

foreseen expenses. On being called upon, the Provincial Secretary made a statement of the expenditure of the similar grant made last year. The rewards for the apprehension of the murderers of the McKenzie family, and the other expenses connected with their apprehension, formed a large item. The Commissioners on Public Institutions—£286; £90 went towards the survey of the boundary between New Brunswick and Nova Scotia; £40 to witnesses in the "Coppin suit" in St. John; £40 for the apprehension of Davis for the attempt to murder his wife; the delegates to London had been paid £171—their entire expenses were £300 each.

There was some conversation about the delegation. At length the vote was agreed to, and the committee rose and reported the resolutions.

WEDNESDAY, March 16.

REVENUE BILL.

The Revenue Bill was again committed, Dr. Vail in the chair. No opposition was offered to any of the sections. When the table of duties came up, the Provincial Secretary explained that "Old Tom" had hitherto been brought in as a cordial, under a duty of 1s. per gallon. As it was really a superior description of Gin, he proposed to put 2s 6d on it.

Mr. Williston complained of the duty of 2d per pound upon leather.

Mr. Gray objected to the additional 2d per cent. on unenumerated articles and on wines. He drew attention to the fact that the custom of the Treasury, in collecting *ad valorem* duties on British goods, was to add one-ninth to the sterling cost to convert it into currency, which was much too low, the British sovereign being worth 2s 4d. By instructing the Treasurer to add one-fifth, instead of a ninth, the Government, with the present Revenue Act, could raise nearly £3,000 additional. The remainder of the £7,000 needed could be saved in railway management.

The Provincial Secretary replied, showing that the change proposed by Mr. Gray would in fact be an addition to the duty on articles which should not be more highly taxed than now—as ships' materials, and that if £4,000 could be saved in the management of the railway that sum would not go into the General Treasury.

A lengthy conversation followed on this and other topics, in connection with the Revenue Bill, but it was not of general interest.

Mr. Gray's motion to fix the unenumerated articles at ten per cent. was lost, 24 to 11. Ayes.—Messrs. Gray, Kerr, Williston, Allen, Botsford, Lawrence, McPhelim, Wilton, McIntosh, Gilbert, Seville.—£12 10s was then carried, 23 to 12. The Bill was then reported agreed to.

The Attorney General moved the following, which was carried *nem con.*

Resolved.—That this House, having been informed of the death of John M. Johnson, Esq., the father of his Honor the Speaker, do now unanimously express their sympathy with the Speaker on this unexpected bereavement, and agree to adjourn to Friday morning at 10 o'clock.

FRIDAY, March 18.

NAVIGATION LAWS.

Mr. Mitchell's resolution for an address to the Queen, respecting the Navigation Laws and Coasting Trade, was brought up this morning. The principal difference of opinion was as to the propriety of asking for retaliatory measures upon foreign nations who refused to concede a reciprocity of privileges. Mr. Mitchell consented to modify his resolution so as not to ask for such retaliation, and it then passed.

GRAY'S CLAIMS ADJUDICATION BILL.

This being the order of the day for 2 P. M., was committed after dinner, Mr. Wright in the chair. Mr. Gray submitted amendments which would have the effect of confining the operation of the Bill to the Railway. Some discussion took place as to the details of the Bill, and several of the legal gentlemen expressed an opinion that they were not such as to carry out the views of the mover. A brief discussion of its principles took place, though but little was added to what had been said in the former debate.

Mr. Smith opposed the Bill, and objected to the details.

Mr. End thought that there was a singular indelicacy in members of the Government opposing this Bill. It was as if they said to the people, "Don't trust your causes to the common tribunals of the land; don't trust them to the decision of a Judge and Jury in an open court; but bring them to us in our star chamber, and we will give you justice." The members of the Government, of all others, should be the readiest to support this Bill, and thus rid themselves of a burdensome responsibility. Mr. End objected to the details of the Bill, and thought that a simple declaration that the Railway Commissioners should stand in the position, and be subject to the rules, of common carriers, which might be embraced in ten lines, would be sufficient.

The Speaker said that he was opposed to the amendment as well as to the original Bill. He thought that it was throwing out a suspicion that the Crown would not do justice to its subjects. There were prejudices and party feeling amongst jurors as well as in that House. Causes which would be tried in the courts, and decided against the Government, would afterwards be taken up in the House, and made the grounds of attack upon the Government.

which it was undoubtedly the intention of the House that their labors should be confined.

