Honorable the Secretary of State for the Colonies.
(Signed) E. B. CHANDLER.
G. S. HILL.
W. B. KINNEAR.
J. R. PARTELOW.
R. L. HAZEN.

Committee Room, 10th January, 1851."

Mr. Smith continued—Here the Council admitted that an inference might be drawn from the Minute of Council of October 25th, 1851, that warranted the Colonial Secretary for the Colonies to appoint Mr. Justice Carter Chief Justice of the Province. [The hon. member then read the Minute of Council of October 25th, 1851.] There was nothing of the kind in it, and the admission was made simply to give some colour to what the Government had done. They had taken some three months to consider upon it, and he contended that by their subserviency they had sacrificed the rights and privileges of the people, and rendered responsible government a mockery and a delusion. Were these the men to express a doubt upon the right of self-government, as proffered by Earl Grey, and adopted almost unanimously by this house, and say it is *understood* to be in force! They were over-ridden by the Governor, and had yielded up the privileges of the people, as the hon. mover of the amendment had very properly expressed it. There were only a few old members in the present house who had struggled consistently for liberty, and the hon. member (Mr. Fisher) was one of them. It was but a few years ago that there was no such thing as constitutional liberty known in New Brunswick—the country was governed by an oligarchy (hear, hear). The patronage was then distributed among a few families.—It had at length given way before the force of public opinion, and the Imperial Government had made concessions whenever they were asked for it in a constitutional and energetic manner; but the men who opposed the introduction of responsible government, and still obstruct its being fully carried out, were still in power (hear, hear). As to the Judges of the Supreme Court, he had no desire to reduce their salaries below what was necessary to maintain the dignity of their offices, and to live like gentlemen; and it was a pleasure to him to say that they maintained that character in private life. But, should they over-rule the country?—The present Government yielded up to them a power to which they had no right. He believed the Home Government did not wish to interfere with the local affairs of this Province, and believing that, and knowing the opinions held by the Executive Council of New Brunswick, might he not draw the conclusion that something else had been sent to England at that period, besides the Judges' letters? The hon. Attorney General said he did not see the Judges' letters; but he ought to have seen them, and ought to have remonstrated against them. If he did not see them he knew their import, and the Government should have sent a despatch to counteract their effects. He believed that it was done with the privity of all concerned, and that the Judges' letters were allowed to go, in order that they might have the effect of defeating the bill. He would put it to the hon. Attorney General if he ever wrote to Her Majesty's Government requesting them to pass the Bill?—

Hon. Attorney General—I never wrote any despatch on the subject.

Mr. Smith—Then he (Mr. S.) contended that the hon. Attorney General ought to have written, and he condemned him out of his own mouth.

Hon. Attorney General—I considered the Bill a very unjust measure, and I was glad it did not receive "the Royal assent and become law" (hear, and laughter).

Mr. Smith—Yes, and depend upon it while we have a Government with the present Attorney General at its head, no bill will receive the Royal assent if he dislikes it; (hear hear). When a bill was passed by a majority of 20 to 1, to abolish fees that were obnoxious to the people, were they to be told by the Attorney General that he had done nothing to assist its passing, and that he was glad the Royal assent was withheld! Was this Responsible Government! Was this carrying out the wishes of the people. (Hear, hear). The hon. Attorney General contended against an overwhelming majority of this House that the Judges should receive ten shillings for every suit entered for trial, when they neither did anything to earn it, nor did they know the suit was entered, or know the parties. Last Session the Bill was introduced again, and was lost by the casting vote of the Chairman (Mr. Hatheway). He (Mr. S.) was well aware that the Chairman voted in the manner he did because he knew it would be futile to pass the Bill, as it would be defeated elsewhere; and because he anticipated the very discussion that was going on at that moment (hear, hear). He would next refer to the case of the hon. Thos. H. Peters, late Deputy Treasurer at Miramichi. The case was investigated by a Committee in the Session of 1853, and they reported him as holding in his hands the sum of £319; which report was accepted by the House, there being only seven "nays," and all the rest being "ayes." Now this Mr. Peters was a rich man, and held two or three offices besides that of Deputy Treasurer—his accounts were carefully audited; but what did the Government do, after our overwhelming majority decided that "It is the opinion of this House that the Government should call on the hon. Thomas H. Peters to refund the sum of £319, &c. What did the Government do? He (Mr. Smith) went home thinking they would do something after this expression of opinion—he did not think the wishes of the people thus unequivocally expressed would be set at nought. But when he returned to the House last Session he found that nothing had been done. The hon. Attorney General's first excuse was that Mr. Peters went to England. True he went to England, but he was only absent about three months. This was very important information, truly; but the House did not care where he had been; they wanted the money, and found that no suit had been entered. Then came the second excuse, viz: that no formal address had been passed to His Excellency calling upon him to instruct the hon. Attorney General to commence proceedings against Mr. Peters; and at last they compelled the hon Attorney General to acknowledge that he had never served Mr. Peters with a notice, and that the hon. gentleman probably knew nothing of the proceedings unless he saw the Report in the Journals of this House by accident. He held every member of the Government responsible for this gross neglect; and he would now like to know what they had done in the case in the present year, after the address to His Excellency which passed last Session. Mr. Peters had recently resigned his office of Deputy Treasurer, and it was said his successor was Mr. Williston, who was a member of this House, the last four years, and was defeated at the last election. Perhaps his defeat qualified him in the estimation of the Government; and it was the prevailing opinion in the north that if a man was defeated at an election it immediately qualified him for office. Certainly three defeated candidates in Northumberland had been appointed to office within a few years; he meant Messrs. Cranton, Carman, and Williston. Then see how they distribute Government patronage elsewhere. In St. John a man in the health and vigour of life had resigned, and willed his office to his brother. Why he knew that under the old system a man retiring from office always willed it to his brother or son, but he did not know that such wills were valid under the present system. It appeared, however that he was ignorant in the matter, for the office to which he referred was first willed by the father to the son, and by the son to his brother. He had every respect for the present incumbent, but his own intimate friends condemned the principle. It was a heilous system. Similar things occurred in his own county, and he believed in every county of the Province. And again, the Government took care to appoint themselves to almost every office except those of a local character. They appointed themselves Commissioners to proceed to Canada, Commissioners to go to Washington, Railroad Directors, Commissioners of Bridges, and he did not know what more. And here he would remark that they would never let the house know how much they were paid, how they were paid, or whether they were paid at all. It was due to the House that all accounts of this nature should be laid before them annually, and if they served for nothing, why, let them have the credit of it. [The hon. member here went into the details of the proceedings in reference to the Audit Office, in 1838 and 1854.]

