

Legislative News.

(Extracts from the Journals.)

March 23.
Read a second time the following Bill—A Bill to authorize the establishment of a Great Road leading from the Mouth of the Gaspereaux River, in Queen's County, to the South West Bridge on the River Miramichi.

March 26.
Mr Gray, from the Committee appointed on the 8th day of March instant, to examine into the various Documents communicated to the House on that day, by command of his Excellency the Lieutenant Governor, in connection with the European and North American Railway, submitted their Report, and he having read the same, it was handed in at the Clerk's Table, where it was again read, and is as follows:

"The Committee to whom were referred the various Documents laid before the House relative to the European and North American Railway, having attended to that duty, beg leave to report—

"That they have examined the various Documents in connection with the European and North American Railway, laid before the House by command of his Excellency the Lieutenant Governor on the 8th day of March instant, in pursuance of the several Addresses and Notices for information on that subject: They have also examined other Papers and Documents laid before them by the Provincial Secretary.

They have also examined W. H. Scovill, Esquire, the Chairman of the past, and Robert Jardine, Esquire, the Chairman of the present Board, Mr Light, the Chief Engineer of the Works and other witnesses.

"They have also had before them the Engineer's Report upon the progress and present position of the European and North American Railway up to the 16th March, 1858, lately submitted to the Government by that officer.

"In Mr Jardine's official reply to the Provincial Secretary, who had addressed instructions to him as Chairman of the Railway Board to furnish the information required, which replies are severally dated 2nd March, 1858, we find it stated that 'Between the dates above mentioned, viz., 1st March, 1857, and 1st February 1858, no written Tenders were asked for and written contracts made for Railway chairs or railway shoes, or for carrying, carting, or transporting railway materials from the City of Saint John or elsewhere, to different places along the line,' and 'I enclose copies of contracts for the grading of that part of the European and North American Railway commencing at the Mill Pond and ending at the Four Mile House. No written Tenders were advertised for or received for this portion of the Railway, the track laying and ballasting were not contracted for but done by days work.'

"No written Tenders were asked for or received, or written Contract entered into previous to the 1st March 1857, for the construction or building of any locomotive, railway cars, railway chairs, railway shoes, railway bolts, clasps, or other articles made or manufactured for the railway works; and no written Tenders were asked for, or written Contracts made previous to the 1st March 1857, for carrying, carting, or transporting railway materials from the City of Saint John, or elsewhere, to different places along the line.'

Under date of the 4th March, referring to the cost of construction of the Railway between Moncton and Shediac, he says—

"The Commissioners are not aware of any cases in which the original Contracts have been varied or time extended, by authority of the Engineer or Commissioners.

"The Commissioners know of no cases in which Contracts have been completed within the time specified. He also states, with reference to the Shediac Wharf, the time for completing which pursuant to Contract, has expired—That no authority has been given for the extension of the term for completion by the Commissioners.

"The Committee find that the construction of the works during the autumn of 1856, and up to the 1st April, 1857, was carried on without the appointment of any Commissioners, and directly contrary to law.

"That on the 1st April, 1857, a Railway Board, pursuant to law, was first constructed, and in May a Secretary appointed; but that no efficient system of books, or satisfactory mode of recording the proceedings of the Railway Board had been adopted previous to the appointment of the present Board on the 15th day of August, 1857: That a fortnight after that time, Mr Reed, one of the present Commissioners went to England, and did not return to this Province until November, where he remained three weeks, and then left for England again, where he has since been and is at present remaining.

"That the works in the Province since the appointment of the present Board, except during the short period of Mr Reed's visit, have been under the management of the Chairman, and Mr R. C. Scovill, the other Commissioner, the former of whom has taken charge of the operations at Saint John, and the latter at Shediac, pursuant to memorandum entered in this record book of the Board, under date 24th August, 1857, and which memorandum is as follows:—

"Ordered, That semi-monthly meetings, alternately at the Bend and Saint John, shall take place."

"Ordered, That whatsoever business requires to be transacted between the meetings, Mr Jardine, at St. John, and Mr Scovill, Moncton and Shediac, is authorized to transact the same, subject to the ratification of the Board at first meeting."

