

Mechanics Institute - Prop

Woodstock Journal

"He is a Freeman whom the Truth makes Free, And all are Slaves beside."

VOLUME 6.

WOODSTOCK, N. B., THURSDAY, MARCH 15, 1860.

NUMBER 37.

OUR PAPER.

The Woodstock Journal is a large eight-page weekly, devoted to the advancement of the industrial, commercial, social and moral interests of New Brunswick.

The objects at which it particularly aims in the present circumstances of the country are the promotion of immigration, the settlement of the wild lands, the opening of the country by means of railroads, &c., an increase of the representation in the Assembly, and Free Education, schools of all grades, from the lowest to the highest being open to all without money and without price, and supported by Direct Taxation.

The Journal is published every Thursday at Woodstock, N. B., for Wm. Edgar, Proprietor.

Single copies, Two dollars a year, Clubs of six, one and three quarter dollars each.

Clubs of ten, one dollar and a half each. N. B.—To any person who makes up a club at these rates, and sends us the money in advance, we will send a copy of the Journal for one year, gratis.

When payment is not made in advance, two dollars and a half, and when payment is delayed beyond the year, three dollars will be charged.

Clergymen, postmasters, and teachers supplied at a dollar and a half a year.

The Editor of the Journal, Woodstock, N. B.

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How THE IRON DUKE was HUMBUGGED.—Referring to the advance from the Edro to the Doaro, the Duke stated that "he got famously taken in on that occasion."

The troops had taken to plundering a good deal. It was necessary to stop it, and I issued an order announcing that the first man taken in the act should be hanged upon the spot.

One day, just as we were sitting down to dinner, three men were brought to the door of the tent by the provost. The case against them was clear, and I had nothing for it but to desire that they should be taken away, and hanged in some place where they might be seen by the whole column in its march next day.

I had a good many guests with me on that occasion, and among the rest, I think, Lord Nugent. They seemed dreadfully shocked and could not eat their dinner. I didn't like it much myself, but, as I told them I had no time to indulge my feelings, I must do my duty.

Well, the dinner went off rather gravely, and next morning, sure enough, three men, in uniform, were seen hanging from the branches of a tree close to the high road.

It was a terrible example, and produced the desired effect; there was no more plundering. But you may guess what my astonishment was, when some months afterwards I learned that one of my staff took counsel with Dr. Hume, and as three men had just died in hospital, they hung them up, and let the three culprits return to their regiments.

"Weren't you very angry, Duke?" was the question. "Well, I suppose I was at first; but as I had no wish to take the poor fellows' lives and only wanted the example, and as the example had the desired effect, my anger soon died out, and I confess to you that I am very glad now that the three lives were spared."—Gleig's Life of Wellington.

WELLINGTON ON A FRENCH INVASION OF ENGLAND.—There was a dinner, at which the conversation turned on the chance of a French invasion:—

"A good many of the officers of the garrison were present, when a gentleman, not an officer, put the question: "But, Duke, do you really think that an invasion of

England by France is possible? "Possible!" replied his Grace, "is anything impossible? Read the newspapers." He said no more, while dinner lasted; but when the company had retired to the drawing-room, he took his questioner apart, and entered with him in the fullest manner into the whole subject.

"And I'll tell you what," he observed, "the French would have an immense advantage over us, even if we were prepared to oppose a landing, because they would be able to see further and better than we. 'How is that?' was the natural question. 'Why thus—They start at midnight, and arrive off our coast just before sunrise. The dawn, which renders everything clear to them, will not enable us to observe what they are about. They will have a full half hour of light before we shall be able to distinguish between the line of beach and the line of sea; far less to observe boats in motion. And let me tell you, that in calm weather, and with preparations well settled beforehand, a great deal may be done towards throwing troops ashore on an open beach, in half an hour.'—Gleig's Life of Wellington.

STRONG INDUCEMENTS.—A small boy was caught stealing dried berries, and was locked up in a dark closet by the grocer.

The boy commenced begging most pathetically to be released, and after using all the persuasion that his young mind could invent, he proposed, "Now, if you'll let me out, and send for my daddy, he'll pay you for them, and lick me besides." The grocer man could not withstand this appeal, and released the urchin.

