COLONIAL.

NOVA-SCOTIA.—The Legislature of Nova Scotia was opened on Wednesday last. At 12 o'clock, His Excellency Lord FALKLAND proceeded in state to the Council Chamber, and, being seated, commanded the attendance of the Assembly. The Members having accordingly attended, the Hon. the President of the Legislative Council, by desire of His Excellency, directed them to return to their Chamber, and make choice of a Speaker. The Members thereupon retired, and shortly afterwards returned, when the Hon. S. G. W. Archibald, late Speaker and senior Member of the House, presented the Hon. Joseph Howe, as the Speaker whom the House had elected. His Excellency having signified his approval of their choice, the Speaker demanded the usual privileges, which his Excellency was pleased to grant.

We extract the following paragraphs from His Excellency's opening Speech:

Mr. President, and Honorable Gentlemen of the Legislative Council;

Mr. Speaker, and Gentlemen of the House of Assembly;

I have called you together at the earliest opportunity after the close of the General Election, being desirous of placing myself, on the first favourable occasion, in direct communication with the Legislature of the Province, the Government of which I have been appointed to administer, because I feel that in my endeavours to discharge faithfully the arduous duties entailed on me by the confidence of my Sovereign, your co-operation and support will be of the utmost importance, and productive of the best results.

I believe it to be indispensable to the prosperity of Nova Scotia, that a sufficient degree of reciprocal confidence should exist between the three Branches of the Legislature, to insure from each a fair and candid construction of the acts of the other constituent powers, as well as to induce, on the part of those to whom, by the constitution, the exercise of the purely Legislative functions of the Government is specially confided, a disposition to aid the Representative of the Crown in his efforts to give effect to the beneficent intentions of the Queen: to establish and preserve such a feeling of mutual reliance, is therefore the object of my extreme solicitude, nor have I any other than a sanguine expectation that the course I shall pursue, of maintaining inviolate the Royal Prerogative, the beneficial influence of which on the interests of the subject time has demonstrated, while I conscientiously exert it whenever my duty to Her Majesty admits of so doing, in accordance with the wishes of the Community in general; making the authority with which I am invested conducive to the furtherance of measures adapted to draw forth the resources and meet the wants of the Country, my labours to that end being shared by those enjoying the public confidence, and best qualified to judge of the public interests, will produce general harmony, and secure to me, from the British Subjects of the Province, that sympathy and assistance which I deem necessary to enable me to do my duty to the Throne, by promoting their welfare, and thereby strengthening those bonds of loyalty and affection to our Sovereign, and attachment to the Parent State, by which it is my happiness to feel assured that all Nova Scotians are now united.

Since your last meeting it has pleased Divine Providence to bless with Offspring the union of our Gracious Monarch and her august Consort. You will, I am confident, participate in those sentiments of exultation and gratitude, felt by your fellow subjects at home, at the birth of a Princess Royal, as an event calculated to add to the stability of the Throne, and contribute to the domestic felicity of our beloved Royal Mistress.

I rejoice to have it in my power to congratulate you on the flourishing state of the Province in general.—It will be found, on reference to returns which I have directed to be submitted to you, that the Trade has progressively increased, and that a proportionate augmentation has taken place in the Revenue, while the thriving condition of the mercantile interests has had an advantageous effect on the agricultural Districts of the Country.

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We have to be grateful for a harvest which, if not superabundant, has been at least an average one, and I have the satisfaction to learn from all quarters, that the grain grown is of very superior quality.

* * * * * * *

It is ground for the indulgence of encouraging anticipations as regards the future, that you enter on your Parliamentary duties with no greater amount of debt than existed four years ago, while the increase of the Revenue places at your disposal means far more ample than your predecessors enjoyed, both of diminishing this burden, and of effecting necessary public improvements; of these one of the most essential which we can contemplate is the amelioration of the great Lines of Communication between this port and the eastern and western extremities of the Province.

The British Government, ever anxious to facilitate the intercourse between the Mother Country and her trans-Atlantic offspring, after having expended a very large sum in establishing a line of Steamships from Liverpool to our Provincial Capital, "in the confident expectation that the Colonies, on their part, would not be unwilling to improve the local communication," has proposed a plan for the more expeditious conveyance of Mails and Passengers between Halifax and Quebec, as well as between Halifax and New Brunswick; I have been instructed to ask your aid in furtherance of this object, and, after the resolution passed by the House in the last Session, pledging itself with regard to the expenses of the Post-Office, and the liberality of the Imperial Parliament, I feel certain the appeal will not be made in vain, but that, as anticipated by the Secretary of State, copies of whose letters will be placed on your table, "the exertions made by Great Britain for the purpose of keeping up a regular and rapid intercourse between the countries, will be met by a corresponding feeling on the part of the Colony."

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Among the various subjects which have been brought under my notice, since my arrival in this Colony, the means of more generally diffusing instruction among the people had engaged my most serious attention.

