

LEGISLATURE OF NEW-BRUNSWICK.
(EXTRACTS FROM THE JOURNALS.)

WEDNESDAY, 20th February, 1833.
On motion of Mr. Partelow,
Whereas, apprehensions are entertained by this House, that the answer from His Majesty's Government, in reply to the Address of the 7th of March last, on the subject of the Crown Revenues and Civil List of this Province, may not be received until such a late period of the Session, as will prevent the House, in the event of the prayer of the same being complied with, from giving the subject that consideration which its importance merits, and it therefore becomes necessary to give immediate attention thereto, preparatory to carrying into effect the pledge of the House, made in that Address: And whereas it is deemed expedient that the House should be in possession of information regarding the present state of the Casual Revenue, its receipts and expenditures for the last four years, and other matters detailed in the following Resolution, in order that the House may adopt the necessary measures to accomplish their intentions:—Therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will cause to be laid before this House, at as early a day as possible, a detailed account, showing the amount of the Crown Revenues from the 1st January, 1829, to 1st January 1833, particularizing the amount received in each year, and the source or sources whence it has been derived; also a particular account of the number of Timber, petitions presented, and Licences granted in the same period, the fees paid on each, the quantity of land sold and granted, and the average prices; also a statement of the Salaries of all the public officers paid from the said Crown Revenues; and also, the Salaries of all other officers connected with the Civil List of this Province, and the fees received by them, independently of such Salaries: And further, a general Account Current, showing the actual state of the Crown Revenues, and the balance now on hand, together with a statement of all Warrants upon these funds, which have been issued and not paid, and the amount now due the various Public Officers, whose Salaries are chargeable upon the said Revenues, the Warrants for which have not yet issued.

Ordered, That Mr. Partelow, Mr. Ward, and Mr. Scott, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Chandler;
Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to direct to be laid before this House, on account showing the Income and Revenue of King's College, arising from whatever source, from the 19th February, 1831, to the present time; also, an account of the whole expenditure and disbursements of the said College, during the said period; also, an account of the debts due and owing to the said College, with a statement of the debts due from said Institution; also the number and names of the Students now resident in the said College, and the number and names of the Students not resident therein, and the number and names of such persons as are now keeping Terms at the said College.

Ordered, That Mr. Chandler, Mr. End, and Mr. Clinch, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Weldon,
Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he would cause to be laid before this House a copy of His Majesty's Royal Commission, appointing two separate and distinct Councils in this Province, to be respectively called the Legislative Council and the Executive Council, as communicated by the Message of His Excellency the Lieutenant Governor to this House, on the 11th instant; and also, a copy of His Majesty's Royal Instructions, accompanying the said commissions, relative to the powers and duties of the said Councils respectively.

Ordered, That Mr. Weldon, Mr. Harrison, and Mr. Brown be a Committee to wait upon His Excellency with the Address.

THURSDAY, 21st.
Mr. Speaker laid before the House a letter from His Majesty's Atty. General, to His Excellency the Lieut. Governor, under date of the 23rd Jan. last, upon the subject of Quit Rents, as also an estimate of the amount of Quit Rent on lands granted in the Province of New Brunswick, up to 31st Dec. 1831; and which are as follow:—

Frederickton, 13th January, 1833.
May it please your Excellency—

The determination of His Majesty's government to call on the different grantees of Land in the Province, to pay the Quit Rents by their several and respective patents, made due, and payable to His Majesty, having (principally through the instrumentality of certain anonymous newspaper publications) created a considerable degree of excitement in the minds of many of the said grantees, induces me to refer your Excellency to the measures which were adopted in the former Colony (now State of New York) previous to the controversy which terminated in the separation of the Colonies from the Mother Country, from whence your Excellency will perceive, that rents of precisely the same nature, were, in that Colony, reserved and made payable to the King—and that those rents were regularly demanded and paid. And I am informed, so much were those rents considered by the people as the legal right of the Crown, that after the State government succeeded to the Colonial administration, all arrears, which had arisen and become due, during the long protracted conflict,

were demanded by the State authorities, and payment thereof enforced.

Your Excellency will perceive by reference to the Journals of the General Assembly of that period, and the Provincial Statute Book of that Colony, that some inconvenience attended the collection of those Rents, which were remedied through the intervention of the General Assembly.