Parliamentary.

HOUSE OF ASSEMBLY. SATURDAY, February 25. HONESTAD BILL.

The House went into committee of the whole on a Bill to exempt the homestead from being taken under execution.

Mr. Tapley in the chair.

Mr. END rose to explain the nature of the Bill. He said that although the Bill now before the Committee might not be finally disposed of on this occasion, still he desired that it should undergo some discussion, in order that the attention of hon. members might be turned to the subject.

He regretted to see so thin a House, because he thought that any measure involving a principle of mere humanity, might in the present times, be more than ordinarily interesting.

For his part, he was free to confess that any subject before the Legislature, free from the contaminations and acerbities of party rancour, was really a matter of refreshment to his mind.

He hailed such subjects now-a-days, as they had become very scarce, just as the thirsty traveller hails the rivulet in the desert; and he hoped that the present subject was one on which hon. members might meet cordially and kindly, as on a common ground, and give their attention dispassionately to the question being one unconnected with party, and merely involving what one might almost suppose appeared to be the secondary considerations of justice and humanity.

In taking the trouble of preparing this Bill, he had been impelled by no other considerations than love for the human family, and a desire to do what he considered his duty.—Bills containing similar provisions had become law in Maine and Massachusetts, and he believed in several others of the New England States.

[Mr. Williston—"In Canada also."] He thanked his hon. friend for the information. And in Canada also; and he had yet to learn why any element of common humanity, advantageous to the people at large, which had become the subject matter of legislation, and extended to the people of any other portion of this continent, should be suffered to remain alien to the statute book of New Brunswick.

The object of the present Bill was to secure a home for life to

the land on which it stood. There was one section of the Bill to which he desired attention. The exempted homestead could not be disposed of, nor the exemption waived, without the consent of the wife.

He felt satisfied that this clause would not be rejected. The women of Canada, the women of Massachusetts, Maine, and, as he believed, of other New England States, had been considered entitled to this protection.

Why should not the women of New Brunswick have the same consideration? He would ask whether the women of this Province were not equal to the women of any other part of the world, in the exercise of those virtues and talents which make a home and make it happy?

Why should they be denied the encouragement and security which had been extended to the women of other parts of this continent? Why should a New Brunswick widow, when casting a parting look on the homestead, which the labor of half her life, perhaps, had contributed to make, but from which she was about to be driven by the Sheriff, before the remains of her husband were cold in the grave—why should she be any longer permitted to bewail her fate, that her lot had not been cast in Canada or New England?

For there the law would have regarded the widow's rights; she could not thus have been thrown homeless on the wide world. Why, he would ask, should the orphan children of New Brunswick be in a worse condition by law, than are the orphan children of Canada or New England? cast into the streets or thrust into the poor-house, instead of being sheltered and kept together by the sacred bond of home.

He had endeavored to provide for the details, and to regulate, without much machinery, the manner of proceeding, in case the Bill should become law. The provisions of the Bill were simply these: Any man might exempt his homestead from being under execution for liabilities subsequently incurred, by recording a memorandum to that effect in the county registry.

Such exemption should be limited to a moderate amount, and should continue only during his lifetime, and that of, or until the marriage of his widow, and the minority of his youngest child, and only while the homestead was bona fide a home; and no waiver or transfer of homestead exemption rights should be made without the wife's concurrence; and lands or houses purchased or acquired as a homestead, must be described in the registry as such, in order that persons about to do business might be made aware that the homestead of the party was not to be considered immediately available for the payment of debts.

He said that the Bill was now fairly launched before the House and the public. He was prepared to answer such objections as might be made to it. He believed the measure was entitled to the favorable consideration of the House; and if, to the honor of New Brunswick, he had no case of cruelty to adduce, it was no reason why the possibility of committing by law should not be removed.

A short discussion followed, in which hon. members generally who spoke, expressed opinions adverse to the principles of the Bill, but a willingness to take time to give it a full and careful investigation, and progress was reported.

WEDNESDAY, February 29. INSOLVENT CONFINED DEBTORS' LAW.

The House, on motion of Mr. Williston, went into committee of the whole upon the Bill to amend chapter 124, title 34, of the Revised Statutes, of Insolvent Confined Debtors.

