POETRY.

[FOR THE COURIER.]

THE *HUMBLE* PETITION

Of Mistress SHELAH FLINN, *wife of an Inn-Keeper on the road to Head Quarters;—humbly presented to the House of Assembly of New-Brunswick.*

SAGE founders of New-Brunswick's laws,
While casting o'er your clause on clause,
When you shall have a moment's pause,
Hear my petition;
For if you will not heed my cause,
'Twill cause sedition.

I am the hostess of an inn—
Us'd to sell *Brandy*, *Rum*, and *Gin*;
And not a traveller drop'd in,
Some time ago,
But he would take with Mistress Flinn,
A glass or so.

And oft they found my snug abode
A great convenience on the road,
With or without a horse or load,
In winter's storm;
As special care was straight bestow'd,
To make them warm.

Then could I live and pay my way—
Eat, drink, and dress—though never gay,
And save a mite, as one may say,
By dram and table;
As well as by the oats and hay,
For steeds in stable.

And then like neighbour Bluff, the squire,
My husband could a servant hire,
To chop the fuel for the fire,
And cut the same;
Who stirr'd it up and pil'd it higher,
When trav'lers came.

But now, alas, we feel full sore,
A change which all may well deplore,
(Who keep a sign above the door,)
By temp'rance wrought;
For no one now, or rich or poor,
Will spend a groat.

But still the worst has not been told,
Whene'er 'tis rain, or snow, or cold,
Rude travellers still turn in bold,
To warm their snout—
Then call for nothing—and, behold,
Walk thankless out!

My husband has to tend the fire—
He cannot spare a servant's hire—
We have to wipe up slops and mire—
Pay license too;
And now, good Sirs, I would inquire,
If this will do?

I pray that you may pass your votes,
That all who call in broad-cloth coats,
(I would exempt all rustick goats,)
To warm their shins,
Do pay as if they wet their throats,
For fire at inns.

I would not more your patience tire,
But if you grant not my desire,
That you may stick in drift or mire,
In some lone way,
Far distant from a tavern fire,
I'll ever pray.

Queen's County, N. B. } SHELAH FLINN,
Feb'y. 14th, 1833. } *Gratis Inn.*

MISCELLANY.

JUST JUDGMENT—*A good Judge and a good Jury.*—It is of most essential importance to the due administration of justice, that juries should be sensible of their own dignity; and, when occasion requires, that they should not implicitly and servilely bow to the opinion of any judge, however high he may be held in estimation. An instance of the beneficial result of a jury asserting, in a respectful manner, the privilege of having an opinion of their own, occurred not very long ago. Two men were indicted for a burglary; after the counsel for the prosecution had opened, the amiable and learned judge who presided, addressing the jury, said, "Gentlemen—there does not appear to me any probability that a case of burglary can be made out against the prisoners, it is therefore needless to occupy your time any further." The jury having, however, conferred for a short time, the foreman replied, "With perfect deference to your lordship's opinion, we should rather prefer hearing the evidence." To this his lordship readily assented: the case went on, and the guilt of the prisoners was proved beyond the possibility of a doubt. After the verdict was returned, the learned judge said, "Well, gentlemen of the jury, I will not say that you are better *lawyers* than I am, but I am quite sure, that in the present instance, you have proved yourselves to be better *judges*."

ROME.—Modern Rome—the great mass thereof—now covers the Campus Martins, enclosed by the river, the Capitoline and and Quirinal hills, and the Collus Hortulorum. The seven hills, every one of which may be distinctly traced, are nearly deserted of inhabitants, and covered with ruins, convents, churches, and vineyards. It is mortifying to human pride and greatness, to observe the strange transmutations which take place in things temporal.—"Alas! to what vile uses may we not return." The Senate-house is now a carpenter's shop; the Circus Maximus, a cabbage-garden; the Palace of the Cæsars, a cow-shed; and, while the Mamertine dungeon has been converted into a church, the Capitol is turned into a prison-house. —*Sketches of History.*

OLD ENGLISH ALE.—About 1620, some doctors and surgeons, during their attendance on an English gentleman, who was diseased at Paris, discoursed on wines and other beverages, and one physician who had been in England, said, "The English had a drink which they called ale, and which he thought the wholesomest liquor that could be drank; for whereas the body of man is supported by natural heat and radical moisture, there is no drink that conduceth more to the preservation of the one, and the increase of the other, than ale; for, while the Englishmen drank only ale, they were strong, brawny, able men, and could draw an arrow an ell long, but when they fell to wine and spirits, they are found to be much impaired in their strength and age;" and so the ale bore away the bell among the doctors.

AMATEUR HEROES.—The other day we read in a morning paper that "Lord Steeple-chase" and one or two more St. James' street heroes are at the French head-quarters, in the capacity of "amateurs," at the operations before Antwerp citadel. "Amateurs," indeed, not "actors," we will swear. Out on such pitiful curiosity! We have often been sickened, *ad nauseam*, by certain fops and lordlings speaking as follows:—"When I was in Spain—aw—at the time—of—aw—of the battle of—aw," &c. &c. So spoke puppies who went "amateuring" in the presence of distinguished veterans. There is nothing redeeming in the degenerate ambition of these "amateurs"—the sooner the worthies before Antwerp and other places are severally and respectively kicked on the seat of honour, away from the seat of war, the better for themselves and the honour of their country. Do Lord Grey, stand up for you "order," and and lay a tax upon the exportation of fools. —*London Age.*

DOMESTIC.

