The Courier.

SATURDAY, DECEMBER 29, 1849.

In giving expression to the usual compliments and good wishes to our numerous patrons and friends at this festive season, which we do with heartfelt pleasure, it affords us much satisfaction to be enabled to lay before them an outline of Professor Johnston's forthcoming Report on the Agricultural capabilities of this Province, as detailed in his Lecture at the Mechanics' Institute on the 21st instant, and reported by Mr. Blatchford.

Although we were satisfied that the Agricultural resources of this Province required only to be made known to be more appreciated, and were therefore quite willing that the investigation should be conducted by a person whose known competency and impartiality would give his verdict (whether favorable or otherwise,) a weight that would settle the question; yet, we were certainly not prepared for a result so flattering. The conclusion, however, is obvious—it must be so. And although the Professor, from being a stranger amongst us, would not speak from his own knowledge of the produce and prices, and therefore cautiously qualified his opinions on those points, yet all who are conversant with the subject know that the averages taken as *data*—namely, Wheat, 17¾ bushels to the acre; Barley, 27 bushels; Oats, 33 bushels; Rye, 18 bushels; Potatoes, 204 bushels, and Turnips, 389 bushels—may be relied on as correct: and that they are correct, not only as the average for well cultivated farms, but for the Province in general, is substantiated by the fact that the returns from nine Agricultural Societies, made up for the *districts* or Counties which they represent, shew a larger average than the individual returns. The averages given in the Report, with which ours are compared, have been obtained in the same manner, that is, by returns from Agricultural Societies and individual farmers, and as we have no reason to suppose that our farmers are more disposed to exaggerate than their brethren in the United States, we are bound to receive the returns as at least *comparatively* accurate. But it is a matter of comparatively little importance what our *produce* is, because an improved system of cultivation would remedy that. It is, however, of great moment, that our soil should be good, and our climate such as not materially to interfere with the profits of farming. On these points, the Professor has given his decided opinion. On the point of soil, he speaks from actual observation, and reports a greater proportion of good soil than exists in almost any other country. The climate he represents as healthy, and not unfavourable to farming, and gives it as his opinion that, on the whole, farming may be profitably pursued as a business.—And this being so, what a bright prospect of prosperity and happiness is opened up to us, if we are only *men* enough to improve the advantages with which a kind Providence has surrounded us. Of course, it all depends upon ourselves. There are countries with climate and soil far inferior to ours, the occupiers of which are rich. There are others as much superior, whose inhabitants are starving.

We hope the Report will soon be published, and extensively circulated. We regard this as one of the best steps the Government has yet taken for the improvement of the Province. We believe we have also to be personally grateful to His Excellency for taking much personal interest in the matter.

The Professor left on Monday for Albany, where, we understand, he is engaged to deliver a course of Lectures before the New-York State Legislature, and afterwards to establish an Agricultural College and Model Farm. He returns to Europe in March.

ARRIVAL OF THE SECOND DECEMBER MAIL.—The steamer *America*, with the British Mail of the 15th December, arrived at Halifax yesterday morning at six o'clock; but although the wires were understood to be in working order all the morning, the fact was not known here until about ten o'clock, when the transmission of the news for the United States Associated Press commenced.—We understand that inquiry will be made by the officers of the Company here, into the cause of this reported delay of four hours, with the view of preventing a similar occurrence in future.—We subjoin a synopsis of the intelligence as received at the News Room in this City by telegraph during the day.

The Queen Dowager died on the 2d Dec.

In politics there is but little new. Parliament will meet about the middle of January for the despatch of business.

Commercial affairs continue in a quiet but steady position. The Produce Markets both in Liverpool and London have been freely supplied.

Since the arrival of the America at Liverpool, on Wednesday, the Cotton Market again paused, and the advance has barely been maintained.

The English funds have been fluctuating, but are again higher. The quotation for Account is now ex-dividend.—transfer books being closed Consols have been specially transferred at 97⅝ to ¼.

The Money market is easy. The bullion in the Bank of England exceeds sixteen and a half millions, sterling. Consols advanced upon the reduction of the rate of Discount in the Bank, and a large business.

LIVERPOOL.—Specie continues to arrive, particularly gold, in large quantities. The Bank Stocks are on the increase, and money is very abundant at somewhat easier rates, even than heretofore. The Share Market has worn a declining aspect since our last.

MARKETS.—Cotton advanced ⅛th on all descriptions. Indian Corn advanced 1*s. a* 1*s.* 6*d.* per 480 lbs; White now selling at 29*s. a* 30*s*; Yellow, 28*s. a* 28*s.* 6*d.* Cornmeal, 14*s.* to 14*s.* 6*d.* for White and Yellow. Wheat, 4*s.* 6*d.* to 6*s.* 9*d.* per 70 lbs. with more enquiry. Holders of Grain for the most part firm. Good demand for American Flour at 22*s.* 6*d. a* 24*s.*; Sweet Canadian, the same; Genesee, 24*s.*

LIVERPOOL TIMBER MARKET.—Two cargoes of Yellow Pine, 17 to 18¼ inches, at 17½*d.* and 16¾*d.*; one cargo, 19¼ inch, at 18*d.* per foot; Deals, with cargo, £5 to £6; Spruce Deals, £7 2*s.* 6*d.* to £8, per standard; Lathwood, 38*s.* per fathom.

