PROVINCIAL LEGISLATURE.

HOUSE OF ASSEMBLY—FREDERICTON,

Monday, February 23.

BANK OF NEW-BRUNSWICK.

(*Continued from last page.*)

Mr. Partelow said that he did confine himself to the point, in opening the debate, by merely putting the simple question, whether the Committee thought it expedient to extend the Charter or not. He had said nothing at all about the Commercial Bank, tho' others had wandered into it; but if the committee believed the report of the select committee who had examined the affairs of the bank, surely they would not hesitate to grant an extension of their charter.—If they decided in the negative, there would be no need of any amendments; but if they were otherwise disposed, and chose to report progress, he would be ready to-morrow with all such amendments as would be necessary.

Mr. L. A. Wilmot said, that the hon. mover of this bill was perfectly well acquainted with the nature of banking interests, and the commercial wants of the country, but it was a very difficult matter to get him to give his opinion upon them. He (Mr. W.) expected the hon. mover would have commenced by proving his point, that it was necessary to pass the bill, and that it would be no injury to the Commercial Bank. He had not come to that point at all, but had merely intimated his readiness to abandon 9 out of the 11 sections of the bill now before the committee, and he had not thought it necessary to contend even that an extension of time was absolutely necessary.—He (Mr. W.) therefore thought that the specious scheme or finesse with which the bill had been brought before the committee, deserved remark. The petition for the bill was got up by the directors only, and was signed by the President of the bank and two or three others, and thus sent before the committee. Three fourths of that petition were solely expressive of the benefits that would arise to the public from the extension of the capital stock, and the greatest part of the prayer was to the same effect, while only the last two lines related to the extension of time; and exactly on the same principles was this bill prepared. The commercial community of St. John had been all thrown into confusion and alarm by this petition; and he (Mr. W.) supposed that the Bank thought, that by thus ostensibly grasping at the larger point, they would be sure to secure the smaller; because, by putting the community in a consternation by asking for such, they might expect that the smaller privilege would be gladly conceded, when it was made known that they abandoned the larger. This, then, was a finesse that deserved consideration, and every hon. member ought to weigh well in his own mind whether he was prepared to grant this privilege.—If the house should pass an act to extend their charter for 20 years after the present limit, they would thereby pass an act of indemnity for all the acts of the directors during the next 5 years, which was the time the present charter had to run. Two years before the expiration of the present charter would be quite time enough to renew it, and that would put them on their good behaviour for the next three years at any rate; therefore, if it would do no harm to the old bank not to grant an extension of their charter at present, and if it might do harm to the new bank to grant it, that was a fair reason for refusing it now.—He (Mr. W.) was not disposed to think the conduct of the Bank had been unimpeachable, and he would relate an instance which had come within his own personal knowledge. A person from this part of the country went down to St. John with a large quantity of boards for sale, and agreed with a merchant there for the purchase of them at a certain price. The merchant, however, said that he must wait till he could get his note discounted at the bank, before he could pay him; but in the mean time the man happened to meet one of the directors, who asked him if he had sold his boards, upon which he told him exactly the whole particulars as they were. But behold, on discount day there was a black bean against the merchant's note, so that he could not purchase the boards, and then came the same director and purchased the boards himself at 7½d. per M. less than the other had agreed for. Therefore, while directors acted in this manner, he (Mr. W.) thought hon. members might imagine how far the affairs of the bank had been conducted fairly and impartially. If one director could do such things, another could; and this instance was an absolute fact, and he (Mr. W.) believed the director alluded to was a director still. But if any hindrance to the operation of the new bank would arise from extending the charter of the old, at the present time, the committee were bound not to extend it. It had been very properly remarked by an hon. member for the city, (Mr. Woodward.) that the bank was public property, and that the public only were the proper persons to petition for a renewal of its privileges. It had also been argued by the hon. member for Queen's County (Mr. Johnston,) that it really would be against the interest of the directors to get their capital stock enlarged; therefore that argument established the fact of the finesse by which the Directors sought to carry the lesser point, as he had before stated. Their petition expressly stated, that they wanted to be put upon an equal footing with the new bank, and it was evident, from all their arguments, that they meant by increasing their capital stock; and as this finesse put the matter into so very questionable a shape for the consideration of the committee, he (Mr. W.) did not think they deserved to have an extension of time, and they ought to come before the House with their application in a very different shape.—The hon. member then repeated some of the arguments he had previously advanced, and referred to Mr. J. M. Wilmot' statements, as a reason for not passing the bill; and observed, that the committee had nothing to do with the question, whether the bank had afforded sufficient accommodation to the public; the only question for their consideration was, whether they should renew the charter five years before its expiration, and for the reasons he had urged, he sincerely hoped they would not pass the bill.

