PROVINCIAL LEGISLATURE.

HOUSE OF ASSEMBLY—FREDERICTON,
Monday, February 3, 1834.

At 12 o'clock, punctually, His Excellency the LIEUTENANT GOVERNOR arrived in state at the Province Building, and the House being immediately after summoned to attend His Excellency in the Council Chamber, proceeded thither accordingly, when His Excellency addressed the two Houses in the following SPEECH:—

Mr. President, and Honorable Gentlemen of the Legislative Council,

Mr. Speaker, and Gentlemen of the House of Assembly;

You are again met for the discharge of the high and important duties, which have been entrusted to you; and I feel assured that you must all agree with me, that there are circumstances connected with the present condition of the Province, and immediately within your own controul and superintendence, which demand, in no ordinary degree, the careful and mature consideration of a prudent and enlightened Legislature.

It can no longer be doubted that the Finances of the Country are involved in difficulties, which have already been felt to an extent, which, it is to be apprehended, may have caused alarm and inconvenience to those who have been accustomed to place implicit confidence in the Provincial engagements—difficulties, which, if not speedily met by some well digested measures of retrenchment, supported by a well ordered economy in future, must soon lead to serious embarrassments, and blight those fair prospects of internal improvement, and Provincial prosperity, which, with a just reliance on Divine Goodness, we may have hoped to see realized.

I invite your early attention, therefore, to a subject, the investigation of which, cannot, with safety, be delayed; and I recommend that your financial system should undergo such a revision, as will best enable you to provide satisfactorily for the gradual liquidation of the Public Debt, and to restrict the future annual expenditure, within such limits as the actual state of the Revenue, with the existing claims upon it, may require.

I rely entirely on your judgment, discrimination and public spirit, for the selection of the most proper objects of retrenchment, being fully persuaded, that it will be your study and endeavour, to adopt such measures, as will least affect the general welfare, or the public service; and that you will steadily support, with a just and comprehensive knowledge of the wants and resources of the Country, those Institutions and Establishments, which its future destinies, as an integral portion of the British Empire, gradually advancing in value and importance, may demand.

I feel a perfect assurance that these great objects may yet be accomplished, without involving the necessity of any great public sacrifice, or of any increase to the burthens of the people.

I have observed with satisfaction, that the Trade of the Province appears of late to have been prosecuted with increased activity and spirit; and that Commercial enterprise has opened for itself new outlets for the employment of our shipping, which, it is hoped, will be productive of permanent advantage.

The late unfavourable Season, with which it pleased Providence to visit us, has been severely felt in many parts of the Province: but I can see no reason to doubt that the Agriculture of the Country is progressively improving, and gradually assuming that character of importance in public estimation, which, at no distant period, will develope the natural excellencies of a soil, capable of supporting, in competence and comfort, a vast increase of population.

Mr. Speaker, and Gentlemen of the House of Assembly;

The Treasurer's Accounts, with the documents which usually accompany them, shall be laid before you.

It is quite essential to the proper maintenance of the public credit, that your Grants should be so regulated as to insure their prompt payment at the Treasury, as they become due:—with reference to this subject, I shall have to communicate to you by Message, some commands which I have recently received from His Majesty's Government, relative to the future issue of Government Paper or Securities.

The almost entire failure of the crops last year in Madawaska, had reduced a District usually blessed with happiness and plenty, to a state of great misery and want, bordering upon famine, and I could not, therefore, hesitate to order immediate supplies of food to be provided for the unfortunate sufferers:—The documents connected with this outlay, I will order to be laid before you, in the confident expectation, that of all the claims that may be submitted to you, those of suffering humanity will be the first attended to.

It is now, I believe, generally felt and acknowledged, that a contraband trade, to an extent most hurtful to the Provincial Revenue, has, for some time past, been almost openly carried on in the Bay of Fundy. An alarming instance of the audacity with which this illegal practice is prosecuted, has been very recently reported to me, and the existing call for an efficient Preventive system, does not, in my judgment, admit of any question.—It is not alone the protection of the Revenue, although of itself an object of sufficient consequence, which now claims the interference of the Legislature; for it is obvious that the absence of any adequate check upon this shameful and demoralizing traffic, must have had a most injurious effect upon the coasting trade, and I have every reason, therefore, to conclude, that a large increase of business and success to our mercantile establishments, would be among the results, which might be expected to flow from the suppression of this evil.

Honorable Gentlemen, and Gentlemen,

I have received instructions to convey to you a statement of the terms upon which, in the opinion of His Majesty's Government, His Majesty might properly be advised to place the proceeds of the Casual and Territorial Revenues under the controul of the Provincial Legislature. This important document, I will communicate to you by Message; and I anticipate that in the propositions thus to be submitted, you will not fail to recognise the disposition which exists, on the part of His Majesty, to accede to the wishes of the Representatives of His Majesty's faithful subjects in New-Brunswick.

The liberality with which you have invariably supported the schools and seminaries of instruction established in the Province, merits my best acknowledgments; and I am anxious that the encouragement which you have given to the diffusion of knowledge, should be productive of all the good we are justly entitled to expect. I am afraid, however, that our expectations, in this respect, have, in too many instances, been defeated, by the appointment of improper or incompetent schoolmasters; and sensible as you are, how much depends on the character and qualifications of those who are to instruct the young, and preside over the formation of their morals, I need only suggest to you the expediency of adopting some plan, such as the nomination of competent local Committees, for the examination, not only of the Teachers now borne on the establishment, but of every future candidate for a vacant school, in order to insure the selection of persons duly qualified, and of undoubted respectability, for every such situation.

From the various important matters that will now claim your consideration, you will readily concur in opinion with me, that at no former period have subjects of weightier moment been submitted to the Legislature of this Province; and you will, I trust, be cordially disposed to deliberate upon them, in that calm and temperate spirit, and in those wise and enlarged views of the true interests, present and prospective, of the whole community, which can alone guide you to the safe and satisfactory disposal of them. The great financial questions which will engage your attention, are inseparably identified with the future well-being of the country; and in dealing with them, you cannot fail to bear in mind, that your decisions will be lastingly beneficial to the Province, only in proportion as they may tend to strengthen and consolidate its natural and political union with the Parent State.

