PROVINCIAL LEGISLATURE.

House of Assembly—Fredericton,

Tuesday, February 20.

GRAND MANAN HERRING FISHERY.

The House went into Committee of the whole on this bill, which was brought in by Mr. J. M. Wilmot, in conformity with the report of the select committee appointed to investigate the subject.—Mr. Woodward in the chair.

The bill was very stoutly opposed by Messrs. Brown, Wyer and Clinch, and as energetically supported by Messrs. Allen, Partelow and J. M. Wilmot.—Messrs. Johnston, Chandler and Street expressed an inclination, after hearing both sides of the question, to accede to Mr. Brown's proposal, to let the matter stand over at all events till the next session, in conformity with the resolution offered to the House the other day, by that hon. member, to the same effect. The contest continued upwards of an hour; but the debate was merely a repetition of the arguments on both sides, which we have already reported.—Mr. Wyer at length moved that the further consideration of the bill be postponed till the next session of the General Assembly, on which the Committee divided, and it was *negatived* by 12 to 10.

Yeas—Messrs. Hill, Clinch, Brown, Wyer, Johnston, Chandler, Hannington, Ford, Street, Warehouse—10. *Nays*—Mr. Speaker, Messrs. A. Wilmot, Gilbert, M'Leod, Miles, Allen, Connell, J. M. Wilmot, Palmer, Partelow, Stewart, Robinson.—12.

The bill was then agreed to.

Friday, February 20.

WAYS AND MEANS.

The House in Committee of Ways and Means, Mr. Palmer in the chair.—Mr. Crane opened the debate, by moving a resolution, to impose *an additional duty on all Wines imported into this Province;* to which Mr. Johnston moved an amendment, to the effect that a *discriminating* duty should be imposed on all Wines, and that the duties on low Wines should be lessened.

[A lengthy debate followed, which we have not room to insert this week.]

The question was finally taken on Mr. Johnston's amendment, which was carried in the affirmative, by 16 to 14.—*Yeas*—Mr. Speaker, Messrs. Hill, Clinch, Brown, Wyer, Gilbert, Woodward, Morehouse, J. M. Wilmot, Robinson, Partelow, Street, Johnston, End, Allen, Stewart.—*Nays*—Messrs. L. A. Wilmot, Taylor, Hayward, Miles, M'Leod, Connell, Slason, Burns, Weldon, Crane, Ford, Chandler, Hannington, Freeze.

Mr. HILL moved a resolution to reduce the tax on Foreign horses, which was seconded by Mr. Wyer.

This motion brought up another long debate; it being supported by Messrs. Hill, Brown, Connell, Clinch, End, J. M. Wilmot, and Wyer, and opposed by Messrs. Gilbert, Taylor, Allen, Chandler, and Slason; and upon the question, the resolution was *negatived* without a division.

Mr. CHANDLER moved a resolution that in the opinion of the Committee it was expedient to impose an additional duty of —d. per gallon on brandy, which was seconded by Mr. Johnston, who said he should propose 2d. per gallon.

Messrs. Partelow, Stewart, J. M. Wilmot, and Wyer briefly opposed it, as tending only to increase smuggling; to which no reply was made by the other side, the ground having been so often gone over, that they seemed disinclined to open a fresh debate.—The question was therefore taken, and the resolution adopted, 16 to 11.

Yeas—Mr Speaker, Messrs. Freeze, Hill, Gilbert, L. A. Wilmot, Brown, Connell, M'Leod, Taylor, Hayward, Slason, Burns, Morehouse, Crane, Hannington, Chandler.—*Nays*—Messrs. Clinch, Wyer, J. M. Wilmot, Partelow, Robinson, Weldon, Stewart, End, Allen, Ford, Woodward.

Mr. WELDON then observed, that as there ought to be some articles mentioned in the Revenue Law as exceptions to the tax on British Goods, such as *Books*, &c. he would move a resolution, that in the opinion of this committee, the present Revenue Law should be continued and amended, with certain exceptions.

The resolution was adopted.

On motion of Mr. Weldon, it was then resolved, that the Chairman do leave the chair, and report the resolutions, and that this Committee do now rise.

Saturday, February 21.

SAINT JOHN MILL BRIDGE.

In Committee of Supply, Mr. Partelow moved a resolution, to grant to the Mayor, Aldermen, and Commonalty of the City of Saint John, the sum of £250, to be applied towards widening and improving the Mill Bridge between Saint John and Portland.—This motion was in pursuance of the report of the Road Committee; and after some opposition from Mr. Speaker, and Mr. L. A. Wilmot, on the ground that the Corporation would not be likely to make a proper and judicious use of the money, and that therefore the grant ought to be made to Commissioners to be appointed by His Excellency the Lieut. Governor, Mr. Partelow's resolution was adopted; that hon. member and Messrs. Woodward and Burns contending, that as the sum named would not more than defray half the expense of the contemplated improvements, and as the Corporation intended to defray the necessary overplus of expense from their own funds, it would not be fair that the grant should be made to any other party.

