

ROYAL GAZETTE.

FREDERICTON, JULY 8, 1840.

Central Bank of New Brunswick.

WILLIAM J. BEDELL, President.
SAMUEL W. BARRETT, Cashier.
Discount Days.....Tuesdays and Fridays.
Director this week.....J. A. BECKWITH.
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.
ARCHIBALD SCOTT, Cashier.
Discount Days.....Mondays and Thursdays.
Hours of business from 10 to 3.
Notes or Bills for discount are to be left at the Bank, enclosed to the Cashier, before 3 o'clock on Saturdays and Wednesdays.

Bank of British North America.

FREDERICTON BRANCH.
ALFRED SMITHERS, Manager.
Discount Days.....Wednesdays and Saturdays.
Director this week.....SPAFFORD BARKER.
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.

Saving's Bank.

Trustee for next week.....JAMES WILLOX.

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.

H. WOLHAUTER, President.

Committee for the present month.

W. D. HART and THOS. T. SMITH.

Alms House and Work House.

Commissioner for the week commencing to-morrow.

MOSES PICKARD.



By Authority.

HEAD QUARTERS, FREDERICTON, 6th July, 1840.

MILITIA GENERAL ORDERS.

The Lieutenant Governor and Commander in Chief has been pleased to make the following promotions, &c. &c.

3d Battalion King's County.

Lieutenant George Sprague to be Captain, vice John Davis resigned, dated 6th July 1840.

TO BE LIEUTENANTS.

Ensign Caleb Sprague, vice G. Hughson deceased, 6th July.

Ensign James Seelye, vice E. Fairweather left the County, 7th July.

Isaac Raymond, Gent., vice Dickey left the Province, 8th July.

Thomas W. H. Malowney to be 2d Lieutenant, vice M'Cready deceased, 6th July.

TO BE ENSIGNS.

William Kitchum, Gent., vice Seelye, promoted 6th July.

Simon Hays, Gent., vice Baxter, resigned 7th July.

2d Battalion Saint John County.

TO BE CAPTAINS.

Lieutenant Ephraim Sentill, vice Jordan retired, 6th July, 1840.

Lieutenant W. O. Cody, of a new Company, 7th July, 1840.

Lieutenant Stephen Moshier, of a new Company, 8th July, 1840.

TO BE LIEUTENANTS.

Ensign W. R. Sentill, vice E. Sentill, promoted, 6th July, 1840.

Ensign Philip Moshier, of a new Company, 7th July, 1840.

Ensign James Moran, 8th July, 1840.

William Jordan, Gent., 9th July, 1840.

James Ormand Cody, Gent., 10th July, 1840.

TO BE ENSIGNS.

Edward Marter, Gent., vice Sentill, promoted, 6th July.

Edward Sentill, Gent., 7th July.

Robert Long, Gent., 8th July.

Simon Vaughan, Gent., 9th July.

William Fownes, Gent., 10th July.

George Fownes, Gent., 11th July.

1st Battalion Saint John County.

Captain John Canard is permitted to retire, in consequence of lameness.

3d Battalion Westmorland.

Soloman Stiles, Gent., to be 2d Lieutenant of Artillery, vice Joseph Rogers, deceased, 6th July.

James Roger, Gent., to be Quarter Master, with the rank of Lieutenant, vice George Rogers, resigned, dated 6th July 1840.

3d Battalion York, (Light Infantry.)

Ensign John Carter, to be Quarter Master, with the rank of Lieutenant, vice Howe who resigns.

By Command.

GEO. SHORE, A. G. M.

IN COUNCIL, 2d JULY, 1840.

William Foshy, to explore a road from Cumberland Bay to Coal Creek; £15 having been granted for that service.

William Girvan to expend £70 in the improvement of the Ferry Landing on the North side of the Richibucto River, in the place of William Chandler, Esquire, as on the Gazette of 13th May last.

George L. Hannington to expend the sum of £20 granted for the improvement of the road from Shediac to the French Settlement.

This Affidavit is re-published in consequence of a mistake in the first publication, by inserting the word Deponent instead of Defendant, where that word now appears in Italics.

