

Nova Scotia.

[From the Nova Scotia Royal Gazette.]

HALIFAX, February 3, 1841. OPENING OF THE LEGISLATURE.

At twelve o'clock this day, His Excellency the Lieutenant Governor proceeded in state to the Council Chamber, and, being seated, commanded the attendance of the House of Assembly. The Members having accordingly attended, the Hon. the President of the Legislative Council, by desire of His Excellency, then directed them to go back to their Chamber, and make choice of a Speaker. The Members thereupon retired, and shortly afterwards returned, when the Hon. S. G. W. Archibald, presented the Hon. Joseph Howe, as the Speaker whom the House had elected. His Excellency having signified his approval of their choice, the Speaker demanded the usual Privileges, which His Excellency was pleased to grant.—His Excellency then opened the Session with the following

SPEECH:

Mr. President and Honorable Gentlemen of the Legislative Council; Mr. Speaker, and Gentlemen of the House of Assembly;

I have called you together at the earliest opportunity after the close of the General Election, being desirous of placing myself on the first favourable occasion in direct communication with the Legislature of the Province, the Government of which I have been appointed to administer, because I feel that in my endeavours to discharge faithfully the arduous duties entailed on me by the confidence of my Sovereign, your co-operation and support will be of the utmost importance, and productive of the best results.

I believe it to be indispensable to the prosperity of Nova Scotia, that a sufficient degree of reciprocal confidence should exist between the three Branches of the Legislature, to insure from each a fair and candid construction of the acts of the other constituent powers, as well as to induce, on the part of those to whom, by the constitution, the exercise of the purely Legislative functions of the Government is especially confided, a disposition to aid the Representative of the Crown in his efforts to give effect to the beneficent intentions of the Queen; to establish and preserve such a feeling of mutual reliance, is therefore the object of my extreme solicitude, nor have I any other than a sanguine expectation that the course I shall pursue, of maintaining inviolate the Royal Prerogative, the beneficial influence of which on the interests of the subject has demonstrated, while I conscientiously exert it, whenever my duty to Her Majesty admits of my so doing, in accordance with the wishes of the Community in general; making the authority with which I am invested conducive to the furtherance of measures adapted to draw forth the resources and meet the wants of the Country, my labors to that end being shared by those enjoying the public confidence and best qualified to judge of the public interests, will produce general harmony, and secure to me, from the British Subjects of the Province, that sympathy and assistance which I deem necessary to enable me to do my duty to the Throne, by promoting their welfare, and thereby strengthening those bonds of loyalty and affection to our Sovereign and attachment to the Parent State, by which it is my happiness to feel assured that all Nova Scotians are now united.

Since your last Meeting it has pleased Divine Providence to bless with Offspring the union of our Gracious Monarch and Her august Consort, you will, I am confident, participate in those sentiments of exultation and gratitude, felt by your fellow subjects at Home, at the birth of a Princess Royal, as at an event calculated to add to the stability of the Throne, and contribute to the domestic felicity of our beloved Royal Mistress.

I rejoice to have it in my power to congratulate you on the flourishing state of the Province in general.—It will be found, on reference to Returns which I have directed to be submitted to you, that Trade has progressively increased, and that a proportionate augmentation has taken place in the Revenue, while the thriving condition of the mercantile interest has had an advantageous effect on the Agricultural Districts of the Country.

I have thought it expedient to retain in activity, to the latest period authorised by your Acts, the vessels manned, and fitted out, for the protection of the Fisheries: it will at all times be one of the most interesting and imperative of my duties to unite with you in fostering this important branch of industry, regarding it not only as a source of commercial wealth, but as affording the means of subsistence, and I trust of comfort, to a brave, loyal and valuable class of our fellow subjects.

