

PROVINCIAL PARLIAMENT

HOUSE OF ASSEMBLY.

From the *Provincial Reporter*.

Monday, March 20.

The House went into a Committee of the whole on the Casual and Territorial Revenue.

In the opening of this question Mr. Pate- low stated that he had ascertained from the Post Office that Sir John Harvey's Postage was paid up to the quarter previous to his departure, and that for the odd time that he remained after the quarter, the amount was only the inconsiderable sum of £7 9s 3d, and that was the whole amount that was paid by his Excellency on account of Sir John Harvey's Postage. (Here the hon. member read the Post Office Account for the two years of Sir William Colebrook's administration, which amounted to £517 18s 4d.)

Hon. C. Simonds said the House found this Session that the money granted for contingencies did not pay the Postage, and that something further must be granted for that purpose. There was a mistake in the report of the Committee. Sir William paid the first two quarters out of his own private funds, because there was no contingencies left to meet it.

Mr. End in his most sarcastic and withering way said, the government of the Province was in a most humiliating position, the accounts show a most outrageous Postage, the accounts had gone to a Committee of the House to report upon, they had reported and in no very measured terms, and the House had consented to receive the report knowing that extravagant expense existed in the whole of the Government Accounts. The hon. member of the government then got up and abused the recklessness and extravagance of that House, and its grants, which he himself as Speaker of the House at the time had lauded to the skies. Then down came papers from the Executive reflecting on the House for their having disapproved of their extravagance, and these papers had received the sanction of the governor. They, the Executive said distinctly that Sir John Harvey left this Province when he was indebted to the Post Office for two quarters postage. He said the Speaker and several other hon. members together with himself did not believe that statement; the hon. Executive member came with reluctance to explain what had become of the £1000 contingencies granted to Sir J. Harvey the last year; he (Mr. End) took a memorandum at the time of the accounts said to be expended by Sir John Harvey, and which fortunately he had still in his possession. A copy of which he read and is as follows:—

During the three years Administration of Sir John Harvey the sum of £3,000 were granted him for his contingencies. To explain and account for those sums, the following statement was made by the Hon. C. Simonds last winter:—

Amount overdrawn in 1899.	£400 10 0
Border Troubles.	243 2 6
Expenses in '40 and '41.	240 11 0
Boundary Line Expenses.	25 0 0
Reporting the Libel Case.	150 0 0
Provincial Aids de camp.	146 2 8
Militia expenses.	30 0 0
Ferguson at Madawaska.	136 3 0
Law expenses in Libel case.	35 0 0
Do. ditto Mr. Kinnear at G. Menan.	35 0 0
African School at St. John.	10 0 0
Travelling expenses & other expenses attendant upon the Governor General's visit to the Province.	211 3 8
Hire of Mr. Cunard's Steamer from Miramichi to Bay de Chaleur, for Sir J. Harvey's visit.	25 0 0
C. P. Wetmore, for investigating a charge against a Magistrate at Sunbury.	15 0 0
Mr. Ward's expenses as Agent.	23 10 0
Cannoe hire, and Executive Council Book Boxes for holding papers, &c.	10 0 0

£1701 9 11 12

The Balance he said was expended in Postages and other services not accounted for.

The hon. Executive Member thus accounted for the £3,000 granted as contingencies, and expended by Sir J. Harvey, in addition to which he came forward this session, and stated on the floor of that House, that Sir J. Harvey had run away and cheated the Post office out of two quarters postage, and this assertion came from Sir J. Harvey's bosom friend—his legal adviser, and staunch advocate. He did not begrudge Sir J. Harvey his friends; He Sir J. Harvey was a man,—he looked like a man—and he would have acted like a man, had he been left alone; but he was badly advised, and that had advice had contributed mainly to the ruin of the Province. It was a most unfortunate thing for this province that the government had fallen into such unfortunate hands. An Executive member came down to that House in a solemn manner, and stated that the late Governor was in arrears to the Post Office, when he left the Province; but the House did not believe either then or now, and the House very properly, to exculpate the late Governor from the odium of such disgraceful conduct, had called the business, and found it was all a mistake; they had done for him what his professed friend refused to do,—they had cleared him of a false imputation, and now when the thing was discovered, the same Executive member came down and acknowledged it was all a mistake, could there be any reliance placed in such men—was there any faith in them? No; they were madmen—flogging fire about them, burning and destroying all that was within their reach, and when they were detected it was

