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FOR PRESIDENT OF THE UNITED STATES

HENRY CLAY,

OF KENTUCKY

Subject to the decision of a National Convention

NEW ORLEANS

WEDNESDAY MORNING, JULY 12, 1839

THE NEXT CONGRESS

No president has ever yet been enabled to continue in power with a majority in the popular branch of congress opposed to him. Every movement of the executive is watched with jealous supervision by the adverse party, and his designs and wishes are subjected to be continually thwarted and obstructed. The majority in such cases would a tremendous power, and it has been hitherto successfully appealed to the ejection of the incumbent from office. It remains to be seen whether Mr. Van Buren is destined to prove the only exception to a rule which has hitherto held good. If with all the conscious and con-unanimic villany that has characterized the official conduct of the members of his present administration, and their corrupt and profligate underlings, he should succeed in snatching a victory from the indignant grasp of the people by the whole the 26th congress, he can yet continue to lodge on his reputation and elude disgrace and the contumelious title of "Magician," which has so often been derisively applied to him, will be amply justified, and we shall begin to believe that he has made a compact with the evil one, and indeed is already in the black art.

It is true that the worthless clique that usurpate the destinies of our people and the inevitable retribution that will follow in the fit of their iniquities—

The traitor Alamo Argus, and other organs of his faction, shiver at the prospect not only of losing the rich stream of official patronage, but of beholding the secrets of the mine divulged to the country at large, and the means and instruments by which power had been maintained, no less known to those who assisted in exalting them to office. They feel that the whole number a majority in the 26th congress, the game is up with Messrs Van Buren. Hence they must figure him into a majority at all hazards. Thus the editor the Globe remarks in the course of tonight or to-morrow's [illegible] elections and estimates of future ones.

To prove how utterly desperate and even stupid's in factions that official has become, we will examine one of its prophecies on this subject. After giving the result in all the states in which elections have been held which is made to stand 90 V. B. 82 W., the editor finishes its prediction of the elections in the states of Rhode Island, Maryland, Kentucky, Indiana, Tennessee, North Carolina, Alabama and Mississippi as follows:

	Van Buren	Whig
Rhode Island	0	2
Maryland	5	3
Kentucky	1	9
Indiana	1	3
Tennessee	5	8
North Carolina	10	5
Alabama	4	1
Mississippi	2	0
	32	31

At the last elections in the states above mentioned the delegation stood *sixteen* locofocos, *forty-seven* whigs. What of that! The Globe must cypher out a majority, and for this purpose does not scruple to assume a gain of SEVENTEEN viz—two in Maryland, three in Kentucky, three in Indiana, two in Tennessee, three in North Carolina, one in Alabama, and two in Mississippi, and this cool appropriation of six teen whigs is done to secure Van Buren a miserable majority of two. There is not a shadow of probability in this estimate. There is no earthly reason for believing that the whigs have lost ground in any of the foregoing states, and those declarations of the Globe are only thrown out to sustain its sinking spirits of the party. We have gone carefully [illegible] whole prospect time and again, and it is our earnest and sincere conviction, as it must be that of every impartial observer, that under any possible circumstances, and indulging the locofocos to the extent of their [illegible] dulous calculations that probability will permit, the whigs can not fail to have a substantial majority in the coming congress.

If, with this key to the arcana of the unsolved, corruption and dishonesty that have prevailed in the govern ment for the last ten years, the opposition can not succeed in ousting the heartless and selfish cabal that have so long battened on the country's spoils, we can only say they well deserve defeat.

There never was a party to which so much injustice was done in christening, as to that which sustains the administration. We have frequently had occasion to notice the materials of which it is constructed, and the more they are scrutinized the more it appears that the democratic party of the present day is made up of as false light, black cockade federalism and Fanny Wright agrarianism. There are it is true, some exceptions to the ultraism of the democrats. There are some to whom prejudice and imposition keep in the ranks, but the leaders—the rulers are of one stamp or the other. They are black cockade men, who have resorted to democracy for bread—or agrarians who rejoice in pulling down all the barriers which separate law from heterogeneous who oppose any useful or ornamental work, the letting of contracts, no public credit.

