[illegible] Commerce and Agriculture must go hand in hand together! (Cries of 'yes, yes.') If one branch of industry is neglected and despised, it will proportionably affect the other. Then, how is it there can be a Town interest in opposition to a Country interest?—However, to prove there is, they quote the opposition of some of the Representatives of St. John, to the expediency of laying duties on British Manufactures, imported into the Province; but they have forgotten to mention the true cause of this opposition. Did it originate in a desire to injure the Agriculturist? No!—but from a sense of justice and a zeal to promote the vital interest of the Country. Only look to the advantages they enjoyed as British Colonists! (hear.)—Wherever the British flag waves, New-Brunswickers are at home! (cheers.) Our commodities are exempted from duty in various parts of the British Empire, while the productions of our competitors are taxed to favor us. (hear.) See what a large sum is paid out of the hard earnings of the people of Great Britain to protect our timber trade against the competition of the Baltic!—What! Is it right to tax the manufactures of our father-land? of a Country which favors us so highly? a country of which we ought to feel proud,—whose armies stand ready to march in our defence, and whose fleets in times of need hover around our coasts to church and protect us. (Much applause.)—It was with much pleasure that he endeavoured to repel the charge brought against the independent Representatives of St. John. He said they had not been against the interests of the Country,—True it was they have opposed Messrs. Chandler and Crane, and both parties cannot have acted right. If the conduct of Mr. Simonds and his friends has been straight-forward and consistent, in the House of Assembly, and for the benefit of the Country, Mr. Crane's, but more particularly Mr. Chandler's actions during the last session, must be the reverse! (cheers.)—There is one thing which will transpire to the honor of Mr. Simonds and his adherents, and that is, he will be triumphantly returned again as a member for St. John, by the intelligent Electors of his County.—It has been told him by a friend of Mr. Chandler, that if he (at) his office, *Ledger C* would procure his Election. (Cries of 'Name, shame.')—Yes! well they might cry shame!—If the people of Westmoreland more generally took *Newspapers*, or had an opportunity of referring frequently to the Journals of the Assembly, he was sure, some persons who now offered as Candidates would be resented from the hustings—But alas! the situation of perhaps nine tenths of the people of this County is such—the means of acquiring information so limited, that the knowledge they have of the conduct of their Members must be trifling, if not incorrect—being founded perhaps on the tales told by a few Doctors who occasionally visit them. There are not many who read the Debates of the House which appear in the Newspapers, and therefore the greater part of the people remain ignorant of the savings and doings of their Members, unless they should be so fortunate as to get a few pounds laid out on the Roads near them, which of course they know of, and feel grateful for. But they ought to recollect, that their Representatives have something more to do, than to divide a few pounds of money among their constituents, which perhaps is most for *their own benefit*.—They might depend upon it if they did not elect staunch and fearless men to represent them—men who will not for the sake of the smiles and the patronage of a few forsake the interests of their country as some have done heretofore, it will have a tendency to discourage every patriot and good man from offering his services as a Legislator. Already, Mr. Kinnear has declined being a Candidate; he sees no doubt, that it is vain to struggle for the rights of the Country when there is no chance of success. It was to be wished they would elect such Representatives as would follow the Legislative conduct of gentlemen like Messrs. Simonds and Kinnear—for in the hands of such the destinies of their country might confidently be placed. Allow him then to express the hope that they will exercise the sovereign right which the British Constitution has placed in their hands;—a right which was acquired, sword in hand, from the tyrant King John; and which has been handed down to them unimpaired by their ancestors;—that of electing fit and proper persons to represent them; and he trusted they would exercise the privilege in such a manner as may show forth to the people of the Province and to every observer, their independence and judgment, their desire to encourage merit and worth, and their determination to put down *truckles and time servants*,—in fine, to elect new Members. It was however to be feared, from the shortness of the notice of the Election, this desirable object would not be realized. However, unless greater independence, public spirit, and patriotism, is displayed by their future Representatives, than has been manifested by those, of late, in that capacity, it will be vain to expect that their county will ever raise from its present degraded situation. It was true, there may be a number of individuals extravagantly paid, but where will be the general improvement which it should be the desire of our Legislature to promote? Their Representatives should have the control of all the revenues, and every resource of the country, which should not be squandered as was contemplated by the £18,000 grant, for the benefit of a few. (cheers.)—These revenues should be applied in such a way as would promote the general good of the People of the Province. If their means were properly husbanded, and officers of government not only reasonably paid, we might have good roads and bridges established in every section of the country. Yes: they might even have their Railways, if found necessary; and every benevolent institution might be supported which their wants required. (cheers.)—He then thanked them for the very kind attention which they had accorded him, and in conclusion had only to say that he hoped they would act upon the occasion of this election, in such a manner as might secure to themselves prosperity and happiness.—(The Freeholders cheered Mr. Gilbert for some minutes after that gentleman sat down.)

State of the Westmoreland Poll at its close—not before published:—Mr. Palmer, 1191; Mr. Crane, 1134; Mr. Chandler, 1123; Mr. Hannington, 781; Mr. Chapman, 528.—Total of voters polled, 1271.

