

states to be no less important to the public interests, will receive our due attention, and particularly the amelioration of the system of the Judiciary and the establishment of Register Offices, which have already been under our consideration.

We most respectfully assure your Excellency, that we feel an anxious desire that our labours may close in that harmony and effectual concert which promote public good and ensure public prosperity, and we rely on your Excellency's cordial concurrence.

To which his Excellency was pleased to make the following answer.

Gentlemen of the House of Assembly, The assurances which this Address gives me, of your attention to the financial circumstances and general interests of the Province, are most acceptable; and your reliance upon my concurrence in measures of public advantage affords me a pleasing anticipation of the happy results of your deliberations.

(Signed) DALHOUSIE.  
GOVERNOR.

Friday, 5th Dec.

Mr. Stuart accompanied by the other Messengers reported to the House that their Address of Wednesday last to his Excellency praying he would be pleased to cause to be laid before the house the opinion of the Judges respecting the appointment of Mr. W. S. Sewell to be Sheriff of Quebec, had been presented to his Excellency, and that his Excellency had been pleased to answer:—

"I cannot but feel sensibly this further step of the house of Assembly upon the subject of my appointment of Mr. W. S. Sewell, to be Sheriff of the District of Quebec, as pointedly doubting the ground of the message I sent some days ago to that house; but I shall nevertheless cause the papers asked for to be sent down."

### FOREIGN EXTRACTS

From the Commercial Advertiser.  
Latest from England.

By the arrival of the packet ship *Columbia*, Capt. Rogers, from Liverpool, we have intelligence from England seven days later than was before received. The *Columbia* sailed on the 2d of November, and our files of papers are to the first of that month.

General Riego has been tried and condemned to death—Cavia was his Judge. The crime in the act of accusation against him was, for having voted as a deputy of the Cortes, the disposition of the King, and the nomination of the Regency. Riego was extremely calm until he was directed to prepare for his defence; he selected M. de Cambroneiro, for his counsel, who is said to be an eminent lawyer, and the most eloquent orator in Madrid.

On the authority of the London Courier, it is stated, that France is to continue the military occupation of Spain to a certain extent, and until the government of Ferdinand is entirely and firmly re-established.

The Madrid dates are to the 20th of Oct. when the emigration of those who were employed under the Cortes, still continued, 350 families had left Madrid, and many others were preparing to set off.

A private letter from Madrid, dated the 20th states, that the strong representations made by M. de Chateaubriand, through M. de Talara, and the still stronger remonstrances of the Duke d'Angoulême, have had the desired effect on Ferdinand; and the sentences of the Regency are not confirmed, and the execution of his own decrees are suspended.

The Courier of the evening of the 30th, contains advices from Paris, to the 29th. A private letter written on the 29th, states, that on that day, a considerable panic had been created among the speculators in the funds, by various reports; among them, was the rumour of the immediate departure of M. Villele from the French capital. There seemed to be little doubt entertained as to the intention of the King to dissolve the Chambers. The *Ordonnance*, however, states positively, that the intention had been abandoned.

The *Investiture* is re-established, and the General of the Capuchins appointed Grand Inquisitor.

The King of Portugal has prohibited the entrance of all foreign newspapers into his Kingdom.

The great council of Geneva, have passed a law, suspending the liberty of the Press, for one year.

On the 9th of August, a fire broke out in the establishment belonging to the United Brethren, at Sarsapat by which three-fourths of the whole settlement were laid in ashes. The Banks of Bristol have followed the example of the Bank of England, and are discounting at four per cent.

The 92d Highlanders, under the command of Sir Charles Gordon, were to embark immediately at Cork, for Demarara.

The ship *Meteeor*, on board of which was the Right Rev. Bishop Hobart, arrived at Liverpool on the 28th of October.

Sir Walter Scott's new novel is called "St. Ronan's Well."

