

ask, is the plain state of facts in this matter? An unwarrantable invasion is made by the State of Maine upon a part of our territory, our Governor promptly calls upon the Government to retrace its steps, stating, as was most truly the case, that his instructions enjoined him to maintain exclusive jurisdiction over the disputed territory according to the understanding between the General Government and Great Britain, and that if necessary the whole military force of the latter power at his disposal would be exerted to effect that object. Were not Sir John's subsequent acts in perfect accordance with this declaration? By his energetic, spirited, and well devised measures, troops and all the munitions of war are concentrated upon the point of danger, with a rapidity, which, to those who can understand and appreciate the difficulties of marching troops from Halifax on one side and Quebec on the other, at that inclement season of the year appears almost incredible. A formidable body of Militia, both Horse and Foot, is raised, equipped, and disciplined—the spirit of our brave forefathers is awakened through the whole Province—and nothing is left undone to meet the exigency. What then occurs?—The British Minister at Washington upon being made acquainted by Sir John of the threatened collision, and finding that doubts existed as to the construction to be placed upon the agreement on which our Governor's instructions are predicated, enters into an agreement with the American Minister to effect a suspension of hostile or even active measures on either side—referring the ultimate decision of the question to the General Government. This arrangement, though not compulsory on the parties, is accompanied by the strong and earnest recommendation of both Ministers. It is transmitted by express to Sir John, and an officer of high rank in the American Army is sent in the character of a peace-maker to urge Sir John's acceptance of the terms proposed. Now, Sir, I appeal to you—I appeal to any candid man in his right mind; what course could our Governor pursue under such circumstances more wise, more prudent, more conducive to the welfare of its inhabitants, or more in accordance with the dignified spirit of his government, than that which he has adopted? Was he to fly in the face of the strong recommendation of the British Minister, and thereby imitate the conduct of Maine in setting up a right to govern independent of the Parent Government, a sort of "imperium in imperio"? Was he to dash aside the olive branch of peace thus held out to him and light the torch of war? Could he by so doing have gained one single step more for this Province, than he has attained by the present arrangement? What have we lost by it? Our communication with Canada is secured. Our possession of the whole of the disputed territory of which we ever had the actual occupation, remains undisturbed. Would the remainder be worth the treasure it would cost to take it by force? Would it be worth the life blood of one British Soldier? For, let it be remembered the present arrangement does not touch the main question. It merely provides for the guardianship of the soil until the right of it be decided. Is, then, that guardianship or temporary possession of such vital importance as would justify Sir John in keeping his people in a state of alarm and warfare—draining our provincial coffers—detaining our yeomanry from their farms and families, exposed to privations and hardships—and above all, hazarding a border conflict which must necessarily have entailed deaths and ruin upon thousands? Let those hot headed, but I surmise not Lion-hearted, individuals who blame Sir John and madly shout for war, pause and reflect upon the consequences; let them first, as I have endeavored to do, become acquainted with the work and duties of the Soldier; let them, Sir, join our City Guards and drill a few hours in each day, they will then find that even without hardships or privations, war is a much finer thing to talk about than to enact. Far be it from me to urge for one moment a concession of one inch of our rights to the territory in question, or damp the noble and truly British spirit which has been aroused among us. No, Sir, let us be prepared for the worst; we have an insidious foe upon our Borders—but be assured, the battle is not to be fought upon the Aroostook. It is not to be risked upon a skirmish in the woods. War is a calamity to be deprecated by all good men; but if it be inevitable—if national honor demand it—then let it come in good earnest. Let the declaration of it proceed from that great country of which we pride ourselves upon being a portion; and let us, instead of madly clamouring for a partial conflict which would cause bloodshed and misery without any adequate result, prepare in silence to take our part to lead or follow as the Mother Country may direct. In my opinion, Sir, and I am "quite sure that I speak the sentiments of nine-tenths" of the thinking portion "of this community," we owe Sir John Harvey a debt of deep and lasting gratitude for the wisdom, forbearance, and foresight, (that truest indication of talent), which his whole conduct and administration have exhibited.

