

# ROYAL GAZETTE.

FREDERICTON, MARCH 28, 1838.

## Central Bank of New Brunswick.

HENRY G. CLOPPER, Esq. President.  
Director this week.....JAMES TAYLOR.  
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.....Mr. JOSHUA DUNN.  
Discount Days.....Mondays and Thursdays.  
Notes or Bills for discount are to be left at the Bank, enclosed and directed to the Cashier, before 3 o'clock on Saturdays and Wednesdays.

## Saving's Bank.

Trustee for next week.....Mr. JAMES WILLOX.

## 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.

## Committee for the present month.

T. T. SMITH and W. D. HART.

## Alms House and Work House.

Commissioner for the week commencing to-morrow, CHARLES P. WETMORE, Esquire.



By Authority.

Downing Street, 17th January, 1838.

SIR,  
I have had the honor to lay before the Queen, your Despatch of the 7th December, No. 67, on the subject of the precedence of the Puisne Judges in New Brunswick. Her Majesty has been graciously pleased to sanction the alteration which you have suggested in the prescribed table of precedence, and to command that in New Brunswick the Puisne Judges should enjoy co-ordinate rank with the Members of the Executive Council, and should take precedence with them according to the dates of their respective appointments to the Bench or to the Council.

I have &c.

GLENELG.

Major General Sir John Harvey, K. C. B.

Extract of Despatch from the Right Honorable Lord Glenelg, dated Downing Street, 4th January, 1838.

"Having laid your Despatch before the Queen, I am commanded to express to you Her Majesty's satisfaction at the proofs which you have received of the loyalty of Her faithful subjects in New Brunswick, and of their readiness to afford their zealous and cordial assistance in checking the progress of revolt and insurrection in Lower Canada. The Queen places entire confidence in the warm attachment of Her subjects in New Brunswick to Her Majesty's Person and Government."

Major General Sir John Harvey, Lieutenant Governor, New Brunswick.

Extract of Despatch from the Right Honorable Lord Glenelg to His Excellency Major General Sir John Harvey, K. C. B. Lieut. Governor, New Brunswick, dated Downing Street, 5th February, 1838.

"The Queen has observed with great satisfaction, the loyalty and attachment to the Mother Country displayed by the people of New Brunswick, and it is extremely gratifying to Her Majesty to know that should the necessity of having recourse to their services arise, she may rely with confidence on the zealous assistance of Her faithful subjects in that Province."

The following important documents have been transmitted to His Excellency the Lieutenant Governor from Upper Canada:

To His Excellency Sir Francis Bond Head, Baronet, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,  
The Legislative Council have adopted the accompanying Resolutions, which we respectfully pray Your Excellency will be pleased to transmit to His Excellency the Lieutenant Governor of New Brunswick.

J. B. ROBINSON, Speaker.  
Legislative Council Chamber,  
27th February, 1838.

Resolved, That the thanks of the Legislative Council be presented to His Excellency Sir John Harvey, Lieutenant Governor of New Brunswick, whose gallant and distinguished services in this Province are most gratefully remembered, for the warm interest which he has taken in the affairs of Canada at the present eventful period, and for his generous offer to lead a portion of the loyal Militia of New Brunswick to assist in subduing rebellion and in maintaining the integrity of the British Empire.

Resolved, That the Legislative Council, in common with their fellow subjects in Upper Canada, regard the Legislature and the people of the loyal Colony of New Brunswick with affection and admiration, for the unanimity, zeal and spirit with which they have made common cause, and avowed a common feeling with Her Majesty's subjects in these Provinces, who are bravely struggling to support the authority of the Crown, and to defend their rights as British subjects.

Resolved, That the Legislative Council desires to convey an expression of their thanks, for the encouragement and anima-

tion which have been thus afforded to the people of Upper Canada, in their good cause, with the assurance upon which their fellow subjects in New Brunswick may rely, that in any conflict which it may become necessary to engage in for the preservation of British laws and British freedom, the people of this Province will do no discredit to the great Empire to which it is their pride to belong, but will prove to the world that they set a just value upon Institutions, which none of Her Majesty's people reverence more sincerely than Her Colonial subjects.

Resolved, That a copy of these Resolutions be communicated to His Excellency the Lieutenant Governor, with a request that they may be sent to His Excellency the Lieutenant Governor of New Brunswick.

Truly extracted from the Journal of the Legislative Council.

