PROVINCIAL LEGISLATURE.

House of Assembly—Fredericton,

Friday, February 27th.

[The House in Committee of Supply.—A motion made by Mr. Allen, for a grant to the Baptist Seminary, gave rise to an animated debate—the written report of which would occupy more than four columns of our paper; it will be published in a week or two.—The question having been at length most clamorously demanded, the Committee divided as follows:—]

Yeas—Mr. Speaker, Messrs. L. A. Wilmot, Gilbert, Hill, Freeze, Brown, Hayward, Miles, Slason, Morehouse, Connell, Burns, J. M. Wilmot, Partelow, Robinson, Allen, Crane, Chandler, Taylor, Woodward, Palmer.—21.

Nays—Messrs. Clinch, Wyer, M'Leod, Ford, Street, Weldon, Stewart, End, Hannington.—9.

It was therefore decided in the *affirmative*; and the blank immediately filled up with £500, on motion of Mr Allen, seconded by Mr Chandler.

[The resolution for the grant to the Trustees of the Savings' Bank was opposed by Messrs Burns, Street, L. A. Wilmot, Brown, Clinch, Slason, and Gilbert; Messrs. Burns, Clinch, and Slason opposing it absolutely, while Messrs. Street, L. A. Wilmot, Brown, and Gilbert were desirous of reporting progress, to obtain further information on the subject. The motion was supported by Mr. Speaker, Messrs. Partelow, End, Chandler, Allen, J. M. Wilmot, Crane, Hayward, Woodward, Wyer, and Weldon; and upon the question, it was carried in the *affirmative*, by 18 to 11; division as follows:

Yeas—Mr. Speaker, Messrs. Wyer, Morehouse, Allen, J. M. Wilmot, Miles, Hayward, Woodward, Weldon, Crane, Partelow, Chandler, Stewart, Robinson, End, Taylor, Hannington, Connell.—18.

Nays—Messrs. L. A. Wilmot, Freeze, Palmer, Clinch, Brown, Gilbert, M'Leod, Slason, Burns, Stewart, Ford.—11.

On the question for filling up the blank, Mr. Partelow moved for £1293 10s. 10d.; but Mr. Street opposed it, stating that £168 of that sum were for interest, which ought not to be granted, and he therefore moved that the sum of £1125 10s. 10d. be inserted.

Mr. Partelow, however, in reply, said, that that sum of interest was due to the poor depositors in the Savings' Bank, whom it was the object of this grant to secure from loss, and therefore certainly they ought to receive all they were entitled to.

Mr. Robinson corroborated this statement, and Mr. L. A. Wilmot supported Mr. Street's amendment. It was, however, *negatived*, and the sum of £1293 10s. 10d. resolved upon.

Saturday, February 28.

Mr. J. M. Wilmot moved that the petition of James Gallagher, the contractor for the Indian Town Road, should be referred to the Committee of Supply; which however, after some discussion, similar to several former discussions on the same subject, was *negatived*. The motion was supported by Messrs. J. M. Wilmot, Burns, Partelow, End, Slason, Allen, and Woodward; and opposed by Messrs. Weldon, Chandler, Clinch, Wyer, Brown, L. A. Wilmot, and Hayward.

The House then went into Committee on the better regulation of the

OFFICE OF SHERIFF.

(Mr. Weldon in the Chair.)

Mr. Street stated that the bill had been prepared by a select committee, and that its objects were as follow. First, it was to compel Sheriffs to give securities for the benefit both of His Majesty and the subject, in all cases where money came into their hands. At present, Sheriffs were required to give security only, in cases where the rights of the crown were effected, but there was no such protection to the subject whatever; so that should monies come into the hands of the Sheriff, and be in any way misapplied, or should he, from any misconduct, become liable in damages in any suing party, there was no security at present, on which the party could compel him to pay over such funds, and this defect this bill would remedy. Another object of the bill was, to regulate the appointment of deputy sheriffs, so as to prevent all doubt as to who actually was a deputy sheriff, and as to the liability of the sheriff for the acts of his deputy; and a third object of the bill was, to provide for the payment of Sheriffs, from the county funds, for their trouble in summoning juries.

After a brief and uninteresting discussion on some technical matters, (without opposition to the bill itself,) progress was reported.

Monday, March 2.

CITY ELECTIONS.

The Bill to regulate the election of Charter Officers of the City of Saint John was committed:—Mr. Chandler in the Chair.

Mr. Speaker said, that he hoped the Committee would not agree to any such bill. Altho' there certainly was a petition from a great number of highly respectable citizens in its favour, there were also two other petitions, from about an equal number of individuals against it. If, therefore, it was desired by some, it was also obnoxious to a great many others; and in such case, the citizens ought to have time to consider the matter, so as to come to a more unanimous feeling on the subject. The bill contained some very arbitrary and extraordinary provisions; and under these circumstances, he would move that it be postponed till the next session of the Legislature.

Mr. Woodward briefly contended that the bill was prayed for by the Mayor, Recorder, some of the Aldermen, and a large number of highly respectable citizens of St. John, and that, in his opinion, it would be satisfactory to the City generally. The hon. member, however, spoke too rapidly for us to catch all his observations distinctly.

Mr. Partelow also insisted that the bill contained some most extraordinary powers and provisions, which the House never could assent to; particularly a section to authorise the common council to vacate the seat of any of their number, being a common drunkard or becoming intoxicated. He (Mr. P.) had not the smallest objection to allowing such vacation, where an Alderman became guilty and convicted of high crimes and misdemeanors, and indeed that was already the law of the land, but that merely on the affidavit of one or two persons, the common council should have the power of removing one of their body for such causes as were mentioned in this bill, and who was only elected for one year, would be highly objectionable. However, if a majority of the Committee were disposed to sustain the bill, he would prepare some amendments to it; but if otherwise, it would not be necessary to move them

Mr. Robinson said there were two petitions from large numbers of highly respectable citizens, including three of the aldermen, against this bill. Their object was, to get the House to protect them in the exercise of that privilege, which their charter had already conferred upon them; and he (Mr. R.) would be very sorry to alter the elective franchise of the city; indeed, he did not know how far the House could do so, without any sufficient reasons having been shewn by the citizens themselves, why it should be so altered. There was one amendment, however, proposed by this bill, that he would like to see effected. The charter empowered the aldermen to hold the annual election for their own body or not, just as they pleased; because the elections could only be held by the existing aldermen and on a particular day, and any alderman had only to go out of town and remain absent that day, and no election could be held, so that he would be sure to remain in office. So far, then, as an amendment of this improper latitude, the bill would be very well, but in other respects he was opposed to it.