BORDER DIFFICULTIES.—The public are aware that in consequence of a provisional arrangement proposed by General Scott, and agreed to by His Excellency Sir John Harvey, and to which the Governor of Maine has acceded, our border difficulties are for the present averted; and the subject of proprietorship in reference to the territory in dispute, is left open and unincumbered by any authorized act on the part of New Brunswick, to be finally settled by negotiations or otherwise, between Great Britain and the General Government of the United States. To the wisdom, prudence and dignified firmness of His Excellency Sir John Harvey, aided as he has been by the exertions of the British Ambassador at Washington, this Province, the Home Government, and the United States are, under Divine Providence, indebted for the preservation of the amicable relations still subsisting between the two countries; and also for the prevention of the unnecessary sacrifice of human life, which would have been the inevitable result of a ruthless and sanguinary border warfare. We repeat, that we consider the parties to whom we have alluded,

and especially the inhabitants of this Province, are under obligations to Sir John Harvey which probable they will never be able to discharge. We exceedingly regret that any person filling the responsible situation of an editor or publisher of a newspaper in this city, should insult the public by admitting as editorial or otherwise, the rabid libellations of any person who has presumed to attack the well earned reputation of our patriotic and noble minded Governor.—*Saint John Reporter.*

[From the New York Albion.]

We thank the express for throwing very important and what may be considered new light on the Boundary question, which, to a certain extent, may be deemed conclusive. We intimated a few days ago that public opinion universally conceded to Maine the territory in dispute as secured to us by the treaty of 1783, and hence the great unanimity in sustaining that State in her warlike movements. But we suggested the propriety of enquiring whether Great Britain on this question, might not possibly have had some right on her side; and whether the boundary line of 1783 was so perfectly defined as to place beyond doubt the whole of the disputed territory within our limits. As far back as 1803, thirty six years ago, President Jefferson, in his Message to Congress, referred to the subject in the following conclusive language:

"A further knowledge of the ground, in the northeastern and northwestern angles of the United States, has evinced that the boundaries established by the treaty of Paris, between the British territories and ours and in those parts, were too imperfectly described to be susceptible of execution. It has therefore been thought worthy of attention for preserving and cherishing the harmony and useful intercourse subsisting between the two nations, to remove by timely arrangements, what unfavourable incidents might otherwise render a ground of future misunderstanding. A convention has therefore been entered into, which provides for a practical demarcation of those limits, TO THE SATISFACTION OF BOTH PARTIES."

Here are two very important points bearing decidedly and distinctly on the question at issue. Mr. Jefferson, one of the most accurate and methodical statesmen known in the country, admits in his message to Congress, that the boundary lines under the treaty of 1783 "COULD NOT BE EXECUTED," and recommends a new commission to settle the question, as he says, to the satisfaction of both parties, which has not been done at this day. We do not hesitate saying that this places the matter in an entirely new light. Not only did the opinion of Mr. Jefferson remain uncontradicted, but nothing up to this has been done to carry into effect the boundary treaty of 1783. Can it be supposed for a moment that Great Britain would put forth a claim and steadily adhere to it for nearly fifty years, unless that government was under the conviction that it had justice and equity on its side? The Editor of the Express, who is from Maine and a strong advocate of the rights of that State, very frankly puts forth the following:

Whatever excitement of feeling, therefore, this controversy may give rise to, either on the border most intimately concerned in it or in the country at large, justice requires us to acknowledge that the fact of its not having been adjusted thirty five years ago, is not chargeable to the British Government, but to our own. Whether we ever shall get peaceably, as favorable terms again, as were offered to us in 1830, cannot now be known. But if the British Government shall be willing to adopt Mr. King's Convention again, we think the Government of this country will do wisely to agree with them at once, and close all future dispute on this irritating subject.

The Legislature of Maine has probably adjourned in a better spirit than the one in which it met, and we deem it advisable to place the public in possession of all the facts prior to the arrival of the Great Western. If we are not mistaken in our impressions, we shall find that England will take strong ground in contradiction to the views so unanimously adopted by Congress; and we must be prepared, instead of declaring, as we have done, that England is wrong and we are right, to come to Mr. Jefferson's conclusion, viz: that the Boundary Line under the treaty of 1783, was "too imperfectly described to be susceptible of execution, and consequently that commissioners from both countries must repair to the spot and run the Boundary Line again."

