

After concluding a Peace with Austria and Russia, he makes such a large augmentation to his Army.

The Plan of the new Confederation, or, as it is called, the *League of the Rhine*, has been presented to the Diet of Rastatt by the French Minister Bacher. In the Note which M. Bacher presented upon this occasion, after explaining the grounds which induced his Master to declare himself Protector of Germany, or, in other words, Head of the Empire, he says, that he has but one wish remaining, and that is to use the means which Providence has given him, to restore the Liberty of the Seas, and to establish the freedom of commerce.

PORTSMOUTH, AUGUST 14.

The greater part of the Downs' Fleet have, through adverse winds, been obliged to put back to the Downs; however, three or four have been able to beat their way in, viz, the Joseph and Mary, Babin, for Newfoundland, Indultry, Kirby, for Quebec, London Packet, and the Aulward. The latter ship left the Fleet off the Owers Light yesterday afternoon.

### For the SAINT JOHN GAZETTE. CENSOR, No. XIII.

IN the last number I adverted to a sum of money, improperly, as I conceive, ordered to be paid out of the City Funds, in order to gratify the Grand Juryman so frequently mentioned. Some further explanation will be necessary, before the public can determine upon the justice of the course of this transaction.

Some time ago, the proprietors of the Lots, lying between the public street or wharf on the North side of the Market Slip and York Point, applied to the Common Council to lay out a street through those Lots, pledging themselves to make the necessary erections for forming the street, and to keep the same in repair when laid out. It is obvious, that such a street was much more beneficial to those proprietors, than to the public, more especially as the public Lot, through which the street was to pass, was then actually under a grant in fee from the Corporation, yielding a perpetual rent of eleven pounds per annum, which was to be remitted; and it was also requested by the Corporation to pay to the proprietor of the next adjoining Lot, through which the street was also to pass, for the wharf forming that part of the street, the sum of 95*l*. 14*s*. 2*d*. This annual rent, equal to the interest upon 180*l*. and the above sum of 95*l*. 14*s*. 2*d*. make the loss to the public at a fair estimate to be upwards of 275*l*. for the accommodation of these proprietors; and this sacrifice, great as it is, was made. There is not another instance to be found, nor will there probably ever be one again, in which any equal number of citizens will receive so great a proportion of direct benefit, by a contribution from the City Funds for such a purpose. It is, however, by no means intended to insinuate that it was not a judicious act on the part of the Corporation to lay out this street; such communications are without doubt beneficial to the public, as well as to the individuals more immediately interested. It became necessary, in order properly to complete the business, that these proprietors should execute instruments, binding them to the repair of this street, agreeably to their original proposals. These instruments were accordingly prepared; the whole amount of the expense of which was about 20*l*. making the proportion of each proprietor to be from 30*s*. to 50*s*. As it was an act to be done by them, and so much of the public money had been appropriated to their use, it surely would have been but decent in them, without murmuring to defray this expense, so trifling to each; indeed, to do them justice, they never did oppose the payment of it collectively, nor can it be supposed, that any one, but this meritorious Grand Juryman, would have made an objection to such a requisition on part of the Corporation. It was obviously so reasonable an expectation, that the leading Alderman himself, declared it to be his opinion, that the proprietors ought to be at this expense, he nevertheless when this matter was under consideration in the Common Council expressed in his particular manner a very different sentiment by saying "this man," referring to the Grand Juryman, "is making such a fuss about it, we will pay it out of the City Funds, and have done with it." To be sure, 20*l*. is not a very great sum of money, but the objection is to the cause and manner of granting it; and I very much doubt, whether the other members of the Common Council, if they had properly understood the circumstances of the case, would have given their consent to its being paid out of the Funds of the Corporation. There has been a time when His Worship the Mayor would have strongly remonstrated against so unwarrantable an appropriation of the public money, before he would have put a question upon it. It was altogether unpardonable in the present case, because the sum was voted, without any application having been made for it to the Common Council; and the Grand Juryman, as one of the proprietors applying for the street, was benefited by it equally with, if not more than any one of the others. But this is not the only instance, in which money, and to a much more considerable amount, was about this time paid by the Chamberlain under a pretended authority of the Common Council, not only without the knowledge of any of the members, except His Worship, the leading Alderman, his brother associate, and perhaps one or two more in the secret, but in fact without any authority whatever for such payment, at the time it was made. This however will be a subject of consideration hereafter. In the instance now under discussion, it is impossible not to feel strong indignation at the facility, with which the leading Alderman, at a nod, could command the public Treasury; and at the indifference with which he exercised this power, upon such an occasion, and for such reasons as he had the effrontery to assign for his conduct. But this was too critical a moment to offend the Grand Juryman; and the order was obtained to pay the whole 20*l*. out of the City Funds merely, as it appears, to save about 50*s*. to this formidable claimant.