It is deeply to be lamented that, in a country, the population of which is inferior to no other race in physical attributes, and where the necessaries of life are so easily obtained, that a moderate degree of industry raises a man above want, while, by the constitution of society, any one endowed with knowledge and diligence may arrive at the highest social distinction, education should be so difficult of attainment, that the majority of the inhabitants are in consequence deprived of the advantages otherwise open to them by the nature of the institutions under which they live—society itself is retarded in its progress—man's individual happiness marred, and his usefulness in his relations with his fellow creatures impaired by the want of that inestimable blessing. My examination into the working of the system at present established here, has convinced me that this inconvenience is universally felt and generally complained of, while, however the extent of the evil is acknowledged by all, a diversity of opinion everywhere prevails as to the mode in which it is to be remedied, each class apprehending having to suffer from the imposition of an undue share of the sacrifice necessary to be made for its removal; the difficulties by which the question is surrounded in consequence of this conflict of opinions, as well as for the local peculiarities of certain Districts, and the variety of religious tenets prevailing in Nova Scotia, are such as to prevent my being able to propose to you, in the hope of its determination, any measure worthy of adoption.

Your knowledge of the necessities of your several constituencies, and of the different interests of the classes into which they are divided, eminently qualifies you to deliberate on the means of mitigating the privation under which they now suffer, with regard to literal culture, and of bringing about, in this respect, a vast improvement in the condition of the great body of the people in the manner least likely to bear oppressively on any portion of the community.—In recommending to your regard a subject of such momentous interest, I consider it my duty not to withhold the expression of my belief, that any Legislative act in reference to it, to be satisfactory in its operation, must be based on the principle of general assessment, while I beg to assure you of my very zealous concurrence in any attempt you may make to ameliorate a state of things which I sincerely deplore.

* * * * * * *

In addition to the measures relating to the Highways, of which I have already spoken, a Bill for the re-construction of the Court of Marriage and Divorce, and another for the Incorporation of the Town of Halifax, will be submitted for your approbation.

In the preparation of these Acts every anxiety has been felt, both by myself and those who have assisted me to frame them, that the provisions therein contained should correspond to the exigencies of Society, as established among us. It will be for you to say whether this purpose has been accomplished, and to determine whether they shall become Law. Altho' the tranquility and happiness of this Country, to promote which, my best energies will hereafter be devoted, and to which I think these, or some similar enactments, would contribute, are too near my heart for me to disguise my earnest hope that they may be deemed in the main well suited to effect the ends contemplated by those who devised them. I both expect and desire that they should be subjected to the most ample discussion and searching investigation, alike as to their principles and details.

THE SPEAKERSHIP.—This important office has been filled. The question of questions is settled. The Hon. James B. Uniacke was nominated by James R. Dewolfe, Esq., seconded by the Hon. Edmund M. Dodd, and, on the question being taken, there appeared for the motion 22, against it 26. The Hon. Joseph Howe was then proposed by Reuben Clements, Esq., seconded by Alexander M. Upham, Esq., when Mr. Howe was elected, 25 to 23.—The Attorney General, Mr. Uniacke, and Mr. Howe, retired.

CHAPLAIN.—A resolution to the following effect was passed, 32 to 13.—that the Rev. Dr. Twining, Rev. Mr. Scott, Rev Mr. Sheldon, Rev. Mr. Marshall, and Rev. Mr. Dease, be requested to act as Chaplains to the House.—*Novascotian.*

THE NORTH-EASTERN BOUNDARY.

SPECIAL MESSAGE OF GOVERNOR DAVIS OF MASSACHUSETTS.

To the President of the Senate:

I found among the files placed in my hands by my predecessor, resolutions from the States of Maine and Indiana—and in conformity with the object of those States, I transmit them for the information and use of the two Houses. These resolutions were adopted in regard to the North-Eastern Boundary, and I may be permitted in this connexion to add, that I see little prospect of an early adjustment of this disturbing matter; indeed, I fear there is no disposition on the part of Great Britain to bring it to an issue upon its merits.

The terms of the treaty of 1783 are plain and intelligible, and not easily perverted. They make the elevation of land, which divides the rivers that flow into the St. Lawrence from those which fall into the Atlantic Ocean, the dividing line between the United States and Canada on the north. On the east the treaty provides that the line shall be run from the source of the St. Croix directly north to this highland which so divides these waters, and at the point of intersection shall be the north-west angle of Nova Scotia. When we consider the provisions of this treaty, and the known facts, it seems impossible that any question raising a doubt can exist. The question is, where does the treaty place the north-west angle of Nova Scotia?

We know there is a river called the St. Lawrence, having many streams rising in the highlands south of it, and flowing into it. We know also that several rivers rise on the other side of these high grounds, and flowing in a southerly direction, fall into the Atlantic Ocean. The existence of these streams is unquestioned, and that necessarily places beyond all doubt the fact that their sources must be separated by land high enough to divide them, for such is the law of nature.

We know also that the source of the St. Croix has been ascertained, and a monument erected by agreement. We know further that from this monument a line has been traced directly north some forty miles, to a place near Mars Hill.

