

Colonial News.

New Brunswick.

St. John New Brunswick.

Arrest of a Fugitive from Justice under the Ashburton Treaty.—During the night of Sunday the 9th instant, the Dwelling House of Francis S. Blake, Esq., a wealthy and highly respectable Merchant of Boston, was entered, and a large quantity of Silver Plate, consisting of forks and spoons, with Two Hundred Dollars in Boston Bank Bills, were stolen therefrom. A servant of the family named William Baird, who had been discharged two days previously, being suspected, it was ascertained that he left Boston, with the intention of proceeding to Halifax. Baird was traced to this City by Mr Norman A. Webber, of Boston, who held a warrant for his apprehension, with other necessary documents. On arriving here last Sunday evening, Mr Webber obtained a Warrant from his Worship the Mayor, and with the assistance of Mr James Stockford the High Constable, arrested Baird at the St. John Hotel, and there obtained possession of all the stolen plate, and One Hundred and Ten Dollars of the stolen Bills. The arrest of Baird was effected with great difficulty, as he is a powerful young man, and was armed with one of Colt's revolving six barrelled pistols.

By great exertion he was prevented using this deadly weapon, and after a severe struggle he was handcuffed; his person was then searched, after which he snatched a pen-knife from the table, and attempted to cut his throat, but this he was prevented doing by the strength and activity of M. H. Perley, Esq., who had assisted in his capture, at the special request of the British Consul in Boston.

In the struggle between Baird and Mr Perley, the former wounded himself in the lower part of his person with the pen-knife.

Yesterday, Baird was examined before his worship the Mayor and Alderman Porter, at the Mayor's office, where the stolen property was produced and identified, and after very clear proof, which the prisoner did not attempt to controvert or deny, he was committed to Gaol, under the tenth section of the Ashburton Treaty, to await the necessary warrant from His Excellency the Lieutenant Governor for his surrender to the American Authorities. This is the first instance, we believe, in which the Treaty has been acted upon in this Province.

Besides the revolving pistol, five barrels of which were found to be loaded, there was discovered among Baird's clothes, a twelve inch Ivory handle Poignard, very keen and bright, and an Italian Stiletto, the blade triangular, about six inches long, with a solid heavy brass handle. These with the Silver Plate, Bills, a quantity of Sovereigns, and other money, are sealed up and remain with his Worship the Mayor.

We understand that the American Consul has claimed the prisoner, and made the necessary requisition for his delivery under the Treaty.

Canada.

Quebec Gazette, Feb. 10.

Montreal, Feb. 7.—The snow storm finished on Wednesday evening the 5th instant, after having continued without intermission for nearly twenty-four hours. The streets are incumbered with snow, and it has been thrown up from the side walks to get into the doors, so that in some places it is four or five feet in height. The carriages are actually passing in several streets at a height of about four feet above the side paths. Yesterday morning at 8 A. M., a stage arrived from St. John, about twenty-four miles from Montreal, which left the preceding morning at 8 o'clock. It however reached the other side of the river in 12 hours, but could not venture to cross. The Quebec and Montreal stages going out, were stopped in the snow a short distance from town on Wednesday evening. The sleighs on high runners are long in beating down the snow on the roads. The Quebec mail of Tuesday, however, got in yesterday about noon, and the United States mail in the course of the afternoon. That from Upper Canada due yesterday is not yet arrived. No mails are yet in today. The fall of snow has been one of the heaviest recollected at Montreal. The temperature yesterday morning, and this morning has been three or four degrees above zero. The sky is clear and the sun is beginning to be powerful. The mountain of Chamblé appears in the distance like a white cloud rising above the horizon.

Editor's Department.

MIRAMICHI:

CHATHAM, TUESDAY, FEBRUARY 25.

EUROPEAN NEWS.—The Royal Mail Steamer Hibernia, with the February mail, arrived at Halifax yesterday week, in the very short passage of thirteen days. She fell in with a quantity of drift ice, which rubbed and tore the copper on her bows, and broke the ends of her paddle boards.

