

## Poetry.

From Bird's and Flowers, and other Country Things.

### THE OAK TREE.

Sing for the Oak Tree,  
The monarch of the wood;  
Sing for the Oak Tree,  
That growth green and good;  
That growth now, and yet shall grow  
Within the forest shade;  
That growth broad and branching  
When we are lowly laid!

The Oak Tree was an acorn once,  
And fell upon the earth;  
And sun and showers nourished it,  
And gave the Oak Tree birth.  
The little sprouting Oak Tree!  
Two leaves it had at first,  
Till sun and showers nourished it,  
Then out the branches burst.

The little sapling Oak Tree!  
Its root was like a thread,  
Till the kindly earth had nourished it,  
Then out it freely spread.  
On this side and on that side  
It grappled with the ground;  
And in the ancient, tiled rock  
Its firmest footing found.

The winds came, and the rain fell;  
The gusty tempests blew;  
All, all were friends to the Oak Tree,  
And stronger yet it grew.  
The boy that saw the acorn fall,  
He feebly grew and gray;  
But the Oak was still a thriving tree,  
And strengthened every day!

Four centuries grows the Oak Tree,  
Nor does its verdure fall;  
Its heart is like the iron wood,  
Its bark like plated mail.  
Now, cut its down the Oak Tree;  
The monarch of the wood;  
And of its timbers stout and strong  
We'll build a vessel good!

The Oak Tree of the forest  
Both east and west shall fly;  
And the blessings of a thousand lands  
Upon our ship shall lie!  
For she shall not be a man of war,  
Nor a pirate shall she be;  
But a noble, Christian merchant ship,  
To sail upon the sea.

MARY HOWITT.

## Provincial Legislature

### HOUSE OF ASSEMBLY.

Thursday, February 1.

#### GREAT ROADS.

The Honorable Mr. Johnston, Chairman of the Committee on Roads, submitted a further 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 appointed to inquire into the state of all the Roads of Communication in the Province, and to report what monies it may be necessary to appropriate for repairing and improving the same, have had under their consideration the subject of Great Roads, as also the expediency of making certain special Grants for Roads, and recommend that the sum of eighteen thousand four hundred and seventy five pounds be granted and appropriated as follows, viz:—

From Saint John to Nova Scotia line, including the Marshes, £2000	
" Saint John to Saint Andrews, 2000	
(Of which £1,250 to be paid to the Corporation of the City of Saint John, to assist in building piers and landing places on the eastern and western side of the Harbour of Saint John, in connection with the Steam Ferry Boats about being established for the conveyance of Passengers across the said Harbour.)	
From Fredericton to Saint John, via Nerepis, 600	
" Nerepis Road to Gagetown, 200	
" Dorchester to Shediac, 175	
" Shediac to Bend of Petcodiac, 200	
For the Bridge at Cocagne, 900	
From Richibucto to Chatham, 450	
" Newcastle to Restigouche, 1400	
For the Bridge over Bathurst Harbour, 350	
From Fredericton to Canada Line, 2000	
" Fredericton to the Finger Board, 600	
" Bellisle to Saint John, 150	
" Fredericton to Newcastle, 2500	
" Fredericton to Saint Andrews, 3000	
" Woodstock to Houlton, 100	
For a Bridge over the Petcodiac River at the fording place, and for exploring the best line for a Road between Salisbury and Hopewell, 400	
	£17,025

#### SPECIAL GRANTS.

From Hammond River to Hopewell, £200	
" Loch Lomond to Sussex Vale, 300	
" Oromocto to Gagetown on the old Military Road, in the rear of the present Road at Swan Creek, 150	
For building a Bridge over El River between York and Carleton, 300	
Towards widening the Mill Bridge leading from the City of Saint John to Parish of Portland, 500—1,450	
	£18,475

"HUGH JOHNSTON, Chairman.

"Committee Room, 31st January, 1838."  
ORDERED, That the Report be accepted; and  
On motion of the Honorable Mr. Johnston; further  
ORDERED, That the said Report be referred to the Committee of Supply.

