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Weekly British Whig

"Optimus per Orbem Decus."

THURSDAY MORNING, OCT. 13, 1859.

LETTERS AND TELEGRAMS.

J. S. V., Ottawa; A. C., Newburg; O. & Co., New York.

Court of Queen's Bench.

THIRD DAY.

Before Mr. Justice Hagarty.

Wednesday, Oct. 12.

The Court opened this morning at nine o'clock.

After a few undefended issues were disposed of, the following cases were taken up:

HAMILTON V. SHEWELL.—The plaintiff in the case is a plasterer, who lives on the line between Ernestown and Camden, and the defendant is a magistrate residing at Ernestown. The action was brought to recover compensation for alleged malicious and false imprisonment, and for wrongfully distraining upon the plaintiff's goods to obtain costs. £35 was the sum claimed in the pleadings. Mr. O'Reilly for the plaintiff; Mr. Smith for the defendant.

Mr. O'Reilly called—

Archibald Hamilton, brother of the plaintiff, who proved service of a notice on Capt. Shewell on the 25th of June last.

Charles Orr.—I am a constable of these counties. I received a warrant from Capt. Shewell, which I now produce. I arrested Robert Hamilton, the plaintiff, at Clark's Mills. He was at work at the time. I took him to Captain Shewell. [The warrant was read in court. It is absurdly directed to Robert Hamilton to arrest John Hamilton. The Judge characterized it as a piece of absurdity. The complaint alleged that Robert Hamilton had harbored John Christy, an apprentice of Mr. Samuel Longmore, by whom loss and injury had been sustained. Witness also produced a distress warrant to recover fines and sums which it was alleged was agreed to be paid by Hamilton on the hearing of the complaint before the magistrate.] The property distrained (two cows) was sold for £6 18s 0d. Captain Shewell received the proceeds of the sale.

To Mr. Smith.—I did not see that the warrant was addressed to Robert Hamilton until I got to Clark's Mills. The defendant went to Mr. Parker, a magistrate in the same village, and had a copy of the warrant made. He afterwards came willingly along with me. Had he objected, I would not have arrested him without obtaining a new warrant. Mr. Longmore and Mr. Hamilton settled as to the apprentice among themselves.

To Mr. O'Reilly—I arrested Hamilton before he went to Mr. Parker.

To the Judge—I left Hamilton at Mr. Parker's, and went five miles away to Capt. Shewell, who said it was no mistake of any consequence.

To Mr. O'Reilly—When I came back I found Hamilton in his own house and I asked him 'Are you ready to go?' I afterwards served a notice upon Hamilton, demanding payment, and he refused to pay.

Mr. John Waudby—I am Clerk of the Peace for these Counties. No conviction of Robert Hamilton was fyled among the records of my office.

Henry Close stated the value of the plaintiff's cows to be about $25 to $30 a-piece.

Mr. Smith made objection that the plaintiff had made out no case for false imprisonment, on account of the warrant being incorrectly drawn up, and that there was no evidence of malice in distraining the plaintiff's goods, and that there was no evidence of reasonable cause. Leave to move on the point of no false imprisonment was granted. Mr. Smith called no witnesses.