There is nothing new from Ireland, and nothing of consequence in foreign news.

The election of the President of the French Republic has passed over in profound tranquility and with much satisfaction to the people.—The Elections are postponed to 25th January.

A sinister report has been revived that Russia insists upon the removal of Bem and the other refugees from the frontier.

The Express in advance of the Overland Mail from India arrived on the 7th. Dates from Bombay to the 3d November, and from Calcutta to the 25th October. The whole of India was peaceable. All the Sikh chiefs implicated with Shere Singh have been captured.

SHIP NEWS.—At Longhope, Nov. 21st, Oromocto, from St. John; 28th—Rapid, at Crookhaven; Dec. 1st—Olympus, at Portsmouth; Princess Victoria, at Queenstown; Snowdon, at Liverpool; Chester, from Quebec, at Belfast; 4th—Kitty Cordes, from St. John, at Liverpool; 5th—David, from St. Andrews, at Golway; 6th—Mountaineer, from St. John, at Newry; Sir Harry Smith, from Quebec, in the Clyde; 7th—Infanta, from St. John, at Beaumaris; 9th—Raven, off the Wight; Charlotte, at Llanelly; 11th—Kingston, at Gravesend.—Prince of Wales, from Quebec, at Southampton.

Sailed from Clyde, Dec. 8th, ship Eudocia, Bannerman, for New Orleans; 6th, barque Jessie, and brig John Wishart, for Boston.

THE LATE GALE.—On Saturday night last a storm set in from the South East, accompanied at intervals by snow and rain. For six or eight hours the gusts of wind at times were most terific. On Sunday morning the wind changed to the South West and for a while blew with almost equal violence from that quarter. In the City the damage done was comparatively trifling. A Cottage in course of erection by Mr. A. Martin, on the Eastern side of Courtenay Bay, about two miles from town, and part of the Rope Walk on the Marsh, owned by Messrs. T. Wallace and W. Carvill, were blown down.

The vessels in the harbour escaped without material injury. Two coasting Schooners, in attempting to come in, were driven ashore near Manawagonish—the crews escaping.

The fine new ship *Tippoo Saib*, of 1020 tons, owned by Mr James Smith, which sailed on Friday afternoon for Liverpool, encountered the gale in the mouth of the Bay, and was struck by a heavy sea, which threw her on her beam ends, in which situation she remained for some time, but finally righted, and returned to port Tuesday night with ten feet water in her hold. She has since been pumped out, and grounded to ascertain the extent of damage, which, however, is not supposed to be material.—Colonel Ormond and family, and Mr. Jas. T. Smith, son of the owner, were the passengers in the *Tippoo Saib*.

The Brig *Daring*, which sailed for Barbadoes on Saturday, put back on Monday, with loss of part of her deck load.

The new Brig *Belle*, owned by Messrs. G. & J. Salter, which sailed in company with the *Daring*, and had got into Grand Passage on Sunday, went ashore on the West end of Long Island; and became a wreck—crew and part of the cargo and materials saved. The Belle was a very superior vessel: her cargo and freight were insured in England and the United States.

The Brig *Chaffey*, which sailed from St. Andrews on Friday for the West Indies, has put back, the master, Capt. Chaffey, having been killed, and the mate, his brother, washed overboard.

THE POOR LAWS.

The Justices of the City and County met in Special Sessions on Saturday last, and were occupied nearly all day in considering the state of the Poor Laws, and the mode of management pursued by the Commissioners of the Alms House and Work House. The subject had been referred by the General Sessions to a Committee, and the present discussion arose upon the bringing in of their report. Several divisions took place on the various alterations suggested by the Committee, and the result of the whole matter is, to leave the Law pretty much as it now stands. Some resolutions were passed with a view to subjecting the Commissioners to the control of the Sessions, to a somewhat greater extent than the existing law allows, but the chief feature of the whole scheme, that of taking the appointment of Commissioners out of the hands of the Government and vesting it in the Sessions, was rejected by the Board, by a small majority. They also refused to adopt a plan of out-door relief, detailed in the report, preferring that the responsibility of providing it should remain as heretofore in the hands of the Commissioners.

The Court will meet again on 5th January next.

MECHANICS' INSTITUTE.—On Friday evening Dr. Dow finished his course of lectures on Anatomy. The lectures were well attended, and the audience appeared to be well satisfied with the manner in which the subjects were illustrated.

Monday evening next being New-Year's eve, and the Hall of the Institute being engaged for the Bible Society on Friday, there will be no lecture at the Institute during next week. On Monday the 7th January, the Rev. Mr. Wishart will lecture at the Institute on Invention.

