PROVINCIAL LEGISLATURE.

HOUSE OF ASSEMBLY,

Monday, February 25.

A Message from His Excellency the Lieutenant Governor.—Mr. Shore, acting Secretary, by command of His Excellency, delivered the following Message:

"*Message to the House of Assembly, 23d February, 1833.*

"The Lieutenant Governor, in answer to the Address of the House of Assembly of the 20th instant, has to express his regret, that with every desire to afford the House all the information in his power, on the subject of the Crown Revenues, yet he does not consider himself authorized to furnish Accounts, embracing a period so long elapsed, nor to enter into all the other particulars specified in the Address.

"Towards the close of the last Session, the Lieutenant Governor furnished the House of Assembly, with a return of the receipts and expenditures of the Crown Revenue for the year 1831, the first year of his administration, and is now ready, should the House desire it, to submit to them a similar return for the year 1832.

"A. C."

A Message from His Excellency the Lieutenant-Governor.—Mr. Shore, acting Secretary, by command of His Excellency, delivered the following Message:

"*Message to the House of Assembly, 25th February, 1833.*

"The Lieutenant Governor directs to be laid before the House of Assembly, the Copy of a Despatch received by yesterday's mail, from the Right Honorable Viscount Goderich; and it affords the Lieutenant Governor much satisfaction thus to convey to the House His Majesty's thanks, as therein commanded. "A. C."

The following is the Despatch communicated by His Excellency's Message:

"*Downing Street, 2d January,* 1833.

"Sir,—In my Despatch, No. 45, of the 7th June last, I had the honor to acknowledge the receipt of your Despatch, No. 21, of the 10th March, enclosing an Address to His Majesty from the House of Assembly of New-Brunswick, in which they propose to take upon themselves all the necessary expenses of the Civil Government of the Province, on the relinquishment by the Crown of the Territorial Revenue; and I acquainted you that I should not fail to furnish you with an Answer to the Address of the Assembly, previous to the next meeting of the Legislature.

"I have accordingly to instruct you to communicate to the House of Assembly, that their Address has been duly laid at the foot of the Throne, and that His Majesty has commanded you to convey to them his thanks for the liberal spirit in which their offer is made; but His Majesty does not consider it necessary at present to call upon them for a grant of the nature they propose, as he does not anticipate such a falling off of the Revenue at his own disposal as the House appear to have apprehended; and he expects that it will continue to afford the means of meeting those expenses for which the House has offered to provide, but which His Majesty conceives may be defrayed in a manner more advantageous to the Province from the funds on which they are now charged.

"His Majesty regrets that there should have appeared to the Assembly any want of due economy in the management of the Crown Revenues, and will give His best endeavours to have them so administered as to conduce to the benefit of the Province.—He will be happy to receive from the House any suggestion which may tend to that object, and, in order that they may be enabled to point out any improvements which they may think desirable, he will direct the accounts relating to the receipt and expenditure of this Revenue, to be laid before them.

[Signed] "GODERICH."

"Major-General Sir Archibald Campbell, Bart. G. C. B., &c. &c. &c.

A true Copy,
J. Campbell, Private Secretary.

Thursday, February 28.

On motion of Mr. Kinnear,—Whereas by the Dispatch just received from Lord Viscount Goderich, dated the 2d January last, in reply to the Address of the House of the 8th March last, His Majesty has been graciously pleased to say, that he would direct the accounts relating to the receipts and expenditure of the Crown Revenues in the Province to be laid before the House, in order that the House may be enabled to make any suggestion which may tend to due economy in the management of the Crown Revenues; and point out any improvements which may be thought desirable—

Resolved, that an humble Address be presented to His Excellency the Lieutenant Governor, praying that Accounts may be laid before the House, according to the tenor of the said Dispatch, specifying the following particulars, viz—

The actual balance of the Crown Revenues on hand in the Month of August, 1824, when Sir Howard Douglas assumed the Administration of the Government of the Province;—also, a detailed account of the Receipts and Expenditures of all Crown Revenues from that period until the close of his Administration in 1829;—and the sources from which the said Revenues, during the said period, were derived; together with a detailed account of the expences of the collection thereof;—also, a similar account in every particular, from the period when the Hon. William Black assumed the Administration of the Government, until the close thereof in 1831;—and also a similar account in every particular, from the commencement of His Excellency Sir Archibald Campbell's Administration, until the 31st Dec. last. Also, a statement of the salaries of all the Public Officers paid from said Crown Land Revenues, since the first mentioned period, and the fees received by them respectively, and independently of such salaries;—and further, a general account current, shewing the actual state of the Crown Revenues, and the balance on hand at the last mentioned period; together with a statement of all Warrants, (if any) upon those funds, issued and not paid, and the amount now due any public officers, whose salaries are chargeable upon, or payable from said revenues, warrants for which may not have been issued.

Friday, 1st March.

MESSAGE TO THE HOUSE OF ASSEMBLY.

The Lieutenant Governor informs the House of Assembly, in answer to the address of the 28th ult., that he does not feel himself authorized to comply with the prayer of that address, as to the furnishing of accounts embracing a period elapsed before his own assumption of the government.

The Lieutenant Governor has therefore only again to repeat that having furnished the House with a detailed account of the receipt and expenditure of the Crown revenues for the year 1831, he will order a similar account to be immediately prepared and laid before them for the year 1832—and in thus furnishing such accounts annually, the Lieutenant Governor is of opinion that he is acting most fully in obedience to the tenor of Viscount Goderich's despatch referred to in the address. A. CAMPBELL.

Monday, March 4.

CASUAL REVENUE ACCOUNTS.

Pursuant to the order of the day, the House went into Committee of the whole, in consideration of His Excellency's Message of the 28th ult. respecting the Casual Revenue Accounts.

