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FOR THE SENTINEL.

"Nothing can be conceived of a tendency
more injurious than the refusal of legitimate dis-
cussion, or the pronouncing of a thing absurd
and dangerous, merely because its appearance
may not be favourable to settled conviction."
O'Brien on Enquiry.

MR. EDITOR.—In my letter published in
the Sentinel of the 14th instant, I stated, that
Sunday, or the first day of the week, is set ap-
art by the law of the land as a day of rest, and
as a day for the full and free exercise of liberty
of conscience in the public or private worship
of our Creator—that all Scriptural command-
ments for the sanctification of the Sabbath are
confined to the old Testament—that the Sabbath
of the Jews was observed on the seventh day of
the week (our Saturday)—that there is no com-
mandment in the scriptures for abandoning Sat-
urday, and transferring the obligation to Sunday;
and that Sunday being a different day, observed
in a different manner and for a different reason,
and being moreover wholly enforced and regu-
lated by the Law of the land, is therefore not a
divine but a civil institution.

This conclusion has not been adopted hastily,
and I sincerely believe that the process of reason-
ing which has led to it is correct—it is how-
ever, at best, but the opinion of an anonymous
writer; and that, even if deduced from acknowl-
edged premises with mathematical certainty,
would bear but little weight in such a weighty
matter. In order therefore to strengthen the
position in which I am thus unavoidably placed,
I shall avail myself of the reasonings of others,
and desiring to avoid all authors of doubtful
character, shall begin with Paul the Apostle.

In Paul's letter to the Colossians, after show-
ing that "the hand writing of ordinances" had
been blotted out, he gives his instructions in
the following words.—"Let no man therefore
judge you in meat, or in drink, or in respect of
an holyday, or of the new moon, or of the Sab-
bath." In the Law of Moses—viz, "the hand
writing of ordinances"—the eating of certain
meat (swine's flesh for instance) was forbidden;
and the observance of the Sabbath enjoined;
but as those "ordinances" had been "blotted
out," the Colossians were allowed to eat such
meat as they chose, if the same had not been
offered to idols, and were not bound to observe
the new Moons, the holy days, or the Sabbath.
It is impossible to mistake this passage—the
meats, the new Moons, the holy days, and the
Sabbath, being all named, enumerated, and
classed together, and the Gentile Christians in-
dividually left to the freedom of their own will
respecting them. In the exercise of this liberty
it seems that some still regarded days as more
holy than others, and to this the same Apostle
gives his concurrence; "one man, says he, es-
teemeth one day above another, another esteem-
eth every day alike, let every man be fully
persuaded in his own mind"—thus the fact is
fully accounted for, that although the Apostles
point out numerous vices and practices and con-
demn them as totally at variance with the Chris-
tian profession, they nowhere point out the
breach of the Sabbath as one of those vices; nor
do they, in any instance, include the observa-
nce of the Sabbath among the list of virtues
and graces which adorn the Christian character.

In the creeds of several sects of Christians it
is stated that after our Saviour's resurrection,
God appointed the first day of the week to be
the weekly Sabbath. The Rev. Dr. Somerville
late Professor of Theology in King's College,
who must be admitted as good authority in this
case, states in one of his printed sermons, in re-
ference to this change of the day, that "neither
Christ or his Apostles said any thing about the
matter."

The next authority that I shall quote is a
work called the Popular Encyclopedia, publish-
ed by Blackie & Son, Queen Street Glasgow—
article Sabbath.

"In the earliest times of Christianity the Law
of the Sabbath, like other parts of the Jewish
faith, could not be received into the new reli-
gion except spiritualized and refined like the sa-
crifices and other ceremonies. St. Paul explic-
itly treats the reverencing of certain days, as

invested with a holy character by a divine ordi-
nance, as Jewish and unchristian! The first
communities assembled for common prayer &c.
every day—with the spread of Christianity how-
ever, the appointment of certain times for this
service became necessary. This was not a de-
parture from the spirituality of the new reli-
gion, but only an accommodation to the wants of
mankind. Sunday was distinguished as a day
of joy, so that none fasted on it. Constantine
the great made a law for the Empire, A. D. 321,
that Sunday should be kept as a day of rest in
all cities and towns, but he allowed people to
travel with horses, cattle, carriages, &c. Sun-
day with the Lutherans is a day of rest and en-
joyment, and many amusements are taken by
Protestants on the European continent during
that day. Calvinism which is altogether of a
sterner character, may have induced its ad-
herents to observe it more strictly, but even at
Geneva, the Sunday evening is spent in various
amusements, in visiting, dancing, playing foot
ball &c. and the labours of husbandry are per-
mitted in harvest on Sundays."

