respondents, after some previous discussion with the Attorney General, as to his being entitled to refer to the declaration, respecting the fraudulent practices complained of, and maintaining the right to do so, as the learned Counsel had made use of himself, said, that looking at what was alleged in the declaration, it was evident the attachment was not made for the purpose of converting the things seized into money, and the respondents denied any legal right to exist in the pretended trustees, it was the books, &c. of the original bankrupts that were desired to be attached, in order to prevent previous fraud, and prevent the further falsification of the fraud that was in progress. Mr. Walker, adhering to the affidavit, said, under the facts disclosed therein, the respondents were entitled to obtain possession of the books, &c. of the insolvents, as containing the proofs and means, the names

by which alone the choses in action of the estate... The object of the Ordinance of 1787... to suppress fraud, and whatever tends to that effect...

of it, being made by a person. Simon McGillivray, who was not competent to do so;—It is further void, by the failure of Simon McGillivray to fulfil his part of the contract...

1st. That the Affidavit is not endorsed on the Writ: it was impossible, from its great extent to do so, but it is annexed as a Schedule, and the object of the formality prescribed, thus answered.

2d. That the debt is not due: in this stage of the case, the affidavit of debt is sufficient.

3d. That the Garnishees are improperly brought in, as being Trustees, and then in legal possession, they cannot be considered as third persons; but we deny they are Trustees, and they are not mentioned as such in any part of the proceedings.

As to the places where property may be attached, Pothier says, it may be taken wherever it can be found, soit en ville, en campagne, dans les champs, en chemin; and unless it can be shown the premises were in possession of the Garnishees, the Sheriff was justified in what he did. The premises were still in possession of the bankrupts, they were not transferred by the Assignment, nor possession ever given of them to the pretended Trustees.

As to the absence of Simon McGillivray and Thos. Thain, and its being impossible they should be personally secreting their effects in this province; if the sequestration takes place by their instructions, or with their knowledge, it is the same thing as if they did it themselves, qui facit per alium facit per se. One great object for obtaining the correspondence is to show that, under the control of Simon McGillivray, funds belonging to the creditors have been mis-applied, concealed, and embezzled, whether by himself in person, or by persons acting for him, is immaterial.

PORT OF QUEBEC.

ARRIVED.

Nov. 21—Schr. Lady, Laundry, 20th Oct. from Bathurst (N. B.) to C. F. Aylwin, with fish.

CLEARED.

Nov. 22—Ship John Francis, Millar, Liverpool, Forke & Co. Brig Cherub, Selkirk, do. Price & Co. 23—Brig Young Samuel, Buteau, Demerara, W. Walker.

PASSENGERS.

In the Ottawa, Mr. Henry Caldwell and Mr. Sprong. In the Rebecca, Mr. Smith and Mr. Brow. In the British Sovereign, R. Helfenstein, Jr.

SHIPPING INTELLIGENCE.

The New Felix Souigny has arrived from Montreal—she grounded in the Lake but was soon got afloat without receiving any injury. The only square-rigged vessels now in port to sail this fall, besides the Souigny, are the Cherub, for Liverpool, and Young Samuel for the West Indies.

Most of the vessels which sailed on Saturday evening last were obliged to come to anchor at Patrick's Hole that night owing to the wind shifting to the eastward with a heavy fall of snow which continued during Sunday; yesterday it blew strong from the westward with much rain; to-day there is a good breeze from the westward with fine clear weather.

The American Brig Clifton arrived at Pictou for Boston. Margaret, Fenwick, hence at Miramichi.

The Sir Walter Scott, of Gloucester, bound to Quebec, went on shore on the 26th ult. on the East of Three Rivers, P.E. Island. She got off without damage, and subsequently arrived at Charlotte Town, where she is discharging her cargo of salt, previous to taking in lumber.

Arrivals from Canada. At Portsmouth Sept. 30—Old Maid, Swasey—New transport, Oct. 8, Thomas Wallace, Chesney—12th, Egerton transport.

At Hull, Sept. 29, Westminster, Knell; Aurora, Dearnest, and Victory, Simpson.

At Belfast 28—Majestic, McLean; John Thomas, Davidson, and Herald, Sepwith—Oct. 11th, Niagara, Agnew.

