THE OBSERVER.

ST. JOHN, TUESDAY, APRIL 7, 1840.

The Halifax Mail, due on Saturday, did not arrive until this morning. The English March Mail also arrived at same time—London dates to the 5th of the month. We subjoin a few extracts.

LONDON, March 5.—The Queen has suffered a little from cold, during the past week, but is now recovered.

The Duke of Wellington has left town, attended by Mr. C. Arbuthnot, for Strathfieldsaye; his Grace is, we are happy to hear, improving daily, and will, we trust be able to resume his place in the House of Lords during the ensuing week.

The sales of cotton at Liverpool on Saturday, were 2500 bales, all to the trade, including 2300 American, at 5 3-8 a 7 1-2.

We cannot report favourably of the trade of the country. From the manufacturing districts the intelligence is discouraging. Incendiary fires have consumed much property in the North of England; but for the most part there seems to be a praiseworthy disposition to obey the laws and avoid outrages.—*Colonial Gazette.*

SIR ROBERT PEEL presses Ministers on the Boundary question. He will scarcely be able to force on a debate; for Lord JOHN RUSSELL alleges the generally-received official excuse for postponement, that negotiations are in progress towards a settlement of the dispute.—*Ib.*

A deputation on the subject of Emigration from the Highlands and Islands of Scotland to Upper Canada had a satisfactory interview with Lord John Russell at the Colonial office on the 26th instant. The deputation consisted of the duke of Argyll, Lord Macdonald, Sir Donald Campbell, Colonel Wyndham, Sir Duncan Macdougall, Colonel Macpherson, Colonel Brydone, Mr. W. F. Campbell, M. P., and Dr. Rolph of Upper Canada. Lord Seaton had afterwards an interview with Lord John Russell.

The *Glasgow Courier* says that the subscription in that city to the Wellington Testimonial has reached 5,000*l.*

The Earl of Stradbroke has purchased the extensive estates of Viscount Middleton, in the county of Waterford, for 98,000*l.*

The Reverend Dr. Lee has been elected Principal of the University of Edinburgh.

The new Steamer President, which is to ply between Liverpool and New York, is rigged as a three-masted schooner. Her stern is ornamented with heraldic designs, which present a combination of the Arms of England and the United States. Her figure-head will be a bust of Washington. It is calculated that she will carry one hundred tons of goods, besides her complement of coal, luggage, &c.

A small steamer called the Argyle, left Liverpool on the 1st for New Orleans. The Liverpool Albion says she is intended to ply as a mail boat between New Orleans and Vera Cruz.

FRANCE.—The Paris papers of Friday and Saturday, and letters from a correspondent of the latter date, have reached us. A letter dated between four and five o'clock on Saturday, announces that the King had accepted M. Thiers as President of the Council and Minister of Foreign Affairs, and had also approved of the Cabinet he had proposed.

MADRID, Feb. 25.—The state of the siege is declared. The capital at this moment presents the most warlike aspect. The troops have passed the night under arms; a picquet of cavalry is in front of the palace, and a battalion of the Reyna Gobernadora is posted in the theatre opposite the palace. The troops are well disposed, and will not flinch from executing the orders of the public authorities.

THE BOUNDARY QUESTION.—We are indebted to the proprietor of the News Room, and to James Whitney, Esq., for the loan of New York and Boston papers containing the following highly important correspondence between Mr. Fox and Mr. Forsyth on the subject of the North Eastern Boundary; and remarks of several of the members of United States Senate. The Boston Daily Advertiser wisely remarks—"If our Government is determined to follow the lead of the State of Maine on this subject, there is no question that the controversy will lead to a war between the two countries, and that in a very short period."

NEW-YORK, March 28.

Important!—Maine Boundary Question.

A message from the President of the United States was received in the Senate, transmitting documents and correspondence in relation to the occupation of a part of the State of Maine by British troops. The tone of the correspondence is serious. The matter has assumed a new aspect, and it would seem that, if we would escape national disgrace, we must do something besides talking in this business. I did not hear the correspondence read, if it was read, but I understand it is now openly avowed by the British authorities, that they have taken possession of what they call the "disputed territory," and intend to maintain it; and they demand that the *posse*, which has always been kept there by the State of Maine, shall be withdrawn. In the event of neglect to withdraw it, they distinctly *threaten* us with the "consequences." The amount of this is, that if we do not abandon the territory to them, they will drive us out of it. Mr. Forsyth demands the withdrawal of the British troops, and the adjustment of the question of right to the territory.

The matter seemed to produce no excitement in the Senate, because the character of the correspondence has been known for some days.

Mr. Williams, of Maine, said he was glad the question was thus brought to an issue.

Mr. Davis, of Mass., said, it was now evident that we could temporize no longer. We must assert our rights, or abandon them. We should no longer admit that any part of our territory was in "*dispute*," He regretted that we had ever allowed the use of the phrase "*disputed territory*." There was no dispute about it; there was an *intrusion* upon it by the British authorities.

