

Mr. Grass who went to settle in Glassville, about 25 miles above Woodstock. They received a letter that they had been deceived, and I found it necessary to go and see them, and also about the opening of the new roads through Glassville and Knoxville. I left on the 12th September, and on my way called on Charles Parley, who recommended certain persons as proper to employ in the opening of these roads. The next day Deputy Hart took me up into the new settlements, where we spent several days, and where I engaged three parties to clear 35 miles of the roads. I must now return to the unfortunate survey ordered for the Nashville, which in the month of June last I left in the hands of the Surveyor General. I suppose that as head of the department, I shall be held responsible for the whole delay and all the disastrous results. During the last season Deputy Hart identified and located all the applicants for lands in Knoxville, forwarded their petitions and had them granted, when there appeared a portion of 124 lots. Petitions for a number of these vacant lots were then immediately registered and granted. Many of them were petitions which had been sent and returned when the survey was unfinished, to which in my testimony I before referred and which were also mentioned by Mr. Innes as having been handed in by Mr. Connell. Dec. 28th Rev. C. Stewart, Hon. L. A. Wilmot and J. H. Hogg, Esq., petition for a reserve of 1000 acres of land in Southwestern for Wesleyan Methodist Engrants—complied with. Mr. Grass also applied for a continuation of the Glassville reserve. This ended the narrative.

TERMS OF THE CARLETON SENTINEL.
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The Carleton Sentinel.

SATURDAY, MARCH 23, 1831.

Editorial Correspondence.

FREDERICTON, March 18, 1831.

To-day the land committee concluded its investigation, ending as it commenced, with Mr. Innes, which gentleman refuses to gratify the public curiosity, a very natural one too, by naming his partners in the land transactions. The house has the power to commit, has the power will in this case, we predict, hardly be executed.

This afternoon the announcement long looked for was made to a house filled to its fullest extent with members, ex-members, ladies and gentlemen of every degree.

The Attorney General broke the ice. His speech was short, and mainly taken up with the written correspondence which had passed between himself and the Governor. This correspondence, if our space will allow, we will publish this week, in another place. He argued that in his capacity with the Crown Land, he had been guilty of no moral wrong, and therefore could not make a virtual acknowledgment of such, or stultify himself by resigning upon the request of his compatriots. The government had put into the hands of the Crown Land Committee, an investigation of the affairs of the department, and the Government was not called upon to act in the matter until that committee had reported to the house, and he did not believe that in that report he (A. G.) would be selected, alone to bear all the responsibility of, and be held up to execration for the irregularities of the Crown Land Department. If however, such should prove to be the case, he had determined not to embarrass the Government, but at once to resign his position. As soon as the first intimation had been received of the step probable to be taken by the Government, he had concluded there was but one of three courses to be adopted,—either the other members of the Government must resign and he endeavor to reconstruct a Government, in which attempt, he had no doubt, by leaving the office untouched, and calling around some five or six members of the Legislature, he would be successful, at all events so far as to be able to carry supply, and then go to the country and let the people decide the question at issue. Another course was for the Government to get along as they were, for he was satisfied the Government could do just as well with the Attorney General as without him. And the third course open was that which had been taken. He claimed that constitutionally, initiating as we did the parent state, he as head of the Government had a right to expect, under the circumstances, that His Excellency would instruct him to construct a new Government. The Council had pursued a different course from that which he considered was right, and endeavored to force him into a wrong position, and therefore he should resist by every constitutional means, nor would he resign his office as A. G. until constitutionally received. He had pursued the only course left him, and as in every former instance, to his country, his constituents, and himself.

The Provincial Secretary expressed the painful nature of the duty which the Executive had been called upon to perform, a duty which they had considered imperative, feeling as they did, from the moment the Attorney General's connection with the land transactions came out that they could not sustain or justify him in it, nor ask their supporters in the House to do so. Much of the correspondence between His Excellency and the Attorney General had been conducted without the knowledge of the Government, and by the Governor on his own responsibility. The Government had felt that the best course for the Attorney General to pursue was to resign, they had urged that course upon him but as he had insisted on his own way the Government was compelled to adopt that open for them, and on constitutional grounds endeavor to put matters in a constitutional position. The Attorney General had pointed out the course he intended to adopt but His Excellency entrusted to him the construction of a new Government, but the Provincial Secretary begged to state that in such an event he could not for a moment have retained his office—for to do so would be in defiance of all principle. The correspondence submitted contained in full the points at issue which had been fairly put by the Attorney General, and he would therefore now submit by command of his Excellency a message.