PROVINCIAL LEGISLATURE.

HOUSE OF ASSEMBLY—Fredericton,

Tuesday, January 27.

BOUNDARY LINE.

(Continued from the last page.)

Mr. Chandler said, that after the very able speech of the hon. mover, there could scarcely remain a doubt on the mind of any hon. member, that something was highly necessary to be done in this matter. It was not a question which could possibly give rise to any opposition; all present were sons of New-Brunswick, and all must entertain but one feeling on this subject. All must agree, that while 6,000,000 of acres of land and so many valuable subjects were in this very unpleasant state, some measures were absolutely necessary for their improvement. The only question was, as to the proper course to be pursued; whether it would be better to adopt this resolution, or to address the government at home on the subject. He (Mr C) rather doubted, whether, on a question of such grave importance as a treaty between the British and American nations, His Excellency the Lieutenant Governor would have it in his power to afford the house any information. He rather thought it would be better to address the government at home at once. It was certainly of the greatest importance that such a question should be speedily settled, both for the benefit of trade and the general welfare of the Province.

Mr. End did not think a long, flaming speech at all necessary on this subject, to convince people of the high importance of the matter. He agreed with the remarks of Mr. Chandler, and thought it would be extremely indelicate to address his Excellency for information. Suppose the Lieut. Governor should give the house such information as he should think expedient to give; it would only be a part of what he possessed, and would be like saying, that he had a great deal more, but that he did not think it expedient to give it them. It would be better to adopt an amendment, to the effect that the house should address his Majesty on the subject, and that the Legislative Council should be requested to join in such address.

Mr. Partelow saw no objection to asking information in the first instance from the Executive. It was, indeed, a matter of duty and of respect due to the Executive, and had no indelicacy in it. The house could ask for information from his Excellency, on which to ground their subsequent address to his Majesty. At present they had nothing on which to ground it. The address to his Excellency would be couched in respectful terms, and would request only such information as his Excellency might deem it expedient to impart; and whether the house obtained any information or none at all, they might afterwards address the throne. He (Mr. P.) was in hopes, that after the very powerful and luminous speech of the hon. mover, this resolution would have required no further remarks, as very little remained to be said, after that, on a subject of such generally admitted importance.

Mr. Street thought the house much indebted to Mr. Wilmot. This subject certainly ought to be brought under the consideration of the legislature; he thought there could be no difference of opinion on the propriety of addressing his Majesty on the subject; and if so, surely the house ought first to possess themselves of every possible information, otherwise they might be framing an address in the dark. His Excellency might be in possession of valuable information on this subject, and although he might not think proper to lay it before them without being requested so to do, yet, if requested, he might afterwards furnish them with it. His Excellency could not for an instant suppose that the house wished to pry into any secrets of state, but they would merely apply for such information as he might think proper to give them. There was nothing indelicate or disrespectful in such a request.—This was a subject of the highest importance to the country: it was of the utmost importance to the people of New-Brunswick to retain that extensive and valuable territory, both for their own sakes and that of their posterity. Prime land was now scarcely to be had; chances of obtaining it were diminishing very fast, and it was therefore of the utmost consequence to retain a tract of land which might give succeeding generations a chance of advantageous settlement. He (Mr. S.) trusted the address and Concordancy would be carried, and that the House would jointly address his Majesty on the subject afterwards jointly address his

Mr. Slason supported the resolution, but confessed it to be altogether a very difficult question for consideration. He had no doubt that when the matter was referred to the King of the Netherlands, both parties were bound to abide by his decision; but as that award had not been adhered to, it was highly necessary that some settlement should be come to. The states of Maine and Massachusetts were constantly agitating the matter, and it was therefore necessary that this Province should be equally active in asserting its rights, and procuring them to be secured.

Mr. Crane said that at the close of the last Legislative session, he had travelled through the territory in question, on his way to the United States, where he had heard a good deal about the matter in dispute.—He perfectly concurred in the importance of the subject, but was at present utterly at a loss what course would be best to adopt.—If any measures at all were adopted, the greatest caution should be used in framing the language of their resolutions. They should remember the character of the people with whom they had to deal: perhaps the proceedings and language of this day might, if incautious, be quoted against them by those people 20 or 30 years hence; it might be long before the matter now in question would be definitively settled, and the settlement of it might prove very troublesome.—He (Mr. C.) therefore thought it would be better to omit all the preamble of the resolution, relative to any steps already taken in the matter, and to predicate it altogether on the known and indisputable fact, that the people of this province are extremely anxious for the settlement of the affair.—There was nothing official before the house, to shew what had already been done by the government at home, and it would be better therefore not to allude thereto. He had great doubts whether the house should address his Excellency on the subject; if they could address any motives to urge the Government at home to a speedy arrangement of the matter, it would be very well, but he felt great difficulty in suggesting what course to pursue. The Americans evinced almost incredible industry and perseverance in seizing every thing that might tend to their own advantage; and even the expressions of hon. Members in this debate, would, if by any means possible, very probably be laid hold of by those scheming people to our prejudice.—The hon. Member then detailed various conversations he had held with different American individuals, during his late visit to the U. States, for the purpose of shewing the strong feelings and prejudices they entertained with respect to this question, and the extreme ingenuity and finesse which the Americans evince in turning every incident to their own advantage; as well as a conversation with Sir Charles Vaughan, the British Minister at Washington, tending to prove that no further measures had been effected towards settling the Boundary question.—Mr. C. concluded by observing that the land was now become very important to this province, and though it was of so much consequence to us to obtain an early settlement of the dispute, yet he feared it would be a long time before it could be effected. He could not make up his mind what course to pursue at present, but rather thought it would be best to address the British Government at once.