We have to be grateful for a harvest which, if not superabundant, has been at least an average one, and I have the satisfaction to learn from all quarters that the grain, grown, is of very superior quality. I perceive, on referring to the Journals, that you have entered on an enquiry as to the best mode of affording encouragement to the Agriculturist: I shall have much pleasure in contributing to the successful action of any measure you may decide on, as calculated to stimulate the enterprise of the Farmer, lead to a more scientific system of cultivation, and a reward equivalent to his meritorious exertions.

I have to acquaint you that all matters commended to the attention of the Executive, by the Legislature, at the close of the last Session, have been duly cared for, and all correspondence relating thereto will be communicated to both Houses without delay.

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

The Accounts to the 31st December are ready for your inspection. I trust you will find that the money voted by you has been honestly appropriated and judiciously applied to the purposes for which it was granted. The Estimates for the current year will be laid before you; they have been prepared with every attention to economy consistent with a proper regard to the exigencies of the public service.

It is a ground for the indulgence of encouraging anticipations as regards the future, that you enter on your Parliamentary duties with no greater amount of Debt than existed four years ago, while the increase of the Revenue places at your disposal means far more ample than your predecessors enjoyed, both of diminishing this burthen, and of effecting necessary public improvements; of these one of the most essential which we can contemplate is the amelioration of the great Lines of Communication between this port and the eastern and western extremities of the Province. I am convinced you will judge it of the first consequence that these highways should be kept in a proper condition, not only because they are, by the accommodation they afford, a prime source of the welfare of the Agricultural Classes, and of the internal prosperity of Nova Scotia, but because it has latterly become a matter of great national interest that the supervision exercised over their management should be an efficient and an active one.

The British Government, ever anxious to facilitate the intercourse between the Mother Country and her trans-atlantic Offspring, after having expended a very large sum in establishing a Line of Steam Ships from Liverpool to our Provincial Capital, "in the confident expectation that the Colonies, on their part, would not be unwilling to improve the local communication," has proposed a plan for the more expeditious conveyance of Mails and Passengers between Halifax and Quebec, as well as between Halifax and New Brunswick; I have been instructed to ask your aid in furtherance of this object, and after the Resolution passed by the House in the last Session, pledging itself with regard to the expenses of the Post Office, and the liberality of the Imperial Parliament, I feel certain the appeal will not be made in vain, but that, as anticipated by the Secretary of State, copies of whose letters will be placed on your table, "the exertions made by Great Britain for the purpose of keeping up a regular and rapid intercourse between the Countries, will be met by a corresponding feeling on the part of the Colony."

I am enabled, by the assistance of my Council, to offer you a measure conceived with the design of meeting the wishes of the Home Administration, nor do I doubt the readiness with which you will give a favourable reception to this Bill, while I feel certain that you will make such pecuniary provision for keeping the Roads in repair as the public funds will admit of, and as is commensurate with the utility and importance of the end in view.

Mr. President, and Honorable Gentlemen of the Legislative Council; Mr. Speaker, and Gentlemen of the House of Assembly;

Among the various subjects which have been brought under my notice, since my arrival in this Colony, the means of more generally diffusing instruction among the people has engaged my most serious attention.

It is deeply to be lamented that, in a country, the population of which is inferior to no other race in physical attributes, and where the necessities of life are so easily obtained, that a moderate degree of industry raises a man above want, while, by the construction of society, any one endowed with knowledge and diligence may arrive at the highest social distinction, education should be so difficult of attainment, that the majority of the inhabitants are in consequence deprived of the advantages otherwise open to them by the nature of the institutions under which they live—society itself is retarded in its progress—man's individual happiness marred, and his usefulness in his relations with his fellow creatures impaired by the want of that inestimable blessing. My examination into the working of the system at present established here, has convinced me that this inconvenience is universally felt and generally complained of, while however the extent of the evil is acknowledged by all, a diversity of opinion everywhere prevails as to the mode in which it is to be remedied, each class apprehending having to suffer from the imposition of an undue share of the sacrifice necessary to be made for its removal; the difficulties by which the question is surrounded in consequence of this conflict of opinions, as well as from the local peculiarities of certain Districts, and the variety of religious tenets prevailing in Nova Scotia, are such as to prevent my being able to propose to you, in the hope of its determination, any measures worthy of adoption.