Form of Affidavit.

A. B. of [name, residence and addition of]

Deponent] maketh oath and saith, that he this deponent did on the day of deliver true Copy of the annexed Writ or Process at the house of C. D. the Defendant named in such Writ or Process, [for the house of any other person, as the case may be] situate in the Parish of in the County of unto E. D. the Wife of such Defendant [or to G. H. an adult person residing in the said house, and known to this Deponent as a member or inmate of the family of such Defendant] and this Deponent further saith that the said house was at the time of such delivery the usual place of abode of such Defendant, and that the said Copy of the said Process was accompanied with an English Notice* in writing to the Defendant of the intent and meaning of the service of such Process, pursuant to the statute in such case made and provided, and this Deponent further saith, that at the time of making such service of the said Process, the said Defendant was not, as he this Deponent verily believes, without the limits of the said County.

*NOTE.—The clause as to the Notice may be omitted in the Service of Summary Writs.

IN COUNCIL, July 2, 1840.

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

NORTHUMBERLAND.

Cornelius Mahoney, 3s. per acre, down.

Dennis Donovan, do. do.

WESTMORLAND.

John L. Steeves, 3s. per acre, down.

Robert M. Bryde, do. do.

Hugh M. Monagle, 3s. per acre, down, he paying his proportion of the expense of survey.

CHARLOTTE.

John Neish, 3s. per acre, down.

Alexander Hunter, do. do.

Thomas Magwood, do. do.

KING'S.

Daniel Belding, 3s. per acre, down.

William Carson, do. do.

Allan Carson, do. do.

Alexander Bell, do. do.

John Bell, Senr. do. do.

John Bell, Jun. do. do.

QUEEN'S.

George Vance, 3s. per acre, down.

John F. Mullin, do. do.

CARLETON.

Robert Starratt, 100 acres, of No. 14 at 3s. per acre, down, and the remaining 40 acres to be sold at Auction. Upset price, 3s. per acre.

The lands applied for by the undermentioned persons, will be offered at Public Auction at this Office on Monday the 7th day of September next, (see advertisement.)

Alexander Morton, Kent.

James M. Fee, Westmorland, (with the exception of 100 acres improved upon by H. M. Monagle.)

Matthias Summers, Westmorland.

Caleb J. Stuart, King's.

J. D. Worden, Queen's.

Robert Quin, Carleton.

George Connell, do.

Francis Flannagan do.

William Kitchen. do.

The Petitions of the undermentioned persons are deferred for want of survey.

David McIntosh.

Donald McLeod.

Alexander Boyd.

Bela Packard.

John A. Street.

Peter Campbell.

Bernard Campbell.

Sylvester Hanson.

Robert Turner.

Patrick Flannagan.

John Ash.

Dennis Quirk.

John Campbell.

Samuel Young.

Charles Connell.

The answers to the Petitions of the undermentioned Persons are as follows.

George Mercereau, referred for further information.

James O'Leary, do. do. do.

John Hay, complied with.

Anthony M'Geach, complied with, on the terms of his former Petition, viz. 3s. per acre, down.

John Alexander and others, postponed for further consideration.

R. M'Cutchen, deferred until Deputy Registrar's report is received.

James Laugen, complied with on payment of the balance of purchase money at the rate of 3s. per acre.

B. Wolhaupter, postponed for further consideration.

John Street, complied with.

John M'Lean, single duty only to be exacted on 56 tons.

Charles Connell, complied with.

Francis Hunter, do.

John Fish, single duty only to be exacted on payment of the seizing officers dues.

James Taylor, (for Timber cut on 5 years licence No. 5,) complied with, Mr. Taylor satisfying the lessee for his claim.

James Taylor (for Timber cut on Little Salmon River,) complied with.

James Taylor, (for Timber cut on 5 years licence, Nos. 39 and 8,) referred to the Surveyor General; subject to the opinion of the Crown Officers.

James Cliff, not complied with.

James Allanshaw, postponed for further consideration.

Trustees of Duncan Barber, referred for the opinion of the Crown officers to report fully thereon.