Hon. Attorney General—The Report of 1853 was not adopted by the House.

Hon. Mr. Gray—Why go back to 1853, when the subject was fully discussed at the last session?

Mr. Smith continued—He had never before heard a Government plead a formal acquittal.—Why, the very reason why the people at the late general election returned a majority opposed to the Government was that the decision of the late house might be reversed; and they had a right to do so if the matter was twenty years old. The hon. members of the Government spoke as though they had a right to hold their situations for life, and therefore it would be unjust to turn them out. That was not the case; the offices belonged to the people, who could call whomsoever they chose to fill them. [The hon. member then related certain details connected with the passing of the College Bill, at the last Session.] Who brought in the amendment for the appointment of a Commission? It was the hon. Attorney General; and he promised at the time that the Commission should cost nothing. A Commission consisting of five gentlemen had since been appointed; one Rev. gentleman from Canada, a gentleman from Nova Scotia, one member of the Government, and two other gentlemen belonging to this Province. The gentlemen from Canada and Nova Scotia had to come here, and two of the Commissioners had since been to the United States, to examine some of the educational institutions there. Did any one suppose that all this would cost nothing? Would not the Commissioners be paid? He had no doubt but they would, and believed that it would do no good after all.

Hon. Mr. Gray—You will like their Report yourself.

Mr. Smith should be glad if it turned out so, but he did not believe it. He would now ask the hon. Attorney General if he would repeat what he stated last session—that the Commission would cost nothing. The hon. member for St. John (Mr. Gray) had made a very eloquent speech, but had complained of having been condemned without a hearing, precisely as though it was a case of life and death. It was not so; they were tired before they came to the house—tired by the constituencies by whom the members of the house were returned. The hon. member complained of a paper having been signed, and appealed to the house, saying, "wont you give us a fair trial, as Englishmen?" Were they to be dictated to by the hon. member? Had not the majority of the house the right to do as they liked in this matter? If they had signed a paper it showed their cordial feelings towards each other, and that they were not ashamed of it. For his part he considered it a duty to combine. Had did the hon. member (Mr. Gray) act in 1850? He was accused to oppose the Government, and came to the house determined to do so. Was not the Government of that day condemned by the hon. member without a trial? The hon. member collected all the election cards published in the Province, and pasted them in a book, in order that he might be able to show that they *signed the paper* (laughter). Let him back out of it if he could. Then the hon. member complained of caucus meetings, but what did the members of the Government do? Did not they hold caucus meetings? Before he sat down he would give the hon. member credit for the good feeling he had displayed; he was glad to see it, and hoped it would prevail; but any hon. member in the house had a right to talk about the Government politically. He was returned by a large county, and polled over fifteen hundred votes. He knew the feelings of his constituents, and knew that the Government was unpopular there, and that the people wished to see them turned out. But the hon. member who spoke last evening had threatened to appeal from "Philip to Philips' master," which any one could understand.

