



LEGISLATURE OF NEW BRUNSWICK.
HOUSE OF ASSEMBLY.

Saturday, January 30.

Mr. Crane, from the Committee appointed on the 21st instant to take under consideration the subject recommended by His Excellency, at the opening of the Session, relative to Parish Schools, reported that they had attended thereto, and he was directed to submit a report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee to whom was referred that part of His Excellency's Speech relative to Parish Schools, have given this important subject their attentive consideration, and have particularly directed their enquiries to the adoption of such measures as might have a tendency to ensure a description of School Masters superior to those hitherto employed, and beg leave to report, that although they are of opinion that the appointment of a Board of Commissioners in each County, for the purpose of Examination into the qualification of Candidates for teaching Schools, might in some cases produce this result, yet as they conceive a measure of this kind would very much increase the difficulties of persons residing in remote settlements in procuring School Masters, and thereby prevent the benefit of Education being extended to many of the poor inhabitants of the Province; and as your Committee are also of opinion that the moral qualification of the persons to whom the instruction of the youth of this Province is intrusted, is much better attended to than formerly, they do not think the appointment of any persons other than the Trustees of Schools for the Examination of School Masters would be attended with beneficial results.

"The Act for the encouragement of Parish Schools having been for some time in operation, and the benefit arising from the said Act having been universally felt and acknowledged, and its several provisions being now well understood, your Committee beg leave to recommend that it be continued without any amendment.

WILLIAM CRANE, Chairman.
GEORGE S. HILL,
WILLIAM McLEOD,
PETER STEWART,
THOMAS O. MILES,
E. B. CHANDLER,
ALEXANDER RANKIN,
L. A. WILMOT."

On motion of Mr. Wilmot, the House went into Committee of the whole, in further consideration of a Bill for the incorporation of The Portland Mills and Tunnel Company.

Mr. Palmer in the Chair of the Committee. Mr. Speaker resumed the Chair. The Chairman reported, that the Bill being before them, and the Committee having under their consideration a part of the eighth Section thereof, viz:—

"And be it enacted, That the Joint Stock or property of the said Corporation shall alone be responsible for the debts and engagements of the said Corporation."

The question was taken thereon, when the Committee divided—Yeas 16; Nays 10. And it was carried in the affirmative.

The question was then taken upon the whole of the said Section, when it likewise passed in the affirmative.

It was then moved for the reconsideration of the second Section of the said Bill, viz:—

"II. And be it enacted, That the Capital or Stock of the said Corporation shall consist of such amount as the Stockholders may, from time to time, invest in the erection of Dams, Mills, Sluices, Machinery, and any other works; the said Stock to be divided into Fifteen hundred Shares, of Fifty pounds each at present, and when it shall be found necessary or it shall be deemed expedient to increase the amount of Capital for the purposes aforesaid, viz. the erection of Dams, &c. it shall be assessed on the Stockholders *pro rata* with the number of Shares held by each Stockholder."

And upon the question, the Committee again divided—Yeas 18; Nays 8.

Which was likewise carried in the affirmative.

An amendment was then moved, to strike out the whole of the said second Section and substitute the following:—

"And be it enacted, That the Capital or Stock of the said Corporation shall consist of the sum of Seventy five thousand Pounds, to be paid in such money as shall at the time of the several payments hereinafter expressed, be a legal tender in this Province, viz. pounds, being part thereof, to be paid within three years after the passing of this Act, and the remainder of said Capital or Stock, pounds, to be paid at such time and times, and in such parts or portions, as the Directors for the time being shall from time to time think necessary; the whole amount of such Capital or Stock to be divided into Shares of Fifty Pounds each, making the whole Fifteen hundred Shares."

And upon the question, the Committee again divided—Yeas 19; Nays 10.

Which was likewise carried in the affirmative.

Monday, February 1.

