Colonial.

From the Charlotte Town Royal Gazette of October 12.

On Thursday last, his Excellency the Lieutenant Governor received a deputation, consisting of Joseph Coffin, Esq, J. P. Mr. James Aitken, Mr. Angus Macdonald, Mr. Vere Beck, and several others, with a Petition from King's County, with upwards of 1,300 signatures, setting forth a variety of grievances under which the inhabitants have long laboured, and praying His Excellency to dissolve the present House of Assembly, on the ground that it does not fairly represent the opinions and interests of the people. His Excellency informed the deputation that he would give the subject due consideration, and the day after (Friday), the following answer was forwarded to them.

To the Inhabitants of King's County, by whom a Petition has been signed, for the Dissolution of the present House of Assembly.

Gentlemen,

I have given your Address that degree of consideration which every constitutional expression of the public opinion shall always receive from me. I find that it refers to alleged grievances, which appear to be of long standing, and for many of which, as stated by yourselves, I am greatly inclined to doubt whether any other than gradual remedies could be found. Certainly any indiscriminate exercise by His Majesty of his Royal Prerogative in the escheat of all lands, upon which the actual conditions of settlement have not been fulfilled, would be far from affording such a remedy as you appear to contemplate. But without entering at present into any discussion of the question upon which your representatives appeared to have failed in obtaining your approbation, I would fairly put it to you, how far, upon the application of a portion only (however respectable) of the population of this Island, I should stand justified to myself, or to the great majority of those over whose interests I have been appointed to preside, in complying with a requisition by which a stigma is sought to be affixed upon a body of individuals, who may have, and I am bound to believe have, acted as conscientiously in the discharge of their high and important duties, as you yourselves have doubtless done in addressing me on the subject.

A stranger alike to them and to you, I say to both and to all, that I have not come amongst you for the purpose of blindly adopting or condemning the views and opinion of any set of men, but with the determination to see for myself, to examine for myself, to weigh and determine for myself, and to act for myself, according to the best of my judgment; but time must be given to me to enable me to form that judgment with impartiality; and I cannot but express my regret that I should have been invited, at so early a period after my arrival, to adopt a decision, upon an exparte statement, in respect to a question of such great importance, and upon which my own local information must necessarily as yet be imperfect. Fortunately it is not necessary for me at present to approach this question further than by informing you, that I am daily expecting the signification of the Royal decision upon it, and by the expression of my confident expectation and firm conviction, that whatever that decision may be, it will be received by the inhabitants of this Colony with that difference and submission which befits a greatful and a loyal people.

In the mean time you may rest assured that my attention shall be given to devising measures of relief in respect to such of the matters set forth in your Petition as may appear to me to be real tangible grievances, and susceptible of remedy by the estates of the Island, or by appeal or recommendation to His Majesty's government.

J. HARVEY, Lieut. Governor.

Government House, Oct. 14th, 1836.

PUBLISHED BY AUTHORITY.

Secretary's Office, 17th Oct. 1836.

As the quickest and most certain mode of communicating to the Members of the House of Assembly, and to their constituents, the answer which has been received to the Address adopted by the House during the late Session, to His Majesty, praying that measures may be taken for revesting in the Crown such lands in this Island as are liable to forfeiture for non settlement, His Excellency the Lieutenant Governor has been pleased to direct the publication of the following Despatch from Lord Glenelg, in the Charlottetown *Royal Gazette*, and he trusts that this proceeding will have the effect of relieving the anxiety which is evidently felt on this subject by command.

J. P. COLLINS, Col. Sec'y.

No. 35. Downing street, 10th August, 1836.

Sir,—I have to acknowledge the receipt of Mr. Wright's Despatch of the 5th May, No. 13, transmitting an Address to His Majesty from the House of Assembly of Prince Edward's Island, praying that measures may be taken for revesting in the Crown such lands as are liable to forfeiture for non-settlement. In Mr. Wright's Despatch is also enclosed a former Address adopted by the Assembly in their Session of 1835, but not transmitted to me by the late Lieut. Governor, together with various other documents relating to this subject.

I have had the honor to lay the Address of the Assembly at the foot of the Throne, and His Majesty has commanded me to return to it the following answer.