The papers received by her do not contain anything of startling importance, but the intelligence respecting the trade and commerce of the mother country is highly gratifying. Every branch of national industry was in active operation, and the revenue represented to be in a most flourishing condition.

It will be seen by our extracts in another page, that some changes had occurred in the Ministerial ranks. Sir Charles Metcalfe has been raised to the Peerage, by the title of Baron Metcalfe, of Fern Hill. It was currently reported in London, that he was about to resign his present station of Governor General of Canada, in consequence of ill health, and that he would be succeeded by Sir Henry Pottinger.

We have made copious extracts, which embrace all the principal items of news furnished by our British journals.

LEGISLATIVE PROCEEDINGS.—By the mail, and by private conveyance, we have been put in possession of the Journals of both branches of the Legislature to the 17th of the month. We have devoted a large space to extracts therefrom.

Last week we stated on the authority of a private letter, that a vote of censure had been passed by the house on the Lieutenant Governor; and that Mr Partelow intended introducing a resolution, that the Assembly had no confidence in the Executive Councillors.

After the string of Resolutions, (inserted in last week's paper) proposed by Messrs End, Hill, and Fisher, had been lost in committee of the whole house, the following resolutions were introduced. The first by Mr Partelow, the second by Mr Fisher, and the third by Mr Wilmot. After considerable discussion, the original resolution together with one of the amendments were adopted.

We give them below in the order in which they were moved.

"Resolved, as the opinion of this committee, that the recent appointment of Alfred Reade, Esquire, son in law of His Excellency the Lieutenant Governor, a gentleman possessing no claims to so distinguished a mark of the Royal Patronage, to the important and lucrative Office of Provincial Secretary, is an act of great injustice to many individuals resident in this colony, whose zeal and ability in the public service have well entitled them to the confidence of the Government and the People, and is contrary to the wishes and feelings and the opinions of Her Majesty's loyal subjects in this Province."

To which resolution an amendment was proposed—to expunge the whole of the said resolution, after the words "opinions of this committee," and substitute the following:—

"That the House should approve of the recent retirement of four members of the Executive Council, on the ground that they could not defend the conduct of the administrator of the Government in filling up the vacancy which lately occurred in the office of secretary."

An amendment was then moved to the said proposed amendment—to expunge the whole thereof, as well as the original resolution, after the words "opinion of this committee," and substitute the following:—

"That the Provincial Secretary should not hold a seat in the Executive Council, nor hold his Office subject to the continuance of the existing administration; and that the constituting an Executive Council by the Heads of Departments, whose tenures of office should depend upon the confidence of the country, would endanger the Government by giving too great an influence to the Political Branch."

And the question being taken upon the last proposed amendment, it was decided in the negative.

The question was then taken upon the last proposed amendment, when the committee divided as follows:—Yeas—hon. Mr Speaker, hon. Mr Hazen, hon. Mr Wilmot, Messrs Hill, Rankin, Brown, Fisher, Wark, Barker, Perley, S. Earle, W. H. Street, Botsford, J. A. Street, Partelow, Jordan, Hanington, Stewart, Barberie,

End, Alexandre, Palmer, Taylor, J. Earle, Scoullar, Smith, Connel. Nays—Messrs Allen, Payne, Gilbert, Thomson, Boyd. And so it was carried in the affirmative.

The following resolution was then moved in the committee:—"Resolved, as the opinion of this committee, that the recent appointment of Alfred Reade, Esquire, a gentleman possessing no claims to so distinguished a mark of the Royal Patronage, to the important and lucrative office of Provincial Secretary, is an act of great injustice to many individuals resident in the colony, whose zeal and ability in the public service have well entitled them to the confidence of the government and the People, and is contrary to the wishes and feelings and the opinions of Her Majesty's loyal subjects of this Province."

