

if but one be wanting, or its tone or action disturbed in the slightest degree, every body knows how a man will stand with his mouth open, twisting his tongue and lips in vain attempts to utter a word. It will now appear that there must be distinct lines of association suited to the organs of voice—different to combine them in the bark of a dog, in the neighing of a horse, or in the shrill whistle of the ape. That there are wide distinctions in the structure of the different classes of animals is most certain; but independently of those which are apparent, there are secret and minute varieties in the associating cords. The ape, therefore, does not articulate—First, because the organs are not perfect to this end. Secondly, because the nerves do not associate these organs in that variety of action which is necessary to speech. And, lastly, were all the exterior apparatus perfect, there is no impulse to that act of speaking.

## COLONIAL.

### NEW-BRUNSWICK. LEGISLATIVE INTELLIGENCE.

FREDERICTON, February 3.

This day at 12 o'clock, pursuant to proclamation, His Excellency the Lieutenant Governor came down in the usual State to the Council Chamber, and having commanded the attendance of the House of Assembly, His Excellency was pleased to open the Session with the following SPEECH:

*Mr President and Honorable Gentlemen of the Legislative Council;*

*Mr Speaker, and Gentlemen of the House of Assembly;*

You are again met for the discharge of the high and important duties, which have been intrusted to you; and I feel assured that you must all agree with me, there are circumstances connected with the present condition of the Province, and immediately within your own control and superintendence, which demand, in no ordinary degree, the careful and mature consideration of a prudent, and enlightened Legislature.

It can no longer be doubted that the Finances of the Country are involved in difficulties, which have been already felt to an extent which, it is to be apprehended, may have caused alarm and inconvenience to those who have been accustomed to place implicit confidence in the Provincial engagements—difficulties, which if not speedily met by some well digested measures of retrenchment, supported by a well ordered economy in future, must soon lead to serious embarrassment, and blight those fair prospects of internal improvement, and Provincial prosperity, which, with a just reliance on Divine Goodness, we may have hoped to see realized.

I invite your early attention, therefore, to a subject, the investigation of which, cannot, with safety, be delayed; and I recommend that your financial system should undergo such a revision, as will best enable you to provide satisfactorily for the gradual liquidation of the Public Debt, and to restrict the future annual expenditure, within such limits as the actual state of the Revenue, with the existing claims upon it, may require.

I rely entirely on your judgment, discrimination and public spirit, for the selection of the most proper objects of retrenchment, being fully persuaded, that it will be your study and endeavour, to adopt such measures, as will least affect the general welfare, or the public service; and that you will steadily support, with a just and comprehensive knowledge of the wants and resources of the Country, those Institutions and Establishments, which its future destinies, as an integral portion of the British Empire, gradually advancing in value and importance, may demand.

I feel a perfect assurance that these great objects may yet be accomplished, without involving the necessity of any great public sacrifice, or of any increase to the burthens of the people.

I have observed with satisfaction, that the Trade of the Province appears of late to have been prosecuted with increased activity and spirit; and that Commercial enterprise has opened for itself new outlets for the employment of our Shipping, which, it is hoped, will be productive of permanent advantage.

The late unfavourable Season, with which it pleased Providence to visit us, has been severely felt in many parts of the Province; but I can see no reason to doubt that the Agriculture of the Country is progressively improving, and gradually assuming that character of importance in public estimation, which, at no distant period will develop the natural excellencies of a soil capable of supporting in competence and comfort, a vast increase of population.

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

The Treasurer's accounts, with the documents which usually accompany them, shall be laid before you.

It is quite essential to the proper maintenance of the public credit, that your Grants should be so regulated as to insure their prompt payment at the Treasury, as they become due:—with reference to this subject I shall have to communicate to you by Message, some commands which I have recently received from His Majesty's Government, relative to the future issue of Government Paper or Securities.

The almost entire failure of the crops last year in Madawaska, had reduced a district, usually blessed with happiness and plenty, to a state of great misery and want, bordering upon famine, and I could not, therefore, hesitate to order immediate supplies of food to be provided for the unfortunate sufferers:—The documents connected with this outlay, I will order to be laid before you, in the confident expectation, that of all the claims that may be submitted to you, those of suffering humanity will be the first attended to.

It is now, I believe, generally felt and acknowledged, that a contraband trade, to an extent most hurtful to the Provincial Revenue, has for some time past been, almost openly, carried on in the Bay of Fundy:—an alarming instance of the audacity with which this illegal practice is prosecuted, has been very recently reported to me, and the existing call for an efficient preventive system, does not, in my judgment, admit of any question. It is not alone the protection of the Revenue, although of itself an object of sufficient consequence, which now claims the interference of the Legislature; for it is obvious, that the absence of any adequate check upon this shameful and demoralizing traffic, must have had a most injurious effect upon the coasting trade; and I have every reason, therefore, to conclude, that a large increase of business and success of our Mercantile Establishments, would be among the results which might be expected to flow from the suppression of this evil.

