

THE GLEANER.

And Northumberland, Kent, Gloucester, and Restigouche Schediasma.

Volume XII:1

Nec araneorum sane textus ideo melior, quia ex se fila gignunt, nec noster vilior quia ex alienis libamus ut apes.

Number 29.

Miramichi, Tuesday Morning, March 30, 1841.

THE GLEANER.

LEGISLATIVE NEWS.

NEW BRUNSWICK.

EXTRACTS FROM THE JOURNALS.

HOUSE OF ASSEMBLY, March 8.

The committee of Internal Communication recommend that the Petition of John Rennie, of the Parish of Newcastle, County of Northumberland, praying compensation for conveying the Bay of Chaleur and Fredericton Mails across the River Miramichi, opposite Chatham, the committee recommend 10l for this Ferry.

Petition of John Wilson, of the Parish of Nelson, praying aid for running a Team Boat and transporting her Majesty's Mails across the Miramichi River, the committee recommend that the sum of 10l be granted to the commissioners for running a Stage between Fredericton and Newcastle, the same as last year, for this service.

Petition of Arthur Ritchie, Joseph Hunter, Donald Stewart and sixty one others, inhabitants of the Town of Dalhousie, praying aid to enable them to erect a Public Wharf or landing there; the committee recommend that no sum be granted unless assessment be made upon that District, or subscription to a certain amount be actually paid and subscribed.

Read a third time as engrossed, a Bill to repeal the Act to restrain the provisions of the fifth Section of an Act, intitled, 'an act for the support of the civil government in this Province,' and to establish other regulations for the disposal of Crown Lands and Timber in certain cases, Resolved, That the Bill do pass.

To the Lieutenant Governor, or commander in Chief, the sum of £748 15 3 to be applied towards discharging the debt incurred in the erection and completion of a Light House at Point Escuminac, at the entrance of the River Miramichi, the same to be taken from the Light House Fund.

Resolved, As the opinion of this committee, That the message of the Lieutenant Governor of this day's date, communicating copy of a letter from Lieutenant Governor of Prince Edward Island, and the Address and Resolution of the House of Assembly of that Island, relative to the erection of Light Houses on the North Cape and Eastern Coast of the said Island, should be referred by the House to the committee appointed to take into consideration all matters relating to Light Houses.

The committee appointed to take into consideration the propriety of adopting some measures to prevent the circulation of base Copper Coin, and supplying the Province with a good Copper Coin, having taken the same into consideration, recommend that a sum of money not exceeding Five Thousand pounds sterling be placed at the disposal of his Excellency the Lieutenant Governor, to procure a proper copper coin for the Province.

March 9.

On motion of Mr Hill, Resolved, That an humble address be presented to his Excellency the Lieutenant Governor, praying that his Excellency will be pleased to cause measures to be taken for the immediate collection of the arrears of interest due on the loans to the Saint John Bridge Company, and the Saint John Water Company, and also for the payment of the principal of the Loan to the Saint John Bridge Company, in three equal instalments, the first instalment to be paid on the first day of December next, and the two remaining instalments in one and two years from the said first day of December, together with the interest that may be due on the said instalments respectively, at the said several times of payment.

The hon. Mr Johnston by command of his Excellency the Lieutenant Governor, laid before the House—

Copy of a letter from the honorable Thomas Baillie, tendering his resignation of the Office of commissioner of Crown Lands and Surveyor General, the same having been furnished in compliance with an Address of the House of yesterday.

This document being read at the Clerk's Table is as follows:—

Fredericton, 23d January, 1841.

Sir,—In consequence of events which have occurred, and which have embarrassed my private affairs, I am advised by my friends to tender to your Excellency the resignation of my office of commissioner of Crown Lands and Surveyor General, which I now do upon the terms heretofore proposed, namely, that your Excellency would obtain for me such a retired allowance that my length of service and the station in which I have been placed may appear to merit

The motives which have prompted me to

this step, will, I trust, be fully appreciated by your Excellency, on whose friendly aid I reply with confidence, to secure me such a retirement as will enable me to support my family respectably.

I have, &c.
(Signed) T. BAILLIE.
Com. Crown Lands & Sur. Gen.
March 10.

Resolved, As the opinion of this committee that the allowance of a retiring pension to the hon. Thomas Baillie, under all the circumstances of the case cannot be justified on any principle of sound policy, and still less by any claim which that gentleman has on the favorable consideration of the Assembly, as the faithful guardian of the public interests. Yeas 14, Nays 13. And so it passed in the affirmative.

March 11.

On motion of Mr Hill, That an humble address be presented to his Excellency the Lieutenant Governor, assuring his Excellency that the House had taken into their mature consideration his Excellency's message to this house of the 5th March, instant, relative to the subject of a retired allowance to Mr Baillie, who had resigned his offices of Surveyor General and commissioner of Crown Lands, together with the several despatches of the Right Hon. the Secretary of State upon this subject, and also a copy of Mr Baillie's letter, tendering his resignation of the said Offices, dated the 23d January, 1840; after duly considering the subject, the house cannot feel themselves justified in recommending to her Majesty's government to grant Mr Baillie a pension or retiring allowance, chargeable upon the Civil List Fund, granted to the Crown by this Colony.

