Wednesday, January 30.

CHARTER OF KING'S COLLEGE.

Mr. L. A. Wilmot pursuant to notice, moved that the House resolve itself into a Committee on the above Bill.—Mr. Barberie in the chair.

Mr. L. A. Wilmot introduced the Bill with remarking upon the importance of the College Charter and of the proposed alterations, and of the necessity that existed for calm and mature deliberation. He said that having been engaged in the examination of the subject, his mind had become familiar with its workings and with the complaints that were in existence against the institution; and he felt prepared to propose a remedy which in its general features would be found to be correct. He said it would be found by referring to the Journals, that so long since as 1825 the subject engaged the attention of the Assembly which has since so intensely agitated the public mind. It was then proposed to grant £1000 to be appropriated by government from the casual and territorial revenues, and to shew that the complaints now made are not of recent origin, it was to be given on condition that no religious tests should be demanded of the students. In conformity with that provision, the College Charter contains no such requirements; but there was unfortunately an omission of which advantage had been taken; and it is provided that members of the council shall subscribe to the thirty-nine articles of the Church of England; and the charter contains several other objectionable clauses to which he would not then allude, but which had retarded and injured its usefulness from that time down to the present day. In 1826 a message was sent down from the then Lieut. Governor, recognising the charter, and agreeing to pay £1000 from the revenues already alluded to. This at the time was thought to be a great boon, for at that time there did not exist much information upon the subject; those revenues were not considered amenable to the control of the Provincial Legislature, and the offer was accepted, and met by a corresponding annual grant of £1000 by the Legislature; and from that period the conditions of the grant had continued to be fulfilled. Let the Committee look at the Journals of 1826, submitted by Mr. now Judge Parker. The very first of those Resolutions shewed what the feeling of the House was at that time—it was in part as follows:

"Resolved, that this House is deeply sensible of the favour of His Majesty's Government, in establishing a College in this Province; the honors and advantages of which so far as can consistently be done, may be attainable without subscription to the Articles of the Church or any other religious tests; *this House being satisfied that any such restrictions would not have tended to advance the cause of religion or the church, but would have hindered the institution from ever attaining to any eminent or general usefulness; if they did not entirely prevent its first establishment upon any permanent basis.*"

These were then the opinions which prevailed in that day—three years anterior to the charter and the Act of endowment; but unfortunately they were not productive of that liberality in the charter, which their truth and reasonableness demanded, and which the constituency of the Province required. These principles he said were in 1829 embodied into a law, and were followed by the statutes of the college, which caused very general dissatisfaction. In 1832 application was made to the Executive for information as to the expenditure of the college funds; and the Honse was informed that it would only be given as a matter of courtesy but not of right. Since that time, however, a better order of things has been established, and the accounts have been furnished when required. The learned gentleman then turned the attention of the Committee to what had taken place last year, when the consideration of the college charter was referred to a Committee to report upon. They naturally turned their attention to similar institutions in other countries; and they found that the charter of the college in Upper Canada had been altered and amended in 1837, in a manner similar to that proposed by the present Bill, and which passed and went into operation without having attached to it a suspending clause. The Committee then examined the charter of the college here, and found that grounds of complaint existed, and the consequence was, they reported certain modifications. These modifications were embodied in the Bill then before the Committee. By the regulations of the college the Lord Bishop of the Diocese must be the visitor, and this led to the enquiry whether there existed any necessity for such an officer; and if there does it must be evident that some person should be appointed, who would visit the college oftener than once in three or four years. It had therefore been proposed to substitute two visitors instead of the Bishop, that the institution might enjoy the benefit of at least an annual visitation; and the Chief Justice had been recommended for one of those offices and one of the Judges for the other. The Committee, however, were not wedded to this recommendation, if any other should be hit upon by the Legislature. The next subject he had to notice, was the want of power in the college council to make such alterations or introduce such provisions into the statutes, as from their acquaintance with the affairs of the college they might deem advisable.—But by the charter it was provided, that any time within two years the Bishop might disallow such proceedings, thus giving to that Prelate an authority analagous to the power of the crown. There must exist some strange reason which reserved to the visitor the power of annulling in this way acts of the council, which were founded on the knowledge of the wants and perhaps abuses of the college. The Charter he said, then provides that the Archdeacon of the Province for the time being, must be the President of the College. It did not follow from the Report of the Committee, that he was not qualified to fill that situation, neither was it to be inferred, that he was the only person who was fit to discharge its duties. It was the distinctive feeling thus created of which complaint was made; and although the evil might be imaginary, yet the feeling had become so strong as to impede the usefulness of the institution. As to any hostility which might exist against the institution itself, it might be traced to the improper distinctons which the charter created, and which should be abolished. The Bill does not go to disqualify the Archdeacon, or say he should not hold the situation of President, it merely said he need not hold that office, the Bill did not make it imperative either way; and although as he before remarked, the evils complained of might be purely imaginary, and some of them he believed were, yet the removal of an obnoxious disability would do good. In the next place, the charter required that every member of the college council, should subscribe to the thirty-nine articles. He would ask where is the utility of such a requirement; are members of the Church of England the only persons qualified for the discharge of that duty, or was it supposed that Religious dissent unfitted a man for intellectual or literary pursuits or acquirements. This would not be admitted, nor was there any magic effect produced by a subscription to the thirty-nine articles that qualified a person for the situation of member of the council. This restriction he said had been abolished in Upper Canada. The learned gentleman read the act as it applied to the subject, and which had been engrafted on the Bill. It was understood the situation would not be open to men of infidel principles, they would stand in the vestibule, and guard the institution against the approach of irreligion; but a man professing and believing its essentials, should be deemed eligible to fill any office, either as professor or member of council. By the charter seven professors are allowed to belong to the college council, and until recently every professor sat at the board. This had formed the subject of complaint among the students themselves, the professors sometimes acting in the double capacity of complainants and judges, and in his opinion possessing too great a preponderence. There was no necessity for such a number of professors in the council, two of them would be quite sufficient for the purpose of communicating any information as to the statutes and rules, and other persons could be found to supply the place of other professors. It had been said that the Report of the Committee went to abolish the supremacy of divinity in the college councils, and to substitute those of the law; but the Committee were not wedded to their recommendation in that particular; he thought the Speakers of the two Houses should be ex-officio members of the council, and if any gentleman would propose that as an amendment he would support it. Another difficulty presented itself with reference to the charter, no member of the council can introduce any alteration or improvement without the consent of the chancellor, who must consult the president and the most senior members, and obtain their sanction; it should be open to any member of the college council to introduce any measure he should deem advisable, without previously obtaining the sanction of any officer of the college. The Committee of last year supposed that it was the wish of the Petitioners as well as others, to erect Professorships of Theology for different denominations, but they were averse to making the college a theatre of polemical contention; neither would they abolish the theological chair, and make it solely a literary and scientific institution; they were not desirous of interfering with the course which had hitherto been pursued. The Wesleyans—the sect to which he belonged, he said had no wish to have a chair in the college; but if they introduced one denomination it must be extended to others; no person ought to go to college for the mere purpose of supplying himself with arguments for the support of his peculiar doctrinal tenets; the lectures ought to embrace the wide range of ecclesiastical history and general theology. He believed the Rev. Dr. Somerville who had filled the chair for a number of years, had never used an expresssion which could have given offence to persons of other religious sentiments. To erect different chairs, therefore, would be a wasteful expenditure of public money. He thought the theological chair should remain as it is; and if a prejudiced person could not listen to lectures on the general principles of theology, he should remain away. The Committee would now see the claims of the people ought to receive attention and be complied with. Since the establishment of the college in 1829, grants have been made to the amount of £22,000, besides £15,000 for buildings and land, making the sum of £37,000; which had been paid withing ten years, the interest of which would amount to upwards of £2000. The Legislature therefore had not only been punctual but liberal, and when in addition it was recollected that 5,900 acres of land had been granted for the endowment of the college, there could be no doubt that all unfair restrictions should be removed. This reasonable request he understood, was approved of by some of the professors, and he felt he was authorised to say that parties who were interested, looked upon the report of last year as fair and proper. The public require the proposed alteration, and that all injustice should be removed. There were other evils than those to which he alluded, and which are generally considered a violation of the claims of the community generally; but probably many of them were groundless or imaginary.—The learned gentleman said he should not occupy the time of the Committee any longer; he did not expect to have spoken so long. The alterations that had been proposed, were taken from the modification of the Upper Canada College Charter, with the exception of the two professors who were to be retained in the college council; he trusted the other members of the Committee would express their sentiments, and hoped the measure proposed would enable the college to do good and that those obstacles would in this way be removed which restrict its usefulness. There ought to be one common desire in every hon. member to put his hand to this work of reform, so as to extend the benefits of the institution, and to make it diffusive of that general and lasting good to the country, which was on every account so desirable, and which was the chief object of all to promote.

