LEGISLATIVE DEBATES.

HOUSE OF ASSEMBLY—FREDERICTON, { *Wednesday, March 7.* }

COLLEGE ACCOUNTS.

The House went into Committee of the Whole, in consideration of his Excellency the Lieutenant Governor's Message of the 5th March, accompanied by a resolution of the College Council, (in consequence of the address of the House to the Lieut. Governor, respecting the College accounts), and by accounts of the receipt and expenditure of the College during the past year.—The following is a copy of the Message:

"*Message to the H. of Assembly, March 5, 1832.*

"An Message in Council.

"The Lieutenant Governor directs to be laid before the House of Assembly, a Resolution of the College Council, in answer to the Address of the House of the 21st February, relating to the College. "A. C."

"At a Meeting of the College Council, held on Saturday, the third day of March, 1832, summoned by the Chancellor, pursuant to the Statutes:—PRESENT:

His Excellency the Chancellor,
The President—The Vice-President—The Rev. Dr. Somerville, and the Rev. Geo. M'Cawley, Professors—The Hon. Chief Justice Saunders—The Hon. Judge Botsford—Wm. F. Odell, Esq. and Wm. Crane, Esq.

"His Excellency the Chancellor laid before the Council an Address which he, as Lieut. Governor of the Province, had received from the Honorable the House of Assembly, praying his Excellency would direct to be laid before the House, the following statements and accounts relating to the affairs of the College.—(*Here follows a copy of the Address, which is too long, it having been copied into our paper of the 24th ult., from the Journals.*)

"*It was upon Resolved*, That the College Council do not consider themselves bound, nor by the terms of their Charter, or by any provisions in the Act of the General Assembly for the endowment of the College, to render to the Honorable the House of Assembly any of the statements and accounts applied for; but they did at the last Session, in order to comply with the wishes of the House, as a matter of courtesy, render full information on all the points enquired of by the said Address, except so far as the same relates to any funds that may have been received by any of the Professors from the Society for propagating the Gospel; and also, except so far as the state of the accounts rendered last year may have been altered by subsequent receipts and disbursements to which information they beg to refer the House. And under the same feeling, and in order to shew that they have no wish to conceal from the public any of their proceedings, the Registrar and Treasurer is directed to furnish the Speaker, for the use of the Honorable the House, as soon as possible, a general account, shewing the amount of income and expenditure of the College for the year past, together with the number of Students now in the College, as well those who are residents as those non-resident, and the annual expense of a Collegiate Education to each student, so far as the Council have any control over their expenditure.

"As to the Students being admitted wholly at the public charge, the College statutes do not admit of it, but there are two Scholarships of twenty five pounds each, founded by the Council out of the College funds, open for competition to applicants for matriculation from any school; and also, six Scholarships of thirty pounds sterling a year each, founded by the Society for propagating the Gospel, which are to be confined expressly to Students in Divinity, to be nominated by the Visitor.

"The Registrar is also directed to furnish the Speaker (in addition to the account above mentioned), with a printed copy of the Statutes of the University, for the use of the House of Assembly; and, "*It is Ordered*, That the Registrar do forthwith present to His Excellency the Lieutenant Governor a copy of the foregoing Resolutions.

"A true extract from the minutes of the College Council.

"GEO. P. STREET, Registrar."