After the comment by Mr. O'Reilly, and an address by Mr. Smith,

His Lordship charged the jury, and said that although the actual damage was not very large, the action could not be said to be an unimportant one. It was charged that a magistrate had used his office in an oppressive manner in distraining the plaintiff's cattle. The law in this country was very lenient and protective towards magistrates, so much so that it was almost impossible to obtain a verdict against them. It was only when magistrates acted out of their jurisdiction maliciously that they could be called to account. In this instance he thought that it was quite clear that the magistrate had no more jurisdiction to order Mr. Hamilton's cows to be sold than had any of the jury. Even supposing that the magistrate had jurisdiction to settle the dispute between the master and apprentice, the dispute in the case was between a third person, and was for alleged harboring of an apprentice. Mr. Shewell assumed or conceived, honestly, as he hoped, that when the parties settled this matter before him, that he had the power to compel the fulfillment of that bargain. How he could have done so was most astonishing—such an act was clearly unlawful. But before the jury could give a verdict for that act they must find that he had done so maliciously and without just or probable cause. The law as regarded malice was that it was a wrongful act, done intentionally, and without just cause or excuse. The question was—Was this act done without probable cause? That question he must leave entirely to the jury to decide. In solving the question it was not necessary to prove vindictive malice, for in cases of this kind it was impossible to do so. It did not require that any violent expression should be shown to have been used to prove malice. As to damages, if the jury found for the plaintiff, they were bound to go to the very last farthing and not and say that the cows were only worth so much; but a jury might award such damages as they might think reasonable in consideration of the unlawfulness of the act. The warrant, as the jury had seen, was addressed to Robert Hamilton, the plaintiff, instead of John Orr, the constable; and after it had been shown to Hamilton, he went and had a copy made by Mr. Parker, the resident magistrate, by whom it was found that the warrant was incorrectly drawn up and altogether informal. While Hamilton remained with Mr. Parker, Orr drove off to Mr. Shewell, and was told by the defendant that the mistake was of no consequence. These facts were in evidence and if the jury found that Hamilton consented himself under arrest by the constable who had been ordered by the magistrate, then at all events a case had been made out against Mr. Shewell. It appeared to him that the plaintiff Hamilton could have refused to go with the bailiff on such a warrant as had been produced, and that if he knew the nature of the paper—for in reality it was no warrant—and went voluntarily, such was his own act. If, again, when the magistrate was informed of his mistake he ordered Hamilton to be brought before him, and the plaintiff considered himself arrested by Shewell's procurement—under such circumstances there would be imprisonment. In Canada, although the same system had been applied that existed in England, Ireland and Scotland, yet, owing to the different organization of society, the system did not work here as at home. In England the post of magistrate was an honorary one, and a clerk was employed who was generally a person of legal education. In this country a gentleman of standing and reputation had a great opportunity of being a blessing to his neighbors—of saying to them—'Do not go to law; settle your disputes quietly,' and so forth. Such a magistrate would be a blessing to society. He made these remarks in consequence of what had fallen from the plaintiff's counsel in opening the case, who had endeavored to represent country magistrates in an unfavorable light, saying that they worked for fees, &c. As regarded this plaintiff it had been said that he was poor. Such a fact was of no account, the jury must treat the man in the same manner as if he were the richest in the Province. Let there not be one code of laws for the rich and another for the poor; and the jury should not for one moment trouble their heads about politics or how and why magistrates were appointed. It would doubtless be a good thing if our whole system were changed and stipendiary magistrates and the most competent persons substituted. However, the laws must be administered as they were found, and it had often been found that very great and inexpressible reforms had been obtained what from might be called the evil-working of oppressive laws. Then again, Mr. Shewell must not be allowed to suffer because he had made a mistake and a slip. He told the jury again—Be satisfied that the defendant has acted maliciously and without just and probable cause. Ask yourselves this question and treat with the utmost impartiality.—If they found for the plaintiff they would say what they would allow for the plaintiff being taken, and what they would give for the illegal distress. He concluded by leaving the matter in the hands of the jury, begging of them to decide without favor or affection on either side.

Verdict for the plaintiff. For the value of the cows, £17 15s; for the imprisonment, £5.

CLARK V. LOTT.—This was an action brought by Mr. Clark, of Clark's Mills, to recover compensation for alleged trespass and damage to the timber slide of his mill-dam. It was alleged that in May last the defendant had some 15,000 saw-logs above the mill-dam, and that to effect the passage of these logs he cut away the slide, reducing the height of water above the dam, and causing the stoppage of the mills. The slide of the mill-dam was forty feet in width, and, as declared by the plaintiff, was in good repair at the time. It was stated that 7000 logs had been run through the slide in a day and a half a few days previous to the act complained of. The defendant complained of the insufficiency of the slide, and that he was lawfully endeavoring to effect the passage of his logs. Mr. Smith and Mr. Agnew for the plaintiff; Mr. O'Reilly for the defendant. Verdict not rendered.

ROSS V. MOODIE.—This was an action brought by Mr. Daniel Ross, of Ottawa, to recover damages for the seduction of his daughter. The defendant is the well-known Captain Robert Moodie, of Toronto, commander of the steamer Firefly. Mr. O'Reilly, who opened the case, said the defendant was a member of the municipal council of Toronto, and a man of property and influence—so great was his influence in the city of Toronto that he had been able to secure the return to Parliament at the late election of the Hon. George Brown.

Mr. O'Reilly called—

Mary Ross—About two years ago I became acquainted with the defendant, Moodie, in Kingston. He was the owner of a steamer, and he engaged me on board as cook. I was then 24 years of age. Two years ago last August, when on board the Firefly, at Toronto, he came to my cabin and told me to put out the light. I refused to do so, and he put it out himself.—Witness then related the particulars of her violation.—Owing to what took place, I had a child which is yet living and is 16 months old. Moodie never looked after the child. Daniel Ross, my father, lives in Ottawa, and is about 50 years of age. He is a farmer, and has children. At the time defendant seduced me I was not aware that he was a married man.

The defendant was not in Court, and no defence was offered.

Verdict for the plaintiff—damages £50.

The Grand Jury made the following presentment this afternoon: 'The Queen v. Peter Shields, indicted for murder—No Bill.' Shields, who was in custody, was brought into court and discharged.

The Court adjourned at six o'clock.

SIR JOHN FRANKLIN.

From the Times.