Mr. Brown had waited to hear from other of the members of the committee, appointed last session, of which he was one. The report which they made, he said, was signed by only three of the Committee; one of them had not been able to attend the meetings, and therefore did not feel prepared to sign the report, the other dissented entirely, and he hoped to hear the other hon. and learned member advance on the floor of the House, those reasons which induced him to withhold his name. He had not done so, however; and as the general principles of the bill seemed to be admitted from the silence which prevailed, he should not take up the time of the Committee. As little remained to be said, after what had been said by the learned member for York, he should only state, that he entirely agreed with his learned friend, and which he trusted would be found borne out by facts.—The reasons which induced the select committee, to whom the subject had been referred, to come to the conclusions which were embodied in their report had been fully set forth, and he most heartily responded. With respect to the nomination of persons to fill various situations under the college charter, and the selection of gentlemen from the learned professions, he could only say, it was difficult where else to choose. The subject had undergone much discussion in the select committee, and it had been proposed to appoint the Speakers of the two houses.—Should that suggestion meet with the approbation of the Committee, he would move it as an amendment to the bill.

The Hon. Speaker thought the amendment objectionable; he was also opposed to having two visitors. It would be very well to confine it to the Chief Justice alone. For his own part he should object to being a visitor of the college, as he felt he should be unable to render it service. The same observations might apply to other speakers, who might not have a liberal education. He should therefore object to the amendment, and he thought there would be greater advantage derived from having one visitor than two.

Mr. End was on the select committee of last year, but did not intend to address the Committee because his opinions were well known; but he felt himself in a degree called up, by what had just fallen from the hon. member for Charlotte County.—With respect to the committee in question, he said it could not be called a packed one;—there was the member for the County of York, who declared himself to be a methodist, he was an unworthy member of the Church of England, another of the committee was a universalist, and a fourth belonged to the Society of Friends; and the hon. member from Westmorland, of whom the hon. Speaker had once said it was impossible to define his politics, and the same remark would apply to his religion, declined to act. Be that as it might, he would not sign the report. The learned gentleman said he considered he owed it to his station and situation in the Assembly, to state why he did not sign that document: he trusted it did not arise from stupidity or bigotry; with the former he might be charged, but not with the latter. He was decidedly against changing the College charter at present, and if he had any doubt upon the subject, the arguments of his learned friend from York had removed them. It was right that he should take a comprehensive view of his subject, and try it fairly before the house; that practice he acquired from his profession, and he certainly had taken a very wide range. He had reverted to the grant of £1000, which he said at the time was considered a mighty boon, but now people had grown wiser, and found the money was all their own. The allusion, the learned gentleman said, he considered as improper, and calculated to excite unpleasant feelings. He would pass that however. The learned member who opened the debate, had admitted, that the college should be an ecclesiastical institution—there must be some church connected with it. But the people required that certain evils should be removed, many of which, he had acknowledged, were purely imaginary.* Yet such was the state of the public mind upon the subject, that they must be borne down, and go with the stream; the whole structure must be altered or removed, because there are complaints of evils that are purely imaginary. That was strange language to be used in the house. He had formerly heard it stated, in the Council Chamber, that no man doubted the system that was pursued in the Crown Land Office, or impugned its correctness, but because public opinion was against it—down it must come. If he were misquoting the expression, he could be corrected. He, for one, would not yield to popular claims, if they were wrong, or go with the multitude to do evil. He denied, however, that popular feeling called for those changes; he did not hear a word against the institution in his own county, or among the different counties through which he passed. He believed in that House was concentrated all the opposition against the College. He would ask what denomination would the different sects agree should prevail in the College? whom would they trust? would they trust each other?—The learned gentleman said that he, for one, was satisfied a preponderating influence should be placed in the hands of the Church of England, whose fundamental principle was liberality. He should feel regret, were he by any observations that he should make at any time, to hurt the feelings of those from whom he differed, in the slightest degree; but he preferred the present constitution of the College, because he considered it safer in the hands of the Church of England, than any other denomination. The learned gentleman said he belonged to that religious community, of which John Wesley was the founder; but would John Wesley have sanctioned the course of proceedings which his learned friend was then pursuing?—he never would—he never did. John Wesley would not have put a glittering steeple to a meeting house, dazzling the eyes of all who approach the place in which it is erected.—There was something in the nature of all sects which rendered them desirous of power, and he would rather rely upon one which was known than trust to others. But the Chairman of the Select Committee, Mr. Wilmot, had said, they had taken a view of the constitutions of other institutions, and ultimately had fixed upon that of the College of Upper Canada as their model. But that constitution was granted to Upper Canada at a period which New-Brunswick would not take example from, and which the committee should have received with some grains of allowance.—If the learned member for the County of York had turned his attention to the results that had attended the alteration of the Charter of Upper Canada, he would have found that it had not worked well.—It had worked the ruin of that establishment, and it would do the same here. He hoped that was not the object of those who complained in this province. The institution against which these attacks were levelled, has for its object the benefit of the rising generation, and he trusted it would not be overturned. He would ask into whose hands would the opponents of the College commit its guardianship and direction? About one thing they all seemed to have agreed. The Bishop should not have the charge, no matter who else might be substituted—the Devil or Doctor Faustus, but not the Bishop. But the learned gentleman said he must be satisfied the Bishop had done mischief before he would agree to put him out: he would not consent to change, for the mere purpose of change. The learned gentleman said it was not intended to make the College a school for polemics; but that would be the result if the recommendations of the Committee were adopted, and it would become a mere wrangling hall. It had been admitted also, that the institution was doing good. It was a subject of astonishment to him that it existed at all, and that it had been able to withstand the repeated assaults that had been made against it. There must be something radically good about it, when it could withstand those attacks from within and without. He regretted also to say, that persons of influence still continue to send their children to other countries for education, some of whom went to the United States, and might contract those republican notions that are fatal to the institutions of the country. Allusion had formerly been made to the drinking of whisky punch by the students, and other offences of a similar kind. He should like gentlemen to take a peep into the proceedings at Trinity College, Dublin, they would find the students there guilty of equal excesses, and hear of them sometimes pulling a pig over the walls, which the young gentlemen had hooked up in Nassau street. He did not wish to justify such conduct, but they were mere juvenile pranks, and beneath the notice of a grave legislative assembly. These attempts were almost too contemptible to be alluded to, and he only mentioned the circumstance to show the nature of the opposition against which the College had to contend. He repeated that he was a member of the Church of England, a church which does not desire to ride over people; and no person dare attribute to her such motives; but he did not wish to see wise and wholesome regulations dispensed with. If that were done with reference to one religious community, why not apply the principle to all?—Why should the Catholics be excluded, who had contributed their money as well as others?—The College should have a fair trial; and he felt satisfied it would have a beneficial effect if freed from the force of that excitement, against which it had to contend. By the gentleman's own admission, the institution was mending its ways, and those accounts that were formerly furnished as a favor, were now transmitted as a right. The learned gentleman concluded by saying that no evils had been proved to exist, which called for the measures contemplated by the bill under consideration, and which would not answer the effect which it pretended to promise.