We can have but one object in view—the Public Good; and while I leave to your judgment and discretion, the adoption of such measures as it may be proper to pursue in furtherance of that end, I may truly assure you, that I shall not be wanting in any exertion that may be required from me, for promoting the permanent prosperity and happiness of His Majesty's loyal subjects in New Brunswick.

Being returned to their own House, Mr Speaker, as usual, read the Speech from the Chair, and the various other formalities belonging to the commencement of the Session, were proceeded with.

On Wednesday next, the House will go into Committee on His Excellency's Speech.—The 22d day of *February* is fixed as the last day for receiving petitions.

Tuesday, February 4.

REPORT OF THE DELEGATES.

According to the order of the day, the Hon. Members lately composing the Deputation from the House of Assembly to the Government at home, this day proceeded to lay before the House an account of their proceedings, as follows:

Mr. Simonds, after alluding to the appointment of himself and Mr. Chandler, by the House, last Session, to proceed to London, to lay the Petition of the House before His Majesty's Government, stated, that they had at first proposed to leave St. John about the first of June last; but upon considering that they might then arrive in London about the close of the Session of Parliament, and that it might be difficult to obtain the attention of the Colonial Ministers after the termination of a long and arduous session, they agreed to proceed early in May, and accordingly sailed on the 10th of that month. They arrived in London on Saturday the 15th of June, and took the earliest opportunity of obtaining an audience at the Colonial Office; when they immediately stated the object of their mission fully and explicitly. The Hon. Member observed, that he believed that former Dispatches from this Province had been sent home with such a colouring attached to them, as to prevent Ministers from ever arriving at the truth. The Deputation had therefore been sent home to tell the truth, and the whole truth; and he trusted it would be found that they had done so.—On being admitted to an interview with the Under Secretary for the Colonies, a day was appointed for the Deputation to hand in a list of the heads of the particular objects of their mission, which, if agreed too, would prevent the necessity of negociating on various minor points. They accordingly addressed a letter to this effect to the Principal Secretary of State for the Colonies, the Right Honorable Mr. Stanley, dated 19th June, 1833. This was their first communication, and the most prominent causes of evils detailed in this letter were, the *Crown Land Department*, the *Quit Rents*, and the composition of the *Executive Council*, together with the proposals of the House of Assembly relative to the controul of the Crown Revenues and payment of the civil list. After the delivery of this letter, a day was appointed for an interview with the Right Hon. Mr. Stanley, at which interview the Deputation opened to him in detail the subjects entrusted to their care. Mr. Stanley himself commenced the conference, by observing, that he had carefully perused the Petition of the House of Assembly and all the documents accompanying it, and that, in his opinion, the language of the Petition was fully borne out by the evidence appended to it. This opinion, the Right Hon. Secretary stated unequivocally. The Deputation then stated, without reserve, or respect of persons, the real condition of the Province; and in doing so, they adverted to the several points contained in the petition itself. The first thing they alluded to was the the subject of the collection of the *Quit Rents*. On this point, Mr. Stanley at once observed, that he had already sent out an order to suspend their collection; and so far, therefore, that matter was satisfactorily answered; but the Deputation still took occasion to explain fully to Right Hon. Secretary, the nature and the hardship of that measure, and all the evils attendant upon its enforcement. These facts they earnestly pressed upon his attention, and believed that he was fully convinced that the Quit Rents were not worthy the cosideration of His Majesty, when put in competition with the evils produced by their collection. The second point alluded to was the subject of *Timber and Mill Reserves* With respect to Timber Reserves, the Deputation stated at great length the evils and dissatisfaction caused by them; but the effect of them was so plainly apparent, that they did not feel it necessary to insist so strongly on this point as on some others, as they would have considered it an insult to the understanding of the Right Hon. Secretary, to have argued on so plain a matter. The third subject canvassed was, the attempted sale of *Water Privileges*. The Deputation explained the points in this matter at large, and gave their opinion, that the attempt to sell those privileges was in direct violation of the common law of the land. They also stated, how the attempt bore particularly on the poor people of this country; because the rich both knew how to defend their own rights, and possessed the means of doing so, while the poor were ignorant and unable to go to law for such a purpose. On this account, therefore, the Deputation insisted particularly on this matter; and on this part of the subject Mr. Stanley admitted its great importance, but said that he could not give any opinion on the subject, till he had first consulted the proper officers of the Crown respecting it. The fourth point brought under notice was, the *misapplication of the proceeds of the sale of the Town Plot in Fredericton.* It was not found necessary to enlarge much on this subject, but the Deputation stated generally the impropriety of the Commissioner's laying his hands on monies which belonged to the Town of Fredericton; and the Right Hon. Secretary was at once convinced it was a very improper transaction, and that the money must be refunded by the Crown Land Office.—The fifth subject was the *Expenses of the Crown Land Department and the Salary of the Commissioner*. Much conversation passed on this subject, and the Right Hon. Secretary at length acknowledged that the Commissioner's salary was far too high; but he thought as the salary had been so long given, and the Commissioner was now exercising his duties under the pledge of Government to pay him that salary, there would be some hardship in reducing it while he continued to hold the office. The Deputation, however, to ascertain positively the views of Mr. Stanley on this subject, put a direct question to him, in such a way, as to give him to understand, that if the surrender of the Casual Revenues and Civil List were proposed, with a continuance of the Commissioner's present salary, there would at once be an end to the negociation; they therefore plainly asked Mr. Stanley, if he thought such a condition would be insisted on; to which he replied, "*By no means;* "*he certainly would not by any means say* "*that it would.*" That was his reply; and the Deputation therefore entertained no doubt, that the proposal for the payment of the Civil List by the Province will include the Commissioner's salary, at a much less rate than he now receives; and that there would be no great difficulty to get over on that ground. The sixth point considered was, that paragraph in the Petition of the House relative to *the composition of the Executive Council.