In the journals of that Assembly will be found the following Message to the House, from the then Governor, James Delancy, Esquire,—to wit:

"A Message from His Honor the Lieutenant Governor—by Mr. Bangor, the Deputy Secretary, which being read, is in words following, viz:—

"His Majesty's Receiver General hath delivered a memorial to me, setting forth the difficulties which render it impossible for him to receive the Quit Rents regularly and duly, as they ought to be, without the aid of a law for that purpose. I send you a copy of the Memorial, as it points out a method, which I think will be of benefit to His Majesty, and a great ease to the subject in the collection of those rents for the future, by freeing them from the heavy expense, that might otherwise attend the recovery of them, and I shall readily give my assent to a bill of this nature, and have no doubt you will put it in my power to do so, as the obliging all persons to pay their arrears and discharge their rents, as they become due, must compel those who hold large tracts of uncultivated land, to a speedy settlement."

"JAMES DELANCY."

"New-York, Oct. 29th, 1784."

"And then the copy of the Memorial mentioned in his Honor's Message, being also read,

"Ordered, that His Majesty's Receiver General have leave to bring in a Bill, agreeably to the said Memorial."

On reference to the Statute Book of that Colony, in the year 1762, will be found "An Act for the more effectual collecting of His Majesty's Quit Rents in the Colony of New-York, and for partition of lands in order thereto."—The preamble of which recites:—

"Whereas, there are many large tracts of land in this Colony, some of which do not mention the number of acres they contain, which since the granting have been subdivided into many shares, and one entire rent reserved on the whole, so that His Majesty's Receiver General cannot know what rent to demand or receive from the respective owners; and other tracts of land within this Colony are held by persons residing out of the Colony, and no settlement being made upon the land, no Distress can be made for the Quit Rent, reserved, and in arrears, which render it impossible to collect and receive His Majesty's Quit Rent in the Colony, regularly and duly as they ought to be; For remedy whereof, in future, &c."

The Act then goes on to provide for the appointment of assessors, to apportion the proportions of rent to be paid by each individual in a large and general grant, and collectors to whom the lists of apportionment of such assessors shall be delivered; which collectors are authorized to demand and receive the same, in like manner as other county rates—paying the proceeds to the Receiver General or his Deputy.

It further provides, that when one of a number of grantees shall pay to such collector the quota or proportion of any cograntee, being a default, such person so paying the whole, shall, by a Summary Process, therein provided, recover the same from the said cograntee; and that Tenants paying the Quit Rent of defaulters, their Landlords shall be allowed to deduct the same from the rent payable by such Tenant, to his said Landlord.

A number of other provisions are contained in the said Act to meet other difficulties and contingencies, which, by the ordinary and prerogative remedy, cannot well be obtained.

This Act while, on the one hand, it greatly facilitates the collection of the rent, its main object was intended, and operated greatly in case of the subject; in the first place, by enabling him to pay his rent at his own door, to the collector appointed to receive the same; and also provided the means, for one of the number of Grantees, where, by law, one would be liable for the whole, to pay his individual proportion, and thereby obtain his discharge.

For instance, in the case of the grant to the late Mr. DeBarre, in the County of Westmoreland, there are, at present, probably one hundred, or more, persons owning or occupying different parts or parcels of the land, of which the general Quit Rent of two shillings for every hundred acres is reserved; and therefore it is next to an impossibility for His Majesty's Receiver General to ascertain and find out the part or proportion of rent payable by each of those individuals; consequently, the whole grant must be liable to forfeiture on the failure of any one of those individuals to make payment; or in case of the Crown adopting the remedy by Distress, the property of any individual is liable to be taken for the whole rent, payable on the grant; and such person may be compelled to have recourse to a Suit in Chancery, to obtain repayment from the other ninety-nine co-occupiers. In addition to which, the only secure remedy which the King has, if proceedings are adopted against the land, is, by Inquest Office; which, in the event, if the rent should be found in arrears, subjects the whole grant to forfeiture; consequently, even supposing the Crown to exercise the utmost lenity, must necessarily lead to a very great expense, ultimately to be paid by the owner of the land, before it can be restored to him.