Monday, February 23.

PREROGATIVES.

The Bill for the better securing of the navigation of the Inner Bay of Passamaquoddy having been sent down from the Legislative Council with amendments, the House went into consideration thereof, and Mr Speaker asked the question, whether as this was a bill to impose a tonnage duty, the House would concur in any amendments thereto.

Messrs. Wyer and Chandler thought that as the amendments were merely to remedy trifling clerical errors, and did not in the slightest degree affect the principle or enacting part of the bill, it would be well to concur in them, and, if necessary, to put a resolution on the journals to express the reason for so doing and to protest against any interference of a more important nature by the Council, in money bills.

Messrs. J. M. Wilmot, Weldon, Partelow, and Hayward were of opinion, that it would be dangerous to allow the slightest interference in money or revenue bills, which might establish a precedent for very unconstitutional infringements on the prerogatives of the House.—Mr. Partelow, however, in consequence of the mere technical nature of the present amendments, concurred in Mr. Chandler's subsequent proposition, to concur in them now, and express the opinion of the House by a resolution.

On the question being put, as to concurring in the amendments, it was negatived, and the bill, therefore, lost.

The order of the day for going into Committee of the whole, in considering of the late highly important Message was discharged, and fixed for *Wednesday* next.

BANK OF NEW-BRUNSWICK.

The bill for increasing the Capital Stock and extending the duration of the Charter of the Bank of New-Brunswick, was this day committed.—Mr. M'Leod in the chair.

Mr. PARTELOW said, that the Directors of the Bank had petitioned the House for an increase of their Capital Stock, and an extension of time for their charter. There were two distinct objects, and the first of them he (Mr. P.) as mover of the bill, was now prepared to abandon. He would therefore confine himself to a few observations as to the extension of the charter for twenty years more. He certainly thought the old Bank ought to have this extension, to render them equal in that respect to the Commercial Bank, and thus they would fairly run together. As he had stated on a former day, he did not intend to proceed with this bill as it now appeared; because it contemplated both the objects originally petitioned for, and he meant only to contend for one of them; but it was sent up to him in its present state, and he had presented it to the House as it was, almost without looking at it. He should, however, prepare an amended bill to introduce in its place, into which it was his intention to introduce the restrictions now contained in the Central Bank Act, as far as applicable, after he had heard the sentiments of other hon. members on the subject.

