

FROM CANADA PAPERS.

A Message from His Excellency the Governor General has been sent down to both Houses, intimating that Government will shortly submit to the Legislature some propositions respecting the final settlement of the Clergy Reserves.

LEGISLATIVE COUNCIL—Dec. 23. The Hon. P. Van Koughnet requested leave of absence during the remainder of the session, his presence being particularly required in command of his regiment.

A discussion of some interest ensued, in which the Hon. Messrs. Sullivan, Ferguson, De Blaquiere and J. Wilson took part. Mr. Sullivan forcibly and perspicuously advocated the importance of gentlemen, who might accept of seats in that house, weighing the obligation so incurred, and declining to undertake the charge, if they felt it inconvenient to give regular attendance. He disclaimed any reference to the present application, and spoke altogether upon the general principle.

The other hon. members who spoke took similar views, and there can be no doubt that a regular attendance of hon. gentlemen from separate and distant parts of the province, will go far to elevate the Legislative Council in the general esteem of the province, and add very essentially to the interest of their proceedings.—Toronto Examiner.

From the Toronto Patriot. On Thursday last the question "Union" or "No Union," was finally tested and decided. On bringing up the Report of the Committee of the whole house on the Governor General's propositions, Mr. Robinson, seconded by Mr. Murney, moved in amendment "that all after the word 'Resolved' be expunged, and the following inserted":—

"That while this House feels truly grateful to Her Majesty for causing the subject of the re-union of Upper and Lower Canada to be submitted to the representatives of Her Majesty's loyal subjects in this Province for their consideration, before finally adopting a measure calculated so materially to change their social and political situation; it cannot, after mature deliberation, give its sanction to any proposition having for its object the re-union of these Provinces; which they humbly submit will, if carried into effect, have no other result than to render the difficulties in Lower Canada in a short time more formidable, while it would endanger the security and advantages which Upper Canada has hitherto enjoyed."

Mr. Cartwright was the only member who had previously given a qualified assent to the Union, that voted in favour of the amendment. The Cathedral Church of St. James, was re-opened on Sunday the 22nd Decr. when the Lord Bishop delivered an eloquent discourse from ii. Cor. 3rd chap. 2nd verse.

We observe some very stupid remarks going the rounds of the American press, to the effect that if the measures recommended by the Governor General are not carried into effect by the legislature of Upper Canada, the Home Government will withdraw its troops and leave the inhabitants of the country to protect themselves as they best can. Neither the Governor nor Her Majesty's ministers—not even Her Majesty herself—dare do any such thing. A separation from the mother country would be a very serious evil to the Canadas, but not half so much as it would be to the mother country, and that is well known both here and on the other side of the Atlantic, notwithstanding the statement to the contrary made by superficial theorists and avowed enemies of British glory.—Montreal Herald.

UPPER CANADA BANK.

This Institution, for some good reason, or other, a reason best known to itself, always launches liberally when the Legislature is in Session, whilst, in other seasons, it holds on to the needful like, (as they say in Virginia,) "grim death to a dead nigger." How is this? can any one tell? Has the Bank any thing before the houses which it wants to have passed? Perhaps so!—There is nothing so lubricating as money, it assists the passage greatly. The Bank of Upper Canada is under pretty cunning management, "I tell ye!"

QUEBEC, Dec. 30.

Toronto papers to the 23d, and from Kingston are to the 24th inst. An extract from the Kingston Chronicle will show the rumours in circulation there, and the exemplary resignation of that paper to the reunion.

The Toronto Commercial Herald discourses as below, but appears rather melancholy. The truth is that nobody is for the union, as is proposed, excepting a few who expect to get something by it; and if ever it is carried into effect, almost every body will be against it.

