

peace, welfare, and good government of the Province, conformably to the Act of the British Parliament, under which it is constituted and assembled, that its Speaker be a person of his free choice, independent of the will and pleasure of the person entrusted by His Majesty, with the administration of the local government for the time being.

2. That Louis Joseph Papineau, Esq., one of the Members of this House, who has served as Speaker in six successive Parliaments, has been duly chosen by this House to be its Speaker in the present Parliament.

3. That the Act of the British Parliament under which this House is constituted and assembled, does not require the approval of such person so chosen as Speaker, by the person administering the government of this Province in the name of His Majesty.

4. That the presenting of the person so elected as Speaker, to the King's Representative for approval, is founded on usage only, and that such approval is and has been a matter of course.

5. That this House doth persist in its choice, and that the said Louis Joseph Papineau, Esquire, ought to be and is its Speaker.

After some desultory discussion,

On Motion of Dr. Labrie, seconded by Mr. Ogden, the House was adjourned till Thursday at 10 o'clock, A. M.

THURSDAY, 22d, 10, A. M.

The first of the above Motions was taken into consideration, and, after some debate, Mr. Solicitor General moved the previous question: Shall the question be now put? Upon which the House divided—Yeas 41. Nays, 4; names being called for, they were taken down:

Nays, Messrs. Ogden, Christie, Young and Stuart.

Mr. Solicitor General also moved the previous question upon the subsequent resolutions, which was carried, and also the main question, in favour of each of the resolutions, by the same division.

Upon the fifth resolution being passed, Mr. Papineau was again conducted to the Chair as Speaker, and Messrs. Solicitor General, Young, Christie and Stuart retired.

Mr. Vallieres then moved an humble Address to His Excellency the Governor in Chief, nearly in the terms in the Commons' Journal, in the Case of Seymour, refused as Speaker in the Reign of Charles II., which Address was agreed to unanimously, and the Messengers named. The House then adjourned to 10 A. M. to-morrow.

[From Nelson's Gazette.]

SKETCH OF THE DEBATES, in the Assembly, respecting the resolutions on the rejection, by Lord Dalhousie, of Mr. Papineau, as Speaker of the Assembly. Mr. Cuvillier, on moving the Resolutions explained them, and stated that the approbation of the Speaker by the Crown, in the practice of the Constitution, was a matter of mere form. In point of fact this prerogative right had only been exercised twice in Great Britain: once under the Tudors in 1450, and another time in 1678, in the case of Mr. Seymour; and these were in extraordinary times.

Mr. Vallieres said that if the prerogative of the Crown could be legally exercised, he would prefer death rather than see it; on the contrary, if the privilege of the house was in accordance with law he would prefer dying rather than preserve it. It was evident that the house only had a right to elect. The prerogative had been exercised only twice; and the last time, in 1678, after the revolution, at a period when

the rights of the people were more clearly recognized, it was then doubted whether the King could exercise the prerogative in question; it was certain it had not been exercised since that time. The objection in the latter case to the Speaker was, that he had not been proposed by one of the Privy Council, and the English Commons the same cases, it would be said, "cannot be who is asked to approve, refuse his approbation?" Yes, certainly; yet when we ask of the executive, at the opening of each parliament, the freedom of debate and the maintenance of our birthrights, has the executive the right to refuse us them; and would not the Commons of England think its privileges infringed if the King refused it the freedom of debate? The Assembly, in presenting to the Crown their Speaker elect, do nothing more than inform it that such a member is the person chosen as the organ of intercourse with the other branches. If one Speaker can be refused, fifty can also. The House might be annihilated at the wish of the Crown, its proceedings stopped, and its remonstrances stifled. A precedent of Nova Scotia had been invoked, but the Commons of that Colony had made an extraordinary sacrifice, which it must atone for to posterity.

Mr. Solicitor General said, that on the one hand the right in the Assembly to choose freely its Speaker could not be denied, but on the other the right to refuse him could also not be denied the crown; and privilege was as sacred as the other. Because the prerogative had not been exercised we could not infer that there were doubts as to its existence. If it had not been exercised, it was because there had been no case demanding it: the crown always enjoyed it. So much was this the case, that Mr. Ouelow, in asking the crown another opportunity to choose a Speaker, had recognized before the Commons the legal existence of the prerogative in question.

Dr. Labrie alleged that the precedent cited in support of the conduct of the executive in refusing to sanction the Speaker bore no analogy to the present case. As regarded the precedent in Nova Scotia, he was not of opinion that the Assembly should be guided by precedents of Colonies, less advanced perhaps than ourselves in the practice of their rights. He had learned of proceedings in Upper-Canada, during last year, which he would be very sorry to see followed in this Province.

