

to the Public Services therein mentioned."—Which Bill did not provide for the recommendations of His Excellency, and was similar in its provision to those of the preceding Sessions.

That in 1799, your Committee find the following Resolutions on the Journals of the House of Assembly:—

Resolved, that by the Bills for paying off the debts of the Province for the year 1795, having passed the Council, there thereby, now remains no misunderstanding between the two branches of the Legislature as to the appropriations of Public monies. Resolved, that to prevent in future any misunderstanding, this House will propose a conference with the Council for the purpose of agreeing on a general plan for expediting Revenue and Appropriation Bills.

The result of the conference, your Committee cannot find stated on the Journals of the House of Assembly, but they discover at the next Session of 1801, that the several Resolutions for grants of money were sent up to the Council for their concurrence, and such items of Appropriations as were returned from them approved of, were included in a Bill, under the title of a Bill, "for appropriating certain monies for defraying the Expenses of the Province," and sent again to the Council in the usual way for their concurrence. And your Committee find that this concession on the part of the Assembly of their acknowledged rights, has been acceded to by the different Legislative Assemblies of this Province, from that period until the present Session, and they would here particularly remark, that during the period before stated they cannot discover any one instance, of a single item of appropriation being included in the appropriation Bill, that had previously been rejected by the Council, although they find many instances of the arbitrary abuse of this unconstitutional Power on the part of that branch of the Legislature, and they cannot but express their surprise at the Resolution of the Council on the 22d of March last, as a pledge to His Excellency to support him in his Message to this House, and do consider it, an unconstitutional interference with the acknowledged rights, and privileges of this House, a reflection upon its proceedings, and as stipulating conditions to this House for the passing of its Bills.

But your Committee taking into consideration that the Resolution of the Council above alluded to, was not adopted by the unanimous voice of that Body, but on the contrary, that but few of its Members were present at the time it was brought forward, and that four only of the Members present, were in favor of it; all of whom in the situation of Executive Counsellors had recommended the Message of His Excellency to this House, and consequently in their Legislative Capacity, considered themselves obligated to give their assent to it, as a pledge to support him in the same, do not consider the Resolution as the deliberate Act of the Council, and consequently do not feel a disposition to annul it, as it is most justly merited, and as they would otherwise feel it incumbent on them to do.

The Message of His Excellency your Committee think fully replied to by the Constitutional authorities, advanced by the Legislative Assemblies, in their several conferences with the Council on the same subject as stated in this Report, but your Committee cannot but express their surprise, that His Excellency should at the last Session make that matter a subject of complaint, which in His Address to this House at a former Session, he particularly recommended to be adopted; your Committee here allude to the permanent provision for the expenses of the Legislature, particularly recommended by His Excellency in His Speech to this House in 1821, which was accordingly made by a Law at that Session, which Law at the time of His Excellency's Message, had not been disapproved of by His Majesty, but on the contrary has had the Royal Sanction.

And your Committee would further observe that they are equally surprised at the paragraph in the letter of Earl Bathurst in reply to His Excellency's communication to him on the subject of his Message, which states "the privilege claimed by them of appropriating the public monies, without intervention of the other branches of the Legislature," and they can account for it in no other manner than by the conclusion that His Lordship had not correctly conceived the communication of His Excellency, otherwise they are of opinion it would have appeared most evident to His Lordship, that by the mode now practised by the House of Assembly of sending up to the Council, for their concurrence or rejection each item of appropriation, previous to its being included in the appropriation Bill, a free and distinct consideration of each matter embraced in it, is given to that branch of the Legislature.

That from this review of the Proceedings of the former Houses of Assembly of this Province, your Committee have drawn the following conclusions. That the Legislative Assembly of this Province have at all times claimed the Constitutional right, not only to raise the Public Money but to direct and limit the services to which it is to be applied.

That they have claimed the right to direct and limit, those services whether they have been recommended from the Executive Chair or not.

That they have claimed, and at all times have exercised the right of including in their appropriation Bills, services of a different nature.

And your Committee beg leave to state, that they can see no good cause for the House departing from the usages and modes of proceeding, hitherto pursued by the former Houses of Assembly of this Province.

All of which is respectfully submitted to this Honorable House.

HUGH JOHNSTON, Junr.
P. FRASER
HARRY PETERS.

Ordered that the report be accepted.

Adjourned.

The Subscriber gives notice to all whom it may or shall concern, that he has by Power of Attorney duly authorized JOHN SIMPSON and SHERLOCK PARSONS, of Fredericton, to settle all his outstanding debts of whatever nature or kind soever: He therefore requests all those who are indebted to him to make payment to them or either of them, whose receipt or discharge shall be sufficiently binding.