* On this head also the Deputation found it necessary to tell the truth and the whole truth; and they did so. They stated that the measure was exceedingly unpopular throughout the Province; and not so much on account of the principle, as on account of the persons appointed to that Council. They stated to Mr. Stanley that those persons did not possess the confidence of the country; they pointed out the serious evils likely to result from such a state of things, because, if the Members of the Executive Council did not possess the confidence of the country, even a good measure, emanating from them, would always be looked upon with suspicion.—They also stated, (and he, [Mr. S.] believed, with truth,) that one consequence of this change in the constitution of the country was, that it had had the effect of making His Excellency the Lieut. Governor unpopular in the Province; and he (Mr. S.) believed that it had had that effect. The Deputation stated it as their perfectly decided opinion, that His Excellency came out to this country with no other motive, than to do for it all the good in his power: they were satisfied that was his intention; but if he acted under the advice of a Council, having different views and motives, although his own intentions might be good, his measures could not be beneficial. His Excellency's administration had not, for this reason, so far, been satisfactory to the country. The Deputation had stated their views in an unreserved and faithful manner: if they had gone too far, it was in the desire to state the whole truth; but he (Mr. S.) did not think they had gone too far, but, on the contrary, that their statements would be corroborated by the whole Province. They had asserted that it was unfortunate that such a state of things existed, because where any doubt or suspicion rested on the minds of the people, it could not be expected that the proceedings of the Legislature would be conducted with that harmony between the various branches which was requisite, and the interests of the Province must therefore suffer by the collision. These observations seemed to strike Mr. Stanley as entitled to much consideration; but he felt a difficulty in interfering with a regulation so very recently established, without some *further* proof of practical inconvenience arising from it.—The seventh point discussed was the *Collection and Expenditure of the Crown Revenues.*—On this head they enlarged greatly on the great and improper expenditure in the collection of those Revenues, and particularly on the constant refusal of the Executive Government to furnish the House with detailed accounts. The refusal, they maintained, was of itself enough to create suspicion; and it was therefore natural to infer that all was not right, because, if otherwise, there could have been no possible motive for refusing or concealing those accounts; on the contrary if all had been fair and proper, it would have been the first wish of the Executive to lay the accounts in detail before the House. This refusal, they insisted, was in direct violation of the former dispatch of Lord Goderich on the subject; and at length Mr. Stanley replied, that he should give directions to His Excellency, to lay those accounts, in detail, before the House, which would remove the *chief* grievance in that respect. The Right Hon. Secretary seemed to consider that there were various grievances, but that the withholding those accounts was the *chief;* and so the Deputation also considered. Mr. Stanley also promised to give his early attention to this subject. These were the principal points alluded to in the Petition of the House, and entrusted to the Deputation for negociation; but many other observations were made by them to the Right Hon. Secretary, as to the general condition of the Province, particularly by stating, in an unreserved manner, the opinions expressed by the House last Session, and the absolute necessity of some change, without which, they alleged, there could not be any harmony between the various branches of the Provincial Legislature; and they urged that an early attention might be given to the subject, by His Majesty's Government, in order that the views of the Government at Home might be ascertained before the next meeting of the Legislature. On the whole, the Deputation considered the interview with Mr. Stanley very satisfactory indeed. He seemed much inclined to listen to all they had to say, and to ascertain the real facts of the case. They assured him that they came there, not appointed by any party, but by the unanimous voice of the whole country; that the whole country complained of the conduct of a few individuals in office, and had deputed them to represent the facts; and that circumstance gave their representations great weight in the mind of the Right Hon. Secretary. So far, then, with regard to the Petition to His Majesty: but there were several other matters which the Deputation had in charge, to bring before the notice of His Majesty's Government. These subjects were not included among those, to which they were instructed to require immediate answers; but they were merely to bring them under the notice of His Majesty's Ministers, and leave them for their consideration. The hon. member then enumerated them in the following order, and read the various letters addressed by the Deputation to Mr. Stanley on those subjects: 1. *The Post Office Department;*—2. *The collision between the Officers of the Custom House and Provincial Treasury;*—3. *The Tea Trade;*—4. *The Parliamentary Duties on Wine, Molasses, Coffee, and Pimento;*—5. *The Duty on British Manufactures;*—6. *The alteration of the Charter of King's College.* On each of these subjects, the Deputation addressed a letter to the Right Hon. Secretary.—With respect to the last mentioned subject, they had thought it best to prepare a written statement to hand to the Colonial Secretary, of which statement they had sent a copy to His Excellency, the Chancellor of the College, before sailing from this Province, so as to convince the College Council that they should propose nothing of which they had not first given them notice. There only remained to notice the subject of the *Imperial Duties on Wheat Flour imported*, and the *Militia System.* With regard to the former of these, the Deputation ascertained, through the Agents of the Province, that the whole of the Flour duties were under the consideration of the Board of Trade, with reference to all the North American Colonies; but that that Board would never consent to make any alteration in favour only of any one Colony; therefore the Deputation had not thought it necessary to address any representation on that subject to the Colonial Secretary, because, if any alteration should be made in those duties, this Province would have the benefit of it in common with the other Colonies. As to the *Militia System;* they had a long conversation on that subject with the Under Secretary, Mr. Hay, and had stated fully the evil effects of the present system, and urged the inexpediency of continuing it. The Under Secretary, however, seemed to think it very important to keep up the Militia System, because, he said, it might be probable, that at some future day the Province would have to depend entirely on its own Militia for defence. The Deputation replied that if such were to be the case, the Provincial Government could easily call out the whole Militia force and encamp them, and with fourteen days constant drill would make them far better soldiers than they ever could be made under the present system. The Secretary seemed convinced that such would be the better plan; and he was then asked, whether, if soldiers of the regular army were to lie by the greater part of the year, and to be called out for Drill only three days in each year, they would be found good soldiers when required? He admitted at once that they would not; and at last observed, that it was principally a matter of importance to the Colonists themselves, and as they had the regulation of it in their own hands, it should be left entirely with the Legislature of the Province, so that, if they thought the present system useless or unnecessary, they might reject it; although, in his own opinion he thought it should be kept up.