all a joke. He lamented—sorely lamented, for the sake of the Queen's representative, and for the sake of his late Excellency, Sir J. Harvey, that the Crown had such advisers. That gentleman (the late Governor) like a certain traveller mentioned in the Scriptures fell among thieves—he would not say thieves, but certainly his fall was an unfortunate one. He was sorry the present Governor, whom he believed was a very good man, should have fallen in such hands; his advisers would betray him as they had done Sir J. Harvey, both here and hereafter. The Executive member said this was a mistake—a mistake in what? was it a mistake in a figure? No, but it was a mistake in a deliberate string of circumstances drawn up—concocted and arranged for the express purpose. The fact was they were squeezed into a corner, and had no possible mode of escape, except by saying it was a mistake.

Hon. C. Simonds said if the House required it, they could have a detailed account of the expenditure of the contingencies, to the very last farthing.

Hon. Speaker said no, he hoped the House would never ask for such a thing; he rejected to find that the Post Office account was then corrected, he regretted that such a report should ever have come from the Executive.

The House had never refused to provide for any sum the Governor had overdrawn—hereafter, if the Governor, in this instance, had committed the House, it would have saved any hard feelings existing, and would have been paid without the question being asked, how it was spent; but an account sent down in the way in which this was, could not be sustained by that House. The Executive was unfortunate in the account they had sent down—they were still more unfortunate in insisting on its being correct, as it had since proved to be all wrong. That House was willing at all times to give the Governor an ample sum to meet the contingencies, and to do it without a murmur; some of the sums charged in that account were drawn from the wrong funds, while others should not have been drawn at all. The House entertained the best feelings towards Her Majesty's Representatives; if His Excellency at any time required a sum of money, which should not properly be charged into the contingent fund, let him send down to the House by Message, and if the demand was at all reasonable, the House would cheerfully meet it. The Resolution passed by the House and of which the Executive member had complained so much, would be followed up by other Resolutions. The Governor must conform to the practice of former Governors; he must come down by Message, to ask for a provision for his contingencies—they never had been refused when asked for, and he hoped they never would. The House must be respected by the Executive, and it must respect itself, and he hoped the opposition now offered by the House should be a lesson to the Executive in future. The head of the Government must draw only from funds that are applicable; the Governor had no authority to draw from the surplus Casual Revenue fund, the sum which he had drawn for the Assistant Agent at Fredericton.

Hon. Mr. Simonds said he wished the Speaker would make out a list of what items are warranted by law; he did not know until then that the popular branch were the expounders of the law. The Attorney General had made application for his contingencies out of that fund, and he certainly should know the law. It would be beneficial to the Executive to be informed on this point; the surplus of the Casual Revenue was accumulating. The Speaker said that some of these amounts should be taken out of that fund, he should be very glad if it was so. With respect to the Report made by the Committee of that House, it was entirely wrong—it was couched in language unfit to be used towards the Queen's Representatives. The Report from the Executive was a proper Report; it was couched in calm and dignified language, and if the Committee were in error that had now been fully explained, and he hoped that would do away with all improper feeling.

Mr. Wilnot said the Executive were much to blame; when the Committee of that House had found fault with them they were put upon their trial; they were not then justified in sending down to that House any uncertain statement; they had done so, and now they were proved to be wrong—they endeavoured to exculpate themselves. He was prepared to show what might, or might not be drawn from the surplus Civil List Fund.

Mr. Partelow said that the hon. Executive member had tried to make the House believe that two quarters Postage was paid by the Governor out of his own pocket. £850 had been appropriated for that service, since the arrival of the Governor, and not one farthing of which had been so applied; £517 12s 1d. had been accounted for as expended, but he did not know what had become of the balance.

Hon. C. Simonds said, after what had been said by the House relative to the expenditure; the House should receive the account in detail.

Mr. Hill asked what had become of the £850 granted to the Governor for contingencies, the expenditure of that money was perfectly excusable, as it was given to him for that purpose. He thought the House must have information on the subject, before they could say much about it. His Excellency must not be allowed to pay his postage out of his own pocket, he hoped the House would never economize in that way, it would be disgraceful; the House was entitled to a detailed account of the expenditure, and which no doubt would be furnished if asked for. Sir J. Harvey had £1,000 a year during his three years administration, and was never called upon for any account of how it

was expended, and now they were expressing their indignation, because Sir William had expended £750; he would move a Resolution, he did not wish to censure the Executive until the house was properly informed on the subject.