G. POWELL,  
Clerk Legis. Council.

To His Excellency Sir Francis Bond Head, Baronet, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,  
We, Her Majesty's dutiful and Loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, having passed sundry resolutions on the subject of the resolutions of the Legislative Council and Assembly of the Province of New Brunswick, transmitted to this House by Your Excellency, humbly request that Your Excellency will be pleased to transmit the same to His Excellency Sir John Harvey, Lieutenant Governor of New Brunswick, in order that the same may be laid before the Legislative Council and House of Assembly of that Province.

ALLAN N. MACNAB.

Commons House of Assembly,  
13th day of February 1837.

House of Assembly, Upper Canada,  
8th February, 1838.

1. Resolved unanimously, That this House sincerely thanks the Legislative Council and House of Assembly of New Brunswick, for their resolutions of the 5th of January last, transmitted to this House by Message from His Excellency Sir Francis Bond Head, Lieutenant Governor of this Province.

2. Resolved unanimously, That the spirit of loyalty and attachment to the British Throne which pervades the said resolutions, is felt and duly appreciated by the inhabitants of this Province, who, in common with their brethren of the Sister Colony of New Brunswick, are determined to maintain the happy connexion which exists between them and the Mother Country "and to support and defend the liberty they enjoy under British Laws and Institutions."

3. Resolved unanimously, That the alacrity and zeal which were manifested by our fellow subjects of New Brunswick, in recently tendering their services in behalf of our loyal brethren in the Sister Province of Lower Canada, must be a convincing proof (if proof be wanting), to Great Britain, and indeed to the whole world, of their warm attachment to British supremacy, and their readiness to maintain and defend it even at the sacrifice of their lives.

Truly extracted,

JAMES FITZGIBBON.

Clerk of Assembly.

House of Assembly,

8th February, 1838.

Resolved unanimously, That a humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to transmit these resolutions to His Excellency Sir John Harvey, Lieutenant Governor of New Brunswick, with a request that they may be laid before the Legislative Council and House of Assembly of that Province.

Truly extracted,

JAMES FITZGIBBON.

Clerk of Assembly.

HEAD QUARTERS, FREDERICTON,

26th March, 1838.

MILITIA GENERAL ORDERS.

His Excellency the Lieutenant Governor and Commander in Chief has been pleased to order the formation of a Troop of Cavalry at Fredericton, and to appoint thereto the undermentioned Officers.

TO BE CAPTAIN OF THE TROOP,  
Captain L. A. Wilmut, from 1st Battalion York Militia, with the rank of Major.

TO BE 1ST LIEUTENANT,  
Lieutenant Stephen Miller.

TO BE 2ND LIEUTENANT,  
William Fraser, Esquire.

TO BE CORNET,  
Lieutenant Beverly Robinson, from 3d Battalion York Militia.

By command,

GEO. SHORE, A. G. M.

COURT OF CHANCERY.

NOTICE is hereby given, that the Master of the Rolls will sit in this Court on the first Tuesday in May next, and on the first Tuesday in each succeeding month, until further order, for the hearing of all matters then to be heard therein.

By Order of His Honor the Master of the Rolls.  
D. LUDLOW ROBINSON, REGISTRAR.  
Fredericton, 15th March, 1838.

IMPORTANT.—An Act passed by the House of Representatives, and which has been approved of by the President, for preserving the neutrality of the United States, has just reached us, an official copy of which we subjoin, viz:—

From the Washington Globe, March 10.

AN ACT supplementary to an act, entitled "An act in addition to an act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," approved twentieth of April, eighteen hundred and eighteen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several collectors, naval officers, surveyors, inspectors

of customs, the marshals, and deputy marshals of the United States, and every other officer who may be specially empowered for the purpose by the President of the United States, shall be, and they are hereby respectively authorized and required to seize and detain any vessel or any arms or munitions of war which may be provided or prepared for any military expedition or enterprise against the territory or dominions of any foreign Prince or State, or of any colony, district or people contiguous with the United States, and with whom they are at peace, contrary to the sixth section of the act passed on the twentieth of April, eighteen hundred and eighteen, entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," and retain possession of the same until the decision of the President be had thereon, or until the same shall be released as hereinafter directed.