Mr. Simonds said, that the Message under consideration had been received in consequence of an address from the House to His Excellency, which Address was founded on Lord Goderich's last dispatch relative to the Casual Revenue.—That dispatch evidently directed the Lieutenant Governor to furnish the House with all the necessary accounts, in order that they might make such suggestions to his Majesty's Government for the improvement of the Casual Revenues, as they might think fit. But what was the tenor of the Message? It was, that the House were to have no more information than they had last year; which amounted to nothing. From such information, the house could form no kind of opinion relative to the receipt and expenditure of the Casual Revenue.—The language of this Message was most extraordinary, because the dispatch had directed that the House should be furnished with all the information they could require. His Excellency must have been advised by others to do as he had done; by evil advisers, not at all interested in the welfare of the Province. Those persons evidently wished to keep the House in the dark respecting those revenues; and they were thus, by their ill advice, actually sacrificing the King's representative to their own interested purposes. It was impossible to conceive that those revenues had been properly taken care of, because there was so much reserve and secrecy in the matter. There must be something very rotten in the state of those revenues, otherwise the House would not have so long been kept in the dark concerning them.—It appeared to him (Mr. S.) that the intention was to gain time, till the persons employed in collecting and managing the Crown revenues could have time to get away from the Province altogether; but he hoped, that before the House rose, some steps would be taken, to address his Excellency, praying that he would not allow the Commissioner of the Crown Land Department to depart from the Province till all his accounts had been examined and adjusted. [The hon. member here read from a newspaper, a copy of the Dispatch on a similar question sent out to Canada by Lord Goderich, in consequence of the representations of Mr. M'Kenzie.] What could be plainer than that dispatch? Whatever accounts the House of Assembly there should call for were to be furnished; and that was evidently the intention also of the last dispatch to this Province. But the concealment of those accounts by the local government here, destroyed all confidence in the Crown Land system, and induced very harsh ideas to what became of the money. There was a very general suspicion abroad in the Province, which would require a long series of years of better management to remove. The foresight of Lord Goderich had discovered that, and he had therefore directed the accounts to be furnished to the House; but they had again been denied by the local government; and consequently it was now full time for the House to act. In his (Mr. S's) opinion, they should commence by praying His Excellency not to grant leave of absence to the Commissioner, or to allow him to depart the Province; and they ought not now to rest till they had obtained all they had a right to.

Mr. Speaker said, that when the last dispatch came into the House, there was some difference of opinion as to the importance of the matter generally. He (Mr. Speaker) thought it highly important to the Province, that the Civil List and Crown revenues should be brought under the controul of the Legislature; but it would be recollected, that they had never had any communication direct from his Majesty's Government, conceding so important a point. They had asked for information on the subject, from previous administrators of the local government; and it had not been given because those administrators had not thought themselves warranted in granting it, by the tenor of the King's instructions. Then this last dispatch came in to their relief, and virtually removed the difficulty; for it said, in effect, that the House should have all the information they required. Nothing could be clearer than the intention that they should have that full information; and if any thing were wanting to shew the complete intention of His Majesty's Government, they need only cast their eyes on the dispatch to Upper Canada, already alluded to.—That being the case, it appeared to him (Mr. Speaker) that there could be but one opinion, that His Majesty's Government never intended that there should be any secrecy or concealment in the matter, and therefore it was to be generally regretted that His Excellency had been advised again to refuse that information. What would be the effects of that refusal? The people knew that a large revenue was annually collected from them, while they knew nothing of what became of it; and they therefore already entertained unfavorable impressions as to how the money was disposed of. They would see by that dispatch of Lord Goderich, that His Majesty's Government fully intended they should have the information they desired; and when they found that such information was still not granted by his Excellency, they would naturally believe that there was something wrong in the management, and that the Executive was disposed to screen the parties engaged in it. His Excellency in his Message, called the account rendered last year a *detailed* account, when one item, in the *receipts* was a lumping one of nearly £2000 for '*Survey Money*;' and *one* other item in the *expenditure* was an an aggregate amount, exceeding £1900, charged as paid for survey and other services, not specified or particularised. That was no *detailed* account. There was a general impression in the country, that this survey duty was not actually performed, though a charge of 3d. per ton was always made and exacted for it; and therefore the House required a *detailed* account of such charges, to shew that the money was actually paid for services actually performed.—But although it was proper, on this occasion, for hon. members to express their opinions on the subject, and he, (Mr. Speaker) greatly regretted his Excellency should have been advised to withhold this information, yet he was not at present inclined to go quite as far as the hon. member who preceded him, by requiring any personal security from the Commissioner of Crown Lands: because, although the House claimed the right to inquire into this matter, yet His Majesty's Government had never yet conceded that right. He thought, therefore, it would be premature to adopt any specific resolutions at present, because his Excellency had promised them an account for the past year; and it was perhaps possible that that might be a detailed account. It was advisable to wait till that account came in; and then, whatever it might prove, though the House might not get all they wanted, yet they would have received some additional information, or some further ground to proceed upon. He would therefore be for reporting progress, &c. after other hon. members had expressed their opinions.

