

resident in ward of the City of Saint John do make oath that all the property, real and personal, owned by me, or by any other person in trust for me, or for my use, whatsoever and wheresoever, does not exceed in value, and that my yearly income does not exceed

Sworn before day of 1883, before Justice of the Peace, And in case the appeal be allowed, the rate shall be amended accordingly; and the Common Council may, in their discretion, direct the Surveyor for the district to repay, out of the monies collected by him, the amount of overcharge, or to make allowance therefor in the labour of the next year, in case the said appellant should have performed the whole labour assessed, prior to hearing the appeal; and all appeals from the other parts of the County shall be made to the General Sessions, as directed by the said Act of the present Session.

VII. And be it further enacted, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty to make such By-Laws, Rules and Regulations relative to the Statute Labour without the said City, as they may think fit, not contrary to or inconsistent with the provisions of this or any other Act of Assembly relative to the same.

VIII. And be it further enacted, That this Act shall continue and be in force until the first day of April, which will be in the Year of our Lord one thousand eight hundred and thirty three.

### Civil Appointment.

**BYE ROAD COMMISSIONER.**

Henry Staley, of Saint George, to be Commissioner to expend the sum of £50, granted in 1829 towards opening a Road from the Bridge over the Magaguadavic River, at the Black House on the Great Road from Fredericton to Saint Andrews, to the Settlement at Lake George in the County of York.

### PROVINCIAL LEGISLATURE.

Saturday, 26th March, 1831.

On motion of Mr. Taylor,

Whereas, during the past winter, the weather has proved exceedingly unfavourable to all persons concerned in Lumbering pursuits throughout the Province, so that large quantities of Lumber will necessarily be left in the woods, and consequently cannot be hauled out until the next season; and whereas, it has heretofore been customary for the Government in many instances to admit of Lumber thus circumstanced to be hauled out and taken away from the Crown Lands, upon the persons (licensed to make such Lumber) applying by petition for leave so to do, and paying certain fees of Office; and whereas, for the reasons above stated, the payment of such fees will be excessively burdensome to those persons who have been so unfortunate as not to have been enabled to haul out their Lumber, agreeably to the conditions of their licenses:

Therefore resolved, that an humble Address be presented to His Honor the President, praying that His Honor will be pleased to direct, that all such persons as shall have obtained Licenses to cut and carry away any Lumber from Crown Lands, and who shall have been unable to get the same out during the past winter, may be allowed to take the said Lumber from off the Crown Lands during the next winter, without paying any additional fee.

Monday, 28th March, 1831.

On motion of Mr. Smith,

Ordered, That it be a standing regulation of this House, that no monies hereafter be appropriated for Roads or Bridges, in any Parish of this Province, in any year, unless it shall appear by the certificate of the Clerk of the Sessions of the Peace, for the County in which such Parish is situated, that a return of the account of the Statute Labour has been made in the same year, by the Commissioners of Roads of such Parish, agreeably to the provisions of an Act, intituled, "An Act to repeal all the Acts now in force, for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, in the several Towns and Parishes in this Province, and to make more effectual provision for the same;" and unless, also, it shall appear by such certificate, that the Statute Labour has been faithfully performed by the inhabitants of the Parish for which any money is intended to be granted, or that the delinquents have been prosecuted.

Tuesday, 29th March, 1831.

Mr. Scott moved the following Resolution, which was passed by the House:

Whereas, the Act for the establishment of Grammar Schools, requires that the Trustees and Directors of such School shall account to the Legislature for their conduct and management of the money committed to their charge; therefore resolved, that in future, it shall be incumbent on the said Trustees and Directors to make a report to this House annually duly attested, in which report shall be stated the number of Boys, the amount of Tuition, with the amount subscribed and bona fide paid in aid of the support of such School; and further resolved, that this House in future, will not make any grant in aid of any School from which such report shall not be received.

