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Volume 4. SAINT ANDREWS, THURSDAY, FEBRUARY 9, 1837. *Number* 6.

MONTHLY ALMANAC.

1837. January	First week	Second week	Third week	Fourth week	Odd days
Wednesday	1	8	15	22	—
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COMMUNICATION.

From our Fredericton Correspondent.

Fredericton 28th January, 1837.

TO THE EDITOR OF THE STANDARD.

SIR—On Tuesday last the debate on the Civil List Bill was resumed by the Legislative Council. The Chief Justice, Mr. Black Mr. Botsford, and Mr. Chandler, spoke eloquently in its favor; the Attorney General, Mr. Cunard, and Mr. Baillie again opposed it. I could give you an outline of the debate, but it would spin my summary out to too great a length. There was a large and most respectable audience waiting with intense anxiety for the decision. The consideration at stake was immense, and the issue doubtful. The amount at stake £100,000, acknowledged by Mr. Baillie to be now secured, £50,000 due, and in addition to this, the whole of the ungranted resources of the Province; and the grand "question", "to be, or not to be," at the disposal of the Legislature. The members of the Assembly were present, and their hopes, and fears, and feelings, appeared to be strained to the highest pitch; and when the question was at last put, and the division announced (*eight* for the Bill, and *five* against it,) they hastily withdrew, and making a simultaneous rush to their own apartment, immediately adjourned, and indulged for a time, in the most extravagant congratulations. The Bill has therefore passed both branches of the Legislature, unaltered either in substance or form. It is impossible to foresee what course His Excellency will now pursue. He cannot *refuse* his assent to the Bill without disobeying His Majesty's express commands. He cannot *assent* to the Bill without breaking through his own objections, as it comes before him *without* "a suspending clause," with all its alleged imperfections and objectionable provisions.

The other business of the week is not destitute of interest. The sum of £1000, has been unanimously granted towards the relief of the sufferers by the late calamitous fire in the city of St. John. The subject of the erection and maintenance of Light Houses and other establishments, in the Gulf of St. Lawrence, at the joint expense of Lower Canada, Nova Scotia, Prince Ed. Island, and this Province, so long called for, is so far in progress as to be before the House in the shape of a Bill, to provide for our share of the expense. A Bill to increase the allowance to Petit Jurors was lost in the House. A Bill to amend the Election law, by opening the Poll in different places of a County at the same time, and so reducing the whole time of Polling to four days, has undergone a great deal of discussion, and is yet undecided. The act for the commutation of the Quit Rents has been suspended, that claim being surrendered with the casual revenue. A Petition against the return of William Wilson Esq. a member for Westmorland, underwent an investigation before an Elective Committee, duly ballotted and sworn, and was reported by their Chairman as "frivolous and vexatious." A Bill to regulate the appointment and duties of Bye Road Commissioners has been under consideration.—This subject connected as it with the best interests of the Province, and involving as it does the expenditure of a large portion of a very abundant revenue, has, in one shape or other, already occupied the House for several days, and the debates thereon *threaten* to be *interminable*. Many other minor and local matters have been disposed of during the week, which in this brief outline of the proceedings I am unable to enumerate. With regard to the subject mentioned in a note in your last number, I am, for obvious reasons, not at liberty to express an opinion.

X I. V.

Extract from the Message of Governor Dunlap of Maine, to the Senate, and House of Representatives:—

"The subject of the North Eastern Boundary of the State, which for several years has been rendered deeply interesting to our constituents, from the claim set up in relation to it by the British Government, remains unsettled; and I regret to say, that I have received no information to warrant the opinion that a speedy adjustment is expected.