"It is proper however to state, that the Chairman informed the Committee that he was in constant telegraphic communication with Mr Scovill, his co-Commissioner, and that on all business of importance in the interval between the semi-monthly meetings, they have communicated with each other.

"The Committee further find, that many Contracts, involving large sums, have been entered into without tender, as required by law, and in one instance, after a Contract of that nature had been made with a Mr James for the building of two passenger cars at £750 each, an endorsement on the Contract by the Chairman, that if those cars were built to the satisfaction of the Commissioners, Mr James should have the building of two more at the same price; and in another instance, the giving out of work to one individual exceeding £1,000 under similar circumstances.

"There also appears unnecessary expense in the appointment of Superintendents, at daily wages, over small jobs, such as fencing let out by contract, and requiring nothing but an ordinary examination when performed, to determine whether the Contract has been complied with or not; and on the List of Officers employed in the management of the works, are men whose appointments date as far back as 20th of August and 12th November last, but whose salaries or rate of compensation do not appear upon the Returns, or by the evidence of the Chairman, to have been determined up to the present time.

"The Committee find that there is little or no improvement since the present Commissioners came into office, in the mode in which the Records of the Board or the Accounts of the Expenditures are kept; and they have no hesitation in pronouncing the system that has been and is at present pursued in that respect, as most unsatisfactory, tending to great confusion, affording facilities for fraud and deception and such as must ultimately prove ruinous to the great undertakings in hand.

"The Committee also feel bound to remark upon the subdivision of responsibility by the Commissioners.

"In the case of the Shediac Wharf, involving an outlay of £10,000, (as appears by the Appendix to the Engineer's Report of the 16th March instant,) and constituting the Ocean Terminus of the Railway at Shediac, they find the control and management of its construction left almost entirely in the hands of one Commissioner, and that the Engineer in Chief not only disavows all responsibility for the work, but has actually given notice in writing to the Commissioners to that effect.

"The Chairman states that he considers the services of Mr Reed in England to have been of great value to the Province, in the selection of iron, &c., and that during the three weeks he was in this Province since his appointment, he gave his unremitting attention to the business of the Board.

"The Committee, however, think it was the intention of the Legislature, in constituting a Board of three Commissioners, having charge of works extending over 108 miles, and involving an outlay of nearly a million of money, to have secured the presence, the supervision, and united judgment of the three Commissioners.

"The system of not requiring Contracts to be completed within the time specified, and the permitting the works embraced in such Contracts to be carried on by the same parties after the lapse thereof, without any further specified limit as to time, is not only most unfair towards the different parties who may have tendered and been refused, but is entirely at variance with the principle and object of public competition, destructive of the confidence which the public ought to feel in the competency of Commissioners and skill of the Engineer, and tending to create distrust and dissatisfaction with the public works.

"The attention of the Committee was called to what has been termed the truck system in the payment of the men engaged in the works. The Chairman of the Board in his examination emphatically denies the existence of any such system along the line, and expressed in strong terms not only his denunciation of the system, but his determination not to permit it.

"The Engineer's Report of the 18th March, shows that the whole cost of the line from St. John to Shediac, including moneys paid Jackson & Co., Stations, Rolling Stock, and land damages, will amount to the sum of £930,702 0s 7d, or £8,460 per mile, and that he expects the whole line may be completed and opened for thorough traffic by the autumn of 1859 or the spring of 1860, provided the works be prosecuted with reasonable vigor in the meantime.

"They have to express their satisfaction at the promptness the present and late Chairman of the Board, the Chief Engineer, and other witnesses evinced to facilitate investigation, and at the readiness and candour with which replies were made to the various enquiries submitted by the Committee.

"It would be impossible for this Committee in the short space of time at their disposal, at a distance from the Office of the Board, and the means of information, and with the limited knowledge possessed in this Province, and by this Committee, of the correct mode in which such works should be carried on, to point out a course that would remedy all the evils they believe to exist."

"In Nova Scotia, the Legislature deemed it necessary to call in a competent and disinterested stranger, one uninfluenced by and even unacquainted with the local feelings, prejudices, or politics of the Province, to examine and report upon the Railway saytem.