Mr. Webster expressed his regret that the two countries were likely to come into collision, not on the main question, but on intermediate and collateral matters. It was unfortunate that however pacific might be the disposition of England or of this Government, the question was one that was likely to fester and become a matter of collision between the inhabitants of the two sides of the line. He had therefore, endeavoured, formerly to impress our Government with the necessity of settling the question. There was no reason to doubt the sincerity of the often repeated professions on the part of the British Government of a desire to settle the question amicably and justly. But as long as the question was open it would be irritating to the inhabitants on both sides of the line, and would become more and more dangerous every day.

This correspondence, earnest as was the tone that it assumed, turned not upon the main question, but on the manner on which the agreement respecting the occupation of the territory *ad interim* had been fulfilled. These questions would be multiplied, and become more and more exasperated and exasperating, the longer they were left open. It was important to both countries to settle the ulterior question. It was necessary that the adjustment of the question should be urged, as far as the power of the national intercourse would permit.

Mr. Williams, of Maine, said, for twenty-five years we have heard of the pacific disposition of the British government on this subject; and she would be of the same disposition 25 years longer, if we would permit the question to remain as it is. But the period has arrived when she can no longer occupy the territory peaceably. What does she now do? Why she persists in that occupancy. Would an American citizen consent to this? He concurred with Mr. Davis that it was an error to allow that any part of our territory was in *dispute*. There was no dispute on the subject till 1814. Great Britain made the dispute. The moment we attempted to bring it to a close, she *threatened* us with "*consequences*." He was anxious to put the question in such a shape that the right to the territory would be *settled*. The time, he repeated, had arrived when Great Britain could not delay the settlement of the question, and finding that, she *took possession* of the territory and threatened us with consequences. He was glad that it was so. He rejoiced that the matter was now in such a state that it must be settled.

Mr. Webster concurred with his colleague, and the gentleman from Maine, that there was no dispute as to the territory—and that we ought not to admit that there was any dispute. He was unwilling that the issue should be changed. He did not wish to divert it to a question of temporary possession; and when this Government acted, he hoped they would act on the original question.

The Message was referred to the Committee on Foreign Affairs, and ten thousand extra copies ordered to be printed.—*Journal of Commerce.*

Mr. Fox to Mr. Forsyth.

WASHINGTON, March 13, 1840.

The undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has been instructed by his Government to make the following communication to the Secretary of State of the United States, in reference to the boundary negotiation, and the affairs of the disputed territory.

Her Majesty's Government have had under their consideration the official note addressed to the undersigned by the Secretary of State of the United States, on the 24th of last December, in reply to a note from the undersigned of the 24 November preceding, in which the undersigned protested, in the name of his Government, against the extensive system of aggression pursued by the people of the State of Maine within the disputed territory, to the prejudice of the rights of Great Britain, and in manifest violation of the provisional agreements entered into between the authorities of the two countries at the beginning of the last year.

Her Majesty's Government have also had their attention directed to the public message transmitted by the Governor of Maine to the Legislature of the State, on the 31 of January of the present year.

Upon a consideration of the statements contained in these two official documents, Her Majesty's Government regret to find that the principal acts of encroachment which were denounced and complained of on the part of Great Britain, so far from being either disproved, or discontinued, or satisfactorily explained by the authorities of the State of Maine, are, on the contrary, persisted in, and publicly avowed.

Her Majesty's Government have consequently instructed the undersigned once more formally to protest against those acts of encroachment and aggression.

Her Majesty's Government claim and expect from the good faith of the Government of the United States, that the people of Maine shall replace themselves in the situation in which they stood before the agreements of last year were signed—that they shall therefore retire from the valley of the St. John, and confine themselves to the valley of the Aroostook; that they shall occupy that valley in a temporary manner only for the purpose, as agreed upon, of preventing depredations; and that they shall not construct fortifications, nor make roads or permanent settlements.

Until this be done by the people of the State of Maine, and so long as that people shall persist in the present system of aggression, Her Majesty's Government will feel it their duty to make such military arrangements as may be required for the protection of Her Majesty's rights. And Her Majesty's Government deem it right to declare that if the result of the unjustifiable proceedings of the State of Maine should be collision between Her Majesty's troops and the people of that State, the responsibility of all the consequences that may ensue therefrom, be they what they may, will rest with the people and Government of the United States.

The undersigned has been instructed to add to this communication, that Her Majesty's Government are only waiting for the detailed report of the British Commissioners recently employed to survey the disputed territory, which report it was believed, would be completed and delivered to her Majesty's Government by the end of the present month, in order to transmit to the Government of the United States a reply to their last proposal upon the subject of the boundary negotiation.

The undersigned avails himself of this occasion to renew to the Secretary of State of the United States the assurance of his distinguished consideration.

Hon. John Forsyth, &c. H. S. FOX.

Mr. Forsyth to Mr. Fox.

DEPARTMENT OF STATE,
Washington, March 25, 1840.