—The subject was then dropped. From the 25th June to the 10th August, the Deputation called frequently at the Colonial Office, and urged the consideration of the business referred to them, stating the great importance of terminating it before the next meeting of the Legislature, in order to allay the great excitement caused in the Province and House of Assembly by the subjects under consideration. About the 29th July, the Deputation were informed, that Mr. Stanley, previous to the sailing of the August packet, would communicate with them, and the Under Secretary stated, that he hoped the communication would be satisfactory. Accordingly, on Saturday, the 10th of August they received a document containing the substance of a dispatch from the Right Hon. Secretary, to His Excellency the Lieutenant Governor of this Province, touching on all the subjects alluded to by the Deputation. [The hon. member here read the document which was a very long one.] With respect to the *Reserves* complained of, the Deputation stated fully to the Colonial Secretary the nature and evil consequences of the *Timber* reserves; but as to the *Mill* reserves, they were not so fully acquainted with the subject, and therefore said not so much about them, but left it to the evidence taken before the Committee of Grievances, which far more amply and clearly explained the subject than they could do. There was one expression in this document which required explanation. A great deal had of late been said and printed, in the most unfair and unjust manner about the conduct of the Deputation, and especially with regard to himself, (Mr. S.) on whom a charge of selfishness had been sedulously endeavored to be fixed. He alluded to the expression, with reference to grants of Water Lots, "*as in the case of that to Messrs. Hazen, Simonds, and White,*" from which expression it had been eagerly inferred and diligently asserted, that he attended to his own business, in his late mission, in preference to the business of the public. But the fact was, that he had never, on any occasion, mentioned any such grant, nor was there any such grant in existence. No such grant had ever passed the great seal of Nova-Scotia or New-Brunswick, with those three names in it. But he happened to be acquainted with the manner in which Mr. Stanley had been made acquainted with those three names. It was from a certain pamphlet lately put forth by the Commissioner of Crown Lands, as a defence to the charges or evidence taken before the Committee of Grievances, and from this pamphlet Mr. Stanley had been induced to introduce those three names in this manner into his dispatch, supposing that this grant was one to which complaint was applicable. But no such allusion was ever made by the Deputation; their representations were entirely confined to water lots in the counties of Northumberland, Charlotte, and Gloucester, and the public landing in St. Stephen. So much for the slanderous assertions on that head. He (Mr. S.) had cared nothing about those calumnies, because he knew a time would arrive, when he could easily and publicly refute them; and he was so great a friend to the liberty of the press, that he would willingly suffer a little while, rather than in any way abridge that great privilege of the people. With respect to the duty on British Manufactures, it was now fully conceded by His Majesty's Government, that although the Royal Instructions, literally construed, certainly prohibit all such impositions by the Colonies, yet those instructions had so long been disregarded in that respect, that they were not without authority, and therefore the local Legislatures would be permitted to lay duties on British Manufactures, for the purpose of *raising a local revenue only*, and having no object or intention to favour rival manufactures, either foreign or domestic.—With respect to the *College*, Mr. Stanley had stated, that he had no objections to render it less exclusive, and to open it to all denominations.—With regard to the Casual Revenues and Civil List, a very important point was gained by the Deputation, which, if nothing else had been obtained, was worth all the trouble and expense. Lord Goderich's dispatch stated, that he saw no reason to apprehend a falling off of the territorial revenues, and that it was his opinion that the salaries of public officers would be better paid by His Majesty's government, and therefore positively negatived any proposal relative to the civil list; but Mr. Stanley had now entirely conceded the *principle*, and stated his readiness to enter into the negociation, without insisting on the continuance of the present high salary of the Commissioner of Crown Lands. In making all the preceding statements, he (Mr. S.) was well aware that he was in a great measure, only repeating what had already appeared in the public papers; for by some means or other, the Government dispatches on the subject had of late been very freely inspected, and had even appeared in the public papers, before they had been communicated to that House. He would now merely observe, that the Deputation was received by the Colonial Ministers with the utmost degree of courtesy, and every possible attention was paid to them: he believed indeed, that they had been more promptly attended to than the Delegates from any other colony; for, at the same time, a Deputy from Upper Canada was in vain attempting to obtain an interview with the principal Secretary. And why were they so received? It must have been only from a conviction on the minds of Ministers, that the grievances complained of really existed; and because ministers saw the necessity of applying a remedy; and it appeared to him, (Mr. S.) that there was a real anxiety on the part of His Majesty's Government at home to do justice to the Province. It only now remained for the House to do their duty; and by persevering in the steps they had already taken, he had no doubt that all their difficulties would soon be put to rights. He was satisfied they could not do all they wished in this session, and it might be necessary again to send home statements respecting the matters in question, and also some confidential person to present them; because he much doubted whether the dispatches sent from this Province are now received as they would be, if they were accompanied by some such person to explain them. It was for want of knowing the truth at home, that things had gone on as they have done for some years past, and it was now therefore necessary for the House to make a stand. There was no necessity for adopting any intemperate step; the business required nothing but a calm, quiet perseverance in the course, as commenced last session; and in a few years, all their complaints would be fully redressed. He would now hand in the papers he had read, for the perusal of the House; and if he had forgotten any thing, his hon. associate (Mr. Chandler,) would fully supply the omission. He (Mr S.) had spoken greatly from memory, and might have forgotten some things, but in all he had said, he had stated nothing but the truth.