L. Coombs and A. B. Hammond, recommended that this suit be discontinued on payment of the legal costs already incurred and that the Bond be cancelled.

R. R. Ketchum, to stand over.

The Petitions 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 of September next.

John Humphrey, New Canaan River.

John Shea, Tobique River.
Sherman Tapley, Miquiquet River.
George Marsh, Prince William.
James S. Mitchell, Burnt Hill Brook.
John Henneberry, Salmon River.
Coles Green, Jr. Peticoodiac River.
Estabrooks M'Neal, Salmon River.
John M'Lean, Cumberland Stream.
George Porter, Eel River.
Amos Dickinson, Becaguinic River.
Thomas E. Perley, Carleton.
Arthur Ritchie, Restigouche.
John Munro, Cairns River.
Charles Connell, Carleton.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday, the 7th day of September next. Sale to commence at 12 o'clock, noon.

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

100 acres, Kent, North side of the West Branch of St. Nicholas River, as surveyed for A. Morton, in Johnston's Mill reserve. Upset price, 3s. per acre.

400 acres, Westmorland, being lots 12, 13, 14 and 15, East of John Keillor, North Mountain Settlement. Upset price, 3s. per acre.

300 acres, Westmorland, on the North east side the Road leading from the North River to the Butterworth Ridge, and South east of Thomas Hope, (not to interfere with Hugh M'Monagle.) Upset price, 3s. per acre.

85 acres, King's, lot No. 10 second tier South of the Kennebecasis River. Upset price, 3s. per acre.

50 acres, Queen's, adjoining the lot improved upon by J. D. Worden, South east of the "Narrows" of the Washademoac Lake. Upset price, 3s. per acre.

40 acres, Carleton, being the East part of the North half of lot No. 15, fourth tier Presquille Settlement. Upset price, 3s. per acre.

220 acres, Carleton, lot No. 10, third tier, Presquille Settlement. Upset price, 3s. per acre.

220 acres, Carleton, lot No. 11, third tier, Presquille Settlement. Upset price, 3s. per acre.

220 acres, Carleton, lot No. 12, third tier, Presquille Settlement. Upset price, 3s. per acre.

220 acres, Carleton, lot No. 13, third tier, Presquille Settlement. Upset price, 3s. per acre.

JOHN S. SAUNDERS,

Surveyor General.

Crown Land Office, July 4, 1840.

KING'S COLLEGE, June 30, 1840.

At a Convocation held this day the degree of Bachelor of Arts was conferred by diploma on Mr. Henry Smith.

GREEN PEAS.—We have been informed that a peck of full grown green peas, of a very superior quality, from the garden of Charles Fisher, Esquire, of this town, was presented to the Horticultural Society, on last Tuesday week, and pronounced by the Committee to entitle the grower to the prize awarded for the earliest peas.

ANNIVERSARY OF HER MAJESTY'S CORONATION.

—The 28th of June, this year, falling upon Sunday, the celebration of Her Majesty's Coronation took place here on Monday last. The usual demonstrations of joy were exhibited: the Royal Standard floated from a number of public and private buildings, and salutes were fired by the troops in garrison, and on board Her Majesty's Ship *Satellite*, which was tastefully decorated with flags. The military display of a *Sham Fight*, on the western side of the harbour, by the gallant 69th, according to the following programme of manoeuvres, added much interest to the occasion.

Programme of Manoeuvres, performed on Monday, 29th June.

The Regiment paraded in column of companies, left in front, on the parade ground, at 10 o'clock, a.m.

The Left wing, under Captain THOMAS, representing the supposed enemy, first passed over in the steamer to the Carleton side of the Harbour, and took up a position, as follows:—The main body occupied Carleton Heights, the right resting on the Fort, and the left extending beyond the Block-house, and across the road leading in rear of it.—Their advance was posted in the village and ship-yard at Sand Point, and was so disposed as to bring a front and flank fire to bear upon the causeway.