The whole matter is now before the public, and they will judge of the justice and propriety of the animadversions, that have been made on this occasion.

The next public measure, that I propose to take into consideration, as being probably influenced by or connected with the prosecution or defence of the culprit Smith, is the passing of the annual accounts of the Corporation in Common Council in the month of April last. But before I proceed to particulars, I beg leave to make a few preliminary observations. All accounts of money, due from the City Funds to individuals for demands against the Corporation, are or ought to be audited and passed by the Common Council, and orders for payment duly entered in the minutes, and certified by the Clerk to the Chamberlain, before the latter can be authorized to make the payments; and this is the usual and almost invariable mode of transacting the business. If it is thus regularly conducted, the only accounts for the annual examination of the Common Council, will be the Mayor's, the Clerk's, the Chamberlain's, and the Recorder's, if perchance during the year employed. Why these accounts are not examined in full Common Council, so that each member may know what sums he votes for, and for what services, and may also see for himself, whether the items in the accounts of monies paid are properly vouched, it is impossible to assign any good reason. The whole examination, if the accounts are properly prepared, would not take an hour, and the members of the Common Council, and the public would have much more reason to be satisfied, than they now have. Indeed the Chamberlain's account ought annually to be published, that the Citizens at large may see, whether those, whom they have elected, as guardians and disposers of the public Treasury, have been faithful Stewards, and worthy of the trust reposed in them. But instead of an examination of these accounts in Common Council, a select committee is appointed, whose report is generally conclusive without farther inquiry. In the appointment of this select committee, indeed of all committees, His Worship the Mayor, by what authority it is impossible to conjecture, claims it as his prerogative, to nominate every member; and it is said, that he justifies it by the practice in the House of Assembly, in which the Speaker usually appoints the committees. Now if the Speaker has such a right, it by no means follows, that His Worship has the same. But this is quite a mistaken idea; it is true, that, for the more easy and speedy transacting of the public business, the Speaker generally exercises this power; but whenever an occasion arises, upon which the House incline to have a voice in the appointment of the members of a committee, it takes place of course, and a committee is ballotted for or voted in the usual form, as the House may please. Just so, the Common Council, whenever they please, may appoint any committee, for which there may be occasion at their board, although for the sake of convenience they may usually acquiesce in the nominations made by the Mayor. In the instance of appointing a committee for auditing and examining the public accounts of the Corporation, in which the Mayor's, one of the most important, is included, it certainly would be peculiarly proper, that the Common Council should themselves appoint the committee, and delicacy would without doubt prevent His Worship's interference, even if he had a right, upon such an occasion.

But to come to the case under discussion, on the third of April, about a fortnight after the Bills of Indictment were found against Smith, His Worship in Common Council appointed a select committee to examine and report upon the public accounts of the Corporation, and at the head of this committee placed the leading Alderman and his brother associate, joining with them two other Aldermen; the accounts referred to this committee were His Worship the Mayor's, the Clerk's, the Chamberlain's, and the Recorder's; for it happened, that, after two years total neglect, the Recorder had been then recently employed to draw a Law, which, being long and special, upon a particular subject, not before provided for, his account contained therefor a solitary charge of two guineas. This account, it is said, had been particularly applied for by the leading Alderman, in a manner calculated to shew his peculiar regard and friendship for the Recorder, as was afterwards done in the instance of the Laws drawn by the Recorder, particularly mentioned in the last number.

The different fate of these accounts before the select committee, and the final result respecting them, remain to be considered in a future number.

Erratum in Censor, No XII.

In the 26th line from the beginning for "facts" read "parts."

### NOTICE.

ALL Persons to whom the SUBSCRIBERS are indebted to, are requested to render in their Accounts without delay for settlement—And all those who stand indebted to them by Note, Bond, or Book Account, are requested to make immediate payment, otherwise their Accounts, &c. will be sued for without discrimination.

DONALDSON & HENDRICKS.

Saint John, 30th June, 1806.

### NOTICE.

WHEREAS Letters of Administration has been granted to the Subscriber, on the Estate of the late RICHARD SEAMAN, Esqr. deceased.

All Persons having any demands against the said Estate, is required to render the same within Six Months from the date hereof—And all Persons that are indebted thereto, is requested to settle the same without delay.

ANDREW CROOKSHANK.

SAINT JOHN, 14th JULY, 1806.

Rum, Sugar, Shrub, Molasses, and  
Lime Juice,

JUST Received from Tobago, by the Brig Lord Sheffield, Capt. Longmuir, and for Sale by  
NEHEMIAH MERRITT.

