

# ROYAL GAZETTE.

FREDERICTON, SEPTEMBER 2, 1835.

## Central Bank OF NEW BRUNSWICK.

HENRY G. CLOPPER, Esq. President.  
Director this week, JOHN ROBINSON, Esq.  
Discount Days, . . . Tuesdays and Fridays.  
Bills or Notes offered for Discount must be left at the Bank, enclosed and directed to the Cashier, before three o'clock on Mondays and Thursdays.

SAVING'S BANK.  
Trustees for { HENRY G. CLOPPER, Esq.  
JAMES TAYLOR, Esq.  
next week, { MR. PETER FISHER.

ALMS HOUSE AND WORK HOUSE.  
Commissioner for { JED. SLASON, Esq.  
next week, {



By Authority.

SECRETARY'S OFFICE,  
1st September, 1835.

The following List, containing the numbers of the Warrants now in the Treasury, with the names of the Persons to whom they are payable, is published for the information of all concerned.

No.	SERIES 1835.
293,	Benjamin L. Peters, Esq. Bye Road.
294,	ditto, ditto, ditto.
295,	Peter Robicheaux, Bye Roads.
296,	John Bowser, ditto.
297,	Fidelle Casey, ditto.
298,	John Jardine, Esq. Bridge.
299,	John Carron, Bye Roads.
300,	Alex. McMichael, ditto.
301,	James Sowerby, ditto.
302,	David McAlmon, ditto.
303,	Thos. Powell, Esq. ditto.
304,	German White, ditto.
305,	Washington Raymond, ditto.
306,	Daniel Jewett, Bridge.
307,	Edward B. Smith, Esq. Bears.
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311,	Parish Schools, Sussex.
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319,	" Springfield.
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324,	" Westfield.
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333,	" Hampton.
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344,	" Kingston.
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352,	" Greenwich.
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358,	" Norton.
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361,	Charles Simonds, Esq. Speaker, &c.
362,	James Rorey, Bridge.
363,	J. A. MacLachlan, Esq. Bye Road.
364,	ditto ditto, Meductic Falls.
365,	ditto ditto, Towing Paths.
366,	Hon. George Shore, Supreme Court.
367,	T. Richards and T. Flewelling, Bridge.
368,	John M'Kinley, Sergeant Major.
369,	James M'Kelly, Adjutant.
370,	Benjamin L. Peters, Bye Road.
371,	William Boyd, Bye Road. [draws.
372,	Commissioners of Sick Seamen, St. An.
373,	
374,	Parish Schools, Bathurst.
375,	
376,	
377,	
378,	
379,	" New Bandon.
380,	
381,	
382,	
383,	" Carraquet.
384,	
385,	
386,	" Saumarez.
387,	
388,	" Beresford.
389,	

HEAD QUARTERS, FREDERICTON,  
1st September, 1835.

### MILITIA GENERAL ORDER.

His Excellency the Lieutenant Governor and Commander in Chief has been pleased to appoint Lieutenant Barzilla Ansley, to be Captain of the African Company attached to 1st Battalion Saint John City Militia, vice Leavitt, who has been appointed American Consul.  
2d Lieutenant Edwin Ketchum, to be 1st Lieutenant in the same.  
John W. Chadip, Gent. to be 2d Lieutenant.  
ERRATUM.—In the General Order, 6th September, 1834, for "Henry W. Peters," read Thomas W. Peters.

By Command,  
GEORGE SHORE, A. G. M.

We have this day inserted the Draft of a Bill for the Incorporation of a Company, to be called the Saint John and Saint Croix River Canal Company. This publication of the Bill is to apprise the country at large of the object of the projectors; and an application will be made to the Legislature at the next Session, for the enactment of the Bill into a Law.

The opening of a Canal by the proposed route must be of incalculable advantage to the Counties of Carleton, York and Charlotte, and more especially to the latter County. We hope the projectors may succeed, and in these monied times we know not what is to prevent them. One thing must appear evident to every person acquainted with the localities and resources of the Western part of the Country, that no investment which can be made in this Province can be so sure of success and make such large returns as in the contemplated Canal. We are sure that there will be no obstacle to such a grand enterprise, and while we wish the projectors success, we congratulate the country on the probability of such a connexion between the Saint John and Saint Croix waters.

