

or in the Gallery, at any rate it was wrong, who ever had done it. He said the Government were wrong, in hurrying on a matter of so much importance, when it would be a fortnight before the Bill could leave for England.

Mr. Hazen said it would be difficult to please the hon. and learned member from St. John. Last year his cry was the government will do nothing. This year his song is the government do to much.

Mr. Hazen urged that the additional head-money in cases where the vessel was ordered to be detained, was the best security they could have for proper provisions being put on board, which was a matter which must be seen to at the port from whence the vessel sailed. After some further observations from other members, the question was put and the bill passed without a division.

Mr. Carinan brought in a Bill to continue the Act authorising the holding of certain Courts and providing for the travelling expenses of the Judges in attending the same.

Mr. Baillie brought down a message accompanied by a report and plans, from Messrs. Brown and Jordan, who had explored a new road during the recess with the view of shortening the road between Fredericton and St. John.

Hon. Mr. Hazen brought in a Bill to provide for the collection of the Revenue, which was committed and read over, and is to be taken up on Monday. Mr. Hazen informed the House, that the principal alteration from the Bill of '46 was that the practice of taking bonds for duties over a certain amount was discontinued by the present Bill, and that it would be imperative under its provisions that the duty should be paid on the goods put into the warehouse. He mentioned this that hon. members might have time to make up their minds on this point.

The House then went into Committee of the whole on Mr. Reed's Bill to prevent the increase and growth of thistles. When the Bill was read by the Chairman, several honourable members expressed a wish to hear from the honourable mover respecting his intentions in framing the measure.

Mr. Reed informed the House that there had been such a law in the Province, but that it had been suffered to expire. That there was now such a law in Nova Scotia, and also in Lower Canada, and that his object was to prevent slovenly farmers from doing injury to their neighbours, by allowing this obnoxious weed to run to seed on their farms.

A rambling discussion then followed, some honourable members treating the matter with much seriousness, others turning it into all sorts of queer shapes.

Mr. Boyd wished to know if the Scotch thistle was exempted, as it was a very ornamental flower.

Mr. Wilmot thought that as the Bill gave authority to enter a field and remove the thistles, doing as little damage to the crop as possible, it would not answer for some parts of Sunbury, for there, if they took away the thistles, there would be no crop left. The honourable member went on in the same strain through other counties, not exempting York. During his speech, the House was convulsed with laughter, and he would up by saying it was a ticklish subject to legislate upon, and should be handled carefully, and that he would like to put the Bull's Eye in that Bill.

Mr. End told him he had done it most effectually. There appeared a disposition to pass some Bill of the sort, and the hon. Mr. Hazen produced the old Bill passed in the last Century, but nothing final could be agreed upon, but to report progress, which was done accordingly. When the House resumed, the hon. Mr. Baillie brought down a Message accompanied by Despatches from the Secretary of State and other documents relating to the appointment of a Master for the Training School, and the purchase of School Books, which were read at the Clerk's table. From these Despatches I should imagine that Mr. D'Very who has received the appointment is fully qualified for the important task he has undertaken. This gentleman is now in Fredericton and will in all probability enter on the duties of his office at an early day. The returns from the Crown Land Office for 1847 were also brought down, and the House soon after adjourned.

Yours, &c.,
Syzgia.

FREDERICTON, 31st Jan., 1841.

DEAR SIRS.—A short discussion arose in the House this morning, involving a principle of considerable importance to the community, and we owe it to Mr. Ritchie that it was brought prominently under the consideration of the Members of the Assembly.

When the House was in committee of the whole in consideration of the Bill to incorporate the Mill and Manufacturing company, Mr. Ritchie asked Mr. Tibbets, the mover, whether the Bill contained any clause making the private property of the stock holders liable for the debts of the corporation beyond the amount of their respective shares, and being answered in the negative, proceeded to point out the evils which must arise to the community from an incorporation of this nature. He began by pointing out the Tobique Mill Company as an example of this kind of Legislation, and warned the Committee against inflicting a similar injury on the public, by authorizing another corporation of the same kind. He was not unfavorable to corporations, but he would insist on placing them on the same footing as private individuals engaged in similar pursuits. He had no idea of allowing ten or a dozen men to get together, call themselves an incorporation, procure a charter, and then, if their speculation failed, shelter themselves under that charter, and pay nobody. He would give no charter to any company whose private property was not held liable to double the amount of their stock. And he thought it would be a wise precaution to appoint a standing committee of that house whose duty it

should be to examine all such Bills, and report to the house if they were framed in conformity with this principle. These Bills were frequently looked upon as a sort of private Bills, and members did not usually pay that attention to their details which was necessary to provide for the security of the public. Unless such a clause be introduced in the present Bill, he would most undoubtedly oppose it.