On motion of Mr. Scott,

Whereas, it is considered expedient that persons who may be affected by the passing of a local Bill should have notice of the same;

Therefore Resolved, that in future, it be a standing Rule of this House not to be departed from, except in very particular cases, that no Bill of a private or local nature will be received by the House, unless such Bill has been previously read at some General Sessions of the Peace, in the presence of the Grand Jury of the County interested in such Bill, and a certificate to that effect endorsed by the Clerk of the Peace.

Thursday, 31st March, 1831.

A Message from His Honor the President, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended, and being returned, Mr. Speaker reported, that he had addressed His Honor to the following effect:

"May it please Your Honor,

"THE House of Assembly, have made provision for the Ordinary Services of the Province. The improving state of the Public Finances has enabled them also to make liberal provision for Roads, and other important objects connected with the welfare of the Province. They now beg leave to present to Your Honor the several Bills of Appropriation, to which they pray Your Honor's assent and they rely with the utmost confidence, that the grants placed at Your Honor's disposal will be so properly and judiciously applied, as to be productive of the most beneficial results to the Province."

That His Honor was then pleased to give his assent to the several Bills of Appropriation, &c. &c. &c.

And His Honor was then pleased to make the following Speech.

Mr. President and Gentlemen of the Council, Mr. Speaker and Gentlemen of the Assembly,

"Having had the satisfaction of assenting to all the Bills you have passed, many of which, by their wise and salutary provisions, must prove of primary importance and benefit to the Province; it now becomes my agreeable duty, at closing the present Session, to express to you my best acknowledgements for your ready and diligent attention to the several objects recommended to your consideration, and to thank you in His Majesty's name for the liberal grants you have made for the services of the current year."

That His Honor the Chief Justice then said,

"Gentlemen of the Council, Mr. Speaker and Gentlemen of the House of Assembly,

"It is His Honor the President's will and pleasure, that this General Assembly be prorogued until the first Monday in June next, and this General Assembly is accordingly prorogued until the first Monday in June next, then here to be holden."

The news furnished by an arrival at St. John from Falmouth, is various and important. We wish it were in our power to add, that it is in all points such as the faithful subjects of His Majesty in this part of his dominions could have desired.

It appears that the Chancellor of the Exchequer has proposed to Parliament a reduction of taxes to the amount of £3,200,000, and a modification or addition of others calculated to produce about £300,000. The duty on European timber is to be raised, it seems, to 50s. per load, and that on British American to 20s.—rates which the Minister conceives will bring them near an equality in the market. We can only express our earnest hopes that the fears which are entertained of serious injury from this modification may not be realised.

The King of the French has yielded to the objections of the other great powers of Europe, and declined the proffered crown of Belgium for his son the Duc de Nemours. This circumstance, and the actual entrance of the Russian troops into Poland, excite the liveliest anxiety for the course of events, which time alone can develop.

The intelligence from Ireland is particularly cheering. The reign of O'Connell seems to have ended. That strange man—after insulting the Government, agitating his country almost to insurrection, disgusting his friends, disappointing his faction, and incurring the mingled scorn and indignation of the age—stands now a confessed rebel against the law, and awaits in timid apprehension the punishment which he so justly deserves. The sentence, we well know, will be dispassionate and equitable;—in mercy to the country it ought to be so severe, as to keep the agitator quiet for the remainder of his days.

We exceedingly lament the discussion which has not ceased to prevail in the Legislature of Lower Canada. There are unhappily real inconveniences in that Province, inevitably resulting from the heterogeneous character of its inhabitants, and the differences between French and English customs and laws. Under the most judicious, considerate and skillful administration of its affairs, it would be a work of time and difficulty to settle a system which could be expected to give general satisfaction; but the difficulty is vastly increased by the animosity and exasperation attendant on long continued struggles for political preeminence.—In the Upper Province a happier state of things prevails, and the respective branches of the Legislature begin cordially to co-operate in promoting the common good. The House of Assembly there has by a large majority accepted His Majesty's proposal of a permanent Civil List; and like good and honest men, they have set themselves in earnest to enquire how the other questions, which had produced a partial and temporary alienation, may be so decided as to satisfy the just claims of opposite parties, and conduce to the lasting benefit of all ranks.

