

Provincial Legislature.

New Brunswick.

JOURNALS OF THE ASSEMBLY.

February 4.

Extract of a Report from the Earl of Lonsdale to the Lords Commissioners of Her Majesty's Treasury, dated General Post Office, 14th August, 1845.

According to the statement of the Accountant General of this Department, it appears that by the Books of this Office the amount actually paid from the Revenue under the head of Salaries for the years mentioned was as follows for the years ending:—

	Sterling.	Currency.
5th Jan., 1842,	£1,111 19 5	£1,334 7 3
5th Jan., 1843,	1,217 11 2	1,461 1 5
5th Jan., 1845,	1,625 14 10	1,950 17 9

For the two former years however in addition to the expenditure here set down for Salaries the whole of the Postmasters enjoyed the Franking Privilege, and the emoluments of the present deputy Postmaster General, (then merely Postmaster of St. John,) from the Newspaper perquisite and other sources, averaged about £42 Currency per annum: while the Postmaster of St. Andrews derived in the year ended the 5th January 1842 £281 17 8d, and in the succeeding year £263 16 6 from Commission allowed by the United States Post Office for the collection of its Postage in New Brunswick. This Commission, as well as the Postage on Post Master's private correspondence, (all of which is now subject to charge,) and the Postage on Newspapers is now carried to the credit of the Revenue, and there is reason to believe that the produce from these sources at present exceeds the compensations awarded, which amounted during the last year to £373 15s. Sterling, but which are constantly falling in from death or resignation of the parties to whom they were granted.

From the foregoing statement Your Lordship will see that the increased expenditure for Salaries in New Brunswick, is much less than is stated in the Address, and the actual increase can be readily accounted for in a satisfactory manner.

In the first place there are few additional Officers brought into the accounts of New Brunswick for the past year, which were formerly included in the charge of the Deputy Postmaster General of Canada. The salaries of these Officers have added £70 16 4 currency to the expenditure of New Brunswick; but on the other hand, the revenue collected at them has increased the amount of the gross receipt in New Brunswick; a fact which has not been taken notice of.

The Deputy Postmaster General, although with decidedly an increased responsibility, actually receives, under his present fixed salary of £600 currency per annum, £4 5 6 currency less than he derived from the commission of 20 per cent. upon his collection in the year ended the 5th July 1842, and only £4 13s. currency per annum more than the average of his official income for the three years ended on that day.

The increased expense at St. John for salaries since January, 1843, has been occasioned by the appointment of two additional Clerks and a Surveyor.

The salary of the first Clerk has also been raised from £60 to £100 sterling. This last measure was only an act of justice to the individual filling the office, who has now been 14 years in the service, and who was fairly entitled to increased remuneration.

The appointment of a second Clerk was reported by Mr Page when he visited St. John in September, 1842, as being urgently required for the ordinary duties of the St. John Office, while he stated that a third would be indispensable if St. John were made the Head Quarters of a Deputy Postmaster General, which was shortly afterwards decided upon.

With respect to the Surveyor, this appointment was strongly recommended by the Commissioners of Post Office Enquiry in British North America; and there can be no doubt of the great benefit which is derived from the active and personal superintendence of such an officer. In fact it would be impossible for the Deputy Postmaster General to carry on the service throughout the province in an effectual manner without the assistance of a surveyor.

Since the appointment has been made, and mainly owing to inquiries instituted through this Officer, several of the Riding Work Contracts in different parts of the province have been put up to public competition, by which

a considerable saving has been or will be effected in the expenditure of the department.

The only remaining increase in the salaries of the New Brunswick establishment since January 1843, is in the case of the Postmaster of Dorchester, the frontier town on the Nova Scotia side, to whom a fixed salary of £60 stg. has been granted in lieu of the commission of 20 per cent., which in 1842 produced about £27 a year.

The advantage, however, which in consideration of this salary, has been gained by making Dorchester a Forward Office for the English Mails to and from Miramichi and the other towns in that section of the province, is very considerable, as a delay of no less than seven days would have been experienced by sending the correspondence for those towns in the general mail for St. John.

I think the foregoing remarks will shew Your Lordships that there has been no unnecessary increase of expenditure in the Post Office of New Brunswick on account of salaries, and that the Assembly could not have had all the facts before them when this address was drawn up.

Extract of a Report from the Earl of Lonsdale to the Lords Commissioners of Her Majesty's Treasury, dated General Post Office, 14th August, 1845.

I now proceed to the complaint of diminished accommodation afforded by the department, respecting which it is stated in the address, that by the recent abandonment of some of the lines, many of the oldest and most cultivated districts of the province are now left without any post office accommodation.