### Spain.

As an evidence of the falling of the ultra-royalists of Spain, it is stated that the *Madrid Restaurador* of the 16th of October, in a gratis supplement, contains the "representation of the city of Coruna against Chambers, and in favour of the holy tribunal of the Inquisition." In the course of that enlightened document it is said, "Deign then, to attend to this representation. Re-establish the holy tribunal of faith, that the impious may be struck dumb and put to flight, and return no more to propagate their pernicious principles. Finally, consign the education of youth to the society of Jesus, to perform that duty in the same manner as before its extinction, in order that our tranquility may be lasting."—Lasting tranquility, no doubt! But what "past-saving slaves are these!"—*Com. Ad.*

LONDON, Oct. 28.

DUEL.—At an early hour yesterday morning, a meeting took place in a field near Turnham green, betwixt J.—T.—Esq. of New York, and H.—M.—Esq. late of the King's German Legion; the former attended by P.—W.—Esq. the latter by a Naval Officer. It was agreed to fire by signal. The first shot was discharged

without effect; but on the second fire Mr. M's ball struck his antagonist's chin, slightly wounding the flesh. The seconds then interceded; but Mr. T. demanded another pistol in such terms as admitted of no refusal. The demand was therefore complied with, and he was once more slightly wounded, after which an adjustment was with difficulty effected. It is said that the quarrel originated at a tavern the preceding evening, in consequence of a political discussion, in which Mr. F. conceived that some insinuations were thrown out by Mr. M. reflecting on the courage of the American nation.—*Morning Herald.*

In this county it is usual at Christmas for the farmers to kill each a sheep for their own use, on which occasions, when the butchers inquire if they want any meat against Christmas, the usual reply is, "Nay I think not, I think o' killing myself."—Last Christmas a butcher called on a farmer of his acquaintance, in the usual manner, "Will ye want a bit o' meat, or ye'll kill yessal, this Christmas?"—"I kna not," replied the farmer, "whether Ise kill myself, or tak a side o' me father."—*Westmoreland Gazette.*

To test the purity of flour, grasp a handful briskly, and squeeze it half a minute, if genuine, it will preserve the form of the cavity of the hand, even although rudely placed on a table. If adulterated, on the contrary, it will almost immediately fall down. Flour mixed with whitening is the most adhesive of adulterated flours, tho' it soon gives way, but if the adulterating ingredient be ground stones, bones, gypsum, or wood-ashes, it tumbles down in an instant.

Some tradesman the other evening, at a club in Westminster, were discussing the political topics of the day, among other subjects touched upon the conduct of the Holy allies. "They are a blessed trio," said one of them, "and I esteem them so highly, that were they to come over here, I would most willingly work for them for nothing." "Indeed!" said one of the company, "What trade are you, my good friend?" "A ropemaker," replied the other.

### THE HERALD.

KINGSTON, DECEMBER 16, 1823.

Since our last, England dates to the 1st of November have been received at New York. A few items of the latest Foreign intelligence will be found under the proper head.

Mexico has declared war against Spain, and appears about new modeling her form of government, which is at present in an unsettled state. Whether the Mexicans will adopt a Republican constitution, is not certain; and it is very problematical, whether they have intelligence sufficient to maintain any form of free government. They seem, however, to be impelled by their present situation, in relation to Spain, to make the experiment. They are the most populous and wealthy of all the late Spanish Provinces in America. Their independence has been recognized by the United States.

The Congress of the United States met at Washington December 1st. Mr. CLAY, of Kentucky, was chosen Speaker of the House of Representatives. Next day, President MONROE communicated his opening Message. It is a plain, sensible, detailed exposition of the Constitution, administration, foreign relations and national interests of the United States, all which are exhibited in a favourable point of view. We have neither room to insert it, nor time to make extracts from it—we will only observe, that a proposal has been made to the British Government to regulate the commercial intercourse between the United States and the British Provinces by treaty, as a more satisfactory mode of arrangement, than reciprocal and retaliatory acts of legislation. This is a subject which has been before our Provincial Parliament, the present session, being the principal subject particularly recommended to their attention by his Excellency the Lieutenant Governor in his Speech at the opening of the session. In the mean time, as appears by the President's message, a negotiation is opened between the two national governments, on this subject of intercourse.