Mr. CHANDLER observed, that his hon. associate, (as he might yet call him,) had stated the proceedings of the Mission at such length and with such correctness, as to leave but little for him to say. He entirely agreed with the statement of his hon. friend, that the Deputation had been most handsomely and respectfully received by His Majesty's Ministers; in a manner indeed which could not but be highly gratifying to themselves as individuals, and to the House, whose representatives they were. With respect to the nature of the operations of the Mission, it seemed that there had been a very general impression in the country, that the Deputation had been sent home to manage an accusation against Mr. Baillie. This impression was wholly incorrect. They were sent home as bearers of certain representations from the House of Assembly to His Majesty, respecting the management and general system of the Crown Land Office, and not as managers of any accusation against the Commissioner personally; and it was therefore very wrong and premature to say, that because Mr. Baillie was not dismissed, the Deputation had not succeeded in their mission. That was not the object of their operations; and the real fact was, that in almost every point on which they were sent to treat, they had been totally successful. The only specific grounds of complaint which they preferred against Mr. Baillie were, the sale of public lands, the granting of reserves, and the sale of water lots; and all these specific matters of complaint were completely redressed. But even in preferring these complaints, the Deputation had not urged that the Commissioner was fully culpable, or that he had acted solely on his own authority, but they stated their belief that he had in some degree acted on instructions from the crown. He (Mr C.) therefore, hoped, that this statement would remove the erroneous impression, that the Deputation had gone home to urge complaints particularly against Mr. Baillie. The Deputation and the Colonial Ministers had gone at length into all the matters mentioned by his hon. associate; and he (Mr. C.) felt well assured, that the government at home were well disposed to give every consideration and attention to all the representations forwarded by the House. There was only one thing which his hon. colleague had omitted, which was in reference to the detailed accounts of the Casual Revenue; and in justice, therefore, to the Lieutenant Governor, he (Mr C.) would mention, that in conversation on this subject, Mr. Stanley said, that he thought His Excellency had exercised a sound discretion in his conduct on that point; because it would have been unfair in him to lay before the House detailed accounts of the expenditure before his own assumption of the Government, when his predecessors were not in the way to explain and defend them.—There were many points on which it was now needless for him (Mr C.) to touch; but there was one very important subject which he could not pass by. This was, the expected surrender of the Casual Revenues; and he tho't, that when the attention of the House should be called to the communication on that subject mentioned in His Excellency's Speech, they would find him to be quite justified in saying, that all that was in the power of the Delegates and of the House to do, had been completely accomplished. The principle was now conceded. The House had made the proposition on the principle that they should pay the civil list; and the impression of the Delegates was, that the House were disposed to make provision for the present civil list, with a few exceptions as to amount, &c. particularly with regard to the salary of the Commissioner of Crown Lands. This proposition they urged on Mr. Stanley, who replied, that it would be extremely difficult, when persons had made arrangements and gone out to a Colony to do duties, upon the faith of a provision promised to them by the government, to make any alteration in such provision. The Deputation urged all the arguments with which they were furnished, to convince the right hon. Secretary of the propriety of their views, and in conclusion, his hon. associate did particularly ask Mr. Stanley, whether His Majesty's Government would make the continuance of Mr. Baillie's present salary a "*sine qua non*" in the agreement? Mr. Stanley particularly observed the force of the question, and after some consideration, certainly replied, that "*he would not say so by any means.*"—He (Mr. C.) therefore felt satisfied, that if the House continued to represent these things to His Majesty's Government in a proper spirit, every thing they could desire would be satisfactorily arranged, at no great distance of time. There was only one thing in the whole course of their negociations, in which his hon. associate and himself did not perfectly coincide: this was the Militia system; and he (Mr. C.) therefore left him to talk over that matter with Mr. Hay. The Under-Secretary himself had formerly been a Colonel of Militia, and as soon as he discovered his hon. colleague's military title, he invariably addressed him as "*Colonel*"; and thus the two Colonels canvassed the whole subject together, agreeing in some points, and differing in others. The result had already been detailed, but he would observe that his hon. associate and himself both agreed that it was not necessary to represent the Militia system as a *grievance.*—There was only one other matter necessary to mention; viz. the *Marriage Law.* There had been some misunderstanding with respect to this matter. Many persons appeared to think that the Delegates had it in charge with the other affairs entrusted to them; but they certainly never had it in charge in writing, and therefore they were very unjustly accused of neglecting it, because it had never been committed to their consideration. But, in fact, it had not been lost sight of, even by the Delegates. They could not make it a matter of communication to his Majesty's Government, because Mr Stanley very strictly confined them to the objects comprised in their written instructions; and it was on that principle that the Deputy from Canada could obtain no interview at all, because he brought with him no written authority. But the Deputation sent a written communication to Mr. Bainbridge, the Provincial agent, respecting the Marriage Law; upon which, that gentleman visited the Colonial Office, and found that the Bill, with several other Marriage Bills from neighboring Colonies, had been for some time lying in the office, without having been ever laid before the Privy Council, in consequence of the change of Ministers at home. There had been no intention whatever to stop the passing of the Act, nor had any representations been sent home against it; but, on the contrary, there was every reason to believe, that the Act would very shortly be passed and sent out. With respect to the duty on British Goods; that was another very important point gained. The sole difficulty respecting it was now removed, and the revenue might be improved by that resource. It only now remained for the House to act with calmness, moderation, and firmness, combined with respect to His Excellency the Lieutenant Governor, and to all the local and home authorities; and then every attention would readily be paid by His Majesty's Government to all their representations. A great impression had been made upon His Majesty's Government by the conduct of a neighbouring colony, which, after much violent proceeding and party spirit, had nevertheless broken its faith with respect to its negociations concluded with the Government. But the representations of this Province were unanimous, and well supported by the people at large; the Delegates themselves had acted with unanimity in their proceedings; whatever might be their opinions on various subjects here, while on the other side the Atlantic, they had felt one common feeling, and pursued one common object; and from these causes, he (Mr. C.) thought the Mission had met with much more attention and success than they otherwise would have experienced; and if the House now proceeded in the same way, they would make this one of the most important and beneficial sessions ever known in the Province. He could not help observing, that whatever might be said of the unpopularity of His Majesty's representative in this Province, it should be remembered that any such unpopularity arose merely from His Excellency having been compelled to carry into effect unpopular measures. The collection of the Quit Rent, the maintenance of the Crown Land system, and other grievances, had not originated with His Excellency, although he had been obliged to enforce their observance; and His Excellency, therefore, personally, was wholly undeserving of reproach in that respect. The hon. member concluded by shewing that he considered the Deputation had been considered as successful, as perhaps, the most sanguine had anticipated; and by enumerating the chief grievances which had been redressed, and points gained, in consequence of the representations of the House. The other matters alluded to were mere suggestions for the consideration of His Majesty's Government; and on the whole, he hoped, that from the tenor of the speech with which the present session had been opened, the House might congratulate themselves on the dawning of a new and most satisfactory era in the history of the country. His Excellency had observed, that they could all have but one object in view, "*the Public Good.*" He (Mr. C.) gladly recognised that happy feeling, and felt convinced that, if met by the House with propriety and in the spirit in which it was uttered, the present session would be a most important and beneficial one. He would now add his accordance with the Report detailed by his hon. associate, and join in submitting the various documents to the House. They had done the best they could in their Mission; others might have done better; but he really believed, that most persons in the country were satisfied that the money expended on the objects of the Deputation was not thrown away.

