

Communications.

Mr. Editor,

I send you an extract taken from a Liverpool paper, headed 'serious charge against the Captain of a Ship, and his acquittal, which I beg you will publish in your valuable columns. The case was brought up here for investigation before John Wheten and Thomas Powell, Esqrs., Justices of the Peace, and the evidence given against the Captain was exactly the same as detailed in the extract below, but it failing to satisfy one of the magistrates, John Wheten, Esq., he refused to commit the Captain for trial, the other Magistrate said he would not discharge him as he had previously committed him to trial for re-examination on a charge of murder. The Captain by the advice of his Council, departed from the Court without being subjected to any attempt to detain him: A very violent and malevolent feeling prevailed against the Captain among the inhabitants here generally, and they loudly condemned, and even calumniated Mr. Wheten for his views. A copy of the evidence against the Captain was forwarded to the governor (but none that was given for him) who sent the proper authorities to arrest the Captain and crew, but they arrived too late, the vessel having sailed. The two men who were witnesses against the Captain were detained and sent home afterwards, as will appear by the account below. That report shows but too clearly that in refusing to commit the captain Mr Wheten acted rightly, and in considering the evidence as insufficient, he displayed a judgment infinitely superior to those who would have done so; and he further showed himself to be free from the prejudice which was so rife against him. I feel it but due to all who took an interest in the matter here, to lay before them the result of the investigation of the case, on the Captain's reaching England. And I have no doubt they will all feel delighted that the case was disposed of here as it was; and although many then blamed Mr Wheten, they will now admire his decision when such a notoriously experienced and talented magistrate as Mr Rushton has declared his approval of it, by adopting precisely a similar course.

Richibucto, January 30, 1848.

Serious charge against the Captain of a Ship, and his acquittal.

In our last number we briefly stated that on yesterday week Capt. Cheasty, formerly of the brig Eliza, was brought before Mr. Rushton, to answer some charges of having been necessary to the death of a man on board of that vessel, on her passage from Ireland to British America, as conveyed by depositions taken in that country, whence the vessel had sailed, the hearing of the case was postponed until yesterday, when the accused was brought up to the bar, and Mr. Daveport appeared for his defence. The evidence gone into was of great length, as were the cross examinations; but as the whole failed to satisfy the magistrates of the truth of the accusation, it is unnecessary to supply more than the heads:—

The two principal witnesses, James Mathews and James Martin, seamen in the Eliza, both deserted the ship on the other side, and had, after being imprisoned there a short time, been sent home here in the steamer Cambria, as witnesses against the Captain. Their story went that the vessel sailed from Duggarvon in October last, bound to a place called Bactouche, near Richibucto. After they had been a day or two out, a man named Greene; a tailor by trade, was found to have concealed himself in the hold with a view to obtain a passage without payment. When the vessel was out four days, and sometime between eight and twelve o'clock at night, the captain, (say they) resolved to have a 'lark' with the tailor who had smuggled himself on board, and with this view called him on deck, and after taking two glasses from a pint jug of rum (given to others), compelled him to drink the remainder and afterwards brought the witness Martin to wrestle with him on deck which he did,—and, by his own account, getting nearly the worst of it. The witness Mathews said that the captain compelled him to drink the rum by taking a knife, and threatening to cut his throat if he did not.

The other witness, Martin, spoke to his being required to drink the rum from the jug, but said he then went away immediately, and saw no knife used or any threat made. They both spoke to the second mate and the captain afterwards wrestling with the deceased, but considered that the parties were in good humour. They also spoke to some blows being inflicted upon deceased with a fist stick, and to his head being placed on a sail upon a grating, and cold water thrown over him, as he was drunk. Deceased died about four days afterwards. It appeared the captain, finding him ill, gave him some eastor oil and rum mixed. The captain, it was admitted, behaved well and kindly to his crew throughout, and no quarrel had, it was admitted, arisen between the two main witnesses and the captain, until he had taken possession of their clothes, suspecting that they were going to desert from the ship, after her arrival at Bactouche. They did afterwards desert and were caught in the wood a few days after. Being brought before a magistrate, they were committed to gaol for fifteen days. The two witnesses stated that on leaving the ship, they had sent a message by the ship boy to the captain, stating that they wished to go on shore to apply with respect to their clothes, and also the treatment of the man Greene on

board. The ship-boy said that no such message had been sent by him—all that he was to say being merely that they wished to go on shore, and that the mate was sent to them, and ordered them to work, which they refused to do.

