

ments for securing a passage in the George Washington packet ship, which was advertised to sail in June,—that being the month in which I had determined, if prevented by no accident in the course of my ramblings, to leave America.

I never thought that going back to England, returning to all who are dear to me, and to pursuits that have insensibly grown to be a part of my nature, I could have felt so much sorrow as I endured, when I parted at last, on board this ship, with the friends who accompanied me from this city. I never thought the name of any place, so far away and so lately known, could ever associate itself in my mind with the crowd of affectionate remembrances that now cluster about it. There are those in this city who would brighten, to me, the darkest winter day that ever glimmered and went out in Lapland; and before whose presence even Home grew dim, when they and I exchanged that painful word which mingles with our every thought and deed; which haunts our cradle-head in infancy, and closes up the vista of our lives in age.

COURTS OF JUSTICE.

To an Englishman, accustomed to the paraphernalia of Westminster Hall, an American Court of Law is as odd a sight as, I suppose, an English Court of Law would be to an American. Except in the Supreme Court at Washington (where the judges wear a plain black robe,) there is no such thing as wig or gown connected with the administration of justice. The gentlemen of the bar being barristers and attorneys too (for there is no division of those functions as in England) are no more removed from their clients than attorneys in our Court for the Relief of Insolvent Debtors are, from theirs. The jury are quite at home, and make themselves as comfortable as circumstances will permit. The witness is so little elevated above, or put aloof from, the crowd in the Court, that a stranger entering during a pause in the proceedings, would find it difficult to pick him out from the rest.

And if it chanced to be a criminal trial, his eyes, in nine cases out of ten, would wander to the dock in search of the prisoner, in vain; for that gentleman would most likely be lounging amongst the most distinguished ornaments of the legal profession, whispering suggestions in his counsel's ear, or making a tooth pick out of an old quill with his pen-knife.

I could not but notice these differences, when I visited the Courts of Boston. I was much surprised at first, too, to observe that their counsel who interrogated the witness under examination at the time, did so sitting. But seeing that he was also occupied in writing down the answers, and remembering that he was alone and had no 'junior,' I quickly consoled myself with the reflection that law was not quite so expensive an article here, as at home, and that the absence of sundry formalities which we regard as indispensable, had doubtless a very favorable influence upon the bill of costs.

In every Court, ample and commodious provision is made for the accommodation of the citizens. This is the case all through America. In every Public Institution, the right of the people to attend, and to have an interest in the proceedings, is most fully and distinctly recognised. There are no grim door keepers to dole out their tardy civility by the sixpenny worth; nor is there, I sincerely believe, any insolence of office of any kind. Nothing national is exhibited for money, and no public officer is a showman. We have begun of late years to imitate this good example. I hope we shall continue to do so; and that in the fullness of time, even deans and chapters may be converted.

In the civil court an action was trying, for damages sustained in some accident upon a railway. The witness had been examined, and counsel was addressing the jury. The learned gentleman, (like a few of his English brethren) was desperately long-winded, and had also a remarkable capacity of saying the same thing over and over again. His great theme was 'Warren the engine driver,' whom he pressed into the service every sentence he uttered.

I listened to him for about a quarter of an hour; and, coming out of court at the expiration of that time, without the faintest ray of enlightenment as to the merits of the case, felt as if I were at home again.

In the prisoners' cell, waiting to be examined by the magistrate on a charge of theft, was a boy. This lad, instead of being committed to a common jail, would be sent to the asylum at South Boston, and there taught a trade; and in the course of time he would be bound apprentice to some respectable master. Thus, his detection in this offence, instead of being the prelude to a life of infamy and a miserable death, would lead, there was a reasonable hope, to his being reclaimed from vice, and becoming a worthy member of society.

I am by no means a wholesale admirer of our legal solemnities, many of which impress me as being exceedingly ludicrous. Strange as it may seem too, there is undoubtedly a degree of protection in the wig and gown—a dismissal of individual responsibility in dressing for the part—which encourages that insolent bearing and language, and that gross perversion of the office of a pleader for the Truth, so frequent in our courts of law. Still, I cannot help doubting whether America, in her desire to shake off the absurdities and

abuses of the old system, may not have gone too far into the opposite extreme; and whether it is not desirable, especially in the small community of a city like this, where each man knows the other, to surround the administration of justice with some artificial barriers against the 'Hail fellow, well met,' deportment of everyday life. All the aid it can have in the very high character and ability of the Bench, not only here but elsewhere, it has, and well deserves to have; but it may need something more: not to impress the thoughtful and well informed, but the ignorant and heedless; a class which includes some prisoners and many witnesses. These institutions were established, no doubt, upon the principle that those who had so large a share in making the laws, would certainly respect them. But experience has proved this hope to be fallacious; for no men know better than the Judges of America, that on the occasion of any great popular excitement the law is powerless, and cannot, for the time, assert its own supremacy.

