

Dec. 14.—No. 4. Special Docket. Heister and others vs. E. Lawrence, cross appeal in same cause, was commenced by Jones for the Appellants. Dec. 15.—No. 4. Special Docket. The argument in this cause was continued by Brent and Jones for the Appellee, and commenced by R. Johnson for the Appellant.

Dec. 16.—No. 4 was concluded by R. Johnson. Dec. 18.—No. 2. Special Docket. Mayor and City Council of Baltimore vs. Robert Lammon. This cause which relates to the resumption of the Auction duties by the State in 1827, was commenced by Holt for the Appellant, and McMahon (under resolution of the Legislature) for the Appellee.

Dec. 19.—No. 2, further argued by McMahon and the Attorney-General for the Appellee, and commenced by Jones in reply, for the Appellant. Dec. 20.—No. 2, was concluded by Jones in reply.

No. 4. Isaac vs. Clarke. Dorney, Judge, delivered the opinion of the Court dismissing the appeal. No. 10. C. Thomas, Adm'r. of Bradlee, vs. The Vesters of Frederick County School. Decree affirmed.

No. 1. Special Docket. Anna Maria Wright vs. Lloyd N. Rogers, was argued by Mayer for the Appellant, and Dalany for the Appellee.

We understand that the Secretary of the Treasury has issued to the collectors having the superintendency of the revenue cutters between Norfolk and Eastport, the usual instructions for the commanders of these vessels to afford relief to vessels on the coast that may require assistance during the approaching inclement season. We have obtained a copy of those instructions, which we annex.

In addition to these, we understand that the large revenue cutter Washington, lately built at Baltimore, D. D. H. Stone, commander, has, in addition to her other appropriate duties, been ordered to cruise on the coast between Long Island and the Cape of Virginia, during the entire winter, to render assistance to vessels in distress. She will carry a large supply of provisions, and a number of extra hands, to be put on board of vessels requiring aid.—Globe.

ANNEXATION OF TEXAS. In the Legislature of Tennessee the following resolution has been proposed: "Resolved, by the General Assembly of the State of Tennessee, in Nashville sitting, That we desire most anxiously, that Texas be acquired by the United States; and resolved that our Senators and Representatives be informed of our desire to acquire the Territory of Texas, and to annex it to the U. States, by treaty or otherwise, and at such time as they may deem most expedient."

From the U. S. Gazette of Saturday. Dr. Philip Syng Physick, the eminent surgeon and physician and celebrated lecturer, died yesterday morning, after a lingering illness. Few practical men in this country have attained a more enviable fame. Dr. Physick had retired from his professional life in the Medical School of the University of Pennsylvania; but so intimately was his name connected with that institution, that the announcement of his death caused a suspension of business until the ensuing week.

THE COLDEST PLACE. Franconia, in New Hampshire, enjoys the proud distinction of being the coldest place, and it is determined to keep up its character. A letter from that town, dated Nov. 27, and published in the Salem (Mass.) Register, says: "I write this morning merely to say that we find ourselves in the very heart of Siberia. At 7 A. M. the spirit thermometer is 14 degrees below zero; Mercury 16 below, and 9 inches of snow upon the ground. I have never known the mercury at zero, in November, at Franconia, before."

ODD WHIM. A foreign journal states that an Englishman, having lately obtained permission to live for a fortnight in one of the houses recently cleared at Pompeii, had it completely restored in its original style; and, with his family and servants, having assumed the ancient Roman costume, resided there the whole period, like a citizen of

pelled by springs by the turning of a crank, which the rider does with the greatest ease; the horse is a fine simile of a live one, and will go at the rate of twenty miles an hour. He thinks there will be no use for rail roads, as it will be much cheaper, as the horse will not cost one bushel of oats in fifty years, only a little oiling three or four times a year.

A GREAT CALF. We learn from the Farmer and Gardener, that there is at present on a farm near Baltimore, a calf which, at six days old weighed 142 lbs.; at 71 days old his weight was 322 lbs., and at three months old he weighed 472 lbs. This magnificent suckling is the product of a judicious cross, or admixture, of the Durham and Devon blood. It says that paper the reader should ask who is his breeder, we must answer, so far as that he may be found in the person of "Mine Host" of the Fountain Inn.

A case of importance was decided at the last court of Quarter Sessions of Delaware county, Pa., by Judges D. King and Myers, relative to small notes. A man was arraigned for stealing a pocket book containing two fifty cent notes. He was convicted of stealing the book, and a verdict of not guilty was rendered as to the notes, it being decided that as they were issued in violation of law, it was not an offence against the law to take and carry them away. [Phil. Gaz.]

