

Kejor dynasty, had large basketfuls of the eyes of his enemies presented to him after his accession to the throne!

## Communications.

### PUBLIC MATTERS.

To the Editor of the Gleaner,

Sir—Has it never occurred to you, that there is something at variance with civilization, that a man should be imprisoned like a brute beast, and for no other cause than that it has been his misfortune to be unable to pay his DEBTS, and all perhaps to gratify the malicious spleen of a vindictive creditor? A gaol is no place to pay a debt in. Is it not cruel, I ask then, to force a man from his family, who may be depending on his daily labour for support; and yet we find it often occurs. Englishmen take credit to themselves for having banished instruments of torture from their happy land; alas! he that has observed the secrets of a prison, well know that there is more torture in the lingering existence of a Debtor immured within its walls, in the silent, intolerable hours he spends there, than is to be found in whips or racks. Is this a land of liberty, when hundreds languish in prison? Go and visit them; witness their unwholesomeness, their filth and misery, and after that, show me the man shameless enough to say a fellow creature should be put to gaol for debt.

But while I write thus, I seek not to defraud the Creditor out of his just rights. The law is equally wrong on the part of the Creditor. If a Creditor can make oath that he has just grounds and reason to believe that property has been, or is about to be made away, for the purpose of defrauding him out of his rights, why can we not have a law, to seize the property, causing it to be detained, and security given for its safety until the matter is properly investigated; and if nothing can be found, why should the law be allowed to persecute further, to satisfy a malicious creditor.

The time was when a law of Bankruptcy was in existence in the Province, but an extra glut coming into the market, it was pronounced an evil by our wiseacres, and repealed. It was said that many were making fortunes by it. What a display of our Collective Wisdom! What! that they could not frame a law but what might be run through by any common eld nopper of the land; and what a fool must the silly Debtor be, under the existing law, to deliver up his goods and chattels to his Creditors, and that being unable to satisfy all their demands, to have himself persecuted the rest of his days, should he be fool enough to remain in the Province. When the above-named law was repealed they should have added a clause to the existing one for the relief of debtors, to have the unfortunates banished.

In Commercial England, which Colonists strive to ape in their laws and manners—when a person fails in business, his effects are taken charge of by Assignees, and he is examined at once by Bankrupt Commissioners, and a first, second or third class certificate granted, as the person may appear deserving of it; and on receiving said certificate, he is allowed to commence the world anew; but if he is found to be a fraudulent character, he is punished as a felon. It is more than the Ministry of England dare, to repeal such a law, and no enlightened or commercial community, would submit to it for a day, knowing well, as they do, that he that standeth knows not how soon he may fall; and it is no mark of a spendthrift, or of neglect of business, if a person fails, for it sometimes happens to the most persevering, and best members of society, being often brought about by unforeseen and unavoidable circumstances; and when such is the case, should it follow that the person being unfortunate, should be morally dead to the world, from that time forth, until death ends his days, that is, if he remains in the Province. To see Legislators making an act one session and repealing it the next, reminds one very much of a blundering set of gamblers, playing at a card table or chess; they play a card or make a move, and when found not to suit, they ask the privilege to take it back, or in parliamentary language, to REPEAL it.

If a law is found by experience to be defective in parts, why not amend it, and make it more stringent; but to make a law one session and repeal it another, shows neither more nor less than the work of children, or that they are trying experiments. I confess I think it extremely strange there should be no Bankrupt Law in a Colony like New Brunswick. But I suppose this like the School Law, Municipal Law, Railway Law, or any Act of importance to the public, is embracing too much for their COMPREHENSIVE MINDS, and that is the cause they make choice of dealing in so many small matters.

There is another strange feature in the ways and doings of Members of Parliament.

