April 18

was sifting up with Mr. G.

As to the making of the will, we have the postive proof of all the witnesses, Armstrong, whis in the interest of the opposite party, include And the only objection to it is a technical on arising in my learned friend's fertile brain, be cause he felt he must de something for his clier and to carn his fee. It is that there was some thing wrong in the mere signing of the witnesse Now we have Mr. Hartley's evidence, taken fm the survey of the premises, that in the position the table, as stated by some of the witnesses, was physically impossible for Mr. Gurney have seen the witnesses sign the paper. It what weight does such evidence have against the survey of th unimpeached evidence of those witnesses to will that they did see Mr. Gurney looking at the

as they signed.
Surrogate.—If Mr. Hartley's evidence pro that there was no position in which the table could have been placed in which Mr. Game, R. could have seen them, it would have been on was clusive. But his evidence does not prove the

Exactly. According to Mr. Hartley, in a position of the table, as stated by Jonathan a L. R. Harding. Senr., (Gurney, could have so witnesses sign at the east end I asked Jonathan Did you point out the exact position on the tal our at which you signed ? Yes, said ha, at the e ated end. The witnesses were evidently anxious be within the mark. They were very particular be within the mark. They were very purious about their positions. There is no evidence prove that the table was not in such a position that the witnessess could have been seen wis signing. My learned friend says, we must sume, that it was in the position stated bylan ame. Now I say the vresumption is exact. mey the opposite. They swear they saw Gun fact, looking at them as they wrote, and the presumable think they did, because their attention was madrayn to the testator than to the table.

Surrogate.- Their attention was most likely have been drawn to the testator than to the ta any hout to prove knowledge on the part of Mr. Hard of the requirements of the law, in this particular lie. (Attestation read.) No man who wrote this him-have been ignorant of the requirements of nfor- law. Mr. Harding swears he

and required. Surrogate .- Mr. Harding's great mistake

dunits Surrogate. -Mr. Harding other in writing the will himself. writing the will himself.

Well that may be so, your Honor, but we know, that in country places this may hap from unavoidable causes. That the tests knew what was in the will, is proved by the in the country places. at he that the testator hurried Mr. Harding "to the witnesses and have it signed, because he the witnesses and have it signed, because it unwell. On cross examination nothing controls for this was elicited, Subsequent conversible with Armstrong, prove that Mr. Gurney is the contents of it, for he spoke of Mr. Harding a first rate man of business. He rem m good that I having forgotten to leave Mr. Newcomb, all controls and wishes it inserted. Mr. Harding seems and wishes it inserted. that I having forgotten to leave . Mr. on in quest, and wishes it inserted. Mr. Hardings vilify the will is made, and I can't well amend it. will either make a new will, or give an obligation for the land. To this Mr. Gurney assent Surrogate.—It is a suspicious circumstantial that Mr. Newcomb's name, was not inserted the second will.

Probably it was forgotten, your honor, but any rate, Mr. Harding, though he might et have done so, does not want to shirk the obli troom have done so, does not want to shirk the oblication, but like an honest man, brings it into constitution and says he is prepared to abide by it. I does not look like fraud, or a desire to practicated, the says, on the day of the fine lesses. In pressure with learned friend's legal opision. But at any native was not legally binding. I don't believe, this is learned friend's legal opision. But at any natively omitted. Mr. Haeding only brings this

ase for tirely omitted. Mr. Haeding only brings this tirely omitted. Mr. Haeding only brings this to court, and says he is ready to abide by it I have then established the fact of the will be the position of the table. All the position of without the four witnesses including Mr. Hartley, say about the friend, says, you must believe his hypotherical transfer of the manufacture of the table. All the four witnesses including Mr. Hartley, say testator might have seen them, yet my less than the friend, says, you must believe his hypotherical transfer of the same than the same transfer of the sam

against a positive statement of the witnesses Sarrogate.—They is ume a position, and then

argue upon it. Yes, this was the only way they had to affect Yes, this was the only way they had to anect the proof. Welsh's evidence goes for nothing. He was not present when the will was made, and therefore his knowledge of the time cannot be actually the correction of the correction of

Surrogate.-The great fact is, was the will

Yes, the time does not affect it, either

to, and the table was in the usual place. Strong proof this, says my learned friend of Mr. Armstrong's testimony. The fact is, my learned friend, was making a speech,—was anxious to earn his fee, I pitied my learned friend most sincerely,—he was on the wrong side of the house,—at sea without a rudder—must flounder away to shore, and so makes an emphatic, loud, yes, even eloquent speech and bullied the witnesses and my client, simply for effect. You holor had to set him right several times, but he kept on, talking Honseh ld." mm r.gat several times, but he kept on, taking ing about extraneous matters, and points not connected with his argument. In fact he had to othis, because he had no other way. In f c, at one time, I thought he was almost bordering on

Needham .- Oh! no, no!

Well, not exactly lunacy, but something approaching to it. The whole objection is a technieal one, about the position of the table, but it does not really amount to anything.

Mr. Needham.—Oh, certainly; you deserve

your fee for that. Surrogate.-I have not stopped either of you,

gentlemen, as I see the audience like to be

either my learned friend or myself.