The Right wing, under Major BROOKES, are representing the attacking force, subsequently passed over in two columns,—the right landing at the pier, and forming at the extremity in column subdivisions, right in front, the left landing at Sand Point, and forming under cover of the Breakwater. On the advance sounding, this column commenced the attack, sending forward skirmishers, to dislodge those of the enemy's advance in occupation of the buildings and ship-yard. The Right column at the same time sent forward skirmishers along the causeway, to act in concert with this movement. On the enemy's skirmishers and advance giving way, the right column passed rapidly over the causeway, and joined by the left, carried the Village, and gained the road leading to the Fort and Heights. They advanced by this road (the skirmishers continuing to push back those of the enemy, who contested the rocky and broken ground over which they retired,) until they arrived near the rocky ridge, almost within musket shot of the Heights. The column here diverged to the right, and having formed up under cover deployed into line. The skirmishers were called in and formed into two divisions on the flanks; these advanced, the one by the road on the left, for the purpose of turning the enemy's right, and gaining the rear of the Fort, the other on the right, till it reached the road leading in rear of the Block-house, by which it took it in reverse. When these divisions had reached the crest of the Heights, the main body advanced, and as soon as it appeared that the enemy's flanks had been turned, stormed and carried the Heights, the Fort Block-house being at the same time

vigorously attacked by the detached divisions. The enemy being thus overthrown at all points, and the Fort and Block-house captured, retired by the road leading to Sand Cove, where it was supposed that boats were in waiting to take them off.

The manoeuvres here terminated, and the regiment was then formed in line on the Heights between the Fort and Block-house, and fired a *feu de joie* in honour of the Anniversary of Her Majesty's Coronation.

EMIGRATION.—Upwards of Six Thousand Emigrants have arrived in this Province up to the 30th June of the present season, being three thousand more than during the whole of last year; and we are informed, the numbers that have proceeded into the interior of the country, the past and present seasons, are in a corresponding proportion—where, we doubt not, full employment and ultimate success in life will attend them.

It is within our knowledge, that, beyond the circulars always issued here by the Government Agent, Mr. Wedderburn, for the guidance of Emigrants on arrival, he has, for years past, spared no pains to disseminate useful information relative to New Brunswick in Great Britain and Ireland, previous to their embarkation.

Much credit, we are assured, is due to the Captains of the vessels arrived, of whose kindness, generally, the Emigrants speak in the most grateful terms.

At a Meeting of the Board of Directors of the Grammar School in this city, held on the 2d June last, for the purpose of filling the vacancies in the Board, occasioned by the removal of the Hon. NEVILLE PARKER to Fredericton, and the appointment of the Rev. I. W. D. GRAY to the Rectory of this Parish, the Hon. HUGH JOHNSTON and ROBERT F. HAZEN, Esq. were unanimously elected—of which elections His Excellency the Lieutenant Governor has been pleased to approve.

The Episcopal Sunday School, in this City, was examined at the National School Rooms on Saturday last. There were 634 children present to undergo examination, including thirty belonging to the Military Sabbath School attached to this Garrison. The several classes all passed an excellent examination, and it is believed that the sight was highly gratifying to the spectators, about fifty of whom were present. After the more serious occupations of the day were concluded, the children, with their usual joyfulness, partook of a plentiful repast of cakes and fruit, provided for them by their Teachers.

On Sunday evening, they assembled at Trinity Church, and sang, very sweetly, several appropriate Hymns, selected for the occasion. A Sermon was preached in behalf of the Institution, by the Rector, the Rev. I. W. D. GRAY, and a collection made, amounting to £26. The School is, at present, in a very flourishing state, having fifty seven Teachers, and 1006 Children upon the books, who are in the habit of attending it, and is the means, under God, as facts unquestionably prove, of leading many to a saving "knowledge of the truth as it is in Jesus."—*Observer.*

MONTREAL, June 18.

We are truly happy to find that the people of Upper Canada are exhibiting a very laudable and patriotic spirit on the subject of the barbarous destruction of Brock's Monument; and are determined that it shall forthwith be replaced. A meeting is to be held at Queenston, for the purpose of considering the best means of giving effect to the feeling which so generally prevails throughout the Province on this subject. It is stated in the Niagara Chronicle, that the engineer under whose superintendence the monument was constructed, has given it as his opinion, that the shattered column cannot long stand; and that it will be necessary to rebuild the testimonial from the foundation.