Your knowledge of the necessities of your several constituencies, and of the different interests of the classes into which they are divided, eminently qualifies you to deliberate on the means of mitigating the privation under which they now suffer, with regard to moral culture, and of bringing about, in this respect, a vast improvement in the condition of the great body of the people in the manner least likely to bear oppressively on any portion of the community.—In recommending to your regard a subject of such momentous interest, I consider it my duty not to withhold the expression of my belief, that any Legislative Act in reference to it, to be satisfactory in its operation, must be based on the principal of general assessment, while I beg to assure you of my very zealous concurrence in any attempt you may make to ameliorate a state of things which I sincerely deplore.

A Committee of Her Majesty's Council being now engaged in revising the Criminal Law, I trust, on the receipt of the report of that committee, to have it in my power to offer you a Bill embodying all the necessary improvements.

A matter of great public concern, and which has already been much canvassed, will probably again furnish ground for debate, during the present Session—I allude to the Judiciary of the Province—a declaration by the Legislature of the necessity of a change in this department, and an assertion of the principal on which that change should be founded, would be met on the part of the Executive by a sincere desire to act in concert with the wishes of Parliament.

In addition to the measure relating to the Highways, of which I have already spoken, a Bill for the re-construction of the Court of Marriage and Divorce, and another for the Incorporation of the Town of Halifax, will be submitted for your approval.

In the preparation of these Acts, every anxiety has been felt, both by myself and by those who have assisted me to frame them, that the provisions therein contained should correspond to the exigencies of Society, as established among us. It will be for you to say whether this purpose has been accomplished, and to determine whether they shall become Law. Although the tranquility and happiness of the Country, to promote which, my best energies will hereafter be devoted, and to which I think these, or some similar enactments, would contribute, are too near my heart for me to disguise my earnest hope that they may be deemed in the main well suited to effect the ends contemplated by those who devised them. I both expect and desire that they should be subjected to the most simple discussion and searching investigation, alike as to their principles and details.

THE SPEAKERSHIP.—This important office has been filled. The question of questions is settled. The Hon. James B. Uniacke was nominated by James R. Dewolf, Esq. seconded by the Hon. Edmund M. Dodd, and, on the question being taken, there appeared for the motion 22, against it 26. The Hon. Joseph Howe was then proposed by Reuben Clements, Esq. seconded by Alexander M. Upham, Esq. when Mr. Howe was elected, 25 to 23. The numbers were—

For Hon. James B. Uniacke:—Blackadar, Holmes, Hatton, Fairbanks, Taylor, J. R. Dewolf, Heckman, Creighton, Zwicker, Budd, Thorne, Dewolf, Dickie, Dodd, Martell, Turnbull, Fulton, Smith, Forrestall, Desbarres, Beekwith, Johnston, Marshall.—23.

Against Hon. James B. Uniacke:—Forrester, Anand, M'Nab, Goudge, Payzant, Chipman, S. B. Chipman, Holdsworth, Clements, M'Kenna, Lewis, M'Lellan, Archibald, Upham, Rider, Homer, M'Keagney, Young, Spearwater, Gates, Henry, Como, Dimock, M'Kay, Huntington, Beekwith.—26.

For Hon. Joseph Howe:—Forrester, Anand, M'Nab, Goudge, Payzant, Chipman, S. B. Chipman, Holdsworth, Clements, M'Kenna, Lewis, M'Lellan, Archibald, Upham, Rider, Homer, M'Keagney, Young, Spearwater, Gates, Henry, Como, Dimock, M'Kay, Huntington.—25.