The advantage of a personal interrogation of the Railway officials, and of other witnesses, is evident from what we heard on the examination of Mr. Jardine. He explained promptly, and to us satisfactorily several discrepancies in the Railway accounts, and some other charges made against the management.

From the causes to which we have alluded it is doubtful whether the inquiry will be satisfactory. We believe that some members of the committee are already satisfied that nothing of consequence will be effected, and care not how soon its labors are brought to a close.

PROGRESS OF THE SESSION.

FREDERICTON, March 21.

The session is drawing on towards its close. It is difficult to say with much approach to accuracy when it will terminate; much will depend upon circumstances which may arise. The investigation before the Railway Committee was at one time expected to prolong the session; but within a few days a feeling is growing up that the investigation will amount to little and that some members of the committee, despairing of effecting anything, care not how soon the inquiry is ended by a prorogation. The guesses concerning the termination of the session vary from the 1st to the 10th of April. The session is not likely to extend beyond the 10th.

That the end is approaching may be judged from the manner of the House. The conflict for precedence for motions and Bills which marks the last week or two of a session has commenced. The House sits longer; the inclination to talk for talk's sake is slightly abated; the arguments for and against a measure are not repeated more than three or four times in the course of one debate; and reporting progress is getting into disrepute. Any member who allows progress to be reported upon an unimportant Bill of which he has charge sensibly lessens his chance of getting it through.

The Government Appropriation Bills have gone through; the Revenue Bill is through; the Bill for placing the buildings of the Penitentiary and Lunatic Asylums, and the Light Houses, under the supervision of the Board of Works, was agreed to in committee of Saturday; the Great Roads Bill is through. But the Agricultural measure promised in the speech has not yet made its appearance.

The number of important measures which have been committed once or oftener, but have not yet been passed upon, is very great. Among them are Kerr's Bill to repeal the Insolvent Debtor's Act; Tilley's Medical Bill, Gray's Claims Adjudication Bill, and Kerr's Bill relating to the settlement and support of the Poor. There are many important Bills which have not yet been committed; and there are many Bills of a private or local nature which will occupy much time. Besides these matters, Mr. Steadman has an order of the day for a committee of the whole upon the dispatches relating to the disallowance of the Bill to repeal the grant to King's College. If the Railway committee report, the substance of their report will probably give rise to discussion. Then there is the report of the Commission on the Removal of the Seat of Government. Clearly the House will be at no loss for subjects for consideration and discussion, without mentioning the great number of private or local Bills of minor interest, which will be brought forward. It is impossible that all, and it is improbable that one third, of these matters will meet with the consideration which they deserve. In the last week of the session there will be the usual slaughter of the innocents, and a vast miscellaneous collection of ineffectual or half-fledged measures will be ineffectually hurried into the purgatory of a three months postponement. The country will probably not be much the loser.

Mr. Gray's Bill for the adjudication of claims against the Province, modified so as to apply only to the Railway Commissioners, will probably pass the lower House by an overwhelming majority. The vote taken on its principle the other day showed twenty-seven for it and only nine against it. The members of the Government divided on it four to two.—Fisher, Smith, Connell and Watters voting against it, and Tilley and Brown for it. Its most deter-

mined opponents are the Speaker and Smith. The candid listener must admit that the logic of the debate is for the Bill; the objections started against it are chiefly fanciful, and such as would apply equally well against allowing suits of many other kinds to be prosecuted. Measures of a character so novel always frighten many conservative minds. But measures equally novel and revolutionary have been eventually worked through the Legislature, and have, when put in operation, recommended themselves even to their most bitter opponents.

No discussion seems likely to take place on the inter-colonial Railway question, unless some new scheme be broached.—The delegation to England is one of the standing amusements in the House. It is scarcely ever alluded to in a serious spirit; but there are frequent allusions to the trip to Paris; the Parisian grisettes; the London Police Courts, &c. The expenses of the delegates are £300 each—not an immoderate sum.

Mr. Tibbets has not yet brought up his resolution for commencing Railway operations at some point between Woodstock and the Canada line. Of course it will not pass; and there are cogent reasons why it should not.

HER MAJESTY'S OPPOSITION.

FREDERICTON, March 22.