Mr. Brown said there was no information wanted there had been £850 granted for the two years service, which had been all drawn and expended, and no postage paid with it, did not his hon. colleague (Mr. Hill) know that the money was granted for postage? yet they found the postage drawn for in addition, without leave or licence. The House was not prepared to find things in that state. Two years postage drawn from a fund, that it should not be drawn from, and not a farthing of it paid for that purpose. Sir John Harvey's contingencies in the most extravagant days did not exceed £400 including postage. The grant to the governor for contingencies was principally intended for that service, and he was astonished to hear his hon. colleague (Mr. Hill) make such observations.

Mr. Hill said if the House persisted, it was passing a resolution in the dark.

Mr. Fisher said there was no doubt of the illegality of the drawing of the money, but there was a difficulty existing. The House must either assume the money was correctly applied, or they must call upon the Executive to furnish the items, he would go for the Resolution, the amount was wrongly drawn, and from a wrong fund.

[Mr. Hill's Amendment was then put and negatived, when the Resolution offered by Partelow, to the effect that the £850 was granted to pay postage &c., and that the house expressed its disapprobation and surprise that it was not so applied, which Resolution was carried.]

Mr. Hazen said he knew the salary of the Secretary was too high, but that question was not then under consideration.

Mr. Fisher said the Secretary's salary was £1500 that was enough to pay postage and all other contingencies.

EXTRACTS FROM THE JOURNALS.

Saturday, March 25.

The Select Committee to whom were referred all Petitions for aid in promoting the Internal Communications throughout the Province, also Petitions for assistance to promote Communications by Packet or otherwise, with the neighbouring Colonies, Report:—That they have had before them the following Petitions, viz:—

"Petition of Wilfred Fisher and others, praying a continuation of a grant in aid of a Packet to ply between St. Andrews and the Island Parishes;

"Petition from Lucien Copeland, praying aid in running a Weekly Stage between Fredericton and St. Andrews;

"Petition of Robert Dougherty, Mail Carrier, between St. Andrews and St. Stephen, praying aid to keep up that establishment.

"The Committee have given their attention to the various Petitions and the facts set forth by the several Petitioners, and while they cannot recognise the claims of some of them to others, under the circumstances of the Province, they would readily recommend the extension of the assistance of the House. But when they consider the present state of the Province, the Committee are not prepared to recommend grants of money to any of the parties who seek aid by their several Petitions.

S. Z. EARLE,
P. STEWART,
R. L. HAZEN,
THOMAS GILBERT.

Monday, March 27.

On motion of Mr. End,—The House went into Committee of the whole on a Bill sent down from the Council, intitled "An Act in further amendment of the Criminal Law."

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them and agreed to the same.

A Message from the Legislative Council.—Mr. Peters, Master in Chancery, informed the House, that the Council had agreed to the Bill to facilitate the Negotiation of a Loan to pay off the Public Debt.

And also to the following Bills, viz:—The Bill relating to the collection of Duty on Timber and other Lumber; and the Bill relating to the Clerk of the Pleas, without making any amendment thereto.

And that the Council had also agreed to the Resolution of Appropriation, dated the 9th and 21st days of March, with the exception of:—

"The sum of Fourteen Pounds Ten Shillings to Asa Coy and Zebedee G. Gable, Trustees of the Baptist Meeting House in Fredericton, being return of Duties paid on an Organ imported from the United States, in the year one thousand eight hundred and forty one.

To which the Legislative Council do not concur.

Tuesday, March 28.
According to the Order of the Day, the Bill sent down from the Legislative Council, intitled "An Act to amend an Act made and passed in the fifth year of the Reign of Her present Majesty Queen Victoria, intitled "An Act to amend the Laws relating to burning or destroying of Buildings and Ships," was read a third time.

Resolved, That the House do concur therein.

Ordered, That Mr. Thomson return the Bill to the Council and acquaint them therewith.

PUBLIC SERVICE.

To the Justices of the Peace of the County of Charlotte, the sum of £10 towards paying the due on the Court House; the Grant of last Session having been for £150, and the Warrant having been issued for only £140. To the Managing Committee of the Catho-

lic School in the Town of St. Andrews the sum of £30 to enable them to keep up that Institution.

CHARLOTTE COUNTY BYE ROADS.

The sum of £28 11 4 for the Road from Chase's Corner in St. Patrick, to Edward Foster's in St. David.