### THE BOUNDARY LINE.

We are disappointed in not being even yet enabled to communicate full and authentic information on the decision of this great question. The following account of the matter however will be found, we have reason to believe, nearer the truth than any which has yet appeared.

Three points were submitted to the judgment of the Royal Arbitrator: first, the "Highlands," to which the "due North Line" from the source of the Saint Croix should be produced; secondly, the "North-western-most Head of the River Connecticut;" thirdly, the "Survey" of the Line from that River to the Saint Lawrence. The first of these points is decided by what His Majesty seems to have regarded as an equitable adjustment between the pretensions of the two parties, and with reference to the spirit and design of the Treaty, rather than its letter. The second he decides altogether in favor of

Great Britain. He does the same with the third point, reserving only to the Americans a particular spot on which they had erected a fortress in the confidence that it belonged to their own territory. To be more explicit, we believe it will be found:

1. That the Arbitrator, unable to pronounce positively, that either the Highlands skirting the Saint Lawrence, on those branching off in the direction of Mars' Hill, ought to be considered as the "Highlands" intended by the Treaty, has thought fit to adopt a certain and natural Boundary occurring between the two;—namely, the River Saint John, to be pursued from the point where the North line shall strike it, to the source of one of its branches (the Saint Francis) rising near the source of a River which falls into the Saint Lawrence. By this decision the larger portion of the disputed territory is certainly awarded to America; but as an equivalent we secure an uninterrupted communication with Canada.

2. That His Majesty, finding it sufficiently established on American authority that the "River Connecticut" did, from or near the time of the Treaty, bear that distinctive name above the confluence of "Hall's or Indian Streams," has decided that another of its sources, although accidentally to the East of those tributary rivulets, shall be accounted its "North-western-most Head;"—thus causing the Boundary to leave the Highlands, and descend the Connecticut, a river than it would have done on the American hypothesis.

3. That the Treaty of Ghent having expressly stipulated that the Boundary "from the source of the Saint Croix to the river Iroquois or Cataraqui (St. Lawrence) shall be surveyed and marked," the Arbitrator has decided that the stipulation shall be carried into complete effect; leaving only to the United States the fortress at "Rouse's Point," with a convenient portion of circumjacent territory, on the ground of their having erected it at a great expense under the persuasion that it was on their side of the boundary.

Such we conceive to be the true account of the Decision, having collected our information from several sources, and compared it with facts within our own knowledge. We think it but right to add, that whatever our wishes may have been, and whatever opinion we may form of His Majesty's judgment in some particulars, we perceive not the shadow of a reason to impeach the integrity with which it has been exercised, or to suppose it influenced by any other consideration than the arguments of the parties and the merits of the case. If we entertain a serious doubt on its intrinsic justice in any point, it is with respect to the "local Acadians" who may have the misfortune to find themselves on the American side of the Madawaska settlement. It might be maintained with great plausibility at least that the same consideration should have been extended to them as to the forlorn Rouse's Point;—they are British subjects, who fully believed themselves to have fixed their abode on British ground.