FISHERY DRAFT.—The books for the Fishery Draft will be closed on Tuesday next, at 6 P. M. after which time, no names will be received. Those persons who have paid the fees for their freedom, and have not been sworn, will be excluded from the benefit of the Draft. They may, however, entitle themselves to the privilege, by taking the oaths before the Common Council, which will meet on Monday next, at 10 A. M., at the Council Chamber.

MASONIC FESTIVAL.—Thursday last, being St. John's Day, was duly celebrated by the Brethren of Albion Lodge, who with their guests dined together at the Saint John Hotel. The viands and wines were of the first quality, and the evening was spent in that agreeable harmony and social mirth which have so long characterised the ancient craft. Among the guests were His Worship the Mayor, Captain Beer, R. N., Captain Elgee, R. A., and several of our esteemed citizens. We understand also that at Carleton the Brethren of Union Lodge were not a whit behind their Brethren of Albion, in doing full honor to the auniversary of their Patron Saint.

The Brethren of Union Lodge, Carleton, also celebrated St. John's Day. An excellent Supper, provided for the occasion by Brother Coram, was partaken of, by a pleasant company, who spent the evening with the harmony and good feeling characteristic of Masons.

Tuesday next, being New-Year's Day, we would remind our readers, especially those in the country, that being a general holiday, no business of consequence will be transacted in the City; and we wish, to both town and country friends, a happy commencement of a happy New Year.

☞ Specimens of Visiting Cards, neatly executed by Mr. R. S. Bennison, of this City, may be seen in the Book Store connected with this Office.

SUICIDE.—A private of the 1st Royal Regiment, named Merrigan, committed suicide on Thursday morning at the Barracks, about one o'clock, by blowing his brains out with a musket. It seems that he had been confined to the Barracks, by orders, for a week, and not being able to get out on Christmas day to join the company of a *particular friend*, he took it so to heart that it preyed upon his mind until it resulted in temporary aberration, which led to the awful catastrophe. He had always borne an unblemished character.—*News.*

MELANCHOLY STAGE ACCIDENT.—We regret to learn that the Mail Stage which left this City on Saturday last, for Halifax, was accidentally upset about 11 o'clock that night, 2½ miles beyond Mr. Caldwell's cottage, in Norton.—Among the inside passengers was Mrs. Armstrong, with an infant four months old: the child was crushed to death, and the mother much lacerated before she could be extricated. Mr. Jardine, another of the passengers, had his wrists dislocated. Mr. Crabb, the driver, was also severely bruised. The other passengers, viz., S. Blaney, Esq., Master J. Scammell, and two sons of the Hon. E. B. Chandler, escaped with slight injury. After the accident, the horses ran four miles before they could be stopped. No blame can attach to the driver, who did everything possible to be done under the circumstances.—*New Brunswicker.*

FATAL ACCIDENT.—On Thursday night, we are informed, Thomas McCallum lost his life in the neighborhood of Musquash, by the capsizing of his sled on the ice, while hauling some moveables to his home, near McGowan's. The wife of the deceased was on the sled at the time, and got off without injury; but being unable, alone, to relieve her husband, ran back about a half a mile for assistance, upon the arrival of which he was found dead.—*Charlotte Gazette.*

LATE FROM CALIFORNIA!—A telegraphic despatch was received at the News Room on Wednesday, announcing the arrival of the Steamship *Empire City* at New-York on Tuesday, from Chagres, with dates from California to the 16th Nov.—Lumber was reported brisk and advancing. She brought nearly $500,000 in gold dust.

CANADA.—*Official Appointments.*—His Excellency the Governor-General has been pleased to make the following appointments:—Jean Chabot, Esq. to be a Member of the Executive Council, and Chief Commissioner of Public Works, in the place of the Hon. E. P. Taschereau, appointed Receiver-General; John Sanfield Macdonald, Esq. to be Queen's Counsel, and Solicitor-General for Upper Canada; the Hon. James Buchanan Macaulay, one of the Judges of the Court of Queen's Bench for Upper Canada, to be Chief Justice of Her Majesty's Court of Common Pleas for Upper Canada; Charles Coxwell Small, Esq. to be Clerk of the Crown and the Pleas in the Court of Queen's Bench for Upper Canada; Andrew Norton Buell, Esq. to be Clerk of the Crown and Pleas in the Court of Common Pleas for Upper Canada; John Shuter Smith, Esq. to be Registrar of the High Court of Chancery for Upper Canada, in the place of Andrew Norton Buell, Esq.

The Montreal papers state that the snow lies nearly two feet deep in the Eastern townships.

FROM WASHINGTON.—*Election of Speaker of the House of Representatives!*—On Saturday last, Mr. Stanton, of Tennessee, offered a Resolution, agreed to in the caucuses, that the House proceed to the election of Speaker by *viva voce* vote, and if, after calling the roll three times, no member has a majority, the roll shall be again called, and the member receiving the largest number of votes, provided it be a majority of a quorum, shall be Speaker.

