

Province of Canada.

LEGISLATIVE COUNCIL CHAMBER,
Kingston, June 15, 1841.

This day at two o'clock, P. M., His Excellency the Governor General proceeded in state to the Chamber of the Legislative Council in Parliament Building. The Members of the Legislative Council being there assembled, His Excellency was pleased to command the attendance of the Members of the Assembly, and that House being present, Austin Currier, Esquire, M. P. for the County of Huntingdon, informed His Excellency that the choice of the Assembly had fallen upon him to be their Speaker. The Speaker then demanded the customary privileges, which His Excellency having granted, was pleased to open the First Session of the First Parliament of the Province of Canada with the following Speech from the Throne:

Honorable Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly,

I have deemed it right to assemble you at the earliest period which the circumstances of the Province, and the duties imposed upon me by the Imperial Act for the Union of the Canadas, under which this Legislature is constituted, have admitted; and it is with sincere satisfaction that I now meet you to deliberate on the great and important interests committed to our charge.

A subject of Her Majesty, an inhabitant of this Province, has been forcibly detained in the neighbouring States, charged with a pretended crime. No time was lost by the Executive of this Province in remonstrating against this proceeding, and provision was made for insuring the individual the means of defence, pending the further action of Her Majesty's Government. The Queen's Representative at Washington has since been instructed to demand his release. Of the result of that demand I am not yet apprised, but I have the Queen's commands to assure her faithful subjects in Canada of Her Majesty's fixed determination to protect them with the whole weight of Her power.

Arrangements were completed during the course of last summer, by which, under the directions of the Treasury, the rates of Postage between all parts of this Colony and the United Kingdom were greatly reduced; and a more speedy and regular conveyance of letters between different parts of this Province has since been established by arrangements made by the Deputy Post Master General, under my directions. A Commission has been appointed by me to enquire into and report upon the whole Post Office system of North America, and I confidently anticipate that the result of its labours will be the establishment of a plan securing improvements in the internal communication by Post within the Colony, equal to those which we have already obtained in the communication with the Mother Country.

Many subjects of deep importance to the future welfare of the Province demand your early attention, upon some of which I have directed Bills to be prepared, which will be submitted for your consideration.

Amongst them, first in importance at the present juncture of affairs, is the adoption of measures for developing the resources of the Province, by well considered and extensive Public Works. The rapid settlement of the Country—the value of every man's property within it—the advancement of his future fortunes are deeply affected by this question.

The improvement of the navigation from the shores of Lake Erie and Lake Huron to the ocean—the establishment of new internal communications in the inland districts, are works requiring a great outlay, but promising commensurate returns. To undertake them successfully, large funds will undoubtedly be required, and the financial condition of the Province as it stands at present would seem to forbid the attempt. But I have the satisfaction of informing you that I have received authority from Her Majesty's Government to state, that they are prepared to call on the Imperial Parliament to afford their assistance towards these important undertakings. In the full belief that peace and tranquillity will be happily re-established in this Province, under the constitution settled by Parliament, and that nothing but a relief from its most pressing difficulties is wanting to its rapid advancement to prosperity, they will propose to Parliament, by affording the guarantee of the Imperial Treasury, for a loan to the extent of no less than a million and a half sterling, to aid the Province for the double purpose of diminishing the pressure of the interest on the Public Debt, and of enabling to proceed with those great public undertakings whose progress during the last few years has been arrested by the financial difficulties. I shall direct a measure to be submitted to you embracing a plan for this purpose, and I shall lay before you, for your information and that of the people of Canada, extracts from the Despatches which convey to me this most gratifying assurance.

In immediate connexion with the outlay of capital upon public works is the subject of Emigration, and the disposal and settlement of public lands. There exists within the Province no means so certain of producing a healthy flow of Immigration from the Mother Country, and of ultimately establishing the Immigrant as a settler and proprietor within the Colony, as the power of affording sure employment for his labour on his first arrival. The assistance of Parliament, for the Public Works which may be undertaken here, will in a great measure provide for this; but with a view further to aid Immigration, I am authorised to declare to you that Her Majesty's Government are prepared to assist in facilitating the passage of the Immigrant from the Port at which he is landed to the place where his labour may be made available, and that a vote of money for this purpose will be proposed to the Imperial Parliament.

The conditions which Her Majesty's Government attach to this measure will be submitted to you, at the same time that I shall draw your attention to a scheme for the settlement and disposal of the Public Lands.