The last ray of light that could have illuminated the recess of those sorrowful regions, which modern investigation has discovered to be darker and more hopeless than the Ultima Thule of ignorant antiquity, has flickered and died out. The ashes are borne home to us; at last the mystery of Franklin's fate is solved. We know where he died, we know the very day of his death. More than twelve years ago the ardent spirit of John Franklin passed away amid a world of ice and snow.—And, indeed, it would seem that the trials of his previous explorations, and the anxieties attendant upon the beginning of his last search for the North-West Passage, had proved too much for his iron frame before the calamities and disasters for which Captain M'Clintock has prepared us came upon the rest of the expedition. The great navigator died in no sudden shock or great disaster; he was crushed by no iceberg, he did not starve miserably on some wandering ice floe, nor did he drift away in storm and ice haze, which cast a veil so thick around him that the survivors can only say 'Affar that we never saw him more.' No! he died surrounded by comrades and friends, and in the discharge of his duty. No soldier or sailor can desire or hope a nobler fate. The condolence and sympathies of a nation accompany the sorrows of his widow and the griefs of his friends, but it is not altogether out of place for the country to express its satisfaction that the lives of brave sailors were not uselessly sacrificed in a series of expeditions which should have borne for their motto, 'Hoping against hope.' So far it is satisfactory to know the 'Final Search, has proven that Sir John Franklin is dead. Alas! there can be no longer those sad wailings from an imaginary Tintagel to persuade the credulous that an Arthur still lives.

At Point Victory, on the north-west coast of King William's Island, the record of the proceedings of the Franklin expedition was found, dated April 25, 1848, and signed by Captain Crozier and Captain Fitzjames.—The story it told appears to have been simple and sad enough—Sir John Franklin had died nearly ten months before—on the 11th of June, 1847. The expedition seems then to have worked on as well as it could, and, as soon as the ice permitted, to have proceeded with its mission, but month after month of battle with frost, and ice and snow passed away—difficulties, no doubt, were encountered which none of us who sit at home can realize and on one fatal day, the 22nd of April, 1848, the Erebus and the Terror were abandoned by their crews, 15 miles N.N.W. of Point Victory. The 'survivors,' which is a term that indicates other losses than that of the great seaman who led them, to the number of 105, two days after the abandonment of the vessel, reached the island, erected a cairn, concealed the record, and were then about to proceed for the Great Fish River, under the command of Captain Crozier. Franklin died more than 12 years ago. Since that day they have all shared the fate of their chief, dropping down one after another, till the last man perished. Is there any sane man who will now propose that we should seek to enlarge the sphere of our knowledge, or that we should organize expeditions to find out the fate in detail of the 105 devoted men who, more than 11 years ago set out, as we have reason to believe, from Point Victory for the Great Fish River? The lives of our gallant officers and men are dear to us all, but surely it is wicked to expose that which we love to risk and lose to gratify a curiosity which deserves almost to be called morbid in order to furnish us with exact particulars of the circumstances under which so many strong hearts and devoted souls were taken from us for ever. No! England has surely now performed her mission. She has not, indeed, made war for an idea, but she has offered up the noblest sacrifice ever she could find on the altar of science. It was not enough for her to know that the North-West Passage was closed by icy barriers against trade and commerce—it was not sufficient for her to leave the bleached bones of her children under solitary cairns in cold crusades against nature herself. She would hazard still more to identify every spot where her crusaders fell. We would fain follow, if it were of any use, the tramp of that noble band through the blinding snows and over the waste of icy berg and frozen sea, and pierce the gloom which must now for ever be the shroud in which they are enwrapped. We could find to-morrow sailors who would start off as cheerily on the search as ever Viking sailed from Northern fiord to waste a Southern isle, but the duty of Government is often graceless; it must often be in antagonism to the aspirations and desires of the governed, and here it is its duty, as it appears to us, to say, 'Let the dead bury their dead.'

The report of Captain M'Clintock will close this sad eventful history. We must learn that there are yet powers in nature too strong for man to overcome. The dauntless soul dies out amid frost and snow; the spirit is never quenched though the body may perish. But what avails it all, if the physical obstacles remain the same for ever, and leave to us only the barren glory of always lighting the fire which was extinguished? We retire now from the contest with honor, if with grief, and we leave the name of Franklin engraved on the furthest pillars which the energy of mankind has dared to erect as the landmark of its research in the dull and lifeless region that guards the axis of the world.

Fair Items.

One cause of the sale of tickets of admission at the late Fair was the new plan adopted by the Board of Agriculture. The wearing of badges was thought to be unprofitable, because when a man had used it, he handed it to his neighbor; therefore, members' tickets, not transferable, were chosen in lieu of badges. This was proved to be a greater evil, for the ticket was transferred with impunity, and one man bragged of eighteen persons having entered with his ticket! Be this as it may, there was much greater fraud practiced with the tickets than with the badges. No return of the tickets sold has been yet made, but the Globe is grossly in error in placing the number so small—an error which too many other newspapers have copied.