SPLENDID PIECE OF MECHANISM.—A MINIATURE SHIP. Captain Johnson, of the packet ship Albany, brought out from Havre a superb specimen of naval architecture—a ship of the line, built by an artist of the name of Haumont. She is copied and fastened, pierced for and mounted with ninety-four brass guns; she is furnished with five masts, and has every thing requisite for a first rate ship—only appropriated, from stem to the stern, the keel to the truck, and all constructed of ivory. She may be seen at our office, and is for sale. In proportion and finish she will bear scrutiny, and we think there can be but one opinion respecting her unique beauty. She would be an elegant ornament for a merchant's parlour, an insurance office, or our new Exchange.—Mer. Adv.

A Mr. Bealy, a few days since offered to the Georgia Legislature, at Milledgeville, a memorial, stating that some years ago he had purchased of a slave trader a negro woman and her sucking child, as he then believed the latter to be—and that afterwards found an imposition had been practised on him, as the child had been stolen from a white woman and abandoned by its mother. The object of the memorial was to move the legislature to change the name of the founding from that of William (as known in the bill of sale of the slave trader) to that of William Brockley Bealy—and to restore to him the natural rights of which he had been unjustly deprived. A thrill of admiration passed through the House. Mr. Bealy was in the lobby and held up the child in his arms—a fairer, prettier, more intelligent looking boy had never been desired. Many an old bachelor's mouth watered! The House went into committee of the whole, had the child in their midst, and every one who believed was satisfied of his whiteness and his title to freedom.

NEW ORLEANS, Nov. 30. Upwards of two hundred and fifty passengers arrived yesterday from New York, in the ships Silvanus Jenkins and Arkansas, and thousands more are on their way. What are all these people to do the coming winter? Starve, we hope they will not; but many of them will find the greatest difficulty in procuring the means of subsistence. The false inducements held out at the North have brought many industrious and deserving people to New Orleans, who will rue the day they ever set their faces South.—Picayune.

PRESENCE OF MIND. One of the coasters that ply in our bay, came to anchor last week off Freeport. The sailor who threw overboard the anchor carelessly let one of the flukes catch in his peep-jack, which was hauled up close, and the unlucky tar was dragged overboard with the anchor, and unconsciously carried down two fathoms deep, to take up a berth in David Jones' Locker. Not liking his sudden exit, and feeling that he was anchored on rather uncomfortable ground, the gallant sailor, nothing daunted by the accident, unbuckled his jack, threw it off, and thus extricated himself from the iron grasp of the anchor, came back to the surface, and was taken on board, with no further injury than the shock his feelings experienced by so unexpected an application of the cold water bath. [Portland Advertiser.]

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the Republic, making the perusal of the classics his sole amusement. The citizens of New Haven have completed a subscription for the purchase of Augur's group of Ashtha and his daughter. The sum agreed to be paid for the statues was \$4,000. They are designed to form the nucleus of a gallery of sculpture of that place. This is an example of public spirit and taste, worthy of all emulation, and a tribute to native genius and worth, honourable to all concerned.