At Cork 29—Botivar, Crossie; Try Again, Davies.

At Ipswich 30—Buller, Fenwick.

At Liverpool, Oct. 2—Zabulon. Price; Chevier, Kennedy; Catherine McDonald, Williamson—7th, Collins—11th, Scotia, Simpson; Thomas, White; Sir H. Douglass, Brackett.

At Bristol 7—Jane and Mayfield,—11, Wakefield,—5, Dawn, Bland. At Dover 8—Crows, Hopper, and 11, Conant, Hick. At Deal, 6th, Sarah, Room—12th, Fanny, Sprigger.

MARRIED.

On the 25th Sept. in Cappagh Church, near Omagh, by the Rev. Mr. Stack, Robert Blackwell, son of Alexander Blackwell, Esq. of Holywood, near Belfast, to Sarah, 4th daughter of James Buchanan, His M. Consul for the State of New-York.

On the 19th inst. by the Rev. Mr. Norman, John Scott, Esqr. of the place, to Mrs. Chaffey, widow of the late Samuel Chaffey, Esq. of South Crosby, Upper-Canada.

At Diamond Harbour, on the 15th inst. Mr. Thomas Joseph Donnelly, of Dublin, to Mary Jane, second daughter of the late Mr. Eneas Daly, of Cork.

This morning, by the Rev. Mr. Mallou, Curate of St. Roch, to Mr. J. Rue-Blonin, Printer, to Miss Mary Solomon Pate, both of St. Roch.

DIED.

On the 2d inst. at Kilmarnock, Township of Woodford, (U. C.) Mr. John Hughes, late of His Majesty's Royal Artillery.

The 4th inst. aged 64 years, Mrs. Ann Fraser, consort of Major D. Fraser, of Lanark, U. C.

On the 5th Sept. at Boston, England, Mr. John Loddon Rayment, formerly a resident of this city.

State of the THERMOMETER for the past week, at eight o'clock, A. M.—38, 37, 22, 23, 23, 33, 10.

MEDICAL NOTICE.

THE Subscriber respectfully informs the public—and in particular such as are suffering with disease—that he prepares and has ready prepared medicines that has effected the greatest cures that was ever effected in Quebec; the healing properties of the medicines has cured the following diseases, when timely application is made:—consumption, diseases of the breast, lungs, and liver, asthma, dyspepsia, inflammations of the stomach and bowels, rheumatisms, white swellings, apoplexy, diseases of the eyes, cancers, scrofula or kings' evil, gravel, syphilitic complaints. The above diseases are cured without giving a particle of mercury, which numbers can attest that has used the medicines, which are principally prepared from vegetables; the panacea prepared by the subscriber will cure any disease caused by an impure state of the blood—parents whose children are diseased with the inflammatory infections of the measles or small pox can preserve them from mortification taking place which would soon deprive them of life, by calling on the subscriber, whose medicines has preserved the lives of numbers, which proves more than a thousand of theories, which expose the fallacy of nosological arrangements, as the diseased affections of the human system are too often unsuccessfully treated according to the rules of a false pathology.

An apprentice wanted of genteel connections that can speak both languages. Quebec, November 21, 1829.

NOTICE.—The business heretofore carried on by the Subscribers under the firm of MELVIN and BARNES, is this day dissolved by mutual consent, all those indebted to the said Firm are requested to make immediate payment to ROBERT MELVIN, who is duly authorised to grant discharges and to settle all the affairs of the Copartnership. ROBERT MELVIN, JAMES BARNES. 24th Nov. 1829.

BOARD & LODGING.

TWO Gentlemen can be accommodated with comfortable Board and Lodging in a private family in the Upper Town. Enquire at this Office. 24th November 1829.

QUEBEC SAVINGS BANK,

24th November, 1829. Amount Deposited this day £ 58 10 0 Withdrawn..... 157 2 4 Decrease of the funds by the operation of this day..... £ 98 12 4

JUST RECEIVED.

A FRESH Supply of Genuine Drugs, Chemicals, Patent Medicines, Perfumery, &c.