THE NEXT PROVINCIAL FAIR.—The leagued cities have been ingloriously defeated in the attempt to centralize the holding of the annual exhibitions of the Provincial Agricultural Association; by a majority of nearly two to one they have been beaten in a fair open field; yet two of them, London and Kingston, are dissatisfied, and upbraid the 'ambitious city' with resorting to unfair means. The Hamilton party, who worked like Trojans to secure the Fair of next year, are charged with taking all sorts of advantages; and this, too, in the face of the fact that a disgraceful compromise had been entered into between London and Kingston to prevent Hamilton ever having the show. We are told by one Kingston paper, that Hamilton secured the victory by a successful dodge, and the ratting of some of the Eastern members; but a London paper endeavors to show that Hamilton was solely indebted to the votes of the Presidents and delegates from every little village in its neighborhood. Now, it so happens that only about a dozen members of the Board of Arts voted, and they had perfect right to do so; but even suppose they had not, there would still have been a majority of more than twenty for Hamilton, the actual numbers being sixty-six to thirty-one. The Prototype, more candid than the Free Press, admits this, although it contends that London has been tricked out of the next show. How that can possibly be, it is difficult to understand, after the admission our contemporary makes. It is evident from the tone of the London papers, that the object of the combination was to carry out the centralizing idea, and one of them boldly affirms that the Provincial Agricultural Association may depend upon it that London will never expend £7000 in erecting buildings for the Provincial Fair after what has transpired. This is plain enough, and conclusively shows that the intention was to shut out Hamilton entirely. Well, the scheme has been frustrated, and the 'ambitious city' comes in for her fair share of the advantages to be derived from the Exhibition. It may suit the leagued cities to rail against Hamilton, and impute all sorts of corrupt motives to the gentlemen who represented its interests at the recent meeting of the Agricultural Association, but their abuse will have no effect. Hamilton has obtained her right in the matter after being once betrayed by London, but we may say this much, that she can now afford to be generous, and, in spite of the treatment she has received, London will receive her full support next year. Hamilton desired no more than her just right, and that she has obtained. It will now be the aim of her citizens to do all in their power to render the exhibition of next year the best ever held in the Province; she has the means of doing it, and will not fail to accomplish it. The Local Committee have already gone to work in earnest, and we venture to say that those who support her claims will have no cause to regret doing so, when they come to visit us at the next exhibition.—[Spectator.

A TIMELY HINT.—The Colonist offers the following suggestions, which we have no doubt will be readily acted upon by the Local Committee of the next Provincial Exhibition to be held in this city:

'We trust that the Local Committee at Hamilton will learn from the arrangements which they saw at Kingston both what to imitate and what to avoid. We trust that upon their grounds we shall see a cattle-shed as good as that at Kingston, and possessing about twice the amount of accommodation. We trust also to see roomy, covered sheep folds, similarly arranged. Above all we trust that to the great agricultural staples of roots, grain, and dairy produce, such a prominent place may be given that their producers will not feel as if they were there merely on sufferance, or at least occupying a very secondary position. We trust also that there may be no grasping of funds which properly belog to the Association at large, and appropriating them to purposes foreign to its object. In short, that all the arrangements which are requisite may be made on a scale that will be commensurate to what we would fain hope will, under the auspices of our enterprising neighbour, be the most successful Agricultural Exhibition that has been witnessed in the Province.'

THE MISSES HERON.

Some of our readers will remember with pleasure, the appearance in Kingston and other parts of Canada, of these pretty Irish girls, under the care of their father, Mr. John Heron, who gave several Concerts with great success. Of the two younger sisters (the elder Miss Heron being well married in Ottawa,) we now hear wonders, as will be shown by the following, cut from the Philadelphia Press:

From time to time we have noticed the the triumphant success—in fact, one continued ovation—which those gifted and accomplished young Philadelphians, the sisters Inez and Fannie Natali have experienced during their long absence from this city, on professional engagements in South America and other places, their latest triumphs being in Cuba, where the purity and freshness of their voices, as well as their excellent execution awakened an enthusiasm which is inadequately expressed by the word furore. These young ladies returned a few weeks ago, and having heard them at a private concert, we are enabled to say that they fully deserve all the success they have obtained, and all the more substantial advantages which they have realized. We have heard them sing in English, Italian, German, French, and Spanish. They have been carefully educated, and are perfect mistresses of these various languages. In this accomplishment, as in some others, they remind us of that Queen of Song, the gifted world's favorite, Mathilde Sabiran.

During an absence of eighteen months, in which Signor Rocco's valuable assistance as a vocalist of acknowledged standing was constantly supplied, they developed not only great vocal powers, but more considerable dramatic ability and intelligence than are usually in combination on the lyrical stage. For one prima donna who can really act, there are ninety-and-nine who are mere sticks upon the stage. The Natali, on the contrary, have undoubted dramatic ability—probably resulting from the fact that they have brain as well as voice.