It appears highly desirable that the principles of local self government, which already prevail to some extent throughout that part of the Province which was formerly Upper Canada, should receive a more extended application

there, and that the people should exercise a greater degree of power over their own local affairs. I have directed a measure upon this subject to be submitted to you, and I solicit your earnest attention to the establishment of such a form of local self government for those Districts of the Province which are unprovided with it, as may ensure satisfaction to the people, whilst it preserves inviolate the prerogative of the Crown, and maintain the administration of Justice pure from party and popular excitement.

A due provision for the education of the people is one of the first duties of the State, and in this Province especially the want of it is grievously felt. The establishment of an efficient system by which the blessings of instruction may be placed within the reach of all, is a work of difficulty—but its overwhelming importance demands that it should be undertaken. I recommend the consideration of that subject to your best attention, and shall be most anxious to afford you in your labours all the co-operation in my power. If it should be found impossible so to reconcile conflicting opinions as to obtain a measure which may meet the approbation of all, I trust that at least steps may be taken by which an advance to a more perfect system may be made, and the difficulty under which the people of this Province now labour may be greatly diminished, subject to such improvements hereafter as time and experience may point out.

Gentlemen of the House of Assembly, The financial accounts of the Province will be immediately laid before you, and I shall direct the estimates for the public service to be submitted to you with the least possible delay. I rely upon your co-operation in the financial measures which it will be my duty to propose to you for taking advantage of the assistance which Her Majesty's Government propose to afford, and for carrying into effect the public improvements which are deemed most desirable. I shall earnestly endeavour that whatever you may appropriate for this latter purpose shall be economically employed and rendered effective.

Honorable Gentlemen and Gentlemen, In your wisdom and prudence I confide for the regulation of the different important matters which must necessarily come before you. Canada, united under a constitution which the Imperial Legislature has framed with an earnest desire for the welfare of this portion of the British Empire, cannot fail to prosper, under prudent and sage counsels. The generous aid which I have already announced to you—the determination which I am also empowered to state on the part of the Government to devote annually a large sum for the military defences of the Province—the fixed and settled determination which I have the Queen's commands to declare, that Her North American possessions shall be maintained at all hazards as part of Her Empire, are pledges of the sincerity with which the mother country desires to promote the prosperity of Canada, and to assist in the well working of the new institutions which it has established.

The eyes of England are anxiously fixed upon the result of this great experiment. Should it succeed, the aid of Parliament in your undertakings—the confidence of British capitalists in the credit you may require from them—the security which the British people will feel in seeking your shores and establishing themselves on your fertile soil, may carry improvement to an unexampled height. The rapid advance of trade and immigration within the last eighteen months afford ample evidence of the effects of tranquillity in restoring confidence and promoting prosperity. May no dissensions mar the flattering prospect which is open before us—may, your efforts be steadily directed to the great practical improvements of which the Province stands so much in need, and under the blessing of that Providence which has hitherto preserved this portion of the British dominions, may your counsels be so guided as to ensure to the Queen attached and loyal subjects, and to United Canada, a prosperous and contented people.

His Excellency the Governor General appeared rather weak and languid, but read his speech with ease and fluency. His Lordship was attended on this occasion by a very numerous Civil and Military Staff. He was escorted to the Parliament Buildings by a detachment of the King's Dragoon Guards, received by a Guard of Honor furnished by the 14th Regiment, and at his arrival and departure was saluted by the usual number of guns, by the Royal Artillery.

His Excellency the Governor General has been pleased to call the following Gentlemen to the Legislative Council of this Province, viz:

R. S. Jameson, John Fraser,
Hon. P. De Blaquiere, John Macaulay,
Peter McGill, Etienne Mayrand,
R. B. Sullivan, John Hamilton,
R. E. Caron, F. P. Bruneau,
William Morris, John McDonald,
George Pemberton, Adam Ferrie,
Alexander Fraser, Olivier Berthelette,
Barthelemi Joliette, Capt. Augustus Baldwin,
James Crooks, J. B. Tashe,
Jules Queneau, H. P. Knowlton, and
Adam Ferguson, Thomas McKay, Esquires.

By Command,
T. W. C. MURDOCH, Chief Secretary,
Government House,
Kingston, the 9th June, 1841.

OFFICE OF THE SECRETARY OF THE PROVINCE,
Kingston, the 10th June, 1841.

His Excellency the Governor General has been pleased to make the following appointments, viz:—

Robert Simpson Jameson, Esquire, to be Speaker of the Legislative Council of the Province of Canada.

James Fitzgibbon, Esquire, to be Clerk of the Legislative Council of the Province of Canada.

William Burns Lindsay, Esquire, to be Clerk of the Legislative Assembly of the Province of Canada.