Mr. SPEAKER said the Committee were now going into consideration of a subject of very great importance to the Province, in which much interested feeling had hitherto been mixed up, and respecting which much misapprehension and misunderstanding prevailed. Before he made any remarks on the subject now under consideration, he thought it advisable to call the attention of the Committee to some of the previous proceedings respecting the College, in order that the question might be fairly understood. He would not go further back than 1823. At that time it was found, that a grant of £250 per annum had previously been made, by a former house, in aid of the College, and a certain tract of land voted for its support. In consequence of this previous determination, and actuated by the best views, in 1823 a bill was brought into the House, to alter the charter of the College. That bill failed; but subsequently a petition for a similar purpose was brought in, which led to the introduction of another bill, which eventually passed. One object of this bill was to endow the College with the sum of £600 per annum, in addition to the existing endowment of £250, by which the college became entitled to £850 per annum. On a former occasion it had been said in that house, by an hon. Member for St. John, that a former Speaker of that house, now in the Legislative Council, had had a great share in establishing the College on its present footing. He (Mr. Speaker,) believed that to be a fact, but did not think that the affair could altogether be attributed to that individual: he believed others still in the house, had greatly endeavoured to effect the object. He (Mr. Speaker,) did not intend the slightest reflection on the motives or intentions of such hon. Members; but he believed a brother of the hon. Member alluded to had introduced the bill, which, as before stated, had failed. Then came the petition before mentioned; and then the succeeding bill, which established the endowment of £850 annually. The name of the hon. Member alluded to was not found in the Journals as an opposer of that bill; nor, in fact, did it appear that there had been any opposition at all.—Such was the state of the case when he (Mr. Speaker,) first became a member of the House. On coming into the house he found a majority of the Members very unfavourably disposed towards the College; but they felt themselves embarrassed, because a law already existed, for the annual endowment of £850, and because they were also told, that a large sum would be annually appropriated to the College from the casual revenue, which would be very beneficial to the province. A good deal was said at that time about the motives for establishing the College, and it was also urged that a good deal of money was annually sent out of the country, to the college in N. Scotia.—The only difficulty then was, whether the country was ready for such an establishment.—However, under all the circumstances, the house, at that time, thought it was the best thing they could do. In proof of that assertion, he (Mr. Speaker) would refer to the proceedings of 1827. It would be found that, in that session, there was a Message from the Lieut. Governor on the subject, which was referred to a select committee. The report of that committee concluded, by stating their opinion that the establishment of the College would be of great importance to the country, and would produce very great advantages to the province, and the report recommended a grant of an additional sum of money, to complete the building. That report was signed by Robt. Parker, Chas. Simonds, and Hugh Johnston, Junr.; and was received without a dissenting voice. Such were the views of the house at that time: they went on with the affair, and finally furnished the requisite sums to complete the building. Then, as to the endowment bill: That bill excited very great discussion, and many members, still in the House, felt themselves much embarrassed, in consequence of the existence of the previous law; but, under all the circumstances, he (Mr. Speaker,) thought it would be generally acknowledged, that the passing the endowment bill was the best thing the house could then do. As the grammar school act was a perpetual law, and as the province was then paying a large sum annually for the support of those schools, by passing the endowment bill the province saved at least £350 annually. The time for the House to have stopped the whole proceedings was in 1825; if they then thought the institution would not benefit the province, they ought not to have gone on; but as they had not then stopped, the endowment bill was an actual saving of the provincial funds.—The next thing to consider was the present state of the College. He had now stated the grounds for its erection, and it was found that it was now in actual operation, but that it was generally considered not to be so beneficial to the country as it ought to be. Two questions here arose: 1st, whether the country was ready for such an institution; and 2d, whether there was any thing in the operation of the college, which prevented that beneficial effect. Had the house any information, to warrant the conclusion that the Professors were incompetent men, or that in any way they neglected their duty? There appeared no such information; and if there was no deficiency in that respect, so far all was right. As to the expense of the institution; he (Mr. Speaker,) thought it was conducted with less expense than any similar establishment in North America.—If, then, the country was ready for such an institution, what was there to hinder the province from reaping the full and due benefit of it, when its professors were competent and diligent, and its expense was reasonable? There appeared to be no good ground for such a result; but, on the contrary, it seemed that the College might be a general benefit, if the people would avail themselves of it. But it happened, however, that there were complaints against the College, and it would therefore naturally be asked, what was to be done? He (Mr. Speaker,) would put off this question for the present, while he made a few remarks on the message under consideration. If hon. Members would look back to the journals of 1826 and 1827, they would find that a great deal of information had been furnished by the College respecting the proceeds of their lands, &c. before the passing of the endowment bill. Last year, also, a great deal of information had been furnished as to the income, expenditure &c., of the College since 1822. Much fault was found with the accounts then rendered, and he (Mr. Speaker,) thought the House in some measure to blame, from its remissness in not requiring further explanation of those accounts. He would not, however, enlarge on that subject, but come to the resolution of this session; and there he would observe, that if he had not been in the chair when that resolution was moved, he would have opposed it; because it required various things that ought not to have been required, and more than half the information it sought had been furnished last year. It sought also for information as to the salaries of the Professors, derived from the Society for propogating the Gospel, with which the house had nothing to do, and with which the College Council had nothing to do, excepting so far as they might interfere with the rules of the College, and he (Mr. Speaker,) had no doubt that the Council would prevent that. He gave it as his decided opinion, that if the house had confined themselves to requiring an account of the income and expenditure, &c. for the past year, it would have been furnished, and every necessary information given; but there appeared to be an impression on the minds of the College Council, that the resolution of the house had been framed with a disposition to require unnecessary information. The council had objected to furnishing information respecting the leases and proceeds of the lands, &c., on the ground that such information was furnished last year; and also as to the clerical salaries of the Professors, for the reason already stated. They thought the house had a right to know the number of students, and they had therefore furnished that account. As to the income, &c. of the College: that was the most material point; and he (Mr. Speaker) was sorry that a majority of the council had differed with him in opinion on that head.—His opinion was, that the house had an undoubted right to ask full and explicit information in that respect, and he had given his reasons for that opinion.—It had always been usual to require such accounts; and he referred the council to the parliamentary practice of the Mother country, where all institutions, requiring aid from the legislature, were always called on for their accounts. To that argument it was replied, that if the house had wished to retain the right to examine the accounts of the college, provision for that right should have been made in the endowment bill. But he (Mr. Speaker) did not think so, because he considered that the house had a right to inquire into the expenditure of all monies in which their constituents were interested. They had a right to know how such monies were appropriated; and as this institution derived great assistance from the funds of the country, and as abuses in the appropriation might exist to a great extent, the country were entitled to an account. He regretted deeply that the council had refused such an account, because the house were fully entitled to it. He (Mr. Speaker,) was certainly not aware, till that resolution was passed in the last College Council, that the accounts furnished to the House last year had been rendered merely as a matter of courtesy. He considered it as a matter of right only, and thought the house could receive them only as a right. As to the course now to be adopted; he thought it involved in difficulty. The hon. Speaker then reverted to the difference of opinion prevailing among hon. Members, as to the construction of the endowment law, respecting the annual grant, and contended that those hon. Members who considered the law as a permanent one, could not consistently withhold the grant. The hon. Speaker, for his own part, decidedly considered the law as permanent, contended that it was the intention of the legislature to make it so, when it was passed, and therefore considered the character of the legislature involved in the question, and that the grant could not be refused. What, then, was to be done, under all the circumstances?—The hon. Speaker then argued, that the College had not yet had a fair trial; that it had not been long enough in operation to judge fairly of the good it would produce, and that an application should be made to His Majesty, to alter the constitution of the College Council. He would do justice to the motives and intentions of those who had established the College, but he did not think it had yet had a fair chance. He knew that it had not given satisfaction to the country; in fact, the greater part of the people thought it highly injurious; which was deeply to be regretted. But still it existed by law, and if it was intended ever to make it useful, the House should take proper steps to make it effectual. If, on the contrary, hon. Members thought it better to abandon the institution, they should take due measures to effect that object; but till then they should make the usual provision, as bound by law.

