COMMERCIAL LAW-CASE—PAYMENT IN BILLS.

In a late Liverpool paper we find a report of a case decided in the Crown Court at the Lancaster Assizes, which possesses considerable interest in this country. It was an action brought by Messrs. Harman & Co., formerly carrying on business as merchants and brokers, to recover a sum of money alleged to be due to them for a balance of accounts from the house of Bolton and Vennor, of Montreal of which firm the defendant Mr. David Bellhouse is a member. There were numerous pleas entered for the defendant, but they amounted in substance to payment by a bill of exchange in the usual course of dealing between the parties.

The plaintiffs had for some years been engaged in transactions with Bolton and Vennor, of Montreal, and on a balance of account in 1836, there was found to be a balance of £280 due to the plaintiffs. Of this the defendant pleaded payment by a bill of £350, drawn by McClellan of Quebec, on McClellan and Co., of Greenock, which though it was refused acceptance, and dishonoured when at maturity, the defendant insisted ought to be received as payment by the plaintiffs. The question whether such a bill constituted payment was in fact, the only point in dispute between the parties.

The following remarks by Mr. Justice Nightingale, furnish an outline of the whole case, which is reported at great length in the Liverpool papers.

He said the only question between the two parties was, which of them was to stand the loss arising from the dishonour of this bill of exchange for £350. The defendant said that the plaintiffs had received the bill in question in satisfaction of all demands and if the payment was made to them upon the terms agreed upon between the parties as to the proceeds of goods sent abroad, it appeared to him that the defendant ought to succeed on that issue. The question, therefore, for their consideration was whether payment of this bill of exchange was a payment warranted by the instructions received by the defendant from the plaintiffs according to the mode of dealing agreed upon between them. It appeared that 7½ per cent. was paid to the foreign commission agent in Canada if he guaranteed the bills which he remitted, but 5 per cent. only if he did not. In this case only 5 per cent. had been paid. There was no *del credere* commission; and if, as the plaintiffs alleged, they were bound only to receive good bills, they were exporting the defendant to act as a *del credere* agent without the usual commission. In one of the letters the plaintiffs directed the defendant to remit bills of exchange taking only undoubted names. Now, by taking undoubted names, it could not be meant that the defendant was to take names which were secure at all events, but only such names as the commercial world would consider undoubted names at the time they were taken. The letter of instruction seemed only to amount to this:—"Take care you send the remittances in bills of persons of undoubted credit at the time you send the paper." The question then arose, whether the bill now in question was such a one as the defendant was warranted in sending by the instructions contained in this letter. It appeared from the evidence that at the time the bill was drawn and for six months afterwards, McClellan was considered a person of very good credit. His credit, in fact stood high, and his bills were deemed unexceptionable. And when the bill was protested, the plaintiffs by no means repudiated the remittance, but merely requested the defendant to do the needful for their security. The question for their consideration was, whether the bill remitted to England was such a bill as the defendant was authorized to send, according to his instructions. If they thought it was, he would recommend them to find for the defendant. If they thought it was not such a bill, they would find for the plaintiff, and the verdict would be for the amount of the bill.

The jury retired, and after an absence of about a quarter of an hour, they returned with a verdict for the defendant.—Quebec Mercury.

PRIVATE CORRESPONDENCE OF THE QUEBEC GAZETTE.

"*Royal Exchange, London, Oct.* 4, 1841.

"The wise acres about Court say, a Prince of Wales will be born ere 'Mertie Christmas comes.'

"The change in the Ministry has caused almost to attract interest in the city. Trade is decidedly improving, generally, and money is in increased demand.

"The remarks I append from a leading Journal here, respecting Sir Charles Bagot's appointment, will, no doubt, give much satisfaction to your readers.

"The grand tug of war between the present government and the new opposition, has been on the subject of the prorogation. The cabinet is determined on an early prorogation, some say the 7th instant, while the whigs cry shame upon it for procrastinating when the country is in such difficulties. There is something to be said on both sides. Sir R. Peel should have a fair chance, at least to show what he can do, but certainly the Corn Laws and other topics have been so long debated that one would think he must have made up his mind long since, as the best plan of affording relief. Hasty legislation is an evil, no doubt, and slow and sure is better than swift and insecure. Excuses must, of course, be made for the people when they complain, seeing how they suffer.