"Toronto, Dec. 23rd.—The union scheme has passed! and nothing remains but the final decision of the Imperial Parliament, acting upon the expressed wish of the people of Upper Canada! Bah! We should say the wish of 32 gentlemen of the House of Assembly, for we cannot believe that the people are satisfied with the terms of the Union; we know they are not, as far as the Home District is concerned. What can we expect from Mr. Thomson's achievement? Very little good!—it may place a coronet on his brow, but it will in our opinion lead to the destruction of British Nationality in North America. Can we expect any emigration to Canada when it has become the scene of strife for British or French ascendancy?—Will not the emigrant seek the less inviting but more peaceful plains of New South Wales or the islands of the Polynesian sea? It is absolutely necessary to an emigrant that he may be able quietly to possess the home of his gray hairs in security, and be free from the horrors of civil war. He will shun Canada as he would shun the South American republics, and a long series of years will elapse before prosperity can be restored, and during that time it is not to be expected that our neighbours, who have said "the Canadas will fall to the United States without fighting," will relax in their efforts to fulfil their own predictions."—Commercial Herald.

The United States people have resolved, see the accompanying Resolutions, that their title to this territory is indisputable! so there the matter will rest, of course! the thing is settled! We pretend, to be sure, to have as much right to it, as Jonathan! but that's nothing to Jonathan,—tis a very trifle. We hope the Yankees about that region are not such sanguinary veterans as the Maine people, or else,—

Mr. Linn introduced the following resolutions: Resolved, That it is the opinion of the Senate that the title of the United States to the

Territory of Oregon is indisputable, and never will be abandoned.

Resolved, That the President of the United States be requested to give notice to the British Government, that the conventions of 1818 and 1827, which gave the right to use and occupy the Oregon Territory, its bays, rivers, harbours, to both parties indiscriminately, shall cease in twelve months after such notification.

Resolved, That it is both expedient and proper to extend such portions of the laws of the United States over the Territory of Oregon as may be necessary to secure the lives, liberty, and property of our citizens who may reside in said Territory.

Resolved, That it is expedient to raise an additional regiment of rifle infantry for the purpose of overawing and keeping in check various Indian tribes, or any foreign forces who may be in said Territory, or on its borders; and at the same time to give ample protection to our citizens engaged in legitimate occupations.

Resolved, That 640 acres of land should be granted to every white male inhabitant of said Territory, of the age of 18 years, who may cultivate and use the same for five consecutive years, and to his heirs at law in the event of his death.—Montreal Courier.

Montreal, Saturday, Dec. 28.

"In the course of last night a fall of snow commenced, and has continued all day. It has not been heavy, and being accompanied with a high wind, will be of little use to the roads in the country, as it is blown away into or sheltered places as fast as it falls. Crossing is still effected opposite the city, in boats, although the ice is formed a considerable distance out from both sides of the river.

"Now that the navigation on the Hudson may be considered closed, the New York morning papers will be the latest received by the mails. This morning the morning papers only of Monday came on.

The following is a Message which was sent by His Excellency the Governor General to the Legislative Council of Upper Canada on the subject of the Clergy Reserves:—

C. POLLETT THOMSON. The Governor General has to inform the Legislative Council, with reference to the Bill passed during the last Session of the Legislature, but reserved for the signification of her Majesty's pleasure, entitled "An Act to dispose of the lands commonly called Clergy Reserves, and for other purposes therein mentioned," that by an accidental delay in the transmission of the Address from the Legislative Council and House of Assembly, required by the 42d clause of the Act 31 Geo. III, c. 31, it became impossible during the last Session of the Imperial Legislature to comply with that provision of the Statute, which requires that a Bill of this description should be laid before Parliament for thirty days before the decision of the Crown upon it is pronounced.

But had this difficulty not arisen, there were other considerations which would, in the opinion of the Secretary of State for the Colonies, have prevented the acceptance of the measure by Her Majesty.

Parliament delegated to the Local Legislature the right of appropriating the Clergy Reserves, and the effect of the Bill was to re-transfer that duty from the Local Legislature to Parliament, with a particular restriction.

Her Majesty's Government were advised by the Law Officers of the Crown, that such a proceeding is unconstitutional, and it appeared to them to be evidently liable to inconvenience.