Mr. Johnston, in reply to Mr. L. A. Wilmot, said, that, with regard to its being against the interests of the stockholders of the old Bank, to have their capital increased, if he looked at the petition against this bill, he would find in it the names of persons who were large stockholders in that bank, and if he (Mr. J.) had been in St. John at the time the petition was got up, he would have signed it also; because he was sure, that any person capable of casting figures, would be convinced, that there must be a great deal more profit to the bank with a capital of £350,000 than £150,000, because there could not be employment for so large a capital as the latter, and therefore the returns would be less in proportion.—The hon. member then proceeded to contend, that in two or three years' time, there would be the same outcry against the new bank, as there had been against the old, and that both would be alike groundless. He also observed, with respect to the instance mentioned by Mr. L. A. Wilmot, of the purchase of the lumberer's boards, that an exactly similar statement had, he well remembered, been reported as related by an hon. member in a former debate in this house on the same subject, with only this difference, that then it was stated to be timber that was sold, and now it was said to be boards. But he (Mr. J.) did not believe either of the statements to be correct, because it was quite impossible for such facts to be known. If there was a black bean against a person's note at the bank, it was quite impossible to know who put it in; it might be one director and it might be another; therefore he (Mr. J.) did not believe there was one word of truth in that charge against a director, though no doubt the hon. members who stated it, had been led to believe it to be a fact.—The hon. member then proceeded to reply to the other arguments of Mr. L. A. W., and to support his own previously advanced opinions.

Mr. Chandler said that the present question merely was, whether the house should grant an extension of time, with the same restrictions as inserted in other bank bills, and that was all the committee had to consider, as the whole question relative to the increase of capital was abandoned. He was not greatly versed in banking affairs, but he did not feel satisfied with the arguments against the measure, which had been advanced to-day, because he must say, that many of them had been made under very great excitement. The hon. member here proceeded to comment at some length on the manner in which several other hon. members had respectively delivered their sentiments, and then proceeded to observe that one hon. member from St. John (Mr. J. M. Wilmot,) had rested his argument on the footing that there should be two banks in St. John, for the sake of public safety and convenience. The advocates of the new bank in the former house had always advocated it on that principle, and on that principle he (Mr. C.) had voted for it. On the same principle, therefore, he was now willing to extend the duration of the charter of the old bank to the same period as that of the new. He thought, that if the house did not do so, the bank would most probably apply for a royal charter; and therefore, while the power was in the hands of the local legislature to grant such charters, they certainly should do so, and not drive people to apply for them elsewhere, and thereby enable them to obtain charters beyond the controul of the Legislature.—With respect to the question, as to whether there was any necessity for extending the charter at the present period, he should certainly rather have been inclined, if he had been a friend of the old bank, to have said to them, it would be better to wait for a year or two longer, before they brought the matter forward, because at this time there was such very great excitement on the subject; but now, as the question had been brought forward, and as he had never heard any thing asserted in my former debates, to shew that any difficulty would arise from merely extending the charter, he thought it would be only right to do so. As to the conduct of the directors of the bank, he thought that such stories should never have any weight with the house; such reports always would arise respecting every institution of the kind, but it ought never to be said that such reports would induce the house to think the bank had not been beneficial to the country. Therefore, as this application had now been made, and as the same thing might be accomplished by application to the government at home, if refused by the house, he thought it ought to be complied with; because he thought the house ought never to refuse to any established bank, which had been for a time beneficially in operation and had always maintained a good character, the continuation of their charter when applied for. And certainly, if any bank was entitled to such continuation, this was; because it was the first ever established in the province, it was established under the sanction and by the act of the legislature, at a great expense and risk to the parties, and it was fully believed at that time, that when the charter was near expiring, it would be continued without difficulty. He (Mr C) certainly thought 3 years would have been sufficient for them to wind up their affairs before the operation of such extension, but as the Directors seemed to think otherwise, and asked for five years, he was disposed to give it. He believed the great object the new bank always had in their opposition to this measure, was with regard to the extension of capital, and as that was not now required, there was no reason whatever for not granting an extension of time; and he really thought it would be far better for the public, that the house should pass a bill for that purpose, including the guards and restrictions already alluded to, than to let the parties go to the home government for an irresponsible charter.

