

# Provincial Legislature.

HOUSE OF ASSEMBLY.  
Tuesday, March 6.

## DELEGATION EXPENSES.

In Committee of Supply, Mr. Partelow moved a Resolution for a grant of the sum of £ for the expenses of the late Delegation.

Mr. Street asked for some information on the subject, before voting for the Resolution.

Mr. L. A. Wilmot said, that he did not wish to take advantage of any motives of delicacy, in replying to the Hon. and learned Member's enquiry; but would openly and candidly state his own views on the matter. He was very sorry that this subject was discussed yesterday with closed doors, because he had no desire to withhold anything on his part from the public, but wished all to be openly and unreservedly made known. He would now make a few remarks for the consideration of the Committee. He wished the Committee to remember that this was not the same House as had deputed his Hon. Colleague and himself as Delegates to the Mother Country, and therefore it was necessary to detail some few particulars with respect to the circumstances relative to the appointment of the Deputation last year. He hoped, however, that whatever sum the Committee might think proper to award to him, would be voted in a separate and distinct resolution; because, with regard to these pecuniary matters, his Hon. Colleague (Hon. Mr. Crane) and himself had never had any mutual understanding or arrangement, and therefore, if both were included in the same Resolution, they would probably find some inconvenience in finally settling the matter between themselves. He (Mr. W.) therefore hoped that the Resolutions would be separate and distinct. When the Deputation of last year was about to be appointed, he was strongly advised by several of his friends, who knew his circumstances and the state of his professional engagements, not to accept of the appointment; and he certainly would not have accepted of it, had he not been led to expect that the injury to his private affairs would be remedied by the House. Previously, therefore, to his accepting the appointment last year, he consulted some Hon. Members with respect to such compensation, and candidly stated to them, that he could not think of abandoning his business and professional prospects, for an uncertain and indefinite time, without an assurance of receiving pecuniary compensation, over and above the amount of actual expenses. He never mentioned any sum; but on some Hon. Members asking him whether a certain sum would meet his views, he certainly did reply that less than such a sum would not indemnify him for his loss of time and business. He now begged to remind such Hon. Members of this House as had sat in the last House, of these facts; and he would ask them whether, if the question had come up at the late summer Session, that House would not have granted him the sum, which some Hon. Members had at that time assured him would be allowed; whether, in fact, the faith of that House would not have been fulfilled by making such a grant, and whether he would not have then received, in addition to his actual expenditure in performing the object of his mission, a sum equal to what was at that time directly guaranteed to him? Hon. Members well knew what circumstances the Province was placed in, when the Deputation of last year received an abrupt instruction to depart; when they were dispatched at only 24 hours notice, a second time to England. There was no time allowed for preparation or consideration; no consultation of their convenience in any respect; but they were told that they must go, and that instantly; and they accordingly departed forthwith, leaving their private affairs under circumstances of great inconvenience. If, then, it could be supposed that he (Mr. W.) could leave his business, and devote fourteen months entirely to the public service, in discharging the duties of those two delegations, without compensation for the personal loss he thereby sustained, let Hon. Members plainly say so; it rested with the Committee to decide the matter, and he would therefore now withdraw from his seat during the discussion. He would merely request, that whatever sum the Committee might think proper to award to him, they would apply the difference, beyond the actual expenses, to compensating him only for the first deputation; and he would freely make a present to the Province of his services on the second occasion. He hoped the country would be benefited by them, and that time would prove their utility. But he must observe, that his business had been suddenly and most inconveniently abandoned, at a few hours notice, and his long neglect of it had naturally tended much to his injury. There never had been an instance, of Members of any Legislative body having been so suddenly called upon, to sacrifice their private interests to the performance of a public duty. There was something, however, said yesterday in debate on this subject, which he would like to allude to; but delicacy forbade him; but he hoped to have an opportunity of private conversation, in a friendly way, with those Hon. Members who had made the observation, when he fully believed he should convince them that their ideas on the subject were erroneous.

The Hon. Member was then about to retire from his place, when Mr. Allen requested him to remain; as he (Mr. A.) wished to know what observations the Hon. Member had alluded to, in his concluding remarks.

Mr. Wilson asked how the Hon. and learned Member (Mr. Wilmot), had obtained a knowledge of what had been said yesterday, as that Hon. Member had left the House before the doors were closed.

Mr. L. A. Wilmot replied, that a friend had told him what had been said; and that

the observation to which he particularly alluded was, that some Hon. Members considered him to have been sufficiently rewarded by having received a silk gown.