Her Majesty could not assume that Parliament would accept this delegated office, and if it should not be so accepted, the confirmation of the Bill would have been productive of serious prejudice and of no substantial advantage.

It would have postponed indefinitely the settlement of a question, which it much concerns the welfare of this Province to bring to a close.

The objection of form, therefore, was insuperable.

Nor could it be assumed by her Majesty's Government that there exist in England greater facilities than in Upper Canada, for the adjustment of this controversy. On the contrary, in their opinion, the Provincial Legislature bring to the decision of it an extent of accurate information as to the wants and general opinions of society, in which the Imperial Parliament is unavoidably deficient.

Under these circumstances, Her Majesty's Ministers felt themselves compelled to advise Her Majesty not to give her assent to the Bill. They adopted that course with regret; but they trust that the failure of the attempt thus made to effect the settlement of so important a matter will be but temporary, and that the opportunity will at no distant period be found for arriving at a satisfactory adjustment of it.

The Governor General will probably feel it to be his duty, shortly, to call the attention of the Legislative Council specially to this subject. Toronto, Dec. 23, 1830.

FROM THE ROYAL GAZETTE.

IN COUNCIL, January 6th, 1840.

The undermentioned applicants for the purchase of Crown Lands, may have the lands applied for by them on the following terms, if payment be made before the 8th day of March next, and five shillings additional will be charged on each purchase, for postage, &c.

- RESTIGOUCHE. John Roberts, 3s. per acre, down. Mary O'Brien, do. do. W. M'Gregor, 2s. 6d. do. NORTHUMBERLAND. Thomas Reilly, 3s. per acre, down. John Wright, jun. may have 100 acres at 3s. per acre, down, or 120 at auction. Upset price 3s. per acre. WESTMORLAND. Adam Scott, 3s. per acre, down. Edward Keating, 3s. per acre, down. Samuel Davis, do. do. E. Steves, jun. do. do. SAINT JOHN. John Campbell, 3s. per acre, down. William Scott, do. do. John Walker, do. do. J. Patterson, do. do. Thos. Lendsey, do. do. Robert Reid, do. do. M. Downing, do. do. KINGS. A. A. Gibbs, 3s. per acre, down. QUEEN'S. Neil Stewart, 3s. per acre, down. Ephraim Betts, do. do. V. W. Wiggins, do. do. A. Camp, do. do. B. Burlock, do. do. E. Scribner, do. do. YORK. John Magher, 3s. per acre, down.

The Lands applied for by the undermentioned persons, will be offered at public auction at this office on Monday the 2d day of March next, (see advertisement.)

Robert Ferguson, James Currie, W. M'Allister, W. Blacklock, Alex. Anderson, Thomas Daley, John E. Roberts, James Simpson, Thomas Burns.

The petitions of the undermentioned persons are referred for want of survey.

- James M'Nair. James Power. John Currie. Patrick Power. Charles Leppitt, jr. John Dickson. Louis Aché. John Woods. D. Morrison. W. Dickens, jr. Alexander Cormack. A. Simpson. Helene White. Samuel Davis. James Campbell. John Allward, sen. John M'Quinn. George Blakeney. M. Wortman. Andrew Cripps. J. D. Worden. Charles Johnston. W. S. Smith. Michael Shey.

The answers to the petitions of the undermentioned persons are as follow:

- Charles Harrison, not complied with. Wm. Cromwell do. do. Timothy Butler, complied with. Thomas Tackney, do. Francis Ferguson, do. Augustine Maillet, do. Thomas Cloney, recommended that he furnish a copy of the papers submitted to Reuben Brockway.

Robert M'Intosh, complied with, the amount to be paid. George Wilson. A grant of the land prayed for by him has already passed.

James Simpson. The sale of the lot applied for him to be postponed until the public sale in March next.

James Stickney. Cannot be entertained, as relates to the disputed territory.

Benjamin P. Griffiths. Not complied with, the necessary certificate not having been furnished.