Against Hon. Joseph Howe:—Blackadar, Holmes, Hatton, Fairbanks, Taylor, J. R. Dewolf, Heckman, Creighton, Zwicker, Budd, Thorne, Dewolf, Dickie, Dodd, Martell, Turnbull, Fulton, Smith, Forrestall, Desbarres, Beekwith, Johnston, Marshall.—23.

The Attorney General, Hon. James B. Uniacke, and Hon. Joseph Howe, retired.

When the House returned to the Chamber, the Speaker read the Speech of His Excellency from the Chair. The choice of officers was then proceeded with,—when J. Widdell, Esq. was chosen Clerk, J. F. Grey, Esq. Assistant Clerk, Mr. M. Forrester, Sergeant at Arms, Mr. John Jennings, Deputy Sergeant at Arms, and Mr. Gibbs, Messenger. The appointment of a Chaplain, or Chaplains, next occupied the House. Several propositions were discussed, and a resolution to the following effect finally passed, 32 to 13,—that the Rev. Dr. Twining, Rev. Mr. Scott, Rev. Mr. Sheldon, Rev. Mr. Marshall, and Rev. Mr. Dease, be requested to act as Chaplains to the House. Conversation ensued as to the compatibility of the officers of Speaker and Member of Executive Council,—and it was understood that the question would come regularly before the House on a future day. The usual Committees were appointed.

SHERIFF'S SALE.

To be sold by Public Auction on Wednesday the 11th day of August next, at the Market House in Fredericton, between the hours of 2 and 4 o'clock, P. M.: ALL the right, title and interest of Edward Adams and William Adams, to a Lot of Land on the South side of the South West Branch of the Miramichi River, in the Parish of Saint Mary's, bounded on the upper side by Lands owned by Thomas Adams, and on the lower side by a certain White Birch Tree: All the real Estate of Edward or William Adams, in the County of York.

Also, at the same time and place will be sold: All the right, title and interest of George W. Smith, to his portion of the Estate of the late Henry Smith, Esquire, in the County of York.

The above Property having been taken by virtue of several Executions issued out of the Supreme Court.

E. W. MILLER, SHERIFF. Sheriff's Office, Fredericton, Feb. 9, 1841.

In the matter of Cyrus Stockwell, an absconding Debtor. NOTICE is hereby given, that a Meeting of all such Creditors of the above named Cyrus Stockwell, as shall choose to attend, is requested on Thursday the fifteenth day of April next, at the St. John Hotel, at 11 o'clock, A. M. to examine and ascertain the debts due to each person, at which time the Creditors are expected to be prepared to substantiate their several demands against the said Cyrus Stockwell, to the satisfaction of the Trustees. Dated at St. John, N. B. the first day of February, 1841.

ALEX. ROBERTSON, } Trustees. JAS. ROBERTSON, } WM. ROBERTSON, } M. H. PERLEY, Attorney for Trustees.

Printing Establishment FOR SALE.

BUSINESS calling our attention out of the County, induces us to offer for sale, "THE TIMES OFFICE" ESTABLISHMENT, Consisting of two Printing Presses, Cases, Stands, Rollers, Job and Book Type, and a sufficient quantity of Long Primer, Small Pica, and Brevier, to enlarge the paper, should it be deemed necessary, to the size of any other Journal in the province; a subscription list of about 500 subscribers and upwards; a fair advertising patronage amounting to £100 per annum; a large quantity of printed blank forms, together with all the apparatus generally attached to a Printing Office.

To a person of talent so favorable an opportunity to make an investment seldom occurs. Proposals will be received at this office by the proprietor until the 20th February next.

Times Office, Woodstock, Jan. 30, 1841.

CIGARS! CIGARS!! JUST received—62 quarter Boxes CIGARS, on Consignment, and for sale by M'PHERSON & COY. February 8, 1841.—2w.

ROYAL GAZETTE.

FREDERICTON, FEBRUARY 10, 1841.

