UNITED STATES.

From the New-York Observer, Jan. 23.

PRESIDENT'S SPECIAL MESSAGE.

The President's special message, which has been expected with so much interest and anxiety for several weeks, was communicated to both houses of Congress on Monday, and will be found below. It verifies our worst fears. The President, it will be seen, recommends the passage of a law forbidding the importation of French products, and the entry of French vessels into our ports; and, in one of the concluding paragraphs, assumes a tone of menace even more provoking than that of his offensive communication of last year. We regard this special message as a long stride towards a war between the United States and France.

MESSAGE.

To the Senate and House of Representatives:

Gentlemen: In my Message at the opening of your session, I informed you that our Charge d'Affaires at Paris had been instructed to ask for the final determination of the French Government, in relation to the payment of the indemnification, secured by the treaty of the 4th of July, 1831, and that when advices on the result should be received, it would be made the subject of a special communication.

In execution of this design, I now transmit to you the papers numbered from 1 to 13, inclusive, containing, among other things, the correspondence on this subject between our Charge d'Affaires and the French Minister of Foreign Affairs, from which it will be seen, that France requires, as a condition precedent to the execution of a treaty unconditionally ratified, and to the payment of a debt acknowledged by all the branches of her Government to be due, that certain explanations shall be made, of which she dictates the terms. These terms are such as that Government has already been officially informed cannot be complied with; and, if persisted in, they must be considered as a deliberate refusal on the part of France to fulfil engagements binding by the laws of nations, and held sacred by the whole civilized world. The nature of the act which France requires from this Government, is clearly set forth in the letter of the French Minister, marked No. 4. We will pay the money, says he, when "*the Government of the United States is ready, on its part, to declare to us, by addressing its claim to us officially, in writing, that she regrets the misunderstanding which has arisen between the two countries; that this misunderstanding is founded on a mistake; that it never entered into its intention to call in question the good faith of the French Government, nor to take a menacing attitude towards France;*" and he adds, "*if the Government of the United States does not give this assurance we shall be obliged to think that this misunderstanding is not the result of error.*" In the letter marked No. 6, the French Minister also remarks, that "*the Government of the United States knows, that upon itself depends henceforward the execution of the treaty of July 4, 1831.*

Obliged by the precise language thus used by the French Minister, to view it as a peremptory refusal to execute the treaty, except on terms incompatible with the honor and independence of the United States, and persuaded, that, on considering the correspondence now submitted to you, you can regard it in no other light, it becomes my duty to call your attention to such measures as the exigency of the case demands, if the claim of interfering in the communications between the different branches of our Government shall be persisted in. This pretension is rendered the more unreasonable by the fact, that the substance of the required explanation has been repeatedly and voluntarily given before it was insisted on as a condition—a condition the more humiliating, because it is demanded as the equivalent of a pecuniary consideration. Does France desire only a declaration that we had no intention to obtain our rights by an address to her fears rather than to her justice? She has already had it, frankly and explicitly given by our Minister accredited to her Government, his act ratified by me, and my confirmation of it officially communicated by him, in his letter to the French Minister of Foreign Affairs, of the 25th of April, 1835, and repeated by my published approval of that letter after the passage of the bill of indemnification. Does France want a degrading, servile repetition of this act, in terms which she shall dictate, and which will involve an acknowledgement of her assumed right to interfere in our domestic councils? She will never obtain it. The spirit of the American people, the dignity of the Legislature, and the firm resolve of their Executive Government, forbid it.

As the answer of the French Minister to our Charge d'Affaires at Paris, contains an allusion to a letter addressed by him to the representative of France at this place, it now becomes proper to lay before you the correspondence had between that functionary and the Secretary of State relative to the latter, and to accompany the same with such explanations as will enable you to understand the course of the executive in regard to it. Recurring to the historical statement made at the commencement of your session, of the origin and progress of our difficulties with France, it will be recollected that, on the return of our Minister to the United States, I caused my official approval of the explanations he had given to the French Minister of Foreign Affairs, to be made public. As the French Government had noticed the Message without its being officially communicated, it was not doubted that, if they were disposed to pay the money due to us, they would notice any public explanation of the Government of the United States in the same way. But, contrary to these well founded expectations, the French Ministry did not take this fair opportunity to relieve themselves from their unfortunate position, and to do justice to the United States.

