

"good are set aside and compromised as secondary considerations—  
"and that the gratification of party feeling arising from difference  
"of religious opinions, and of national descent, take precedence in  
"questions concerning the general welfare."

The Lieutenant Governor further agrees in thinking that the peace of the City must be protected by the strong "arm of the law, and by that alone." He is of opinion that this result is best attained by the arraignment and impartial trial of all persons breaking that peace, or contributing to a breach of it. He cannot for a moment doubt that the Bills found and the Verdicts delivered at the last Session of the Court were found and delivered according to the law, the evidence, and the oaths of the respective Juries. It is obvious that all power of prevention conferred on Magistrates must be paralyzed by the existence of a belief in the absence of impartial justice.

With regard to the conduct of the Magistrates complained of in the Presentment, His Excellency sees no reason to doubt that His Worship the Mayor exerted himself so far as the time and circumstances would allow him to prevent the Procession and to hinder the interruption of it in the public Streets. It is certainly deeply to be lamented that more Magistrates did not accompany the Mayor when he made these efforts, as it was the duty of one and all in their Magisterial capacity to lend the readiest assistance in anticipating or putting down any disturbance.

It must not be forgotten, however, that such duty is not confined to Magistrates. The Mayor, as His Excellency is informed, called on many of the inhabitants to attend and be sworn in as Special Constables, but wholly without success in procuring any efficient force. Every case of refusal or neglect so to attend at a time when the public peace was threatened, was in itself an offence against the law on the part of each person called on to act; and the blame of a breach of the peace consequent on the want of a sufficient number of Constables, falls on the persons so refusing or neglecting, at least as much as it does on any Magistrate not attending on the Mayor at the time.

It must be remembered that whilst on the one hand no persons have any right to obstruct the public thoroughfares, so on the other all processions or assemblages, even for a legal object, if they tend directly to promote or provoke a breach of the peace, become such as to justify the interference of the Magistrates in stopping them. All persons whatsoever resisting the Magistrates under such circumstances in the exercise of their authority must do so at their own peril.

I have, &c.

J. R. PARTELOW.

George Wheeler, Esquire, Clerk of the Peace  
and of the Sessions, &c. &c., Saint John.

SECRETARY'S OFFICE,

Fredericton, 15th September, 1849.

GENTLEMEN,—His Excellency the Lieutenant Governor has received from the Foreman of the Grand Jury an abstract of a Presentment relating to the Alms House at Saint John, of which a copy is enclosed for the information of the Commissioners.

His Excellency is of opinion that the points therein adverted to require the immediate attention of the Commissioners. He thinks it essential that the Commissioners should at once proceed to carry out the following principles:—

1st. That all supplies should be purchased by tender after advertisement, and with samples; the tenders should be opened in the presence of the parties, or of some other persons.

2d. That no Commissioner or Officer connected with the Establishment should, directly or indirectly, supply any of the articles consumed in the House.

3d. That the diet of the able bodied men and women in health should be so regulated as to be less attractive than that which can be procured by a hard working man, with an ordinary family, depending on his own exertions. Meat should be given rarely to this class of inmates. Brown bread, oat meal, porridge, potatoes and rice, in sufficient quantity, might be advantageously afforded on at least four days in the week; tea, sugar and tobacco should not be permitted to this class. These are indulgences rather than necessities of life; and at a time when the industrious labourer out of the House must often forego their free use, they certainly may be withheld from those who are able to work, but yet depend upon public charity. The dietary of each class should be settled in detail, and hung up in the ward occupied by such class, as a check on the Officers of the Establishment, and for the information of the inmates.

4th. The diet of the sick should be regulated entirely by the Medical Officer, who should be consulted as to that of all classes, so as to ensure its sufficiency for health. The consumption of wine, brandy, &c., should be authorised in each individual case by the Medical Officer, who should renew his signature to the order made for administering these stimulants, once at least in every week. Such orders will form the best check on the quarterly consumption of the articles furnished to the sick.