The claim by the British Government grew out of an implied but unequivocal admission by her own authorities, that the territory in dispute belonged to Maine. In the negociation of the Treaty of Ghent, the Commissioners on the part of great Britain requested "such a *variation* of the line of Frontier as might secure a direct communication between Quebec and Halifax." This request was an obvious concession, that without such variation the requested territory would not belong to that Government, To this request the Commissioners on the part of the United States replied, that the Federal Government had no power to cede away any portion of the domain of one of the States of the Union.—Resort was then had to ingenuity, and this resulted not in asserting a claim to the desired territory, but in declaring that there was "much doubt whether it does not already belong to Great Britain." Upon this expression of a doubt the whole superstructure of the controversy has been raised,

A claim to territory then begun to be made.—This claim was at first indeterminate, for it indicated no line of boundary, and referred to no documents or reasonings by which it was to be sustained. Is it not then safe to conclude that this claim originated from a effort of invention? It contravenes the treaty of Boundaries, and in sustaining it, its supporters have substituted argument and ingenuity, for truth and justice.

It must be conceded that our people and their State Government have exercised a most liberal forbearance upon the subject, considering the series of years it has been agitated and the successive incidental circumstances calculated to excite and aggravate popular feeling. Our soil and our sovereignty have been invaded. Over a portion of domain of incalculable value, owned jointly by this and our parent commonwealth, an attempt has been made to establish an adverse claim.—The jurisdiction of the State has been rendered imperative, either for the protection or redress of our injured inhabitants. Under color of authority from a foreign Government, our unoffending citizens in time of peace have been forced from their rightful homes and dragged beyond the limits of the State. Trials for imaginary crimes, have been instituted against them, and upon our brethern, guilty of no offence, and charged with no wrong, the indignities of a foreign jail have been imposed. Our political system has lodged in the first instance the power and duty of protection, with the Federal Government. To that Government we have appealed, but relief has not come. Our lands are sequestered, our sovereignty is insulted, and our injured citizens are unredressed. In this state of things, is it not due to our own self respect, as well as the cause of justice, that the State of Maine should insist on being immediately placed by the Government of the United States, into the possession of the invaluable rights from which she has been so long excluded?

CASE OF EXTREME DISTRESS.—A most distressing case of misery has just been communicated, and, as the best mode of detailing it, we copy the following correspondence between Mr. Dreghorn and his Grace the Duke of Wellington. His Grace's very business-like and sensible letter was accompanied by a five pound Bank of England note We trust that his example may be followed by those who have it in their power to do so—the objects are every way worthy; their noble brother died in defence of his country while leading on the gallant Greys to the chargerat Waterloo, and we cannot think his sisters will be allowed to starve at our very doors:—*Edinburgh Observer*.

Glasgow, 19th Nov. 1836.