The Fur Trade.—It is with much satisfaction that we can state positively, that the fur trade, generally, has improved very considerably. A very brisk retail trade has sprung up, and prices are rising. A good season is looked for.

"The Canada and finer western sorts sold freely but the common qualities were very dull, prices about the same as last February.

"The Tea trade is rather more brisk than it was, the speculators reporting that it is impossible that any thing like 20,000,000, or 25,000,000 lbs. can be received this year from Canton or Macao. Company's Congous are hardly worth 1s. 10d. to 1s. 10½d. per lbs. cash. The stocks here, now, are rather over 28,000,000 lbs. Large arrivals are expected immediately.

"You will perceive by my postscript on money matters, that the holders of United States' Bank shares are in a most unfortunate position. There are many who will be terrible losers by buying this and other *American Securities*?)

The prices of the United States Bank Shares are nominal.

"POSTSCRIPT.—Consols closed this afternoon at 89 to ½.

"United States Bank Shares, at £1 10s.
"Canada Land Company, at 9¾, nominally.
"British North American Bank, at 30.
"Canadian Flour, per barrel, 32s. to 35s.
"American Flour, per barrel, 32s. to 33s.

"The duty on foreign flour is now 6s. 5d. per barrel, but colonial can still be imported at the lowest rate of 3½d. per barrel.

"One of the first acts of the new administration has been to find Exchequer Bills to the amount of five millions sterling, to meet the deficiency in the revenue until they hit upon a plan to bring it up. The conversion has not not gone off quite so well as was expected, but it will give as much as the government actually wants. An addition to our enormous debt in time of peace, is absolutely an evil, but it is unavoidable in this case.

"Sir Robert and Lady Peel have dined at the Castle with the Queen, who treats them with marked attention.

"Very conflicting opinions exist, as to the amount of dividends that may be realized from the United States Bank Assets, and the price of the shares has fallen, from 2 and 2½ to £1 5s. and £1 10s. in unison with the decline in America, from 11¼ to 6¾. The nominal value of none of the other American funds is 65 for Alabama, of 1841; 73½ for Louisiana, of 1841 to 1852; 74 to 77 for Maryland, sterling; 80 for New York, of 1858; 86 for Ohio, of 1857; and 70 for Tennessee, of 1888.

The state of trade is at present the universal theme of complaint and lamentation throughout the country.

And aristocracy itself, which formerly affected indifference at such Plebian matters, is found anxious to gain information on it as any class. It is gratifying, therefore, to be enabled to state, that the advices from the manufacturing districts to-day are more favorable, and that there are good orders in town for some descriptions of manufacture, especially woollen. Even the cotton spinning shews signs of improvement."

Bonnycastle's Canadas.—Sir R. H. Bonnycastle has resided in Canada for many years, and has visited every part of it in his official capacity as one of the Engineers or military commandant. He made a voyage of inspection in company with a late Governor, Lord Aylmer, to New Brunswick, the dangerous and desert island of Anticosti, and the gloomy shores of Labrador: he was also engaged during the late civil war in opposing the designs of the Americans and Canadian refugees on part of the frontier of Upper Canada.

Without being striking in style, or of any particular novelty in matter, the book is various and agreeable, with a good many points which the public avocations or professional training of the author have enabled him lay hold of. But, considering the time and opportunities of Sir Richard Bonnycastle, *The Canadas in 1841* is scarcely equal to what might have been looked for. The topics of the author are too constantly material; there is too little of the people, and their manners and means—too little of *life*.

The most useful parts of the book are numerous scattered notices as to the engineering capabilities of the country—its yet unused or imperfectly developed lines of communication by land and water, and its commanding points whether for war or trade. The most striking features are the description of Niagara; the visit to the Indian settlement and fishing stations at the mouth of the St. Lawrence, whither no *traveller* has ever been before, and no one perhaps except on business; and the account of the Rideau Canal, though this last is scarcely broad enough for popular apprehension and not particular enough as a scientific description—the Colonel neither conveys a distinct and general impression himself, nor furnishes the details by which one can be gained.—{Que. Gaz.