Hon. Mr. Gray disclaimed all intention of threatening the house with a dissolution.

Mr. Smith—Well, the member's language might fairly be construed in that way, and he (Mr. S.) considered it at the time as thrown out to frighten young members. He would trespass upon the time of the house no longer. Every hon. member in the house would be responsible to his constituents and to his own conscience for the vote he was about to give, and he (Mr. S.) would do what he believed was right and just.

Hon. Mr. Montgomery said he would not have risen if the hon. member who had just down had not made use of unparliamentary language. The hon. member had accused members of the Government of stating what was not true, and he would retort, and tell the hon. member that what he had stated was not correct. The hon. member stated that the Government had critiqued to the Governor, but as far as he was concerned it was not the case. While he was in the Government Sir E. Head had never attempted to ride over any one, but had consulted with his Council on all matters that came before them; and he was not the man to allow any man to ride over him. He repudiated the idea of being held responsible for what took place while he was not in the Government, but he held himself fully responsible for all the acts of the Government since he joined them.

Mr. McAdam hoped the house would bear with him while he offered two or three remarks, as this was his first attempt to speak on the floor of the house, nor was he accustomed to public speaking elsewhere. He was elected and sent to the house as a Liberal, and he had made up his mind to support the amendment. From what he knew of the hon. Attorney General, and from what the people of Charlotte knew of him, they believed him to be the man who mangled and marred every measure of reform that was brought forward for the good of the country. It was he that had mangled the Liquor Law, and rendered it nugatory; it was he that had introduced the present imperfect Municipal Corporation Law; and it was he who was the cause of their not having a better election law. He could not support a Government having such a leader.

Mr. Boyd said he was not one of those who thought so very bad of the Government as some hon. members did, and he did not see what they had done which merited a dismissal. The test in Charlotte at the late election was not between Liberalism and Toryism, as his hon. colleague (Mr. Gilmor) had stated. He was as well acquainted with the county, and the feelings of the people as that hon. member, and so far from the late election having turned upon a point in politics, the people of Charlotte were rejoiced when they heard that three members of the Government were returned by the County of St. John. In fact the complaints throughout the country were more frequently levelled against the Legislature than against the Government. He had no office under the Government, and received no pecuniary benefit whatever from their being in power; yet he was willing to try them a little longer. Lord Elgin had been praised for the way in which he managed the Ministry and the Legislature—by placing confidence in the men whom the people sent to advise him, or in other words, by giving the Ministry their own way in every thing; but it was only a few years since His Excellency's easy way of doing things did not work so harmoniously, when he gave his assent to the Rebellion Losses Bill. As to the Election Law introduced by the hon. Attorney General in 1853, that hon. gentleman was opposed to the ballot system, while he (Mr. Boyd) was in favour of it; but imperfect as the measure was, he had suffered so much by contested elections under the old system, that he was willing to take it as an instalment. In reference to the appointment of the Judges, and the conduct of the Government upon that occasion, the hon. member who now complained (Mr. Fisher) ought to have resigned immediately, if he resigned because he believed the constitution to be violated—he ought not to have stayed there an hour. But he stopped until the very day when the present Attorney General accepted office, and then resigned. And since that he had been taken care of—the very Government he was now opposing had given him an office, as Registrar of the College, and had appointed him one of the Commissioners to revise the Laws, for which he got well paid.—If the hon. member thought proper to come before the house with his complaints against the Government, he should have come with clean hands. If blame was to be attributed anywhere with respect to the election bill, the house was as much to blame as the hon. Attorney General, for why did they not go thro' with it? They ought not have gone back to their constituents in 1850 without a new election law. He believed the Government had done the best they could for the country, and that they were more politically honest than the members of the Opposition. No doubt a combination had been organized to overturn the Government; new members, who had no political experience, had been drawn into it; all sorts of canvassing had been resorted to, and a paper handed round for the members to sign. All this had produced its effect, and he supposed there was a majority in favour of the amendment; but he would raise his warning voice, and caution hon. members; if this course was resorted to, and proved successful once, it would be resorted to again, and henceforth the Province would be ruled by party governments (hear, hear). He considered party government a curse to a country, but he saw plum enough that it was coming. An hon. member had said that the members of the Government in the Lower House voted for the Elective Legislative Council Bill knowing it would be defeated up stairs, and had insinuated that the Government exercised their influence to defeat it in the Upper Branch; but by reference to the Journals of the Council he saw that when the question was taken there were only two members of the Government present—hon. Messrs. Chandler and Kinnear—and that they both voted for the Bill; therefore that charge fell to the ground. It was of a piece with other charges, and never, since he had been a member of this house, had he heard so much special pleading as he had heard during this debate from the legal members in the Opposition. The hon. and learned member from St. John (Mr. Ritchie) had, in enumerating the charges which took place at the last election, assumed that three of the old members for Charlotte had lost their seats in consequence of their supporting the Government. Such was not the case. Dr. Thomson did not offer because he stood pledged, since the former election, to retire in favour of his nephew; had he offered there was no doubt but he would have been returned instead of an hon. member who then sate near him. Captain Robinson did not offer, because the men for whom he had done so much, in reference to the railway, should have done something for him; he, therefore, declined incurring the expenses of a contested election. Mr. Porter offered and was defeated. He supported the Government through thick and thin while he was in the house—nothing could beat him off the track. He (Mr. Boyd) had cautioned him a thousand times, but in vain (laughter). But Mr. Porter did not lose his election because he supported the Government; he lost it on account of his vote in reference to Harcourt Knees, and his votes on the Municipal Corporation and Orange Bills (laughter). The hon. and learned member for St. John (Mr. Ritchie) had charged the Government with withholding the appointment of Road Commissioners with a design to influence the elections, but if they wished to influence the elections they should have acted quite the reverse. They had a Board of Works, however, to attend to the bridges on the great roads—he meant the hon. member from Sunbury (laughter); and at the last session the house had placed £11,500 under the control of the Government, for the construction and repairs of roads and bridges. That proved the confidence the late house placed in the Government. He repeated that the Government, in his opinion, had done the best they could, and he did not believe they could form a Government out of the Opposition that would do better. He thought they were neglecting the business of the country by spending their time in this debate. The country was suffering for want of the Reciprocity Treaty going into operation. True it had been said that the treaty could not go into effect without the consent of the Imperial Parliament, but that rested upon no better authority than the Attorney General of the United States, Mr. Cushing, and what had this country to do with opinions? Let them pass the Reciprocity Bill first, and then if they had time let them discuss political questions. He contended that their being all returned high on the poll by their respective constituencies was a fair test of public opinion, and he believed that if the house was dissolved—and he cared not whether it were or not—and they were sent back to their constituencies, the members of the Government and their supporters would all be sustained, and that many of the Opposition would never show their noses there again. He believed he was right in the course he was now pursuing, and that the people would sustain him, and if a majority had combined to support the amendment he would at all events die game.

