

# ROYAL GAZETTE.

FREDERICTON, MARCH 21, 1838.

## Central Bank of New Brunswick.

HENRY G. CLOPPER, Esq. President.

Director this week.....THOMAS PICKARD

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. THOMAS T. SMITH.

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.....JAMES TAYLOR, Esq.

## 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. WOLHUTTER, President.

Committee for the present month.

T. T. SMITH and W. D. HARTT.

## Alms House and Work House.

Commissioner for the week commencing to-morrow.

GEORGE MINCHIN, ESQUIRE.



By Authority.

IN COUNCIL, 19th MARCH, 1838.

ORDERED, That the time for applying for licence for excess of Timber, be extended until the first of May.

## CIVIL APPOINTMENTS.

William Morrison, of Burnt Church, to be Courier between Miramichi and Pouchmouche, in the room of John Rennie.

David Pickard to expend the sum of £40, granted at the last Session, towards erecting a Bridge over Jonett's Creek, in the Parish of Saint Mary.

David Pickard to expend the sum of £70 towards erecting a Bridge over Bowler's Creek, in the Parish of Saint Mary.

William Simpson and Edward B. Smith, Esquires, to be Trustees of the Grammar School in King's County.

## CROWN LAND OFFICE.

Fredericton, March 17, 1838.

By direction of His Excellency the Lieutenant Governor.

All persons applying for a licence to cover an excess of Lumber cut under one year's licence, or to cover Timber cut without licence, must deposit at this Office a good and sufficient bond to the Queen, in double the amount of tonnage, on such excess of Timber cut as above.

THOMAS BAILLIE, C. C. L.

## GLORIOUS ACTION ON THE WESTERN FRONTIER.

THE BRIGADES DRIVEN FROM POINT PELE ISLAND.

(OFFICIAL.)

Amherstburgh, Upper Canada, March 4, 1838.

Sir—When I wrote you on Sunday last announcing the defeat of the Pirates at Fighting Island, I did not think I should have to report to you another instance of a British island being taken possession of in this quarter.

Early in the week, I received information from different quarters that Point Pele Island had been taken possession of by the Patriots from Sandusky Bay; this Island is of considerable magnitude, being from seven to nine miles in length, and from four to five in breadth; it is situated in Lake Erie, about 40 miles from Amherstburgh, and 20 miles from the shore. I sent three or four local officers to ascertain the fact of their being there; they went close to the shore, and were fired upon; this, together with the circumstances of several people who had gone over to the Island to look after their property, and who were detained by the Patriots, confirmed me that the report was true. I therefore, on Thursday afternoon dispatched Capt. Glasgow of the R. Artillery to inspect the strength of the ice, and report his opinion to me as to the practicability of moving guns and troops to that place; he returned the following day at 12 o'clock, and reported that the ice was practicable and strong enough to pass. I therefore determined without loss of time to attack them by daybreak the following morning; accordingly with two guns, (six pounders) the four companies of the 32d Regiment, one company of the 83d Regiment, a small detachment of 20 belonging to the Sandwich Troop of Cavalry and St. Thomas Troop Cavalry, one company of the Essex Volunteer Militia, and a small party of Indians, moved that evening under my own immediate command eighteen miles along the Lake shore, where I halted for some time to rest the horses, and at two o'clock in the morning commenced my march on the Lake ice, arriving at the Island just at break of day.

I had previously arranged my plan of attack, which was as follows:—I directed Captain Browne, with the first and second companies of the 32d Regt. to proceed round to the south end of the Island, and take up a position on the ice to intercept any attempt at escape by that direction; he was accompanied by a detachment of about 25 men of the Sandwich and St. Thomas cavalry. Having made this arrangement, I landed myself with the remainder of the force and the two guns, at the north end; the rebels fled on my approach, and escaped into the wood. I was now informed by some of the loyalists who had been made prisoners by the patriots on the Island, that they were in force to the amount of about 500. The troops moved on in extended order, and pursued them through the Island; but as the wood was thick, and the snow extremely deep and heavy, the men were much retarded in their progress.