The undersigned, Secretary of State of the United States, acknowledges to have received Mr. Fox's communication of the 13th instant, in reference to the boundary negotiation and the affairs of the disputed territory. The information given in the closing part of it, that a reply to the last proposition of the United States upon the subject of the boundary may be expected in a short time, is highly gratifying to the President, who has, however, given directions to the undersigned in making this acknowledgment, to accompany it with the expression of his profound regret that Mr. Fox's note is in no other respect satisfactory.

After the arrangements which, in the beginning of last year, were entered into on the part of the two Governments with regard to the occupation of the disputed territory, the President had indulged the hope that the causes of irritation which had grown out of this branch of the subject could have been removed.

[Here follows a recapitulation of the transactions and arrangements of last year, which we omit.]

As to the possession and jurisdiction, they were to remain unchanged, each party holding, in fact, possession of the disputed territory, but each denying the right of the other to do so. With that understanding, Maine was, without unnecessary delay, to withdraw her military force, leaving only, under a land agent, a small civil posse, armed or unarmed, to protect the timber recently cut, and to prevent further depredations.

In the complaints of infractions of the agreements of the State of Maine, addressed to the undersigned, Mr. Fox has assumed two positions, which are not authorized by the terms of those agreements: 1st, admitting the right of Maine to maintain a civil posse in the disputed territory for the purposes stated in the agreement, he does so with the restriction that the action of the posse was to be confined within certain limits; and 2d, by making the advance of the Maine posse into the valley of the Upper St. John, the ground of his complaint of encroachment upon the Madawaska settlement beyond those it occupied at the date of the agreement.

The United States cannot acquiesce in either of these positions.

In the first place, nothing is found in the agreement subscribed to by Governor Fairfield and Sir John Harvey, defining any limits in the disputed territory within which the operations of the civil posse of Maine were to be circumscribed. The task of preserving the timber recently cut, and of preventing further depredations *within the disputed territory*, was assigned to the State of Maine after her military force should have been withdrawn from it; and it was to be accomplished by a civil posse, armed or unarmed, which was to continue in the territory, and to operate in every part of it where its agency might be required to protect the timber already cut, and prevent further depredations, without any limitation whatever, or any restrictions, except such as might be construed into an attempt to disturb by arms the Province of New Brunswick in her possession of the Madawaska settlement, or interrupt the usual communication between the Provinces. It is thus in the exercise of a legitimate right, and the conscientious discharge of an obligation imposed upon her by a solemn compact, that the State of Maine has done those acts which have given rise to complaints for which no adequate cause is perceived. The undersigned feels confident that when those acts shall have been considered by her Majesty's Government at home, as explained in his note to Mr. Fox, of the 24th of December last, and in connection with the foregoing remarks, they will no longer be viewed as calculated to excite the apprehensions of Her Majesty's Government that the faith of existing arrangements is to be broken on the part of the United States.

With regard to the second position assumed by Mr. Fox, that the advance of the Maine posse along the valley of the Restook to the mouth of Fish river, and into the valley of the Upper St. John, is at variance with the terms and spirit of the agreements—the undersigned must observe that if at variance with any of their provisions, it could only be with those which secure her Majesty's Province of New Brunswick against any attempt to disturb the possession of the Madawaska settlement, and to interrupt the usual communications between New Brunswick and the Upper Provinces. The agreement could only have reference to the Madawaska settlements as confined within their actual limits at the time it was subscribed. The undersigned, in his note of the 24th of December last, stated the reasons why the mouth of Fish river and the portion of the valley of the St. John through which it passes, could in no proper sense be considered as embraced in the Madawaska settlements. Were the United States to admit the pretensions set up on the part of Great Britain, to give to the Madawaska settlements a degree of constructive extension that might, at this time, suit the purposes of her Majesty's colonial authorities, those settlements might soon be made, with like justice, to embrace any portions of the disputed territory, and the right given to the Province of New Brunswick to occupy them temporarily and for a special purpose might, by inference quite as plausible, give the jurisdiction exercised by her Majesty's authorities an extent which would render the present state of the question, so long as it could be maintained, equivalent to a decision on the merits of the whole controversy in favour of Great Britain. If the small settlement at Madawaska on the north side of the St. John means the whole valley of that river—if a boom across the Fish river, and a station of a small posse on the south side of the St. John at the mouth of Fish river is a disturbance of that settlement, which is twenty-five miles below, within the meaning of the agreement, it is difficult to conceive that there are any limitations to the pretensions of her Majesty's Government under it, or how the State of Maine could exercise the preventive power with regard to trespassers, which was, on her part, the great object of the temporary arrangement. The movements of British troops, lately witnessed in the disputed territory, and the erection of military works for their protection and accommodation, of which authentic information, recently received at the Department of State, has been communicated to Mr. Fox, impart a still graver aspect to the matter immediately under consideration. The fact of those military operations established beyond a doubt, left unexplained or unsatisfactorily accounted for, by Mr. Fox's note of the 7th instant, continues an abiding cause of complaint on the part of the United States against her Majesty's colonial agents, as inconsistent with arrangements whose main object was to divest a question, already sufficently perplexed and complicated, from such embarrassments as those with which the proceedings of the British authorities cannot fail to surround it.