Mr. Kinnear considered the account furnished last year as very different from what was now required. The account was merely an aggregate view of the receipt and expenditure of the Casual Revenue, sufficient for the House to found an address to His Majesty upon, containing an offer to provide for the civil list, &c.—But such an account as that was not what was wanted this year, nor what was contemplated by Lord Goderich in his last dispatch.—Whatever construction might be put on the letter of that dispatch, he (Mr. K.) could not conceive how his Excellency could have suffered himself to be advised now to give any thing to the House but the most ample expose of the state of the Crown Revenues. No suggestions for their improvement could possibly be pointed out by the House, under the present circumstances, nor without a further and most amply detailed account. The hon. mem. then expatiated on the item of *Survey Money,* as mentioned by Mr. Speaker, and observed, that what the country wanted, was, to know what became of that money; they wanted to know the specific amount received and expended; the persons to whom it was paid, and whether the duty was actually performed. That was the kind of clear and detailed account required, and expected under the terms of Lord Goderich's dispatch. The account for 1831, already before the House was a most extraordinary one. £1750 *sterling* were charged as the salary of the Commissioner; and £909 *sterling* for his Clerks; £2750 currency for patents for timber privileges, issuing timber licenses, &c.—He (Mr. K.) had never heard or seen any thing like such an account.—It was a mere series of lumping charges; and it might well be supposed, therefore, that the Commissioner and his Clerks were all sinecurists. But still the country might be quite in the dark in that respect too. The duties of the office might be very burdensome and oppressive; but they could not find it out. They wanted to ascertain that and to have it all in a detailed form. He (Mr. K.) was sorry to find the Lieutenant Governor thought he had furnished the House last year with a detailed account, and such an account as Lord Goderich's dispatch intended; and if a similar account should come in this year, what could the House do? How could they possibly point out any suggestions for improving the management of those revenues, on such a lumping account? It would be impossible; and till they got such an account as would enable them to do so, Lord Goderich's dispatch would be a mere mockery; as useless as if it never had been received.—He (Mr. K.) believed the construction put on that dispatch could not have arisen with the gallant and guileless General at the head of the local government; but it was much to be feared, that a narrow and limited construction had been put upon it, by others; who, without reference to past circumstances, (for then they would have shrunk from such a responsibility,) had followed up their own views, fearless and careless of the results. It was now then the duty of the House to go fearlessly and resolutely on, till they had exposed the whole matter to the broad light of Heaven. He (Mr. K.) was never disposed to lift the voice of disaffection or clamor; but the time was now come, when the House should no longer be trodden on and despised. They must now assert their independence: onward they must go: they must come to a solemn resolution to be up and doing; they must "*do or die*" in the resolute attempt; yes, politically they must conquer or *die,* by being *sent about their business.*—Either the Councils of the country must now be changed, or they (the House,) must be changed. Either the full intentions of his Majesty's Government must be followed up, and the House must have all they had demanded, or there must be change in *them.* It had been formerly said that they "slept in the sunshine." They had "slept in the sunshine" too long, while others had been aggrandizing themselves, and invading their liberties: great, big houses had started up here, there and every where: while their ears had been tickled and their eyes blinded to the occurrences around them. If they had been awake, such things never would have happened; and it was now full time for them to arise; to assert their dignity and their privileges, with calmness, with firmness, and with independence.

Mr. S. Humbert, (after quoting the Message under consideration) said, that his Excellency might have no bad intention in sending that Message. He might have supposed, that prior to his administration, certain accounts had been furnished to the House, and that therefore he had no right to meddle with them. But still he (Mr. H.) had no doubt of the right of the House, to ask for the information they required, and to receive it; and he fully believed it to be the duty of the Governor and Council to afford it; and he could not think, that when the Executive knew that, it would not be done, perhaps on a further application by the House, shewing that what had been furnished and again promised was not sufficient, and that the House could do nothing with it, His Excellency might yet furnish them with a detailed account; but if he did not, then they must go on, as had been ably contended by the hon. and learned Recorder. But in his (Mr. H's.) opinion, they should do nothing further, till they had made such an application. He was sorry that any personalities or insinuations should ever be indulged in, in debate; because insinuations went for nothing, and only lowered the character of the House. They should go on broad facts, and not on insinuations. He thought it would be of no use to endeavour to detain the Commissioner of Crown Lands. Whether he remained in the province or not, his accounts would be examined, and he (Mr. H.) did not think any thing of that kind could be done. The House should state to His Excellency that the former accounts were unsatisfactory, and request him to furnish them with a detailed account: and after that, if it was not granted, they should proceed with other measures.—He agreed with Mr. Kinnear, that the time was now arrived, when they should take decisive steps: and though they had not yet the controul of the Casual Revenue, they had a right to inquire into its condition: and they therefore had a just cause of complaint, while information was refused them. The whole matter ought to be embodied in the report of the Committee of Grievances, in order that a complete representation to his Majesty might be founded on it: and till His Majesty did grant them the controul of the Casual Revenue and the payment of the Civil List, there would always be a cause of complaint: but he, (Mr. H.) trusted, that the time would not be far distant, when all the matters at issue between the Executive and the House, would be embodied in one general statement, and proper delegates sent home with it, to obtain redress.

Mr. Partelow was rather astonished at some of the observations of his hon. colleague who had just sat down, and particularly at his proposal to address His Excellency again. The House had already asked for every thing connected wish these accounts in detail, under the inducement held out by Lord Goderich's despatch. Those accounts must be in the possession of some person; they must have been made up and settled at the close of each administration; either the Commissioner or the Auditor must have them; and therefore there could have been no difficulty in furnishing all that had been desired. An account for 1831 His Excellency said had been furnished, but such an account had never been seen in that House. It only shewed, that His Excellency did not know what a detailed account was, and he must therefore have been very ill advised, to have suffered such words to have been put into his mouth. But when they looked at the new Council, it was easily explained. There was the Commissioner himself at the head of it; there was the very Auditor of his accounts also in it; a man he [Mr. P.] would say, was notoriously incompetent to discharge the duties of an auditor; and when, moreover, they saw that the father-in-law of the Commissioner was another member of that Council, the Message was not at all to be wondered at. With respect to the Auditor, he (Mr. P.) would ask the House, whether, if they had the controul of the Crown Revenues, that gentleman would remain one hour in his present office? No: although he was a very honourable and excellent man, yet he (Mr. P.) repeated, that he was notoriously incompetent to the discharge of its duties.—He verily believed the House never could get those accounts under existing circumstances; because his Excellency was advised by persons wholly interested in keeping them back. His Excellency was advised to say that he had no authority to furnish what they required: he (Mr. P.) highly respected the Lieutenant-Governor, but he had no respect for the interested motives of those persons to whom he had alluded.—On the present occasion, however, he was fully of opinion of the hon. Speaker, that it would be better to report progress, &c. till the promised account came in.

Mr. End thought the present Lieutenant Governor as righteous a man, and as well disposed to act in every respect for the benefit of the Province, as any one could possibly desire. Hon. members seemed often much disposed to quote Canadian practice; and they had erred in doing so, by believing that all the information they derived from the public papers was authentic. He (Mr. E.) blamed the hon. member for St. John (Mr. Partelow) for almost the whole of the dilemna into which the house were now got. By referring to the journals of the house, (page 61, for 1831,) the great difficulties arising from inconsideration would be seen; and it would appear, that things had been taken up too quickly.