After a fiery debate which lasted some hours, this Resolution was adopted by a majority of seven. The balloting then proceeded, and on the fourth call of the roll (being the sixty-fourth ballot) Mr. Cobb had 102 votes, and Mr. Winthrop, 100.—Mr. Cobb having a plurality, one of the tellers announced his election, upon which great excitement followed. Mr. Stanley, of North Carolina, offered a Resolution that Mr. Cobb be declared Speaker, which was adopted, and Messrs. McDowell and Winthrop conducted him to the chair.

Mr. Cobb, in a brief speech, thanked the members for the honor conferred upon him, and trusted that, "with patriotism as broad as the Union, and as comprehensive as the nature of her various institutions, aided by the blessing of Heaven, the action of Congress would result in the continued prosperity of our common country."

Mr. Cobb is a member for Georgia, and was the first democratic candidate for the chair. He was subsequently dropped, and others proposed.

The President's Message was communicated to Congress on Monday. The following is an outline of the document, received by telegraph and published in the Boston Atlas of Tuesday:

The President commences by congratulating the country that we are at peace with all nations, that we have been greatly blessed by Providence, and that the scourge of cholera has been stayed.

The relations with Great Britain are of a friendly character; the recent alteration of the navigation laws, which are reciprocated by us, are likely to prove mutually advantageous.

A slight interruption of the diplomatic relations with France has been terminated. Our Minister has been received, and one appointed to this government.

The President alludes to the fitting out of German War Steamers at New-York, and intimates that by the documents referring to this procedure, accompanying the Message, it would be seen that the parties interested approved of the course of the government. No such government as the German Empire had been established, and our Minister had been recalled, after being instructed to transfer the archives of the Legation at Frankfort to the American legation at Berlin.

The suppression of the expedition against Cuba, and the demand for the restitution of Rey, [the New Orleans man,] are slightly alluded to. The President announces that, although the crime charged against the supposed abductor of Rey is justly odious, there is no law punishing such an offence.

The Executive studiously avoided interference during the conflict between Austria and Hungary. It stood prepared, however, in case of success on the part of the Hungarians, to welcome them among the family of nations, and invested an agent with power to recognise their independence, should circumstances justify it.

Our claims upon Portugal have been pressed with renewed vigour.

During the late Revolution at Rome, our Charge had been unable to present his letters of credence.

The President recommends a cultivation of friendly relations with Mexico, and a faithful observance of the treaties with that government. He sends in a correspondence relating to the Protocol, and alludes to measures for settling the boundary, and adjustment of the American claims.

He recommends close relations of friendship with the South American States, bordering on the Pacific.

A Convention has been negotiated with Brazil, providing for the settlement of American claims.

The President calls attention to the existing laws concerning the African trade, with a view to the more effectual and faithful execution of the same.

Seeing that there was no prospect of re-union among the five States comprising Central America, he had treated with them separately by treaties of commerce, &c.

A contract had been made with the government of Nicaragua, by a company, composed of Americans, for the purpose of constructing a ship-canal. He had directed negotiations for a treaty with Nicaragua, pledging both governments to protect those who shall engage in the work. Nicaragua had invited other nations to enter into the same treaty stipulations.

The President thinks the canal may be made the bond of peace, and also thinks that the Isthmus and Tehuantepec are worthy of consideration and though Mexico did not concede the right of the latter to us, yet he will not renew the proposition to purchase it, as it ought to be open to all nations.

The President calls attention to the position of the Sandwich Islands, and desires that they may maintain their independence, and thinks that other nations should concur in this, as no government can be indifferent to their passing under the dominion of any other power.

Treasury Estimates.—The receipts into the Treasury for the fiscal year ending the 30th June, are $48,000,000; Treasury notes funded, $10,000,000, "making $58,000,000." Expenditures, $46,000,000. He says the Treasurer's report will probably show a deficiency in July next of $5,000,000, and on the 1st of July, 1851, of $10,000,000—making an aggregate of $15,000,000, caused by the extraordinary expenses of the Mexican war.

He recommends that authority be given to borrow the necessary amount to meet the deficiency.

The Tariff.—The President recommends a revision of the existing Tariff, on a basis which may augment the revenue. He does not doubt the right of Congress to encourage domestic industry, and thinks that specific duties are best adapted to prevent frauds upon the revenue. He recommends duties high enough to protect home industry.

He thinks that if the Sub-Treasury be continued, it will require important modifications; and also recommends an agricultural bureau.

He commends the application of California for admission into the States, as favourable to the consideration of Congress.

A coast survey has been ordered for California and Oregon, to fix upon sites for light-houses.

He recommends a branch mint in California, and a commission to examine land titles in that country, and also a geological survey. He also recommends a reconnoissance of the most feasible route for a Pacific Railroad: and early appropriations for improvements of rivers and harbours.

On account of Indian troubles in the extensive new territories, he recommends an increased military force.

The President speaks well of the Navy; and is favourable to a reduction of postage, except by sea steamers. He alludes to foreign postal treaties, indulges in general reflections thereupon, and above all, recommends a love of union to every American heart. Its dissolution is the worst of all calamities—its preservation the surest means of prosperity and happiness. Whatever dangers may threaten it, (says he) I shall stand by it and maintain it in its integrity to the full extent of the obligations imposed, and the power conferred upon me by the Constitution.