THE Ship WILLIAM PITT, will leave St. John in the course of a few weeks direct for

BELFAST,

to return in the Spring with Passengers. Persons residing in this Province wishing to have their friends brought out, will please apply at the store of WILLIAM P. SCOTT St. John, or at the store of JEDERIAH SEASON, Fredericton, or at Mr. KELLY's at Peticodiac, where every information can be obtained. The Vessel is now on her third Voyage and well adapted for passengers.

St. John, December 10, 1827.

LEFT

AT the Store of the Subscriber, a box containing Starch, Marked, D, 10 No. 105.

P. FISHER.

MISSING, 1 Box of Dips Candies.

Who has them?

Fredericton, Dec. 17, 1827.

RAGS! RAGS!

CASH GIVEN FOR CLEAN LINEN AND COTTON RAGS AT THIS OFFICE

STATE OF THE WEATHER NEAR FREDERICTON.

Table with columns: THERMOMETER (above, below), Wind, Weather, Remarks. Data for Dec 11-24, 1827.

NEW GOODS.

The subscribers have just received per Ship Marchioness of Queensbury from Liverpool, and Ward from London, a handsome assortment of British Merchandize, among which are the following, viz:—

INDIA and Shirting Cottons, unbleached do. do., 4 4 and 6 4 plain and scoured Shirting, 38 In. Irish, do. checked, Dowlas, Fustian, Maleskin, Black Striped Russels for Pantaloon, Brown Russia Drill, fashionable striped Jean, Buff and White, do., Green, straw coloured and white Persian, Elastic Book Muslin, figured and plain, 13 pss. Muslin Trimming assorted, Ladies sew'd Collars, and Book Muslin Frills, Green, Black, and White Crapes, Canton Crapes Dresses, Ladies White Cotton Stockings, Maids do. do., Childrens do. do., Gentlemen's Coloured & White Cotton Socks, Diaper, Brown Holland, Ravens Duck, Osnaburgh, Canvas, Padding, Gentlemen's Linens Wool Drawers, Tapes, Thread and Cotton Balls, silk & Cotton Handkerchiefs, White Stay Binding, London Mixed Pins, Sewing Silk, Black and Blue Florentine Buttons, Suspensors, Womens Black Worsted, H. S. Summer Slips Assorted, Casks 4d. 6d. 10d. and 20d fine Rose Nails, 7 9. 8 10 and 10-12 Window Glass, Case Iron Pots & Bake Ovens, Tea Kettles and Saucepans, London Mould and Dipped Candies, Boxes Soap, English & Swedes Iron, German & Blister'd Steel, 1 Hhd. Assorted Drapery, 1 crate Brown Jars from 1 to 3 Gallons, Beer and Ale Corks, which, with a number of other articles Imported this season and their former Stock on hand they will sell at the Lowest prices for Cash or short Credit, at their store in Queen-Street opposite the Officers Barracks.

FISHER, WALKER, & Co.

Fredericton, 5th June, 1827.

ON HAND, Jamaica Rum, Sugar molasses Best Cognac, Brandy, and Holland Gin.

The Subscriber requests all those indebted to him previous to the first of June last by Note or Book account, will settle their respective Balances with DAVID STRICKLAND without delay.

CHAS. D. EVERITT.

Oct. 2.

NOTICE

It is hereby given that the Co partnership which existed under the firm of Samuel Nevers & Co. is this day dissolved by mutual consent; All persons having demands against said firm are requested to present the same for adjustment within six months from this date; and all those indebted are desired to make immediate payment to GEORGE NEVERS, or CHARLES HAZEN, who are duly authorized to settle all accounts in favor or against the said firm. Burton, July 31, 1827.

HOUSE TO RENT.

The pleasantly situated House, nearly opposite Capt. MACLAUGHLAN'S, King-Street. Has ten Rooms, and two Cellar Kitchens, good Garden, &c. to Rent for one or more years.

Enquire of D. BRADY, or B. CARROLL, Fredericton. 23d April, 1827.

Post-Office, Fredericton, } November 19, 1827.

Public Notice is given, that at or Wednesday next, the Mails for Halifax, St. John, & C., which have heretofore left this Office on Wednesday, will in future be dispatched at 5 o'clock on Tuesday Evening; and it is requested that all Letters, intended to be forwarded by this day's Mail, will be entered by 4 o'clock.

Wm. B. P. MAIR Post Master.

All Persons indebted to CHRIST CHURCH, Fredericton, for PEW or LAND RENT, will please to take notice, that except their arrearages are paid up without delay, the Corporation of the said Church will be under the necessity of proceeding against them agreeable to the tenor of their Leases.

Fredericton, 27th Sept. 1827.

TO SALE.

A VALUABLE building Lot in the Town Place of Fredericton. Likewise to lease, a House and Premises, the title of JOHN BLAIR.

A FEW REAMS of FOLIO POST, for sale at this office, for cost and charges.