Sec. 2. And be it further enacted, That the several officers mentioned in the foregoing section shall be, and they are hereby respectively authorized and required to seize any vessel or vehicle, and all arms or munitions of war, about to pass the frontier of the United States for any place within any foreign State or colony, contiguous with the United States, where the character of the vessel or vehicle, and the quantity of arms and munitions, or other circumstances shall furnish probable cause to believe that the said vessel or vehicle, arms, or munitions of war are intended to be employed by the owner or owners thereof, or by any other person or persons, with his or their privacy, in carrying on any military expedition or operations within the territory or dominions of any foreign prince or state, or any colony, district or people contiguous with the United States, and with whom the United States are at peace, and detain the same until the decision of the President be had for the restoration of the same, or until such property shall be discharged by the judgment of a court of competent jurisdiction: Provided, That nothing in this act contained be so construed as to extend to, or interfere with any trade in arms or munitions of war, conducted in vessels by sea with any port or place whatsoever, or with any other trade which might have been lawfully carried on before the passage of this act, under the law of nations and the provisions of the act hereby amended.

Sec. 3. And be it further enacted, That it shall be the duty of the officer making any seizure under this act, to make application, with due diligence, to the district judge of the district court of the United States within which such seizure may be made, for a warrant to justify the detention of the property so seized; which warrant shall be granted only on oath or affirmation, showing that there is probable cause to believe that the property so seized is intended to be used in a manner contrary to the provisions of this act; and if said judge shall refuse to issue such warrant, or application therefor shall not be made by the officer making such seizure within a reasonable time, not exceeding ten days thereafter, the said property shall forthwith be restored to the owner. But if the said judge shall be satisfied that the seizure was justified under the provisions of this act, and issue his warrant accordingly, then the same shall be detained by the officer so seizing said property, until the President shall order it to be restored to the owner or claimant, or until it shall be discharged in due course of law, on the petition of the claimant, as hereinafter provided.

Sec. 4. And be it further enacted, That the owner or claimant of any property seized under this act, may file his petition in the circuit or district court of the United States in the district where such seizure was made, setting forth the facts in the case; and thereupon such court shall proceed, with all convenient despatch, after causing due notice to be given to the district attorney and officer making such seizure, to decide upon the said case, and order restoration of the property, unless it shall appear that the seizure was authorized by this act and the circuit and district courts shall have jurisdiction, and are hereby vested with full power and authority, to try and determine all cases which may arise under this act; and all issues in fact arising under it, shall be decided by a jury in the manner now provided by law.

Sec. 5. And be it further enacted, That whenever the officer making any seizure under this act shall have applied for and obtained a warrant for the detention of the property, or the claimant shall have filed a petition for its restoration, and failed to obtain it, and the property so seized shall have been in the custody of the officer for the term of three calendar months from the date of such seizure, it shall and may be lawful for the claimant or owner to file with the officer a bond to the amount of double the value of the property so seized and detained, with at least two sureties, to be approved by the judge of the circuit or district court, with a condition that the property, when restored, shall not be used or employed by the owner or owners thereof, or by any other person or persons with his or their privacy, in carrying on any military expedition or operations within the territory or dominions of any foreign prince or State, or any colony, district or people, contiguous with the United States, with whom the United States are at peace; and thereupon the said officer shall restore such property to the owner or claimant thus giving bonds: Provided, That such restoration shall not prevent seizure from being again made, in case there may exist fresh cause to apprehend a new violation of any of the provisions of this act.

Sec. 6. And be it further enacted, That every person apprehended and committed for trial for any offence against the act hereby amended, shall, when admitted to bail for his appearance, give such additional security as the judge admitting him to bail may require, not

to violate, nor to aid in violating, any of the provisions of the act hereby amended.

Sec. 7. And be it further enacted, That whenever the President of the United States shall have reason to believe that the provisions of this act have been, or are likely to be violated, that offences have been, or are likely to be, committed against the provisions of the act hereby amended, within any judicial district, it shall be lawful for him, in his discretion, to direct the judge, marshal, and district attorney, of such district, to attend at such place, within the district, and for such time, as he may designate, for the purpose of the more speedy and convenient arrest and examination of persons charged with the violation of the act hereby amended; and it shall be the duty of every such judge, or other officer, when any such requisition shall be received by him, to attend at the place and for the time therein designated.

Sec. 8. And be it further enacted, That it shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to prevent the violation, and to enforce the due execution, of this act, and the act hereby amended.

Sec. 9. And be it further enacted, That this act shall continue in force for the period of two years, and no longer.

JAMES K. POLK,

Speaker of the House of Representatives.

R. M. JOHNSON,

Vice President of the United States and

President of the Senate.

Approved, March 10th, 1838.

M. VAN BUREN.

House of Lords, February 10.

The House met shortly after three o'clock, when the Royal assent was given by commission to the Lower Canada government bill. The lords commissioners were, the Lord Chancellor, Earl Shaftesbury, and Lord Glenelg.