Mr. McClellan said he did not come to the house quite ignorant of politics, as an hon. member of the Government would insinuate with respect to the new members. He had made up his mind as to the course he would pursue—if nothing transpired in the meantime to convince him that he was wrong—before he left his county. The County of Albert was essentially Liberal, and had no confidence in the present Government. He had listened attentively to the debate thus far, and had heard nothing that would tend to alter his mind. The speech he had just listened to from the hon. member for Charlotte but tended to confirm his previous impressions; the arguments that hon. member had advanced all told against the Government.—In reference to the paper it was said was handed round, he had not seen it, but if twenty-four members had signed it he was willing to be the twenty-fifth (hear, hear). The hon. member from Charlotte (Mr. Boyd) had stated that the late House of Assembly placed such confidence in the late Government that they placed £11,500 under their control. Probably that was the reason that so many of them lost their seats at the last election. He was prepared to support the amendment regardless of the consequences, knowing that his constituents would sustain him in opposing the present Government.

Mr. Steadman thought he was called upon as one of the new members, to offer a few remarks upon the subject then under discussion. A curious doctrine had been advanced by the honorable members of the Government, that because three members of that Government were returned by the County of St. John that was a test of the popularity of the Government throughout the Province. If he never gave the members of the Government credit for originating anything before, he certainly would give them credit for originating that idea (hear, and laughter). What! were half of the representatives of St. John to rule the Province! Then the new members were told, "Oh! you are young and inexperienced, you should not make up your minds until you have heard all the explanations the hon. and learned member for St. John (hon. Mr. Gray) and the hon. Attorney General can give." This was the first time he had ever been told that he could not think for himself, that he was not endowed with reasoning powers, and had no mind of his own (hear, hear). As to signing a paper, there was a paper handed round in St. John some years ago, when the Colonial Association was formed, and if he was correctly informed the hon. member (Mr. Gray) had signed it, and now he comes to the house and says, "Oh, it is very wrong—very dishonorable and unparliamentary—to sign a paper!" (hear, hear). How had the hon. member got in the present Government? He found he could not turn them out, and so just turned round and joined them, and no sooner has he got in and being closeted with them, than he found he had previously mistaken their character, and instead of being what he had described them in his speech of 1851, they were his particular friends and generals, under whose banners he was content to serve. The hon. member asserted that they were a Government of progress, and challenged contradiction; but what had they done?—Where were the great measures they had introduced for the benefit of the country? They should point them out if possible, and when they could not do so, and found that they no longer possessed the confidence of the house they should resign if they were honorable men, or appeal to the people by a dissolution, as the hon. member (Mr. Gray) had intimated yesterday they would do. The hon. member contended that the Government had not violated the constitution, but if they had not done so themselves they had permitted the Governor and Colonial Minister to do so, and therefore, they were equally guilty (hear, hear). When the Bill passed the two branches of the Legislature for the abolition of the Judges' fees, the Government were bound to give it their support, for living under a free constitution, the Government were bound to carry out the wishes of the people or resign. It was their duty, therefore, to recommend the Bill to the Colonial Minister, and to have resigned when the Royal Assent was withheld. Neither of those things had they done, and held. Neither of those things had they done, and therefore, failed in their duty. For these reasons he had, previous to the election, made up his mind to vote against the Government if he was returned, and when he was elected it was perfectly understood throughout Westmorland that he was coming to the house to oppose the Government. He would vote against them, believing, as he did, that by upsetting them the last vestige of the old rotten system of government in this Province would be destroyed.

