



The Head Quarters.

Hence too will be extended and aggravated all the mischiefs to our Fisheries from the means used by the Americans in fishing as by jugging—drawing seines across the mouths of the Rivers—and other expedients; from the practice of drawing the Shallows from the Shores by baiting—and above all from their still more pernicious habit of throwing the Garbage upon the Fishing Grounds and along the Shallows.

Every facility afforded the American Fisherman to hold frequent, easy, and comparatively safe intercourse with the Shores, extends another evil, perhaps more serious in its results—the illicit traffic carried on under cover of Fishing, in which not only the Revenue is defrauded, and the fair dealer discontented, but the coast, and remote harbours are filled with noxious and useless articles, as the poisonous Lunatic and manufactured Fish of which already too much is introduced into the country, in exchange for the mola and fish of the Settlers; and from this intercourse, when habitual and established from year to year, the moral and political sentiments of our population cannot but sustain injury.

In the argument of the American Minister His Excellency appears to assume that the Question turns on the force of the word "Bay," and the peculiar expression of the treaty in connexion with that word; but although it was obviously the clear intention of its framers to keep the American Fisherman at a distance of three marine miles from the "Bays, Creeks, and Harbours," there does not therefore arise any just reason to exclude the word Coast, used in the same connexion in the treaty, from its legitimate force and meaning, and for to be admitted Rule of General Law that the outline of a Coast is to be defined not by its indentations but by a line extending from its principal head lands, then waters although not known under the designation of having the general form of a Bay may yet be within the exclusion designed by the treaty.

His Excellency the American Minister complains of the "extended force" of the Law of this Province under which the Fisheries are attempted to be guarded, and is pleased to declare that it "possesses none of the qualities of the Law of civilized States, but is formed in a manner which is not only a violation of the Law of Nations, but is a violation of the Law of God." His Excellency in using this language possibly supposed that the Colonial Act had attempted to give a construction to the Treaty of 1783—or had originated the Penal and civil confiscation which it deposes. But had His Excellency examined the text of the Province he has so strongly stigmatized, he would have discovered that as regards the limits within which foreign Fishermen are restricted from fishing the Colonial Legislature has used but the words of the Treaty itself; and a comparison of the Provincial act with an act of the Imperial Parliament, the 53 Geo. 3rd ch. 31, would have shown him that the description of the offence—the confiscation of the vessel and cargo—and the mode of proceeding, the Legislature of Nova Scotia has in effect only declared what was already, and still is, the Law of the Realm under Imperial Enactments.

Mr. Everett adverts to what he considers "the extremely objectionable character of the course pursued by the Provincial authorities, in presuming to decide for themselves a question under discussion between two Governments." But it is submitted that if the American Government contemned the construction given to the treaty, the course pursued on the part of Nova Scotia which made a construction dependent on a judicial trial and decision, was neither presumptuous nor inexpedient; nor could the necessity of security for the coast of Nova Scotia, or the necessity of affording any serious impediment to the defence in a matter which, as Mr. Everett declares, the Government of the United States deems of great natural importance.

Upon the other hand if the American Fishermen could only seek a relaxation of the construction given to the treaty in England and Nova Scotia, as a matter of favor, "presumption" would rather seem to be on that side which might enjoy the privilege before the boon was conferred. In any view of the matter as the American Fishermen was never meddled with until he had voluntarily passed the controverted limit, it is difficult to comprehend why the American Minister's proposition would not stand received with more propriety than it exhibits in its present form; for His Excellency's regret might not unreasonably be supposed to have been expressed at "the extremely objectionable course pursued by AMERICAN SUBJECTS in presuming to decide for themselves a question under discussion between the two Governments" by fishing upon the disputed ground, and thereby reducing the Provincial Authorities to the necessity of vindicting their claim, or seeing it trampled on, before any sanction had been obtained either of legal decision or diplomatic arrangement.