Pursuant to notice, a Quarterly Meeting of the Fredericton Temperance Society was held at the Baptist Chapel on Monday evening, 24th August. Meeting opened with prayer, by the Rev. Theodore S. Harding, after which a very interesting and appropriate Address was delivered by the same Gentleman, and the following Resolutions unanimously adopted:—

Moved by Thomas Smith, seconded by William Sewell—

I. That this Society gives its cordial approbation to the plans now in operation by the Provincial Temperance Society at St. John for the promotion of the Temperance cause throughout the Province, and pledges itself in all practical ways to make increased exertions to advance more particularly the welfare of this community, by inducing, if possible, the vendors of Ardent Spirits to consider the very great injury they do to their fellow-creatures; and the consumers to think not only of the dreadful effect the use of intoxicating Liquors has upon themselves, but of the destructive influence their example must have on the rising generation.

Moved by John T. Smith, seconded by J. Ring—

II. Whereas the practice of uniting several Temperance Societies into one Body—a meeting of which is held annually, and a brief Report presented by Delegates from each Society—has had the pleasing effect of exciting a more general interest for the advancement of the cause of Temperance in Nova Scotia, as well as in some parts of this Province where the experiment has been made, and believing that such a measure would produce similar effects in this part of the Province—therefore Resolved, that the several Temperance Societies in this County are hereby requested to appoint one or more persons in each Society, to meet the Office Bearers and Committee of this Society, at the Baptist Chapel in Fredericton, on Wednesday evening the 30th Sept. next, at six o'clock, for the purpose of consulting upon the propriety of uniting those Societies into one Body, to be known by the County of York Temperance Society, and to adopt rules and regulations for the government of the same. That the Secretary be requested to forward a copy of the foregoing Resolution to the Secretary of each Temperance Society in this County.

JOHN T. SMITH, Sec'y.

A Bill for the Incorporation of the Saint John and Saint Croix River Canal Company.

Whereas increasing the facilities of Trade and intercourse between different sections of the Province, will greatly advance the general interests thereof; and it is considered expedient to encourage Persons to devote their time and means to such objects: and whereas sundry persons are now desirous and willing to make and open a water communication by means of a Canal, from the River Saint John to the Chepuncticook Lake on the Saint Croix River, and thence down along the said River Saint Croix to the tide-way,

I. Be it enacted by the Lieutenant Governor, Council and Assembly, that Alexander Campbell, James Frink, John Campbell, Josephus Moore, Angus M'Kenzie, Charles Perley, Francis E. Beckwith, Schuyler Putman Frink, James Tibbets, Hugh Jamieson, Robert Chestnut, and Aaron Rogers, their associates, successors and assigns, be and they are hereby declared to be a body Corporate and Politic, by the name of The Saint John and Saint

Croix River Canal Company,—and by that name shall have succession and a common seal, and be persons able and capable to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in any Court or Courts of Law or Equity, or place whatsoever, and be able and capable in law to have, hold, take, purchase, get, take on lease, erect, build, set up, possess and enjoy houses, lands, tenements, hereditaments, dams, water-privileges, rents and profits in fee simple or otherwise, and also all goods and chattels, real, personal and mixed, and also to give, grant, lease, sale, let, assign, or convey the same or any part thereof, and to do and execute all other matters and things in and about the same as shall and may be thought necessary and proper for the benefit and advantage of the said Company, and shall and may choose such officers, and in such way and manner as the said Company or a majority of them shall deem meet, and also that the said Company or the major part of them shall from time to time and at all times hereafter, have full power, authority, and licence to constitute, ordain, make, and establish such by-laws and ordinances as may be thought necessary for the good will and government of the said Company, provided such bye Laws and Ordinances be not repugnant or contradictory to the laws and statutes of this Province, and in force within the same.