Z. TAYLOR.

ARRIVAL OF SIR HENRY BULWER.—Her Majesty's Steamer *Hecate*, with the newly appointed British Minister, and Lady Bulwer, and suite, arrived at the Navy Yard at Washington on the 21st inst.

The character and position of the lately arrived Minister from Great Britain, will be understood from the following memoranda, extracted from the British Peerage of 1849: Right Honorable Sir Henry Lytton Bulwer, Privy Counsellor, K.C.B., born in 1804; married in 1848, Honorable Georgiana Charlotte Mary, youngest daughter of first Lord Crowley and niece of the Duke of Wellington; entered the Diplomatic service in 1829; was attached successively to the courts of Berlin, Vienna, and the Hague till 1830; sent to Brussels on a second mission of observation at the revolution in Belgium in 1830; elected member of Parliament for Wilton in the same year; for Coventry in 1831 and 1832; from Marylebone from 1834 till 1847; was Secretary of Legation and Charge d'Affaires at Brussels, in 1835 and 1836; Secretary of Embassy to Constantinople in 1837, where he concluded the commercial treaty of that year; appointed Secretary of Embassy at St. Petersburgh towards the close of 1838, but did not proceed thither, having been appointed Secretary of Embassy at Paris in 1839. In the absence of the Ambassador was thrice gazetted Minister at the court of the Tuileries, including portions of the years 1839 and 1840; was also employed during his residence in Paris in various commissions, commercial, Greek, Portendic, &c. Was appointed Minister Plenipotentiary at Madrid in 1843, and negotiated the peace between Spain and Morocco in 1844; was dismissed by the Spanish Minister in 1848.—*New-York Express.*

UNITED STATES MARKETS.—At New York on the 24th inst. Breadstuffs and Provisions were reported quiet, and the market generally without change.—At Alexandria on the 22d, Waggon price of Flour, $4,50, with increased receipts; good to prime Red Wheat, 96 to 98 cents; white, 100 to 102 cents.—At Savannah on the 19th, freights of cotton to Liverpool ⅜ths, dull. At New Orleans, for a few days preceding the 15th, there had been some increase of business in the freight market, and the rates generally had improved: the new engagements were three American ships for Liverpool, at 13-32d. for cotton; 9d. for corn, and 5*s.* per tierce for beef.

The ship Washington—stated by the New-York Journal of Commerce to be the largest merchantman afloat—registering no less than 1655 tons, (2283 carpenters' measurement,) is now receiving her first cargo at that port for Liverpool, consisting in a great measure, of logwood, and Canadian flour, wheat and ashes—all articles hitherto prohibited from importation into England in American vessels. The Washington belongs to Messrs. Forest and Hicks' line of packets,—is 206¼ feet in length, and 43¾ in breadth; depth of hold, 29 feet. Height of mainmast, 92 feet; foremast, 89; mizen, 86. Length of fore and main lower yards, 78 feet. She will cost about $115,000.

Nearly ten thousand tons of railroad iron were imported into Savannah last week, in two cargoes,—one from Liverpool, the other from Wales.

Woolsey's Sugar Refinery, situated on Front-street, in the upper part of the city of New-York, was destroyed by fire on Saturday last. The loss of sugar estimated at $200,000; machinery, $300,000; buildings, $50,000—total, as estimated, $600,000,—only a small portion of which was insured, a policy of $250,000 having been lately allowed to run out. Nearly five hundred persons are thrown out of employment by this casualty.

ADMIRALTY COURT, LONDON, Nov. 24.
(Before Dr. Lushington.)

THE ORIENTAL—BOTTOMRY.—This was a question as to the validity of a bottomry bond granted by Mr. Hoyt, the master of the Oriental, to Mr. Milne, of New York, and now held by Messrs. Fielden, Brothers, and Co., of Liverpool, by whom the present proceedings were instituted. The Oriental sailed from New York, bound to Liverpool, on the 20th of February last. In getting out to sea she struck on a bar or sandbank, as was alleged, through the default of the pilot, and was compelled to put back on the following day, when she was unladen and repaired. To defray the expenses thus incurred, the present bond was given for $6,479; the item being $3,920 for money advanced, 5 per cent. commission on the sum so paid, and 2½ per cent. commission on the value of the cargo, with maritime premium at 18 per cent. The bond, which was dated the 10th of March, purported to bind ship, freight, and cargo.