From the New-Brunswick Royal Gazette, Feb. 13.

BY AUTHORITY.

His Majesty having been pleased to appoint two separate Councils, to be respectively called the Legislative Council and the Executive Council of the Province, has also been pleased to nominate the following Persons to be Members of the Legislative Council:

JOSEPH CUNARD,
JAMES ALLANSHAW,
WILLIAM H. ROBINSON,
JOHN SIMCOE SAUNDERS, } Esquires.

And the following Persons to be the Members of the Executive Council:

THOMAS BAILLIE,
FREDERICK P. ROBINSON,
WILLIAM F. ODELL,
GEORGE FREDERICK STREET,
JOHN S. SAUNDERS. } Esquires.

ARRANGEMENT OF THE CIRCUITS FROM HILARY TERM, 1833, TO HILARY TERM, 1834.

HON. MR. JUSTICE BLISS.—
Sunbury—3d Tuesday in February.
Queen's—4th Tuesday in February.
Saint John—3d Tuesday in June.
Charlotte—1st Tuesday in August.

HON. MR. JUSTICE BOTSFORD.—
Gloucester—Monday before 1st Tuesday in September.
Northumberland—2d Tuesday in September.
King's—4th Tuesday in January, 1834.

HON. MR. JUSTICE CHIPMAN.—
Charlotte, (extra Circuit), 2d Tuesday in March.
Kent—last Tuesday in August.
Westmorland—1st Tuesday in September.
Saint John—2d Tuesday in January, 1834.

It must be highly gratifying to the friends of Joseph Clarke, Esquire, and indeed to the whole community, to learn that this gentleman has been reinstated in his official situation, as Warehouse-keeper and Collector's Clerk for this Port.

Our readers may perhaps be aware that Mr. Clarke was suspended from office in August, 1831, on the representation of J. M. Spearman, and Frederick Saunders, Esquire, then Collector and Controller of this port, and that an investigation into the charges made against him, subsequently took place before H. B. Smith, Esquire, Collector of Saint John, by order of the honorable Commissioners of Customs. It now appears that an order for Mr. Clarke's reinstatement was received by Mr. Spearman and T. Jones, Esquire, (then acting Controller) in September last; which order, for reasons best known to themselves, they thought proper to conceal. An Order has now arrived, authorizing Mr. Clarke to receive his half salary from the time of his suspension, until September last, and his full salary from that period. *The circumstance requires no comment.*—[*St. Andrews Herald.*

LEGISLATIVE DEBATES.

Saturday, February 9.

ASSESSMENT LAW.

The bill to continue the present Assessment Law was committed.—Mr. Harrison in the chair.

Mr. Simonds said, that though the present law might work well in the country, yet that it was but little understood in St. John. By the mode of assessment under it, there, a great deal of property escaped taxation altogether. He (Mr. S.) would be very glad if the committee would return to the old law, the system of which was preferable to that of the present. The provisions, however, of the present law, respecting the taxation of the property of non-residents was very good; but the application of the principle of taxing only 20 per cent., to the whole amount of property, was very erroneous, as it was certainly intended to apply only to unprofitable lands; but under the present mode, it allowed a great proportion of valuable property to escape taxation.

Mr. Chandler thought the law very good. It had been two years in operation, and had worked well in the country. The practice alluded to by Mr. Simonds must have arisen from a mistaken reading of the law, and not from any defect in the act itself. The intention of the law was to assess incomes; and surely it would be very unfair, if a person having an income of £600 per annum, were to be assessed no higher than one whose whole property were worth only £600 altogether. If a man had real property, yielding a large sum annually, the assessors ought first to take the value of the property itself, and then the amount of the income derived from it: on the former they should assess 20 per cent of the value; and on the latter they should assess the whole value. That was the intention of the law: it was easy to be understood, and a very good enactment. It was now generally known in the country; and he (Mr. C.) would therefore be for continuing it. The old law gave the assessors a very arbitrary power; against which great complaints had been made. The present law defined their mode of assessment; and as frequent changes in such matters were greatly injurious, he should be for the bill now in committee.

Mr. Partelow was decidedly for the old law. How well soever the present law might act in the country, its operation was extremely oppressive in town. Men of the greatest wealth, possessing perhaps £100,000 in real estate, were rated exceedingly low; while all the visible property of a young man commencing business; his whole stock and personal property, for most of which, perhaps, he was indebted in England, was taxed at a much higher rate. It was difficult, too, to get proper assessors; because persons were afraid to undertake to make an assessment, under such a complicated and difficult act.—He was decidedly of opinion that an arbitrary assessment was best; because the assessors had better means of judging of persons' capability, than any scale could give them.

