PROVINCIAL PARLIAMENT.

LEGISLATIVE COUNCIL.

From Mr. Wheeler's Reports.

THURSDAY, MARCH 23.

The Bill for collecting the duty on timber at the shipping port, was taken up in Committee in the Legislative Council on Thursday, it having been under discussion on a previous day.

The most strenuous opponents of the Bill were the Solicitor and General, and the hon. Mr Hatch and Col. Wyer. The Solicitor General contended that American timber brought down the St. John must be treated as British, and could be sent to Great Britain in conformity with the navigation laws. He considered it improper to put manufactured timber on a better footing than squared timber, or to give a preference as was contemplated in the proviso to American over British timber. There was he said much diversity of opinion as to the construction to be placed upon the treaty, and he argued that nothing should be done by the Legislature here, until the question had been decided by the home government and that of the United States. It had been argued that it was necessary to preserve to American timber its character, that it should be manufactured before it was brought into the Province; if it were manufactured at St. John or any where in British territory, it would become British manufacture. He disagreed with that opinion: and he saw nothing in the treaty which prevented its being sawed up and explored as American manufacture. There was nothing in the treaty which changed the nationality of the article, and it must be treated according to the terms of the treaty as American timber. Before the recent treaty American timber could be brought into the Province; but it had to be entered, and was then treated as colonial timber; but it could now come in without such entry and on better terms than before. A very serious objection had been urged against the Bill, which was that it was imposing an export duty upon the staple of the country, both raw and manufactured—and that when the Parent government had reduced the duty in England on Colonial timber to a mere nothing, this Province had turned round and imposed an export duty.—This should be avoided he said; as there was a large class of persons across the Atlantic, who were interested in the Baltic trade, and who viewed with jealously the colonial timber trade; and consequently the measure under consideration could be used to the disadvantage of the Province. The imposition of a duty would have an injurious effect upon the interests of those persons who had invested large capital in mill establishments, and would be ruinous to the Province. The learned Solicitor said with reference to the details of the Bill, he had found persons who dealt largely in the manufactured article in favour of the measure, while those who purchased were against it; as if the Bill should pass, the exporter would have to pay a duty on all the timber that was shipped. It would be for the Legislature therefore to determine between the parties, and in accordance with the public interest. He said a strong argument in favour of the Bill was, that a larger amount of duty would be collected with less expence, and it would be relieving the lumberman from paying a large sum for timber before it was cut. But that should have been corrected by the Executive government. Still he doubted if the argument was well founded; or that there would be such an increase of revenue.

There must now be said be great mismanagement if by reducing the duty to 1 shilling a greater amount would be received than is at present collected at 2s. It was also stated by the friends of the measure, that a great expence would be effected with reference to surveyors and others. But they must be employed even if the Bill went into operation, as they must be kept to lay off berths, and see that parties did not go beyond their bounds. Another difficulty was, that the duty was levied on all timber, whether cut upon crown lands or private property, where the party had already paid the duty as purchaser; and who was placed on the same footing as those who paid nothing, and with whom he could not compete. Another objection was, the interference which would take place with the casual and territorial revenue. It was well known that the crown land establishment must be kept up, to pay which there was only the gross amount; and if the proceeds were to be paid at the time of shipment, and government would in this way be left without the means of paying the necessary expences of the establishment, and which required to be met promptly. The learned gentleman said his mind was not fully made up on the subject, he had mentioned the objections that had occurred to him, and was desirous of having them removed; because many arguments could be urgde in favour of the measure.

An allusion having been made by the hon. Mr. Cunard in the course of his speech to the Chairman the hon. Col. Shore, he explained the mode by which excesses of timber were settled for, not being paid in many instances till the following autumn, and after it had been sent to market. The levying a duty on timber cut upon private property, he considered as gross injustice.

Hon Mr Cunard wished to set the hon. Chairman right; he said he had never received any of the indulgence alluded to; and property of his to the amount of £20,000 had had been held to pay seven or 800. He described the mode pursued by Surveyors, in ascertaining what quantity of timber was cut without licenses, as very unsatisfactory and leading to abuse; and the course described by the hon. chairman he considered as extremely improper, by which one man might send his property to England, and another would have it tied up in this Province.