When Mr. Everett says that the necessity of fostering the interests of their Fishermen rests on the highest ground of National Policy, he expresses the sentiment felt in Nova Scotia as regards the Provincial welfare in connexion with this subject. The Americans are fortunate in seeing the principle carried into practice; for the encouragement afforded their Fishermen by the Government of the United States is not small, and its streams pervading and successful efforts to extend their Fishing privileges on Her Majesty's coasts but too palpably evince its desire and ability to promote this element of national and individual prosperity. As far as I can learn from the Honorable Secretary on their Fishing Craft, besides a bounty per barrel on the pickled fish—thus guarding the Fisherman against serious loss in case of the failure of his voyage; and he is believed further favoured by privileges allowed on the importation of Salt and other articles; while a market is secured him at home, which insures him a profitable reward for the fruit of his labor by a protective duty of five shillings per quintal on dry fish, equal to fifty per cent of its value, and from one to two dollars per barrel on pickled fish, according to the different kinds equal to at least twenty per cent of their value. The duty on American Fish imported into the Colonies is much less, and the British Colonial Fishermen is unstinted by Bounties: But the chief drawback to his success is the want of certain and stable Markets—those on which he is principally dependent being very limited and fluctuating.

In the contrast therefore drawn by Mr. Everett between the advantages of the Colonial and American Fishermen, the extensive Home Markets of the latter, independently of the encouragement he receives from Bounties, and other sources, much more than compensates, I believe, for any local advantages enjoyed by the former.

shelter and of repairing damages therein, of purchasing wood and of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying or curing Fish therein, or in any other manner whatever, abusing the privileges hereby reserved to them.

If this national contract does not exclude the Americans from fishing within the indentations of our Coasts and from our Bays and Harbours, the people of Nova Scotia, while it remained in force, could not complain of the Exercise of the Right. But we believe the Treaty does exclude them, and we but ask a Justice, equity, and determination, before these valuable privileges are relinquished.—The highest Law opinions in England have justified our belief—Her Majesty's Government in every respect has been most liberal and generous. The compact too, was in its nature reciprocal and had the treaty in this particular been (as it was not) hard upon the United States, there may doubtless be found in other parts of the stipulations at least equally unfriendly to British interests.

I repeat, my Lord, we cannot understand why the Americans should not be held to their bargain; nor can we perceive the principle of justice or prudence which would relax its terms in favor of a foreign people whose means and advantages already preponderate so greatly, and that too, without reciprocal concessions, and at the expense of Her Majesty's Colonial Subjects, whose property is deeply involved in the protection and enlargement of this important element of their welfare.

If the present concessions to the United States are not to end and quiet the controversy between their Fishermen and this Province, there is too much reason to fear the expectation will end in disappointment. From the greater encouragement that will be given for violation of the treaty under the modified conditions suggested, to be imposed on the American Fishermen, and from the multiplied facilities for evasion and falsehood, increased and not diminished occasions of collision can only be expected; and it may safely be asserted that whatever construction may be, the enforcement of the American Fishermen will not cease, nor disputes end, until they have acquired unrestricted license over the whole shores of Nova Scotia. It is hoped, my Lord, that an arrangement such as is contemplated should unhappily be made, its terms may clearly express that the American Fishermen are to be excluded from fishing within three miles of the entrance of the Bays, Creeks, and Inlets, into which they are not to be permitted to come.

Some doubt on this point rests on the language of Lord Stanley's Dispatch, and the making the criterion of the restricted Bays, Creeks, and Inlets, to be the width of the double of three Marine miles would strengthen the doubt, by raising a presumption that the shores of these Bays, Creeks, and Inlets, should be the same light and treated on the same footing. To avoid such a construction, no less than to abridge the threatened evil, the suggested modification should be more than the double of three Marine miles, say three or four times more ought, I think to be strongly enforced.

I have the honor to be, Your Lordship's most Obedient Servant, Signed, J. W. JOHNSON, Esq. THE RIGHT HONORABLE J. W. JOHNSON, Esq. SECRETARY OF STATE FOR THE COLONIES, WHITE HALL, GREAT BRITAIN.

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felt it necessary to make this statement, in consequence of the frequent declarations heretofore made by him, of his determination to the contrary.

Hon. Mr. JOHNSON, by command of His Excellency the Lieutenant Governor, laid before the House a copy of a Dispatch from Lord Stanley, Her Majesty's principal Secretary of State for the Colonies, relative to the King's College, and to the Bill passed by the Legislature last Session, for the amendment of the Charter of that Institution.

The Dispatch was read at the Clerk's table, and a copy of it will be inserted in the next Head Quarters.