[The hon. member here read the resolution referred to; (*No. I in the acccompanying documents.*)]

Here was a resolution, formed on wrong premises; on a presumption that His Majesty had made a munificent surrender of his Colonial revenues; and that wrong presumption was the foundation of all the present mischief. That was the first step taken by the present house. The second would be found in page 156, for the same year: [No. II.] which was an address to H. M. founded on the same erroneous principles. That was all that was done in 1831. In 1832, an answer was received from Lord Goderich, stating that the address of the house was founded on erroneous information; which answer was found in *page* 10 of the journals of that year. [No. III.] In *page* 36, of the same journal was found this motion of Mr. Simonds;—[No. IV.] and in *page* 39, the answer to that resolution and address;—[No. V.] That was the first answer on this subject from the present Lieutenant Governor. In *page* 69, (same year,) would be found another motion of Mr. Simonds, to this effect:—[No. VI.] This resolution, getting over all the difficulty of erroneous information, then asked the present Lieutenant Governor for an account. The word "*detailed*" was not to be found in this resolution; but that was the first resolution that went on correct principles. The next document was in page 74, of the same journal: [No. VII.]—This was the Lieutenant Governor's answer to that resolution; and it was to be remarked, that the house had never asked for a detailed account, up to that period; and that in answer to their address to his Excellency, they had got the accounts. They were certainly not detailed accounts; why not? because the house had never asked them, and yet the Committee were now complaining, that they had not got detailed accounts. Why, then, was there not another address to His Excellency to tell him that they wanted such detailed accounts? But they had never asked it; and they had got all they asked for, up to that time. The accounts of 1831 were laid before the house, with the message last quoted; and why was fault not found with those accounts at that time? Why was not then all the personal attack made on the officers of government, not excepting the highest officer himself, which had since been indulged in? But the first that had been heard of such things had been in this year, in a new session. The next step in this chain of evidence was in page 120 of the journal of 1832, as follows: [No. VIII.] So far from finding fault with the accounts at that time, the house, by a solemn address to His Majesty concurred with the Lieutenant Governor, and said that his Excellency had given them all the information then in his power. Was it fair, then, after all that, to say, that his Excellency had not done so, and that he intended to humbug the country, by screening interested parties; was it fair to impute such abominable things to such personages? He (Mr. E.) considered it was neither right, fair, honest, just, nor gentlemanly. He now came to the proceedings of the present year: in page 71 of the journals of this session, appeared the despatch from Lord Goderich, (of which so much had been said,) in reply to the address to his Majesty. In that address the house told the King, that his Excellency had given them all the information in his power: His Majesty of course presumed, therefore, that they had received it; because there had never been any specific demand for such information as was now talked about. Then came Mr. Kinnear's motion; (page 83—1833)—If the house were going to lay a dem-n, they could not put a more extraordinary batch of work upon him, than was contained in that resolution. It would take a devil 6 months to do all that it required. To that resolution the Lieutenant Governor replied by the message now under consideration; and if his Excellency conscientiously thought that he could not comply with the request it contained, would it not be better to take a more moderate course than appeared to be contemplated? The House should give his Excellency credit for more gentlemanly feelings than they appeared to attribute. No steward of an estate, unless he had express directions to such an effect from the owner, could help feeling a delicacy in disclosing the accounts of that estate. He (Mr. E.) believed, that if the house had before asked for detailed accounts, they would have got them; and if they now asked for them, he was satisfied they would still get them; and he would propose a resolution to that effect. It had been said that His Excellency did not know what a detailed account is; but if his Excellency was wrong in his opinion in that respect, it was the fault of the house, because they had not specified what they wanted. His Excellency had promised to give them annual accounts: his construction of the despatch, was that he should give such annual accounts; and if his reply to the House was not satisfactory, let them frame a resolution, requiring particulars. That was the proper course to pursue; not to mislead the public by saying that they had asked for a detailed account, and had not got it.—They had got what they asked for, which was the account furnished last year. With respect to that account, he (Mr. E.) believed a great deal of money had been actually expended in surveys. He would not prejudge any man: and supposing the whole of that charge a mere fraud, should the house, as judges, pronounce against any public officer, till they could shew, by a detailed account, that they had good grounds for so doing? As to the writ of "*ne exeat regno,*" as he might term it, the proposition to detain the Commissioner in the province, that was too abominable to be answered.—It was currently reported, that an official person came last year from Canada, to investigate the Commissioner's office, and that he found every thing there like clock-work. He [Mr. E.] could not say whether that was the case or not; but all he asked for now, was, to go fairly into the question, upon broad and just principles; and he trusted that the principles of British justice would never depart from the walls of that house.

Mr. Chandler said that he had not intended on this occasion to say any thing; because he tho't it would be far better to postpone this discussion till after the Committee of Grievances had made their report, and because, also, so much had been said by other hon. members, with whom he perfectly agreed; but the very extraordinary speech just delivered by the hon. member for Gloucester had called him up. That hon. member had said, that the whole difficulty in the present question rested on the shoulders of the hon. member for St. John, (Mr. Partelow.) He [Mr. C.] had waited patiently to see how the hon. member was going to connect the first resolution of 1831 with the present difficulties; but he had only discovered that the hon. mem. for Gloucester had been endeavouring to put the whole issue on what took place two or three years ago, and to keep out of sight the real question for consideration. That question was simply this: whether the house had or had not got the information which the despatch of lord Goderich promised? certainly they had not. Whatever might be the reasons for refusing it, they had not received it; but he (Mr. C.) could not but think, that the very circumstance of its being withheld, would turn out fortunately for the country; because the fact would strengthen the new address to his Majesty, and the delegates to the mother country would be better furnished with arguments for their cause. He thought his Majesty's government would then at once see, that the House had reason to complain. Suppose Lord Goderich himself had been anxious to get particular information respecting the Crown Revenues; would the accounts laid before the house furnish it to him? No, he would require the same accounts and the same details as the house required. What suggestions could the House make, without such detailed accounts? It was one of the plainest cases that could possibly be. He (Mr. C.) was generally disposed to adopt moderate measures; but from the first time he saw Lord Goderich's despatch till the present moment, he had had but one opinion. He was not disposed, as an individual, to draw strong conclusions, until he had further information; but the country would draw them. The country had already drawn them; and the general impression would be, that there was something very wrong with regard to those accounts. Such must be the case. The hon. member for Gloucester had said, that gentlemanly feelings had prevented the House getting the information they desired. He (Mr. C.) admitted, that they should always be governed by the consideration of gentlemanly feelings; but those feelings should not prevent their going into an examination of the accounts of the Crown LandOffice. Such a plea would only injure the cause. He did not think the House would be warranted in adopting the suggestion, to apply for a detention of the Commissioner; and as no resolutions had yet been prepared, it might be better to report progress at present. He thought, however, that, generally speaking, there was one common sentiment on the subject throughout the Committee; that the resolutions to be proposed would be generally agreed to, without a large minority; and that they must have an influence in proper quarters. He had no doubt, that when his Majesty's government knew the patriotic motives which incited the house, their representations would be attended to, and that they would have their proper influence both here and elsewhere.