John M'Lean. Complied with on payment of single duty.

The applications of the undermentioned persons, for licence to cut timber and logs on crown lands are complied with on payment of the duty before the 8th day of March next.

- Peter Gallier, River Saint John. F. Ferguson, Belle Dune River. H. Harrison, Little Presquite River. Arthur Ritchie, Upsalquitche River. do. Restigouche River. R. R. Dunlop, Washalemoac River. J. Hansalpecker, jun. Salmon River. Robert Keith, New Canaan River. Amos Dickinson, Beauguine River. W. M'William, county of Kent. J. Humphrey, Peticodiac River. A. Crawford, Nerepis River. S. Tapley, River Saint John. J. M'Kinley, S. W. Miramichi River. J. Shaddock, N. W. Miramichi River. B. D. Smith, Eel River. R. Colpitts, Pollett River. J. R. Cliffe, Nackewiac River. John Stults, Peticodiac River. John Balloch, River Saint John. R. Lackey, Coal Creek. G. M'Lean, New Canaan River.

The answers to the petitions of the undermentioned persons are complied with, on payment of all arrears due by them.

- Daniel Small, Cain's River. Reuben Brockway, Trout Brook. John Montgomery, River Clarloe. Moses Coburn, Richibucto River. Hiram Biggs, Washalemoac Lake. J. Montgomery, Benjamin River. Charles Perley, Eel River.

The timber berths applied for by James E. Perley and Guy Jouett, will be offered for competition between these applicants only, at this office on Monday the 2d day of March next.

The timber berth applied for by James Craig and Nathaniel Hilton, on Taxes River, will also be offered for competition between these applicants only, at this office on Monday the 2d day of March next.

Crown Land Office, Jan. 7, 1840.

The undermentioned tracts of vacant crown land will be offered at public auction, at this office, on Monday the 2d day of March next.—Sale to commence at 12 o'clock, noon.

Terms—10 per cent. of the purchase money to be paid at the time of sale, and the remainder within 14 days after.

200 acres, Restigouche, west side of the River Upsalquitche, as surveyed for Robert Ferguson. Upset price, 3s. per acre.

60 acres, Northumberland, North Branch Little Bartibog River, as surveyed for James Currie. Upset price, 3s. per acre.

100 acres, Northumberland, in rear of Wm. Ritchie, second tier north of Miramichi River. Upset price, 3s. per acre.

100 acres Westmorland, Botsford, west of land purchased by Thomas Blacklock. Upset price, 3s. per acre.

100 acres, Westmorland, north west side of New Road from Square Lake to Sackville.—Upset price, 3s. per acre.

100 acres, King's, between D. Campbell and M. Purlall, Norton.—Upset price, 3s. per acre.

100 acres, Queen's, east half of lot No. 13, and west half of No. 12, second tier, M'Donald's survey, at Wiggins's Cove, Grand Lake. Upset price, 3s. per acre.

50 acres, Carleton, half of lot No. 2, 4th tier, Williamston Settlement. Upset price, 3s. per acre, down.

THOMAS BAILLIE, Commissioner of Crown Lands. Crown Land Office, 7th January 1840.

ST. JOHN, Jan. 8.

Fire.—Yesterday morning, about ten o'clock the upper part of the house occupied by the Rev. Mr. Andrew and Mr. Dougan, in Princess street, and owned by Mr. Gallagher, was discovered to be on fire. It was at first of a very alarming nature, the house being surrounded on all sides by large, valuable and respectable dwelling houses, whose destruction would have been almost certain had the fire obtained headway. By its early discovery, however, and the well directed efforts of the firemen, and others, it was soon extinguished. The roof and some of the upper parts of the building are considerably damaged. It originated, we learn, from a spark having lodged on the roof and igniting the shingles. The military were promptly in attendance, as usual.

Mr. Ansley very fortunately having a pipe from the Waterworks leading into his Tannery in the rear of the building on fire, and his valve being full, the Engines were plentifully supplied from that source, by which doubtless the Fire was so early got under after the arrival of the Engines.—This is another instance of the great benefit of the Water Company to the City.—Observer.