Mr. Burns replied to Mr Chandler, after which

Mr. Slason said that he thought five years not too much to arrange the affairs of the old bank; and if the House granted the extension of time now, the Directors would know exactly what to be about, and would go on smoothly and regularly, and without causing any difficulty to any party; therefore, as they wished to have it, he thought the house should grant the extension of time at once. He (Mr. S.) did not wish, by any means, to go against the commercial bank, but he thought it would be quite as necessary to keep that in order as the bank of New Brunswick. The hon. member then detailed the history of the passage of the New Bank bill, the arrival of the Royal charter, the establishment of the central bank at Fredericton, &c., and proceeded to observe that he was quite disinterested in the matter, because he owned no stock in either of the banks, but as to the bank of New Brunswick, he thought that those people who had made the most fuss about their notes being thrown out by the Directors, had previously gone as far as they ought to have credit with the bank, and therefore had no right to complain.—In 1836, the bank might, if it had chosen, have ruined half the people in St. John; but on that very occasion which was so much cried out against, it took a very different course; it certainly took prudent precautions for its own safety, but it also impartially and liberally discounted notes, and rendered every assistance to the public that it consistently could.—The character of the bank was unquestionable, and as there could be no harm in extending their charter, and they wanted time to put their affairs properly in order, they ought to have it.

Mr. L. A. Wilmot replied at considerable length to Mr. Chandler, and then asked Mr. Partelow to state distinctly, whether, by enlarging the time for the duration of the old bank at present, any evil might arise to impede the new bank in getting into operation? [*Mr. Partelow*, Certainly not.] The hon. member said certainly not; and he (Mr. W.) would be influenced by his opinion, had he not given so many different opinions on banks in that house; but as it was, he (Mr. W.) must differ in opinion with that hon. member, and think that there certainly would be danger of it.—The hon. member therefore supported his former opinions.

Mr. Parteiow, in reply, said, that he never had given many different opinions on the subject; he had not given more than two different opinions, and in fact only one opinion upon consideration, as he would prove. It was true, that in 1832 he did bring in the bill for the Commercial Bank, under the influence of a popular opinion, then very generally prevalent in St. John, that the Bank of New-Brunswick had shewed great partiality and want of public accommodation. He had then stated in the house, that he had been informed of a good note for £80, having been offered for discount at the bank and refused one week, and offered again and passed the next, and he had said that he could not account for these things, and that he considered such strange conduct required the establishment of another bank to cause a fair competition. He had therefore pledged himself to the people of St. John to do all he possibly could, to get the bill carried through the house, because he really believed the reports then in circulation. Afterwards, however, a joint committee of the Council and Assembly was appointed to inspect the affairs and proceedings of the bank, of which committee he was one, and he would now confidently appeal to the other members of that committee, whether, immediately after coming out of the vaults of the bank, he had not said that he believed all the reports as to the operation and proceedings of the bank to be perfectly groundless, and that the establishment of another bank would be a great injury to St. John. Then, upon such a conviction, was he to continue his former opinions, which he could no longer hold, or to act upon the opinions formed upon that conviction? He would say, that he was shortly afterwards called on in the most flattering manner by a number of influential gentlemen in St. John, to bring in the Commercial Bank Bill again the next session, but he then immediately stated that he could not do so, because his opinions on the subject were totally changed; and he now fully believed that one bank would be far better for St. John than more, but as another bank had obtained a charter, the Legislature certainly ought not to abandon the old bank.