The Hon. Speaker explained; he had stated that he did not feel qualified to act as visitor; and not that he did not understand what was the best for the College. He supposed he knew something of that institution, having formerly been a member of the college council; he disliked the proceedings of that Board, because he conceived they were not beneficial to the institution, and he therefore resigned his office. He merely rose to explain, because it would appear ridiculous were he to say he knew nothing about the college, and at the same time directed attacks against it.

Mr. L.A. Wilmot said the hon. member for Gloucester, who was uniform in his opposition to reform, had said he would not have risen, if not called upon to state what were the grounds of his opposition to the contemplated measure. He should have risen spontaneously to make known the reasons, which governed him in his opposition to the Bill. But the hon. and learned gentleman even now, had not brought forward any arguments against the measure, he resorted to ridicule, and made charges in support of which there was not a particle of evidence. The learned gentleman for Gloucester had attributed a persecuting disposition to the Wesleyan Methodists; and yet he had seen him at a missionary meeting, contributing to the funds that were required for the advancement of missionary effort. If the learned gentleman meant persecuting the powers of darkness, he would agree. Then they had been taunted with having a steeple, and were told that John Wesley would not have one. In John Wesley's days, there was a law in existence; and his learned friend would understand what that meant. But those remarks had nothing to do with the merits of the question.—He had said however that the opposition to the present constitution of the College, was confined to that House. Had the learned gentleman forgotten the fact, that last year there had been petitions laid before the House, complaining of its exclusive character, and that the appointment of a Select Committee and the present Report, grew out of those petitions. It had been said, that the object of the advocates of the measures recommended, was to take that institution out of the hands of the Church.—He denied it. The object of the present Bill is to do away with its exclusive and distinctive character, and leave it open to other denominations of christians. Reference had been made to those persons who sent their children to the United States; this was chiefly caused by the want of a library and a variety of apparatus, of which the College was very deficient. The object which the committee had in view, was to put the College upon a liberal footing; there was no disposition to remove the present professor from the theological chair, nor would they exclude any sect from its possession, were it vacant. The learned gentleman said, he had merely risen to remove any misconception, which might have been created by the speech of the hon. member from Gloucester, and which was entirely unsupported by arguments; nor had he touched upon those which had been advanced by the supporters of the Bill.—He had told the Committee, that Catholics should be eligible for the theological chair if others were, but he should recollect that such a claim would be at variance with those protestant principles, upon which the college has been established. He hoped the statutes and charter would be modified to destroy those objections which certainly at present exist, and prevent the College from being generally useful to the people of the Province; and that upwards of £2000, should not be drawn annually from the funds of the Province, for the education of only five or six students. If any gentleman would satisfy him he was wrong, he would cheerfully retract those opinions, which he had maintained; his sole desire was to see the college prosper, and to place it on a sound and liberal footing; and to the promotion of this object, he hoped gentlemen would lend their assistance.

Hon. Mr. Crane said, the circumstance of his name not being appended to the report, was chiefly referable to his being on a number of Committees, which prevented his attending the meetings of the Select Committee referred to; and it did so happen, that he was not consulted on the subject, until the document was shown him to sign. There was another reason why his name did not appear; the present charter of the College of Upper Canada, was framed in the days of M'Kenzie; and he was desirous of examining the subject for himself, before he gave his sanction to the measure. With reference to the Bill then before the committee, he felt the necessity of some such modification as was proposed, and he agreed as to the general principles which it contains; but upon its details he must be permitted to exercise his judgement. He hoped the Committee would see the necessity of making some alteration, because it was a great misfortune if any provisions of the Charter contained grounds of complaint, or were productive of evils; although some of them might be imaginary. It was more liberal than others to which he might refer;—that was an improvement certainly; still it should not contain any thing, which could create a prejudice against the institution in the public mind. The hon. gentleman said, he was aware that the university had not been as useful as it should have been: and reasons were given which were not entirely satisfactory. He had enquired as to the reason, why the means of education placed within its reach, had not equalled the expectation of the Legislature. There were only two to which he should at present allude; one was the objection to clerical students, being called upon to subscribe the thirty-nine articles; and another was, that the college is situated at Fredericton, the seat of the local government of the Province, and where the youth of the country were exposed to being corrupted. He thought it his duty to make known this reason; feeling much interested in the success of the college and for the information of others. Having expressed his approbation of the general principles of the Bill, the hon. gentleman said he should make such objections to its details, as should present themselves, when they came under consideration. With respect to the visitors, he should be sorry to see the Bishop excluded, all who are acquainted with the character of that prelate, must feel pride and pleasure in committing into his hands the authority thus given him; but as from his numerous duties, he might not have it in his power to attend to the affairs of the College as often as is required, there could be no objection to associating another visitor with him.

Mr. Brown said when he rose before it was to propose an amendment, and for the purpose of calling upon the hon. and learned member from Gloucester, who had complied with his suggestion, and had stated why he had opposed the present Bill and Report upon which it was founded; and in so doing had attributed to the authors of those documents, a desire to effect the destruction of the College.—That was not their intention; he hoped they would make it as useful as possible. All the complaints which had been made, he said, pointed to an amendment of the charter, as the only remedy; and the object was not to cripple the college or take away its means. The learned gentleman had said, the committee was not a packed one; and he had gone on to enumerate them; against this he could have no objection. The object of placing on it persons of different religious views, was to obtain a fair decision, and that the question should be viewed in all its bearings. Whatever might be said of the tendency of sects to persecute; certainly that could not be attributed to that to which he belonged. It would not be proper to refer to the church those acts of persecution, which might have been committed under the pretended sanction of its authority; but by referring back, the learned gentleman would find that persecution had at a former period been attributed to the church to which he belongs. He denied that there is any church established by law in this Province; and he felt satisfied the college did not do so much good as it would, were they to do away with its sectarian character. The learned gentleman had said, all the uproar about that institution was confined to the House of Assembly; but by referring to the Journals, it would be perceived that there were petitions against it. By the act of union the members of both churches, are placed on the same footing; and petitions were presented simultaneously last year from the members of the Church of Scotland throughout this Province; which had produced the Bill at present before the Committee. One of the present Professors of the College he said, is a presbyterian; and because he refuses to sign the Thirty-nine Articles he is excluded from the college council. The practical working of the statute therefore was injurious and insulting. The object of the Bill is to remove this obstacle, and not to destroy the usefulness of the college. When the learned gentleman for York first addressed the committee, he stated there was no desire to remove the Rev. Dr. Somerville, who had been justly eulogised, and whose continuance in the chair, would meet with general approbation. With reference to the appointment of the Bishop as visitor, feelings of friendship should not be permitted to operate with hon. members. Because the Bishop is an amiable man, it did not follow that his successor would be such. He was not wedded however, to the recommendations contained in the Report, but he still thought the Speaker should be one of the visitors, whose disinclination had its origin in his modesty; and he did not deem him disqualified in the manner alluded to. He considered the Speakers of the two Houses as proper persons. The general principles of the Bill appeared to be approved of, and if it were advisable, he should move that the Committee rise, report progress, and ask leave to sit again.