Mr. SIMONDS said that a very small part of Mr. Speaker's speech applied to the present question. He had anticipated the *College question*, as it was commonly called, in the Committee of Supply, to which nine tenths of his speech referred, and it was therefore not necessary for him (Mr. Simonds) to reply to the greater part of the hon. Speaker's arguments.—The question now before the Committee was relative to the Message of his Excellency. It appeared that with that Message, a Resolution of the College Council had been conveyed to the House for their information, by which resolution a majority of the Council declared, that they were not bound by their charter or by law to furnish the accounts required of them by the House, and that the accounts they had rendered were a mere matter of *courtesy*. If that opinion of the College Council had been known to the House last session, he (Mr. S.) thought the Committee of Supply would have come to a very different resolution respecting the College grant. Were the House to be told, that they had no right to an account of the expenditure of the College? Most certainly not. He (Mr. S.) thought that resolution had proceeded from the impulse of a haughty spirit, and that the college council had taken very high and unwarrantable grounds. On that point the Committee had now to deliberate, and surely the House could never submit to such a principle or to such conduct. He thought some hon. member was preparing a resolution to express the sense of the house on the subject, and he hoped it would be expressed in the strongest terms. If they submitted to such an answer, they would lose the character of representatives of the people. There must always be an accountability for all monies granted by the House; and with respect to the College, where should that accountability be, but in the Council. The house ought now to resolve, not to admit the right of the Council to withhold any information, and that it would not receive any accounts, excepting through the proper channel, the Executive, and even then not as a matter of courtesy, but as an undoubted right. The house should never admit any accounts as a matter of courtesy, from any quarter where they had a right to require them. As to the history of the college, and the construction of the law, all that might properly come up in discussion in the Committee of Supply; where it would be a very grave question, after what the House had been told by the College Council, whether the grant should be voted. He (Mr. S.) thought the resolution of the Council must have very considerable influence on hon. members in that Committee.