By the Scotland, at New-York, Liverpool dates are to the 21st February.

The cold in England was intense. The canals were so frozen as to prevent, to a great extent, the forwarding of goods.

The Thermometer had been 13 degrees below zero in some parts of France.—The weather every where had been bitter cold. In Switzerland, the cold had been extreme.—30 degrees below zero of Reaumur. At Neuchatel, the wolves had abandoned the mountains for the plains.

No steps have yet been taken for the coronation of Her Majesty. It is not yet determined where the ceremony will take place. It is, perhaps, intended to "kill two birds with one stone."

H. M. S. Hastings has been commissioned at Sheerness, by Captain Lock, for the purpose of taking out Lord Durham to Canada.

Lord Palmerston had stated in the House of Commons that no interruption of the friendly relations between Great Britain and the United States was apprehended.

The Canada Bill is characterised by the Liverpool Mercury as establishing despotism in the Colonies.

The Malabar, 64, was to be refitted for the purpose of taking the Royals to Canada.

In consequence of the numerous outrages committed in various districts in Spain, it was found necessary to proclaim martial law in Seville, Cordova, Cadiz, and Huelva. A new levy of 40,000 men had been agreed to by the Deputies.

LONDON, February 19.—Although it is Monday morning, and double post day, when generally numerous arrivals are expected, we are greatly disappointed, for we have very few, and of old date. In consequence, a very great dullness prevails in the city, as well as a stagnation in the various funds, both British and foreign.

Consols opened this morning at the leaving off prices of Saturday 92½ for the account, same of money. Exchange Bills, 55, 57; Bank Stock, 205, 206.

The officers of the Spanish Legion have applied to Government to be employed in Canada. The reply to Col. Evans, who made the application was—that many of the officers who had rank in the army would be employed, and that the names of several had already appeared in the Gazette, as part of the twenty-five officers who are to be employed to organise the Canadian Militia.

Mr. Hume has moved for the production of the treasonable correspondence, seized in Papineau's house, Montreal, as well as all his correspondence with Duncombe, McKenzie, and others.

Mr. Grote's motion for the Ballot, was lost by a vote of 315 to 193.

Lords Eldonborough, Brougham, and Fitzwilliam, entered their protests against the third reading of the Canada Bill.

Intelligence had reached England of the evacuation of Navy Island, which gave great satisfaction. Some of the papers urge complaints against Sir Francis Head, but the Standard and other journals pronounce him a statesman of first rate abilities.

BRITISH ARMY.—The Army estimates of the year give the strength of the army as 109,027 officers and men, but deducting those paid by the East India Company it is 89,305. The proposed increase is to be 8000 men. The charge for the effective service is estimated to be £3,641,000, exclusive of what is paid by the East India Company.

His Excellency the Earl of Gosford arrived in town on Thursday from Boston, and will to-day, we understand, proceed to Washington. He returns in the course of a week, and is expected to sail in the Shakspeare for England. His Lordship, we hear, expresses himself highly gratified at the attentions shown him at Boston, and on his route from Canada.—New York Albion, March 17.

Sir George Arthur left town on Saturday for Toronto via New Haven and Albany. The shortness of His Excellency's sojourn in New York, prevented many persons from paying him the attention they wished.—lb.

BOUNDARY LINE.—Another Proposition.—The Governor of Maine has transmitted to the Legislature further correspondence just received from the President.—We have not yet had the perusal of these documents, but understand the President proposes that Maine shall authorise him to negotiate for a conventional line of boundary: to which the Governor strongly objects, and insists upon running the line according to the treaty. The subject will receive the action of the Legislature we presume, as soon as the documents are printed.—Maine Daily Journal.

From the Old Quebec Gazette, March 10.

The Frontier papers have no further "Important news from Canada." Some of them are diverging themselves with the sudden rise and fall of the Republics of Lower and Upper Canada. General Van Rensselaer is certainly in gaol, in the State of New York; General Sutherland is in gaol in Upper Canada; President Mackenzie is gone to the southward, and nobody knows what has become of President Nelson, and General Brown. As to the French Canadian leaders, they seem to be nobody in the United States.

The season here is now rapidly advancing; half of the fields exposed to the sun are bare of snow, and sail-boats have been passing to point Levi. There is still floating ice from the beaches up the river; but vessels from sea might reach Quebec in perfect safety.

## Married.

On the 24th inst, by the Rev. H. Daniel, Wesleyan Minister, Mr. William Henry Kendall, of Fredericton, to Miss Frances Biggs, fourth daughter of Mr. James Biggs, of the same place.