Mr. End explained; he did not wish to insinuate any thing disrespectful towards persons of other denominations; his expressions, uttered in haste, might have that appearance, but it was not intended. The learned gentleman had said, that he expected to hear arguments against the Bill; but having heard none, there was nothing to reply to. But he had been called upon to state, how the present charter of the Upper Canada college worked; he had not told the Committee what had been the effect of the modification there; and he therefore inferred it had not been favourable. In this particular he had been helped out, by the hon. member for Westmorland, who had stated that when called upon to sign the Report, he declined doing so, because the alteration of the charter of the Upper Canada College, had been effected by the Mackenzie faction. And when the Committee were now called upon to adopt a similar measure, he thought they should pause, and see what effects would probably result from its adoption.—Before he sat down the learned gentleman said, he would not be understood as wishing to convey by any expression he might have used, a sentiment of disrespect towards the Methodist connexion, they were a body which he highly respected. Ever since he had a shilling he had divided it with them; and would do so while he should have one remaining. The remark had been elicited by a sarcastic laugh from the learned member for York—every one understood his laugh; and his observation was meant as a reply.

Mr. Wilmot said from what he had seen in the papers, he inferred that the College in Upper Canada was in a thriving condition. The Act modifying its charter, had been assented to by Sir Frances Head, who was quite a different man from Mackenzie. He believed members would do their duty, and therefore seconded the motion, that the Committee adjourn.

After a few words from His Honor the Speaker, who thought the Chief Justice should be associated with the Bishop as visitor, the Committee adjourned, and the House resumed.

The question of the old soldiers again came up on Thursday in the Committee of Supply; and after much discussion it was resolved, that in future no provision will be made for them, unless the applicants are in indigent circumstances. Yesterday Mr. End brought in a bill, specifying upon what certificates such applications may be entertained by the Assembly.—*Fred. Sent. 2d inst.*

Monday, February 4.

The Bill that had been proposed by Mr. End, which goes to regulate the mode of application by old soldiers of the revolutionary war, was taken up, and after a short discussion was passed.

The House resumed and resolved itself into a committee, to consider the Bill for rendering permanent the Civil List Bill, Mr. Hayward in the chair, the report of the interesting debate which followed will be published in our next.

EXTRACTS FROM THE JOURNALS.

Wednesday, January 30.

Mr. Wyer, by leave, presented a petition from the President, Directors and Company of the Saint Andrews and Saint John Stage Coach Company, praying for pecuniary assistance to enable them to continue the Coaches on the said route; which he read. Ordered, that the said petition be received and referred to the Committee of Supply.

Thursday, January 31.—Mr. M'Leod, from the select Committee appointed on the 18th instant to take into consideration the Petition of William Corry, praying aid towards defraying the expense of publishing a Spelling Book and Treatise upon Arithmetic, compiled by him, reported—"That having carefully examined those works, the Committee are of opinion that Mr. Corry's Spelling Book is superior to any now in common use in the Province, and that the printing and publishing of the same would be highly beneficial to the Elementary Schools, and ought to be encouraged by a pecuniary grant.—That the Treatise on Mercantile Arithmetic, although a work of considerable merit, does not, in the opinion of your Committee, so far surpass the arithmetical books already published, as to justify the Committee in recommending it to the favorable consideration of the House.

"W. M'Leod, J. Brown, Jr. W. End."

Mr. Weldon, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this house of yesterday, relative to an account of expenditure of the £14,500 granted for the Civil List during the year 1838, shewing the salaries of the Officers charged thereon, and whether any alteration or reduction has taken place in the salaries of public Officers since the passage of the Civil List Act, reported, that they had attended to that duty, and that His Excellency was pleased to say, that the information desired by the house should be furnished so soon as the same could be prepared.

Friday, February 1.—Mr. Jordan, by leave, presented a Petition from George Brown, D. Hawkshurst, and forty others, of Saint Martins, in the County of Saint John, praying that an additional grant may pass to enable them to continue a Courier on the road between Quaco and the City of St. John; which was referred to the Committee of Supply.

Mr. Jordan also presented a Petition from Geo. Brown, James Moran, and 107 others, of St. Martins, in the County of Saint John, praying that that Parish may be relieved from the operation of an Act passed at the last session, authorizing an assessment to be made on the City and County of Saint John, for the building an Alms House and Work House therein.—[Mr. Jordan subsequently moved for leave to bring in a Bill in accordance with the prayer of the petition; but it appearing that the Bill had not been read at the General Sessions in presence of the Grand Jury, or published in a Newspaper for the period of one month, as required by the 24th rule of the House, the motion for its first reading was negatived.]

Mr. Freeze, by leave, presented a Petition from Thomas M'Lellan, Alexander Wright, and others Proprietors of the Harvey Eastern Royal Mail Stage, running between Saint John and Dorchester, praying for pecuniary aid towards keeping up the said line; which he read. Ordered, that the said Petition be received and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from Alexander M'Grotty, and twenty-five others, Surveyors of Lumber in the City and County of Saint John, praying such an amendment in the recent Lumber Act as will give them the same remuneration for their services as Inspectors of Lumber, as they were formerly entitled to by Law; which was received, and laid on the table.

The House having gone into Committee of Supply,—a number of the ordinary grants were passed. £25 were granted to the Infant School at St. John, and £20 to a similar Institution at Fredericton; £150 towards the support of a Free School in St. John, unconnected with the Madras Board; £20 to Elizabeth Briscoe, for teaching a school in St. Andrews, for the year 1838; £20, each, to Elizabeth Fairchild and Mary Ann Smith, for their services as schoolmistresses in St John, and £10 to Charity Williams, for similar services in the Parish of Fredericton; £20 to Doctor G. P. Peters, Surgeon to the Vaccine Institution at St. John, for his services in 1838; £200 stg. to Henry Bliss, Esq. Province Agent in London, for his services in 1838; £75 to the Adjutant General of the Militia, for 1839; £200 to B. C. Chaloner, Guager and Weigher at St. John, in full for his services in 1838; £150 to the Speaker of the House of Assembly for the present session, and to each member 30s. *per diem* during the session; provided that no greater amount than £50 be drawn by any one member for such attendance; also to each and every member, for travelling charges, the sum of 20s. *per diem* for each and every day's travel, to be certified by the Speaker, agreeably to a Law of the Province.