HOME DISTRICT ASSIZES.

Yesterday the Cause of *Doctor King* against *The Editors of the Mirror* and *Peter Hackon*, came on before Mr. Justice Macaulay. The case was opened for the Plaintiff by the Attorney General in a most eloquent and forcible speech—powerful in its advocacy of his client's interests—temperate in its expressions towards his slanderers. The learned gentleman read the various libellous publications, most of which are familiar to our readers—the substance of them being that Dr. King has taken a bribe of two sovereigns from that immaculate person, Mr. Peter Hackon, to obtain his licence—that he frequently took grog in unlicenced houses—that he made use of his position as a Magistrate to inflict arbitrary punishment on said Hackon—that he was of Priest-flogging notoriety, &c. &c. Mr. Draper after briefly alluding to the evidence he would adduce, concluded with a forcible peroration on the subject of the Liberty of the Press, shewing to demonstration that in the exercise of an unbridled licence, the Press was actually forging its own fetters and calling into existence those penal and arbitrary restrictions which would never be heard of so long as it confined its vocation within legitimate bounds. The witnesses were then produced and the publication of the paper and confession of Hackon of his share in the transaction proved. Mr. Blake made a great effort to shake Mr. Kingsmill's testimony, but apparently without success.—After some legal arguments Mr. Baldwin addressed the Jury for the defence—the learned gentleman showed much ingenuity and exerted no small motivity in his attempts to soften down the asperities of his client's libels, but he had a "heavy stone to roll up hill" and he seemed every instant to dread its crushing recoil. Mr. B. wished the Jury to believe that by Dr. King's "dirty practices" the Editors of the Mirror merely meant a pleasant allusion to his vocation of mixing drugs!

The Defendants called in witnesses to prove the truth of their charges, and a Mr. Felix McManaman, as pretty a specimen of a broth of a boy as it has ever been our lot to witness, swore to having witnessed the receipt of the bribe of the two sovereigns by the Doctor!—This gentleman underwent a rigid cross-examination and left the box without leaving any favourable impressions of his veracity behind. Several others appeared, and then the Plaintiff called rebutting testimony. Mr. Lyons, Mr. Gurnett, Mr. Walton, and others, who stated as has already appeared in their affidavits. Mr. Baldwin again addressed the Jury at length, and by the desperate efforts he made to "white-wash" and make decent the veracity of Mr. Felix McManaman, evidently shewed that that respectable individual was the main-stay of the whole defence.

Mr. Sherwood then replied, and in a speech of the most convincing and luminous eloquence, tore to pieces the defence attempted to be set up, and demanded from the Jurors by the oath they had taken, a verdict for his client.

As the learned gentleman remarked, how could any man believe that Dr. King, supposing him to be wicked enough to prostitute his office of Alderman, would have been sufficiently mad and reckless as to have taken the money in presence of Mr. Felix and another person, both strangers to him. The thing is too absurd for belief. His Lordship then summed up with his usual powerful impartiality and scrupulous exactness.

The Jury have not yet returned their verdict.—They will probably do so when the Court meets this morning.—Toronto Patriot of October 26.

The Jury in the above case could not agree, and were discharged.

From the N. Y. Commercial Adv.

The Grosvenor Affair.—We find in the Montpelier Watchman of yesterday the extract, and a letter between Governor Jenison of Vermont, and Sir R. Peel Jackson, acting Governor of Canada, on the subject of the arrest of James W. Grosvenor. It is highly creditable to both.

Governor Jenison wrote on the 29th of September, briefly describing the outrage, and requesting immediate investigation and the release of Grosvenor.

Sir Richard Jackson wrote in reply on the 6th of October, at Kingston, that immediately on receiving intelligence of the transaction, and before receiving the letter of Governor Jenison, he had directed the matter to be investigated, with orders for the immediate release of Grosvenor if it should appear that he had been seized within the United States.

On the same day Sir Richard wrote again, and his second letter we give entire.

GOVERNMENT HOUSE, KINGSTON, 6th October, 1841.