Mr. Allen thought there could be only one opinion as to the desire of a speedy termination of this question.—It was evidently the object of the Americans to obtain for themselves the navigation of the whole river St. John. He hoped the British Government never would consent to such a settlement of the matter. He thought it would probably be better to address his Majesty on the subject at once; but if that would be considered as disrespectful to his Excellency, it would be well first to address his Excellency.—The resolution, or address, however, should not retrospect any thing that has hitherto happened in the business, but merely express the anxious desire of all classes of his Majesty's subjects in this Province, that the dispute should speedily be settled. It was of great importance to quiet the minds of those people who were now so much injured by the delay, and not only that, but the termination of the question would open great scope for the settlement of those valuable agricultural lands.—Still, the house should be very cautious how it proceeded, lest it should do any thing which would really operate to retard instead of expedite the business. The resolution had better, perhaps, be simplified as suggested by some hon. members.

Mr. Wyer thought the resolution and its object were both very good, but that it would be better not to mention in it any former proceedings relative to the negotiations or references on the subject of the Boundary Line.—He thought every individual in the Province must desire to see this important matter finally settled; and he hoped the British Government would resolutely persist in its claims. For himself, he (Mr. W.) would never consent to give the Americans one inch of their demands; he would rather see the whole territory left in a neutral state for 999 years, than yield one inch of it to the Americans. The people of this country were quite as active, as industrious and as enterprising as they; and would be able to settle the lands and make them valuable and advantageous to the Province, whenever it was necessary.

Mr. End moved an amendment, to the effect that "whereas it is of great importance to His Majesty's subjects in this Province, that the boundary between the State of Maine and this Province should be established, therefore Resolved, that an humble address be presented to His Majesty on this subject, and that the Legislative Council be requested to join in such address.

Mr Weldon recommended proceeding with great caution in this matter, and stated that altho', since the rejection by the United States of the award of the King of the Netherlands, the House were not aware of any further proceedings having been had, yet that negociations were still pending between the two governments.—He thought, therefore, that while such negociations were pending, the House could expect to receive no information from His Excellency on the subject, and that, in such case, it would not be proper to request it. Whatever the House could do in such a matter would amount to nothing. He felt quite convinced that if all the present extravagant and unjust claims of the Americans were conceded to them, they would never be satisfied with such concessions: they would still be encroaching and demanding more; it was therefore very undesirable to do anything to cause such an important matter to be hastily decided. He was against asking for any information from the Lieutenant Governor, because the House should not evince a desire to hasten the settlement of the question in such a manner, as to lead to the giving away of any portion of that valuable territory. It would be better to delay the settlement even much longer, than to prevent the securing of that which was so justly claimed by the British Government.—It would be far better, in his opinion, simply to address His Majesty at once.

Mr. Chandler repeated his former views, and added some observations concurring with Mr. Weldon's ideas.

Mr. L. A. Wilmot, in reply, stated that he had thought of the mode of proceeding suggested by those hon. Members, before he framed the resolution, and had considered the impropriety of asking for any information on a matter of negociation. But those hon. members argued as if this were a *treaty* still pending between the two governments, which was quite an erroneous position. The treaty of 1783 had long ago been ratified and confirmed by both parties, and the present matter was merely an act of *adjudication*, under and by virtue of that settled treaty. He therefore thought it highly proper to request information, as to the progress of that adjudication, which was so highly important to the persons affected by it, and that it would willingly be granted by his Excellency as far as it was in his power. His Excellency, he was quite certain, had the interest of the country deeply at heart, and would therefore be very desirous to forward the settlement of a matter so deeply affecting that interest; and in his (Mr. W's.) opinion, it was clearly the duty of the house, first to address his Excellency respectfully for that purpose. Perhaps it might happen, that at that very moment he might be in possession of some information on the subject, which he might be glad to have it in his power to communicate when requested, and which the House and the public might be glad to know.—The hon. member, after some further observations in reply, expressed his disapproval of Mr. End's amendment.

Mr. Street thought it would be far more indelicate and disrespectful to address his Majesty, without having first applied for information to his Excellency, than to adopt the contrary course; and he therefore preferred the original resolution.

