

ROYAL GAZETTE.

FREDERICTON, JUNE 6, 1838.

Central Bank of New Brunswick.

HENRY G. CLOPPER, Esq. President.
Director this week.....T. R. ROBERTSON.
Discount Days.....Tuesdays and Fridays.
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 Fredericton.

ASA COY, President.
Director this week.....W. D. HARTT.
Discount Days.....Mondays and Thursdays.
Notes or Bills for discount are to be left at the Bank, enclosed to the Cashier, before 3 o'clock on Saturdays and Wednesdays.

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 10 to 2 o'clock.)

B. WOLHAUPT, President.

Committee for the present month.

JOHN S. COY and THOMAS STEWART.

Alms House and Work House.

Commissioner for the week commencing to-morrow.

D. L. ROBINSON, Esquire.



By Authority.

CIVIL APPOINTMENTS.

Mr. Abraham J. Wetmore to be appointed to Commission of the Peace in Saint George's, Charlotte County.

IN COUNCIL, 2d JUNE.

Mr. Hugh Matheson to be appointed joint Commissioner with Mr. Clinch for the Bye Roads in Saint George, Charlotte County.

Additional List of Bonds for the year 1838, filed in the Office of the Clerk of the Pleas, under the Act 6 W. 4, c. 1.

City and County of Saint John, James White, Sheriff. Richard Sands and Walker Tisdale, Bondsmen.

County of Carleton, J. F. W. Winslow, Sheriff. John Bedell and Thomas C. Perley, Bondsmen.

Commissioners of Bye Roads.

NORTHUMBERLAND.

Robert M'Leod to expend the sum of £180 for the Road from Bartibog to Tabisintac, from Oak Point downwards.

Alexander Davidson, of Oak Point, to expend the sum of £10 towards building a bridge across the outlet of Davidson's marsh, and improving the Road through Oak Point Settlement.

Alexander Goodfellow to expend the sum of £20 for the Road on the east side of the Big Bartibog River, from Moodey's Point to the head of the tide.

William Williston to expend the following sums:

£90 towards opening and making the Road, from George Williston's Farm to Eel River.

£20 towards improving the Road from Horton's Creek to Kingston's Farm on the Bay du vin River.

George Fowlie to expend the following sums:

£25 towards opening and improving the Road on the north side of Bay du vin River, from the Richibucto Road towards the Mills.

£20 to improve and straighten the Road from the Richibucto Road, on the north side of Black River, to the site of the new Bridge on said Black River.

£20 towards opening and improving the Road from the site of the new Bridge across Black River to Napan River near M'Knight's Grist Mill.

£10 to assist in making the Road from the Little Black River to Fowls' Grist Mill, and from thence to the upper settlement on that River.

Francis M'Knight to expend the following sums:

£15 for the Road from M'Innes' Creek to Point Aux Car.

£5 from Thomas Hanney's Farm to M'Cauley's Farm, on the Napan River.

£10 for the Road from M'Innes' Creek to the Richibucto Road on the south side of Napan River.

J. S. Street to expend the sum of £35 towards building a Ship at the Ferry Landing in the Parish of Chatham, opposite the Town of Newcastle.

Thomas Vanday to expend the sum of £15 to continue and connect the rear Road in the Parish of Chatham, to the Road leading to the back lots in rear of John Henderson's Farm.

Francis M'Knight to expend the sum of £5 to open and make the Road to John Creighton's Farm, on the north side of Napan River, from the Road leading from Saint John Church, Chatham.

Thomas Vanday to expend the following sums:

£10 for the Road in front of the second tier of lots, to the third tier of lots in rear of Saint Paul's Church, Chatham.

£10 towards improving the Road to the rear lots next below the Parsonage, Chatham.

James Gilmour to expend the following sums:

£30 for the Road from the west end of the new Bridge, across Bartibog to the main Road.

£10 for the Road from Corry's, on the Big Bartibog, to Green Brook.