Here there is a condensed history of the whole
affair, shewing that for three centuries, christi-
ans were entirely at liberty with regard to the
observance of this day—that Constantine the
great, and not our Creator, appointed it to be
kept in all towns, leaving the country people to
follow their work as usual; and that its full ob-
servance in 533, was not enforced by a divine
command, but merely by an ordinance of the
Council of Orleans.

Sir William Blackstone in his commentaries
on the Laws of England says, that the profana-
tion of the Lord's Day is vulgarly, but improperly
called Sabbath breaking; whence it is
clear, that he does not consider it as identified
with the old Testament Sabbath. He maintains
and I heartily concur with him, that the keep-
ing of one day in seven holy, as a time of relax-
ation and refreshment, as well as for public wor-
ship, is of admirable service in a State. It hu-
manizes by the help of conversation and society,
the manners of the lower classes, it enables the
industrious workman to pursue his occupation
on the ensuing week with health and cheerfulness,
and imprints on the minds of the people that
sense of their duty to God, so necessary to
make them good citizens." By the Statutes of
England, "no fair or market shall be held on
any Sunday, except the four Sundays in har-
vest, no person shall assemble out of their own
Parishes for any sport whatsoever on Sunday,"
the Statute however allows any innocent amuse-
ment within their respective parishes, after di-
vine service is over. The writer before quoted
adds—"Blackstone considers the Sunday as a
civil institution to be regulated by the municip-
al Law.

Fredericton, March 23. 1840.

Provincial Legislature.

HOUSE OF ASSEMBLY.

TUESDAY, MARCH 24.

MR. HILL called the attention of the House
to the picture of Lord Glenelg, and expressed a
desire to know whether it had been paid for,
as if that was not the case, it became necessary
that some provision should be made when the
House again resolved itself into a Committee of
Supply, previous to its reporting finally.

MR. L. A. WILMOT said it was a very prop-
er feeling on the part of any hon. member, to be
desirous of paying his debts, or to wish to
discharge any demand which he had been in-
strumental in incurring; but he must confess
he was surprised at this renewed application
upon the subject, and which was indicative of
something which he did not understand. For
his own part he felt no anxiety upon the sub-
ject. It was pretty well understood, that the
picture alluded to, would not exceed £300;
and the hon. member for Westmorland would
be prepared, when in possession of the ne-
cessary vouchers, to lay a statement before
the House, and such as would doubtless prove
satisfactory to hon. members and the country
generally. It appeared to him however, that
the object of hon. gentlemen was to call the hon.
member on his feet, that he might give them an
explanation with reference to every why and
wherefore. He thought the ordinary rules of
courtesy would have induced them to have made
some preliminary enquiry of the hon. member.
There was something extremely singular in the
proceeding. Was the hon. member for Char-
lotte afraid of being sued for the amount, and
that he would be arrested upon leaving the
House for any liability which he might have
incurred, that he manifested such extraordinary
anxiety. Had he enquired of the hon. member
for Westmorland he would have received the
necessary information; and he must repeat that
ordinary courtesy should have induced him to
have refrained from pressing the subject upon
the notice of the House, until his hon. friend
was prepared to make a report.