Mr. BURNS regretted the hon. mover had not abandoned the whole of the bill, instead of only a part of it; because he must have been convinced that he had a very bad case, or he would not have abandoned any part of it. The hon mover had alluded to a petition; but who was that petition signed by? By the President, and two or three of the Directors of the Bank of New-Brunswick. That fact, therefore, was a sufficient reason why the whole bill ought to be abandoned; because the petition was not signed by the public generally, or even by the Stockholders in the Bank themselves. But in fact, it would be quite impossible for this bill ever to go in opination, even if passed, with all the clogs and restrictions in it, which the hon. mover intended to propose. The Bank had now five years to run under its present charter; and if the charter should be extended by a bill so clogged and restricted, the whole of its paper now in circulation must be called in, because new paper, on which there would be a very different liability, must then be issued. Under their present charter, their paper was payable only out of the joint fund of the corporation; as long, therefore, as they had any funds, they would pay off that paper, but if those funds should at any time cease, there would be no end of redeeming their paper; because the stockholders were not individually responsible. But if the charter should be extended, and the stockholders thereby made individually liable, that provision would refer only to the paper issued under the new charter, and would have no reference to the old, and therefore the old paper must all be called in, which would cause an immense inconvenience. This Bank was established in 18.0, and its capital was intended to be £50 000; but the parties concerned knowing that £30,000 would pay them quite as good an interest then as £50,000, tho't proper to accept of the smaller sum, and contented themselves with it for five years. In 1825, however, they applied for an extension of capital, and got £20,000 more, which additional stock was monopolized by the old stockholders, and never came fairly into the public market at all.—This stock sold for from £50 to £75 per cent. premium, so that the stockholders divided from 15 to 20 per cent. in addition to the common interest of the money; and the only benefit derived to the province from the transaction was £2½ per cent. provincial duty. In 1826, again, when the currency of the province was changed, the Bank immediately shut their books, brought up all their accounts, and made all outstanding debts payable at a particular period, and then they compelled all promissors on discounted notes either to take up their notes, or to pay the difference in currency; so that the promissors were obliged to pay in dollars at 5s. the amount of sums which they had received in bank paper, with dollars at 5s. 4d.; which transaction made a difference to the province of about £20,000. This affair could not have been effected from want of money, because, at that time, the funds belonging to the Casual Revenue, amounting to from £70,000 to £80,000, were deposited in that bank; which money was placed there by the provincial government, for the accommodation of the public, to enable the bank to discount treasury notes and warrants at a fair and reasonable rate; but immediately afterwards, the Bank had the modesty to call on the Legislature for interest for money on Treasury warrants which they had so discounted. He (Mr. B.) would therefore ask the Committee whether, with these facts before them, they would not cast a jealous eye on this bill, and pause before they would grant an extension of the charter of this Bank? For himself, he (Mr. B.) should certainly oppose the bill *in toto*. Not only the commercial men of St. John, but the people of the province at large had been injured by the operation of the Bank. When Lumbermen or countrymen came down to St. John with their produce, they would go to a merchant to get it sold; the merchant, perhaps, would agree for a price, but would say the seller must wait till he could get discount at the bank, before he could be certain of being able to purchase; the merchant might be refused discount, and the owner of the article would have to sell it to one of the Bank directors at a lower price. Many reports had often been afloat as to the actual solvency of the Bank, and he (Mr. B.) was himself sometimes afraid that it was not so solvent as it ought to be; because, for instance, in 1832, when it was pressed for specie, by the Charlotte County Bank, demanding a just payment of £4000, a very great alarm was caused in the establishment. Meetings of the Directors were held every day, and the *Rothschild of New Brunswick* was called upon by the Bank for a loan of specie; and at that very time there was found to be only about £8000 in specie in the vaults. The *New Brunswick Rothschild*, however, would not agree to the proposition, or the parties could not agree on the terms. The Bank asked a loan of $30,000; and the terms proposed by the great capitalist were £3 per cent. for his draft on New York; £1½ per cent. delegatory to his Agent there; premium on dollars, about £3 per cent; freight and insurance, £1½ per cent; and, altogether, he (Mr. B.) believed the demand amounted to about £14 per cent. which the Bank would not give. Then the Bank managed to secure a letter of credit on a mercantile house in London, to the extent of £20,000, which they immediately began to avail themselves of. Now there appeared in the report of the affairs of the Bank, as brought in this session, a statement of a large amount of specie deposited in the United States Bank at New-York, and also of amounts in Agents' hands there, and also in Boston and London; but that was only the produce of this letter of credit, which, in fact the Bank had now disposed of. Under that letter of credit, the London House shipped $30,000 in specie to their Agent at New-York, subject to the order of the Bank; and that amount the Bank had actually sold to a Boston money broking House, through their Agent at St. John, at 2 per cent premium, who had passed his draft to them on New York for the amount; and thus this amount was credited in the report as among their assets in Saint John, and also as in their Agents' hands at New-York. In his (Mr. B's) opinion, the only thing that should be done would be, to let the Bank now run on its race; and if, at its expiration, it should wish to be renewed, with new capital, new stockholders, and new regulations, he would be one of the first to vote for a new charter; but under present circumstances, it certainly could not be granted, because, if the bill should pass now as proposed, their present paper in circulation must all be taken up, otherwise the extension of the charter would amount to nothing. By the Report on the journals, it would appear, that there was specie in the vaults to the amount of £15,896 9s. 5d. and that the Bank held individual deposits amounting to £11,004 7s. 10d.; then subtracting the amount of deposits, which was not their own, from the amount of specie on hand, it appeared that there was, in reality, only £4,892 1s. 7d. of specie actually belonging to the Bank. By the same report it appeared, that they had £53,597 15s. 6d. in notes in circulation; and where, then, was the money to take up those notes? They said, as appeared by the report, that they held notes, which they had discounted, to the amount of £87,685 3s. 8d.; but out of that amount, £26,631 11s. 2d. was in the hands of some of the directors themselves, as promissors or indorsers, which certainly was an enormous disproportion in favour of the directors.—They said that they had been extremely liberal and impartial in all their administration, but here was a sum of nearly £27,000 in the power of these 12 directors, who were personally and individually liable for nothing. They had therefore more than half the capital stock at their command, to put in or take out when they pleased.—It might be said, that several of those directors never had been promissors or indorsers; and so it might be the case, because some of them were wealthy men, wholly unconnected with mercantile business, and therefore they would not be so; but if so, then so much the worse; because then that large amount was in the hands of still fewer directors, and the question was, whether those directors were entitled to so much more accommodation than the public? No, they were not; but he (Mr. B.) knew it to be the fact, and he called upon other hon. members then present, to corroborate it, who knew it also, that one of those directors sat at that board when his own liabilities exceeded £11,000, and his notes were dishonoured before his face. He (Mr. B.) would rest the point on that; that as to liberality and impartial accommodation to the public, the bank did not deserve the credit it assumed; and he trusted that the Committee would agree on that point, and also that an extension of the Charter had not been called for by the country; but when it should be so called for, then would be the time to grant it.