The Hon. Member then retired.

Mr. Allen said he was very sorry that the doors were closed yesterday, because he thought there was no necessity for it. He thought, also, that the sooner his Hon. and learned Colleague called on his friends for explanations, the better. For his part, he (Mr. A.) was ready at any time to give any explanation, either in public or private, but he thought that Hon. and learned Member was not justified in making the attack upon other Members that he had made.

Mr. Street observed, that he was always averse to discussions with closed doors, and he was surprised at the standing order having been moved yesterday; because this was a matter that, of all others, ought to have been discussed with open doors, and the adoption of the contrary course was by no means judicious. Any thing that had been said by him on the subject, or anything that he might say, was such as he would wish to be said in the presence of the Hon. and learned Member for York (Mr. L. A. Wilmot,) himself.

Mr. End said, that he it was who had made the allusion to which the Hon. and learned Member for York had referred. He (Mr. E.) did say what had been alleged, and he was glad that the Hon. and learned Member was now here himself to hear him say so again. He hoped, however, that the kind friend who had told him of it, had told him also the whole of what he (Mr. E.) had said; he hoped that no malicious or partial communication had been made; because he had at the same time paid as just a tribute as he was able to the talents and abilities of that Hon. and learned Member. But he certainly did say, that it was somewhat strange, that a Barrister of only about five years' standing should have been put over the heads of his seniors by having a silk gown given him. He had said too, that that Hon. and learned Member would hardly have obtained that signal mark of royal favour, but in consequence of his having been twice a delegate from this Province to the Home Government. He (Mr. E.) had been fifteen years at the bar, yet he was still unnoticed; he had never obtained a silk gown; that favour generally went by seniority, and therefore he did consider that such a distinction was an unjust advantage given to the Hon. and learned Member for York; not in reference to him as an individual, but with regard only to his standing at the bar. For these reasons he certainly thought, that the silk gown should have been considered as an ample compensation for the services of that Hon. Member as a Delegate, and should have been charged to the credit of the Province in full, in the transaction. He had said also, that it was not that Hon. and learned Member's fault, that he had not been put over the heads of all his seniors by that promotion; because, had it not been for the paternal care of Sir Archibald Campbell, who probably anticipated something of the kind, and therefore left behind him a patent of precedence in favour of the Hon. and learned Member for Northumberland, (Mr. Street) he (Mr. W.) would have been put over his (Mr. E.) head also. He (Mr. E.) had said also, that the other Hon. Delegate had got a pretty good lift in Society by means of the delegation; because, with all that Hon. Member's talents, and with all his riches, and with all his acuteness, tact and sagacity in mercantile transactions, he certainly never would have been created an Executive Councillor, had it not been for the Delegation; there was no doubt of that; the Hon. Member himself could never otherwise have expected the promotion. Both the Hon. Delegates, therefore had made a pretty good gain, by the distinction and rank in society they had thus attained; and for that reason, he (Mr. E.) had said that he would not individually have been given a single sixpence to either of them by way of compensation beyond their expenses; but that, if any thing of the kind was to be done, it had better be done unanimously; and therefore he would on this occasion go with the majority. These were the remarks he had made yesterday on the subject; and in making them, he had no desire whatever to do violence to the feelings of the Hon. and learned Member for York; but he had meant well in what he had done and said. He wished to do what was just and right, fearlessly, honestly and faithfully, towards all parties; and therefore he would now go for a grant to both the Hon. Delegates, if it were to be made to both alike, and to be unanimously carried. He never was favourable to the Delegation; he had never considered it would be beneficial to the country; he did not believe now that the country would be eventually benefited by the results of its labours; but as the service, as it was called, had been performed, he was willing now to go for paying the expenses. He thought, however, that no such large grant as was now contemplated, would pass up stairs, it made merely under the general term of "expenses;" but that the sum for "compensation" ought to be specifically stated. Last year two grants for the expenses of the Delegations were brought into the House, one for £1,800 and the other for £1,200; but on its being found that the whole would be rather too much for the legislative Council to digest, the latter of them was withdrawn in toto and the other was modified and rendered more palatable by the addition of the words, "on account of the Delegations;" and thus by some parliamentary strategy concocted in this branch, (he would not say "stratagem") which he (Mr. E.) was not up to, the grant for the £1,000 passed in the Council last year, and he supposed that the £1,200 must pass this year. However, let the grant now intended for this purpose, be specifically and truly stated to be for compensation to the Hon. Delegates, and not merely for expenses of the Delegation, and let it be for both of them equally,

and he would go for it; but he was satisfied that the Legislative Council would not understand such a grant merely for expenses, and therefore would not pass it in that shape.