The Politician.

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THE PRESENT MAJORITY OF THE ASSEMBLY AND ITS CONSEQUENCES.

In reviewing the political state of this Province for the last four years, we may unhesitatingly assert that, in almost every department of public business, *peculation* and *self aggrandizement* have been the order of the day—in place of patriotism and disinterested devotion in maintaining and securing the general prosperity of the country.—Public men have but too frequently forgotten the pledges which they made to those who gave them political existence, and exercised their powers with a degree of wanton impertinence and selfishness—and as if the inhabitants of New Brunswick were deserving of being degraded to the abject condition of Russian serfs! The many fine and flattering promises which a large majority of our Representatives made on the hustings, when they were supplicating the different Constituencies throughout the Province, for their aid to elevate them to their political importance, have, but too generally, been entirely forgotten; and the many opportunities which have since offered of benefiting the great mass of the People, have as often been perverted to serve their own private ends!—A more corrupt body never existed in any country than the present House of Assembly; and therefore it ought to be a matter of sincere congratulation to the country at large, that its political existence will soon terminate.—With such a lesson as a majority of that Body have taught the country, it is most sincerely to be hoped that every voter will consider well what he is about, ere he again lends his aid to any one of that majority, who have already been instrumental in producing so much suffering and general distress throughout the Province—and that merely to serve their own private ends!

Let every man therefore consider well what he is about, for the present time is an important crisis in the history of New Brunswick. Much will depend upon the next House of Assembly—if a majority of the present selfish Members are returned, we may bid a long farewell to prosperity,—and consider that, however degrading it may be to a free and independent people, we must for an indefinite period, be contented to drag on, loaded with our present ignoble chains, poverty and commercial distress! But, if the constituencies throughout the Province will only prove true to their own interests and reject every man connected with the present majority, and return in his place, only such as will pledge himself to support that policy which may be generally considered most conducive to the true interests of the country at large, we may yet hope to see, ere long, the many difficulties with which we are at present surrounded, dissipated like thin smoke, and a new and more permanent era of prosperity burst upon the present gloom, which shall enable us to bury, the more effectually, the many painful recollections of the past. We may fearlessly assert, even independent of our present poverty, that New Brunswick is one of the richest, intrinsically richest, colonies of the British Crown—and that it only requires wise and prudent legislation to guide and direct the energies and enterprise of her hardy industrious sons, in developing many of her hidden resources. With a view to accomplish this desirable and important result, we would recommend our readers to consider the subject fully,—and as past experience ought to be the best guide of every one in his future progress through life, a review of the past conduct of a majority of the Assembly must at once satisfy every honest man, that they have basely betrayed the interests of the country—and having done so once, they would naturally do so again, independent of all their fine promises to the contrary!

In order that our readers may arrive at a salutary and just conclusion on this important question, we would remind them that the members of the present Assembly commenced their career amid a general state of prosperity, and that too with an overflowing Treasury! whereas, at this present moment the Province is absolutely in a state of bankruptcy! This circumstance alone is proof positive that they have, to say the least of it, conducted the business of the country in a manner highly

injurious to the best interests of its inhabitants—and in a manner which reflects individual disgrace on every man connected with the majority of the present Assembly! The true interests of the country have been grossly sacrificed at the shrine of self aggrandizement: and it would appear from the history of the past, that no warning could arouse them to a true sense of their duty, or much of our present commercial and monetary distress might have been very much relieved indeed. The prudent and premonitory voice of our worthy Lieutenant Governor was thrown away upon these self interested men, and that up to the very last moment while they were assembled for the avowed purpose of serving the country in truth and sincerity, and in strict accordance with the sacredness and sanctity of their official oaths! The liberal and proffered aid of the mother country was basely rejected, merely because it was proposed to abridge the self aggrandizing Members of the Assembly of a certain power which they had but too long made a bad use of, and thereby brought ruin and disgrace upon the whole country. By simply giving up the originating of all money grants to the Executive, and thereby conforming to the British practice, we would have had a large amount of the superabundant gold of the Mother Country circulating from one end of the Province to the other, long ere this. As all have suffered, and are still suffering most severely, in consequence of the ordinary circulating medium, we need not insult our readers by dilating any farther upon this part of the question, for all are but too painfully acquainted with the facts at this very moment. It is thus that the powerful and important aid of the Legislature has been refused by a 'Majority of our Representatives,' at a time too when common prudence and dire necessity most imperiously demanded that all, and particularly the servants of the public, should unhesitatingly banish every selfish feeling, and join heart and hand in devising and carrying into effect, such powerful measures of relief as the present depressed and melancholy state of the whole country so truly requires. The most of people would have naturally supposed that, as the Assembly had been so positively instrumental in running the Province into so much disgrace and difficulty, a majority of that Body would have been equally anxious to redeem, and if possible, obliterate the errors of the past by complying with the prudent measures proposed to them by Sir Wm. Colebrooke; but it is very evident that self interest has but too successfully operated against the general good of the country! To have discharged their duties honestly to the public, 'The grand majority of the Assembly,' would have been obliged to give up that golden power, by which so many of them have enriched themselves and their friends at the public expense.