If, as Mr. Fox must admit, the objects of the late agreements were the removal of all military force and the preservation of the property from further spoliations, leaving the possession and jurisdiction as they stood before the State of Maine found itself compelled to act against the trespassers, the President cannot but consider that the American local authorities strongly and most favorably contrasts with that of the colonial authorities of her Majesty's Government. While the one promptly withdrawing its military force, has confined itself to the use of the small posse, armed as agreed upon, and has done no act not necessary to the accomplishment of the coventional objects, every measure taken or indicated by the other party, is essentially military in its character and can be justified only by a well formed apprehension that hostilities must ensue.

With such feelings and convictions, the President could not see, without painful surprise, the attempt of Mr. Fox, under instructions from his Government, to give the existing state of things a character not warranted by the friendly disposition of the United States or the conduct and authorities of the people of Maine—much more is he surprised to find it alledged as a ground for strengthening a military force and preparing for a hostile collision with the unarmed inhabitants of a friendly state, pursuing within their own borders, in their peaceful occupations, or exerting themselves in compliance with their agreements to protect the property in dispute from unauthorized spoliation.

The President wishes that he could dispel the fear that these dark forebodings can be realized. Unless her Majesty's Government shall forthwith arrest all military interference in the question—unless it shall apply to the subject more determined efforts than have hitherto been made to bring the dispute to a certain, a pacific adjustment, the misfortunes predicted by Mr. Fox in the name of his Government, may most unfortunately happen. But no apprehension of the consequences alluded to by Mr. Fox can be permited to divert the Government and people of the United States from the performance of their duty to the State of Maine. That duty is as simple as it is imperative. The construction which is given by her to the treaty of 1783 has been, again and again, and in the most solemn manner, asserted also by the federal Government and must be maintained, unless Maine freely consents to a new boundary, or unless that constuction of the treaty is found to be erroneous by the decision of a disinterested and independent tribunal selected by the parties for its final adjustment. The President on assuming the duties of his station, avowed his determination, all other means of negotiation failing, to submit a proposition to the Government of Great Britain to refer the decision of the question once more to a third party.

In all subsequent steps which have been taken upon the subject by his direction he has been actuated by the same spirit. Neither his disposition in the matter, nor his opinion as to the propriety of that course, has undergone any change. Should the fulfilment of his wishes be defeated, either by an unwillingness on the part of her Majesty's Government to meet the offer of the United States in the spirit in which it is made, or from adverse circumstances of any description, the President will in any event, derive great satisfaction from the consciousness that no effort on his part has been spared to bring the question to an amicable conclusion, and that there has been nothing in the conduct either of the Governments and people of the United States, or of the State of Maine, to justify the employment of her Majesty's forces as indicated by Mr. Fox's letter. The President cannot, under such circumstances, apprehend that the responsibility for any consequences which may unhappily ensue, will, by the just judgment of an impartial world, be imputed to the United States.

The undersigned avails himself, &c. &c. &c.
JOHN FORSYTH.

To the Hon. H. S. Fox, &c.

Mr. Fox to Mr. Forsyth.

WASHINGTON, March 26, 1840.

The undersigned, her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has had the honor to receive the official note of yesterday's date, addressed to him by Mr. Forsyth, Secretary of State of the United States, in reply to a note dated 13th inst. wherein the undersigned, in conformity with instructions received from his Government, had anew formally protested against the acts of encroachment and aggression which are still persisted in by armed bands in the employment of the State of Maine within certain portions of the disputed territory.

It will be the duty of the undersigned immediately to transmit Mr. Forsyth's note to her Majesty's Government in England; and until the statements and propositions which it contains shall have received the due consideration of her Majesty's Government, the undersigned will not deem it right to add any further reply thereto, excepting to refer to, and to repeat, as he now formally and distinctly does, the several declarations which it has from time to time been his duty to make to the Government of the United States with reference to the existing posture of affairs in the disputed territory, and to record his opinion, that an inflexible adherence to the resolutions that have been announced by her Majesty's Government, for the defence of her Majesty's rights, pending the negotiation of the boundary question, offers to her Majesty's Government the only means of protecting those rights from being in a continually aggravated manner encroached upon and violated.

The undersigned avails himself of this occasion to renew to the Secretary of State of the United States, the assurance of his distinguished consideration. H. S. FOX.

The Hon. JOHN FORSYTH, &c. &c.

The Legislature of the State of Maine, before adjourning, passed sundry resolutions breathing "war and defiance." The following is the most warlike,

Resolved, That unless the British Government, during the present session of Congress, make or accept a distinct and satisfactory proposition for the immediate adjustment of the Boundary Question, it will be the duty of the General Government to take military possession of the disputed territory; and in the name of a Sovereign State call upon the National Government to fulfil its constitutional obligations to establish the line which it has solemnly declared to be the true boundary; and to protect this State in extending her jurisdiction to the utmost limits of our territory.