All that remains, therefore, to be done, according to the treaty, is to continue this line to the lands that divide the waters flowing into the St. Lawrence from those which fall into the Atlantic Ocean, and at the end of it is the north-west angle of Nova Scotia. It is impossible to comprehend how any serious obstacle to the accomplisment of this can exist. Another half century may pass away, and additional folios may be written—the country may be explored, and new things discovered, but these facts will never be changed, or the decisive character of the evidence in support of the treaty.

Under the circumstances, it is painful to see the measures pursued in support of a groundless pretension, to take from us a territory larger than our State, as their tendency is to disturb our pacific relations, and bring the two countries into a conflict.

The late report of the British Commissioners, if it be characteristic of the policy to be pursued, may well fill the public mind with indignation—and the false reasoning and unwarrantable conclusions contained in it, ought to be fully exposed. It is not, however, within our province to adjust the controversy; yet having great interest at stake in that territory, as well as in the peace and honor of the United States, it would seem to be no more than just to respond to this call upon us by our sister State—to extend to her our sympathy for the manifold wrongs inflicted upon her, and to assure Congress of our hearty disposition to maintain the integrity of the country.

JOHN DAVIS.

PROVINCIAL LEGISLATURE.

Tuesday, February 2.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, delivered the following Message.

"J. HARVEY, *Lt. Governor.*

"The Lieutenant Governor submits to the House a Letter from the Collector of the Customs at Saint John, together with one from the Province Treasurer, representing the insufficiency of the Out-Door Establishments of those Departments to prevent Illicit Trade, which has increased to an extent materially to affect the Revenue of the Province; and recommends that provision be made for checking this serious evil.

"J. H."

Custom House, St. John, N. B., 22d Jan. 1841.

SIR,—I have the honor to call Your Excellency's attention to the Contraband Trade, which is at present so extensively carried on at this Port, whereby the Revenue of this Province is materially affected. It is my intention to furnish Your Excellency, (in another communication,) with some data in support of the opinion now submitted by me, that Illicit Trade has enormously increased during the past year. It therefore becomes my duty to represent to Your Excellency, the inefficiency of the Establishment of this Department in point of numbers, to perform the duty requisite to check or control it, except to a limited extent.

I beg leave to state, that in a former instance, when an increase in this Department was sought for, I was directed by the Commissioners of the Customs, to make inquiry, and report whether the Province would consent to defray a portion of the expense that would be incurred. With respect to the present state of this Department, I have already submitted to the Honorable Board, the necessity of an additional Waiter and Searcher being appointed, to afford the requisite facilities for the examination of Baggage belonging to Passengers arriving by Steam Vessels, as well as for the general business of the Port. This representation was made without taking into consideration such services as are absolutely required to prevent Illicit Trade, but as applicable to the regular routine business of the Port. I am of opinion that it will be apparent to Your Excellency, that the duty required, chiefly at night, both in Boats, and on Shore in severe weather, cannot be performed by a limited Establishment, and I respectfully suggest and recommend for Your Excellency's consideration, the propriety of some provision being made for an additional Waiter and Searcher, at a Salary of £200 sterling, per annum, and for two efficient Boatmen, whose daily pay should not be less than 4s. 6d. sterling, per diem, the same as that allowed to the two Boatmen at present employed in this Department.

I shall furnish the Province Treasurer with a copy of this communication, in order to afford him an opportunity of stating his views thereon to Your Excellency, as he is fully aware of the nature of the duties required from the out-door Department. I have the honor to be, Sir, your Excellency's obedient humble servant,

H. BOWYER SMITH, *Collector.*

His Excellency Major Gen. Sir JOHN HARVEY, K. C. B. and K. C. H. &c.

Fredericton, 28th January 1841.

SIR,—I have the honor to acknowledge the receipt of your Letter, enclosing a communication from the Collector of Her Majesty's Customs at Saint John, to His Excellency the Lieutenant Governor, relative to contraband Trade at that Port, and the insufficiency of the means of preventing the same; and conveying to me His Excellency's commands that I should report thereon. In compliance therewith I have the honor to state for the information of His Excellency, that immediately after my appointment to the office of Provincial Treasurer, in May, 1836, I placed under the orders and control of the Collector of H. M. Customs at Saint John, the only two Out Door Officers at my disposal, (Abrams and Griffith) with the understanding that he should require all his Officers to see that my signature as Treasurer was affixed to every permit before the articles named in such permit were suffered to be landed; this arrangement increased the strength of both Departments by combination of the forces, and lessened the trouble of the lawful importer, by saving him the writing of an additional entry of every importation. Had not this arrangement been entered into, the ordinary Out Door duty of the Treasury at Saint John could not have been performed as efficiently as it is now done, without at least six Tide Waiters and a Landing Surveyor. But the Out Door Establishment, though thus increased by union, has been frequently found too small for the ordinary duties, and I have in consequence been obliged to provide occasionally extra Tide Waiters to attend to the discharging of cargoes of dutiable goods.