Sir,—Since I addressed to your Excellency my despatch of this morning, I have received from the law officer of the Crown at Montreal a report, from which it appears that the evidence which they had obtained on the subject proved that Grosvenor's arrest took place, as was alleged, within the territory of the United States. In consequence, therefore, with their instructions they had taken steps for setting Grosvenor at liberty, and conveying him to the frontier in the neighbourhood of which he was arrested. I am informed that Grosvenor left Montreal accordingly on the 8th inst.

I therefore trust your Excellency that I shall nevertheless continue the investigation which I have directed, and if the information conveyed to your Excellency that officers or soldiers in her Majesty's service were implicated in this affair should prove correct, I shall not fail to treat the offenders with the utmost rigor.

I have the honor to be, &c.
R. JACKSON.

His Excellency, &c. &c.

At a meeting of the inhabitant of the Townships of Oxford and South Gower, held at Kemptville, on the 11th instant, the following resolution was passed, and a copy directed to be forwarded to the Chief Secretary:

Resolved—That in common with the other inhabitants of this Province, we regret the sudden death of the late Lord Sydenham, and whilst we submissively bow to the All-wise Providence of the Almighty in removing from among us in the flower of manhood, our late Governor General, we would humbly evince our respect for his memory by expressing our faith in the good intentions which he entertained, and our gratitude for the unceasing solicitude which he manifested for the welfare and prosperity of Canada, and in sincerely mourning for his premature decease.

It may seem right to a man, to obtain his news by borrowing and stealing of his neighbors but the end thereof is—annoyance to his neighbors, and fraud upon the printer.

Chronicle & Gazette.

SATURDAY, OCTOBER 30, 1841.

POLICY OF THE NEW GOVERNOR GENERAL.

The London Colonial Gazette of 22d September, contains an editorial article on the political condition of the Province. He speaks with some truth of the change occasioned in the state of parties by the recent change of Government in the Mother Country and the general expectation entertained in consequence that the successor of Lord Sydenham would be an out and out Tory. The writer, however, assures us that Sir Charles Bagot intends to give full effect to the principle of representative government as laid down by Lord Durham and by Sir Robert Peel in his late speech in "want of confidence in Ministers." Also that he was aware of the social degradation to which the French Canadians, as such had been reduced by two unsuccessful rebellions, and of the necessity of "extending to them in order to preserve them from extermination, the protection and sympathy of the Executive in common with their fellow subjects of British origin." The editor of the Gazette perhaps justly infers from the necessities of the Peel administration, that Sir Charles Bagot will be at least as liberal a Governor General of Canada as Lord Sydenham—and furthermore adds, ungenerously we should hope, that Sir Charles may probably put "*feathers in his own cap at the expense of his predecessor's reputation by surpassing him in the adoption of means for giving satisfaction to the colonists.*"

His Excellency Sir Richard Jackson, Administrator of the Government and Suite proceeded to Prescott, yesterday morning in H. M. Steamer "Traveller," Captain Harper, R. N. *en route* for Quebec. His Excellency will descend the rapids of the St. Lawrence in one of the Ericson Propellers. He will remain at Quebec until the arrival of the Governor General.

The Steamer "Unicorn" arrived at Quebec on Saturday night and left again on Sunday for Pictou there to await the arrival of Sir Charles Bagot. It is mentioned in some of the English papers, with what truth we do not know, that the war Steamer *Styx*, which is to bring His Excellency to Halifax had been ordered to touch at Terceira, one of the Azores, where Captain Vidal was to survey and lay down on the Chart, the exact position of a rock, said to have been thrown up by an earthquake, and recently seen off that Island. This, if true, would occasion a delay of a few days in the passage of His Excellency across the Atlantic.

The members of the Executive Council, we understand, will proceed to-morrow to Quebec to await the arrival of the Governor General.

We understand that the Board of Works have assumed the management and control of all the public works in the Province of Canada, for which appropriations were made by the appropriation act introduced by the Government, and passed by the Legislature in its last session.

The Kingston Total Abstinence Society held their first Soiree on Thursday Evening, in the Athenæum, which was fitted up expressly for the occasion. The room was well lighted, and interspersed with evergreens; immediately behind the chair was a transparency with the Crown and the letters V. R.