The evil against which the measures of the Assembly are specially directed, is the uncultivated state of the Island by reason of the want of settlers. This inconvenience was foreseen at the time when the Island first came into possession of the British Crown, and with a view to anticipate it there was inserted in the original Grants a condition, requiring the Grantees, on pain of forfeiture, to settle their lands with Protestants "to be introduced from "such parts of Europe as are not within His Majes-"ty's Dominions, or to be such persons as have re-"sided within His Majesty's Dominions of Ameri-"ca," for two years preceding the date of the respective Grants. It would not be possible now to ascertain, nor perhaps is it important to inquire, whether any exertions were made by the original Grantees to perform this condition: but it is evident that, even up to the present time, but little has been effected towards that object. Accordingly, as early as the year 1802 the subject was made a matter of complaint to His Majesty's Government, and an Act was passed by the local Legislature, but appears not to have been confirmed by His Majesty, for enforcing the forfeiture of unsettled estates. In 1817 it would seem that two estates, Lots 15 and 55, were actually revested in the Crown for non performance of the settlement duties; but in the following year a modification of the original condition was allowed, by dispensing with the exclusive description of foreigners who were to be accepted as settlers, while the time for performance of the condition was extended to December, 1826. In September, 1826, Lord Bathurst announced that it was the intention of His Majesty Government to substitute for the existing settlement duties others "of a more easy and con-"ciliatory nature"—an intention, however, which does not appear ever to have been carried into effect. In 1832, an Act was passed by the local Legislature for regulating the proceedings of a Court of Escheat, and an application was made to the Lieut. Governor for the establishment of such a tribunal; but, on reference to His Majesty's Government the Act was disallowed, for reasons stated in the inclosure to my predecessor's Despatch of 19th January, 1835, and His Majesty's Government declined to sanction the erection of the tribunal solicited by the Legislature. In each of the succeeding years the question has been before the Legislature, and in 1833, 1835, and 1836, petitions respecting it have been addressed to His Majesty by the Assembly.

Such is a very brief summary of what has taken place on this subject. I proceed to explain the view which is taken by H. M. Government of the present state of the question, and of the measures which it would now be convenient to pursue.

At the date of the original Grants of land in Prince Edward Island, and indeed for many years afterwards, the principles on which the settlement of the Island was to be encouraged, would seem not to have been correctly understood. A slight consideration would have shewn, that when land could be so easily acquired on freehold tenure in the neighbouring British Provinces, and in the United States of America, but few settlers would consent to become tenants in Prince Edward Island, or having become so, would continue to remain there. The obligation, therefore, which was exacted by the Government, and assumed by the proprietors, was, to all useful purposes, nugatory; because, supposing a proprietor to have used every effort to comply with it, and to have actually sent out to his estate in Prince Edward Island the stipulated number of settlers, he could have had no security that those settlers would not afterwards migrate either to other Provinces, or to the other estates within the Island. It is confidently asserted, and the nature of the case warrants the belief, that this has actually occurred. But before H. M. Government could be a party to the forfeiture of any estate for non-performance of the settlement duties, they would require to be satisfied, not only that there are not at the present moment, but that there have not been at any time, the stipulated number of settlers on that estate, and that this circumstance has arisen from the wilful neglect of the Proprietor. It is needless to say that such an inquiry could scarcely be now undertaken with any success—that it would be tedious and expensive in its process—and that it must tend to alarm the public mind, without holding out any fair prospect of a useful result. For these reasons His Majesty' Government must at once decline to advise His Majesty to accede to the prayer of the Assembly, as set forth in their Address of the 9th April last.

But although the Ministers of the Crown cannot take on themselves to sanction the proceedings which the Assembly point out, they are nevertheless fully alive to the serious injury which is caused to the Island by the want of a sufficient number of settlers. Gifted with a soil of unusual fertility, and possessing every advantage of climate and geographical position, the advancement of Prince Edward Island has hitherto been delayed by the inadequacy of its population. In other of the British Provinces in North America, and more especially in Upper Canada, a similar inconvenience, although not to so great a degree, was heretofore found to exist, and various measures were tried for its remedy. Among these was the assessment of a tax on all *granted lands of every description*—but a difficulty having arisen in the recovery of this assessment, an Act was passed by the Provincial Legislature in 1825, to authorize the sale, in satisfaction of the debt to the public, of a sufficient portion of any land on which the tax should be eight years in arrear. The measure thus supported has been found effectually to meet the object in view; and I cannot but believe that a system of a similar nature might be adopted with equally good effect in Prince Edward Island. I have, therefore, to desire, that in communicating to the Assembly His Majesty's reply to their Address of the 9th April, you will suggest to them the expediency of introducing into Prince Edward Island the policy adopted in Upper Canada. I inclose a copy of the Act passed in that Province in the year 1825, as an assistance to the deliberations of the Legislature of Prince Edward Island. Should they concur in my opinion as to the advantages of such a measure, the details of any Act which might be passed to carry it into effect, must, of course, be referred to their knowledge of the local peculiarities and customs of the Island; but it will be useful to them to be made acquainted with the regulations which experience has dictated in a neighbouring Colony. It is necessary, however, to observe, that if such an Act should be passed by the Legislature, it would be indispensable that it should contain a clause suspending its operations until His Majesty's pleasure upon it should be declared.