From our experience of the past, we may freely assert that, the grand object of most of our public men has been, first to acquire the confidence of the people, for the purpose of being elevated to that position, in the Councils of the country, which would enable them most effectually to serve themselves, regardless of the real wishes and interests of those very men who breathed into their nostrils the breath of their political existence.

If 'The Initiation of all Money Grants' were once in the hands of a properly constituted Executive, and the necessary reforms, guards and checks introduced into the different branches of the Government, we would immediately get rid of many of those mock patriots and selfish speculators who now but too successfully rule the country for their own individual benefit.

However much the popular branch of the Legislature requires remodelling, we feel quite satisfied that the present Executive Council ought at once to be *sponged out*—and a new one constituted, upon the true principles of the British Government.

ORIGINAL.

Mr. Editor,

In your last number a correspondent has given an account of the opening of what he calls the *new Parish Church of Richibucto*; and a few weeks ago, a similar communication, evidently from the pen of the same individual, appeared also in the columns of the Gleaner, announcing the opening of the, so called, *new Parish Church of Blackville*. Now, Sir, I, and many of your readers, will be glad to hear from the writer of these pompous announcements, on what ground the sacred edifices above mentioned, are entitled to the imposing appellation of the Parish Church, either of the one place or the other. In the case of Blackville, I have reason to know that a new Church, in connexion with the Established Church of Scotland, was erected prior to the building of the Episcopal Church in that Parish, and that said Presbyterian Church has a resident clergyman, who officiates in it regularly

once a fortnight, while in the Episcopal Church in its vicinity, divine service is held only occasionally, and that to an exceedingly small congregation. If then, either of the two Churches now referred to, be entitled to the name of the Parish Church of Blackville, it is unquestionably that which was first erected, and has a resident officiating clergyman. In this County (Kent), where Presbyterians are to Episcopalians probably as three to one, it is well known that the former have had a Church and resident clergyman for the greater part of the last twenty years; while it is only two or three years since a missionary of the Church of England was stationed in the County. I am not aware that ever Presbyterians here called their Church the *Parish Church* of Richibucto, although they had at least as good a title to do so, as the writer in question had to call the English Church just opened in the village by that name.

Perhaps he will attempt to get out of the difficulty by saying, that the Church of England is the established Church of the Colony. This we deny; and should the writer still assert this point, we call upon him to quote the words of the Statute, by which the establishment of Episcopacy was effected in the Province. In fact there is no established Church in New Brunswick; and this is well known to some at Head Quarters. So convinced was Sir John Harvey of this, that in replying to the address of the Episcopal Clergy, assembled at Fredericton some years ago, instead of calling their Church the established Church of the Colony, he called it 'that portion of the Established Church of England in the Province.' And he did so *advisedly*, having had his attention called to the deficiency and ineffectiveness of the enactment by which Episcopacy was attempted to be established. It can be shewn, also, from the 'ACT OF UNION,' and the *highest legal authority* in the realm—the decision of the English Judges, in the case of the Clergy Reserves in Canada—that the Established Church of Scotland, in a British Colony, is upon an equal footing, and entitled to equal privileges, with the sister Establishment. By what authority then we should like to know, is the Episcopal Church in this County designated the Parish Church of Richibucto, or that on the South West of Miramichi, called the Parish Church of Blackville?

I object also very strongly to several of the doctrines and views, put forth in the article referred to in the Gleaner of the 15th November current. It breathes throughout an exclusive spirit, and the writer, whoever he may be, has manifestly imbibed the notions of the Oxford Tractarians, who denounce as *schismatic*, all without the pale of the Episcopal and Romish churches; and leave such to the uncovenanted mercies of God. This powerful sect, which is rapidly corrupting the doctrines, and dividing the clergy and laity of the Church of England, it is well known, attach a *superstitious importance to antiquated forms*, and set the authority of the Fathers, on some points, above that of the Holy Scriptures themselves. They hold also in the most unqualified sense, *Baptismal regeneration*, and that, to partake of the Sacrament of the Supper, is the great means of attaining salvation. Puseyites farther hold, that no clergyman who has not received Episcopal ordination, can *rightly and duly* dispense either Baptism or the Lord's Supper. And with the view of adding importance to their *Liturgy*, they lay *more stress*