Mr. M'Naughton said one would suppose while listening to the honorable, that they possessed all the wisdom, and all the patriotism among themselves, and that there were no politics in the country, no reasoning powers among the people, and no press to inform them, outside the pale of Government; nay, one would almost think, to hear the hon. member from St. John (Mr. Gray) that the patronage of the Government extended to the heaven, and that the recent fine weather was to be ascribed to them (laughter). He would not go into details to show the errors committed by the Government, where there were so many honorable members better qualified, nor would he dwell upon the defects of the Election Bill introduced by the Government in 1853; there was one clause in that Bill, however, he could not help noticing—a man who ate American cheese was not eligible to a seat in the Assembly (laughter). It was established on no less authority than Lord Stanley, that responsible government meant party government, and if that was the case they surely had enough of it in the County of Gloucester. A short time previous to the election which took place in consequence of Mr. Read accepting the office of Deputy Treasurer at Bathurst, Mr. Henry Baldwin, the Sheriff, casually let fall a word or two more favorable to Mr. End than to Mr. Read, and the latter gentleman thought proper to make it the subject of a serious charge, and called upon the Government to have it investigated; accordingly Mr. Jack was sent over as a Commissioner, who investigated the subject, and in his Report entirely acquitted Mr. Baldwin of all blame; he considered the charge frivolous and vexatious.—This passed and Mr. Baldwin was reinstated, and supposed he would hear nothing more of it; but the ensuing Spring, when the annual appointment of Sheriffs took place, his name was omitted, and the present incumbent appointed in his stead. At the same time an old man named Sewall, who held an inferior office, and had served the Government faithfully for many years, was summarily dismissed because he was somewhat loth to come forward and repeat the conversation that took place betwixt Mr. Baldwin and himself.—Many other things that were disagreeable, and showed by whom the Government was influenced, had taken place in Gloucester, but it would neither be chivalrous or charitable to mention them upon the present occasion. These things he stirred up a feeling in that county hostile towards the present Government, and he having been elected by that party it was needless for him to say he would support the amendment. He had no objection to some hon. members of the Government; he believed they would be good men had they Liberals for their colleagues; but as matters stood he could not vote against one without voting against them as a body; they must, therefore, all fare alike.

Mr. M'Phelim said he had supported the Government in 1851, because he wished to give them a further trial. He did not lay so much stress upon the alleged violation of the constitution in 1850 as some hon. members did, but he should be influenced in the vote he was about to give by the conduct of the Government subsequent to the Session of 1851. He had studiously avoided giving any indications how he would vote while he had been listening to the debate, but he now declared that he would oppose the Government on account of the manner in which they had dealt with him, and with the local affairs of his county. He was held responsible by his constituents for the recommendations he made of persons to act as Road Commissioners. It was usual for members to recommend those officers, and for the Government to appoint them; but his recommendations had been overlooked and set at nought, and another set of men appointed. Whether were recommended by was but too evident—the fact was that the county was governed by a Secret Committee, whose advice was taken and acted upon by the Government in preference to the advice of the men who possessed the confidence of the people. On this account he made up his mind to oppose the Government, and he told the people so at the polls at the late election—although no power on earth would compel him to a declaration of the kind, if he was not disposed to do so voluntarily. And he now would tell the Government that he was glad the day had arrived when his vote would assist to turn them out.