Resolved, That there be granted to Richard S. Clarke, the sum of £50 towards relieving him in his present necessitous condition.

To the Board of Health for the County of Northumberland, the sum of £496 6s. to reimburse the chairman of the same for extra expenses incurred during the last year, in consequence of Typhus Fever having broken out among Emigrants arriving at the port of Miramichi, which caused great precautionary measures to be taken for the preservation of the public health.

March 12.

To his Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of 200l for one year, in aid of a line of Stages between Fredericton and Miramichi, to be paid semi-annually by Warrant on the Provincial Treasurer, under the hand and seal of his Excellency the Lieutenant Governor, to such person or persons as shall be appointed to run such Stage or Stages, by two or more commissioners to be appointed by his Excellency the Lieutenant Governor, who is hereby authorized to make such appointments, on its being certified to his Excellency the Lieutenant Governor or commander in chief for the time being, by such commissioners, or the major part of them, that the person or persons who shall be so appointed by the commissioners aforesaid, to run such stage or stages, have well and faithfully performed that duty, and run a good, safe and commodious Stage or Stages, well adapted for the accommodation of travellers, twice a week during the year, for which said Commissioners shall so certify as aforesaid, unless prevented by the badness of the Road or unavoidable accidents, and that the person or persons so employed and running such Stage or Stages have not less than five changes of good horses on the road.

March 15.

Resolved, as the opinion of this committee, that nothing has transpired which should induce the house to abandon the opinion expressed by them on the 5th instant, in their address to his Excellency on the subject of the eligibility of Clergymen to seats in the College Council.

March 16.

Mr Miller, Master in Chancery, informed the House that the Council had agreed to the Resolutions of Appropriation voted the 11th day of March, instant, with the exception of the following grant:

To the committee of the Baptist Education Society at Fredericton, the sum of £250 towards paying off the debt due by that society, which was not agreed to.

The select committee on the several Messages relating to King's College, after full deliberation on the subject of the modification of the Charter, and after a careful examination of the documents before them, are of opinion that the house should forward an humble Address to the Throne, and praying her Majesty's permission to enact the same; and the committee are further of opinion, that the Draft of a Bill containing the required modifications should be sent with the Address, and they have therefore prepared drafts of the Address and Bill, and respectfully submit the same herewith for the consideration of the House.

On motion of Mr Street, Resolved, That a select committee be appointed to prepare an Address to her Majesty, upon the subject of the Act for the improvement of the practice in the Court of Chancery in this Province, in pursuance of the recommendation of the Select Committee to whom Lord John Russell's Despatch of the 23d May last, upon the subject of that Act, was referred, as contained in their Report to the House on the 1st day of March, instant.

March 17.

Whereas an efficient Steam Boat has been built by James Whitney, of St. John, at a very great cost, for the purpose of plying between St. John and Boston, in the United States, and whereas the said Boat has been running on that route during the past year, and has proved a very great public convenience and advantage; And whereas there is reason to apprehend from the great outlay of capital required for such object, and the heavy expenses necessarily to be incurred in keeping up the said communication, that an enterprise so highly beneficial to the best interests of the Province, may be interrupted unless some Legislative enactment be afforded in the premises, therefore Resolved, That there be granted to the said James Whitney, the sum of £500 in aid of his laudable undertaking; and further

Resolved, That there be granted to his Excellency the Lieutenant Governor or Commander in Chief, the sum of £250 for the next four years, for the purpose of encouraging the continuance of the said Boat, or any other of equal efficiency on the said route; which annual amount to be paid to James Whitney or any other person, (he failing to accomplish it,) on a certificate being produced from commissioners to be appointed for the purpose, to the commander in chief for the time being, on or before the 31st January in each year, that a boat as aforesaid has plied on the said route, at least once a week, (unavoidable accidents excepted) between the first day of May and the first day of November, in the said year for which such certificate is given.

To Henry Swim, of Blissfield, in the county of Northumberland, the sum of £10 in support of a Ferry, and for conveying her Majesty's mails across the river Miramichi.

To his Excellency the Lieutenant Governor or Commander in Chief, the sum of 40l to encourage the running a Packet (sufficient for the conveyance of Passengers, &c.) between Shediac, in the County of Westmorland, and Bedeque, in Prince Edward Island, to be paid the person running the same, upon its being certified to his Excellency that the said packet has been running at least once in each week, from the opening of the navigation to the close thereof.

To his Excellency the Lieutenant Governor or Commander in Chief, the sum of 20l to be applied in placing Buoys in the Harbour of Shediac.

Mr Miller, Master in Chancery, informed the House that the Council had agreed to the Bill to repeal the Act to restrain the provisions of the fifth Section of an Act, intitled, 'An Act for the support of the Civil Government in this Province,' and to establish other regulations for the disposal of Crown Lands and Timber in certain cases, with amendments, to which they desire the concurrence of the Assembly.

March 18.