Hon. Mr. Hatch expressed his regret at personalities having been introduced; and hoped the Bill would be discussed on its own merits. He had been opposed to the Bill from the first, and should continue to oppose it; as it went to give an expression with reference to the details of the late treaty, which were uncertain in themselves, and which would embarrass the home government. It went also to levy an export duty, which was contrary to the policy and usage of every country. Timber he said was the only article of export, and on imposing a duty it would be taxing not only the staple commodity, but the labour of the country.—The attempt to tax timber cut upon private lands was contrary to good faith, and would be an act of injustice. At present he said, vessels come from Yarmouth and load in Charlotte County, who would if the Bill passed, go to an American port. As to the expense of the Crown land establishment it must be kept up; and the entire saving which would arise from the Bill, would not it was anticipated exceed £1200. He repeated the principles of the Bill were at variance with the course pursued by every other country, which was not to levy a duty on articles exported; and as to the amount already paid for stumpage, there was a wide difference between a public law, and any local arrangement that existed. It appeared that parties who cut timber to excess, were not called upon to pay till the following autumn, and consequently there was no such grievance to be complained of as had been represented. As to the Bill itself, nothing could be more beneficial to the interests of the United States; and in the expectation that it would pass, it was already proposed to make Robinstown immediately opposite St. Andrews, a port of entry.

Hon. Col. Wyer said the duty of 2s 6d and 3s 6d had hitherto been paid for stumpage, but it had never been imposed upon timber cut upon private lands; and when it was proposed to give £14,500 towards payment of the Civil List, such a measure was not contemplated. The effect which the Bill would have on manufacturing timber was kept out of sight. There was no export duty he said, on any article manufactured in the United States; and the effect of passing the Bill would be that British vessels would go to American ports where the port charges were less, and American labourers would be employed instead of our own. There was nothing to prevent vessels going to Eastport, and after the 5th July all lumber would pay the same duty in the West Indies. It would be a most unjust Bill

An adjournment was moved, and the chairman reported progress.

March 28.

Hon Mr. Allanshaw expressed himself favourable to the Bill, but doubted whether it would pass under particular circumstances. No manufactured timber he said could go to the United States, without strong proofs of its being American manufacture, and he was satisfied the Bill would be inoperative in that respect. The Bill he considered as simple in its operation. He differed with other hon. gentlemen as to the effect upon the sale of Crown Lands; purchasers would become alarmed, and he doubted if there would be many sales; as individuals would pause at least before they made purchases; but it would not depreciate private property, as individuals having lands would not abate their demand for stumpage. The measure he said would be of great advantage to the noble River St. John.

Hon Mr Baillie would be happy to support the Bill, were it not that it was fraught with injustice and breach of faith.—The treaty declared that American timber should be imported and exported free from St. John; but if the stumpage duty was to be paid at the shipping port, it would not be treating the owners of such timber fairly, who had already paid the duty. One hon. Gentleman said it was a commutation of the duty now paid, another declared it to be an export duty. If the country were desirous of having such a law let it be published, and let the Bill lie over till another session. There was no occasion he said for such indecent haste. What complaint had been made? And if smugglers were caught they deserved it. The hon. gentleman here went into a statement to shew the large quantity of timber which is annually cut, and upon which no duty is paid till the autumn; which he said shewed how idle was any complaint on that score. His friend on his left the hon. Mr. Cunard, he said had always paid for any excess of timber that had been cut like an honorable man; he seconded the motion for postponing the farther consideration of the Bill for three months.

Hon. Mr. Cunard replied with warmth, and stated instances of excesses, and of the reluctant manner in which they were reported which would satisfy any person that those formed a private perquisite of the officers; and for which state of things, the head of the department was responsible. The Bill was essential to the interests of the Province, because it would encrease the revenue, without harrassing individuals. He contended that the present system was made worse by the course that was pursued; and which required honest officers. The proviso he deemed the best part of the Bill.

Hon. Col WYER stated that he considered the Bill a most unjust measure. The Americans in the first instance had obtained a boon by the treaty; and now it was proposed to allow them to ship their timber free of duty. They obtained their supplies by way of the Penobscot, and could bring timber down the St. John, to be exported to Eastport, and after July could carry it to the West Indies free of duty. Vessels could go to Calais he said, and if the Bill became a law would save nearly £15 in expences; all which would be lost in the Province, besides giving the Americans the trade of this country. At present timber is shipped from the St. Croix to the southern parts of the United States, which in future would go free of duty.