THE CAPTURE OF OSEOLA AND OTHER CHIEFS. We publish below a letter from Gen. JESUP to a friend, explaining that officer's reasons for the capture of the Indian chiefs whose names are mentioned, whilst acting under the protection of a flag of truce, and of course apprehensive of no impending danger. It will be readily conceded that necessity, or the attainment of some very important object, will plead in extenuation of disregard to strict etiquette or the breach of the established rules of courtesy, and we certainly are not among those who would cavil at the sacrifice of form in procuring a solid benefit. There is, however, a sanctity attached to a flag of truce, which in all eyes has been held sacred by military men, but which on the present occasion seems to have been disregarded. It is true that the General pleads in defence of his course, the duplicity and former misdeed of those with whom he had to deal, and the effect that their capture would have in producing a termination of hostilities. How far the misbehaviour of others will release an officer high in rank, and consequently regarded as a model of conduct by his inferiors, from the obligations consequent on relations into which he has voluntarily entered, may perhaps present a question not easily solved, and there are many who will think that no circumstances can justify a breach of the solemn pledge implied by the presence of a flag of truce. Nor is this matter to be regarded merely with reference to the parties concerned. Admitting Powell and his companions to have placed themselves beyond the pale of military law, and that having disregarded the provisions they had no right to claim its protection, it will be recollected that the Seminoles are unfortunately not the only Indian warfare in which our troops may be engaged, and that on all occasions the faith of our officers should appear to be inviolable. Our contests with the Aborigines have in all conscience been too much marked by the absence of the observances which characterize civilized warfare, and it is to be regretted that the history of our country presents a long list of cruelties committed on both sides. To preserve the reputation of unwavering compliance with assurances given has uniformly been the object of American commanders, and it is to this source that we must refer the few instances on record of amelioration in the character of Indian warfare. The presence of a flag of truce has, we believe, been the source of safety to our people, even when circumstances had placed them at the mercy of their enemies. What then will be the probable effect of General Jesup's conduct in the capture of the chiefs named hereafter with the red men? That officer may plead the former abduction of hostages successfully with those who can reason in the matter, and will appreciate the distinctions drawn, but how far will such an apology go to satisfy the minds of Indians, who will only look at the simple fact that a flag of truce has furnished no protection to their chiefs when invited to a talk? May it not be that hereafter, the absence of some trifling formality will be urged by them for any outrage they may deem it expedient to commit under the sanction of the hitherto respected emblem of peace? Our notions may be somewhat over refined, but we confess that our desire is to behold the pledges of American officers under all circumstances and in all warfare, whether with civilized or savage nations, pure and inviolate. We should be pleased to have it understood that no expediency can justify a breach of safe conduct although it may have been promised in error. One of the means by which we would hope to gain the respect and the confidence of the Indians, and make them love and respect us, whilst they dread our power, is the conviction to be produced in their minds that the words of the white man do not cover deceit, and that their acts are not those of hostility under the outward show of peace. How can we with justice complain of treaties broken and families murdered, property stolen, and farms laid waste, after the hatched has been buried, if officers holding distinguished commands feel themselves at liberty to disregard the obligations imposed by their own assumptions, because their savage and illiterate opponents have previously done the same thing?—Balt. American.

From the Army and Navy Chronicle, Dec. 14. The following letter, written by Major General JESUP, to a friend in this city, explaining his motives for the seizure of Powell and other chiefs and warriors, and the measures which were adopted on the occasion, has been furnished for publication. It gives the details of a very interesting event in this protracted war, and we have thought it not only well worthy the space devoted to it, but as due to Gen. Jesup that his motives should be known.

However revolting the violation of a flag of truce may at first appear, yet when we reflect that the General was dealing with savages, who had once forfeited their plighted faith, and deceived him—that the interview was sought by them, and probably with the worst of motives—it is believed that he will not only be justified by public opinion, on the expediency of the measure, but will be commended for it.

PICOLATA, Nov. 17, 1837. DEAR SIR—As I shall depart to-day for the interior, and, in the casualties of an active campaign, it is possible I may not return, I desire that the seizure of Powell and other chiefs and warriors may be understood by my friends.

Powell, Coacoochee, the two Hickeys, and several other sub-chiefs, organized the abduction of Micanopy and other hostages, in June last. Coacoochee, John Cavallo, (the latter one of the hostages,) with several others, carried the hostages off, and with them their people. I then resolved to take all who were concerned in the measure, whenever the opportunity might present. The capture of Philip, by Gen. Hernandez opened the way to effect my object sooner than I had hoped. Coacoochee carried off Micanopy by force, and if he had been a white man I would have executed him the moment he came into my hands. His father, (Philip,) however, asked permission to send him out with messengers to the chiefs and warriors. He returned with one of my hostages, John Cavallo, and with most of the sub-chiefs and warriors who were concerned in the abduction. I determined at once, that they should be seized and held as hostages for the conduct of the chiefs and warriors out.

I gave Lieut. Peyton, commanding at Fort Peyton, a confidential order to seize them if they should come into the fort. Late at night however, I learned from Gen. Hernandez that they could not be induced to come into the fort, and the messenger whom they sent in, John Cavallo, my hostage, desired the General to meet them at their camp, without an escort, saying he would be perfectly safe among them, without troops. I observed to the General, that wherever John Cavallo was, foul play might be expected, and I had no doubt the intention of the Indians was to seize a sufficient number of officers to exchange for Philip and the Euchee chief. I requested him to exit in the morning for final instructions, and I sent an express to Lieut. Peyton, with a note, informing him that he would have no opportunity to attempt it confidentially, and he must not attempt it unless the whole force should place themselves within his power, but that we must trust to events.

On the morning of the 21st Gen. Hernandez called for final instructions. I then informed him that I was inclined not to permit the Indians to escape, and I gave him a memorandum of the heads of the conversation I desired him to hold with them, of which paper No. 2 is a copy. The General departed for Fort Peyton, accompanied by a number of officers and citizens among the former were the gentlemen of my staff. Without communicating my intention to any one, I followed to the neighbourhood of Fort Peyton, sent him the number and position of the Indians; I directed him to go forward and ascertain whether the answers of the Indians to the inquiries made by General Hernandez, seemed satisfactory. In the mean time I dispatched an aid, who had joined me, with orders to Gen. Hernandez to seize the whole party if the talk was not satisfactory.