Mr. WILLISTON said that this Bill had been before the House in 1858 and 1859, and was defeated at the last session chiefly through the strenuous opposition of the hon. Mr. Smith. As the law at present stood, the confined debtor, after showing that he had no property above 15 pounds in value, and had made no assignment of his effects since the issue of the first process in the suit under which he is confined, has a right to get from the plaintiff in the suit a weekly allowance of five shillings for his support. By the payment of

this sum the debtor could be kept in goal or on the limits for six months, if the debt was not paid before the expiration of that time. The first section of the Bill proposed that when the examination was made before a Judge or two Justices, if they were satisfied that he was entitled under the present law to the weekly support, they should instead of making an order for it, make an order for his discharge from custody.

The principles of this law were liberal and progressive; and tended towards the total abolition of imprisonment for debt. His Bill did not go as far as that, but only went to discharge the prisoner from custody under the circumstances already mentioned. The operation of the law as it stood was unfair. Any prisoner who lived within the bounds fixed by law for the goal limits, and could get bail, was, as it were, at home; while the person whose residence was outside the limits was in an entirely different and much worse position.

By the present law the Judge and Justices before whom the debtor is examined cannot investigate his affairs beyond the time at which the first writ in the suit was issued, no matter what assignment the debtor had made of his effects before that time; his Bill allowed them to go beyond that; and to examine into any antecedent disposal which he might have made of his property. Then the third section made any fraudulent concealment of property, or mistatement of his circumstances, by the debtor upon examination a misdemeanor, which would be a strong check. He thought that the House would conclude to pass the Bill.

Mr. END said that when the question of imprisonment for debt came fairly up, he would be prepared to meet it. He was not prepared to vote for such a measure, and most surely should not vote to get rid of imprisonment for debt by such a side wind as this Bill. They would see that the eighth section of the Insolvent Confined Debtors' Law contemplated the possibility of the justices being deceived, with respect to the circumstances of the prisoner, on his examination; for it gave them power to have him brought before them for further examination, and to suspend his weekly allowance. Under the present law, the man is on the limits, and can be brought up for this examination; but if this Bill were in operation, he would have been discharged at the first examination, and whatever evidence might be afterwards produced he was safe.

The remark of Mr. Williston about the injustice done by some persons living outside the limits, and some not being able to get bail, was applicable to the whole law of imprisonment for debt; besides, a man in New Brunswick who had any character could always get some one to bail him. His experience was, that for one hard hearted creditor there were fifty fraudulent debtors; and he believed that there was very little suffering from the tyranny of creditors. The keeping a debtor on the limits had often brought about the payment of the debt.—The debtor's friends made some arrangement, or some secret board of wealth was discovered, before the six months elapsed. The House should consider well before passing such a measure as this.

Mr. CHANDLER said that he was surprised at the observations of Mr. END. Last year he was overflowing with kindness towards the debtor; now he was on another tack. Why had he not suggested the treadmill as an additional means of bringing payment out of the debtor or his friends? He (Mr. C.) thought that Mr. Williston deserved credit for bringing forward this Bill. Who could live upon five shillings a week? What other object could there be in keeping a man on the limits 6 months than to gratify malice, or to catch him off the limits, so that an assignment of the limit bond could be got, and the bail sued for, or else to excite the sympathies of his friends, and get the money out of them? In his experience he never knew of a man remaining on the limits for the six months. He thought that the debtor who had not sufficient means to support him, should be allowed to go and make his living, and should not be kept in jail to rot or starve.

The SPEAKER said that this Bill not only virtually abolished imprisonment for debt, but abolished it without providing any remedy for the evils which would ensue. He did not believe in imprisonment for debt, but he thought that its repeal should be gradual, and not be made to apply to debts incurred before its passing. When they abolished it in the United States they provided additional grounds against the chance of the creditor being defrauded, such as the attachment law, which gave power to take the property though not the body.—There were several serious objections to this Bill. One was

Woods' Sarsaparilla... your's Cherry Pectoral... your's Cathartic Pills... Dr. J. C. Ayer & Co. Lowell, Mass. One bottle, six bottles for \$1...