Mr. Chandler now replied to Mr. L. A. Wilmot's reply, and Mr. J. M. Wilmot counter-replied to Mr. Chandler, after which

Mr. Weldon rose, and observed, that it had been contended, that if this extension were granted to the old bank, it would clog and impede the operation of the new one; but if this was the case, there certainly could not be sufficient capital in the country to sustain both of them, and therefore it must be the fact, that the people of the new bank wanted to put the capital of the old one into their own vaults. But if this was not the case, what could be the reason for not granting this extension of time now, as well as at a later period? As it appeared, therefore, to him, that there could be no reasonable objection, why the charter should not be extended, he would now move for reporting progress, &c., because it would be proper to put into the bill all the provisions which had been included in the Fredericton bank act, and then the public would be secured against loss for the future. The stockholders ought to be made personally liable for all the paper which they might now or hereafter have afloat.—The hon. member concluded by moving that the Chairman do report progress, &c.

Mr. Crane said, it appeared that the hon. mover intended to withdraw the present bill, and to bring in another as an amendment, merely to extend the charter, so as to make it coeval with the new bank. On that principle he (Mr. C.) would support the application. It was well known, that, when the old bank was first established, its projectors had great difficulty in getting it into operation. Capital was not then easily obtained, banking was new in the country, and many difficulties presented themselves, so that they had to make very considerable personal sacrifices to get it into operation; but, since it had been so, he (Mr. C.) believed it had been very useful and beneficial to the country. Its affairs had always been conducted with a great deal of propriety, with a due regard to prudence, public accommodation and impartiality. He believed that the paper of that bank was always considered, wherever it was known, as undoubtedly safe, and its whole character stood high in public estimation; therefore, such an institution deserved protection. In times of difficulty, no doubt, the bank, having a due regard to its own interests, might have been rather less accommodating than usual; but he believed no real case of injury ever arose from their conduct in that respect, while, on the contrary, they had always made every exertion to extend their assistance wherever it was proper or prudent. Under all these circumstances, therefore, he thought the bank came before the Legislature with very fair claims for an extension of time for their charter, and he had not heard anything, throughout the whole course of the arguments to-day, to alter that opinion.—As to its being any impediment to the new bank, to grant it at the present time, he (Mr. C.) thought the application from the old bank merely seemed to confirm the statement made by the friends of the new bank when they first applied to the house for a charter. They stated, that there was not sufficient banking capital in the country, and that competition was absolutely necessary; and therefore, if the extension of the present charter should have the effect of impeding that new institution, it must be a very extraordinary contradiction to their own assertions; but he (Mr. C.) thought it could have no such operation. But in addition to that, he thought, that although the proprietors of stock in the new bank were entitled to every possible protection, yet they did not come before the house on precisely the same grounds as if their charter had proceeded from the local legislature. Their establishment was got up, entirely independent of the local authorities of the country; and it appeared to him well worthy of consideration, whether they should admit the principle thereby acted on.—The hon. member concluded with some further remarks in support of this idea, and by stating his intention to support the bill.

Mr. Street said the bill was predicated on a petition for the extension of both charter and capital, but the hon. mover did not mean to press the latter point. The question, then, altogether turned on the extension of the charter, and he (Mr. S.) thought hon. members generally appeared to agree in the propriety of extending the charter, and therefore the only matter for discussion was, whether it was expedient to do so at present or not. Among all the arguments which had been advanced, there was one difficulty which had not been commented upon, viz.—that as this bill was wholly predicated upon the petition, and the amendment suggested would form a very different bill, what security was there, that the bank would accept it, if passed; and if they should not choose to receive it, they might still apply to the British Government for the purpose of effecting the objects they had prayed for. But he (Mr. S.) thought that any apprehension of such an application ought to have no weight on the house at all. There were two ways of getting a charter; one by applying to the home government, and another by coming to the local legislature; and when the latter was adopted, the house ought to take the matter up and consider it in all its bearings, without any reference to any apprehension of the parties applying to the home government. It was true, that a royal charter had been granted to the new bank, but he thought if another such application was made, it would be refused, on the principle that the parties should apply to the local legislature, as the proper authority to grant it; because a similar application from Halifax, in Nova Scotia, (as alluded to by Mr. Crane, in his concluding remarks,) had been refused on that principle, since the granting of the royal charter to the commercial bank. However, if he (Mr S) had any positive assurance that this proposed bill, if passed, would be accepted by the bank of New-Brunswick, he would certainly be for the extension of their charter, because he could see no injury that could arise from it.

Mr. Partelow said he had not the smallest doubt that the bank would accept the bill.