Mr. Speaker said he was entirely against the bill; there was no necessity for it whatever; the only drift of it was to give to the Mayor of the City a very arbitrary power. He would state a case of an Alderman, who, last year, opened the poll at the usual time for the election of an alderman for his ward; no competitor appeared, and he therefore declared himself duly elected, and went away. But in the mean time, the Mayor set up another person as a candidate, and then the polling commenced. This was an illegal proceeding, because it was after the legal time of holding the poll, and the alderman had been duly elected according to the charter. Now this bill would enable the Mayor in certain cases to hold the elections for aldermen, and thus he might choose his own aldermen. But there was another objection. The bill supposed the aldermen to be liable to be guilty of very high crimes and misdemeanors; but really he hoped, for the honour of the city, that such persons would not be elected aldermen, or be allowed to sit at the board, if they committed such crimes after election. The bill also contained an alteration relative to the price and mode of obtaining freedom, which would be a direct infringement of the charter, as it would enable the Mayor at his discretion to license persons to exercise trade in the city, instead of taking out their freedom at once, which method would only tend to give the Mayor an unnecessary extension of power, and that officer already possessed power for any reasonable man. But while it was the fact, that as many persons had petitioned against this bill as for it, it would be highly improper to pass it, in the face of such division of opinion.

Mr. J. M. Wilmot thought the hon. Speaker was a little out of the way in his statement; because he (Mr. W.) was Mayor himself at the time alluded to, and was present at that particular election, and he certainly did not propose any candidate; but he must say, there never was an election conducted with so much impropriety.—A question immediately arose in the common council, whether the election was legal or not, and he (Mr. W.) himself put the question. It was declared illegal by a majority of one; but unfortunately, when the day for swearing in the aldermen arrived, one of the majority happened to be absent, and the common council then reversed their previous decision, and declared the election legal, and the alderman (Mr. Vanhorne) was then sworn in. He (Mr. W.) was in favour of some parts of this bill, but he thought that in others it went too far; and he should therefore be for adopting some improvements, but not the whole of the bill.

Mr. Speaker, in explanation, said, that he did not mean to allude to the hon. member who had just sat down, and who was actually Mayor at the time referred to; but to the individual who now filled that office, and who had petitioned for this bill.

Mr. Partelow also expressed similar views with Mr. J. M. Wilmot, and stated an instance of undue election which had occurred 7 or 8 years ago, as a corroborative proof of the necessity for an alteration in that respect. The hon. member declared his decided disapprobation of other parts of the bill, and suggested that it would be well to pass only the unobjectionable parts, and to appoint a Committee of the House to enquire during the recess what alterations of the Charter were necessary, and to report to the House at the next session.

Mr. Speaker repeated his opposition to the whole bill, and thought the whole charter was now become so obnoxious to the citizens generally, that ere long they would petition for an entirely new one.

Mr. Burns said that, no doubt, an alteration was requisite in the election of aldermen, but if any thing was done with the charter, it might be dangerous; if one pillar was removed, the whole fabric might fall. He was opposed to the bill altogether in its present shape; if the aldermen were at any time such characters as were not fit for office, it was in the power of the citizens themselves to remove them, yet they had petitioned the House to do what they could do themselves. He was entirely against giving the Mayor the power to license persons to trade in the city, instead of taking up their freedom; the present price of freedom was quite high enough, and if such a power was given to the Mayor to graduate the price of such licenses, he would always have such a number of favourites to accommodate, that the whole work and labour of the city would be thrown into their hands. He was therefore opposed to the bill *in toto*.

Mr. Wyer thought that one part of the bill cast a very strong reflection on the city of Saint John; it seemed to intimate that the aldermen were common drunkards; he was not aware that such was the case, and thought that part of the bill at any rate was very improper. Other parts, perhaps, might do well enough.

Mr. Johnston supported the bill, as far as related to its two principal objects; viz. an amendment of the mode of electing aldermen, and an increase of the price of freedom, and concurred in the propriety of Mr. Partelow's suggestion, for a select Committee on the subject, during the recess.

After some further replies and rejoinders from Mr. Speaker and Mr. Partelow,—Mr. Weldon said, that in former discussions in the House, whenever any thing was ever hinted about altering the charter of the city of St. John, it had always been urged by the St. John members, that the House could not touch that charter in any respect, unless an alteration was prayed for by the body corporate, under the common seal of the city, and that doctrine was always particularly laid down by the hon. Chamberlain (Mr. Partelow.) In this case, there was no such official petition; therefore, how could the House interfere with vested rights, by making any alteration whatever, and particularly when a part of that body corporate actually petitioned against it? They were, themselves divided in opinion about this bill, and the city members were also divided upon it; and even the hon. Chamberlain suggested the propriety of appointing a committee to investigate the matter during the recess; all of which went to shew that the present bill was by no means perfect; therefore it would be very dangerous to make any alteration under such circumstances, and it would be highly advisable to postpone the bill till next session.

Mr. Robinson also said, that although at first he thought it would be highly desirable to make some alteration, yet, on looking into the charter, he found it could not be done, unless such alteration was officially prayed for by the Mayor and Corporation. Still, he would observe, that any such alteration in the election of aldermen would not have been necessary, if the conduct of the citizens had been such as it ought to have been.—The whole blame rested with them, because they had been so lukewarm and careless in the matter, and had so neglected to interfere in securing the election of proper aldermen, that the election had now fallen into such hands, that respectable men could not be got to fill those situations. If the citizens chose to bestir themselves, they might remedy this matter themselves.

Mr. Johnston again supported the propositions to raise the price of freedom, and to allow the Mayor to license poor strangers to trade in the City, till they could take up their freedom regularly; and observed that if, by these means, the aldermen were taken from a more respectable class of men, the other difficulties would be obviated.