The duty of looking after illicit traffic, if faithfully performed, requires constant night watching not only on shore but in boats, a laborious and wearing service, that makes relief absolutely necessary. The present force is certainly too weak to perform this with effect, in addition to the ordinary duty, and when the regular business is more than usually pressing, it is apparent that the smuggler must have very great opportunities for running in his goods.

I would therefore respectfully offer as my opinion, that as the business of the Port of Saint John has very greatly increased since the formation of the present Establishment, the Province providing only two officers, at five shillings per day each, to superintend the landing of goods subject to Provincial duties,—as the illicit importation of Liquors and Foreign Manufactures is now carried on to a great extent in consequence of the great temptation from high duties, and is a larger force is requisite even when acting in conjunction with the Customs,—t is the interest of the Province to provide amply for this service, and to place the whole of the Out Door Establishment of the Treasury Department throughout the Province under the orders of the Customs, with the understanding that the Collectors and Sub-Collectors of the several Ports are to require all the Officers under their control to perfect the Revenue of the Province, whether collected under Acts of Parliament or Provincial Revenue Acts. I have the honor to be, Sir, your most obedient servant,

B. ROBINSON, *Province Treasurer.*

The Hon. W. F. ODELL, Provincial Secretary.

Wednesday, February 3.

Mr. Freeze, by leave, presented a Petition from John H. Ryan, Esquire, and 110 others, inhabitants of the Parish of Studholm, in King's County, praying that a grant may pass in aid of individual subscription, towards maintaining a Courier on the line of Road between Lyon's, in King's County, and Pittfield's, in the County of Westmorland, to intersect the Great Road leading to Nova Scotia; which he read.—*Ordered*, That the said Petition be received, and referred to the Committee on Internal Communication to report thereon.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, delivered the following Message:—

"J. HARVEY, *Lt. Governor.*

"In communicating to the House of Assembly an extract of a Despatch from Her Majesty's Secretary of State for the Colonies, in answer to the Resolution of the House of last Session, relative to the payment of the Salary of the Master of the Rolls, from the Surplus of the Civil List Fund, the Lieutenant Governor feels he cannot employ any language which could so forcibly convey the sentiments entertained by Her Majesty's Government, of the uniform conduct of the House of Assembly of New-Brunswick, as that contained in Lord John Russell's Despatch.

"J. H."

The Despatch communicated by the aforegoing Message being read at the Clerk's Table, is as follows:—

(Extract)

[No. 44.] *Downing Street, 29th April,* 1840.

I have received your Despatch of the 20th March, No. 13, communicating to me the copy of an Address to yourself from the House of Assembly of New-Brunswick, of the 9th of that month, respecting the application of the Surplus of the Civil List Fund, for the salary of the Master of the Rolls of the Province.

In declining to acquiesce in this application, you will employ the most courteous and conciliatory style, which the occasion admits of; for the language of the House on the present occasion, and their habitual course of proceeding on all occasions, are such as to entitle them to the respect and confidence of Her Majesty's Government, and it is right that those feelings should be indicated, in the terms selected, to convey a refusal in the present application, which they have perhaps made unadvisedly. I have, &c.

(Signed) J. RUSSELL.

Major General Sir John Harvey, &c. &c.

The Honourable Mr. Johnston, also by command of His Excellency, laid before the House—

Communication from Abraham Gesner, Esquire, Provincial Geologist, accompanied by a Catalogue of the objects of Natural History, contained in his Museum at Saint John, and recommending that the Mechanics' Institute at Saint John should be enabled to acquire the same.

LEGISLATIVE SUMMARY.

A Bill has been introduced by Mr. Palmer to limit the duration of the Assembly to *four* years.

A Bill has passed the Assembly for the payment of Grand and Petit Jurors in the County of Charlotte.

A Bill authorising the payment of Jurors in the County of Carleton, was considered in committee on Thursday, and passed by the House.

It has been made the Order of the Day for this day, for the House of Assembly to go into the consideration of a Bill, introduced by Mr. Palmer, limiting the duration of the Assembly.

Mr. Partelow yesterday introduced a Bill for regulating Debtors and Creditors; and as it is one materially altering the present law now in force, he moved for leave to have one hundred copies printed.

Mr. Wilmot yesterday made enquiry whether any despatch had been received relative to the College Charter. Having taken an active part with reference to this question, he was not disposed to let the matter slumber; and unless some member of the Executive government could afford information upon the subject, he should move an address. Hon. Mr. Johnston stated that a despatch had been received, and he presumed there would be no objection to laying it before the House.

The Bill for taxing the granted Wild Lands of the Province, was taken up on Wednesday and Thursday in committee, and passed by large majorities; although contested by the minority through its several details.