Mr. Cunard supported similar opinions to those of Mr. Partelow; and also suggested another objection to the present law. He had known a constable receive £13 or £14 in one day, for returns in suits under the present act. The law had caused an immensity of litigation and expense; by the system of suing every defaulter by civil process. To remedy this evil, the assessors should be allowed to make their returns before two magistrates; who, upon seeing who were defaulters, should authorise them to distrain on the goods and chattels of such persons to the amount of their assessments; and thus they would be put only to an additional expense of about 7s. or 8s.; instead of 30s. or 40s. as at present Under the present system, no matter what was the cause or impediment to making due payment, the magistrate could in no way mitigate the hardships of the case, and the party was compelled to pay this heavy additional expense, without redress. The hon. member concluded by supporting the views of Messrs. Simonds and Partelow.

Mr. Weldon supported the present law, on the principle, that no assessor should be allowed an arbitrary power in discharging his duty, but that he should always be in some way or other guided by legal direction and rule. A general rule might always cause inconvenience to some individuals; but that must be borne with, for the sake of a regular and guiding principle.—He was satisfied that this law worked very well in the country. As to stock in trade: although a man might be indebted for it, yet he would make some profit on it, by sale, and all profits in trade ought to be assessed. He admitted the inconvenience and expense of suing defaulters, as urged by Mr. Cunard, but thought the mode proposed by that hon. member would give another very arbitrary discretion, by allowing an immediate distress for rates. At present, no man could be sued within ten days after demand; and therefore he (Mr. W.) thought the present law altogether best.

Mr. Partelow said that assessors had not so much discretionary power under the old law, as under the present; because, if a person neglected to give in a statement of their affairs before assessment, they could now have no appeal; whereas, under the old law, they might in any case appeal.

Mr. Cunard replied to Mr. Weldon, in support of his suggestions.

Mr. Kinnear said, that no law had given so much trouble in St. John as this law. It was a very difficult law for assessors to understand, or to act under. The intention of the law was, to put an income tax on all persons; but the assessors had in many cases doubled that, by assessing income and personal property or stock likewise.—There was also another hardship, which was found to be very grievous and oppressive. He knew an instance where a gentleman in St. John had appealed against a long list of over-assessments; and he found that he could obtain redress only in two instances; one, in which he had previously given in a statement as required; and the other, in which the property assessed was owned by a non-resident. It was certainly a very great hardship, that a person could obtain no relief after being over-rated, unless he previously gave in a statement, and afterwards exposed his circumstances publicly, in an open Court of Sessions. No person of any delicate feeling would wish to expose the state of all his affairs in that manner; indeed such an exposure might often be highly injurious, and must be always exceedingly unpleasant to any person; and yet, without it, a man might be assessed far beyond the value of his property, without remedy. No person ought ever to be called on to make such an exposure of his affairs; and therefore, to remedy that evil, the old law should be returned to.—The Assessors would always be respectable and competent men, who would have ample opportunities of judging of the abilities and means of those around them; and even should they make a mistake, the party aggrieved could, under any circumstances, appeal; he could make affidavit on oath, to the value of his property and the extent to which he had been over-rated, without such an inquisitorial process as that now complained of, and he would then be redressed. Nothing could be more simple; and he (Mr. K.) therefore, thought it better to get rid of the present perplexing and vexations law.

Mr. Wyer thought the present law best. It was proper the assessors should have some general rule to guide them. He saw no hardship in persons giving in a list of their property: it was done in other countries; and if a person were over-rated, he might appeal. It should not be in the power of the assessors to make any arbitrary rate.—He (Mr. W.) had never heard any complaints against the present law.

Mr. Brown thought the principles of the present act correct; because it seemed to reduce all taxable property to something in the shape of income. The rate was to be compounded from an assessment of 20 per cent on all real property, and an assessment on income, exclusive of such property. He believed, however, that the act was not generally understood, and many assessors might have acted on it, on mistaken principles. In his parish, however, the act had been rightly understood and acted on, and he believed they had laid the tax very fairly on the inhabitants. He therefore found no fault with the act in that respect.—He thought, however, the 5th section was defective, in not *obliging* the assessors to take sufficient steps to ascertain the amount of persons' property.—There was no effective provision for that purpose; & so far, the present law was as arbitrary as the old one, and should be amended.—The hon. member then proceeded to support the views of Mr. Cunard, with respect to the mode of recovering arrears of rates, without subjecting the parties to such great expense.

Mr. Chandler thought that one of the greatest difficulties in the way of compelling or allowing assessors to make personal enquiry into the circumstances and property of individuals, would be, that it would give them a kind of inquisitorial power, which would not be borne; and would lay upon them duties which they could not perform. If parties refused to give in statements themselves, as now required, they must submit to be over-taxed.

Mr. Simonds thought, as there seemed to be such a diversity of opinion in the Committee, that they had better report progress for the present, to give time to come to some understanding on the subject.—The present act did not cause the rates to bear equally on the inhabitants of St. John. He had known persons whose property was valued at £20,000, rated at 2s. 6d. per cent.; while others, worth five times that amount, were taxed at only *four-pence* per cent! If, then, assessors so construed the law; it was either too difficult to be understood, or very unequal in its provisions; and it should either be amended, or the old act should be revived instead of it. The assessors themselves were aware of the inequality of their assessments; but, under the act, they could not avoid it. These were strong reasons why something should be done to remedy the evil.—The hon. member accordingly moved, that the Chairman report progress, &c.