5th. It is of the utmost importance that strict separation should take place between the classes in the Alms House. The able bodied men and the able bodied women should be placed in wards and in yards apart from the rest, and from each other; care being taken that women with young children have access to them at proper

times, and that members of the same family see one another at stated intervals. The children of either sex ought, moreover, to be kept apart from each other, when above the age of ten years. With regard to the aged and infirm, there can be no reason for imposing on them more restrictions than are absolutely requisite for the decent separation of the sexes, and the order and cleanliness of the whole Establishment. Smoking ought not to be allowed in the wards of the House.

6th. Too much stress cannot be laid on procuring proper work for the able bodied, and this work should for the most part be such as they can perform in the yards appropriated to them, under strict superintendence. Breaking stone and sawing wood for the men, and picking oakum for the women, will probably be available; but it is obvious, that in the selection of the work, those who know the wants and habits of the City are the best judges. Nothing of any kind which can be advantageously performed by the inmates should be paid for by the Commissioners.

It must be borne in mind, however, that the immediate profit of the work is not the object of main importance. The able bodied men, as a class, may earn much less than their maintenance costs the public, but if the knowledge that hard work is required acts so as to deter others from entering the Alms House, a saving to the rate-payers will be effected, and the industry of individuals will be promoted out of its precincts.

It is with sincere regret that His Excellency learns the large amount of taxation at present imposed on the rate-payers of Saint John. He cannot but think that a more strict and economical management of the Alms House would do much to lighten that burthen, although probably it may be necessary to seek some aid from the Legislature, in improving the provisions of the present Acts of Assembly. The services of one or more good paid Officers to superintend the work and control the inmates will be cheaply purchased if an immediate diminution in the number of inmates can be effected by their exertions. It is to be regretted that no law exists by which a man wilfully casting himself and his family on the public funds, when work has been offered to him at fair wages, or deserting his family, can be effectually punished.

In the mean time, until the Legislature may have an opportunity of fully considering the matter, His Excellency must rely on the Commissioners of the Alms House doing all in their power to carry out the main principle contained in this letter—the principle, that is to say, of causing the idle man to fare worse on the whole than he who works hard for his bread. If he seek for relief in urgent want, food and shelter will be given him, but it should be given on conditions which will deter him from seeking it unless he be really destitute.

I have, &c.

J. R. PARTELOW.

The Commissioners of the Alms House  
and Work House, Saint John.

### *To the Clergy of the Church of England in the Province of New Brunswick.*

REV. AND DEAR BRETHREN,

His Excellency the Lieutenant Governor of this Province has seen fit to issue a Proclamation for the observance of a Day of Public Thanksgiving to Almighty God for the abundant Harvest which He has vouchsafed unto us.

His Excellency has also requested me to prepare a suitable Form of Prayer, and to enjoin its use on the 11th of October in the several Churches and Chapels under my jurisdiction.

I feel assured that you will thankfully embrace the opportunity of returning thanks to our Heavenly Father for this and other undeserved mercies, vouchsafed to us at a time of considerable commercial distress, when the loss of our crops would necessarily have been followed by great misery during the ensuing Winter. And although it might be presumptuous to suppose that we shall be altogether exempt from the ravages of the Pestilence which has so fearfully visited other parts of this Continent, yet our present preservation, and the general health of our Cities and Villages, calls for some public and grateful acknowledgment to Almighty God. I request, therefore, that you will, as speedily as possible, give due notice of the observance of the day now fixed, and that you will use the Form of Prayer of which a copy will be sent you, in your Parish Church, and in all other Churches or Chapels within your Parish or Mission. And should it be found impracticable to observe the day in all those Churches or Chapels, then I request you will select the Sunday following for that purpose, in Churches or Chapels in which either distance or other obstacles may prevent your attendance on the 11th October. But I request that you will, in your Parish Church, at all events, observe the day fixed on by His Excellency.

Some time since I suggested to you the propriety of making the two usual Collections for the Diocesan Church Society in the months of June and October. That suggestion, I fear, has not been universally acted on. But I now call on you all, as a matter of Christian and Canonical duty, to comply with my request, to preach on the 11th of October, and on any following day on which you may observe the injunction in other Churches, in behalf of the Diocesan Church Society, and to move your Parishioners to a liberal contribution to its funds. A more suitable time cannot be