The rebels finding themselves hemmed in

on every side moved out at the south end of the Island—the only place by which they could escape to the American shore, and advanced in line upwards of 800 men, well armed and organized, upon Capt. Browne's detachment, where they met with the greatest resistance; a brisk fire being kept on both sides for some time, and several of Captain Browne's detachment having fallen, he determined to charge them, which he did, and forced them back (to the wood, where they retreated in great confusion) at the point of the bayonet. I particularly beg to recommend this circumstance to the notice of His Excellency the Lieut. General Commanding.

On the road inside of the wood, the rebels had a number of sleighs, by which means they succeeded in carrying away about 40 of their wounded men, the others succeeded in escaping at the southernmost point of the Island, and got over to the American coast, leaving killed on the spot their Commanding Officer a Colonel Bradley, a Major Houdley, and Capt. Van Rensselaer and M'Keon, and seven others; some prisoners were taken, several of whom were severely wounded.

I regret to say, that the taking of this Island has not been gained without considerable loss on our part, and I have to request that you will report for His Excellency's information, that 30 soldiers of the 32d Regiment fell in this affair, two of whom were killed, the others, some dangerously, some severely, wounded. I sincerely regret the loss of so many brave soldiers, and feel it the more when I reflect, they did not fall before an honorable enemy, but under the fire of a desperate gang of murderers and marauders. A list of the killed and wounded I have the honor herewith to enclose.

Having scoured the woods, and satisfied myself that the Island was cleared, I reformed the troops, and about five o'clock in the evening proceeded back, and the soldiers returned to their quarters at Amherstburgh that night.

When you take a view of the circumstances of this affair, I need hardly detail to you the arduous duties the soldiers have had to perform, from the time they left this, until they returned; travelling as they did, forty miles in an excessively cold night, 20 of which were across the Lake; accomplishing the object I had in view, namely, liberating the loyal people detained on the island, gaining possession of the place, restoring it to the proprietors, defeating with considerable loss the enemy, and returning again to their barracks within 40 hours.

My warmest thanks are due to the whole of the officers, who supported me in this undertaking, and it is impossible for me in words to do justice to the gallant soldiers of Her Majesty's Royal Artillery, 32d Regiment, 83d Regiment, and the loyal Volunteers of Cavalry, Infantry, and the few Indians who constituted the force under my command.

I have to regret that Mr. Thomas Parish, a private in the St. Thomas Troop of Volunteer Cavalry, was killed in rear of the 32d Regiment, by a musket shot.

Colonel Prince, of Sandwich, Mr. Sheriff Lachlan, Captain Girty, and several other gentlemen, asked my permission to accompany me, which they did, and gallantly acted with their rifles, with our soldiers against the rebels in the wood; I found them very useful, from their knowledge of the locality of the place.

I trust this second repulse on this frontier of the American banditti, (let it be understood that I have it from satisfactory authority, that the whole of this gang driven from Pele Island are American citizens) will be a lesson to them, that they are not with impunity to hold British territory.

A large tri-coloured flag, with two stars, and the word "liberty" worked upon it, and eleven prisoners, were also taken, some of whom state they were formerly on Navy Island; about forty stand of American muskets, some ammunition, swords, &c. were also taken.

I am informed by the prisoners, that it was the decided intention of these people to land on the Canadian shore last night, and march upon Amherstburgh, destroying by fire on their way all the houses, &c. they had to pass, and for which six sleigh loads of American citizens, from Sandusky Bay, had joined them the night previous to my attack, and made their escape back again, immediately on my appearance in front of the Island.

I have the honor to request that you will lay the substance of this letter before His Excellency the Lieutenant Governor, and forward it to Montreal, for the information of His Excellency the Lieutenant General Commanding.

I have the honor to be Sir, your most obedient humble servant,

JOHN MAITLAND,

Lt. Col. Com'g. 32d Regt. and Col. Com'g. Western Frontier.

Colonel Foster, Com'g. Forces in Upper Canada. &c. &c.