One of the most striking [illegible] Cullen Bryant. He is now regarded as the very quintessence of democratic purity. His words are the coin of all democrats. His text is reverenced as law. We would recommend the following [illegible] to the perusal of our democratic friends. It is an assault upon the character of Thomas Jefferson—the nation of democracy written by Mr. Bryant, at a time too when he wrote for *fame* and not for bread, and there is perhaps the real sentiments of the writer:

> "And thou the scum of every patriot name
> Thy country's ruin, and her councils shame!
> Past servile thing! deserter of the brave!
> Whose feet from Earth to feed to Carlton crave
> Thou wretch, whom maraud by perfidious wile,
> Didst prostrate to her whisker'd ermine fall
> And when our cash her empty bags supplied
> Didst meanly strive the fatal disgrace to hide
> Go, wretch, resign the place thou didst betray
> Disclose thy secret to confess fool or fear
> Go search with curious eye for buried rings,
> Mid the wild waste of Louisiana bogs
> Or where the Otho's turbid waters sweep,
> Dig for Big bones, thy glory and thy theme.
> Go, scan Philosophist, thy ——— charts,
> And sink supinely in her sable arms,
> But quit to other hands the helm of state
> Nor image ruin on thy country's fate.

Having thus characterized the Democratic President of the United States the Post proceeds to a declaration of Democratic principles:

> And soon as Time in swift glowing lustre shines,
> Before her [illegible] Democracy declines,
> Virtue ne'er sits her faithful brotherly
> And vain alike, to flatter or to lie
> From their long sleep alarm'd the people rise
> And spite of sophists, learn to trust their eyes—

How do you like your New York mouth piece, friend democrats? His paper is the real Delphos, whence democratic oracles flow, and he the high priest who raves from the tripod upon equal rights.

THE MINT

We understand that many certificates of deposit have been deposited at the Branch Mint. That person who have bullion there as far back as eighteen months ago have not been able to obtain the coin for their deposits. We learn that great confusion prevails in the concerns of the mint, and that there exist frustrate *sub treasury* reasons for this failure to pay up the deposits. It is our hope that the establishment and its internal polity will come under the special supervision of a committee of the next house of representatives.—HAVANA WHIG, 30 ult.

UNITED STATES AND TEXAS

☞ We are happy to learn that the indemnity due by the government of Texas to the United States for the seizure of two merchant vessels some years since was received [illegible] and by the honorable Asa J. Greene, in behalf of his government. The [illegible] thing over twelve thousand dollars.

We are indebted to the captain of the steamer Telocupede, arrived last night for the *Red River White* of the 13th. The Whig contains the affidavits of A. J. Bringhurst, deputy clerk of the court, and of Charles Wilson, deputy sheriff confirming the statement previously published in that paper of the circumstances attending the murder of its late editor, the lamented J. W. Moore. We are informed that great excitement prevails in the community of Alexandria, relative to the murder. The suspects is at large, and though some of the officers of the law are on his scent no reward has yet been offered by the authorities for his apprehension.

☞ Capt. Mosier, of the ship Caravan, arrived last evening from Boston reports having fallen in with the schr. Adar, Varina, of Newburyport, on the 19th ult. in lat 28.30 N. long. 71. 50, W. in a sinking condition. he took from her the crew, and brought them to this port. The schooner was bound from Porto Rico for Baltimore. The Clay by the schooner until she got out 25 hhds and 2 sels sugar, (being all that remained of her cargo which had not dissolved,) and also stripped her of sails, rigging cables, anchors, small boat, &c. all of which she has brought to this city.

NAVAL

The United States schooner *Grampus*, lieutenant Shubrick, arrived at Pensacola on the 5th from Key West. The Otsego, says the Gazette is one of the small craft fitted out to operate on the Peninsula against the Indians.

