is an iniquitous law. For my own part, if I had my will, I could not sleep another night without repealing it. The law has been already acted on with great reluctance. Laws should be respected and cheerfully acted on, nor executed with reluctance.

Mr End thought the bill of great importance. Much as he had often admired the principles, the sentiments, and the practice of the hon member who had just sat down, he confessed he could not see the use of such expressions as he (Mr H.) had just uttered.—Perfection could not be expected in any person, or in any law. He (Mr End) thought many amendments might be made in the old law, and some few in the later law. But the House should be very cautious in making such amendments. He would concur in some things which had fallen observed by the hon. member for St. John (Mr H.) had not in others. He did not think this law was founded in tyranny and oppression; though they were certainly some grievances in it. As to the recognizances required to be entered into by a petitioning candidate, and the oath that he was worth £400, he (Mr E.) thought this law very pernicious, and necessary to be repealed. It restrains the liberties of the people. He never was an advocate for making the qualification of candidates so very high; for the same reason that he advocated the payment of members, viz.—because he thought the people should not be compelled to choose rich men to represent them—they should have the liberty of choosing such men as they felt would be suitable, even though they were not members of the aristocracy. The House certainly did do away with the rights of the people, by making any law to secure election to rich men. This might and should be amended.—(The hon. member, we believe, alluded to the referring questions of qualifications of members to a select committee, and not termiaed by a committee of the whole house.—He did not think the mode of proceeding under the old law at all respectable or proper. A select committee could not swear witnesses. Who would be satisfied to have such questions settled by the evidence of witnesses, who would not be sworn? Certainly such persons should be sworn; but there was no provision for such purpose in the old law. The Colonial Granville act amended that.—He did not think that act could be amended, without throwing down the whole fabric.—As to female voters; women and infants in law certainly ought not to vote. The doctrine of such persons being incompetent, is well laid down in the general law. If, then, this is the written law, it ought to be strictly followed. It is manifestly improper for women to interfere in such matters. The law also is positive on the subject. He (Mr E.) therefore highly approved of the principle on which the word "male" is introduced into the present bill.—Another amendment requisite is, with regard to the oath to be administered to freeholders at the poll. It is certainly a direct assault on humanity and common sense, to oblige a man to swear as to his qualifications, without knowing what are the qualifications required by law. [Here the hon. member's voice sunk a little, and a few sentences fell short of our station] Another grievance to which the hon. member objected, was the discretion now given the Sheriff as to the times and places of holding the poll. He would as quickly as possible have the house relieve themselves from the operation of such discretion; and have the time and place of holding polls throughout the Province specifically set forth. He would have a committee appointed, to ascertain at what parts of every county it would be expedient to have polls held; and by enacting accordingly, relieve all candidates from the tremendous power now possessed by the Sheriff.

Mr Partelow believed the whole House was of opinion that some amendments of the election law were necessary. The only objection he had to this bill, was, the inexpediency of repealing all the laws by this bill.—If the hon. mover would allow the expanding of that part which went to repeal the colonial Granville act, he (Mr P.) would be satisfied. He certainly approved of the general principles of the bill. But if it were to effect such a sweeping repeal, it might not pass in another quarter.

Mr S. Humbert arrogated no merit in preparing or bringing forward this bill. It was a duty he owed to his county. He had pledged himself to his constituents to endeavour to get the election laws consolidated and amended. He wished to have this object effected under the dictation and direction of the House. He had no objection to modify the repealing clause, if some hon. Member would appropriately amend the section.—He (Mr H.) was very happy that the Hon. Member for Gloucester [Mr. E.] had so clearly shown his wisdom and discretion, in stating such amendments of the law as he deemed exeedient. He [Mr. H.] hoped other hon. Members would also candidly do the same; and that the House would make the law as complete as possible.

Mr. Canard was happy to go with the Hon. Member for St. John [Mr. H], in general, because his views usually are so very liberal; but tho' the Hon. Gentleman had approved of the remarks uttered by the Hon. Member for Gloucester, he [Mr C.] thought them very futile, and mere sophistical reasoning.—If the law defined the qualifications of electors, should it not also define those of candidates?—If the whole wisdom of the country were contained in the heads of the lower classes, it might be proper to give them the right of sitting in that house; but when every good qualification was found in men of property, men of rather better station in society, he [Mr C.] thought such men ought to be elected. Much reference had been made as to the late decision of the House, with respect to a petition against an Hon. Member for want of due qualification. That decision was such as he [Mr C.] had wished to see. He hoped to see the guard never removed, which had caused that decision. He hoped never to see a controverted election tried at the bar of that House. The select committee would fairly try the cause. He felt perfectly satisfied that the decision of the Committee would be equitable. Such a mode of trying such cases would be a great saving to the country; as, in the mean time the House could be proceeding with other business. This was one effect of the Colonial Granville act. Another very important provision of that act he would mention. Before the passing of that act, a petition against a return might be brought it with impunity, without a shadow of ground for complaint. Certainly persons aggrieved ought to have every facility in obtaining redress. But if a petition has no foundation, it has no right to come before this House. The Granville act provides that were a petition is frivolous or vexatious, the petitioner shall pay all expenses caused by its presentation. He [Mr C.] could never wish to see encouragement given to frivolous and vexatious petitions: petitions that would harass others, without paying their expenses.—As to the conditions of the onth, which a voter is required to take. The party is required to swear he has a freehold of a certain value, and that he is qualified to vote.—By the same rule which enabled him to judge the value of his freehold, he would be capable of judging of his qualification to vote. When sworn, he is qualified to vote according to the law. The same common sense which would enable him to swear to the one matter, would enable him to swear to the other. If he should happen to have the misfortune to be a fool, why he could do no harm; for in his [Mr C's] opinion, he certainly would not be accountable for that which he did not understand. He (Mr C.) did not see the propriety of doing away with the Granville Act.