This message was handed in and read by the clerk, it comprised the correspondence before alluded to. After an order had passed that 200 copies should be printed for the use of the members,—Mr. Wilmot rose and remarked that it seemed pretty evident that a majority of the members of the Government had been reading the book of Jonah, and as Mr. Fisher though still Attorney General, pending further action of the Executive is no longer a member of the Government. Yes he who for over a century has battled in politics for his country; has done more to establish constitutional principles here than any other man now in politics, perhaps than any man has ever done in the province, is now ignominiously thrown adrift by the party he has led ever since the retirement of Judge Wilmot. It is not a matter to be judged hastily, and we may be wrong in the assumption that under all the circumstances a different course might have been pursued by the Government but

let us stop and think, read the correspondence and hear the report of the committee, before we say the Government have acted harshly toward Mr. Fisher, or that that gentleman's conduct was so wide a departure from a course honorable and correct as to justify the measures of the Government.

We must confess at the present that we do think that in consideration of the position which Mr. Fisher has so long maintained in connection with the Executive party of the Province he has been treated too summarily and that, notwithstanding his trifling disregard of regulations, disregarded by almost every body; making that conduct reprehensible as it deserves—we do believe that the House and the country would have sustained the Government had they waited at least until the House had declared upon the subject.

March 19, 1831.

A field-day to day—the din of political—say rather party-battle has at last arisen.

The Provincial Secretary proposed at 12 o'clock that the house go into supply. It will be remembered that this motion stood as the order of the day many days back, and it has been put off from time to time in order that the members, acting on the land committee might have an opportunity of being present. It was thought by the Government that as that Committee had concluded its investigations, and as the House had already been so long in session, it was advisable at all events to make the following resolves for supply.

Mr. Wilmot proposed an amendment which offered various facts in connection with the Crown Land Investigation, and asserted that it was not expedient pending the report of the Committee at the present, to take into consideration the granting of supply to Her Majesty.

A lengthy and animated discussion arose on this amendment, participated by Messrs. Wilmot, Gray, Connell, Lawrence, McPhelin, Allan and Balfour in favor of the amendment, and by the Provincial Secretary, Solicitor General, Messrs. Smith, Hanington, Steadman, Chandler, End, and Brown, as opposed to it. It was claimed by the former that while it was desirable that supplies should be granted before the session closed, still there was not such pressing necessity as to warrant the house in so granting them, before the report of the Land Committee was in, to a government which had already called upon, on account of developments before the committee to suspend the Attorney General.—A government which that report might still more deeply implicate and prove unworthy the trust and confidence of the country. It was charged upon the Government that it had sacrificed the Attorney General, in the hope to save itself, while at the same time other members were impugned, and the very head of the department proved to be deficient in the requisite ability for his position. The interests involved in this investigation of the land company were of the most important nature—the whole domain of the Province—and it became the house to wait a few days more for the report, in order that they might conclude from the facts therein set forth, how the government had discharged its trust in the past.

Mr. McPhelin made a remark, rather unfortunate if indicating the spirit of the whole opposition of which he is a prominent member. He stated pretty broadly that there was now presented an opportunity for avenging wrongs sustained by the late Government of which he was a member, illustrating his remarks by a repetition of the language of the Muscovites when they boasted that Paris soaked should make amend for Moscow burned. The statement was turned with good effect against the opposition and evident regret was discernable on the part of members of that party. Alas! Alas! it is not too evident, hide it as we endeavor to however much from our own judgments that a large proportion of the patriots, the desire for public justice, the search for and remedy of public wrongs proceeds from this desire for revenge—desire to have power and to hold the public purse and patronage.

On the other hand the government and its supporters claimed that there was no excuse for delaying supply any longer; they had waited now as long for the committee as the public interest would warrant. Supply was sought, not with the most remote idea of shutting off future debate upon the report of the land committee, upon which a full, free and thorough discussion must be had, no matter what and to whom the consequence. The object of the mover of the amendment was no patriotic desire by delay to benefit the country, but it was a desire by taking advantage of existing circumstances, to place the government in a false position, and satisfy their longings for vengeance on the party which had so long maintained the confidence of the country. The professions of regard on the part of the opposition for Mr. Fisher, was denounced as hollow hearted friendship.

Mr. Tibbets and other members of the committee desired that the debate should be adjourned until Friday; this was opposed by the Provincial Secretary, and on a division on a motion so to adjourn, the house divided for the motion 17 against 21; and this may, probably be regarded as a test. On the motion, the debate was adjourned until to-morrow. The above division will probably have the effect of damping the courage of the opposition, and dulling the points of their attacks, as the strength of the government has thus been made apparent, and something more than mere ebullitions of spleen or party feeling will be necessary to shake them.