Mr. Burns then moved that the further consideration of this bill be postponed for 3 months.

Mr. L. A. Wilmot supported the motion, and added some observations in aid of his former arguments.

Mr. Brown said that he had heard a great deal of inconsistency and contrary opinions on this subject. He recollected very well when the first application came from a number of merchants and others, praying for the establishment of an additional bank, and that claim was resisted by the old bank as long as they could; and altho' he (Mr. B.) thought their claim was good, and therefore he voted for them every time there was a division, yet he did not exactly like their conduct now, and he really thought he saw the same kind of opposition now against this claim, and on the same principle. He could not therefore exactly make up his mind on the merits of the question at present, and as it could do no harm to delay it a little longer, he had come to the conclusion to let the matter stand over till the next session. If the bill could then be so altered and amended as to meet his views, he would vote for it; but as the way to give a bill the go-by altogether was to move for its postponement for 3 months, he would vote against that, but if a motion was made to postpone it till next session, he would go for it.

Mr. L. A. Wilmot then suggested that the motion should be amended accordingly.

After some further discussion on this point between Messrs. Woodward, Partelow, and Chandler,

Mr. Wyer said that he did not see how the extension of the charter of the old bank could interfere at all with the new bank, when the bill could only come into operation on the 1st April next, within a few days of which time, half the capital stock of the new bank must actually be paid up. It happened by the report on the bank affairs, that there were due to it £87,685 3s. 8d. on notes discounted, and if they had to wind up their affairs, in consequence of a doubt whether their charter would be renewed, they must call for payment of all those notes, which would very greatly injure the new bank; but if the charter was now extended, they would go on quietly as usual, and it would therefore be a real benefit to the new bank. The hon. member also proceeded to contend, that a preference of protection ought certainly to be shewn by the house to a bank established by the local Legislature and under their controul.

Mr. Johnston made some additional observations in support of the bill.

Mr. Hayward said he was for postponing the bill, because the persons interested in it had not petitioned for it, except a few directors, and because the hon. mover did not say positively that the bank would accept the bill if passed; he only said that he had no doubt of it. As had been stated by others, it could be no injury to the bank to delay it a little while, but it might prevent the new bank going into operation. The hon. member for Queen's, (Mr. Johnston,) had just said, that he would like to be certain that it would pass next year, if postponed now. "I say, then, (emphatically said Mr. Hayward,) most unequivocally, that *I will* support it." [*Mr. Partelow*—"Then 'twill go."—*Great Laughter.*]—He (Mr. H.) would not go for any increase of capital, but he could see no injury that could arise from extending the charter; he was therefore for postponing the bill at present, but in the most modest way possible, and therefore he would move as an amendment that it be postponed till the next session of the Legislature.

Mr. Street supported Mr. Hayward's amendment, and Mr. Partelow replied; after which Mr. Weldon suggested another amendment, which, after adopting Mr. Hayward's, went on to express as a reason therefor, that the committee were of opinion, that the passing of the bill would have a tendency to embarrass the commercial bank.

This amendment, however, after some discussion, was withdrawn, and the committee being wearied with the excessive length of the debate, universally demanded the question; but amidst the utmost clamour,

Mr. Clinch arose, and succeeded in obtaining a hearing. The hon. member said, that after almost every body else had spoken *six* times, he thought he had a right to say a little *once*, though he had not much to say, because he was not intimately acquainted with banking principles. But the question as to establishing two banks in St. John had been discussed ad nauseam, for the last four years, and most extensive debates had also too occurred upon it, without affording much real information to those who, like himself, knew but little on the subject, because almost every thing that was said on both sides was always coloured with self-interest, to a very great degree. Some hon. members, who appeared to be thoroughly acquainted with the subject, had formerly argued quite historically and philosophically against banks and banking altogether; but strange to say, he now found that some of them had since become stockholders in the new bank.—The hon. member then reviewed the history of the new bank applications, &c., and observed, that he was really surprised to see the royal charter looked on so invidiously, because he thought the new bank people really were quite justified in applying for that charter, after so many disappointments in their applications to the local legislature. On a review of the whole matter, and seeing how all such applications on banking matters had uniformly been met by the Bank of New-Brunswick, which certainly gave rise to suspicion in the present instance, and as it might have an injurious effect on the new bank, to grant an extension of the charter of the old bank at present, he would go against it, because it could be no inconvenience to the old bank to wait a little longer.