Mr. Partelow suggested, that as there was evidently but one opinion in the house as to the subject matter of the debate, and the whole difference of ideas was as to the mode of proceeding, each party had better concede a little, and thus, by compromising their propositions as to the form of the resolution, frame one which would be unanimously adopted.

This course both Messrs. Wilmot and End immediately acceded to, and after a few desultory words of conversation among some hon. members, a resolution, embracing Mr. End's preamble and Mr. Wilmot's proposition of an address to his Excellency, was *unanimously* agreed on, and a Committee appointed to prepare the address.

Wednesday, January 28.

The House went into Committee of the whole in consideration of the several Messages from His Excellency the Lieutenant-Governor,—Mr. Robinson in the Chair.

The first Message taken up was that relative to the

CUSTOM HOUSE.

The documents received from the Colonial Minister, explaining the reasons why His Majesty had not been advised to confirm the Act providing for the Custom House establishment in this Province, having been read.

Mr. Johnston said, that on looking at the petition formerly sent home from this House, it would be found that the house had promised to make a permanent grant, for the support of the Custom House establishment, of such a sum as was therein named, to be appropriated as the parent government might direct; but there was a saving clause in that address, which appeared to have escaped the notice of the Lords of the Treasury, and which made it a proviso, that all duties collected in the Province should be paid over to the Provincial Treasury. The only difficulty now was this:—His Majesty's Government required that the officers of the Customs should retain in their hands the amount of their respective salaries, and that the balance should then be paid over to the Treasury; but the house wished that the Custom House Officers should pay over the full sum received by them, and that then the amount of their salaries should be paid them by an appropriation from the house. This difficulty brought forward an important question, as to the right of the mother country to appropriate any money, raised by taxes in this Province. But by referring back to the Acts of Parliament, previous to the late arrangement, it would be found that the same course now contended for by government, was then pursued. So much as was then required for the payment of salaries was retained in full, and the balance only was paid over to the Provincial Treasury. It appeared to him (Mr. J.) that the arrangement proposed by the British Government, and acceded to by the house, was highly advantageous to the province. This sum of £4250 sterling per annum had been accepted by the Government, in lieu of an amount between £7000 and £8000 sterling, which was formerly retained for the Custom House establishment. He therefore thought, that, under those circumstances, it would be as well for the house so to alter the act, as to make it more palatable to the home government; and, in doing so, they would not altogether depart from the constitutional principle of appropriating monies; because, every act which provides that so much money shall be paid for specific services, is an actual appropriation by the house, as if they first received the money themselves, and then paid it over. The actual difference was not sufficient to make it worth while to run the risk of losing such a great advantage as that which was formerly offered and accepted. He (Mr. J.) was afraid, that should the house not do so, the British government would, as a matter of course, resort to the old system; and therefore it would be far better to make such an arrangement.

Mr. Partelow said that he had looked with much attention to the dispatch and the report of the Lords Commissioners of the Treasury on this subject, and he could not find but what the province had kept perfect good faith with the British Government. In the address sent home by the house, there was a special clause, providing a sum of £4250 sterling annually, in gross, as a provision for the establishment, which sum was to be paid to the Custom House Officers, provided that all monies collected by those officers in the province were first paid over to the Provincial Treasury; upon which that amount was to be appropriated in the usual way. On this address being sent home, the offer was accepted; and he (Mr. P.) well recollected the very complimentary dispatch in which the acceptance of that proposal was conveyed. A bill was then framed by the house, as much in accordance with the spirit of that address as it could be at the time, and passed; and by referring to the words of the act itself, he thought the house had kept good faith with the government, and that the matter was not deserving of those reflections which were contained in the report of the Lords Commissioners of the Treasury. Those gentlemen were not legal men, and yet they presumed to say, that the grant contained in that act was not a permanent one. If so, then the College grant was not permanent, for the very same kind of words were used in both acts. The house certainly intended this act to be a permanent one, and it was passed under that full impression. He (Mr. P.) was not prepared to go so far as the hon. member for Queen's County, without further information; because, before long, the house might petition the British government for a repeal of the Flour duties, and if they should prove successful, where would the money come from, to pay the salaries of the Custom House officers? Those officers would have nothing in their hands from which to retain their salaries, and then they must come to the house for an appropriation; but if the house appropriated that grant in the usual way, the Custom House officers would always receive their salaries regularly and without difficulty. He (Mr. P.) thought it would be best to refer these documents to a select Committee, to report thereon to the house, by bill or otherwise; and he therefore moved a resolution to that effect.

Mr. Crane could see no objection to the resolution. This was certainly a subject which must be investigated, before any decision could be come to. When the act was passed, he (Mr. C.) recollected perfectly, that some hon. members entertained the idea, that the Custom House officers should be allowed to retain their salaries out of the amount of duties, which would be the most convenient way, and would be attended with least machinery in the operation; but it was contended by others, that that would be an interference with the right of the house to appropriate all its own resources, and on the whole, it was thought, tho' the contrary course would be more troublesome, that it would be the most expedient mode of effecting the object. It was objected, that by that mode, the Custom House officers might not receive their salaries regularly and promptly; and indeed there might be another reason for altering it. Circumstances might happen, to prevent the raising of a provincial revenue at all; and if the parliamentary duties were all handed over in gross to the provincial treasury, they might be appropriated to other purposes, and the custom house officers thus not be able to get their salaries. For these reasons he (Mr. C.) thought it would be better to refer the matter to a select committee.