Mustard seed of superior quality. Robinson's patent barley and groats, Superior Bermuda groats, Genuine Bermuda arrow root, Lettuce and Cayenne lozenges, much recommended for coughs and cold.

J. J. SIMS, Upper Town Market. Quebec, 3d Nov. 1829.

Auctions.

Dry Goods and Carioles:—By M'LEAN & ECKART, at their stores, on THURSDAY next, 26th instant at ONE o'clock:

A General assortment of DRY GOODS. And, 30 Carioles without reserve.—23d Nov. 1829.

THE Sale of Carioles, Apples, &c. &c. advertised in last Saturday's Mercury, to take place yesterday, was, in consequence of the bad weather postponed to THURSDAY next, the 26th inst. at ONE o'clock.

M. BALZARETTI & Co.

24th Nov. 1829. A. & B.

EXTENSIVE EVENING WINE SALE.

By Auction will be sold on FRIDAY next, the 27th inst. at Mailhot's Hotel, without reserve, at half past SIX o'clock:

75 Doz. Port Wine,
35 doz. do. do. in pint bottles,
50 do. Madeira,
30 do. Claret,
25 do. Sherry,
20 do. Vin de Grave,
12 do. do. de Bourgogne,
56 do. do. Champaigne,

Samples of the Wines may be tasted on Friday by applying at the Office of the Brokers, and in the evening at place of Sale.

1 Pipe of old Port, in lots to suit purchasers.
1 do. O. L. P. Madeira, |

—A L S O,—

(for CASH on delivery.)

A few pairs Alabaster and Agat Mantle Wares, Baskets, &c. &c. Perfumery, Eau de Cologne, Jewellery, Bracelets, Snuff Boxes, Toys and other Articles.

Conditions of Sale of the Wine,
Purchasers under £20 Cash, and above, 90 days credit by furnishing a note to the satisfaction of the Brokers.

The Wines will be delivered the day after the sale.
M. BALZARETTI & Co.
Quebec, 24th Nov. 1829. A. & B.

Harness—by M'LEAN & ECKART, at their stores on MONDAY, 30th instant, at ONE o'clock, without reserve:

FIFTEEN sets English made Harness, of the best materials and workmanship.—Nov. 23.

JUST PUBLISHED,

THE FIRST VOL. OF

TRANSACTIONS OF THE LITERARY AND HISTORICAL SOCIETY OF QUEBEC.

WITH several plates, and a Catalogue of the Mineralogical Collection of the Society.
Sold at the Book-Store of THOS. CARY & Co. Freemasons' Hall, 14th Nov. 1829. c

AVENDRE à bon marché au chantier du soussigné, dans la rue St. François à St. Roc, du bois de chauffage d'étable et de merisier, de trois pieds de longueur mesure française, à être livré, si on le requiert dans aucune partie de la ville ou des Fauxbourgs.
u CHS. SMITH.

FURS.

THE undersigned has just received a supply of superior FUR CAPS, and GLOVES for gentlemen, also BUFFALO ROBES, &c. which he will sell at most reduced rates.
Wm. DOWNES.

October 3d, 1829. u

IMPORTANT TO THE PUBLIC.

SURGEON B. MURRAY has just received some very recent and much improved Patent TOOTH INSTRUMENTS, by which he will engage that teeth, no matter how much diseased, will be safely extracted, and with less pain and danger to the Patient than by any Surgical Instrument hitherto invented.
Mountain Street, 10th Nov. 1829.

EVENING INSTRUCTION.

MR. W. MARSDEN respectfully informs the public that he intends opening an Evening School at the National School House, on Monday next, for the instruction of youth in the various branches of a Classical and Mathematical education, comprising the requisites for commercial or other business.
National School House, Nov. 9th 1829.

FOR SALE, cheap, at the subscriber's Fuel Yard in Rue St. François, at St. Roch superior maple and birch Firewood of Three feet French measure in length, to be delivered (if required), in any part of the Town or Suburbs.
CHAS. SMITH Junr.

Quebec, 10th October, 1829. u

ONE or TWO Gentlemen can be supplied with comfortable BOARD and LODGING, in the Upper Town—Apply at this Office.—Sept. 1, 1829. u

THE Subscriber has just received and offers for sale a quantity of very superior KAMOURASKA BUTTER in Tinnettes, of different weights, to suit families.
J. F. DUPONT,
Notre Dame street, Lower-Town.