The question was then put, and the Committee divided; when including the Chairman there were eight on each side.

The Attorney General stated that as there were two suspending clauses, the one providing the Bill should not go into operation until after a certain period; and the other that it should not become a law until Her Majesty's assent should have been obtained; he should have drawn his opposition to the measure, and the Bill then passed by a majority of 9—7.

PROROGATION OF THE LEGISLATURE.

On Tuesday afternoon, His Excellency the Lieutenant Governor and Suite, came down to the Council Chamber, and with the usual formalities, closed the Session with the following Speech:—

Mr. President and Gentlemen of the Legislative Council;
Mr Speaker and Gentlemen of the House of Assembly;

The business of the Session having been brought to a termination, I am enabled to release you from your further attendance.

Although several important matters which have engaged your attention have necessarily been postponed, some measures of considerable interest to the Province, have by your joint exertions been accomplished.

At the opening of the Session I recommended to your especial attention of the Public Credit, and it will afford me much satisfaction if the measures which you have taken to facilitate its revival, should prove effectual to that end.

The alteration you have made in the Laws relating to insolvency, will facilitate the administration of them, and operate favorably upon Commercial Credit

You have been judiciously guided by the principles of the English Statutes in amending the Criminal Law, and also in the amendments made in the Election Laws, which will have a material effect in promoting the public peace at Elections.

The revival, for a short period, of the Act for supporting Parish Schools will afford time for devising a comprehensive plan for improving these important institutions—in the efficiency of which, the interests of the rising generation are so deeply concerned.

Mr. Speaker and Gentlemen of the House of Assembly;

I thank you for the Supplies you have granted for the Public Service, and for the means you have provided in aid of the ordinary Revenue to meet the liabilities of the Province,—in the due application of which I feel every assurance that the Government will be entitled to confidence.

Mr President and Gentlemen of the Legislative Council;
Mr. Speaker and Gentlemen of the House of Assembly;

The situation of the Province, after the severe trials to which it has been exposed during the last two years, and which I regret to think are not yet surmounted, will continue to require the fostering care and attention of the Government. Looking to the calamities which have fallen on other countries, we have abundant cause for thankfulness; and I rely on receiving that support from you, in your several relations, which will enable me to give effect to the exertions of a loyal people, in regaining their prosperity.

We understand that L. A. Wilmot, Esq. was sworn in as an Executive Councillor on Wednesday.—*Herald.*

St. John, April 14,

The ice in the River St. John is fast giving way, it having broken for several miles up the Long Reach. The River is also clear from Long Island to Gagetown, and in several other places; so that when the intermediate ice shall have given way, a clear course will be presented, and our steamers which "walk the waters like a thing of life," will relieve the passenger, who at this season of the year plods his weary way to Head Quarters, through mud and snow, on the Nerepis Road.

NEW VESSEL.—Launched yesterday morning, from the ship-yard of the Messrs. Ruddock, Portland, a fine ship of 675 tons, O.M. called the *Lady Sale*; she is of excellent model, substantially built, owned by Messrs. Parks and Hegan, of that city.

Come to the Rescue.—A Petition to go before the Governor, praying for a dissolution of the present House, appears in the Courier of Saturday. The following are the concluding passages:—

"That the Revenue Bill in operation from the 1st inst. is a tissue of incongruities and discrepencies, and alone is sufficient to mark the imbecile and careless character of the Legislature.

"That it has become apparent to Your Petitioners that the majority of the House of Assembly throughout the Session has factiously opposed and counteracted every suggestion made by Your Execellency for the Province—that they have neglected in toto the great interests of the constituency and the country to indulge in puerile conceits & efforts of self aggrandizement, and are unworthy longer to represent the intelligence and loyalty of the people of New Brunswick.

"Your Petitioners would therefore humbly pray, that Your Excellency would be pleased to dissolve the present House of Assembly, and order writs for a new Election of Members to represent them, to enable Your Petitioners and others having the well being and prosperity of New Brunswick at heart, to select men of integrity, who will prove by their acts, as well as by their professions, their ability to manage the Revenue and various important interests of the Province; and that immediate steps may be taken to enact a new Revenue Bill, in order to prevent the serious injury that must otherwise accrue to the various interests of the Province.