After a few words of reply from Mr. Speaker, and rejoinder from Mr. Johnston, the question was taken on Mr. Speaker's motion for postponing the bill; upon which the Committee divided equally, 8 and 8, and Mr. Chairman decided in favour of the motion and *against the Bill.*

The Bill for establishing a Tender, was committed, (Mr. Morehouse in the Chair,) and after some desultory coloquy among hon. members, progress was reported, &c. it appearing to be generally considered, that it would be better to omit any regulation as to the value of British coins, which would most probably require a suspending clause to the Bill, and to confine it simply to making certain foreign coins now current in the province, a legal tender.

BANK OF NEW-BRUNSWICK.

This bill was committed for further consideration—Mr. M'Leod in the Chair.

The principles of this Bill having been so thoroughly discussed on Monday last, the argument was not now entered into again; but the opponents of the bill made a final effort to escort it to a peaceful dormitory under the table, for a temporary slumber. Mr. Woodward first gave the gentle hint, by moving that it be postponed till next session, on the ground that it was quite unnecessary to renew the charter five years before its period of expiration. This was opposed by Messrs. Chandler, Slason, and Weldon, on the ground that that question had already been once decided in Committee.

Mr. J. M. Wilmot suggested that it was a local bill, and ought to have been read at the sessions.

Mr. Crane opposed this opinion, because such a position was never alleged, when the Commercial Bank Bill was in discussion.

Mr. L. A. Wilmot, however, followed up the idea, by contending that if not absolutely local, it was a private bill, affecting private interests, and therefore the 24th rule of the House had not been complied with, which requires all bills, of a local or private nature, to be read at the sessions. The hon. member then moved as an amendment, that the bill be postponed, &c. because the 24th rule of the House had not been complied with.

This amendment was opposed by Messrs. Wyer, Chandler, Partelow, End, Allen, Hayward, and Slason, both on the grounds that the bill was not of a private or local nature, that even if it were, the rule applied merely to the reception of bills, and as it had been received, it could not now be affected by the rule, and that as the main principles of the Bill had already been decided on by a large majority in Committee, it was improper now to move this resolution.

Messrs. L. A. Wilmot, Brown, and J. M. Wilmot supported the resolution, contending that the Bill was of a local and private nature, and that it was competent to the House to throw it out on such grounds at any stage. The amendment and the original motion, however, were both negatived, and the Committee then proceeded with the bill, according to the understanding entered into when previously in committee; a great variety of amendments being successively brought forward, and every one eliciting considerable discussion; but the whole being entirely made up of details and technicalities, was of so completely desultory, heterogeneous, and complicated a nature, as to be beyond the reach of reporting. Finally, [after being in Committee till 6, P. M. the bill was reported as agreed to with amendments, and with an amended title, the increase of capital stock being abandoned. All the guards and restrictions of the Central Bank were inserted in the Bill, and we believe, something more, and particularly a section to render *the private property of the Directors liable to be taken in execution for the liabilities and debts of the Bank;* which amendment was stoutly resisted, but in vain, by the advocates of the bill.]

Tuesday, March 3.

BOUNDARY LINE.

Mr. Putnam, Master in Chancery, brought down a Message from the Legislative Council, accompanied by the following Resolutions:—

"*Legislative Council Chamber,*
2d March, 1835.

"*Resolved*, that the interests of this Province are deeply involved in the question now in dispute between His Majesty and the United States of America, relating to the Boundary between the British Territories in North America and the said United States.

"*Resolved*, that this House has the fullest confidence in the determination of His Majesty's Government to maintain His Majesty's rights, and preserve the integrity of these his North American Dominions, in the settlement of this most important question.

"*Resolved*, that a speedy settlement thereof is earnestly to be desired, as well for the quiet and welfare of the inhabitants of those parts of His Majesty's Possessions which are claimed by the United States, as for the general benefit and advancement of this Province.

"*Resolved*, that this House will join the House of Assembly in an humble and dutiful address to His Majesty, laying the substance of the foregoing resolutions at the foot of the Throne.

"*Ordered*, that the Master in Chancery do go down to the Assembly, and communicate these resolutions. (Signed)

Wm. Tyng Peters, *C. L. C.*"

The House went into further consideration of Supplies for the Public Service; Mr. Hayward in the Chair.—The only interesting discussions were on the grants for the expenses of the late *Militia Court Martial* and for *Legislative Pay*, and these debates were of such extreme length, as to preclude any thing beyond an epitomised report.

COURT MARTIAL.

Mr. Chandler moved that there be granted to His Excellency the Lieut. Governor, the sum of £—— to defray the expenses of holding the late Militia Court Martial; and observed, that as such expenses had been paid on former similar occasions, under the existing Militia Law, which Law had not been repealed, he presumed the present expenses should also be paid.

Mr. Speaker opposed the resolution; insisting that there would have been no occasion for such a Court Martial, had the wishes of the country been attended to, by dispensing with the ridiculous and obnoxious militia inspection. He considered that the Judge Advocate General ought to be paid, because the law provided for such payment, and that officer had a great deal of duty to perform on the occasion, but for all the others concerned, the honour of attending the Court Martial should be quite enough for them.

Mr. Chandler was of opinion that at least the Judge Advocate General and the witnesses ought to be remunerated for their attendance.

Mr. Clinch opposed the resolution, and at considerable length reviewed the frequent and ineffectual attempts of the House to obtain a repeal of the obnoxious Militia Law, and then contended, that the only way to render it ineffectual and the burden less oppressive, was, by refusing to pay Militia expenses.

Mr. Gilbert concurred with Mr. Clinch.

Mr. End insisted that as long as the Militia Law remained in force, the House were bound to pay such expenses, which were incurred under that law.

Mr. Street thought these expenses ought to be paid, because the parties were bound to perform the services when called for, and they had actually been rendered; but that a resolution should be appended, to declare the intention of the House to make no future provision for similar services.

Mr. Weldon supported the resolution, on the ground, that if the expenses of such Courts-martial were not paid, the Commander-in-chief might dispense with them, and dismiss an officer upon complaint, on his own authority, which would be a much more arbitrary and dissatisfactory mode of proceeding.

Mr. Johnston agreed with Mr. Weldon, and thought that it would be unreasonable to expect parties to travel from a distance and to attend on such occasions, without having their expenses paid; though he would not be for paying those who resided on the spot.