Mr. SPEAKER said a few words in reply to one or two observations of Mr. Simonds.

Mr. S. HUMBERT thought Mr. Speaker had considerably overstepped the ground, in debating the *College question*. The question now before the Committee was a very simple one. The resolution of the college council illustrated their proceedings on former occasions, when the house had demanded their accounts.—The council had never sent all the accounts required, but the house had always been compelled to repeat their demands; and now it came to this, that the council said they considered the house had no right to demand the accounts, but they sent them as a matter of courtesy. But he (Mr. H.) would most decidedly object to that. He would never receive any thing of the kind as a matter of courtesy from any one. He had strong doubts whether the house should so receive such things even from the Executive; but most certainly they could not from any other quarter. If they received these accounts from the college council in that way, they would lessen their dignity in a very great degree. He hoped the house would never ask or receive any document from any quarter as a matter of courtesy; and therefore, to cut the matter short on this occasion, they must come to some strong resolve on the subject, and when the *College question* should come up in committee of supply, no doubt hon. members would remember this matter; at all events, he would, for one.

Mr. CHANDLER thought Mr. Speaker had taken a correct view of the question, as to the right of calling for the accounts of the college, altho' he agreed with him, that the resolution of the house had certainly required information which they already possessed. But that information had been refused on this occasion, not only on that account, but also on the principle, that the college council were not bound to furnish it. That was their solemn resolution, officially communicated to the house, and the house were therefore bound to notice it. They must either acquiesce in that principle, or positively contradict it.—The hon. member confirmed the opinions of Mr. Speaker, and then moved a Resolution, to the effect that it was the opinion of the Committee that the resolution of the college council could not be acquiesced in or confirmed by the house, and that no accounts could be received as a matter of *courtesy*.—The hon. member concluded by stating, that his opinion as to the construction of the law for the endowment of the College, was precisely the same as he had stated last year.

Mr. SIMONDS moved that the word "*unanimously*" be inserted in the resolution.

Mr. CUNARD said, that it would not be unanimous; because he was last year of opinion that the house had no right to demand the College accounts, and he was still of the same persuasion.

Mr. PARTELOW said, that the resolution might be amended, by saying, "Resolved unanimously, the hon. member from Northumberland, (Mr. Cunard,) only, dissenting."

After a few further words from Messrs. S. Humbert, Chandler, and Mr. Speaker,

Mr. TAYLOR moved an amendment, in addition to the resolution, to the effect that, as the college had not been found so beneficial as had been intended, and as it was the opinion of the Committee that steps should be taken to procure an alteration of its charter, it should be recommended to the House to appoint a select committee, to prepare an address to his Majesty on the subject.

This amendment, however, was withdrawn, at the suggestion of other hon. members, as irrelevant to the present resolution; and Mr. Taylor then gave notice that he should submit it, as a distinct resolution, to the House.

The original resolution was then agreed to; Mr. Cunard being the only dissentient.

The House afterwards went into Committee of Supply, in which it continued till about 4 past 4 P. M.; when the Committee was *finally closed, without any resolution respecting the College grant having been brought forward.*

In Committee of Supply the sum of £100 was voted to His Excellency the Lieutenant Governor, for the *contingent expenses* of the province. This resolution was strongly opposed by Messrs. Simonds, Partelow, and Kinnear, on the grounds that it was wholly unnecessary; that when a similar sum was voted last year, it was with a general understanding that it was granted solely because the government was then administered by a President, and that it would be invidious to withhold it on that occasion, but that immediately on the arrival of a new Governor it should be discontinued, and also because a similar resolution had been *negatived*, for the same reasons, only a few days previously, (March 1st.)—Messrs. Vail, (the mover,) End, Cunard, Chandler, Speaker, Allen, (the former mover,) and Wyer, supported it; denying the *general understanding* alluded to, and contending for the necessity and propriety of the grant. The Committee divided, and the names were taken, which are as follow:

YEAS—Mr. *Speaker*, Messrs. *Brown, Wyer, Allen, Taylor, Slason, Gilbert, Barlow, Ward, Vail, Chandler, Cunard, Smith, End, Clinch, Weldon*—16.