[From the Morning Courier, Extra, March 10.]

We hasten to lay before our readers a copy of another Despatch from Col. Maitland to Col. Foster:—

Amherstburgh, U. C. 5th March, 1838.

DEAR COLONEL,—I have to report to you that Sutherland and a young man of the name of Spencer, whom they say is his Aide-de-Camp were captured yesterday by Colonel Prince of Sandwich, about two miles on the ice; he brought them in here, and lodged them in the Guard House, but I think it is not safe that they should remain here long; I shall forward them to-day under a strong escort to Toronto, in charge of Captain Rudyer of the loyal Essex Volunteers.

I have had no conversation with this man except merely to state to him that it was my duty to send him to Toronto.

Captain Rudyer has been acting here as Brigade Major since the calling out of the Militia Force in this part of the country. I and Colonel Townsend have found him very

useful in this situation; he was with his company with me at the capture of Point au Pele Island, and will be able to give you any information you may require upon this subject.

I was very lucky in having nearly the last of the frosty weather to drive these fellows off the Island, for last night and this morning the weather has become soft, and the ice is beginning to get rotten.

Somehow or other, I think Sutherland must have been making his way to the Island when he was taken, but he pretends to know nothing of the action that took place.

I have nothing new to report to you. Our wounded men are doing pretty well, but some of the wounds are most severe bone wounds. I have been obliged to send to London express for the other Assistant Surgeon of the Regiment; indeed, I think if he could be spared, another Medical Officer is required for the moment.

Enclosed is a deposition made before a Magistrate by Colonel Prince, relative to the capture of Sutherland and Spencer.

I am, dear Colonel, yours faithfully,

(Signed) JOHN MAITLAND.

Colonel Commanding Western District.

To Colonel Foster, Commanding the Forces in Upper Canada, &c. &c. Toronto.

From the Quebec Gazette March 12.

Extract of a letter from an officer, stationed at Saint John's, dated 2d March:

"The 43d and 85th moved up to Henryville yesterday morning on the news that a strong party of the Rebels, or whatever else you choose to call them, had advanced upon that place: they had no fight however, the rascals having cut, and run across the line 45. A few shots were fired at Captain Bellingham's Cavalry, who were in advance, but they had only pistols to return the fire with.—General Wool also turned out the American Militia and disarmed or tried to disarm the disorderlies.

The troops returned to St. John's, by 8 in the evening, the Infantry never had occasion to load.—The party is said to have been nearly 1100, and after they had advanced three or four miles began to plunder; and we are told we shall be treated with such excursions once or twice a week to keep us on the alert. The men are all in good fighting order and anxious for a brush with the non-descript foe.—*Mercury.*

The Session of the Upper Canada Legislature closed on Tuesday the 6th instant; when Sir Francis Head took leave of the Parliament, in an energetic and feeling speech.

The day before the prorogation of the Upper Canada Legislature, a Bill passed the Lower House, authorising the Lieutenant Governor to appoint the Hon. Chief Justice Robinson, and the Hon. Mr. Speaker McNab, to proceed to England, on the affairs of the Province.

£1000 is voted to each of the Agents, for the expenses of their mission. The Bill would doubtless pass in the Upper House, and receive the Royal Assent.

On the same day, a petition was presented from the Bank of Upper Canada, praying to be allowed to suspend specie payments, and to issue notes to double the amount of its capital. A Bill, in conformity to the prayer of the petition, but extending the benefits of the measure to the other Banks, had accordingly been passed in the Assembly, and if agreed to by the Council, great relief to the commercial community may be looked for from this too long deferred measure.

His Excellency the Earl of Gosford arrived at Boston on Monday evening, the 5th instant, in good health, and without accident. He was detained at Augusta, the capital of the State of Maine, and other places along the road, by the great kindness and attention with which he was received. At Boston, when his arrival at the Tremont was known, he was visited by great numbers of the principal citizens; and it was expected that he would be delayed a few days in Boston. The general feeling towards England is represented as friendly.