Mr. Burns opposed the resolution altogether, because he thought the Court Martial wholly uncalled for, and because it was held at Fredericton instead of in King's County, where the party resided, and thus persons from that county were unnecessarily called to Fredericton.

Mr. Wyer contended that the Commander-in-chief was compelled by the law to call a Court Martial, upon complaint being made against an officer, and that therefore the expenses ought to be paid.

Mr. Brown opposed the resolution, because the law contemplated the payment of no such expenses whatever, except for the Judge Advocate General.

Mr. Robinson also contended that the Judge Advocate General only ought to be paid.

Mr. Partelow was for paying the actual expenses, and nothing more, of such persons as were commanded to travel from their homes at a distance, to attend on this occasion, and for paying the Judge Advocate General; but would by no means pay other parties residing in Fredericton.—Mr. J. M. Wilmot concurred with Mr. Partelow.

Mr. Allen, at some length, contended that a reasonable sum ought to be granted to pay necessary expenses.

Mr. Partelow submitted a reduced scale of expenses, framed on his former suggestion, which brought down the whole grant to £45 9s 3d.

The question was then taken on the *resolution*, which was carried, by 18 to 12; the division being as follows: *Yeas*—Messrs. Johnston, Wyer, M'Leod, Robinson, Slason, J. M. Wilmot, Street, Partelow, L. A. Wilmot, Chandler, Weldon, End, Stewart, Morehouse, Ford, Crane, Taylor, Allen.—18. *Nays*—Mr. Speaker, Messrs. Gilbert, Hill, Freeze, Palmer, Brown, Clinch, Miles, Connell, Burns, Hannington, Woodward.—12.

Mr. L. A. Wilmot said that he had purposely refrained from giving any opinion on this subject, but he hoped that his voting with the majority would not be attributed to any selfish influence from the paltry consideration of £10, which he would receive for his professional services on the occasion. [Cries of "*No, no, no,*" throughout the House.]

On the question for filling the blank, Mr. Partelow moved for £45 9s. 3d.; Messrs. Chandler, End and Allen proposed £60; but the question being put on the smaller sum, it was carried in the affirmative.

[The discussion on *Members' Pay*, is too lengthy for insertion this week. The usual resolution was carried, 22 to 7—Division as follows—*Yeas*—Messrs. Hill, Palmer, Taylor, Woodward, L. A. Wilmot, Freeze, Brown, Wyer, Gilbert, Clinch, M'Leod, Miles, Connell, Burns, J. M. Wilmot, Partelow, Street, Stewart, Hannington, Morehouse, Allen, and Robinson.—22. *Nays*—Messrs. Johnston, Weldon, Ford, End, Crane, Chandler, Slason—7. And the blanks in the resolution, after several divisions, were finally respectively filled with "£30," (Members' pay,) and "15s." per diem for travelling charges; thus rendering the whole exactly the same as the defunct Pay-bill.]

EXTRACTS FROM THE JOURNALS.

LEGISLATIVE COUNCIL, Feb. 27.

The Hon. Mr. Cunard, from the select committee to whom was referred the Bill for facilitating the recovery of the Wages of Seamen in the Merchant Service and Coasting Trade of this Province, presented their report, as follows:

"That they have carefully examined the said Bill, the provisions of which, however, appear to them so objectionable, that they cannot recommen the Bill to the adoption of this Honorable House. Jo. Cunard, Chairman."

Ordered, that the House be put into a Committee of the whole on Monday next, to take the said Bill and the report of the select committee into consideration.

Pursuant to the order of the day, the House was put into a Committee of the whole, to take into consideration the Bill relating to Light Houses and other Establishments on the Island of St. Paul's in the Gulf of Saint Lawrence.

On motion—*Resolved*, that the further consideration of the said Bill be postponed for three months.

The Resolutions of Appropriation, dated the 16th of February, sent from the Assembly, were concurred in by the House, with the exception of the following grants, to-wit:

To the Clerk of the Legislative Council in General Assembly, the sum of one hundred and fifty pounds for the present session:

To the Clerk Assistant of the Legislative Council, the sum of twenty shillings *per diem* during the present session:

To the Clerk of the House of Assembly, the sum of two hundred pounds for the present session:

To the Clerk Assistant of the House of Assembly, the sum of one hundred pounds for the present session.

Resolved, that this House doth not concur in the said excepted Resolutions, because they depart from the usage which has prevailed since the appointment of the present Clerk and Clerk Assistant of this House, to grant annually to these Officers respectively the same allowance that is made to the Clerk and Clerk Assistant of the House of Assembly, which usage is, in the opinion of this House, founded on good reason, and is in conformity with the invariable usage in regard to the allowances of other Officers of the respective Houses.

HOUSE OF ASSEMBLY,

Saturday, February 21.

Mr. J. M. Wilmot, from the Navigation Committee, made a report, which he read, and is as follows:

"The Committee appointed to take into consideration the expediency of improving the navigation of the Rivers, Bays, Harbours, and Creeks of the Province, Report as follows:—

"That they have had under consideration a Petition from sundry inhabitants of the County of Queen's, praying that measures may be adopted by the Legislature, for the purpose of connecting the water of the River Saint John with that of Gage Town Creek, by means of a Canal across Grimross neck; and after a deliberate consideration of the matters therein contained, are of opinion, that the accomplishment of this object would greatly improve the navigation of that part of the River called "No man's friend" for all descriptions of sailing vessels and Steam Boats, and also tend in a particular manner to facilitate the passage of Timber Rafts at the above place; for by means of a canal there, a circuitous rout of near four miles would be saved, and the danger that invariably attends Rafts at that place during the Freshet of being carried by the force of the current into the Dug Way would be avoided.

"And your Committee are further of opinion, that the above measures would be attended with great advantage and convenience to the inhabitants of Gagetown, and all persons residing in that Parish, and therefore do not hesitate to recommend the object of the Petitioners to the favorable consideration of the Legislature.

"They have also had under their consideration the Petition of sundry inhabitants of the parish of Woodstock, praying legislative aid for the purpose of removing Rocks in and near the Maductic Falls in the River Saint John, and for the reasons set forth in the Petition, they are of opinion that a sum of money for this purpose might be usefully applied, if expended under the superintendance and direction of a competent person.