Messrs. S. Humbert, Kinnear, and End spoke; [but the Report of their Speeches has not as yet come to hand;] after which Mr. Kinnear moved the following Resolution, which was seconded by Mr. Partelow, and adopted without a dissentient voice:

Resolved UNANIMOUSLY, That Messrs. SIMONDS and CHANDLER, two of the Members of this House, deputed at its last Session to present a Petition of the House to his most gracious Majesty, for the redress of certain grievances therein stated, receive the thanks of this House, for the ability, zeal, and industry manifested by them throughout the whole of their conduct in the management of the Deputation.

COMMUNICATIONS.

[For the Courier.]

MR. CHUBB.—The man who comes boldly forward in his own proper name to attack others, either in public or private, (let his motives be what they may,) has at least the merit of doing so in a fair and open manner, and offers to do battle with the party attacked, upon equal terms; but the anonymous slanderer can only be ranked as standing on a par with the cowardly assassin, who lays concealed and stabs in the dark at the unwary, in order to gratify his own avaricious views or malignant feelings. To enter the lists, therefore, against such an opponent, is, I am aware, beneath the notice of any man, conscious of his own honor and respectability: and I feel sure a generous public would never think it necessary for him so to do. With such sentiments, I certainly should have treated the communication appearing in the Courier of Saturday the 25th inst. under the signature of a "Constant Reader," with the silent contempt it deserves, if the attack therein made had been confined to myself; but as the writer has (in order to gratify his private spleen) not only attacked me, but made a most unfounded charge against the highly respectable body of the College Council, I feel myself called upon in justice to the latter, to give an explanation to the public of the transactions alluded to—particularly as, without such explanation, the mere abstract fact of my having given a mortgage to the College for £400, would seem to give credence to the statements of your "Constant Reader."

The facts of the case are as follow: A month or two back, in making up the general accounts of the College, it appeared there was a balance, out of the monies paid in redemption of the Land Rents of £395 : 4 : 9, remaining uninvested in Landed Security; and which it was incumbent upon the College to lay out in Land again as soon as possible, conformable to the Act of Assembly of 60th Geo. III. cap. 1. which expressly directs that all such monies shall be laid out either in the purchase of Lands, or at Interest on Landed Security—the College being prohibited from appropriating the same in any other way. I, therefore, at the then next meeting of the Council, which was in December last, laid the matter before them, and offered to take the whole amount so remaining uninvested, myself, and to give a mortgage upon my property in the rear of Fredericton in security, so as at once to have the whole of those monies laid out as the Law requires—and in order to make even money, the amount was made £400; and the Council having accepted my offer, the same was carried into effect. Then, as to the clause in the mortgage requiring twelve months notice before the principal is called in by the College. As no part of the principal of these monies is applicable to the annual expenditure of the College, but must, by Law, be reinvested in Land or Landed Security, it was thought better to make a provision for giving twelve months notice, rather than fix any certain day, in the usual form, for paying the same, as had been done in the former securities; without considering the difference between these monies and others, where the principal was at the disposal of the College.

And now, Sir, as to that part of your "Constant Reader's" statement, which relates to the proceedings taken on the old mortgage for £180. The facts of the case are as follow. In the year 1829, after the new Charter of the College was put into operation, in making up the accounts of the old establishment of the Governor and Trustees of the College of New-Brunswick, it was found, there were debts to a large amount against that Corporation, unsatisfied, and which, together with all property belonging to them, devolved upon the new Corporation, on the extinction of the old Charter. Among other property, therefore, which the latter became vested with were several old outstanding mortgages for money lent, by the former, at a time when the establishment was upon so small and confined a scale as not to call for all its funds—and among others was the one in question; and in order to assist in meeting the debts due on the extinction of the old Charter, it was deemed advisable by the College Council, to call in all the monies outstanding on these old mortgages, and I was directed to give notice to the parties accordingly, which I did. But in the case alluded to by your "Constant Reader," I had, previous to that notice, more than once been informed by the Gentleman who had borrowed the money, that it was his intention to pay the mortgage off, and to relieve his property therefrom. However, he unfortunately got into difficulties, and his property was afterwards seized in execution, and sold subject to the mortgage in question—and that part that was thus mortgaged became divided among several different purchasers; and in the early part of the year 1830, one of the principal purchasers applied to the College for an assignment of the mortgage in question to himself, on his paying the amount due thereon. This application was immediately complied with by the College in February, 1830; but finding it would be necessary that an Act of the Assembly should pass to confirm such assignment, that Gentleman declined carrying his offer into effect; and after some further negociation between the purchasers, the original mortgagor, and myself, on the subject, without effect, I received a positive order from the College Council in April, 1830, forthwith to proceed to foreclose, unless the money was paid, as the amount was not large, and the parties most interested, able enough to raise the money if they had chosen. Of this order, I immediately gave notice to the parties, from one of whom I received a positive pledge, that the matter should be settled by the latter end of May then next. Upon this, I took upon myself the responsibility of giving the time asked for; but when that time came, I found the matter still as far from settlement as ever; and the purchasers were then differing among themselves as to the amount of their several proportions—and further time was requested, under positive assurances that the matter would be settled shortly. In this way the proceedings were delayed until about the 17th Nov. following, when, finding I had been only trifled with by the parties, and nothing done, I gave them formal notice of my intention to proceed unless the money was paid without further delay—and finding that did not have any effect, I certainly did, as I ought in duty to have done long before, file a Bill in Chancery for a Foreclosure. But as this did not produce the desired effect, and as much delay would have arisen to have gone on with that suit, unless the parties chose to come in—the College Council, on further consideration, knowing the parties able to pay, if they would, and knowing they would not allow the Foreclosure to take place, but would come in and redeem, after they had got all the time they could, in that suit, ordered me (as a more ready means of compelling payment,) to commence an action of Ejectment against the two principal purchasers on the mortgage—of which order, I also gave them both notice, and this produced the desired effect: and I then took upon myself to give them all the further time to pay the money in, which I could give, without losing the then next Term in commencing the Action of Ejectment, and they paid the money accordingly in January, 1831.