Whilst, however, the Government of the U. States was awaiting the movements of the French Government in perfect confidence that the difficulty was at an end, the Secretary of State received a call from the French Charge d'Affaires in Washington, who desired to read to him a letter he had received from the French Minister of Foreign Affairs. He was asked whether he was instructed or directed to make any official communication, and replied that he was only authorized to read the letter, and furnish a copy if requested. The substance of its contents, it is presumed, may be gathered from Nos. 4 and 6 herewith transmitted. It was an attempt to make known to the Government of the United States, privately in what manner it could make explanations, apparently voluntary, but really dictated by France, acceptable to her, and thus obtain payment of the twenty-five millions of francs. No exception was taken to this mode of communication, which is often used to prepare the way for official intercourse, but the suggestions made in it were in their substance, wholly inadmissible. Not being in the shape of an official communication to the Government, it did not admit of reply or official notice, nor could it safely be made the basis of any action by the Executive or the Legislature; and the Secretary of State did not think proper to ask a copy, because he could have no use for it. Copies of papers, marked Nos. 9, 10 and 11, show an attempt on the part of the French Charge d'Affaires, many weeks afterwards, to place a copy of this paper among the archives of this Government, which for obvious reasons was not allowed to be done; but the assurance before given was repeated, that any official communication which he might be authorized to make in the accustomed form, would receive a prompt and just consideration. The indiscretion of this attempt was made more manifest by the subsequent avowal of the French Charge d'Affaires, that the object was to bring this letter before Congress and the American people. If foreign agents, on a subject of disagreement between their Government and this, wish to prefer an appeal to the American people, they will hereafter, it is hoped, better appreciate their own rights, and the respect due to others, than to attempt to use the Executive as the passive organs of their communications. It is due to the character of our institutions, that the diplomatic intercourse of this Government should be conducted with the utmost directness and simplicity, and that in all cases of importance, the communications received or made by the Executive, should assume the accustomed official form. It is only by insisting on this form, that foreign powers can be held to full responsibility; that their communications can be officially replied to; or that the advice or interference of the Legislature can, with propriety, be invited by the President. This shield that officer from unjust suspicions, and, on the other, to subject this portion of his acts to public scrutiny; and if occasion should require it, to constitutional animadversion. It was the more necessary to adhere to these principles in the instance in question, inasmuch as, in addition to other important interests, it very ultimately concerns the national honor; a matter, in my judgment, much too sacred to be made the subject of private and unofficial negociation.

It will be perceived that this letter of the French Minister of Foreign Affairs was read to the Secretary of State on the 11th of Sept. last. This was the first authentic indication of the specific views of the French Government, received by the Government of the U. States after the passage of the bill of indemnification. Inasmuch as the letter had been written before the official notice of my approval of Mr. Livingston's last explanation and remonstrance could have reached Paris, just ground of hope was left, as has been before stated, that the French government on receiving this information, in the same manner the alleged offending message had reached them, would desist from their extraordinary demand, and pay the money at once. To give them an opportunity to do so, and, at all events, to elicit their final determination, and the ground they intended to occupy, the instructions were given to our Charge d'Affaires, which were adverted to at the commencement of the present session of Congress. The result, as you have seen, is a demand of an official written expression of regrets, and a direct explanation addressed to France, with a distinct intimation that this is a *sine qua non*.

Mr. Barton having, in pursuance of his instructions, returned to the United States, and the Charge d'Affaires of France having been recalled, all diplomatic intercourse between the two countries is suspended—a state of things originating in an unreasonable susceptibility on the part of the French Government, and rendered necessary on our part by their refusal to perform engagements contained in a treaty, from the faithful performance of which by us they are to this day enjoying many important commercial advantages.

It is time that this unequal position of affairs should cease, and that Legislative action should be brought to sustain Executive exertion in such measures as the case requires. While France persists in her refusal to comply with the terms of a treaty, the object of which was, by removing all causes of mutual complaint, to renew ancient feelings of friendship, and to unite the two nations in the bond of amity, and of a mutually beneficial commerce, she cannot justly complain if we adopt such peaceful remedies as the law of nations and the circumstances of the case may authorize and demand. Of the nature of these remedies I have heretofore had occasion to speak, and, in reference to a particular contingency, to express my conviction that reprisals would be best adapted to such an emergency. Since that period, France, by all the departments of her Government, has acknowledged the validity of our claims, and the obligations of the treaty, and has appropriated the moneys which are necessary to its execution; and though payment is withheld on grounds vitally important to our existence as an independent nation, it is not to be believed that she can have determined permanently to retain a position so utterly indefensible. In the altered state of the questions in controversy, and under all existing circumstances, it appears to me, that, until such a determination shall have become evident, it will be proper and sufficient to retaliate her present refusal to comply with her engagements, by prohibiting the introduction of French products and the entry of French vessels into our ports. Between this and the interdiction of all commercial intercourse, or other remedies, you, as the representatives of the people, must determine. I recommend the former, in the present posture of our affairs, as being the least injurious to our commerce, and as attended with the least difficulty of returning to the usual state of friendly intercourse, if the Government of France shall render us the justice that is due, and also as a proper preliminary step to stronger measures, should their adoption be rendered necessary by subsequent events.