Mr. Brown, from the Committee to whom was referred that part of His Excellency's Speech upon the subject of the Statute Labour Law, submitted a Report, which he read, and handed in the same at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to take into consideration that part of the Speech of His Excellency the Lieutenant Governor, which

relates to the Statute Labour on the Public Roads, are of opinion:—

"That the present Road system is in some degree defective, owing to the small amount of labour in the Districts where the population is scattering and the inhabitants are poor.

"That to this evil no effectual remedy can be applied, except by a general annual assessment on all the inhabitants of the Province, and a judicious application of the money, in such places, and in such manner as the state of the Roads may require; but as the Committee are also of opinion, however beneficial the system of assessment might be, it would be impracticable to introduce it in the present state of this Province, and that as a judicious application of grants of money, will in a great degree remedy the evils of the present Road Law, by supplying the deficiency of labour where the population is scattering, they cannot recommend such a total alteration in the present Law, as the assessment system would occasion.

"The Committee however, after a careful examination of the Law now in force, and diligent enquiry into the practical operation of the same, have discovered that several amendments and alterations therein are necessary, in order to make it more efficient; which alterations and amendments are embraced in a Bill, which the Committee have prepared for that purpose, and which is herewith respectfully submitted."

JAMES BROWN, Junr,
J. A. STREET,
PHILIP PALMER.

Committee Room, 29th January, 1836.

On motion of Mr. J. M. Wilmot, the House went into Committee of the whole, in further consideration of a Bill to continue an Act, intitled "An Act to amend the Law relative to the sale of Spirituous Liquors by Tavern Keepers and Retailers within the County of Saint John, and for the more effectual prevention and punishment of drunkenness."

Mr. Freeze in the Chair of the Committee. Mr. Speaker resumed the Chair.

The Chairman reported, that having the Bill referred to them under consideration an amendment was moved thereto by adding the following words:—

"Save and except the first Section thereof, which is suffered to expire."

And upon the question being put thereon, the Committee divided—Yeas 11; Nays 14. Whereupon it was decided in the negative.

Wednesday, February 3.

Mr. Partelow, by leave, presented a Petition from William Eagles, Barnes Travis, Samuel Dalton, and 56 others, Inhabitants of Indian Town in the County of Saint John, praying that the Bill for the Incorporation of The Portland Mills and Tunnel Company may not pass into a Law; which he read.

Ordered, That the said Petition be received, and lie on the Table.

Mr. Partelow, by leave, presented a Petition from Justus S. Wetmore and James Whitney, setting forth that they had at a very great expense erected a Toll Bridge in the Parish of Norton, King's County, agreeably to the authority given them by the Legislature, and praying that no Toll Bridge be allowed to be erected within a certain distance from that built by the Petitioners; and further, that a Committee be appointed to examine the Road leading to the present Bridge, with a view to an alteration in the present line of Road; which he read.

Ordered, That the said Petition be received, and lie on the Table.

Mr. Partelow, by leave, presented a Petition from James Whitney, of Saint John, praying that the usual Legislative Grant allowed him for carrying the Mails by Steam to and from Annapolis, Digby, Saint Andrews and Saint John, may be continued; which he read.

Ordered, That the said Petition be received, and referred to the Committee of Supply.

On motion of Mr. Brown, the House went into Committee of the whole, on a Bill to amend and explain an Act passed in the fifth year of His Majesty's Reign, intitled "An Act to repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provisions for the same."

Mr. Weldon in the Chair of the Committee. Mr. Speaker resumed the Chair. The Chairman reported, that having the Bill referred to them under consideration, it was moved,

"That a part of the third Section of the said Bill be struck out, viz:—

"That the distance which each person may be called from his place of residence to perform labour on Highways shall in no case exceed Four miles."

And upon the question, the Committee divided—Yeas 14; Nays 7.

And it was thereupon carried in the affirmative.

Thursday, February 4.

A Message from His Excellency the Lieutenant Governor.

The Honourable Mr. Secretary Odell, by command of His Excellency, delivered the following Message:—

"NEW BRUNSWICK.