It appeared from some witnesses for the defence, that deceased was in a bad state of health before he got on board. The circumstance of the man's death was noticed in the log-book, and he was buried at sea in the usual manner.

The defendant on being asked what he had to say, said that he was as innocent of the act charged as any one present. All the rum he had given him was two table-spoon fulls; and he gave it to him, thinking as he was ill with dysentery, it would do him good. The man had been ill for some days, and had been able to take little or no food.

Mr. Rushton said he did not believe the story got up against the captain, and noticed some contradictions in the evidence. It was impossible for any one to believe such a story and he regretted that the captain had been detained, but there was no alternative after the documents were sent from America. He concluded by discharging the captain.

Editor's Department.

MIRAMICHI:

CHATHAM, TUESDAY, FEB. 8, 1848.

The Subscriber having been compelled to consume a large amount of time, and incur considerable expense, in his too often fruitless endeavours to collect his far-spread Outstanding Debts, hereby notifies all persons to whom he is not indebted, and with whom he has not a running account, that orders for advertising in the Gleaner, and for Printing in future, must be accompanied with the CASH otherwise they will not meet with attention,

JAMES A. PIERCE.

EUROPEAN NEWS.

The Royal Mail Steamer Acadia, after a passage of 14½ days, arrived at Halifax on Sunday morning week, from Liverpool, which port she left on the 15th ult. The mail reached here on Friday afternoon.

We are sorry to perceive that the intelligence thus obtained, affords a gloomy picture of the Commercial affairs of the old country. Trade continues much depressed, and failures still occur.

On this subject Willmer & Smith's European Times remarks:

The new year has not yet developed any signs of returning prosperity. Further failures in London, Glasgow, and on the Continent, together with the unsatisfactory state of the Quarterly Revenue accounts, have tended to counteract the little improvement which was beginning to manifest itself in the trade and industry of the country. The prices of stocks have however, advanced, and the corn market is firm. In cotton there is an improved feeling; but the Colonial markets still languish under the same gloomy influences which marked the close of the year. On the whole, however, as there is no indication, in any branch of trade, of a relapse into a rash spirit of speculation, we anticipate that the future business of the country, as the spring advances will be attended with profit, and that the prudence now exhibited, will reap a satisfactory return to the industry of both the merchant and manufacturer.

The same journal contains the following remarks on the Timber Trade. They are far from cheering.

The Timber trade, although it has suffered in common with other branches, nevertheless, owing to the absence of speculation, and the general prudence which has been observed by the merchant and retail body, aided by the admitted liberality of the Bank of England in sustaining it through the late crisis, is altogether in a less equivocal position than many others. The importation during the last year has been less than in 1845 and 1846, indeed about the average of many past years, whilst the general consumption in 1847 has been maintained at the same extensive scale which it has been raised in 1845 and 1846, as well in London as throughout the kingdom. This cannot but be deemed satisfactory, considering the abridged sales of the last three months, owing to the state of the money market. The foreign trade from the Baltic was, at the beginning of the year, remunerative, but shipments being pressed, the late sales have been almost ruinous. From Canada and the Colonies the early operations were also most satisfactory; but, as the shipments of flour ceased, more tonnage was employed in the Timber trade, and an unusually large fleet of Canadian Timber having arrived in the fall of the year, the stocks have accordingly accumulated to an extent greatly exceeding former years. The present low prices will, it is hoped, stimulate further consumption, and thus restore the trade to its ordinary salutary condition.