At Venezuela these Prime Donne excited a regular estro of admiration. The journalists there expanded upon the rendition of Norma by Inez Natali, and of Adelgisa by Fannie. Equally eulogistic was the notice of their performance in 'The Trovatore,' 'Luerezia Borgia,' 'Ernani,' 'Rigoletto,' 'Nabuco,' 'Il Puritani,' 'Traviata,' 'Lucia di Lammermoor,' 'La Favorita,' and other operas.

From Caracas they went to the Island of St. Thomas, where they intended giving one concert and were compelled to give three. After this, they proceeded to Porto Rico, still accompanied by Signor Rocco, where they had a series of operatic performances in the principal theatre of San Juan, the capital. Here, too, their success was very decided. In the other cities of the Island, their reception was no less satisfactory, and on their return to San Juan, the theatre—almost deserted on the nights when the Spanish drama was played—was constantly crowded when the Natali reappeared. Fannie Natali's Azucena in 'Trovatore' was hailed as a wonderful triumph of acting and singing. They appeared in other Italian operas, but their greatest success was when they sang in Spanish opera—Spanish being the language of the audience.

From Porto Rico homeward—taking Cuba en route, and singing at St. Jago and at Havana, at the latter place achieving their great triumph, for the audience, who have the reputation of being fastidiously difficult to please, at once took the fair Natali to their hearts.

Their voices, soprano and contralto, are wonderfully harmonious, passionate, pure, and expressive. They sing duets with a peculiar oneness of tone, which is surprising as delightful. Their great charm is, that they really seem as if they were uttering thoughts in melody, and it is delightful to hear the harmonies of these pure, fresh and young voices.

Ere long, we hope, they will be heard in the Academy of Music in this, their own city, where they will be well received and fairly judged. We have no fear of the result.

AN AMERICAN 'GREAT EASTERN.'—The sailing of the Great Eastern revives reminiscences of an American Ship very nearly her size. She was launched about 30 years ago on the river St. Lawrence, and was called the 'Baron of Renfrew.' She was 600 feet long, and was composed of long logs of timber clamped together in the roughest manner. She crossed the Atlantic safely, and immediately on her arrival in England was broken up and sold. She was, in fact an ingenious expedient to get rid of timber duty, which was then excessive, and was a sort of magnified ocean raft. The Government would not allow the experiment to be repeated, holding it to be a violation of the Revenue Laws.—Albany Jour.

*** The Canadian memory is very defective, for none of the Quebec or Montreal papers make mention of this fact, that some time prior to 1830, not one but two monster ships sailed from Quebec for London; one, the 'Baron Renfrew,' reached her destination, and was broken up, (the writer saw her,) and the other was wrecked on the French shore, near Calais, and was there broken up.—ED. BRITISH WHIG.

DUBLIN, Thursday Morning.

THE GALWAY POSTAL CONTRACT.

Sir Cusack Roney has addressed a startling communication to the Dublin journals in reference to the Treasury subsidy towards the Levee line of packets. He says,—

'I pledge myself to the complete accuracy of what I am now about to state to you. It is the intention of the Government to endeavor to set aside the contract with the Lever Company for the conveyance of the American mails through Ireland, and the effort is to be made next session of Parliament, by means of the appointment of the Committee on Packet Contracts, of which Mr. Cobden was chairman. The probability is that this statement will, in the usual course, be denied by the organs of the Government. If it be, I shall be ready to give the proofs upon which I found it. My fellow-countrymen will I am sure, take prompt measures to repel this attempt at repudiating a contract which, if efficiently carried out, will not only confer a lasting benefit upon Ireland, but will, beyond doubt, give to all Europe and to all America the shortest, the quickest, and the safest communication between the two continents. I consider it right that a person who makes such an accusation as that which I now make should at once be known; I, therefore, subscribe myself, Sir, your very obedient servant,

'CUSACK P. RONEY.

'London Sept. 20.'

The Freeman's Journal, in a long and rather angry comment upon the foregoing, expressed its disbelief in the accuracy of Sir Cusack's information, and sets out the reasons which induce it to arrive at the conclusion that no Government, having gone so far, could now venture to break faith in the manner alleged.

Philadelphia, Oct. 12.

The All England Eleven have received a challenge from a base ball club of this city, but as they have had no practice whatever in the game, they fear they would play it à la cricket, and intend to decline the challenge for the present. They have, however, obtained books of instructions and a specimen bat, and during the winter and spring will practice the game so that when they visit this country next year (and they expect an invitation to that effect) they will be able to change positions with their American friends and become students instead of professors. They propose to come earlier next year. The only engagement that interferes with this plan is the Canterbury return match, appointed for the middle of August. This match will either be played at an earlier day or postponed altogether.

THE CRICKET MATCH.

Philadelphia, Oct. 12.