Mr. Johnston, in reply to Mr. Partelow, observed, that even should the flour duties at any time be repealed, no doubt the province would still be under the necessity of making proper provision for the custom house officers, and if the revenue was decreased in one respect, other taxes must be imposed to supply the deficiency, and those salaries must be provided for. The hon. member thought, that in such case, no more legitimate object of taxation could be found, than British shipping coming to trade in the Province; and that the duties of the custom house and provincial treasury might be consolidated in one establishment.

Mr. Speaker thought hon. members had not seen the true cause of the rejection of this bill. It appeared to him, that the principal reason was, that no other means were pointed out by it, from which to meet the salaries of the Officers of the Customs, than the duties collected under acts of parliament; and therefore it appeared to him, that H. M. Government were afraid, if those duties should at any time fall off, that there would be no other funds from which to pay those salaries, and consequently the Government wished for a certainty of their being provided for from the Provincial revenue, from whatever sources collected. It appeared also that the Government had felt some doubts about whether the grant would be annually appropriated; but the words of the act were positive and definite in this respect:—it expressly said that this appropriation "*shall* be included" in the annual appropriations of the Legislature, and not "*may* be included;" therefore there really could be no uncertainty about it. The act, indeed, completely met the spirit and meaning of the address sent home by the house, and of the dispatch received in reply. But another question arose out of this matter; which was, whether the house could concede the principle, that the Lords of the Treasury should direct any part of the revenue of this Province to be retained or disposed of by the officers of the custom house. This was a very important point, and one which affected the great charter of our liberties as a people. The whole amount of the Provincial revenues must be disposed of by the Provincial Legislature, and therefore they should be very cautious how they conceded any such right. But he (Mr. Speaker) thought, that if proper representations on the subject were made to the parent government, the point would certainly not be insisted on. The gross amount of all the revenues collected in the province ought to be deposited in the first instance in the Province Treasury, and all salaries ought to be paid by warrant in the usual way; and the house should not introduce into any act any clause which would have even the semblance of conceding any part of their rights. He had no objection to the resolution moved by his hon. colleague: this was a subject of sufficient importance to be referred to a select committee, for their serious consideration.—The hon. Speaker proceeded to contend that steps ought to be taken to reduce the expenses of the Custom House establishment; that the sum contemplated in the rejected act for the payment of the Officers' salaries was too large; that the office of Controller was useless, and therefore might be reduced; that one custom house at St. John was sufficient for the whole province, sub-collectors only being necessary for all the outports; and that the select committee should take the whole subject into their consideration, and prepare a scale of salaries, &c., and a bill founded upon that scale, both of which should be sent home to the parent government.

Mr. Partelow, in reply, contended, that, by the former arrangement, the House had effected a very important saving to the Province, of between £3000 and £4000 annually, and as Government had shewn a disposition to accede to that arrangement, it ought not now to be disturbed. Various important places of trade were now springing up in the Province, which might hereafter require an increase of the customs' establishment; and then would be the time to analyse the salaries, and to propose an apportioned scale for the whole. He could not agree with the hon. Speaker, with respect to retaining the amount of salaries: it would certainly be highly unconstitutional and improper for any officers to retain their salaries without a law for that purpose; but the House could make such a law, and he (Mr. P.) could see nothing very improper in their doing so. The only reason why he objected to it, was, that he was in hopes the house would be successful in obtaining a repeal of the Flour duties, and if so, there would then be a difficulty in obtaining those salaries, unless they were annually appropriated by the House. He believed that in Nova Scotia, all the duties were paid over to the Provincial Treasury, and the salaries annually appropriated; and he thought there would have been no objection by the Government to the same course here, had not representations been made by the parties interested, (as was natural for them to do,) of the state of the Treasury, and the difficulty of obtaining payment of warrants.

Mr. Chandler considered that the arrangement which had been made for a permanent grant of £4250 sterling per annum as a provision for the custom house establishment, was highly advantageous to the Province, and that it would be very bad policy to disturb it. There was no shadow of a surrender of any right by this arrangement. The act would by no means bear that construction. The only right inference from it, was, that the Government required the house to pass an act to enable the officers to retain the amount of their salaries, and that they could not possibly attempt to do so without such an act. The very requesting such an act completely confirmed the right of the house to appropriate the money; and then if the officers retained such amount, it would be in consequence of the law of the land, and not from the exercise of any official right. He (Mr. C.) thought it would be as well now to make the arrangement as proposed by H. M. Government. It could not make one shilling difference to the Province, whether the officers were allowed to retain their salaries from the amount of duties collected by them, or whether the whole were first paid over to the Treasury, and the salaries repaid from thence. The only difference would be, that the latter mode would cause a little more trouble and delay.—With respect to the amount of those salaries, if the house were of opinion that they were too high, they should represent that opinion to the Government at home; but surely it would not now be good faith to insert any such alterations in the present bill, after having already made such a favourable arrangement, and pledged themselves to its observance. He (Mr. C.) therefore trusted that the select committee would report such a bill as would meet the views of government; in doing which, the House would sacrifice no principle, nor lose one farthing.

