

## Upper Canada.

[From the Montreal Gazette, Feb. 13.]  
TORONTO, Monday, Feb. 10.

This day at two o'clock, His Excellency the Governor General proceeded in State to the Chamber of the Honorable the Legislative Council, where being arrived, and seated on the Throne, the Gentleman Usher of the Black Rod was sent with a Message from His Excellency to the House of Assembly, commanding their attendance; the Members present being come up accordingly, His Excellency was pleased to prorogue the Session of the Legislature with the following—

### SPEECH:

Honorable Gentlemen of the Legislative Council; and Gentlemen of the House of Assembly:

In relieving you from further attendance in Parliament, I desire to express my deep sense of the zeal and assiduity which have distinguished your discharge of your duties this, perhaps the most eventful, Session of the Upper Canada Legislature; and I am anxious to offer you my acknowledgments for the ready attention which you have given to the consideration of the important business, which it was my duty to bring before you.

Your willing acquiescence in the proposed Re-union of this Province with Lower Canada, upon the terms, and according to the principles, suggested by me, has afforded me the most lively satisfaction; and I look forward with confidence to the completion of that measure, under the direction of our Gracious Sovereign, and of the Imperial Parliament, as the means by which the peace, happiness and good government of the inhabitants of the Canadas will be permanently secured.

By the Bill which you have passed for the disposal of the Clergy Reserves, you have, so far as your constitutional powers admit, set at rest a question, which for years past, has convulsed society in this Province. In framing that measure, you have consulted alike the best interests of religion, and the future peace and welfare of the people, for whose service you are called upon to legislate; and I rely on your efforts proving successful, notwithstanding any attempt which may be made to renew excitement, or to raise opposition to your deliberate and recorded judgment.

The care and attention which you have bestowed on these important subjects, and the calmness and dignity which have marked your deliberation on them, cannot fail to give additional weight to your decisions before that tribunal, to which they are now necessarily referred.

I have given my assent, with great satisfaction, to different Bills which you have passed; and I shall transmit, without delay, such others as, from their nature, it is my duty to reserve, in order that Her Majesty's pleasure may be signified thereupon.

Amongst the latter is a bill for the payment of "Losses by the Rebellion or Invasion." To this bill I should have been ready to assent, but as I observed that the House of Assembly have addressed Her Majesty, praying that the losses may be defrayed by the Imperial Treasury, I have considered it to be more for the interest of the parties concerned that the Bill should be reserved, in order that the Address may be considered by Her Majesty's Government, before the Provincial funds are finally charged with this payment.

### Gentlemen of the House of Assembly,

I thank you for the readiness with which you have voted the Supplies for the Public Service.

The decision to which you came respecting the future settlement of the Civil List under the proposed Union, rendered it impossible for me to submit to you any renewed proposal for the surrender of the revenues of the Crown, in exchange for a provision for the expenses of the Civil Government of this Province; but in transmitting your Resolutions to Her Majesty's Government, I have not failed to draw their attention to this subject.

I lament that the circumstances in which the Province is placed, have necessarily prevented you from adopting measures by which its financial difficulties could be permanently removed; but this can only be effected when the obvious and easy means of augmenting the revenue, through the customs duties, with little comparative inconvenience to the people, shall be placed within your control. In the meantime, it will be my anxious desire to use the powers which you have entrusted to the Executive Government, to relieve, as far as possible, the most pressing demands upon the public faith; and I shall devote myself to the consideration and recommendation of measures, by which the credit of the province may be sustained, and its future prospects improved.

### Honorable Gentlemen and Gentlemen,

On your return to your different Districts, I earnestly hope that it will be your endeavour to promote that spirit of harmony and conciliation which has so much distinguished your proceedings here. Let past differences be forgotten—let irritating suspicions be removed. I rejoice to find, that already tranquillity and hopeful confidence in the future, prevail throughout the Province. Let it be your task to cherish and promote these feelings; it will be mine cordially to co-operate with you; and by Administering the Government in obedience to the commands of the Queen, with justice and impartiality, to promote Her anxious wish, that Her Canadian Subjects, loyal to their Sovereign, and attached to British Institutions, may, through the blessing of Divine Providence, become a happy and united, and a prosperous people.