Lieut. Peyton returned to Fort Peyton, wither I had gone, and related to me the substance of the answers given by the Indians. Their answers were evasive and unsatisfactory, and I sent by Dr. Finlay, an order, of which No. 3 is a copy, to seize them. The measure was so promptly and judiciously executed by Major Aahy, of the 2d Dragoons, that the Indians, though their rifles were loaded and primed ready for action, had not an opportunity to fire a single gun. I consider the force of the nation broken by this capture; and though we may have a month or two of hard service, I think the war must terminate early this winter.

Most respectfully and truly yours, TH. S. JESUP. No. 1. ST. AUGUSTINE, 20th October. Should Powell and his warriors come within the fort, seize him and his whole party. It is important that he, Wild Cat, John Cow, and Trustenuggee, be secured. Hold them until you have my orders in relation to them. TH. S. JESUP, Maj. Gen. Commanding.

No. 2. Memorandum for Gen. Hernandez. "Ascertain the object of the Indians in coming in at this time; also their expectations. Are they prepared to deliver all the negroes taken from the citizens, at once? Why have they not surrendered them already, as promised by Coahajo, at Fort King? Have the chiefs of the nation held a council in relation to the subjects of the talk at Fort King? What chiefs attended that council, and what was their determination? Have the chiefs sent a messenger with the decision of the council to the principal chiefs, Micanoopy, Juniper, Cloud, and Alligator, sent a messenger, and if so, what is their message? Why have not these chiefs come in themselves?" THOMAS S. JESUP.

No. 3. FORT PEYTON, 21st Oct. 1837. GENERAL: Let the chiefs and warriors know that we have been deceived by them long enough, and that we do not intend to be deceived again. Order the whole party directly to town—you have force sufficient to compel obedience, and they must move instantly. I have information of a recent murder by the Indians—they must be deterred—they can talk in town, and send any messages that they please. THOMAS S. JESUP. Gen. J. M. HERNANDEZ.

A BEAVER TRAPPED. It has been ascertained by old hunters that the beaver was extinct in Pennsylvania. A gentleman, in a hunting excursion to the Allegany mountain the past month, with the assistance of an old trapper, succeeded in capturing one of the Muskrat creek, Centre county. A number of cuttings and chips, found in the vicinity where the beaver was taken, made by the animal in felling trees, are in the possession of a gentleman of this borough, and show its sagacity in a very satisfactory manner. [Lexington Journal.]

OFFICE OF THE GEORGIAN, SAVANNAH Dec. 2. By the arrival of the steamers Camden, Captain Mills, and James Adams, Capt. Chase, from St. Johns, we learn that on Tuesday last, Micanoopy and Cloud, the last nephew of Sam Jones, came in to Fort Mellon, with about 20 warriors, and surrendered themselves. Another informant states that Micanoopy, Juniper, Tigerrail, Tuskegee, Cloud, Coacoochee, and Yatalucha, had come in with about 30 Indians, men, women and children. Gen. Jesup arrived at Black Creek on Thursday from Fort Mellon, and, it is said, presumes the war at an end. Runners had been sent to Sam Jones, and to Indians generally to come in, and three to ten days were allowed them.

From the N. Y. Commercial Advertiser of Saturday. LOWER CANADA. Correspondence of Commercial Advertiser. MONTREAL, Saturday, Dec. 9. The only additional intelligence to what appears in this morning's Herald, that I have heard, I subjoin. The Varrenes arrived this morning with six prisoners on board. Among the number are Pierre Amiot, M. P. P. for Vercheres, and Dr. Alphonse Guivin, of Montreal, for the apprehension of whom £100 each was offered by the governor. All state prisoners have been transferred from the civil to the military authorities, and those who were in the new jail have been removed to the old one. The preliminaries for their trials are being completed, after which they will all pass through the ordeal of trial by martial law. I have not learned when the troops will leave for the Grand Brul, but think it will be about Monday. The accounts from that neighborhood represent the rebels as fully determined to fight till the last for their safety say, independence. They are very numerous, well armed, and are being well organized. I think there is little doubt but that they will make a very fierce resistance, but I have no doubt they will be defeated. We have no fear of the general result. We think our volunteers are sufficient to put down all rebellion. Had the troops been defeated at St. Charles, I have not the least doubt but that the Canadians of Montreal would have butchered all the British. Lord Gosford has issued a proclamation, offering \$2000 reward for the discovery and apprehension of the murderers of Lieut. Weir. FREE PRESS OFFICE. Burlington, Dec. 12. Appearances now warrant the belief that the Canada war is at an end, for the present. We have good reason for believing that there is at the present moment no embodied armed force in the Lower Province in opposition to the government. During the past week the troops have passed through the disturbed district without opposition, visiting St. Denis, St. Charles, and St. Hyacinthe, burning the property of Nelson and other obnoxious individuals. The gathering at Lake of Two Mountains, it is also said, has dispersed. The proclamation of martial law in the district of Montreal, and the offer of large rewards for the arrest of the leading patriots, have driven a large number across the line into the States. Among others, Mr. T. S. Brown arrived at this place on Monday. It is now rendered very certain, that the late movement in Canada was an event not anticipated by the leading radicals, and, of course, not provided for.

