

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Monday, April 18.

On the presentation of a petition, a long conversation ensued, in which Lord Harwood and Earl Grey took the principal parts.

The Earl of Limerick complained of an article in the Times newspaper, calling him a thing, and representing him as averse to the interests of the poor, because he spoke against the introduction of poor laws. He concluded by moving that the editor be called to the bar.

Lord Brougham considered the passage alluded to as coarse and vulgar; but he never knew a member of either House to have made a motion of this kind, who did not ultimately wish that he had not made it. The privileges of the House were inconvenient, and he always found that the best way was not to notice such attacks. Several noble lords having spoken, the printer of the Times was ordered to attend at the bar on the following day.

Tuesday, April 19.

Mr. John Joseph Lawson the printer of the Times, was called to the bar, and strangers having been ordered to withdraw, a discussion within closed doors ensued, which terminated in Mr. Lawson being ordered into the custody of the ushers of the black rod.

Earl Grey brought forward the subject of the Civil List, and after some remarks from the Duke of Wellington, and Lords Guderich and Ellenborough, the bill was reported without amendment.

Wednesday, April 20.

Lord King presented a petition from Mr. Lawson, printer of the Times, expressing his regret for having offended their Lordships. Lord Limerick disclaimed all personal motives, and left the case in the hands of the house. Earl Blackhurst wished the house to be cleared. Earl of Malmesbury and Earl Grey thought too much publicity could not be given to the proceeding.

The Marquis of Londonderry.—My lords, when the resolution of the house is, that this individual, or the editor of the paper, has been guilty of a scandalous libel, it appears to me that confinement for a short period and a reprimand are but small punishments for the offence. I am not the individual to urge a strong measure of punishment, but I think it should be stated distinctly, that if we are disposed on the present occasion to allow the individual to escape with a small mark of our displeasure, still if such practices be continued, and if the privileges and the dignity of the house be attacked in future, that we will not be satisfied with the infliction of a light punishment, but will take measures to bring forward the Editor, and individuals really guilty; for I cannot believe that the person who appeared at the bar was the real author of the libel. My lords, when I saw the noble and learned lord on the woolsack, who I thought should have been a defender of your privileges, rather than a supporter of their impugners, when I saw him last night placing himself between the house and such an offender, for the purpose of shielding the latter, I really was almost disposed to believe that the noble and learned lord was acting as counsel for a defendant in this proceeding.

The Lord Chancellor.—My lords, I rise to order; at the same time I must say, that, personally, I have no objections to the noble lord's course, so little do I dread its consequences. If I were the noble lord's friend, I should dread the consequences to himself; he is perfectly at liberty, so far as I am concerned, to go on and make what exposition it may please him to make of me or of himself to your Lordships. I care not one rush for what the noble lord can say, he may go on with his sarcasms, insinuations, or charges, as he pleases; but I would rather have the noble lord's charges than his insinuations. I never use insinuations, I always bring direct charges; I would rather have the noble lord's open hostility than his covert enmity. I am sure he is incapable of persisting in insinuations—the noble lord has too much honour and high-mindedness for that; therefore, as the noble lord has hinted something or nothing, I put myself on my defence before your Lordships, and call upon the noble lord to charge me with something.

The Marquis of Londonderry.—I beg the noble and learned lord to believe, that no one has a higher respect for his great and splendid talents; but with all his logic and talents, and oratory, the noble and learned lord shall not put me down, or prevent me from discharging what I conceive to be my duty. The noble and learned lord's great abilities and acquirements may often enable him.

"To make

The worse appear the better reason." He possesses commanding eloquence which carries every thing before it like a torrent, and an individual like myself can have but little chance in an encounter with him; but, pigmy as I am, I tell the noble lord, that neither he nor any other person shall deter me from taking a proper course. I shall now continue the observations I was about to make when interrupted by the noble and learned lord; and I must say, that I did expect the noble and learned lord to have taken a different part on the occasion in question. I shall now observe, that the unfortunate individual who was yesterday at the bar, is not, in my opinion, the person most worthy of being visited with punishment. If the petition be brought up I shall move for a copy of the affidavit deposited at the Stamp-office, and containing a list of the names of the proprietors of the Times. I give notice of my intention to move for this document to-morrow, and I mean to have it produced, because I think we may thus find individuals to tell us at the bar who the real writers of those paragraphs are.

The Lord Chancellor.—I know not whether I should not better consult your Lordships' feelings and my own by taking no notice of what has been uttered by the noble lord, in one of the most extraordinary speeches which I have ever heard. As for my reason for calling the noble lord to order, it being the first, as it may perhaps be the last time in my life that I shall call any noble lord to order under similar circumstances, I did so because he thought fit to stigmatize the conduct of an individual peer, by saying that an individual had acted the part of an advocate or counsel for an offender, at a time when that offender was before him, as one of the highest court in the kingdom.

The Marquis of Londonderry.—One word in explanation. I meant to convey, and, indeed, said, that the conduct of the noble and learned lord was such as almost to make me believe that the noble and learned lord was the advocate of a defendant.