The weather is splendid, and the attendance at the cricket ground large. The following is to-day's score of the American 22 in their first innings:

Gibbs b Caffyn	20
Callis b Jackson	0
Senior b do	3
Yeager c Cæsar b Jackson	5
Elphart b Jackson	0
S. Wright c Lockyer b Carpenter	3
Morgan c Lockyer b Jackson	9
Hunt c Caffyn b Carpenter	1
Baird c do b Carpenter	1
J Wistar run out	19
H. Fisher b Jackson	4
Hallis not out	7
Waterman c Carpenter b Caffyn	0
Add Monday's score	22
Total	94

New York, Oct. 12.

The steamer Potomac arrived to-day.—She passed, yesterday, between Townsend, Ill., and Great Egg Harbor, large quantities of material, apparently belonging to a steamer, consisting of joiner's work, all painted white. She also passed a large schooner ashore on the upper end of Brigantine Beach.

The Potomac experienced heavy gales, and was compelled to put into Delaware break-water for coals.

An accident occurred on the Watertown and Rome Railroad on Friday night, by which the engineer on the train due at 11:10 p. m. was slightly injured. The train had just passed West Camden station, when a misplaced switch threw the engine, tender, baggage, and first passenger car from the track. Fortunately the cars were moving slowly at the time, otherwise the accident would have been dreadful in its results. As it was the engineer was the only person harmed and his injuries are slight.

LECTURES ON PHRENOLOGY.

Professor L. N. Fowler has advertised his Course of Lectures at the City Hall, commencing to-morrow (Friday) evening. Of course every body will go and hear him, not simply because his celebrity has preceded him, but because the Kingstonese, like most other communities, are an inquisitive people, and would like to hear what Mr. L. N. Fowler has to say on the subject that Mr. O. S. Fowler, or Mr. O'Leary, has not previously said. Besides, we are a progressive race, (in one way or the other,) and it is well we should be told how much we have improved of late; it is a pity, too, that so many of us should be so nigh perfection without knowing or being told of it. This course of Lectures will undoubtedly draw largely and be very popular.

PORT OF QUEBEC.

ARRIVED.—Oct. 6.

Bark Liverpool, Mackay, 4th Aug., Grangemouth, order, ballast.

Oct. 7.

Ship Transit, Thompson, 28th Aug., Bristol, A. Gilmour & Co., ballast.

Bark Larne, Lindergreen, 20th August, Shields, J. Joseph, railway iron and coals.

Schr Atlantic, Parre, 30 days, Halifax, J. & J. Mitchell, fish.

ARRIVED.—Oct. 8.

Ship Glencairn, Gulford, 20th Aug, Greenock, Gillespie & Co, coal and iron.

—— Albion, Shaw, 17th do, Glasgow, for Montreal, general cargo.

—— Mahawaka, Thomas, 17th do, Milford, order, ballast.

—— Agnes Anderson, Keating, 20th do, Dublin, do, do.

—— Bingham, Johns, 21st Aug, Liverpool Lever & Co, general cargo, 21 pass

—— Maple Leaf, Funemark, 6th July, Sunderland Gas Company, coal.

Bark Walburton, Laurence, 18th do, Hall, do coals and fish.

—— Nicaragua, Marshall, 20th do, Gloucester, Henry Fry, salt.

—— Nordegraien, Johnsen, 15th July, Belfast, order, ballast.

Brigt George William, Ash, 29th Sept, La Pelle, —Simons, ballast

Ame. sloop D. Ryder, Murray, 22nd do, New York M. G. Mountain, pork, sugar and molasses.

Ship Royal Victoria, Watson, 18th Aug., Liverpool, order, salt.

—— Cambria, Russell, 14th Aug., Glasgow, for Montreal, general cargo.

—— James McHenry, Killea, 20th Aug., Liverpool, H. Mackay, ballast.

—— Lady Seymour, England, 13th Aug. Bristol, H. Fry ballast.

—— Nerord, Morison, 9th Aug., Cardiff, G. B. Symes & Co., coal.

Bark Lord Mctealfe, Young, 8th Aug., Troon, H. Mackay, coal.

—— Lanarkshire, Simpson, 18th Aug., Bristol H. Fry, ballast.

—— Eliza, Rees, 10th Aug., Bridgewater, order, ballast.

Brig Robert Barns, Henderson, 13th Aug., Trabee order, ballast.

Brigt. Bridgewater, Pike 18th Sept., Labrador, H. J. Noad & Co., fish and oil.

Schr. Caroline, Pettit, 15th Sept., Cape Charles, J. & J. Mitchell, fish.

Oct 9.

Ship Margaretta, McGregor, 17th Aug., Bristol, Hybarstall, ballast.

—— Imperial, Holmes, 13th Aug., Liverpool, H. Dinning, salt.

—— Princess Royal, Tener, 8th Aug., Plymouth, G. B. Symes & Co., ballast.

—— Avon, Griffiths, 8th Aug., Benamaris, order, ballast.

ARRIVED—Oct. 9.

Bark Commerce, Watham, 10th August, Gloucester, order, ballast.