Monday, February 5.

#### ROAD-MAKING, &c.

On entering the House this morning, we found the House in Committee in further consideration of His Excellency's Messages. Mr. Hanington in the Chair. The Committee were discussing the Message respecting the Road system, the debate on which was commenced and reported on Monday last, [See page 47,] and when we entered

Mr. Weldon was on his legs, opposing a Resolution for referring this Message to a Select Committee, which, as we understood, had been moved by the Hon. Mr. Johnston. The Hon. Member (Mr. Weldon) repeated some of the arguments advanced by him on Monday last, deprecating any alteration of the present system.

The Resolution was subsequently withdrawn.

Mr. Street moved the following Resolution:—

"Resolved, as the opinion of this Committee, that it is highly desirable that the Great Roads of this Province should be divided into districts, making each district sufficiently large for the full occupation of a supervisor, and that each district should be placed under the management and charge of one supervisor."

Mr. L. A. Wilmot most fully concurred in the suggestions of the Message; because he thought that the appointment of a general inspector of roads, and the report of such an officer on the state of all the roads in the Province, would afford by far the best information that the Committee of Roads could have, on which to recommend the appropriation of money for such service. He also approved of the suggestion, of appointing

deputy supervisors to take charge of the several districts at stated salaries, and to be responsible for the state of the roads in their respective districts. He could not agree with the Hon. and learned Member for Kent (Mr. Weldon) that the House should not depart from a system that had worked well, when they could devise one that would work better; he thought the system suggested in the Message was well calculated to work better than the existing one, and therefore well worthy of an experimental trial, and he hoped the Committee would recommend its adoption.

Mr. Allen thought that supervisors had at present too great an extent of road under their respective care, and that therefore they could not pay sufficient attention to it. They had also too much power in their hands; and the suggestions in this Message would only increase the evil, by enlarging their districts, and consequently their power; which, on the contrary, in his opinion, ought to be restrained. He thought that the power of supervisors to run roads through private lands, without consent of the proprietors or a proper assessment of damages by a Jury, ought to be restricted. He had no objection to an experimental trial of the appointment of a special inspector, to examine and report on the state of all the roads in the Province; but was not willing to go to the extent contemplated by the Message; and was decidedly of opinion, that the districts of supervisors should be shortened.

Mr. Wyer thought the Committee were not prepared to recommend the great expense necessary on creating a new office, by authorising the appointment of a general supervisor of roads. There had been no recent complaints of the conduct of supervisors; the experiment was tried some years ago, of dividing the Province into road districts, but it would not answer, because it was found that the supervisor could not attend to such a great extent of road. No supervisor ought to have more than sixty miles of road under his charge. He had no objection to the appointment of a person, merely to examine and report upon the state of the roads; but not to execute the office of general supervisor.

Hon. Mr. Johnston said that there was nothing in the Message relative to the extent of the several districts, and it was not contemplated that the general supervisor should appoint his deputies himself; that would be done by the Executive only. He thought the appointment of a general supervisor would be attended with the most beneficial effects to the Province; and with respect to dividing the Province into road districts, under supervisors with stated salaries, the same measure was recommended last year by the Select Committee; it afterwards occurred, also, to some Hon. Members, that the appointment of one general supervisor would be very beneficial, and a motion to that effect was brought in; but owing to the lateness of the period, the session being then nearly closed, the matter was rather hastily disposed of. But the appointment of such an officer would certainly be the only means of obtaining correct data, as to the state of all the roads in the Province, on which the Road Committee could in future make their recommendations. He thought that the road money could not be so well expended in any other way, as under the direction of one permanent and general supervisor; and therefore he wished to see such an officer appointed, and the Province divided into districts, under deputy supervisors, with competent salaries.

Mr. Street at some length supported the views advanced by him on this subject on Monday last, and advocated the adoption of the suggestions in the message.