[From the Quebec Gazette, 23d March.]

We have perused with much interest a series of Resolutions, about to be submitted to the consideration of the House of Assembly of Upper Canada, upon the State of the Province; and are truly happy to observe, that the necessary measure of Legislative Union of both Provinces, is made a fundamental part of these Resolutions. We, therefore, sincerely trust, that in as far, at least, as this measure is concerned, the resolutions will speedily be submitted to the House and sanctioned. In other respects, and, particularly, with respect to the Resolutions proposing to invest the United Legislature with the power of establishing and regulating the duties collected at all the ports in Canada, we hope that they may be greatly modified: for the Imperial Parliament will never consent to renounce a right, which, by the most solemn engagements with the Colonies, has been reserved to the Mother Country. There can be no objection, however, to the local Legislature imposing as much and as many duties, in addition to those levied under the authority of the Imperial Parliament, as it may deem proper and necessary; and to this power, we trust the Resolutions in question will be solely confined.

Our correspondent at Toronto, under date of the 18th instant, informs us that the Committee on the Clergy Reserves had that morning presented their report upon that delicate and important subject.

The following is the substance of the Report and resolutions:—

The Reserves to be sold as speedily as may be. The proceeds of all sales, both past and fu-

ture to be invested as Government Stock, and loaned to the Province at six per cent per annum.

The principal, to be employed in public improvements, such as roads, bridges, &c.

The interest to be paid annually, and secured, either by tolls on highways, or by tax upon the Districts sharing in the loan, or in some other expedient manner. And the annual income thus derived is to be devoted exclusively to religious purposes, thus classed in the Resolutions:—

1. The maintenance of Public Worship.
2. The erection of places of Worship.
3. The education of Young Men for the Ministry.

The annual income to be distributed as follows:—

- One fourth to the Church of England.
- One fourth to the Kirk of Scotland.

The remainder to other denominations, at the discretion of the Governor in council.

The disposition of these distributions to be reported by the receipts to the Legislature every year.

The Committee is composed of five Episcopalians, three Presbyterians, and one Roman Catholic; but we are informed that their report is unanimous.

There is every indication of a final settlement of the question during the present session, as far as the House of Assembly can decide it. The course which may be adopted by the Legislative Council upon this trying question, is of course a matter of conjecture only. The further consideration of the report and resolutions postponed till Friday, the 22d; and we are promised an immediate notice of the result, which shall be forthwith laid before our readers.

It will be seen from the following letter that Her Majesty's Government are determined to adhere to the opinion of the Law Officers of the Crown, given in 1819, with respect to the Clergy reserves; thus acknowledging the coordinate right of the Church of Scotland:—

GOVERNMENT HOUSE,
TORONTO, February 25, 1839.

Sir,—I am commanded by the Lieutenant Governor to inform you, that His Excellency, having duly transmitted to the Secretary of State for the Colonies, the Address from the Bishop of Montreal, and the Clergy of the Church of England in Upper Canada, praying for a judicial decision respecting the Clergy Reserves, either before the Judges of England, or before the Judicial Committee of Her Majesty's Privy Council, His Excellency has received a despatch dated 15th ultimo, stating that as Her Majesty's Government see no reason to doubt the correctness of the opinion delivered on the subject in 1819, by the Law Officers of the Crown, they do not consider it necessary to originate any proceedings on the subject before the Judges of England, or the Privy Council. I have the honor to be, Sir, your most obedient humble servant.

JNO. MACAULAY.

The Hon. and Ven. the Archbishop of York.

The Montreal Correspondence of the Quebec Exchange received this day is as follows:—

"It is stated here this day on good authority, that Col. Prince has been honorably acquitted by the Court Enquiry in Upper Canada, and that Col. Elliott has been dismissed. Two more companies of the Guards have arrived in town from Laprairie; the roads were so bad that they had to make a circuitous march and cross opposite the Island of St. Helen's. The Special Council will, in all probability, continue in session a fortnight or three weeks longer."