An Extra of the Kingston Chronicle of the 8th, gives an account of the affair at Point Pele Island; a statement of two schooners being seen on Lake Ontario; a report from Toronto, that "war is inevitable," and that the Upper Canada Bank had suspended specie payments. The latter is probable.

From the New York Albion, March 10.

By the Oxford, packet of the 1st February, we have papers to the 31st January.

The Canada Bill has undergone various amendments in the Commons, in deference to Sir R. Peel and the Conservatives. It will be further modified in the House of Lords. The Conservatives promise their support, provided the Cabinet will take a decided and energetic course.

Lord Dalhousie is in a bad and declining state of health.

We have much pleasure in copying the following from the London Gazette of 29th January:—

Downing Street, January 29.—The Queen has been graciously pleased to nominate and appoint Lieut. Gen. Sir John Colborne, Knight Commander of the Most Honorable Military Order of the Bath, to be a Knight Grand Cross of the said Order.

The Duke of Wellington censured the conduct of Ministers in not replacing the troops in Halifax, &c. for those sent to Canada. "Sir R. Peel is also exceedingly severe on the whole policy.

An Address has been presented to the Queen by Parliament promising support for the suppression of the insurrection.

The following is the entry in the Journals of the Lords:—"It was moved, That a humble address be presented to Her Majesty to thank Her Majesty for her gracious communication of papers relating to the affairs of Canada; to assure Her Majesty that the anxious consideration of this House shall be given to the preparation of such measures as the present exigency may require; to express to Her Majesty our deep concern that a disaffected party in Canada should

have had recourse to open violence and rebellion, with a view to throw off their allegiance to the Crown; to declare to Her Majesty our satisfaction that these designs have been opposed no less by Her Majesty's loyal subjects in North America than by Her Majesty's forces; and to assure Her Majesty, that while this House is ever ready to afford redress to real grievances, we are fully determined to support the efforts of Her Majesty for the suppression of revolt and the restoration of tranquility." After long debate on the question, "Resolved, in the affirmative," and the said address to be presented to Her Majesty by the Lords with white staves."

The light regiments sent to Canada and for embarkation, viz. the 43d, 71st, and 85th, are to be clothed in grey—a cloth very much the color of the bark of the tree. This is a very proper change, as there will be much bush fighting, and our red coats will not be so good an object for the American and Canadian riflemen. The two battalions of the Rifle Brigade will be added to the force—1st battalion of Rifles to be attached to the Guards.

Lord Durham's departure for the Canadas will take place at the earliest period which will enable him to enter the St. Lawrence. The guards will take the same route, and leave in company with the Governor in Chief, who will embark on board a man of war at Portsmouth.

The late accounts from Lisbon represent the financial difficulties of Portugal as still in an almost entirely hopeless position; the people in general in a state of the greatest destitution; the army unpaid, and to avoid absolute starvation the soldiers are described as plundering the provinces at discretion. A party in the city has proposed the cession to England of the Azores Islands by the Portuguese crown. The value of the Azores is proposed to be estimated at £400,000 to £500,000, an amount of money which would be highly advantageous to Portugal at the present time.

## Arrived of British Officers at New York.

In the packet ship Cambridge, from Liverpool:—Major-General Cletherew, and servant; Colonel Marshall, Lieutenant Nickle, Lieut. Taylor, and servant; Lieut. Turner; Majors Young, Winfield, and Hall; Captain Cletherew, Capt. P. Goring.

In the packet ship St. Andrew, from Liverpool, Messrs. Campbell, Wilson, Pander, Martin, Bernard, Cox, C. D. Rolfe, Levinge, Raynor, Anstruther, Atkinson, Townsend, and Irven.

In the packet ship Sampson, from London. —Gen. Sir George Arthur, Lieut. Governor of Upper Canada, and servants; Lieutenants J. Jones, D. S. Cooper, C. West, and F. L. Arthur.

In the packet ship Orpheus, from Liverpool.—Colonel Cathcart.