The Rev. C. Vandusen, the President of the Bath Total Abstinence Society, was called to the Chair, in consequence of Mr. Borison, the President of the Kingston Society, being unable to attend from indisposition. The meeting commenced with praise and prayer, and after a few remarks as to the object of the Meeting by the worthy Chairman, the Revd. H. Wilkinson delivered a very excellent address, in moving the first resolution. Tea was then served up by Mr. Keiller, in a manner that reflects great credit on that gentleman's abilities to manage the most essential department of a Soiree. After tea the meeting was addressed in succession by a number of gentlemen, both from town and country, which kept up the interest of the meeting to a late hour. There was also an excellent choir of glee singers present, who sang appropriate pieces, some on Temperance, at intervals between the speeches. Towards the close of the evening an abundant supply of fruit was handed round, and at the same time the committee passed copies of the *pledge* through the room, when 18 names were added to the Society. We should think nearly 200 were present, of which fully a half were ladies.

The whole passed off without the slightest jar, and all seemed to enjoy themselves very much; and we are much mistaken if we do not see another Soiree got up in the course of the evening winter, under the auspices of this Society.—{Com.

The McLeod.—Mr. McLeod arrived in Town on Thursday evening from Montreal, and remains here for a short time on a visit to his brothers, after which he will proceed upwards. Mr. McLeod, who we are happy to observe is looking well, and in good spirits, is receiving the hearty and warm congratulations of his Kingston friends, on his safe escape out of the hands of the Philistines.

The Weather since our last number has been mild and pleasant for the season the atmosphere wearing that peculiar soft hazeness characteristic of what is called Indian Summer in the country.

From the N. Y. Com. Advertiser, Oct. 25.

Further particulars of the affair at Canton.

RENEWAL OF HOSTILITIES—BOMBARDMENT OF CANTON—RUMORED SUBMISSION OF THE CHINESE, &c. &c.

On Saturday the ship Narragansett arrived from Macao, having sailed on the 1st of June, and bringing advices from Canton to the 27th of May. We have Macao papers only to the 26th. We are therefore indebted mainly for the news to the morning papers, some of which have letters from Macao as late as the morning of June 1.

The last advices worked, coming down to the 29th of June, were that immediate renewal of hostilities was expected. This expectation was realized, it will be seen, on the very next day, the attack being commenced by the Celestials.

From the Canton Press of 29th May.

MACAO, 29th May, 1841.

We stated last week that every thing at Canton bore so warlike an aspect that we should probably have to report the commencement of hostilities in this day's issue. We shall relate so much of the occurrences at Canton since Friday, the 21st, premising that up to the moment of our writing that no later accounts than the 25th have been received from Canton and of the 26th from Whampoa, but it is probable that we shall have to add later intelligence before our page goes to press.

On the 21st Captain Elliott issued a circular advising all foreigners to retire from Canton immediately.

On the same day all foreigners left Canton and went to Whampoa, embarked on board boats in the river, with the exception of Mr. Coolidge and Mr. Moss, two American merchants. Immediately on the factories being thus abandoned the mob broke in, and were with great difficulty driven back by the soldiery, who wanted no sharers in the plunder.—The above named gentlemen were in great danger of violence from the mob and soldiers, but Mr. Morris succeeded, by the assistance of a mandarin, in escaping to the river and into a boat, in which he reached Whampoa in safety, while Mr. Coolidge was, probably with view to his protection, carried into the city. A boat from the American ship Morrison, which, with a crew of four, and three passengers, Messrs. Taylor, Miller and Gutierrez, left Canton for Whampoa on Friday, was near the French folly, lied upon by the Chinese, and trying to escape, bywetting shelter on board a tea boat on the southern bank of the river, the passengers and crew were followed by the soldiers, who very severely maltreated them, wounding most of them, and then carried them prisoners to the authorities at Canton; the American vice-consul went to Canton to demand the release of his countrymen, and we suppose that it was in consequence of his remonstrance that they were set at liberty in front of the factories, exposed to insult from the mob, although they had repeatedly but ineffectually demanded to be delivered to their countrymen at Whampoa, or on board an English ship of war. Without the means of getting away from Canton, the poor fellows had no other means of safety but to seek for shelter in the Compoo-house, where they were shut up and remained for several days, without food, apparently forgotten, until on the 24th, Captain Elliott, who, we suppose, must have been informed of their position, went with a strong detachment of troops and released them, sending them to Whampoa. We are very sorry to say that Mr. Miller has been so very badly wounded; one of the crew is killed, and all the others are more or less wounded, and suffering from the privations they have since endured. Mr. Coolidge has been liberated in the same manner as the others.