I think my client, Mr. Harding, ought to be obliged to these outside gentlemen, who have taken so much interest in this case, for the opportunity they have given him, of clearing his character of any stain which rumor has placed upon it. They have threatened an action a court of law, as to the real estate. doubt not my client will be able and ready to

My learned friend has indulged in a good dea of vituperation of my client. He said he admired a bold highwayman, rather than a sneak ing thief. I could not help thinking as he said it that the more manly way for him to have taken would have been, to say boldly to Mr. Harding. that he was the man he meant, and not mak- insinuations and invendoes. But I suppose allow ance must be made for him, -he had nothing else to say, and my client can afford to laugh at his attempts to vilify him. He cares nothing fo this sort of thing, and can defy those members of the community, who have been so industrious in trying to dawn his character. Mr. Connell raminds me of one matter of small importance,

In concluding, I cannot help giving my testimony as to the impartiality with which your honor has conducted this case, and here, I am sure, I speak my learned friend's feeling.

Of course your honor will direct costs to go

nins o'clock.

Thurday. April 11, 1861.

His Honor, the Surrogate, inform us that our Reporter in one place has mistaken the nature of if it were necessary, we could have proved our date, to have been correct, but as it was of no importance we let it alone.

Welsh propably is an honest man, but what does he know about the will. He was in bed, he says, and looked out of the window, and saw Harding going away from the house, and afterwards heard people coming into the house. My learned friend like a drowning man catching at straws, asks about some conversation between Welsh and his wife; but stopped him, because I thought it was not right for him to be prying into the privacy of the bedroom of Welsh and his wife.

Welsh talks about the table usually standing into the same place,—says he was always hungry when he got up, and went to the table to get a bite. He says he did so on the morning referred party may be wrong about the exact date. But his remarks. The remark was to this effect "as in the same place,—says he was always hungry when he got up, and went to the table to got a bite. He says he did so on the morning referred by the law, and leave the other questions of un-Strong due influence, misrepresentation, fraud, and inbecility, to be determined in an action of ejectment," and not as our Reporter gave it, that he had no jurisdiction in these questions.

> We have received from Mr. Kinley, who is again with us, on his route to the Upper County, tue 14th and 15th numbers of the "Altar of the

Louse of Assembly.

I don't go into this subject, your honor, as fully as I might do, because your honor has more fully elucidated the subject than I can do. I see ting Government to secure such documents, that your honor has studied the subject more than specimens, &c., of a provincial character and

tained nothing of much importance. We give

SPEECH.

Mr. President and Hon. Gentlemen of the Legislative Council.

Mr. Speaker and Gentlemen of the House of

tion of pointing to the uninterrupted tranquility lenjoyed by the people of this Province in: common with Her Majesty's other subject on both sides of the Atlantic, in times when other nations have suffered severely from political disturbance for dissensions; and you will, I am sure. foster and promote that spirit of Loyalty to the Crown and love for British Institutions which have always distinguished New Brunswick.

The Moodstock Journal. Evidence before the committee for investigating the "Land-Jobbing" Charges. From the Colonial Empire.

(Continued from fourth page.)

Continued from Jourth page.;
The Hon. Mr. Brown resumed :—"It is a fact, not withstanding what Mr. Inches has said, that O Keleher was living on the Lot when it was applied for, and granted to Horseford; and it is surprising to me, that the Grant should have issued without the Government.knowing this. However I do not think the mistake was made wilfully. at

portion are private letters; and the others are letters connected with the Board of Works. would like to refer to some of these letters, to show the nature, and extent of the correspon-

Mr. Brown here produced a bushel basket ful Mr. Brown here produced a bushel basket lall of letters, and papers, stating that these were the correspondence of three years; and also, that these were not the whole of them. He read a number of them to the Committee to show their nature, and said, "I was occupied one quarter of its time," I was occupied one quarter of the correspondence grew out of the formal notification by the Washington Government disclosed nature, and said, "I was occupied one quarter of fication by the Washington Gomy time in the Board of Works; it was some in Beaugard's first despatch: hindrance to my duties as Surveyor General, but

Mr. Inches stated, that he did not think Mr. Brown's connection with the Board of Works interferred with the discharge of his duties as

Surveyor General.

Bill to substitute decimal system of accounts in connection with certain public funds agreed to.

Long discussion took place in reference to the plan, I have been reminded of what I had then forgouten.—that the half of the lot I had then forgouten.—that the half of the lot I had then forgouten.—that the half of the lot I had then forgouten.—that the half of the lot I had then forgouten.—The ference to the plan, I have been reminded of what I had then forgouten.—that the half of the lot I had then forgouten.—The ference to the plan, I have been reminded of what I had then forgouten.—that the half of the lot I had then forgouten.—The ference to the plan, I have been reminded of what I had then forgouten.—The ference to the plan, I have been reminded of what I had then forgouten.—The half to Jim, and if the lot I had then forgouten appeared to Jim, or one of the lot I had then forgouten.—The ference to the plan, I have been reminded of what I had then forgouten.—The half to Jim, and if the lot I had then forgouten appeared to Jim, or one of the lot I had then forgouten appeared to Jim, or one of the Jim, or one of the Agent who communicated to you the lot of the Washington Government to supplied to Jim, or one of the Washington Government to supplied to Jim, and I was located and granted to O'Sullivan, and if this is refused, proceed in which is refused, proceed in which is manner to come of the washington with it, except it may be in the report of the Commissioner, that he had done the work, which is very often done. The Commissioner reported is very often done. The Commissioner reported is very often done. The Commissioner report and were provided by O'Keleher, for O'Sullivan.