Hon. Mr. CRANE said, after what passed
yesterday, it was his intention to have addressed
the House upon the subject mentioned by the
hon. member from Charlotte, as soon as a suit-
able time offered; but there had been so much
hurry during the day, that it had not been in
his power to do so, before his attention had been
again called to the subject; and he trusted hon.
gentlemen would give him their attention while
he explained what had taken place. And first,
upon reference to the Journals for the session of
1837, it would be seen in consequence of the
benefits that had resulted to the Province, from
the liberal and just measures of the nobleman
alluded to, and as a testimonial of the estimation
in which he was held; the representatives of
the people had expressed a desire that his like-
ness should be obtained, in order that it might
be one of the ornaments in the halls of the Le-
gislation. In accordance with that sentiment,
an address had been made to His Excellency,
requesting that he would take measures to carry
into effect the intentions of the House. In con-
sequence of this application, His Excellency
made the necessary communication upon the
subject; and as Mr. C. had before stated, he
was then in London, attending to the affairs of
the Province. Lord Glenelg having acceded
to the wishes of the Representatives of the coun-
try, requested him to select a suitable person
for the purpose.—And as it is customary for ar-
tists of importance to receive one-half in advance
the needful in this case was done. When Mr.
C. left England, the picture was not complet-
ed, domestic affliction having prevented Lord G.
from sitting for it, as soon as was expected; but
the hon. gentleman said he requested a person
on whom he could confide to do what was neces-
sary, and forward the portrait for its ultimate

destination when completed. That was all
which he could do; but nevertheless the pic-
ture did not arrive till last October; at which
time he was not made acquainted with the cost,
nor had he received the accounts down to the
present time, altho' he had written for them.—
He had intended to have stated these circum-
stances not by way of report, but as matter of
information. The hon. member for the city,
Mr. Woodward had mentioned to him that there
had been much misrepresentation in the papers
with reference to the transaction; and he had
stated as one gentleman would to another, that
the sum of £500 had been placed in his hands
to provide for the picture. He gave that hon.
gentleman credit for acting on public grounds
alone; altho' he felt rather surprised that with
the information he had, he should have consid-
ered it necessary to bring the matter so often
before the Committee of Supply for payment of
the picture, after what had occurred. For his
own part the hon. gentleman said he considered
it would be time enough to make that motion,
when the House should be called upon for pay-
ment. At the same time as that hon. gentle-
man was desirous of promoting similar
enquiry for the public good, he Mr. C. hoped
he would follow it up, all over the Province;
and he would most cheerfully second his views.

On the present occasion, the hon. gentleman
said, another learned member applies for infor-
mation; and if he had papers with him which
were at his residence, he could have satisfied
the learned member for Charlotte so far as cor-
respondence could have satisfied him, that the
accounts had not yet been forwarded. He said
he had also further to state to the House, that
he had not been in England, and this matter
had proceeded in the usual course, and had the
President of the Royal Society, or some of the
painters in ordinary to Her Majesty been en-
gaged in the work, the expense would probably
have been greater than at present; but he had
exerted himself, and no pains had been spared
to procure an elegant and correct painting on
the best possible terms. He mentioned this be-
cause he feared it might be inferred that some
gentlemen took rather a narrow view of the
question, and wished to make a pound, shilling
and pence affair of the transaction alluded to.—
The hon. gentleman then went on to say, that
he did not wish to keep any balance on hand;
and it should be paid over as soon as the amount
could be obtained, or the whole sum if required
by the House. There was another subject con-
nected with the affair, which it would be prop-
er to name.—The House were aware that his
application on behalf of the Province for the
likeness of the Queen having failed, several
influential persons suggested that it would be
as well to procure a number of the engravings
of the portraits of Her Majesty, and distribute
them among the public men throughout the
Province. This had been done; and he felt
happy in saying that Her Majesty's loyal sub-
jects were delighted with having them circula-
ted among them. That purchase he had made
without the sanction of the House; and he was
prepared, if the proceeding met with its dis-
approbation, to pay for them out of his own pri-
vate funds; and he should think them well ap-
plied in circulating the likeness of Her Majesty
throughout her dominions.

MR. WOODWARD expressed himself satisfied
with the handsome manner in which the hon.
gentleman had explained what had taken place.
He Mr. W. had certainly consulted him upon
the subject, and he had shown him the Report;
and as the payment of any money did not seem
to have been made, he thought it should be
brought forward in Committee of Supply, that
it might be provided for. He said he was happy
the explanation had been made, and had no
doubt that it would prove highly satisfactory to
the House and the country.