GREEK CAUSE.—There has been a great meeting at New York, to aid the Greek cause. Several interesting Resolutions were adopted, and a highly respectable Committee, of seventy members, appointed to draft an address, and communicate with other parts of the United States, to solicit donations, and to prepare a memorial to Congress, praying that the independence of the Greek nation may be recognized.

We are informed that the House of Assembly has agreed to the imposition of the following duties on imports from the United States.

Salt, per barrel, 6d.—Tobacco, per lb. 3d.—Snuff, do. 4d.—Sole Leather, do. 3d.—Harness Leather, do. 4d.—Calf Skins and other skins dressed as Upper Leather, 2s. 6d.—Sheep skins, dressed, 6d. each—Morocco do. 1s. 6d.—Beer, per gallon, 1s.—Cider do. 1s.—Distilled Spirits do. 2s. 6d.—Shoes (Men's and Women's) per pair, 2s. 6d.—Boots per pair, 5s.—Children's Boots and Shoes per pair, 9d.—Nails per lb. 2d.—Scythes, each, 7d.—Oxen, per head, 25s.—Young cattle from 2 to 4 years old, per head, 15s.—Live Hogs, per head, 10s.—Pork, per barrel, 10s.—Beef not in barrel, per cwt. 5s.

Hams and Bacon per lb. 3d.—Iron Castings and Tin Ware, an ad valorem duty of 10 per cent.—Saddles, Bridles and Harness, an ad valorem duty of 15 per cent.—and all other goods an ad valorem duty of 10 per cent.

The foregoing duty is much less on articles of Provisions than by the former act, and we learn that Mr. Hagerman endeavoured to reduce them to 10 per cent ad valorem, but the disposition of the House was decidedly against the plan.

The *Lease and Addition Election* case was heard before the House of Assembly, according to appointment, on Monday the 8th instant. The House had previously decided, that the facts alleged in the Petition were sufficient, if true, to make void the election of George Ham, Esquire; but not being admitted by the sitting member to be true, they were proved at the bar of the House. The result, we understand, was a unanimous decision of the House, that the election was illegal and void.

TOWNSHIP OF HILLIER.—Our readers may not generally know, and we therefore mention, for their information, that at the last session of the Provincial Parliament an act was passed, dividing the Township of Ameliasburgh into two townships, the north part to retain the old name, and the south part named Hillier. This division is to take effect from the ensuing first day of January, and should be observed in deeds of land and other writings, &c.

The following official communication may prove useful to those who intend visiting the United States this season.

Treasury Department, Comptroller's Office, Sept. 26th, 1823.

Sir—It has been represented to this department, that horses brought from Canada to the United States, for the importer's own use, and intended to be taken back by him, are not subjected to duty in your district.

As the law imposing duties makes no distinction whether articles are imported for a person's own use, or are intended for sale, the practice is therefore to be discontinued.

Respectfully,  
JOS. ANDERSON, Comptroller.  
R. FLEMING, Esq.

In our supplementary sheet will be found the Constitution and Regulations of a *Doras Society*, about to be established in Kingston, and intended for the benefit of Orphans and destitute children. We are glad to learn that the persons who contemplate the formation of this Society have already been very successful in procuring subscriptions towards its support.

To Correspondents.

During our excursion to the Capital, a vast number of Communications have accumulated, all of which shall be attended to as soon as our limits will permit.

SEE SUPPLEMENT.

Among the resolutions passed by the late meetings in the Island of Jamaica are found those annexed:—*Quebec Gazette.*

Resolved, That the Rights and Privileges of the first settlers in Jamaica were clearly defined, and that they extend to the present descendants with all the immunities solemnly and irrevocably granted by the original charter of Charles the second.

That we view with astonishment the deliberations of the Parent Parliament, wrought upon by an impure Faction which under the mask of religion seeks to strew anarchy and immorality among the labouring class of a community, of which the British Empire can exhibit no parallel in comfort or in social habits.