Central Bank of New Brunswick. WILLIAM J. BEDELL, President. SAMUEL W. BABBIT, Cashier. Discount Days.....Tuesdays and Fridays. Director this week.....C. P. WETMORE. 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. Manager for this week.....B. WOLHAUPTER. 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. GEORGE TAYLOR, Manager. Discount Days.....Wednesdays and Saturdays. Director this week.....JAMES TAYLOR. 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.....ASA COY.

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. R. WOLHAUPTER, President. Committee for the present month. JOHN S. COY and THOMAS STEWART.

Alms House and Work House. Commissioner for the week commencing to-morrow. B. WOLHAUPTER.



By Authority. IN COUNCIL, February 2, 1841.

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 11th day of April next, and five shillings additional will be charged on each purchase, for postage, &c.

- NORTHUMBERLAND. David Duncan, 3s. per acre, down. L. Monaghan, do. do. J. Norsworthy, do. do. F. M'Carthy, do. do. R. Jardine, do. do. KING'S. William Allmon, 2s. 6d. per acre, down. J. Pidgeon, Jr., 3s. per acre, down. D. Pidgeon, do. do. M. Kelly, do. do. QUEEN'S. F. Welton, 3s. per acre, down. M. M'Dermot, do. do. W. Elkin, do. do. R. Elkin, do. do. G. Elkin, do. do. E. Elkin, do. do. A. Elkin, do. do. Thomas Sutton, 2s. 6d. per acre, down. CARLETON. J. Rideout, 3s. per acre, down. YORK. John Hood, 5s. per acre, down, and £1 10s. expense of survey.

The lands applied for by the undermentioned persons, will be sold at Public Auction at this Office on Monday the 5th day of April next, (see advertisement.)

- Duncan Cameron. J. W. Lounsbury. A. Jones. P. Blaneh. R. T. Truman. B. Briggs. T. Stableford, Jr. J. Stableford. Samuel Keith. Thomas Pollock. Thomas Gilbert.

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

- P. Pibley, Donald Taylor, Thomas Ford, W. Blacklock, J. Demsey, B. Kay, P. Kelly, J. Steves, C. Arceneau, C. Gorman, V. Arceneau, J. Gray, Jr., J. Bears, W. Farmer, O. Guiguen, J. Huggard, W. Fillmore, J. M'Allister.

The answers to the Petitions of the undermentioned persons are as follows:—

- John Niles and Paul Niles to have 100 acres each, at 3s. per acre, down, in the manner recommended by Mr. Palmer, on completion of the survey. James Crawford, complied with. Ambrose Newmao, to have the lot as surveyed at 8s. per acre, down, and the £5 already paid to be allowed. John Murphy, complied with. Church Wardens of Weldford, do. Oliver Brine, do. William Mason, do. Joseph Childs, do. Messrs. Crookshank & Walker, complied with. Richard Jardine, the former order in favor of James M'Kie to be rescinded and Jardine to have the land at 3s. per acre, down. Thomas Sutton, the sale to John Shannon to be cancelled and his money returned and Sutton to have the land at 2s. 6d. per acre, down. John Maxwell not complied with.

A. Ritchie, & Co. to stand over for the Deputy's Report. H. & J. Montgomery, to stand over for the Deputy's Report. John Bedell, required to produce proof of his statement. A Robertson, (for licence on Coal Branch,) not complied with. Wellington Gilmor, to stand over for the Deputy's Report. H. B. Rainsford, to stand over. James Tibbits, allowed on payment of the sum of £24.

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 11th day of April next. J. Alexander, Pocomouche. W. Robertson, Peticodiac. R. S. Demill, Bay DesVent River. R. Balston, Nashwalk. R. Stevens, Beaguimic. J. Teakles, Sahnon River. P. Stewart, Restigonche. V. Hicks, Buctouche. A. Rankin, Northumberland. J. S. Craig, Magaguadavic. L. Lawrence, Digdequash, (Shingles.) G. Porter, Eel River. J. Buchanan, Pollett River. J. Cunard, Northumberland.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday, the 5th day of April next. Sale to commence at 12 o'clock, noon.