NAYS—Messrs. *Rankin, Dow, Kinnear, Simonds, Hayward, Partelow, Miles*—7.

SEAL FISHERY.

Mr. PARTELOW moved a resolution, somewhat similar to that introduced by the hon. member last year, for a small sum for the encouragement of sealing voyages. Mr. P. declared his unshaken enmity to bounties in general, but contended that this was not intended to be a permanent bounty, but merely a premium to the first adventurers in an enterprise wholly new to this province; and remarked, that as the resolution of last year failed on account of the large sum asked for, (£600,) he now intended to move for a much smaller sum; not more than £200.—Messrs. Simonds, Cunard, Kinnear, Weldon, Slason, and S. Humbert, supported the views of Mr. Partelow.—Messrs. Vail, End, Chandler, Allen, and Clinch, opposed the resolution, on the ground, that the seal fishery was not a new trade, but one which had long proved profitable to others, and in which the neighbouring province of Nova Scotia had successfully engaged. They therefore contended that the merchants of this Province could "go and do likewise," without the aid of a bounty.—The resolution was negatived.

Thursday, March 8.

COLLEGE AFFAIRS.

Mr. SIMONDS moved a Resolution, in consequence of the occurrences respecting College affairs this Session, to the effect, that it was inexpedient and unnecessary to appropriate any part of the provincial funds towards the support of the College, this year.

The debate which followed this resolution took an immensely extensive range, far beyond our present ability or limits to transcribe in detail. The greater part, however, of the arguments were merely repetitions of what were fully expressed in the great discussion on the *College Question* last Session. We shall therefore furnish as concise a summary of the debate as is consistent with the circumstances.

Mr. SIMONDS, at very great length, supported his resolution, contending that it was necessary to express the sense of the house in that manner, because the Committee of Supply had closed without noticing the College grant, and it was bruited out of doors that His Excellency the Lieutenant Governor would be advised to issue his warrant for the annual allowance, notwithstanding the house had not granted it this year. The hon. member went over nearly the same ground as he did last year, contending that the expense of the College was far beyond its usefulness; that the law for its endowment was not an absolute and permanent law; that the annual grant could never be given without the consent of the legislature; that the house, therefore, had a right to withhold it; that the general mismanagement of the College required such a step; and that if the house should separate, without expressing on the Journals their decided opinion that the money ought not to be drawn without their consent, the country would be generally dissatisfied. The hon. member, in the course of his speech, admitted the correctness of Mr. Speaker's history of the College, (in yesterday's discussion); repeated, in very strong terms, the opinion he (Mr. S.) yesterday expressed, respecting the resolution of the College Council, which had caused the house to pass over the annual grant in Committee of Supply; and insisted that the College establishment ought to be materially reduced. He thought that the whole affairs of the Institution might be satisfactorily conducted by the present principal Professor, and an assistant Teacher, there being now only five resident Students; that three Professors were far beyond the wants of the country at present, and that the expense of the offices of Treasurer, Secretary, &c. was a most extravagant charge on the Institution. He contended that by such reduction, the province would annually save about £600, which, if funded for 10 years, would amount to £6000, exclusive of interest, which would then be available for such purposes as might be required. He said that the great error had been in establishing the College; but that, now it was found not to be so beneficial as was anticipated, it ought not to be maintained at such an immense expense. He professed his desire to preserve the institution; and, for that purpose, to reduce it to a level with the wants and resources of the country, and to regulate it in such a manner as that it might prove generally useful. The hon. member contended that the only pledge the house had ever made on the subject was made to the people; that they were generally dissatisfied with the Institution, and required its reformation; and that His Majesty would never require the house to continue an expense to which the people at large objected. He protested against the present constitution of the College Council, and insisted that no individuals deriving any pecuniary emoluments from the Institution ought to have any share in controlling its funds. The object of the resolution was to prevent the money being drawn from the Treasury, after the house had resolved to pass over the grant; and to express to the people their opinion on the subject, in case the money should be so drawn.