Under this view of the question, I should suppose, that provided the Members of the House of Assembly, shortly to be assembled, be properly impressed with its importance, and the great, very great relief, which will be afforded to their constituents, as well as accommodation to the government, by relieving it from the necessity of adopting coercive measures to collect the King's due.—(Dues necessary for the support of the civil establishment of the Colony.)—

That body will cheerfully lend a helping hand to effect the desirable object. It would, I humbly conceive, be a most desirable thing for the Province, if by some arrangement to be entered into, the General Assembly could be induced to take the Quit Rents to themselves, appropriating an annual sum to the Crown in lieu thereof, which was once offered to them, I understand, for fifteen hundred pounds. If an arrangement of that nature could be carried in effect, the Quit Rents in each individual county, might be appropriated to improve the bye roads in place of the annual grant at present usually voted, the result of which would be, that the rent would not only be more cheerfully paid, but it would also be a means of compelling absent proprietors and owners of large tracts of wilderness land in each County, to contribute their just proportion towards making the public roads, on, through, and over the said wilderness land, from which, at present, they are wholly exempt; and neither the Crown nor the Country are benefited—the settlement of the Province is really retarded, and the inhabitants residing near to the same greatly inconvenienced. I have the honor to be

Your Excellency's most obedient Servant,
CHARLES J. PETERS, Atty. Gen.
His Excellency Sir Archibald Campbell,
&c. &c. &c.

Estimate of Quit Rents on Lands, granted in the Province of New Brunswick, up to the 31st December, 1831:—

	Currency.
1,264,503 acres granted under the Seal of Nova Scotia, prior to the separation of the Province, at 2s. currency per 100 acres.....	£1,524 10 0
792,332 acres granted under the Seal of New Brunswick, at 2s. currency per 100 acres.....	792 6 7
59,954 acres granted under the Seal of New Brunswick, at a half-penny sterling per acre.....	£110 6 5
Add 1-9.....	12 3 12
1,572,609 acres granted under the Seal of New Brunswick, at 2s. sterling per 100 acres.....	£1,572 12 2
Add 1-9.....	174 14 8
	1,747 6 10

DEDUCT.

1,603,632 acres which appear to have been exhausted—Quit Rent estimated at 2s. currency per 100 acres—1,603 16 7

2,335,566 Nett estimated amt. £2,892 18 54
Currency £2,824 12 74
Frederickton, N. B. December, 1832.

FRIDAY, 22nd

Mr. Weldon from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address of the House, requesting to have laid before the House copies of the Royal Commission appointing distinct Councils in this Province, and the Royal Instructions accompanying the same, relative to the powers and duties of the said Councils respectively, reported that they had attended to that duty; and that His Excellency was pleased to say, he would give directors to have the wish of the House immediately complied with.

Mr. Chandler from the Committee appointed to wait upon His Excellency the Lieutenant Governor, with the Address of this House, requesting information relative to King's College to be laid before the House, reported, that they had attended to that duty, and His Excellency was pleased to say he would communicate his reply by Special Message.

On motion of Mr. Kineer,
The House went into Committee of the whole, on a Bill for encouraging New Inventions by vesting the properties thereof on the Designers or Inventors for a limited time.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, in the Committee it was moved—

That the further consideration of the said Bill, be postponed for three months.

And on the question for adopting the same, the Committee divided,
Yeas 10. Nays 10.

And that he had decided in the negative

That upon the question being put upon the first Section, that it stand as part of the Bill—the Committee again divided,
Yeas 9. Nays 10.

And it was also decided in the negative.

And it was then moved that the Chairman leave the Chair, report progress, and ask leave to sit again.

And upon the question the Committee again divided,
Yeas 10. Nays 7.

And it was carried in the affirmative.
Ordered, That the Report be accepted, and leave to sit again granted.

ROYAL GAZETTE.

FREDERICTON, FEBRUARY 27, 1833.

ALMS HOUSE AND WORK HOUSE.
Commissioner for HENRY SMITH, Esq.
next week.

SAVING'S BANK.
Trustees for HENRY G. CLOPPER, Esq.
JAMES TAYLOR, Esq.
MARK NEEDHAM, Esq.
next Week.

By Authority.



By His Excellency Major General Sir ARCHIBALD CAMPBELL, Baronet, G. C. B. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

A PROCLAMATION.

IN pursuance of the Powers vested in me by an Act of Parliament, passed in the Sixth year of the Reign of His late Majesty King George the Fourth, intitled "An Act to regulate the Trade of the British Possessions abroad," I have thought fit, by and with the advice and consent of His Majesty's Council, to appoint, and I do hereby, by and with the advice and consent aforesaid, appoint the Town

of Woodstock, in the County of Carleton, a place of Entry for the Entry of Goods brought or imported from any adjoining Foreign Country, pursuant to the provisions of the said Act, of which all persons concerned will take due notice, and govern themselves accordingly.

Given under my hand and seal, at Frederickton the twenty-third day of February, in the year of our Lord One thousand eight hundred and thirty-three, and in the third year of His Majesty's Reign.
By His Excellency's Command.
WM. F. ODELL.

Head Quarters, Frederickton, 26th February, 1833.

MILITIA GENERAL ORDERS.