£10 for the Road on the west side of Bartibog from Collector Wright's Farm up.

£10 for the Road between lots, No. 54 and 55, in the Parish of New Castle, to the second and third tiers of lots.

£10 to improve the Road from Moorfield's to Stodhart's meadows.

£10 for the Road from Douglastown to Moorfield's.

James Laurie to expend the following sums:

£20 to complete the Road in rear of the front lots from Henderson's Mill Cove to Douglastown.

£60 for the Road from New Castle to Chaplain's Island.

£35 to open the Road from Charles Stewart's farm to Fraser's Mill Stream.

£20 to open the Road from James Hutcherson's ferry to the Main Road, below Fraser's mill stream.

£90 towards opening and completing the Road from John Minzie's Farm to Ledden's Farm, at the head of the tide, on the north side of the north west; £17 15s. of this sum to be paid Alexander Goodfellow, to reimburse him for money paid by him to Nathaniel Spaulding for making a Road across a swamp at the west end of the Mill Stream Bridge; and the further sum of £7 15s. 8d. of the said amount to the said A. Goodfellow, being balance due him on last year's account.

John Flynn to expend the following sums:

£20 towards exploring and opening a Road from Chaplain's Island, on the south side of the north west up to William Allison's Farm.

£30 for the Road from Wild Cat Brook through the Indian reserve up to Peabody's New Richmond Farm.

James Holmes to expend the sum of £25 for the Road from Cuppage and White's Farm, to James Holmes' on the little south west to commence at James Holmes.

David Crocker to expend the following sums:

£40 for the Road from Beahar's Point to Cuppage and White's on the south side of the north West.

£20 from John Goodfellow's through the Williamstown settlement to the south west.

£10 for the Road from the lower Williamstown settlement to the main north west near Jared Tozer's.

£50 for the Road from George Flit's Farm to Barnaby's River through the Nowlan Settlement.

£25 for the Road between Nelson Village to Barnaby's River.

£15 for the Road from Sutton's Barn to the third tier of lots.

£10 for the Road from Barraby's River to Robert Leslie's Farm, on the south side of the south west.

£25 for the Road from Robert Leslie's Farm towards Indiantown, on the south side of the River.

£15 for the Road on the south side of Barnaby's River to the Semiwan Ridge.

Thomas Underhill to expend the following sums:

£20 towards opening and making the Road on the north side of Renous River between Patrick Wheeler's and Indiantown, lately explored and laid out by Thomas Underhill.

£35 towards opening and making the new line of Road from John Lee's Farm to James Donaldson's on Renous River.

Alexander M'Laggan to expend the following sums:

£20 from Dock and M'Laggan's Mills to the mouth of the Dungarvin, on the Renous River.

£15 towards making the Road from Dock and M'Laggan's Mills to the upper settlement on Bartholomew's River.

Thomas Underhill to expend the sum of £30 towards opening the new line of Road on Cain's River, lately laid out by Thomas Underhill.

£12 17 6 of this sum to be paid to Thomas Underhill for balance due him on last year's account.

John M'Alister to expend the sum of £20 for the Road from William Hogan's to Robert Doak's, in the Parish of Blissfield.

George Fowler to expend the sum of £10 towards improving the Road from the new Bridge across Big Black River to the Bridge across Little Black River.

John M'Alister to expend the sum of £20 from Suter's Hill to Wilson's, on the old Road on the south side of the South West.

On Thursday last the Head Quarters of the 65th Regt. under the command of Lieutenant Colonel Senior, arrived here in the Steamers John Ward and Fredericton from Saint John, leaving a small detachment for the performance of Garrison duty until relieved by the 11th Regt. from Halifax.

The fifth quarterly meeting of the Fredericton Total Abstinence Society, was held at the County Court House on the evening of Wednesday last. Owing to the badness of the weather the attendance was not as large as usual. The meeting was however made more than ordinarily interesting, by the presence of several Wesleyan Ministers who evinced an active zeal in behalf of its object, and delivered appropriate and convincing addresses.