The sum of £14 5 8 to repair Roads and Bridges between Bartlett's and Chamcook, in Saint Andrews Parish.

The sum of £14 11 4 for the Road from the late James Simmons' to the Little Ridge in St. James, and to repair the Bridge over the Mosness' Stream.

The sum of £14 for the Road from the Cove, in St. Stephen, to the Basswood Ridge, in St. James, to be expended on the outer part of said Road.

The sum of £28 11 8 for the new Road between the old St. Andrew's Road, near Hanson's to the new St. Andrews Road at Wetmore's Farm, near the Lower Falls, St. George.

On Saturday Mr. End brought up a Resolution for issuing a writ for a member to represent the County of Northumberland, in the place of John T. Williston, Esq. whose seat was declared to be vacant by the Committee, which after some discussion was carried 12—11. In the course of the day however, a Resolution was brought in by Col. Allen to reconsider the vote, which ultimately was carried 13—10. The time for holding the election being fixed for the first week in July. Yesterday Mr. End again brought the subject up, and moved a Resolution to reconsider the vote of Saturday; but after some time, there being several members absent, he withdrew his Resolution, with a view to bring it up again when there shall be a full House. The debates will appear on Friday.

Yesterday one or two Law Bills sent down by the Legislative Council, were taken up in Committee and disposed of. The House subsequently went into Committee of the whole, on the Bill for holding Elections simultaneously, when all the clauses were passed; but as it is proposed to engraft those of the old law that are not repealed by the Bill, it was taken up to-day, and to-morrow will be finally passed.

His Excellency the Lieut. Governor came down to the Council Chamber at 3 o'clock yesterday, and gave his assent to the Loan Bill; which will therefore be sent home by the April mail.—*Sentinel*.

From a *Fredericton Correspondent of the New-Brunswick*.

THE ELECTION LAW—THE LOAN BILL—AND THE LEGISLATIVE COUNCIL IN A FERMET!

Fredericton, Monday Evening, 1st 27th March, 1843.

Mr. TILL.—To-day the House (in Committee) resumed the consideration of the Election Bill, and made considerable progress. Simultaneous polling, if I mistake not, will be the order of the day; at the next General Election.

Several Members gave notice to-day, of certain special grants, which they wished entered on the Supply Book, preparatory to their being moved in Committee of Supply at a future day, in accordance with one of the new, and highly salutary standing orders, introduced by Mr. Hazen. Many of these proposed grants are for stage-coaches, packets, &c., which have been already rejected by a special Committee, raised expressly to decide on their merits. Yet in the face of such decision, there is a strong disposition among certain Hon. Members, to obtain local grants for favourites, regardless alike of the justice of the claim, or the ability of an exhausted Treasury to sustain these wasteful expenditures of the people's money.

His Excellency came down to the Council Chamber to-day, and gave his assent to the Bill for negotiating a loan—this bill is passed with a suspending clause, and His Excellency assented to it to-day, in order that it may go off to England for Her Majesty's approval by the mail which leaves here to-morrow.

The Legislative Council have taken great umbrage at the resolution which passed the House on the 20th, when it was announced that they had rejected the Bill to amend the College Charter.—Several resolutions were passed by the Council to-day, declaring that the resolutions of the House were a breach of the privileges of the Council, and amounted to a dictation to which they, as an independent branch of the Legislature, would not submit.

You will notice in the Gazette of Saturday the appointment of the Hon. Hugh Johnston (provisionally) to a seat in the Legislative Council.—When this appointment was first announced to the Council, they resisted it strenuously, and informed His Excellency that their number was complete, all their benches were full! They also required Mr. Johnston to produce his appointment under the sign manual, thereby plainly evincing their aversion to the introduction among them of a gentleman of independence and ability, who possesses sound enlarged views of Constitutional Government. But His Excellency forthwith produced a number of precedents, for provisional appointments to that body, and sent them a positive order, forthwith to make room for the Hon. Gentleman, which they had to obey, however repugnant to their feelings.

If the Legislative Council would purge itself of the several bankrupts who unworthily recline at ease around its circle, there would be room enough for a sufficient infusion of talented, independent, and influential men into that body, to correct the mass! But if all those in that body who are bankrupt in political principle—utterly deficient in ability—without talents, education or informa-

tion—or who have long since ceased to possess public confidence, or to command respect, were to retire, then there would be many, very many seats vacant! O. K.

By the last number of the Official Gazette, the Provincial Parliament is further prorogued to Tuesday; the 2d day of May next.—*Montreal Courier*.