Hon. Mr. Crane said that the system of general superintendence had been once tried, by separating the Province into two districts; but not being found to answer, it was given up, and the number of supervisors made to correspond as nearly as possible with the number of principal roads in the Province. Supervisors generally did not take interest in roads lying far from their own residences; and therefore it had been found, that it was far more advisable to shorten the districts, and confine the operations of supervisors as much as possible to their own immediate neighbourhood, so that they should feel an interest in the roads under their care, and should pay every attention to them; while there was also the advantage of their being more intimately acquainted with the nature of the soil, the means of obtaining proper materials for repairs, and the disposition and qualification of the people who were to do the work. He (Hon. Mr. C.) was not disposed at present to go so far, as to place all the roads under one supervisor, though he agreed in opinion that there were at present too many supervisors, and that therefore the number should be lessened, and the districts extended, so that the per centage on the present scale of expenditure should give each supervisor a salary of about £200 per annum, which would be a sufficient compensation to induce them to do justice to the roads.

Mr. Jordan briefly expressed his approbation of the plan of dividing the Province into districts, and requiring supervisors to devote all their time, during the proper season, to the works on the roads; but was decidedly against appointing one general supervisor, because the reports of the district supervisors ought to afford sufficient information as to the state of the roads, without going to the expense of appointing such an officer.

Mr. Stewart expressed similar opinions, observing also, that even should a general Supervisor or Inspector be appointed, he ought to have no control over the other supervisors, but merely to inspect all the roads and report on their state.

Mr. Brown was inclined to favour the suggestions of the Message. Last year he had stated as objections to the then existing system, that some supervisors were wanting in qualifications, and that the per centage allowed did not compensate supervisors for

devoting their whole time to the roads. The House did not then think that such constant attention was necessary; and consequently it was still the case, that some supervisors bestowed much more time and care on their duties than others, because there was nothing in the law to prevent such a difference of conduct. His (Mr. B's.) opinion always was, that if proper circuits were established, and a considerable extent of road put under the care of one supervisor, the regular per centage on the expenditure of the road money would amply remunerate the supervisors for devoting the whole of their time to their duties, without increasing the expenditure at all. About £18,000 were to be expended on Great Roads this year; the per centage, according to the present system, would amount to £1800, which, at £200 per annum each, would provide for nine supervisors. But that was an enormous compensation; and he (Mr. B.) thought that five districts would be enough for the whole Province, and even if the supervisors were allowed £200 each, that would be only £1000 in the whole. He thought there ought also to be an Inspector General of Roads, who might also have £200 per annum; and thus the whole amount of salaries would be only £1200, which would be a saving of £600 in the year. But he thought that most competent supervisors, men thoroughly qualified for the employment, might be got for £150 per annum, who would devote their whole time during the summer season to the roads; and thus a saving of £900 per annum would be effected. If this plan should be approved, then it would be well to refer it to a Select Committee, to report upon it by bill. No doubt great improvements had been effected in the roads by the present system; but it was the duty of the House to make further improvements if they could possibly do so.

Mr. Weldon at some length contended, that the extension of the districts of supervisors would only prevent the roads being properly attended to, and that therefore there would be no economy in adopting the alterations suggested; but on the contrary, an injudicious waste of money and inefficient care of the roads; that a departure from the present system would produce no benefit commensurate to the expense; that a general Road Inspector, if appointed, would only travel over the roads at the most favorable season of the year, and would not therefore obtain a proper knowledge of what they really required; and that by depending on the information derived from the report of such an officer, the Legislature would only be surrendering their own judgment to his, and would have no further need of their own local knowledge, nor of any specific appropriations of road money, but might as well at once place an aggregate sum at the disposal of the Executive, to be appropriated to the roads according to the report of the Inspector. He (Mr. W.) however, would consent to no such arrangements; he thought the House had better retain the right of judgment in their own hands, and hoped the law would continue as it was.