The following are the resolutions which were adopted—moved by the Rev. Mr. Bent, seconded by J. T. Smith Esq.

Resolved, That admitting ardent spirits—or intoxicating liquors of any kind—to be a creature of God, we are not aware of any command, that it be brought into common use.

Moved by Mr. E. Ward, seconded by Mr. W. S. Estey.

That, as we are not commanded to bring intoxicating drink into every day use; neither is there any command against abstaining from it entirely.

Moved by Rev. Mr. Williams, seconded by Mr. Thos. Pickard.

That should an individual steadfastly refrain during his whole life, from all drink that can intoxicate, we fully believe that it would not be at all displeasing to the Most High; and we are also persuaded, that such an individual would be quite as useful to his family—to the Church, and to the world, as he would be by drinking moderately, each day of his three score years and ten.

Moved by Rev. Mr. Desbrisay, seconded by Mr. Humphreys.

That should a whole community, in reference to intoxicating drink, adopt the maxim and practice—"Touch not, taste not, handle not," save only for purposes purely medicinal; the beneficial results would be incalculable.

Moved by Rev. Mr. Busby, seconded by Mr. H. Fisher, Jr.

That as the benefit of Total Abstinence, both to individuals and communities is very great; so is it also undeniable, that the use of

intoxicating drinks, as well as the traffic in them, leads to folly, crime, wretchedness, and the most loathsome degradation.

Moved by the Rev. Mr. Pickles, seconded by Rev. Mr. Smithson.

That there are many comparatively sober men, who have for fifty years together expended an average at least 1s. per day in intoxicating drink, for which they are neither happier, wiser, nor better; and as the total expenditure in the case of any individual—who has done this is £912; we are of opinion that it would have been quite as much to the purpose, if this large sum had been expended in a way, that might have been looked back upon without regret.

The Rev. Mr. Busby, gave a very encouraging description of the progress of the Temperance cause in Charlotte County; where the Magistrates have determined to grant no more licences to sell ardent spirits; having notified the parties who lately obtained them, that they were the last they would receive, and that they must govern themselves in making their arrangements accordingly.

CONGRESS IN SENATE.

NORTHEASTERN BOUNDARY.

MAY 23.—The VICE PRESIDENT presented a message from the President of the United States on the subject of the Northeastern boundary, with copies of a letter addressed to him by the Governor of Maine, covering certain resolutions of the Legislature of Maine in relation to this subject and of the claims of three individuals. Also, copies of a correspondence with Mr. Fox, the British Minister.

The message and correspondence were read, from which it appeared that the State of Maine insisted on carrying into effect the treaty of 1783 on this subject, and asked for a new joint commission of exploration and survey, to determine the lines described in that treaty. It also appeared that the British Minister did not feel authorised to enter into the arrangement proposed, but had referred the subject to the Government of England.

Mr. WEBSTER said that this was a very important communication, and he wished an opportunity to examine and consider it. It would seem, said Mr. Webster, that a new convention between the two great countries was agreed on to be entered into as soon as competent authority should be obtained, by which a joint commission of exploration and survey is to be appointed. There is no particular objection, perhaps, against a joint survey of the treaty line, except the delay and loss of time. This may be very injurious. But, then, this is not all. The offer of a joint survey, made by our Government, is accepted by England with certain modifications. What are these modifications? They are contained in the British Minister's note of the 10th of January. That note is not now before me, and I do not, at this moment recollect precisely all the modifications; in other words, all the conditions on which England agrees to run the line. These points require very close examination. It is our duty to see that no just right be waived or abandoned, in agreeing to these modifications. I am fearful that some of them will prove highly prejudicial to the rights of the United States and of Maine. I desire an opportunity to look carefully at this part of the case, and, therefore, will now move that the message and papers be printed and laid on the table. As I remember the proposed modifications, some of them are such as I cannot believe ought to be acceded to; indeed, I fear that they cannot be acceded to, without giving up the question. This is what I fear; but in the hope it may not prove so, I wish time to examine the correspondence. I confess I feel great apprehension as to the result of this proposed new convention.