Her Majesty's Government in the Province of New Brunswick is past doubt about as worthless an administration in many respects as could be well found, but Her Majesty's Opposition is not a whit better. An opposition is almost an essential part of our parliamentary system—practically it may be said to be essential. It is a legitimate portion too, for it springs naturally from the peculiarities of that system, and has important functions. In importance it is only second to the Ministry itself. It is a principal guardian of the public interests. It is a check upon the carelessness, the arbitrariness, and the general maladministration of the Executive. Its duty is to question, to investigate, and to object. Concert of action among its members is as necessary as among the members and supporters of the Government. The idea of factionalism does not necessarily attach to a Parliamentary Opposition. Oppositions may be, and generally are more or less factious, just as any political party, is more or less factious, but factiousness is an abuse, not an use. If a number of the members of the Assembly have a general distrust or doubt of the ability or honesty of the Government they have an undoubted right to unite themselves into a body to watch that Government, and thwart it when it goes astray; nay, it is their duty to do so just as it is the duty of the Government to unite upon measures for the public weal.

The Opposition of this session fall far short of their duty. They are, in truth, what the Scotch call *feckless*. They exhibit no energy, no acuteness, no depth, no tact. They are disunited—having no apparent bond of union, and exhibiting no concert of action. Very suspicious matters they leave uninvestigated, and favorable opportunities they neglect. They oppose the Government measures just when they should abstain from opposing them, and they neglect opposition to them just when opposition would be legitimate and effective. Their want of tact and acuteness is truly delightful to behold. If a blunder can be made they are sure to make it.

In support of such sweeping charges it will be proper to particularise. They talked two or three days about the Grand Falls Bridge, but they have never adopted the only mode by which the facts concerning that very suspicious affair could have been elicited—a special committee, with power to call for persons and papers. They opposed the 2-1-2 per cent addition to the tariff, without showing any reasons which could be satisfactory, even to themselves, for their opposition. An opposition without reason is, logically as well as verbally, an unreasonable opposition. The Great Roads Bill was another instance of Opposition blundering, although not many joined in it, from very excellent reasons of their own. We shall not further multiply examples. In cleverness, ability and information the Conservatives do not lack. But their generalship is shocking. They are entirely guiltless of tact.

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of the "operations" we read of are mistakes which might and ought to have been avoided. Dressings of Halloway's Ointment, and the lubrication of the injured flesh with that healing preparation, is positively all that is required in three-fourths of the cases where the amputating knife is now employed.

The Journal.
Thursday, March 24, 1859.
Editorial Correspondence.

The Railway Committee.
FREDERICTON, March 19.

The Railway Committee has been for a day or two fairly under way. The greater part of the information moved for by Mr. Gray has been laid before the House; and the chief officers of the Railway, Jardine and Scovill, the Commissioners, Light, Chief Engineer, Johnson, the Accountant, with some of the contractors,—are here to give evidence before the Committee. The committee sat four hours on Thursday; they sit from ten to twelve every morning; and last evening they sat from seven to ten.—We have been in the Committee room several times, and have been rather amused by what we saw and heard. The members of the committee are Gray, Tibbets, Botsford, Tapley, Vail, McMillan, Mitchell, McAdam and Lawrence. Gray and Tibbets have been on the committee of last session, and having investigated the conduct of the work up to that time, are naturally desirous to confine the investigation of the committee to the occurrences of the past year. Mitchell on the contrary desires to go over all the ground again, investigating the management of the Railway from the day of its commencement. This is one ground of difference. Another is the spirit of party, which is as evident in this committee as on the floor of the House. With such discordant elements it is not strange that but little progress should be made. Then there are differences of opinion concerning the manner in which the investigation should be pursued. In all these differences, both as to the objects of the investigation and the mode of it, as a general rule Gray and Tibbets are found on one side, and Mitchell, McAdam, and McMillan on the other. The other members of the committee do not take so active a part as these five. The characteristics of Mr. Mitchell cannot be better seen than in this investigation. His tenacity stands out in bold relief; and his acuteness and courage are second only to his tenacity. He will say what he has to say; he will object when he chooses to object; he will put himself right when a wrong construction is attempted to be put upon his actions or language; he will explain when he thinks explanation necessary; he will differ from others when he chooses; he will not be put down or hushed up without a most excellent reason, and not even then if he can help it. This quality of persistency in Mr. Mitchell is a very valuable one when he is engaged in a good cause, but a most inconvenient and vicious one when he chooses, as he not infrequently does, to take the wrong side. A man of stubborn temper should be a man of great judgement.