Mr. Street said that the question appeared to be, whether the House had complied with the spirit and meaning of the proposal formerly made to the Government at home; and on looking at the language of that proposal, he did not think it had been rigidly complied with. He thought a doubt might arise, in the construction of the act, whether the grant contemplated by it was permanent or not. It was expressly provided that the provision for the salaries of the custom house officers was to come out of the duties collected by them and r acts of the Imperial Parliament. Now the address of the house to the Government certainly did not propose that condition, but simply offered a permanent annual provision, without qualifying it in any way. Therefore, he (Mr. S.) thought the act should not provide that those salaries should come out of the parliamentary duties, but that they should be simply charged on the general revenues of the Province. There could be no doubt of the intention of the house to make a permanent grant, and therefore there could be no objection to remove the doubt relative to the construction of the act.

Mr. End thought that to alter the scale on which the bargain had already been made, would not only deprive the Province of a good bargain, but would injure the character of the house. Were they not pledged to that bargain? Were they not bound to it? And should any Member of that House now propose to throw it open? With respect to any compromise of principle, let the house look to the preamble of the bill itself. That preamble recites that it is the inherent and undoubted right of the house to appropriate the revenues of the Province. Here, then, was a bill, which had been sent home, and acted on to the present time by H. M. Government; (for the custom house officers did not now retain the £7000 or £8000 which they formerly received for their services;) and should the house now abandon it, and throw the whole matter open again? This grant was intended to be a permanent grant, but there appeared, from the language of the act, to be some doubt as to its construction, and could the Government then be blamed for requesting that the matter should be put beyond the shadow of a doubt?—The only question was, whether the money should first go to the Treasury, and then go back again, or be retained in the first instance. No constitutional principle could be at all compromised in either case; and he (Mr. End) therefore, could never consent to abandon a bargain so advantageous, and which good faith so peculiarly required to be adhered to. He did not think the scale of salaries at all too high, nor that one custom house would be sufficient for the whole Province. Such a measure as that would bring again upon the country all those grievances which existed before the present arrangement took place; and surely the house could not possibly commit an act, which would reflect such great discredit on the country, as to abandon or alter this arrangement.

Mr. Speaker briefly replied, advocating the necessity of retrenchment and economy, and the extreme probability of the British government readily consenting to a reduction of the grant, upon proper representations being made.

Messrs. Johnston and Crane also supported their former views, in reply to Mr. Speaker.

Mr. Wyer said that he [illegible] the house should do any thing to [illegible] existing arrangement. [illegible] to the Province, [illegible]

priation "*shall* be included" in the annual appropriations of the Legislature, and not "*may* be included;" therefore there really could be no uncertainty about it. The act, indeed, completely met the spirit and meaning of the address sent home by the house, and of the dispatch received in reply. But another question arose out of this matter; which was, whether the house could concede the principle, that the Lords of the Treasury should direct any part of the revenue of this Province to be retained or disposed of by the officers of the custom house. This was a very important point, and one which affected the great charter of our liberties as a people. The whole amount of the Provincial revenues must be disposed of by the Provincial Legislature, and therefore they should be very cautious how they conceded any such right. But he (Mr. Speaker) thought, that if proper representations on the subject were made to the parent government, the point would certainly not be insisted on. The gross amount of all the revenues collected in the province ought to be deposited in the first instance in the Province Treasury, and all salaries ought to be paid by warrant in the usual way; and the house should not introduce into any act any clause which would have even the semblance of conceding any part of their rights. He had no objection to the resolution moved by his hon. colleague: this was a subject of sufficient importance to be referred to a select committee, for their serious consideration.—The hon. Speaker proceeded to contend that steps ought to be taken to reduce the expenses of the Custom House establishment; that the sum contemplated in the rejected act for the payment of the Officers' salaries was too large; that the office of Controller was useless, and therefore might be reduced; that one custom house at St. John was sufficient for the whole province, sub-collectors only being necessary for all the outports; and that the select committee should take the whole subject into their consideration, and prepare a scale of salaries, &c., and a bill founded upon that scale, both of which should be sent home to the parent government.