Mr. L. A. Wilmot, in explanation, said, that he had not intended in the slightest degree to find fault with the Hon. and learned Member for Gloucester; he did not find fault with any Hon. Member at all; but had merely wished to observe, that he thought that in private conversation he could easily convince that Hon. and learned Member that he was wrong in his ideas. He (Mr. W.) did not intend, by his remarks, to throw a firebrand into the Committee, or to excite any unpleasant feeling. He fully acquitted the Hon. and learned Member for Gloucester of any idea of entertaining an illiberal view of the matter; the views advanced by that Hon. Member, with regard to pecuniary affairs, were perfectly fair, and liberal and proper, and such as could not be found fault with. He (Mr. W.) begged to be understood, and if he had said any thing that could bear an unpleasant construction, he was most willing to retract it.

Mr. Partelow said, that this was a very perplexing question: the Committee had yesterday discussed it at great length, but had come to no decision. The Hon. and learned Member for York wished to have his matters settled by a separate resolution; but the resolution now before the Committee referred to both the Hon. Delegates. For his part, he (Mr. P.) was willing to go either way, if the Committee would but come to some definite conclusion on the subject; but there were at present very conflicting opinions relative to the mode of proceeding; some Hon. Members wishing to vote compensation to the Hon. and learned Member for York only, and others desiring to compensate both Delegates. He (Mr. P.) therefore, had thought that the best way would be, to move this resolution, (which had been drawn up by the Hon. and learned Member for Kent, [Mr. Weldon],—) and let the Hon. Delegates themselves afterwards arrange the division of the amount.

Mr. Allen said, that his Hon. and learned Colleague (Mr. L. A. Wilmot,) had spoken of giving explanations in a private conversation, in a friendly way; but sometimes those private conversations, that commenced in a friendly way, terminated in a very unfriendly way. He (Mr. A.) however, thought that whoever had informed that Hon. Member of what took place yesterday with closed doors, had not told the whole truth; if he had done so, his Hon. and learned Colleague ought to have felt himself highly flattered by what had been said, respecting the manner in which he had discharged his duty as a Delegate. Nothing had been said, but what was highly complimentary to him; and even the Hon. and learned Member for Gloucester, (Mr. End,) who had always been strenuously opposed to the Delegation, had come forward in the most handsome manner, and complimented him highly for his abilities, and expressed his willingness to go with any resolution that might be unanimously adopted. He (Mr. A.) had also acceded to the proposition for allowing his Hon. Colleague a compensation of £500 for his loss of time and business, besides allowing his actual expenses; but he had also thought, that the other Hon. Delegate had equal claims on the House, excepting that the one had rendered some professional services, as a lawyer, which of course the other had not. But they had both discharged the same duties in other respects, with equal zeal and ability, and general satisfaction to the Province; and therefore, he (Mr. A.) was willing to give them an equal compensation. He was willing to compensate them both most liberally, for the very valuable services they had rendered to the Province; but they ought to be put on an equal footing.

Hon. Mr. Johnston could not go with the present resolution, because it contemplated putting both the Hon. Delegates on the same footing, and he could not consent to any such arrangement. In the case of one of those parties, the Hon. Member for Westmorland (Hon. Mr. Crane,) it was fully understood, before the Deputation was appointed, that that Hon. Member would neither ask nor expect any thing whatever beyond his actual expenses; but the very reverse was the case with regard to the other Hon. Delegate (Mr. L. A. Wilmot). That Hon. Member had plainly stated, at the first, that he could not go, without being guaranteed a certain amount of compensation beyond his actual expenses; and he (Mr. J.) believed that he was last year led to expect, that he would receive £500 beyond his expenses. It was true, that there was no pledge of the House to that effect; but at the time the last Deputation was appointed, there was a very limited number of Members in the House, and therefore it was impossible to bring up such a pledge. But the service had been previously determined on; it was highly necessary for the interests of the Province; and it was only in expectation of receiving suitable compensation, that the Hon. and learned Member for York had consented to go. He (Mr. J.) fully admitted that both Delegates had rendered equal services to the Province; but the Hon. and learned Member for York had sustained an actual loss by the neglect of his business. His partner had to pay Counsel fees to the amount of upwards of £100, in cases in which the Hon. and learned Member himself would have been the Counsel, had he been at home; he had also been under the necessity of making additional pecuniary allowances to his partner, in consequence of his own absence; and altogether he had been at expenses little short of £300; in his business, which would have been saved if he had remained at home; and therefore, such charges ought to be taken into consideration by the Committee. It had been suggested that the other Hon. Delegate also might have been subject to extra expenses in his