Hon. Mr. JOHNSON thought that some observations on that Dispatch required a little explanation, and he would appear at first sight, from the serious impression of the mind of the Colonial Secretary. The first part of the Dispatch stated, that the provisions of the Act passed by the Legislature last Session, for the amendment of the Charter, were highly objectionable to a large proportion of the people of the Province. This inference, however, he (Hon. Mr. J.) thought could not be drawn from what was passed in that branch of the Legislature on the subject. The Bill in question had been passed in the lower House, (the Members of which were the immediate representatives of the people,) by a large majority; it was then sent up to the upper House, and there also had been assented to and passed. The inference, then, to be fairly drawn from these facts was, that the Act would be favourably received by a large majority of the people of this Province, and by a very different inference had been drawn by Her Majesty's Government, and perhaps from Her Majesty's Government, and perhaps from Her Majesty's Government, and perhaps from Her Majesty's Government.

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with the prerogatives and duties of the other branches. If all would do their duty; if they would strictly confine themselves to the line of that duty, they would do far better than by infringing upon something to the honor of the Legislature or Government. He (Hon. Mr. K.) merely threw out these hints for the consideration of Hon. gentlemen; he did not say that the fault he alluded to was peculiar to this House; it was the same elsewhere; there was a perpetual leaching in the various branches of the Legislature, towards taking to their own hands the powers and privileges of the other branches; and this leaching towards improper interference it was that he wished to draw attention to, and to object to.

Hon. Mr. WYER supported the observations of the Hon. Mr. Hatch, and observed, that that gentleman did not complain of the new Executive Council, but merely stated his opinion with regard to its composition; which this House, as an independent branch of the Legislature, had an undoubted right to do. He (Hon. Mr. W.) fully agreed with the Hon. gentleman opposite, (Mr. Hatch) that the new Council was too small; but they all knew that it was only a temporary arrangement, to be continued until the next election of the business of the country through the present Session. In the course of the year there must be a general election of Members of the Lower House; the Councilors would then have to be re-appointed; and he hoped that the spirit of the Election would enable the Lieutenant Governor to construct a new, full, and satisfactory Council. But he (Hon. Mr. W.) could not help saying that the Council as now constituted, was in the various parts of the Province, in representing and projecting their interests in the Executive Council. Some Districts had been quite overlooked; the Executive Councils were now being shamefully neglected; recommendations for appointments had been made from that Council, which had never been attended to; and he thought it would be better that the Council should be enlarged, in all such cases, when the local interests of any part of the Province were unattended to by the Executive—to bring the matter into public notice, and to comment thereon.

Hon. Mr. WYER, in reply to the observations of the Hon. Mr. Hatch, relative to the all-important subject of a Railway, and as to the present composition of the Executive Council, observed, that he did not think it necessary to carry out the object for which assistance was desired, some years ago, to the Executive Council, for a grant of money in aid of the Railroad project, the subject of the Railroad before the Legislature, and now it was for them to act upon it; whatever the Legislature might do with respect to it would, no doubt, be cheerfully acquiesced in by the Executive Council, and he would be glad to see the Executive Council do anything for them to do, in fulfilling the intentions of the Legislature. That was all the Executive Council had to do with that, or any other such matter. He (Hon. Mr. W.) thought that, even with the present constitution of that Council, no part of the Province would have any cause to complain. The interests of the various sections of the Province did not depend on representation in the Executive Council; it was not a matter of representation on the part of the Legislature, and only had to be carried into effect by the Executive. All parts of the Province would be fully represented in the House, at all events; and he thought that they would be equally so in the other deliberative branch of the Legislature; they would all, therefore, have a fair and full opportunity of stating their views to the Executive Council, and he thought that they would meet with impartial consideration.

Hon. Mr. HATCH, in a very low and inaudible tone repeated, (as far as we could hear the observation,) that he would be glad to see the Executive Council do anything for them to do, in fulfilling the intentions of the Legislature. That was all the Executive Council had to do with that, or any other such matter. He (Hon. Mr. W.) thought that, even with the present constitution of that Council, no part of the Province would have any cause to complain. The interests of the various sections of the Province did not depend on representation in the Executive Council; it was not a matter of representation on the part of the Legislature, and only had to be carried into effect by the Executive. All parts of the Province would be fully represented in the House, at all events; and he thought that they would be equally so in the other deliberative branch of the Legislature; they would all, therefore, have a fair and full opportunity of stating their views to the Executive Council, and he thought that they would meet with impartial consideration.