During the salute of the *Otsego* on her arrival the powder ignited in one of the guns, which had been repeatedly discharged, before it was completely rammed down, and the explosion so mutilated both the arms of the boatswain's mate, that they were amputated above the elbow.

FLORIDA

The Tallahassee Star of the 10th instant, contains a rumor that the Indians are busily engaged in making corn, and that they are resolved upon reconnoitering hostilities as soon as they will have gathered their crops. This report was brought to Tallahassee by a captive Indian. The Star says there is no doubt of its truth. That some of the Indians of Fast Florida may abide the treaty, but that there is not the least probability that the large body of them will

Some of the volunteer toasts given in Grand Gulf on the 4th of July are more than usually spirited and witty. Instance the following—

By Josiah Randell—Mississippi, like Sampson of old, she has been shorn till she is shorn of her strength

By J Colston—The banks of the Mississippi like the Mississippi banks always caving in.

FROM OUR SPECIAL CORRESPONDENT.

New York, July 6th, 1839.

In my last letter I referred to the fact, that the great and fundamental measure of parliamentary reform (an extension of the elective franchise,) had been defeated in the house of commons, by an overwhelming majority, and that lord John Russell, while the question was under consideration, explicitly declared, that "he could hold out no prospect of the government's concurring in it, *either now or on any future occasion*."

As to the questions of *ballot* and *triennial parliaments*, they are secondary, and may be considered for the present, as laid on the table. The radicals, therefore, are abandoned by the Melbourne ministry, to the scorn and derision, not only of the *loyally* party, but of the tories also.

Nor does the triumph of the tories stop here. The Jamaica bill has been remodelled. The objectionable provisions struck out and being made palatable to the tories, it has passed to a vote almost unanimous.

The next important ministerial measure, was a legislative union between Upper and Lower Canada. In the adoption of this proposition, lord Russell appeared to take a deep interest, but was willing to waive definitive action. With this view, he offered two declaratory resolutions. *First*, That it was expedient that there should be a legislative union between Upper and Lower Canada. *Second*, That the powers vested in the governor and council of Lower Canada should continue until 1842. But closely and pertinaciously pressed by the opposition, he was compelled to withdraw even these resolutions, to avoid a division or, what is more galling, a defeat; and the union of Canada is therefore, forseeing inevitably indefinit. Such was the mortifying position of ministers in the house of commons on the 11th of June.

In the house of peers, the earl of Winchelsea said—"It was clear that there had been an abandonment of principle, on the part of the administration, of on the part of those who supported it."

Lord Brougham said:—"Nothing but a change of measures and the part of ministers would ever bring back the supporters whom they had lost."

But the most unkind cut of all was, the commiseration of the duke of Wellington, and the half way assurance of tory support, if the administration would continue in the right path. The duke said—"*If the noble counsel (Melbourne,) would persevered in the measures which he had resolved on taking, and had announced*," &c. he would be supported by the country.

The feelings and opinions of the tory prints, may be summed up in the following sentence from "*The Times*"—"The cabinet of lord Melbourne has spunk and actually thrown off the yoke of the revolutionary faction."

This brief summary affords incontestible evidence that the ministers are no longer able to sustain them selves on the ground which they have heretofore occupied, and that they are now leaning on the tories for support. To pursue these remarks might prove tedious.

In the Boston and other papers, you will see the letter of Mr. Webster, from London, withdrawing, his name as a candidate for the presidency, and you will, of course, perceive, that what I have heretofore written you on the subject, was correct.

Yesterday (the 4th) was celebrated with the usual military display, &c. The day was uncommonly fine. The most interesting part of the pageant was an address of *sixteen thousand* children, attendants on sunday schools, accompanied by more than *two thousand* teachers. They embarked on board of steam boats prepared for the occasion, and proceeded to Staten Island, distant about nine miles, where they were landed—partook of refreshments, and returned to the city.