Mr. Macpherson said the Government had been once tried and acquitted in 1851, before he entered the house. Upon their second trial, which took place in April following, he had voted with the minority against the Government. The Government now pleaded the benefit of those acquittals, but whatever might have been his opinion as to their being tried again for the same offence, there could be no doubt upon his mind after the new evidence adduced by the hon. mover of the amendment, which evidence had been suppressed by the Government in 1851. As to the paper said to have been handed round, he had not signed it, nor had he seen it, nor had he been asked to vote on one side or the other. It had been said that the Government had done all they could to advance the interests of the country, and he must acknowledge that some of them in their individual capacity filled their respective offices with credit to themselves, and to the general satisfaction of those who had to transact business with them. He believed those offices were never better conducted than during the last three years. But he could not say so much for the Government as a whole; he did not think they were entitled to the support of the house, as they had not brought forward the measures required for the advancement of the country. His constituents were suffering for the want of those measures—the poor back settlers were suffering for the want of proper roads, bridges and schools, and believing that the Government did not possess the confidence of his constituents, he was bound to vote against them or resign his seat. On these grounds he would support the amendment.

Mr. Hatheway said he had voted for the resolutions moved by the opposition in 1851, and entertained upon two occasions to upset the Government. Since that period, however, he had differed with some hon. members with whom he voted then, as to the proper course to pursue. He saw that they were beaten, and would have no chance to overturn the Government until there should be a general election, and he considered it useless to keep up a running fire against them. Those who differed with him in their view of the case had earned for themselves the title of "a factious opposition." He had not changed his mind, and had never been inclined to support the Government whenever a question should arise like the present one—as had been rumoured out of doors—but had merely waited for the proper time. The hon. members of the Government complained that the motion then under consideration was brought forward at the special session, immediately on the assembling of the new House. But what did they do in 1851? Did they not put the hon. Attorney General upon his trial immediately on the House meeting, when he had only been in office one month? Then why should not they be put on their trial, who had been in office three or four years? The time he had foreseen would come—the time he had long waited for—had at length arrived. The time had come when Liberalism must and would prevail in this Province; the opportunity was too precious to be lost. The casting vote he had given, while in the Chair, against the Bill in favour of the Elective Legislative Council, was simply because he saw the day for Liberal principles to prevail had not arrived, and it was useless to take up the time of the Legislature in the discussion of any such measures. In 1851 there were all sorts of rumours afloat as to what would result if the vote of want of confidence was carried, some believing that if the member for St. John (Mr. Ritchie) became Attorney General, he would move the seat of Government to St. John; and he had no doubt but some of these rumours had an effect upon the House. He regretted to hear an hon. member (hon. Mr. Gray) yesterday allude to party feeling in St. John, and say he was opposed by a powerful Church. If the hon. member met with the opposition he spoke of, he had the support of another body of men just as powerful—a body whose opposition, he (Mr. Hatheway) had felt at the last election. He considered those allusions to party on the floor of the House wrong; for his own part while there attending to his duties he knew no party, and he supposed none of them would be accused of having too much religion. With regard to the hon. mover of the amendment, he considered the explanations he had given a complete justification of his conduct in reference to the Judges' appointment, and the large vote he received at the last election showed that the people of York placed confidence in his statesmanship. He (Mr. H.) cared not what set of men formed the new Government; if they did not do what was right let them be turned out in their turn (hear, hear.) The hon. member for Charlotte (Mr. Boyd) had stated that Dr. Thomson retired in consequence of a pledge he had given his nephew, and that if the Dr. had offered he would have been returned; but it appeared the Doctor's influence, and all the other influences they could bring to bear, were not sufficient to return the nephew. The hon. member had also contended that the large amount of money placed under Executive control last session was a proof of the confidence that Fisher placed in the Government; but the hon. member knew—as every member of the late House knew—that the vote was capable of no such construction. It was an appropriation of necessity, called for by the exigencies of the times, immense damage having been done to the Bridges by the late fall freshet of 1853.