There can be no doubt that the observations are intended to refer to the route from a point called the Finger Board to Fredericton, and to one from Fredericton to Saint Andrews, from both of which routes the Couriers have been withdrawn since January, 1843.

I am not aware that Posts established by this department have been withdrawn on any other lines in New Brunswick.

With respect to the first of these Routes, I must explain to your Lordships, that its discontinuance was occasioned by the refusal of the House of Assembly in the spring of 1843, to vote the sum which they had for some years granted to parties who ferried the mails across the Washademoac and Jemseg Lakes, in consequence of which, the passage of the mails was refused, until the sum which the ferrymen considered to be due to them was paid.

It is right also to state, that there was but one way officer throughout the line, and that the correspondence taken up or delivered by the Courier was very inconsiderable, although the expense was £300 a year.

The courier between Fredericton and St. Andrew's was discontinued in April last year, (when the funds of the department were in a very low state,) upon my attention being very properly directed, by my officer in New Brunswick, to the fact, that the ride was scarcely necessary, as there was a communication between Fredericton and the United States five times a week, viz:—Woodstock; and opportunities of forwarding correspondence three times a week, via St. John. It further appeared that there was but one settlement of any extent on the route, the weekly average number of letters for which did not exceed four.

Under these circumstances I conceived myself fully justified in the course I adopted.

The expense saved was £80 per annum.

February 10.

Mr End presented a petition from Hugh Waterson, of Bathurst, in the county of Gloucester, praying a return of duties paid on certain Flour of Canadian produce, charged thereon for want of the proper certificate, which has been since produced. Referred to the committee of trade.

Mr End presented a petition from the Rev. Andrew Barron and the managing committee of the Roman Catholic School at Bathurst, in the county of Gloucester, praying for a continuation of the grant to that establishment. Referred to the committee on school petitions.

The joint committee of the Legislative Library, having taken into consideration the subject of reporting and publishing the Debates of the Legislature during the present session, referred to them by Resolutions of both houses, beg leave to recommend that an appropriation of three hundred and fifty pounds be made for that purpose.

GEO. SHORE,
A. E. BOTSFORD,
W. B. KINNEAR,
WILLIAM END,
CHAS. FISHER.

February 11.

Mr Wark presented a petition from Peter Daigle, and two hundred and nine others, inhabitants of the county of Kent, in communion with the Roman Catholic Church, praying that an act may pass to incorporate the Roman Catholic Bishop of New Brunswick, to hold Lands for the use of the said church. Laid on the table.

PROVINCIAL SECRETARY'S FEES.

Extract of a Despatch from Lord Stanley to Sir Wm. Colebrooke, dated Downing Street, August 9, 1845.

The act relating to certain fees, (distinguished in the Records of this office as No. 1533,) abolishes, without any compensation, the fees of the office of the Provincial Secretary. The effect will be to reduce, by a sum varying from £350 to £400 per annum, the fund by which the expenses of that office have hitherto been defrayed. Consequently the Provincial Secretary must either pay those charges out of the income appropriated to his own support, or he must receive the deficiency from the surplus of the civil list revenue.

To throw the burden on him would be obviously unjust. It would therefore be injurious to the Legislative Council and Assembly, to understand the act as having been passed with any such view. The suggestion that their real object was to curtail the surplus of the civil list fund, a suggestion adopted by yourself, appears therefore as by far the more probable explanation of the policy of this enactment.

So understanding it, I could not advise her Majesty to give the assent, without which the act must be inoperative.

If the surplus of the civil list be really excessive, the far more convenient mode of proceeding would be to address the Crown to agree to a diminution of it. Her Majesty's government can have no motive for wishing to maintain any charge on the revenues of the province, as a surplus of the civil list, but the belief that the possession of such a resource may be essential or conducive to the general welfare of the Queen's subjects in New Brunswick. If that belief can be shewn to be erroneous, there will be no reluctance to consent to any retrenchment of the Fund which may be compatible with the public interests.

You will communicate to the Legislative Council and Assembly the preceding remarks on this act, and will inform that her Majesty cannot be advised to assent to it, unless some unexceptionable mode can be pointed out, of meeting the deficiency which the allowance of it must create in the funds devoted to the support of the office of the Provincial Secretary.

STANLEY.

Salary of Provincial Secretary, Registrar, and Clerk of Executive Council.

Downing Street. 28th July, 1845.

Sir.—I have laid before the Queen, the address to her Majesty, from the House of Assembly of New Brunswick, enclosed in your despatch of the 26th April, 1845, No. 26, praying that certain reductions may be made in the salaries of some of the officers for whom provision is made by the civil list act of that Province.