The president of the United States, and the governor of the state, were in attendance. Mr. Van Buren having said to his friend Edmonds, the architect of the democracy, all he had to say, in favor of *his hobby*, the sub-treasury, deemed it unbecoming to address a meeting, not convened for mere-party purposes, and composed of citizens of all parties, without distinction. But governor *Seward*, acting on the opposite and more patriotic principle, delivered an appropriate and eloquent speech. So effective and gratifying were his remarks, that the reverend Mr. Wainwright moved the thanks of the assemblage, and requested a copy of it for publication, which resolutions were adopted amidst the most enthusiastic peals of applause.

I ask you to read attentively Mr. Edmond's democratic address to the president, and the president's answer. You will enquire—"who is this highly favored individual that was permitted thus to address his *majesty*?" I will tell you, and tell you truly.

THE EXAMINER

To the Editors of the New-York-and-Bee—

GENTLEMEN,—I am weary of seeing my name, short as it is, in the papers; but the extract from the "Houston Star," that I had announced by letter that Gen'l Hamilton had obtained a loan of $500,000, and that his son was expected with the money," is so opposite from what I did write, that from self-respect, I am compelled again to intrude my signature; and to state, that all I did say was, that Gen'l Hamilton, was assured of success, and that his son was daily expected with important despatches for the government." To have said more would have been highly indelicate, as the promulgation of important facts to the interest of a country is always, exclusively, the province of the government itself. I feel that I am incapable of anticipating their action in such matters.

Respectfully, yours, &c. &c.,

BARNARD E. BEE.

New Orleans, July 16, 1839

The following gentlemen, citizens of New Orleans, went out in the steamship Liverpool for Liverpool, on the 6th instant:—Charles Stoddin, Edward Maitland, Wm. Phelps, J. Labranche, H. Williams, and P. Louise Sloan.

☞ We are happy to observe that the whigs of Pennsylvania are taking active measures to restore perfect harmony among all who are opposed to the policy of the government. The Clay and Harrison village, by the judicious and conciliatory course pursued, will soon be reunited, and will act with unanimity, zeal and efficiency in the effort to rescue that important commonwealth from the grasp of locofocoism. We do not yet despair of Pennsylvania.

The president's tour through New York is a complete electioneering excursion. He seems to have let the or no intercourse with the whig party. He is speechified by, and speechifies the locofocos only. It is said that after he has undergone the pressing salutations of the button holers, &c. he retires to a bath, and to adopt the and savory unguents purifies his person against the contamination of the mob. We learn that he carries a "pounce box, which ever and anon he gives his nose," to prevent suffocation from the fumes of the democrats that thrust their bodies "between the wind and his nobility."

A very serious affray recently took place in New York, in which several persons were desperately wounded. The parties concerned were firemen—The cause of the outbreak has not been stated.

☞ The Shreveport Extra has broken out in Charleston, S. C. The weekly report of deaths, ending on the 7th, contains four deaths by yellow fever. The fever, so far, has been confined to the shipping.

MELANCHOLY SUICIDE.—Mr. John Hildreth, an attorney and counsellor of the city of New York, blew out his brains on the 4th inst. The deceased had been depressed in spirits for some time, to relieve which he had frequent recourse to *alcohol*. He is supposed to have labored under mental derangement when he committed the rash act.

We make with pleasure that Governor Gilmer, of Georgia, is rapidly recovering.

[REPORTED FOR THE BEE.]

COUNCIL OF MUNICIPALITY, NO. 1.

Seven members present.

Among the resolutions which were the order of the day was that for the first, that the first submitted to the council was that relative to prostitutes.

Resolved, That for the future, women notoriously addicted to debauchery and prostitution are prohibited from occupying the ground floor of any house situated in the square of the city, under penalty of $25 or of 15 days imprisonment.

This resolution was adopted with an amendment, the object of which was to maintain in force the ordinance relative to public women.

A resolution had been presented to submit again the ordinance to committee on finance, a clerk at $1 50 per month, and that authorising the creation of the office of treasurer general.

