

with drawn swords, ran furiously towards the Governor's palace, filling the air with loud cries of vengeance. "Long live the King!—Perish the tyrant Pizarro!" and similar exclamations were fearfully vociferated; and the dismal clamour served as a signal for the rest of the conspirators to hold themselves ready in arms, at the different stations assigned to them. Pizarro had just risen from table, and was in friendly converse with some of his principal adherents, when he was startled by these alarming sounds. Presently some Indians came running into the apartment, in the greatest terror and dismay, and related to the Governor that a crowd of armed men were advancing towards the palace with hostile intentions. Pizarro heard this intelligence, without evincing the least symptom of fear or confusion. Though aware of his eminent danger, his haughty and resolute mind appeared as collected as if he were at the head of a numerous army, and beyond the power of his enemies. He called for his arms without the least emotion; and hearing the conspirators already at the outer door, ordered Francisco de Chaves, one of his principal captains, to go and secure it.

In the confusion of the moment, and perhaps supposing that the clamour originated in some quarrel, and that the conspirators could not contemplate so horrid an act as the murder of the Governor, Chaves, instead of obeying, stood on the top of the staircase, and in an imperious tone of voice, demanded what they wanted, and what they meant by their disorderly conduct. Instead of an answer, he received a blow from the foremost of the conspirators, and before he had time to provide for his defence, the rest of the party fell upon him, and despatched him in a moment. The greatest confusion now prevailed in the palace. Many of the domestics, considering every thing lost, threw themselves out of the windows; others hurried to places of concealment; and Pizarro was left with his half-brother, Francisco de Alcantara, and a few devoted friends, to meet his doom. The Governor, nothing daunted by his frightful situation, and resolved to make a desperate defence, fiercely grasped his sword, and placed himself supported by his brother, at the entrance of the apartment. The conspirators rushed forward, with an overwhelming and irresistible force, and a conflict began between the two parties. Though the combat was so immeasurably unequal, it was carried on with astonishing resolution and animosity by the friends of the Governor. Pizarro himself behaved in a gallant manner, and worthy of a better fate. Fired with rage and indignation, he constantly cried out, 'Courage my good friends, courage! despite of such unequal numbers, we shall yet make these traitors and rebels repent of their treachery!'

The door was absolutely defended for some time. The conspirators were protected by their armour, while Pizarro and his party, thus unexpectedly surprised, had not been able to provide a similar defence. At length Alcantara fell dead at his brother's feet; and although his place was immediately occupied by another, Pizarro was compelled to retreat into the apartment. Here he continued to defend himself, though he perceived that almost all his friends were stretched on the ground, either dead or mortally wounded. At last he remained alone, and was immediately surrounded by his enemies, who rushed upon him with ruthless animosity. Human power could withstand no longer. Overwhelmed by fatigue, panting through loss of blood, the dauntless Pizarro fell, covered with wounds, and in a few seconds expired.

A shout of barbarous exultation proclaimed the fate of the Governor, and new crowds flocked to the palace. This was immediately given up to be plundered, as were the houses of his principal adherents. Not a particle of the great wealth which those places contained was left in them. Indeed, nothing remained to defray the expenses of the Governor's burial; and the body of that man, who had so lately been considered little less than a powerful and wealthy prince, was now literally dragged to the church by some black slaves, no other person of any note daring to compromise themselves, by showing the least regard to the deceased. At length, one of his domestics named Barbaran, with the assistance of his wife, consigned Pizarro and Alcantara to the earth in a hasty manner, being informed that some of the other party had it in

contemplation to cut off the head off the Governor, and place it on a gibbet.

This striking passage is calculated to convey a favourable impression of Don Treuba's powers for description. His industry seems to be equally great, though we find him rather enthusiastic on the side of his countrymen. The style of the book seems over-laboured; but it is wonderfully correct, and in very few places marked by foreign idioms. It is an interesting addition to the Miscellany, and assuredly fills a blank in historical literature. The volume is illustrated by a neat vignette and the typography does credit to the press of Mr. Hutchison.

AMERICA.

New-Brunswick.

HOUSE OF ASSEMBLY, FREDERICTON;

Thursday, February 17.