Mr. Boyd took the same view of the matter as the Hon. Member from St. John, concluding that they were bound to protect the public against being made the sufferers by such acts of incorporation, and that unless such a clause as was proposed by the Hon. Member from Saint John be added to the Bill he would certainly oppose it altogether. He therefore would recommend the Hon. mover to withdraw the Bill for the present by moving to report progress and introduce the necessary clause for the protection of the public when the Bill was re-committed.

Mr. Tibbets hesitated to report progress until warned by Mr. End and several other members, that unless he did so the Bill would inevitably be lost. Mr. End remarked that if the applicants get their act with the necessary checks for the security of the public they might think themselves favored. The motion to report progress was then made and sustained.

Hon. Mr. Baillie brought down message accompanied by a Report on the state of the Lazaretto on Sheldrake Island. Also copies of despatches from Lord Gray, which were read.

Mr. Hayward moved for leave to bring in a Bill to establish the Road from Douglas' River to Fredericton as one of the Great Roads—leave granted.

A number of Petitions were presented, among which were two from the Watchmen in Portland, who were wounded on the night Gough was murdered, which were read and laid on the table. They were presented by Mr. Partelow.

Hon. Mr. Hazen brought down a Message accompanied by the accounts of the Collector of the Customs, and other documents, which were received and ordered to be printed on the daily Journals.

A discussion then arose on enlarging the time for the House going into Committee of Ways and Means, which stood for to-morrow. After some debate it was agreed to enlarge the time until the 8th February next, principally on the ground that the House would not have the necessary information before them at an earlier period. During this discussion Mr. Hazen remarked, that His Excellency the Lieutenant Governor would call for the opinion of the Crown officers on the *Differential Despatches* as they had been called, and on that account some time must elapse before the House receive the information sought for the other day. Mr. Partelow gave it as his decided opinion, that the British Possessions Act, proclaimed to the world, that Great Britain had left her Colonies free to Legislate as they pleased with regard to the admission of articles, the produce or manufacture of foreign states. Some conversational debate followed and the matter was permitted to drop.

Mr. Partelow presented the petition of James Risk and others, praying for the establishment of a Harbour of Refuge in the Bay of Fundy—laid on the table. Mr. Hazen brought in a Bill to amend the Act to amend the City Charter of Saint John—leave granted. I understood the hon. member to say that this Bill was intended to reduce some salary, but did not catch his words distinctly.

The House then went into Supply, Mr. Botsford in the chair, and passed a number of Resolutions making appropriations for the ordinary service of the country. There was an effort made to raise the salary of the Provincial Librarian, but I am sorry to say it did not succeed. Mr. Hazen, however, very properly pointed out a way in which Mr. Needham could be remunerated for his services to the gentlemen of Fredericton, in attending at the Library twice a week during the recess, and it was by presenting the worthy Librarian with a purse of twenty or thirty pounds. He thought if they had access to the Library, the least they could do was to pay the Librarian for waiting on them.

On motion of Mr. Hazen, the House went into Committee of the whole on a Bill to provide for the Collection of the Public Revenue.

A discussion arose on the first section respecting the Treasurer giving Bonds for the faithful discharge of his duty which was not provided for in former acts although the Government invariably demands bonds to the amount of £10,000 with two good and sufficient sureties, as the members of the government did not oppose the motion to introduce a clause to this effect into the Law, and several members being anxious that this should be done, it was provided for in the first Section and the amount put down at not less than £10,000.

On the second section quite a lengthy discussion arose which terminated in taking out of the hands of the Treasurer the right to appoint or nominate Deputy Treasurers, and vesting that patronage in the hands of His Excellency the Lieutenant Governor by and with the advice of his Executive Council. The Treasurer still, however, retains the right to nominate his deputy to act in case of sickness or absence from St. John. While this discussion was going forward, Mr. Ritchie alluded to the appointment by the Treasurer of his brother to act as his deputy in August last over the head of a most deserving clerk who had been long in the office and who had formerly acted in that capacity—he named Mr.