The Queen's Advocate (with whom was Dr. Bayford) appeared for the holders of the bond, and contended that *prima facie* it was legal and valid. In opposition to it, it was alleged that Mr. Milne was agent of the vessel, and consequently was bound to make the advance required without resorting to a bottomry bond. He denied that Mr. Milne was agent of the vessel in the ordinary sense of that term; but admitting him to be clothed with that character, he was not called upon to defray the charges incurred unless he had money belonging to the owner—Mr. Wallace, of New-Brunswick—in his hands, which was not the case. Mr. Wallace had written to the master a few days before, stating that it would be inconvenient to pay on his account £150; Mr. Milne, therefore, had no reasonable expectation of being repaid if he advanced on personal security, consequently, he was justified in securing himself by the bond. That was the doctrine laid down by Lord Stowell, in "The Hero" (2 Dodson). Consignees of cargoes had taken bottomry bonds which had been upheld. In support of this position the learned advocate cited "the Augusta" (1 Dodson 283); "Weston v. Forster" (2 Bingham's New Cases, 693); and "the Tartar" (2 Haggard, 234). Advertisements had been inserted for the money required, to which there were three replies, the maritime interest charged by Mr. Milne being the lowest of the three. He therefore prayed the court to pronounce for the bond and the interest due thereon.

Dr. Robinson (with whom was Dr. Twiss) appeared in opposition to the bond, and argued that the validity of all bottomry transactions depended on the fundamental principle that the ship to which the advances were made was in a state of unprovided necessity. The master had no right to hypothecate a vessel where he had the means of raising the money he required by another mode. He did not contend that an agent in all circumstances was bound to make advances, or that he had no right to repudiate his agency and become a third person; but on the authority of the case referred to—"the Hero"—having been once clothed with the character of an agent, he was bound to give full and fair notice to the master and owner of the ship before he divested himself of it. The documents produced in the case not only proved that Mr. Milne was regarded by all parties as the agent of the ship, but that he had given no notice of his intention to take the bottomry bond to the owner, who resided within four hours' telegraphic communication of New-York. Mr. Wallace's agents in Liverpool had stated that if draughts had been drawn upon them by the master they would have been duly honoured; there was no necessity therefore for the bond, and consequently he (Dr. Robinson) prayed the court to pronounce against its validity, and to condemn the asserted holder in the costs.

The court reserved its judgment.

TRIAL BY LOT.—A young woman, named Leggatt, who had been tried at the last Leeds Borough Sessions on a charge of stealing a violin, and found guilty, has been liberated from imprisonment in the Borough House of Correction, by order of Sir George Grey, the Home Secretary, on the ground that the finding of the jury was decided by lot. It appears that they could not agree upon a verdict, and finally decided it by lot, putting two pieces of quill pen of unequal length in a hat, and the short one, which was to decide the guilt, being first drawn out, the twelve good men and true at once returned into court with a verdict accordingly. The extraordinary proceeding having been reported to the Government, the result has been the discharge of the prisoner.

☞ A SERMON will be preached in the Baptist Chapel, Germain-street, on Tuesday evening next (New-Year), by the Rev. S. ROBINSON, and a Collection taken up for the benefit of the Poor. Services to commence at 6 o'clock. Sittings free. Dec. 29.

SORE THROAT, Coughs, Consumption, Pain in various parts of the body, and other unpleasant symptoms, are the effects of catching cold.

Wright's Indian Vegetable Pills are a delightful medicine for carrying off a cold, because they purge from the body all morbid and corrupt humors in an easy and natural manner. From three to six of said Indian Vegetable Pills, taken every night on going to bed, will, in a short time, make a perfect cure of the most obstinate cold—at the same time the blood and other fluids will be thoroughly purified, and the constitution so completely invigorated, that the body will be restored to even sounder health than before.

☞ *Beware of Counterfeits and Imitations.* The safest course is to purchase from the authorized agents only.

The genuine for sale by H. G. KINNEAR, Agent for the Provinces; W. T. Baird, Woodstock; Jas. Drake, Fredericton; R. J. McDonald, Grand Lake; Upham & Hallett, Hopewell; R. Wilson, Sackville; E. J. Smith, Shediac; J. Cutler, Cocsigne; A. Lockhart, Quaco; Thomas Barry, Magaguadavic; A. H. Thomson, Saint Stephen; T. Wilder, Milltown. In Nova-Scotia, by J. Crowley, Digby; D. Moore, Kentville; Parker & Fisher, Cornwallis; W. Hoyt, Bridgetown; F. S. Harding, Windsor.

Office and General Depot—169, Race-street, Philadelphia, Pa.

[Certificate from the Principal of the Fredonia (New-York,) Seminary.]

Fredonia, July 17th, 1846.

Dr. Seth W. Fowle,—Dear Sir:—From my youth I have been subject to lung complaints. In February last I took cold—a cough set in, and though slight in the beginning, I made use of the simple remedies which I always keep for that purpose. (These failing, I resorted to others, but my *cough increased in violence, and a pain in the side and right lobe of the lungs set in*, which soon became very distressing, and at intervals were attended with oppressive strictures on the lungs.) During this time I expectorated freely; *but the mucus raised from the lungs indicated a disease deeply seated. Two or three Physicians kindly sent me their medicines*, which have been very efficient in *curing coughs*, but they failed to reach my case, and I began to be somewhat uneasy. My cough was considerably aggravated. A friend advised me to try the *BALSAM of WILD CHERRY*, but I told him I had swallowed medicine enough. Well, sir, I *coughed* out that day and the night following, and the next day my friend urged me again to try "Doctor Wistar," and at 3 P. M., I was willing to try any thing, for I coughed constantly. I procured a bottle—drank of it—read the directions—continued taking it from that bottle one week, and when the *Balsam was gone my cough and pains were gone, and I have not coughed since.*

Respectfully yours, &c.