I have thought it necessary thus explicitly to make known to you the views of His Majesty's Government on this subject, because I feel that nothing can so powerfully militate against the best interests of the colony, as the protracted agitation and excitement respecting it. It would appear that an erroneous impression has got abroad among the poorer class of settlers, that on forfeiture by the present proprietors of their titles to the land, it wo'd be re-granted by His Majesty in freehold to the actual occupants. This impression, indeed, would seem to have originated as far back as the year 1787: and it may, perhaps, have derived some confirmation from the course pursued with respect to the forfeited Lots, Nos. 15 and 55. Nothing, however, can be more unfounded. You will take the most effectual means in your power for making it generally known, that even should His Majesty be advised in any case to proceed against lands liable to forfeiture, the Crown would, in the event of its success, step exactly into the place of the former proprietor, and would enforce the observance only by the tenant; and that under no circumstances which it is possible to anticipate, would gratuitous grants of land be conceded to any persons whatever. But you will, at the same time, announce, that His Majesty's Ministers have not, as at present advised, felt themselves at liberty to sanction any proceedings for enforcing the forfeiture of estates on the ground of the non-performance of the original conditions respecting settlement.

I have the honour to be, Sir,
Your most obedient servant,
GLENELG.

Sir John Harvey, &c. &c &c.

Secretary's Office, Oct. 17th, 1836.

His Excellency the Lieutenant Governor has been pleased to direct the promulgation in the *Royal Gazette* of the mode of proceedings necessary to be adopted by those persons who may be desirous of availing themselves of the offer made by His Majesty's Government in Earl Ripons Despatch of the 27th January, 1833, for the commutation of Quit Rent, viz:

All correspondence upon the subject must be addressed to the Colonial Treasurer, who alone is authorized to receive the commutation money, and to give acquittances for the same.

Upon the production of any such acquittance at the office of the Colonial Secretary, a Release will be given, embracing a relinquishment by His Majesty of all claim to Quit Rent, as also the condition of settlement imposed by the original grant.

The Quit Rent being payable in Sterling money of Great Britain the Dollar will be received at 4s4d.

The Lieutenant Governor has further directed the re-publication of Earl Ripons Despatch, to which reference is above made.

By command,
J. P. COLLINS, C. S.

Downing Street, 11th January, 1833.

Sir,—In my Despatch, No. 11, of the 1st August last, I acquainted you with the grounds on which I should object to the forfeiture of Lands in Prince Edward Island, under a breach of the condition requiring each Township to be settled in the proportion of one person to every two hundred acres. I now propose to convey to you Instructions on the relative subject of Quit Rents.

The agreement respecting Quit Rents in Prince Edward Island, embodied in the Provincial Statute 11 G. 4, c. 17, must not be disturbed: but so far as is consistent with that agreement, I am desirous to extend to Prince Edward Island a very advantageous arrangement, which has lately been offered to the Colonists of New-Brunswick. The inclosed extract from my Despatch to the Governor of New Brunswick will explain to you that arrangement, and the following is the manner in which I propose that it should be made applicable to Prince Edward Island.

During the first two years, after the expiration of the five years for which the claim to Quit Rents has been suspended, the Quit Rents should be redeemable at fifteen years purchase: during the next period of two years they should be redeemable at eighteen years purchase; at all subsequent periods, they should be redeemable at twenty years purchase. The claim to Quit Rents will revive, retrospectively and prospectively, at the termination of the existing agreement. But following the analogy of the measure adopted in New-Brunswick, I am of opinion, that the arrears due up to the time when the plan I have described will come into operation should be remitted.

Having established these conditions, I think that the punctual payment of all unredeemed Quit Rents ought to be rigorously exacted. The objections which I entertain to a forfeiture of Lands under a breach of the condition requiring them to be settled with a certain number of occupants, would by no means apply to a forfeiture of them for non-payment of Quit Rents. It appears to me clearly for the interest of the Colony, that the rights of His Majesty on this latter point should be enforced with rigour.

The common complaint respecting Prince Edward Island is, that the soil is owned by persons who are disposed to leave large tracts of land unimproved, in the expectation that the value of them will ultimately be raised by the exertions of those Colonists who cultivate other neighbouring Lands.

If this complaint be just, the best remedy for it would be found in the plan I have laid down. When the Proprietors of Land shall be required either to pay down a consider'ble sum for the redemption of their Quit Rent, or else to pay the Quit Rents themselves, with regularity, it will necessarily become their interest to improve the Lands, or to sell them to others who will purchase, with a real intention of improvement. I must observe, that the fund arising from the regular *collection* of Quit Rents will be appropriated solely to objects connected with the Colony. The support of the Civil Government will, probably, be the most proper service in aid of which to expend this fund. The sum arising from the *redemption* of Quit Rents should not be treated as revenue, but rather as capital, to be laid out in further improvements.

Thus, by the formation of Roads, the clearing of Land, the construction of Wharves, or other Public works, this fund might be so applied as to accelerate the developement of the resources of the Colony, and to give a new value to the Lands belonging to the Crown.

It is possible that some persons may be desirous to redeem their Quit Rents before the expiration of the five years to which the claim to the Quit Rents has been forgone. I shall be very glad to accede to this course, and shall be prepared to advise his Majesty to remit immediately the claim to arrears due from the persons who may be desirous to effect such an adjustment. I shall also be willing to consent that they may receive at the same time a formal release from the condition requiring them to settle their lands in the proportion of one person to every two hundred acres. But I cannot sanction any more favourable terms of redemption, whatever be the period at which it be effected, than the payment of fifteen years purchase. The advantage of a more early redemption would not outweigh in the estimation of His Majesty's Government the importance of the reasons, which I have already suggested, for not suffering the lands to be free from Quit Rent except on payment of a sum that should not be inconsiderable.