"In the opinion of this Committee, that was a most judicious course, and we would therefore recommend that a similar course be pursued in this Province, and that without delay.

"We would also recommend that an Act made and passed in the twentieth year of Her Majesty's Reign, intituled 'An Act to alter and amend an Act intituled 'An Act to authorize the construction of Railways in this Province,' be forthwith repealed; and we would recommend that the Chairman of the Railway Board should be a Member of the Executive Council, and hold a seat in the Legislature.

"We cannot too earnestly recommend that a change should be made in the mode of keeping the Accounts and Books of the Railway Board, and that some system such as experience and time has, in other Countries more accustomed to works of such magnitude, proved to be necessary for the economical management of Railway funds, be forthwith adopted.

"J. H. Gray,
D. Hannington,
James Tibbits,
George Kerr,
John W. Cudlip,
J. W. Chandler,
M. McLeod,
L. P. W. DesBrisay,
John McIntosh."

Ordered, That the Report be accepted.

Mr Mitchell moved for leave to bring in a Bill, to authorize the Justices of the Peace for the County of Northumberland, to lease or sell certain Lands, now held in trust by them for the use of the poor of the Town of Newcastle, in the said County, Leave granted.

On motion of Mr Ferris, the House went into a Committee of the whole on—a bill to authorise the establishment of a Great Road leading from the mouth of the Gaspereaux River, in Queen's County, to the South West Bridge on the river Miramichi.

Mr Cudlip in the Chair of the Committee.

Mr Speaker resumed the Chair.

The Chairman reported, that the Committee had the bill referred to them under their consideration and agreed to the same.

Ordered, that the report be accepted and the bill engrossed.

On motion of Mr McLeod,
Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, representing therein the opinion of this House, that the time has arrived when the Provincial Parliament should be hereafter convened at the City of St. John, or in its vicinity and that suitable buildings be forthwith procured for the accommodation of the Legislature and Government at that place, and that this House will make provision for the expenses to be thereby incurred; and

The thirtieth Rule of the House, which provides that no motion for an address to His Excellency involving any charge on the Treasury shall be entertained, unless recommended by a Committee of the whole House, being dispensed with in this instance.

The subject of the Resolution was taken up in the whole House, with the Honorable Mr Speaker in the Chair.

And the subject of the Resolution being debated—

Mr Gilmour moved as an amendment—To expunge the whole of the whole of the Resolution, and substitute as follows:

"Whereas it is highly desirable to ascertain the probable expense which the removal of the Seat of Government to St. John would occasion; therefore

"Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to appoint two or more Commissioners to enquire into and make an estimate, during the recess, of the probable expense which would be incurred in accomplishing this object, and report their proceedings to His Excellency for the information of the Legislature at its next meeting."

March 27.

Read a third time as engrossed, A Bill to authorize the establishment of a Great Road leading from the Mouth of the Gaspereaux River in Queen's County, to the South West Bridge on the Miramichi.

By Telegraph to the Chatham Reading Room, Fredericton, March 27.

Mr Tibbits, the mover of Bill to make Office of Chief Commissioners of Railways political, supported it in lengthy speech, and pointedly condemned many features in present system of railway management, complaining of great extravagance. He was followed by Cudlip, Tilley, Kerr, Hannington, Chandler, and Wilmot. Several members spoke in favor of increasing number of Commissioners to five. Wilmot accused present Government of appointing an out and out political partizan to office of chairman. The late Government, he said, appointed a man irrespective of party considerations, who had never canvassed except for Judge Ritchie. McLeod said he canvassed against him in King's County, after being appointed. Johnson replied to Wilmot. Seat of Government was in question before the House nearly all the afternoon; some 20 members delivered themselves on subject; after being debated at full length, and numerous arguments adduced in favor and against removal of Seat of

Government. On question of adopting Mr Johnson's amendment moved yesterday, House divided in affirmative—Yeas—Wright, Cudlip, Tilley, Grey, Kerr, Lewis, McMillan, Steadman, Vail, McLeod, Brown, Chandler, McAdam, Gilmour, Botaford, Smith, Johnson, Mitchell, Hannington, 20. Nays 19. Mr Watters absent. Amendment moved for appointment of Commissioners to enquire into probable expenses of removal of Seat of Government, and report by next Session.