### India.

The Devoport (Eng.) Telegraph contains advices of a still later date from Kurnool, viz: to Oct. 19th. They communicate the fact of a battle having taken place four days previous, a few miles from the Port, between a body of British troops and the insurgent forces, in which the latter were defeated with the loss, in killed and prisoners, of near 1000 men. The conquerors also obtained a large amount of treasure. Particulars as follows:

## Battle near Kurnool—Capture of more Stores and Treasures.

A private letter received by a highly respectable inhabitant of this town, from the seat of operations at Kurnool, furnishes us with several days later intelligence from that quarter than will be found in the London journals. It communicates the fact of a battle having taken place, and of farther seizures of treasure and stores. The latter is dated Kurnool, 19th of October, 13 days after its occupation by the forces of General Wilson, and five days later than the intelligence contained in the Madras papers received by the last mail.

It appears that General Wilson, having on the 15th been joined by the 34th Light Infantry, a body of horse and foot Artillery, some Dragoons and Light Cavalry, and two companies of Her Majesty's 29th Regiment, determined, if possible, to secure the person of the Rajah, who remained encamped, with a strong force a little more than three miles from the fortress on the banks of the river.

The newly arrived troops were ordered on this duty, and Colonel James's brigade consisting of the 51st Native Infantry, with some Artillery and horse formed a reserve for their support in case of need.—It is not said whether the Rajah was then a prisoner in the hands of his own troops, or kept aloof voluntarily; but, being summoned to surrender, and the half an hour's grace allowed him by the British officer in command having expired without his appearing, the horse Artillery sent some shells among them, when, after discharging their muskets, they rushed on the British, sabre in hand, fighting with the greatest desperation. After a short but severe conflict, they were routed on all sides. A number of the fugitives took to the river, where they were peppered by the horse Artillery, and nearly all these were killed, drowned, or taken prisoners. The rest fled to the grain fields, where they were pursued by the cavalry and cut down in great numbers.

Altogether nearly 1000 were killed or taken prisoners, the remainder escaping with the Rajah, in pursuit of whom the cavalry and light troops were out scouring the country in all directions. An immense quantity of jewels and about £150,000 in specie were found in the camp, affording abundance of prize money to the lucky conquerors. The British lost several officers, among whom were Col. Wright and Lieut. Yates of the 34th Regt. and Lieut. White of the 39th Queen's Regt. killed, besides several wounded. The loss in non-commissioned officers and privates is not stated.

All these letters describe the discoveries at Kurnool to be of a most extraordinary nature, affording undoubted evidence of an extensive and deep laid conspiracy against British power in India. Eight or nine of the native rulers were already pretty well ascertained to have been mixed up with this conspiracy, and it was strongly suspected that evidence would yet be afforded showing Russia to be at the bottom of the whole. Kurnool was the focus of their stores. The following account of the treasures and stores found in the fortress is extracted from the letter of a young officer of the 51st, a native of this town:—

"We have already discovered 500 or 600 brass guns, and stores, which, for quantity and excellence, almost out the arsenal at Fort George, and the treasure alone amounts to nearly a million sterling. There is powder enough in the fort to blow the whole of India to the North Pole. The military stores are sufficient to supply 100,000 men for two years. There are about 500 suits of complete chain armour, beautiful things, and swords Damascus blades worth £40 to £50 each. The Rajah has a pair of pistols the butt, barrels and every other part, except the springs, of solid gold, with the pure agates as substitutes for flints." —[Devonport Telegraph.]

## PICKLES, &c.

THE Subscriber has just received 8 Cases of PICKLES, &c. consisting of GERRINS, Mixed PICKLES, PICCALILLA, CAULIFLOWER and ONIONS, in gallon and half gallon bottles, Fresh Tomato Ketchup and PEPPER SAUCE. Also on hand,—True India Curry POWDER, CAPERS, OLIVES, MUSHROOM KETCHUP, HARVEY'S SAUCE and Essence of ANCHOVIES, all of which will be sold cheap.

JAMES F. GALE,

Chemist & Druggist.

Queen Street, Fredericton, Feb. 26, 1840.

### NOTICE.

ALL Persons having legal demands against the Estate of C. L. BECKWITH, of Madawaska, deceased, are requested to present the same, duly attested, within three months from the date hereof, and those indebted to the same are desired to make immediate payment to F. E. BECKWITH, Administrator.

L. R. COOMBS, Attorneys.

Fredericton, Feb. 24, 1840.—3m.

EMIGRANT AND OLD COUNTRYMAN NEWSPAPER.—This old and popular Journal, which has been suspended for several weeks, will be positively resumed on the 11th March next, when it will appear enlarged, and with all the alterations and improvements promised by the proprietors.

This publication is the original Old Countryman, first published by Messrs. Davis & Pickering, and afterwards united with the Emigrant, and called the "Emigrant and Old Countryman;" it has no connection whatever with any other paper of a similar name.