Even without this notice it had become but too palpable that the Chinese contemplated commencing hostilities probably on that very day; in many of their packhouses and even on their roofs, guns had been planted; every street leading to the river's edge had become a mass battery; and pennons and flags were flying on every one of them; soldiers were seen every where, and even in the hong merchant's warehouses. The whole river side from French folly to the most northern end of Canton, presented one continued line of fortification, and a large number of guns were planted on Dutch and French follies. A new fort had been built at Shamseing, and it was known that an immense number of fire rafts had been secretly in different parts of the river.

Owing to its being nearly calm and to a strong ebb tide, the schooner Aurora, with several British merchants on board and H. M. cutter Louisa, remained anchored right opposite the factories, and it was observed that the suburbs of Canton presented an appearance of more than usual quiet. All the innumerable boats which are in peaceful times seen on the river, gaily painted up, were no longer there, and the foreign factories were, with the exception of two, dark and silent. Soon after six, H. M. S. Modeste and Algerine moved from their anchorage in the Macao passage and anchored as close to the town as the water would permit, nor did this seem for the time to attract much attention. At a little past ten, however, a blaze of light in the direction of Fatee was observed, and was soon found to proceed from several fire rafts or junks floating down fast with the tide upon the schooners, which were in considerable danger, the tide still ebbing, and weighing anchor would have brought them nearer to the range of the guns from the company's garden and others which had at this time opened upon them and kept up a smart fire, by which the cutter was hit twice and the schooner once.

The two small vessels were therefore obliged to remain at anchor, exposed to firing from the battery at Shameing, the crews returning the fire gallantly; and forcing by her oars six large canon boats that bore down on her from the walls of the fireships, and probably filled with soldiers to board her, to sheer off, when the steamer Nemesis came down upon the fireships and towed them out of harm's way, opening at the same time a tremendous fire from her 32 thirty-two pounders. H. M. S. Modeste, Algerine and Pylades had meanwhile also opened their fire, and a brisk cannonade ensued, maintained chiefly against the new fort at Shameing where the guns were served with great gallantry. The firing was kept up during part of the night, and the cutter and schooner were at last by the tide turning, enabled to move out of range of the shot, into the Macao passage. H. M. S. Algerine and Pylades were at one time, we learn, in imminent danger from the fireships, but the opportune arrival of the boats of H. M. S. Herald who towed them on shore, saved them.

In the morning early of the 22d the work of destruction at Shameing was recommenced by H. M. S. Modeste, Pylades and Algerine, and steamer Nemesis; the fort was silenced heavy cannonade silenced and destroyed, and very fine new brass guns found in it. Meanwhile a number of war-junks were seen issuing from Fatee, and the steamer Nemesis was ordered to meet them: but they retreated again to the Fatee fire assistance sooner perceived by the steamer, which was then towed back. This was not content with merely following them into the creeks from the position of safety, but had recourse and fired upon them, which soon rising jet black smoke rising, but too plainly told the work of destruction was actually going on.

In less than three hours of forty war junks were set fire to blown up. The return of the Nemesis from this successful expedition, followed by the Herald, her own boats, is described to be the high style of gallantry. The steamer had scarcely anchored and the flags and pendants of the boats' crews were all covered all over with laurels, captured from the junks, and decorated and cheered in order to be perfect in arrived in handsome uniforms each man of them a tail and the crew of one boat their own costume, which we hope were dangling from under the spouts from having cowards, who entered their boats by leaving their tails behind. The loss of life in this exploit is said not to be very great, the Chinese having had ample time to save themselves by flight. We are sorry to have to record one casualty. We are sorry to have to record one casualty, gallant commander, Captain Hall, was severely wounded in the hand, by the bursting of a rocket. During the action at Shameing, the rigging and spars of the Modeste were also dreadful cut up and three men wounded. We have not heard of any casualties on board the other ships. After the destruction of the Shameing fort the ships of war retired to their anchorage in the Macao passage, and forces on their way up the river.