"They are also of opinion from the Report of the Representatives of the Counties of York and Carleton, that a small grant of money is necessary to improve the Towing Path on the margin of the River Saint John within those Counties, and also that a small sum is required for improving the navigation of the Tobique.

"They are also of opinion that grants of public money for improving the navigation of the great Rivers of the Province generally, would be attended with much benefit to the Country, by diminishing the expence of floating to the sea-board our principal staple of exportation.

"All which is respectfully submitted,

J. M. Wilmot, Hugh Johnston, William End, James Taylor, J. M. Connell, Geo. S. Hill.

Ordered, That the Report be accepted.

Resolved that the sum of not exceeding Four hundred pounds granted at the last session to the Commissioners of Light Houses in the Bay of Fundy for the purpose of erecting a Buoy or Beacon on Quaco Ledges, the same to be taken from the Light House Fund, be re-appropriated, and that the whole of that sum or so much of it as may be necessary be applied for the erection of a Light House at or near Quaco Head.

Tuesday, February 24th.

Resolved, That there be granted to Commissioners, to be appointed by His Excellency the Lieutenant Governor or Commander in Chief, the sum of £500, in aid of individual subscription, to be applied towards the building of two Piers at the entrance of Quaco Creek.—To John Kinnear, President of the St. Patrick's Society, the sum of £50, to enable the said Society to extend more effectual relief to the numerous Irish Emigrants arriving in Saint John, to be taken out of the Emigrant fund.—To the Rev. G. L. Wiggins, Minister of Grace Church, in the Parish of Portland, County of Saint John, the sum of £250, in aid of individual subscription, towards establishing a Free School in that populous Parish.—To the Rev. J. Dunphy and the Committee of Management of St. Malachy's Church in the City of St. John, the sum of £50, in aid of individual subscription, towards the education of the numerous children of the Roman Catholic persuasion.—To Charles Simonds, Esquire, on behalf and for the use of the managing Committee of the House of Female Industry in the City of Saint John, in aid towards the support of that Institution, the sum of £30.

Mr. Allen moved for leave to bring in a bill, to prevent the clandestine landing of liberated Slaves and other persons therein mentioned, from vessels arriving within this Province.—The order of the House limiting the time for bringing in bills being dispensed with, leave was granted.

Wednesday, February 25th.

On motion of Mr. Partelow, the House went into Committee of the whole, on a bill for the establishment of a Public Penitentiary, for the City and County of Saint John. The Chairman reported that they had the bill referred to them under their consideration, and passed the following Resolution:—*Resolved*, that the further consideration of this bill be postponed until the next session of the General Assembly. *Ordered*, that the Report be accepted.

Thursday, February 26th.

Mr. Robinson, from the Committee to whom was referred the Act relating to Lumber, submitted a Report, which he read, and is as follows:—

"The Committee, after a great deal of consideration of this subject, and examining many documents relating thereto, they have deemed it advisable not to make any alteration at present, and have therefore prepared a bill to continue the said Act, under the title of a Bill, intituled, "An Act to continue the Act relating to the Exportation of Lumber." Which is respectfully submitted.

GEO. D. ROBINSON, Chairman.
I. WOODWARD,
JOHN P. FORD,
THOMAS WYER,
PETER STEWART,
PATRICK CLINCH,
L. A. WILMOT.

"*Committee Room, 26th February*, 1835."

Ordered, that the Report be accepted.

Saturday, February 28th.

Resolved, That there be granted to the Mayor, Aldermen, and Commonalty of the City of Saint John, the sum of £327 10s. being the balance due them for the erection of a Building on Partridge Island, for the comfort and accommodation of Emigrants; also a further sum, not exceeding £250, to be applied for the building of a suitable residence for the Health Officer there to be stationed, the same to be taken from the Emigrant Fund.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £300, to be applied towards defraying the expense of building, equipping, and fitting a good, substantial, and effective Steam Boat, of not less than 30 horse power of good quality; which Steam Boat is to run at least once per week (when practicable) between Fredericton and Woodstock, for the conveyance of the mail, freight, and passengers; the said sum to be paid to such person or persons as will first build and provide said Steam Boat, and establish the same on the said route or station, whenever it shall be certified to His Excellency or Commander in Chief, by such person or persons as he may appoint for the purpose, that such Steam Boat has been built, and been running 8 weeks on the said route or station.

COMMUNICATIONS.

[FOR THE COURIER]

To the Gentlemen of the Common Council who composed the "Committee of the Carleton Ferries."

Gentlemen,—

I have been informed, by a Member of your Honorable Board, that my name has been slandered in your debates, relative to the Carleton Ferries; and that I had been accused of equivocating, and not complying, with the Ferry Contract.—In justice to myself, therefore, and for the information of the public, I consider it my duty to give publicity to the whole transaction.

On the 10th January, 1834, I leased at public auction, the Carleton Ferries, for one year, and got possession of the same;—soon afterwards, I waited on Alderman VanHorne, (one of the Committee,) for the purpose of executing the Lease, but found it was not prepared; afterwards, I repeatedly called on Mr. VanHorne, for the same purpose, but with no better success. I likewise waited on Mr. Hooper, (another of the Committee); and ultimately on all the Committee, at least eight or ten times. Getting no satisfaction from that quarter, I appealed to His Worship the Mayor, relative to the Lease, who assured me he would bring the circumstance before the Board.

After four months from the time of sale had elapsed, I was handed a Lease, but declined signing it, as it was not in accordance with the terms of sale, which was corroborated by Mr. Kerr, the Auctioneer.

Seven or eight months subsequent to the sale, Mr. James Peters produced to me a second Lease, which I individually would have signed, but my Bondsmen declined, on very just grounds: that my privileges had been completely infringed upon, as several individuals regularly plied boats on the ferry, carrying passengers and freight, and receiving equal remuneration with the regular ferrymen, and for which I had no remedy, being deprived of my Lease.

At the lapse of ten or eleven months, Alderman Bond and Assistant Hooper (of the Committee,) waited personally at my store, on the business of the Lease: I again repeated that I was prepared to sign the Lease, but objected to security, on the grounds before stated. Thus rests the transaction up to the present period.

Now, Gentlemen, I feel confident that a discriminating public will bear me out, that I have been trifled with and ill-treated, from the beginning to the end. Owing to the negligence of the Committee my privileges have been infringed upon,—my loss considerable—and last of all, my character traduced at your Board, whereas the whole censure ought to rest on yourselves.