In their cards they offer themselves as public servants, and promise to serve their constituents honestly and faithfully, to the best of their abilities. But it happens, when once elected, in place of the humble servants they often become the ruling masters. It is nothing uncommon to see Members of Parliament leave their seats vacant, while they are rambing the country, or perhaps taking a voyage to Britain or the Continent. Is that serving a constituency faithfully and fairly? Now, I do not mean to say, that a Member should neglect his own business, perhaps to his injury, to serve the public, but I do mean to say, when a Member has important business of his own to attend to, such as VISITING FRIENDS, WRITING LETTERS, and such like, obliging him to vacate his seat at the time when matters of the most vital importance may be before them, not only to their Constituents but to the Province at large, and a single vote may be of the most telling consequence; I say, when it does occur, as it sometimes does, a Member should honestly and honorably resign the trust placed in him into the hands of those who gave it, that they may supply his place by another. A Member of Parliament is at all times wanted in his place, or he is not wanted at all. I have known some members to take their seats but once in four years, leaving it the rest of the time a begging.

What, I ask, would be said of a servant in private life, if he would be found to go and come, and do just as he pleased; no employer would put up with him for a day. And are public servants outlawed? Should there not be a law to the effect, that when it was found that a member could not attend in his place in the house, that a requisition from the County be presented, addressed to the Speaker, should compel him to issue a writ for the County so applying, to elect another member to fill the vacancy so occasioned. Any of those changes would be worth, in my opinion, the whole of the contemplated reforms we occasionally see advocated in the newspapers; and it is to be hoped there are some of our members with integrity enough to bring forward a measure to this effect, at the approaching sitting of the Legislature.

For fear of extending this letter to too great a length, I shall close, and in my next pass a few remarks on an Elective Legislative Council. Mean time, as usual, I subscribe myself,

OBSERVER.

NEWCASTLE, 22nd February, 1853.

To the Editor of the Gleaner,

Sir,—The Gleaner of the 14th instant having come to hand this morning, I observe a communication signed Rate Payer, Lower District, Newcastle. It is gratifying to me to learn that the Parish Schools in Bartibogue are doing so much good, as I was not aware before that there was so much learning in the district, and had it been applied in a better cause, it might have been profitable to Rate Payer, and beneficial to the inhabitants; but when talent is applied to the worst of purposes, as in this case, it ceases to be a benefit to the possessor or the community in which he lives.

I should not have taken any notice of the statements made by Rate Payer, had not reference been made to me so frequently, and in such a way as puts it beyond a doubt to whom he alludes.

I will pass over the first part of his communication, at present, and commence with his account of the 'glad tidings of great joy to all people,' in the passing of the law that gave the people the power of electing their own Parish Officers. He says, "We immediately conferred with the inhabitants of Newcastle and Douglstown; divided the Parish into districts; agreed to hold preliminary meetings; choose our own officers for each district, and upon the day of election of the Town and Parish officers, at Newcastle, have one person to nominate and second each officer proposed, the understanding being, that if opposed the other districts would unite and support each other." Why, sir, the Parish of Newcastle has been divided into districts for over 30 years; and I would ask Rate Payer how many 'we' means, as I believe two will constitute the plural 'we,' and I believe the numbers were few in each of the districts at the time, so anxious about the great boon so much prized by Rate Payer.

Indeed that is evident from his own admission, or else why unite to support each other in the event of opposition. If the people were so much in favor of the new state of things, from whence was the opposition to come. If Rate Payer and his family compact means the Rate Payers of the lower district, then the assessment list for the Parish of Newcastle, on the files of the Clerk of the Peace's office must be in error. There it appears that I have been higher assessed than any other individual in the district for many years past, and in 1851 nearly as much as Rate Payer and his friends.

Will Rate Payer say what kind of notice he calls 'due notice of the meeting,' will he undertake to assert that there was ever a pen committed to paper in the shape of a public notice, or will he not admit that a person was sent round on the day of the evening on which the meeting was to be

held and left notice at the houses of such as they found to be convenient.

The manner in which I got notice in 1850 and '51 proves that, by his own showing.—But there he is in error, or I am misinformed. The Rate Payer alluded to at the meeting of 1850, was not sent, but came to know if I had got notice. I did express my opinion unfavorable as to the legality of the preliminary meeting for the purpose for which they were met, and I still retain the same opinion.