In several respects it would have been preferable to have had the same committee as that of last session. They could have taken up the investigation at the point at which they dropped it, and have continued down to the present time. Thus much time would have been saved, and the investigation of the proceedings of the past year could have been made thorough and searching. The present committee, only two members of which—Gray and Tibbets, were on the committee of last year, are going over the whole ground again.—The consequence is that in the short time at their disposal they cannot make an inquiry which will be satisfactory to themselves, the House, or the country. And they are exerting an inconvenient precedent. The committee of next year have the same right to go over the whole ground for the third time; the committees of succeeding years have the same rights.—Where is the matter to end? Surely good sense would show the committee that only some special and well defined reason should take them back beyond the transactions to

which it was undoubtedly the intention of the House that their labors should be confined.

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The Speaker pointed out that the details of the Bill were not sufficient to carry out its object.

Mr. Gray said that for himself, and on the part of every independent man in the community, he desired to repudiate the notion that that House was a proper tribunal for the trial of suits against the Government. The Judges of the Supreme Court were removed beyond the influence of party; the jurors gave their verdict under the sanction of an oath; the witnesses gave their evidence in like manner, and were subject to cross examination. In investigations in this House there were no oaths administered, no cross examination of witnesses, and no evidence but the statements of interested parties.

Mr. Smith moved that the further consideration of the Bill be postponed for 3 months, which Mr. McAdam seconded.

Mr. Chandler expressed himself entirely in favor of the Bill, as amended, to apply only to the Commissioners of the Railway; but thought that the phraseology was not expressive of what was wanted.

Mr. Steadman supported the Bill. It might be a change in the constitution of the country, but he was not afraid of it on that account; constitutions must change to adapt themselves to the age. It was true that claimants had a remedy now by application to Government; but he denied that that was a remedy by right; it was a mere right to ask for what might be granted as a matter of favor. He was not afraid that a great amount of litigation would result from such a law as some predicted. He did not think so badly of human nature; he believed that men generally wished to do what was right and honest. But he believed that the law would effect an absolute saving to the Provincial Treasury. The Government could now be pastored time after time, and year after year, with applications for satisfaction of pretended claims; and they were in a position to be worried into giving that which was not justly due. But if they could say to the applicants, if you think your claim is just, go into the courts of the land and appeal to a jury of your country,—four out of five of them would never go a step further.

The Speaker said that the ground upon which this Bill was urged was that the Government had become common carriers. In Great Britain the Government had become ship builders. Why did they not need such a law to apply to them as ship builders? And if parties had a remedy against the Government as common carriers, in which cases was only an implied contract, much more should they have a remedy where there was an express contract. Executive Councillors and Members of Parliament were sworn to discharge their duty, as well as Judges and Jurors.

Mr. Gray said that he held that the Legislature should provide for the trial of claims against the Government a tribunal entirely independent of the Government. With respect to the Imperial Government being ship builders, it must be remembered that it built these ships in its own dockyards, and there was no analogy between that and the character of common carriers. True, the Imperial Government also contracted for work, but the making of the contract was a voluntary matter on the part of the contractor,—he might make it or not, as he chooses. But in building this Railway, and inviting people to trust themselves and their freight upon it, the Government left no option. It was ridiculous to think that persons having freight to carry in the direction of this line could take any other means of carrying it. When the Railway was there, and was used by some, it became absolutely necessary that all should use it.

The Committee divided on the motion to postpone three months.

Yeas.—Kerr, Watters, Smith, McAdam, Mr. Speaker, C. Perley, Connell, Fisher, Lewis.—9.

Nays.—Gray, Read, Williston, End, Mitchell, Lawrence, Steadman, McMillan, McPhelim, Allen, Botsford, McIntosh, DesBrisay, Hannington, Wilton, Chandler, Cudlip, Gillmor, Brown, Tilley, Scovill, Vail, Ferris, W. E. Perley, Tapley, McLeod, Tibbets.—27.

Progress was then reported.

BILL RELATING TO HIGHWAYS.

This Bill was committed. Mr. Smith explained that its object was to relieve non-resident property from taxation for road purposes in the district in which it lay. The principle of the Bill was commended by every member who spoke except Messrs. Smith and Kerr, who prepared it, and was postponed for three months, 28 to 4.

About half past five Mr. Smith moved that the House do adjourn until nine o'clock to-morrow morning. This was lost by a small majority; and the House then adjourned till the usual hour.

HOLLOWAY'S OINTMENT AND PILLS.—The chapter of accidents is one of the longest chapters in the volume of human suffering. In most hospitals, bruises, traumas, dislocations, incised wounds, scalds, burns &c., are looked upon as things to be experimented on for the benefit of broods of young students, previous to their debut as unfledged surgeons. The amount of unnecessary butchery in these institutions is enormous. At least twenty-five per cent.