Mr. KINNEAR, in a speech an hour long, supported the resolution. The hon. member commenced by expressing his satisfaction at the passing over the College grant, in committee of supply, because the accounts had been refused to the House, which was a sufficient reason for withholding the annual appropriation. He then expressed his fears that if the Executive should be advised to draw the money without the consent of the House, such a proceeding would produce a most unpleasant collision in the Legislature, which would be particularly unfortunate. The hon. Member supported Mr. Speaker's views (expressed yesterday,) respecting the right of the house to call for the College accounts, and urged, that those accounts having been refused, and the house having, consequently, determined to withhold the appropriation, it was now their bounden duty to put a resolution on the journals, expressive of their disapprobation of any such application of the public funds this year; which would be giving public notice of their decided opinion, that the money should not be drawn. The hon. Member then at great length examined and argued on the celebrated provisos or conditions in the endowment act, and contended that, in every point of view, they were intended to give the legislature a right to withhold the annual grant, whenever circumstances should require such a course; and that it was apparent, that the former house had foreseen the probability of a perversion of the institution, and had therefore retained that power in their own hands. He thought therefore, that it would be exceedingly unwise, injudicious and wrong for the house not to come to some conclusion as to the construction of the act, before the Executive should be so ill advised as to draw the money from the public funds, without the consent or approbation of the Legislature. The hon. Member then, in a most luminous, unqualified and energetic manner, stated his decided approbation of collegiate institutions; his firm opinion that religion should ever form a part of the studies of such institutions, and that the established religion of the country should be that religion, unless it vitally differed, in the fundamentals of salvation, with that of England did not so differ, the essential doctrines of her church being as pure and beautiful as those of any in the Christian world; and that he would be very sorry to object to the college on account of religious differences. The hon. Member also dwelt at some length on the blessings and advantages of education, which he considered the handmaid of religion, and stated his perfect concurrence in the beautiful maxim of POPE:

"A little learning is a dangerous thing:
Drink deep; or taste not of the Pierian spring."

He then contended that the institution was practically prevented from its original intention, by its having no free scholars, and by its benefits being wholly confined to a few sons of wealthy men; because there was no provision for free scholars, and therefore only the sons of the rich would take a collegiate education. It appeared that they were both educated and boarded for the whole 4 years of their residence for about £129. The whole amount which those wealthy men paid for the actual education of their sons was about £40.—That was a decided perversion of the institution; it was taking money out of the funds of the province which ought to come from the pockets of the opulent parents. If, therefore, £60 were added to those £40 as the total expense of education for the 4 years that would do away with the necessity for the grant from the province, and would only require such parents to pay what it was right and proper for them to pay.—Then, if only half the present grant were annually given the College, and endowed for free scholars, it would make room for those who are otherwise unable to obtain a collegiate education. The College ought to be open to a certain number of free scholars; because whatever was supported by the public funds, ought to be applied to the public benefit.—The hon. Member then alluded to the free endowments in England, where the public funds are so applied, that talented youth of any rank in life are enabled to obtain such an education as may lead them to the highest honours; and mentioned as instances the present Earl of Eldon and his brother Earl Stowell, both of whom obtained their first education in a free school in Newcastle-upon-Tyne, and subsequently rose to the highest eminence and honours.—The hon. Member contended that the sum now annually paid to the professors and officers of the College (£1112.) was far beyond what its usefulness warranted; that the whole financial affairs were badly managed; that the money was thrown away on sinecures; that the system was radically defective; and that professorships should be allowed and increased only in proportion to the actual wants of the establishment. He also contended that the public faith was pledged solely to the people of the province, for whose benefit the College was established; that they were the best judges of its efficiency; that as they now loudly cried out against the College, the House should act in accordance thereto, which would be only following the cry of popularity, not seeking it; that public faith was always pledged on condition that public establishments should be properly managed, and that when a contrary result was proved, the pledge was discharged. The hon. Member finally argued that the funds by which the College is supported were drawn from the poor as well as the rich, and chiefly from the former, and that it was unjust to take money out of the poor man's pocket to pay for the education of the sons of the wealthy.

[We defer the remainder of this debate till our next.—Mr. Simonds' motion, however, was ultimately negatived—16 to 9.]

MADAWASKA AFFAIRS.—(EXPLANATION.)