Mr Weldon had no objection to the section of the bill under consideration, providing the repealing clause could be modified as proposed. The Hon. Member then proceeded to advocate the benefits of the Granville act, and to prove the necessity there had been for passing it.—He also contended for the evident justice of compelling petitioners to pay the expenses caused to sitting Members, by frivolous and vexatious petitions.

Mr. S. Humbert consented to the modification of the repealing clause, but contended that there had been no need of passing the Granville act, and stated that Members in the House at the time of passing it had been unaware of its contents, and would have opposed it if they had been so.

Mr. Taylor said a few words, which were almost wholly inaudible to us. We understood the sentiments of the Hon. Gentleman, on the matter in question, to be somewhat similar to those of Mr. Weldon.

Mr. Chandler expressed himself very favorable at all times to the consolidation of the laws. Whatever might now be the opinion of Hon. Members as to the operation of the Colonial Granville act, he (Mr C.) believed it was fully understood at the time it was passed, that it was a necessary measure. Committees formerly met and decided questions as to elections, without the forms and solemnities now in force. It was then strenuously contended against such Committees, that they were invested with very large powers, administered no oaths, and observed no solemnities in their proceedings. On this account the House saw fit to pass the Granville Act.—As to the terms, "tyranny and oppression," he (Mr C.) really did not understand the expressions. To whom, or to what, were they intended to apply? Was it to the whole body of members who passed the Granville Act, or to any individuals, that these expressions were intended to apply? In either case, he thought the Hon. Member for St. John, mistaken in the view which had caused him to utter them. He [Mr C.] thought such observations uncalled for and unnecessary. What had been the monstrous inconveniences occasioned by resorting to the act in question, in the case lately before the House?—A petition had come before the House, respecting the qualification of an Hon Member. A select committee had been chosen from the members of the House. The names had been duly drawn, and properly objected to and struck off by the parties, until a proper committee was legally formed. That committee would be bound by oath, to decide according to the evidence. The evidence will be duly examined by them, and no improper evidence will be received. Was there any thing objectionable or oppressive in such a course as this? Formerly, great prejudices had existed against Committees, because their proceedings were secret. But this is not the case now. They are publicly appointed by the House. They will sit in a place where the public may have free access; the whole of the evidence may be publicly heard; and it is only when the members wish to deliberate and consult among themselves, that other parties would be ordered to retire. He (Mr C.) could not see how such a proceeding could be said to be founded in tyranny and oppression; nor how it can operate to the prejudices of persons asking relief under the election laws. The present act certainly operates to prevent frivolous and vexatious petitions, which is highly desirable. The act had been found very beneficial in England, and subsequently in Nova Scotia; and he (Mr C.) felt certain, that when a few years had given time for proof, it would be found equally beneficial here. As to the law respecting elections; it might be said by some, that there should be no restrictions at all as to the right of voting. But it had been found necessary in all countries where elections obtained, to limit and restrain the elective franchise; to define what should be the qualifications of voters, and to require that representatives should be persons of respectability. Such regulations never can be called an infringement on the liberties of the people. The Hon Member then made two or three brief remarks on the amendment proposed, in the oath administered to voters, which we did not clearly hear; and concluded by observing, that if the Hon mover of the bill could modify the repealing clause, so as to leave unrepealed the Granville Act, he would go with him in the remainder of the bill.