Whiteside as the individual to whom he had referred. Mr. Woodard and Mr. Hazen both explained that they had never heard of that matter; but Mr. Partelow said he believed there was no doubt such had been the case. At a subsequent stage of the debate the principle that the Treasurer had the undoubted right to make such appointment was fully confirmed by the House.

The next question which arose was respecting the way of paying Deputy Treasurers by percentage. Fixed Salaries were thought by several of the Speakers to be preferable, but after much discussion the old system was adhered to.

The establishment of Oaths came next under the consideration of the House, by a motion of Mr. Woodward which being fully argued the House divided, was lost by a large majority—consequently the swearing system will still prevail.

The last discussion which it is necessary to mention, is that which constitutes the principal difference between this Bill and the former act. It grew out of a desire on the part of some Hon. Members, and among them the Hon. Mr. Rankin a Member of the Government, to continue the present system of giving bonds for duties on goods above a certain amount.

Mr. End, Mr. Barberie, Mr. Wark and Mr. Carman were the principal supporters of the old system. Mr. Street also went with them, unless the advocates of the warehousing system would show him where it had not worked well in the northern Counties, and ultimately voted with them. Mr. L. A. Wilmot, Mr. R. D. Wilmot, Mr. Partelow, Mr. Boyd and others were opposed to making any exceptions in favor of any part of the Province. His Honor the Speaker opened the discussion in a speech full of information respecting the subject under discussion, and Mr. Partelow closed it in a speech of greater length than he usually favors the House with. The Chancellor came out and told the House plainly that the Bonding system was a system which was altogether in favor of the large importers, such as the hon. member of the Government, Mr. Rankin, whose immense capital enabled him to pay the duties at once and get his discount of 6 per cent. He seldom or ever gave a Bond, but he had one advantage, 6 per cent. over those who did. The greatest objection which Mr. Partelow had, was that parties who were in no way interested in the goods for which these bonds were given, were frequently called upon to pay them, and perhaps finally ruined at the end of a law suit brought by the Attorney General for the recovery of the amount.

The question was then taken and the House divided, for the Bonding system 7, against it, all the rest of the House.

The Bill is therefore carried down to the 15th Section, and the only new principle being fully established by a sweeping majority, I apprehend there will be little further difficulty about its details.

Yours, &c., Syzgia.

The following is the Address of the House in answer to His Excellency's Speech at the opening of the Session:—

May it please your Excellency,
We beg to express our thanks to Your Excellency for the Speech delivered at the opening of the Session; and we trust that the labours of the present meeting, convened thus early from Your Excellency's desire to hasten the maturing of measures applicable to our situation, may realize the just expectations of the Province: The deficiency of the late Harvest in many parts of which, as well as the recent check to Commerce, renders it incumbent on the Legislature to give its utmost aid towards the advancement of Agriculture, the Fisheries, and every other source of productive wealth.

We join Your Excellency in the hope that the Act of last Session for the improvement of Parish Schools, which has already accomplished the long desired object of introducing a supply of Elementary Books, may become extensively beneficial to the present and rising generation; and that the establishment of a Model and Training School will be a means of infusing still further facilities into that Department of Public Education.

While we cannot conceal our regret that no final adjustment of the Canadian Boundary Question has as yet been made, we are happy to learn that the necessary explorations appear to have been completed in such a manner as to lead Your Excellency to anticipate a result, consistent with the Territorial rights of this Province; and we beg to assure Your Excellency that we shall give to the Communication from Her Majesty's Government on the Railway Survey that attention which so important a subject demands.

We learn, with much satisfaction, that the Survey of the Bay of Fundy, a work productive of so many advantages to National and Inter-Colonial Trade, may be expected to be resumed in the ensuing Spring.

To all Communications connected with the Post Office we shall not fail to give due attention, with a hope that such arrangements may be effected as may be beneficial to the Public as well as to the Revenue, by introducing an improved system in the general management of that Department.

We participate in Your Excellency's regret that recent disturbances, in some few places within the Province, should have constituted an exception to that general peace and happiness which this highly favoured portion of Her Majesty's Dominions has so long enjoyed; we believe, however, that the character of the People is still unimpaired, and that public opinion will be in unison with those measures, which we shall cheerfully support, for the preservation of the peace, the security of life and property, and the strengthening and maintaining the

Authorities of the Country; and with a view to prevent the recurrence of those outrages, so inconsistent with the moral and social condition of the Province, the improvement of the means of secondary punishment in the Prisons shall receive our deliberate attention.