Mr. Brown, after enumerating a variety of the previous circumstances, observed, that such an account as was furnished last year was not what was required this year. That account was merely an aggregate, on which the House could calculate the actual expense of the civil list, and the probable resources to meet it; and it was sufficient for that purpose; but the account now required was a very different one. They had applied for it, and had been refused; and all the advantages they might have derived from the despatch of Lord Goderich went for nothing; the despatch was a dead letter, if they received no better account than was furnished last year. The hon. member stated distinctly, of his own knowledge, that the services contemplated under the charge for survey money, were not actually performed in his part of the country; and contended, that a delegation must be sent home with a petition from the house. In that petition should be stated the applications made by the house to the Executive, and the answers received; and they could also send home a copy of the accounts furnished to them, and shew that such accounts could not answer their purposes, and that it would be impossible to make any suggestions upon them. He thought the hon. member for Gloucester had taken a mistaken view of the matter: it was not the fault of the house, or of the hon. member for St. John, that they had got into the present dilemma. It had arisen in the natural course of things, and not from the doings of any hon. member; although all were at first mistaken as to the surrender of the royal revenues. They were soon corrected in that mistake; and all this affair arose out of the subsequent application. The hon. member concluded by supporting the suggestion for reporting progress, &c., at present.

Mr. Slason supported similar views with those of Messrs. Kinnear, Chandler, and Brown; tho' we could hear but very little connectedly of what the hon. member said. He opposed the idea of any further application to the Executive; and concurred in the necessity of embodying the present affair in the petition to his Majesty, and of sending delegates to sustain it; and insisted that his Majesty's government could not fully understand the aim of that house, and that if fully informed on the subject, all their grievances would be promptly redressed.

A long list of replies and explanations, and counter replies and explanations now arose; from which we cannot possibly transcribe more than actually *new* observations.

Messrs. Kinnear and Simonds, in the course of reply to Mr. End, pointed out the words "*detailed account*" in pages 62, [1831,] 36, [1832,] and 83, [1833.]

Mr. Weldon thought it totally unnecessary to address his Excellency any further on the subject; as, from the nature of the message, nothing more could be expected than an account similar to that of last year. The house had asked for information fully and amply, and it would therefore be unnecessary to take up any further time by moving another address. He [Mr. W.] was now quite satisfied, that the only proper way would be, to send home some members of their own body, to impress His Majesty's government correctly with the views of the House. The hon. member for Gloucester had said, that the difficulties arose out of their own doings; but that house was not the only one that had got into such difficulties. Other colonies had done the same before them, and had benefitted themselves by it. The hon. member here recapitulated the principal circumstances, and proceeded to observe that, in vain might the house ask for further information, when the despatch of Lord Goderich had so well explained the intention of his Majesty's government, and yet the local government misinterpreted or disregarded that intention.

After a continued variety of the replies and explanations before alluded to,

Mr. Chandler moved, that the Chairman leave the Chair, report progress, &c.; which motion was seconded by Mr. Partelow, and instantly carried.

Documents referred to by Mr. End.

No. I.

On motion of Mr. Partelow—"Whereas appropriations have annually been made by the Imperial Parliament towards the support of the civil government of this country, and large sums have also been paid towards the same object from the King's Casual Revenue received or collected in the Province, and whereas it is deemed advisable by this House in consequence of the munificent surrender by His Most Gracious Majesty as communicated in his speech to the Imperial Parliament, of all his revenues in his foreign possessions; to provide for the whole civil list and the custom house establishment, in the event of all the revenues of whatever description raised in the country, being placed under the controul of the Provincial Legislature; and whereas it is considered necessary that some information should be obtained by this House, as to the amount of the Casual Revenue raised in this Province for some years back, and its application; and also, the rates of salaries paid to the various officers in the government of the country, and their fees of office, together with the amount of salaries retained by the officers of the customs, as a compensation for their services; in order that the necessary means may be taken by the House, to carry their objects into execution:

Therefore resolved, That an humble address be presented to His Honor the President, praying that he will cause to be laid before this House, at as early a day as possible, a detailed account, shewing the amounts paid into the Casual Revenue, from 1st Jan. 1824, to 1st Jan. 1831, particularising the sums in each year respectively, and from what source or sources the same were derived; the said account also to contain a statement of the number of Timber Petitions presented, and Licences granted, in the same time in each year; the number of tons granted in each license, the amount of duty imposed, and the fees received on each. Also, a statement of the salaries of all Public Officers connected with the civil list of this Province; particularising the amounts enjoyed respectively by all heads of departments, whether arising from the Government of the Country, the Administration of Justice, the Crown Land Office, the collection or protection of the Casual Revenue, or any other office, place or employment within the Province; from what fund or funds, either from grants of the Imperial Parliament, or Crown Revenues, the several services have been provided for from 1824 to 1830, inclusive, together with a statement of fees, independently of such salaries, which have accrued to the said officers respectively, from their several situations. And further, an account, shewing the salaries which have been annually received by the several Custom House establishments in the Province, for the payment of the various Officers and their Clerks, connected therewith, since the Imperial Act of Parliament for the abolition of fees, went into operation."

Mr. Black's answer—7th March, 1831.