This resolution was divided—the first part was laid indefinitely on the table; the second relative to the treasurer general, was postponed till the next sitting.

A resolution, fixing the salary of Mr. Guirot treasurer of the police department, at $2000 per annum, and obliging him to furnish security for $20,000 was unanimously adopted.

Mr. Edmond J. Forstall, chairman of the committee on finance, tendered his resignation, for reasons he would declare hereafter, and which would soon compel him to leave the council.

Mr. Prevallion moved that the resignation be refused.

The council decided unanimously not to accept Mr. Forstall resignation, as president of the committee of finance.

A resolution presented by Mr. Colson, authorising the mayor to rent a small, cheap house at the village of the Bayou St. John, as the post of the municipal guard was unanimously adopted.

A letter was read from Mr. Philip Guesnon, ex-treasurer claiming the reimbursement of the sum of $2 332 75 lost by him in the performance of his functions, either by exchange, or by counterfeit notes—Referred to the committee of finance.

The following resolution presented by Mr. Dupuy was adopted

Resolved, That the salaries of the officers, payable quarterly, shall for the future be paid monthly, in proportion.

Mr. Genat submitted a resolution granting a clerk to the Recorder, with a salary of $75 per month. This office had become indispensable on account of the creation of constables, whose reports, &c. required daily labor.

The council adopted this resolution after some explanation by the recorder

A resolution of Mr. Vignie to abolish the committee on gutters, and to submit this branch of duty to the street supervising of the council, was adopted.

On motion of Mr. Lazenberg

Resolved, That the side walks belonging to the municipality in Customhouse street, beyond Rampart street, be immediately made.

A resolution, likewise the order of the day, presented by Mr. Genat chairman of the committee on the harbor and levee, to extend in the river the wharves between Main and Peters bank streets, until vessels can float in 17 feet depth, at low water, was also adopted This undertaking will only cost $45 00, a sum which may be drawn from the revenue of the port.

The council adjourned until Monday next, 22d July, at 5 o'clock, P. M.

TENNESSEE.—*Laughable incident*—The candidates for congress in the second district are Mr. Mc. Kenney, (W.) and Mr. McClellan, (L. F.) the late member. They recently met and addressed a meeting at Jacksonborough. Mr. McKenney first addressed the meeting, and in the course of his remarks read from a list of appropriations made by the last congress, pretty large sum for sending a minister to Muscat, to form commercial relations with that government, and then inquired of McClellan, where Muscat was, and what was the extent of its commerce, and said he would sit down to give his opponent an opportunity of imparting the desired information. McClellan, finding his geography at fault, scratched his head, and looked wise—but it would not do—he could not tell where Muscat was, though, as Mr. McKinney said he had voted for the bill making an appropriation for sending a minister to that place. Shortly this event Mr. McClellan has taken to the study of geography.

Baltimore Patriot.

From the Philadelphia National Gazette, July 5

THE FIRST MOTION IN CONGRESS TO DECLARE THIS COUNTRY INDEPENDENT

The anniversary of our national independence suggests the propriety of recurring to the measure in which the declaration was introduced into the congress of 1776. We have recently been looking over files of colonial newspapers, of one especially published in this city, from 1767 to the commencement of the revolution, and find in it many curious notices of preparations for the great issue which was finally decided against the parent country. The slenderes of the first congress, wise and daring as they were, were conscious of the general opinions and spirit which would sustain them in a legislative avowal of the absolute freedom of the states. It may be remembered that the first assembling of the revolutionary congress took place in this city on the 5th of September, 1774. Consequently, the progress of the war continued to ripen the public mind and feelings for a total separation from Great Britain. It was not however until the seventh day of June, 1776, that any special action was had for that purpose. On that day, Richard Henry Lee, a delegate from Virginia, made the following motion which was seconded by John Adams:

"To declare these united colonies *free* and independent states, that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is and ought to be totally dissolved; that measures should be immediately taken for procuring the assistance of foreign powers, and a confederation be formed to bind the colonies more closely together.