In 1851, it was so arranged that I should not be there, if inclined. Two days before the meeting took place, I left home, for my camp beyond the Tabusintac. I met Rate Payer on the road coming in the opposite direction. Although some conversation took place no allusion was made to the meeting. Having returned without going the distance I intended, I happened to be at home when about 7 p.m. James Hay, Sen., called and asked why I was not at the meeting. I enquired what meeting, and on being informed I stated it was the first I had heard of it. At his urgent request, I consented to attend a meeting at the same place, which he undertook to convene for the Monday evening following.

The meeting was thinly attended it is true, in consequence of the usual cunning of Rate Payer and his party, who had been made apprised of the intention of James Hay by himself, and on the following morning went amongst those who had not attended the meeting, and by false statements (as I am informed) obtained many of their names to a paper, approving of the choice they had made. I did attend the meeting at Newcastle, as stated by Rate Payer, but he has already informed you that I would not be listened to, namely, because Newcastle and Douglstown had united to support each other. But who were the opposition? not the respectable Rate Payers, but your correspondent and his aids and abettors, assisted by minors and others, who had no right there, not being Rate Payers.

Having disposed of '50 and '51, I now come to the last meeting. A few days preceding its taking place, I had a conversation with Rate Payer about the meeting; he expressed a wish that I would attend. I said although opposed to such meetings, as they had been acted upon for the last two years, I had made up my mind to attend; he then said when should the meeting take place, I thought on the evening preceding the Parish Meeting was the best time, he dissented from that and the subject dropped; on the day before the meeting took place, I received the following note.

BARTIBOGUE, 27th Dec. 1852.

Sir,—It is proposed by William Russell and others, that a meeting would be held at Mr John Milne's, on Friday evening next, for the purpose of taking into consideration the appointment of Parish Officers, and I have been requested to acquaint you of it. Your most Obedient Servant,

DONALD McDONALD.

A. Goodfellow, Esq.  
How far my opinion had any weight with Rate Payer may be conceived from the above note. The notice through the upper part of the District (if any) was in the same way as at former meetings. But Rate Payer's strong hold lay in Bartibogue, for young and old, male &c. were in attendance, and apparently had been mustered for some great contest. It was to judge from the number and age of many of these, I was at a loss to know what was meant by evening; believing that it might apply to any hour from noon to midnight; but being a short distance from Mr Milne's I thought by keeping a look out, the inconvenience would be got over, and accordingly about 6 p.m. I walked over. On entering the House which was by the kitchen door, I found that apartment well filled by the Bartibogue people; on entering the room, I observed it occupied by Rate Payer and one other person, who appeared to be in earnest conference, the one as speaker and the other as listener—immediately on entering, Mrs Milne came from an opposite door, bearing a tray, on which was a decanter filled with Gin as I supposed) tumblers and pitcher; on leaving the room, Rate Payer followed, and when he returned said come take something to drink, I did not come here to drink I have just had tea, was the reply. He then helped himself, and asked the other person who also took some; Mrs M. then returned with another bottle of the same size filled with either rum or brandy, and in a very short time numbers had increased to the 'very full meeting' Rate Payer speaks of. I took a seat in silence, watching the disappearance of the contents of the bottles, until Donald McDonald, Esq., the other Magistrate referred to, came in; seeing no paper, &c., I said to Mr McDonald, have you brought the act or any paper, and was informed, he had not, I said I will go to my house and get some. On returning with the Act to consolidate and amend the Laws and paper, &c. I found the bottles had been removed, and in their stead paper and ink. After waiting a little I said I suppose the first thing required is a chairman, and was informed that James Russell Senr., had been nominated, which after a few remarks, he accepted. Dennis McMahon having also been elected as Secretary, consented to act. Rate Payer says that because I could carry no appointment whatever, I left; I did leave, Mr Editor, and hope I shall always leave when it suits my purpose. But I did not leave when, nor in the way Rate Payer would wish to be understood,—again to the meeting, presuming that the course pointed out in the act at the Parish Meetings, was the proper one, after the chairman had acted as Overseer of the Poor