Mr. L. A. Wilmot replied, that they were not going to bind themselves to depend entirely on the information received from any officer; he, for one, would never give up his opinions, formed on actual local knowledge, in deference to any such information; but it would be very advantageous to have a general statement of the condition of all the roads in the Province, which would shew a comparative view of them all. The Hon. Member then proceeded to support the views of Mr. Brown, and to argue strongly for adopting those views, and the suggestions contained in the Message; expressing his conviction that by so doing, the Province would save 50 per cent. of the present expense, and get the road work done 20 per cent. better than it now was.

Mr. Partelow contended that the whole matter, with respect to details, should be referred to a Select Committee to report upon, who should be instructed to bring in a bill embracing the principal points suggested in the Message.

Mr. Street replied to Mr. Weldon, urging strenuously the views he had already advanced, with respect to the appointment of a general Inspector of Roads, and the division of the Province into a certain number of road districts, under supervisors paid by regular salaries instead of a per centage.

Mr. Thomson opposed the views of Mr. Street, and others, and contended that the present system needed no alteration, except in lessening the power of supervisors to lay out roads through private lands; which, he argued, should only be done by the authority of a special Committee, to be for such purpose appointed in every County.

Mr. Wilson supported Mr. Weldon's arguments, and decidedly opposed the appointment of a general Inspector, and an extension of the districts of supervisors. The Hon. Member also moved as an amendment to the original resolution, "that in the opinion of the Committee, it was inexpedient to alter the system hitherto pursued, of expending money on Great Roads."

This amendment was opposed by Messrs. Partelow, Brown, End, Allen and Connell, and ultimately withdrawn. The question was then taken on the original resolution, which was carried in the affirmative. Yeas, 15; Nays, 12; as follows:—

Yeas—Hon. Mr. Speaker, Hon. Mr. Johnston, Hon. Mr. Crane, Messrs. Stewart, Taylor, Street, Jordan, Partelow, H. T. Partelow, Connell, Woodward, Fisher, End, Brown, L. A. Wilmot.

Nays—Messrs. Hill, Wyer, Thomson, Gilbert, McLeod, Freeze, Beardsley, Wilson, Palmer, Allen, M'Almon, Weldon.

The Committee then proceeded to pass the following Resolutions:—

"Resolved, as the opinion of this Committee, that His Excellency's Message of the 23d January, sent down on the 23d, respecting the advantages which would result from a partial Geological Survey or Exploration of certain sections or districts

of the Province should be referred to the Committee of Supply.

"Resolved, as the opinion of this Committee, that His Excellency's Message of the same date, on the subject of a Lunatic Asylum, with the report from Dr. Peters accompanying it, should be referred to the Committee of Supply.

"Resolved, as the opinion of this Committee, that the Message from His Excellency of the same date, on the subject of Schools, should be referred to a Select Committee to report thereon.

"Resolved, as the opinion of this Committee, that the Petition of Alexander Wedderburn, Emigrant Agent at Saint John, praying an increase of salary, laid before the House by command of His Excellency, on the 1st instant, should be referred to a Select Committee to report thereon.

"Resolved, as the opinion of this Committee, that the Message of His Excellency of the 29th January, sent down on the 1st instant, on the subject of a Map of this Province in course of preparation by the Commissioner and Surveyor General of Crown Lands, together with the communication from that Officer accompanying the same, should be referred by the House to the Committee of Supply."

Tuesday, February 6.

#### SOLDIERS' WIVES, &c.

The House, on motion of Mr. Partelow, went into Committee of Supply, for the express purpose of voting a sum of money in aid of the wives and children of soldiers, who had been suddenly called out of this Province to the scenes of disturbance in the Canadas, and had been compelled to leave their families behind them.

On motion of Mr. Partelow, a sum not exceeding £300 was unanimously voted, to be placed at the disposal of His Excellency the Lieutenant Governor, for this humane and patriotic purpose.

The Committee then proceeded to grant a variety of other casual and usual supplies; which excited no interesting discussions.