This, Sir, is a plain statement of the facts of these transactions, and must have been all well known to your "Constant Reader," when he put his statement forth, as I have no doubt in my own mind that he is one of those parties who thus paid the money. But misrepresentation has become so habitual to that person, that he seems not to have observed the direct contradiction his assumed signature has given to his previous assertion of having "*so few opportunities of perusing your paper.*" As to his assertion that not a "shilling of the old debts has been paid within the last two years," that is, like the rest of his statements, untrue.

Your insertion of this explanation in your next paper, will oblige,

Sir, your most ob't. serv't,
GEO. FREDERICK STREET.
Fredericton, January 29th, 1834.

Ducit amor patriæ.

MR. EDITOR.—In your last paper the public have been favored with a copy of the Petition to be presented to both Houses of the Legislature, praying for an extension of the Capital of the "Old Bank." There are two points in that document which are particularly worthy of a little consideration at this time; the first of which is the following, viz.—"The Petition of the President, Directors, and Company of the Bank of New-Brunswick, humbly sheweth, that the experience of the last year has shewn more clearly than ever, that the growing exigencies of Trade require an increase of Banking Capital in the City of Saint John." Now, Mr. Editor, that such is the fact, I am confident none will attempt to deny; for I am truly sorry to state, that, but too many of the honest and industrious Merchants and Mechanics, &c. of this City and neighbourhood, have but too severely felt to their sad experience within the last few months, that there is a great, nay, a very great want of the *needful* or circulating medium; so much so, that good paper has been *shaved* at the enormous discount of 48 per cent.; and again, on account of the scarcity of money in the market, Bills have been bought as low as 4 per cent. and sold at six months credit for 12 per cent. I merely mention these two facts, to shew the correctness of the first sentence of the Old Bank Petition. To cite more cases of the downright impositions which of late have been so successfully and so cruelly practised by *a few in this City*, would only be wasting space in your useful columns, to prove what every body well knows, and not a few from sad experience. While a few capitalists are *sucking* the life blood of this Province, thousands of its industrious population, who are the real sinews of enterprise, honesty and industry, are suffering all the hardships and difficulties which are at all times the concomitants of monopoly; whereas, if we had two Banking Establishments, with a sufficient capital, and properly conducted, these very individuals (who are now languishing with embarrassments, and every day carried down the stream of adversity to the disgraceful and unmerited ocean of harmless poverty, there to direct their frail and tillerless barque to another and more promising country, where either mental or mechanical labour are readily encouraged and duly rewarded,) would not only raise themselves and their families above poverty, but all connected with them, even to the remotest link of the chain, would feel the advantages which result from free competition and a plentiful supply of a well guarded circulating medium.

As all seem to agree that there must be a considerable increase of Banking accommodation, and consequently a greater supply of circulating medium; the question is simply, to whom are the Legislature to intrust the management of the increase of that powerful engine—Money? The consideration of this question brings me to the second point in the Old Bank Petition, viz.—"Your Petitioners continue to entertain a strong "conviction that much public evil would arise "from the competition of two Banking establish-"ments in Saint John"—"*Much public evil arise from competition!*" Can it be possible that they intend presenting such a paragraph for the consideration of the Governor, and Members of the Council and HOUSE of Assembly? If so, those who have the hardihood to support such an absurdity, must either themselves be extremely ignorant, or they must suppose the Gentlemen before whom their petition is to be laid, equally so. In all ages, and in every civilized country, COMPETITION HAS BEEN CONSIDERED THE VERY LIFE AND SOUL OF BUSINESS; therefore, unless those Gentlemen who have so long enjoyed the lucrative emoluments of the present Banking establishment, can prove, by some new method of induction, that there is something endemial in the mercantile atmosphere of Saint John, which "would render competition in Banking a public evil," we are bound to treat such a proposition with that derision and contempt which self interest, presumption, and ignorance merit.

While the Country is now much in want of a large amount of Capital, it is equally in want of competition in the distribution of it. This is fully proved by the late panic in the money market—and also by the general voice of the people; for there are at least Nineteen-twentieths of the population favorable to the formation of a New Bank, as will appear by the different Petitions which are prepared to be laid before the Legislature. The application for an Act of Incorporation, appears to me so reasonable, that it will be impossible for the powers that be to refuse it; for the well-being of the Province boldly demands it—all our most respectable, influential and leading men, who are unconnected with the Old Bank, demand it—the voice of free competition demands it—the humble, but stern, voice of justice demands it—our fluctuating and crippled money market demands it—Nineteen-twentieths of the constituents of the Province, who are connected with trade, demand it, and that in a stern voice—our languishing commerce, which is like a starved giant, frantically demands it as its birth-right,—and, last of all, the political moral of Civil Government imperiously demands it—(viz. Truth, Reason, and Justice combined.)—With such an overwhelming mass of facts before their eyes, we cannot suspect that the Members of either House will dream for one moment of throwing their influence into the balance of the self-interested monopolists, whose only concern is still to maintain unimpaired that grasp of the reins of the money market, which they at present enjoy, to the ruin and disgrace of a civilized and patriotic Colony, which proudly claims England's King as her King,—and at whose nod tyrants crumble into dust, and despotism in honor hides its diminished head!