Mr. JOHNSTON said, that being directly interested in this question, he did not intend to speak on it, but he could not help uttering a few words in reply to some of the extraordinary statements and remarkably strong language of the hon. member for St. John, (Mr. Burns.)—He certainly could not understand what that hon. member meant, as to the manner in which the petition had been signed and brought forward. He (Mr. J.) was present when the Board of Directors discussed the propriety of petitioning for an extension of their charter, which was their sole original object; and in the course of the discussion, it was suggested, that they should also ask for an increase of capital stock; but he was quite sure that none of them, collectively or individually, had any idea of bringing such additional stock into the market, so as to clash with the establishment of the Commercial Bank. Indeed, he believed most of the directors really did not wish the capital stock to be increased, because it was clearly not to their interest to have it enlarged. He (Mr. J.) would not follow the hon. member through all his extraordinary assertions, because many of them were answered on the very face of them, they were so utterly inconsistent in themselves.—One, however, he would particularly notice; the assertions of the hon. member relative to the letter of credit on London, and the funds in the United States, were altogether an absurdity; and he (Mr. J.) really thought the hon. member should have paused before he asserted such things in that House.

Mr. BURNS said that what he had asserted, he was prepared to prove; and he repeated that the Bank had obtained that letter of credit for £20,000, exactly as he had stated, that a quantity of specie was shipped by their agent, on that letter of credit, to New York, and afterwards sold to a money broker's agent in Saint John, and his draft taken for the amount; and if he (Mr. B.) must mention names to establish what he had said, he would now say, that Messrs. George Wilds & Company, of London, were the House on whom the letter of credit was drawn. The fact was, that the whole thing was caused, as he had before said, by the Bank having been greatly alarmed at the demand made by the Charlotte County Bank for £4000.

Mr. PARTELOW said that the hon. member for the city (Mr. Burns) had taken an exceedingly wide range in his observations, and had travelled altogether out of the subject matter before the committee. The simple question was, whether the House would extend the duration of the Charter, or not, and that was the only point they had to consider. He (Mr. P.) would not follow the hon. member through all the violent assertions and strong language with which he had assailed the character of the Bank Directors, whose character, indeed, was above such attack; but if half what that hon. mem. had asserted were true, really those directors who were members of the Legislature ought to be expelled the house, because that hon. mem. had actually charged them with high crimes and misdemeanors; for it would appear, from his assertions, that they must positively encourage votes which they could not sustain. But as to this letter of credit: it was perfectly well known that the Bank had a letter of credit on Geo. Wilds & Co. of London, to the amount of £20,000; but that was no reason why the Bank should not have funds in the hands of that house on which to draw; in fact, the Bank frequently purchased bills of exchange to a large amount, which they remitted to that house. They certainly did order a certain amount of specie to be sent out to their Agents at New York, which was accordingly lodged there, subject to their order: now he (Mr. P.) certainly was not prepared to allow that the Bank kept false Books, and the facts on the face of those Books, as inspected by the select committee appointed for the purpose, shewed that the Bank actually had at New York, specie to the amount of £5,604 11 3; funds at Boston amounting to £934 11 6; and in London to the amount of £1,596 13 7, besides the specie reported actually in the vaults of the Bank. Now they might, certainly, have had all these funds in the hands of the various parties, and the letter of credit on London besides, and if so, so much the better for the bank; because then they could have availed themselves at any time of the £20,000 on that letter of credit, to enable themselves to take up their notes in circulation, if required. But at any rate, when he (Mr. P.) saw such unquestionably respectable, eminent, and wealthy men at that board of directors, as many of them were, he must believe that there could be no possible foundation for such charges as had been made by the hon. member for the city; and one most striking proof of this was, that the late President of that Bank, who had filled the office for many years, had been unanimously chosen President of the new Commercial Bank. That gentleman had left the old Bank, solely in consequence of certain disputes with some of the directors, relative to private affairs, and having no reference to the management of the Bank; and therefore, his being chosen President of the Commercial Bank was an evident proof of public confidence in his management of the affairs of the other. The Bank, indeed, was in a very sound state at present; all the debts due to it were considered good, and it had of late been very prudently managed, and he (Mr. P.) would say that he never saw the accounts of any Bank stand more fairly with regard to its concerns, than those of the Bank of New Brunswick. The Deposits in 1834 were between £10,000 and £11,000, while the specie in the vaults was about £8,000; but surely the Bank were not required to keep all their specie in their own vaults, for if they did they never would get any profit on it. The statements of the hon. member for the city, as to the notes of the bank being payable out of the joint fund were too absurd to notice; all bank notes were payable from joint funds, though in some banks, the stockholders were personally liable to a certain amount beyond their joint fund. He (Mr. P.) believed the Commercial Bank would be so liable; the only difficulty with respect to the present bank was, that the Stockholders were liable only to the amount of their joint Stock, and it was the very object of the bill, which he intended to propose to the Committee, to make them equally liable with the Commercial Bank, and thus to put both on the same footing. He only feared that if this bill should not be passed, the Bank Directors would apply to H. M. Government at home for a new charter, like that of the Commercial Bank, and then the country would have two Banks, without responsibility to the local authorities.