I trust that the measures which I have stated may be acceptable in Prince Edward Island. In reviewing the proceedings of this Department respecting Quit Rents, I observe that the Proprietors and Inhabitants of Prince Edward Island have frequently represented, and I think with justice, that they ought to be dealt with on this subject in the same manner as the Inhabitants of the neighbouring and larger Colonies.

I now act on this principle, by extending to Prince Edward Island, with such adaptations as existing arrangements require, the same measure which has lately been adopted in New Brunswick. That measure has this further advantage, that, without in the least trenching on the sacred rights of property, it will create a stimulus to the owners of Land in Prince Edward Island, either actively to improve their own possessions, or else to sell them, at the fair value which they may be found to bear in the market, to such persons as will take them for the purpose of turning them to the best account.

I have the honor to be, Sir,
Your most obedient humble servant,
(Signed) GODERICH.

To Lieut. Governor Young, &c. &c. &c.

Communications.

[FOR THE CHRONICLE.]

Mr. Editor:—I would earnestly recommend your correspondents X. Y. Z. and W. to publish their arguments in a Pamphlet form, and not to occupy so much of your useful Journal. You have given each party, a fair, and impartial admission in your columns for several weeks past, and their writings are becoming too full.

Yours,
A SUBSCRIBER.

TO THE EDITOR OF THE CHRONICLE.

Sir:—In his last letter, Camillus "challenges me to produce a single personality in any part of his letter" of 14th ult. I shall take up his challenge and produce four, although in doing so, I shall be departing from the course I have hitherto observed. He says "where has the controversy been carried? solve this own *vanity to chuckle over it, in the sense and darkness courted by a designing writer*"—" can we call that man *sane, who, out of sectarian bigotry*" —" I shall leave Mr. Something-Oddibus."

He also challenges me to produce one in the letter of X. Y. Z., and says that "X. Y. Z. in a sportive manner takes me to be an able lawyer." The passage is this—" Should your correspondent be a Lawyer (and I am disposed to think from the contents of his letters, that he is a member of that learned profession,) (in another place he says "lawyer though he be") *he must assuredly know, although for his own party purposes he refrains from making the confession.*"

In these passages I am styled *Mr. Something Oddibus; having a mischief plotting brain; a designing writer courting silence and darkness; not sane, out of sectarian bigotry; a Lawyer assuredly knowing the truth, but suppressing it to suit my party purposes.* Can any thing well be more personal than these passages? and yet Camillus boldly asserts that their letters do not contain a single personality! To me, it is matter of perfect indifference what personalities Caius Julius, Camillus or X. Y. Z. may write: I allude to these, merely with a view to caution your readers against placing too much confidence in what Camillus may say, let him assert it never so boldly.

With reference to the subject under discussion, Camillus says 'that one of the first acts of our own Legislature, was to annul all the acts of the Legislature of Nova Scotia, and to commence a new code of laws for themselves:' he also says 'few acts had then passed.' Camillus is wrong. The act of 1791 to which he alludes is neither one of the *first* acts of our legislature, nor the commencement of a new code. It was not passed till the 5th Session, nor till 93 others had been enacted.

Again he says 'that this (the act of 1786) is the only provincial act on the Church question which I can press into my service.' If by this Camillus means that there is no other act which declares the Church of England to be established, he is wrong again. Let him look to 26 Geo. 3, c. 5 'an Act against tumults and disorders.' I will transcribe part of the preamble and first clause.

To prevent tumultuous soliciting of bands to petitions to the Governor, Council and Assembly for *alteration of matters established by law, redress of pretended grievances in Church or State, or public concernments*—Be it enacted that no person shall solicit the bands, or other consent of any persons to any petition to the Governor, Council and Assembly, *for alteration of matters established by law in Church or State.*'

Now here we find the Legislature, not in this case in the title, but in the body of the act, connecting Church and State together, and declaring that *matters in Church*, as well as in State, *are public concernments*, and established by law, and making it penal for any one tumultuously to attempt alterations or redress of pretended grievances in matters so established by law. How then stands the matter? On one side, we have the Governor, Council and Assembly declaring solemnly in a law of the Province that the Church of England is established by law (for Church, Established Church, Church of England are and always have been convertible terms:) on the other side, we have Caius Julius, Camillus and X. Y. Z. flatly denying it—which of these trios, trow you, will the 'sturdy and stubborn,' the intelligent, unprejudiced and disinteresting people of the Province believe? their own Legislature, or these three anonymous writers?