At it is pretty generally admitted by those who are supposed to be intimately acquainted with the "*Arcana Imperii,*" that both Bills will receive the sanction of both Houses, I would strongly impress on the supporters of the New Bank, to petition against the extension of the Old Bank Capital, for at least twelve months from the passing of the Bill, in order that the embryo Bank may have a fair opportunity of being brought into successful operation. To allow the increase of Capital to take immediate effect, would be giving the Old Bank a decided advantage, which it is not entitled to; but if the true interest of the Country is the "*primum mobile*" with our Legislators, they will not overlook this important and vital point—for such it is to many thousands in this Province, who have long enough already had occasion to exclaim with the Poet, "Man's inhumanity to man, makes countless thousands mourn!" Your's, T. B.

The Courier.

SATURDAY, FEBRUARY 8, 1834.

A few items of European intelligence have reached us via New-York—Liverpool papers to the 26th November having been received in that city by the packet ship *Geo. Washington.*

A change in the British Ministry is again talked of—Earl Grey, it is said, is desirous to retire, with the understanding that his son-in-law, Lord Durham, shall succeed him as *Premier*. To this, Lord Brougham objects, and no other arrangement appears yet to have been decided on by the Cabinet.

Mr. O'Connell has again taken the field in Ireland, determined to carry the repeal of the Union, and to exterminate forever the odious Tythe system. Whatever objections may be urged against the former measure, few persons we believe, are now anxious to see so unjust a system as the latter longer in operation.

Another expedition to the North is said to be contemplated. Captain Ross is again to take the command, and to be accompanied by several of his companions in the late perilous voyage.

The prospect of affairs in Portugal appears to be changed. Don Pedro is now represented as never having held any place in the affections of the Portuguese; and his successes are attributed to intrigue and misrepresentation. The adjustment of the difficulties in that disturbed country, is therefore still far distant.

The accounts from Spain are contradictory.—At Veloredo, the Inquisition had been re-established by force.

WE have read with much satisfaction His Excellency's Speech at the opening of the House.—It alludes generally to many very important subjects for Legislative deliberation, and we hope they will receive a thorough and unprejudiced consideration, and lead to resolutions, calculated to advance the prosperity of the Province.—The Speech augurs favorably, and we interpret it as a pledge on the part of the Executive to co-operate with the Representative Body in digesting and enforcing "*measures of retrenchment, supported by a well ordered economy in future,*" and by a judicious, discriminating, and public spirited "*selection of the most proper objects of retrenchment.*"—We like this language, and we heartily respond, so be it. We may now mention the exorbitant thousands of Provincial Secretaries, Crown Land Commissioners, &c. as some of the exuberances, which will bear the pruning knife without *injuring* the "*public welfare or the public service.*" It is true the extravagant allowances of these *offices* are not cognizable by the Representative body. But precept and practice go hand in hand, and when economy and reform are recommended in the small concerns of civil government, it is to be expected that the superintending power which recommends it, will use his best efforts (which would be available) to correct the greater evils of the country;—otherwise, if we may use a trite adage, this partial economy will resemble the leak which is stopped at the spiggot, while the contents of the cask are allowed to flow out at the bung.—We like the Speech the more, as it goes to contradict a report which prevailed some time since respecting the civil list allowances, in which several salaries were specified, which were not in keeping with the Speech, and which were calculated to give ideas of an overflowing Treasury—of a country prospering most abundantly in its commerce and agriculture. Among the subjects to be communicated by *Message* to the House, we shall anxiously await "the Message "from His Majesty's Government relative to the "future issue of Government paper on securities." We congratulate our unfortunate countrymen in the Madawaska settlement upon the prompt supplies which were ordered by His Excellency, while we sincerely sympathise with them in their losses and agricultural failures.

We are happy to find that the conduct of the Delegates has received the unqualified approbation of the House.—This must be satisfactory after the torrents of abuse, which have been poured out upon them by their opposers; and, either the House must be wrong, and one or two controversial writers, like *Bannister* playing "*three and the deuce,*" must be right, or these "one and three" heroes must be wrong, and the House correct, which latter reading we are disposed to adopt. The Resolution and vote of the Representatives, taken in conjunction with their proceedings last winter, leave no skulking path between the manly adherence to their demands and a disgraceful abandonment of them. We anticipate, therefore, an honorable, just, and satisfactory settlement of the questions in dispute, notwithstanding Mr. Stanley's "peculiar circumstances," and we rest our anticipations upon the Governor's speech. But if we should be disappointed in this, we hope to announce the departure of another Delegation, as we do not think the expences attendant upon the last will deter a free people to "*go it again.*" But we shall refrain from any comment upon such an exigency, until we see the "*turn*" which things are likely to take, when they come in due form before the Representatives—we shall then applaud or lash, as circumstances may require. We did intend to make some remarks upon the still unknown nature of the succession to our Provincial Throne, in the absence, death, or departure of our Governors, as there appear to be some hopes for the Legislative Councillors, if the "usage in other Provinces will obtain" in this. We hope the question will be *put* by the proper enquirers, this session, and unequivocally answered, for the satisfaction of all concerned, which all embraces every member of Society. We must defer the consideration of this subject for a future number.

A Petition, of which the subjoined is a copy, has been forwarded from Saint Andrews, to be presented to the different branches of the Legislature. It is most respectably signed—and by the leading men in Charlotte County.

The Petition of the Undersigned, Merchants and others, resident in the Town of Saint Andrews, and County of Charlotte—HUMBLY SHEWETH:

That your Petitioners deeply feel the great inadequacy of circulating medium to carry on advantageously those Commercial and Agricultural operations, which have continued to increase with the growing Trade of the Province, and that, were there an adequate supply of Capital every branch of trade and improvement in this County would more rapidly advance: and that, for the want thereof, your Petitioners are unable to compete with their Western neighbours, whose Banks are almost unlimited, and whose Banking accommodation yields such boundless facility to trade. To relieve them, and the whole Province, your Petitioners are persuaded that the establishment of a New Bank at Saint John would be most desirable; and being informed, and having read a Petition to be laid before your Excellency and Honors, at the approaching Session of the Legislature, from the City and County of Saint John, for the granting an Act of Incorporation for a New Bank at Saint John; your Petitioners heartily concur in the e