Resolution to pay Postmaster Caie for certain extra services lost. Resolution to provide for reporting Debates next session negatived. Continued to the commissioner reported with the land at all. Godard may be one of the Washington Government to supplied for this land, that O'Keleher canner appeared in connected with fire and the washingt About O'Keleher's case, Mr. Inches said-

CLOSING OF THE SESSION.

On Friday the 12th inst., at 2 P. M. His Excellency released the Houses of Parliament from further attendance to their duties. The Speech on the occasion, was very short, and constructed the purchase money. The sale at some part of the purchase money. The sale at some Speech on the occasion, was very short, and contained nothing of much importance. We give the below.

The sale at some part of the purchase money The sale at some subsequent period, was cancelled and the lands were soid at auction, to John F. Goddard. The petition of Goddard is not on the file; Keenan had no petition.

"I cannot tell in whose name it was applied for; Keenan applied for it about 1843. I never heard of any complaint since.

"In my evidence regarding the Murray tres You have learned with deep regret the death of Her Royal Highness the Duchess of Kent, and that Her Majesty mourns the loss of the illustrous missing, I could not say. On reflection I think

Would take a cow for it. Welsh agreed, and Mr. Harding makes out his bill and takes his receipt. Here were no factor of the supplies which you have brought to a close the business of the Mr. Speaker and Geneticles of the Ebuse of Mr. Speaker and Geneticles of the Mr. Speaker and Geneticles of th back of the Petition when the order issues, that is all the Recordi. Every Government for twenty-five years past, has been offering its Land, in large blocks, for sale by auction after advertisment in the newspaper, and in every Gazette, without letting me know that although it offered to self. it would be a crime for me to buy. The practice has been to offer in 200 acres lots, so as to afferd apportunity for commetting and all that with the judgment.

Surrogate.—By si ting up part of the night, I shall be able to give a written judgment at 11 o'clock to-morrow; but as it will be necessarily harried, if there is a review of the case I shall be able to give a written judgment at 11 hall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall be able to give a written judgment at 11 harried, if there is a review of the case I shall harried, if there is a review of the case I shall harried, if there is a review of the case I shall harried in hus then so bought. I often suggested that the Surveyor General should be empowered from time to time, to afford opportunity for competition and all that I had been interested in, hus then so bought. I had been interested in, hus then so bought. I had been interested in hus after so bought. I had been interested in hus then so bought. I had been interested in hus then soon bought. I had been interest

that effect. I mean I told Mr. Tibbits this. He did so, and the application was before Council, in April, 1860. No order has yet been made, however, reserving it. I have spoken of it more than once, and now the lands have been, and are selling at auction for money, without any conditions, whatever.

Mr. Brown resumed :--
"I think if there is any fault, I am to blame." I consider the reference to meas giving me power to prevent this. I think I am personally accountable for this. [Mr Inches here referred to the Minute Book, and shewed that the reference which had been made to the Surveyor General was to report on, only. The Surveyor General however, persisted that he was to blame.]

Mr. Brown continued:

Mr. Brown continued:—
"No increase of competition at Land Sales has taken place, in any District, within the last four years. The land very rarely brings more than the upset price."

The Committee here adjourned till to-morrow.

United States.

THE WAR BEGUN BY THE ACT OF SOUTH CAROLINA!

THE REBEL BATTERIES OPENED ON. FORT SUMTER.

CHARLESTON, 12th.

To L. P. Walker, Sec. War at Montgomery : An authorized messenger from Mr. Lincoln has just informed Gov. Pickens and myself that provisions will be sent to Fort Sumter peaceably, otherwise by force. [Signed]

[Signed]
G. T. BEAUREGARD.

CHARLESTON, 10th.

To E. P. Walker, Sec'y War: The reasons are special for 12 o'clock.

G. T. BEAUREGARD CHARLESTON, 11th.

To L. P. Walker: The demand was sent at 2-allowed till 6 to [Signed]
G. T. BEAUREGARD. answer.

MONTGOMERY, 11th. To Gen. Beautegard, Charleston :

Telegraph reply of Anderson.
[Sigued] L. P. WALKER. CHARLESTON, 11th.

Do not desire needlessly to bombard Sumter if Maj, Anderson will state the time at which, as indicated by him, he will evacuate, and agree that in the meantime he will not use his guns against us unless ours should be employed against Sumter. You are authorized thus to avoid the effusion of blood. If this or its equivalent be refused, reduce the fort as your judgment cide; to be the most practicable.

[Signed] L. P. WALKET, See'y War