March 20, 1831.

To-day the Amendment mentioned yesterday was negatived by the following division:—

Yea.

Messrs Connell, McPhelin, Lawrence, Gray, Wilmot, Balfour, Allan, McPherson, Seville, Vail, Gilbert, Wilmot, McIntosh, Desbrisay, Montgomery, Tibbets—16.

Nays.

Messrs Tilley, Brown, Smith, Watters, Mitchell, End, R. C. L., Lewis, McMillan, Steadman, Taylor, Ferris, McLeod, Gilmore, Chandler, Wright, Hanington, McAdam, C. Parley Cudlip—20.

Which shows the present state of the Government.

Space will not admit of even a notice of the speeches delivered. Supply is now entered upon and a quiet reign until the report of the Committee comes in.

The following is the correspondence referred to in our Editorial Correspondence:—

To His Excellency the Honorable J. H. T. Manners-Sutton, Lt. Governor, &c. &c. &c.

MAY I PLEASE YOUR EXCELLENCY.

The House of Assembly on the 26th ult., appointed a Select Committee to investigate matters connected with the Crown Land Department. During the enquiry of the Committee, facts have been elicited which clearly show that the Attorney General, since he has held office, has applied for and obtained Crown Lands in violation of the well known regulations and conditions of the Department.

We feel ourselves unable to justify or defend such a proceeding, and have so informed the Attorney General, and have communicated to him our unwillingness to continue to act with him at the Council Board.

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As the Attorney General has intimated to us that he does not intend to tender his resignation, we feel it to be due to ourselves, as well as to Your Excellency, to request to be relieved from the office which we hold, our position at the Executive Council Board.

We are of opinion, that if the Attorney General had thought fit to tender his resignation to Your Excellency, the business of the Session could have been carried through by the remaining Members of the Government, had Your Excellency been pleased to commit it to their charge.

(Signed)

JAMES BROWN, S. L. TILLEY, W. H. STEVENS, P. MITCHELL, A. J. SMITH, CHARLES WATTERS, DAVID WARR, JAMES STEADMAN.

March 13th, 1831.

Memorandum for the Attorney General.

His Excellency the Lt. Governor has this moment received a Memorandum signed by all the members of the Executive Council, with the exception of the Attorney General, in which they submit to His Excellency their unwillingness to act as a Council in the Memorandum to act with the Attorney General at the Council Board, and request His Excellency, inasmuch as the Attorney General has intimated to them that he does not intend to tender his resignation, to relieve them from the offices which they hold and their position at the Executive Council Board.

His Excellency thinks it right, in the first instance, to transmit a Copy of this Memorandum to the Attorney General.

His Excellency desires that any observations, which the Attorney General may wish to submit to him, may be in writing.

(Signed) J. H. T. MANNERS-SUTTON

March 13th, 1831.

To His Excellency the Honorable J. H. T. Manners-Sutton, Lt. Governor, &c. &c. &c.

MAY I PLEASE YOUR EXCELLENCY.

I have read the Memorandum addressed to Your Excellency by the other Members of the Executive Council, and observe, that the whole subject of the Crown Land Department is now under the consideration of the Committee appointed by the House of Assembly, and I am prepared to abide the result of their enquiry and Report, and of such action as the House of Assembly may take thereon.

I am of opinion that my colleagues had no right to urge upon me to resign, intimating that, if I did not, they would. I declined on the ground that I was not prepared to admit that I had violated any regulation made by the Governor in Council for the sale of Crown Lands, or that I had done any wrong, legal or moral. I do not believe that the Committee will make any such imputation upon me, or that any irregularity which might have occurred in the Crown Land Department, if any have occurred other than may be deemed fairly incident to the character and functions of such a Department.

Under these circumstances, and in this state of the question, before the proceedings of the Committee are reported to the House, or the evidence closed, I am of opinion that my colleagues had no right to call upon me to resign, and I voluntarily assume the whole responsibility of the matter in complaint, and to subject me to the whole animosity of any irregularity in the Crown Land Department. In justice to myself, to my constituents, and to my country, I could not resign.

I am of opinion that the head of the Government under Your Excellency, if they were not disposed to await the action of the House of Assembly, it was their duty to retire, and give me an opportunity of ascertaining whether I could not so reconstruct the Executive Council, as to be able to conduct the public business, and I now respectfully request Your Excellency to authorize me to do so.