The weather is cool and life sustaining,—favoured with an abundance of shunshine at noon. Snow and rain scarce—the latter in great requisition. Such a season "we never did see,"—and so far from appearances, our sleighing friends are to be disappointed of the enjoyments of tandem and four in hand, this winter. Well—be it so—the military, with their friends, are to have a splendid ball, at St. John Hotel Long Room, this evening—at which there will be a gathering of all the wealth, influence, beauty and fashion our city contains,—so that if amusement cannot be derived from one source, our Militia officers, and their friends, are determined to give and seek it in another.

Large Dividend.—The New Brunswick Marine Assurance Company declared a semi-annual dividend on the 2d inst. of forty per cent.

which, we believe is an almost unprecedented return for capital so invested. This institution has not yet been in operation three years, and has paid losses to the amount of £36,000. The present dividend, therefore, is highly creditable to its managers, and is an evidence of the extent of our shipping, which are almost the only vessels insured in the office, while the company is restricted from taking a risk in any one instance exceeding £3000.—Courier.

The Marriage of Queen Victoria.—Meeting of the Privy Council.—Since the year 1761, when on the 8th of July, King George the Third announced, at a meeting of his Privy Council, his intended marriage with the Princess Charlotte of Mecklenburgh Strelitz, no meeting of that distinguished and important body has excited so much of public interest as that which was held yesterday at Buckingham Palace, and at which her Majesty signified her intention to contract a marriage with his Royal Highness Prince Albert, of Saxe Coburg and Gotha.

About 90 members of the Council were in attendance, among whom were his Royal Highness the Duke of Cambridge, Viscount Melbourne, Duke of Wellington, Sir Robert Peel, Archbishop of Canterbury, Lord John Russell, Marquis of Normanby, &c. Immense crowds of people were drawn to the neighbourhood of Buckingham Palace. Her Majesty, who appeared in remarkably good health and spirits, was loudly cheered by the populace, which was kindly acknowledged by her Majesty.

Her Majesty being present in Council, was pleased to make the following declaration:

"I have caused you to be summoned at the present time, in order that I may acquaint you with my resolution in a matter which deeply concerns the welfare of my people, and the happiness of my future life.

"It is my intention to ally myself in marriage with the Prince Albert, of Saxe Coburg and Gotha.

"Deeply impressed with the solemnity of the engagement which I am about to contract, I have not come to this decision without mature consideration, nor without feeling a strong assurance, that with the blessing of Almighty God, it will at once secure my domestic felicity and serve the interests of my country.

"I have thought fit to make this resolution known to you at the earliest possible period, in order that you may be fully apprised of a matter so highly important to me and my kingdom, and which I persuade myself will be most acceptable to all my loving subjects."

Whereupon all the privy councillors present made their humble request to her Majesty, that her Majesty's most gracious declaration to them might be made public; which her Majesty was pleased to order accordingly.

April is understood to be the month fixed on for her Majesty's nuptials.

A new projectile was recently exhibited in England, which was intended to meet and set at defiance French improvements. Captain Warner is mentioned as the inventor. An English paper gives the following account of an experiment with this dreadful instrument.

"A large and strong built boat was the subject of the experiment; and the distance was left to choice, with the single proviso, that the object fired at should be in sight. The destructive missile reached the boat at the water line, exploded, fairly heaving her up, and scattering the planks into shivers. One plank alone of the whole retained a breadth of about three inches, and perhaps two feet in length; the rest and the keel itself, as they fell, after the lapse of some seconds, into the water, presented a mere mass of floating splinters. The whole destruction was effected by the agency of two and a half pounds of combustible matter, projected by an instrument of perhaps ten or a dozen pounds weight. There was no recoil whatever, nor any smoke or noise till the shell exploded against the vessel, and then the percussion of air was tremendous. At Kingston it created great commotion, as the explosion was attributed to the powder mills at Hounslow; and, since the fact has become known, the excitement has greatly increased. No vessels of the line, probably could have resisted the shock, or escape total destruction from even the small quantity of combustibles experimented; not the slightest discoloration was visible on any of the fragments.—The power is quite novel, and the secret jealously guarded."