Persons forwarding orders and subscriptions are requested to be particular in addressing their letters to the Proprietors, or their Agent, F. E. BECKWITH, Fredericton.

Albion Office, No. 3 Barclay St., N. York.

### CAUTION.

ALL Persons are hereby forbid purchasing or using a NOTE OF HAND, drawn by ELI HOSKINS, in favor of, and endorsed by ourselves, dated the 11th October, 1839, at ninety days, for the sum of £150.—Said Note having been discounted at the Bank of British North America, in Fredericton, has been paid, and is believed to be lost or mislaid.

J. & N. BLAKE.

Nashua Mills, Feb. 24, 1840.

## ROYAL GAZETTE.

FREDERICTON, FEBRUARY 26, 1840.

### Central Bank of New Brunswick.

WILLIAM J. BEDELL, President.

SAMUEL W. BABBET, Cashier.

Discount Days.....Tuesdays and Fridays.

Director this week.....JOHN F. TAYLOR.

Bills or Notes offered for discount must be left at the Bank, enclosed and directed to the Cashier before two o'clock on Mondays and Thursdays.

### Commercial Bank of New Brunswick.

FREDERICTON BRANCH.

ASA COY, Chairman of Directors.

ARCHIBALD SCOTT, Cashier.

Discount Days.....Mondays and Thursdays.

Director this week.....JAMES HALE.

Hours of business from 10 to 3.

Notes or Bills for discount are to be left at the Bank, enclosed and directed to the Cashier before two o'clock on Mondays and Thursdays.

### Bank of British North America.

FREDERICTON BRANCH.

ALFRED SMITHERS, Manager.

Discount Days.....Wednesdays and Saturdays.

Director this week.....JOHN SIMPSON.

Hours of business, from 10 to 3.

Notes and Bills for Discount to be left before 3 o'clock on the days preceding the Discount Days.

### Savings Bank.

Trustee for next week.....B. WOLHAUTER.

### Central Fire Insurance Company.

Office open every day, at Mr. Minchin's Brick House opposite the Parade, (Sunday excepted,) from 11 to 2 o'clock.

B. WOLHAUTER, President.

Committee for the present month.

J. S. COY and T. STEWART.

### Alms House and Work House.

Commissioner for the week commencing to-morrow.

C. P. WETMORE.



### By Authority.

### CIVIL APPOINTMENT.

Robert Gordon, Esq. a Coroner in the County of Gloucester: Commission dated 13th December, 1838.

### HEAD QUARTERS, FREDERICTON, 18th February, 1840.

### MILITIA GENERAL ORDERS.

Lieutenants George Fountain, William Price and William Dunham, of the 3d Battalion Charlotte County Militia, not having attended to their duty since their appointment, the Commission in the Militia to be cancelled. His Excellency has further been pleased to make the following promotions, &c.

Ensign E. O. Hatheway, to be Lieutenant, vice Fountain, 18th February.

### TO BE ENSIGNS.

Charles Adam Babcock, Gent. 18th February.

John Chaffy, do. 19th do.

Thomas Lord, do. 20th do.

George Kay to be Quarter Master, vice Calker, resigned, 18th February.

—Winchester, to be Quarter Master of the Division at Grand Manan, vice Church Meigs, superseded for neglect of duty.

### By Command.

GEO. SHORE,

Adjutant General Militia.

### Provincial Legislature.

[Extracts from the Journals.]

### HOUSE OF ASSEMBLY,

Wednesday, 18th February, 1840.

Mr. End from the Committee appointed on the 31st January last, to take into consideration the subject of Agriculture and Immigration, submitted a Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

The Committee to whom was referred that part of the Speech of His Excellency the Lieutenant Governor, which relates to Agriculture and Immigration, Report:

That having taken these important subjects into consideration, and being of opinion that Immigration is essentially connected with the interests of Agriculture, the Committee gave their first attention to that subject.

Your Committee have had before them the several documents, explanatory of the views of the North American Colonial Association of Ireland, transmitted to the House by His Excellency the Lieutenant Governor, which have been carefully perused and considered. They likewise had the oral explanations and evidence of M. H. Perley, Esquire, New Brunswick Agent for that Association.

The views and sentiments expressed by the Association, appear to your Committee to be highly satisfactory;—their propositions, based upon sound principles, and stated with candour, are impressed throughout by a spirit of liberality and patriotic feeling. The documents to which your Committee refer are as follows:—

First.—A Communication from the Association, under their Public Seal, addressed to His Excellency the Lieutenant Governor, requesting that their proposals might be laid before the Provincial Legislature, and acquainting His Excellency that, in the event of an acquiescence in their views, Mr. Perley was their qualified Agent, authorized to settle the details for carrying into effect the objects of the Association without unnecessary delay.

