

# THE GLEANER

AND NORTHUMBERLAND SCHEDIASMA.

VOLUME V.]

*Nec aranearum sane texus ideo melior, quia ex se fila gignunt, nec noster vilior quia ex alienis libamus ut apes.*

[No. 29.]

MIRAMICHI, TUESDAY MORNING, MARCH 25, 1834.

## THE GLEANER.

### PROVINCIAL LEGISLATURE.

NEW-BRUNSWICK.

#### EXTRACTS FROM THE JOURNALS.

MARCH 8.—That the sum of five hundred pounds, granted at the last Session of the Legislature to be applied in aid of individual subscription towards the erection of a Bridge over Cocagne River be re-appropriated and expended on the roads and bridges between Shediac and Richibucto, forty pounds fifteen shillings and six pence of this sum be paid by Dudley Perley, Esquire, the present Supervisor, to John W. Weldon, Esquire, the late Supervisor on this road, it being a balance due him on his Accounts of Expenditure on that road, as audited at the last Session.

To his Excellency the Lieutenant Governor, the sum of fifty pounds, for the road from Shediac to Richibucto.

To his Excellency the Lieutenant Governor, the sum of three hundred pounds, for the road from Richibucto to Chatham.

To his Excellency the Lieutenant Governor, the sum of two hundred pounds, for the repairs of the road from Fredericton to Newcastle.

To his Excellency the Lieutenant Governor, the sum of two hundred and twenty-five pounds, for the road between Newcastle and Ristigouche, one half to be expended between Foreign's and Newcastle; forty pounds of the residue to be expended in finishing the bridge over the confluence of the Middle and Little Rivers, and the approaches thereto.

To his Excellency the Lieutenant Governor the sum of £37 10s. for the Great Road from Shediac to Dorchester; and £37 10s. for the road from Shediac to the Bend.

To George Henderson, the sum of £1 15s. 6d., for gauging at Miramichi, for the year 1833.

To William Craig, the sum of £10 pounds, for cutting the Windfalls cut of the road across the Miramichi Portage, for the years 1832 and 1833.

To his Excellency the Lieutenant Governor the sum of £100, to explore a new and direct line of road from Bathurst to meet the line of road from Canada, called the Kempt road. And also, Resolved, That no further sum will be granted for this purpose.

To Francis Esson, a Licensed Teacher, the sum of £20 for teaching a School in the Parish of Addington, in the County of Gloucester, in 1831 and 1832.

To his Excellency the Lieutenant Governor, the sum of £30 in aid of individual subscription, to pay a Courier passing between Bathurst and Shippegan, in the County of Gloucester.

Mr Putnam, Master in Chancery, informed the House that the Council had agreed to the following Bill:—A Bill "to continue the Laws relating to the Fisheries in the County of Northumberland" with amendments, to which they desire the concurrence of this House.

And the Master in Chancery further informed the House, that he was directed to communicate the following Order:—

*Legislative Council, 7th March, 1834.*

Ordered, That the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council do agree to the proposed Address to His Majesty and the Imperial Parliament, on the subject of existing Duties on Foreign Wood; and that Mr Cunard is appointed a Committee on the part of this House, to join such Committee as may be appointed by the Assembly to prepare the same."

MARCH 10.—On motion of Mr S. Humbert, Whereas, The Act extending the privilege of Solemnizing Marriage to Ministers of certain Religious Congregations, passed by this House in the Session of 1832, has not been confirmed by his Majesty for the reasons set forth in the Dispatch from the Right Honorable Mr Stanley, Secretary of State for the Colonies, of the 1st day of January last; And whereas a Bill is now before this House for the like purpose, with such provisions as will obviate the objections pointed out in said Dispatch, therefore Resolved, That an humble Address be presented to his Excellency the Lieutenant Governor, praying that his Excellency will be pleased to inform this House, whether he could assent to such a

Bill, without reserving it for His Majesty's Royal approbation.

On motion of Mr Allen, Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying his Excellency to lay before this House, Copies of all Official Dispatches and Documents transmitted by him to the Right Hon. the Secretary of State for the Colonies, since His Excellency assumed the Administration of the Government, up to the present time, relating to the subject of the Casual and Territorial Revenues, and to the Petitions of this House to the King in 1832 and 1833, upon the subject of the said Revenues, and a permanent Civil List to be provided by the Legislature:—And also Copies of all Official Despatches in reply to such as may have been received from the Colonial Office, relating thereto:—And also Copies of all Official Dispatches and Documents which have been received from the Colonial Office since his Excellency assumed the Administration of the Government, upon the foregoing subject.

*Message to the House of Assembly, 11th March, 1834.*

ARCHIBALD CAMPBELL.