Hon. Surveyor General said events showed how unfortunate it was that the necessary evil of a connection between the Government and the House existed. He cared not what was said, or what charges were brought against them, but he would conscientiously assert that since he had been in the Government he had done his best for the general good. And let those who complained look at the country, and say if it was ever in a more prosperous condition than during the last year. Commerce was good, the people were contented and happy, and not a complaint was to be heard among the industrial classes. The Government had called a special session, that they might pass a bill to give the Reciprocity Treaty effect, as both lumbermen and merchants wanted it, but they anticipated nothing like what had happened, they did not think the time of the country would be taken up in discussing abstract political questions, while the trade of the country was suffering. He stood there however, prepared to defend his own conduct, as the head of a department, from the time he took office. He believed he had discharged the duties of his office to the general satisfaction of the lumberers and others, who had business transactions with that office, and that they were benefited by the head of that office having a seat at the Council Board. [The hon. member then went into details, showing the increase of revenue received at the Crown Land Office during the last three years.] His political course had been animadverted upon, but he was prepared to defend that too. In 1850 the county of St. John returned four members, all of them being expected to oppose the existing Government. Early in 1851 the House met and the Government was twice put upon its trial. The St. John members all voted against the Government but in vain—it was sustained by a majority of the House. Some months after this he was offered the situation he now holds—he never sought it—it being thought advisable that the populous and commercial city and county of St. John should be represented at the Council Board. Before giving an answer either way he went to St. John to consult his friends and constituents, and all he consulted with, excepting one man, advised him to accept office. He went back to St. John for re-election, and was returned by a triumphant majority, the people thus testifying their approval of his course. At that election he had to fight against all the influence of the members for the city and county could bring to bear, and they resigned because he was returned. At the last election he was again approved of, three members of the Government having been returned for the county of St. John at the head of the poll. As to the office being of any pecuniary benefit to him, it was quite the reverse; he had actually lost money by holding it. His hon. colleague, in his speech yesterday, had spoken of the hostility of the Roman Catholics. He (hon. Surveyor General) did not wish to stir up any party feeling. He was no party man, as his acts showed. While in office he never made the slightest distinction betwixt parties on account of their religion, and he had a Roman Catholic servant who had lived with him twenty-eight years, and reared up a large family there; and another who had lived with him sixteen years. But he had been proscribed and persecuted by that party, and at the late election out of five hundred Roman Catholic votes in the county he only got five! And how did his hon. colleague opposite (Mr. Ritchie) stand? He got *all* the Roman Catholic votes in the county, and was returned by a majority of *one!* And how did he get even that majority? Why—as it was afterwards proved—by one man voting for him three times, and another twice! And if the hon. member wished, let them both resign, and he (hon. Surveyor General) was ready to go back and run him a single race, and thereby test the question now at issue. He never flinched from any charge that could be brought against him, and he desired to hold office no longer than he retained the confidence of the people. But he could tell his opponent that if a Colonial Executive Council were to resign every time a despatch was received from the Colonial Secretary not in strict accordance with Colonial Responsible Government, no Government could exist long enough to attend to the affairs of the country, and they would be left undone.

Consumption prevails as matters age, and picks off the best and prettiest of us, in our prime. In this state of things we must do the best we can, piece and patch up the web of life, with journeys, voyages, and medicines. *Of all the medicines we know of, Dr. Wistar's "BALSAM OF WILD CHERRY" is what we first recommended.* We have in our office a living proof of its efficacy, who but for it, would have been beneath the sod long ago. The inventor of this medicine, Dr. Wistar, was a man of science, of humanity, and undoubtedly prepared the remedy in its best form, and the public may rely upon Mr. Fowle for the genuine article.

TO FAMILIES.

From the great usefulness of the medicine the proprietor would especially recommend it as a general FAMILY MEDICINE, and advise every family to keep it constantly by them, as it will not only be found much superior to the Cough Mixtures in common use, but likewise much more safe for either children or adults.

If not only emanates from a regular physician, but has also been well tested in all the complaints for which it is recommended. It is not my intention, therefore, either to cloak it in mystery, or in any way deceive the public by overrating its virtues; on the contrary, I shall simply endeavor to give a brief statement of its usefulness, and flatter myself that its surprising efficacy will enable me to furnish proofs of its virtues, as will satisfy the most incredulous, that consumption may and "CAN BE CURED," if this medicine be resorted to in time.

None genuine, unless signed I. BUTTS, on the wrapper.

S. L. TILLEY,
Agent for New Brunswick.

DU BARRY'S REVALENTA ARABICA FOOD.

Fifty years indescribable agony from dyspepsia nervousness, asthma, cough, constipation, flatulency, spasms, sickness at the stomach, and vomitings, have been removed by Du Barry's excellent Revalenta Arabica Food. [MARIA JOLLY, Wortham Ling, near Diss Norfolk.

Cure No. 2906.—Thirteen years cough, indigestion, and general debility have been removed by Du Barry's excellent Revalenta Arabica Food. James Porter, Athol-street, Perth.

Cure No. 81.—Twenty years liver complaint, with disorders of the stomach, bowels and nerves, has been perfectly cured by Du Barry's Revalenta Arabica. Andrew Fraser, Haddington, East. Lothian.

We have not room for further quotations from Messrs. Du Barry's interesting Report on infantile and nervous diseases, but refer the reader to their advertisement.

The Chronicle.

Saint John, N. B. Nov. 17, 1854.

☞ The following Rambling *Russian* Despatch was received at our News-room last night. We doubt its correctness. The *Asia* arrived, and the circumstance of Flour still falling, shows that the Allies are every where victorious.

The steamship Atlantic arrived at New York on Monday last. She left Liverpool on Wednesday morning the 1st inst.

The Canada arrived on the 30th.

The Niagara brings nothing relative to the Arctic's passengers.

THE WAR NEWS.

The siege of Sebastopol is progressing favourably. Two outer forts has been destroyed. A breach had been effected, but it was not yet practicable to storm.