After the Committee had reported, &c., Messrs. Partelow, End and M'Almon were appointed a Committee, to wait upon His Excellency, to communicate the resolution for the grant in aid of soldiers' families, &c., and to request His Excellency to carry the intentions of the House into immediate effect.

#### ROADS.

Mr. Hayward, from the Committee, appointed on the 22d January, to examine into the several Petitions relating to roads, submitted their Report, which he read, and then handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee to whom were referred the Petitions for and against alterations in various Great Roads, as also those praying remuneration for monies advanced in opening and repairing, and also for loss sustained in the performance of certain contracts on Roads, having had the same under consideration, report as follows:

"That in respect to the Petition of Peter M'Callum and others, praying that no Bridge should be erected to impede the navigation of the Digdeguash River at the proposed alteration of the Great Road from Saint Andrews to Magaguadavic, the Committee recommend that the prayer of this Petition be complied with; and from the allegations set forth in this Petition, the Committee are of opinion that it is a matter of regret that any alteration in this particular place should have been made by the Supervisor on that Road.

"That in respect to the Petition of John Cathcart, Daniel Hill, and others, against the line of road lately explored and laid out by B. Rainsford, Esquire, from Connick's to the Rolling Dam on the Great Road between Fredericton and Saint Andrews, the Committee cannot recommend a compliance with the prayer of this Petition.

"That in respect to the Petition of Robert Hazen, Esquire, and others, praying a grant of money to open a new line of Road from the Forks of the old Westmorland or Marsh Road to the Loch Lomond Settlement, the Committee recommend that before any grant be made for the opening of this Road, a sum of money should be granted to explore and examine the same, by Commissioners to be appointed by His Excellency the Lieutenant Governor.

"That in respect to the Petition of Gould Pickett and others, praying an alteration in the Great Road from the head of Bellisle to Saint John, the Committee are of opinion, as there is another Petition, praying for a different and more extensive alteration in this Road, they cannot recommend any grant for the object contemplated in this Petition, especially, as the Committee had no information or report from the Supervisor on that Road upon the subject.

"That in respect to the Petition of Alexander Campbell, J. H. Whitlock and others, praying that certain alterations may be made in two of the Great Roads in the County of Charlotte, and a grant of money for that purpose; and also in respect to the Petition of W. H. Mowatt and others, against the alterations prayed for in the first Petition, the Committee recommend that a sum of money should be granted for the purpose of exploring a new line of Road between Saint Andrews and Saint Stephen's, by Commissioners to be appointed for that purpose by His Excellency the Lieutenant Governor.

"That in respect to the Petition of John Brewer and others, praying that an alteration may be made in that part of the Great Road on the Canada line between Camber's Creek and M'Kean's, the Committee are of opinion that the object of this Petition is anticipated; Commissioners having been already appointed by His Excellency the Lieutenant Governor, under a Resolution of the House of Assembly at the last July Session, to explore and examine this line, whose Report it is presumed will shortly be laid before this House.

"That in respect to the Petition of C. L. Hatheway and others; praying that no alterations may be made in the Great Road from Saint John to Saint Andrews, and that a sum of money alleged to be withheld for the

purpose of making an alteration in that Road may be expended on the present route, the Committee recommend that the contemplated alteration in this Road should be suspended by the Supervisor on that Road until he make report thereon, and the same be submitted to this House.

"That in respect to the Petition of James Crosier, Edward Hughes, and Patrick M. Laughlin, complaining that the Supervisor on the Great Road between Saint John and the Nova Scotia line will not pay them for their Road contracts, the Committee are of opinion that the proper source of redress for these Petitioners is the legal tribunals of the country, and that therefore this House is not called upon to interfere in the matter.