Mr. SPEAKER said, that he would neither give his opinion nor vote in this question, because he was a Stockholder in all the Banks in the Province; but he would just observe, that he did not think anything asserted by the hon. member for the city, (Mr. Burns,) would tend to cast any reflection on the character of any of the Bank Directors, who were such highly respectable men; because that hon. member had merely stated his opinion on such things as he had heard reported, and which of course he believed. Any hon. member had a perfect right to state his opinion in that House on any question that came before it, and therefore he, (Mr. Speaker,) did not feel that the observations of the hon. member, were any reflection on the character of the directors. He would just add, that he thought every hon. member, who was a stockholder in any of the Banks ought to leave his place before voting.

Mr. WOODWARD said, that he was very glad to hear the observations made by the hon. Speaker; he (Mr. W.) admired his delicacy in not choosing to vote on this question, and would follow his example; but before retiring, he would just observe that he was opposed to every part of this bill, for the reasons urged by his hon. colleague. In 1825, the bank attained an increase of capital, to the extent of £20,000, and they then made a nice thing of it, by dividing it among themselves, and they ought therefore to be content with what they got. The Bank was public property, as every Bank and Banking privileges generally were a public right; and if the public came forward and required an extension, either of capital stock or of time for the charter, it would be very well to grant it; but at present, it was only a few of the parties who had already a good slice off that nice loaf, that asked for it. There was no petition from the public, nor even from the stockholders themselves, but merely from a few of the directors; while there was a very numerously signed petition against the bill altogether, now before the House. The Commercial Bank had made repeated attempts to get into operation, and were always opposed by the old Bank; but their applications were founded on and supported by the voice of the people, and as they had at last succeeded in getting a royal charter, they ought to be allowed to go into operation, without further impediment, especially when this bill was called for only by a few interested individuals.

Mr. JOHNSTON said, that he certainly had fully intended to say nothing more on this question, but as the hon. Speaker had made some observations relative to the assertions of the hon. member for the city, (Mr. Burns,) and evidently appeared to think very differently of them from what he (Mr. J.) did, he now felt bound to reply to those assertions. That hon. member had said, that the whole of the £20,000, additional stock in 1825, was taken up by the original stockholders. That was not the case; for he (Mr. J.) was himself the Auctioneer who sold that stock, and he knew that, instead of being all monopolised by the original stockholders, it had passed into a great many hands; though, subsequently, he believed, a great deal of it did pass out of the hands of the purchasers. The hon. member had also made some strong reflections, and very incorrect statements, as to the transactions of 1826, and as to the amount made thereby by the bank. But the facts of the case were, that in consequence of the alteration of the provincial currency, the bank felt themselves compelled to give notice, that they would take up their own notes in Spanish Dollars, up to a certain day, and to request that persons indebted to the Bank on discounted notes, would do the same, or renew their notes and pay the difference in currency. Some of the indebted parties did this, but a great many did not, and as the Bank adhered to their own pledge, to redeem their notes in Spanish Dollars, the transaction resulted, instead of the large gain asserted by the hon. member for the city, in an actual loss to the Bank of from £600 to £700, which was a very different thing from a gain of several thousands. But he (Mr. J.) supposed that hon. member had taken a great deal of his information from more out-door talk, which had not a shadow of foundation; and he therefore thought the Committee ought to take that circumstance into consideration, in weighing the force of the arguments.—But the simple question for the Committee to consider now, should be, to enquire whether the Bank had afforded that accommodation which the public had a right to expect, and whether its affairs had been conducted with such prudence and impartiality, as would afford sufficient security as to their paper in circulation. On the first point, let the Committee ask themselves, what motive actuated the Stockholders in taking stock? Was it not self-interest? It followed, therefore, as a matter of course, that to the utmost of their power they would extend their business, so as to make their gains as large as they could. A reference to the periodical dividends would prove the truth of this, and those dividends could not have been declared, if they had not been actual profits. It was evident, therefore, that the accommodation to the public had been as great as their capital would allow; and he (Mr. J.) believed, that the greatest dissatisfaction caused by any acts of the Bank, had been by their having extended their accommodation too far, and therefore, when, from any particular circumstances, they wanted an increase of specie, it became necessary for them to call on persons liable to such calls, to pay their debts, and they were also compelled, by the same cause, to restrict their discounts, and this had caused all the clamour against the Bank.—With regard to the prudence with which the affairs of the Bank had been conducted, he (Mr. J.) had never heard the character of its paper any where questioned; the character of the Bank stood as high as that of any he knew of; its custom had been courted by various parties in different parts of the world; its credit was certainly established in London and in the United States, and its credit, indeed, stood as high in that country, as any institution of the kind in the United States.—Its paper, in fact, instead of having ever been questioned, had always been considered as equal to gold and silver, and he had never heard that denied. He would admit that the amount of specie in the vaults, for a short time previous to the examination, was not quite as large as might have been expected; but the hon. member for the city seemed to think, that if the *deposits* were called for by their owners, the bank would become insolvent. This was because that hon. member did not understand what those deposits were. They were not money, placed in the bank, to be at the command of the depositors, but they arose in this way:—discounted notes became due to the Bank at a particular day; the parties being unable to take them up at the time, came to the Bank on the discount day, and offered other paper to a larger amount in lieu of them, and the balances were carried to the credit of the parties as deposits. [Not having a practical knowledge of the subject, we could not exactly understand the hon. member's rapid statements respecting these deposits, at the moment of delivery, and we are not therefore prepared to say that we have perfectly apprehended his meaning; but we believe the above to be a substantially correct report of them. REP.]—These were the principal objections made by the hon. member for the city, and nothing more occurred to him (Mr. J.) at this moment, requiring a reply.

