

Tight Binding

POOF

that under the law the debtor selected the tribunal before which his examination was to be made. The honest man could always get bail; and the law as it stood did what laws should do, held out an inducement for men to be honest. When the order for discharge under this Bill is once given, the debtor may laugh at his creditor; whatever amount of property he may afterwards be found to have he cannot be touched. He would go as far as any one for the protection of the honest debtor, but he was not prepared to give inducements to dishonesty.

Hon. Mr. SMITH said that the question in this Bill was whether they would abolish imprisonment for debt. He was not prepared to do that. He wished to legislate for those who have property as well as for those who have none; he thought that it was a safe principle that a man should pay for what he gets. The operation of the present law was that nineteen out of twenty dishonest men were made to disgorge. He gave this deliberately and advisedly as the result of his experience. Besides this fear of incarceration was a check upon extravagance. He thought that a creditor would not pay five shillings a week if he expected to get nothing. The third section of the Bill made the debtor liable to a prosecution for a misdemeanor for certain acts for which he was now liable to a prosecution for perjury; which was no great improvement. What benefit would it be to the creditor to have the power of prosecuting a fraudulent debtor for a misdemeanor when he himself would have to undertake the prosecution? If the creditor, ten minutes after the debtor's examination is closed, and he discharged, finds out that he has concealed property to the value of a thousand pounds he can still do nothing but undertake a prosecution for a misdemeanor. This Bill was a side-wind abolition of imprisonment for debt. He should move that its further consideration be postponed for three months.

Mr. STRADMAN was in favor of the principle of the Bill. It had nothing to do with the abolition of imprisonment for debt; it only proposed to give the Justice power to do to-day what they under the present law have power to do six months hence. To those creditors who do not wish to oppress those who owe them, this Bill would do no injury; but it only did what they themselves would do—discharge those who cannot pay; it would interfere with hard creditors only—with those who kept their debtors in gaol, with the view of forcing the debts out of their friends. The 3d section was good, and would have a salutary effect.

Mr. LEWIS said that this had been called a liberal measure, but judging from the quarter from which it came he thought it must be a Tory measure. They had better let well enough alone. He should vote against the Bill.

Mr. KERR said that he did not think this Bill as much called for as it might have been before the enactment of the Insolvent Law. It would do more harm than good. He had seen cases during the last year which convinced him that the debtor has the advantage of the creditor now. He had known a man apply for, and receive, the weekly allowance, at the same time that, as it was afterwards discovered he had a large contract in ship building. Progress was reported.

The Journal. Thursday, March 15, 1860. Fredericton Correspondence.

THE OPPOSITION. Yesterday the House divided upon the resolution of Mr. Gray, and declared by its vote that it was not desirable to wait until an opportunity had been afforded the Committee on Public accounts to report before going into committee of supply. The vote was strictly a party one, except that Mr. Kerr voted against the resolution of Mr. Gray, evidently because he did not wish to lead the House to imagine that the report of the committee would be much of a guide to them. For the resolution then voted Gray, M'Pherson, Lawrence, Williams, Botsford, Allan, M'Pherson, Scoville, Vail, Gilbert, Wilnot, McIntosh and Desbrisay. Add to these Mr. Kerr, and Mr. Montgomery, who is confined to his lodging by sickness, and you have the strength of the opposition party in the House. They are all good men and true; there is scarcely a man amongst them whose character does not stand high for probity and for capacity in some department. Fortunately, however, for themselves and the country they do not possess the trickery and duplicity necessary to match their opponents; and, unfortunately for themselves and the country, they do not make up for it by excess of tact and shrewdness. There are men among them of very great acuteness and observation; but not possessing

the gift of speech in so high a degree as some members, they cannot turn their talents to the best account.