"That consistently with such instructions as have hitherto been received respecting the King's Casual Revenue and the Civil List of this Province, he could not now comply with the prayer of the address, but that he would transmit it for the consideration of His Majesty's Ministers, and their orders thereon."

No II. page 156.—"The address of the House to His Majesty on the same subject recapitulating Mr. Partelow's motion." Passed 31st March, 1831.

No. III. Journals 1832, page 10. Lord Goderich's answer, received by the House 24th January, 1832.

"Sir—I have the honour to acknowledge the receipt of Mr. President Black's despatch of the 14th August last, enclosing Resolutions of the House of Assembly of New-Brunswick, requesting to be furnished with detailed information with regard to the amount and expenditure of the Casual Revenue, in consequence of His Majesty's surrender of that branch of His Revenue. I have to acquaint you in reply, that I have not received any commands from His Majesty on the subject, and as the Resolutions of the Assembly are grounded altogether on erroneous information, it is not in my power to authorise you to comply with their request.

(Signed) GODERICH."

Maj. Gen. Sir A. Campbell, Bart. &c. &c.

No. IV. Page 16. On motion of Mr. Simonds, "Resolved that an humble address be presented to His Ex. the Lt. Gov. praying that His Excellency will be pleased to direct to be laid before this House an account of monies received by all persons employed in collecting the Casual and other Crown Revenues between the first of Jan. 1830, and the 31st Dec. 1831, inclusive, shewing the amount of each branch of such Revenues, and the charges for collecting the same, and also a detailed account of the application of such Revenues within the said periods, and the amount remaining unapplied on the 1st day of January, 1832."

No. V. Page 39. Mr. Simonds reported His Excellency's answer. "In answer to this address praying for an account of all monies received by all persons employed in collecting the Casual and other Crown Revenues between the first day of Jan. 1830, and 31st of Dec. 1831; I have only to express my regret, that with Lord Goderich's despatch on the subject of His Majesty's Casual Revenue before it, the House should have placed me under the necessity of declining to comply with its request."

No. VI. Page 69. On motion of Mr. Simonds, "Whereas in the opinion of this House it is reasonable and proper that His Majesty's Government should be relieved from the payment of the Civil List of the Province, whenever all the Crown Revenues levied and collected, or to be levied and collected therein, or derived from the sale of Crown Lands, and all other sources, should be placed under the management and controul of the Provincial Legislature; and whereas it is necessary, with a view to determine the propriety of making a proposition to His Majesty's government, to pay the whole Civil List of the Province, that information should be obtained as to the amount of all such revenues, and the annual charges thereon:—

Therefore, resolved unanimously, That an humble address be presented to His Excellency the Lt. Gov. praying that His Excellency would cause to be laid before this House, an account or accounts of the receipts and expenditure of His Majesty's Casual, and all other Crown Revenues, levied, collected, and expended in the year 1831."

No. VII. Page 74. The Lt. Gov's. answer. "Gentlemen.—The specific and loyal purpose for which information is asked in this address, respecting the amount and expenditure of His Majesty's Casual Revenue, &c. for the last year, enables me to give willing compliance to the request of the House of Assembly, by directing the necessary documents to be laid before it."

No. VIII. Page 120. The address of the House to His Majesty on the subject of the Casual Revenue, which contains these words—

"The House of Assembly having received such information from the Lieut. Governor of the Province *as His Excellency was authorised to give upon the subject of Your Majesty's Casual Revenue.*"

[*The other documents referred to, as being contained in pages 71 and 83 of the Journals of present session, are those inserted in a preceding column.*]

To His Excellency Major General Sir Archibald Campbell, G. C. B., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c.

The Memorial of the Magistrates, Merchants, and other Inhabitants of the County of Gloucester.

To their Honors, His Majesty's Council, and the Honorable House of Assembly.

Humbly Sheweth:—

That your Petitioners cannot refrain from expressing their surprise and regret, that the petition heretofore presented to the Executive by the inhabitants of this County, as well as the remonstrances of the Grand Jury at the September Assizes in 1831, on the subject of Reserves, has been treated with neglect and silence,—that by the proceedings of the Crown Land office, fair commercial competition is prevented—an invidious and unjust monopoly established, and an evil system of favouritism is continued to be encouraged, and that the evil resulting from such measures equally affects the agriculturist, the mechanic, the lumberer, the merchant, and the trade of the Province in general.

That your petitioners view with feelings of alarm and regret, the present proceedings of the Crown Land Office, with regard to settlers on ungranted lands, many of them have by their industry and exertions, improved the land, and rendered themselves capable of paying for their grants, but are now, in consequence of their improvements, required to pay an advanced price. Your petitioners respectfully beg leave to state to your honorable body, that in their opinion, the selling of the land between high and low water mark in front of granted lands, by his Majesty's government, is a direct infringement upon the rights and privileges of the grantees, holding lots fronting on the rivers and shores, and highly injurious to the inhabitants in general, inasmuch as it interferes with their free access to the water, greatly depreciates the value of their property, and deprives them of the most valuable and important privileges attached to their grants.

Your petitioners, therefore, most humbly pray, that your hon. body will be pleased to take the subject matter of this, as also, of the former petition, above alluded to, into your consideration, and will cause such measures to be adopted, as to your honorable body may seem meet and proper.

And as in duty bound will ever pray, &c.

(Signed by 1552 inhabitants of the County of Gloucester.)

I certify this to be a true copy of the Petition presented to the House of Assembly.

CHARLES P. WETMORE, *Clerk.*

COMMUNICATIONS.

[For the Courier.]

THE TRIUMPH OF INTRIGUE.

Errata in some of the preceding Scenes:

For "Luggies," read *Lugs.*
For "Curtain falls," read *Scene closes.*

A few more Scenes *from the third, and last,* Act *of the* Drama.

Scene—*A Room in the Squire's House.*

The Squire and Wily Oh'Deil.

Squire. You're right, mon, you're right; I ken vera weel, and it's a' in praper gait. Tammy maun be chief; wi' a wee bit sheep-skin in his pouch for special occasions. The Domestics and Workmen needna ken it yet, and when I gang awa' it will be as gude as what governmental folk ca' a *Special Mandamus.* Ye maunna say ye ken aught aboot it—it will blink the een of Wully and Geordie, and a' they folk.