MONTREAL, 24th March, 1839.

The report of the Washington correspondent of the New York Journal of Commerce, of the 18th inst., that a new conspiracy is got up in the United States for new attempts on Canada, may or may not be true. If the United States expect war, they will, no doubt, make instruments of the Canadian malcontents and the sympathisers. A show of the kind may even be thought useful in negotiation.

We noticed yesterday in our summary of news from the East, that a communication from Sir John Harvey to General Scott had been received by Gen. Hodson, at Houlton, and forwarded by the latter express to Augusta. We have seen an extract from a letter written at Augusta on the 16th, which contains this gratifying passage:

"Gen. Scott has received a letter from Sir John Harvey, which does honor to the head and heart of the writer. If the British ministry meet the question in the same spirit, our friendly relations need not be interrupted."

We have only to add that the letter which we have seen, is from one who knows, and that the sentiment expressed in the extract may be considered as the sentiment of General Scott himself.—*Boston Morning Post.*

PRINCE EDWARD'S ISLAND.

TUESDAY, March 12.

At two o'clock this day, the gentlemen composing the new legislative council, all being present, with the exception of the honorables the Attorney General and Charles Worrell, were sworn and took their seats. His Excellency was pleased, after the usual forms being observed, to open the session with the following speech to both houses:—

Mr. President, and Honorable Gentlemen of the Legislative Council.

Mr. Speaker, and Gentlemen of the House of Assembly:

Having by the last packet received Her Majesty's commands to separate and re-constitute the councils of this Island, it became my duty to terminate the late session of the general assembly, and to prorogue it for a short period, in order to carry this arrangement into effect. I have now called you together, trusting that you will, without inconvenience, be able to take up and complete such business as remained unfinished at the recent prorogation, or as the interests of the colony may require.

During the short interval which has elapsed since the termination of the late session, I regret to have to inform you that intelligence has reached me of active measures having been

taken by the State of Maine, to enforce by arms, their alleged claims to the territory in dispute between that State and Her Majesty's province of New Brunswick. This outrage, in defiance of existing treaties, and of the amicable professions of the general government of the United States towards that of Her Majesty, has created a sensation of general indignation in New Brunswick and Nova Scotia; and, although the season of the year precludes the possibility of this colony rendering any active assistance at the present moment, yet I am sure it will universally respond to the feelings so forcibly expressed by the council and assembly of the neighbouring province of Scotia.

London papers to 24th, Edinburgh 23d and Glasgow to 26th February have been received at the Reading and News Room via New York.

ERRATA.—In the "Militia General Orders" published in the Royal Gazette of the 20th March last—

Battalion Restigouche Militia.

TO BE ENSIGN.

For "Robert Vardine," read "Robert Jar-dine."

2d Battalion Charlotte County.

TO BE LIEUTENANT.

For "Robert Reardon," read "Robert Vardon."

1st Battalion York.

Henry A. Hartt, M. D. to be Assistant Surgeon.

Married.

On the 1st inst. by the Rev. J. Bickmyre, A. M. Mr. John Smith, to Miss Catherine Knox, both of the Parish of Kingsclear.

On the 4th inst. by the same, Mr. William De Forest, to Miss Rachel Panton, both of the Parish of Fredericton.

Died.

At Halifax, on Saturday last, Mary, wife of Mr. Abdiel Kirk, in the 50th year of her age.—On Monday last, Harriet, wife of the Rev. John Marshall, Wesleyan Missionary, aged 43 years.