The return of our Charge d'Affaires is attended with public notices of naval preparations on the part of France, destined for our seas. Of the cause and intent of these armaments, I have no authentic information, nor any other means of judging, except such as are common to yourselves and to the public; but whatever may be their object, we are not at liberty to regard them as unconnected with the measures which hostile movements on the part of France may compel us to pursue. They at least deserve to be met by adequate preparation on our part, and I therefore strongly urge large and speedy appropriations for the increase of the Navy, and the completion of our coast defences.

If this array of military force be really designed to affect the action of the Government and People of the United States, on the questions now pending between the two nations, then indeed would it be dishonorable to pause a moment on the alternative which such a state of affairs would present to us. Come what may, the explanation which France demands can never be accorded; and no armament, however powerful and imposing, at a distance, or on our coast, will, I trust, deter us from discharging the high duties we owe to our constituents, to our national character, and to the world.

The House of Representatives, at the close of the last session of Congress, unanimously resolved, that the treaty of the 4th of July, 1831, should be maintained, and its execution insisted on by the United States. It is due to the welfare of the human race, not less than to our own interests and honor, that this resolution should, at all hazards, be adhered to. If, after so signal an example as that given by the American people, during their long and protracted difficulties with France, of forbearance under accumulated wrongs, and of generous confidence in her ultimate return to justice, she shall now be permitted to withhold from us the tardy and imperfect indemnification, which, after years of remonstrance and discussion, had at length been solemnly agreed on by the treaty of 1831, and to set at nought the obligation it imposes, the United States will not be the only sufferers. The efforts of humanity and religion, to substitute the appeals of justice and the arbitrement of reason, for the coercive measures usually resorted to by injured nations, will receive little encouragement from such an issue. By the selection and enforcement of such lawful and expedient measures as may be necessary to prevent a result so injurious to ourselves, and so fatal to the hopes of the philanthropist, we shall therefore not only preserve the pecuniary interests of our citizens, the independence of our Government, and the honor of our country, but do much, it may be hoped, to vindicate the faith of treaties, and to promote the general interests of peace, civilization and improvement.

ANDREW JACKSON.

Washington, January 15, 1836.

Arrangements for re-building in the burnt district have been extensively made, and in numerous instances the preparatory work is already commenced, with the design of completing the stores by the first of May next. The Merchants' Exchange, it is said, is to be rebuilt on the same site as before, and to be finished by the 1st of May 1837.

Dr. Xavier Saubert, the celebrated Fire King, died in New York, on Wednesday last, in a most awful manner. He was engaged in making some experiments in chemistry with phosphoric æther, or prussic acid, which exploded, and scattered his mortal frame into a thousand atoms.

Steamboat Accident.—The steam packet Wm. Gibbon, from Charleston, when in the lower bay at New York on Thursday, burst her boiler. The telegraph, which communicated the news of the disaster, also reported that several passengers were scalded.

PROVINCIAL LEGISLATURE.

HOUSE OF ASSEMBLY.

Friday, January 22.

Mr. Johnston, by leave, presented a petition from Nehemiah Merritt, Esquire, and others, merchants and residents in the City of St. John, praying an Act may pass to incorporate sundry persons under the name of the President, Directors and Company of the City Bank, which he read. *Ordered*, that the said petition be received, and lie on the table.

Mr. Partelow, by leave, presented a petition from the President, Directors and Company of the Bank of New-Brunswick, praying further increase of the Capital Stock of the said Bank and a renewal of its Charter, which he read. *Ordered*, that the said petition be received and lie on the table.

Mr. J. M. Wilmot, by leave, presented a petition from Charles Seymour, of Saint Martins, in the County of Saint John, praying aid to establish a Post line of communication, and for the conveyance of passengers, between that place and the City of St. John; which he read. *Ordered*, that the said Petition be received, and referred to the Committee of Supply.

Saturday, January 23.

Read a second time the following Bills:—

A Bill to incorporate sundry persons by the name of the President, Directors and Company of the City Bank.

A Bill to provide for the further increase of the Capital Stock of the Bank of New-Brunswick, and to amend and continue the Act for incorporating the said Bank: and

A Bill for the Incorporation of the Portland Mills and Tunnel Company.

Ordered, That the said several Bills be referred to the Select Committee on Bills of Incorporation, to examine and report thereon.

On motion of Mr. Crane, *Resolved*, that the Committee appointed to examine Bills of Incorporation, be instructed to prepare and report to this House, a Bill to regulate Banks and Banking; also a Bill for the regulation of Incorporation Companies in this Province.

Monday, January 25.

Read a second time:—A Bill for facilitating the recovery of the Wages of Seamen in the Merchant Service and Trade of this Province.