business, by reason of his absence. This might be the fact, but there was nothing to show any thing of the kind to the Committee; there were no accounts before them, as there were in the other case, shewing actual expenses and losses incurred; and therefore, as well as for the reasons already urged, he (Mr. J.) wished to draw a distinction between the two cases. If the sum of £500 had been given to the Hon. and learned Member for York, for the first Delegation alone, it would have been none too much compensation. That Hon. Member admitted, that he at present credited the Province with about £260, which sum he had expended on his own private affairs; and he (Mr. J.) therefore was willing to place this balance of £260 as an off-set against the expenses incurred by the Hon. and learned Member in his professional business, in consequence of his absence from home; and to allow him £500 as a compensation for his loss of time and business, caused thereby; but he was against this resolution in its present shape, because it was clearly understood that the other Hon. Delegate would expect no such compensation.

Mr. Weldon preferred supporting the Resolution as it was; because he was entirely against allowing any compensation for loss of time to either of the Delegates; though he was for paying the expenses of both, in the most liberal manner. It was quite new to him, that any kind of pledge had ever been held out, to give either party any compensation for loss of time or business. He had thought, that there was some kind of patriotism in bringing forward all the measures relating to the late important events; and that the Delegates would have felt an honest pride in carrying them into effect, without expecting compensation for their services. This Committee could not name any amount of compensation; such matters were very doubtful and indefinite in their nature, and this Committee could form no estimates in such cases. The parties had both been raised to distinction and rank in the country, by their exertions in the public service; and that was all to be considered. It was never expected that they were to be paid advocates for the Province; but that they would faithfully discharge the duty and trust reposed in them by the House, as Members of that House, without expecting pecuniary compensation. He (Mr. W.) therefore was against allowing any compensation; but he would never have asked the Delegates for their accounts; he did not want to see exactly what they had expended, nor to examine nicely into every item; but would have gone for a most liberal remuneration of their expenses in gross. If, however, compensation was to be given at all, it ought to be given to both Delegates equally; otherwise a very invidious distinction would be drawn, which ought not to be made. He hoped, however, that no resolution to divide the grant would pass; but whatever was granted should be in one amount, and the Hon. Delegates should settle the division between themselves.

Mr. Street regretted that so much time had been taken up in discussing this subject. In debate yesterday, he had said, that he regretted that any application had been made by either of the Hon. Delegates, for compensation for their services; but as one of them had made such application, and as the other had stated, that if it were also offered to him he would not refuse it; and as they had been delegated by the House, and had performed their duty most efficiently and satisfactorily, he (Mr. S.) thought that they were both equally entitled to such compensation, and therefore it must be given. But the grant ought not to pass merely in the shape of "expenses," because such a grant would not bear truth on the face of it; it would be granting money for expenses that had never been incurred. The grant should be expressly for compensation for services; and both should receive alike, because no distinction could properly be drawn between them, when one Hon. Delegate had claimed such an allowance, and the other had said that he would take it if it was offered to him. Although he (Mr. S.) had always been against the last deputation, and was convinced that its objects would have been as well effected, if it had not taken place, yet no blame was to be attached to the Hon. Delegates; they had faithfully discharged the duty imposed upon them, and therefore they were equally entitled to compensation. But he had no notion of making such compensation in separate and distinct resolutions, nor of granting money for expenses that had not been incurred, and therefore he should move an amendment to the present resolution, to grant a certain sum to the two Hon. Delegates, to remunerate them for their expenses and loss of time in discharging their duty. They could easily divide the amount themselves, and it would certainly look very extraordinary for the Committee to divide it for them. He knew nothing about any understanding having been entered into out of doors; but when the deputation was appointed, he knew that the Hon. Members who were named as delegates made no objection to the appointment; but on the contrary, they appeared highly gratified, and well they might, because it was placing them in a very conspicuous and distinguished position, and the House would have been perfectly astonished if they had made any objection to accepting the appointment, unless they should receive a pledge of compensation. He did not look to any thing whatever that had been done out of doors; but as this compensation had been claimed, and appeared to be expected by both the Hon. Delegates, the House were bound in honor to give it them. The Hon. Member then moved, as an amendment, the following resolution:—