I am, with respect, &c.
JOHN W. CHASE.

[FOR THE COURIER.]

"Fearless but Faithful."—*Hooper.*

Important from the Colonial Office!!

DISSOLUTION OF CO-PARTNERSHIP.

The great *business* lately carried on in that extensive *Factory of Truth, Morality, and Literature*, on the South side of the Market square, in this City, under the firm of Hooper & Mentor, which was commenced some weeks ago with a small *Capital* in the name of *Elliott, Johnston & Hooper*, was dissolved by mutual consent on the 2d inst.—(*See British Colonist of that date.*) This change of affairs has been induced by the acknowledged inadequacy of Mentor to conduct, any longer, a business of such magnitude. To use his own words, "Newspaper warfare is a war I know not how to wage. The powers of positive vice I can in no degree comprehend." Therefore, in utter despair of ever being able to make any thing of those "miscreants" who "are dead to common decency and common sense, and cannot understand what defeat means," he takes his leave of them and his *faithful* partner at the same time; but not without expressing a sanguine hope that he "may not be again brought into *contract* with such an arrant knaves," whom, he says, to assail, even "with the shafts of satire would be like lecturing to a sign post."

However, the public have no need to be duly alarmed at this sudden change in the management of the *Great Moral Mart* of our city, for the same dates give us to understand that the affairs will henceforth be conducted by the old and well tried hand, Mr. Hooper himself, whose increasing "*respect for the morals of the rising generation*" will be a sufficient security against all future abuses and innovations: especially, and what his eye is chiefly fixed on, the evils which must necessarily result from looking upon that *Veritas* any longer as a "moral character" or allowing him to hold a situation which would so much endanger the morals of the young.

And that nothing may be wanting to make up the sum of his qualifications for continuing the business, he holds himself "bound however reluctantly, when called upon," (just with about as much reluctance as he seized upon the little *firebrand, the Card*, which has burned the fingers of the whole firm,) "to give such unequivocal proofs as will leave no further room for doubt of the falsehoods and unprincipled conduct" of the unprincipled Veritas, who would not tamely let him enjoy his *little feast*, but wrested it from him with such unexpected violence; and, for spite, entered into the *spirit of his motto*, turning it *upside down* and *inside out*, and week after week, chased him from one lurking hole into another, not giving him rest for the sole of his foot, till he ran him so deep under water that he could just send but a few bubbles to 'the surface of the stream.'

But to return for a little to Mentor, (ceasing for a moment, for the sake of argument, to dispute the reality of his existence,) can it be wondered at, that the man would betake himself to retirement from the fatigues of such a business, when we consider the unexampled drudgery to which he was goaded on by his merciless *companion*. The poor creature was compelled to write, although he was "rude in speech" and totally unskilled in "*newspaper warfare*:" and though his own "rude" but simple style, would have accorded much better with the nature of their business; yet he was forced (and that was no easy task) to adopt and imitate the style of his learned coadjutor and grace his publications with a similarity of hackneyed but favorite phrases. Two or three from his last effusion will serve as a specimen,—"that contaminated paper"—"this demagogue, the nominal Editor of a purchased paper, the servile tool, &c."—and to add no more,—"assail with the shafts or satire," and "lecturing to a sign post." Now, Mr. Chubb, is it to be thought strange that an unlettered man, who did not expect to reap a farthing of benefit by it, would chuse to abandon such a course of tuition as this?

But this was not the worst, Sir:—with his heart beating with fear, lest his real name should be elicited and thereby be brought "into trouble," he was urged on to give Veritas and yourself a challenge "to meet and investigate," and when his existence was still called in question and the effect which the challenge was intended to produce consequently done away, he was compelled to contend afresh for his *identity*,—issue forth a new challenge, and append to it, for the purpose of producing additional effect, one of the most barefaced falsehoods that the wickedness of man could invent, viz:—his *interview* with you in your office. And, Sir, when his *driver* was determined, rather than that all should be lost, to hold him to the point and, as Veritas anticipated, cast you in the lie, he effected this extreme of his iniquity, and, in terms from which the mind shrinks back with horror, this imaginary *Being* was compelled to renew his claim to the interview!!!

I know something of the depravity of human nature, Sir, both within and around me, by the effects which it produces both on myself and others; and I have witnessed no small degree of it in Mr. Hooper's protracted obstinacy in supporting his offence; but even in *him* I did not expect to be compelled to witness it in so impious an extreme as the case before us so unhappily discloses.

But, Sir, if there be any possibility of reclaiming a man from such flagrant violations of every law, both civil and moral, by which mankind are bound to be regulated, the failure of success in in the schemes to which those laws are sacrificed must surely contribute in some measure to produce the effect;—and I can truly say, that for this cause more than any other, I might divest him of every tatter by which he would attempt to conceal the nakedness of this iniquitous affair, were I to follow my assailant to the end of the course: and now it must come to a close.

It will be evident to all who have read, that Mr. Hooper founded his allegation upon the reality of Mentor's existence as one of the soldiers, and claimed his victory on our declining "to meet and investigate:" and it is equally evident that on the plea of his existence, and since his name appeared, we have sustained all the abuse which Mr. H. saw fit to discharge upon us, and solely because I affirmed that there was no such man.

It is equally apparent that if Mentor had had this *interview* in your office, that you, at least, must have known the man in his own proper person and name; and that if he expected to meet and "confront and defeat," &c. he must have been seen and known in his own proper name.

Now, Sir, when Mr. H. had so fixed himself that, with all his powers of permutation, he could not avail himself of another shift, and at a moment when the real name of *Mentor* was likely to be called for, he wittingly anticipates the demand, packs Mentor about his business, as unfit any longer for the service, and at the heels of no "attempt to spoil a rotten egg," with which he graces the peroration of his *address*, he gravely tells us, that "it is the aim of this goodly pair of defamers to elicit the real name of Mentor, and thereby bring him, if possible, into trouble," and then winds up his period by adding,—"We can fully satisfy any reasonable enquirer, of the truth of our assertions, without making that disclosure, which would allow them to revenge themselves on a resistless, but inoffending party."