*Honorable Gentlemen and Gentlemen,*

I have received instructions to convey to you a statement of the terms upon which, in the opinion of His Majesty's Government, His Majesty might properly be advised to place the proceeds of the Casual and Territorial Revenues, under the control of the Provincial Legislature:—this important document, I communicate to you by Message; and I anticipate that in the propositions thus to be submitted, you will not fail to recognize the disposition which exists, on the part of His Majesty, to accede the wishes of the Representatives of His Majesty's faithful subjects in New Brunswick.

The liberality with which you have invariably supported the Schools and Seminaries of Instruction established in the Province, merits my best acknowledgements; and I am anxious that the encouragement which you have given to the diffusion of knowledge, should be productive of all the good which we are justly entitled to expect. I am afraid, however, that your expectations in this respect, have, in too many instances been defeated, by the appointment of improper or incompetent Schoolmasters; and sensible as you are, how much depends on the character and qualifications of those who are to instruct the young, and preside over the formation of their morals, I need only suggest to you the expediency of adopting some plan, such as the nomination of competent local Committees, for the examination, not only of the Teachers now borne on the Establishment, but of every future Candidate for a vacant School—in order to insure the selection of Persons duly qualified, and of undoubted respectability, for every such situation.

From the various important matter that will now claim your consideration, you will readily concur in opinion with me, that at no former period have subjects of weightier moment been submitted to the Legislature of this Province; and you will, I trust, be cordially disposed, to deliberate upon them, in that calm and temperate spirit, and in those wise, and enlarged views of the true interests—present and prospective—of the whole community, which can alone guide you to the safe and satisfactory disposal of them. The great financial questions, which will engage your attention, are inseparably identified with the future well being of the country; and in dealing with them, you cannot fail

to bear in mind, that your decisions will be lastingly beneficial to the Province, only in proportion as they may tend to strengthen and consolidate its natural and political union with the Parent State.

We can have but one object in view—the Public good—and while I leave to your judgment and discretion, the adoption of such measures as it may be proper to pursue in furtherance of that end, I may truly assure you, I shall not be wanting in any exertions that may be required from me, for promoting the permanent prosperity and happiness of His Majesty's loyal subjects in New-Brunswick.

### EXTRACTS FROM THE JOURNALS.

February 3.

Mr. End moved for leave to bring in a Bill to provide for the establishment and maintaining of Public Booms in the Country of Gloucester. Leave granted.

On motion of Mr. Simonds.

Resolved, That a Committee of Trade be appointed, to whom shall be referred all matters which may in any way affect the Trade of the Province.

Ordered, That Mr. Simonds, Mr. Slason, Mr. Barlow, Mr. Rankin, Mr. Ward, Mr. Wyer, and Mr. End, be a Committee for that purpose.

On motion of Mr Taylor, Resolved, that a Select Committee be appointed to take into consideration the state of all the Roads of communication in the Province, and to report the same to the House, and also to report what sums it may be necessary to grant for repairing and improving, as well the Great Roads as Bye Roads. Ordered, that Messrs. J. Taylor, Partelow, Vail, Chandler, Brown, Hayward, Allen, Street, End, Welden, and Harrison, be a Committee for that purpose.

On motion of Mr Hayward, Resolved, that no petition be received or bill brought in after the Twenty-second day of February instant, except by special leave of the house.

Mr Street moved for leave to bring in a bill to repeal all the Laws now in force relative to the performance of Statute Labour in this Province, and to make more effectual provision for the performance of the same. Leave granted.

Mr End moved for leave to bring in a bill to provide for the punishment of cruelty to animals. Leave granted.

Mr Chandler, by leave, presented a petition from Thomas Parson and others, inhabitants of the County of Westmorland, praying that an Act may pass to divide the Parish of Hopewell in said County into two separate Parishes; which he read. Ordered, that the said Petition be received and lie on the Table.

To His Excellency Major General Sir ARCHIBALD CAMPBELL, Baronet, G. C. B., Lieutenant Governor and Commander in Chief of the Province of New Brunswick.

The Honorable the Legislative Council, and The Honorable the House of Assembly of the said Province, in General Assembly convened;

THE PETITION

Of the President, Directors, and Company of the Bank of New-Brunswick:

HUMBLY SHEWETH.—That the experience of the last year has shown more clearly than ever, that the growing exigencies of Trade require an increase of Banking Capital in the City of Saint John.

That the Bank of New Brunswick has now been in operation more than thirteen years, and your petitioners appeal to its proceedings for the whole period of its existence, as a ground of confidence for the future.

Its paper has always been of unquestionable credit, and has afforded a sound circulating medium, received and relied upon, as the equivalent of gold and silver, in every part of the Province; while its accommodations in the way of discount, have been as extensive as the amount of capital would by any means admit, and have been distributed in as just and impartial a manner, as was possible under the various and urgent applications for loans, which of late always exceed what the Bank can, with any regard to prudence, supply, and at times are more than double that amount.

In further proof of the claim which this institution has to the continued confidence of the Legislature and the public, your Petitioners crave leave to refer to the matters set forth in the Petitions presented by them at the two last Sessions of the General Assembly, and to the Report made at the last Session, by the Joint Committee of the Council and House of Assembly, appointed to examine into the proceedings of the Bank, in which report it is stated, that while the Directors