MR. HILL said, if the explanation had been
made before, there would have been no neces-
sity for his calling the attention of the House to
the subject. It was the duty of every member
to see that the public funds were properly ex-
pended, and that all demands against the Pro-
vince were liquidated. The observations of the
learned member for York, were therefore highly
improper. The explanation now that it had
been made, must be perfectly satisfactory to
the House; and was highly necessary; as up-
on the return of members to their homes, it was
impossible without it, to make any satisfactory
reply to the enquiries of their constituents. He
was glad the subject had been agitated, and was
equally well satisfied with the explanation that
had been made.

MR. PARTELOW thought the present was a
most extraordinary proceeding, and which could
not be justified; it had been a complete system of
anoyance, got up by hon. gentlemen who
knew that the £500 had been remitted. Hon.
members had better take the mote out of their
own eyes, before they sought to remove the
beam from those of other people. If every
transaction was as fair and honourable, the
funds of the Province would be in a better state.

After a few words from Mr. End, chiefly in
allusion to the above observation of Mr. Par-
telow, the conversation dropped.

WEDNESDAY, MARCH 25.

Geological Survey.

Among the grants proposed in Committee
of Supply, was the usual vote to Dr. Gesner,
Provincial Geologist, which underwent some
discussion. Since last year the hon. gentle-
man (Dr. Wilson) said he had obtained some
additional information; and he had under-
stood that the mines in Nova Scotia had been
worked to a loss. It appeared also that be-
sides paying £600 annually to the Provincial
Geologist, the Province had to pay thirty or
forty pounds in addition for the publication of
his Report. The hon. gentleman said he
considered it an unfortunate expenditure of
the public money, and from which no ade-
quate benefit would ever be realized. It was
a total loss to the Province. He was aware
that a favourable opinion was entertained by
the Committee, but was satisfied that his
opinion would be found to be correct.

MR. BOYD expressed himself of the same
opinion.

MR. FISHER was surprised at the opposition
of the hon. member for Westmorland, whose
county had experienced the benefit of the
exploration that had been made. He thought
the present one of the best grants that had
been introduced during the session, and
should vote for it.

MR. WELDON hoped the exploration would
not be confined to any particular portion of
the country; but that it would be more gen-
eral. After all he feared the exploration

would not be found worth what it would
cost. As to the Reports there are 500 copies
struck off; each member of the Legislature
was supplied with a copy, but he did not
know what became of the remainder.

MR. L. A. WILMOT said he had received
a letter, containing a suggestion that the
Geologist should furnish the government
with at least duplicate specimens of every
variety of rock, or mineral, or soil which he
might discover. The party bearing the ex-
pense of the survey had a right to these dupli-
cates of the standing features of the country. If
that were done, a public collection might be
made, which would embrace a great variety
of geological information.

MR. WILSON moved as an amendment to
the Resolution, that this should be the last
appropriation of the kind. He thought it
time the subject should be taken into con-
sideration. He was sorry to interfere with
Dr. Gesner, or any other gentleman who
might be in the enjoyment of comfortable
expectations; and he moved the clause by
way of notice, that that gentleman might not
be taken by surprise, but would have twelve
months to prepare himself.

The Resolution with the amendment was
then put and carried, by a majority of one,
the numbers being 13--12.

THURSDAY, MARCH 26.

Expenses of Government House.

The House in Committee of Supply. Mr.
Partelow moved a Resolution for granting
£1750 for the repairs and expenses of Govern-
ment House. The hon. gentleman said in con-
sequence of the manner in which the accounts
were made out, and the late period in the ses-
sion when they were received, it had been
found impossible to go into the necessary ex-
amination. He had satisfied himself however
that the amount moved for, would be paid by
the Province; and he should take the accounts
home with him, with the permission of the
House; and would be prepared next session to
make a report upon the subject.