The principles by which the decision has hitherto been guided on this subject, and to which her Majesty proposes to adhere, are few and simple.

They are to stipulate for such a provision for the support of her Majesty's officers in the province, as will enable the Crown to secure the services, in that capacity, of men, whose talents, education, and character, may afford an adequate security for the faithful discharge of their public duties. To defer to the deliberate judgement of the local Legislature, as to the amount of the provision that may be necessary for the maintenance of officers possessing those qualifications, and to maintain inviolate every pledge, express or implied, by which the faith of the Crown is engaged in favour of any present holder of office.

Such of the public officers of New Brunswick, included in the civil list, as held their places before the date of that compact are in possession of such a claim as I have mentioned on the faith of the Crown; and the Queen is well assured, that the House of Assembly of New Brunswick, would be as reluctant to advise, as her Majesty would be unwilling to adopt any measure which should disappoint the just and reasonable expectations of any of her Majesty's public servants. On the other hand, such of the public officers of New Brunswick, as have succeeded to their places since the date of that compact, accepted them with full knowledge of the assurance of his late Ma-

jesty, King William the Fourth, conveyed by Lord Glenelg, through your predecessor, to the Assembly, that the amount of their emoluments of their offices would be subject to revision. Whatever deductions might be made from their salaries, and however soon such reductions might be made to take effect, those officers would, therefore, not be entitled to say that, in their persons, the pledged faith of their Sovereign had been in any respect violated.

Subject to this distinction the Queen fully acknowledges that the local Legislature possess means of information and of arriving at a sound conclusion, not accessible at this distance; nor has her Majesty any motive for wishing to maintain a scale of expenditure for the support of her officers in New Brunswick, exceeding that which the two Houses may consider sufficient for the efficient discharge of the public service. It is, however, important that this question, when once deliberately adopted, should not be again brought into debate; and the Queen trusts that whatever arrangement may now be proposed will be such as not to call for a frequent or early revision.

STANLEY.

February 12.

Read a third time as engrossed, a bill to repeal the laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the towns of Newcastle and Chatham, in the county of Northumberland, and to make regulations more suitable for the said towns, and for other purposes therein mentioned. Resolved, That the Bill do pass.

Mr Wark presented a petition from Simon J. Wheten, a licenced Teacher, in charge of a School at Richibucto, in the county of Kent, praying for an increased allowance to that school, by reason of his teaching the higher branches of Education. Referred to the committee on school petitions.

A message from the Legislative Council. Mr Dibblee informed the House that the Council had agreed to the bill to authorize the Justices of the Peace for the county of Restigouche to levy an assessment to pay off the county debt.

February 13.

On motion of Mr Wilmot, Resolved, that an humble and dutiful address be presented to her most gracious Majesty on the subject of the Boundary between this province and Canada, and that the Council be requested to join in such address.

Mr Rankin presented a petition from Henry Swim, of the parish of Blissfield, county of Northumberland, praying to be compensated for ferrying her Majesty's mails over the South West Branch of the river Miramichi, during the past year; as also for aid towards the building of a new Scow for that Ferry. Referred to the committee of supply.

Mr Rankin presented a petition from Donald Bell, a licenced teacher, praying to be compensated for teaching a school in the parish of Alawick, in the county of Northumberland, for a period of four and a half months ending on the fifth day of June, 1845. Referred to the committee on school petitions.

February 14.

Mr. Wilmot presented a petition from J. W. Holderness, of Richibucto, in the county of Kent, merchant, setting forth that he has been deprived of a mill reserve, previously granted to him by the Lieutenant Governor in Council, and praying for an investigation and relief in the premises. Referred to a select committee.

February 16.

Read a third time as engrossed, a bill to alter and amend the laws relating to the Fisheries in the county of Gloucester. Resolved, that the bill do pass.

Read a third time as engrossed, a bill relating to Dog Tax in the several Counties in this Province. Resolved, that the bill do pass.

Mr. End, pursuant to leave granted, brought in a bill to continue an act to prevent the spreading of a disorder now existing in certain parts of the counties of Gloucester and Northumberland; which was read a first time.

On motion of Mr. Wilmot, Resolved that an humble address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct to be laid before this House, copies of the several applications of John W. Holderness and Lestock W. DesBrisay, during the past year, for square mile licences and mill reserves, on the Richibucto river, together with copies of the several orders in Council thereon; also a copy of any license or other authority, now held by the said L. W. DesBrisay for a mill reserve on the