Mr. M'Leod, by leave, presented several petitions from Henry Leonard and 96 others, Joshua Upham and 91 others, and James Smiley and 117 others, of the Kennebeckasis River, from the New Bridge in Norton, to near Groom's, in Hampton, may be established as a part of the great road of communication from Saint John to Westmoreland; which he read. *Ordered*, that the said petition be received, and lie on the table.

Mr. Burns, by leave, presented a petition from John Kenny, Henry Nice, Samuel Strange, and 80 others, Merchants, Traders, and Fishermen, of Saint John, praying an alteration in the acts regulating the Grand Manan Fisheries, for the reasons therein stated; which he read. *Ordered*, that the said petition be received, and lie on the table.

On motion of Mr. L. A. Wilmot,—*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid before this House a detailed Account of the income of the Casual Revenue, during the past year, and the sources whence the same has been derived, with an account of the number of acres of land sold, the number of acres of land leased, and the names of the purchasers and lessees during the same period; also a statement of the amount which has been discounted for the immediate payment of purchase money, and whether any and what instalments are due and to grow due on sales and leases effected during the said term; and also whether any and what sums of money has been loaned from the said Revenue, and, if loaned, to whom and upon what terms; and also the number of acres of land sold to the Nova Scotia and New Brunswick Land Company, with the terms and conditions of such sale, and whether any and what sum has been paid by the said Company, and when and to whom the said payment has been made, together with a detailed account of the expenditure of the said Revenue during the past year.—*Ordered*, That Mr. L. A. Wilmot, Mr. Wyer and Mr. Johnston, be a Committee to wait upon His Excellency with the Address.

Tuesday, January 26.

Mr. J. M. Wilmot brought in bill to amend the Law relating to the sale of rum and other Spirituous Liquors in the County of St. John.

Mr. Partelow would oppose the bill because he thought it would have a bad effect. If it embraced the whole province he might feel disposed to support it. But he thought there was not in existence a more respectable body than the Magistracy of the County of St. John.

Mr. L. A. Wilmot, by leave, presented a petition from the President, Directors, and Company of the Central Bank of New-Brunswick, praying for an increase of their Capital Stock.—He alterwards brought in a bill to increase the Capital Stock of said Bank.

The House resolved itself into a committee of the whole to take into consideration the St. Stephen Whale Fishing Company. Mr. Weldon was called to the chair.

No debate grew out of the reading of this bill with the exception of some amendments recommended to be introduced into a few sections of it, however it occupied the house for a great part of the day. The Bill provides that said Company are to have a Capital of £50,000 and 5000 shares. Some conversation arose as to the propriety of referring Bills to a Select Committee, or having them discussed by a committee of the whole House; or whether it was advisable to have a general act of incorporation for all Incorporate Companies.

Mr. End was surprised at the idea of a general bill, and would have opposed it when it was first suggested to the House, but thinking he was alone in the opinion he did not like to raise his voice He thought that house had been always too ready in giving credit to and acting upon the Report of Select Committees. It was better to take up every bill separately, and examine it by a Committee of the whole House in the most calm and deliberate manner. Such a mode would of course take up a great deal of time, but they could not help that.

Mr. Weldon said it appeared to him that it was better to have Bills considered and examined by the whole house than by a select committee. Indeed he would recommend that the select committees be discharged from their labours. When these Committees went into a room other members would follow them to see what they were doing. He thought that every bill ought to stand or fall on its own merits before that house. Some of the bills coming in were highly important, and it was therefore incumbent upon them to give them a close investigation, lest they should prove injurious to the public.

Mr. Brown said he was one of the Select Committee, and that as far as Banking Companies were concerned they could easily make a general bill, but thinking that many Banks would not arise, they considered such a Bill as unnecessary. With respect to other incorporate bodies they found that a general bill could not conveniently apply to all the localities and other circumstances connected with them. They therefore found one thing unnecessary, and the other impracticable, and had therefore prayed for a discharge from their labours.

On motion of Mr. Partelow, the house went into committee of the whole, to consider the bill for Incorporating the St. Stephen Banking Company.—Mr. Hayward was called to the chair.

The Bill provided that £25,000 should be the capital stock of the company, and that £25 should constitute a share, leaving consequently 1000 shares in all. Some controversy arose as to the number of shares which it would be prudent to allow one person to hold.

Mr. M'Leod was for limiting the number to 20, because a greater number enjoyed by any one stockholder, would place the institution in the hands of a few individuals, and the public would not be well guarded. Suppose (said Mr. M'L.) that one half of these few individuals were to become bankrupts, to whom would the public look for their money.