II. And be it enacted that the said Company shall, and they are hereby declared to have the sole and exclusive right, power, and privilege to dig, make, build, erect and construct a Canal with all the necessary embankments, locks, gates, dams, piers, booms, wharves, sluices, and all other matters and things which they may deem necessary for the attainment of their object, and for the convenient and profitable use thereof, from some point on the said River Saint John, between Maduxnakik creek so called, and two miles below the mouth of the Shugumock River to the Chepuncticook lake on the Saint Croix River, and thence down along the said River to the tide-way, and shall and may manage and control such Canal in such way and manner as the said Company may deem proper, not being repugnant to the provisions of this act and the laws of this Province.

III. And be it further enacted, That the Stock of the said Company shall be divided into as many shares as the said Company or the majority thereof shall deem meet; and in the management of the affairs and business of the said Company, every Stockholder shall have as many votes as he may possess shares; provided always, that no Stockholder shall have more than twenty votes.

IV. And be it enacted, That there shall be paid into the hands of the directors or other officers of the said company to be by the said company or a majority thereof for that purpose appointed within one year after the passing of this Act by the said Stockholders in proportion, according to the number of shares held by each stockholder respectively, the sum of Twelve thousand five hundred pounds, towards carrying the object of the said company into effect, and in default of such payment being made, that then this Act shall be and is hereby declared to be repealed, null and void and of no further force or effect.

V. And be it enacted, That the said Company shall make, allow, and pay reasonable and proper compensation and satisfaction for all lands, tenements and hereditaments, taken, used, occupied, altered, damaged by means of and for the uses and purposes of the said company, to be agreed upon by the said company and the respective owners and occupiers of such lands, tenements and hereditaments, and in case of disagreement between the said company and the said owners and occupiers or any of them, then such compensation and satisfaction shall be determined by three arbitrators, one to be chosen by the said company, and one to be chosen by the owner or owners, occupier or occupiers of the private property in question, which two arbitrators so chosen, shall choose the third arbitrator, and in case of their not agreeing in such choice within ten days after their appointment, then and in such case it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, upon application of the said company to appoint a third arbitrator, the award of whom or any two of whom shall be final and conclusive in the matters referred to them; and in case any of the owners and occupiers of such property shall decline making any such agreement, or appointing such arbitrator, then and in every such case the said company shall make application to the Supreme Court of this Province, stating the grounds of such application, and such Court is hereby empowered and required from time to time, upon such application to issue a writ or warrant directed to the Sheriff of the County where such property may lie and be, or in case of the Sheriff being a party interested to the Coroner of such County, and in case of the said Sheriff and Coroner being both interested, then to one or more disinterested persons as *elisors*, commanding such Sheriff, Coroner, Person or Persons as the case may be, to summon and empannell a Jury of twenty Freeholders within such County, who are altogether disinterested in the matters in difference, which Jury upon their oaths (all which oaths as

well as the oaths to be taken by any person or persons who shall be called upon to give evidence in the matter, the Sheriff, Coroner, or person or persons summoning such Jury is hereby empowered to administer) shall enquire, ascertain, and assess the sum or sums of money or annual rent to be paid as the amount of compensation and satisfaction for the damage that may or shall be sustained by such owner or owners, occupier or occupiers of such property as aforesaid, and the inquisition, award, or verdict of such Jury, shall be returned and filed in the office of the Clerk of the Pleas of the said Supreme Court, and shall be final and conclusive between the parties, which amount so assessed as aforesaid with costs and expenses of such proceedings, to be taxed and allowed by the said Supreme Court, shall be borne by the said company, and shall be by them paid within days after the said inquisition, award, or verdict, shall have been filed as aforesaid.

VI. And be it enacted, That the said Company shall and may erect and set up convenient and necessary buildings near the said Canal, and shall and may appoint one or more persons to collect the tolls from any person or persons who may be desirous of conveying any property through the same, and that the respective tolls following may be demanded and taken by such person or persons as may be appointed as aforesaid, for each and every time of passing through the said Canal for every ten of squared Pine Timber shillings, or other hard wood shillings, for every superficial thousand feet of sawn Lumber shillings, for every cord of Lathwood shillings, for every cord of Hard Wood shillings, for every thousand Staves pence, for every thousand Lath pence, for every thousand feet of Saw Logs shillings, for every thousand of Shingles pence, for every Boat, Scow or Barge less than twenty feet in length shillings, for every Boat, Scow or Barge over twenty feet in length shillings, for every ton weight of Goods, Wares and Merchandise shillings, for every Horse, Mare, Gelding, Cow, Ox, or other cattle pence, per head, for every person over ten years of age shillings, for every person under ten years shillings.