Both Camillus and X. Y. Z. are very positive in laying down what alone 'will satisfy the people of New-Brunswick.' But I never have yet heard that any precise form of words is required in order to establish a Church by law. The Nova Scotia law differs very materially from the Act for establishing the Kirk of Scotland in that Kingdom. Has it ever occurred to either of them to reflect in what respects a Church which is established, differs from one which is not established. It is usually held to differ in these, that its concurments are not private, but public, and matters in it are established by law.—The matters to be established by authority, the benefices are confined by comps of them prescribed, the qualifications of the in-

its doctrines, rites, worship, discipline and government settled by law. Does not the *status* of the church of England in this Province fulfil all these conditions; and what other religious society does? The ecclesiastical benefices are defined by the Royal Instructions: the qualifications of the incumbents of them are prescribed by the act of 1786—'they must be ordained according to the form established in the church of England': the doctrines to be taught in the churches of these benefices, and the rites and worship to be celebrated are those of the church of England—And with respect to discipline—suppose a Minister of the Kirk, or any Dissenting denomination were to absent himself, or refuse or neglect to perform the duties of his office, or were to preach doctrines, or use forms different to the opinions of their respective denominations, where would application be made for redress? The society would itself take cognizance of the offence, and punish it according to rules of its own. But suppose a Rector of the Church of England were to do so, what must be done? proceedings must be taken in any of His Majesty's Courts of Record for the minor, and in the Supreme Court for the graver offence. If a Rector wish for leave of absence he must obtain it from the Governor; but how a'o'd the Kirk or any Dissenting Society derive the production of such a document?

As I am fearful of exceeding the limits you can conveniently allow me, I shall reserve what more I have to say on this head to some future opportunity.

W.

[FOR THE CHRONICLE.]

Mr. Editor,—I hope that you were much benefited by the *able*, the *enlightened*, and *logical* remarks of my brother Blue Nose, which appeared in last night's Gazette. His noble *defence* of the *defenceless* characters is a master-piece of beautiful nonsense. —Hear him all ye sailors; 'IMPRACTICABLE' to keep a fine boat to windward with fourteen or fifteen strong men in her.

Tell him, Mr. Editor, that the small boat found it *quite practicable* to keep to windward, and to repeat her trips to windward and leeward several times.—Did his quarter boat ever make the attempt?—He asks you, Mr. Editor, why you singled out the five natives? Do tell the poor man that you conferred that *special favour* on them, because you knew not the names of the others;—and that you were fearful that *their heroic deeds* would not otherwise have been fully known.—I hope, Mr. Editor, that you will again favor the public with your second comment on those heroic actions, and do not let them be too soon forgotten.

Why really, sir, you must be a very great man: my brother Blue Nose makes you out an *omnipresent being*: and then, oh then, your *ungenerous* and *malicious* comments on the two *public documents*, make you almost too great. The censure, sir, of your would be antagonist adds to your fame. Had he suffered his fallen friends to have laid dormant, he might have befriended them: but his foolish attempt at writing, serves only to rekindle a just and indignant feeling in this community against them.

BRUNSWICKER.

TO THE EDITOR OF THE CHRONICLE.

Sir,—Your correspondent X. Y Z. and Camillus, still I perceive maintain against W. that the Church of England is not established in New Brunswick.

W having taken various grounds to shew the *abundance* of his evidence, his antagonists, desirous to keep out of sight rather than to attempt overturning his strongest points, with a shrewd policy strive to lead away the public attention by niceties of discussion upon Nova Scotia Laws and Royal Instructions, leaving amidst the mass of matter, the most irresistible, if possible, to be forgotten.

With your permission, I will adopt a different plan, and leaving W. ably to battle upon the various fields he has pointed out, I will confine myself to a *limited*, but I think an efficient one—merely begging (that my proofs may appear in one view,) that you will re-publish with these remarks, the Extracts as they appeared in the first number of the Chronicle, from *the Act of Union of the Crowns of England and Scotland*, as also, from page 35 of the first volume of the Laws of New Brunswick, passed in the 26th year of George III, being chapter 4th, by "An Act for preserving the Province."

[For the Extracts above named, we refer our readers to the first number of the Chronicle.]

"An Act for preserving the Church of England as by Law established in this Province, and for securing liberty of conscience in matters of religion."

"*BE it enacted by the Governor, Council, and Assembly*, That no person whatsoever shall be admitted to any Parsonage, or other Ecclesiastical benefice or promotion whatsoever, within this Province of New-Brunswick, before such time as he shall be Ordained according to the form and manner by Law established in the said Church of England.

II. And be it further enacted, That every person having any Ecclesiastical benefice or promotion within this Province (not having some lawful impediment, to be allowed and approved of by the Governor or Commander in Chief for the time being) shall once at the least in every Month, upon some Lord's Day, in the Church, Chapel, or place of Public Worship, belonging to his said benefice or promotion, openly and solemnly read the public and common Prayers and service prescribed in and by the Liturgy of the said Church of England, and (if there be occasion) administer each of the Sacraments, and other rites of the Church, in such order, manner and form, as in and by the said Liturgy is appointed, upon pain to forfeit the sum of Five pounds to the use of the Poor of the Parish for every offence, upon conviction by indictment or information in any of His Majesty's Courts of Record in this Province.