Wily Oh'Diel. As Book-keeper to the Estate, you may, most worthy Squire, repose unlimited confidence in me. The dignity and *happiness* of the Tenantry, appear to be your ruling motives; and the success which has crowned them, is a proof of your wisdom, learning, ability and experience. Your journeys over the Estate have not been like the trackless path of a vessel on the ocean: Prosperity and harmony, united like Siamese twins, have marked your progress. In *St. Sawney's,* the people were *delighted* with the *impartiality* and urbanity of your visit, and they *admired* your generous feeling in favour of a *beloved* and *popular Tax-Gatherer,* who saved but twelve-pence-farthing, from the *wreck* of all that was dear to him.—In *Marry-may-she,* the peasantry rend the air with shouts of "Long live the Squire—the *impartial,* the worthy Squire!"—The Tenantry throughout the Estate, proclaim your fatherly attention to their interests: the Fishermen hail you as the propitious Genius of the *Wigudi,* and are enlarging their nets and the meshes of them; in short, the entire Estate confesses the presence of an Augustan age, under your *happy* inspection. "Hic vir, hic est,"——
"Augustus *Cæsar,* Divum genus"—
"Namque erit ille *mihi* semper Deus."

Squire. The folk maun thank Wily Oh'Diel for the success of my best endeavours, for you were my right gude guide, bra' lad.

Wily Oh'Diel. I shall always be happy to *precede* you, like a faithful servant, and *lead* you through your *winding ways.*—"*Fidus Achates.*"

Squire. Nae doubt, nae doubt.

Wily Oh'Diel. Your Squireship is aware, that jealousy has influenced many of the Domestics and Tenantry against *Tommy,* and that they have forwarded a petition to the Master, calculated to prejudice his interest *in* the Estate.

Squire. I ken. I ha' rebutted the statements, and Tammy's brother will attend to them. Ye needna fash, ye needna fash—I ha' an answer—all is right.

Wily Oh'Diel. [Aside—*Excellent—all is well.*] I will not intrude longer on your time, most worthy Squire; command my attendance whenever you may require my services: I shall obey. Good morning. [*Exeunt.*]

Scene—*A Street, near a Market-Square.*

Civis and O. P.

Civis. Good morning, O. P.—what news today?—"how does the cat jump, this morning?"

O. P. Nearly out of the bag, Civis; he shews his head, but his hinder parts are kept in (I suspect) by a parchment tied to his tail, in the shape of a *Special Mandamus.*

Civis. I understand you: like a bob to a kite, to regulate its movements, when the Squire shall think proper to fly it.

O. P. This is the general suspicion: we may be wrong, but the odds are in our favour.

Civis. If you call that *favourable,* which is so odiously *odd.*

O. P. *Fame* says we have got a black answer from the Master, in reply to the petition forwarded last year by the Workmen. I hope she may prove a *liar* in this respect; but I am inclined to think she tells *more truth* than those who impeach her veracity. If it be true that the petition is negatived, it will confirm the suspicions of *Felicity,* and prove that there is something rotten in the State; and that the *Re-buttings* of the Squire have been more powerful than the *buttings* of the Bell-wether and his flock.

Civis. Perchance the petition may have been pierced by a *Lance-Corporal to a Marching Regiment in Barracks,* or *Burked* by his brother; or it may have experienced the fate of a mis-shapen mendicant at the door of opulence—kicked out by an impudent menial, who has other appropriations for the superfluities of his Master's table.

O. P. If what all suspect, be true, you are right, Civis; the Beggar has received a beggarly reception, and the charity of the Master is unjustly calumniated. But we must send him again, clothed in an independent suit, that will non-suit the servants, and obtain the ear of a gracious Master. Begging is a poor trade, when servants' wages are on the decline: the Master must open the door, if a scrap is to be thrown into the scrip of the mendicant. But, really, *Civis,* affairs are assuming a character sufficient to dishearten the Tenantry, who have sown in hope, and have reaped in disappointment. In the present state of things, ignorance would be comparative bliss; and they are happiest, who are immured in the depths of the forest, and are ignorant of the proceedings of the *Pandæmonium.* If its dare-devil machinations prosper, we must either doff our felt, and roar out "Long live Squire Tommy!" or at once make a manly remonstrance to our Noble Master. It is barely possible that the suspicion may be unjust, but still it is a general suspicion, that the Petition of the Workmen, complaining of certain abuses on the Estate, and requiring correctives, has either never reached its destination, or if perchance it may have reached it, that *certain Re-butments* wounded its character and detracted from its merits. A reference to adjoining Estates, confirms the suspicion, as you will see by the communication from *Guderidge* to the *Coal-burnites,* which is to the following effect:—'The Master will allow of no '*Favoritism,* or gratuitous disposal of his Lands, 'and they shall be the subject of public competition.' And again—'It is altogether foreign 'to the Master's design, that any part of the Revenue derived within the Estate should be withheld from the knowledge of the Workmen.' This being the case, upon what principle of justice are we excluded from similar privileges? There is roguery in the matter; for it would be impugning the justice of our beloved Master, to suppose him capable of any undue partiality. Our Estate has long been the *fishing ground* for the Leviathans of Office; the industry of the poor man has been their prey; the cry of oppression has been overpowered by the recriminating din of disloyalty; truth has been *rebutted* by prejudice; and intrigue has triumphed over the just rights of the Tenantry and the dignity of the Estate. A sugar-plumb has been given by *Guderidge* to the dismissed Domestics, as a mouth-stopper for their disappointment: they have been told that they may continue to wear their Livery, and retain the immunities of office; but from whence does Master *Guderidge* derive his authority to place a Tenant beyond the authority of the Estate. *Felicity, Dad,* and *Noded* are either Domestics, or they are not Domestics. If they are Domestics, then they enjoy the privileges, as a safeguard for the Master's interest; but when they cease to be Domestics, the necessity of the safeguard is abolished, and the privilege consequently is a nullity.

Civis. The bane is obvious, O. P.—give us the antidote.