(Signed) CHARLES FISHER.

Fredericton, 14th March, 1831.

Memorandum for the Attorney General.

His Excellency the Lieutenant Governor has fully considered the Memorandum submitted to him by the Attorney General this afternoon.

It is not necessary for the Lieutenant Governor to discuss on this occasion the merits of the matter in dispute, between the Attorney General on the one side, and his colleagues at the Council Board on the other.

It appears from the Memorandum, (signed by eight Members of the Executive Council) a copy of which was yesterday transmitted by His Excellency to the Attorney General, and from Attorney General's Memorandum, submitted to His Excellency this afternoon, that all the Members of the Government, but one, have stated to the Lieutenant Governor, that they are unable to act at the Council Board with the Attorney General, and that they have on this ground tendered their resignations.

The Attorney General, however, whose conduct is thus impugned by all his colleagues, is the gentleman who was, on the retirement of His Excellency's Advisers in 1827, selected by His Excellency to undertake, subject of course to His Excellency's approval, the formation of a new Executive Council, and whom the Lieutenant Governor regarded as the head or leader of the Government, and by him, while it was in existence; and the Attorney General, as head of the Government, has requested His Excellency to authorize him to reconstruct the Executive Council.

Now His Excellency must observe that, when in 1827 (as he had previously done in 1824,) he requested Mr. Fisher to submit a plan of Government, and for the formation of a new Government, he did so because he regarded Mr. Fisher, at the time, as the origin of the political party which possessed a majority in the House of Assembly: And although the Government formed by Mr. Fisher, in 1827 is practically no longer in existence, (for the Lieutenant Governor has since that time, by the resignation of eight out of nine members of it,) yet, if the Attorney General now held the same position which he held in 1827, there might have been some reason to expect a renewal in 1831 of the commission entrusted to him in 1827. But that this is not the case is clearly apparent from the Memorandum of his colleagues, and from the Lieutenant Governor's request that he may be authorized so to reconstruct the Executive Council as to be able to conduct the public business, he has, on the other hand, the representation of the eight other Members of the Executive Council that, although they are unable to act with the Attorney General, yet, if the Attorney General had thought fit to tender his resignation, the business of the Session could have been carried through by themselves.

His Excellency then, upon a consideration of both these representations, must decline to authorize the Attorney General to submit to him the arrangements for the formation of a new Government, and he thinks it right at once to inform him that he will, without delay, entrust to Mr. Tilley (the Provincial Secretary) the commission of preparing and submitting to him such official arrangements as may appear best calculated to promote the satisfactory conduct of the public business.

(Signed) J. H. T. MANNERS-SUTTON.

Memorandum for the Provincial Secretary.

His Excellency the Lieutenant Governor having received on Wednesday afternoon the Memorandum signed by eight Members of the Executive Council, including the Provincial Secretary, wherein they stated their unwillingness to continue to act with the Attorney General at the Council Board, and requested, that he should be relieved from their official duties, forthwith transmitted a copy of that Memorandum to the Attorney General.

The Attorney General's Memorandum in reply to this communication was received by His Excellency yesterday afternoon; and having fully considered the subject as presented to him by the Memorandum before him, the Lieutenant Governor entrusts to the Provincial Secretary the commission of preparing and submitting to him such official arrangements as may appear best calculated to promote the satisfactory conduct of the public business.

(Signed) J. H. T. MANNERS-SUTTON.

March 15th, 1831.

To His Excellency the Honorable J. H. T. Manners-Sutton, Lt. Governor, &c. &c. &c.

MAY I PLEASE YOUR EXCELLENCY.

I have read the Memorandum of the other Members of the Executive Council, in which they submit to Your Excellency their unwillingness to act as a Council in the Memorandum to act with the Attorney General at the Council Board, and request His Excellency, inasmuch as the Attorney General has intimated to them that he does not intend to tender his resignation, to relieve them from the offices which they hold and their position at the Executive Council Board.

His Excellency thinks it right, in the first instance, to transmit a Copy of this Memorandum to the Attorney General.

His Excellency desires that any observations, which the Attorney General may wish to submit to him, may be in writing.

(Signed) S. L. TILLEY, JAMES BROWN, W. H. STEVENS, DAVID WARR, A. J. SMITH, CHARLES WATTERS, P. MITCHELL, JAMES STEADMAN.

March 16th, 1831.

To His Excellency the Honorable J. H. T. Manners-Sutton, Lt. Governor, &c. &c. &c.

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