—— Daphne, Larsen, 10th Aug., Belfast, C & J Sharples & Co, do.

STOCK MARKET.

October 10th.

[From the Montreal Gazette.]

Stocks.—Bank of Montreal—During the past week there has been no improvement to note, and sales have been very slow at from 115 to 115½ for the 'paid up.'

Ditto New Stock—None offered.

Bank of British North America—No late transaction.

City Bank—Although small sales are reported at 100¾, it is to-day negotiable for 110; sellers, however, holding for 110½.

Commercial Bank—Asked for at 113, without eliciting business.

Bank of Upper Canada—Early in the week transfers were recorded at 87, which is readily obtainable; no sellers to day under 88, with little in the market.

Banque du Peuple—was placed at 107½, at which it is steady.

Ditto New Stock—Held for 107.

Molson's Bank—Changed hands at the advanced rate of 110, with very little in the market.

Champlain & St. Lawrence Stock—Procurable to a small extent only at 15.

Ditto 2nd Mortgage Bonds, 7 per cent.—No recent transactions.

Grand Trunk Railroad Stock—Would readily fetch 32½, at which there are no sellers.

Great Western—Nothing doing.

Montreal Mining Company Consols—Heavy at $2.75.

Huron Copper Bay Company—No recent sales.

Montreal Telegraph Company—Sales for 113, at which it is still offered; buyers holding back.

Montreal New City Gas Company—Sales in the course of the week for 110 and 109; the supply, however, limited.

Montreal Harbour Bonds, 8 per cent—Sales reported for 105.

Ditto M. L. F. Debentures—Sales ranging from 93 to 94, with some enquiry.

Exchange.—Bank rate advanced ¼ per cent.

Bank, 60 days) London	110¼ a 110¾
Private, 60 days, London	109¾ a 109¾
Bank, sight, New York	100¼ a 100¼

MRS. WINSLOW,

An experienced nurse and female physician, has a Soothing Syrup for children teething; which greatly facilitates the operation of teething by softening the gums, reducing all inflammation—will allay all pain, and is sure to regulate the bowels—Depend upon it, mothers, it will give rest to yourselves, and relief and health to your infants. Perfectly safe in all cases. See advertisement in another column.

214-J&w.

Any of our readers afflicted with Scrofula or Scrofulous complaints, will do well to read the remarks in our advertising columns respecting it. But little of the nature of this disorder has been known by the people, and the clear exposit on of it there gives, will prove acceptable and useful. We have long admired the searching and able manner in which Dr. Ayer treats every subject he touches: whatever has his attention at all has a great deal of it, he masters what he undertakes and one who has a particle of feeling for his afflicted fellow man, can look with indifference upon his labors for the sick. Read what he says of Scrofula, and see in how few words and how clearly he tells us more than we all have known of this insidious and fatal malady.—[Sun, Philadelphia, Pa.

HONOR TO WHOM HONOR IS DUE!—Empty puffing we despise, and flattering notices of articles that never have or never will be of use to the community we detest. But when we see a man first raising himself from the lowest stages of disease, and then benefitting his neighbors and friends, and finally a whole community, through the agency of an article that he accidentally discovered, we are forced to believe in him, and give him the best notice and the most conspicuous place that our columns can furnish. Such, reader, is Mr. Kennedy, and such is the origin of his Medical Discovery. The most desperate humor, or the severest attacks of Rheumatism or Neuralgia, are cured in the shortest space of time by this accidental, yet most important, Discovery of Mr. Kennedy. 237

HAIR RESTORATIVE.—We are pleased to be able to record the satisfaction of our patrons, after trial of an article advertised in our columns. We have the satisfaction to know several of our readers who have used Prof. Wood's Hair Restorative, and pronounced it just what the advertisement says it is. We have several personal acquaintances, who were gray headed—they have tried it, and now their hair is restored to its original color, and they willingly add their testimony to its efficacy, and will give further information to others desiring it.—This speaks well for the article, and we advise all who do not wish to appear greyheaded to use Wood's Hair Restorative.—[Western Patriot.

Sold by all good Druggists. 237

HOLLOWAY'S PILLS—A WORD TO FAMILIES.—It should be understood that the operation of these famous Pills is not limited to the cure of those violent internal distempers for which they are successfully administered in this country and all others. They act also as an immediate corrective in the minor ailments incident to both sexes. We commend them most unreservedly as the very best family medicine in existence. If given to children suffering from choler, constipation, worms, or any disorder of the stomach or bowels, they invariably afford immediate relief. In fact, they ought to be considered everywhere a domestic staple, for sickness, whether of a slight or serious character, cannot long retain its hold in any household where they are always at hand. 237

TAPE WORM CURED BY DR. M'LANE'S CELEBRATED VERMIFUGE.

NEW YORK, Aug. 9, 1852.