In the packet ship Shakespeare, from Liverpool.—Lieut. Col. Gascoine, bearer of dispatches from Her Britannic Majesty to Canada.

In the packet ship Independence, from Liverpool.—Col. G. W. Horton and Major Campbell.

In the packet ship President, from London. —Major Frederick Alexander McKenzie Frazer, Captains Thos. Colson and William Case, 32d Regt.

In the packet ship Oxford, from Liverpool. —Messrs. J. J. Hamilton, R. Robert, Loring, C. F. Head, J. B. Creagh.

## St. John, March 17.—Her Majesty's Ship La Pique.

Capt. Boxer, is expected to arrive here in a few days from Halifax, with the remainder of the 65th Regiment.—We understand that three Companies will be stationed at Fredericton, two at St. John, and one at St. Andrews.—*Courier.*

## Married.

On the 10th inst. at Sheffield, by the Rev. W. Smithson, Mr. Jacob Barker, to Miss Margaret Brittain.

At Woodstock, on the 1st inst., by the Rev. S. D. Lee Street, Mr. Charles L. Beckwith, of the Parish of Madawaska, to Miss Elizabeth Ann, third daughter of L. R. Coombs, Esq. of the same place; and, on the 5th instant, by the same, Mr. Robert W. Gray, of Houlton, (Maine), to Miss Mary Maria Johnston, of the Parish of Woodstock.

At Saint John, on Wednesday evening last, by the Rev. Dr. Gray, Capt. Daniel Vaughan, of that City, to Leelah, fifth daughter of Israel Harding, Esquire, of Yarmouth, Nova-Scotia.—On Monday evening, by the Rev. Mr. Wilson, Mr. Andrew Smith, to Miss Mary Caroline Barnes, both of the Parish of Upham King's County.

## Did.

At Queensbury, on the 23d ultimo, after an illness of five days, which he bore with pious resignation to the dying will, James, third son of Mr. Peter Atherton, in the 21st year of his age. He has left a tender parent to lament the loss of a kind and dutiful son, and his brothers and sisters of a kind and affectionate brother. By his exemplary conduct and mild disposition, he early endeared himself to a large circle of friends and relatives. —On Sunday the 25th ult. his remains, followed by a large concourse of people, were carried to their last abode.

At Woodstock, on the 31st ult. Mr. George Peabody, in the 37th year of his age, leaving a wife and two small children to lament the loss of an affectionate husband and a kind and tender parent.

## COLLEGIATE SCHOOL.

THE next term will commence on Monday, April 2d, when pupils can be received.

Fredericton, 20th March, 1838.

## NEW BRUNSWICK.

LEGISLATIVE COUNCIL CHAMBER, Monday, 5th February, 1838.

RESOLVED, That the following be one of the standing Orders of this House.

ORDERED, That this House will not entertain any application from any Joint Stock Company, incorporated by Act of Assembly in this Province, nor any alteration in the Act of Incorporation of such Joint Stock Company, unless application proceed from or be sanctioned by the Stockholders at a general meeting legally convened.

ORDERED, That the foregoing standing Order, be published for six weeks in the Royal Gazette.

WM. TYNG PETERS, Clerk Legislative Council.

By the Honorable Robert Parker, Esquire, one of the Justices of Her Majesty's Supreme Court of Judicature, for the Province of New Brunswick.

To all to whom it may concern greeting:—

NOTICE is hereby given, that upon the application of James Whitney, to me duly made according to the form of the Act of Assembly, in such case made and provided, I have directed all the Estate as well real as personal within this Province, of George W. Potter, late of the City of Saint John, Commission Merchant, (which said George W. Potter, is departed from and without the limits of this Province, or keeps concealed within the same with intent and design to defraud the said James Whitney, and the other Creditors of the said George W. Potter, if any there be, of their just dues, or else to avoid being arrested by the ordinary process of the law, as it is alleged against him) to be seized and attached, and that unless the said George W. Potter do return and discharge his said debt or debts within three months from the publication hereof, all the Estate, as well real as personal of the said George W. Potter within this Province, will be sold for the payment and satisfaction of the Creditors of the said George W. Potter.