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

- 200 acres, Gloucester, Lots 62 and 63, West of the Miramichi Road. Upset price, 3s. per acre. 100 acres, Westmorland, front half of Lot No. 13, on the North East side of the Road from Baternut Ridge to North River. Upset price, 3s. per acre, the purchaser to pay J. W. Lounsbury for his improvements. 400 acres, Westmorland, North East side of Square Lake, Botsford, adjoining north of Blanch's clearing. Upset price, 3s. per acre, the purchaser to pay the expense of the survey. 41 acres, Westmorland, on the North bank of Anlack River, immediately below the New Abideau. Upset price 30s. per acre. 70 acres, King's, North East part of vacancy in rear of A. Delong's grant, Stedholm's Mill Stream. Upset price, 3s. per acre. 150 acres, King's North half of land surveyed for Thomas Stableford, second tier, south of Dutch Valley, Sussex. Upset price, 3s. per acre, and the purchaser to pay for the improvements. 150 acres, King's, South half of land surveyed for Thomas Stableford, second tier South of Dutch Valley, Sussex. Upset price, 3s. per acre, the purchaser to pay for the improvements. 100 acres, King's, South half of Lot No. 6, third tier, Corn Hill Settlement, Studholm. Upset price, 3s. per acre. 200 acres, King's, East of John M'Kenna, Cedar Camp Creek Settlement. Upset price, 3s. per acre. 24 acres, Queen's, Lots Nos. 11 and 12 South Range, of the Pasture Lots in rear of Gageton. Upset price, 20s. per acre.

JOHN S. SAUNDERS, Surveyor General. Crown Land Office, February 8, 1841.

[From the N. Y. Journal of Commerce, Jan. 30.]

VERY LATE AND IMPORTANT FROM EUROPE.

By the packet ship North America, in the very short passage of twenty two days from Liverpool, we have London papers to the evening of January 6th, and Liverpool to the 7th. The news is of unusual importance. The news from China is to October 1st.

The letters from Liverpool of the 7th, speak favorably of the Cotton market, and the condition of money matters.

The transactions in Wheat at Liverpool on the 5th are reported as having been moderate, and foreign as well as Irish was sold 1d. to 2d. cheaper, but holders generally would not submit to a reduction. A good active business was done in duty paid bond Flour, at steady prices for United States, but Canada Flour was about 6d. cheaper; Flour in bond, 26s.

LONDON, Jan. 6.—Money Market.—Two o'clock.—The very important news from China has of course given a lift to the funds, which have been very buoyant.

LONDON, Jan. 6.—In another part of our paper will be found an abstract of the produce of the revenue of this country in the years and quarters ending 5th January, 1840, and 5th January, 1841.—It appears by this that there is a decrease on the latter, compared with the former year, amounting to £254,000; whilst there is an increase on the last quarter, when compared with that ending in January, 1840, amounting to £80,602.

LONDON, Wednesday evening Jan. 6.—China, India and Egypt.—We are to day enabled to place before our readers important intelligence from the East, which cannot fail to be productive of much gratification to every individual who can so far divest himself of party feelings as to rejoice over the signal successes of Great Britain abroad, under any administration.

The news from China and India we have received by the overland mail; the intelligence from the former having been conveyed to Calcutta by Her Majesty's ship Cruiser.

Our advices from Alexandria are to the 24th ult., and we are in possession of journals and advices from Malta to the 28th.

The intelligence from China is as gratifying as it is important, and is especially satisfactory, because it bears with it this great zest—it was unexpected; so little importance had been attached to the progress announced by the last overland mail to have been made by the Chinese expedition. It appears, however, that the Chinese question is thoroughly settled—that the occupation of Chusan, and the proceedings of Admiral Elliot, have brought the Emperor of China to his senses, and that he has offered to send plenipotentiaries to Canton or Ningpo, for the arrangement of all matters in difference with Great Britain.