The Assembly have got through much business; and there has been as will have been perceived, several interesting debates. The Act for limiting the duration of the Assembly, to four years, is a very important measure; and although such a duration may be a popular one, yet it is not free from its disadvantages.—*Fredericton Sentinel.*

CITY AFFAIRS.—Last week, we announced that the Grand Jury had presented the City Police establishment, coupled with its administration, as a nuisance, and had also made very grave charges against two of the Aldermen. Since then, a Petition, on the subject from the Grand Jury and other citizens, intended for presentation to the different branches of the Legislature has been published in some the City papers. The following is the copy of a counter petition to the Provincial Legislature agreed to by the Common Council on Thursday, has been handed to us for publication.—*Cou.*

The Petition of the Mayor, Aldermen, and Commonalty of the City of Saint John, &c.

Humbly Sheweth—

That your petitioners have seen a Petition addressed to your honorable body, purporting to be from the Grand Jury of this city and County and others, setting forth the inefficiency of the Police of this City, the careless manner in which the laws are administered, and the small number of punishments which have followed. That your Petitioners feel it their duty to represent to your honorable body, that the statements in that petition are highly coloured and exaggerated, and that they are not founded upon such facts as would warrant the representations set forth in said petition; in proof of which your petitioners refer to the fact that in almost all cases where riots have taken place, or felonies or nightly outrages have been committed, by the vigilance of the present winter watch, and the attention of some one or other of the Aldermen of the City, the offending parties have been brought to justice, and your petitioners would call upon the individuals who have taken a part in said petition to name the cases to which they refer, which have escaped the notice of the City Police.

That said petition prays an Act may pass authorising the establishment of a Stipendiary Magistrate and an efficient Police force in this City.—Your Petitioners beg respectfully to represent that such authority, with full power to establish an efficient day and night Police, is now vested, by Royal Charter, in the Corporation of this City, and that as the Representatives of the Freemen of the City are best acquainted with the extent of the present burdens in the shape of taxes, and also to what extent those taxes may be increased for particular purposes, they therefore consider themselves quite competent to judge how far it may be expedient to increase the burdens of the city to such an extent as would support a stipendiary Magistrate, and an extensive Police force, and more particularly as the Aldermen on the eastern side of the harbour have, from long experience, qualified themselves to take proceedings in all cases within their jurisdiction as Police Magistrates, and have ever been found ready to attend to the arduous and unpleasant duties of investigating all charges that are duly made before them, for felonies, riots, or other violations of the law of the land.

That the Petition to which your petitioners refer prays that an act may pass authorising the establishment of a Stipendiary Magistrate and efficient Police force in this city, and your Petitioners beg respectfully but firmly to represent and insist that the establishment of such stipendiary Magistrate and Police force would be a direct and unnecessary infringement of the Royal Charter of this city, and of the rights and privileges thereby secured to the citizens; and that your Petitioners beg to protest most solemnly and strenuously against any such infringement of their chartered Rights or attack upon their privileges.

Your Petitioners are aware that a Police force, however small in number, should be conducted upon some established principle and be properly regulated, but they would again repeat that the allegations in the petition alluded to are not borne out by facts, neither can the Corporation of the City feel themselves authorised to sanction the imposition of a heavy burden upon the community, while the City authorities consider themselves well qualified, and are ready, to attend to those public duties, with but comparatively trifling expense to the public.

Your petitioners trust they will always be found ready to attend to any suggestion, by petition or otherwise made to them by the public generally, showing the necessity of an expensive Police force, and their disposition to bear the tax for the same.

Your Petitioners, therefore, humbly pray that, for the reasons set forth, no act may pass your honorable body authorising the establishment of a Stipendiary Magistrate and paid Police force in the City of Saint John.

The following Petition to the Legislature, for limiting the duration of the Assembly to *four years*, and for holding the Elections in the several Counties in the Province simultaneously *on the same day* and reducing the number of *polling days*, has been sent us from Fredericton, for promulgation. The topics are all of an important nature, and worthy of the best consideration of the Legislature—there certainly being room for great and various improvements in our Election Laws, which ere long will require a general revision. The petition has been lying several days at Beverley's bookstore, and we learn is numerously signed.

To His Excellency Major General Sir JOHN HARVEY, *K. C. B. and K. C. H., Lieutenant Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.*

To the Honourable the Legislative Council; and to the Honourable the House of Assembly, in General Assembly convened.

The Petition of Freeholders, Householders, and Inhabitants of Fredericton and neighbourhood, and of other Residents in New-Brunswick,

Most Respectfully Sheweth,—

That your Petitioners are humbly thankful to Almighty God for the blessings of peace and security which we enjoy under the gentle yet powerful sway of Her Most Gracious Majesty, the QUEEN, for the continuance of whose domestic happiness and for the public and enduring prosperity of whose beneficent reign, over every portion of her widely-extended dominions, we offer up our prayers to the Giver of all Good.

That after this solemn expression of loyalty, and grateful acknowledgment towards our common Sovereign, we beg to aver, with much sincerity on our part, our confidence and reliance on the ability, zeal, and honesty of purpose, with which the whole Legislature will in due order, receive and weigh and dispose of these our humble suggestions for improving and multiplying the benefits of our system of Election and Representation in New-Brunswick, whose loyalty and attachment for Great Britain and Ireland, may unquestionably be equalled, though it is believed that they can hardly be surpassed by any Colony in the Empire.