FOR THE SENTINEL.

MR. EDITOR.—I am quite delighted to notice that the Woodstock "Times" has lately been favoured with the productions of a literary luminary, who not content with shedding lustre on the good folk of that quarter, has exhibited a very strong anxiety to extend the scintillations of his genius to those who sit in darkness in Fredericton.

As he appears to have some special favours in store for the Sentinel and your correspondent Z. I have not sufficient chivalry to proffer assistance where it does not happen to be wanted; but will merely notice a few of the elegant sentences which in my opinion, evidently mark the writer as one of no very ordinary ability. Indeed they prove to be a demonstration that "Murray" and "Lennie" of whom Barney prates are quite at his finger ends.—Take for example "My master Z. in his very affectionate anxiety to serve his patron, has given the 'cut direct,' to some rules which in the olden time were said to govern composition—you will remember collections of these by Murray, Lennie and others—doubtless these were intended for the vulgar herd alone, such master spirits as Z. and his compeers may trample upon and treat them as 'unholy things' without censure or this reason, and as well because he seems quite at peace with himself." Barney goes on to say "I shall not press this point further" &c. had he substituted period for point and added as a reason, that he had already pushed it beyond the ken of any known rule of the English language, he would have told a truth by accident, and this he might have done in his own elegant phraseology "without censure or this reason and as well!"

Again "In the matter of 'ill-conceived envy,' wherewith I stand charged by Z. I must in all seriousness plead not guilty. Gay tells us 'envy is a sort of praise,' and that I have no idea of praising Edmund Ward in any sort;—Who wants proof?" Why I want proof that ever "Gay" told you anything about your "ideas" regarding Mr. Ward, and I likewise want proof that because "Envy is a sort of praise"—"praising Edmund Ward in any sort" is either good English or common sense.

Barney throughout the whole of his unique epistle furnishes ample testimony that he has been more familiar with Billingsgate than either "Lennie" or "Murray"—take another example which he no doubt thought a very elegant conclusion to a paragraph—"and of a sarville, cringing, yet arbitrary spirit, that kicks where it can and kisses where it cannot"—in this character I cannot envy, but I can and do with warm earnestness condemn him." What a "spirit" there is in this fine idea "kicks where it can and kisses where it cannot"—(kiss) Barney ought to have a good kick to finish the sentence. It would be trifling with time to point out the many glowing absurdities of this would-be knight of the quill; the whole production is below criticism—suffice it to say that his letters are fit to appear in the print in which

they were published and can have merit only in the eyes of the drone by whom the Times is conducted.

PILGARLIC.

Fredericton, Jan. 9, 1840.

THE SENTINEL.

FREDERICTON, JANUARY 11, 1840.

GOVERNOR FAIRFIELD'S MESSAGE.

This document has made its appearance, and contains some notice of border affairs which are rather interesting.

It appears that the Aroostook frolic of last winter has had sad effects on the Treasury of Maine, and their Governor plainly tells the legislature, that borrowing money to pay the interest of the Public debt by a State loan has been found impracticable, and that they must now impose a State Tax to meet this and the ordinary demands on the public purse. The old story of the state currency is likewise adverted to at great length, and will likely occupy the Legislative wisdom of the session.

The quarrel between Maine and Georgia is likewise brought under the notice of the legislature, and in the event of Georgia concluding to denounce the citizens of Maine as public enemies, Governor Fairfield thinks some counteraction on their part may be necessary. This quarrel is of pretty long standing, and it is not likely that either party will adopt any stronger action than merely to declare—perhaps Maine may declare, that they are not public enemies of Georgia, both declarations having equal authority in the eye of the constitution, the question will remain pretty much the same as when it was first agitated.