That in the Legislative body of Jamaica is invested the only power on Earth to tax us and to frame laws for our internal government.

That our Legislature has shown its wisdom on every occasion, and has justified the solemn authority vested in it by the King, Lords and Commons of Great Britain. In no case has it denied the Sovereignty of the Crown, in none flinched from a manly display of its means in support of that Crown throughout its various struggles, be they in past epochs of rebellion or to oppose a foreign yoke.

That as a Deliberative body, sanctioned by irrevocable charter,—the Legislature of Jamaica is the best as it is the only judge of internal regulations; that we are convinced it will not forsake our rights no more than it will desert its own—rights which we inherit, and which it has tempered (as much as local circumstances have permitted) to the tone of English sentiments.

That we will go hand in hand with the Island at large in defending our property, which is as legitimate and as unalienable as any freehold of the United Kingdom.

GOVERNMENT HOUSE,  
December 9th, 1823.

His Excellency the Lieutenant Governor has been pleased to make the following appointment, viz.

HENRY MORRIS, Gent. to be Inspector of Beef and Pork, Flour, and Pot and Pearl Ashes, at Kingston, in Midland District.

### DIED.

In Ernest Town, on Sunday morning last, Capt. Christopher Fraick.

In this Town on the 8th inst. Mr. Martin Remington.

Suddenly, in this place, on the 9th inst. Dr. Faries, of the 60th Regiment.

On Sunday the 14th inst. John, son of Mr. Thomas Bamford, aged 2½ years; Lately at Sandwich, Western District. Mr. John Goff, aged 74 years.—He filled the arduous office of Teacher in that country for twenty years, and possessed a good heart and benevolent disposition.—*Communicated.*

### TO THE PUBLIC.

THE Commissioners for settling the affairs of the late Bank of Upper Canada, have made their Report to the Legislature, the first part of which is couched in the following words:—

"Their first object was to procure the Books, Papers, Bonds, Notes and other securities of the late establishment, by which means alone, they could be enabled to ascertain the state of its funds. After much difficulty they did obtain from the Officer employed by the late Directors, such property as had been committed to his charge, & having forced their establishment, they proceeded in the course which they considered best suited to settle the affairs of the Pretended Bank of Upper Canada."

The transposition of this sentence is easily made, and conveys the meaning, that the Officer in whose charge was deposited the property means which could enable them to proceed to the discharge of their duty, prevented their doing so by making much difficulty, and keeping those means improperly in his possession—thereby preventing them from ascertaining the state of its funds—of forming their establishment, and proceeding to settle the affairs of the pretended Bank of Upper Canada.

This I conceive will not be considered an overstrained interpretation of the charge which this part of their report makes against me.

It may be readily supposed, that considering the part I took in the affairs of this institution, merely for its good, I should feel a regret in being under the necessity of vindicating my conduct.—The charge which is now brought against me in so solemn a manner, is of such a nature, as compels me, however, in justice to myself to do so, and conscious of the rectitude of my proceedings, I trust that when I shall have submitted to the consideration of the public, the letters and documents which passed on this occasion, their candor will exonerate me from the imputation of either having disobeyed the law or thrown difficulties in the way of its execution—in short I hope that I shall convince all who are disposed to examine the following statements dispassionately and without prejudice, that if difficulties were there, they were not of my making, and that considering my peculiar situation with respect to this unfortunate Institution, in which I had laboured hard to produce order out of confusion—to the good of which I had devoted so much of my time—and in which my exertions were more successful than could have been at first expected, from its embarrassed state, but little respect was paid either to my situation or to my feelings.