That in perfect accordance with this spirit of general gratulation, we tender, with great respect, our thanks to each of the three branches of our Provincial Parliament for having abrogated the former Election Law, by which every such contest was necessarily protracted to fifteen entire days of polling, a period of long delay, fraught with many mischiefs, because fruitful of many shameful disorders in public, as well, perhaps, as of negociations in private, which baneful enough at the moment in themselves, were but too apt, like unheeded weeds in the corn-fields of the farmer, to be productive of great and wide-spreading evils during a long series of after years, and although we admit that the substitution of *eight days* instead of fifteen, by an act passed on the 1st of March 1837, in the reign of her Majesty's predecessor, whose name is never to be forgotten in this Province, was a boon of great value, which act was finally ratified by the Queen in December following, and subsequently declared *here* on the the 20th of June 1838, we your Petitioners are not without hopes, *looking at the actual and anticipated improvements of the great roads* within and throughout the Province, that the Legislature may be enabled, in its wisdom, and we give it full credit for anxiously wishing, to diminish still further the above shorter period of eight days, before the next General Election, happen when it may.

We have above alluded to incidents only as they casually presented themselves during single elections in our counties, or our only city, or our towns and villages, of which the picture already given, though confessedly faint and feeble, is softened rather than exaggerated, but truth forces us to avow that things are much worse on all occasions of a general Election occurring, owing in part to the real difficulties of the case originating in and exaggerated by the election being conducted in adjoining counties, whether by usage or by law, *successively* rather than *simultaneously*, a practice which should be definitively forbidden and strenuously prevented by statute, but still more to the fact, such at least, is our humble surmise, that the Legislature has not perhaps as yet attempted very seriously to put forth its energies and overcome all difficulties by one vigorous effort of legislation, excluding all unnecessary polling stations and superfluous time, selecting in preference such places as are either on or near to the post-roads, and by also lately with drawing all discretionary powers, in such matters, from Sheriffs and other ministerial officers, candidates, and other persons, as cavalcades, hitherto so conspicuous, on such occasions, hastening and crowding from one polling place to another, and migrating from county to county, have neither contributed to freedom of choice, nor in any shape to the peaceful and quiet performance of a duty of the first class *in every well ordered society*, and no community can be entitled fully to this high praise, until such practices are laid aside, by individuals, if not from regard to propriety, from some respect for public opinion.

That your Petitioners in thus stating the above two leading points, namely, about further shortening the period of elections, and conducting all general elections simultaneously, venture to express their deliberate opinion that each of these points requires attention and amendment, and we conceive we are warranted by admissions of men of all political opinions relative to results of experience, now almost universally acknowledged to flow from certain enactments of the Imperial Parliament in the reign of William the Fourth, of blessed memory, as to the modes of electing Members to serve in the Commons' House of Parliament, and we confidently trust that this Province will experience similar benefits and to an equal extent, from the gradual and eventually the entire adoption of that system of voting for our own representatives, not repudiating occasional reciprocations with such of our sister colonies, near or remote, whose circumstances may be almost identical with our own situation, a line of conduct which we believe will prove conducive to our tranquillity and prosperity and to the indissoluble connection of this growing Province and of the whole of British North America with the United Kingdom of Great Britain and Ireland.

That we have hitherto confined ourselves to one single subject, namely the Election Laws of the Province, and although we have no doubt dwelt upon the subject, with a degree of wearisome prolixity, befitting neither the intelligence nor the zeal of the high authorities addressed, and now assembled in your Legislative capacity,—yet this has been done neither unadvisedly, nor from vanity nor presumption, but in the first place to express unequivocally our general satisfaction with our lot—in one old-fashioned word—*contentedness*, and next to impress more deeply on our own minds, and upon the hearts and understandings of our brother electors in the metropolitan County of York, and on New Brunswickers in general, the sacred duties which all of us owe to ourselves and to our children, as well as to our fellow subjects abroad and at home, *by Petitioning at once quietly, respectfully, and perseveringly*, for what we believe will contribute to our own wellbeing and tend to secure and increase good government in the Province; and the more strongly to impress these salutary truths upon ourselves, our friends, and our neighbours, we shall now close this Petition, already too long, with a declaration on a new topic, but one of vital importance at present. It is in short, That as we conceive that the present legal duration of the Provincial Parliament is greatly too long, and that a period of *Four Years* is more suitable to the circumstances of the Province, which of late has received a considerable accession of Immigrants, and will in all probability receive additional numbers year after year, under a judicious administration, aided by liberal courtesy on the part of the present settlers; we, your Petitioners, therefore trust to the patriotism of the whole Legislature for *continuing to give an early and a deliberate and an impartial consideration to the matters above alluded to;*

And, as in duty bound, your Petitioners will ever pray.