Hon. Mr. CHANDLER replied, that he did not think that he was in any way to be censured, or from or through any other part of the Province, in the course of the Legislature, and he thought that they would be equally so in the other deliberative branch of the Legislature; they would all, therefore, have a fair and full opportunity of stating their views to the Executive Council, and he thought that they would meet with impartial consideration.

Hon. Mr. WYER repeated his assertions, that representations to the Executive Council, from the County of Charlotte, had not been attended to; particularly with regard to Supervisors of Great Roads; and stated, that such things were seriously felt in that County. The County of Charlotte was the second in the Province, in population, importation, and exportation; and it ought to receive greater attention from the Executive; and as long as he (Col. Wyer) had a seat in that House, he would contend for the interests of that County.

The conversation then terminated.

HOUSE OF ASSEMBLY. Thursday, February 5, 1846. We were not in the gallery in time to hear the Honorable Mr. HAZEN announce the formation of a new Cabinet; but we understand that the Hon. Member did so by stating that he had been commanded by His Excellency the Lieutenant Governor to inform the House of Assembly that, in consequence of the resignation of the late Executive Government His Excellency the Lieutenant Governor had reconstituted his Council, and gave the names of the Hon. The Attorney General, the Hon. Colonel Shaw, the Honorable E. B. Chandler, the Hon. Hugh Johnston, and himself (the Hon. Mr. HAZEN) as composing the new Executive Council.

When we entered the gallery Mr. Wilmot was on his feet; the first words that reached our ears were, "I declined to take office on principle; the same principle which induced me to retire from the Government, induced me to refuse to act with my honorable friend from Saint John, and my late colleagues. My reasons for retiring from the Cabinet were given to the head of the Government, plainly and in writing, and by them I must abide; but I complain, and I have a right to complain, of the delay which has taken place in reconstructing the Government. This House, and the people of this country, have a right to ask why any attempt to re-organize the Government was deferred until the very eve of this Session, and then at the eleventh hour, when the late Executive Council found they could cling to office no longer, that they should advise the head of the Government to re-construct his Council."

Was this the way to govern the free people of this loyal and free Colony? There may be people who would cling to power, and advocate such doctrines; but the day has gone by when they can be successfully practiced. No, the people of New Brunswick are easily governed, when properly governed; but when their feelings and their interests are neglected or despised by any Government which has been, or can be formed, they seek redress, and what is more, they will find it too; a collision had never happened between the Executive Government of the Province and the House of Assembly, which had not originated above, and the result was almost invariably, when the Home Government had been appealed to, that the Representatives of the people had been sustained. I for one will hold the Members of the late Government strictly responsible for every act of that Government, from the time of my resignation of a seat at the Council Board; and the dispatch of His Lordship's declining to accept the resignation, reached the head of the Government in this country. Let me tell my Hon. friends who now compose this Government, as well as the Hon. gentleman who for the last year have advised the Queen's Representative in the administration of the affairs of this country, that the longest Government and the strongest Government which can be formed, is a Government based on the affections of a free people. I have already said that in my opinion the Office of Secretary of this Province is an office which should be brought into the Government. My Hon. Colleagues may differ from me in that respect, but by and by they will find that measures, not men, will have to form the subject of their deliberations. (Yes, from Mr. Fisher.) I told my honorable friend from the City, and I now tell him again, that I shall offer no further opposition to the government, as it is now constructed; but I must tell him at the same time, that the representatives of the people—that this House, will watch closely and narrowly their administration of the public affairs, and take care that the interests of the people of this country are well and faithfully cared for. I hope my honorable friend, (turning to the Hon. Mr. HAZEN) will not suppose that I am saying I have said what I wish to say, but I wish to say between him and me; he knows well, that my remarks I have made, are not intended to do harm, or personally addressed to him. [The discussion here closed.]

The Hon. Mr. SIMONS moved that the House go into a committee of the whole, on a Bill to alter and amend an Act entitled "An Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery."

The Hon. Mr. SIMONDS in introducing this Bill remarked, that he was no doctor himself, nor did he pretend to have any correct knowledge of the interests of the medical profession; but he had it from a gentleman high in the profession, that a good medical education could be obtained in Germany, at all events; and he thought that they would be equally so in the other deliberative branch of the Legislature; they would all, therefore, have a fair and full opportunity of stating their views to the Executive Council, and he thought that they would meet with impartial consideration.