MR. WILSON hoped before the Committee
voted the sum proposed, that there would be
some investigation. It was a subject of much
importance to the Province; and he had no
hesitation in saying, that this mode of voting
money was improper. The year before last, a
similar account was laid before the House, and
the learned member for Northumberland re-
monstrated at the time; and was told that a
certain part would be paid, and that the ac-
counts would be satisfactorily audited during
the recess,—but which had not been done;
and the balance came up along with other
charges. And it was again attempted to pass
the present account in the same loose manner,
at once unsatisfactory to the House and coun-
try. The hon. gentleman said he did not know
who were the Commissioners of Government
House, as the account was not made out in their
names, but in that of James Taylor, and must
be considered as the account of a private indi-
vidual against those Commissioners, for sums
which he had from time to time paid. There
were several items which he deemed excep-
tionable, among which was the article of coal,
and if they thought this should be
paid for by the public. If that were to be done,
and this were considered a proper charge, let
them say that having built a large house, and
the fuel which had to be provided causing great
expense, the liberality of the Assembly would
induce them to provide for the same. There
were other items he repeated which he con-
sidered as objectionable; there was a marble
mantle-piece and mirror, and a close sleigh
which cost £21; it might be cheap, but the
question was, is the House to be called upon
to pay for these articles, which in all amounted
to £96. It might be observed that members
did not intend the account should be paid in
full until it had been audited; but was there
any assurance that the balance which might
remain unpaid would not be brought forward in
the next account. He saw the balance of
£291 due on the former account was brought
forward in the present, and which doubtless
was composed of objectionable items; gentle-
men might explain as they liked but that would
be the case in the present instance. If the
Province had built a large residence for the
Lieut. Governor, the extraordinary expense
which is incurred in rendering it habitable in
this climate, was a subject worthy of consid-
eration; but it was this loose way of voting
away money of which he complained. The hon.
member for St. John, he said, had pledged him-
self that the account should be satisfactorily au-
dited during the recess; but a similar pledge
had been made before by others, and no such
audit had taken place. It was time to stop
therefore, and he would not appropriate any
further sum until the balance due was correct-
ly ascertained. He would pay all at once, and
let the account be discharged in full. He should
like to know if His Excellency was consulted
with reference to charging the sleigh that had
been alluded to in the account against the Com-
missioners, and which he was sure the House
would not sustain. If it had His Excellency's
sanction, the charge was improper; and if it
were inserted without his authority, the party
doing so had taken a most unwarrantable liberty.
He said he should not go over the items, which
would show a considerable amount might be
incurred if there were not a vigilant supervision.
But he would call attention to the charge of
£93 for 25 chaldrons of coals, and in another
place there was also a charge of £3 15. There
was also a year's interest on the balance of £291,
amounting to upwards of £17; so that the Pro-
vince was actually called upon to pay interest,
on a sum that was not paid before, because the
charge was deemed objectionable. Hon. gen-
tlemen might say as they liked, but he repeat-
ed this was a loose and unsatisfactory mode of
doing business. This had been a subject of re-
mark abroad, and the House had felt itself called
upon to interfere, in consequence of state-
ments that have gone through the country, and
by which the odium of this transaction was
made to rest upon the head of the Executive;
and many tongues had told it. Every hon.
member would understand what he meant, and
therefore it was proper the subject should not
pass over without remark, and that investiga-
tion which was due to the constituency of the
country; and for these reasons he had express-
ed himself in the manner which he had done.

COL. ALLEN said he understood that the Bill
which went to provide an augmentation of the
Lieut. Governor's salary was to have a retro-
spective operation; and if that were the case
he would not be willing to meet the charge in
full. And if it were not sufficient he would
make a further augmentation; as it did seem
necessary when a large house had been provided,
and his Excellency is put to great expence in
heating it and keeping an additional number of
servants, that some provision should be made.
But if the Bill should receive the royal assent,
which goes to increase the salary, he thought
these items should not become a public charge;
and hereafter he thought that fuel should not be
provided, unless the salary were found insuffi-
cient.

MR. PARTELOW said the observations of the
hon. member for Westmorland and of the gal-
lant Colonel would apply if it were intended to
pay the whole amount. The sum claimed was
upwards of £2100, out of which he proposed
paying £1700, leaving £421. The reason why
the accounts could not be investigated during
the session was owing to the manner in which
the hon. member for York—Mr. Taylor made
them up; and which were entirely destitute
of method or classification. In '38 objections
had been made in the same way, altho' there
was no doubt that the various sums that were
charged, had been paid by the agent; still the
House was not satisfied whether they should be
repaid by the Province. A Select Committee
was appointed to examine the accounts of that
period, and he fully expected that would have
been done; but such had not been the case.
In proposing the sum alluded to, the hon. gen-
tleman said he made provision for the amount
for which the Province was certainly liable;
and it would be for the House when the accounts
should have been properly examined to deter-
mine as to the remainder; and in the mean time
Mr. Taylor must be the sufferer. As he had
before stated, it was his intention with the per-
mission of the House to take the accounts down
with him, and he pledged himself they should
be satisfactorily audited. He would defy the
most scrutinising person at present to determine
correctly what items should be paid for by the
province, and those which ought not to have
been charged; he hoped therefore the Commit-
tee would vote the sum of £1750, and let the
balance lie over till next year.

