

Mr. NEILSON continues... "His Excellency has refused to receive the address, contrary to that precedent" (Sir Edward Seymour's), "and prorogued the House." It would surprise us indeed, if we did not know the man, how boldly he cites authority which makes against him. Yet this person does not hesitate to use the epithet "false," in reference to our statements! Is he callous to the opinion of reasonable men, when he dares to make a charge of this kind? Who would not imagine that KING CHARLES had received the address of the House graciously, for that is meant to be conveyed by the words "receiving the Address?" Who would suppose even that he had prorogued the House? For the information of those whom Mr. NEILSON endeavours to deceive, we give from GREY the words in which this gracious answer of KING CHARLES was couched: perhaps we may indulge some little regret that the GOVERNOR IN CHIEF did not, to the letter, follow a precedent so agreeable to Mr. NEILSON:—

"Ordered, that Mr. Noel, Mr. Powle, Lord Cavendish, Lord Rossel, Sir Robert Carr, and Sir John Eynly, do wait upon His Majesty with the said Representation."

"Who being returned, Mr. Powle reports His Majesty's answer; which was to this effect;

"Gentlemen,
"All this is but loss of time, and therefore I command you to go back to your House, and do as I have directed you."

What can be more absolutely ridiculous than this fondness of Mr. NEILSON for the precedent! Any sensible person would see that the GOVERNOR IN CHIEF avoided returning such an answer, having the precedent before him. The answer was called at the time "a rough one," as truly we think it was; but it is now made a charge against HIS EXCELLENCY, that he did not receive the address, and according to precedent, return a similar gracious answer.

Whether the "whole Legislative business of the country" has been "suspended in consequence" of any improper act on the part of the GOVERNOR, or on the part of the Assembly, can be decided by the judiciary only. To that portion of the Province, which we would were larger, we confidently look for an answer. We know it is the most respectable, and we are glad to find its sentiments so powerfully expressed as they are in the MONTREAL ADDRESS.

The NOVA SCOTIA precedent is very tardily admitted to be in our favor. But then it is from NOVA SCOTIA! For our parts, we do not readily perceive where is the distance which throws that Province so far into the shade, when compared with this. This may be more favored by nature, and by the fostering care of the Mother Country, but whether that favor has been well or ill bestowed, must appear from the filial conduct of the respective Provinces, and from a comparison of the advancement in moral and political education and knowledge, which they have individually made, or are likely to make for the future.

Having thus noticed the misrepresentations of Mr. NEILSON, we beg to draw the attention of our Readers to the following Authorities. It will be perceived that in 1704, Governor DUDLEY of MASSACHUSETTS, asserted the QUEEN'S PREROGATIVE, which, however, he wavered, in consequence of the Indian-French wars, "saving the Queen's just rights." His conduct in that matter was approved by the Commissioners of Trade and Plantations under whose official department the Colo-

nies then came. This is a material circumstance, as it shows the opinion of the Ministers of the Crown, immediately after the Revolution, while the memory of that event was fresh, and popular rights were therefore less likely to be invaded. Governor SHUTE in 1720, followed the same precedent under similar circumstances, only carrying into effect the necessary consequence of the conduct of the Assembly, namely prorogation, which the circumstances of the times rendered inexpedient in the former instance. We cannot do our Readers any injury, if we extract from HUTCHINSON, the Historian of MASSACHUSETTS, the following passage, unfortunately as applicable at the present day as it was in 1720. "In our Mother Country, when disputes arise between the branches of the Legislature upon their respective rights, parties are formed, and the body of the people are divided; for in a well constituted Government it is of importance to the people that the share even of the popular branch of the constitution should not be unduly raised to the suppression of the monarchical or aristocratical parts. From a regard to the common interest, therefore, in a dispute concerning prerogative and privilege, the people ordinarily are divided in sentiment. The reason is obvious why it is less frequently so in a colony. There, the people in general consider the prerogative as an interest, without them separate and distinct from the interior interest of the colony. This takes their attention from the just proportion of weight due to each branch in the constitution, and causes a bias in favour of the popular part. For the same reason, men fond of popular applause are more sure of success, with less degree of art, in a colony than in a state, not so connected; and consequently men who, with unbiassed judgment discern, and have virtue enough to pursue the real interest of their country, are more likely to be reproached and vilified." There is undoubtedly much truth in the above remarks; and it is felt disadvantageously in the present political state of this Province, where the popular branch is seeking to acquire unconstitutional preponderance.

FURTHER AUTHORITIES.

"The Commons being returned to their House, in obedience to the Royal command, choose their speaker, who is generally one recommended by the Sovereign. For though they have a right to choose a speaker, who is their mouth, and trusted by them, and so necessary that the House of Commons cannot sit without him, the King has a right to disallow or to refuse him, after he is chosen." (British Constitution vol. 2. p. 61.)

FROM THE ANNUAL REGISTER.

"Charles-Town, South Carolina, January 12th, 1773.—Wednesday last, the new Commons House of Assembly of this Province, met at the State House in this Town, when the Honourable Rawlins Lewndes was again unanimously chosen Speaker, and presented to His Excellency the Governor, who disapproved of their choice, and directed the Members to return, and make choice of another; but the House unanimously adhering to their choice, His Excellency on Saturday last, by a Message, prorogued the general assembly to Monday the 15th February next."

FROM HUTCHINSON'S HISTORY OF MASSACHUSETTS.