The Reporter has received a note from Mr. Kinnear, *complaining of incorrectness in reporting that Hon. Member's speech on the* Madawaska *Accounts, in which, among other things, Mr. K. says, "I am sorry to observe in your report of my Speech on the Madawaska business, published in the last Observer, that you have made me say a hard thing of the Attorney General's charges, which I said of the whole Bill in the Madawaska business; that is, 'the charges were enormous.' I never said or meant to say any thing about the Attorney General's charges, except so far as any charge at all was inadmissible: and that observation of mine strictly applied to the whole bill or bills."—The Reporter is always exceedingly desirous to correct error or misapprehension, and would be particularly sorry to allow an erroneous statement to remain uncontradicted. On this occasion, he immediately referred to his stenographic notes, and found that those of the speech alluded to contained frequent breaks, on account of the hum and bustle about the House, which prevented his clearly hearing what the Hon. Member advanced. In the hurry of transcription, therefore, which from the extremely arduous pressure of the duties on one unassisted Reporter, prevents the exercise of as much deliberation as is desirable, the Report was concocted from the imperfect notes, as well as the circumstances would admit; and in this way only could any incorreciness have arisen.—The Reporter confesses, however, on reviewing the matter, that his own impressions were such as the report expresses; but under the circumstances, he has great satisfaction in making the above explanation, as he has a perfect reliance on the correctness of the Hon. Member's statement in his note, and as it is his most anxious wish to fulfil his duties with the strictest impartiality, and with a studied desire to injure the feelings of no man willingly. He would merely add, that it can scarcely be surprising that errors should occasionally arise; when it is considered that in no other part of the civilized world does the whole labour of reporting legislative debates rest on one individual.* FREDERICTON, March 9, 1832.

BRISTOL, Jan. 13.—The labors of the court martial on Lt. Col. Brereton have been brought to a sudden and melancholy close. This morning the ill-fated soldier, doubtless actuated by feelings the weight of which the members of the military profession will readily conceive, put a period to his mortal anxieties by his own hand. He shot himself in his own house at Redfield, near Brighton, about the hour of 3 o'clock.

PORTSMOUTH, Jan. 16.—The Dispatch, 18, Commander Frankland, arrived on Wednesday, in 9 days from Lisbon. She left in the Tagus the Prince Regent, 72, Capt. Denis Dundas, (with flag of Rear Admiral Parker,) Asia, 84, Capt. Hyde Parker, Revenge, 76, Capt. Mackay, and Victor, 18, Capt. Ellis. Don Miguel was unwearied in his preparations to resist the projected attack upon him, and though detested by many, yet the influence of the priests was so strong over the minds of the troops, and the lower orders, to lead us to the belief that Don Pedro will find it an uphill work to unseat his brother from the throne of that country.

Egypt.—It is stated in a French paper that twenty two of the young Egyptians who were sent to Europe by the Viceroy, a few years since, in order to be instructed in the arts and sciences of civilized life, are about to leave France for their native country, having completed the course of their education. Seven of these young students have been initiated in the principles of government, statistics, and political economy; four in chemistry, &c. three in agriculture; and five in different trades. To these may be added; three sailors who have been instructed in the Marine School at Brest and who have traversed the ocean from the Isle of Bourbon to Chili.

COMMUNICATION.

BYE ROADS.

Mr. Editor—In noticing the Editorial paragraph in the last *Courier* lamenting that the Appropriations for Bye Roads had not met with the approbation of the Council, my sympathy would have gone along with him, had I not been aware that out of £8,500 voted for the above service in the session of 1831, not more than £597 10s. was paid by the Treasurer of the Province up to January. In addition to which if my information be correct, very near £1000 appropriated in the years 1828 and 1830, remained unpaid at the above period. Considering the present state of the Province funds, it is easily accounted for why the Council withheld their consent to the Appropriations.

March 13. H.

THE OBSERVER.

ST. JOHN, TUESDAY, MARCH 13, 1832.

Through various channels since our last English dates to the 23d January have been received. But they furnish very little intelligence beyond our former stock.—The English Reform Bill passed into Committee in the House of Commons on the 23d January, by a vote of 162 against 58.—The Irish and Scotch Reform Bills were introduced on the 24th of that month, and passed a first reading.—The Duke of WELLINGTON, we are happy to learn, had recovered from his late illness, and resumed his seat in the House of Lords.—The dispute between Holland and Belgium remained unsettled, but an amicable adjustment was not entirely despaired of—altho' the conduct of Russia had excited great jealousy, and warlike preparations were going forward among all the Northern Powers.

A letter, we understand, was received here by the *Ilex*, from Glasgow, dated 24th January, conveying the alarming intelligence that the Cholera had broken out in that city, and that out of 16 cases, 6 had terminated in death.—If this be true, we fear the mortality in so large a city, will be dreadful. And we trust that prompt measures will be taken by our authorities to guard us against the danger which threatens our City from its direct intercourse with the scene of infection.