Mr. Burns was of the same opinion as Mr. M'Leod, particularly as the bank had so small a capital. He (Mr. B.) would remind them of the Eastport Bank, which was so conducted as to be monopolised by a few individuals, who always, year after year, re-elected one another as Directors. The bank now in contemplation (said the hon. gentleman) would be monopolised in the same avaricious manner, if care was not taken to fix a discreet limitation to the shares of each stockholder. Many persons in the County of Charlotte had suffered from the Eastport Bank, and he hoped that too many shares would not be allowed to individual stockholders of the St. Stephen's Bank.

Mr. Speaker thought it was little consequence what would be the amount of shares allowed by law to each stockholder, as the shares would certainly be owned by those who had the money to pay for them.

Some hon. Gentlemen were for allowing 50, others 80 shares, and the question being put the majority voted for 80; but stockholders may own more than that number by purchasing them.

The bill provided that the Cashier should give security for his good behaviour in the sum of £10,000; but on motion of Mr. Partelow the sum was reduced to £5,000.

The bill also provided that his Excellency the Lieutenant Governor should have authority to appoint three Commissioners, to see that the amount of money required by law was actually paid into the Bank Directors, and to have recourse to all other investigations and scrutinies indispensable to the public security, before the bank should go into operation.

Mr. Partelow moved as an amendment, that as the Lieutenant-Governor had power to appoint Commissioners, there should be a provision made in the Bill to defray the expenses of such Commissioners.

Mr. L. A. Wilmot thought the Commissioners ought to be paid out of the public cess.

Mr. Partelow thought the stockholders ought to pay the expenses of the Commissioners. We (said Mr. P.) are here legislating for them. They come here asking privileges, and have therefore an unquestionable right to pay any expenses incurred by the examination to be instituted to ascertain whether there is proper security for the general safety of the Province.

Mr. Slason made some observations which were inaudible in the gallery.

Mr. Woodward made some brief remarks.

Mr. Speaker thought it would be right to make a provision for the Commissioners, and would be right also to define what that expense should be. If they gave too much, or made the office one of emolument, there would be too many candidates for it. He thought they ought to be paid out of the public cess. [illegible] was for the exclusive benefit of stockholders, because the public generally would reap its benefits, and it would have a great tendency to increase the trade and commerce of the Province. But the sum required to remunerate Commissioners was so small, that he would be sorry to see any provision made in the bill for it. Indeed he would be sorry to see it mentioned in the bill.

Mr. M'Leod did not think that the public should pay the expenses of Commissions; when hon. gentlemen granted the act of incorporation they did so for the benefit of the company and stockholders, who had a right to meet any expenses incurred by examining their stock

Mr. Partelow would merely allow the Commissioners their actual expenses, but had no idea of giving them five, ten, or twenty pounds per day.

Mr. J. M. Wilmot in making some remarks on the subject said he thought it was a question of some difficulty. It would not be easy for the house to settle or define the amount of remuneration to be given to Commissioners, as what would satisfy one Commissioner would not satisfy another.

Mr. End rose and said, Mr. Speaker had so very frequently declared himself in this house to be so extremely careful of the people's rights and interests, that he (Mr. E.) was really surprised to hear him now advocate a measure which would inflict a great injustice on his constituents; he considered him an eccentric politician. He (Mr. E.) did hold that the stockholders ought to pay the Commissioners. He did not care whether it was five shillings or ten pounds; he was not so anxious to protect his constituents from the sum of money as from the injustice of the principle. We are here (said Mr. E.) legislating, and we cost the country seven or eight pounds an hour, and surely we are bound to protect them, and to secure their privileges from any undue encroachments; and if we do not do so, there is no true patriotism in our conduct. If the stockholders of this bank came to the House of Commons to ask for an act or a charter, they would have to pay well for it. He did not care whether the cost of paying Commissioners was ten shillings or forty pounds. It was the principle which he opposed, and he would guard his constituents from its encroachments.

Mr. L. A. Wilmot said, as the discussion seemed to enlarge so much, he would make some remarks before the question was put. Now as to the hon. gentleman from Gloucester, he (Mr. W.) must say, that his views appeared to him very unfounded. We are to infer from his principles that the stockholders are the only persons to be benefitted by the bank. Now sir, look at this proposition; how very frequently have people that never were stockholders, or never will be stockholders, come before the house, praying for acts to incorporate bank companies. This is a matter of fact, and this point once arrived at, shews very clearly what course we are to follow. Is there no increase in the revenue in consequence of banks? Is there no public prosperity in consequence of banks? Is there no additional trade in consequence of banks? Yes, there is an increase of Revenue; there is public prosperity and additional trade in consequence of banks; and is it right that we should tax them? No. But when the public come here to ask for acts of incorporation, in reference to banks, it is right that the public should pay the Commissioners for examining the capital stock of said banks.