THE RAILWAY COMMITTEE. To-day His Excellency came down, and gave his assent to several Bills, among which was Mr. Gray's for the examination of witnesses before the Legislature and its Committees upon oath. The Railway Committee can now commence the examination of witnesses, with some prospect of getting, not at, but near, the truth. It is understood that this Committee have been waiting for some time for the passing of this Bill to commence their work. Touching this matter I have a word or two to say. Some time since in a letter sent you I held the Government to account for delay in the appointment of this Committee. Further evidence has confirmed me in the suspicions which induced the writing of that letter. Everything in connection with the matter seems to incupate the Government as the cause of unnecessary delay. Declaring that they were most anxious for a full and searching investigation they assisted with the utmost complacency in putting off the appointment of the committee to the latest possible day. No onlooker, in his sober senses, but could see that the delay in the striking of the committee caused by the debate seemed to delight the Government hugely, and was fostered by them. Then when Mr. Gray's Bill respecting Witnesses came up there were as many impediments thrown in its way as the Government dare venture upon. Then I hear from time to time of other dodges which are used to delay the committee, and to put off as long as possible its entering upon active work. Eight and twenty days of a session which will probably not last fifty-five have already passed, and the investigation has not commenced. Can any one doubt that the opposition were anxious to hurry it on? or believe that they wittingly threw obstacles in its way? I presume not. The Government must bear the blame; and however much they may desire to wriggle out of it, the country will not credit them. I don't wish to do the Railway Board and the Government the slightest injustice; but I do in all candor assert that the conviction has been forced upon me, almost against my will, that they dread an investigation.

NORTHUMBERLAND IN THE HOUSE. Looking round at the representatives of the various counties, I cannot help congratulating Northumberland on the ability and efficiency with which it is represented, not alone with respect to its local interests, but with respect to the general business of the country. And I can speak of the representation of this County with the more freedom that they are equally divided between the two political parties, Mr. Speaker Johnson and the Hon. Mr. Mitchell belonging to the Government party, and Messrs. Kerr and Williston to the opposition.

It were vain to attempt in a paragraph like this to convey to you any accurate notion of the gentleman who fills the honored and important position of Speaker of the House, John Mercer Johnson. Why, it would take one whole paragraph to tell you about the shakes, and hiccups, and turns, and jerks, and tosses of his head. If I wished to characterize the man in one word I should say that he was jerky. With this single hint any man of fair shrewdness could point him out among the forty-one members. He is quicker than any other three men in the House; makes more jokes—and good ones at that—than any ten; and can start more objections to any proposition than the whole remaining forty. He makes a very good and efficient Speaker; for although he cannot direct himself—as what man can?—entirely of party predilections, he generally satisfies the opposition. He is a very ready and fluent debater, albeit rather much given to splitting hairs; and is, I should think, generally liked and esteemed.

Mr. Mitchell although a younger man, and a younger member, has already a provincial reputation. As I gave a sketch of him last session I shall be brief now. His chief characteristic is pertinacity. To this add great shrewdness, courage, determination, and very considerable ability. He is not a pleasing speaker, although speaking frequently and well. The great drawback in his disposition is touchiness,—if I may

use the word. He always reminds me of the story of the Irishman walking through Donybrook fair, one hand on his cudgel and the other trailing his coat behind him, exclaiming, "Let's see the devil that dare tramp on my coat tail!" If Mr. Mitchell does not look to it he will worry himself to death at a comparatively early age. His determination and persistency are wonderful, and effect wonders. If anything which he takes in his head falls there must be some excellent reason for it. He has as much bile as ten Tories.

When I turn to the two Conservatives who represent Northumberland, the idea strikes me that in them, as contrasted with the two Gentlemen of the Liberal party of whom I have just spoken, we have a fair representation of the two parties in the House. In some particulars Mr. Kerr and Mr. Williston may not fairly represent the average of the Conservative party, just as in some Messrs. Johnson and Mitchell may not represent the average of the Liberals. But considering that they are not selected from the whole body of members, but are the members of the same County, they are a striking example of those differences between the two parties which must attract the attention of every intelligent observer.

Messrs. Kerr and Williston are both moderate, careful and cautious men, and rarely range to any extreme, although in this respect Kerr is much the most cautious of the two. Their course in the House is open, straightforward, and manly; they seem to be as unassuming as they are upright, and, not descending themselves to the artifices which are not unknown in the House, they seem unwilling to suspect them in others. Neither of them takes a prominent part in the little conflicts of party which occur from time to time; they devote their time almost entirely to the general business of the country, and the local business of their county; and yet no one ever doubts or forgets for a moment that they are sincere adherents to the Conservative party.