Communications.

To the Editor of the Observer.

GOVERNMENT EMIGRANT OFFICE,
Union Street, St. John, 8th Feb. 1841.

Sir,—Have the goodness, through your paper, to make known to Immigrants resident in the Province, and to others interested in Emigration from the United Kingdom, that an arrangement has been made, through the Commissioners for Colonial Lands and Emigration, that whenever a *sailing* vessel having Emigrants on board has been cleared at H. M. Custom Houses at home, a duplicate list will be forwarded by the Government Agents to this office by the Mail *Steam* Packets—whereby I shall be always in possession of the names of those on board, several weeks before the vessels can arrive, and thus be enabled and ready, at all times, to furnish information to inquirers, and to receive any instructions they may have to offer for the future guidance of their friends to join them in the Country. Farmers, families, builders, or contractors for public and private works, can also ascertain, upon inquiry, the amount of manual labour expected to arrive, and on arrival the parties wanted will be directed to their intended destination within the Province.

The Lists will be filed in this office,—so that in the event of partial or total losses, missing vessels or deaths at sea, parties interested either by kindred feeling or succession to property, may learn something of the Emigrant's fate.—In this cause of humanity I am sure the other City and Province Editors will join you in giving public circulation to this notice. I am, sir, your obdt. servt.

A. WEDDERBURN,
Government Emigrant Agent for N. Brunswick.

FOR THE OBSERVER.

MR. EDITOR,—Having had the honor of an invitation to a Ball given by the *Irish Royals*, commanded by Captain Drury, on Friday evening last, I availed myself of it, and I assure you I never spent a more pleasant or happy evening. Upon entering the Ball Room, I was dazzled with the brilliant appearance of every thing that could possibly tend to make the evening pass off pleasantly. The beauty and fashionable appearance of the Ladies I have never seen surpassed, if equalled, in St. John. The kind and hospitable reception and attentions of the Company of Irish Royals, to their guests, reflects the highest credit upon them. Nothing was wanting on their part, during the evening, to convince every one, that *true* Irish hospitality was the order of the night.—The Room was beautifully decorated with the arms of the Company, and at the head of it the colors of the 1st Battalion City Militia were placed, with the Portrait of the great WELLINGTON, an *Irishman*, on the right; and the *Patron Saint*, ST. PATRICK, on the left. Captain Drury may well be proud of commanding so fine a body of men, and should their services be required in the field, *there is no mistake*, they will acquit themselves with credit to their QUEEN and COUNTRY.

Yours, &c.

AN OLD COUNTRY-MAN.

St John, 8th February, 1841.

THE OBSERVER.

ST. JOHN, TUESDAY, FEBRUARY 9, 1841.

IMPORTANT NEWS.—The Packet ship *North America*, 23 days from Liverpool, arrived at New-York on the 30th ult bringing London papers to the 6th of January, two days later than received by the steam ship Columbia. The overland Indian mail arrived in London on the morning of the 6th, with dates from China to the 1st of October. The news is of the utmost importance, announcing that the difficulties between the British Government and China were about being settled without further prosecution of the war. The news caused great sensation in London, stocks advanced, and trade received a fresh impulse; but the tea dealers were taken by surprise, and an immediate reduction of 7d. per pound took place. The Chinese government, it appears, consents to pay £3,000,000 sterling for the opium destroyed and the expenses of the war, and is glad to settle the dispute on those terms. The accounts, though not official, were generally credited in London—The facts of the case, however, cannot be fully known until the arrival of official dispatches from Admiral Elliot.

The news from India also shows a continued success of the British arms. The war in Cabool and Affghanistan is terminated, and Khelat was taken possession of without resistance on the 4th November, by the British troops.

The Syrian war is ended, and Mehemet Ali effectually subdued.

From the London Shipping and Merc. Gazette.

LONDON, Wednesday evening, Jan. 6.—*China, India and Egypt.*—We are to-day enabled to place before our readers important intelligence from the East, which cannot fail to be productive of much gratification to every individual who can so far divest himself of party feelings as to rejoice over the signal successes of Great Britain abroad, under any administration.

The news from China and India we have received by the overland mail; the intelligence from the former having been conveyed to Calcutta by Her Majesty's ship Cruiser.

Our advices from Alexandria are to the 24th ult. and we are in possession of journals and advices from Malta to the 28th.

The intelligence from China is as gratifying as it is important, and is especially satisfactory, because it bears with it this great zest—it was unexpected; so little importance had been attached to the progress announced by the last overland mail to have been made by the expedition. It appears, however, that *the Chinese question is thoroughly settled*—that the occupation of Chusan, and the proceedings of Admiral Elliot, have brought the Emperor of China to his senses, and that he has offered to send plenipotentiaries to Canton or Ningpo, for the arrangement of all matters in difference with Great Britain.

Shortly after the capture of Chusan, Admiral Elliott, in proceeding to the Pecho river, was met by a mandarin of the third rank of the Chinese Empire; though some accounts say by the Emperor himself, while others affirm that Admiral Elliot had arrived at Pekin, and had an audience of the Emperor.