III. And be it further enacted, That if any person whatsoever, having any Ecclesiastical benefice or promotion within this Province, shall presume, in any Church, Chapel, or other place of Public Worship within this Province, openly to use any other form or order of common Prayers, administration of Sacrament, rites or ceremonies, than what is prescribed and appointed to be used in and by the said Liturgy; every such person so offending and being thereof convicted, upon indictment or information, in the Supreme Court, or in any Court of Oyer and Terminer or Gaol Delivery in this Province, shall be *ipso facto* disabled to officiate in the Church, and deprived of all his Ecclesiastical benefice or promotion, and it shall be thereupon lawful for the Governor, or Commander in Chief for the time being, to collate to the same as if the person so offending as aforesaid were dead.

IV. Provided always, and be it further enacted, That all Dissenters from the Church of England, within this Province, shall have Liberty of conscience, and may erect and build Meeting-houses for Public Worship, and may choose and elect Ministers for the decent and orderly celebration of Divine Service, and administration of the Sacraments, according to their several and respective opinions.

V. Provided nevertheless, and be it further enacted, That no person whatever, of what persuasion or denomination soever, unless so chosen and elected, shall be permitted, suffered or allowed, to preach any Sermon or Lecture, or to officiate in the celebration of Divine Service and administration of the Sacraments, or other rites and ceremonies, in any place of Public Worship within this Province, unless he be first approved and thereunto licensed by the Governor or Commander in Chief for the time being, under his Hand and Seal, and no person whatsoever of what persuasion or denomination soever, shall be permitted, suffered or allowed to preach any Sermon or Lecture, or to officiate in the celebration of Divine Service and administration of the Sacraments or other rites and ceremonies in any place of Public Worship unless he shall in the presence of the same Governor, or Commander in Chief, or of such person as he shall for that purpose nominate and appoint, take the usual oaths of fidelity and allegiance to his Majesty and his Successors: And that every person offending herein against the true intent and meaning of this Act, and being thereof convicted upon indictment or information in the Supreme Court, or in any Court of Oyer and Terminer or Gaol Delivery in this Province, shall for each offence pay a fine to his Majesty, not exceeding the sum of one hundred pounds, nor less than fifty pounds, to be applied for the public uses of this Province and the support of the Government thereof, or suffer imprisonment for a space not exceeding six months, at the discretion of the Court before which the said offender shall be so convicted. Provided, That no person whatsoever shall, at any time be liable to the penalties mentioned in this Act, or any of them, for any offence or offences, hereafter to be done or committed in any of the premises, unless he be thereof convicted as aforesaid, within six months respectively after such offence or offences shall have been committed: And provided, That the people called Quakers may be allowed the exercise of Public Worship in the manner they are accustomed, any thing in this Act to the contrary notwithstanding."

The solid matter of these two statutes—the one of the Mother country, the other of the colony interested, being full to the purpose, would render any arguments of mine both weak and superfluous. I will therefore merely observe, that the allegations of X. Y. Z. stating that the Provisions of the Act of Union are solely retrospective, seem to me to be unqualified misstatements, at the same time that the Recognitions, the Declaration in the Title, the commands and the penalties in the said colonial Law, enacted in support of the Church, when joined to the matter of the British statute above stated, amount to a complete establishment of the Church of England in the Province of New-Brunswick.

X. Y. Z. will I believe find that the *Title* of a Law, is a part of the enacted Law, and that something more logical and serious—something very different from the trifling remarks about its author being probably a Lawyer's clerk, will be necessary to wipe out from the public mind, the natural conclusion which it seems to me will rest upon it from a sober and candid consideration of the two above cited Laws.

I am, sir, your's, &c.
A CORRESPONDENT.

THE CHRONICLE.

ST. JOHN, NOVEMBER 11, 1836.

By the late arrivals from Europe, Liverpool dates to the 26th September, have been received, but they furnish no items of importance.

The French Ministry are completed, but how long such materials will work together is quite problematical.

The affairs of Spain still continue in a disastrous way.

Horrible Warfare.—A letter from an English gentleman at Nineva, on the Tigris, communicates some particulars of the Turkish Army Reschid Pacha in the subjugation of the Kurds.—It seems that the Kurdish Chieftain roasts alive all the prisoners he takes from the Pacha, and that the Pacha retaliates by impalling all the Kurds who shall fall into his hands: thus the contest is carried on with an atrocity exceeding even the horrors of Spanish warfare.

The King of Bokhara has interdicted his Hindoo subjects from burning their dead, on the ground that it is offensive and abhorrent to the feelings of Mussulmen.

The Cholera.—A letter from Rome of August 30, says.—"The cholera made its appearance at Ancona on the 16th inst. from which day up to the 28th inst. there were 135 cases, of which 66 died. We are entirely free of the disease on this side of the Apenines. The cordons, as regards travellers coming to Rome from all places north of the Alps, remain as before, that is to say, the only road free of all quarantine impediments is that by steamer from Marseilles *via* Civita Vecchia. Travellers from Leghorn are now admitted to free pratique, and are allowed to proceed on here at once.