Message to the House of Assembly, 3d February, 1836.

ARCHIBALD CAMPBELL.

"The Lieutenant Governor informs the House of Assembly, that in pursuance of their Address of the 4th of March last, Mr. George Berton was appointed to prepare for publication a revised Edition of the Laws, in the performance of which duty he has made considerable progress, as will appear by the Copy of his Report, herewith submitted to the consideration of the House, and the accompanying specimen of the Work so far as it has been printed. "A. C."

Fredericton, 1st February, 1836.

"To 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."

"MAY IT PLEASE YOUR EXCELLENCY,

In pursuance of Your Excellency's commands, which I had the honor to receive through the Honourable the Provincial Secretary, in the month of March last, I immediately commenced and proceeded with a revision of the Province Laws, which I have completed to the end of the year 1830.

"The exertions made by Mr. Simpson, have enabled him to publish the Acts as revised, to the end of the Session of 1827. The pressure of other business has obliged him to stop there during the present Session of the Legislature, at the close of which he will recommence, and I trust will complete the whole early in the Summer of the current year.

"I have the honor now to submit to Your Excellency, Copies of the work so far as it has been published. I have not spared labor in preparing and correcting it, and the careful examination every page of the revision received from His Honor the Chief Justice, and many important Notes added by him, render me humbly confident that the work thus far will receive the approbation of Your Excellency and the Public.

"In the Grant made at the last Session of the Legislature, the expense of publication rather than of preparing the revision seems to have been contemplated. I have not, therefore, asked or received any part thereof; and as the amount of that Grant will, I apprehend, fall considerably short of the expense of publication, I beg to request that Your Excellency will be pleased to submit the subject to the Legislature, who, I trust, will make such appropriation on account of my labour, as they in their wisdom and liberality may think proper.

"I have the honor, &c. &c."

(Signed) "G. F. S. BERTON."

On motion of Mr. L. A. Wilmot, the House went into Committee of the whole, in further consideration of a Bill to incorporate sundry persons by the name of The Central Fire Insurance Company of New Brunswick.

Mr. Miles in the Chair of the Committee. Mr. Speaker resumed the Chair.

The Chairman reported, that the Bill being again before the Committee they had under consideration that part of the IV Section thereof which provides

"That the amount so to be called in shall not at any one time exceed twenty per centum."

When an amendment was moved thereto by striking out the word Twenty and inserting Forty.

And upon the question, the Committee divided—Yeas 11; Nays 14.

Whereupon it was decided in the negative.

On motion of Mr. L. A. Wilmot,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid before this House Copies of any Instructions which His Excellency may have received from His Majesty's Government, relative to the Selling, Granting and disposing of the Crown Lands in this Province, in addition to those furnished to the Assembly in the year 1833.

Ordered, That Mr. L. A. Wilmot, Mr. Weldon and Mr. Jonston, be a Committee to wait upon His Excellency with the Address.

Mr. Wyer, from the Committee on Light Houses, submitted a Report, which he read, and the same being handed in at the Clerk's Table was there again read, and is as follows:—

"The Committee on Light Houses, to whom was referred the Message of His Excellency the Lieutenant Governor, of the 25th January, with the Despatches accompanying it, regarding the contemplated erection of Light Houses upon the Islands of Scattered and Saint Paul, report,

"That it is highly desirable to give effect to the benevolent intentions of His Majesty's Government, by co-operating in the proposed measure, which would greatly benefit the trade of all the Northern Colonies, and they are of opinion that the expense should be borne by them in such proportions as may hereafter be determined.