Dr. Fay, & Co's Manchester Annual Report, contains the following paragraph: It is a notorious fact that it has taken the country a long time to right itself after every

crisis. Seven years have been named as having been requisite for that purpose after that of 1825. The present crisis has been more violent than almost any other, but the effects will be of comparatively short duration. In 1825, about 120 country banks failed, and were mostly in a deplorable state of insolvency; great distress was caused thereby to the industrious classes and shop-keepers amongst whom the notes issued by these banks were circulating. In 1847, more than double the above number of failures of mercantile firms took place, but the losses fell chiefly upon the commercial community, leaving the working class comparatively untouched. It is indeed a question whether the great fall which has been caused by the crisis, in all articles of provision, (the bulk of which is consumed by the working classes,) has not on the whole, benefitted rather than injured them.

LEGISLATIVE NEWS.—Several Despatches from the Colonial Secretary was laid before the Legislature on the 27th ult. One on Emigration—from which we take the following extracts.

There remains to be mentioned the important subject to which I have already adverted, in the reply you are authorised to make to the Corporation of Saint John, of some contribution towards the charges brought on the Province by the recent immigration. It will be necessary, that you should furnish me with full information on the nature and amount of the expenditure incurred on this account, and also with an exact statement of the manner in which all funds raised for the relief of emigrants have been laid out.

When the particulars arrive, and assuming the whole proceeds of the Emigrant Tax to have been applied to their proper object, I shall be prepared to submit to my colleagues a proposal for submitting to Parliament our recommendation that there should be granted to New Brunswick, on the same principle as to Canada, an equitable contribution from Imperial Funds towards the expense created by the unparalleled misfortunes of Ireland this year, and by the sickness and distress which they have thrown upon the British Provinces in North America.

In a Despatch to the Governor General accompanying the above, the Earl Grey suggests,

That the Tax otherwise payable, should further be doubled, in respect of all Emigrants who should arrive later in the season than the 1st of September, and should be trebled on those arriving later than the 1st of October, in each year.

There is no doubt that the arrival of Emigrants so late in the season greatly increases the probability of their becoming a burthen on the Province during the winter, and the tax to which they are liable should be augmented in proportion.

It might also be expedient to add a clause, imposing a penalty upon the Ship, if it should appear that, during the voyage, the passengers had not been supplied with a proper amount of provisions.

The House have granted without opposition, £1000 for surveying the Saint John and Shediac Railway.

The House was occupied on the 31st ult. with discussing a bill to provide for the Collection of the Revenue. The old system of taking bonds for duties is to be abolished, and Warehouses established in the different ports.

The following Petitions have been presented to the Assembly:—

- From Jas. McPhelim, Bactouche, for return of duty paid on Flour. From Elizabeth Spratt, of Chatham, for teaching a School. From George Watt, of Newcastle, for do. From Overseers of the Parish of Alnwick, Northumberland, for supporting a transient pauper. From Thomas Fowler, of Chatham, for teaching School. From Trustees of Schools in Ladlow, on behalf of David Lynch for do. From Wm. Napier, Esq. Bathurst, for services as Gauger at that Port. From Jane McRae, of Chatham, widow of an old Soldier in the Revolutionary War. From John Henderson, for teaching School in Chatham parish: From John Maitland, of Bathurst, for do. From Patrick Hays, of Dalhousie, for losses sustained in a contract on the Road. From James Muir, for teaching a School, parish of Beresford, Gloucester. From George Parker, parish of Ladlow, Northumberland, for do.

Mr. Ritchie has pledged himself to bring up the question of the removal of the Seat of Government to Saint John, during the present session.

NEW ADMIRAL.—Earl Dundonald, (Lord Cochrane) has been appointed Naval Commander of the North American and West Indian stations.

NOVASCOTIA.—In consequence of the recent vote of the Novascotian Assembly the Executive Councillors tendered their resignation to Sir John Harvey, which was accepted. The Attorney General, after presenting several despatches from the Colonial Secretary, on Friday the

28th ult. to the house, notified the assembly of his retirement, as well as his colleagues. The following is copied from the Sun.