No. 1. The Lieutenant Governor and Commander-in-Chief, has been pleased to order that all the Sea Fencible Companies attached to the Saint John City and County Militia, be formed into a separate distinct Battalion, to be called the Saint John Sea Fencibles; and His Excellency has further been pleased to appoint Captain Allen Ory of the Royal Navy to be Lieutenant Colonel Commandant of the same.

No. 2. Major John McMaster of the 2d Battalion Charlotte County Militia, not having attended the training and General Inspection of his Regiment since his appointment, is superseded, and Major Hugh Flaherty is transferred from the second Battalion Saint John City Militia, to the 2d Battalion Charlotte County.

By Command,
GEORGE SHORE, Adj. Gen. Militia.

By the English January Mail we have received London dates to the evening of the 6th of that Month, and refer our readers to the subjoined extracts which appear to be the only articles of much importance:

There can now, in fact, be no doubt remaining in the most stubborn intellect, that the armed interference which has taken the citadel of Antwerp from the Dutch, however open to objections—to which we are not blind—on the score of principle, has very much lessened instead of increasing the chances of general war. There has not, indeed, been any time since the revolution of 1830, when there has appeared so little chance of a war as at this moment. The interference, though we regret that it was found desirable—though we earnestly hope no occasion for any similar one may arise, was intended for the preservation of peace, and has succeeded according to the intention of those who, no doubt reluctantly advised and consented to it. It has succeeded admirably, though an ill judging party in this country labored so strenuously to procure its failure through the encouragement to persevere which they afforded the King of Holland.

Besides the pleasure which every friend of peace must derive from the prospects of the speedy settlement of the only difference in Europe out of which any chance of war appeared, likely to arise, there is also a ground for gratification in the just estimate which the people generally have formed of the nature of the proceeding, and of the utter fruitlessness of the attempts to delude the people by the old clap-nets concerning the union jack and the union flag. The appeals to the people by the Anglo Dutch have succeeded in no one instance, though the elections have been carried simultaneously with the siege of the citadel of Antwerp. This triumph of the people affords an additional security for peace, because it shows that the most artful appeals to old national prejudices and animosities are received with indifference, if not with disgust, by the least educated classes of voters.

There is now reason to hope that, long before the meeting of Parliament, for which many a conservative had prepared a speech to prove that the peace of Europe was endangered by the presence of the French in Belgium, the whole of the French army will have re-entered France. Another advantage, to which we believe the foreign policy of this country has contributed, is the weakening of the war party within France itself. Without any intermeddling with French affairs, but by dealing with France in a spirit of liberality and conciliation, England has allayed the alarms which prevailed in France on the subject of the intentions of other states, and thus lessened the disposition of the French people to anticipate by a war of aggression, the attacks they apprehended from the great monarchial powers.—Globe.

A great deal of speculation has been thrown away on the probable result of the French capture, and many absurd opinions have been hazarded on the total inefficiency of the French military enterprise to bring about a diplomatic settlement. In to these questions we shall not at present enter, nor shall we trust ourselves with the expression of the disgust and indignation which we feel for the factious blockheads who gloat over the idea of a general war, and of a defeat of English policy, from the embarrassments which the king of Holland may yet be able to throw in the way of a final settlement. The object of the French expedition will have been gained when the Belgic territory has been freed from a Dutch enemy. The Belgic government is now as independent as that of Holland; they can treat on equal terms; nay, Belgium has hostages for the good behavior of his Dutch Majesty in the possession of one fortress and the half of two provinces, which he can obtain as soon as he comes to his senses and asks for them in a reasonable manner. He refuses now to negotiate with his Belgic neighbour, or to accept the treaty of separation agreed upon by the conference, he will be the greatest—the only sufferer.—He abandons what is dearest to his heart—a large sum of money to pass to his Dutch creditors; he abandons a large portion of territory, and he gives up all the advantage of a beneficial commerce with

his immediate Belgic neighbours.—Times

The elections are over, with the exception of three or four which still linger in Scotland or Ireland; and those will be done, we suppose, by the time these lines meet the eyes of our readers. We have but few crumbs of comfort for the Tories, the wind of adverse fortune still continuing to blow strongly in our faces.

John Gully, Esq. is member for Pen-tre-fact. This gentleman (as a man with £300,000 has an undoubted right to be called in England), all the world knows, commenced his career as a boxer; and, in consequence of his having fought in the ring, certain worthies are mighty squeamish about seeing him in the Senate.