MY LORD DUKE,—I take the liberty of bringing before your Grace's notice the following most heart-rending case, trusting that it will excite your well known sympathies in behalf of the miserable ladies who are the subject of it. These ladies are two sisters of the late Lieutenant Colonel Hamilton of the Scots Greys, who was killed at Waterloo. Your Grace is already aware that Col. Hamilton left ample property to keep his sisters in the same affluent circumstances in which they were previous to his death, and which property he entrusted to the management of the late Col. Gillon, and a Mr. Swan, writer to the signet. The latter person took the management of the estate, and after the death of Col. Gillon, had the sole control of the funds, which he embezzled. He afterwards became bankrupt, and the ladies were in consequence left in a state of the utmost destitution. Upon the case being made known to your Grace many years ago, you manifested a warm interest in the sisters, and generously procured a sum from the royal bounty, which enabled them to support themselves for a considerable time; but, notwithstanding the utmost economy, this sum was exhausted many years ago. Every application has been made to Government in their behalf; but it appears that they have now no claim whatever to receive assistance from any fund. I have to crave most earnestly the attention of your Grace to their present circumstances of misery—they have applied to be admitted upon the poors' funds of the parish of Govan, and if they are at all found to be entitled by law to parochial relief, so far as the distributors can go, aid will be given; but when I tell your Grace that the utmost they can receive is 2s. 6d. per month, your Grace will see that without assistance from charitable individuals, they must starve; indeed, how they have supported existence for the last few years is to me inexplicable. Till lately they were living in a miserable hovel, and little was known of them, as they only emerged from it under cloud of night, to procure necessaries, being ashamed to be seen during the day. A humane individual of limited means describes to me a visit he made to their dwelling; on entering which a most distressing scene presented itself—here they were without a fire, without food, with only a slight covering over them in bed, and nearly at the point of starvation; how long they had been in the state he could not say, but from their emaciated appearance, it must have been a long time. Your Grace may say that they might have procured work, but they cannot work, and to beg, they are ashamed—indeed one of them is now a maniac. I intend applying to charitable individuals in behalf of the ladies, for the purpose of raising a little money to enable them to drag out their miserable existence a little longer: and I have presumed to trouble your Grace with the foregoing details, trusting that your Grace may add your mite to the subscription which may be remitted me, and I will take care that it is properly expended. Colonel Hamilton was a noble and brave officer, as was also his brother, who was a lieutenant of the 38th regiment of foot, and who died in 1816; and I am persuaded that, if their case be properly known, these aged sisters will not be allowed to starve, to whom the Colonel thus writes on the eve of the memorable battle, which terminated his earthly career, and from whose letter now before me I quote. After enclosing a sum of money, he thus concludes;—"Nor have I time to say more than send you my most affectionate and earnest good wishes for your health. Farewell, my dear sisters, and believe me, ever affectionately, yours."—Trusting your Grace will excuse this freedom I have the honour to be, my Lord Duke, your Grace's most obedient humble servant.

D. DREGHORN.

His Grace the Duke of Wellington, &c.

November 22, 1836.

SIR,—I have had the honour of receiving your letter of the 18th instant, regarding the sisters of the late Colonel Hamilton, of the Scots Greys. If I had this single case to deal with, or a hundred, or even hundreds, I should be under no difficulty; but, as soon as the war was over, nothing would avail the officers of the army, their relatives, and relicts, but exorbitant profits and interests. Instead of placing their money in security, and being satisfied with small, but secure, interest for the same, they entrusted it to gamblers and speculators, whether in the profession of the law or otherwise, in order to acquire more than could fairly be made by money: and the tale of distress, which you relate of the Misses Hamilton, is that not of hundreds, but, to my certain knowledge, of thousands. All these naturally came to me from all parts of the world. I have, at this moment, applications before me, from Canada, and the East Indies, as well as from different parts of Europe, and I need add, that relicts of officers of the army are not the only sufferers. The Government will do nothing, and I must confess that I cannot see on what ground a grant of money can be justified, founded upon losses of fortune, occasioned by imprudent and unreasonable speculations. No private funds can provide for such demands. I make this statement in answer to your letter, as I wish to show you that the case is not singular, at the same time, I send you the inclosed, requesting you to add it to any subscription which may have been made for the service of these ladies.—I have the honour to be, your most obedient humble servant,

WELLINGTON.

David Dreghorn. Esq.,
Govan Parish Poor-Rate Office,
Glasgow.

New-Brunswick.

PROVINCIAL PARLIAMENT.

HOUSE OF ASSEMBLY.

EXTRACTS FROM THE JOURNALS

Monday, Jan. 16.

Mr. Wyer from the committee on Light Houses submitted a report on the subject of Light Houses on the islands of St. Paul and Scatterie, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee on Light Houses, to whom was referred the report and award of the Commissioners from Lower Canada, Nova Scotia, Prince Edward Island, and New Brunswick, relative to Light *Houses* to be established on the Islands of Saint Paul, and Scatterie, beg leave to report; that they have had the said matter under their consideration, and recommend that the views of the said Commissioners should be carried into effect: and for that purpose they have prepared a Bill, under the title of 'A Bill to make provisions for the payment of a portion of the expences of maintaining Light Houses and Establishments in the Gulf of Saint Lawrence,' which they now offer for the consideration of the House.