SAMUEL GROSVENOR.
Fredericton, 17th Feb. 1823. Gw.

Extract from the Journal of the 5th of March.

Resolved that there be granted to the Chaplain of the Council in General Assembly, the sum of £—

On motion that the blank be filled up with the sum of £20.—the Committee divided, as follows:

YEAS,—Mr. Vail, Mr. Simonds, Mr. R. Simonds, Mr. Allen, Mr. M. Wilmot, Mr. Slason, Mr. Ritchie, Mr. J. Wilmot, Mr. Miles.

NAYS,—Mr. Speaker, Mr. Fraser, Mr. Dow, Mr. M. Kay, Mr. Campbell, Mr. Stubbs, Mr. Scovil, Mr. H. Peters, Mr. Clarke, Mr. Smith.

It therefore passed in the negative.

And on further motion that the blank be filled up with the sum of £25.—the Committee again divided,—YEAS 10—NAYS 9.

It therefore passed in the affirmative.

To the Chaplain of the House of Assembly, the sum of £25.

To the Clerk of the Council in General Assembly, the sum of £—, and — per diem during the present Session.

On the motion that the blank be filled up with the sums of £45, and 15s. per diem—the Committee divided, as follows:

YEAS,—Mr. Simonds, Mr. R. Simonds, Mr. M. Wilmot, Mr. Allen, Mr. J. Wilmot, Mr. Miles.

NAYS,—Mr. Speaker, Mr. Vail, Mr. Smith, Mr. Clarke, Mr. H. Peters, Mr. Scovil, Mr. Stubbs, Mr. Campbell, Mr. M. Kay, Mr. Dow, Mr. Fraser, Mr. Allen.

It therefore passed in the negative.

And on further motion that the blanks be filled up with the sums of £50 and 20s. per diem.—the Committee again divided—YEAS 12—NAYS 7.

It therefore passed in the affirmative.

To the Clerk of the House of Assembly, the sum of £50, and 20s. per diem during the present Session.

To the Clerk-Assistant of the House of Assembly, the sum of — per diem during the present Session.

On the motion for the blank being filled up with the sum of 15s.—the Committee divided, as follows:

YEAS,—Mr. Simonds, Mr. R. Simonds, Mr. M. Wilmot, Mr. Allen, Mr. J. Wilmot, Mr. Miles.

NAYS,—Mr. Speaker, Mr. Vail, Mr. Smith, Mr. Clarke, Mr. H. Peters, Mr. Scovil, Mr. Stubbs, Mr. Campbell, Mr. M. Kay, Mr. Fraser, Mr. Ritchie.

It therefore passed in the negative.

And on further motion that the blank be filled up with the sum of 20s.—the Committee again divided—YEAS 12—NAYS 7.

It therefore passed in the affirmative.

To the Sergeant at Arms attending the Council in General Assembly, the sum of — per diem during the present Session.

On motion that the blank be filled up with the sum of 15s.—the Committee divided—YEAS 7—NAYS 12.

It therefore passed in the negative.

And on further motion for filling up the said blank with the sum of 20s.—It passed in the affirmative.

To the Sergeant at Arms attending the House of Assembly, the sum of 20s. per diem during the present Session.

To the Door-Keepers and Messengers attending the Council and Assembly, the sum of 10s. per diem during the present Session.

To the Tide-Surveyor of the City of St. John, the sum of £100, for his services and expenses from the 1st day of March, 1822, to the 1st day of March, 1823.

To Thomas Bonner, Esquire, such sum as will procure a Bill of Exchange on England for £100 Sterling, for his services as Agent for the Province for the year 1822.

To His Excellency the Lieutenant-Governor or Commander in Chief, for defraying the contingent expenses of the Province, a sum not exceeding £—, for the year 1823.

On motion that the said blank be filled up with the sum of £150.—the Committee divided—YEAS 6—NAYS 13.

It therefore passed in the negative.

And on further motion that the said blank be filled up with the sum of £250.—the Committee again divided, and it passed in the affirmative.

To Nathaniel Atcheson, Esquire, Secretary to the Society of British North American Merchants, and Agent to some of His Majesty's North American Colonies, for his services from February 1822, to February 1823, such sum as will procure a Bill of Exchange on England for £100 Sterling, to be remitted by the Committee of Correspondence.

To the Clerk of the Council, the sum of £—, for defraying the expenses of an Assistant during the present Session.

On motion that the blank be filled up with the sum of £25.—the Committee divided—YEAS 12—NAYS 7.

It therefore passed in the affirmative.

To John Chaloner, for gauging and weighing in the year 1822, the sum of £209 3 0.