VII. And be it enacted, That it shall and may be lawful for the collector or collectors of such tolls or any or either of them to stop or prevent the passage of any person or persons, or property of any kind, for and in respect of which toll ought to be paid, or it shall and may be lawful to and for the said collector or collectors to seize and detain the goods and chattels of such person or persons who may be unable, or who may refuse to pay for the same, and in case the said tolls shall not be satisfied, together with all reasonable costs and charges of making, keeping, and detaining such distress within the space of five days, the said collector or collectors shall and may sell the same, rendering the overplus, if any, after deducting such costs and charges of making, detaining, and selling such distress to the owner or owners thereof.

VIII. And be it enacted, That the said Company shall not directly or indirectly deal or trade in buying or selling gold and silver coins or bullion, or Bills of exchange, or in lending money by way of discount, or engage in any Banking operations whatsoever.

IX. And be it enacted, That the Directors of the said Company shall make yearly dividends out of the tolls, income, and profits arising to the said Company, first deducting thereout the annual costs, charges and expenses of the said company, as well for the repairs of the works belonging to them as for the salaries and allowances made to their several officers and servants, and for such other purposes connected with the said company as may be deemed proper by the said directors.

X. And be it enacted, That the joint stock or property of the said Company shall alone be responsible for the debts and engagements of the said company.

XI. And be it enacted, That the shares, capital, or stock of the said Company shall be assignable or transferable according to such rules and regulations as may be by the Directors be established in that behalf; but no assignment or transfer shall be valid or effectual, unless such assignment or transfer shall be entered in a book to be kept by the Directors for that purpose; nor until such person or persons so making the same shall previously discharge all debts actually due and payable by him, her, or them, to the said company.

XII. And be it enacted, That if any person or persons shall wilfully and maliciously, and to the injury or prejudice of the said Company, open or shut any lock, gate, waste gate or gate, or by any means injure the same, so as to hinder or prevent the free use thereof, or shall throw down, destroy or injure any bridge by or over the said Canal, or shall break, injure or destroy any lock, bank, waste, weir, dam, aqueduct, or sluice, or pier, or shall dig or bore through any bank with intent to injure the said Canal or any of its works, to be erected or made by virtue of this Act, such person or persons shall be adjudged guilty of Felony, and every person or person so offending and being lawfully convicted thereof shall be liable to the punishment prescribed for felony, in an Act made and passed in the first year of the reign of His present Majesty, intituled "An Act for improving the administration of Justice in Criminal Cases."

XIII. And be it further enacted, That the first making of said Corporation shall and may be called by notice, signed by any four or more of the members thereof, to be posted in three conspicuous places in the Counties of York, Charlotte, and any other County or Counties through which said Canal may pass, at least Twenty Days be-

fore the day of such meeting, and by publishing the same notice at least three weeks successively in one public Newspaper, if any such there be, in each of the said Counties respectively.

QUEBEC, August 24.

### ARRIVAL OF THE CANADA COMMISSION.

The frigate which we reported as telegraphed on Friday evening, was H. M. Ship *Pique*, 36, the Hon Captain Rous, in 29 days from Portsmouth, which she left on the 23rd July. She was brought to at the Station by a gun, as she was passing up, and left it without taking away a certificate of health. This being telegraphed afterwards, on Saturday the Health Officer went down to her anchorage, where she was waiting the tide, about seven miles below, and informed Captain Rous that the vessel could not be admitted without one. The Surgeon and a boat's crew were despatched to the Station, who came back on Sunday morning, in time for the vessel to beat up to Quebec.