CONCERT.—On Wednesday evening last, the Sacred Music Society gave a Concert at the Madras School Room, in aid of the Funds of the Episcopal Sunday School. A numerous and respectable audience assembled on the occasion, who were much delighted with the performances of the evening.—The collection amounted to £17 10s.

We have much pleasure in being enabled to state that a joint Committee from the Provincial Temperance, and the Saint John Auxiliary to the New British and Foreign Temperance Societies, are engaged in making arrangements for a *Soiree* in celebration of the Marriage of our Gracious Queen, to take place after Easter.

SAINT GEORGE'S SOCIETY.—A meeting of this Institution took place last evening, at the St. John Hotel, when the following gentlemen were elected office bearers for the ensuing year:—

B. L. PETERS, Esq., President,
JAMES T. HANFORD, Esq., Vice-President,
I. L. BEDELL, Esq., Treasurer,
A. R. TRURO, Esq., Secretary.

Standing Committee.—Henry Chubb, A. R. Truro, and John Sandall, Esqrs.

LEGISLATIVE SUMMARY.—CLOSE OF THE SESSION.

The Assembly have passed the bill authorising the granting of 300,000 acres of Land to the Colonial Association, under certain conditions of settlement, to be laid out in blocks of 30,000 acres, they paying three shillings per acre for the same.

A bill, we understand, has been passed, imposing a duty of 5s. 10d. currency, per barrel, on all Foreign Flour imported from Nova-Scotia. This was considered necessary to counteract a drawback proposed in the Legislature of that Province, and power is given to our Lieutenant Governor to suspend the operation of the Law, in case the measure contemplated in Nova-Scotia should not be adopted.

On the 27th inst. the House being in Committee of the whole on the Report from the Commissioners, appointed under an Act of Assembly in 1837, to examine into the Accounts connected with the Crown Land Department, passed the following Resolution:—

"*Resolved*, as the opinion of this committee, That the Report of the Commissioners appointed by Law to investigate the Accounts of the late Commissioner of Crown Lands, shews a clear balance due from him to the Crown of the sum of £3202 19s. 6d., which he ought to be called upon forthwith to pay over to the Receiver General."

The following Resolutions relative to Road expenditures were passed by the House on Saturday last:—

Resolved, that the House should not hereafter entertain any accounts of Supervisors or Commissioners claiming a reimbursement for over-expenditures on Roads for which they may be respectively appointed, except under very special circumstances; such as the necessity of replacing Bridges, and then only when authorised by the Executive Government during the recess.

Resolved, that the regulations adopted in 1839 by the Executive Government, requiring Supervisors and Commissioners in no case to draw monies from the Treasury until the same were first due for contracts, should afford the greatest satisfaction to the House, and that after the present year no re-appointment should take place, if it appear on rendering their accounts, that monies remain in their hands unexpended.

On motion of Mr. L. A. Wilmot, The House went into Committee of the whole, on the Report from the select committee, relative to the purchase made by the New Brunswick and Nova Scotia Land Company, when the following resolutions were passed.

"*Resolved*, As the opinion of this Committee, That it appearing that the Survey, and details connected therewith, of the New Brunswick and Nova Scotia Land Company's purchase, have been adjusted, the Balance now due from the said Company on account of the said purchase, be required to be paid by three annual instalments, with interest thereon from the several dates when the original instalments became due; and that the Company be required to give security to the Crown, by Bond, for the payment of the said instalments, the first to be paid on the 30th day of September next, and the remaining instalments on the 30th day of September in the years 1841 and 1842; and that in the event of the Company not complying with those terms, immediate proceedings be taken by the Crown Officers for the recovery to the amount due."

On motion of Mr. L. A. Wilmot, *Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, communicating to His Excellency a Copy of the Report of the Select Committee on the New Brunswick and Nova Scotia Land Company purchase, together with a copy of the Resolution of the Committee of whole House, founded thereon and reported this day, and praying that His Excellency will be pleased to carry into effect the said Resolution.—*Ordered*, That Mr. L. A. Wilmot, Mr. M'Leod, and Mr. Woodward be a Committee to wait upon His Excellency with the Address.

Fredericton, 31st March, 1840.

This day, precisely at 4 o'clock, his Excellency the Lieutenant Governor came, in the usual State, to the Council Chamber, and being seated in the Chair on the Throne, commanded the attendance of the House of Assembly, and having given his assent to the Appropriation Bills, and a number of other important enactments, his Excellency was pleased to close the Session with the following Speech:—

Mr. President and Honorable Gentlemen of the Legislative Council,
Mr. Speaker and Gentlemen of the House of Assembly—

I offer you my hearty congratulations upon the proceedings of the Session, which have been marked not only by a close attention to the business of the country, but by, if possible, an increased disposition on the part of each Branch of the Legislature to carry on the duties of Legislation in a spirit of perfect good understanding with each other. Possessing a Legislature animated by such dispositions and composed of men practically and thoroughly versed in what its true interests consists,—enjoying the blessings of the British Constitution and the powerful protection of the Parent State, New-Brunswick cannot fail, under the protecting care of Divine Providence, to be carried rapidly forward in that course of prosperity which she is evidently destined to pursue.