To the Treasurer of the Province, to defray the expenses incurred by him for stationary, blanks and advertising, the sum of £23 19 5.

To the Adjutants of the Militia of the different Counties in this Province a sum not exceeding £225, for the year 1823.

To John Robinson, Esqr. Treasurer of the Province, for his services from the 1st day of March 1822, to the 1st day of March 1823, the sum of £600.

To His Excellency the Lieutenant-Governor, for the purpose of enabling the Treasurer to pay Alexander Miller, a Tide Waiter in the City of St. John, for his services as such, from the 28th of March 1822, to the 28th March 1823, the sum of £91 5.

To His Excellency the Lieutenant-Governor, a sum not exceeding £1500 pounds, for defraying the expenses of the Speaker, and Members of the House of Assembly, for attendance during the present Session, and for travelling charges, agreeably to an Act of the Legislature.

To His Excellency the Lieutenant-Governor, a sum not exceeding £3000, to be paid for the encouragement of raising Bread Corn on New Lands agreeably to a Law of the Province.

To His Excellency the Lieutenant-Governor, a sum not exceeding £3000, to be paid for the encouragement of raising Bread Corn on New Lands agreeably to a Law of the Province.

To His Excellency the Lieutenant-Governor the

sum of £100, to be applied towards the support of the Light House on Briar-Island in the Province of Nova Scotia, for the year 1823.

12th March.

Resolved that there be granted to His Excellency the Lieutenant-Governor, a sum not exceeding £2250, out of the first money received into the Treasury, to be applied to the payment of the principal and interest of the loan due from the Province, agreeably to an Act of the General Assembly for that express purpose.

To Samuel Buchanan, the sum of £20, for airing and taking care of the Province Hall, for the year 1822.

To the Keeper of the Light-House on Partridge Island, the sum of £150, for his services for the year 1823.

To the Commissioners to be appointed by His Excellency the Lieutenant-Governor, towards defraying the expenses of a Courier for the year 1823, between Fredericton and New-Castle, in the County of Northumberland, a sum not exceeding £125.

To the Commissioners to be appointed by His Excellency the Lieutenant-Governor, the sum of £60, to defray the expense of a Courier between New-Castle and Nipisigwit, in the Bay of Chaleur, in the year 1823.

To the President and Directors of Saint Andrews Grammar School, the sum of £200, for the year 1823, towards the support of a Master and to defray the contingent expenses of the said School, agreeably to the Acts of the General Assembly.

To the President and Directors of the Saint John Grammar School, the sum of £250, for the year 1823, agreeably to the two Acts of the General Assembly.

To the Governor and Trustees of the College of New-Brunswick, the sum of £250, for the year 1823, agreeably to the two Acts of the General Assembly.

To His Majesty's Attorney General, the sum of £100, for past services.

To His Majesty's Solicitor General, for past services, the sum of £50.

To John Head, Inoculating Surgeon for the Vaccine Institution, the sum of £25, for the services performed in the year 1822.

To His Excellency the Lieutenant-Governor or Commander in Chief for the time being, the sum of £50, for the purpose of paying a Missionary to the Indians for the year 1823. Provided the said Missionary be recommended by the Catholic Bishop of Quebec, and approved of by the Lieutenant-Governor of this Province.

On the motion for the resolution—the Committee divided as follows:

YEAS,—Mr. Speaker, Mr. Fraser, Mr. M. Kay, Mr. Wetmore, Mr. Scovil, Mr. Peters, Mr. Allen, Mr. Clarke.

NAYS,—Mr. Dow, Mr. Campbell, Mr. Wilmot, Mr. Ritchie, Mr. Slason, Mr. M. Wilmot, Mr. Smith, Mr. R. Simonds, Mr. C. Simonds, Mr. Vail.

It therefore passed in the negative.

To three such Commissioners as His Excellency the Lieutenant-Governor may appoint, the sum of £150, for the support of a Packet to ply between Digby and St. John, for one year, to commence from the 5th day of April next, provided no Packet is established (at the exclusive expense of the General Post Office) for that purpose.

To His Excellency the Lieutenant-Governor, the sum of £175, for the support of the Master of the Grammar School in the County of Northumberland, agreeably to the Acts of the General Assembly.

To His Excellency the Lieutenant-Governor, the sum of £175, for the support of the Master of the Grammar School in the County of Westmorland, agreeably to the Acts of the General Assembly.

BALTIMORE, Feb. 10.

Cold Weather.—During the last three or four days, the weather has been extremely cold, not only in Baltimore, but as far as we learn, pretty generally over the Union. Our basin and the river many miles below Fort M'Henry, has been completely frozen over, and is covered with those who delight in skating.