Mr. Partelow supported the motion; and stated, as another instance of the deficiencies of the existing law, that the hon. and learned Recorder of St. John and another gentleman of the bar had been consulted, as to how *Bank Stock* was to be taken, in making an assessment. Those gentlemen gave it as their opinion, that *bank stock* was *income*; though he (Mr. P.) considered it to be *personal property*. It was, however, taxed as income; which he thought wrong.—The hon. member concluded by contending for the revival of the old law.

Mr. Speaker thought, that turn which way they might, they would always find some evils.—The hon. Speaker then detailed the history of the present act; and proceeded to observe, that it had been found to work very well in the country. If any person was rated too highly, he might appeal; but the act, as a whole, was a great relief to assessors in defining the scale of rates, and a check upon their discretion. But still, much discretion was left to them; because the act itself said that the valuation should be made at their discretion; and the party must pay the rate so fixed, unless, by a disclosure of his circumstances, he proved it to be too high. But how was that inconvenience to be remedied?—All the difficulties that had been mentioned might be ascribed to the insufficiency of the assessors. But the old law gave them too arbitrary a discretion; and if it were again revived, the House would again be required to alter it.—He (Mr. Speaker) therefore called on those hon. members who complained of the present law, to point out a mode of amending it.—The hon. Speaker thought the present law should be continued, unless some better were suggested; but he thought Mr. Chandler's suggestion, to adopt some explanatory amendments, would be the best method of proceeding.

Mr. End had heard no complaints against the present law; but if amendments were necessary, they should be brought forward.—The hon. member, however contended, that every man ought to have the benefit of appeal, whether he had rendered a previous statement to the assessors or not; and he also applauded Mr. Cunard's proposition, respecting the mode of recovering rates due. By the present mode, a man would be sued as for a debt, but would be allowed no defence whatever. It was, therefore, an unnecessary and ridiculous process, calculated only to cause needless expense and vexation; and there was no reason why it should not be amended.—But he thought the present law, as a whole, as perfect as it could be. There would be always some difficulties to individuals; but no general law could be without them. He knew an instance, where a man had an immense quantity of plank, lying useless and unavailable for several years; and, instead of yielding a profit, it was actually a dead and losing fund. Yet that person was annually assessed for the value of that plank, and his loss thereby increased. The assessor was not to blame; because he acted according to law; but that shewed, that though there might now be some grievances, there never could be a general law without some inconveniences.—The hon. member was for the present law, rather than the old one.

Mr. Allen followed up the opinions of the supporters of the present law; and observed, that if it did not work well in St. John, it would be better to bring in a local bill for that city. The house might rack their invention the whole session, and for five sessions to come, and not be able to pass a law without leaving some discretion to assessors. There must always be some allowed; and the only object for the people to effect would be, to appoint discreet and intelligent men to the office, who should be able to make a just and equitable rate.—The hon. member contended for continuing the present law.

Mr. Simonds supported his previously expressed opinions; and said that the law might be amended by a short explanatory act; which might enact, that one-eighth part of the rate might be assessed in the manner pointed out in the present act, and the other seven-eighths left to the discretion of the assessors.—The hon. member thought, that with the amendments which had been mentioned in discussion, the act might become very satisfactory; but as it now was, it operated in a monstrously unequal manner in St. John, and absolutely required alteration.

Mr. Scott made some observations in approbation of the present law, as it stands; after which the motion for reporting progress was carried.

Monday, February 11.

The house was occupied during great part of this day in receiving petitions.

DECEASE OF THE GRAIN BOUNTY.

Mr. Vail moved for leave to bring in a bill, for the granting of bounties on Grain raised on new land.—The hon. member said, that he did not wish to revive the Grain Bounty Act to its full extent; but merely so far as to allow the bounty to new settlers, or to persons who had not been beyond a certain limited period settled in the province.—The motion gave rise to a considerable discussion; which, however, was so *entirely* similar in its nature to the very long debate on the same subject, which was fully reported and published last winter; that it is quite needless to fill up our space with it, while so much new matter, of a more important nature, demands our attention.—The motion for leave to bring in the bill, was supported by Messrs. Vail, Chandler, S. Humbert, Gilbert, Slason, Scott, and Allen; and opposed by Messrs. Partelow, Simonds, Wyer, Harrison, Kinnear, End, Clinch, Weldon, and Brown.—The house divided on the Question, which was *negatived*, 12 to 11. The names were taken, and are as follows:—

Yeas:—Messrs. Scott, Chandler, Smith, J. Humbert, Vail, Slason, Allen, Taylor, Connell, S. Humbert, Gilbert—11.

Nays:—Messrs. Wyer, Hill, Brown, Clinch, Simonds, Kinnear, Partelow, Harrison, Hayward, Miles, Weldon, End—12.