### EXTRAORDINARY ICE FRESHET.

The breaking up of the ice on our river has this year been attended with a circumstance productive of much inconvenience, and during some hours threatening Fredericton with even serious injury. On Saturday the river was seen flowing with a smooth and uninterrupted current, until between five and six o'clock when it was perceived that the surface of icy fragments had become stationary, their progress being obstructed by projecting points of the banks three miles below the town. The Channel of the river rapidly filled, the water overflowed, and in the course of the night several families in the lower part of the town were under the necessity of quitting their houses, and taking refuge on higher ground. On Sunday morning a large part of the town was found to be under water, and as it still continued to rise, many of the inhabitants began to take measures for removing with their effects to places of safety; the Church and Chapels remained unopened, for none could be expected to visit them; Canoes and boats were seen flying in every direction along the streets, and even the Rifle Brigade had orders to hold themselves in readiness to ascend the hill. At length in the afternoon the ice was happily perceived to be in motion, and ere long the water began to subside; before evening we had the comfort of finding ourselves again on terra firma. We understand the town was flooded about thirty years since, but by no means to such a degree as on the present occasion. The damage done in the vicinity of the town is comparatively trifling, with the exception of the House owned and occupied by Mr. Balloch, and a two story building belonging to Mr. Dunn, which was nearly thrown off its foundation and is otherwise much racked and injured, both buildings standing in the greatest jeopardy of being precipitated amidst the moving element. We are sorry to say, that nearly the whole line of fence next to the river, forming that beautiful enclosure laid out by the direction of Sir Howard Douglas, and a favorite resort of His Excellency and family, and which greatly contributes to the beauty of this section of the town and the comfort of its inhabitants, has been laid prostrate by the huge masses of ice which are every where to be seen piled on the banks of the river. So far as we can learn no lives have been lost, but we are fearfully apprehensive that serious damage will be sustained on the intervals lands above and below this place, as several barns, and a house belonging to Mr. Gallop of Kingsclear, we understand, have been swept away by the freshet. We consider ourselves called upon to notice

the praiseworthy exertions of a few individuals, who at the hazard of their personal safety, emptied the house and stores of Mr. Balloch of their valuable contents and conveyed them to a place of safety, and we have no doubt that the kindness manifested towards his family and the care taken of his property during his absence will be duly appreciated by that gentleman on his return from the City.

**AFFECTING DISPENSATION.**—On the afternoon of Sunday last, Mr. Richard Currie of the Parish of Cannon, went from his house with the view of securing his potatoes from the freshet which was fast approaching the place where they were deposited, and whilst in the act of throwing them on a stage which he had erected for that purpose, the whole gave way and lodged on the unfortunate individual who was underneath it. The body of Mr. Currie was extricated from its awful situation about 20 minutes after the melancholy catastrophe, but all symptoms of life were extinguished. Mr. C. was much esteemed and respected in the neighbourhood where he has long resided, and we regret to add, he has left a wife and five children, with a numerous circle of connexions and friends to lament his sudden and premature death.

### LOWER CANADA.

[From the Quebec Official Gazette.]

House of Assembly Quebec 21st March 1831. To His Excellency, the Right Honorable Matthew Lord Aylmer, Knight Commander of the Most Honorable Military Order of the Bath, Captain General and Governor in Chief in and over the Provinces of Lower Canada, Upper Canada, Nova Scotia, New Brunswick, and their several dependencies, Vice Admiral of and in the same, and Commander of all His Majesty's Forces in the said Provinces, and their dependencies, and in the Island of Newfoundland, Prince Edward, Cape Breton and Bermuda &c. &c. &c. May it please Your Excellency,

We His Majesty's faithful and loyal Subjects the Assembly of the Province of Lower Canada in Provincial Parliament assembled, most respectfully inform your Excellency, that having taken into our most serious consideration the present state of this Province, We have voted an humble Petition to Our Sovereign Lord the King, submitting the whole matter to the favourable consideration of His Majesty, and trusting to the justice and liberality of His Majesty, in the exercise of His Royal Prerogative for remedy of the evils complained of.

Wherefore we respectfully pray Your Excellency will be pleased to forward the said Petition to His Majesty's Ministers, that the same may be laid at the foot of the Throne.

ANSWER.

Mr. Speaker, and

Gentlemen of the House of Assembly,

I shall not fail to transmit without delay, to the Secretary of State for the Colonial Department, your Petition to the King; and as it will no doubt be expected by His Majesty's Government, that my communication shall be accompanied by some observations of my own, referring to the various subjects embraced in the said Petition; I think it necessary on the present occasion, to make a few remarks, to which I solicit your serious attention; more especially as it may be, that I have yet something to learn regarding the ulterior views of the House of Assembly.