Mr. DAVIS said in his opinion this was not a question which could be decided by the instruments of engineers or surveyors, nor could their skill throw much light upon it. It was a question to be decided by the terms of the treaty, and other evidence collateral to it. For himself, therefore, he did not hope much from an agreement to explore, as his impression was it would substantially leave matters where they are. The controversy arose mainly on the inquiry—Where is the northwest angle of Nova Scotia? He could entertain no doubt on this, for the treaty designated it accurately. He meant, however, now only to say he did not hope much from exploration, as it appeared to him the results could as well be seen now as after the labour was performed.

The message and documents were laid on the table and ordered to be printed.

From the New York Albion, May 26.

From the Congressional report it will be seen that the President has communicated to Congress the correspondence with the British Minister relative to the proposed new survey of the Northeastern boundary. That plan will in all probability, be adopted, and the cause of delay arises from the circumstance of Mr. Fox not being provided with powers to negotiate the necessary convention, or agreement, between the two parties—the Government of the United States being anxious to secure certain conditions to the same. Mr. Fox has submitted the point to her Majesty's Government, and he is now awaiting a reply.

Mr. Webster we regret to see, apprehends difficulty, but he did not enter deeply into the subject, not being furnished with all the documents necessary to enable him to take a comprehensive view of the case. The correspondence, together with the Executive message was laid upon the table until the required documents were supplied. Mr. Webster, it is understood, is preparing himself to take an active part in this question, and it is further intimated that the Honourable Gentleman's opinions and predilections are warmly enlisted in favour of the State of Maine, and the construction put upon the treaty by the people of the Union. He is undoubtedly a powerful advocate, and the State of Maine has made a great acquisition in securing him, but we trust his well known love of justice will not permit him to let his predilections get the better of his judgment in a matter of such great importance.

The peace of the two nations is bound up in this question, it therefore, behoves all those who take part in it to act with moderation and justice.

How far a new survey will throw new light on the points at issue, we pretend not to determine. Many suppose that it can lead to no good practical end, and the new survey, like the old one, will terminate in doubt and uncertainty. The delay, however, attending another examination of the territory by competent persons will not be very great, nor will it be injurious: we are therefore inclined to the opinion that the examination had better be made as soon as practicable. It is possible that something may have been overlooked by former commissioners, which the new functionaries may bring to light, and thereby clear up the difficulties and mystery of the case. If so, the time, labour, and expense, will have been profitably laid out.

ARRIVAL OF THE EARL OF DURHAM.

Quebec, May 29.—On Sunday forenoon the telegraph displayed the signal for a Line of Battle Ship within sight of the lower station, and about noon her lofty canvas was seen towering above Point Levy with signals flying from the mast head, from which it was speedily ascertained that the noble vessel was Her Majesty's ship Hastings, having on board the Right Honourable the Earl of Durham, Governor-General, Vice Admiral and Captain-General of all Her Majesty's Provinces within and adjacent to the Continent of North America, with his family and suite. The wind blew fresh from the east and the Hastings stood on, under easy sail, till she arrived nearly opposite the Queen's Wharf, where she let go her anchor. The fine Band of the 71st Light Infantry was on the quarter-deck, and as the ship passed the town played the air of "Rule Britannia" with powerful effect. The Glacis of the Citadel, Garden Walk and Grand Battery were crowded with spectators, expecting that the Noble Earl would immediately disembark. It was however soon made public that His Lordship would not come on shore till Monday at 2 o'clock, and orders were issued to receive the Governor-General with all honours due to his rank. The appearance of the weather yesterday, about noon, indicated an afternoon of heavy rain and the disembarkation was postponed till this day at the same hour.