Mr. PARTELOW expressed his admiration of the motives which had led Mr. Speaker to refire from his seat; but thought he was incorrect in his conclusions, because, if hon. members happened to be all stockholders in Banks they could never decide the question at all.—He (Mr. P.) was no stockholder in any bank, but he did not see any reason why those who were so should retire from their seats. He had no doubt that every hon. member on that floor would vote conscientiously and independently.

Mr. J. M. WILMOT thought that possibly the hon Speaker might feel a conscientious difficulty about voting, because he was a stockholder in the old bank; but as he was also connected with the new bank, he (Mr. W.) thought there was no necessity whatever for his withdrawing. He (Mr. W.) certainly felt no such necessity, and should not hesitate to give his opinion, because he could do it conscientiously. He suggested whether it would not have been better, for the hon. mover to have been ready with another bill, to be substituted as an amendment instead of this, merely having reference to the extension of time, and including all those trammels and securities which had been introduced into other bank bills That would have been the proper course to pursue, and then the Committee would really have had a definite matter to discuss, but now they were in fact all talking with nothing before them. Still, as the discussion had taken such a very wide range, he felt himself bound to make a few remarks.—He thought the present bill, or the one proposed, ought not to pass. The petition was not from the stockholders generally, though he supposed it must be from a majority of the directors, otherwise the President would not have ventured to sign it. He (Mr. W.) would have no objection to extending their charter at a proper time, before it would expire, but not now; but at the same time, with his knowledge of banking, he would never be against having two establishments located at the same time in St. John, because it was very evident that the power and influence connected with banking were too great to be lodged in such few hands as one set of directors; and on that ground he was willing that the old bank should, hereafter, have an extension of time for their charter, under the restrictions which he had before mentioned, but he did not think that, under present circumstances, the Committee ought to pass any such bill. Not that he felt at all prejudiced to the bank, either as to its character or operation, but he thought the application for its extension ought to come from the people at large, and not merely from a few directors, and he had no doubt there would be a sufficient number of people found ready to petition for it, if brought up at a proper time and in a proper shape. The bank ought not to be allowed any power or opportunity at present of interfering with the establishment of the new bank; the Committee, therefore, should take care they did not give them that power; and though the bank might give him (Mr. W.) and others a hard squeeze for expressing these opinions, yet he felt bound to do so, and and if they should throw out every note of his, that should not prevent him from expressing his opinion; and as the public seemed to think that granting any extension of their charter might tend rather to thwart the proceedings of the new bank, and it could do no harm to the old bank to delay it for a while, the bill certainly ought not now to be passed.

Mr. BURNS, in reply to Mr. Johnston, said, that that hon member had admitted the fact of the letter of credit, but he had carefully avoided noticing the application to the *great Rothschild*. He (Mr. B.) certainly did not know that the Bank was likely to be insolvent, but he thought the Directors seemed to fear it themselves; else why did they apply to that person for a loan? But that party would not take the security offered! he said he must have them bound jointly and severally, because their notes were chargeable only on their joint fund, which he would not take as security, there being no personal liability beyond it. The hon. member also repeated his observations relative to taking up the floating paper, in case of an extension of the charter.

Mr. JOHNSTON said that he perfectly agreed with Mr. Burns in one thing, viz. that that hon. member "did not know!" because he believed that hon. member really knew as little of banking as any man he had ever heard of. But as to this Rothschild, he (Mr. J.) really did not know what the hon. member meant. He had been out during part of the hon. member's arguments, and really could not understand what he alluded to. He was quite sure there never was any application made to Rothschild or any other man, for a loan of £10,000 at any time whatever.

Mr. BURNS pledged himself to the house, that (since he must mention names,) Mr. Nehemiah Merritt was applied to for that loan, but he would not take the offered security, and therefore it was not effected. That gentleman was the person he meant by the Rothschild of New Brunswick.

Mr. JOHNSTON said that the hon. member's assertion had not changed his (Mr. J's) opinions, because he really did not believe one word of it. In 1829, the Directors of the bank appointed a finance Committee, to manage certain affairs, and Mr. Merritt was one of that Committee; and possibly something of the kind might have been then suggested by him or some other member of the Committee; but no application from the bank for any such loan could have been made, without his (Mr. J's) knowledge. There was no necessity for such a loan, for, if they had wanted money, they might have got it from London. But the fact was, there never was such application made to Mr. N. Merritt or to any other man in New Brunswick for a loan of £10,000.

Mr. BURNS asserted again, that in August, 1832, such an application was made for a loan of $40,000, and refused for the reason he had already stated.