There seems to have been no concert among the head men, and nothing of the kind of preparation necessary to sustain and carry on a revolutionary movement. Mr. Papineau, as we now learn, has been in no way cognizant of what has taken place at St. Denis and St. Charles; and up to the present time, his location is not known. From the Albany Argus of Saturday. LATEST FROM CANADA. Mr. Mackenzie (and others on whose life a price is set) was at Buffalo on the 11th inst., having made his escape through the royal lines with great difficulty and hazard. The Buffalo Commercial Advertiser of the 12th, says: "He was in disguise, and slept two nights in haystacks. Being clothed very poorly, and mounted on a goat charger, he was once apprehended as a horse thief. He was arrested, but did not wish to shoot the sheriff, so, to ascertain his sentiments, he commenced talking politics. The officer expressed himself warmly in favour of Mr. Mackenzie, upon which he avowed himself, but was not able to convince him, until he showed him his name marked on his linen, upon which he was at once induced to escape. It is said, that before he had got across the river, a party of horsemen, in pursuit, appeared on the opposite bank." The fact that Mr. M. and some of his countrymen were in town, was announced at a public meeting of the citizens, held by appointment at the Theatre, on the evening of the 11th. "Every man of the house," (says the Commercial Advertiser) from the Orchestra to the roof, was literally crammed with people—the pit was full—the boxes were full—the galleries were full—the lobbies were full—the street was full—and hundreds were obliged to go away without being able to gain admission.

There was a reference to the Young in the selves—so the Canadians in manner," and active subscribers with our situation as its ordered to be Bidwell and B. A great arena of Ogden Hall, on the 5th inst, six vice meeting was publication of obtain American the view, as consideration fellow patriots and feeling denying that ed truly the States, and for the cause a committee tical parties, King was elclamation. From the Buf. It is said this place, he verbal of his morning, to It is rumo subscribed Mackenzie's Hollow, in equipped. It is said pen a room don't give the are stolen. It is rumo that they so that they pared for the They say meeting to had better I It is rumo at the preso From the Extract Messrs. Str. Dear Sir the Hon. M. ronto, havi leave the I

The venerable expectation appears the fact that it h Rolph would be p tation of "the cou ture meetings, wh "he was in his w him," but the imense, found when the chair remarks, urging the strict observan nounced that Mr associat'es, were mercial Advertisi Never saw we such a shout of honouurable to th was not Macken's (rical feeling.) He comes now Liberty. A pri gers of transac stance alone is c ings of an Ameri "fellow citizen this life is in ou upon our protect "We will vr "Gentlemen, come here to you shall address you but at the hazard who throw them any mean scou ward of \$4,000 undertake to ge me. I am rath good Bowie kni respect able with three chee prudence and d young men, as us, to go to my attempt on the "A hundred!" "No, I want "—I—!" w dozen sprang u The address Montreal, was t thiasm; when Mr. McKenzie Rolph and othe cession, and th streets, to the gave three chee thy thou. Our slips from information ronto, dated the Keys and son the city a barr There was a r and other part we do not crea is that Dr. R. 10. There was a of the village reference to the Young in the selves—so the Canadians in manner," and active subscrip with our situat as its or dered to be Bidwell and B. A great arena of Ogden Hall, on the 5th inst, six vice meeting was publication of obtain American the view, as consideration fellow patriots and feeling denying that ed truly the States, and for the cause a committee tical parties, King was elclamation. From the Buf. It is said this place, he verbal of his morning, to It is rumo subscribed Mackenzie's Hollow, in equipped. It is said pen a room don't give the are stolen. It is rumo that they so that they pared for the They say meeting to had better I It is rumo at the preso From the Extract Messrs. Str. Dear Sir the Hon. M. ronto, havi leave the I