F. S. Jarvis, Gentleman, to be Usher of the Black Rod of the Legislative Council of the Province of Canada.

G. Chisholm, Gentleman, to be Sergeant at Arms of the Legislative Assembly of the Province of Canada.

By Command,
D. DALY, Secretary of the Province.

Office of the Secretary of the Province,
Kingston, 10th June, 1841.

His Excellency the Governor General has been pleased to make the following appointment, viz:—

Thomas Parke, Esquire, to be Surveyor General of the Province of Canada.

By Command,
D. DALY, Secretary of the Province.

ROYAL GAZETTE.

FREDERICTON, JUNE 30, 1841.

Central Bank of New Brunswick.

WILLIAM J. BEDELL, President.
SAMUEL W. BABBITT, Cashier.

Discount Days.....Tuesdays and Fridays.

Director this week.....T. R. ROBERTSON.

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.

Bank of British North America.

FREDERICTON BRANCH.

GEORGE TAYLOR, 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.

Savings Bank.

Trustee for next week.....B. WOLHAUPTER.

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. WOLHAUPTER, 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.

Hartford Fire Insurance Company,

HARTFORD, CONNECTICUT.

Agent at Fredericton.—ASA COY.



By Authority.

HEAD QUARTERS, FREDERICTON,

28th June, 1841.

MILITIA GENERAL ORDER.

The Drills of the 3d Battalion York Light

Infantry will take place at the undermentioned

places, instead of those named in the General

Order of the 17th May last.

The 1st Division at Douglas, near Lieutenant

Colonel Robinson's residence.

2d Division at Stanley.

3d Division at Vanhorne's, (Nashwaak.)

By Command,

GEORGE SHORE, A. G. M.

IN THE SUPREME COURT.

Trinity Term, 4th Victoria, A. D. 1841.

It is Ordered, That the Examination of Students

applying for admission as Attorneys at

the ensuing Michaelmas Term, be held at the

Judges' Room on Monday the eleventh day of

October next.

KING'S COLLEGE ENCÆNIA.

The past week has witnessed the recurrence

of the Annual Festival of the University of

New Brunswick; which has been distinguished,

we are happy to say, by renewed evidences of

the progressive success of the institution, and of

the favorable regard of the highest authorities

in the Province.

The Annual Sermon, on the appointment of

His Excellency the Chancellor, at the request

of the Venerable the Archdeacon, was preached

at Christ Church on Sunday, June the 20th,

by the Reverend the Vice-President. The

subject of this discourse, from the text, Mark

X. 15: "Whosoever shall not receive the King-

dom of God as a little child, he shall not enter

therein,"—was the nature and extent of the

Christian dispensation, and the dispositions

necessary to a due reception of the Gospel;

concluding with practical deductions of the

highest moment, in reference to the spiritual

state of individuals, to the religious education

of the young, and to the hopes and duties of

the Church at large. His Excellency Sir

WILLIAM M. G. COLEBROOKE has been pleased

to signify his desire that Dr. Jacob would com-

mit his Sermon to the press.

The Examinations of the College, and its

valuable auxiliary, the Collegiate School, af-

forded satisfactory proofs of the continued ef-

iciency of both. The number of Students ex-

hibits a decided increase; twenty-one having

kept the last Term, and five Matriculations

having subsequently taken place. The conduct

also of the Students was reported as most sat-

isfactory; while their proficiency in the several

departments of study, Classical, Mathematical

and Physical, was abundantly established by

the Examination. In the Collegiate School

the number of boys amounts to nearly eighty;

and the progress made from the youngest to

the oldest has been highly gratifying. The

Professors of the College, Dr. Robb and Mr.

Jack, with the assistance of the Rev. J. M.

Sterling and some Gentlemen of the Town,

conducted the Examination of the School; and

the following Extract from their Report will

be read with much interest:—

"While all exhibited sufficient proofs of the

good training to which they are subjected in

the School, we deem it proper to give especial

commendation to the advanced Greek and

Latin Classes under the tuition of Mr. Roberts,

and to the higher Geography and History

Classes under that of Mr. Holbrook. We

would also express our satisfaction at the

familiarity which the boys displayed with Ma-

thematical symbols and reasoning; nor was it difficult to see that Mr. Roberts had succeeded in making them appreciate this branch of knowledge for its own sake. The advanced Classes had made themselves thoroughly masters of the first six books of Euclid, and of Algebra as far as the investigation of the Binomial Theorem. Another and a new feature of interest was the Class for Elementary knowledge in Physical Science. All educated men know that the mass of the people are content with loose and often erroneous notions of the principles concerned in many of the most common phenomena of matter; and boys cannot be too soon taught to think and express themselves upon these and similar topics; while it is not improbable that their tastes and habits may be materially determined by the subjects thus early brought before their understanding. On the whole, the Examiners were highly pleased with the state of the School, and with the results of the day's Examination. Master W. B. Robinson was recommended to receive the highest mark of approbation—the Douglas Silver Medal."