Mr. Partelow, in reply, contended, that, by the former arrangement, the House had effected a very important saving to the Province, of between £3000 and £4000 annually, and as Government had shewn a disposition to accede to that arrangement, it ought not now to be disturbed. Various important places of trade were now springing up in the Province, which might hereafter require an increase of the customs' establishment; and then would be the time to analyse the salaries, and to propose an apportioned scale for the whole. He could not agree with the hon. Speaker, with respect to retaining the amount of salaries: it would certainly be highly unconstitutional and improper for any officers to retain their salaries without a law for that purpose; but the House could make such a law, and he (Mr. P.) could see nothing very improper in their doing so. The only reason why he objected to it, was, that he was in hopes the house would be successful in obtaining a repeal of the Flour duties, and if so, there would then be a difficulty in obtaining those salaries, unless they were annually appropriated by the House. He believed that in Nova Scotia, all the duties were paid over to the Provincial Treasury, and the salaries annually appropriated; and he thought there would have been no objection by the Government to the same course here, had not representations been made by the parties interested, (as was natural for them to do,) of the state of the Treasury, and the difficulty of obtaining payment of warrants.

Mr. Chandler considered that the arrangement which had been made for a permanent grant of £4250 sterling per annum as a provision for the custom house establishment, was highly advantageous to the Province, and that it would be very bad policy to disturb it. There was no shadow of a surrender of any right by this arrangement. The act would by no means bear that construction. The only right inference from it, was, that the Government required the house to pass an act to enable the officers to retain the amount of their salaries, and that they could not possibly attempt to do so without such an act. The very requesting such an act completely confirmed the right of the house to appropriate the money; and then if the officers retained such amount, it would be in consequence of the law of the land, and not from the exercise of any official right. He (Mr. C.) thought it would be as well now to make the arrangement as proposed by H. M. Government. It could not make one shilling difference to the Province, whether the officers were allowed to retain their salaries from the amount of duties collected by them, or whether the whole were first paid over to the Treasury, and the salaries repaid from thence. The only difference would be, that the latter mode would cause a little more trouble and delay.—With respect to the amount of those salaries, if the house were of opinion that they were too high, they should represent that opinion to the Government at home; but surely it would not now be good faith to insert any such alterations in the present bill, after having already made such a favourable arrangement, and pledged themselves to its observance. He (Mr. C.) therefore trusted that the select committee would report such a bill as would meet the views of government; in doing which, the House would sacrifice no principle, nor lose one farthing.

Mr. Street said that the question appeared to be, whether the House had complied with the spirit and meaning of the proposal formerly made to the Government at home; and on looking at the language of that proposal, he did not think it had been rigidly complied with. He thought a doubt might arise, in the construction of the act, whether the grant contemplated by it was permanent or not. It was expressly provided that the provision for the salaries of the custom house officers was to come out of the duties collected by them and r acts of the Imperial Parliament. Now the address of the house to the Government certainly did not propose that condition, but simply offered a permanent annual provision, without qualifying it in any way. Therefore, he (Mr. S.) thought the act should not provide that those salaries should come out of the parliamentary duties, but that they should be simply charged on the general revenues of the Province. There could be no doubt of the intention of the house to make a permanent grant, and therefore there could be no objection to remove the doubt relative to the construction of the act.

Mr. End thought that to alter the scale on which the bargain had already been made, would not only deprive the Province of a good bargain, but would injure the character of the house. Were they not pledged to that bargain? Were they not bound to it? And should any Member of that House now propose to throw it open? With respect to any compromise of principle, let the house look to the preamble of the bill itself. That preamble recites that it is the inherent and undoubted right of the house to appropriate the revenues of the Province. Here, then, was a bill, which had been sent home, and acted on to the present time by H. M. Government; (for the custom house officers did not now retain the £7000 or £8000 which they formerly received for their services;) and should the house now abandon it, and throw the whole matter open again? This grant was intended to be a permanent grant, but there appeared, from the language of the act, to be some doubt as to its construction, and could the Government then be blamed for requesting that the matter should be put beyond the shadow of a doubt?—The only question was, whether the money should first go to the Treasury, and then go back again, or be retained in the first instance. No constitutional principle could be at all compromised in either case; and he (Mr. End) therefore, could never consent to abandon a bargain so advantageous, and which good faith so peculiarly required to be adhered to. He did not think the scale of salaries at all too high, nor that one custom house would be sufficient for the whole Province. Such a measure as that would bring again upon the country all those grievances which existed before the present arrangement took place; and surely the house could not possibly commit an act, which would reflect such great discredit on the country, as to abandon or alter this arrangement.

Mr. Speaker briefly replied, advocating the necessity of retrenchment and economy, and the extreme probability of the British government readily consenting to a reduction of the grant, upon proper representations being made.

Messrs. Johnston and Crane also supported their former views, in reply to Mr. Speaker.

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Mr. Slason supported the resolution, but confessed it to be altogether a very difficult question for consideration. He had no doubt that when the matter was referred to the King of the Netherlands, both parties were bound to abide by his decision; but as that award had not been adhered to, it was highly necessary that some settlement should be come to. The states of Maine and Massachusetts were constantly agitating the matter, and it was therefore necessary that this Province should be equally active in asserting its rights, and procuring them to be secured.