Our Provincial Legislature was prorogued on Saturday last, after a Session of little more than seven weeks, and the several Members have returned to their homes.—We have not yet received a list of the Acts passed.—The Session was closed by the following SPEECH from His Excellency the Lieut. Governor:

Mr. President and Hon. Gentlemen of His Majesty's Council,

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

I have had the satisfaction of giving my assent to all the Bills which you have passed during the Session; and while I am convinced that there are some among them which may operate otherwise than beneficially, I am particularly gratified to find that the new Marriage Act, which has now passed into a Law, is calculated to give a high degree of satisfaction to a large portion of His Majesty's loyal subjects in this Colony.

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

In His Majesty's name, I thank you for the provision you have made for the services of the current year; and it will be my earnest desire to see the appropriations placed at my disposal, promptly and faithfully applied.

Mr. President, and Hon. Gentlemen of His Majesty's Council,

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

My best acknowledgements are due to you for the care and attention you have bestowed upon the several subjects recommended to your consideration, and it has been to me a source of much pleasure to observe the wisdom and harmony, which has guided your deliberations up to the close of your Legislative duties.

His Majesty's Council has rejected the Bill for incorporating the "Commercial Bank of New-Brunswick," which as our readers are aware had passed the House of Assembly.—The appropriations for the Bye-Roads throughout the Province have shared the same doom. We do not—like some of our cotemporaries—arrogate to ourselves the office of censuring the acts of His Majesty's Council. We presume not to scrutinize the motives in which those acts originated, nor do we doubt their being the result of wise and good consideration. But we much fear the rejection of the Bye-road appropriations will be a severe disappointment to many poor people in the Country who have looked forward to these appropriations as the means of affording them seasonable employment. And the want of improvement in these roads will also be seriously felt in bringing produce to market.

The Session being thus at an end, another week will bring to a conclusion the Reports we have from time to time laid before our Readers, of the Legislative Debates, &c. during the past winter, and we shall again be enabled to devote a larger portion of our paper to other subjects, and a greater variety of extracts.—We shall publish such Acts as are of general interest.

WEATHER, &c.—There is every appearance of Winter being at length put to flight, altho' it must be acknowledged that his reign has been long, and of iron severity.—During the latter part of last week we have had delightful weather with a hot sun, under the potent rays of which the snow was fast disappearing.—During the whole of yesterday, it rained almost incessantly, and about 10 o'clock last night we were visited by a severe thunder storm. This morning however the weather has again become fine and promises to continue so for some time.—There is yet a considerable quantity of snow and ice on the ground, but a few more such days as the three or four last, will entirely carry it off.—We have fears for the public Bridges, as well as private property on low lands throughout the country.

Daring and Extensive Robbery.—By a letter recently received by a gentleman in this city, we learn that the Office of JAMES STEWART, Esq. Barrister at Law, in Dorchester, Westmorland, was, during the absence of Mr. Stewart at Fredericton, in February, entered by some person or persons, and his iron chest broken open, and Money, consisting of paper of the Bank of New-Brunswick, Charlotte Co. Bank, N. Scotia Province paper, Halifax Bank Notes, and Gold and Silver, to the amount of nearly £300 abstracted therefrom. The Chest was broken at one of the ends and replaced with the broken part near the wall, in its usual position, so as not to attract notice.

The principal part of the property stolen consisted of paper of the Bank of New-Brunswick, and among the rest several £10 and £5 Notes. We sincerely trust that the villain or villains who have perpetrated this daring robbery, will not escape punishment.

"Grammar of the French Language, by Wm. Y. Theal."—The author has placed in our hands a copy of this work, comprised in a neat little volume of 176 pages.—Mr. THEAL is a native of this city.—We are not competent to decide upon the merits of this little Work, but we readily acknowledge it as a satisfactory proof of the Author's industrious application of his studies, and we hail with pleasure this new specimen of rising native talent in our Province. Mr. THEAL'S Grammar may be found an useful assistant both to the French student and the French tutor, and we wish it may meet with the extensive sale it deserves.

SHIPPING.—There are now in our harbour, ten barques (including the Prudence, launched last week, and the Devereux, recently ashore) and twelve brigs, in all twenty-two square rigged vessels. This is a greater number of vessels than has been seen in our port on the 13th March for many years, if ever.—Two of the brigs are Americans.