The Commission is composed of the Right Honorable Earl Gosford (Governor-General); Sir Chas. Grey, bart., and Sir George Gipps, knt.; with Frederick Elliot, Esquire, Secretary. The following gentlemen are also, we believe, all or in part attaches of the Commission, viz:—The Hon. Capt. Clements, the Hon. Mr. Moreton, Mr. Walcott, Mr. Ponsonby, and Mr. Ingleback. Lady Gipps and child; and Mrs. Elliot, were also passengers.

Arrangements were made for the landing of the Governor-in-Chief and the Commission, yesterday at half-past two. The *Pique* manned her yards and fired a salute on their leaving the frigate. They were received by a guard of honor of the grenadier company of the 66th, the band and colors, on the King's Wharf, and on their stepping on shore, the citadel battery saluted them. His Excellency Lord Aylmer, and a numerous mounted military staff, were in waiting on the wharf, with carriages; the three Commissioners were received in His Excellency's carriage, and the whole party proceeded up to the Castle, where the grenadier company of the 79th Cameron Highlanders received them. Sunday afternoon afforded an opportunity for an unusually numerous collection of people, who walked up in procession, and cheered on their arrival at the Castle; the battery and heights were also covered with spectators.

Lord Gosford, Sir Charles Grey, and Sir George Gipps and Lady, occupy temporarily, we believe, the house on the Cape, formerly the residence of the Hon. Colonel Gore.

Swearing in of Lord Gosford.—At half past two to-day, all the Military Staff and the heads of the Civil Departments, attended in the large room of the Castle, where His Excellency Lord Aylmer sat at the table with the Executive Council. His Excellency Lord Gosford rode to the Castle, (accompanied by Mr. Walcott, the Civil Secretary who succeeds Col. Craig, and the Aides-de-Camps the hon. Capt. Clements and hon. Capt. Moreton,) and having sat at the table, his commission as Governor-in-Chief of only both the Provinces of Upper and Lower Canada was read at length. The usual oaths of Governor, of an Executive Councillor and of Judge of Appeals were then severally administered to His Excellency and the Executive Councillors;—the Hon. Messrs. Smith, Delery, J. Stewart and A. W. Cochrane were sworn in. His Excellency Lord Aylmer retired, and the new Governor was left by the attendants, sitting with his Council. The usual salute was fired from the Citadel on His Excellency Lord Gosford taking the oath. The members of the Commission were not present at this ceremony.

The inhabitants of New Brunswick appear, like those of Upper Canada and ourselves, to labour under an excited state of nervous political irritability. With us a "clique faction" frights us from our property; in Upper Canada, "a baneful domination" stalks through the land; while in New Brunswick and Nova Scotia, the disease shews itself in the form of "a malignant influence." Truly hath the poet said:—

"Man never is, but always to be blest!"  
The proximate cause of the "malign influence," is a certain rumour, that Government intend to unite the Provinces of Nova Scotia and New Brunswick under one Legislature, the seat of which shall be established at Halifax. The New Brunswickers, foreseeing nothing short of ruin to the whole Imperial empire in a step so individually interesting to them, seek, like skillful physicians, to destroy the disease in its nascent state. While the Novascotians, also, displeased with the dignity which is threatened to be "thrust upon them," mutter forth their complaints in solemn invocations and forewarnings of the direful consequences that must ensue, should the fatal measure be carried into effect. We pause for the denouement of these evil prognostications. For our own part, we have long been of opinion that there is too much machinery at work for the good government of the Lower Provinces, and a divergency, instead of a concentration of public opinion, created thereby. Bermuda possesses a legislative Parliament—so also Newfoundland, Nova Scotia, New Brunswick and Prince Edwards Island. These severally united under one Legislature, would form no contemptible body-politic; which by giving its undivided attention to the fisheries and the mines, might, in progress of time form a powerful check upon the United States, or even upon these refractory Provinces! Perhaps, while building up this empire that is to be, we might as well round off its angular points by adding Gaspe to it, thus at once giving symmetry to the whole edifice, and getting rid of a portion of Lower Canada that has hitherto been so great a plague to our patriots!—*Mon. Gazette.*