Monday, 4th February.—On motion of Mr. M'Leod, the Petition from David B. Wetmore, Gould Pickett, and 75 others, also the Petition from Edward G. N. Scovil, Vincent White, and 362 others, of King's County, upon the subject of the proposed new line of Road between the head of Bellisle Bay and Kingston, which were presented to the House on the 31st of January last, and ordered to lie on the table, were referred to the Committee appointed on the 15th of the same month to take into consideration the state of all the Roads of Communication in the Province.

The Hon. Mr. Johnston, Chairman of the General Committee on Roads, submitted a report, in which they recommend "that the sum of £15,500 be granted for the Bye Roads in the several Counties, and apportioned as follows, viz:—

"For the County of York, £1480; Carleton, £1480; Queen's, £1380; Gloucester, £1050; Westmorland, £1680; Charlotte, £1630; King's, £1580; Saint John, £1180; Kent, £1010; Sunbury, £825; Northumberland, £1555; Restigouche, £650.

"Hugh Johnston, William Crane,
Geo. Hayward, J. W. Weldon,
Samuel Freeze, L. A. Wilmot,
Thos. Wyer, J. R. Partelow,
Alex. Rankin, A. Barberie."
Wm. End,

Ordered, that the report be accepted, and referred to the Committee of Supply.

Mr. Partelow, from the Committee appointed on the 28th February, 1838, to carry into effect the recommendation from a select Committee at the last session, relative to the inspection of Flour and Meal, with directions to report at this session by Bill or otherwise, reported, that they had taken the subject under their consideration during the recess, and prepared a Bill, under the title of "A Bill to regulate the Inspection of Flour and Meal," which he was directed to submit to the House.

Ordered, that the report be accepted.—The Bill was then read a first time.

Mr. Wyer, by leave, presented a Petition from George C. M'Allister, and twenty-five others, of the County of Charlotte, praying that the value of the Doubloon may be increased, and established as a legal tender at such increased value; which was referred to the Committee of Trade.

Tuesday, 5th February.—Mr. Hill, by leave, presented a Petition from George M. Porter, and sixty six others, of St. Stephen, in the County of Charlotte; also a Petition from Owen Hinch and Thomas Hannah, on behalf of the St. Stephen Ledge Temperance Society, praying that Legislative measures may be taken to lessen the sale and consumption of ardent Spirits in this Province; which petitions were received, and ordered to lie on the table.

Mr. J. M. Wilmot, by leave, presented a Petition from William Eagles, Samuel Reynolds, and sixty six others, praying that some enactment may be made for the regulation of the Landing at Indian Town, in the Parish of Portland, and County of St. John; which he read.—*Ordered*, that the said petition be received, and lie on the table.

COMMUNICATION.

[FOR THE COURIER.]

"*See how they mock and chatter at me!*"

Dear Mr. Editor.—My master of the Chronicle has fortified his power with a harsher spell, and summons me again by a double portion of fiction. *A New-Brunswicker's* "*confessions of John Gape,*" have a general identity of phrase and sentiment, which betrays their common origin, and shews that my master may lawfully claim them both, as well as the thousand and one other tales which have enriched the columns of the Chronicle.

Yet why torture a "*poor perturbed spirit,*" by such incantations, when it had already obeyed his spell?—The mysterious magic of fiction, which is so peculiar to my master, has had power to call me here; but when, according to the best usages of spirits, I demanded why I had been thus rudely summoned, the wizard Chronicle only replies by repeating his invocation, adding a few new ingredients to the charm, such as a Provincial Bank—a Golden Ring—Casual Revenue List—fawning, tyranny, and so forth.

I will now, for a brief period, endeavour to forget that I am no longer an embodied spirit of the Journals, and will therefore make a few remarks upon the two last tales of fiction in the Chronicle of Friday, 1st February.

The Editor of the Chronicle assures you that two of the principal contributors to the letters which were formerly published in my name, have gone to their last home. Generous creature!—What an immaculate champion for the impeccability of those who were once, perhaps, supposed capable of doing what they ought not to have done.—And the contributions (what were they?) of these two persons were, of course, all fictitious:—every leaf of my Journal recorded a false fact, because, in one instance, the *premature* appearance of a record, prevented the consummation of the fact which it announced!

And John confessed to the New-Brunswicker that *he only wished to rouse the passions of the people!*—What a confidential disclosure—and how faithfully the secret has hitherto been kept: what a sweet communion of kindred spirits!—Of course John must have added that he believed all his charges to be utterly false and groundless!—that there never existed any suspicion of peculation among the servants of a public officer!!—that unlimited authority was never exercised in an arbitrary manner!!!—that there had been no cause of complaint by the tyrannous exercise of delegated power, for which, although perpetrated by an inferior officer, his principal was yet responsible!—in short, that not only were John's records pure inventions, but that acts resembling them in substance had never been perpetrated in this happy Colony!—and yet John's romantic *melodies* had power to produce a responsive note throughout the whole extent of New-Brunswick. Like the poor Hypochondriac who groaned under the accumulated symptoms of every disease in Buchan, so the unsophisticated creatures who read the letters of John Gape, saw in these *fictious* compositions the history of their own imaginary wrongs.—Omnipotent John!—what wouldst thou not have achieved had thy fables been facts!—or is it a law of human nature that truth addresses itself to our reason, falsehood to our passions? Is this the secret of John's success? and has the worthy Chronicle determined to improve that discovery?—one would almost believe so.—Oh you naughty Chronicle, how can you place in juxta-position those two heroes of Rebellion, Hampden and Papineau:—"*the Gape faction savour too much of the lips of a Hampden and the heart of a Papineau.*" What a sublime political antithesis!—the lips of a Hampden, that were always pouring forth the delightful strains of Loyalty, and Purity, and Patriotism, and Tolerance—a man whose enthusiasm in the pursuit of that flitting shade, that ideal bauble of fools, Liberty, would have borne him along to the murder of his Sovereign, had he not been mercifully arrested in his career of madness and of crime. Yet this "*Zealot of Rebellion,*" as Doctor Johnson most truly calls him, is exhibited to us by the Chronicle as the Zenith of that political virtue of which Papineau is the Nadir. What admirable discrimination of character!—Hampden perished in arms against his Prince,—Papineau incited a people to rebellion, and withdraws from the scene of peril.

If the Editor of the Chronicle, under his assumed cognomen of *A New-Brunswicker*, has really been favoured with the secret confessions of John Gape, he must know that John needs not the assistance of his *golden ring* to discover the sacred mysteries of the political sanctuary—nor would the raciness of a new chapter of records be at all diminished by the introduction of new subjects, or even by a review of the old ones.

It might be an amusing pastime to recapitulate the various fictions published by John and his contributors, to examine whether, by a little exertion of fancy, they could not be assimilated to facts, the existence of which have been proved beyond contradiction, and to ascertain whether a few of the charges of peculation by subordinate officers, have not been substantiated; but John, the veritable John, trusts that Mr. Chronicle will not wantonly provoke a discussion, in which much may be disclosed to justify suspicion, and but little can be advanced to disprove the recorded allegations of the departed JOHN GAPE.

The Courier.

SATURDAY, February 9, 1839.