Mr. Speaker said that he would not have offered one word of explanation to anything that had been said, had it not been for what had been said by the hon. member who had just sat down; that some members, who had always opposed banks altogether, were yet become stockholders in the new bank, and that he thought it very strange. But he (Mr Speaker) for one, was still of the same opinion he always was, that there was a great and foolish *mania* for new banks prevalent in the country, which he thought very impolitic and unwise; but as a new bank had actually been determined upon, and it would now most probably go into operation, he had certainly found it a very convenient place to invest part of his money in, because he could get a good interest for it there, while it would produce nothing if lying idle. But this did not at all alter his opinion of the nature of banks; and he still thought them altogether likely to be injurious rather than beneficial to the Province, and that the country would be much better without them. But this was no reason why he should not, as long as they actually existed, avail himself of the convenience of investing his money in them.

After a few more minor observations from two or three hon. members, and a trifling discussion on a suggestion by Mr. Allen, that the standing order of the house required interested members to withdraw from the question; Mr. Speaker, Messrs. J. M. Wilmot, Street, Robinson, Woodward and Wyer accordingly withdrew.

The question was then taken on the motion for postponing the bill next session, which was *negatived* by 13 to 7.—Yeas—Messrs. *Freeze, Palmer, Brown, Hayward, L. A. Wilmot, Clinch, Burns.*—7. Nays—Messrs. *Allen, Miles, Connell, Weldon, Partelow, Crane, Stewart, Chandler, Slason, Hannington, Ford, Morehouse, End.*—13.

After some renewed discussions, the motion for *reporting progress*, &c. was carried.

[The foregoing are only the principal points in this immensely extensive debate, which occupied the Committee upwards of *five hours* in incessant discussion, in the course of which were uttered 53 *speeches*, long and short, exclusive of a variety of interlocutory remarks, and the renewed discussion *after* the division.—Rep.]

Tuesday, February 24.

From the very critical nature, importance and extreme length of *Monday's* debate on the bank bill, the Reporter was under the necessity of devoting the *whole of Tuesday, (till nearly 3 o'clock on Wednesday morning,)* to transcribing it, and therefore did not attend at the House of Assembly at all during that day.—The House were all day in Committee of Supply.

Wednesday, February 25.

QUIT RENTS.

Mr. Weldon suggested, that as his Majesty's Government had not thought proper to accept the former offer of the House for the commutation of the Quit Rents, and had now sent out fresh orders for their collection, while, at the same time his Excellency the Lieutenant Governor, in his Message to the House, expressed a hope that the House would yet free him from the discharge of that duty, by making such provision for their redemption as would be acceptable to H. M. Government, it would be advisable first to ascertain, if possible, what terms would be acceptable, in order that the House, when in committee on the Messages, might know what they had to discuss. The hon. member therefore moved the following resolution:—

That an humble address be presented to his Excellency the Lieut. Governor, praying that his Excellency will be pleased to afford such information to this House, as to the views of H. M. Government, upon which the Quit Rents in this Province may be commuted or relinquished, as his Excellency may feel at liberty to communicate to this House.

The Resolution was unanimously adopted; and Messrs. Weldon, Allen, and Palmer appointed a committee to wait on his Excellency with the Address.

The House then agreed that the order of the day for going into committee on the Messages should be postponed.

At a later period of the day, Mr. Weldon, from the above committee, reported, that they had attended to the duty imposed upon them, and that his Excellency was pleased to reply, that he had *nothing further to communicate relative to commuting or relinquishing the Quit Rents*, his instructions being only *to proceed with their collection.*

TAVERN BILL.

On motion of Mr. Chandler, the Bill to regulate Tavern Keepers and Retailers, &c., was committed.—Mr. Partelow in the chair.

The committee went through nine sections of the bill, and considerable discussion arose on the mere details, but of so desultory and confused a nature, (the bill having been committed very late in the day,) that it was scarcely possible to gather any thing connectedly.

The first contest was, as to whether the minimum quantity to be sold by retailers should be one quart or one pint, which, after some discussion, very little of which we could hear, from the noise and bustle prevalent in the committee, was fixed at a *pint*.

