

## Editorial Correspondence.

## HOUSE OF ASSEMBLY.

Fredericton, March 6, 1863.

Mr. MUNRO presented a petition from a number of inhabitants of Carleton in favor of the bill now before the House to set apart a new Parish from portions of Kent, Peel and Brighton.

Mr. MUNRO introduced a bill to provide that no head of a Department, being a member of the Legislature, and in receipt of a salary, shall receive pay as a member of the House or receive travelling expenses as such.

Mr. SKINNER introduced a bill to repeal all existing acts relating to Medical Board, &c.

Mr. M. PARSONS's bill for the abolishing of Judges' fees and providing for a compensation in lieu thereof, was committed to the first section. The bill, after course approved the principle of the bill. After progress was being made in the second section, the Provincial Secretary, who had not been present when the first section passed, moved a reconsideration of the first section, and thereupon a general debate took place, involving no arguments differing from those which have been used annually for a number of years upon the same measure, and until there are some new features evolved, we do not think it necessary to take up further space. The legal gentlemen all understood the matter. Progress was reported.

Mr. LINCOLN's bill to set apart a new Parish in Carleton County was committed, and after a satisfactory explanation by the mover and Mr. Munro, both of whom dilated upon the growing importance of that part of the country, the bill was agreed to. The name of the new Parish, given, we understand, by His Excellency, is *Abolition*.

The Agricultural Board is in session to-day, and there is quite a large attendance of delegates. The Hon. A. E. ROSEDALE has been re-elected Chairman. Mr. MUNRO's lumber facility bill was again committed, and a subject exhausted over and over again was still again exhausted. It is enough to warm the coldest heart of the poorest operative to hear the exhaustive eloquence displayed on him and his interest by means of the Assembly. Those who approve the measure do so—so they argue—purely because of their warm interest in the poor operative, and strange anomaly, those who oppose the bill are influenced to that opposition out of precisely the same benevolent desires.

The only argument which we in our humble judgment feel disposed to regard as genuine are, that the public domain, as at present managed, in the smallness of the revenue it yields, affords a terrible instance of how an important interest may be made unproductive; that it is absurd to attempt to legislate for poverty against wealth; that restrictions in the governing of the land, which would be the correct policy, rather than to afford additional facilities, and that this is a matter which should, of all others, receive the attention of the Government and induce a measure at their hands—a comprehensive measure. Mr. Munro warmly defended his measure, declaring this a simple question of justice and equity, and that the measure would be approved by the whole Province, and one in connection with which it was not in place to bring in the question of the general management of the whole Crown Land department. On motion of Mr. STEEDMAN, the bill was so amended as to make the minimum quantity obtainable without competition one mile—the maximum is six miles.

## MOORE BILL.

House in committee agreed to Mr. Costigan's bill for the preservation of Moore.

By the provisions of this bill no one is allowed to kill more than one moose in a twelve month—the carcass and skin being for his own use, the former not to be allowed to remain in the woods. The penalty under these provisions is \$20. The exportation of moose skins is also prohibited under a similar penalty; the necessary provisions being made for seizing any skin, and compelling the party holding them to make affidavit that they were not procured in violation of the provisions of the bill.

## E. &amp; N. A. RAILWAY.

Mr. Cudlip presented the petition of the Chamber of Commerce, St. John, asking for a continuation of the Railway to a deep water terminus.

## TRINITY CHURCH BILL.

A bill to authorize the corporation of Trinity Church, St. John, to sell and dispose of certain lands, the purpose of paying certain debts, was again committed.

A number of documents embracing correspondence between the Lord Bishop and the vestry, and a petition of His Lordship to the House of Assembly, were read by the mover, Mr. Cudlip.

From the documents it appears that about the time the Bishop presented his petition to the Trinity Church a sum of money, the loan being negotiated by Judge Parker and other gentlemen of high standing in St. John at 5 per cent. interest, a mortgage being given for 99 years on property, the annual rental from which largely exceeded the interest.

The property now sought to be sold, the corporation does not embrace any part of that secured to the Bishop. The Lord Bishop petitions against the passage of the bill, as he considers the general law of the Province, by which his consent was necessary to the transfer of church property, sufficient; and the ignoring of that principle tends to great waste of lands for public purposes.

Among the papers read by Mr. Cudlip were copies of correspondence between the vestry of Trinity Church and the Bishop, the former asking his assent to the bill, which in his answer the Bishop refused, except on certain conditions. He complains that at the time he lent the money he was unacquainted with the business usages of the Province, and consented to take 5 per cent. for his money, when he should have had 6 per cent., which was the usual rate of interest, besides frequently a bonus. He intimates very clearly that he was taken in to the amount of one per cent., and as we understood the reading of the letters, is willing to give his consent to the bill provided this difference, 1 per cent., is guaranteed him.