Saint John, 5th May, 1806.

BLANKS of various kinds may be had at this Office.

### SAINT JOHN, October 20, 1806.

Since our last arrived here the Brig Venus, Capt. W. Ward, from Newfoundland—Schooner Mercury, Capt. Beatey, from New-York—and Brig Prince Edward, Capt. Hills, from Halifax.

Sailed—Brig Ann, Capt. Lovett; Schooner Argonaut, Capt. Dillrow; and Schooner Fanny, Capt. Leavitt, all for New-York.

MARRIED) At Hampton, King's County, on Sunday the 12th instant, by the Rev. Mr. SCOVILL, Mr. JOSEPH PICKEL, to Miss MARY BIRDSALL.

DIED) On Sunday the 12th inst. at Fredericton, the Honorable ISAAC ALLEN, Esq. one of the Judges of the Supreme Court, and one of His Majesty's Council of this Province, in the 65th year of his age.

A more particular notice of this interesting loss to the community, and of the funeral of the deceased, will appear in our next.

### JOHN L. VENNER, HAS JUST RECEIVED,

By the Ship MARY-ANN, from LONDON,  
A GENERAL ASSORTMENT OF  
WOOLLEN GOODS:

SEINE, Herring, and Salmon Twines; Teas, Sugars, Tobacco, and other Groceries;—A variety of Linen and Cotton Manufactures.

—ALSO—

A few Pipes of Holland's GIN, and Cogniac BRANDY, of a superior proof and flavor, which will be sold at low rates.

SAINT JOHN, 14th OCTOBER, 1806.

### SAMUEL JAMES VENNER,

MASTER of the Ship MARY-ANN, hereby forewarns all Publicans and others against trusting any of the Seamen belonging to the said Ship, while they may remain in the Port, these Men being under Articles until the Vessel's return to London—cannot after this Notice, be detained from the Ship by arrest for Debts incurred here, and have no Wages due them until the voyage is completed.

SAINT JOHN, OCTOBER 14, 1806.

### A LIST OF LETTERS

Remain in the POST-OFFICE, SCHOODICK,  
(Opposite SAINT ANDREWS.)

| Names,          | Places of Abode.   | Dls. | Cents. |
|-----------------|--------------------|------|--------|
| Barlow, Ezekiel | St. John, N. B.    | 22   |        |
| Clair, John     | Fredericton, N. B. | 25   |        |
| Gilbert, Josiah | Iditto,            | 25   |        |
| Hatfield, David | St. John, N. B.    | 22   |        |
| M-Kay, Rebecca  | Iditto,            | 19   |        |
| M-Kee, John     | River St. John,    | 50   |        |
| Lannen, Mr.     | St. John, N. B.    | 17   |        |
| Ryan, Michael   | Iditto,            | 17   |        |

JOHN BREWER, Post-Master.

Post-Office, Schoodick, October 1, 1806.

### NOTICE.

ALL Persons having demands against the late Co-partnership of LUDLOW, FRASER, and ROBINSON, are requested to call on JOHN ROBINSON at St. John, or PETER FRASER at Fredericton, for payment before the First Day of JANUARY next, and all persons indebted thereto, are desired to make immediate payment.

Saint John, October 1, 1806.

### NOTICE.

ALL Persons having any legal Demands against the Estate of the late GEORGE LIVINGSTON, of this City, Carpenter, deceased, are requested to render them duly attested within Six Months from this date—And all those indebted to said Estate, are desired to make immediate payment to

HESTER LIVINGSTON, Executrix.

Saint John, 1st September, 1806.

### NOTICE.

ALL Persons having any Demands against the Estate of Mr. JOHN M'LEOD, late of this City, deceased, are hereby requested to render the same in Six Months from the date hereof—And all those indebted to said estate is required to settle the same without delay.

CATHARINE M'LEOD, Executrix.

DUNCAN M'LEOD,

ANDREW CROOKSHANK,

WILLIAM WHITLOCK,

Executors.

Saint John, 30th December, 1805.

### WHEREAS LETTERS

OF Administration have been granted to the Subscribers, on the Estate of THOMAS JENNINGS, deceased, late of this City, Blacksmith.

NOTICE is hereby given to all persons having demands on said Estate, to render the same within Twelve Months from the date hereof; And those indebted thereto, are hereby called on to settle the same without delay.

ANDREW CROOKSHANK,  
JOHN ROBINSON.

Saint John, 12th July, 1805.

SEAMEN'S JOURNALS, neatly  
Sprinted and stitched in Marble covers  
may be had at this Office.