O. P. The voices of the Domestics,—Workmen—and Tenantry, rising like giants in their strength, armed with unshaken and inflexible Loyalty, encouraged by the integrity of their cause, and reposing their last hope in the justice and affections of their Master.

Civis. Would you make Tommy's brother your penny-post, and Guderidge your mouthpiece?

O. P. No, no, *Civis:* experience is a schoolmaster. Let men be chosen, worthy of confidence, and capable of asserting and defending our rights, and of exposing the duplicity and errors of designing aspirants. Let them obtain an audience with the Master; let truth prevail.—This being done, the Master will easily discover the sycophants, who would alienate, if they were alienable, the affections of a loyal Tenantry, and sacrifice their rights upon the altar of their own aggrandizement.

Civis. I think, O. P., that a sense of justice and propriety should have impelled the Squire to have detailed the particulars of his *Rebutments* to the Workmen, before he transmitted them to the Master: he ought not to have encouraged an inclination for concealment.

O. P. You are right, *Civis:* common justice required it; and the Squire should publicly have stated those *Rebutments,* to relieve himself from the imputation of favouritism, which his proceedings have already created. But the Workmen do not appear to have recovered from the surprise which his answer occasioned;—they ought even now to *demand* a *statement* of those *Rebutments,* that the Tenantry might judge for themselves, whether they were founded upon Justice. If they do not demand it, they must have gullets more capacious than the throat of an Anaconda, to swallow the dilemma and its horns.

Civis. Murder will out, and I suppose we shall soon hear of the "*Denouement.*"

O. P. We may prepare for the worst, for *better* seems out of the question. Good morning. [*Exeunt.*]

Scene—*A Room in a public house, the Domestics round the table.*

Johnny Fairchild. Give seats to the new domestics, which have been employed by the master; Allan, Littlejoe, and Red breast, go to the lower part of the table. (They nod to the others, and take their seats.) (Enter Geordie Beach as a messenger with a letter.)

Geordie. (bows.) Your servant, gentlemen, the Squire desired me to give you this letter.

Johnny Fairchild. [*Depresses his chin, and peeps over his specs, and then raising them on his forehead, orders a man to read the letter, which is as follows*]—"Now know ye, that I "reposing especial trust in the loyalty, integrity "and ability of my trusty and well beloved Tommy, Dilworth, Wily Oh'Diel, Rue, and Jack "Sec'm-in-co, hereby constitute and appoint them "to be Executors in my Estate, and I do further "declare my will and pleasure, that in the absence "of the Squire, the first man on the list, that is, "Tommy, shall take the lead, and moreover, I will and order, that Tommy, Dilworth, "and Jack Sec'm-in-co, shall have a seat when "they choose among the domestics, and enjoy "equal privileges with them."

Johnny Fairchild. Well brother domestics, this is an order from the master, establishing the division of the household, and appointing his *upper* servants, as the last words of the order evidently give them seniority over us.

Willy Crow. (Scratches his head and rubs his forehead.) Indeed, indeed, Johnny, it would seem so—*in the mean time,* we must *hope* for the best.

Geordie Beach. [*aside to Billy.*] Here is a pretty kettle of fish; you have managed your game badly, Billy, you might have prevented all this when you were Deputy-Squire, but I am afraid Tommy gulled you as well as the rest of us.

Harry. Well! well! "farewell—a long farewell to all my" hopes of greatness, [raises his hands in an attitude of despair,] 'this is the state' of a domestic—"to-day puts forth the tender leaves of hope, to-morrow blossoms;" and then comes a nipping letter from the master to blast his expectations—when he thought "full surely his greatness was a ripening"—"my high-blown pride must leave me, weary and old, to the mercy" of my superiors, who will forever crush me.

Dick—(*grins, knits his brow, clenches his fist,* fidgits about on his seat and then jumps up suddenly.) Master Johnny, I cannot remain *quiet any longer,* I have long suspected that there were secret workings, which were calculated to do more harm than good to the Estate. No Squire ever came to it under more favourable circumstances, the tenantry were prepared to respect him, and he would have been a popular Squire, if he had pursued the course which reason, good policy, and the experience of his superiors in intellectual endowments had pointed out—that course was the *straight forward* course of unbending impartiality, avoiding party influence on one side, and the advice of interested persons on the other—obtaining, as he ought to have done, information from the *Constitutional* adviser of the Estate, and adopting or rejecting, as he might, upon reflection, deem expedient. But the path in which the Squire has *bent* his way, unfortunately for himself, and for the interests of the Estate and our Master, will lead him to trouble and disappointment. Instead of *asking,* he has rather *rejected* the opinions of our worthy Johnny Fairchild; and if advised at all, he has been advised by irresponsible persons. I believe that such has been the case, and that he has been advised by irresponsible persons, who aimed at their own and the aggrandizement of their connexions, and who would have sacrificed the best interests of the Estate for the accomplishment of it. Events that have been thickening upon us since the arrival of the Squire, prove this melancholy fact.—The Estate has been retrograding—its affairs have been neglected—mystification and concealment, which might have been tolerated in the rulers of Barbarians, have here unfortunately superceded that candid and open course of policy, which true wisdom points out as the only safe and honourable mode of administering the affairs of an enlightened Tenantry. What has been the result? Discontent, and a want of confidence in the overseering, throughout the Estate. I regret that I am obliged to speak thus plainly of men as well as of measures; but the Domestics have high and important duties to perform: if we perform them fearlessly and honestly, we shall promote the best interests of our Master and of the Estate; but if we shrink from performing them, or postpone for a more convenient season, we shall betray the confidence reposed in us by our Master, and sacrifice the rights and interests of the Tenantry, not only of the present, but of future ages. I recognise, in its fullest extent, the maxim, that the Master can do no wrong; and I am willing to apply it, as far as may be proper, to his representative, the Squire. But the Ministerial servants of the Master have done political wrong, and they have been punished for it, for they are responsible for their conduct; and the advisers of the Squire of this Estate should be answerable for the evils of the overseering, referable to their errors.

Tommy. You talk of evils, Dick, *if* they do exist, blame the old Domestic Establishment for them.