Mr. Partelow, Chairman of the Committee on the Treasurer's Accounts, submitted to the house a long and interesting report on said Accounts: after reading which, the hon. gentleman observed; that, in the detail, he had deviated from the beaten path which had been introduced at an early day in the house, which had been followed up by other Committees successively, and which, doubtless, had answered every purpose, while the provincial accounts were but few in number, but would be found entirely ambiguous in the present day. The present report, he trusted, would be found to be clear and comprehensive. It had met with the fullest approbation from the other Members of the Committee, and he hoped, therefore, the house would receive it as an improvement.

On the presentation of the above mentioned report, a high compliment was paid by several hon. Members to the Committee, and especially to the hon. Chairman for the ability displayed in the arrangement and execution of the report. Those gentlemen pronounced it the most able and satisfactory that had ever been presented to the house.—Report ordered to be printed.

The House went into Committee of the whole, in consideration of the Bill for providing for the expenses of the Judges, &c.

Mr. Weldon briefly advocated the Bill. Mr. Simonds was not at present prepared to consent to the continuance of this act, for many reasons. The exertions now making by the mother country, to simplify and lessen the expense of the law, rendered it necessary that this Province should follow her example. He Mr. S. would move for the postponement of the bill for a few days.

Mr. Allen concurred. Possibly, in the mean time his Honor might receive some information from England, as to the disposal of the civil list, which might be laid before the house. It would not be advisable to hurry the business.

Mr. Chandler had no objection; but he submitted the propriety of continuing this bill in its present shape for a year or two. The present Lord Chancellor of England had taken great pains to simplify the law; and when that desirable object should be effected, it would undoubtedly be advisable to adopt it in this country.

Mr. Cunard said, it would be far from him to oppose the postponement of the rejection of this bill for a short and reasonable time; but he rejoined the hon. member for Westmorland had pledged himself to lend a hand to the correcting or regulating fees and other law expenses in due time. This was a subject he would rejoice to see brought before the House.

Mr. Simonds observed, that he believed the Chief Justice of the Supreme Court at present received from the casual revenue, the sum of £100 sterling per annum, which, with the allowance by the act, made his whole stipend from the public funds £850 sterling. The assistant judges, he believed, each received from the casual revenue, yearly, £275 sterling, making their total share of the public funds, each £650 sterling. These were very large sums when reduced to the currency of the province. The question, therefore, was, whether these sums were not sufficient allowance to render the judges respectable and independent. He would be very willing to give them a liberal salary, if they merely filled the office of Judges, and were unconnected with political subjects. But the judges do not confine themselves to their own official duties. They are members of the Privy Council of the Province, and also of the Legislative Council. They thus possess a tremendous and totally unconstitutional power; a power which has been generally reprobated in England. Their official station also gave them very considerable patronage, which is equivalent in estimation to a further degree of salary. Perhaps, then, the Judges would rather wish to retrieve this patronage with a less salary; than to enjoy the larger salary, and be deprived of their patronage. The immense combination of powers now possessed by the judges, ought not to exist in any free country. They unite in themselves three distinct powers. While this state of things exists, he could not vote for any increase of salary. If the privy and legislative councils should be reformed, and the Judges should retire from their seats in those Councils, then he would be for giving them a very liberal salary. But the house before granting that liberal allowance, must take care that the Judges do not exercise functions not belonging to them. It might be very dangerous to invest Judges with such extraordinary powers. There might be no evil arising from it, during the lives of the present Judges, who were well known to be disposed to exercise every power they possessed in the most beneficial manner; but they are mortal, and may be succeeded by others, not so well disposed as themselves, and who might therefore, cause much evil. It had been held, that "money is power." If therefore, the house gave the Judges more money, it would, in effect, give them an increase of power. The allowing Judges political power, would necessarily make them sometimes members of parties. Hence, it might possibly happen that the judges might be seen canvassing through the country, for the purpose of effecting some particular party object. Such a thing ought never to exist in a British colony. I

could not exist in England. Doubts had some years ago arisen on the subject there, and it had been, and now is the decided opinion of all the great statesmen of England, that a reform was necessary in this respect. The impropriety of judges holding political situations had been fully proved there. He would refer honorable members to these opinions, which might serve to guide them in considering the matter as it relates to their own country.

Mr. Cunard replied, that if the constitution was defective, the sooner it was altered, the better for the country. But because the judges exercised various functions, and discharged various duties, under the constitution, was that a reason why they should be paid less than the value of their exertions? He thought it should not make one iota of difference.