Mr. Kerr is a man of about sixty. His outward appearance, faultlessly neat, indicates a well ordered mind and a clear head. His financial talents are excellent, and I believe that he is a very good lawyer. As a speaker he is fluent, ready, clear and effective, without the slightest mixture of the ornamental. He never speaks merely for effect; never utters a word more than what he considers necessary. When he speaks he does so because he has information to give, an opinion to express, and an argument to advance. No speaker in the House has less of parade and ostentation. His utterance is very rapid, and his composition is apt to get involved; he seems in such a hurry to say what is on his mind that, almost without knowing it, he runs his sentences into corners, out of which it is frequently rather difficult to extricate them. No man in the House has a greater appearance of earnestness and sincerity; and it is very doubtful that any member has more of the substance of them.

Mr. Williston is comparatively a young man. Nature has given him, to judge from appearance, a well balanced mind, and an affable manner. In the matter of bile he is a wonderful contrast to his colleague, Mr. Mitchell. As a legislator he is industrious, and moderate in his views, although occasionally bringing forward propositions which meet the opposition of more experienced legislators. He speaks with fluency and calmness, but not with the impressiveness of some of his fellow politicians. So far as I can judge he is a most painstaking local representative.

Any county in the Province might be proud of such a representation as Northumberland sends to the House.

FRIDAY, March 9. RAILWAY AFFAIRS. By the kindness of two members of the House I am at last in possession of copies of the Report of the Railway Commissioners for 1859. I shall devote a brief letter to some matters upon which it furnishes information, and to a few points in connection with the Railway. As the Report has been elaborately and ably discussed in the St. John Freeman, I recommend you to its columns for everything beyond the few remarks which I have time to make. The Report of Mr. Light, the Chief Engineer, presents the not very gratifying

announcement that the Road will probably cost fifteen per cent. more than his estimate of last year. That estimate was £927,076 currency. Add the fifteen per cent. £139,196, and you have an aggregate of £1,067,172 as the Chief Engineer's estimate of the cost of the Shediac Road.

Now this is rather a serious error to make. Mr. Light charges it to insufficient surveys, arising from the difficulty of getting a proper staff of engineers, and to a miscalculation in the size of culverts needed to pass the waters of streams at freshet height on certain portions of the Road. This miscalculation is certainly not a fact creditable to the engineering department of the Railroad.

But on what amount of the work will this increased expenditure of £139,000 take place?

In his evidence before the Railway Committee yesterday Mr. Light admitted that the estimate of last year for rolling stock, stations, superstructure, and ballasting would not be much exceeded, and that the chief excess would be in the construction of the permanent way.

At the time at which Mr. Light made up his estimate of last year a considerable portion of the line was actually completed, and more of it was far advanced towards completion. The portion between Shediac and Moncton, about twenty miles, was in "perfect running order," to use his own words; nine miles of the St. John end had been "completed;" and progress had been made with other portions. Table A, No. 9, in the Report for 1858 states the "value of work done under contract to 31st December, 1858," at £371,973. Now it is very clear that the excess of £139,000 must be on account of only a portion of the whole work, inasmuch as Mr. Light admits that upon certain portions of it there would be no excess over the estimate, and as other portions of the work were actually finished, or very far advanced towards completion, so that no serious error could be made respecting their cost. It follows that while the excess is but fifteen per cent. in the whole estimate, it is very much more than fifteen per cent. on the value of the work remaining to be done at the time at which Mr. Light's estimate was made up. Instead therefore of having made an error of fifteen per cent. he has made an error estimated by people here at forty per cent. Or, to put it in a different way, the cost of the work which in February 1859 remained to be done will be forty per cent. more than the sum at which he estimated it.

Some say that this difference was not entirely the result of want of judgment, but of something worse. It is better not to receive such a view of the matter upon slight grounds. Time and the Railway Committee will perhaps reveal the truth. I must postpone to another day remarks upon some other interesting points in this Railway matter.