MR. TAYLOR observed that a large portion of
Government House is used as public offices;
and His Excellency thought the Province
should be charged with the fuel required for
that part which is not occupied by the family.
The consumption of wood he said was almost
equal to that of coal; and he thought it reason-
able that a house so situated, should be provided
with the latter article.

Hon. Mr. JOHNSTON thought the great diffi-
culty upon which the House had to determine,
was whether the article of fuel ought to be paid
for by the Province, and which had never yet
been decided. As to the sleigh which had been
charged in the account, it never could have
been expected that it would be a public charge.
It was evident the commissioners did not do
their duty, or such irregularity could not have
taken place. In looking over the account, the
hon. gentleman said he did not see any work
charged that was unnecessary; a large sum
had been required for the bank of the river,
which is continually washing away; the porch
at the front of government house was a great
convenience to persons going there, or who
might be in attendance. But the House should
come to some determination with reference to
the article of fuel; and if it were a proper
charge, a commuted allowance should be fixed
upon. Looking at the item of coal, if wood
were consumed in a similar ratio, the expence
could be little short of £500 annually. If the
House therefore were to allow a certain sum
annually, it would put an end to the difficulty.
With reference to the heavy charge for coal in
one instance, alluded to by the hon. member
for Westmorland; he had made enquiry, and
found that a vessel coming up with a supply of
coals, had sunk on her passage, and they had
to be procured at greater cost late in the season
from Grand Lake, which made the charge high-
er than it would otherwise have been. There
should however be more than one person who
would look after the affairs of government house,
and if the Commissioners would not do their du-
ty, others should be appointed; as he confessed
the accounts at present were any thing but
satisfactory. His Excellency he said, was ex-
ceedingly desirous that the accounts should be
carefully examined, and if any item was at all
objectionable, that it should be struck out. At
present he did not see that any thing could be
done, but thought the hon. member for St. John,
should take the accounts with him, and make
his report at the next session.

MR. STREET considered the present as a most
extraordinary discussion, and alike degrading to
the House and the Executive; the accounts
should have been referred to a Select Com-
mittee, and it was most improper to discuss
the subject in the manner which had been done;
and which arose from the manner in which it
was proposed to pay these accounts. Commis-
sioners were appointed for managing the affairs
of government house; their duty was simple
and was pointed out by law. The proper way
was to refer their accounts to a Committee to
report upon, and if they were found correct,
they would be paid of course. Had that course
been pursued, the present unpleasant discussion
would have been avoided. But a balance had
been brought forward from year to year, while
the same objections existed as formerly; a sum
had been voted last year in the same way. The
learned gentleman said if there ever was a time
which required that a strict examination should
be made, he thought it was the present; and
knowing that observations were being made both
in and out of the House, they should have been
carefully audited, and thus have checked asper-
sions that had been made elsewhere. He said
he was not prepared to go with the Resolution
as he considered the accounts were not properly
before the House. Had they been sent to a
Committee, and a report been made, they might
have discussed that report; but he must con-
tend that it would be wrong to pass any resolu-
tion until the accounts were all audited; he
could not conceive how they could be so com-
plex as to be continued from year to year. He
thought therefore the Resolution had better be
withdrawn, until they could be audited. It had
been urged by the hon. member for York, Col.
Allen, that if an augmentation of salary took
place, the allowance for fuel should not be made.
He took it if such augmentation did not take
place, fuel would be allowed. The Bill had
been passed with a suspending clause, and if
any reason could be adduced in favor of post-
poning the payment of the balance of the account,
it might be drawn from the uncertain fate of
that Bill; but still the accounts should have
been referred to a Select Committee and their
report should have been made to the House,
and he repeated that that course been pursued