As the following extract refers more particularly to the present state of affairs on the border, we give that portion of the message below, together with the correspondence to which it refers. Our readers will perceive that while the authorities of the State of Maine, have proceeded to erect substantial fortifications on the Aroostook, and block-houses elsewhere on the disputed territory, Governor Fairfield considers the stationing of two companies of British troops on the Temiscouta Lake, and the erection of barracks on the St. John, as acts of invasion of American territory; which should call forth the immediate action of their General Government.

"In further compliance with the resolve of the 23d of March, the land agent, with a sufficient armed posse remained in the territory after the withdrawal of the troops. For a particular account of his proceedings I must refer you to his report. It seems that during most of the time he has had in the service about two hundred men. That they have not been idle, will appear, I think, by looking at what they have accomplished. In addition to the labour expended in finishing tolerably substantial fortifications erected upon the Aroostook, with two large block houses and similar buildings at the mouth of Fish river, they have made over one hundred miles of road, through the heart of the wilderness—all of it being suitable for travelling with carriages and for the transportation of heavy loads. Booms have also been extended across the Aroostook and Fish rivers, of the most substantial character, and much valuable timber thereby saved. On the whole though the expenses have been necessarily great, it is believed that the true interests of the State have been promoted by the course pursued by the land agent and those who have been associated with him.

Early in the fall complaint was made to me that the land agent of Massachusetts was granting permits to persons residing in the province of New Brunswick and others, to cut timber upon lands contiguous to, and lying upon both sides of the Aroostook river. And it was represented that if such practice was to be persevered in, it would be impossible to execute the laws and resolves of the State in relation to the prevention of trespassers upon the public lands. The evils before experienced from this cause, and those apprehended, were represented as numerous; and among others, that these permits were used by many as a mere cover for depredations upon the lands of this State. Under these circumstances I felt constrained to address the land agent of this State, advising that the utmost rightful power should be exerted on his part, to counteract the designs of these persons; and that he notify them that if they persevered in their attempts, the legislature would probably adopt some regulations in regard to the use of our public streams, which would render the lumbering operations of but little avail to those engaged in them. The land agent conformed to this advice, and I am happy to state my belief, that no more permits were subsequently granted, and that most of the persons who had previously obtained permits, abandoned the design of operating under them. A few however, did not, and whether any measures should be adopted in relation to them, carrying out the suggestion before made, it is for you to judge.

The views which I have presented in this communication upon the subject of the boundary; were those entertained independently of what is now an ascertained fact, to wit: that our territory is actually invaded, and of course are to be modified by that circumstance. Official information of that fact was received by me a few days since while on my way to this place, in a reply of the Lieutenant Governor of the Province of New Brunswick to a letter of inquiry addressed to him by myself in relation to this subject. It is admitted that one or two companies of British troops have been stationed at Temiscouta Lake, but it is alleged by the Lieutenant Governor to have been done, not by his own orders, but by the authorities of Lower Canada. This movement I cannot but regard, under whatever branch of British authority, or on whatever pretence it may have been made, not only as a violation of the spirit of the arrangement agreed upon in March last, but as clearly an invasion of our territory. Under these circumstances I deemed it to be my duty immediately to communicate the facts to the President of the United States, with other the less official information received of the building of barracks by the British Government on both sides of the St. John, near the mouth of the Madawaska river, which I did, calling officially for that action on the part of the General Government which the case required, and the Constitution and laws of the United States clearly enjoined.

The following are the documents referred to in the Message.

Executive Department, } Augusta, Dec. 23, 1839. } His Excellency, M. Van Buren, } President of United States.

Sir—It having been reported to me that a large number of British troops had been stationed at Temiscouta Lake in the disputed territory, and seeing extracts from the provincial papers confirmatory of these reports; I deemed it proper to apply directly to the Lieut. Governor of the province of New Brunswick, which I did by letter of the 12th instant, to ascertain whether these reports were well founded or not. His answer, under date of Dec. 19th, I received yesterday, while on my way to this place.