Provincial Legislature.—We have elsewhere given a synopsis of the proceedings in the House of Assembly down to Tuesday last, with the reports of the Debates on some important subjects, viz:—Steam Communication with the Mother Country—the improvement of the Mail Route thro' this Province to Canada—and the amending the College Charter.

On Tuesday last, Mr. Beardsly, a member for the County of Carleton, brought under the consideration of the House, a question of Privilege, and in doing so, he stated "that an action had been instituted against him, one of the Attornies of the Supreme Court of Judicature of this Province, at the suit of George Jarvis Dibblee; that a copy of the Bill, purporting to have been filed on the file of the Clerk of that Court, and under an envelope, had been delivered to him on Saturday last, when in his place on the floor of the House, by William Payne, one of the door-keepers, "who stated to Mr. B. that he was aware of the contents and purport of the said document; but when brought to the Bar and questioned as to the paper put into his hands by Andrew Rainsford, a student in the office of Messrs. Berton and Dibblee, in a letter unsealed, and that he did not know the contents, nor did Mr. Rainsford acquaint him therewith.—Mr. Rainsford having been brought to the Bar, acknowledged that he gave a paper to W. Payne to be handed to Mr. Beardsley, with directions to be punctual in delivering it; the paper produced by Mr. Beardsley, having been put into his hands, and Mr. R. declining to answer the question—"Is that the paper handed by you to William Payne?"—as his reply might tend to criminate himself—but at the same time stating that *he intended no disrespect to the House,*—he was, on motion of Mr. Owen, declared guilty of a contempt of the House, and commited to Gaol during the pleasure of the House.

A motion made by Mr. Weldon, (after Mr. Payne's discharge,) that no further proceedings be had respecting the matter, was negatived.—*Yeas*, 6; *Nays*, 22.—Names as follows:—*Yeas.*—Messrs. L. A. Wilmot, Barbarie, Wilson, Weldon, Street, Rankin. *Nays.*—Hon. Mr. Johnston, Hon. Mr. Crane, Messrs. M'Almon, Allen, Palmer, Stewart, Hannington, Partelow, End, J. M. Wilmot, Jordan, Woodward, Connell, Freeze, M'Leod, H. T. Partelow, Hill, Hayward, Brown, Wyer, Gilbert, Owen.

Geology of New-Brunswick.—It has been believed by many that Geology is a science of limited usefulness, and not calculated to excite much, if any, interest, beyond the extraordinary facts which it developes with regard to the remains of animals and plants, now found in some of the hardest rocks. But if there ever was a time when mankind derived no benefit from this branch of Natural History, that time has passed away, and the labours of the Geologist have become of incalculable importance.

Last year the House of Assembly placed a small sum at the disposal of the Lieutenant-Governor, for the purpose of commencing a Geological Survey of the Province, and His Excellency Sir John Harvey, with his usual desire to promote the welfare of the country, employed Dr. Gesner, to carry the intended object into effect. A report of the survey, as far as it has been made, has, within a few days, been laid before the different branches of the Legislature, and which was printed at our Office. The importance of such exploration is well set forth in the introductory part of the report; to it, therefore, a reference is given for a brief view of the object and results of an investigation which has already, by a number of valuable discoveries, shewn how the wealth of the Province is to be increased, by applying to those resources, which, from ignorance or inattention, have hitherto been suffered to remain inactive.

The writer states very justly, at page 7, that "hitherto the energies of the Province have been directed to the exportation of Timber in its various forms, and the commerce of the Colony has been greatly enlarged from the fine forests which formerly occupied the interior of the country. But Timber is gradually becoming more scarce,—the expense of procuring it is annually increasing, and the time will come when other objects for exportation must be sought for. It is, then, certainly desirable that other resources of the country should be opened, and while the agricultural districts are encouraged and protected, the riches contained in the bosom of the earth should not be overlooked."

Much to the credit of Charlotte County, it appears that the Agricultural Society (the only efficient one in existence in the Province,) is exerting its salutary influence in that quarter, and it will be seen in their last report how highly Marl is estimated, by the compliment paid to its discoverer.

It is far from being improbable, that in other parts of the country, as well as in the County of Charlotte, there are collections of Marl, which, by future examinations, may be rendered of infinite service to the country.

On page 7, there is also the following remark—"Almost all the Coal used in the Province is imported from England and Nova-Scotia, and it is a singular fact, that the steam-boats plying on the river between Saint John and the Capital, are propelled by imported fuel; while, during each of their trips, they pass over a coal field now known to contain vast quantities of that important combustible."

This may, indeed, be called a singular fact. But it may be inquired, how is it possible for those who are engaged in other pursuits, and who are unaided by science and experience, to lay hold of treasures buried in the bowels of the earth? The farmer may drive his plough within a few feet of rich marl,—the masters of our steam-boats may move amidst beds of coal, and, in both instances, those valuable substances may remain useless until the practical Geologist shall direct both to the material which they so much require in their different occupations.

We shall hereafter call the attention of the public to the report, and in the meantime doubt not that our Legislature will view the subject in its proper light, and amply support an examination of so much importance to the commercial and agricultural prosperity of the Country.

The Saint John Circuit Wesleyan Missionary Anniversaries were held in this City, Portland and Carleton, last week as previously advertised. The congregations were large, respectable, and highly delighted with the whole proceedings. Addresses were delivered by the Rev. Messrs. Temple, Bamford, Wood, Williams, M'Nutt, and Messrs. W. Nisbet, Hutchings, G. T. Ray, Chapman, &c. The collections in the City Chapel amouted to £27. In the Portland Chapel, £17; with a pledge from the Chairman (Mr. John Owens,) that the amount to be raised in Portland this year shall double that of last year—£80 to be raised. At the Carleton Meeting, the collection was upwards of £5.

The anniversaries were closed by a social Tea Meeting in the Wesleyan City Sunday School Room, Horsfield-street, under the superintendence of the City and Portland Sunday School Teachers. Tea was served up at 6 o'clock to a party amounting to several hundred. The chair was then taken by the Chairman of the District (the Revd. Enoch Wood,) who entertained the Company for some time in an able and interesting address. Several other interesting addresses were also delivered, during the Evening. The Sunday Schools in the City and Portland number 577 scholars and 87 teachers.—*Observer.*

Foundling.—A fine male Infant, about three or four weeks old, was found abandoned by its unnatural parent on a door step, at the house of Mr. John Belyea, in Union-street, near Mr. Dougherty's Brewery, on the evening of the 5th inst. It is now in good keeping at the Alms House.—*Gazette.*

The alarm of fire last Monday proceeded from a house in King's Square, adjoining St. Stephen's Church. It is supposed to have been occasioned by some articles of clothing that had been left near the hearth, in the basement story, having become ignited, and communicating to the wood-work of the room. It was providentially extinguished without having done any material damage to the building.—*Ib.*

HALIFAX, Feb'y. 6.—Two Companies of the 69th Regiment arrived here on Sunday in H. M. S. *Crocodile* from Barbadoes. The remainder of the Regiment was to leave in a few days after in the transports Eliza and Numa. The detachments landed on Monday.—*Jour.*

The House of Assembly unanimously voted the sum of One Thousand Pounds, on Thursday last, for the relief of the widows and families of those who have fallen in the defence of the Canadas.—*Royal Gazette.*

Our absent Brethren.—We are happy to hear that the Rev. *F. Uniacke* feels himself so much benefited by his residence in England, that he fully expects to resume the charge of St. George's early in the Spring. The Rev. *Gilbert Wiggins* is much better in health, and is settled on the curacy of Kent.—*Col. Churchman.*

Prince Edward Island.—The Legislature of this Island was opened on the 22d. Mr. William Cooper, the Escheat leader was chosen speaker. The House was occupied with the usual preliminary business. It was confidently stated that a reconstruction of the Council would speedily take place—and that a Despatch granting a Legislative Council might be looked for by next Packet.