had submitted a copy of his account, and Rate Payer who had been one of the Commissioners of Highways, had also laid before the meeting a statement of his doings for the year then closing—which were severally read over—the business of the meeting was proceeded with. But before going further, permit me to say, the manner in which a statement of Rate Payer's account was spelled and written, drives me to the conclusion, that the opinion I had previously entertained was correct; namely, that there was no person of the county of Rate Payer in the Lower District and the writer would have been nearer the truth to have signed himself P. M. Newcastle. I then rose and said that as the Overseer of the Poor was the first name in the act, I would propose that the chairman be again elected to that office, which was seconded immediately—Mr Russell demurred on the grounds that he was old and had done his share of public duty; when he was done speaking, Rate Payer came forward and moved as an amendment, that they proceed to vote by ballot. I said if we had any right to do what we were then about, we must be under the authority of the act already referred to, and read from it the course laid down for the guidance of the chairman at the Parish Meetings. Another very serious objection appeared to me, and that was, that a large number of the meeting could not write, and that it was going to take up a great deal of time, moreover that his motion could not be put as an amendment. Rate Payer directly commenced an attack on me, by reminding the meeting that it was the first time I had attended; and that I had done so now after being defeated in every way else, for the purpose of creating confusion and preventing their getting on in their own way. In reply, I wished to be informed what had placed Rate Payer in the prominent position he had assumed for the last few years, and whether I had not as good a right there as him, and regretted that any allusion had been made to the past, because if any one had reason to be annoyed I was the person; at the same time assured, them I had not come to create confusion, or to hinder, but to assist in the object of the meeting, but as the past had been referred to, I would take a retrospective view of the proceedings up to the then meeting, and did so; and then read the notice I had received, (already stated) which went to show that I was not wanted there by Rate Payer, and that I might not be a hindrance any further, with the consent of the seconder, I would withdraw my motion and leave the field open for Rate Payer to take his course.

He then went on to propose that they should elect by Ballot, and wished to put it to vote. That I opposed on the ground that if they were to proceed by Ballot, that vote should be taken in that way, and it was on that vote that the numbers were only two against. I am quite confident the numbers for this were not counted, but if they were, it was not 58 as stated by Rate Payer, nor probably half that number, for as I before stated a large part of the meeting could not write, and if they employed Rate Payer to do it for them, which I think likely from his cleverness, they had no means of detecting him, which may in some way accounts for the result he boasts so much.

After remaining until the election of two officers were got through with, which took a long time, exhibiting a farcical scene in which I took no part, and as by that time the effects of the contents of the bottles began to be very visible on some present, I thought if that was the way our Parish Officers were to be decided upon, the sooner the system was changed the better, and considering my own house a more suitable place than where I then was, after taking a peep behind the screen I left.

I believe that from what I have heard since, that the scene during the night and its close on New Year's Morning would beggar description, probably Rate Payer will favour the Public with a detailed account, which I am convinced would be an excellent subject for a Temperance Lecturer, I do not wish it to be understood that all the persons who attended the meeting partook of the intoxicating beverage, nothing of the kind, as there were many persons present who are total abstinence men, but those who did partake, must have had the largest share.

As I have trespassed so much upon your paper, I shall bring the present communication to a close, and in a subsequent number I shall lay before the public the proceedings which took place in the late Sessions, relative to the appointment of Parish Officers in the Parish of Newcastle.

I am, Sir, your obedient servant,

A. GOODFELLOW.

## FRIDAY'S MAIL.

### CANADA.

The House of Assembly.—Shortly after the House met yesterday afternoon, a message was received from His Excellency, communicating certain despatches from the Home Government. The first of these was on the subject of the distribution of medals to those officers of Militia, who had been engaged during the war of 1812, and who had by some informality not received them at a former distribution. Our readers will recollect that during the last session certain resolutions on the subject were introduced by Mr Merritt, upon which an address to the Home Government was founded. The despatch declared that although Her Majesty's Government felt deeply sensible of the loyalty and devotion of