"And your Petitioners as in duty bound will ever pray.

☞ Let the other Towns in the Province, follow the example so nobly given by St. John.

St. John, April 17.

Burning in Effigy.—Samuel Freeze, Esq. Member for King's County, was burnt in effigy on King's Square, on Thursday evening last, in consequence of his opposition to the formation of settlements, by a number of enterprising mechanic's, belonging to this city, in the counties of King's and Westmorland. The effigy was previously drawn through the principal streets of the city in a cart, mounted on a tar barrel, and pinned to a stake; on the breast of the figure a label was attached, containing the words—"*Samuel Freeze, M. P. P.*" and in one of the hands was placed a roll, on which was written "*Mechanics' Petition*" A large concourse of persons joined in the procession, and at every corner gave vent to their feelings by loud groans We think if the parties had carried their feelings a little farther, and made a more general conflagration of members, whose conduct in voting for that Revenue Bill will entail wretchedness, if not *famine* on the land, they would not have acted unwisely Let them all be burnt, next time, at one stake.

New Councillors.—R. L. Hazen, and John Montgomery, (of Dalhousie,) Esquires, were provisionally sworn in as Executive Councillors, on Tuesday the 11th inst.

African Immigration.—By the attention of a mercantile friend, we are again in possession of very important intelligence with regard to the measure of Immigration from Africa to the Colonies. Our readers will find in our number to-day two Letters from the United Secretary for the Colonies to the Chairman of the West India Deputation—the one announcing Lord Stanley's decision on the suggestons of the Deputation, the other intimating that his Lordship has directed the Land and Emigration Commissioners to proceed to the chartering of vessels to run between Sierra Leone, and the respective ports of British Guiana, Trinidad, and Jamaica. We have it further, on good authority, that the advertisements were to have appeared in the London papers the day after the sailing of the present Packet.

We trust matters are now in such a state as to authorize us to congratulate the public on the complete success of the efforts made for the establishment, on a permanent basis, of that grand and noble measure which has been prosounced, by the best judges, the very salvation both of the West Indies and of Africa—"that influx of the East upon the West, to which we can alone look, by its reaction, for the ultimate civilization of the East."

We hope ere this day three months to announce the arrival of the first batch of African Immigrants, embarked under the protection and superintendance of Her Majesty's Government.—*Port of Spain Gazette, February 3.*

THE STANDARD.

ST. ANDREWS, THURSDAY, APRIL 20, 1843.

Charlotte County Bank.
Hon. HARRIS HATCH, President.
Director next week—*I. Wilson Esq.*
Discount Day—TUESDAY.
Hours of Business, from 10 to 2.
☞ BILLS and NOTES for Discount must be lodged with the Cashier, on or before MONDAY, otherwise, they must lie over until next week.

Alms and Work House.
Commissiner next week—*Thomas Berry*

SAINT ANDREWS
Marine Assurance Association.
Hon. JAMES ALLANSHAW, President.
Director next week—*Wm. Babcock Esq.*
JOHN MCKEAN, Esq. Secretary.
Office open every day, (Sunday excepted) from 10 till 4 o'clock,

Saint Stephens Bank.
WM. PORTER, Esq. President.
Director next week—*R. M. Todd.*
Discount Day—SATURDAY.
Hours of business, from 10 to 1.
☞ Bills and Notes for Discount must be lodged with the Cashier, on or before FRIDAY, otherwise they must remain in his hands until the following discount day.

LATEST DATES.

London,——Mar.	3	*Montreal,*–April	12
Liverpool,—Mar.	4	*Quebec,*——April	12
Edinburgh,—Mar.	1	*Halifax,*—April	12
Paris———Mar.	1	*New York,*–April	15
Toronto,——April	10	*Boston,*——April	16

THE REVENUE BILL.

The Revenue Bill has received the most qualified disapprobation, from the Press in all parts of the Province. We have refrained from saying anything on the subject as yet, in the hope that the Bill would be received before the close of the Session; but that hope has been disappointed, and we now join in condemning that most absurd and rediculous measure. One of the honorable members of the Assembly in a former House, stigmatised Lord Stanley's Despatch as a budget of blunder's; but really if his Lordship can produce any thing to compare with the Revenue Bill, He has a greater talent at blundering, than even his enemies would be disposed to allow.