## Died.

At Caranquet, on Monday the 15th inst, after a short but severe illness, which he bore with true Christian fortitude, in the 42nd year of his age, Charles Coghill, Esquire, for several years one of the Justices of the Peace for the County of Gloucester, much respected by all who knew him, as an upright man, a tender husband, and a warm friend.

## SHERIFF'S SALE.

To be sold at Public Auction, at the Court House, in Bathurst, on the first Saturday in October next, between the hours of twelve and five o'clock in the afternoon:—

ALL the right, title and interest of Robert Short, of, in and to the lot of land, number sixty five, fronting on William Street, in the Town Plat of Dalhousie, containing one hundred by two hundred feet, with the dwelling House, Barn, and other improvements thereon: The same having been seized by me to satisfy an execution issued out of the Supreme Court of this Province, at the suit of John Pollok, Arthur Pollok, and others, against the said Robert Short.

HENRY W. BALDWIN, Sheriff.  
Sheriff's Office, Bathurst, 5th March, 1838.

## Valuable Real Estate.

FOR SALE.

WILL be sold, by the Subscriber, under and by virtue of a Licence from the Governor and Council, under date the 13th January last, at the residence of the late STEPHEN BERAR, deceased, in Margerville, in the County of Sunbury, on Monday the 30th day of April next, the following tracts and parcels of land belonging to the Estate of the said STEPHEN BERAR, viz. all that farm of land with the privileges and appurtenances, situate at the mouth of the Chischook, on the west side of the Nashwaak, with a Grist Mill and Saw Mill thereon, and now in the possession of BENJAMIN HANSON, containing 500 acres more or less; and also four and a half acres situate on the Oranoceto Island, in the County of Sunbury.

THOMAS O. MILES, Executor.

Margerville, 26th March, 1838.

## AUCTION.

THE Subscriber will offer for Sale at Public Auction, on Monday 2d April next, the HOUSE and LOT, belonging to Mr. ROBERT EGGAR, in Northumberland Street, let on Lease from the Church. This situation is convenient to the public landing, most frequented by the Merchants from Woodstock, Settlers and Country Boats from all parts of the river above Fredericton; it must therefore soon become a valuable stand for any kind of business to be done with the interior settlements.

For further particulars inquire of  
MARK NEEDHAM,  
Auctioneer,  
Fredericton, 24th March, 1838.

## NOTICE.

ALL persons having any legal demands against the Estate of ZOPHER PHILLIPS, late of the Parish of Lincoln, in the County of Sunbury, deceased, are requested to present the same, duly attested, within three calendar months from this date, and all persons indebted to said Estate are desired to make immediate payment to

THOMAS PHILLIPS,  
Administrator.  
Fredericton, County of York, 26th March, 1838.

## TO LET.

And possession given on the 1st May next. A STORE, TWO ROOMS, and a GARRET, in Queen Street, now in the occupation of Mr. EDWARD DOYLE. There is also a good Cellar, a Well of Water, and a convenient Yard.  
For further particulars inquire of  
JAMES MARTIN, Queen Street.  
Fredericton, 28th March, 1838.

## NOTICE.

THE Subscriber begs leave to acquaint the Gentry of Fredericton, and its vicinity, that he has on hand some of his last Fall's supply of WINES, viz. old Madeira, do. Port, do. light Sherry, Tenerife and Sparkling Champagne. Also lately purchased fine OLD HOCK, fine OLD WATERBURY, and Chateau Grillet, all which he now offers for sale at a reduced price.

H. JACKSON  
Fredericton, 26th March, 1838.

## STATIONERY, &c.

Just received and for sale by the undersigned.

50 CASES superior STATIONERY and BLANK BOOKS; including Ledgers, Journals, Day Books, Letter Books, Cash Books, Memorandum and other Blank Books; Foolscap, Post, Pot and Note Papers; Spelling Books and a variety of other articles of Stationery; which with his previously extensive Stock of BOOKS, &c. are offered, wholesale or retail, at the lowest possible prices, by

GEORGE BLANCH,  
G. B. has lately received from London, per Ships Hebe and Barlow, a very extensive assortment of PIANOFORTE MUSIC, both Vocal and Instrumental; together with Instruction Books for various instruments; comprising the greatest variety ever offered for inspection in this country.—A supply of PIANOFORTES, &c. expected per first spring Ships from London.  
Market Square, Saint John, March 19, 1838.