To all whom it may concern:—

NOTICE is hereby given, that we the Subscribers, have been duly appointed Trustees for all the creditors of Hugh Quin, late of Saint Andrews, in the County of Charlotte, an absconding debtor, and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Acts of Assembly in that case made and provided; and we do hereby require all persons indebted to the said Hugh Quin, on or before the first day of July next ensuing the date hereof, to pay to us, or some one of us, all such sum or sums of money, or other debts, duty or thing, which they may owe to the said Hugh Quin, and to deliver all other effects of the said Hugh Quin, which they, or any, or either of them may have in their hands, power or custody, to us, or some one of us as aforesaid; and we do also desire all the creditors of the said Hugh Quin, on or before the same day of July next, to deliver to us, or some one of us, as aforesaid, their respective accounts and demands against the said Hugh Quin, in order that right and justice may be done, agreeably to the form of the said Acts of Assembly, in such case made and provided.

Given under our hands at Saint Andrews, in the County of Charlotte, the second day of April, A. D. 1839.

EDWARD WILSON.
D. W. JACK.
GEO. D. STREET.

NOTICE.

A SPECIAL SESSIONS will be holden at the County Court House, on Saturday the 20th instant, at 12 o'clock, for the purpose of taking into consideration the plans and estimates for the new GAOL, to be erected in the County of York.

GEO. J. DIBBLEE, CLERK.

Fredericton, April 8, 1839.

Contract for Builders.

PROPOSALS will be received at the Provincial Secretary's Office, until the twenty fifth of April next, for building an addition to that Office, according to a plan and specification to be there exhibited.

Fredericton, 25th March, 1839.

ATTORNEY GENERAL'S OFFICE.

FREDERICTON, 26th March, 1839.

ALL Persons indebted to the Crown on account of purchases of Land or on leases to cut Timber and Logs on Crown Lands within the Province, are hereby notified, that I have received instructions to take immediate measures to enforce payment.

CHARLES I. PETERS,

Attorney General.

N. B. The Editors of the several Papers throughout the Province are requested to insert the above.

C. I. P.

NOTICE.

JOSHUA CONVERS BROWN, having given the requisite Bonds, I have appointed him Deputy Sheriff for the County of Sanbury.

JOHN HAZEN, SHERIFF.

Burton, 6th April, 1839.

FOR SALE.

LOTS Numbers Thirty Seven, Thirty Eight and Thirty Nine, containing three hundred acres, in a front of thirty six rods, on the Nashtwaik River, Parish of St. Mary's adjoining land in possession of William Munroe. Terms made known on application to William J. Bedell, Esq. Fredericton, or to the Subscriber.

ARTHUR RITCHIE & Co.

Restigouche, April 1, 1839.

THE Subscriber offers for Sale the LOT and PREMISES now occupied by him in Queen Street. Upon these Premises are the following BUILDINGS, which are quite new, having been erected within two years, viz:—

A Two Story HOUSE, 36 by 28 feet, and Kitchen 20 by 14 feet, with Cellar under the whole, and containing a large and well arranged STORE in front, with Counting Room attached, and Ten other Rooms; besides Pantries, Cupboards, and other conveniences, with commodious Halls. These Buildings are completely finished throughout. Connected with Kitchen is a Porch and Shed, 40 feet in length.

There are also on the premises extensive out buildings, an excellent Well of Water, and ground for a small Garden.

The above property will be disposed of on reasonable terms, and payments made easy if applied for soon; if not, the same will be Leased and possession given on the first day of May next.

Any further information may be obtained upon application to the Subscriber on the Premises, or at the Store of Mr. John T. Smith.

SAMUEL B. SMITH
April 9, 1839. (Sentinel.)

NOTICE.

THE Subscriber intending to make some change in his business from the first day of May next, is desirous of closing all his accounts previous to that date. All persons having unsettled accounts with him are therefore requested to call and settle the same during the present month, and persons indebted to him by Note, account or otherwise are required to make immediate payment.

JOHN T. SMITH.

Fredericton, 9th April, 1839.

TO RENT.

A HOUSE situated on the corner of Queen's and Carleton Streets, containing two Rooms, four Bedrooms—Kitchen and Servant's rooms, with the use of a Yard &c. This is a capital stand for a lodging house:—also to rent a shop on the corner of Queen's Street suitable for a Dressmaker or Confectioner. The House, if not rented before the 28th of this month, will be let in tenements. Apply to the proprietor.

H. St. G. FRENCH.

Fredericton, 9th April, 1839.—3w.