On Thursday, June the 24th, the Chancellor proceeded to the College Chapel, attended by the whole Corporation; and held the Public Academical Act, in commemoration of the foundation of the University. After His Excellency had opened the Convocation in the usual form, the Annual Oration, as required by the Statutes, was delivered by the Vice-President and Principal. In this Oration, which was introduced by remarks on the agreeable and animating nature of the duty, according to the maxim which has been represented as an appropriate inscription for the entrance to a place of education, "Whatever man has done—man may do;" Dr. Jacob spoke of "the founders and benefactors of the University" as men who, "influenced, we would trust, by the best motives—a regard to the glory of God, and a desire to promote the best interests of mankind, have left monuments of their piety and benevolence which are likely, it may be hoped, to endure for many generations. There could, however, (he said) be no need that he should on this occasion undertake to give a detailed account of the several persons who have from the first contributed to the foundation and benefit of the College, or enter into a discussion of the useful character of the institution itself. The names of CARLETON, SMYTH, and DOUGLAS might well be accounted sufficient to recall to our minds the debt of gratitude which we owe to those distinguished individuals, with others who were their associates and willing supporters in providing such a place of education for the youth of the Province. And after the testimony publicly borne at the last Encænia, and subsequently more extensively promulgated by means of the press, any thing which he could add respecting the design or efficiency of the College might well appear worse than superfluous. It would, however, (Dr. Jacob proceeded to observe) be strangely and unpardonably ungrateful, did he not embrace the present opportunity of paying his humble tribute to the merits of another eminent person, inferior to none in zeal and earnest endeavours to promote the welfare of our University. Scarcely had Sir JOHN HARVEY assumed the Government of the Province, when he honored King's College with a most acceptable visit, enquired with the liveliest interest into the state and prospects of the institution, and gave the strongest assurances of the satisfaction with which he would at all times be ready to render his earliest and best attention to every thing which might concern its prosperity. These assurances were repeated when His Excellency first occupied the Chancellor's Chair, and confirmed by his whole course of conduct while we enjoyed the privilege of Sir JOHN HARVEY's presence and protection." After a grateful recollection of coadjutors in the instruction of the Students, whose services could not fail to be highly appreciated; and of several persons who have from time to time shewn their good will by the present of valuable books to the College Library; Dr. Jacob concluded his Oration by calling on his auditory "especially to remember the bequest of a private individual for the establishment of additional Scholarships; a generous and noble example, which will, we would hope, be followed by others whom it may have pleased Divine Providence to bless with adequate means of beneficence. To introduce, however, (he said) this benefaction to your better knowledge, and at the same time to convey to you the most appropriate reflexions upon it, I could not find more suitable words than those of the Testator himself. Permit me, therefore, to read an Extract from THE LAST WILL AND TESTAMENT OF PETER FRASER, Esquire; a gentleman, respecting whose integrity, piety and benevolence, there exists, I believe, but one opinion throughout the Provincial community. After other bequests—"Forasmuch (the Will runs) as it often happens that youths of talent and industry are unable by means of pecuniary inability to obtain a liberal education, I am desirous to do as much as is in my power to afford to such persons that greatest of human blessings:—I therefore give and bequeath to my said Executors the sum of £800—upon trust to invest the same in real or personal securities; and to pay the net annual interest and proceeds thereof to the Chancellor, President and Scholars of King's College, at Fredericton, in the Province of New Brunswick, to be by them applied in founding two Scholarships of equal amount, to be called THE FRASER SCHOLARSHIPS, to be in the said College in perpetuity, or as long as the said College shall continue in effective operation, subject to such rules as the Chancellor and Council of the said College shall from time to time make and appoint: save only that no test or subscription of Articles shall be required from any candidate for either of the said Scholarships, but the same shall be open to all classes and denominations of Christians; provided also, that no one person shall hold either of the said Scholarships for a longer period than four years from his Matriculation in the said College, and only during his residence in the said College. (The Will then states that the presentation to one Scholarship shall be in the College Council, and the other in the Minister of the Church of Scotland for the time being in Fredericton; and then pro-

ceeds:) And I enjoin them to pay due regard to superiority of talents and pecuniary inability. And I enjoin those who may by this bequest rise to riches and honor, not to forget the means by which they were obtained; but to shew their gratitude to God by endeavouring to afford in like manner to others the blessings which they themselves have been enabled to obtain."