ELECTION FOR NORTHUMBERLAND.

Mr. CUNARD having this morning been called up to take his seat in the *Legislative Council*, Mr. Speaker informed the house, that during the discussion on Mr. Vail's motion, he had received a communication from Mr. Cunard, informing him (Mr. Speaker,) of that fact; and requesting him to take proper measures for causing the consequent vacancy in the representation of the county of Northumberland, to be filled up.

Mr. Weldon therefore, moved that Mr. Speaker do forthwith issue his warrant, for the issuing of a writ for the election of a Member for the county of Northumberland, in the room of Mr. Cunard; which motion was seconded and adopted.

COUNTY ACCOUNTS.

The house went into committee of the whole, on the bill to empower the Grand Jurors of the several Counties in this Province to examine the Public Accounts.

Mr. Brown stated the object of the bill, which was exactly similar to one introduced by Col. Wyer for the same purpose last session; excepting that that bill was a local one, intended to apply to the County of Charlotte; while the present was intended to extend to the whole Province.—Mr. Partelow was in the chair of the committee.—The discussion of the bill was very desultory and uninteresting; and it was supported only by the Charlotte County Members and Mr. End.

Mr. Simonds thought there might be some good points in the bill; though it was a very unadvisable one as it stood; but if modified, might be made useful in some parts of the province; but Messrs. Weldon, Chandler, Kinnear, Scott, Allen, and Hayward, opposed, as wholly unnecessary and uncalled for; and as tending only to impose duties on Grand Juries which they would be neither able nor willing to perform. They were willing, however, to agree to a local bill, for Charlotte county only.

Mr. Chandler moved the postponement of the bill for three months; which motion was seconded by Mr. Scott. The house divided on the question; when the motion was carried, 12 to 8. *Yeas:*—Messrs. Smith, Chandler, Vail, J. Humbert, Scott, Taylor, Miles, Weldon, S. Humbert, Kinnear, Allen, and Hayward—12. *Nays:*—Messrs. Hill, Clinch, Wyer, Brown, Gilbert, Harrison, Simonds, End—8.

Tuesday, February 12.

LOCH LOMOND.

Mr. S. Humbert's bill for removing obstructions in the river Severn, was re-committed; and, after a very brief discussion, the hon. member himself, finding the opposition continued, moved for its *postponement for three months*, which motion was seconded and adopted.

MARINE HOSPITAL.

Mr. Simonds moved for leave to bring in a bill, to alter and amend the acts for providing for sick and disabled seamen, not being paupers.—The hon. member stated the objects of the bill to be exactly the same as those of the bill introduced by him last winter session, on the same subject; viz. to throw open the Marine Hospital to the Medical profession, for the benefit of science, &c. The hon. member supported his former views; and was seconded by Mr. Kinnear.

The short discussion which followed Mr. Simonds's motion was of exactly the same nature as the debate on the same subject, which was very fully reported and published last winter; the opposition being of precisely the same kind; and upon the question, the house divided, and leave to bring in the bill was refused. Yeas, 7—Nays, 8.

Friday, February 15.

CROWN LAND SYSTEM.

Mr. Simonds said, that, in consequence of the absence of any representative for the County of Northumberland, he had been entrusted with the care of a highly important petition, from that county; and he felt himself very much flattered, in being selected to present it. It was a petition from nearly the whole of the Magistrates, and a large proportion of the inhabitants of that county, praying for a redress of grievances; and also for an enquiry into the management of the Crown Land Office; particularly with respect to Timber Licences, Mill Reserves, Water Privileges, Sales of Crown Lands, &c.—The hon. member observed, that the grievances complained of in the petition were of a very important nature. Abuses had long existed in the Crown Land system; and, indeed, they were apparent to every body; but nothing had as yet been done towards remedying them, because nothing specific in the way of complaint had hitherto come before the house. Now, however, all the arguments of those who contended that there were no specific charges, must fall to the ground; and if this petition should be received, its contents, if true, would afford ample grounds to induce the house to interpose its authority, for the purpose of correcting those abuses. This was a petition of almost a whole county; the blood and bone, the collective strength of a whole county had come forward with their complaints; and their petition demanded the early, distinct and effectual consideration of the house The objects of the petition were so clearly set forth in it, that it was scarcely necessary for him now to say any thing on the subject. It was signed by 13 Magistrates of the county, and another Magistrate was equally anxious to sign it, but being absent from home, he could not return in time. Altogether, it was signed by 374 persons, of the most respectable and intelligent inhabitants of Northumberland.—[The hon. member, here, by leave, read the petition at length.]—He (Mr. S.) now moved, that the petition be received and ordered to lie on the table; and he hoped that, in the mean time, some decided steps would be taken by the house, to raise a Committee, who should examine into its merits, and have power to call witnesses before them, and to require the production of all necessary papers and documents. By taking that step, the house would shew that they were determined to exert their influence and power for the correction of those abuses that certainly did exist.

Mr. Kinnear seconded the motion for the reception of the petition; and it was resolved unanimously.