We understand that the Quebec Merchants now in England have been pretty successful in making contracts for the delivery of Timber next summer, at rates which, it is said, will leave them a fair profit. It must be remembered, however, that much of the Timber thus sold entailed a heavy loss on those who manufactured and brought it to the Quebec market. From the prices ruling in Quebec last fall, several lots of Timber must have been sold at the loss of 40 a 50 per cent to the original holders.—*Id.*

Cupid and Hymen seem to be hard at work among the good people of Quebec. An extraordinary circumstance occurred a short time ago in the ancient capital. A youthful gentleman aged 14, and a maiden aged 13 were attacked with the malady which is in Scotland irreverently called "calf love." They contrived by some means to steal a march upon their parents, and got bound together during their natural lives, for better or for worse. We should like to know how the marriage license was procured, or what clergyman tied these two foolish children together in "the holy bands of matrimony."—*Ibid.*

UNITED STATES.

Edge Tools for Children.—A little son of E. A. Dudley, Esq., of Fayette county Ky., about 4 years old, fell upon an open knife on Monday week, which penetrated above the ball of the eye the full length of the blade, an inch and a half. The little fellow being unable to draw it out, walked very composurely to his mother in another room, whose feelings may be imagined. Failing in her efforts to extract it, a neighbor, after a second trial, succeeded in drawing it out, the brave little soldier bearing it with perfect quiet and coolness. Serious consequences were apprehended, but at the last account the child was doing well, and strong hopes were entertained of its recovery without injury to the eye.

Our Legislature has passed a law allowing all persons of good moral character to act as attorneys in the Judicial Courts of the State. Probably the lawyers will be the last to object to the passage of such a law. If any change is effected by it, it will ultimately be in their favor. The idea that litigation will be lessened or more satisfactorily conducted by such legislation, is perfectly nonsensical.

It has been suggested by some that our government has not evinced the nicest sense of propriety in being in such hot haste to force an Ambassador on the Chinese, before England has taken any steps in relation to the matter. And it certainly seems to us, that it would not have been very unbecoming to us to "stand back a few inches" for the purpose of allowing the nation which has broken down the wall of separation between China and the rest of the world to take the lead in the establishment of commercial intercourse. We have not, as yet, learned that England or any other nation has appointed an Ambassador to the "Celestials." At any rate, it is very certain that such an appointment could not have been known at Washington at the time Mr. Everett was nominated to the Senate.

Cutis Adar.

Prison Statistics.—Of the inmates of Auburn, N. Y. State Prison, 430 had been in temperate; 232 moderate drinkers; 310 practised gambling; 500 could read; 16 not read; 370 left their homes before 16 years of age; 235 had been beaten; 160 sailors; 75 soldiers; 367 had been married; 123 had attended Sabbath schools; 31 had read the bible daily; 2 had a college education; 12 had an academy education; 290 cases of crime caused by liquor, and only 64 had been total abstinence men!

"Ma," said a little girl, who had just commenced her lesson in geography, "whereabouts shall I find the state of matrimony?" "Oh," replied the mother, "you will find that to be one of the United States!"

Words are things, as much as if they had the weight of lead or gold, let them, then, be used with caution. Upon the shutting of the lips may depend the comfort of many days to come.—*New Monthly Belle Assemblée*.

A witty friend suggests that, as the capture of Gloucester on the former occasion, and under a Whig Government, was elevated to the Peerage, by the title of Lord Keen, a similar compliment should be paid to the conqueror of China, under that of Lord Nan-keen.

New Duties.—We observe, by the Journals, that the duty on Brandy has been fixed at one shilling and ninepence per gallon; on Geneva, Gin and Hollands at one shilling and three pence; and on Rum or Spirits, at one shilling per gallon. The duty on Asses or Mules, Horses, Mares & Geldings has been increased to Four Pounds each, and on Oxen or other neat cattle, to one pound five shillings each. We understand, that the duties on foreign and colonial Sugar have been equalized, and that a duty has been put on wheat, as an equivalent to the reduction which will take place on the duty on flour next July, by Act of Parliament. This duty on wheat, we learn, gives great dissatisfaction to the numerous mill-owners in this vicinity.—*New Brunswick*.

Within the last three days the shipping has begun to drop into the harbor in pretty brisk order.—Seven have made their appearance. This will do for a beginning; and we hail them as ominous of better times.—*Herald, March 21*

The AMATEUR second Concert

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