The degree of Bachelor of Arts was then conferred by the Chancellor on five Students, who had completed their Terms and passed their Examinations, viz:—Messrs. W. M. MacLachlan, T. F. S. Street, Gabriel DeVeber, Nelson DeVeber, and W. B. Chandler; after which His Excellency was pleased to address the Convocation in the following words:—

REVEREND GENTLEMEN AND GENTLEMEN:—Amidst the claims upon my attention in the brief interval which has elapsed since my arrival in this Province, I should regret to have been considered unmindful of an institution dedicated to the interests of Religion and Learning.

Indeed if I were to refer to any one measure which should entitle its Founders to the gratitude of their Country, I would distinguish that which has opened to the youth of the Province the means of acquiring a liberal Education.

When I reflect on the origin of kindred establishments in England, and their influence in a rude age, in fostering the principles and disseminating the knowledge which have carried our literature and language, our arts and institutions to the remotest parts of the world, I feel justified in entertaining a confident hope that this College is destined, under Providence, to give a like impulse to the minds of those who partake of its privileges; and that many of you, and of those who may succeed you, will be worthy competitors in the wide field of honorable distinction which British enterprise has opened to you.

It would be a narrow view to take of your position, were you to regard yourselves merely as the inhabitants of a Province whose sphere of action was limited to its shores. You are doubtless aware of the causes of the celebrity of the Grecian Colonies in philosophy and science; and the progress of the English settlements in these our days must equally be the result of a liberal intercourse with the civilized world.

There is undoubtedly much that is interesting in a new country, and to which the researches of the philosopher may be profitably directed; but even here you would lose your noblest reward, if the incentive to your exertions were not an ardour in the pursuit of truth and knowledge for their own sake, and from their estimation by the wise and good.

Contemplating the natural resources of these countries, how vividly we are reminded, in the condition of the aboriginal races, of the little progress which man can make without the aid of general knowledge; and how successful has been the application of that knowledge in the maritime enterprises which led to the settlement of Europeans, and the skilled direction of their labour in reclaiming the wilderness.

In reviewing these vast results, we can understand why, in early ages, agriculture should have been so highly venerated. The study of nature and her operations was in itself an ennobling pursuit; and man felt himself elevated in realizing the bounteous dispensations of Providence by means of his own exertions.

Commerce, by opening a wide field for honorable enterprise, enlarging the sphere of knowledge, and connecting the families of mankind, is scarcely second to agriculture in importance. In this liberal sense I would invite you to consider it; and thus regarded there is no pursuit in which the advantages of a liberal education may be more largely experienced. An honorable example has this day been afforded to you; and I earnestly hope that other names may hereafter be added to those of the distinguished Benefactors to whom the College is so much indebted.

The public Examinations and the Reports of the Examiners attest at once the zeal of the Principal and Professors, with the preceptors of the Collegiate School, and the disposition of the pupils to profit by their able instructions. It is very gratifying to me also to have received so favorable a testimony of the moral conduct of the Students; and I should imperfectly fulfil the duties imposed on me, were I to omit to impress on you that learning and science can only avail you where they are sustained by religion and virtue.

There is one branch of instruction, to which, as it has not hitherto made a part of the Academical course of the College, it may be hardly appropriate that I should advert; and yet the importance I attach to the science of Jurisprudence will excuse me for expressing a wish that it should hereafter engage your attention. I would especially recommend to you the study of the Common Law of England, the noblest inheritance of these countries. When I reflect on the distinguishing maxim of that Law as the rule of reason, I feel that I propose a subject not only of the highest interest in itself, but one pre-eminently calculated to open the understanding to the reception of truth. In this, as in the Divine Law, may it truly be said—"the Letter killeth, but the Spirit giveth life;"—and in this spirit I propose to you for an Essay for the Gold Medal of the ensuing year, "THE PRINCIPLE OF THE COMMON OR UNWRITTEN LAW, AS THE LAW OF REASON."

"Nihil contra rationem est licitum."

[From the Sentinel.]

At a meeting of the General Sessions of the Peace for the County of York, held on the 12th instant, T. Pickard, W. D. Hartt, Asa Coy, T. R. Robertson and J. T. Smith, Esquires, were appointed a Committee to co-operate with the Temperance Committee appointed by the Honourable House of Assembly, to recommend certain alterations in the Law regulating Tavern and Retail Licences; and to adopt such other measures as may be best calculated to suppress the evil of intemperance.

The Wesleyan District Conference closed its sittings in this Town, on Thursday evening, the 10th inst. We give for the information of our readers, the following particulars, with which we have been furnished:—

The returns from the various circuits exhibit a clear increase of membership, during the year,