NEW-YORK FEB. 8.

The non-arrival of numerous vessels, sometime since due, is a proof that the winds have prevailed at sea from the northward and westward; and it is worthy of remark, that from this circumstance, there is such a great scarcity of shipping in port, that freights have risen considerably, and vessels suitable for European voyages, cannot now be had. The late, severely cold weather has made considerable ice, and prevents the departure of many vessels now ready for sea.

PHILADELPHIA, FEB. 12.

THE GREEKS.—This gallant people, by their courage & constancy, are beginning, at length to enforce the admiration and respect of European nations. Beyond the Isthmus, their affairs are taking a favourable course; the brilliant victory at Missolonghi must have the most beneficial consequence. Some military posts in the Moria are still held by their enemies; but they are every day growing more feeble in their means of defence—Corinth is still closely invested. Coron and Methon have offered to capitulate, and Napoli di Romania was on the point of surrendering. Meantime on the sea, the Greeks are every where triumphant. The Turkish fleet, which after the battle of Cape Maico, fled to Terodos, have been followed to the latter place, by a detachment of Greek vessels under the gallant Canaris, who, by an enterprise never surpassed, has succeeded in destroying their Admiral's ship and capturing and destroying several others. What gives the purest prognostic of the ultimate triumph of the Greek cause, is the

manifest change of policy in the English and other European powers towards them.

The commanders of English vessels of war, no longer heard their Senates, nor treat their blockades with contempt. They are now proud to permit the victorious flag of Greece to wave with their own, and join with their Ephori in bestowing praise on their gallant champions. Their blockades are now respected, not only by the English, but by all the other European vessels, with the exception of those of Austria. In fine, if it be true, and indeed it is consonant to the best policy of England, that the British ministry have insisted on the Porte's recognizing Grecian independence, the question appears to be determined. And we may hail a free nation arising out of the crumbled fragments of Turkish power in Greece. This event we have never doubted, would take place even from their own unaided efforts, and we would fain our Government could have had the glory of being the first to recognize them.

London, Dec. 16.

A letter from Captain Basil Hall of his Majesty's ship Conway, to Commodore Sir J. M. Hardy, Bart. dated Rio de Janeiro, Oct. 13. 1822, respecting the numerous Ice Islands which are met with at certain times near Cape Horn, has been received, from which we make the following interesting extract:—"I think it right to mention, that many vessels lately arrived here, when on their passage round Cape Horn had fallen in with Ice Islands, which appear to spread over an unusually extensive range; and although probably before any statement can reach England in time to put the ships of this season on their guard, the danger may have vanished, yet I venture respectfully to suggest, that essential service might be rendered to the navigation off Cape Horn, if before the circumstances be forgotten, due publicity were given to the fact, that in some years these formidable dangers may be met with, not as heretofore supposed far south, and in small numbers, but thickly spreading the whole of the sea, immediately off and on both sides of the Cape. A ship has recently been forced back, having every where met with ice off the Cape; and three days ago the American ship Tea-Plant, returned dismayed. She had run in the dark upon an ice island, early in the morning of the 12th of last month. It was so abrupt that the ship did not strike till the bowsprit had been fairly struck into the ship. This was latitude 56 57. S. and long. 60. W.

Liverpool Jan. 1.

The premises at Chark, in which the very large wooden cloth factory has for many years been carried on, but which have been lately abandoned in consequence of the general decay of that important branch of trade in the West of England, have been taken by some manufacturers of patent lace. Upwards of thirteen hundred hands are to be immediately employed in this concern, which has been undertaken by some of the persons now or lately connected with a similar establishment at Tiverton. A steam engine and gas apparatus are erecting on the premises, the latter being for the purpose of furnishing gas, through the pore flame of which the lace is rapidly passed for diverting it of its downy filaments. The net is subsequently sent to France, where it receives a rich and elegant improvement, by the addition of curiously wrought foliage and flowers, and is then returned to this country, in which not withstanding his elaborate course, it amply realizes the hope contemplated by the ingenious patentees.

As a proof of the flourishing state of the cotton trade, we need only state, that W. Fielding, Esq. has contracted for building a Factory in Blackburn, which, it is said, will contain about 36 000 spindles; and Messrs Livesey and Co. have also determined upon erecting another spinning factory, capable of holding about 20 000 spindles.

NOTICE

IS hereby given to all persons whom the Subscriber holds Notes of Hand against, that are now due, to call on Mr. NEEDHAM or Mr. SLOOT before the first day of June next and settle them; after that date, those remaining unpaid, will be put in the hands of an Attorney to collect.

JONAS FITZHERBERT.
Parish of Kent. Co. of York.
20th February, 1823. 3w.