On the 23rd the whole military, had by the time four or five thousand Blackjacks had been drought of water, by many Chinese elephant by the British, and the forces for the troops. On the 24th H. M. 18th regiment, under command of Colonel Morrison, took possession of the foreign factories, and were just in time to save the greater part of them from destruction, having been set fire to in several places and the work of destruction was actually going on.

The forces, naval as well as military, had by the arrival of a large passage arrived in front of Canton, and even H. M. S. Modeste, in spite of her great speed thus far. A great number of Whampoa boats had arrived at Whampoa on the 25th H. M. 18th regiment and Colonel Morrison, with the foreign factories, and the greater part of the troops and the crews of the men-of-war, had been sent to the assistance of the Chinese.

Thus opened the 26th, Captain Elliott, who, we suppose, must have been informed of a strong detachment of troops and released them, sending them to Whampoa. We are very sorry to say that Mr. Miller has been so very badly wounded that his life is despaired of; one of the crew is killed, and all the others are more or less wounded, and suffering from the privations they have since endured. Mr. Coolidge has been liberated in the same manner as the others.

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The two small vessels were therefore obliged to remain at anchor, exposed to firing from the battery at Shameing, the crews returning the fire gallantly; and forcing by her oars six large canon boats that bore down on her from the walls of the fireships, and probably filled with soldiers to board her, to sheer off, when the steamer Nemesis came down upon the fireships and towed them out of harm's way, opening at the same time a tremendous fire from her 32 thirty-two pounders. H. M. S. Modeste, Algerine and Pylades had meanwhile also opened their fire, and a brisk cannonade ensued, maintained chiefly against the new fort at Shameing where the guns were served with great gallantry. The firing was kept up during part of the night, and the cutter and schooner were at last by the tide turning, enabled to move out of range of the shot, into the Macao passage. H. M. S. Algerine and Pylades were at one time, we learn, in imminent danger from the fireships, but the opportune arrival of the boats of H. M. S. Herald who towed them on shore, saved them.

In the morning early of the 22d the work of destruction at Shameing was recommenced by H. M. S. Modeste, Pylades and Algerine, and steamer Nemesis; the fort was silenced heavy cannonade silenced and destroyed, and very fine new brass guns found in it. Meanwhile a number of war-junks were seen issuing from Fatee, and the steamer Nemesis was ordered to meet them: but they retreated again to the Fatee fire assistance sooner perceived by the steamer, which was then towed back. This was not content with merely following them into the creeks from the position of safety, but had recourse and fired upon them, which soon rising jet black smoke rising, but too plainly told the work of destruction was actually going on.

In less than three hours of forty war junks were set fire to blown up. The return of the Nemesis from this successful expedition, followed by the Herald, her own boats, is described to be the high style of gallantry. The steamer had scarcely anchored and the flags and pendants of the boats' crews were all covered all over with laurels, captured from the junks, and decorated and cheered in order to be perfect in arrived in handsome uniforms each man of them a tail and the crew of one boat their own costume, which we hope were dangling from under the spouts from having cowards, who entered their boats by leaving their tails behind. The loss of life in this exploit is said not to be very great, the Chinese having had ample time to save themselves by flight. We are sorry to have to record one casualty. We are sorry to have to record one casualty, gallant commander, Captain Hall, was severely wounded in the hand, by the bursting of a rocket. During the action at Shameing, the rigging and spars of the Modeste were also dreadful cut up and three men wounded. We have not heard of any casualties on board the other ships. After the destruction of the Shameing fort the ships of war retired to their anchorage in the Macao passage, and forces on their way up the river.

On the 23rd the whole military, had by the time four or five thousand Blackjacks had been drought of water, by many Chinese elephant by the British, and the forces for the troops. On the 24th H. M. 18th regiment, under command of Colonel Morrison, took possession of the foreign factories, and were just in time to save the greater part of them from destruction, having been set fire to in several places and