Mr. Chandler then suggested that a motion should be made for the appointment of a Committee, as Mr. Simonds had hinted; and that both the present petition, and that before presented by Mr. Taylor, from the inhabitants of Fredericton, should be referred to such Committee, to report thereon.—The hon. member was very glad that something tangible had at length been brought forward, on which the house could effectually proceed.

Mr. Partelow was decidedly of the same opinion; and he thought that the sooner the house took up the subject, the better. He was heartily glad that something tangible had at length appeared, to induce the house to form a Committee, to enquire into all the grievances which at present afflicted the country. He hoped a special motion would be brought forward, for the appointment of a *Committee of Grievances*.

Mr. Kinnear said, he had had it in contemplation for some time past, to bring up a resolution of that kind, when the house should again go into Committee of the whole on the state of the Province. He had prepared such a resolution, worded so as to suit that Committee; but if it was the opinion of the house that a Committee of Grievances should be raised forthwith, he could easily alter the phraseology.

Mr. Chandler thought it better to raise that Committee immediately; because, if the resolution were moved in Committee of the whole, that Committee could only recommend the measure to the house, and then it must after all be moved in the house again.

Mr. Scott approved of Mr. Chandler's plan.

Mr. S. Humbert said, the petition was certainly one of the most important that had ever been brought into the house; and so, also, was that which had been presented by Mr. Taylor. The house had now before them strong grounds to go upon; and as the petitions were of such great importance, he thought they should both be printed at length on the Journals; because the public should not only know what they were about to do, but also what was the nature of the complaints which they were proceeding to investigate. He therefore moved, that the two petitions be printed at length in the Journals.

Mr. Partelow thought they should be immediately printed separately, for the use of the Legislature.

Mr. Weldon would go heartily for Mr. Humbert's motion.

Mr. Simonds thought that it would be as well, besides printing the petition on the Journals, to have 150 copies struck off for the use of the Legislature, and for circulation throughout the Province. Many others, besides these petitioners, might be labouring under similar grievances, without knowing how to obtain redress. By circulating these petitions, such persons would see, that the proper mode was to apply to that house; and he, (Mr. S.) was well convinced, that if that course were adopted, similar petitions would soon flow in. The people would see, too, that their representatives were doing all that they could, to procure redress for them; and to enquire whether the grievances complained of were real or imaginary. If they were real, it was absolutely necessary that prompt measures should be taken to remedy them; but if imaginary, it was equally proper that the people should know it.

Mr. Kinnear concurred with Mr. Simonds; and observed, that he thought, if the people had known how to apply for redress, the house would long ago have had many such petitions before them. He was glad, too, that the petitions were intended to be printed; because that would justify the propriety of their mode of proceeding; and every body would see on what grounds the house were acting. It would be seen, that they had hitherto waited only for facts to go upon; and that the moment they had obtained such facts, they were determined to go on.

It was then *resolved* accordingly, that both petitions should be printed at full length on the Journals; and that 150 copies should also forthwith be printed separately.

Mr. Kinnear then moved a resolution, to the effect, that whereas it was the opinion of the house, that the collection of the Quit Rents and the management of the Crown Lands, &c. were sources of great dissatisfaction to the people, and that it was necessary and expedient that the house should be put in possession of all the necessary and accurate information on those subjects, which might be requisite to enable them to take proper steps for making effectual representations thereon to His Majesty, a *Committee of Grievances* should be appointed, to examine into all such matters, and to report thereon to the house; with power to call witnesses before them, and to command the production of papers and documents for such purpose.

The motion was seconded by Mr. Partelow, and resolved unanimously; and the following hon. members were accordingly appointed a

COMMITTEE OF GRIEVANCES,

Messrs. Kinnear, Simonds, Chandler, Partelow, Taylor, Weldon, and Wyer.

The House then went into Committee of Supply, and disposed of some of the ordinary services, (*Light Houses,*) and a few petitions.

A considerable discussion took place on the petition of Messrs Drury and Otty, praying for relief from the debt due from them on account of Government House at St. John.—The whole history of the matter was again, as on former occasions, gone into; and finally, the Committee divided on the question, and the resolution, moved by Mr. Kinnear, was carried, 13 to 7.—Messrs. Partelow, Simonds, Kinnear, Wyer, Chandler, and S. Humbert spoke in favour of the resolution; but the *sole* grounds of their support, and of the Committee's resolution were, that the grant was merely as an act of mercy and compassion, to relieve the petitioners from a very hard and grievous burden, and by no means conceded on any ground of right; and also, that, unless the petitioners were so relieved, the demand would be sent home to Sir Howard Douglas for payment; and it was therefore considered, that after the services lately rendered by Sir H. to the Province, it would be ungrateful, mean and disgraceful to allow him to be called upon for any such payment.—Messrs. Slason, Scott, Clinch, Brown, and Weldon spoke against the resolution.—On the division, the names appeared as follows. *Yeas:*—Messrs. Kinnear, Simonds, Wyer, Gilbert, Hayward, S. Humbert, Miles, Taylor, Barlow, Partelow, Ward, Chandler, and J. Humbert—13. *Nays:*—Messrs. Scott, Vail, Slason, Weldon, Harrison, Brown, and Clinch—7.