"Resolved, That there be granted to the Honorable William Crane and L. A. Wilmot, Esquire, the sum of £ to remunerate those gentlemen for their services and loss of time on the late Delegation to England, on the subject of the surrender of the Casual and Territorial Revenues to the Legislature of this Province, over and above all their expenses; sterling of which sum to be deducted in return for the sum now due the Province, from

the said L. A. Wilmot, Esq. for money remaining in his hands over and above his actual expenses."

Mr. Partelow thought the Hon. and learned Member who had just sat down had not treated the matter fairly. [The Hon. Member said a few words here which we could not hear.] He (Mr. P.) was now disposed to bring the matter to a close, in the way that appeared to have met the views of the Committee last night; by granting a sum of money to both the Hon. Delegates, as a compensation for the last deputation; and to remit to the Hon. and learned Member for York the balance of £260 now in his hands, as a remuneration for his professional losses and expenses on account of the first deputation.

Mr. Street contended, that his amendment exactly embraced the understanding come to by the Committee last evening.

Mr. Gilbert opposed the amendment, and contended that the grant for the Hon. and learned Member for York (Mr. Wilmot) ought to be in a separate and distinct resolution.

Mr. Wilson said that he had had only one opinion on this subject from the beginning; which was, that the delegates ought never to have made any application at all for remuneration for their time or services, beyond the payment of their expenses. They had both obtained honorable appointments, in consequence of their exertions, which ought to have been considered sufficient compensation; and he (Mr. W.) thought it was so. He was disposed to give every Hon. Member credit for a little patriotism; and he thought therefore, that the Delegates or any other Hon. Members would cheerfully have endured a little personal inconvenience, for the sake of doing the country such a great service; and it was only very lately that he was undeceived in this particular instance. He regretted very much to find, that in this case his ideas had proved erroneous; because he thought that the expectation of compensation certainly did detract a little from the character of those Hon. Gentlemen for disinterested patriotism, and it was much to be regretted that they should take the place of mere hirelings in such an important transaction. He had said yesterday, that he should be inclined to go only for the least possible sum; but he was now prepared to say, that he should vote against any sum at all for compensation.

The question was then taken on Mr. Street's amendment, on which the Committee divided as follows:—

Yeas—Hon. Mr. Johnston, Messrs. End, McLeod, Partelow, Street, Weldon, Palmer, Hanington, Allen, Jordan.—10.

Nays—Messrs. Barlow, H. T. Partelow, Stewart, Wilson, Woodward, Taylor, Fisher, Gilbert, Brown, Connell.—10.

The numbers being equal, the Chairman decided in the affirmative, and the first blank was then filled with the sum of £830, and the other with the sum of £260.

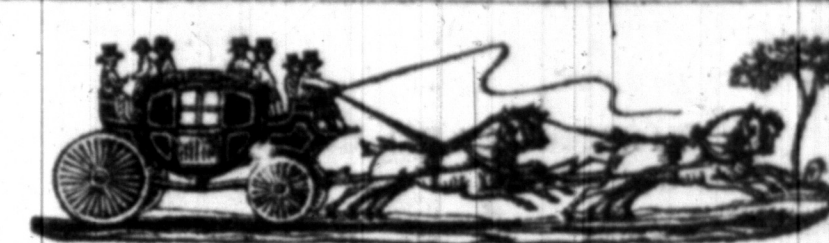
The following resolution was then moved by Mr. Weldon, who stated that it was for the purpose of reimbursing to the Hon. Mr. Crane a balance of actual expenses incurred, and paid by him from his private resources:—

"Resolved, That there be granted to the Honorable William Crane, one of the late Deputation, such sum as will procure Exchange on London, for £230 sterling, being a balance of expenses incurred by him in the late deputation to England."

The resolution was agreed to.

Mr. Weldon then moved, that this Committee, having finished the business entrusted to them, do now rise; which motion was carried by an overwhelming majority, amidst the opposition and conflict that usually attend the closing of the labours of the Committee of Supply.

It was almost dark when the Committee rose, the debates having for some time been carried on by candle light; and the Chairman left the Chair at a quarter past six o'clock, after having sat between five and six hours.



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