March 29.

Committee appointed in accordance with resolution moved by Wilmot, relative to taking steps towards establishment of Provincial Bank, Committee to report next Session. Mr Botaford introduced a bill to amend act to incorporate the town of Moncton. Mr Johnson presented a petition from a number of inhabitants of County Kent, praying that an act may pass for further extension of franchise. Mr Wilmot read a petition signed by Mayor of St John, and others, asking for relief towards repairs of Suspension Bridge. Speaker said petition could not be received unless recommended by Government. At 12 o'clock, House resolved itself into committee of whole in consideration of railway committee report.

Mr Allan in chair half past 12 o'clock, Mr Grey now speaking. The Railway Report was under consideration all the afternoon. Speakers were, Tilley, Hannington, Johnson, Harding, McLeod and Gilmour. Some of those determined to report were objected to, but the recommendations were generally concurred in, progress was reported.

Mr Mitchell and some other members expressed a hope that the House would be prorogued on Thursday, a belief was re-opened by others that the business could not be got through with by that time, the propriety of having night Session was urged. The School Bill passed the upper House to-day, without any amendment. House adjourned at half past 6 o'clock, will meet to-morrow at nine.

March 30.

House met at 9 o'clock. Immediately after the reading of the journals, House resolved itself into Committee of the whole in consideration of Mr Chandler's bill for relief of insolvent debtors. Bill was supported by Lewis, Chandler, Fisher, Gilmour, Steadman, Brown and others; opposed by Watters, DesBrisay, Cudlip, and Johnson. Cudlip moved postponement for three months, lost. Bill was then discussed, amended and carried; discussion occupied all the forenoon. Mr Wilmot moved the following, which was carried. Whereas by existing Tariff of Great Britain, sawed Lumber and Deals manufactured in British North America, when shipped to United Kingdom was subject to duty, but when exported to Australia or other British possessions and parts abroad, are not entitled to draw back while foreign deals exported are, and whereas the duty so imposed is equal to 7s 6d pr. St. Petersburg Standard, or equivalent to 10 per cent on present value of article at port of shipment, thus giving to sawed lumber manufactured in Baltic ports, which can be shipped to Great Britain at a far less cost of freight than from North America, a decided advantage to the Colonial article. Resolved, That an humble address be presented to Her Majesty on this important subject, and further Resolved, That the Legislative Council be requested to join the House in such an address. The Report of the Railway Committee was again under consideration, and a somewhat exciting debate took place, which lasted until after 6 o'clock. Following motion by Mr Gray was before the House, Resolved, by this Committee, that report now under consideration should be adopted by the House, to which Attorney General moved amendment as follows: the Committee are of opinion that the construction and management of Railway should be under the charge of a Board of Commissioners, and that no more than one such Commissioner should hold a Seat in each branch of Legislature. The Amendment was lost by a vote 18 to 20. Resolution was also lost by a vote, of 18 to 20.

March 31.

House met proforma at 9 o'clock. A host of small bills received summary treatment; several members were absent on committees, and matters begin to look as if session will close immediately. Several Legislative Councillors have left, and one or two members of lower House also; probably one third of members will leave to-morrow. Bill to establish a police force in city of Fredericton was postponed for 3 months. Progress was reported on elective Legislative Council bill; motion was made to take up orange bill; another motion was made to postpone same for 3 months, upon which House divided 17 to 17, Speaker decided against postponement; original motion put and lost, 15 to 19. Attorney General moved Address to Queen on subject of an Intercolonial Railway; several speeches were made on subject; Mr Mitchell warmly supported principle of an Intercolonial scheme of railways—he warmly advocated interests of North Shore route, and expressed opinion decidedly favorable to that route in case Colonies were to be united by railway. Speeches were further made on the subject by Gilmour, Wilmot, Tilley, McIntosh, Fisher, and McPhelim, when address passed without opposition, and Legislative Council was requested to join therein. A formidable array of bills passed ordeal of postponement for 3 months.

April 1.

House met at 10 o'clock. Business for a time rapidly disposed of. Hon. Mr Tilley introduced a bill to repeal act to establish Board of Health in city of St. John. Bill to incorpo-