His Excellency having determined on disembarking this day, the Military preparations were accordingly made, and a little after one o'clock, the two Battalions of Guards posted a Captain's Guard of Honor at the Wharf and a second at the Castle of St. Lewis, the streets being lined by the remainder of the Battalions from the landing place to the Castle. Shortly before two o'clock His Lordship left the Hastings, which was dressed in her colours, and fired a salute as the Barge pulled from the ship.

The yards of the Malabar, Inconstant, Pique and Racehorse, and of the Surveying Schooner Gulnare, were manned, in compliment to the Governor General, who was received on the Queen's Wharf by His Excellency Sir John Colborne, Commander of the Forces, Sir Jas. M'Donald, Commander of the Garrison, and the whole of the Military Staff and Heads of Departments. The Guard of Honor saluted as soon as the Governor General set foot on shore, and a salute of 19 guns was fired from the Citadel. His Lordship now mounted his horse, and attended by the Lieutenant General, the Major General and the numerous military cottege proceeded to the Castle, the ladies following in an open carriage.

The Executive Council and the Officers of the Civil Government were in attendance at the Castle, and his Lordship on alighting immediately proceeded to the Council Chamber and took the Oaths of Office, the termination of this ceremony was announced by a second salute of 19 guns from the saluting battery on the Cape.

His Excellency was dressed in military uniform with silver embroidery and wore the collar of the Bath. He appeared in good health, he was loudly cheered on disembarking and again on leaving the Castle.

The streets were thronged with spectators, as were the wharves of the Lower Town, and the Place d'Armes, and the promenade between the Government Gardens.

Immediately on having taken the Oaths of Office His Excellency issued a Proclamation, announcing that he had assumed the Government of the North American Provinces. This document will be found below. It is short, well written and explicit, admitting of no double reading, and, being possessed of these attributes, it is unnecessary, and it would be difficult, for us to attempt a summary of its contents. As the first state paper issued by the Governor General it merits and will repay, an attentive perusal; for it is frank and manly declaration of the principles by which His Excellency will be governed in the arduous task he has undertaken, from disinterested motives and under circumstances which have been too recently before the public to render a recapitulation of them at this time necessary.

By His Excellency the Right Honourable John George, Earl of Durham, Viscount Lambton, &c. &c. Knight Grand Cross of the Most Honourable Military Order of the Bath, one of Her Majesty's Honorable Privy Council, and Governor General Vice Admiral and Captain General of all Her Majesty's Provinces, within and adjacent to the Continent of North America, &c. &c. &c.

The Queen having been graciously pleased to entrust to me the Government of British North America, I have this day assumed the Administration of affairs.

In the execution of this important duty, I rely with confidence on the cordial support of all Her Majesty's subjects as the best means of enabling me to bring every question affecting their welfare to a successful issue, especially such as may come under my cognizance as Her Majesty's High Commissioner.

The honest and conscientious advocate of Reform and of the amelioration of defective institutions will receive from me, without distinction of Party, Races or Politics,

that assistance and encouragement which their patriotism has a right to command, from all who desire to strengthen and consolidate the connexion between the Parent State and these important Colonies; but the disturbers of the public Peace, the violators of the Law, the enemies of the Crown and of the British Empire will find in me an uncompromising opponent, determined to put in force against them all the powers, civil and military with which I have been invested.

In one Province the most deplorable events have rendered the suspension of its representative constitution, unhappily, a matter of necessity. And the supreme power has devolved on me.

The great responsibility which is thereby imposed on me and the arduous nature of the functions which I have to discharge, will naturally make me most anxious to hasten the arrival of that period when the executive Power shall again be surrounded by all constitutional checks of free, liberal and British institutions.

On you—the people of British America—on your conduct and on the extent of your co-operation with me, will mainly depend whether that event shall be delayed or immediate. I therefore invite from you the most free, unreserved communications. I beg you to consider me as a friend and arbitrator—ready at all times to listen to your wishes, complaints, and grievances, and fully determined to act with the strictest impartiality.