Mr. End said, as for the gallant Judge Advocate General, who has spoken, he means, because I am narrow minded, because my motives are selfish on other occasions, that I am actuated by narrow mindedness and selfish motives now. He thinks that I am not actuated by a sense of duty to my constituents, but by some private feelings and private views. I tell him in plain terms, not to make such insinuations again. As for my political principles, I never fashion them according to the standard of any party feeling or private interest; and as for my religious principle, I never shape that according to sectarian pride or bigotry, having for my guide both in political and religious matters, a sense of honor and a sense of duty. I am no catch trap. To say that the stockholders have not a right to pay the expenses of Commissioners, is an assertion void of truth; they are primarily concerned, and they do not apply for acts of incorporation to benefit the public, but to enrich themselves. They have great profits. We know very well that their dividends are immensely greater than the interest. We know very well that the public are often injured by their speculations; and are we to give away the money of our constituents to encourage and promote such speculations. He (Mr. E.) had no objections to banking companies, but he wished them to give proper securities to the public, and that at their own expense. They sometimes got twelve and thirteen per cent; however, he knew that banks often did good, and he had seen instances of it in the County of Gloucester.

Mr. Wilmot wished to make a remark in answer to the hon. gentleman. He thinks (said Mr. Wilmot) that he has got quite the better of me, and that I must surrender and strike to him. Now, as for his religious opinions, I am sorry that he has got none; and it is therefore hard to tell of what kind they are. (Cries of charity, charity, proceeded from hon. members and reverberated through the upper regions of the gallery.) And as for his political opinions, we all know them too well. (Cries of yes, yes, were loud and continued.) Mr. End here made use of some murmuring irony, which produced much laughter, both from the house and the gallery, and cries of order. With respect to my religious principles, (said Mr. W.) I leave them to another and a higher quarter, but whatever they may be, I will not apply to him for religious instruction. It was said by one of old, that whoever would shrink from a reptile ought to be trod upon, and he had no notion of shrinking from one. But the hon. member in retorting upon me has departed from the question, and failed to establish his principle; he has quite lost his ground and he does not know where he is. I have already established my principle. I have shewn that Banking Institutions are the main springs of national commerce and prosperity. They are considered so by the public and they should not be taxed. All expences incurred by Commissioners should be paid out of the public treasury.

Mr. Chandler thought it was a pity that discussion could not be indulged in without abuse. He was of opinion that the learned gentleman who had last spoken had outstepped the bounds of parliamentary propriety, making every allowance for the freedom and ardour of debate. Although he considered it very interesting to hear two such superior minds so warmly and controversially engaged, he thought it was a pity that they did not observe more moderation in advancing and supporting their conflicting opinions. It was painful to the House to hear scurrility. However, he was of opinion that the expenses of the examination to be made ought to be paid by the Bank; because, as the hon. member from Gloucester observed, they were primarily concerned; and he thought that the hon. member from Gloucester had given strong reasons why stockholders ought to pay the Commissioners; because, although they might have some degree of public spirit in their speculations, private interest with bankers had always been a predominant feeling. A great deal of argument (said Mr. Chandler,) might be adduced to shew that they had a right to pay the Commissioners, and some law to that effect ought to be passed to put all Banks on a general footing.

Mr. Partelow moved as an amendment to the Bill that the expenses of commissioners be paid by the stockholders out of the funds of the corporation.

Mr. Hannington would support the amendment. He was of the same opinion with the hon. member from Gloucester, that the Bank ought to pay the expenses of the Commissioners. Banking Corporations might have some public motives, but private interest was always the main spring. They were very profitable institutions, and he thought they might as well put their hands into the Treasury as to pay the Commissioners out of the public cess.

Mr. Woodward thought that expences of this kind might be nearly avoided altogether, by appointing Commissioners where the Bank was located. He was confident that very competent Commissioners could be found in the county of Charlotte, and it could not be supposed that his Excellency would send Commissioners from a great distance to examine the Bank at St. Stephen.

After some further remarks from Messrs. Taylor, Burns, and Weldon, the motion for the amendment was carried by a majority.

On motion of Mr. Weldon, it was resolved to reconsider the 16th section of the bill.

Mr. Gilbert thought it was the public that should pay the Commissioners, because the business of the Province would have been very much retarded last year for want of specie, were it not for the liberal spirit which the banks had manifested in affording accommodation. He would not consent to tax the banks.

The house in re-considering the sixteenth section of the bill, negatived the amendment made thereto on motion of Mr. Partelow, and it was accordingly expunged.

After some other unimportant remarks, the hon. Speaker resumed the chair, and Mr. Hayward the Chairman of the Committee reported on the bill in its amended form.

Message from His Excellency.