F. A. REDINGTON.

☞ None genuine unless signed *I. BUTTS* on the wrapper.—For sale by S. L. TILLEY, King-street, St. John.

☞ *The Vacation at Mrs. MILLICAN'S Seminary will terminate on Monday, January 7th, 1850.* Dec. 22.

☞ *Just finished This Day*—60 Boys' Brown Beaver dark and light Grey Canada *Top Coats*, cut and trimmed in our usual neat style, from 15*s.* PASTECSETHECA, corner of King and Cross Streets. *Cash without discount.* Dec. 22. GARRETT & SKILLEN.

MARRIED.

On Wednesday the 26th instant, by the Rev. John Thomson, A. M., Mr. James Milligan to Miss Margaret Aitken, both of the Parish of Saint John.

On Thursday the 27th instant, by the Rev. William Donald, A. M., Robert W. Abercrombie, Esq. to Miss Eliza Buchanan, all of this City.

In St. Luke's Church, Portland, on Thursday evening last, by the Rev. William Harrison, Mr. Charles W. Till, Book Binder, to Miss Elizabeth Farmer, both of this City.

On the 20th inst. at the residence of the bride's father, Mount Pleasant, by the Rev. J. F. Bent, Wesleyan Minister, Mr. Benjamin Goodwin, of this City, to Miss Susanna Ann, second daughter of Christopher Wilson, Esquire, Surgeon, Springfield, King's County.

At Carleton, on Tuesday evening, 18th instant, by the Rev. F. Coster, Mr. Isaac Peckham Clarke, to Miss Millicent Theall, both of that place.

At Burton, on the 19th inst. by Elder George Garratt, Mr. John Meaiic, to Mary Jane, second daughter of Mr. Andrew Smith.

At Lincoln, by the same, on the 22d inst. Mr. George McFarland, to Maria, eldest daughter of Mr. Samuel Nason.

DIED.

At Taylor Town, on the 23d instant, Walter Winter, youngest son of Mr. Jonathan P. Taylor, aged five months and eighteen days.

At Fredericton, on the 19th, Catherine Ann, youngest daughter of Mr. J. M. Blair, in the 10th year of her age.

At Halifax, on the 15th inst., in the 51st year of his age, Mr. William Valentine, Artist.—Mr. V. was a native of Whitehaven, England.

At New-York, on the 30th November last, the Hon. Judah Hammond, (formerly of this Province,) in the 76th year of his age.

At New-York, on the 18th inst. after a short but painful illness, Elizabeth S., wife of Arnold Hallett, M. D., and only daughter of Warmoldus Cooper, Esq.

At Philadelphia, on the 6th instant, after a short and severe illness, Mr. Thomas M. Souder, son of the late Thomas R. Souder, Esq. in the 25d year of his age.—The deceased was highly and deservedly respected by many acquaintances in New-Brunswick.

At San Francisco, California, on [illegible] Mr. Caleb G. Seely, aged 39 years; at the same place, on the following day, Mr. Samuel [illegible]. They were both natives of Liverpool, [illegible] left that place last spring.

MARINE JOURNAL.

PORT OF SAINT JOHN—[illegible]

Friday—Barque Columbine, Hay, Boston, 4—Rankin & Co. merchandize.

Schr. Galaxy, Gowan, Halifax, via Yarmouth, 4—McLauchlan, rum and fruit.

Abi-Albon, Smith, Boston, 4—Master, coals.

Hazard, Rice, Halifax, 17—Geo. Thomas, do.

Marie Reformist, Hood, St. Augustine, (U. S.) 6—coals, (returned cargo.)

This Morning—Brigt. Sarah, Johnston, Newport—R. Rankin & Co. molasses, flour and pork.

COASTWISE.

Saturday—Steamer Commodore, Brown, Annapolis and Digby, passengers, and live stock, &c.

Brigt. Arbutus, Smith, Windsor, Plaster.

Sunday—Schr. Jas. Fraser, Amberman, Windsor, do.

Black Hawk, Vantassel, Digby, cider and pork.

Harvest Home, Brewster, Shippody, deals.

Tuesday—Steamer Commodore, Brown, Annapolis and Digby, passengers, and cattle, hides, &c.

Friday—Schr. Star, Parker, Welsh Pool, 3.

ENTERED FOR LOADING.

Dec. 27—Frederick, Smith, Hull.

Maranham, Jamieson, Hull.

Curlew, Moore, Matanzas.

Mariner, Hoyt, Cienfuegos.

CLEARED.

Dec. 22d—Barque William Glen Anderson, Cork, timber and deals—John Robertson & Co.

Brigt. Kafila, Pembroke, (Me.) deals—Bentley.