On the question for filling up the blank, Mr. Weldon objected to allowing the amount of costs to which the petitioners had been put, by legal proceedings against them; and moved that the blank be filled with the sum of £81 9 6, instead of £100 13 1, proposed by Mr. Simonds.

Mr. Partelow seconded Mr. Weldon's motion, and it was resolved accordingly.

EXTRACTS FROM THE JOURNALS.

Friday, February 8.

Public Supplies.—Resolved, that there be granted to the Clerk of the Council in General Assembly, the sum of £50, and twenty shillings *per diem*, during the present Session—To the Clerk of the House of Assembly, the sum of £200, for the present Session—To His Majesty's Attorney General for his services for the year 1832, the sum of £100—To His Majesty's Solicitor General for his services for the year 1832, the sum of £50—To the Clerk of the Crown in the Supreme Court for his services for the year 1832, the sum of £100—To the Hon. R. Simonds, Province Treasurer, the sum of six hundred pounds, for his services from the 31st December 1831, to 31st December 1832, and a further sum of £100, to enable him to pay a Clerk for the same period—To His Excellency the Lieutenant Governor, a sum not exceeding £300, for the encouragement of the destruction of Bears, agreeably to a Law of this Province—To the Keeper of the Light House on Patridge Island, the sum of £100, for the year 1832—To the Keeper of the Beacon Light in the Harbour of Saint John, the sum of £100, for the year 1833.

Saturday, February 9.

Mr. Cunard, from the Committee appointed to inquire into the state of all the Roads of Communication in the Province, the Acts regulating Statute Labour, as also, what sums may be required to be granted, as well for the Great Roads, as Bye Roads, reported, that they had taken under consideration the amount required for the improvement of the Roads, and he was directed to submit the following; which he read.

"That your Committee are of opinion that the sum of Fifteen thousand six hundred pounds should be applied towards the improvement of the Roads, throughout the Province, and they recommended the same to be appropriated as follows:—

GREAT ROADS.

"From St. John to the Nova-Scotia Line,	£1,000	
do. to Saint Andrews,	850	
Fredericton to Saint John, via Nerepis,	600	
Dorchester to Shediac,	125	
Shediac to Bend of Petticodiac,	175	
Shediac to Richibucto,	600	
Richibucto to Chatham,	900	
Newcastle to Restigouche,	900	
Fredericton to Canada Line,	800	
Fredericton te Finger Board,	300	
Bellisle to Saint John,	100	
Dorchester Great Marsh,	100	
Saint John Great Marsh,	200	
Fredericton to Newcastle,	700	
		£7350

SPECIAL GRANTS.

Saint John to Indian House,	£400	
Hammond River to Hopewell,	100	
Gage Town to Nerepis,	100	
South Branch Bridge in Sunbury,	50	
		650

BYE ROADS.

York County,	£575	
Carleton,	625	
Westmorland,	974	
Kings,	900	
Queens,	850	
Sunbury,	450	
Northumberland,	725	
Gloucester,	675	
Kent,	400	
Saint John,	600	
Charlotte,	825	
		7600
		£15,600

(Signed by the Committee.)

Monday, February 11.

A Message from his Exellency the Lieutenant Governor.—Mr. Peters, acing Secretary, by command of his Excellency, delivered the following Message:—

"NEW-BRUNSWICK.

"*Message to the House of Assembly, 11th February, 1833.*

"ARCHIBALD CAMPBELL.

"The Lieutenant Govrnor informs the House of "Assembly that his Majsty has been pleased, by his "Royal Commission, to appoint two separate and dis-"tinct Councils in this Province, to be respectively "called the *Legislative Council*, and the *Executive* "*Council*; and has vested in the Legislative Council "all the powers heretofore given to the Council of "this Province, so far as regards the enacting of Laws, "and to the Executive Council all the other powers "hitherto exercised by the Council originally ap-"pointed." "A. C."

Mr. Peters also, by command of his Excellency, laid before the house, the Report from the Law Commissioners.

Wednesday, February 13.

"*Message to the House of Assembly, 13th February, 1833.*

"ARCHIBALD CAMPBELL.

"The Lieutenant Governor informs the House that he has received a Despatch from Lord Goderich, in which his Lordship expresses his opinion that the Members of the Legislative Council should have their expences paid, in the same manner as the Members of the Assembly. The Lieutenant Governor therefore, in obedience to the commands of his Lordship, recommends to the Assembly the passing of a Law, providing for the attendance and expences of the President and the Members of the Legislative Council, in the same manner as has been provided for the Speaker and Members of the House of Assembly. "A. C."

"*Message to the House of Assembly, 13th February, 1833.*

"ARCHIBALD CAMPBELL.

"The Lieutenant Governor communicates to the House of Assembly, a memorandum from the Secretary of the Province respecting his claim to a Fee of Five Shillings upon all Warrants for temporary services issued from his office, of which description those on the Treasurer for payment of money are considered; and as there can be no doubt of the legality of the charge, the Lieutenant Governor recommends to the House to make provision for this service, in order to avoid the alternative of charging the parties interested with the Fee, payable on the Warrant so issued for. "A. C."