Mr. Speaker now read a Message from His Excellency the Lt. Governor, which was accompanied by despatches from the Colonial Secretary, which alluded to the ratification of the act for the relinquishment of the Quit Rents, and expressed his Majesty's satisfaction for having been relieved from the necessity of collecting them. The Despatch also alluded to the great loss of lives occasioned by the want of Light Houses on the Islands of Scattarie and St. Paul's, off the coast of Cape Breton, and shewed how loudly these Light Houses were called for, both by considerations of humanity and commercial advantages. The despatch requested the co-operation of the Legislature of New Brunswick, and stated that Lower Canada, Nova Scotia, and P. E. Island would be also appealed to in order to secure their co-operation with the Imperial Parliament in behalf of the undertaking. His Excellency's own message stated that a return of the Parish Schools had been received from the County of Westmorland, and recommended to the Legislature to make a provision for defraying the travelling expenses of Judges. The Message was accompanied by a document from the Hon. Chief Justice Chipman, shewing that the establishment of two new Counties had caused a great increase in the business of the Circuit Judges, and as a matter of course, had greatly enlarged their travelling. One guinea per day was the allowance recommended as the travelling expenses of Judges, and twenty miles per day the distance to be travelled.

On motion of Mr. Chandler, it was Resolved that the consideration of His Excellency's Message, should be the order of the day for Friday next. The House adjourned.

Wednesday, January 27.

Mr. Street moved for a select committee, to prepare a bill to regulate the Office of Sheriff throughout the Province.—Messrs. Street, Chandler, and Clinch were appointed as such committee.

Col. Wyer brought in a bill to amend an act passed in the second year of the reign of His late Majesty George IV. to regulate the duties of Pilots within the Province.

Mr. L. A. Wilmot reported, that the Committee appointed to present an Address to His Excellency, praying him to lay before them a statement of Crown Lands sold and leased, of money loaned, and other matters specified in the Address, had attended to that duty and received an answer. His Excellency's answer stated that he could not comply with their request to the full extent, as some circumstances in it were now under the consideration of the House of Lords, and therefore not under his control; but he would cause to be laid before them, a statement of the amount and expenditure of the Casual Revenue.

SUPPLIES.—On motion of Mr. Partelow, Twenty Shillings per diem was voted to each of the members of the Legislature during the present session. To the Clerk of the House of Assembly for his services during the present year, £200. To the Assistant Clerk, £160. Messengers, 10s. per day. Clerk of the Legislative Council, £200. To the Attorney General for the year 1835, £100. The Solicitor General was allowed for his services, £100. The Clerk of the Crown in the Supreme Court, £100. Hon. Richard Simonds, Treasurer, £600, and his Clerk, £150. To His Excellency, to continue the bounty on Parish Schools, £7000. There are seven Grammar Schools in the Province beside that in St. John, and the Committee, on motion of Mr. Partelow, granted to each school £100, and to the Grammar School in St. John, £150. To the Commissioners of the respective Light Houses in the Bay of Fundy, the following items were granted, on motion of Mr. Partelow:—To the Keeper of the Gannet Rock Light House, £165. Point Lepro Light House Keeper, £100. Quaco Light House Keeper, £100. To defray other expenses attending these Light Houses, £550.—Keeper of Campobello Light House, £120. Keeper of St. Andrew's Light House. £30. Keeper of Seal Island, £130. To defray other expenses of lighting these respective Light Houses, £550.—To the Keeper of Partridge Island Light House. £100. Beacon Light House Keeper, £100. For other expenses of St. John Harbour Light Houses, £200.—To the Adjutant General of Militia, £75. To the Quarter Master General of Militia, £50. To the Trustees of the Madras Schools the sum of £500. £350 to Mr. Simpson, for printing the Journals, &c. of the Legislature.

Thursday, January 28.

Mr. Hill brought in a bill to incorporate the St. John and St. Croix River Canal Company.

Mr. Secretary Odell, by order of his Excellency, laid the Treasurer's Accounts before the house.

On motion of Mr. Crane, a Committee were appointed to examine the Treasurer's accounts, viz:—Messrs. Partelow, Woodward, Crane, Rankin, Wyer, Stewart, and Taylor.

The Bill for incorporating the Fredericton Hotel and Stage Company was read a second time.

On motion of Mr. End, *Resolved*—That in future when any bill is brought in for incorporating companies, that the parties interested in it, shall cause printed copies of it to be distributed to the members of this house, within two days after such a bill is brought in.

THE OBSERVER.

ST. JOHN, TUESDAY, FEBRUARY 2, 1836.

We are without later dates from Europe.