To point out the absurdities and contradictions, is too much of a school-boy task, and too rediculous, to be made matter of grave remark: let it suffice to say, that the whole measure is a tissue of nonsense and confusion, and quite too bad to have emanated from such a source, as even the present House of Assembly. How can any person of ordinary understanding, who has perused the Bill in question, be surprised that the Province is loaded with a large debt, and no rational prospect of getting free from it, and that every thing is in almost inextricable confusion? It is rather a matter of astonishment that the state of public affairs is not worse. Really when we take all things into consideration, we have reason to be thankful that the Province debt is so small, and that we are not saddled with an income tax, or some other evil worse than any thing we have had yet. It must also be a matter of great comfort to the free and independant Electors of New Brunswick, that they have no body to blame but themselves. They had their choice of Candidates last session, and we wish them much joy of their selection.

Some are very sanguine that the change in the Executive, will work wonders for the Province. Perhaps it may; but we fear little good can be effected for several years. The best Executive that could be chosen, would not be an efficient check upon an extravagant and heedless House of Assembly. A better state of things may eventually take place, but in the mean time we must wait with patience

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RETURN OF COUNCILLORS, &c.—The Honbls. T. Wyer, and H Hatch, members of the Legislative Council, and the four members of Assembly for this County arrived here on Friday last in the Steamer "*Herald.*

STEAMER HERALD.—This new and handsome Steamer, commanded by our old friend Capt. HENNEBERY, paid us her first visit on Friday last. She is fitted up in elegant style her cabins, both ladies and gentlemen's, are light and beautifully finished, and her promenade deck is spacious; she is altogether one of the prettiest boats on our waters; we understand that she will prove an excellent sea boat, and from her sharp build no doubt be the fastest boat in the Province. James Whitney, Esq. the enterprising and worthy owner, should be well patronized. We wish him every success.

The following address was presented to Mr. Justice Owen at the Court House in this place, on the 13th inst., we are requested to give insertion to it, as well as the reply which Mr Owen delivered thereto.

At the Sittings of the Court of Common Pleas at the Court House, in Saint Andrews, this 13th April 1843.

To His Worship, Mr. Justice Owen

Sir,

We the under signed Barristers and Attornies practising in this Court, beg leave at the close of it this day, to address to you an expression of the great satisfaction we feel with the manner in which you have conducted the business of the Court, in your capacity as its presiding Justice.

And we beg more particularly to declare, the high sense we entertain of the strict impartially which you have observed, and the sound judgment which you have exercised, during the present term of the Court, being the first occasion of the kind upon which you have presided over its proceedings.

In conclusion we think it not improper to express a hope, that you will endeavour to make it convenient to continue your valuable Services as one of the Justices of this Court, at its future Jury terms.

We are Sir
Respectfully
Your obedient Servants,

Signed—James W. Chandler,
Samuel H. Whitlock,
Saml. Geo. Andrews,
Richard M. Andrews,
George D. Street,
Alexander Campbell,
Wellington Hatch,
Thomas B. Wilson,
Thomas T Wyer.
} *Barristers at Law.*
Peter Clinch, jr. *Att'y. at Law.*

St. Andrews, 13th April, 1843.

To the Gentlemen of the Bar.
St. Andrews, N. B.

GENTLEMEN,

Sensible as I must be of my total inexperience in the conduct of judicial proceedings, and being unexpectedly called on to preside in the Court of Common Pleas (just closed,) I should have had no hope of so conducting its business, as to be satisfactory to the public or myself and still less to your respectable body; But it being my good fortune to know you all, personally and intimately, by God's Grace I felt no difficulty in placing myself in your hands for aid, counsel and indulgence, should any difficulty arise in the performance of the highly honorable duties assigned to me.

Your very kind and too flattering expression of satisfaction for the impartiality, and good feeling with which the business of the Court has been conducted, and which expression was most kingly and courteously communicated to me this day, will ever be remembered by me most sensibly, as a flattering proof of your friendship, and indulgence, and I regret that I am not master of language properly and fully to express my grateful sense of the grace and favor I have found at your hands; for, I can never forget that my poor merits and inexperience could ne-