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The conversation then terminated.

Provincial Parliament. Legislative Council Chamber. Thursday, February 5, 1846. FORMATION OF A CABINET.

Immediately after the reading of the Journals this morning, the Hon. Mr. Chandler rose, and informed the House, that in consequence of the resignation of the late Executive Government, His Excellency the Lieut. Governor had reconstituted his Council; and that he therefore proposed for the present, of the Hon. Col. Shaw, the Honorable Messrs. Hugh Johnston, R. L. Hazen, the Attorney General, and himself, (Mr. C.)

The Hon. Member also stated that it was His Excellency's intention to enlarge the Executive Council as speedily as practicable; and that it was His Excellency's earnest desire to select such an Executive Council as, while steering clear of extreme or party views, would, he trusted, enable him to carry on the Government in harmony with the Legislature, and to the satisfaction of the public at large.

Hon. Mr. C. further remarked, that in the change thus made, he had the satisfaction to believe, that without any feelings of or party hostility to their successors; and that they would afford such candid and honorable support to the present Government, as its public conduct might merit.

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Mr. Rankin here rose and addressed the Chair as follows:—Mr. Speaker, as one of the oldest Members of the Assembly of New Brunswick I feel it a duty, and I have much pleasure in rising to express the entire satisfaction I feel in the judicious selection of advisers made by His Excellency in the reconstitution of the Executive Council, and I shall rejoice to find that with one accord this Assembly unite in support of such measures as the Government introduce, tending to promote harmony, tranquility, and prosperity throughout the Province.

There was too great a tendency to interfere

The Head Quarters.

There was an excellent medical school, conducted by men eminent in their profession, and at New York, Boston, or nearer home still, in Maine, young men were educated, and received their Diplomas from Colleges established under the laws of the different States in which they are situated.

Ms. Eno objected to the Bill, saying that the United States was not the place to which the people of this loyal Colony ought to turn their eyes for an education for their children.

We fully participate in the regret expressed by Your Excellency, on the unsatisfactory termination of the negotiation for defining the boundary between this Province and Canada.

It will be our most anxious desire to address ourselves to the business of the Session, with the unanimity and public spirit the interesting and important matters referred to by Your Excellency so evidently demand; and we trust that the business arising from Institutions so true and so peacefully enjoyed by this Province, and so peacefully enjoyed by the British Empire, may continue to be cherished by Her Majesty's devoted and attached people, and under Divine Providence, transmitted unimpaired, to the remotest generations.

Mr. President and Honorable Gentlemen, I receive with great satisfaction your dutiful and liberal address.

From your devotion to the Public Interests, I anticipate the application of your zealous efforts to the attainment of a prosperous and honorable issue to the Session.

ADDRESS OF THE HOUSE OF ASSEMBLY IN ANSWER TO HIS EXCELLENCY'S SPEECH.

To His Excellency Sir William Melville, Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

THE HONORABLE ADDRESS OF THE HOUSE OF ASSEMBLY.

May it please Your Excellency, The Representatives of Her Majesty's loyal People of Nova Scotia, beg to offer you their thanks for the Speech delivered at the opening of the present Session.

It is gratifying to learn that no public emergency has required Your Excellency to convene the Legislature before the usual time of the year; and that although the failure of the Potato Crop must be sorely felt in some parts of the Province, yet the Harvest having been generally favourable in other respects, and there being a prospect of continued and profitable employment for all classes of the people, actual distress, during the ensuing Summer, may, under Divine Providence, be in a great measure averted.

The Fisheries, under due protection and encouragement, will constitute at all times a fruitful source of Provincial as well as National prosperity; and it is highly satisfactory to Her Majesty's faithful subjects to be assured that the representations made to Her Majesty's Government have been successful in preventing any further extension of the privileges sought for by the United States.

And defects which have become manifest in the Criminal Laws, the Election Laws, in the Act for the settlement of Indian Reserves, shall be daily considered, with a view to their removal and amendment.

The communication to convey to us the views of the House Government in respect to the Act of the last Session, for the regulation of King's College, shall receive our earliest attention; and we assure Your Excellency, that our concurrence and support shall be most cordially given to any measure which may render the usefulness of that Institution in some degree commensurate with its magnificent endowment.