Prussia has sent a note to the Czar requesting his acceptance of the last proposition of the four powers.

MARKETS.

Breadstuffs quiet. Wheat declined 6d, and corn 2s. Flour declined 2s. Provisions unchanged. Consols unchanged.

New York, Nov. 16.

The Steamer Asia arrived this morning.

News from the seat of war obscure.

Russian advices say Allies have suffered two severe defeats, viz: French batteries taken and 16 guns spiked.

British Cavalry defeated, with loss of 500 horses and many men.

It is confirmed that 30,000 Russians attacked the Balaklava, and captured the Forts when a great battle ensued. Allies remaining masters of the field.

British accounts say siege of Sebastopol is progressing favourably.

MARKETS.—Flour declined on the week 1s.—Wheat 2d. to 3d. Corn 1s. Little change in other markets.

SEWERAGE.

We are much gratified to learn that after all the grumbling and fault-finding relative to the self-elected Commissioners of Sewers, *they are actually proceeding in the business*, and that they have been seeking information in the right quarter, *i. e.* from older and more experienced Communities. This is as it should be, and notwithstanding it has been objected to, that they are of their own creation, we feel pleased that some body of men have taken it up; we care little who that body may be, so long as they show themselves efficient. It is self-evident that we have but one alternative, either to expect a periodical visitation from "the pestilence that walks in darkness," or to establish a preventative, in a proper system of drainage and ventilation. There is one highly important point in this business, to which we would direct the attention of the Commissioners, and which should be embodied in the Bill that *is to be* before the *House*; which is, that however judiciously and ingeniously the Bill may be drawn, unless a provision is made that it shall be the business of the authorities to do the actual cleansings, the whole of their labours will be in vain. It is patent to every well informed person, that three-fourth of the mortality that occurred last summer may be traced to the stupid and dishonest provisions of the Nuisance Law, under which the authorities acted; a Law suited only for the Meridian of Algiers—a Law which holds the Landlord accountable for the nuisances committed by the Tenant. It is notorious that during the hot weather, when the Cholera was at its height, and when both Landlords and Health Officers were using every possible means of abating nuisances, that the City was never in a more filthy state. The class of people who form the bulk of the Tenants in the densely peopled parts, are utterly regardless of consequences, and do not know what cleanliness is, and possessing a spirit of opposition to all authority, take a secret pleasure in thwarting the best endeavours of those who labour to improve the sanitary state of the City. As before stated it is worse than useless to look to such people for cleanliness or order—it, therefore, becomes the imperative duty of the authorities to remove all nuisances, and charge the Tenants, and not the Landlords, with the expenses attendant thereon. This is the only method by which you can teach them their duty either to themselves or to the community. It may be objected that such people have no goods or chattles on which to levy for the recovery of the outlay. Our answer is, then if they *will* not pay in purse, let them pay in person, by committing them to Jail, as for a common debt. This done in a time when they can earn from six to eight shillings per day, will soon produce the desired effect: for it must be remembered that although they are deficient of the commonest necessary furniture, and nestle in straw and rags, with pigs frequently as inmates of their loathsome abodes, yet they have hundreds, and in some instances thousands of dollars in the Savings' Banks. The Law for the prevention of nuisance, and keeping off the Cholera in future, should embrace the following regulations:—

First—The appointment of Licensed "Night Men," provided with properly constructed tight box carts for the removal of Night Soil.

Secondly—The appointment of a place of deposit.

Thirdly—Prohibiting the cleansing of cess pools and privays for the months of *June, July* and *August*.

And lastly—The punishment of the parties who commit the nuisances. A house to house visitation by respectable parties, and not by ignorant and impudent hirelings. Then proper drains, with the town water flowing regularly through them, and the work is complete.

THE FIFTH OF NOVEMBER.

Our Wickham, Queen's County, correspondent informs us that the Loyal Orange Lodge, No. 8, assembled with a large party of friends and acquaintances at Springfield, King's County, on the evening of Monday, the 6th of November, to commemorate the anniversary of the discovery of the Gunpowder Plot. A sumptuous repast was provided for them at the residence of the Rev. J. G. Flanders, who, afterwards addressed them at great length with his usual eloquence, in the Orange Hall adjoining his mansion. Several of the Brethren subsequently addressed the assemblage, which was graced by a good sprinkling of the fair sex of that neighbourhood. The Brethren separated at an early hour, cheering for "THE QUEEN AND CONSTITUTION."

GODEY'S LADY'S BOOK.—The November Number of this splendid publication to hand. There appears no falling off in either Engravings or reading matter. The first plate is "Peace," by the renowned Lansseer, of London, is worth more than the price of the entire number. The coloured fashions and other engravings, are in the usual creditable style of the publication. No family should be without it. To be had at Mr. D. O'Brien's, King-street.