The Emperor has agreed to pay £3,000,000 for the expenses incurred by the British in making war; other authorities state £2,000,000 sterling, as indemnity for the opium seized, and £1,000,000 for the expenses of the war. The emperor, either himself or through his officers, has expressed pacific intentions to the Admiral, and he disavows the actions of his Commissioner Lin. This latter indeed has fallen into disgrace, and the emperor offers to surrender him into the hands of the British, to be dealt with as they may think proper.

Chusan is not to be given up until the treaty be signed.

It is stated (and certainly there is nothing miraculous in the fact that his Celestial Majesty should be so influenced) that the Emperor is greatly annoyed at our occupation of Chusan, and his Minister hinted "that the Admiral's visit had prevented the march of fierce soldiers, to retake the Island!"

We are sorry to add that dysentery prevailed among our troops at Chusan, and that the climate was very unhealthy.

The news from India is also of the utmost importance. The Cabool and Affghanistan war has been terminated. By our advices thence, we learn that Dost Mohammed, after sustaining another defeat, found it necessary to throw himself upon the mercy of the British; and, accompanied by a single follower, had placed himself under the protection of Sir W. M'Naghten. From Scinde, also, we learn that the happiest results had followed the steps taken. The Beloochee had sustained further defeats, with considerable loss on their part, and a comparatively trifling sacrifice on ours, and had been reduced to submission. They had recently plundered the country in every direction, but the greater portion of the pillage had fallen into our hands. Khelat was on the 4th of November occupied without resistance by the troops under the commmand of General Nott.

The re-taking of Khelat was gratifying to the inhabitants who rejoiced at being restored to British protection.

Sir W. M'Naughtan behaved to the Ameer as any English gentleman would have wished, making the Dost put on the sword he had presented.

The 2d cavalry suffered severely. Lieut. Moffat being the only officer in that regiment who escaped. Full details had not been received in Bombay at the time of the departure of the mail, but Dr. Lord Lieut. Broadfort, Engineers, and Lieut. Gripson, 2d Cavalry, have been killed; Captain Ponsonby, 2d cavalry, and Captain Fraser wounded, and other seven lost.

All fears of hostilities from the Seiks are also at an end; for we are informed that Kurruck Singh, king of Lahore, died on the 5th of November, and that during the funeral ceremony his successor, Neu-Nebal Singh, was killed by accident. Shere Singh has ascended the throne. With the two former, who were considered to be especially adverse to Great Britain, all dread of threatened hostility had vanished.

Two of Nu Nepal Sing's wives, beautiful creatures, it is stated, and two slave girls, ascended the funeral pyre, and were consumed with the body of the young King. One of his wives, however, was saved.

Our intelligence from Alexandria states, that the trip of the Great Liverpool, from Falmouth to that place, with the mails, had been in fourteen days and one hour, only twelve days and one hour of which time she was at sea.—The shortest passage on record.

The plague has appeared in Alexandria a month earlier than usual, and three deaths have been officially noticed. Ibraham Pasha was still with his army at Damascus, to which he had returned in very ill health, and beset by the mountaineers, hoping (it was believed) to avail himself of the Napier convention to return to Egypt peacably and by sea. Mehemet Ali had again written to Admiral Stopford on the 21st ult. and proposed to send another message to expedite the return of Ibrahim and his army. Sir Charles Smith had arrived in the Hydra at Alexandria, and having had an interview with the Pasha, placed the Hydra at his service, to convey his despatch to Marmorica on the 22d ult. Sir Charles left Alexandria in the Great Liverpool. Serious sickness had prevailed at Acre. The storm that had visited the coast of Syria had produced an alarming scarcity at Beyrout and in the mountains, where the new Turkish Governor had recklessly stopped the supplies of grain arriving, and the mountaineers were again nearly driven into collision with the authorities by desperation.

It has seldom fallen to our lot to publish such a mass of vitally important intelligence from so many quarters in which deeply valuable British interests have been at stake, as that which we have thus referred to.

The Chinese question is settled, the war in Cobool is terminated,—and MEHEMET ALI *is thoroughly and effectively subdued.*

The results cannot fail to be in the highest degree satisfactory. The power of British arms has been recognized, or vindicated—the expense of long protracted and distant wars has been saved, and an end has been put to that instability of affairs—the most dangerous to her commerce generally, however profitable in particular cases, which must have given to mere speculation a most unhealthy impetus. The effects of the Chinese intelligence have been already felt. The price of Tea at the time we write (three o'clock,) has fallen 7d. per pound, whilst that of East India Cotton has risen. The cause of the former change is obvious; the cause of the latter is, that large quantities of Cotton, which, had the war continued, would have been shipped for this country, will, when the usual trade shall have been again opened at Canton, be sent to that port; and we are aware that in August last one native merchant (Jemset Jee) had in his possession, waiting the turn of events, upwards of 10,