Mr S. Humbert asked, what were the privileges granted to the people by the old law? One of them was that if any one candidate at an election, or any two electors, felt aggrieved, and demanded a scrutiny, they would immediately be allowed it. They wanted justice. They would have it promptly. The road was plain before them, and it would cost them nothing. But the new law says, that they shall not come to the House to get a scrutiny, unless they first give security to refund the expenses of the sitting member, in case the petition should be thrown out. Does not this restriction take away the electors' right of petitioning? If one leak would sink a ship, one illegality should induce the House to amend the law. As to the oath of voters, it was in many respects objectionable. It contained three or four things quite unnecessary, and only tended to confuse poor men. For instance, a man must swear he has not "polled" before at the same election. Not one in a hundred of the voters know what the word "POLL" means. He cannot tell whether it is a hop-pole, or a bean-pole, or what kind of pole it might be. If he were made to swear that he had not "voted" before, he would understand it. The oath ought to be simplified. It ought to be made explicit and plain.

Mr Speaker explained that the recognizance to be enterer into by a petitioner was merely to provide for the payment of damages sustained in consequence of a frivolous or vexatious petition. The law provided that the sureties should justify, and not the petitioner.—He [Mr Speaker] was surprised to hear the hon. mover of the bill state what he did.—He objected to repealing, the Colonial copy of the Granville act.—He would recall the recollection of those Members who had sat in the House in 1827, and ask them if, at that time, when so many election petitions came before the House, they would not have found such an act a very great relief? A very great majority of that house were then disposed to refer such cases to committees, altho' there was no positive law to authorize them to do so. It was a case of emergent expediency, to relieve the House from the pressure of so many petitions. He [Mr Speaker,] was surprised now to hear some of those former Members say that cases of contested elections would not be tried before the public if referred to select committees. There was no difference now in the mode of proceeding. Committees then opened their doors to the public, and they would do so now. He (Mr Speaker) saw no reason for such assertions, which would induce the world to think there was a difference between the proceedings of a committee of the whole House, and a select committee.—He felt favourable to many things in this bill; and in order to take the sense of this Committee, he would move that that part of the repealing clause which referred to the Colonial Granville act, be struck out.—Which motion, after some few observations from some of the members, was carried in the affirmative—when the chairman left the chair, reported progress, and asked leave to sit again,

PROVINCIAL AGENTS.

Mr Weldon, pursuant to notice previously given, moved a resolution to the effect, that the services of the Provincial Agents were no longer necessary, that the Speaker of the House should acquaint those gentlemen of the same, together with the thanks of the House for their past services, and that a Committee should be appointed to communicate the resolution to the Council.

The resolution was opposed by Messrs Allen, Partelow, Taylor, Slason, Cinch, Cunard, Dow, and End; some of which gentlemen thought the service of the Agents very useful, and others thought it at all events inexpedient to discontinue them at present, when, under the present peculiar state of affairs between the Mother Country and this Province, they might be enabled to render very important services.—Messrs Weldon, Scott, S. Humbert, and Smith, spoke in favour of the resolution.

The resolution was negatived.—Nays 17. Ayes 5.

Thursday, Feb. 24.

DIVISION OF YORK COUNTY.

Mr Taylor moved for leave to bring in a Bill to authorise a division of the County of York, into two Counties.

Leave given to bring in Bill; bill accordingly brought in, and read first time by its title.

Friday, Feb. 25.

ACADIAN FRENCH.

Committee of the whole, on the bill to authorize Justices of the Peace in Session, to exempt the Acadian French from being assessed for Poor Rates. The Bill was agreed to.

Saturday, Feb. 26.

COMMITTEE OF WAYS AND MEANS.

Mr Smith in the Chair.

Mr Weldon said, the object of the Committee was, to ascertain what means should be devised to raise a revenue. He referred to the present revenue bill, and recapitulated the various articles now subject to taxation. He thought rum sufficiently taxed already, and that it was not advisable to alter the present duty. He was of the same opinion, with regard to sugar, molasses and coffee.—Brandy and Gin being luxuries, used principally by the rich, would, be conceived bear an additional duty; and he was of opinion that it would be necessary to impose some other taxes, to make up, in some measure, the losses anticipated by a decrease in the revenue. He thought the duty on santa, cordials, &c. should remain as at present; and that tea would bear a small duty. He was favourable to allowing raw materials to be imported free of taxation; but he was opinion that British manufactures would bear a small ad valorem duty.

Mr Partolow observed, that as the Chancellor of the Exchequer had now opened his budget; [laughter] he would state his opinion to the committee.—He cordially agreed, (temperate man as he was,) with Mr Weldon, that rum would not bear any additional tax, and he would be disposed even to reduce the duty, if it could be done consistently with the confident expectation that existed, of a large falling off in the revenue; but this the hon. gentleman regretted he could not recommend, because, that the receipts under the acts of Parliament must diminish, was a fact too manifest to need comment. He stated that two of his colleagues, (Messrs Barlow and Ward,) had, with considerable labour, ascertained from the Custom-House returns, that there might be anticipated a decrease of at least 700l. at Saint John alone, from the operation of the late treaty between the mother country and the United States, and of the Bill now pending in the Imperial Parliament, for the regulation of the foreign trade with these Colonies. While, however, he mentioned this decrease, he congratulated the house on the general increase last