Great Fire at Newark.—On Friday the 28th ult. a most destructive fire took place about three o'clock in the afternoon, which destroyed upwards of fifty buildings. The estimated loss is about 120,000 dollars.

It gives us much pleasure to insert the following letters; they give full proof of the feelings of our benevolent citizens towards those meritorious persons, Capt. Reed and Mr. Brown, whose conduct at the late awful conflagration exceed all praise.

Saint John, 3d November, 1836.

Dear Sir,—I have much pleasure in transmitting to you a deposit receipt for £155: 5, placed in the Commercial Bank, at your disposal, by several of your friends, as a mark of respect for your extraordinary exertions to save the lives of the Passengers and Crew of the *Royal Tar*, at the time of her destruction by fire, and of which they beg your acceptance. I am, dear sir,

Your obedient servant,
JOHN ROBERTSON.

To Captain Thomas Reed.

Saint John, November 4th, 1836.

Dear Sir,—It is with feelings, which it would be impossible for me to describe, that I acknowledge the receipt of your communication of yesterday, accompanied by £155. 5, presented to me by several of my friends, as a mark of their approbation for my exertions in saving the lives of many of the Passengers and Crew of the late steamer *Royal Tar*, at the time of her destruction by fire on the 25th ult.

For this unexpected and inestimable tribute of respect, I thank you, sir, and those with whom you are associated; and while I feel, that on that melancholy occasion, I endeavoured to discharge the responsible trust reposed in me to the best of my judgment and ability, it is a source of great consolation to find, by so substantial a proof, that my conduct has met the approbation of the community in which I live.

I am, dear sir,
Your most obedient servant,
THOMAS REED.

To John Robertson, Esquire. &c. &c.

St. John, 4th November, 1836.

Mr. William G. Brown,

Sir,—It gives me much pleasure in forwarding to you the inclosed sum of £25, and also a receipt from Messrs. Lockhart & Crane, for an account due them for £2: 10, from the Young Men of St. John, as a testimonial of their good feeling to you, and for your exertions in saving the lives of many persons from the *Royal Tar*.

I remain, sir, your's, &c.
THOMAS REED.

St. John, 7th November, 1836.

To Captain Thomas Reed.

Sir,—I received your's of the 4th instant, with the inclosed sum of £27: 10, from the Young Men of St. John.—For this handsome donation, I beg you will be pleased to present my sincere thanks to those gentlemen who have so generously interested themselves in my behalf. Their good feeling evinced towards me, I trust I shall always bear in grateful remembrance: and I feel thankful to that gracious Providence who caused my exertions to be instrumental in saving the lives of our fellow sufferers.

I am, sir, your most obedient servant,
W. G. BROWN.
Steward of the late steamer Royal Tar.

The new Bridge, uniting Carleton and Portland, we are happy to learn is now so nearly completed, that but for the early commencement of frost and tempestuous weather, would have been open to the Public—indeed has been passed by several persons; but the Engineer apprehending danger to the work in case the main Truss was carried across in frosty weather, has recommended to the Company to delay the completion till Spring.

From the Royal Gazette, November 9.

In Council, 7th November, 1836.

Ordered, that the following Circuit Courts be and are hereby appointed to be held in the several Counties of this Province for the ensuing year, 1837, namely—in

Saint John—Second Tuesday in January and first Tuesday in August.

Charlotte—Fourth Tuesday in April and Tuesday after the fourth Tuesday in October.

King's—Fourth Tuesday in January.

Kent—Last Tuesday in August.

Westmorland—First Tuesday in September.

Gloucester—Wednesday before the first Tuesday in September.

Northumberland—Second Tuesday in September.

Carleton—Last Tuesday in September.

Sunbury—Last Tuesday in February.

Queen's—First Tuesday in March.

By order of His Excellency the Lieutenant Governor in Council.

Wm. FODELL.

Isaac Woodward Jouett, Esquire, to be Commissioner in the room of Philip Barry, Esquire, to explore the Road from Bois' on the Miramichi to Woodstock.

Halifax, November 2.—His Excellency the Lieutenant Governor has been pleased, by Proclamation, bearing date this day, to dissolve the present House of Assembly, and to direct the issue of Writs for a General Election, which Writs are to be made returnable on the 12th of January next.—*Royal Gazette.*

Kingston, Jam. October 1.

Flour.—Duty 10s. per barrel. Sales in the early part of the week of fresh superfine, to extent of 200 brls, were made at £5. After which the Cicero arrived, from Baltimore, and 150 barrels of her cargo, of superfine, has been taken in one lot at £4 13s 4d. The demand for hard packed Flour is considerable, and sales of it are continually being made among the retailers. The following sales are reported: 200 barrels, part of the Emerald's cargo, from New York, sold at 68s 4d, and a parcel good German at the same price: 100 barrels German Flour have been reported sold at 65s.