Secondly.—A copy of the Act of the Imperial Parliament incorporating the Association, for the purpose of promoting a systematic Emigration from all parts of the United Kingdom of persons of all classes and conditions,

leaving the Association the uncontrolled selection from the whole of Her Majesty's North American Provinces, of the particular Colony or Colonies in which to carry on their operations.

Thirdly.—The Prospectus of the Association, developing their plans and giving the names of the Directors and Officers, who appear to be Gentlemen of high standing, large landed proprietors, or connected with eminent Banking and Mercantile establishments in London and Dublin. The high respectability and known character of the Noblemen and Gentlemen connected with the Association, your Committee value upon as a guarantee for the bona fide fulfilment of the contemplated plans;—which your Committee observe, are susceptible of modification to meet any peculiar circumstances in either of the Colonies in which the Association may determine to plant Settlements.

Fourthly.—An extract from a communication made by the Association to Her Majesty's Principal Secretary of State for the Colonies; and

Fifthly.—An extract from Mr. Labouchere's reply thereto.

The document, Number Four, sets forth the circumstances which have diverted the stream of British Emigration from the North American Provinces to Australia and other parts; and document Number Five refers the Association to the Legislature of this Colony.—The Association expressed a conviction that the Loyal Province of New Brunswick is well adapted for British Settlements on an extensive scale, and they give this Province due credit for the enterprising spirit of its inhabitants, and the enlarged views of public policy which, upon many occasions, have actuated those who had the conduct of its affairs.

Your Committee observe, with some degree of gratification, from the evidence before them, that the Association formed no opinion particularly favourable to this Colony, until after a full, minute and careful investigation of its circumstances and situation, and an elaborate examination of the various public and official documents on record in the Colonial Office—from which statistical tables were prepared, shewing the rise and progress of New Brunswick, from its infancy to the present time, affording the strongest testimony that it has steadily advanced at all times and under all circumstances. After cautious and diligent enquiry, the Association appear to have concluded, that whether in a social, political, or financial point of view, New Brunswick is possessed of advantages equal (and in some respects superior) to most other Colonies; that it contains germs of wealth and prosperity whose growth is not to be prevented, requiring only the judicious application of capital and labour to relieve its agriculture, develop its resources, and exalt it to the highest rank among the appendages of the British Crown.

The Association are desirous of ascertaining whether the Legislature of the Province will grant them a Tract of Land fit for the immediate settlement of a large number of British Emigrants, upon the principal now acted upon in colonizing the Australian Colonies—that is the remission of the purchase money towards defraying the costs of Emigration, or its application partly in paying such expenses, and partly in constructing works incident to the formation of a new settlement,—the Association undertaking to transmit to the Province a certain number of Emigrants annually, and to provide them and their families with shelter and employment on their arrival, and engaging to procure the performance of such definite Settlement Duties upon the Land as will afford a full equivalent to the money value of the grant.

Your Committee are of opinion, that the Agriculture of this Province, forming the surest basis of its prosperity, and in the prosecution of which Man is not exposed to those demoralizing influences unhappily attaching to Lumbering pursuits, is at present languishing under the high price and scarcity of labour, and that the Farmer, although possessing capital and skill, is unable to obtain from the soil that rich product which its natural fertility (under the blessing of Divine Providence) would lead him to expect. That the obvious remedy for this state of things, is a reduction in the price of labour, to be only attained by rendering the supply adequate to the demand. Your Committee therefore conceive, that a large and constant current of Emigration from the Mother Country, regulated by a fixed system, and under proper management, will greatly mitigate the evil complained of. The introduction of persons of all classes and conditions, as proposed by the North American Colonial Association, would not only furnish a supply of labour, but by an infusion of British Capital, and as we hope, British Feeling, accompanying that labour, would materially accelerate this Province in its course of prosperity;—British settlers would joyfully aid their Colonial Brethren in the defence and maintenance of British interests; habits of British comfort would be indelibly stamped upon a British race; while the Empire would be strengthened and relieved by transferring to her Colony a portion of that superabundant population which is oppressing her with its constantly increasing weight.