O! Sir, with what paternal care does he shield this child of his from the troubles to which the discovery of his real name might subject him; and mark how much more tender he is of him now than when he was goading him on to all the fatigues, both mental and bodily, to which his late hard services exposed him.—But he need not be concerned: Veritas and Mr. Chubb will not hurt a hair of his head: they rather sympathise with him in his late distresses; and after he recovers himself a little, if he will, with the concurrence of his *guardian*, come along to Mr. Chubb's office—the place and the man being both perfectly familiar to him—and bring with him two or three of those "respectable persons" who investigated both him and his manuscripts, that Veritas may also have the pleasure of hearing and seeing an individual of such distinction, Veritas and Mr. Chubb will both give good and sufficient security that they will keep the peace, and neither molest nor interfere with him in any manner whatever.

Let Mentor do this, and Veritas is his friend. Surely Mr. Hooper will not decline this last and only proof of the rectitude of his cause. His future success in the business which now devolves upon himself, singly and alone, certainly requires that something should be done: or, like the Ostrich, which, when it can no longer elude the pursuit of the huntsman, thrusts its head into a hole, and suffers itself tamely to be taken, will he, in imitation of its example, unresistingly submit to his fate? VERITAS.

The Courier.

SATURDAY, March 7, 1835.

Accounts from France, a few days later than those of last week, will be found among our extracts: they are of a pacific nature.

The intelligence respecting the termination of the Elections in Britain, would now lead us to expect that the new House of Commons will have a majority of talented and influential members, willing to give the present Ministry a fair trial.

Provincial Legislature.—Wednesday's debates in the House of Assembly came to hand yesterday afternoon. They extend to 22 pages of manuscript. The subject of discussion was the right of the Council to interfere in the money appropriations of the Assembly in the way which has been done respecting the allowance to the Clerks of the two Branches.—(*See resolution passed by the Council, in another column.*)—A motion for a grant to the Clerks, introduced by Mr. Weldon, was negatived,—the division being *twenty-seven* to *two*.—Names not given. The Committee of Supply closed on Wednesday.

Kingston Assizes.—A Special Court of Oyer and Terminer was opened at Kingston on Monday last, before His Honor Judge Parker. The Grand Jury having returned true bills against John O'Brien and James Carson, for *Rape*, the Court proceeded to the trial of the prisoners on Tuesday morning. The prosecutrix, Sarah Ann Wright, a girl 14 years of age, swore most positively to the offence having been committed; but there being several discrepancies in her testimony, (as well as in that of her aunt, who was called to support it,) and her character for veracity being somewhat impeached, the Jury, with very little hesitation, acquitted both prisoners. O'Brien is about 17 years of age, and Carson about 15—both very small for their years.—Mr. G. F. S. Berton conducted the prosecution on behalf of the Crown, and Mr. Wright and Mr. Perley were Counsel for the prisoners.

The following Address was presented to His Honor Judge Parker, at the late Circuit Court in King's County:

To His Honor Mr. Justice Parker.

May it please your Honor:

We, the Grand Jury for the County of King's, most respectfully beg leave to express to your Honor our warmest congratulations upon your late appointment to be one of the Judges of the Supreme Court of Justice in this Province. We are unfeignedly gratified that a Gentleman of your well known uprightness and professional ability, has been selected by His Majesty to fill that high and honorable office, which was left vacant by the death of your worthy predecessor, whose loss we most feelingly deplore.

Be assured, Sir, that we look forward with proud satisfaction to the wide field of public usefulness which now presents itself to you; being well convinced, from your past labours for the general good, that you will continue to discharge the highly important duties of your present situation with fidelity and honor. And we most sincerely hope that many years of happiness may await you in the exercise of your Judicial functions, together with the choicest comforts of private life.

We, most respectfully, remain
Your Honor's most devoted
and most humble servants,
(*On behalf of the Jurors,*)
CALEB WETMORE, Foreman.

Kingston, 30th January, 1835.

To which His Honor replied as follows:

Sir.—I beg to return my grateful acknowledgments for the honor conferred by the Address which you have presented to me from the Grand Jury of King's County, congratulating me on my recent appointment to the Bench of the Supreme Court.

It is my earnest and constant prayer, that I may be enabled, by a faithful discharge of my duty, not wholly to disappoint the expectations, which have been so kindly expressed, of advantage to the public, from this His Majesty's gracious favor in my behalf; and it is most gratifying to find that my past conduct has given satisfaction to those among whom I am now called to the exercise of the judicial office.

Permit me to thank you, and the other Gentlemen of the Grand Jury, for your wishes (so feelingly conveyed) for my future welfare, which I desire most heartily to reciprocate, and believe me, Sir, Your obliged and
Very obedient Servant,
R. PARKER.

Caleb Wetmore, Esquire,
Foreman of the Grand Jury
at the Circuit Court of King's
County.

The following, which has been handed to us, will be found, we believe, to comprise a correct catalogue of the important National Works, (printed by order of the Commissioners for the Preservation of the Public Records,) which may be expected to arrive in this Province in the course of the ensuing summer, as a donation from the Home Government.

The Statutes of the Realm, in 9 vols. royal folio. (The first volume contains the Charters of Liberties, from Hen. I. to Edw. I.; and the Statutes from Hen. III. to Edw. III.; the remaining volumes, from that time to the end of the reign of Queen Anne. This is the most perfect collection of the Statutes, for the given period, in existence.)

An Alphabetical Index to the above, royal folio.

A Chronological Index to the same, royal folio.

Taxatio Ecclesiastica Angliæ et Walliæ, A. D. 1291, royal folio.

Valor Ecclesiasticus. Temp. Hen. VIII. Vol. 1 to VI.

Placitorum in Domo Capitulari Westmonasteriensi Asservatorum Abbrevatio. Temp. Ric. I. Johan. Hen. III. Edw. I and II. folio. (Abtracts of Pleadings before the King in Parliament and Council, &c.)

Calendarium Rotulorum, Chartarem, et Inquisitionum ad Quod Damnum, folio. (Charter Rolls in the Tower from King John to Edw. IV.)

Domesday Book, with Indices, and Supplements, 2 vols. royal folio.

Indices et Additamenta to Domesday Book, 2 vols. demi folio.

Testa de Nevil, Temp. Hen. III. Edw. I. folio. (Book of Fees held of the King, Churches in his gift, &c.)