At the time the act was passed I was absent from Kingston; immediately on my return, I endeavoured to procure a meeting of the Directors, for the purpose of placing in their hands, the property which had been entrusted to me, and procuring their receipts for the same, when they might give them over to the Commissioners—in this object, which to me appeared the reasonable and proper mode of proceeding, I was however unsuccessful.—Yet though I could not obtain a meeting of the Directors for the purpose, I felt an assurance that the Commissioners themselves, would see it in the same light, and make their demand upon them.—In this expectation I was also disappointed, for to my surprise without any previous communication whatever, a thing which if I could not insist on as a right, I might nevertheless have expected as a courtesy at their hands, I was served with the following summons.

Kingston, 1st April, 1823.

"SIR,—Whereas by an act of the last session of this Provincial Parliament we have been nominated and appointed Commissioners and Trustees in whom shall be vested all the estate, both real personal of the late Pretended Bank of Upper Canada—These are therefore to command you, that you do without delay deliver over to us, at the office of George H. Markland, Esquire, all Books, Bonds, Bills, Notes, and other securities, and all the effects of the said institution, in order that we may proceed without delay, in carrying the said act into effect.

(Signed) GEORGE H. MARKLAND, (L.S.)  
JOHN MACAULAY, (L.S.)  
To Rob't. Stanton, Esq."

Disappointed as to the manner in which they would in all probability have made their demand, I was however willing for the sake of getting rid of these papers, to suppress any feeling that might have been excited at the moment of the receipt of this summons, and on the next morning, addressed them the following letter.

Kingston, 2nd April, 1823.

"Gentlemen,—I have received your commands, as Commissioners and Trustees of the late pretended Bank of Upper Canada, to deliver over to you at the office of G. H. Markland, Esq. all Books, Bonds, Bills, Notes and other securities, and all the effects of the said institution which may be in my possession.

"I beg leave in reply to inform you that on Monday next, the 7th inst. at 12 o'clock, or sooner if you deem it absolutely necessary, I shall be prepared to deliver to you such of these as are in my possession, at my office where they are lodged. The interval of time is requested in order that I may prepare the necessary documents for making the transfer.

I have the honor to be  
Gentlemen, your ob'dt Serv't  
(Signed) ROBT STANTON,  
To the Hon. G. H. Markland, and John Macaulay, Esq's Com'rs and Trustees of the late pretended Bank of U. C. Kingston."

From the tenor of this letter will I hope appear my perfect readiness, to deliver even without all the necessary forms the property that was in my possession, & had it not been for the want of attention on their parts, to its contents, and the extraordinary and to me unaccountable conduct which followed, I should have been saved the painful necessity of vindicating myself from a charge, which I most sensibly feel.

I could have but one object, which was that when the transfer of this property took place, my responsibility for the trust reposed in me, should be fully acknowledged, and by obtaining receipts and acquittances from those into whose hands it should be placed.—And according to the tenor of my letter, on the day and at the time mentioned, and to which I of course supposed they acceded, as I received no answer from them, I was prepared, and had arranged all the papers, monies, notes, &c. in such a convenient manner that little time or trouble would have com-

ted the arrangement. After having waited some time without their appearance, and supposing they might have forgotten the matter, I addressed them the following letter.

Kingston, 7th April, 1823.

Half past 12 o'clock.

"Gentlemen—I beg leave most respectfully to inform you, that agreeable to my letter to you, of the 3d instant, I am now prepared to deliver over to you, as Commissioners and Trustees of the late pretended Bank of Upper Canada, such of its property as is in my possession.

"I await you at my office for this purpose, and trust you will see the propriety of relieving me from the responsibility of its further safe keeping, which must interfere materially with my private concerns.

"I have the honor to be, Gentlemen, your obedient servant,  
(Signed) ROBT STANTON.  
To the Hon. G. H. Markland and John Macaulay, Esq. &c. &c. &c."

Some time after this letter had been delivered, Mr. Macaulay called at my office, and said that as the day was unfavourable, Mr. Markland would not probably leave home, but that on the morrow they would call, and receive the books and papers. I expressed my assent.