"That in respect to the following Petitions praying remuneration for losses sustained on Road contracts, viz.: Richard Coltrants, Patrick Burk's, William M'Pherson's and Alexander Forbes, Charles Upham's, Allan M'Kinney's, John M'Claskey's, and William M'Claskey's; although the Committee are of opinion that the situation of these unfortunate people is much to be commiserated, yet the Committee feel that they cannot, without opening a door to innumerable applications of the kind, and thereby establish a most dangerous precedent, recommend a compliance with the prayer of these Petitions.

"All which is respectfully submitted.  
GEORGE HAYWARD,  
L. A. WILMOT,  
JOHN JORDAN,  
P. STEWART.  
Committee Room, 3d February, 1838."

#### TRADE.

Mr. Woodward, from the Committee of Trade submitted a Report, which he read, and then handed the same in at the Clerk's Table, where it was 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, report, that they have had under consideration the Petition referred to them of W. H. Stre and W. F. Ranney, praying a return of duties on China Ware, Cigars, and Ivory, imported in the Brig Clifton, from China; your Committee cannot recommend compliance with the prayer of the said Petition.

"Also the Petition of the Saint John Water Company, praying a return of duties on Iron Water Pipes, imported from Liverpool for laying down in Saint John; the Committee recommend that the amount of duties £92 14 0 be granted to said Company.

"Also the Petition of John Chappel and Petition of John Sillick, praying aid in running a Packet between Bay de Verte and Prince Edward Island, also the Petition of John Bell and others of the Counties of Westmorland and Kent, praying aid in running a Packet between Shediac and Bedouin, in Prince Edward Island; also the Petition of W. D. Hubbard, of Saint John, one of the appraisers of dutiable goods in the City, praying that Legislative provision may be made for his services; your Committee cannot recommend that the prayers thereof be complied with.

"They have also had under consideration the Petition of Stephen Pine and others, Branch Pilots at the Port of Saint Andrews praying an alteration in the Law relating to Pilots; your Committee report a Bill providing the alteration prayed for.

"All which is respectfully submitted to the House

"I. WOODWARD,  
THOS. BARLOW,  
P. STEWART,  
THOS. WYER,  
J. M. WILMOT,  
HENRY T. PARTELOW.  
Committee Room, 7th February, 1838."

ORDERED, That the Report be accepted.  
The Bill as reported by the Committee was taken in, and read a first time.

**THE MINERVA LIFE Assurance Company, LONDON.**  
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The Subscriber having been appointed an Agent for the above Company, will receive applications for Insurance, and afford every information that may be required.  
G. F. S. BERTON, Agent.  
Fredericton, 14th Nov. 1837.

## NOTICE.

THE Subscribers having entered into a partnership under the firm of

**JAMES & Smith,**

and commenced business in the new Store, the upper part of Queen Street, next Store above F. E. Beckwith's, respectfully give notice, that they will keep constantly on hand a general supply of PROVISIONS, GROCERIES, DRY GOODS, HARDWARE, &c. &c. All of which will be sold at the lowest rate for cash.

JAMES A. MILES.

SAMUEL B. SMITH.

Fredericton, Nov. 20, 1837.

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#### AGENTS.

SAINT JOHN,.....Mr. Peter Duff.  
SAINT ANDREWS,.....Mr. Wm. M'Lean.  
DORCHESTER,.....E. B. Chandler, Esq.  
SALISBURY,.....R. Scott, Esq.  
KINGSTON,.....Mr. Samuel Hallett, Esq.  
HAMPTON,.....Mr. Wm. F. Bonnel.  
SUSSEX VALE,.....J. C. Vail, Esq.  
KENT,.....J. W. Weldon, Esq.  
NEWCASTLE (Miramichi),.....George Kerr, Esq.  
CHATHAM (Miramichi),.....Mr. W. Simpson.  
KENT (County of York),.....Geo. Morehouse, Esq.  
BATHURST,.....H. E. Bouchard, Esq.  
WOODSTOCK & Northampton,.....W. H. Needham, Esq.  
SHEFFIELD,.....J. Tilley, Esq. & Dr. Borer.  
OROMCTO,.....Henry T. Partelow, Esquire.