[1704] "Mr. Oakes, being chosen Speaker of the House, upon the Governor's being acquainted therewith, he signified to the House, that he disapproved

their choice, and directed them to proceed to the choice of another, which they refused to do."—"The next day, the Governor declared, that he looked upon it to be Her Majesty's Prerogative to allow or disallow the choice of a Speaker; but he would not delay the Assembly by disputes, when the affairs of the War were so pressing, saving to her Majesty her just rights at all times."

FROM THE SAME.

[1720] "Upon the Governor's telling their Committee, who carried up the Message, that no election (of councillors) should be made until he was acquainted who was chosen Speaker, the House sent a new Committee to acquaint him with the choice they had made. The Governor replied to this Committee, that Mr. Cooke had treated him ill as the King's Governor; and therefore, according to the power given him by the Royal Charter, he negatived the choice, and desired they would proceed to choose another person. They sent back their answer that they had chosen a Speaker, according to their known and legal privileges, and therefore insisted upon the choice."—"The Governor told the Committee, that he had received a Message from the House, acquainting him with the choice they had made of a Speaker, which choice had been negatived, and he was no Speaker."—"The Governor charged the Secretary with the following Message to the House:—

"His Excellency orders me to acquaint you, that he is informed that Governor Dudley did at the time of his Government disallow of a Speaker chosen by the House, and that his proceedings therein were approved by the commissioners of trade and plantations, and that he was thereupon directed by the said commissioners to acquaint the council, that it would not be thought fit that her Majesty's right of having a negative upon the choice of a Speaker be given up, which was reserved to her Majesty, as will by the Charter, as by the Constitution of England."

"The Governor gave them no opportunity to proceed on any other business, for the next day he sent for them up again, and after another short speech dissolved the Court."

Gentlemen,

"Out of a tender regard I have for the welfare of this Province, I shall give you the following advice before we part; that when it shall please God we meet again in a general assembly, which shall be as soon as possible, you will not let this Province suffer by the perverse temper of a particular person, but that you shall choose one for a Speaker that has no other view but that of the public good, one that fears God and honours the King. It is irksome and disagreeable to me to dissolve an Assembly, but as matters now stand I am forced to do it, or must give up the King (my master's) Prerogatives, which nothing shall ever oblige me to do, who am the King's Governor. Gentlemen, I do not think it for the honor of His Majesty's Government that the Assembly should sit any longer, and therefore I shall dissolve you."

"Writs were issued for a new Assembly. The Governor had no great reason to hope for a more favourable House."—"The Towns in general sent the former Members."—"The House was willing to sit and do business, which the choice of the former Speaker would have prevented."—"They therefore pitched upon a person less attached to party, to whom no exception was taken."

BY TOWN.

We are indebted to a correspondent for the following description of this thriving city, which is not yet a year old.

This Town is situated on the south bank of the River Ottawa, Upper Canada, latitude 45° 30' north—longitude 77° 20' west,—about 150 miles from Kingston, and about 130 from Montreal; about 250 from Lake Simcoe, and 350 from Lake Huron. It is bounded at present, on the east, by the River Rideau, which there falls into the Ottawa by a fall of 37 feet perpendicular. This fall is extremely beautiful, similar to a gorgeous CURTAIN, hence the French name of the river. To the south, the town is bounded by a mountainous ridge, through which nature has formed a notch for the Rideau Canal to pass. On the west, the town will be bounded by the branch Canal from the Lake of the Chaudiere, Ottawa River, which will form a junction with the Rideau Canal in Dow's Great Swamp, where a natural reservoir will be of 250 acres, to be used as a timber pond. On the north rolls the grand River or Ottawa, with its splendid falls of Chaudiere 32 feet high. Above the falls, the river is about a mile broad, shallow, and strewn with islands; beneath, it is about three quarters of a mile, and so deep that in many places it is quite unfathomable.

The Rideau Canal, when finished, will pass through the centre of the town, over which, at that place, a beautiful stone bridge is building.

The banks of the Ottawa River, on the Bytown side, are extremely bold and steep, but cleft by a beautiful ravine called Entrance Valley. Up this valley from the bay below comes the Rideau Canal, lifted by eight stone locks, of 10 feet lift each, connected together. This work, when finished will form a beautiful piece of heavy masonry. At the head of the valley, which is 80 feet above the level of the river, is an extensive Beaver meadow, which will answer as a large dock to the town. On the east side of the above valley, the town is rapidly extending...the site of which is about 60 feet above the river. The west or, as it is termed, Upper Bytown, is about 150 above the River, commanding a most extensive prospect. The Cape, on which the military barracks and hospital are built, is about 200 feet above the river. This may easily be made one of the most important fortresses in the world. This town has made astonishing progress in the course of one year...before then, a complete wilderness, now it can boast 2,000 inhabitants, many excellent stone and timber built houses, a market-place, School, catholic and methodist meeting-houses, &c. while an English and Scotch church are in progress.

Over the Falls of Chaudiere a chain of bridging has been thrown, connecting Upper and Lower Canada, at the same time Bytown and Hull. Hull is a township much improved by Philemon Wright, Esquire, and Wright's Town on the Falls is an improvement to the scene. Looking, therefore, at Bytown in its present crude state, who can think otherwise but that it is some day or other to form a most important station in Canada. Situated as it is in the bosom of a fertile country, in the focus of rivers and canals, at the same time fortified and embellished by nature, to it may the trade of Canada centre, even its extensive Fur trade, and even the trade, of extensive nature, may arise of itself; for the mines of iron, tin, marble and lead, &c., quite beside it, may further furnish plenty of raw materials for manufactures, while the great trade of red pine and oak staves on the Ottawa will doubtless add busle and business to