Such is the not very agreeable position in which the matter stands, as put by the papers read, and by the comments of Mr. Cudlip, which were not contradicted.

On a former occasion, when this bill was up, the Attorney General opposed it, and the propriety of ignoring what he considered a salutary veto power in the hands of the Bishop. But it is only just to that hon. gentleman to say that when the papers referred to were produced he was not present, or, probably, he would have expressed a different opinion in this particular case.

A very anomalous position the Bishop has placed himself in, as while in his petition on general grounds he deprecates the principles involved in the bill, in his letter to the church he seems quite willing to ignore principles for the sake of 1 per cent. This is not either, perhaps, the most singular feature, which is, that the Bishop should insist, as he does, the business qualifications, if not honesty, toward himself, of such men as Judge Robert Parker, J. V. Thurgar, Wm. Wright.

In the discussion to-day Mr. W. J. Gilbert was the only man to defend the bill or the Bishop. The bill passed without division.

## ANOTHER CHURCH BILL.

On motion of the Provincial Secretary the House went into committee on his bill in addition to Cap. 107, Title 28, Revised Statutes of Church of England.

This bill contemplates a change in the constitution of church policy so far as relates to the appointment or induction of ministers. At present the several churches receive their ministers at the hands of His Excellency, subject to the approval of the Bishop. By the provisions of the bill after it comes in force the congregations will have power to choose their ministers, subject to the approval of the Bishop.

## WILD LAND TAX.

Mr. MUNRO's bill to amend Wild Land Tax Law was committed and agreed to—the principle provision of it, that contained in the first section. The second section was expunged.—The provisions of the bill as passed is that taxes collected after the 1st of September are to be paid over to the Secretary Treasurer, in incorporated counties, to be drawn and expended by the proper commissioner the following year. The object of this is self-evident. Money spent on the roads after September is thrown away, and therefore this amendment is one which must recommend itself.

## CONSTABLES BILL.

Mr. LINCOLN's bill to require constables to give security was committed, but on motion of Mr. Smith was postponed three months.

Mr. SMITH characterized this as the most ridiculous bill that had ever come before the house. It was wrong in principle, and in its execution it was an imperfect idea without machinery to work it out.

ATTORNEY GENERAL thought it was an absurd idea of Constables having to go before a Crown Officer to give bonds. It was all very well for gentlemen to find fault with bills, but it would be much more for their credit if they endeavored rather to find out the good features of measures, and try to perfect them. As to the necessity of going before a crown officer, he did not think that the Attorney General had made much of a bill, for it was well known that collectors and other public officers gave bonds, but it was not required of them to go before a crown officer to execute them.

LUMBER FACILITY BILL.

Mr. MUNRO's lumber bill was ventilated for the last time—imply it passed—having been curtailed of its proportions by the striking out of the third and seventh sections. The last named section is one which we had always been led to regard as the most important feature—and most just too—of the bill, viz., giving parties who improved streams a certain conditional priority of claim, but as the Attorney General and other large operators protested that the section would be just as soon to such as they, and injure the poor operator, poverty triumphed.

Mr. BOND gave notice of a resolution he should move on Thursday next, with regard to Denominational School Grants.—To provide for such gradually during a term of years.

## FERRY BILL.

Progress was made in a bill introduced by Mr. Kerr, the object being to change the present arrangement under which ferry men were compelled to carry her Majesty's mails free.

ON TO RICHMOND.

Mr. SMITH moved his resolution for address asking for copies of correspondence, details of expenses, &c., connected with Richmond Railway trip, removal of troops, &c.

PROVINCIAL SECRETARY said that no doubt his Excellency would willingly afford every information of an official character, which was consistent with the official instructions, and of interest to the Province. This he (Prov. Sec.) could say, that there is in the governing of the land, which would be the correct policy, rather than to afford additional facilities, and that this is a matter which should, of all others, receive the attention of the Government and induce a measure at their hands—a comprehensive measure. Mr. Munro warmly defended his measure, declaring this a simple question of justice and equity, and that the measure would be approved by the whole Province, and one in connection with which it was not in place to bring in the question of the general management of the whole Crown Land department. On motion of Mr. STEEDMAN, the bill was so amended as to make the minimum quantity obtainable without competition one mile—the maximum is six miles.