The next point considered was the price of licences: the *maximum* was fixed at £10 as in the former act, without debate; but on the question for filling the *minimum* blank, Mr. Crane moved for 40s., and Mr. Chandler moved as an amendment, that it be filled with 20s., which was also supported by Col. Wyer.—Mr. Crane's motion was supported by Messrs. End, L. A. Wilmot, J. M. Wilmot, and Johnston, and *carried*, thus continuing the provisions of the present law in that respect.

The committee then proceeded with the bill as far as the 9th section, which referred to penalties for having smuggled liquors in possession, when a great difference of opinion beginning to manifest itself, and the lateness of the hour rendering it improbable that a satisfactory determination would come, the committee resolved to report progress, &c.

Thursday, February 26.

REVENUE BILL.

The Revenue Law amendment Bill was committed.—Mr. Gilbert in the chair.

Almost every item in the details of the bill elicited a great deal of desultory discussion, of so disjointed and unconnected a nature, as to render it impossible to report more than general features and principal points.

Mr. Weldon stated that the bill had been prepared in exact conformity with the recommendations of the committee of Ways and Means; that, therefore, where duties had been determined on in that committee, the blanks had been accordingly filled up in the bill, and they had been left open in such cases as had not been decided. The bill, therefore, was in every other respect the same as that of last year. As to the proposed discriminating duty on Wines, the committee had proposed that the bill had divided wines into *three* classes, the first class comprising all the high wines, such as Burgundy, Champagne, Constantia, Hermitage, Rock, Malmsey, Tokay, &c.; the 2d, including Madeira, Port, and Sherry; and the 3d, all other wines whatsoever. It was proposed, therefore, to fill up the blanks, first with a specific duty on each class, and then with an ad valorem duty on all wines.—There was an amendment also in that part of the bill relating to the tax on British Goods, by substituting the words "Goods manufactured in the "*United Kingdom*" for "British Manufactures," which would remove all doubt as to including Irish Manufactures. There were also some additions to the list of exemptions, which had been unintentionally omitted last year, such as *printed Books*, &c.

The bill was then read section by section, and the first section being the all-important one which imposes duties, excited a great variety of conflicting opinions and discussions.

The first question, as to filling up the blanks for the wine duties, brought up a repetition of the whole question, as before debated in committee of Ways and Means, whether a discriminating duty only, or a discriminating and ad valorem duty, or the present mode of indiscriminate duty should be determined on.

Mr. Chandler was inclined to adhere to the old mode.

Mr. Weldon was either for a specific duty on all wines, and then an ad valorem duty in addition, or for a discriminating duty only on each of the three classes detailed in the bill.

Mr. Crane strongly opposed any ad valorem duty, and contended for an additional and specific duty on all wines.

Messrs. Johnston, Partelow, and J. M. Wilmot supported the discriminating duty, exactly as settled in Ways and Means.

Mr. Slason contended for the old mode.

Mr. Burns opposed the proposition to lessen the duty on low wines, but had no objection to increase the duty on the higher wines.

Mr. M'Leod supported the same sentiments as advanced by him in committee of Ways and Means; having no objection to a discriminating duty, provided the *minima* were so regulated, that the aggregate amount of duties collected would not be lessened, and the revenue thereby injured.

Mr. Street entirely coincided with the views of Messrs. Johnston, Partelow, &c.

Mr. Woodward thought that the fairest plan would be, to impose a specific duty of 9d. per gallon on all wines, and then an ad valorem duty of 210 per cent.

Mr. Partelow and Mr. Wyer supported, and Mr. Crane opposed Mr. Woodward's motion.

Mr. Weldon thought it would be better to impose a specific duty of 1s. 6d. per gallon on the first class of wines, 1s. 3d. on the 2d class, and 1s. on the 3d class, and then to add an ad valorem duty of 10 per cent on all wines imported.

Mr. Brown was more inclined to go with Mr. M'Leod's suggestion, so as to prevent any decrease of revenue by altering the duties, and to render the duties equitably proportioned.

After considerable conflicting discussion on the point, the question was taken on Mr. Woodward's motion, and it was *negatived*.

Mr. Weldon then moved, that the first blank be filled with "1s. 6d." which, with an ad valorem duty of 10 per cent, would make the duty on the high wines about 2s. 9d. per gallon.