The Attorney General said, I have now to announce to the house, that in consequence of its vote on Wednesday last, all the members of the Executive Council have tendered to His Excellency the Lieutenant Governor their resignation of their seats in the Council—and that His Excellency has been pleased to accept of the same. I have further to state that the offices of Attorney and Solicitor General have been tendered to His Excellency by my learned colleague and myself, which have also been accepted. We will, therefore, only continue to exercise the functions of Executive Councillors until our successors are appointed. The Atty-General expresses pride in presenting the Despatches of the Colonial Secretary—probably his last official act, and concluded with eulogizing those documents as containing sentiments honorable to Earl Grey, as a statesman and Minister of the Crown.

Private letters report that the vacant offices have been filled, but the latest papers state that such was not the case, and that much anxiety was felt to know the result.

CHARGES DESTROYED BY FIRE.—Intelligence has been received at New Orleans, by an arrival from Jamaica, that the city of Chagres, New Grenada, was totally destroyed by fire, on the 1st January.

UNITED STATES.—The Steamer Yalabusha, with a cargo of cotton, was destroyed by fire on the Mississippi the 18th instant, and forty persons are supposed to have perished.

PROVINCIAL REVENUE.—We give below an abstract of the Revenue of New Brunswick, for the year 1847.

Loan Fund,	£9,571 11
Ordinary Revenue,	50,293 7
Export Duty,	16,653 5
Casual Revenue,	9,500 0
Supreme Court Fees,	792 15
Customs Duties,	31,912 19
Auction Duties,	245 2
Pedlar's Licences,	24 15
Emigrant Fund,	3,250 2
Light House Duties,	3,700 13
Sick and disabled seaman's fund, 1567 14	
	£127,410 7

Being £73 8s 3d more than the receipts 1846.

PARISH OFFICERS.

PARISH OF NELSON.

- OVERSEERS OF THE POOR.—Rowland Crocker, John Flett, William Parker.
- ASSESSORS.—David Crocker, Jared Egan, John Aylwood.
- Commissioners of Highways.—Rowland Crocker, Alexander Saunders, James Flett.
- Overseers of Highways.—James Davidson, Wm. Allan; James Nowlan; Wm. Appleby; Isaac Cushman; John Doolan; Wm. Peck; John McKinly; Thomas Tobin; Archibald Echeren; John Aylwood, James Foley; Wm. Butler; Joseph Hutchings; Wm. Dunn; James Monahan; Wm. Davidson jun.; John Aylwood; James Crocker; James Monahan; Wm. Henderson.
- Parish Viewers.—George Flitt, sen.; Isaac Cushman; John Hackett, James Canada; John Sherwood; John Esson.
- Hog Reeves.—Thomas Clancy; Thomas Rettig; Joseph Bateman; Alexander Egan; James Vye; John McKinly; Isaac Leighton; Hugh Ferguson; Patrick Poor, Thomas Gorman; John Blake, John Foy.
- Pound Keepers.—George Flitt, sen.; James Leslie; James Crawford.
- Constables.—John Archibald; John Adam Gillico, John Kain, Hugh Parker.
- Inspectors of Fish and Barrels.—James Harper, John Collins, Wm. Walls, Jeremiah Newman.
- Surveyors of Lumber.—Alexander Echeren, John Archibald, Robt. Jardine, John Harley, A. Ferguson, John Leslie, Henry V. David Crocker, Wm. Parker, Robinson Crocker, Hugh Parker, James Crocker, David Egan, Thomas Willoughby, Joseph Hubbard, David Astle.
- Trustees of Schools.—David Crocker, David Sutton, William Parker.
- Collectors of Taxes.—James Nowlan, John side, Alexander Ferguson, Northside.
- Weigher of Hay.—David Betts.
- Ferry Men.—John Wilson, Jeremiah Newman, Michael Kain, and Samuel Condon.
- Town Clerk and Clerk of the Market.—James Crawford.
- Overseers of Fisheries.—John Noble, John Bateman, Maurice Doyle, James McKinly, James Harper, Henry Vye, Alexander Cushman, Isaac Cushman, John Esson.

THOMAS H. PETERSON, Clerk of the Peace.