

Royal Gazette, and Miscellany of the Island of Saint John.

CHARLOTTE TOWN, PRINTED BY WILLIAM A. RIND, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

CHARLOTTE TOWN, OCTOBER 10.

On Saturday the 29th ult. the government Cutter returned here from Fanningsborough with the Public Dispatches from the Secretary of State's office, (announced in our last to be on their way thither) containing the Report of the Right Honourable the Lords of the Committee of His Majesty's Most Honourable Privy Council on the Complaints exhibited against the Officers of this government by certain Proprietors and Merchants.

The following is a copy of the Letter from the Right Honourable Henry Dundas, one of his Majesty's Principal Secretary's of State, to his Excellency the Lieutenant Governor, inclosing the Order of his Majesty in Council, approving of the Report, and dismissing the said Complaint;

Whitehall, 7th Aug. 1792.

Sir,

I HAVE the satisfaction to send you the inclosed Order of his Majesty in Council, dismissing the Complaints exhibited against you, and against the Chief Justice, the Attorney General, and the Collector of the Customs, in the Island of Saint John, by the Proprietors of Lands in the said Island, and Merchants trading thereto.

I am, Sir, your most obedient humble Servant.

HENRY DUNDAS.

Lt. Gov. Fanning.

REPORT

Of the Right Honourable the Lords of the Committee of his Majesty's Most Honourable Privy Council, on certain Complaints against Lieutenant Governor Fanning, and other Officers of his Majesty's Government in the island of Saint John.

At the Court at Saint James's, the 1st of August, 1792.

PRESENT,

The King's Most Excellent Majesty,
Earl of Chatham, Viscount Macartney,
Lord Grenville, Mr. Secretary Dundas,
Lord Hawkesbury, Mr. Steele.

WHEREAS there was this day read, at the Board, a Report from a Committee of the Lords of his Majesty's Most Honourable Privy Council, dated the 11th of last month, in the words following, viz.

YOUR Majesty having been pleased, by your order in Council, of the 29th of July, 1791, to refer unto this Committee a letter from the Right Honourable Henry Dundas, one of your Majesty's Principal Secretaries of State, to the Lord President of the Council, transmitting a memorial of the Proprietors of land in the Island of St. John, in the gulph of St. Lawrence, and merchants trading thereto and therein, complaining of Edmund Fanning, Esq. Lieutenant Governor, Peter Stewart, Esq. Chief Justice, Joseph Aplin, Esq. Attorney General, and William Townshend, Esq. Collector of the Customs and Naval Officer, in the said Island of St. John; to which memorial were likewise subjoined specific charges against the said several officers; and humbly praying your Majesty to grant the Petitioners such speedy and effectual relief as should seem expedient for them: The Lords of the Committee, in obedience to your Majesty's said order of reference, did, on the 9th of September, 1791, take the said memorial and specific charges into consideration, and were attended by the Complainants, who laid before the Committee sundry depositions and proofs, in support of the said charges; and the Committee thereupon thought proper to order, that a copy of the said memorial and specific charges, as also of the said depositions and proofs, should be transmitted to the said Edmund Fanning, Esq. to be by him communicated to the said Peter Stewart, Esq. and the other parties complained of, with directions that they should severally return their answer thereto, in writing, with such further depositions and proofs on both sides as they might think fit to offer: and the answers to the said specific charges, and the depositions and proofs taken on both sides, having been accordingly transmitted and laid before the Committee, they have met several times, and have been attended by Counsel on both sides; and having maturely considered the charges against your Majesty's said officers, with their answers thereto, and the evidence on both sides, their Lordships do agree humbly to report to your Majesty, that, before they proceed to examine the matter of these charges, they think it proper to state the manner in which they are brought before them. The memorial presented to your Majesty carried the appearance of a complaint in the names of a considerable number of merchants and proprietors belonging to the island; but before it came to be heard, out of eighteen that originally assembled to consider of this business, twelve of this meeting begged their names might be withdrawn, as the

complaint had been preferred without their consent; so that six only remained as prosecutors, the rest disowning the whole proceeding.

The general charge against the Defendants is, that they, the Lieutenant Governor, the Chief Justice, the Attorney General, and the Collector of the Customs, had formed a destructive Combination to govern the island at their pleasure; and, with this view, had jointly, as well as separately, oppressed all those who opposed themselves to the arbitrary designs of the officers of this government; and the memorial states these persons throughout as associates and confederates.

Having laid this general charge, the memorial proceeds to specify the several crimes they have committed, under distinct heads; all of which are brought as proofs of the great and general charge of the aforesaid Combination.

This charge, if proved, is a high misdemeanor.

The Committee therefore expected to have seen either express proof of the alleged combination or some circumstances from whence a strong presumption of such combination must arise; but no evidence of this sort has been produced: On the contrary, it does not appear, from any thing in this whole accusation, that any two of these gentlemen ever exchanged a word with each other, except when they met in Council; nor is there any proof of such a combination, from words or writing, spoke or written, by any of these Defendants; so that the proof rests altogether upon the separate facts that are alledged.

And as this is the real or pretended ground of the whole accusation, if the facts, brought forward to prove it, have no such political connexion, the charges should have been separate, and each delinquent made responsible only for his own acts; whereas, by this joint charge, they are made to unite in a common defence, and are necessarily drawn into a joint vindication of each other's conduct, in matters that have no relation to their own case.

That is, Joseph Kirkman, Brewer, in St. Giles's; Samuel Vochney, Ted man, Bedford Street, Covent Garden; John Harris, a Hat-ter in the City, now a Bankrupt; all late Partners of John Cambridge; Alexander Fletcher, Chief of the Patterson Faction, in the Island; John Hill, formerly a blacksmith at Topsham, and lately a Trader to the Island, and a furious Partisan of the Patterson Faction; and John Cambridge, formerly an obscure Chair maker in St. Martin's Lane, and now a Trader to the Island.