LANDS TO LEASE.

A NUMBER of valuable Lots in and adjacent to Town Plat of Fredericton, to be let on Building and other leases upon application to the Subscriber.

W. H. ODELL.

Fredericton, 9th April, 1839.

VALUABLE FARM FOR SALE.

SITUATE on the great meadows of the Maguadavie, in the County of York, and adjoining the farm of Mr. RHEUBEN BRACKWAY; it contains upwards of 300 acres, and cuts at present about 20 tons of HAY, and is capable of cutting more than 100 with a trifling expense, as it is about one third MEADOW GROUND, that is covered by the water every spring; the great road leading from Fredericton to St. Andrews and St. Stephens, crosses the river on said Lot, which is about midway between said places, and must be a valuable stand for a House of Entertainment; the Mr. BRACKWAYS near the premises can show the boundaries and situation. For further particulars enquire of T. R. ESTEY Fredericton, or Mr. PHILIP SEELYE St. George.

22nd February, 1839.

NOTICE.

A dissolution of the Copartnership between the subscribers heretofore subsisting under the firm of

W. H. STREET & RANNEY, having by mutual consent this day taken place, the Stock of the said Firm will continue exposed for sale, at the usual place of business till the first day of May next. All persons indebted to them are requested to make payment to either of the undersigned, and those having claims, to exhibit the same for adjustment.

W. H. STREET.

H. P. RANNEY.

Saint John, 1st April, 1839.—4w.

NOTICE.

THE period for which Mr. RANNEY was associated as a co-partner in my Wine and Commission business having expired, the same will on first May next, be resumed and continued as formerly on my own account, in the new Brick Building fronting on Saint John Street, next door to Mr. WALKER'S.

W. H. STREET.

Saint John, 1st April, 1839.—4w.

Commission Warehouse,

AND

Wholesale and Retail Wine Store.

A DISSOLUTION of the Firm of W. H. STREET and RANNEY having taken place, the subscriber hereby intimates to his friends and the public, that he will continue to transact the same Business as heretofore carried on by the said Firm, in all its various branches, in the premises now occupied by W. H. Street and Ranney, after 1st day of May next.

W. P. RANNEY.

St. John, 5th April, 1839.

FREDERICTON Steam Boat Company.

NOTICE is hereby given that a Fourth Assessment of Two Pounds on each Share of the Capital or Stock of the above Company, is required to be paid by the Shareholders, on or before the 25th day of April next, at either of the Banks in this place, at the Office of HENRY GILBERT, Esquire, in Saint John, to the Treasurer of the Company, or at my Store, agreeably to the deed of settlement.

JOHN T. SMITH, PRESIDENT.

Fredericton, 20th March, 1839.

TO LET.

THE Dwelling House and Premises, in King Street, belonging to the Estate of the late J. M. COLDWELL, now occupied by Mr. GEORGE HARTT. Possession given on the first day of May next.—Apply to

ASA COY, Surviving Administrator.

April 1, 1839.

LOST.

BETWEEN the Savings Bank and Mr. James Hale's Store, Seven Pounds in Bank Notes of one pound each, any person finding the same and restoring it to the Subscriber will be liberally rewarded.

JOHN BLAIR SENIOR.

Fredericton, April 3d, 1839.

LOST.

ON Thursday last W. N. ACKERLY's note, in favour of, and endorsed by SAMUEL ACKERLY, dated 31st October, 1838, and payable three months after date, for £26 8s. 6d. There is an indorsement on said note of £13 4s. 3d. made on the 30th January last; all persons are hereby cautioned against purchasing said note, as the payment thereof has been stopped; and any person finding the same and leaving it at the Store of SPAFFORD BARKER, will be rewarded.

WILLIAM HAMMOND.

Fredericton, March 18, 1839.—3w.

NOTICE.

R. RANKIN & Co. having determined to close their concern at Fredericton, will sell their Stock of Goods on hand at reduced prices for prompt payment. All persons indebted to the concern, are requested to call upon W. J. BEDELL, Esquire, and settle their accounts.

Fredericton, 11th March, 1839.