Colonel Sir E. J. Murray Macgregor is appointed Governor and Commander-in-Chief of the Islands of Antigua, Montserrat, Bermuda, &c. &c.

The O'Connells.—The Globe says—It seems that there will be five of the O'Connell family returned to the new Parliament. On this, the Dublin Register remarks—seven is likely to be the number, good chronicler. Already we are sure of six, and the last account from Kerry say it is likely that Morgan John O'Connell will be returned for that county. Let us, however, reckon heads.—Daniel O'Connell—elected for Dublin!

Maurice O'Connell, his eldest son—Tralee!!

Morgan O'Connell, his second son—county Wick!!!

John O'Connell, his third son—Young-hall!!!!

Christopher Fitzsimon, his son-in-law—county Dublin!!!!

W. F. Finn, his brother-in-law—county Kerry!!!!

Morgan John O'Connell; his nephew, about to be elected for Kerry. There we think is a list of seven of the family, and if there were fourteen of them they could have commanded seats in the new Parliament.

The French army is on its return to France, and Chasse and his brave companions are protected on their way, from the insults of the dastardly Belgians, who could not vindicate their own cause, by a body of extra guards. The true type of the Belgian is in the wood-cutter, who lived in such fear and trembling of his life, that he threw open his door to every comer, robber, and traveller alike, and was their sycophant while they remained, and their slanderer after they departed. It was recently proposed in the Belgian senate to deprecate the monument raised on the plains of Waterloo in gratitude to England, in order that a few might be erected in its stead in commemoration of the present services of France. The Chambers had the good feeling to scout the proposition; but its introduction is not the less significant of the national character.

So far from the King of Holland being displeased with the defence of Antwerp, he took from his neck the insignia of the highest chivalric honour known in Holland, and sent them to the Baron de Chasse, in answer to the news of the capitulation.

The French speak highly of Chasse's defence. He does not flatter them on their attack. He writes—"In vain will the annals of history be searched to discover the example of a bombardment equal in brutality to that which the enemy is directing against the citadel. Never among a civilized people did any thing similar occur."

Marshal Gerard has addressed the army of the north, which is now on its way to France. In his order of the day, dated Monday last, he says—"The obstinate resistance of the enemy behind their fosses and their walls detained the soldiers twenty-four days and twenty-five nights in the trenches, in rain, cold, and mud, engaged in the works, in continual danger from the fire of the works. Yet the sappers and miners, the artillery and infantry, never for a day—never for an instant, ceased to show themselves good humoured, obedient, courageous, and undaunted. In this memorable siege there have been opened 14,000 metres (about 45,000 English feet) of trenches. There have been fired 62,000 cannon balls by our artillery. We have taken by the capitulation, an enemy of 5,000 men of all arms, of whom 185 are officers. We have had 637 wounded and 103 killed."

When the Dutch prisoners were marched for France, Chasse wore his new order of William, presented by the King; Captain Koopman wore his sword and several orders; Lieutenant Colonel Deboerger, and several officers, wore Napoleon's gift, the Legion of Honour. The whole wore their full uniforms, and carried a quantity of baggage, with about one hundred dogs. It was necessary to have extra guards to protect these brave men from the cowardly insults of the Belgians at Ghent and elsewhere.

We have received the Paris papers of Wednesday. The Monitor gives the address of the diplomatic body to the King. Count D'Appony (in the absence of Prince Pozzo di Borgo) was the speaker. The address is a security for peace. It was as follows:

"Sire—the diplomatic body, of which I have to-day the honour of being the organ, always embraces with eagerness all occasions to offer to your Majesty the homage of its respects, and to address to you the wishes of the august Sovereigns it has the honour to represent.

These wishes, Sire, are yours; for their object is the maintenance of peace, and a certainty of future tranquillity, order, and internal prosperity for France.

"Permit, Sire, on the interesting occasion of the return of a new year, our homage to be blended with the happy presentation that these important results will be obtained. We are happy to be certain that they will be so; the union which exists between all the courts and the personal sentiments of your Majesty offer in this respect all desirable securities.

"Impressed with this confidence, the diplomatic body begs your Majesty to be pleased to accept the expression of it, and accompanies it with the homage of its sincere and respectful wishes."

The King replied—

"Gentlemen, I receive with much satisfaction, this new testimony of the sentiments of the diplomatic body on the occasion of the new year. I rejoice to see how much they agree of the sovereigns whom you represent agree with mine, to preserve peace and to secure to Europe, as well as to France, a long continuance of that repose and tranquillity which is so necessary to the good order of all the states, and to the increase of their prosperity. I hope that the new year which is now opening before