"The erection of a Light House in the Island of Saint Paul would more particularly benefit the Trade of Canada and New Brunswick, and the expense of such erection should be borne by them; to provide for the proportion to be contributed by this Province, the Committee recommend that an Act should pass, imposing a small Tonnage Duty on all Vessels entering the Ports of this Province and the Gulf of Saint Lawrence, and that the funds arising therefrom, should be placed under the management of persons appointed by the Government of Lower Canada and the Commissioners of Light Houses for the Gulf of Saint Lawrence, appointed by His Excellency the Lieutenant Governor, to be by them applied towards the support of such Light Houses as may be erected upon Saint Paul's Island, and any surplus to the erection of establishments upon that Island, for the support of shipwrecked Seamen, and to the erection and support of other Light Houses in the Gulf of Saint Lawrence.

"As the erection of a Light House on the Island of Scattered would be of little advantage to Vessels entering the Ports of this Province, compared with the advantage that would be derived from Vessels entering the Port of Nova Scotia and Cape Breton; the Committee are of opinion, that if Canada and New Brunswick support the establishment on Saint Paul's, that the expense of an establishment on Scattered should be provided for by Nova Scotia, assisted by such sum as may be considered

proper for Prince Edward's Island, to contribute to the support of those Lights.

"All which is respectfully submitted.

"THOS. WYER, Chairman."

Committee Room, 4th February, 1836.
Ordered, That the Report be accepted. Mr. J. M. Wilmot, from the Committee of Trade, submitted a Report, which he read, and the same being handed in at the Clerk's Table, was there again read, and is as follows:—

"The Committee, to whom were referred all matters which may in any way affect the Trade of this Province, beg to bring under the consideration of the House an Order of the Lords of the Treasury to the Officers of the Customs, requiring them to receive certain Gold and Silver Coins only in payment of Duties imposed by Acts of the Imperial Parliament.

"By this regulation, the Gold and Silver Coins of the United States, although of equal legal value with those named in the Order, are not received by the Officers of the Customs, and their exclusion has caused a great deal of inconvenience and loss to the Importers, (the Coins received being generally at a Premium in the neighbouring States, and consequently scarce in this Province,) without in any way benefiting the Revenue; and the Committee recommend that an humble Address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to bring the subject under the consideration of His Majesty's Government, in the hope, that as the Order produces no benefit either to His Majesty's Government or to the Revenue collected by the Officers of the Customs, that directions will be given to those Officers to receive the Gold and Silver Coinage of the United States at the same rate as the other Coins are now received in payment of Duties under any Acts of the Imperial Parliament.

"Respectfully submitted.

"JOHN M. WILMOT, Chairman."

Committee Room, 4th February, 1836.

Ordered, That the Report be accepted.

ROYAL GAZETTE.

FREDERICTON, FEBRUARY 10, 1836.

Central Bank
OF
NEW BRUNSWICK.

HENRY G. CLOPPER, Esq. President.
Directors this week, JOHN ROBINSON, Esq.
Discount Days, . . . Tuesdays and Fridays.
Bills or Notes offered for Discount must be left at the Bank, enclosed and directed to the Cashier, before three o'clock on Mondays and Thursdays.

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

ALMS HOUSE AND WORK HOUSE.
Commissioner for { GEO. MINCHIN, Esq.
next week.

IN THE SUPREME COURT.

Hilary Term 6th, Wm. 4th.
Edward Williston and David Lewis Dibblee, Gentlemen, having produced the necessary certificates are sworn and enrolled Attornies of this Honorable Court.

William Minns Hoffman and John H. Grey, Gents. Attornies of His Majesty's Supreme Court Nova Scotia, having produced the requisite certificates, are sworn and enrolled Attornies of this Honorable Court.
Pro. Office.

[From the Boston Evening Gazette]
The National Intelligencer, of Tuesday, contains the President's Message with the accompanying documents; they were read in each House, and referred to the Committee on Foreign Relations. In the House 20,000 copies were ordered to be printed.

The most important document is a report by Mr. Barton, of his conversation with the Duke de Broglie. This report is made in a letter addressed to the Duke himself, in which he is requested to correct any inaccuracies in the statement. The following is the material part of that statement. The Duke makes three corrections, which are not very important.