If you, on your side, will abjure all party and sectarian animosities, and unite with me in the blessed work of Peace, and harmony, I feel assured that I can lay the foundations of such a system of Government, as will protect the rights and interests of all classes—alloy all discissions—and permanently establish, under Divine Providence, that wealth, greatness and prosperity, of which such inexhaustible elements are to be found in these fertile countries.

Given under my Hand and Seal of Arms at the Castle of Saint Lewis, in the City of Quebec, in the said Province of Lower Canada, the twenty ninth day of May, in the year of our Lord one thousand eight hundred and thirty eight, and in the first year of Her Majesty's Reign.

(By Command.)

CHARLES BULLER,

Chief Secretary.

The following, we believe, is a correct list of the passengers in the Hastings:—

Earl and Countess of Durham, and family, Mr. and Mrs. Ellice, Miss Ballfour, Mr. Charles Buller—Chief Secretary, Mr. Turton—Legal Adviser, The Hon. E. P. Bouverie, } Attachés. Mr. Arthur Buller, } A. D. C. Mr. Bushe, } Hon. Frederick Villiers, } Capt. Ponsonby, } C. A. Dillon, Esquire, } Frederick Cavendish, Esq. } Sir John Dorratt, }

His Excellency the Governor General has been pleased to make the following appointments:—Quebec Official Gazette.

To be Secretaries to the General Government:

Charles Buller, Esquire, Member of the Imperial Parliament of Great Britain and Ireland:—and

Thomas Edward Michell Turton, Esquire, Barrister at Law.

To be Military Secretary and Principal Aide-de-Camp Colonel George Couper, K. H.

To be Attaches to the High Commission: Gervase Parker Bushe, Esquire, Arthur Buller, Esquire—and,

The Honourable Edward Pleydell Bouverie.

To be Aides-de-Camp to the Governor General:

Lieutenant the Honourable Frederick Villiers, Coldstream Guards;

Captain Stephen Conroy, Coldstream Guards.

Ensign W. H. Frederick Cavendish, H. M.

52d Regiment, Light Infantry;

Cornet the Honourable C. A. Dillon, H. M.

7th Dragoon Guards.

To be Extra Aide-de-Camp.

Captain Ponsonby, Royal Fusilier Regiment.

To be Private Secretary to the Governor General,

Edward Ellice, junr., Esquire, Member of the Imperial Parliament of Great Britain and Ireland.

MONTREAL, (Herald,) May 23.

An affair of honour took place yesterday morning near the Pavilion, which we were sorry to say, terminated fatally to one of the parties, Major Henry John Warde, of the 1st Royals. His antagonist is said to have been Robert Sweeney, Esq. but nothing certain is known regarding his being the person, or of the nature of the quarrel between the parties. Report also says that Major Warde was attended on the ground by Captain Mayne of the Royals, and Mr. Sweeney by Mr. Airey of the Royal Artillery, and that Dr. Knox of the Royals was the Medical attendant. The meeting took place at five o'clock this morning, and a coroner's jury set at one o'clock, bringing in the following verdict: "We are of opinion that the late Major Henry John Warde came by his death, in consequence of a gun shot wound inflicted by some person unknown in a duel this morning." This melancholy event has cast a gloom on every countenance. The following is an epitome of the evidence before the Jury:—

James M'Donald, ploughman to Mr. B. Gibb, deposed that about 5 A. M., on leaving his house to go to the stable, he heard the report of a gun or pistol, and on reaching the stable, he saw in a field a short distance off, a figure lying on the ground, and three or four persons about it, as if lamenting over it. One of the party, who had on a white hat, came up to him and asked him to assist in carrying to the Pavilion the body of a gentleman who had been shot; he declined, stating that the author of the person's death ought to be punished, but