Butter.—Has been extremely dull; few or no sales have been made even on the most limited scale. The arrival of the Clarence, this morning, with a large parcel, upwards of 1700 firkins, will most likely settle the market, and we doubt not being enabled in our next to report large transactions.

The Assembly of Newfoundland has been dissolved, and Writs issued for a new Election on the 13th ult. returnable on the 8th December next.

There is a report that the Elephant and Poney belonging to the Menagerie on board the Royal Tar, swam ashore at Birce's Island near Fox's Islands, —that the Elephant went into a barn yard, and much frightened the cattle there, and that the farmer, learning the cause of the disturbance, repaired to the spot and, afforded the shipwrecked visiter an asylum in his barn.—*Portland Advertiser.*

Theatre Burnt.—The new Theatre at Cincinnati (Ohio.) was destroyed by fire on the 21st inst. The fire took through the carelessness of some person who had charge of the lamps, and in a few seconds the whole interior of the building was in flames, and such was the extraordinary rapidity of their progress, that in about fifteen or twenty minutes, the whole building was destroyed, together with all its contents, including a large quantity of valuable and magnificent scenery, and a quantity of theatrical dresses—the latter mostly belonging to the different actors. A Mr. Martin, the carpenter attached to the theatre, was buried in the ruins.

The William Gibbons.—For the sake of decency and humanity, we hope the following paragraph which we find in the Norfolk Herald, may prove incorrect.

"According to a statement given to the editor of the Elizabeth City Herald, and published in that paper, the conduct of the crew of the Wm. Gibbons to the passengers was worse than that which might have been expected of high-way robbers.—The passengers, were *not*, it seems, permitted to take their baggage on shore when they left the boat; but some of the crew, the firemen particularly, got drunk, armed themselves with knives and went to work cutting open the trunks and other baggage, which they robbed of money, jewelry, clothing and every thing else valuable and then sunk the trunks in the bottom of the boat. Even the dressing and other boxes belonging to the ladies did not escape them: which were also broken open and rifled of their contents. Such was the destitute condition of some of the passengers (says the Herald) on their arrival here, that they were obliged to make a loan to defray their expenses to Charleston: while these pirates, (for they are no better) are gone off with their plunder.'

One of the lady passengers begged these ruffians to let her have even a cloak bag, which contained some clothing for her infant, but it was refused! It is supposed that their plunder in money, jewelry and clothing amounted to at least 4 or $5000.

Intrepidity Rewarded.—The steam-boat Lexington, on her passage from Providence for New York, encountered a very severe gale and broke her wheel ropes, when she became unmanageable. Mr. Dustan, the chief officer, for the preservation of the vessel and passengers, was let down, with a rope attached to him, during the height of the gale, and succeeded in fastening the ropes. The passengers voted him a watch and pin, valued at two hundred dollars, as a token of their gratitude for his exertions for their safety.

The Army.—The Aides-de-Camp to the Lord Lieutenant are on all future occasions to be nominated in a different manner. No officer under the rank of Captain can be appointed, and must have served abroad with his corps for a certain space of time. At the expiration of a Lord Lieutenant's period of service he will be allowed to recommend so many of these Captains for a step in rank. This will be a great improvement, as it will prevent young officers being taken away from their regiments before they know their duties, and will be a reward to deserving officers who had served.

Flood in Donegal.—On Saturday last the heaviest rain ever recollected fell throughout this county. Several bridges were swept away by the mountain floods, and property to the amount of (it is supposed) £20,000 destroyed. At Clandy, on Sunday morning, the flood in the streets was eight feet high. At Castlefin, a man, who had been working there during the week, was returning home to his family on Saturday evening, having proceeded a short distance, he got into the deep water, and was drowned. The mail coach from Derry to Sligo was literally filled with water at Strabane, it was up to the driver's seat, the horses swimming. The fields near the river were covered with flax, hay, oats, turf, and potatoes: a quantity of cattle was drowned. The peasantry present a melancholy appearance.

Ministers are, it is said, anxious to induce his Majesty to consent to an immediate dissolution of Parliament. The reaction which is taking place in public opinion, and the reports which have reached them from all quarters, of the state of the Conservative registry all over the country for the ensuing year, has appalled them. They would fain take advantage of the agitation they have contrived to excite on the subject of peerage reform, and make that supply the watch-word with which Parliamentary reform supplied them on a former occasion. The great Conservative meetings in Lancashire, Kent, Bucks, Essex, and Suffolk, and the result of nearly all the recent elections have struck them with con-

sternation and dismay. Ministers are now no hope but in the change, if they can place when it may, the change. If they registration they will *Surrey Standard.*

According to Mr. now no hope but in the arms of the Radicals we should not be at a —In fact, by moderat excluding their own, the scouted and disclaimed to have no alternative altogether, or form the points out to them, the draught and gild will "popularize" the a precious species of discards the sense and alliance with Popery at home. As a forlo tempt it; but forlorn h crifice of those who re

Money Market the money mark creased; and, du per cent. has be advances and disc ces, where the d them within the clause introduced newing the Chart gland, 5½ per ce The anxiety man public upon the s Bills has been