In a preceding part of this paper the reader will find the Special Message of President Jackson to the United States Congress, on the subject of the dispute between that country and France. The President is very firm and decided in his remarks on the subject, and in his recommendations to Congress. He advises the prohibition of French manufactures and the non-allowance of French vessels to entry in the ports of the Union; he also recommends immediate measures for the increase and efficiency of the Navy, and the completion of the coast defences. The President's voice it will thus be seen "is still for war," but it is questionable whether he will be supported in his views by Congress. The Washington Intelligencer remarks as follows—"Our opinion continues unchanged, that Congress will not act upon the recommendations contained in the Special Message, until at least we hear what has been the reception of the President's Annual Message to Congress, by the French Government."

ST. JOHN BRIDGE COMPANY.—At a general meeting of the Stockholders of the above Company, held this day, the following gentlemen were elected as Directors for the ensuing year:—

John Robertson,	Isaac Woodward,
Rev. F. Coster,	William Hammond,
John Walker,	Peter Besnard,
R. M. Jarvis,	T. L. Nicholson,
Thomas Jones,	Hugh Mackay,
Edward L. Jarvis,	W. H. Street,
Geo. D. Robinson,	Esquires.

And at a subsequent meeting of the Directors, John Robertson, Esq., was unanimously re-elected President, and D. Robertson, Esq., Secretary.

We are happy to state that the Packet *Star*, with the November mail, from Falmouth for Halifax, lately spoken dismasted, has arrived at the Island of Nevis.—(See marine journal.)

The whale ship *Mozambique*, of this port, it will also be seen on reference to our marine list, arrived this morning from a very successful cruise of about 27 months.

Captain JOSEPH HAM[illegible] Common Council a Po[illegible] Saint John.

We understand that [illegible] rating Missionary of this [illegible] the Church of Scotland [illegible] nious call to be their Pa[illegible] belonging to the united [illegible] and Springfield.

THE MISSING BOAT.—[illegible] in our last as having be[illegible] the night of the 15th J[illegible] letter, to have drifted a[illegible] the four men who were [illegible] when she started, the b[illegible] Cann, tailor, we presu[illegible] reached the Nova-Scoti[illegible]

[The letter referred t[illegible] room—it gives a very [illegible] man found in the boat, [illegible] to be about 25 years [illegible] eyes, good teeth, and [illegible] good snuff-colored fro[illegible] trowsers, black cloth v[illegible] silk neckerchief with r[illegible] his pocket, &c. &c.]

Small Pox at N[illegible] paragraphs gives a mel[illegible] of the ravages commit[illegible] John's, N. F.—The [illegible] tha several vessels [illegible] John's, and recomme[illegible]

CHARLOTTE-TOWN[illegible] The schooner Mary, [illegible] John's, N. F. bound t[illegible] on Thursday last. T[illegible] over, but she has succ[illegible] ings, and will remain [illegible] John's on the 18th [illegible] *Small Pox* was mak[illegible] crowded population o[illegible] private letter of the [illegible] were then *upwards* o[illegible] Newfoundland Patrio[illegible] ing information on the [illegible]

"SMALL POX.—N[illegible] are sorry to say, ha[illegible] week, in this most m[illegible] pearance in this town [illegible] *duals have been swe[illegible]* at the present mome[illegible] still exist. It is no [illegible] with their faces cova[illegible] the disease, transac[illegible] walking in the street [illegible] the disease, however [illegible] nated for the cow-p[illegible]

The Halifax mail [illegible] morning. The Leg[illegible] ed on Thursday th[illegible] graphs from His E[illegible] speech on the occasi[illegible]

"I have the satis[illegible] Majesty's Governm[illegible] to apply to Parliam[illegible] erecting Light Ho[illegible] and St. Paul, pro[illegible] trade is to be benefi[illegible] to defray the expe[illegible] the liberality and a[illegible] by His Majesty's G[illegible] tions for obviating [illegible] accidents by Shipw[illegible] duly appreciated, [illegible] have heretofore be[illegible] this Province in [illegible] Shipwrecked upon[illegible] will cordially co-op[illegible] and with the neigh[illegible] measure so impor[illegible] the whole of Nort[illegible]

"I am happy [illegible] upon the health a[illegible] has enjoyed durin[illegible] hope these blessi[illegible] beg to assure you [illegible] to co-operate in s[illegible] ducive to the well[illegible] so distinguished f[illegible] Parent State."

(From our Corre[illegible]

DISTRESSING [illegible] rence has recently [illegible] seaman named H[illegible] brigantine Malc[illegible] from St. John's, [illegible] zen in,) left a ca[illegible] River (where he [illegible] on one of the sev[illegible] the intention of [illegible] this and Richib[illegible] way, was, during [illegible] frozen in such a [illegible] putation of *both* [illegible] operation was pe[illegible] him a helpless ob[illegible] lic. He is unde[illegible] is doing well, an[illegible] sary measures wo[illegible] vide for his futu[illegible] case of utter hel[illegible]

Trade of Ba[illegible]