"I began the conversation by informing you that I had requested an interview by order of my Government, and that on the result of that interview would depend my future movements. I said that I was ordered to convey to the French Government assurances of the very lively satisfaction felt by the President on receiving the news and confirmation of the King's safety; and that I was further instructed by the Secretary of State to assure you personally of his high consideration. After an obliging answer of your Excellency, I had the honour to submit the following questions:—

"I am instructed by my Government to enquire of your Excellency what are the intentions of His Majesty's Government in relation to the funds voted by the Chambers?"

And I understood you to make the following answer:—

"Having written a despatch to His Majesty's Charge de Affairs at Wash-

ington, with instructions to communicate it to Mr. Forsyth, and M. Pageot having read it to Mr. Forsyth, I have nothing to say in addition to that despatch."

I said "I am also instructed to enquire of your Excellency whether His Majesty's Government is ready to pay those funds."

And you returned this answer: "Yes, in the terms of the despatch."

I added: "I am instructed to ask another question: "Will His Majesty's Government name any fixed determinate period when they will be disposed to pay those funds?"

To this question, the following was your answer, as I understood it:—

"To-morrow, if necessary, when the Government of the United States shall by a written official communication, have expressed its regret at the misunderstanding which has taken place between the two Governments, assuring us this misunderstanding was founded on an error, that it did not intend to call in question the good faith of His Majesty's Government; the funds are there, we are ready to pay. In the despatch to M. Pageot, we gave the views of our Government on this occasion. Mr. Forsyth not having thought proper to accept a copy of that despatch, and having said that the Government of the United States could not receive a communication in such a form, I have nothing to add. I am forced to entrench myself behind that despatch. If the Government of the United States does not give this assurance, we shall be obliged to think that this misunderstanding is not the result of an error, and the business will stop there."

To your Excellency's offer to communicate to me the despatch of M. Pageot, I replied that: "As my instructions have no reference to that question, I do not think myself authorized to discuss it."

After some minutes, I rose, and said, "In a short time I shall have the honor of writing to you."

You answered, "I shall, at all times receive with much pleasure any communication addressed to me on the part of the Government of the U. States,"—and our conversation ended."

The Boston Atlas has the following remarks upon the Special Message:—

"The suggestions which it raises are few and obvious, and it is neither the part of policy, or duty for us to remain wilfully blind to the truth, or to suffer ourselves to be deceived by our hopes and wishes. War can be averted by only two contingencies—improbable both—one almost impossible. With our present light on the views of the French Government—will any one pretend that the opening Message of General Jackson can satisfy their peremptory demand? This avenue of peace we consider closed. The mediation of a friendly power may avert the menaced calamity—but how is that mediation to be brought about? If the measures advised by the President are carried into execution, France will declare war. This we consider inevitable. It is her policy—and with her policy we cannot flatter ourselves that any notions of strict justice—abstract right—will be suffered to conflict.

[From the New York Albion.]

Since our last the French question has, to the public eye, assumed a new aspect, in consequence of a special Message from the President to Congress, and the publications of all the late correspondence between the two governments.

Our limits do not allow us to insert the entire mass of documents, but we have made room for a sufficient number to enable the reader to form an opinion on the case as it now stands. The first document is the much talked of letter of the Duc de Broglie to Mr. Pageot, which letter the government of the United States refused to receive, because it was not directly communicated—it being a sort of semi-official despatch from the first Minister of France to the French Charge d'Affaires at Washington, which the Charge was instructed to read to the American Secretary of State, and to furnish him with a copy thereof if requested. This letter was written on the 17th of June, and sent to this country after the recall of Mr. Livingston. The next letter which we insert is that of the Duc de Broglie to Mr. Barton in reply to the final demand made by the latter for payment of the indemnity. From the tenor of this letter it will be seen, that a personal application had been made, and payment declined, unless coupled with extraordinary concessions from the United States. Mr. Barton, unwilling that any misapprehension should occur on a point of so much importance, put down in writing his recollection of the substance of the conference, and sent it to the Duke with a request that he