GRAND FALLS BRIDGE. There is much talk about the Grand Falls Bridge. It appears that the Government are conducting the work, and that Mr. Tomlinson is paid by the day. The Bridge is to cost some £6000 more than was at first anticipated. Verily the chances of the Woodstock Bridge are small; for by the time this work at Grand Falls is completed the Assembly will consider that they have done quite enough for the two upper counties in the way of Bridges.

On Monday the 12th inst., according to announcement, the election of town officers for the ensuing year was held. The following gentlemen were declared elected: L. P. Fisher, Esq., Mayor—without opposition.

Ward 1.—H. McLean, } Councilors. F. Crozier, } E. M. Treadell, Assessor. Ward 2.—W. P. Dibble, } J. W. Raymond, } James Grover, Assessor. Ward 3.—P. McCaffery, } W. Lindsay, } B. H. Smith, Assessor.

The Toronto, C.W. School Report states that there are eight Public Schools in that City with an average attendance of 27 scholars. The number of Teachers in each School varies from two to seven; the highest salary paid is \$700; the average cost of education of each pupil is \$5 23c per annum. The population of Toronto is set down at 45,000.

The Nova Scotia Government party seems to be in the ascendant. The Morning Journal says:—

The returns from all the Polling districts in East Hants, South Hants and the South Riding of Colchester have been received in this City. The majorities with which the several Heads of Departments have been returned are, to say the least, a remarkable expression of public opinion. We do not of course go the same length in glorifying the late victory that the Government press does; and if we were to resort to the paltry excuses which the Opposition allege as the causes of their defeat. To crow over so unmistakable success is in just as bad taste as to be craven when the tide of battle turns against you.

All things considered the Province has just cause for congratulation that, at the present crisis in the affairs of this Country, the Government Candidates were as handsomely sustained by the several Constituencies called upon to exercise their franchise. Had even one of them failed, not only would the Lieutenant Governor have been placed in an exceedingly awkward position, but the affairs of the Province might have been expected to be seriously affected in the future. The returns show that on Tuesday last the several Candidates nearly doubled the majorities by which they were returned on the 12th of May last. Thus, in the late contest, the votes cast in East Hants were:—

For Hon. Wm. Annsand 1875 " C. R. Fairbanks, Esq., 962 Majority for Annsand. 913 At the Election on the 12th of May:— For John Esso, Esq., 1832 " Wm. Annsand, Esq., 1811 " H. A. Gladwin, Esq., 1123 " D. Falconer, Esq., 1111 In South Hants on the 12th of May the Hon. Joseph Howe's majority over the Opposition was 295; on Tuesday last the Provincial Secretary was returned by a large majority over the Hon. Johnstone Esq.

In the South Riding of Colchester, on the 12th of May, Adams Archibald, Esq. polled 167 votes more than Mr. Rennie while on Tuesday last the Hon. Arthur General had a majority over John J. Marshall, Esq., of 224 votes.

Report of the Committee on the importation of Stock presented to the Board of Agriculture and approved 25th Feb. 1860. The Committee to whom was referred the subject of importation of Stock by the Legislature, of £2,500, the following Stock is imported during the ensuing season:—

From the United States, two horses—Morgan, or Messenger, or other English breeds, £600 0 0 From Great Britain—Durham Cattle—six bulls and four heifers, 600 0 0 North Devon—three bulls and two heifers, 200 0 0 Arden—three bulls and two heifers, 150 0 0 Long-wooled Sheep—20 rams and 10 ewes, 250 0 0 South Downs—2 rams and 4 ewes, 50 0 0 Swine to the value of 100 0 0 £1850 0 0

The report after suggesting the sale of the animals, goes on to shew the selection as follows. On arrival of the Stock should be sold at auction in St. John's 20 days' notice in the City papers, and intimation in writing to the President of each Agricultural Society; sale should be to the highest bidder for cash, with a doubt in the amount of purchase money that the stock so sold shall be kept in the province as under:—

The Horses for life, Heifers for ten years, Ewes for six years, Rams and Bulls four years, Swine 3 years. Also should the Board at any future time be empowered to institute a similar plan, such stock should on demand be returned to the board on repayment of the cost. (Signed) R. JARDINE, A. V. G. WILSON, HUGH McMONAGHAN, CHARLES PERLEY.