Mr. Crane said that at the close of the last Legislative session, he had travelled through the territory in question, on his way to the United States, where he had heard a good deal about the matter in dispute.—He perfectly concurred in the importance of the subject, but was at present utterly at a loss what course would be best to adopt.—If any measures at all were adopted, the greatest caution should be used in framing the language of their resolutions. They should remember the character of the people with whom they had to deal: perhaps the proceedings and language of this day might, if incautious, be quoted against them by those people 20 or 30 years hence; it might be long before the matter now in question would be definitively settled, and the settlement of it might prove very troublesome.—He (Mr. C.) therefore thought it would be better to omit all the preamble of the resolution, relative to any steps already taken in the matter, and to predicate it altogether on the known and indisputable fact, that the people of this province are extremely anxious for the settlement of the affair.—There was nothing official before the house, to shew what had already been done by the government at home, and it would be better therefore not to allude thereto. He had great doubts whether the house should address his Excellency on the subject; if they could address any motives to urge the Government at home to a speedy arrangement of the matter, it would be very well, but he felt great difficulty in suggesting what course to pursue. The Americans evinced almost incredible industry and perseverance in seizing every thing that might tend to their own advantage; and even the expressions of hon. Members in this debate, would, if by any means possible, very probably be laid hold of by those scheming people to our prejudice.—The hon. Member then detailed various conversations he had held with different American individuals, during his late visit to the U. States, for the purpose of shewing the strong feelings and prejudices they entertained with respect to this question, and the extreme ingenuity and finesse which the Americans evince in turning every incident to their own advantage; as well as a conversation with Sir Charles Vaughan, the British Minister at Washington, tending to prove that no further measures had been effected towards settling the Boundary question.—Mr. C. concluded by observing that the land was now become very important to this province, and though it was of so much consequence to us to obtain an early settlement of the dispute, yet he feared it would be a long time before it could be effected. He could not make up his mind what course to pursue at present, but rather thought it would be best to address the British Government at once.

Mr. Allen thought there could be only one opinion as to the desire of a speedy termination of this question.—It was evidently the object of the Americans to obtain for themselves the navigation of the whole river St. John. He hoped the British Government never would consent to such a settlement of the matter. He thought it would probably be better to address his Majesty on the subject at once; but if that would be considered as disrespectful to his Excellency, it would be well first to address his Excellency.—The resolution, or address, however, should not retrospect any thing that has hitherto happened in the business, but merely express the anxious desire of all classes of his Majesty's subjects in this Province, that the dispute should speedily be settled. It was of great importance to quiet the minds of those people who were now so much injured by the delay, and not only that, but the termination of the question would open great scope for the settlement of those valuable agricultural lands.—Still, the house should be very cautious how it proceeded, lest it should do any thing which would really operate to retard instead of expedite the business. The resolution had better, perhaps, be simplified as suggested by some hon. members.

Mr. Wyer thought the resolution and its object were both very good, but that it would be better not to mention in it any former proceedings relative to the negotiations or references on the subject of the Boundary Line.—He thought every individual in the Province must desire to see this important matter finally settled; and he hoped the British Government would resolutely persist in its claims. For himself, he (Mr. W.) would never consent to give the Americans one inch of their demands; he would rather see the whole territory left in a neutral state for 999 years, than yield one inch of it to the Americans. The people of this country were quite as active, as industrious and as enterprising as they; and would be able to settle the lands and make them valuable and advantageous to the Province, whenever it was necessary.

Mr. End moved an amendment, to the effect that "whereas it is of great importance to His Majesty's subjects in this Province, that the boundary between the State of Maine and this Province should be established, therefore Resolved, that an humble address be presented to His Majesty on this subject, and that the Legislative Council be requested to join in such address.

Mr Weldon recommended proceeding with great caution in this matter, and stated that altho', since the rejection by the United States of the award of the King of the Netherlands, the House were not aware of any further proceedings having been had, yet that negociations were still pending between the two governments.—He thought, therefore, that while such negociations were pending, the House could expect to receive no information from His Excellency on the subject, and that, in such case, it would not be proper to request it. Whatever the House could do in such a matter would amount to nothing. He felt quite convinced that if all the present extravagant and unjust claims of the Americans were conceded to them, they would never be satisfied with such concessions: they would still be encroaching and demanding more; it was therefore very undesirable to do anything to cause such an important matter to be hastily decided. He was against asking for any information from the Lieutenant Governor, because the House should not evince a desire to hasten the settlement of the question in such a manner, as to lead to the giving away of any portion of that valuable territory. It would be better to delay the settlement even much longer, than to prevent the securing of that which was so justly claimed by the British Government.—It would be far better, in his opinion, simply to address His Majesty at once.

Mr. Chandler repeated his former views, and added some observations concurring with Mr. Weldon's ideas.

Mr. L. A. Wilmot, in reply, stated that he had thought of the mode of proceeding suggested by those hon. Members, before he framed the resolution, and had considered the impropriety of asking for any information on a matter of negociation. But those hon. members argued as if this were a *treaty* still pending between the two governments, which was quite an erroneous position. The treaty of 1783 had long ago been ratified and confirmed by both parties, and the present matter was merely an act of