Dated at the City of Saint John, the thirteenth day of March, in the year of our Lord one thousand eight hundred and thirty nine.

R. PARKER.

M. H. PERLEY, Attorney for petitioning Creditors.

[First published in Gazette, March 21, 1838.]

## In the matter of John Keays, an Absconding Debtor.

NOTICE is hereby given, That we, the Subscribers, have been duly appointed Trustees for the Creditors of John Keays, late of Northesk in the County of Northumberland, Lumberer, an absconding Debtor, and have been sworn to the faithful execution of the said trust, pursuant to the directions of the Acts of the General Assembly, in such case made and provided; and we do hereby require all persons indebted to the said John Keays, to pay to us, or to some one of us, on or before the first day of June next, all such sums or sums of money, or other debt or debts, which they owe to, or are chargeable with, by the said John Keays; and we do further require all persons whatever, having the charge, care, custody or possession of any goods, chattels or effects, belonging to the said John Keays, to deliver the same forthwith to us, or to some one of us as aforesaid; and we do also require all the Creditors of the said John Keays, to deliver to us their respective accounts and demands against the said Debtor, on or before the said first day of June next, in order that right and justice may be done, agreeably to the form of the said Acts of Assembly.

Given under our hands, at Newcastle, in the said County, the eighth day of February, in the year of our Lord one thousand eight hundred and thirty-eight.

DAVID STEWART, ASA WILLARD, ALEXANDER FOSTER.

## House, Sign and Ornamental PAINTING.

THE Subscriber having commenced the above business, in the Shop formerly occupied by Mr. Warren, Queen Street, next door to Mr. W. CRAWFORD'S, will be happy to attend to any orders in the above line.

ALSO—GRAINING, DISTEMPERING, PAINTING, HANGING, GILDING, GLAZING, &c. and hopes by strict attention, and the manner he will execute all work entrusted to him, to merit a share of public patronage.

JAMES RICHEY.

Fredericton, March 20, 1838.

## At a special Session of the Peace, holden in and for the County of York, at Fredericton, the 17th March, A. D. 1838.

ORDERED, That the Clerk do give notice in the Royal Gazette, that at the next General Session in June, the Court will take up the subject of the Rates of Ferriage in this County, with a view to their being reduced.

Extract from the Minutes.

GEORGE J. DIBBLE, CLERK.

Fredericton, March 20, 1837.

## FOUND.

A black Lace Veil. The owner can have it by applying at this Office, and paying the expense of advertising.

March 21, 1838.

## A TEACHER WANTED.

WANTED, A Teacher for the Sunbury Grammar School, established in the upper part of the Parish of Sheffield. The annual Salary will be not less than £150. A competent knowledge of the Greek and Latin Languages, Mathematics, Algebra, Geography and Astronomy, will be required; and Applicants must furnish satisfactory Certificates of moral character and habits.

Apply (if by letter, post paid,) to the Rev. Raper Milner, Mungerville; Nathaniel Hubbard, Esq., Burton; Dr. W. J. Barber, or Stephen Burpe, Sheffield, or George F. S. Berton, Esquire, Fredericton.

7th March, 1838.

## NOTICE.

ALL persons having legal demands against the estate of Mr. THOMAS PERLEY, late of Sheffield, deceased, are hereby requested to render the same, duly attested, within six months from the date hereof, to either of the Executors; and those indebted to said Estate are desired to make immediate payment.

EBENEZER L. BURPE, Executors.

ISAAC S. TAYLOR, Executors.

Sheffield, 13th March, 1838.

## FOR SALE OR TO LET.

And possession given in May next.

THE HOUSE now occupied by the Subscriber, situate at the upper end of King Street. The property comprises four Town Lots, has convenient out Buildings, a good Garden, and a Field adjoining in the rear.

Terms made easy.

JAMES A. MACLAUCHLAN.

Fredericton, 24th January, 1838.

## NOTICE.