☞ A certain lady in this city testifies that, after using Dr. M'Lane's Vermifuge, prepared by Fleming Bros. of Pittsburgh, she passed a tape worm ten inches long; and has no hesitation in recommending it to every person afflicted with worms; as in her opinion, it far exceeds every other remedy now in use. The name of the lady, and further particulars, can be learned by calling on Mrs. Hardie, Manhattan place, or E. L. Theall, Druggist, corner of Rutger and Monroe streets.

☞ Purchasers will be careful to ask for Dr. M'LANES CELEBRATED VERMIFUGE, manufactured by FLEMING BROS. of Pittsburgh, Pa. All other Vermifuges in comparison are worthless. Dr. M'Lane's genuine Vermifuge, also his celebrated Liver Pills, can now be had at all respectable drug stores.

None genuine without the signatures of FLEMING BROS. 237

DIED.

In the township of Storrington, on the 6th instant, Mr. GEORGE McFARLANE, aged 65 years.

At Kingston, on the 9th instant, Mr. M. J. Phillips of this city, aged 42 years.

In Westmeath, on the 23rd ult., Rachel, wife of Samuel Adams, aged 57 years and seven months.

In Gladfield, Saguenay, on the 22nd ult., Elizabeth Brohman, aged 43 years, wife of Mr. Simon Ross.

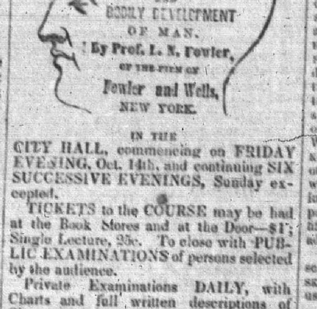
In Toronto, on the 4th inst., James Lowry in the 34th year of his age.

In Sheffield on the 20th ult., Catherine, wife of Mr. C. B. Martin, aged 26 years.

In Waterloo, on the 25th ult., at the residence of her son, Mr. Jesse S. Martin, Ruth Cone, widow of the late Mr. Benjamin Martin, aged 81 years.

In Welland on the 27th ult., Sarah, wife of Mr. Alex. Young, farmer.

At Markham, on the 3rd inst., Charles Miller Keller, Esq., aged 62 years.



IN THE

CITY HALL, commencing on FRIDAY EVENING, Oct. 14th, and continuing SIX SUCCESSIVE EVENINGS, Sunday excepted.

TICKETS to the COURSE may be had at the Book Stores and at the Door—$1; Single Lecture, 25c. To close with PUBLIC EXAMINATIONS of persons selected by the audience.

Private Examinations DAILY, with Charts and full written descriptions of Character. 239l&w-tf

CREDIT SALE BY JACKSON.

THE Undersigned having decided upon giving up all farming operations, and confining himself to his usual city business, will sell by Public Auction, on the premises, Lot No. 12 in the 1st Concession of Pittsburg, his entire stock of Horses, Cows, Hogs, Sheep, Poultry, Farming Implements, Waggons, &c., &c., &c.,

On Tuesday, 18th of October inst., and following days, consisting in part of—

5 good working Horses,
3 three year old Colts
1 two year old Colt,
4 Milch Cows,
1 three year old Bull,
6 yearling Calves,
2 half year old Calves
200 Sheep of South Down, Teaswater, Leicester, and Cotter,
2 Berkshire breeding Sows, with 8 young Pigs,
1 Berkshire Boar,
A great variety of Poultry, Pea Fowl, &c.,
Lumber and Spring Waggons,
Single and Double Sleighs,
Cart and Harness,
3 Ploughs,
2 Harrows,
Log and Drag Chains,
2 Fanning Mills,
Rakes, Forks, Scythes, and Snaths,

With various other articles, too numerous to mention.

ALSO,

A quantity of good Timothy Hay.

Sale each day at 10 o'clock punctually.

TERMS.—Under £5, cash; from £5 to £20, six months; £20 to £30, nine months; £30 and upwards, twelve months credit, by furnishing approved endorsed notes.

N.B.—Each purchaser will require to pay five dollars as a deposit.

WILLIAM SPENCE,
JACKSON,
Auctioneer.

Kingston, Oct. 6th, 1859. 237 w

The Great English Remedy.

SIR JAMES CLARKE'S CELEBRATED FEMALE PILLS

THIS invaluable medicine is unfailing in the cure of all those painful and dangerous diseases incident to the female constitution.

It moderates all excesses and removes all obstructions, from whatever cause, and a speedy cure may be relied on.

TO MARRIED LADIES

it is peculiarly suited. It will, in a short time bring on the monthly period with regularity.

CAUTION.

These Pills should not be taken by females that are pregnant, during the first Three Months, as they are sure to bring on Miscarriage; but at every other time, and in every other case, they are perfectly safe.

In all cases of Nervous and Spinal Affections, Pain in the Back and Limbs, Heaviness, Fatigue on slight exertion, Palpitation of the Heart, Lowness of Spirits, Hysterics