On the 25th ult. the thermometer stood 36 deg. below zero at Charlottetown!!

Halifax, January 31.

Freshet—Loss of Bridges, &c.—The violent storm and heavy rains on Saturday and Sunday nights last, so swelled the rivers and streams in various parts of the country, as to cause extensive damage to bridges and private property. On the whole line of road between Halifax and Margaret's Bay, there is scarcely a bridge standing.—Mackintosh's or Springfield Bridge severely damaged, and the Nine Mile River Bridge, string pieces, abutments and all swept away. Porter's Lake, the Nine Mile Bridge on the Western Road, and several others in this County have been also broken down—and, so far as information has reached us from the interior, other Connties have suffered as severely. In Newport, Mr. Cochran's Store, containing 300 bushels of salt, and other property, was swept away, besides 17,000 feet of lumber—100 tons of hay were washed off the Falmouth Dyke, which was laid under water, and a Bridge on the Hebert, and another on the Kennetcook River, were destroyed. A letter from Gaspereaux Valley describes the Freshet there as the most extraordinary that has ever been remembered—no less than four Bridges on that River having been swept off, leaving the whole population on its banks and the neighbouring settlements, without any means of communication with each other.

Pictou, Jan. 22.—After weeks of clear frosty weather, we had a fall of snow some days ago, sufficient to make travelling good, on Saturday evening it began to rain, and such rain! We have been nearly swept away. The East River, swollen by the freshet, burst its icy fetters, overflowing the intervale and sweeping every thing before it. Jas. Fraser, Esq. New Glasgow, had his stock of salt in his outstores, partially damaged; Capt. George M'Kenzie and B. L. Kirkpatrick, Esq. had their ship yards swept of several moveable articles. The Albion Mining Company, also sustained considerable loss.—We regret to learn that considerable injury has been done to the bridges in various quarters.

The late flood has done extensive damage on the principal rivers in Maine. In the course of two or three hours the waters of the Kennebec rose eleven feet, and on the Androscoggin in proportion. The booms up and down the two rivers were nearly all carried away, and the waters covered with lumber and wrecks of bridges.—*New Bedford Mercury.*

At Westfield, Massachusetts, damage was done to the amount of $25,000. Three expensive bridges, averaging 300 feet in length, were entirely swept away, and the only crossing place left over the river for a distance of 25 miles, is the canal aqueduct, at the North end of the village.

It is said that the damage to property in New York will probably exceed $500,000!

At Albany, the steamer North America was crushed by the heavy masses of floating ice, filled, and was then swept down the river. This boat, renewed and admirably fitted up, cost the proprietors, last year, $90,000.

The hurricane of Saturday last caused much damage of property at Philadelphia. The Schuylkill river rose ten feet above its ordinary level, and two feet higher than was ever before known, overflowing the locks of the Canal, and washing down stores, mills, and sweeping off lumber, wood, boats, &c. Much property was destroyed in cellars—some houses on the wharves were swept away—and in some cases the inhabitants of houses were taken out of the *Second Story Windows* by boats in the streets. A good deal of Flour was damaged—but the interior of the City suffered but little.

A letter from Easton, dated Sunday Evening, states that the ice had broke loose and come down in a mass, carrying with it about 75 feet of the embankment of Pennsylvania canal bason.—The water rose 15 feet above low water mark, and the damage caused thereby was incalculable. The Morris Canal is broke.

Accounts from Port Carbon state that the rise of the Schuylkill was very great—several bridges were swept off, and nearly two hundred coal boats destroyed or greatly injured.

In New Jersey a good deal of damage was done. The Morris Canal was overflown, and one of the wharves carried away. The mail contractor from Jersey City to Newark on the other side of Hackensack bridge, was floated off with his waggon and horses, and three mails lost. The meadows at Newark were completely inundated, and a great deal of coal swept away. At South Amboy the damage is computed at $26,000. Many buildings were blown down in various places.

In Connecticut the gale appears to have been also severe. The Hartford Courant says that several buildings were unroofed, chimneys blown down, and other damage sustained.

At Hartford, on Monday night the river was 24 feet above low water mark. The water covers nearly all the ground east of Front-street, and Front-street above Talcott-street. Many families who live on the meadows above the bridge had to be taken from their houses in boats.

Quebec, Jan. 29.—It is with sincere and unfeigned regret, that we have to announce the death of Colonel the Honorable John Maitland, of the 32d Regiment, which took place at London, U. C. on the 18th instant. Colonel Maitland, we learn, had been indisposed for some time previous to his lamented death; and there is reason to believe that the cold and fatigue which he endured, during the attack upon the American Brigands, at Point au Pelee Islands, on the 3d of March, 1838, acting upon a frame enfeebled by wounds, received in the service of his country, and consequent debility, produced the complaint which carried him to his grave. These, combined with the total want of comfort in the quarters occupied last winter by the Regiment and the incessant attention paid by Col. Maitland to his military duties, on a disturbed frontier, must have hastened an event, which all who knew Col. Maitland, from His Excellency the Commander of the Forces, to the humblest private in the 32d Regiment, unite in deploring.—*Mercury.*

Montreal, Jan. 26.—The trial of Charles Hindenlang, (or Hindelang,) generalissimo of the rebel forces at Napierville, was concluded on Thursday. The defence was made entirely on legal points, the principal of which was, that being an alien and a subject of a foreign state, he could not be tried in Lower Canada! The finding of the Court Martial will not be known until approved by Sir John Colborne.

The Court Martial was occupied to-day with the examination of witnesses against Nicolas and others from Napierville. At this early stage of the trial, sufficient evidence was elicited from the few witnesses examined to convict nine of the eleven prisoners examined. Nicolas's case is about the worst.

It is said that seven of the prisoners recently tried will suffer death on Friday next.

We understand that a very large number of the prisoners detained on account of political accusations, were discharged from jail on the 21st instant. Our informant states one hundred.—*Transcript.*

We have received a letter from London, (U. C.) dated the 14th inst. which mentions that Albert Clark, from Ohio, one of the Brigands, was hanged that morning, making three who have been executed at that place. The total number of prisoners is forty-nine, of whom seventeen have been tried and convicted, but their sentences were not confirmed, owing to the absence of Sir George Arthur from Toronto. The brigands seem to have had plenty of officers, as one General, one Colonel, and two or three Captains fell in the field; one Captain and one Adjutant have been hanged, and two Majors await his Excellency's pleasure.

To the Editor of the Quebec Gazette.

Sir,—Notwithstanding the statement of the case given in the *Albion*, the fact of such a scheme for settling the Boundary, as that which appeared in the *Morning Chronicle*, being submitted to the public as a reasonable proposition, in a newspaper of extensive circulation, indicates a degree of apathy and ignorance of the subject, in the metropolis, especially dangerous at present.