30th Sept. 1829.

GENUINE DRUGS AND PATENT MEDICINES, LEECHES, &c. &c.

J. MUSSON respectfully acquaints his friends and the public that he has received by the Endeavour from London, a fresh supply of DRUGS, CHEMICALS, PATENT MEDICINES, LOZENGES, of various kinds, viz. Fruit, Ipecuhana, Pate Jujuler &c. a large supply of healthy LEECHES.—Also from the United States.

Swaine's celebrated Panacea for the cure of Scrofula, Rheumatism, &c. Anderson's Cough Drops, Coits, and Lees Pills, &c.

Also on hand, superior Bermuda Arrow Root, Robinson's Patent Groats and Barley, &c.

A very superior Electrical Machine by Newman.—A double valv'd Stomach Pump by Maw. Tooth instruments on a new and approved principle.

Quebec, 10th Nov. 1829.

FARM LITTLE RIVER,

FOR Sale, in excellent order, with large house, barns, stables, roothouse, &c. Apply to

ROBERT DAUNTON,
Lower-Town.

Quebec, 12th Oct. 1829. u

DR. MCKEE,

DENTIST.

HAS returned from his visit to the Upper province, and will be found during the winter at his residence No. 7, St. John's Street, opposite Palace Street.
Quebec, 7th Nov. 1829.

FOR Sale, or to Let for one or more years—upon reasonable terms—that very pleasant and eligible Country Out House, Stable, Coach House and other Out Houses, all in a perfect state of repair, on St. Foy Road, one mile from Quebec, lately the residence of Mr. Burroughs.—For particulars enquire at the Prothonotary's Office, Quebec.
23d May, 1829. u

TO LET from the 1st May next—FOR A TERM OF YEARS—

THE Farm of the Estate Chillas, at Scott's Bridge, at the Little River St. Charles, two miles from Quebec, consisting of three acres and a half in front on the River, by fifty acres in depth, with a large house, barn, and stables thereon. The farm is mostly laid down in grass, and produces from fifteen to twenty thousand bundles of hay annually, besides a large crop of grain and potatoes. Enquire of Mr. Chillas on the premises, or of the Subscriber.
THOMAS HUNT.

Quebec, 6th Oct. 1829. u

EVENING SCHOOL,

No. 2, HOPE STREET.

MR. F. H. ANDREWS will open an Evening School on the 12th of October next, for the Tuition of Youths desirous of Instruction in the usual course of English Education, Book Keeping, Algebra, Mathematics and the Classics.—29th Sept. 1829.

JUST received and for sale by the subscriber,—

—EARTHENWARE—

30 Crates assorted Earthenware,

4 Hhds. do.

—LEATHER—

Calf-skins & Buff & Yellow Roans.

LEONEL S. LEVEY.

3d October 1829. u St. Peter street.

FOR SALE BY THE SUBSCRIBER.

A FEW cases of very superior Claret.

B. T. GILLAM.

Sault au Matelot Street.

Quebec, 29th May, 1839. u

NOTICE.

WE the undersigned subscribers take this method of calling upon the Rev. GEORGE MONTGOMERIE WEST, to come forward and settle his affairs in Quebec.

BENJN. COLE.

JOHN BOWLES.

Cnebec, 3d Nov. 1829. d

FOUR or FIVE Gentlemen can be accommodated with BOARD and LODGING, by applying to Mrs. S. STILSON, Palace-Street, Upper-Town.
Novr. 9th 1829.

BY PRIVATE SALE.

AT the Auction Room of L. L. PINSONAUT, a handsome half covered Cache, new, terms liberal

—A L S O,—

Sparkling Champaigne, Claret, Hermitage, Chambertin, Côte Roti, Burgundy, Madeira, Port and genuine white wine Vinegar, Soap, Candles &c. &c.

Quebec, 18th July, 1829. u

TO LET.

WITH immediate possession, that capital house situated in Cape Diamond the property of M^r. F. X. Perrault, Esq., at present occupied by Herbert Cornwell, Esq. the house and premises are in complete repair and well suited for the residence of a family of the first respectability—for particulars apply at this office Cape Diamond.