The joyful event of the Marriage of our gracious and beloved Queen has afforded you an opportunity, of which you would not separate without availing yourselves, to renew to her Majesty the assurance of those feelings of loyalty and devotion towards her Majesty's Person, which will ever lead you warmly and affectionately to sympathize in any and every event which promises to promote her happiness:—It will be my pleasing duty to transmit Your Address to be laid at Her Majesty's feet.

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

In the name of the Queen I thank you for the liberality which has characterized your grants and appropriations for the Public Service, and it will be my earnest endeavour in carrying them into effect, to make them, to the utmost extent, available for the beneficial purposes for which they were intended.

Mr. President and Honourable Gentlemen of the Legislative Council.
Mr. Speaker and Gentlemen of the House of Assembly.

The prospect of any further disturbance with the neighbouring States appears to have greatly diminished, if not wholly vanished, in consequence of the prudent course adopted by our more immediate neighbours of Maine, in having placed the conduct of the Boundary Dispute wholly in the hands of the General Government of the United States—thereby affording to both countries the most satisfactory guarantee that the peace and friendship, now happily subsisting between two of the greatest and most enlightened Nations of the World, and in the maintenance of which their best interests are acknowledged mutually to consist, will not be suffered to be disturbed or interrupted on light or insufficient grounds.

In now taking my leave of you, therefore, I do so in the confident hope that nothing may occur, during the Recess, calculated to impair the prosperous and satisfactory state of Public Affairs under which we separate.

An ACT to provide for a regular supply of SEAMEN *for New Ships fitted out or loaded in this Province.*

WHEREAS the great scarcity of Seamen in this Province, and the number of new ships built, fitted out and loaded therein, renders it expedient that provision should be made to compel a portion of the crews of such vessels to be brought from the United Kingdom.

I. *Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly*, That from and after the first day of September next it shall be the duty of every owner resident in this Province or the agent of owner not resident therein of any new ship or vessel built within the same, or of any ship or vessel built without but brought into this Province for the purpose of loading or fitting for sea, to provide a certain number of the crew necessary for such ship or vessel by procuring them from the United Kingdom of Great Britain and Ireland, in the following proportions, that is to say: For every vessel of the burthen of three hundred tons register, four men, and for every one hundred tons more the said vessel may register, one man: said men to be able bodied seamen and shall be in addition to and over and above the crew of such vessel or vessels in which the said seamen shall be brought, provided always that if such owner or agent shall deem it expedient to procure as aforesaid a master, mate, second mate, or carpenter for any such ship or vessel, such master, mate, second mate, and carpenter, or either of them, shall be deemed and taken as an addition to the number of men required to be procured by the preceding part of this section.

II. *And be it further enacted*, That the owner or owners resident in this Province, or the agent of the owner or owners not resident therein, of any new ship or vessel built within the same, or of any ship or vessel built in any of the sister Provinces, but brought into this Province for the purpose of loading or fitting for sea, or some or one of them, shall make a report in writing, previous to the clearing at the Custom House of such vessel for sea, upon oath before the Treasurer of the Province or the Deputy Treasurer of the district where such vessel shall be fitted up, loaded or cleared out for sea, specifying the name of such new vessel, the place where such new vessel was built, and the tonnage thereof, and the number and names of the seamen brought into the Province for the purpose of forming the crew or a part of the crew of said vessel, and that they were actually procured as aforesaid for such vessel, over and above the customary crew of the vessel in which such additional seamen have been brought, and upon making such report the said Treasurer or Deputy Treasurer shall grant to the party or parties making such report a certificate of such Report having been made, which certificate when so granted, shall be filed by the party or parties or by his or their agent to whom the same shall be so granted at the Custom House from which such vessel shall be cleared for sea prior to the said ship being cleared, and the Collector or Sub-Collector or officer of the Customs of the port or place at which such certificate shall be filed or ordered to be filed, is hereby required to receive and file the same under the penalty of one hundred pounds for each and every refusal to file such certificate.

III. *And be it further enacted*, That if any owner resident within this Province, or the agent of any owner, not resident therein, of any new ship or vessel built within the Province, or of any ship or vessel built in any of the sister Provinces but brought into this Province for the purpose of fitting the said vessel for sea or loading, shall neglect to comply with the provisions of this act by not procuring the number of seamen or not making or causing to be made the necessary Report as aforesaid, and by the provisions of this act required, the said owner or owners or the agent of such owner or owners as aforesaid shall forfeit and pay the sum of Ten Pounds for each and every seaman he shall fail in bringing from the United Kingdom for the purpose of forming any part of the crew of such vessel, and the like penalty for each and every neglect or failure to file the certificates.