THE RAILWAY. Mr. Light, in his report, says, page 1, "I have deemed it unnecessary to enter into any further particulars, as it would almost a recapitulation of what has already done."

Let us see to that. In the report for last year the cost for Hammond River Bridge was estimated at £11,950; the work done at £9,885, the amount remaining still to be done £2,065. See page 77.

This was under date Feb. 2nd. Subsequently Mr. Gray brought up articles, one of which was an enquiry into the Bridge would really cost, and the answer will be found in the elementary report, page 33-4, as follows:—

"That the entire cost of the Bridge £20,822. This includes the purchase and erection of the best Fairbairn Girders and Superstructure." Mr. Campbell stated before the Committee last year that this Bridge would cost £19,000 to £20,000, exclusive of superstructure, if the work went on as it was, and the Commissioners were to be found his detailed statements of work done, and his value, and the actually paid—some £1,150 in the value—and the work to be still done is scarcely necessary to remind you how Mr. Campbell was then as all sides; how Mr. Light protested his statements, and witnesses were to prove him a drunkard, and how Smasher press abused him and blasted his character.

On page 6 of this year's Report the heading, Contractor's Account is given a list of sums actually paid October 31st, though the date of it is not given in any instance. It finds—Small & Crosby, Hammond Viaduct, £57,365 (probably the cost of the viaduct, as it is under the rails, chairs, &c., and £17,087—£322 actually paid some days or months before the 31st of last Oct. How much more was claimed, or how more was admitted to be due, it now where tells.

What will the Smasher Press say? What do they think no Campbell's ability to make an end of his truthfulness? What Smasher majority in the Assent of the cost of this Bridge be a misapprehension as Mr. Light pretends. Let us look at another item.

On page 15 of last year's Report Mr. Light gave what he called an "A Stations" and in this, estimate of the Multiflor Engine House at that before October 31st 1859, he got on account of this same building 799; and every one in St. John knows of the many have been at work building for many weeks since it is scarcely finished yet.

But here there was no want of and the ignorance of the effect of, &c., &c., could have elapsed no objection. On page 14 of the Evidence in the statements made by Mr. Campbell in the manner in which it was conducted on the Sections for Messrs. Walker were contractor's assertion that Mr. King, an Engineer, said to him that the Walkers like agents of the Government contractors. We find it stated in the report of last year that the Walkers contractors for Section 5, St. John and for Section 6, at £20,946, £18, and we learn from the Report, page 6, that they were paid October 21st on No. 5 £59,730 No. 6 £27,302. Total, £87,032 increase on these Sections alone 225 11! This infinitely surpasses also of the kind on the whole of this must have been known to Mr. Jardine, and all other members of the train had run through or Sections, and the amount of being to be done was of course well known as the amount of a story current about that time the bills were in fact paid by a receipt appointed by the Chief Engineer. But the great object in the last year was to deceive the public the inevitable cost of the road, the amount of money really paid Mr. Light and Mr. Jardine in the "Final estimate" was made for the occasion.

On No. 4 and No. 5, Salisbury account was that M'Donald & M'Beane got £29,885 on the former, Walker £25,172 on No. 5, for the work he had done on and M'Beane got up to October same Section £10,616, or over all, and Mr. Light can only see the dilatoriness of former contractors caused so great a delay that no amount of energy would purport being opened by 1st Nov. shall set the many extraneous out of this part of the work.

No. 4 was to cost £29,986, 1st of October Mr. M'Beane £31,624. No. 4 was to be completed (according to contract) on Nov. in his last year's Report Mr.

Two of the oldest newspapers in the world, the Gazette of Leipzig and the Gazette of London, were celebrated on New Year's Day, the former on the 1st of January, and the latter its 150th birth-day. As a souvenir of the occasion, the Gazette presented to its subscribers a copy of its publication on the 1st of January, 1660 and 1760 respectively.