3 September, 1829. u

LIFE INSURANCE.

Eagle Life Assurance Association of London
Established by Act of Parliament, 1807;
CAPITAL, TWO MILLIONS, STERLING.

THE undersigned Agents to the above Company for Canada are authorized to negotiate Policies of Insurance to the extent of £5,000 sterling on a single Life. Life Assurance having been long since considered as necessary by the greater part of the population of Great Britain, having latterly been much adopted in the Colonies, it is necessary to enlarge on its advantages to society generally us'd.

The Eagle Office, through this Agency, offers to the bitants of Canada, amongst others the following advantages:—

1st.—From its large subscribed Capital, perfect security.

2nd.—Strictly honorable, and liberal settlement of claims within three months from the date of decease of the assured.

3rd.—Participation in all the profits and accumulation of the Company to the extent of four-fifths of the amount.

4th.—The Agents are authorized to advance money on policies, to enable the insured to meet their annual payments or for other purposes; and to purchase at their full value such policies for the whole term of Life as the holders wish to surrender from having attained the object for which the Insurance was originally effected.

For present convenience, the rates determined as for the paramount duty of security permits, but the error any, must be unimportant, as four-fifths of all excess will accumulations will eventually revert at the periodical divisions, to all the assured for the whole term of life.

No charge for admission beyond the Premium and Post Stamp; and every information respecting the mode of effecting Insurance, may be obtained by letter, or by personal application to the Agents at Quebec, to D. C. Napier, Esq. Montreal, or to Henry Smith, Esq. Kingston, U. C., whom prospectuses with the rates &c. may be obtained gratis.

THOS. STOTT & Co.

Quebec, 12th May, 1829. Agents.

MR. THOM'S EVENING CLASSES will recommence

Monday the 2d of November next. Algebra, Navigation, and Book-keeping, with all the more common departments, will be thoroughly taught, both in theory and practice, on the most approved modern principles. School hours from 6 till 9.—Mr. T. can receive a few pupils of both sexes into his Day School. No entrance money is charged.—35, Champlain Street, 5th Oct.

FOR SALE.—One package Lace Goods, 30 Crates Earthenware, assorted.

HEAVEN & MACAULEY

Quebec, 6th July, 1829. u

TO LET.

A Four-stall stable, coach house, harness room & apartments for the groom under the same roof, behind the subscriber's house in St. Louis street, from date to the 1st of May next, and beyond that period, house and all the premises.
A. GUGU
27th Oct. f

FOR SALE,

A LARGE assortment Welsh Iron,
Steel of various kinds,
Hoop Iron, Weights, Money Chests, &c. &c.
Improved white and brown Vinegar,
Lampblack, plug and leaf Tobacco,
Champaigne, Claret and Madeira Wines,
White Oak, White Pine and Elm Timber.

ALSO,

Fresh supplies Upper Canada Flour.
Commercial Buildings, JAMES GEORGE.
Quebec, 9th May, 1829. u

CANDLES.—200 boxes of superior London Mould Wax Wicks for sale by
31st October 1829. u LEONEL S. LEVEY

EARTHEN CHINA & STONE WARE.

NOW Landing Ex-promise from Liverpool, and Sale at the store of the subscriber EIGHTY PACKAGES of the above containing a choice selection of Patterns and all of the newest shape.

B. COLE.

Quebec 26 May 1829. u

N. B. A few crates of half pint Ginger Beer Bottles and few sides English Bacon.

China and Earthenware, &c. &c.

NOW landing from on board the Margaret from Liverpool, and for sale at the Store of the Subscriber No. 17, St. John Street. 50 PACKAGES CHINA AND EARTHENWARE, consisting of Dinner, Breakfast and Tea Sets complete, of the first quality and newest patterns.
Quebec, 16th May, 1829. B. COLE.

N. B. daily expected a choice assortment of Cutlery Hardware, &c. &c. u

BLANK LAW FORMS
FOR SALE AT THIS OFFICE.

QUEBEC:—Printed & Published by THOMAS CARY & Co, FRAS-MACGOWAN'S HALL.