"In complying with the Addresses of the House of Assembly, of the 13th and 24th ultimo; the first requesting detailed accounts of the Receipts and Expenditure of the King's Casual Revenue, for the year 1833; and the second asking for a statement of all Fees which had accrued to the Public Officers on the Civil List of the Province, for the same period, it was the Lieutenant Governor's wish and endeavor, to render the required information so complete and satisfactory, as to leave the House nothing further to desire, on that head: It is therefore with regret that he finds, by the Address of the 7th inst., that his efforts to give full effect to the wishes of the House of Assembly, have so far failed; and that numerous and voluminous accounts and statements are now sought for—some of which are of a nature, which, notwithstanding the most earnest disposition on the part of the Lieutenant Governor, to aid, to the utmost of his power, the deliberations of the House, on the great question now before it, he yet feels himself compelled to decline furnishing. Guided, however, by feelings and considerations, which he trusts will be duly appreciated, he will take upon himself the responsibility of directing all such of the accounts and statements enumerated in the last mentioned Address, (as he can with any degree of propriety furnish) to be prepared as speedily, and in as perfect a form as may be practicable, with the understanding, however, that it is not to be considered as any precedent for future proceeding; but the names of parties who had their timber seized or forfeited, or the number and names of Petitioners, at the Crown Lands and Secretary's Offices—whether their Petitions have been complied with or not, is information which if it could be correctly ascertained, the Lieutenant Governor considers would be improper for him to give;—as to all monies paid by such Petitioners, the same will appear in the accounts to be rendered, to which they respectively belong. The Accounts of the Receiver General and Commissioner of Crown Lands, applied for in the Address, are regularly transmitted at the end of every quarter, to the Secretary of State for the Colonies, after having been audited by the Auditor General, who is responsible to his Majesty for the correctness of his audit; and therefore as they are accounts exclusively between those Officers, and the Crown, the Lieutenant Governor does not deem it expedient to order them to be laid before the House.

Mr Partelow, Chairman of the Committee of Correspondence, laid before the House important Communications received from John Bainbridge, and Henry Bliss, Esquires, the Province Agents at London, on the subject of Duties on Foreign Timber.

The several Documents being read at the Clerk's Table, were ordered to lie on the Table.

The Chairman reported, that the Committee having under their consideration the Message received from His Excellency of the 6th inst., on the further subject of the surrender of the King's Casual and Territorial Revenue, reserving the proceeds of the sale to the New Brunswick Land Company, and that the Committee had passed the following Resolutions:—

Resolved, As the opinion of this Committee, that the Dispatch from the Right Honorable the Secretary of

State for the Colonies, dated 4th January, relating to the monies arising from the New Brunswick Land Company, would have most materially influenced the deliberations of this House, when in Committee of the whole on the 4th and 5th inst. in consideration of the propositions made by His Majesty's Government, dated the 30th September last, relating to the surrender of the Casual and Territorial Revenues.

Resolved, That in the opinion of this Committee, as His Majesty's Government in consequence of the repeated applications of the Assembly, had, by the said Communication of the 30th September last, stated the terms on which the controul of the said Revenues was to be surrendered to the Legislature, and that as the House of Assembly after full consideration had on the 5th inst. agreed to accept the said proposal made in the said Communication, and had appointed a Committee to prepare a Bill with suitable provisions to meet the views as in the said Dispatch were expressed and understood, it is deeply to be regretted that the additional condition contained in the Dispatch of the 4th January now prevents this Committee recommending to the House to act further upon the said Resolution of the 5th inst.

Resolved, As the opinion of this Committee, that it is expedient to Address His Majesty on the subject of the foregoing Resolutions.

And the Chairman further reported, that he was directed to ask leave to sit again, Ordered, That the Report be accepted, and leave granted.

Mr S. Humbert from the Committee appointed to wait upon his Excellency the Lieutenant Governor, with the Address of yesterday, upon the subject of His Excellency giving assent to the marriage Bill now before the House, without a suspending clause, reported, they had attended to that duty, and his Excellency was pleased to make the following reply:—

"Gentlemen,—The question put to me in this Address is, in my opinion, both unconstitutional and unparliamentary, and I must therefore decline giving any Pledge respecting a Bill which is not regularly before me."

Mr Allen from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address of yesterday, requesting copies of certain correspondence with the Right Honorable the Secretary of State for the Colonies, reported, that they had attended to that duty, and His Excellency was pleased to make the following reply:—

"Gentlemen,—The new and comprehensive right assumed by the House of Assembly in this Address, of calling for the correspondence that may have passed between His Majesty's Government and the Representative of His Majesty in this Province, appears to me to be subversive of the principles and spirit of the British constitution; and I feel that I should ill-deserve the confidence reposed in me by His Majesty, were I to hesitate in meeting so dangerous an encroachment, not only on the independence of the Executive of this British Province, but upon the Prerogatives of the British Crown, by a most decided and unqualified refusal."

On motion of Mr Chandler, Resolved, That a Committee be appointed to prepare an Address to His Majesty's Government on the subject of the Casual Revenue and Civil List, conformably to the report of the Committee of the House this day, when in Committee of the whole House, on the Messages from his Excellency the Lieutenant Governor. Ordered, That Mr Chandler, Mr Kinnear, Mr Partelow, Mr Weldon, Mr Street, Mr Allen, and Mr End, be a Committee for that purpose.

MARCH 13.—A Message from His Excellency the Lieutenant Governor. The hon. Mr Secretary Odell, by command of his Excellency, laid before the House the following Documents, as requested by an Address of this House to his Excellency of the 7th inst. viz:—

Particulars of Excess of Secretary's Fees, from 1st May 1832, to 30th September 1833.

Particulars of contingencies collected at the Secretary's Office, from 1st October 1833, to 31st December 1833.

Particulars of the gross proceeds in the year 1833, of Land sold or leased, shewing in what way the £10,185 13 9-4 arose.