On motion of Mr. Street, Resolved, That an humble Address be presented to his Excellency the Lieut. Governor, praying that His Excellency will be pleased to bring under the notice of her Majesty's Home Government, a copy of the Report of the Select Committee of this House, together with a copy of the Letter of his Honor the Master of the Rolls to his Excellency, under date of the 17th ult., and laid before the Honorable the Legislative Council, by Message from his Excellency, on the 18th of the same month, upon the subject of that part of the Despatch from the Right Honorable Lord John Russell, Secretary of State for the Colonies, to his Excellency, relative to the Act of Assembly, passed in the third year of the reign of her present Majesty, for the improvement of the practice of the Court of Chancery in this Province, under date of 23rd May last, and laid before this House by his Excellency on the 25th January last, which Report has been adopted by a Resolution of this House; and that in so doing, his Excellency will be pleased to impress upon her Majesty's Government the propriety of giving effect to the Act in question, for the reasons set forth in the above mentioned Report; and further—Resolved, That the hon. the Legislative Council be requested to join with this House in such Address.

On motion of Mr Hill—Resolved, That a Committee of Inquiry into the extent, causes

and effects of Intemperance be appointed, whose duty it shall be to report thereon to this House at the next Session of the Legislature. Upon the question for adopting the Resolution, the House divided as follows:—Yeas 14, Nays 14. The division be equal, the hon. Mr Speaker decided in the affirmative. Ordered, That the Committee of Inquiry be composed of the following Members:—Mr Hill, Mr Rankin, Mr Taylor, Mr Beardsley, Mr Woodward, Mr Gilbert, Mr Brown, Mr Palmer, Mr Jordan, Mr M'Almon, Mr Barberie, Mr End and Mr Connell.

The amendments made by the Legislative Council to—the Bill to repeal the Act to restrain the provisions of the Fifth Section of an Act, intitled "An Act for the support of the Civil Government in this Province," and to establish other regulations for the disposal of Crown Lands and Timber in certain cases, being read, the question was taken—That the House do proceed to take the said amendments into consideration, and it was decided in the negative.

On motion of Mr Street, Resolved, That inasmuch as the amendments made by the Legislative Council to the Bill to repeal the Act to restrain the provisions of the Fifth Section of an Act, intitled "An Act for the support of the Civil Government in this Province," and to establish other regulations for the disposal of Crown Lands and Timber in certain cases, are an infringement upon the privileges of this House, the Bill in question being a Money Bill, and therefore not subject to be amended by the Legislative Council, this House cannot go into consideration of the said amendments. Upon the question for sustaining this Resolution, the House divided as follows:—Yeas 9, Nays 16. Whereupon it was decided in the negative.

On motion of Mr L. A. Wilmot,—Whereas this House has learned with deep regret, that our esteemed Lieut. Governor has been recalled by her Majesty from the Government of this Province: And whereas his Excellency's Administration of this Government has been characterized by a sound and liberal policy, and has given universal satisfaction to the constituency of the Province: And whereas this House is of opinion, that the prudent and judicious course pursued by his Excellency during the excitement on the Frontier in the years 1838 and 1839, may be attributed under Divine Providence, the pacific termination of the then existing difficulties, which threatened to involve our Nation in a calamitous and expensive war with the United States: And whereas this House is of opinion, that a substantial Testimonial should be presented to his Excellency, in token of the high estimation in which his valuable and indefatigable exertions are held by all classes of Her Majesty's loyal Subjects in this country therefore

Resolved, That an humble Address be presented to his Excellency, praying that his Excellency will be pleased to accept from the Legislature of this Province, a Service of Plate, on his retirement from the government, as commemorative of the estimation in which his valuable services are held by the people of New Brunswick, and further

Resolved, That such sum as will procure a Bill of Exchange for £——, Sterling, be voted in Supply for that purpose, and that it be placed at the disposal of a Commissioner, who shall cause to be engraved on the principal pieces of the Plate, the following inscription:—

'Presented by the Legislature of New Brunswick, to Major General Sir John Harvey, K. C. B and K. C. H., in token of the high esteem in which his wise administration of the Government is held by all classes of Her Majesty's subjects in this Province.—18th March, 1841.'

Which passed without a division, and Upon the question for filling up the blank with the sum of one thousand five hundred pounds, the house divided as follows:—Yeas, The hon. Mr Johnston, the hon. Mr Weldon, Messrs. Wilson, Hanington, Barberie, Allen, Partelow, End, H. T. Partelow, End, Street, L. A. Wilmot, Hayward, Taylor, Brown, J. M. Wilmot, M'Leod, Connell, Woodward, Rankin and Jordan. Nays, Messrs. Hill, Boyd, Owen, Gilbert, Freezo, Beardsley, Fisher, Palmer, M'Almon.

On motion of Mr Partelow, Resolved, That the Resolution be communicated to the Legislative Council, and that they be requested to join this House in the proposed Address. Ordered, That Mr L. A. Wilmot communicate the same, and request the Council to join in the proposed Address.

On motion of Mr Street, Whereas the question of the Disputed Territory is now a subject of negotiation between the British and American governments, over which the government of this Province, has no control, and whereas any expression of opinion on the