Calendarium Rotulorum Patentium in Turri Londinensi, folio. (Calendar of Patent Rolls in the Tower.)

Rotulorum Originalium in Curia Scaccarii Abbrevatio. Temp. Hen. III. Edw. I. II. & III. 2 vols. folio. (Original Rolls in the Court of Exchequer of Estreats, &c.)

Placita de Quo Warranto. Temp. Edw. I. II. III. In Curria Scaccarii Asservata, folio.—(These documents are frequently referred to in Courts of Law.)

Rotuli Hundredorum. Temp. Hen. III. and Edw. I. Vol. I. folio. Vol. II.

Rymer's Fœdera, Conventiones, &c. Vol. I. 2 parts, folio. Vol. II. ditto. Vol. III. ditto.—(Many important additions have been made to the celebrated collection by Rymer in this work, which is not yet completed.)

Ducatus Lancastriæ, Pars Prima. (*Calendar of Inquisitions, post mortem.*) Pars Secunda et Tertia. *Calendar of Pleadings, &c.*) 2 vols. folio.

Calendarium Inquisitionum Post Mortem, sive Æscætarum. Hen. III. Edw. I. II. III. Rich. II. Hen. IV. 3 vols. folio. Vol. IV. Hen. V. VI. Edw. IV. and Ric. III. with an Appendix.

Inquisitiones Nonarum in Curia Scaccarii. Temp. Edw. III. folio.

Catalogue of the MSS. in the Cottonian Library, folio. Harleian MSS. 4 vols. folio. Lansdowne MSS. folio.

Calendars of Chancery Proceedings in the reign of Elizabeth. Vols. I. II. and III. folio.

Parliamentary Writs and Writs of Military Summons. Vol. I. folio. Vol. II. 3 parts.

Inquisitionum Retornatarum Scotiæ Abbreviatio. 3 vols. folio.

Registrum Magni Sigilli Regum Scotorum, folio. (Royal Charters of the Kings of Scotland.)

Acts of Parliament of Scotland, folio, Vol. II. to XI. (The first volume is not yet published.)

Rotuli Scotiæ, 2 vols. folio.

Sir Howard Douglas.—The *Miramichi Gleaner* of the 24th ult. says—"Private letters, we understand, state, that although this worthy Baronet has lost his election for Liverpool, his friends have succeeded in effecting his return for another quarter." We hope this may prove true; but we have not yet seen any confirmation of it in the English papers.

Melancholy Accident.—On Thursday last, a boat, in which were three men, (one of whom was Mr. John Brice, of this City,) was unfortunately upset a short distance from the shore near Point Lepreaux, in the Bay of Fundy, and before assistance arrived, Mr. Brice was lifeless: the other two men barely escaped with their lives. Mr. B. was an industrious man, and has left a wife and child to mourn their loss. His remains will be interred to-morrow (Sunday) afternoon, at half-past 4 o'clock, from his late residence in Duke Street.

A Coroner's Inquest was held, and a verdict returned of "Accidentally drowned."

Yesterday, an Inquest was held at the Alms House, on the body of a man by the name of Peter M'Cartney, whose death was caused by his falling off Disbrow's wharf, on Wednesday night, at low water, which fractured his skull in a shocking manner.—He lingered till Thursday night. A Verdict was given of "Accidental death."

At the Annual Meeting of the Stockholders of the *New Brunswick Fire Insurance Company*, on Monday the 2d March, the following gentlemen were elected Directors:—

John M. Wilmot, James Hendricks, G. T. Ray, Daniel Ansley, F. A. Kinnear, A. S. Perkins, R. M. Jarvis, John Kinnear, R. F. Hazen, John Boyd, William Jarvis, John Hammond, Le Baron Hazen, Esquires.

And at a Meeting of the Directors held this day, John M. Wilmot, Esq. was re-appointed President.—*Observer of Tuesday.*

SAVINGS' BANK.

Open every Tuesday, *from* 1 *to* 3 *o'clock.*
Office in King-street.—D. Jordan, Cashier.

Deposited in February, - -	£211 12 3
Withdrawn in ditto, - - -	81 4 0

Committee for March:
Thomas Millidge, Esquire.

Central Bank.—At a meeting of the Stockholders of the *Central Bank of New-Brunswick*, held at the Bank in Fredericton, on Monday the 2d of March, 1835, the following Persons were elected Directors for the ensuing year, viz.:—

Henry G. Clopper, Oliver Smith, James Taylor, F. E. Beckwith, John Simpson, Thomas Pickard, William J. Bedell, George J. Dibblee, John Robinson.

And at a meeting of the Directors, subsequently held at the Bank, Henry G. Clopper, Esquire, was unanimously re-elected President.

Reports of Cases in the Supreme Court, by G. F. S. Berton, Esq.—We have commenced the publication of the Supreme Court Reports from the beginning of the present year, and propose to publish the Cases determined at each Term, in a pamphlet, immediately after the Term. The number for Hilary is now ready for delivery. Uniformity in size, &c. will be preserved, that the numbers may afterwards be formed into volumes. Annual subscription, *Twelve Shillings and Sixpence.*—[Royal Gaz.

Nova-Scotia.—The Legislative session was closed on the 19th ult.—Sir Colin Campbell's speech on the occasion is comprised in few words:—"In giving my approbation to the measures which have passed into Law, I think it my duty candidly to express my regret that the House of Assembly did not adopt my recommendation of applying a moiety of the Road Money to the repairs of the Great Roads and Bridges, leading from the capital to the different extremities of the Province; but I feel persuaded that next session the House of Assembly will see the necessity of attending to this most important subject.

"I thank you, in the name of His Majesty, for the supplies which you have granted for the service of the present year, and cannot but express my satisfaction at your having commuted the Quit Rents; your having done so, I am persuaded, will meet the approbation of the country at large, and will not fail to convey a fresh proof of the public spirit, and a sense of justice towards His Majesty and the Mother Country, which have guided your Legislative proceedings, and conferred upon them a character so honorable to this Province."

Lower Canada.—The Provincial Parliament assembled on Saturday the 21st ult. His Excellency Lord Aylmer went down in state from the Castle to the Legislative Council Chamber, and the Assembly being sent for, they were in-