"THOMAS WYER,
Chairman.

Extract from the Bill introduced to restrain the action of the 5th Section of the Civil List Bill, as it regards Squatters &c.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That nothing in the aforesaid in part recited Act contained shall extend or be construed to extend to prevent His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of the Executive Council at any time before the first day of January, in the year of our Lord one thousand eight hundred and forty, from disposing by private sale of any tract or tracts of ungranted Crown Lands to any person or persons who shall, prior to the passing of this Act, be actually settled upon and shall have improved such tract or tracts without any legal authority for so doing: Provided always, that in no case shall more than one hundred acres be granted to any one person, and that no grant be made as aforesaid for less than two shillings and sixpence currency per acre for immediate payment, or three shillings currency per acre by four annual instalments and that the names of the Grantees, with a statement of the quantity of Land granted to each, where situate, and the terms and conditions of sale be laid each year, with the other Casual Revenue Accounts, before the Assembly.

II. And be it enacted, That it shall and may be lawful for His Excellency the Lieutenant Governor and Commander in Chief for the time being, by and with the advice and consent aforesaid, to grant licences for cutting and hauling timber, logs or other lumber, immediately on their being applied for, and to renew the same to the former occupant or occupants, who may have worked the same during the previous year, on his or their making timely application therefor before the previous licence expires, and to grant the same by private sale, on petition, without Public Auction, at the following rates, viz.:—

For square Red Pine Timber, 2s, 6d. per ton;

For square White and Sapling Red Pine, 2s. 0d, per ton;

For square Birch, Spruce, and Hemlock, 1s. 6d. per ton;

For Pine and Spruce Logs, 3s. 6d per thousand superficial feet;

And for all other descriptions of wood, the sum of ten pounds upon every one hundred pounds of its estimated value; and in case two or more persons shall apply at one time for a new berth, that then and in such case it shall be sold by the Commissioner of Crown Lands, or his Deputy, to the highest bidder, and be competed for between the applicants only; provided that no such licence be granted for a longer term than one year, and not to extend beyond the first day of may next after the issuing thereof.

III. And whereas cases may arise where persons licenced to cut Timber Logs or other descriptions of Lumber may exceed the quantity so licenced: Be it therefore enacted that it shall and may be lawful for His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice aforesaid, to grant relief to the person or persons so exceeding their Licence upon payment of the Lawful Tonnage money; provided that the person so exceeding the quantity licenced make application for such excess and pay the Tonnage before the first day of May in each year.

IV. And be it enacted, That from and after the passing of this Act, it shall and may be lawful for the Lieutenant Governor and Commander in Chief for the time being, by and with the advice and consent aforesaid, to make such rules and regulations relating to the disposal of Land and the licencing of Timber, Logs and all other descriptions of Lumber, and for the guidance of applicants agreeably to the true intent and meaning of this Act, and as may be deemed expedient and proper to carry the provisions of this Act into effect, which said rules and regulations shall be published in the Royal Gazette.

V. And whereas cases may arise where industrious Emigrants or Natives not having any Land may be desirous of procuring small allotments for immediate settlement: And whereas there are in this Province sundry tracts of ungranted Crown Land not valuable for lumbering purposes, but fit for agricultural improvement and which should be disposed of on reasonable terms to persons of the above description, Be it enacted that from and after the passing of this Act, it shall and may be lawful for His Excellency the Lieutenant Governor, by and with the advice and consent of the Executive Council, to sell and grant by private sale to Emigrant or Native, being British subjects, not having any Land, and who shall prove to the satisfaction of the said Governor and Council that he is deserving of such privilege and has not applied for the same for any other purpose than that of immediate settlement and cultivation, a quantity of Land of the description mentioned in the preamble to this Section, not exceeding one hundred acres to each individual, and that an account of such disposals be annually laid before the Assembly specifying the names of Grantees, the quantity granted to each, where situate, and the terms and conditions of sale: Provided always, that no Land shall be sold and granted as aforesaid for less than two shillings and six pence currency per acre, to be paid immediately on the application being complied with, and before the applicant take possession thereof, and also provided that no patent issue to any such purchaser until he shall have first resided upon and improved the Land so purchased for the term of one year.