On the 4th inst. being the annual training day of the Upper Canada Militia, Colonel Sir Allen M'Nab addressed the Gore Battalions on the subject of the Monument; and in doing so remarked, that it was just twenty years ago that day, since the Militia formed very near the spot on which they then stood, and marched the same evening, under the command of Sir John Harvey, with the 49th and part of the 41st and 8th Regiments, and achieved a brilliant victory over an enemy four times their number at Stony Creek.

Resolutions having for their object the restoration of Brock's Monument, were then submitted and carried by acclamation. It was resolved that the officers, non-commissioned officers, and privates of the 3d and 12th Regiments of the Gore Militia could not permit the present opportunity to pass, without expressing in the strongest terms, their abhorrence of the attempt made to destroy the Monument erected to the memory of the gallant Sir Isaac Brock, on the Heights of Queenston, an event unparalleled in the history of the civilized world; that from no persons or body of men, could the funds necessary for the reconstruction of the Monument be so properly derived as the Militia of Upper Canada; that in pursuance of this opinion, they cordially agreed to and recommended, that a subscription should be opened by the officers and men comprising the one hundred and twelve Regiments of Militia in Upper Canada, and that the quota subscribed should in no instance exceed one day's pay from each individual of every rank; that it be recommended that the commanding officer of regiments should open the necessary subscription lists; that the Adjutant General be requested to solicit the permission of His Excellency the Lieut. Governor for this purpose; and that the thanks of the meeting were due and cordially tendered to the Hon. George Moffatt and the people of Montreal, who so nobly came forward and offered their valuable aid towards carrying into successful operation the measures which those Resolutions were intended to effect.

This being the anniversary of the Battle of Waterloo, a grand field day of the Royal Artillery and the Brigade of Guards took place on the Plains of Abraham. The troops arrived on the ground a little before noon, and formed in line, on the south side of the race stand facing the road. At noon, Major Gene-

ral Sir James Macdonnell, attended by his Staff, arrived, and having taken his station in the front of the line, received the salute. The troops marched past afterwards, in slow and quick time, after which the manoeuvres of the review commenced, when changes of position, forming squares, and a variety of other evolutions, were performed with great precision. The firing, both by platoons and in line, was excellent and simultaneous. But the most imposing movements of the day were the charges in line, by the whole Brigade of Guards, which were executed, as was the charge of the Household troops on the 18th June, the men cheering loudly during the advance. The effect was striking; and some of the spectators, as the serried line of bayonets advanced upon them, seemed to feel a lively sense of the feeling that such weapons, in the hands of British soldiers, and directed by British hearts, must inspire in the breasts of even the bravest troops. The appearance of the Guards was brilliant, all being dressed in their best uniforms. The gallant General himself wore the several Orders and Decorations he has won in a long and active Military life. The Artillery bore their full share in the manoeuvres of the day, and their loud discharges added much to the variety of the scene. The men wore their new shakoes, and notwithstanding it is the fashion to decry the peaks now in use as unsightly, they have the advantage of affording shelter to the eyes of the wearers, a benefit which the former peaks, which are, we believe, still worn by the infantry, by no means afford. The day was not hot, but pleasant, and numerous spectators were attracted to this splendid Military spectacle; and more would have been present, had it not happened that the *Fete Dieu*, which is one of obligation for the Roman Catholics, has, this year, fallen upon this day; it was observed in the churches in the city, though the public procession does not take place till the Sunday following.—*Quebec Mercury.*

An important decision had taken place in the Supreme Court at Calcutta. An action was brought by a native merchant, a consignee of opium, against the defendants upon a contract to guarantee the safe return of the proceeds in Sycee silver, dollars, or bills; whereas no returns had been so made, but that the opium had arrived in China, and was received by the defendant's agent in China, who disposed of it to one Charles Elliott, and that certain scrip had been remitted to the plaintiff, which he refused to accept. The defence set up that the opium in question had been surrendered to Captain Elliot, the British Superintendent, under and by virtue of a proclamation demanding the surrender in the name of Her Majesty and the British Government. The question was, whether this defence (the