On the following morning, however, (8th April) Master Jacob Herchimer, called at my office and delivered a verbal message from Mr. Markland, saying he had been sent by him for the books and papers. I stated to this young Gentleman, that there were valuable papers and monies to the amount of nearly twelve thousand pounds to be delivered with the books and papers, and expressed my surprise that he should be sent with a verbal message in a matter of so much consequence, and requested him to say so to Mr. Markland. After some time he returned again with a verbal reply, and a verbal demand for the books and papers.—I then felt it my duty to address the following letter to the Commissioners.

Kingston, 8th April, 1823.

"Gentlemen,—I cannot but express my surprise and regret, that on the transfer of an institution, involving consequences of the utmost importance, and monies to an extensive amount, you should require it by a verbal message, delivered to me by a young man, certainly not sufficiently versed in business to be aware of the task he has undertaken.—Gentlemen, I feel that my reputation may be at stake for the correctness of this transfer.—I hold myself so—and however willing I may be to comply with your legal demands, I cannot run the risk of involving it, by placing in the hands of the person you have sent, an unexperienced youth, documents of so much consequence to the parties concerned, & in which, as I before stated, I feel my own reputation to be involved.—Gentlemen, there are about twelve thousand pounds in cash and securities to be delivered with the books, &c. these I am prepared to deliver to you, or to any competent, legal, and duly authorised person.—You will I hope feel for the situation I am placed in, and not urge the prosecution of a measure, which in justice to myself, as well as to you, I must declare myself unable to comply with.

"I have the honor to be Gentlemen, your obed't servant,  
(Signed) ROBT STANTON.  
To the Hon. G. H. Markland, and John Macaulay, Esq. &c. &c. &c."

And here I would appeal to any man of business, whether my situation, with the responsibility that hung over me could be otherwise than unpleasant—I felt all the embarrassment of it, and could not help adding the feeling that I was treated, to say no worse of it, in an unhandsome manner at least.—Would any man of business—would any one conversant in monied transactions, and the responsibility attached to them, feel a willingness to part with that, which secured it, without procuring a discharge which would serve to supply its place in case of accidents.

I felt compelled to act for myself, as the Directors did not seem inclined to interfere in any way, and after much painful anxiety on the unpleasant situation I was placed in, came to the determination, that I would in the mean time not run the risk of being any possibility involved, by parting with the property, until I should be indemnified for the trust placed in my hands, by procuring the necessary acquittances, and that as soon as I could see a copy of the law, which had been passed on the subject (for though I could not otherwise than suppose that the Commissioners had on, yet I have never been favoured with a perusal of it,) I should be most strictly guided by its provisions.—This occurred to me as the only course left, to avoid the possibility of censure, whether of the Stockholders, whose property had been placed in my hands, or of any other persons, determining at the same time, to solicit that an examination of my accounts, should take place; in order that it might be ascertained that the balances I had stated were correct, and without which it appeared to me I could not expect discharges to be given to me.

However, on the afternoon of the same day (8th April) Mr. David Ranken called at my office and presented me a paper signed by Messrs. Markland and Macaulay, requiring the delivery of the books and papers, but not empowering him to grant receipts—I however stated to Mr. Ranken, that I was perfectly willing to comply with this demand if he on his part would grant me receipts for the amount of notes and cash &c. I should place into his hands.

I stated to him the amount of these and the necessity of his making out a list or schedule of the notes, and counting the money, to be satisfied that the amount so stated by me was correct.

Mr. Ranken objected to this as being inconvenient, and interfering with his time, and by saying that he had no doubt I could obtain receipts from the Commissioners after he had delivered them the papers. I repeated to him the necessity I felt of having receipts before they left my office; and that if he would spare time to go through the necessary documents, I should be happy to deliver them to him.—That the party receiving, was certainly the party to be satisfied of the amount as stated by the party paying, and that if to arrive at the correctness of this (of which I was perfectly satisfied) it became necessary to make lists or count monies, it appeared to me to be his duty, and not mine.—This it was inconvenient for him to do, and he left me.

It was on the evening of this day (8th April) that the Bank Act made its appearance (to me for the first time) in one of the public prints, and after an attentive perusal of it, I