Mr. Crane strenuously opposed this proposition, and moved that the words "*ad valorem*" be struck out of the clause.

Messrs. Clinch and Partelow supported Mr. Weldon's proposition, &c.

Mr. Council opposed it, and concurred with the views of Mr. Crane.

The words "*ad valorem*" were then struck out, upon the question being decided in the affirmative.

Mr. Weldon then proposed that a specific discriminating duty should be imposed on the three classes of wines described in the bill, and upon his motion, the following duties were successively adopted:—viz.

Class I.	2s. 9d.	per gallon;
II.	2s. 0d.	do.
III.	1s. 6d.	do.

which accorded with the recommendation of the committee of Ways and Means.

On the suggestion of Mr. Crane, the words "*or Spirits, the manufacture of the United Kingdom,*" were added, after the word "*Whiskey,*" so as to include British Spirits in the same duty with Whiskey.

Mr. Wyer moved that the words "*Five Pounds*" be struck out, after the words "*every foreign horse*"; which motion was negatived.

Mr. Brown then moved that the clause respecting *dead meats* be altogether struck out; which was also negatived.

Mr. Woodward moved that the words "*Mill Saws*" be included in the list of foreign exemptions; to which Mr. Johnston added "*and all agricultural implements.*"

This gave rise to a long discussion relative to the respective merits and qualities of American and Provincial ploughs, axes, &c., and ultimately the principle of protecting local manufactures prevailed, excepting with regard to Mill Saws, which could not at present be made in this country. The exemption of *Mill Saws* was therefore resolved upon.

On Mr. Crane's suggestion, the exemption in favor of articles imported for the use of the deep sea and whale fishery was struck out, for the purpose of introducing a different provision, to authorise the Treasurer to allow a *drawback* on articles imported and *bona fide* shipped outwards for such purpose, instead of allowing their *importation* free of duty. The object of the hon. member was to prevent such articles being applied to any other than the purpose for which they would be exempted from duty.—The alteration was opposed by Mr. Speaker, Messrs. Partelow and Weldon, and supported by Messrs. Johnston & Robinson.

The discussion on *agricultural implements* was then resumed; Messrs. M'Leod, Allen, Street, Wyer, & Mr. Speaker contending for the duty, in protection of the mechanics of the country, and also insisting on the fact that the implements made by them were fully equal to any imported; and Messrs. Crane, Brown, and Johnston maintaining a contrary opinion.

Mr. Clinch suggested, as an amendment, that axes should be included in the exemptions, which was supported by Mr. J. M. Wilmot; while Messrs. Street, Taylor, and Slason insisted that no better axes could be made than those of this Province, and particularly of St. John.

The question was then taken on exempting "*agricultural implements*," and it was *negatived*.

Mr. Brown immediately moved that "*scythes, rakes, forks and ploughs*" be exempted, and was supported by Mr. Crane.

Mr. Miles strongly opposed the motion, observing that hon. members could not know much about ploughs, in such case, and maintaining that no better ploughs could be made in the world, than those made in this Province, and that if the people of the country could not make rakes and forks, they ought to go without them.

Mr. Brown differed with Mr. Miles, and as to the hon. member's supposition that he (Mr. B.) did not know much about ploughs, stated his perfect willingness at any time to try a ploughing match with that hon. member, if they could get a fair field, and offered to stake thereon *all the remuneration he expected to get for his Legislative labours this Session.* [Laughter.]

The ploughs, rakes, forks, scythes and axes were, however, all rejected, as not entitled to exemption.

The foreign duties, &c., having been got through, the duty on British Manufactures next came on for consideration; and to the list of exemptions from that duty, *oakum* and *printed books and maps* were added, without debate.

Mr. Robinson suggested that all *provisions* should be exempted, and Mr. Street concurred.

Mr. Woodward thought, that as that term was very comprehensive, the particular articles should be specified.

Mr. Crane opposed the exemption of provisions; and Messrs. Burns, Robinson, Partelow, Street and Brown supported it. The question was then taken on the various articles separately, and *beef, pork* and *flour* were exempted. On the question for exempting "*meat of all kinds*," Messrs. Hannington and Crane strenuously opposed it, and Messrs. Allen, Street and Wyer supported it. The committee divided on the question, and it was *carried*, by 20 to 5.—