I can assure you, Gentlemen, that I have derived satisfaction from listening to the Petition which has just been read by Mr. Speaker, because the subject matter of it is distinct, and tangible; and because I feel assured that of the causes of complaint therein set forth, many will be eventually removed, and others mollified: in the mean while, it is very agreeable to me to have it in my power to state, that some of those causes of complaint have been already put by me in a train of amelioration at least, if not of removal altogether; and I beg the House of Assembly to believe, that my efforts shall be unremitting in pursuing the same course to the utmost extent of my authority, as the King's Representative.

Thus far I can, with a safe conscience declare, that the present communication is satisfactory to me: but I cannot conceal from the House, that it would have been infinitely more so, could I feel assured that the whole matter of their complaints is comprised in this petition. Gentlemen, I must go a step further than this, and confess to you, that I cannot divest my mind of anxiety on this subject—it is with the view of being relieved from this state of anxiety that I now come forward to entreat that you will admit me to your confidence, and acquaint me whether I am to expect any, and what further communications on the subject of complaints and grievances?

I think I have even a claim upon you for the confidence I now solicit.

The propositions which, upon a recent occasion, I was commanded by the King to make to you on the subject of Finance were laid before you in the plainest and most straightforward manner—nothing was concealed—nothing was glossed over; and I even believe that I should have been justified, had I made those propositions more palatable to you than I have done. But I considered that any thing which could have even for a moment, the appearance of trick or manoeuvre on so grave an occasion, was unworthy of His Majesty's Government, and an injustice to the frank and loyal character of the Canadian people.

What I now ask in return for this fair dealing, is a corresponding proceeding on the part of the House of Assembly.

Am I to understand that the petition which I have just read, conveys all that the House of Assembly has to complain of up to this day? or am I to understand that there remains some thing behind—some unripe grievance or complaint which it may be intended to bring forward hereafter, when those now produced shall have been disposed of? This is the information I ask of you—This, Gentlemen, is the information which I will even implore you to afford me, in the name of the King Our Sovereign, who is sincerely itself; and in the name of the brave and honest people of Canada, who are so well entitled to expect fair dealing in every quarter: and now, if there be any stray complaint—any grievance, however inconsiderable in itself, which may have been overlooked when this petition was adopted by the House, I beseech you, gentlemen, to take it back again, in order that the deficiency may be supplied, and that thus both King and People may be enabled at one view, to see the whole extent of what you complain of, and what you require.

Whether this appeal to your candor will draw from you any further declarations, stating that your petition contains the whole matter

of your complaints and grievances; or that you shall maintain silence, I shall equally consider that I have acquired a full and distinct knowledge of the whole of your complaints and grievances up to the present period; and your petition will be accompanied by an assurance from me to that effect; and my most fervent wishes that it may be productive of such measures as shall restore perfect harmony to this favored land, where I firmly believe a larger share of happiness and prosperity is to be found, than amongst any people in the Universe.

AYLMER, Governor in Chief.

Castle St. Lewis.

Quebec, 23d March, 1831.

### Died.

At Manguerville, on Friday morning last, the 8th instant, Solomon Parley Esquire, aged 53 years.

At Woodstock on the 24th March, Capt. Joseph Cunliffe, a native of England, of a most respectable family in Addington Yorkshire.

### FOR SALE.

THE following Lots of Land situate in the County of York N. B.

Lot no. 43, with a Pasture Lot in the Lower French Village, Kingsclear, of grant to Stephen Jarvis and others dated 4th October 1799 containing 110 acres.

Do no. 15, of the Military Grant, lying on the River Saint John in the Parish of Kent, containing 100 acres.

Do no. 25, same grant, situate in the same Parish containing 100 acres.