IV. *And be it enacted*, That the several penalties and forfeitures hereinbefore mentioned may be prosecuted, sued for and recovered in the Supreme Court or in any of the Inferior Courts of Common Pleas in this Province, by action of debt, bill, plaint, or information by any one who shall prosecute for the same, and when recovered shall be paid one moiety to the person so suing and prosecuting, and the other moiety into the Treasury of the Province for the use and support of sick and disabled seamen within the Province: Provided always, that in case any owner or agent as aforesaid shall make it appear at the trial of any action for any such penalty, that the number of seamen required under the provisions of this act have been actually engaged and shipped on board of some one or more vessel or vessels from the United Kingdom, but who by reason of death, capture, shipwreck or other unavoidable casualties shall not have arrived within this Province, then and in such case the said owner or agent shall not be liable to such penalty.

V. *And be it further enacted*, That no head money on any seaman shall be required by the Treasurer of the Province or any Deputy Treasurer from the master or commander of any vessel in which seamen may be brought into this Province, agreeably to the provisions of this act, any act to the contrary thereof notwithstanding.

VI. *And be it further enacted*, That every person who shall be convicted of making a false report and taking a false oath to any of the matters hereinbefore required, shall be deemed guilty of perjury, and subject to all the pains and penalties inflicted upon persons guilty of the same.

VII. *And be it further enacted*, That the several seamen so procured under the provisions of this act, and also any person or persons harbouring or concealing any such seamen without a certificate of discharge for the person so bringing him or them into this Province, as well as the owner or agent as aforesaid, shall be subject to all the provisions, forfeitures and penalties of all the laws which may be in force for the regulation of seamen in this Province, notwithstanding the said ship or vessel for which such seaman or seamen may be imported shall not be actually ready to proceed upon any voyage.

VIII. *And be it further enacted*, That this act shall continue in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and forty-five.

HOUSE OF ASSEMBLY,
March 31, 1840.

I certify the above to be a true copy of the Act, which this day received His Excellency's assent.

GEORGE LEE, JR., *Clk. Asst.*

From the Fredericton Sentinel, March 28.

HER MAJESTY'S NUPTIALS.

The entertainment at Government House in honour of Her Majesty's Marriage, took place on Thursday evening, when the whole of the noble suite of rooms on the ground floor, including both wings, were brilliantly lighted and thrown open.

The company began to arrive soon after 9 o'clock, and before 10 nearly 300 guests had assembled, including the Chief Justice, the Speaker, the Members of the Executive and Legislative Council, the House of Assembly, Judges, Law Officers of the Crown, Heads and Officers of the Civil and Military Departments of the Province, Lieut. Colonel Maxwell, and the Officers of the 36th Regiment, and of the Garrison of Fredericton, Captain Battersby, R. E., Capt. Stow, R. A., Lord Glamis and several Officers of the 69th Regiment from the Garrison of St. John, and several gentlemen from that place, with the ladies of their respective families; when dancing commenced in the great drawing room, the Band of the 36th Regiment under the direction of Mr. Seaume being stationed in the conservatory, which had been tastefully arranged and fitted up as an orchestra for the occasion.

The LIEUT. GOVERNOR and Lady HARVEY received their company in the great central drawing room; refreshments were laid in the billiard room, and card tables in that in the opposite wing; these two rooms being connected by the spacious passage 120 feet long, lighted, and furnished with chairs, sofas, &c. which formed a delightful promenade for the company.

The supper tables were laid in the great dining room, of which the doors were thrown open soon after 12 o'clock; when all were struck with the elegance and profusion which the tables presented.

After some time passed in doing justice to the repast, His Excellency in his usual distinct and energetic manner, proposed the toasts in the following words:

FIRST TOAST.

Ladies and Gentlemen:—We are met for the purpose of celebrating the joyful event of the union of our beloved Sovereign with the man of her choice. Upon that occasion all England, all Britain have said to their young Queen, with characteristic loyalty and chivalrous devotion, "whatever tends to promote your Majesty's happiness, must ever be a source of heartfelt satisfaction to your faithful subjects. In a word, whatever is dear to your Majesty, becomes so to us." And well do I know, that this sentiment will be warmly responded to by the loyal hearts, not only of those by whom I am now surrounded, but of all Her Majesty's faithful subjects in this Province.

I have upon a former occasion, fancifully it may be said, but justly as I think, designated our young and lovely Sovereign, as a beautiful impersonation of the "*monarchical principle*," that principle which is so dearly cherished and venerated by every Briton; and not the lessardently it may be presumed, for being presented to his imagination in a form so attractive.—Who then, who has the happiness of living under monarchical institutions, shall dare to say that the age of chivalry has ceased, or ever can cease, so long as these institutions remain unchanged, so long as human Nature remains what it is,—and I will add, so long as radiant eyes shed their soft but irresistible influence over brave and loyal hearts. No such recreant is to be found in New-Brunswick.