24th—Ship Lesmahagow, Gaskin, Hull, deals—Henry Garbutt; Vicecy, Kennedy, Liverpool; timber and deals—Wm. Howard; Barque Hope, Liverpool; timber, deals, &c.—Geo. Thomas.

Charlotte, McMonagle, Barbadoes, boards, deals, &c.—J. & T. Robinson.

25th—Brigt. James, Blatchie, Cork, ballast (inward cargo from Oporto) deals, &c.—Master.

Schr. Lexington, Long, Boston, deals—Master.

Geo. Eaton.

28th—Brigt. Matilda, Anthony, Barbadoes, lumber—Edwin Ketchum.

Schr. Mayflower, for this port, was wrecked on Island on Friday night, 21st inst.—crew saved.

Schr. Dolphin, Holder, of and for this port, put into Newport, (R. I.) on the evening dragged her anchors and went on the Breakwater, damaging her stern; she got off and into the inner harbor, and during the gale on the 22d at Fort Wolcott; she came off in the morning and was ashore at the Point. It was expected she would get off without much damage.

Brig Mary Jane, Patterson, at Trinidad, Dec. 1st, from Horton, for Bermuda, put into Barbadoes 19th inst. and sailed again on the 20th.

Arrived at New Orleans, Dec. 20th, schr. Hampton, Liverpool.—At Savannah, 18th, schr. Cardinell, Wales.—At New-York, 24th, brigt. St. John; 19th, brigt. Portland, Scott, at Boston, 19th, schr. Gem, Jones, do.; 20th, brig Caroline, Seeley, do.; 21st, brigt. Gordon, Snow, do.; 23th, schr. Orient, Lavanagh, St. John; 24th, schr. Circle, Fowler, do.

At Weymouth, 21st, schr. Alabama, Wright, for this River, schr. Bertha, Lewis, for do.

At Portland, 22d, brig Caramo, Sayre, for Boston.

Cleared at Alexandria, Dec. 19th, brigt. Baddis, St. John.—At Halifax, 18th, schr. Simpson, do.

Diocesan Church Society.

A MEETING of the Executive Committee of the Diocesan Church Society will be held (D. V.) in St. John, at the Treasurer's Room, on Wednesday, the 2d day of January next, at 12 o'clock. CHARLES ROBERTS, Dec. 29 Sec'y Executive Committee.

NOTICE.

THE Annual Meeting of the Saint John Auxiliary Bible Society, will be held on Friday the 4th of January, in the Lecture Room of the Mechanics' Institute, at 6½ o'clock, P. M. All persons favourable to the general objects of the Institution are invited to attend.

JAS. PATON, Dec. 22. S. L.

DR. WETMORE

Has removed to his House in Charlotte-street, opposite Lieut. Alexander's. Dec. 22.

To Let or Lease,

HOUSE and SHOP in Germain-street, now occupied by Dr. W.; also a HOUSE in Charlotte-street.

NOTICE IS HEREBY GIVEN, That I will not be responsible for any Debts contracted by the Crew belonging to the "TIPPOO SAIB," without a written order from the Owner or the Captain while on board. And I will not be answerable for any debts contracted by my Wife, Sarah Ann Hillyer, after this date. St. John, 29th December, 1849. JOHN HILLYER.

£450

TO be loaned on the Security of Real Estate. R. BAYARD, Jr. Dec. 29.

Piano and Organ.

MR. F. W. CLEAR, Teacher of the Piano Forte, Organ, and Singing, begs to notify his friends and the public that he has REMOVED from his former residence to the house of Mr. John Armstrong, Germain-street, four doors north of King's-square. Mr. C.'s terms for instruction per quarter; and he pledges himself that, in point of satisfaction, or no charge will be made.

ST. JOHN'S LODGE, No. 1. Registry of the Grand Lodge of England, meets on Tuesday next, at 7 o'clock, at their Masonic Hall, Prince William-street. John Hotel.—*Regular Notice.*

UNION LODGE, No. 780, on the Registry of the Grand Lodge of England, will meet on Monday next, the 31st January, at the house of Mr. John McCready's, foot of Dock-street. R. N.

ALBION LODGE, No. 1. Registry of England, meets St. John Hotel on Friday next, at 7 o'clock. By order of the W. M. December 29, 1849.

MIDIAN LODGE, No. 1. Registry of the Grand Lodge of England, meets every Monday evening in the month, at Partridge's Hotel, King's County.

HOTEL TO LET.

For One or more Years.

THE BRICK BUILDING, situate on the corner of Dock-street and Market Square, on the North side of the Square, fronting 55 feet on Dock-street, and 85 feet high; containing one large Room 60 feet by 20 feet; one Room 60 feet by 30 feet, with Grates, twenty-eight Bed Rooms, Kitchens, with Pantries, Cellars, &c. &c. Also, Waterleries, frost-proof Cellars, Pump and Pipes from the Water Co.'s pipes through the Building, and the Gas fittings required—the Gas Pipes attached to the Building a separate