And also of all the right, title and interest of McCulloch Dewar & Co. of, in, and to Lot no. 24 of the last mentioned grant, and situate in the said Parish.

V. & F. KINNEAR, Attorneys for McCulloch Dewar & Co.

JOHN ROBINSON, Esq. of, in, and to Lot no. 24 of the last mentioned grant, and situate in the said Parish.

April 13.

### FOR SALE AT THIS OFFICE.

A FEW COPIES of the Act for regulating, laying out, and repairing HIGHWAYS and ROADS &c.

### NOTICE.

I hereby given that the Subscribers have been duly appointed Trustees for all the Creditors of Andrew Mackenzie late of the City of Saint John, general dealer, an Absconding Debtor, and do hereby require all persons indebted to the said Andrew Mackenzie on or before the fifth day of July next, to pay all such sums of money or other debt duty or thing which they owe to the said Andrew Mackenzie, and to deliver all other effects of the said Andrew Mackenzie, which he, she or they may have in their hands, power or custody, to the said Trustees, and the said Trustees do hereby desire all the Creditors of the said Andrew Mackenzie, on or before the said fifth day of July next to deliver to the said Trustees or any of them, their respective accounts and demands against the said Andrew Mackenzie.

Dated at the City of Saint John this fifth day of April, A. D. 1831.

SAML. STEPHEN, JOHN MOYES, JAS. ROBERTSON.

M. H. Parley Atty.

### WANTED.

A N Apprentice in the Royal Gazette Office, a Boy from the Country will be preferred provided he is properly qualified.

Fredericton, 12th April, 1831.

### NOTICE.

A MEETING of the Fredericton Temperance Society is to be held in the Methodist Meeting House on Monday 17th inst. at 7 o'clock evening. By order of the President.

FRANCIS BEVERLY, Secretary.

13th April, 1831.

### TO LET.

IN the house occupied by the subscriber, Four or Five ROOMS well adapted to the convenience of a small Family, together with a part of a Cellar and Stable. THOS. T. SMITH.

April 13th 1831.

### TO LET.

THAT Convenient and pleasantly situated HOUSE and premises, on Westmorland Street in which the Subscriber now lives.

—ALSO—

THE STORE presently occupied by Mr. Wm. Miller, on Phoenix Square; with ROOMS over the same to accommodate a small family if required.—Please apply to THOS. C. EVERITT.

Fredericton, 13th April 1831.

### NOTICE.

THE Creditors of the late Rev. Mr. Best, are requested to call on the Subscriber who is prepared to settle their several demands.

9th April, 1831.

Wm. F. Odell Esqr.

### AUCTION.

On Saturday the 16th inst. at 11 o'clock forenoon, the Subscriber will sell by Public Auction on the premises, that well known LOT OF LAND commonly called the Pond Lot, situate on the corner of Brunswick and Regent Streets, belonging to the Estate of the late R. WINTER.

—ALSO—

A Pew in Christ Church No. 20 situate in the Middle Aisle.

WILLIAM TAYLOR.

### FESTIVAL

Of Saint George.

THOSE Members of the Fredericton Society of Saint George, who intend to join the dinner on the 23d instant, are requested to send their names with the names of their guests to the Subscriber on or before Tuesday the 12th instant.

G. F. S. BERTON Secretary.

Fredericton, 2d April, 1831.

### MR. BALDWIN, Surgeon, acquaints all

those indebted to him that he has put their accounts in the hands of a person for Collection, who will call upon them, forthwith for a settlement.

[Sw.] April 6th 1831.

### CARD.

MR. FRASER, Licentiate of the Royal College of Surgeons, and for several years, principal Assistant to Dr. Titcher, Physician to the Edinburgh Institution for Diseases of Women and Children, begs leave to intimate, that he intends establishing himself in Fredericton, and respectfully offers his professional services to his Friends and the Public.

Application to be made to Mr. Fraser, at Mr. Cox's Boarding House, corner of King's and St. John's street.

Fredericton, 20th Dec. 1830.