Mr. Partelow, from the Committee appointed under a Resolution of this House, passed at the last Session of the General Assembly, to join a Committee of His Majesty's Council, in pursuance of the provisions of an Act intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New-Brunswick," to examine into the proceedings of the said Corporation, reported, that the Joint Committee appointed by the Council and Assembly, had met and attended to the business required of them, and he was directed to submit the following Report, which he read.

"The Committee appointed at the last Session of the Legislature, for the purpose of examining into, during the recess, the Books, Vaults, and Proceedings of the Bank of New-Brunswick, having attended thereto, beg leave to report, that on the 10th October last the affairs of the Bank were as follows:—

BANK. Dr.

"Amount of Capital Stock paid in,	£50,000 0 0
Bank Notes in Circulation, - - -	70,106 0 0
Amount of Discounts due Stockholders, which have accrued since the declaration of the last dividend, - - -	404 0 3
Am'nt of individual Deposits, not bearing interest,	14,856 18 6
	£135,366 18 9

Cr.

By the following Assets:—

Amount due the Bank for Notes discounted on Personal Security, (none doubtful,)		£119,403 19 0	
Real Estate, viz:—Bank Buildings, Furniture, &c.		3,242 16 1	
Gold and Silver Coin in vault,		10,122 7 5	
Bank Notes of Charlotte Co. Bank,		881 0 0	
Bills of Exchange on London,	£410 0 0		
Amount Deposited in London,	1000 0 0		
Sterling,	£1410 0 0		
Exchange & Prem.	306 16 3	£1716 16 3	£135,366 18 9

Of the above Amount of £119,403 19 0 due the Bank for Notes discounted, the thirteen Directors were collectively

Promissors to the amount of - - -	£10,693 11 6
Endorsers, - - - - -	15,549 4 8
Total,	£26,242 16 2

"They hold 426 Shares of the Stock, which amount to £21,300, upwards of 42 *per cent.* of the Capital, while their liabilities as Promissors are not 11 *per cent.* of the debts due the Bank.

"It will therefore be observed that the Directors have not availed themselves of the accommodation to which they were justly entitled, and from a general inspection of the Discount sheets, and the Books for the last few years, your Committee are of opinion, that the institution has been conducted in a sound, discreet, and impartial manner, and that every convenience has been afforded to the Public, consistently with the means in its power, and a due regard to the interests of the Stockholders.

"The average amount, discounted per week, has been about £10,000, and the Semi-annual dividend 5 *per cent.* The money in the vaults has not varied much for the last two or three years, and great difficulties have been experienced to keep the supply equal to the demand, owing to the constant drain to the United States.—All which is respectfully submitted.

R. SIMONDS,
JOHN R. PARTELOW,
E. B. CHANDLER."

The Report being handed in at the Clerk's Table, was there again read.—*Ordered*, That the Report be accepted.

Thursday, February 14.

On motion of Mr. Simonds,

The House went into Committee of the whole, in further consideration of the Messages from His Excellency the Lieutenant Governor.—Mr. Ward in the Chair of the Committee.—Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into further consideration of the several matters referred to them, and he was directed to report as follows:

"*Resolved*, As the opinion of this Committee, that it is not expedient to make provision for payment of the expenses of the Legislative Council, as recommended by the Message of His Excellency the Lieutenant Governor, of the 12th instant."

That the following Resolution was then moved:

"*Resolved*, That in the opinion of this Committee, the legality of the claim made by the Secretary of the Province, to a fee of five shillings upon Warrants drawn by the Commander-in-Chief, upon the Treasury of the Province, for the payment of monies granted by the Legislature, cannot be recognized; and therefore, that this committee cannot recommend to the House to comply with the recommendation of his Excellency the Lieutenant Governor, as communicated in his Message of the 12th instant."

That the following amendment was moved:—After the word "*Resolved*" strike out the remainder and insert, "That in the opinion of this Committee, the claim of the Secretary of the Province as communicated by His Excellency the Lieutenant-Governor's Message, be referred to the Committee of Supply.

Upon which the Committee divided as follows: *Yeas:*—Mr. Speaker, Scott, Weldon, Smith, Chandler. *Nays:*—Mr. J. Humbert, Vail, Barlow, Partelow, Connell, Taylor, S. Humbert, Simonds, Kinnear, Harrison, Gilbert, Wyer, Brown, Clinch, Hill.—And it was thereupon decided in the negative.

And the question being then taken upon the original Resolution, it was carried in the affirmative.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, That the Report be accepted and leave granted.

The Resolutions as passed by the Committee being then read at the Clerk's Table, were agreed to by the House.

Mr. Kinnear moved for leave to bring in a Bill, to incorporate sundry persons by the name of the President, Directors and Company of the Commercial Bank of New-Brunswick.—Leave granted.—The said Bill being brought in, was read a first time.

Mr. Partelow moved for leave to bring in a Bill, for the further increase of the Capital Stock of the Bank of New-Brunswick, and to amend and continue the act for incorporating the said Bank.—Leave granted.—The said Bill being brought in, was read a first time.