And the question being taken upon this resolution, the committee divided as follows: Yeas—hon. Mr Speaker, hon. Mr Hazen, hon. Mr Wilmot, Messrs Rankin, Wark, S. Earle, W. H. Street, J. A. Street, Jordan, End, Partelow, Botsford, Hanington, J. Earle, Barberie, Stewart, Scoullar, Taylor, Alexandre. Nays—hon. Mr Simonds, Messrs Allen, Smith, Payne, Connel, Perley, Barker, Gilbert, Fisher. And so it was carried in the affirmative.

Mr Fisher then moved the following, which was lost.

The following resolution was then moved in the committee:—"Resolved, as the opinion of this committee, that the establishment of Constitutional Government in this Province, by securing the proper influence of the House of Assembly upon the Executive Government, and thereby affording a constitutional guarantee for its conduct, renders a specific vote upon a single appointment of the Government unnecessary." Upon the question for adopting this resolution, the committee divided as follows: Yeas—hon. Mr Simonds, Messrs Allen, Payne, Barker, Gilbert, Fisher, Thomson, Brown, Boyd, Hill, Connel. Nays—hon. Mr Speaker, hon. Mr Hazen, hon. Mr Wilmot, Messrs Rankin, Wark, Perley, Earle, W. H. Street, Jordan, J. A. Street, Botsford, Partelow, Taylor, End, Hanington, Scoullar, Barberie, J. Earle, Stewart, Smith, Palmer, Alexandre.

The debate commenced on Monday, and terminated on Thursday afternoon, having occupied the entire attention of the House four days.

After a respite of a week, to use the language of one of the representatives of this County, the House had another "flare up." We made mention in our last, that Mr Partelow intended bringing in a Resolution expressive of a "want of confidence" in the present Executive Council. This subject was brought before the House on Thursday last, and the discussion thereon occupied the whole day.

We are indebted to the Loyalist published on the morning of Friday last, for the following brief, but comprehensive account of how the "affair" came off, and the result of the debate.

Owing to a press of business the publication of this sheet has been delayed until a late hour; but this we do not regret, as it affords us the means of conveying to our readers at a distance the result of this day's proceedings in the House of Assembly. On the 30th inst. it will be recollected that we mentioned hon. members how they passed a vote of want of confidence on that day, in connection with the resolution approving of the conduct of the Ex-Councillors; as His Excellency's present advisers, or their friends, would then have had a plea that no time had been given His Excellency to act after becoming acquainted with their opinion. The course we recommended we were happy to perceive was adopted, and the Governor and his advisers given a week for consideration. On Monday last, however, in reply to a question from Mr Partelow, hon. Mr Simonds said no steps whatever had been taken towards the re-organization of the council; upon which Mr Partelow gave notice that he would on Thursday next (to day) move a resolution expressive of want of confidence in the present Executive Government.

The resolution was moved this day according to notice, in the House, a motion that they resolve themselves into committee of the whole having been over-ruled. The resolution was moved by Mr Partelow, and is as follows:—

"Resolved, that the present Executive Government of this Province does not possess the confidence of this House, nor of the country at large."

Mr Hill then arose and offered the following amendment:

"Resolved, as the opinion of this House, that the above resolution virtually assumes that the Executive Council is responsible to this House for the acts of the Lieutenant Governor, and is therefore inconsistent with the decision of this House in committee of the whole on Thursday, the 13th instant, and ought not for that reason to be entertained."