Let us then with our glasses full of wine, and our hearts with love and loyalty towards *all those to whom they are due*, and prominent stands our lovely Queen, drink a wish in which I am sure the ladies will warmly join,

"Health, long life and all earthly happiness to Her Majesty Queen VICTORIA, and His Royal Highness Prince ALBERT of Saxe Gotha."

SECOND TOAST.

"Prosperity to New-Brunswick." May she ever continue to be distinguished for devoted loyalty to the throne, firm attachment to the Parent State and its glorious institutions, Legislative wisdom and harmony, peace, good order, social happiness and public prosperity.

THIRD TOAST.

In Lady Harvey's name and my own, I drink the health of all who have favoured us with their company this evening, especially the Ladies'; and particularly the "*fair spinsters*," all of whom I regard as "Bride's Maids" upon *this occasion*; and to all of whom I recommend to make no *needless* delay, in following the example of their Royal Mistress.

"Health to our guests,—especially the Ladies."

Never have we witnessed a burst of more enthusiastic feeling than followed each of these short and animated addresses.—Indeed His Excellency was frequently interrupted in delivering them by the cheers of his delighted auditors.

After His Excellency and Lady Harvey had retired from the supper room, their healths were proposed and received in a manner to evince the warmth of feeling, justly entertained towards the inmates of Government House. It is needless to add, that dancing was renewed with it possible an increased degree of zest, and the company separated about 3 o'clock, with expressions of the highest gratification with the enjoyment of the evening.

In addition to the festivities at Government House, Thursday was considered as a holiday at the Banks; at noon a royal salute was fired, and the New-Brunswick Artillery were afterwards exercised in target firing, on a Lake near the Nashwaak road, about three miles from the town.

The *fete* in celebration of the marriage of Queen Victoria was held at Niblo's Garden, New York, on Thursday the 26th ult., by the British population in that city, with great eclat. The feast consisted in part of an ox roasted whole, and a cake which weighed 1030 lbs.

MECHANICS' INSTITUTE.—The Lectures for the season were closed last Monday evening by Dr. Gesner, who delivered an admirable and eloquent address on Steam and the Steam Engine, elucidated by the operating of a very beautiful working model of a locomotive. The nature of Steam and its application to produce mechanical power were explained in the most easy and instructive manner, and the peculiar practical and interesting explanations of the Doctor, were, if possible, more entertaining than usual. It was stated by the talented Lecturer that New-Brunswick contained the wood, the coal, and the iron, sufficient to maintain Steam Navigation for thousands of years—her foundries possessed men fully competent to construct the engines—her ship yards, the best of builders—and both land and water afford every advantage for the adoption of Steam.

The Mechanics' Institute is a credit to St John and the Province, and to no one are its members more indebted than to Dr. Gesner, who has done so much for its support since it was established.

After thanking the members for their attention to all his Lectures, and passing a handsome compliment upon the ladies and gentlemen present, the Doctor took his leave (we hope only for a short time,) amid the cheers of a highly gratified audience.—*Courier.*

☞ Mr. FOULIS will conclude his present course of Lectures on Chemistry on Friday evening next.

PROVINCIAL APPOINTMENTS.

County of Charlotte.—John Wilson, Esquire, Justice of the Common Pleas.—Charles R. Hatheway, William Babcock, George M'Kay, David A. Rose and John Robinson, Esquires, Justices of the Peace.

Sunbury.—John M. Wilmot, Esquire, Justice of the Common Pleas.—John M. Wilmot, George Priestly, Thomas Nath. Gilbert, and William Burpe, Esquires, Justices of the Peace.

Queen's.—Reuben Hoben, Jr. Mayes Case and Thomas Murray, Esquires, Justices of the Peace.

King's.—James Brittain, Esquire, Justice of Common Pleas.—James Brittain, John H. Ryan, John Henderson, and Philip Nase, Esquires, Justices of the Peace.

Westmorland.—Samuel Black and Philip Chapman, Esquires, Justices of the Peace.

Northumberland.—John Nesmith and Henry B. Allison, Esquires, Justices of the Common Pleas.

York.—George Minchin, Esquire, Justice Common Pleas.—James Taylor, and Allan M'Lean, Esquires, Justices of the Peace.

Carleton.—Charles Connell and Frederick Morehouse, Esquires, Justices of the Peace.

George Ansley Garrison, Esquire, a Notary Public in the Province.

HEAD QUARTERS, FREDERICTON,
26th March, 1840.

MILITIA GENERAL ORDER.

With reference to the Militia General Order of the 17th October, 1839, a copy of which was transmitted by the Lieutenant Governor and Commander in Chief to the Queen's Government, with a full statement of all the circumstances which had given occasion for it, the Secretary of State has been pleased to direct, with a view to mark the sense which Her Majesty's Government entertain of the misconduct of