Mr. JOHNSTON replied that no doubt the hon. member had heard so, and therefore he believed it; but it was not true.

Mr. J. M. WILMOT said all this discussion had nothing to do with the bill; but if the Committee were prepared to pass the bill, for an extension of time, the hon. mover had better bring up a definite motion or amendment at once, to settle the point; or else the Committee had better report progress, to give time for something of the kind; they could soon come to a decision on that point, if they had it before them; but this discussion had taken such a wonderfully wide range, that if it was continued, he (Mr. W.) thought they would never come to a decision at all, if hon. members did not confine themselves to the point.

(*Continued on second page.*)

EXTRACTS FROM THE JOURNALS.

Thursday, Feb. 19.

Mr. J. M. Wilmot, from the Committee of Trade, submitted a further report, which he read, and is as followeth:—"The Committee of Trade, to whom was refered certain Petitions, Report, that they have had under consideration the Petition of E. D. W. Ratchford, Chairman of the Chamber of Commerce, of the City of Saint John, praying that an Act may pass, repealing all Acts now in force, making certain coins a legal tender in this Province, and affixing a legal value to the several Coins now in circulation, and that they will submit a Bill to the House for the purpose prayed for.

"The Committee have also had under consideration, the Petitions of George Whittekir, John Hartt, James Adams, and 19 others, Manufacturers of Leather in the City of Saint John, praying Legislative protection by having a duty imposed upon Leather imported into the Province: of Samuel Bustin, and 13 others licensed Butchers of Saint John, praying Legislative protection for the reasons set forth in said Petition; and are of opinion, that both the prayers of those would be complied with, by imposing an Ad-valorem duty on Leather; and the Committee respectfully recommend that an Ad-valorem duty be imposed on all Leather imported into this Province. All which is respectfully submitted to this Honorable House.

JOHN M. WILMOT,
L. BURNS,
P. STEWART,
J. WOODWARD,
THOS. WYER."

Ordered, That the Report be accepted.

Messages to the House of Assembly.

QUIT RENTS.

"The Lieutenant Governor informs the House of Assembly, that he has received His Majesty's commands to resume the collection of the Quit Rents in this Province, from the period to which they were relinquished by His Majesty, namely, Midsummer, 1831.

"The Lieutenant Governor, however, entertains the confident hope that the Assembly will, upon due consideration of this important subject, relieve him from the discharge of this duty, and their Constituents from the inconveniences that must necessarily attend the collection, by making such provision for the redemption of these Rents as will be acceptable to His Majesty's Government. "A. C."

MILITIA COURT MARTIAL.

"The Lieutenant Governor directs to be laid before the House of Assembly, Accounts of the travelling and attendance of Officers and Men at a Court-Martial, which he felt himself, though reluctantly, obliged to order for the investigation of charges involving the character and discipline of the Militia; and he recommends to the House to make provision for remunerating these services. "A. C."

NATURALIZATION OF ALIENS.

"The Lieutenant Governor recommends to the House of Assembly a Copy of a Dispatch from the Right Honorable Earl of Aberdeen, on the subject of the joint Address of the Council and Assembly, respecting the naturalization of Aliens. "A. C."

"*Downing Street, Dec. 20, 1834.*

"Sir,—I have had under my consideration your Dispatch, No. 15, of the 5th of March last, accompanied by an Address of the Assembly drawing attention to a former joint Address of the Legislative Council and Assembly praying that Aliens, desirous to become naturalized in New-Brunswick, might be relieved from the necessity of taking the Sacramental Test, as prescribed by the 2d Section of the Act 13 Geo. 2, cap. 7.—His Majesty's Government feels itself precluded from acceding to the suggestion that it should recommend the Repeal of this Clause by Parliament. In order, however, to afford relief to persons of foreign birth who have been long resident in the Colony, with the wish to be deemed British Subjects, there will be no objection to consent to a Provincial Law, enacting that individuals who have had their settled place of abode in New-Brunswick for seven years or more, previous to the passing of the Statute, may become entitled to the privileges of natural born subjects by taking the Oath of Allegiance within three years after the passing of the Act, if they be of the full age of 16 at that time; if not, within three years from attaining that age. The Oath of Allegiance administered under any such Provincial Act might also be made to include a declaration that the party had been an actual resident for seven years, according to the intention of the Statute. I annex the form of an Oath which would meet both objects. It must be understood, that no bill of the nature in question could be assented to unless it were entirely retrospective—neither could any provision be admitted respecting the renunciation of any allegiance, or supposed allegiance, to a foreign State. That question must be decided by the general Law of Nations, without being made the subject of any enactment, either remedial or declaratory. Finally, you will not be at liberty to assent to any Act on the present important and difficult subject, unless it contain a clause suspending its operation until the pleasure of His Majesty be signified.

"I do not propose, by the foregoing communication, to urge upon the Legislative Council and Assembly any particular measure respecting Aliens, as a course recommended by His Majesty's Government. I feel that the Legislature itself must be the best judge what local circumstances may admit of or require on this subject. But in stating the inability of His Majesty's Government to adopt one particular mode of proceeding suggested by the Council and Assembly, I was unwilling to abstain from pointing out another expedient which occurred to me as a means of enabling the Legislature to accomplish the object it has in view.