On the following day the subject was debated, and on the first of July a committee consisting of the delegates, Messrs. Jefferson, Adams, Franklin, R. Sherman, and R. R. Livingston was selected by ballot to draft a declaration of independence. According to parliamentary usage, Mr. Lee would have been the chairman of this committee, but he was absent from Virginia on account of the illness of a member of his family. Mr. Jefferson, however, having the greatest number of votes, was selected by the other members of the committee to act as chairman, and the draft prepared by him was first read in committee. Some verbal alterations were made by D. Franklin and Mr. Adams, and it was not thought necessary to read the drafts prepared by the others.

The declaration thus prepared and amended was finally adopted in congress on the fourth, and was read to a meeting of the citizens of Philadelphia assembled in the state-house yard, from the steps of the building. It is generally supposed that the names which are signed to this charter of American liberties, were all signed on the Fourth of July This is an error, explained in a letter of Thomas McKean, one of the Delaware delegation. The delegates affixed their signatures to the engrossed copy of the declaration, now preserved in the state department at Washington, at different times; some indeed, several months after it had, passed in congress and was published to the world.

The house in which Mr. Jefferson wrote the declaration is still standing, at the southwest corner of Seventh and Market streets, and is now occupied as a store by the Messrs. Gratz. Mr. Jefferson had a room in it as a lodger, when a member of the congress of '76. The original draft with the interlineations and erasures, is now deposited in the hall of the American Philosophical Society in this city.

After this little history, with which we have ventured to refresh our readers' memories, we may be indulged in a brief examination of the declaration of the day on which our national independence was first declared, is important in its effects upon the popular character; and especially upon the patriotic sentiments of the young. The mere idea of national independence is of minor moment. The time has long past, when the most visionary of our enemies could imagine that any foreign government would ever again be ascendant in this country. We feel the foundations of our common rights to be so deep, and the superstructure of freedom and prosperity so broad and firm, that in the lapse of another age we may clearly foresee the United States, by every test of national power, in advance of every rival. But the principle which it is truly important to cherish, and most appropriately when celebrating the liberation of our country, are those of political equality and the indefeasible rights of all men, proclaimed in the declaration of independence, and made the basis of our democratic institutions. The list of grievances made by our ancestors may be no farther scanned than as they involve the assertion of the great principles of all free governments. It is the principle of sovereignty, the legitimate might of intelligence and virtue existing in each member of the republican family, which should ever be presented as a novel and dearly bought legacy to the great we enjoyed by any people, and one which the spirit of posterity requires at our hands, in absolute purity and integrity.

No philosophic student of the history of Europe for the last sixty years, no observer of her present condition, can fail to perceive that the elements of change, borne from our shores, are rapidly filling her whole political atmosphere.

On the good sense of those, who may influence the conduct of the mass, will depend the tranquil operation of the causes already set in motion. Few deny that amelorations of its condition are necessary, and reasonable concessions gradually made, will on the contrary hand abate no just privilege of the few, while they will elevate a majority to the exercise of higher civil rights and the enjoyment of greater social comforts. It is the option becomes a duty as well as a necessity, to perpetuate the example now exhibited in the United States, of a people educated, moral, industrious and prosperous, under a republican constitution and laws framed and administered by themselves.

Mr. Argus, did not Martin Van Buren oppose the admission of Missouri into the Union? If so, state the ground of his opposition. Be kind enough not to dodge.—*New Albany Gazette.*

Did he? And why? Make the charge if you dare.—*New Albany Argus.*

It's dare made it, and we do make it. Mr. Van Buren, as a member of the New-York senate, did oppose the admission of Missouri into the union, and every well-informed man knows the fact.—*Louisville Journal.*

Extract from a Houston Journal (Texas.)