We shall be happy to receive any information by means of which the acknowledged defects of the Parish School System may be amended.

The Reports connected with the erection of a Provincial Lunatic Asylum, and improvements in the Provincial Penitentiary, shall receive due attention.

Prepared to extend every encouragement to any undertaking which may reasonably be expected to communicate an impulse to the settlement of the Province and the development of its resources, the construction of a Railway, in lieu of a Military Road, through the country, shall meet that attention which is justly due to an object of such great National importance.

The eminent success which has attended those Legislative measures adopted for the restoration of Public Credit, and the removal of Financial embarrassment, is highly gratifying; and we beg leave to assure Your Excellency, that our concurrence and support shall be most cordially given to any measure which may render the usefulness of that Institution in some degree commensurate with its magnificent endowment.

We shall be happy to receive a copy of the Report of the Commissioners appointed to carry into effect the Fourth Article of the Treaty of Washington.

We had indulged strong hopes that a satisfactory arrangement with the Government of Canada for defining the Boundary between New Brunswick and that Province would have been long since effected; and we unite with Your Excellency in regret that this question should still remain unsettled.

While we entertain no doubt that the just claims of this Colony will be properly regarded by Her Majesty's Government, we beg to assure Your Excellency that nothing shall be omitted on our part to sustain our right to the Territory in dispute, trusting that no occurrence may interrupt the jurisdiction at present exercised over it.

Our regard as well for the interests of our Constituents, as for our position as a Colony of the Empire, insure our application to Public Business; and we cordially respond to Your Excellency's expression of a hope that the People of this loyal Province may ever continue steadfast in the peaceful and unimpaired possession of those Constitutional blessings, to which, as British Subjects, they are justly entitled, and which they have always cherished and appreciated.

COMMUNICATIONS.

REPLY. Mr. Speaker and Gentlemen, I return you my sincere acknowledgments for your dutiful and loyal Address.

I confidently hope, through your united exertions, that the business of the Session may be conducted to an honourable and satisfactory termination.

THE JOURNEY OF JACOB HARBURCK AND HOGGIANA.

An ancient ballad, showing how valiantly Jacob Harburck and Hoggiana, and how merely he admitted himself to his object, a right pleasant story, with an apt moral for those who may be skilled thereon.

In eighteen hundred forty-three, right valiantly I went, Afoot and on horse back, two doughty Knights between; Most venturesome and courteous between them both, were they.

As he rode forth on his way, 'twas tawny and the post, Aye, valiantly the nick-name rolled from each prodigious tongue.

As though that member were in each, on some loose handkerchief called out, "Yaggon, "low fellow," and "what not."

And as they were long or hard, as Jacob told I wot, And Hoggiana did I wot, as vengeance gave him speed, And ever and anon after him, on scandal, his good Nor breath his fierce Diabolical, but onward "rode strong."

Till to a forest "terrible King," his best and horse and gun.

Then Hoggiana, bowed his eye and joined his heart to Jacob's.

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welfare of the Province, and at the very basis of good government.

In the meantime, let the People imitate the temper of the House; reserve the discussion of theories and principles till needed, and urgent business is first completed and then, with firmness and temper, enquire whether the history of 1845 is not full of incentives to a more homogeneous, systematic, and efficient Government.

The office of an Executive Councillor, as our Government is now ordered, is onerous and unprofitable; grieved with responsibility, yet possessing none of the blandishments which make power amiable.

While the Council must answer for the efficient working of the Government, the Departments are all but independent of it, and interested to support it by bond of sympathies which in Britain and Canada secure the united action of the whole Government.

As far as we may, without compromise, we will cheerfully aid the present Government, in obtaining for the Province the important benefits of its wretched Legislation.

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Both these Journals are out upon us, in great style. One the *Legist* has got a *Link* which he will most assuredly by on—Another is to make us dance to the tune of the "illustrious Cow which had no horns." Perhaps the pigs had better practice the tune before the poor Cow, he called into requisition.

The Editor of the *Reporter* says that a *Reporter* should be a man of no *Politics* and belonging to no party. If that be the case he is one of the best alive.

IN THE SUPREME COURT.

HILARY TERM, NEW BRUNSWICK, 1846.

Charles A. Hart, Aetna L. Palmer, James Steadman, Gabriel DeVeter, James O'Neil, and Stephen DeVeter, Plaintiffs, against Thomas J. Hanfield, Defendant.