"You will have the goodness to transmit a copy of this Dispatch, by Message, to both Houses of the Provincial Parliament.

"I have the honor to be, Sir,
"Your most obedient humble servant,
"ABERDEEN."

"Major General Sir Archibald Campbell, Bart., G. C. B."

Form of Oath.—"I do swear [or being one of the Persons allowed by Law to affirm in civil cases, do affirm] that I have resided seven years in his Majesty's Dominions, without having been, during that time, a stated resident in any Foreign Country; and that I will be faithful, and bear true allegiance to the Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province as dependent thereon."

CROWN REVENUES.

"The Lieutenant Governor directs to be herewith laid before the House of Assembly, an Extract from a Dispatch from the Right Honorable the Earl of Aberdeen, one of His Majesty's principal Secretaries of State, in answer to the Address of the House on the subject of the Proceeds of the Crown Revenues. "A. C."

Extract of a Dispatch from the Right Honorable Earl of Aberdeen to His Excellency Sir Archibald Campbell, Bart., dated

"DOWNING STREET, Dec. 24, 1834.

"I have had under my serious consideration your Dispatch, No. 17, of the 24th March last, accompanied by an Address to His Majesty from the House of Assembly, respecting the recent offer which had been made to them of the Proceeds of of the Crown Revenues in New-Brunswick.

"From various parts of the Address, I infer that the proposals conveyed to the Assembly, through my Predecessor, must have been misapprehended in more than one important particular; and I have especially remarked the erroneous assumption that, in offering to surrender the proceeds of the Crown Lands, it was intended also to give up their management, and to place them under the control of the Legislature.

"From the course of their proceedings, as well as the tenor of the present expression of their sentiments, the Assembly must be understood to consider it an indispensable condition that the payments of the Land Company should be comprised among the objects to be surrendered to them. This is a condition to which His Majesty's Government cannot agree. His Majesty's Government would also be unable to recognise the interpretation which was placed on their former offer, so far as regards the control over the Lands belonging to the Crown in New-Brunswick.—Under these circumstances, I can only desire you to convey to the Assembly His Majesty's regret, that the objects of their Address cannot be complied with; and adverting to the wide difference between the views entertained by the Government and those manifested by the Assembly on this subject, it seems to me that no advantage could be anticipated for making any further proposals at present, respecting the cession of the Territorial Revenue."

On motion of Mr. Wyer, the House proceeded to the order of the day to go into Committee of the whole, on the petition of William Frankland, and others, inhabitants of Grand Manan, presented to the House on the 5th instant, praying measures to be adopted for the protection of the Fisheries.

The Chairman reported, that the Committee, having the petition referred to them, under consideration, had passed the following Resolution: *Resolved*, That in the opinion of this Committee, it be recommended to the House, that an Address be presented to His Excellency the Lieutenant Governor, praying His Excellency would communicate with the Admiral on the Station, to have a vessel of War stationed in the Bay of Fundy, during the Fishing season, for the protection of the Fisheries therein. *Ordered*, that the Report be accepted.

On motion of Mr. Woodward, the House went into Committee of the whole, on a Bill for the incorporation of *the Loch Lomond Paper Company*. The Chairman reported, that they had gone into consideration of the Bill referred to them, and the Committee had passed the following Resolution:—*Resolved*, that the further consideration of the Bill be postponed for 3 months. *Ordered*, that the Report be accepted.

Friday, 20th February.

A Message from the Legislative Council.—Mr. Putnam, Master in Chancery, informed the House that he was directed to communicate the following:—

"*Legislative Council Chamber, Feb. 19.*

"Whereas the Dispatch of the late Secretary of State for the Colonies, dated 20th May, 1834, in answer to the Petitions of the Legislative Council and House of Assembly, on the subject of the Timber Duties, contains the gratifying assurance, that no step will be taken regarding those Duties, without the fullest consideration of the Colonial interests involved; and whereas it is expedient, for various reasons, again to address His Majesty's Government on this highly important subject; therefore *Resolved*, that an humble Address be presented to His Majesty, praying that no change be made in those Duties that would operate to the injury of the North American Colonies; and that the House of Assembly be requested to join in such Address.

"WM. TYNG PETERS,
"*Clerk Legislative Council.*"

Mr. Crane, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor with the Address of the House of the 17th instant, on the subject of an accurate survey of the Coasts of the Bay of Fundy, reported, that they had attended thereto, and His Excellency was pleased to say, he would have much pleasure in attending to the wishes of the House on the subject of the said Address.

Mr. Robinson moved for leave to bring in a Bill, to regulate the Inspection of Dry and Pickled Fish for home consumption and for exportation.—Leave granted.—The said Bill being brought in, was read a first time.

On motion of Mr. Wyer,—Whereas complaints have been made to this House by the Magistrates and