Mr. S. Humbert could not concur in what had fallen from the hon. member who had spoken last.—He was very sorry to see this bill brought forward. He thought it required great consideration. As to the contemplated reform of the whole law; it would require hon. members to think upon it, to pore upon it, to meditate upon it. It was no trifling question. He believed, the Lord Chancellor of England's plan of reform would be for some time merely an experiment in a few counties. [We could not distinctly catch some of the hon. member's subsequent observations.] Every man in this country must be thoroughly convinced, either from his own personal experience, or from a knowledge of its effects on others, that reform of the whole law is necessary. As to the judges: the question was, how much would be a sufficient allowance for them. Of all men, they most especially ought to be independent in every respect. In considering then, the question as to their salaries, it must be ascertained what they now get. Do they now get enough? He was not very well versed in this matter, but in his opinion, founded on what he had heard and seen in figures, they get at least £1000 per annum each, on an average. [We could not hear some observations of the honorable member.] If the Judges since the appropriation made for them by the law, out of the public revenue, have received a further sum from the casual revenue, he certainly could not support this bill; he never had been favourable to the Judge's bill. It had never been passed while he had formerly had the honor to sit in that House. It had only been passed after he had had the honor of retiring from it. But he was of the same opinion now as he had ever been. He now thought on consideration of the whole matter, that for the present, it ought to be postponed.—He would not say he should vote for it in some shape or other. But the house had better pause a little on the subject.

Mr. Weldon would not press the matter at present. The chairman left the chair, reported progress, and obtained leave to sit again.

The bill for facilitating the recovery of Seamen's wages was committed, progress made and reported, and leave granted for the committee to sit again.

Friday, Feb. 18.

Mr. Partelow presented a petition from Benj. L. Peters, Esq. praying that he might withdraw his former petition, for a scrutiny of the votes given for W. B. Kinnear, Esq. at the late election for the County of St. John. The House went into consideration of the petition, and, for the reasons therein stated, ordered the prayer of the petition to be complied with.

Mr. Partelow moved the order of the day; upon which the House went into a Committee of Supply.—Mr. J. Humbert in the chair.

The sum of £25 was agreed to, after some discussion, as the remuneration for the services of the Chaplain of the House of Assembly.

On the question, Mr. Scott said that he thought 20l. very good remuneration. No doubt, if the House could not afford to pay the Chaplain at all, the Rev. Gentleman would be quite disposed to render his services gratis, from the conviction that we ought to begin all our services with humility and with prayer. If any money was granted for this purpose, it should be 20l. and no more—by any means.—He (Mr. S.) wished he was as well paid for all that he did.

The following resolutions were then agreed to: The sum of 50l. and an allowance of 20s. per diem, during the session, to the Clerk of the Council.

To the Clerk of the House of Assembly, the sum of 200l. for his services during the session. [This item was made on the principle of an annual salary, instead of an allowance per diem.]

To the Clerk Assistant of the House of Assembly, the sum of 20s. per diem during the Session.

To the Sergeant at Arms of the Council, 20s. per diem during the Session.

To the Sergeant at Arms of Assembly, do.

To the Door-keepers attending the House of Assembly, each 12s. 6d. per diem.

To the Keeper of the Light House on Patridge Island, the sum of 100l. for his services during the year 1831.

To the Keeper of the Beacon Light in the harbour of St. John, a sum not exceeding 100l. for the year 1831.

Saturday, Feb. 19.

The House went into a Committee of the whole, in further consideration of the bill to extend the act for the encouragement of the Cod and Scale Fisheries.

[The debates which ensued, partake so much of the nature of those previously given, on the same subject, that we do not think it necessary to insert them.]

The bill was agreed, to with amendments, extending its provisions generally.

On the house dividing for the question, the names were called which were as follow:—

Yeas—Messrs Clinch, Hill, Dow, Brown, Wyer, Hayward, Miles, Slason, End, Chandler, Scott, S. Humbert, Cunard, Vail Smith, J. Humbert—16.

Nays—Mr. Speaker, Messrs Barlow, Ward, Partelow, and Weldon—5. Majority 11.

The bill to repeal the act for excluding certain persons from serving in the House of Assembly was recommitted, when an amendment was proposed by Mr. S. Humbert, and adopted by the committee. The amendment provides that no ordained or licensed clergyman or minister shall be allowed to sit in the House of Assembly; that an election of any such person shall be void; and that if any such person shall be elected, and shall sit in the House, he shall be liable to a fine of 50l. for every day he shall sit.

Bill agreed to with amendments.