George Hare, Samuel Robert Thomson, Albert Theophilus DesBrosses, M. Allen, Geo. Bichel, Thomas B. Moore, and Wm. Gillies, Defendants, against the said Plaintiffs.

ARREST OF THE MONTREAL BANK ROBBERS.—Officer Wm. H. Stephens, succeeded yesterday in arresting Joseph Piddler Ready, singly yesterday in both streets near St. Patrick's Church, and in the street of the Branch Bank of British North America, near the corner of the street.

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Governor, to be transmitted by him to the Governor General and the Lieutenant Governor of New Brunswick, soliciting from the Legislature of those Provinces their combined aid and operation to effect this great undertaking, to appropriate such lands as they may have under their control to assist in the construction, and to appoint each two Delegates, to act with the Delegates to be named and appointed by this House, to obtain the aid and sanction of the government, and to form a company or the completion of such undertaking, duly incorporated under and by virtue of an Act of the Imperial Parliament.

Resolved.—That an humble address be also prepared and presented to the Crown, praying that Her Majesty may be pleased to make application through the proper and legitimate channels to the Imperial Parliament, or to direct the other proper authorities, to devote the funds intended to be applied to the promotion of a military road from Halifax to Quebec to this enterprise; and also to grant to such Company, free of all charges, all the lands situated in this Province, belonging to the Crown, through which such Railway may pass, and required by said Company for the laying of such Railways, and for the formation of Stations and other necessary appurtenances; and also the right of taking from other Crown Lands, wherever situated, free of charge, all timber, wood, stones, and other materials necessary for the completion of the same, and to be used in the construction thereof, it being contemplated in lieu of such appropriation, and grant, that said Company will give sufficient security for the safe transmission upon such Railway of the mails, troops and military stores at all future times, and subject to such regulations as may be hereafter agreed upon.

Resolved further.—That Her Majesty may be requested, by and with the full concurrence of this House, for as such concurrence may be required, to give and grant to such Company, on such terms and conditions as may be hereafter agreed upon—all such vacant lands situate in this Province as may be requisite, or can be made available for raising the capital required for the completion of said undertaking, provided always that the said do not exceed of Acres; and provided further said Company be required to adopt effective measures to put the same into the British Empire at a moderate scale of prices, and to promote by emigration or otherwise a beneficial and early settlement thereof.

Resolved, That this House do hereby grant and appropriate, on the said Company being formed, and for necessary capital being raised and secured, and said Railway being begun, out of the public funds of this Province, the sum of £20,000 to be paid to said Company in annual instalments of £2,000 each, to enable said Company to complete the said Railway, to be paid to the said Company, until said Railway is completed, to pay to the Stockholders thereof an interest of four per cent on the capital expended in the laying of such Railway, provided always, that such sum shall not be paid until the whole capital required for the said Railway be raised by said Company, and security given that the same will be completed in years from the time of the formation of said Company; and provided further, that said instalments will only be drawn from the Provincial Treasury in whole or in part to pay as aforesaid, the said interest of four per cent on the said capital, after the full net receipts derived from the said Railway have been first appropriated to the payment of such interest.

Resolved further.—That two Delegates be nominated by this House to proceed to London, after the Legislature of New Brunswick and Canada have passed such acts, and granted such lands, and afforded such aid from their funds respectively as they may deem expedient, to meet and act with the other Delegates (nominated and appointed by them respectively, and by combined and vigorous action to apply for the aid and assistance of the Imperial Government, to incorporate said Company in London, in order to raise the capital required, and to apply for and obtain an Act of the Imperial Parliament to incorporate said Company, investing them with all the necessary powers and privileges to facilitate the successful operations of said Company and to promote such plan of emigration; and that such Delegates be invested with such full and ample discretionary power and authority as may enable them to effect the object this House has in view, and to meet the exigencies which will necessarily arise in the arrangement of a project involving so many great public interests.

Resolved further.—That in the Address to be prepared and transmitted to the Crown, Her Majesty be humbly requested, by and through the assistance of Her Majesty's proper Officers and Agents, competent to the performance of such duty, to aid the Legislatures of these three Provinces and the projectors of said Company to obtain an Act of the Imperial Parliament, hereinafter referred to, with all reasonable expedition so that this great work may be commenced and finished in the earliest possible time.

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