Mr. SKINNER's bill to repeal all existing acts relative to practitioners of medicine in this Province, was committed and discussed, and progress reported, with the understanding, so it seems, on the part of hon. members, that all acts in force, passed subsequently to, and repealing the Medical Act in the Revised Statutes, shall be repealed, and then the last named act so amended as to allow graduates of certain American colleges to enjoy the immunities allowed practitioners under British diplomas.

LAW STUDENTS.

Dr. VAIL's bill relating to admission of Attorneys and Students at Law was committed. This bill provides that the time necessary for study previous to admission of students shall be four years, instead of five, except in cases where the party is a graduate of any legalized university college where the term is fixed at three years. The second section of the bill provides that the bill apply to students now entered, or who shall hereafter enter upon the study of the profession.

The P. M. General moved an amendment, the effect of which would be to do away with preliminary examinations of students, which were held at the end of the first year, and to allow students to enter upon the study of the profession at the end of the first year. The Speaker, Attorney General, and Mr. Stevens opposed the bill, arguing that the time as at present under rule of court was quite short enough to enable the young man to obtain a proper practical knowledge of the duties of the profession. Attorney General argued that one object would be that professional gentlemen of standing would charge a higher fee in consequence of the shortened term, and thus young men of limited means would have to seek entrance into the offices of inferior lawyers.

P. M. General, Provincial Secretary, Mr. Smith, Mr. Lindsey and others, warmly espoused the bill, and Mr. Lindsey moved an amendment, the effect of which would be to do away with preliminary examinations of students, which were held at the end of the first year, and to allow students to enter upon the study of the profession at the end of the first year. The Speaker, Attorney General, and Mr. Stevens opposed the bill, arguing that the time as at present under rule of court was quite short enough to enable the young man to obtain a proper practical knowledge of the duties of the profession. Attorney General argued that one object would be that professional gentlemen of standing would charge a higher fee in consequence of the shortened term, and thus young men of limited means would have to seek entrance into the offices of inferior lawyers.

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## Surveyor General's Report.

From the second annual report of the Surveyor General, hon. John McMillan, we make the following extracts:—

"In my last Report I alluded to the existing state of sales under the Land Act, and in order to exhibit its practical operation, I have entered in this Report: 1st, a detailed list of those sales, recorded within the past fiscal year; 2nd, a detailed list of Lots for which payment by labor has been regularly made, but for which no proofs of residence and cultivation have yet been presented; and 3rd, a detailed list of Lots for which a portion only of the labor has been performed or returned.

The first class consists of those for which the first payment by labor had been returned, subsequent to the date of my last Report; it comprises 209 names, representing 19,960 acres, and the labor returned for them is \$6817.86.

The second class will show a large number of purchases, which, by the regulations, are liable to be cancelled for non-compliance with the conditions of sale. The last class, 791 names, but the quantity of Land cannot be shown, because many of the Lots are yet unsurveyed.

The third class, consisting of 950 persons, also contains many unsurveyed Lots, and many forfeitable purchases for non-compliance with the regulations.

Referring to these unsurveyed Lots, I would explain that the custom at first was to approve a Labor Petition, if the Land sought, appeared to be vacant, whether surveyed or otherwise; but no grant could be issued, although all other conditions of sale had been performed until the Land had been regularly surveyed, and a return of the survey filed in this Office.

The danger and inconvenience resulting from this custom (which had not been anticipated) caused it to be abandoned; and during the past four or five years, no Labor Petition has been approved until the Lot has been surveyed and returned made.

There have been received in my Office during the year 2,030 applications for Land, viz: 752 for sale by auction, and 1278 under the Labor Act.

It is not possible to state with perfect accuracy, what quantity of Land was required by each class of applicants, because many of the Lots were then, and are still, unsurveyed; and the contents of such Lots, though inserted in the applications, were merely conjectured; but assuming an average of 100 acres for each petition (and many of the auction petitions contained a much larger quantity) the applications would represent an aggregate of two hundred and three thousand acres.

100 orders of survey have issued within the past year, for 2,138 applicants for Land. Several of these being renewals for the third or fourth time, of former orders; and thirty-six of those that issued after March, 1862, were afterwards renewed by indorsements upon the orders.

The number of approvals, under the Labor Act, that have been published within the past year is 1004, representing 95,955 acres as follows:—

Restigouche,	35 Persons.	3294 Acres.
Gloucester,	83	7079
Northumberland,	32	2290
Kent,	51	4848
Westmorland,	32	3836
Albert,	53	5009
St. John,	6	590
Charlotte,	36	3172
King's,	68	6474
Queen's,	62	6060
Susbury,	14	8045
York,	14	1517
Westmorland,	234	22302
Victoria,	89	8522

Of these probably 600 at least, will expire by neglect of the applicants to comply with the regulations for payment and improvement.

409 returns