VII. And be it enacted, That all Grants Leases and other assurances under the Great Seal of this Province, made and entered into under and by virtue of the above in part recited Act, or any of the provisions thereof, shall in all cases and in all Courts of Law and Equity within this Province be deemed and taken to be evidence of title and all other matters and things therein contained.

VIII. And be it enacted, That this Act shall come into operation and be in force on the first day of September next.

IX. And be it enacted, That this Act shall continue and be in force until the first day of September, which will be in the year of our Lord one thousand eight hundred and thirty nine.

At a Public Meeting of the of the Inhabitants of the City of St. John, held at the Court House, 1st February, 1837. His Worship the Mayor having been unanimously called to the Chair, and Wm. Wright, Esq. appointed Secretary

His Worship the Mayor stated the objects of the meeting; and the several communications received by him from Halifax, Saint Andrews, and Miramichi, on the subject of the late Fire in this City, having been read by the Secretary. The Treasurer of the Relief Committee appointed at the last Public Meeting, delivered a Report of that Committee's proceedings, which he read.

Whereupon on motion of R. F. Hazen Esq. seconded by S. Gould, Esq.

1st. *Resolved*, That while this Meeting deeply sympathises with all classes of sufferers by the late destructive Fire, it deems it inexpedient to extend pecuniary aid to any but those whose destitute situation calls for relief.

2. That this Meeting entertains a well grounded confidence that the Mercantile Community upon whom the recent losses chiefly fell, will in a short time by its energy enterprise, and unimpaired credit, regain its former prosperity.

3. That this meeting feels the liveliest gratitude, for the liberal subscriptions raised at Halifax, Miramichi, and St. Andrews, in aid of the destitute sufferers by the late fire in this city—but at the same time considers that this community cannot with propriety accept the same, a sufficient fund being already provided by the munificent grant of the Legislature and the generous donation of our worthy Lieutenant Governor.

Resolved therefore That his Worship the Mayor be requested to forward a copy of the above resolutions to the several places from which subscriptions have been or may be received, and in the mean time that he do hold the several amounts received, subject to the order of the respective Committees who remitted the same.

On motion of E. DeW. Ratchford, Esq. seconded by D Ansley, Esq.

Resolved, That a Committee be appointed to Petition the Legislature for a Loan to be granted to the extent of at least £5000, for distribution among those persons, principally Traders and Mechanics—who have been heavy sufferers, and require assistance to enable them to resume or continue their former business, and that the sum so granted be placed in the hands of the Commissioners for distribution to such applicants of the above description as they consider worthy objects, upon their personal Bonds, payable by annual instalments in five years without interest: and *further Resolved*, that Robert F. Hasen, I. L. Bedell, and William Wright, Esquires, be a committee to draw up and forward a Petition in accordance with the above resolution.—*Courier*

Belfast and Quebec Rail Road.—There is a great diversity of opinion upon the utility of a rail road to Quebec. It might not pay 6 per cent interest on the outlay of capital for some years, but in time the intercourse by means of it would be very great.—There is one view of the matter to which we would call attention. It is well known that when the British first made their claim to a part of our territory, a leading object with them was to get a road from St. John's to Quebec through their territory. But if the Kennebec railroad is made, the project of the other road will be abandoned, and the leading inducement to the claim upon our territory will be taken away. If, therefore, as the explorers of the proposed St. Andrews and Quebec road represent, the territory is good for nothing, and the idea of a road there is abandoned, we may suppose that the British will be willing to run the line according to the treaty.—*Ken. Jour.*

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