MR. EDWARD LIBBEY, KRAKOWITZ, aged 23 years, a native of Poland of the numerous family of the illustrious general Kosciusko, who is known to the whole world, lived with Colonel Guignaud, a friend of his father Lt. Col. B. H. L. Kimbrough for nearly a year and a half. Soon after he was taken sick. Col. Guignaud being about going to France on family business, he could not take him along with, as he was sick and his father in the United States he obtained leave of him with one his friend, to take care of him, as his own child. Until the time, who was aware of his residence, could come for him. Both promptly all the care of the physician was rendered him, but to no purpose. He died on the 4th inst.

The amiable character and education of the young Edward Libbey Kleinkowitz will render his loss a painful one, for he was destined to follow the great career of his ancestors.

The intense sufferings he had endured from infancy was, I believe, the sole cause of his death. Snatched at 15 years from his mother's arms, carried to Siberia become his father had toiled for his country liberty, he had to suffer all the torments of Russian tyranny. The loss of her only son destroyed the unhappy mother in 48 hours. At last escaping from Russia's dreadful clime he left Siberia, hoping to join his father who had emigrated to France; but being still pursued by unfortune, he was arrested by the Austrian general and sent to America. This his hopes were frustrated—Some time ago he learned the arrival of his father in the United States, and was preparing to seek him, when impatience and anxiety augmented his disease and put a period to his existence in spite of every care and attention.

The Editor of the Bee will please insert this notice in his journal in order that his father may be apprised of this unfortunate circumstance.

(Signed)

L. DE LATOUR.

(ADVERTISEMENT.)

TO THE PUBLIC.

Briefly to the *veridical* statement of Dr. Jno. J Ker, published in the Bee and Native American of yesterday morning I have only to republish the following statement that appeared in the Weekly True American of Sunday and in the Daily True American of yesterday, and to the *literal truth* of which I pledge my honor.

Despicable And Cowardly Attack—The editor of this paper on meeting Dr. Ker yesterday night's answer passing by the office of Mr. Preston's office, where he had called on business, on Saturday morning, met with *Dr. James Monroe Mackie* the bro's of the late libel suit, followed by Dr John Ker. Mr Mackie's brother, the editor of course refrained him as a "damned rascal," and after the Editor had passed Dr Ker, he received a blow from Mackie with an iron cane, on the back of his hat; upon which he instantly wheeled, and drew a pistol, but which owing to some defect would not stand cocked; he then struck the first pistol he drew a second; but before he could present it Mackie had fled up stairs While this play was passing Dr. Ker stood half way between Steckle and the Editor, straddling the range of each other's pistol arms, crying, "oh dont," "oh dont," "oh dont Mr Gibson" When the editor drew the second pistol, Dr. Ker put his hand in his pocket as with an intent to draw a pistol, but the police seeing Mackie's hat fled, quietly repocketed his pistol and withdrew.—This is, in every word, and particle case, and any statement differing from it, is a lie.

I expect at this time who take any interest in this affair to attend attentively the statement of Ker, and they will see that it bears falsehood upon its very face — Ker, in the rencontre, *was between me and Mackie*. My first pistol did not *snap*—a screw was loose, and it would not stand cocked. When I drew the second pistol, Mackie was invisible. During the whole of the affair, *I was in the entry*, at least five feet from the door. The annexed certificate will prove that *no part of Mr. Ker's body was in the street*. Besides, the police Patrick Ryan, who was standing at his door, and Mr. Bee and W. E. Davis, who were on the side walk near the door of the former gentleman, saw nothing of the kind related by Ker. If any part of the affray had taken place on the side walk, they must have seen it, but they only saw me coming out of the passage, and walking away with Mr. Robertson.

The gentlemen that I was waiting with Mr. John Gibson on Saturday last, in St. Charles street, when he left me for a moment, to go into Mr. Preston's office, to deliver a book

I stood on the pavement near the passage which led into the office, talking to Mr. Ryan. After a short time Mr. Gibson came out, and told me what had occurred between him and Dr. Ker, and the immediate flight of Mackie.

I consider