The only knowledge we have of a great part of the disputed territory has been acquired by the surveys for the St. Andrews Rail Road, (in which the hill countries were avoided as much as possible,) and the explorations of the Commissioners for examining the high lands on its confines. What follows is partly drawn from these sources: *perhaps* some parts of it might be interesting to your readers.

Your observation that the source of the St. John might become a subject of dispute, is a very just one. The difficulty commences at the Forks of the Daaquem and the South-West branch, a point about sixty-five miles East by South from Quebec. These rivers are alike in size, varying from 165 to 230 feet in width, for some way upwards: their junction forms the River Saint John, about 350 feet wide. The Daaquem has been nearly all surveyed; but its large branch the Essenganetsogook, represented as having its source about forty miles from Quebec, is still unsurveyed. The South West branch has been surveyed for a few miles upward: the rest of its course is unknown to us; by the Indians it is said to have a large branch, called the Oulastogomassis, flowing from the South-East through several lakes; in some American maps this is named the main branch of the Saint John; the sources of both may be about 100 miles from Quebec. These streams are shallow and have a gentle current; they meet in a flat which extends more than half way up the Daaquem, upwards of 15 miles up the S. W. branch, and about 5 miles below the forks, being about 35 miles in length by 5 to 18 in width: the greater part of it has a hard surface of small stones, and is covered with a useless growth of small timber; it is almost perfectly level and quite unfit for cultivation: it seems to have been a lake formerly, as there are high banks on the Saint John, immediately below it. The larger streams joining the Daaquem from the North are clear, indicating their sources to be in the highlands that are to be seen towards the head waters of the Essenganetsogook. The tracts of good hardwood land are small and few, even towards the sources of the Daaquem. On the upper waters of the South West branch, the land is high and is said to be good.

With the exception of the flat near the S. W. branch, the land between it and the Allagash is hilly and the timber a mixture of hardwood and dark timber; but the soil, excepting some cedar swamps, is very light where it has been explored, which is across the middle of the triangle, about twenty miles in width between the rivers: about one-sixth of this triangle, that is from the lowest lake on the Allagash to its mouth, seems all a dark timber, lumbering tract, with a good deal of Pine on it.

High hills, covered chiefly with hardwood, are to be seen towards the sources of the Allagash: along the East side of the middle Allegash lake, which is seven miles long, are rugged pine hills: this river is navigable for boats to the falls, fifteen miles up, and also above that.

The uplands on the Eagle Lakes are of that very good description indicated by elm and maple timber with other hardwood.

The Ristook flows through a hilly country well fitted for settlement: it is already full of lawless American squatters.

Along the St. John, from the forks of Madawaska downwards, the alluvion on its banks is rich and wide on many places: on the hills behind, maple and black birch abound and the land is good, but rather steep in some parts. It is the same above the forks, for about 12 miles up the Saint John, when the hills begin to recede; ascending farther, large swamps occur between the intervale and the small hills of pine and other dark timber which rise behind.

Ascending the Madawaska, the country is hilly and much of the soil poor; but lumber abounds.—Around Lake Temiscouata the country is hilly and generally rocky and barren.

Ascending the River St. Francis, there is good hardwood land above the first lake,—the next is in a pine country, and the head waters in the barren regions of the Temiscouata portage.

The country north of the St. John from the St. Francis to the Essenganetsogook, 56 miles in length by about 20 in breadth, and that between the sources of the S. W. branch and the Ristook are the parts least known of the disputed territory.

What is civilly designated the Parish of Madawaska is actually three Parishes, in which there are 2500 souls, 7 grist mills and three Churches: one, twelve miles above the mouth of the Madawaska, in the settlement af Chatagwam, which extends at the utmost 40 miles up the St. John, (the settlers farthest up are fifteen American families,) another Church 4½ miles below the forks, and the third 13 miles lower.

The climate of Madawaska resembles that of Quebec; below the Grand Falls and the Ristook country—that of the Eastern Townships; around lake Temiscouata it is like that of the settlements below Kamouraska.

One-third of the whole tract may be fit for settlement, and the greater part of the remainder, a good, pine, black birch and spruce lumber country; and as such, of more value, on account of the greater facility of conveying the timber to England, than if it were on the St. Lawrence or the Ottawa. This territory is bound by nature to the ports of Saint John and Quebec: its lumber must go to the former, and its imports will enter by Lake Temiscouata as soon as the present portage road is abandoned for a better. Should the country on the sources of the St. John become inhabited, its trade will be with Quebec by way of Lake Etchemin—the rivers are too rapid and the country too rough on the American side to admit of its going that way.

The following is an approximation to the lengths of the Branches of the St. John, in that territory, and the areas they drain:—

	Miles long.	Sq. miles drain.
The Madawaska,	75	1050
Green River,	64	700
St. Francis,	68	520
Black River,	30	420
Ristook,	110	1800
Eagle Lake River,	60	860
Allagash,	105	1350
South West branch	55	800
Daaquem, or Essenganetsogook	50	700
Lesser streams,		2000
		10,200

United States Army.—It appears from documents appended to the Report of the Secretary of War, that the number of men enlisted into the United States Army from October 1st, 1837, to September 30th, 1838, was 4,247. The entire force of the Army at the last mentioned date, was 8,653, being 3,838 less than was authorised by the Law of the last Session for the increase of the Army. Of course this last number of men (3,838,) remains to be recruited. The Army, when full, will comprise 12,539, officers and men.

Bermuda, Jan. 12th.—Brig Nehemiah, Heney, from St. Stephen, N. B. bound to Jamaica, stranded among the reefs to the West End of these Islands. Captain T. Lamb, Captain T. Linley, Captain J. N. Frith, Thomas Nash, and four colored persons, who went in a boat to the aid of the Nehemiah, had gained the vessel and succeeded in saving many articles, which were taken on board the boat, with the intention of conveying them to the shore, but, alas! that shore they never reached. The boat has been found sunk between the wrecked brig and the shore, which leaves no doubt that they all have found one common grave beneath the same billow. The four first named have each left a widow, and in all 11 children.

H. M. Steam Frigate Medea, Captain Nott, in four days from Saint John, N. B., anchored at Ireland Island last evening. The Medea will sail shortly for Jamaica.

We have been favoured with Trinidad, Barbadoes, and St. Christopher Papers, but they do not furnish us with any thing of moment. The crops in the several Islands, are said to be unusually good.

The subject of the recent change in the currency, appears to have given dissatisfaction throughout the West Indies. The papers contain little else than proceedings of meetings, &c., protesting against the change. The complaints against the non-working of the agricultural laborers, still continue. We are sorry to learn that the laborers in Antigua are beginning to neglect their work.

A highly complimentary General Order was issued by Sir Stamford Whittingham, at Barbadoes, congratulating Lt. Col. Maxwell, and the Officers and Non-Commissioned Officers of the 36th, on the high state of efficiency in which the Regiment will proceed to America, after a period of nine years service in the West Indies.—*Bermuda Royal Gazette.*

Barbadoes, Nov. 28.—It is distressing to hear of the fatal instances of yellow fever, at the garrison of Saint Anne's. In our last we noticed the death of Ensign Gough, of the 52d Regiment, lately arrived from Gibraltar, and in our obituary of this day, is the name of Paymaster Winterbottom, of the same Regiment. The fatal disease has, we