We shall readily attend to any proposed amendment of the Law for facilitating a satisfactory adjustment of the claims of the Indian Population, and the persons residing on the Reserves; and Your Excellency may be assured of our earnest desire to adopt such measures, in relation to this subject, as may do equal justice to the parties, and conduce to the credit and advantage of the Province.

It is most gratifying to learn that the Revenues of the past year have not been affected by the general depression of Trade; and it is our earnest desire to regulate the amount of Duties on the Imports in such a manner as may be consistent with the Public Service, and the various interests involved.

We shall receive the Accounts of the last year, with full confidence that the Funds placed at the disposal of Government have been expended with due attention to Public Economy.

We lament the existence of any circumstances in the United Kingdom by which a multitude of human beings afflicted by disease, and in other respects incapable of becoming useful settlers, should have been transferred to this Province; and while we notice that Your Excellency has expressed your approbation of the humanity and zeal manifested by the Local Authorities in co-operating with the Provincial Government in alleviating their sufferings, we are happy to learn that the justice of defraying the expense out of the National Treasury has been made apparent to Her Majesty's Government, and that application is being made to Parliament for an appropriation in aid of those expenses: Such a measure well attests an anxiety to protect the interests of the Province, and to mitigate the evils attendant on the removal to this Colony of so large a number of helpless people. It is a matter of deep regret that the mortality has been great; and we shall gladly further any measures desired by Her Majesty's Government, by which Emigration may, in future, be regulated for the good of the Emigrant and the safety of the Province.

Our attention shall be given to the means of preserving the Public Health, with a view, under Providence, to prevent the introduction and spread of Epidemic disease.

The Correspondence with Her Majesty's Government, on the subject of the annual Road Acts, shall have our serious consideration, and due attention shall be given to any proposition tending to improve the Law now in operation for the opening of Roads and construction of Bridges, whereby the settlement of Wilderness Lands may be accelerated, and further encouragement extended to industrious settlers. Measures calculated to facilitate the judicious application of the Public Credit, to develop the Resources of the Province, to sustain its Revenues, and preserve the Community from the distresses attendant on disturbances in the general course of Trade, shall have that care which the Provincial Legislature has ever extended to objects of such magnitude and importance.

The history of this loyal Province, and the fostering care and protection extended to it heretofore by that great Nation, of which it is an appendage, leads us confidently to expect that its true interests will never be overlooked in any general policy of the Empire, intended for the establishment of National Prosperity.

To which His Excellency made the following reply:—

“Mr. Speaker and Gentlemen,

“I return you my cordial thanks for your dutiful and loyal address.

“The pledge of your support in the promotion of measures of so much importance to the Province is very gratifying to me; and I anticipate no less of satisfaction to yourselves than a benefit to the Public, from the issue of a Session upon which you have entered with so zealous and patriotic a disposition to do justice to the interests confided to you.”

Dr. Horace Wells, the original discoverer of the new medical agent, Chloroform, recently committed suicide in New York, by severing the femoral artery in the left thigh, having taken Chloroform to deaden the pain of the wound. He had been making experiments with Chloroform, and while under the excitement caused thereby, had been detected in throwing vitriol on certain characters in Broadway, for which he was arrested and committed to prison. He said his character was blasted and his prospects ruined, and he could not bear life under such circumstances.

A CORONER'S INQUIRY was held yesterday afternoon, on view of the body of John Dewar, of Gardiner's Creek, who was found dead in Hanford's slip at an early hour in the morning. The deceased was last seen about eleven o'clock on the evening previous, and is supposed to have lost his way and fallen from the wharf; a severe contusion in the head, leads to the conclusion that he was stunned by the fall, and being unable to help himself, was unfortunately drowned. Verdict accordingly. The unfortunate man was very respectably connected, and his untimely end will be deeply lamented by a numerous circle of relatives and friends.

There is a report current about town that Bowes, the murderer of Gough, has been arrested in New York; but in the absence of any tangible proof to this effect, we are strongly inclined to doubt its truth. Our Fredericton correspondent makes no mention of any intelligence to this effect having reached Head Quarters, as was stated by a contemporary last week.