Your Committee confess themselves to be unacquainted with the details of the South Australian plan of Emigration, or its results; they therefore are disposed to require more full and perfect information before they can recommend its adoption, to the full extent, in this Province; nor would we by any means advise a measure which might encumber this Province with a pauper population, or control the present system of disposing of wild lands, under which, however objectionable its many points, the Country has never retrograded. But at the same time, your Committee conceive the proposal and plans of this Association to be so feasible, and the immediate and continuous introduction of a large body of labourers and others, into this country, so great a desideratum, that they consider it advisable to meet the wishes of the Association, on a moderate scale, giving them every reasonable encouragement to carry out their views, while guarding the Province by judicious conditions and limitations, from the evils which past experience has taught it to fear from large

Grants of Land without restriction or condition.

As the measures for carrying out the proposed plans of Emigration and Settlement will be somewhat novel in this Colony, and necessarily embrace a variety of details, flowing from the exigency of circumstances impossible to be anticipated or provided for, your Committee would deem it advisable to authorize the Executive Government to settle and arrange such details, subject to certain views and principles to be sanctioned by the Legislature. In order, therefore, to encourage, so far as they prudently may, the resort to this Province of a class of persons such as is contemplated by the Association, your Committee recommend that your Honorable House do address His Excellency the Lieutenant Governor, advising and authorizing His Excellency in Council to grant the Association a tract or tracts of Land in this Province, fit for settlement and cultivation, containing in the whole not more than two hundred thousand acres, at a price not exceeding three shillings per acre,—two thirds of the purchase money to be remitted to the said Association, on condition of making and establishing the necessary Roads and Bridges on such tracts at their own expense, and within a limited time performing such certain definite improvements thereon, with reference to actual settlement and cultivation, as may be determined upon,—in default of which, the Lands to be re-vested in the Crown.

Which is respectfully submitted.  
THOMAS GILBERT,  
D. HANINGTON,  
DAVID MALMON,  
WM. MLEOD,  
W. END,  
JOHN JORDAN,  
J. M. CONNELL,  
PHILIP PALMER.

Committee Room, 18th February, 1840.

Wednesday, 19th February, 1840.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Johnston, by command of His Excellency, delivered the following Message:—

### NEW BRUNSWICK.

Message to the House of Assembly 18th February, 1840.

J. HARVEY, Lt. Governor.

The Lieutenant Governor submits to the House of Assembly a Plan of a Building proposed to be erected by Mr. John Walker, in the City of Saint John, for a Custom House, Treasury, and Bonded Warehouse, together with Letters on the subject from the Collector of the Customs, and the Province Treasurer; and supported as the proposition is, by the strong recommendation of those Officers, and by the conviction which must force itself upon the minds of all, of the eminent advantage to the Commercial prosperity, credit, and beauty of the City of Saint John, which it presents, the Lieutenant Governor feels it to be unnecessary for him to do more than strongly recommend it to the favorable consideration of the House.

J. H.

Thursday, 20th February, 1840.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Johnston, by command of His Excellency, delivered the following Message:—

### NEW BRUNSWICK.

Message to the House of Assembly, 19th February, 1840.

J. HARVEY, Lt. Governor.

The Lieutenant Governor submits to the House of Assembly, a Report of George Hayward and James A. MacLachlan, Esquires, upon the subject of the Boom across the Restook River, and of the rate of Boomage which, in their opinion should be demanded; together with a Report upon a proper site for a Bridge over that Stream, to which the Lieutenant Governor invites the attention of the House and recommends it to their favorable consideration, as an object of great public utility.

J. H.

Friday, 21st February, 1840.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Johnston, by command of His Excellency, delivered the following Message:—

### NEW BRUNSWICK.

Message to the House of Assembly, 20th February, 1840.

J. HARVEY, Lt. Governor.

The Lieutenant Governor lays before the House of Assembly an Extract from the Minutes of the College Council, on the subject of the Charter of that Institution, and submits the same to the consideration of the House.

J. H.

The document communicated in the foregoing Message, being read at the Clerk's Table, is as follows:

IN COLLEGE COUNCIL, 18th Feb. 1840.

The Council having resumed the consideration of such modifications of the Charter as might be deemed expedient, and the Report of the Committee thereon, are of opinion, that the objects for which the College was established might be secured, and objections to its constitution in a great measure obviated, should Her Majesty be pleased to ordain and grant as follows, *videlicet*:—

First.—That the Governor, Lieutenant Governor or person administering the Government of the Province for the time being, shall be the Visitor.

Secondly.—That the Chief Justice of the Province for the time being the Chancellor.

Thirdly.—That the President of the College be appointed by Her Majesty, Her Heirs and Successors, or by the Visitor on Her Majesty's behalf, and that the present provision in the Charter—"That the Arch Deacon of the Province for the time being, shall, by virtue of such his office, be at all times the President of the College," be rescinded.

Fourthly.—That the Professors be appointed