Mr Fisher and Mr Partelow then arose together, when Mr F. having caught the Speaker's eye, retained possession of the floor. He then offered the following amendment to the amendment:—

"Resolved, as the opinion of this House, that the resolution which passed in the committee of the whole house on the state of the province, on the 13th day of February, instant,

approving of the conduct of the retiring councillors, so plainly intimated the opinion of the House upon the composition of the Executive Council, that it could not be mistaken by the members of that body, or the administrators of the government. That after the recent expression of that opinion it will be more consonant to Parliamentary precedent, or Colonial practice, and more consonant with the dignity of the position of her Majesty's loyal subjects, the Commons of New Brunswick, to delay for a short time any further action upon the present state of the Executive Government. That the recent and only partial application of the new principles of Colonial Government to this Province, together with the apparent opposition to those principles, manifested by a large party of the House on the decision of the committee of the whole house upon the several resolutions moved upon the subject of Constitutional Government, must add to the difficulty of forming a local administration, in which all the great interests of the province will be fairly represented, and upon constitutional principles, satisfactory to all; for which reasons, and from a desire to pursue a course both moderate, respectful, and firm, and at the same time, constitutional, it is expedient for the present to postpone the further consideration of the subject."

It is impossible to give even an outline of the debate at present, but as it shows the true position of affairs it is but right to state that hon. Mr Simonds announced that steps were being length being taken to fill up the ranks of the council, so that there would be a quorum; he also stated that a resolution of the Assembly would have no more influence upon the present members of the Executive Council than the marginal note of an old newspaper. The debate was very animated, regular, and well conducted; and turned in a great measure upon the question respecting delay; Mr Partelow cautioned the House against this, as His Excellency had already had the privilege of communicating with the home government by mail, and on Tuesday next a third would be sent, when, it was his opinion, that if no vote of want of confidence was previously passed, an amendment would be confirmed. Upon the amendment to the amendment the House divided as follows:—

Yeas—hon. Mr Simonds, Messrs Earle, Scoullar, Allen, Payne, Connel, McLeod, Palmer, Gilbert, Fisher, Thompson, Boyd, and Hill.

Nays—hon. Messrs Hazen and Wilmot, Messrs Rankin, Wark, Barker, Perley, S. Earle, W. H. Street, J. A. Street, Scoullar, Jordan, Botsford, Partelow, Hanington, Stewart, Alexandre, Taylor, Brown, Barberie, Smith, Palmer.

Upon the division for sustaining the amendment, the house divided in the following manner:—

Yeas—hon. Mr Simonds, Messrs Allen, Connel, McLeod, Fisher, Gilbert, Thompson, Boyd, and Hill.

Nays—hon. Messrs Hazen and Wilmot, Messrs Rankin, Wark, Barker, Perley, Earle, H. Street, Scoullar, J. A. Street, Jordan, Botsford, Partelow, Hanington, Stewart, Alexandre, Taylor, Brown, Barberie, Smith, Palmer.

(Mr J. Earle did not vote.)

Upon the two amendments having been negatived, and the original resolution put, the following division took place:—

Yeas—hon. Messrs Hazen and Wilmot, Messrs Rankin, Wark, Barker, Perley, Earle, H. Street, J. A. Street, Scoullar, Jordan, Botsford, Partelow, Hanington, Stewart, Alexandre, Taylor, Brown, Barberie, Smith, Palmer.

Nays—Messrs Allen, Payne, Connel, Gilbert, Fisher, Thompson, Boyd, Hill and McLeod.

Thus was the vote of want of confidence carried by a majority of twenty-two to ten, and it yet remains to be seen whether it will have no more effect upon the present Executive Council than the marginal note of an old newspaper.

Had the members of the Assembly taken a stand on some principle, either approving or condemning "Responsible Government," we should have been inclined to believe they were actuated by conscientious motives; but when we see them discarding all the Resolutions proposed defining certain principles by which they were to be guided in future, and adopting one which expresses no principle, and conferring the slightest possible censure on His Excellency for the wishes of his Councillors, we are compelled to doubt the sincerity of their intentions, more particularly as this milk-and-water decision was followed by one of the same tone when they came to discuss the matter regarding the present Executive Council.

Here there was no hesitancy—no delay—midway—they went the "whole hog" and passed a vote of "want of confidence" in them. We are also strengthened in this opinion by the remarks of several hon. members in the debate, and the conclusions uttered by others, that their patronizing Magistrates, Bye Road missionaries, &c. had been interfering with the advisers of His Excellency.

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