The Lord Chancellor.—My Lords, able and skillful orators, like the noble marquis, frequently have a cunning way of rendering it difficult to get at their meaning according to the known and ordinary acceptance of the terms which they employ (hear and laughter); they wrap and mystify so successfully; but I, as your Lordships well knew, am a plain man—a laugh—and I say, without any subtlety or refinement, that the noble lord's mode of expressing himself, even now, such as would almost make me believe that he meant to insinuate that my conduct on the occasion in question was more worthy of a hired advocate than of an impartial judge, sitting in the highest court in the realm. [a laugh.] The noble and learned lord then proceeded to justify his conduct when the matter was debated on the preceding day. Before they consented to find and imprison a man, he should insist on hav-

ing their privileges debated at length. I must open up the question of the right of the House to imprison for six months, and inflict a fine—it may be of £10,000—on an individual tried by no jury, and defended by no counsel, because a noble lord may complain of his feelings being injured by a newspaper paragraph. Why my lords, if such a principle were to be admitted, one noble lord would complain of one newspaper, another would direct your attention to a breach of privilege in a second, and the practice might be extended till your Lordships' House would be converted into an inquisition, instead of a court of justice. My lords, before I can admit such a principle, I must have this matter argued; and if the noble marquis thinks it a mere motion of course that the King's subjects shall be sentenced to imprisonment and fines, he is very much mistaken, and will find, that every time such a thing shall be proposed, he and I must meet and battle till the point of law, secondly, the point of privilege; and if upon these points the right of fine and imprisonment be established, then we must dispute the points of justice to the public, of humanity to the individual, and of prudence and discretion in your Lordships.

Lord Londonderry, and Lord Wynford said a few words. The marquis of Lansdowne thought that the better course would be to call Mr. Lawson to the bar on the following day, reprimand and discharge him.

Lord Tenterden was of opinion that their Lordships possessed the power of fining and imprisoning. The Lord Chancellor denied this on the authority of the highest constitutional writers. True it is, my lords, that you are judges in your own cause and if I do not raise any argument upon that as between your Lordships myself, with regard to the existence of this power, yet, let me tell your Lordships that the fact of your being judges in your own cause ought to make you very slow to exercise this power. Now my noble friend the Lord Chief Justice may be very right—and I know your Lordships think he is—in saying that you have this power; but he cannot be right in the reason which he has given for the possession of that power. He tells you, that because the courts of law in Westminster-Hall have the power to fine and imprison, so also must the Houses of Lords and Commons have that power. But who ever heard my lords, till this moment—when were you ever told till this day, when you have been told it by a Lord Chief Justice of England—that the House of Commons has the right to inflict fines and imprisonment upon His Majesty's subjects in vindication of their privileges? [much cheering.] No one who knows any thing about the law and the constitution of the country can hesitate for a moment in saying that the Lord Chief Justice is grievously in error here; and until I am told by my noble friend, in terms the most clear and the most explicit, I will not believe that he is prepared to defend and justify in law what he has thus said; for he has thereby conferred upon the House of Commons a power, which none of his least learned, none of his worst, none of his most corrupt, none of his least calm, his least temperate, or his least respectable predecessors, ever dreamt of arming the Commons with. [Cheers.]

My Lords, I have been dragged into this discussion, I have been compelled to say this; for, as a member of this house, and filling the situation which I have the honor to hold, I could not, consistently with the character of the office which I fill, hear the Lord Chief Justice of England—no slight and not a point of law—make this exposition of the Parliamentary law without at once contradicting it. [Cheers.]

Lord Tenterden.—I spoke from recollection, it may be from imperfect recollection; but I was strongly impressed with the notion that there were instances in which the House of Commons had exercised that power. I was mistaken, I dare say; but with regard to this house, I think there can be no doubt that it has the power.

The Lord Chancellor.—The fact is, that the House of Commons has the power of commitment, but not for any certain time; they have the power to commit as a means of moving an obstruction; but the confinement of the person so committed can last no longer than the end of the session. The House of Lords on the other hand, being a court of justice, a court of record, nay, the highest court of justice, is said to have the power of committing for a time certain, and of fining; but the power has been disputed by many sound lawyers, and especially by Sir Arthur Pigot, who was one of those who denied that the House of Lords had the power of committing for a time certain. I know very well that the Court of King's Bench has decided otherwise.

The subject of the petition was then deferred to the following day.



Civil Appointment.

Mr. Isaac Woodward Jonett, to be Gentleman Usher of the Black Rod in the room of Xenophon Jonett, Esquire, who has resigned.

HEAD QUARTERS,

FREDERICTON, 30th May, 1881.

Militia General Orders.

His Majesty having been pleased to appoint Lieutenant Colonel C. B. Turner to be Inspecting Field Officer of Militia in New-Brunswick, vice Lieut. Col. Love.—It is the desire of His Honor the President, that that Officer do take charge and make an inspection of the Militia of the District formerly assigned to Lieut. Colonel Love, agreeably to the following arrangement, which is to be observed by the several Corps throughout the Province for the present year:—

Corps to be Inspected by Lieut. Col. Turner.

2d Batt. King's County, at Sussex Vale, on Thursday, the 23d June.

2d Batt. Westmorland, at Sackville, on Monday, the 27th June.

4th Batt. Westmorland, on Tuesday, 28th June.

3d Batt. Westmorland, at Hopewell, on Thursday, 30th June.

1st Batt. Westmorland—1st Division near the Bend of the Pettediac, on Saturday, 2d July; 2d ditto at Shediac, on Monday, 4th do.

1st Batt. Kent Militia, at Richibucto, on Wednesday, 6th July.

2d Batt. do at Buctouche, on Thursday, 7th ditto.

3d Batt. King's County, at Hampton Ferry, on Monday, 11th July.

1st Batt. King's County, at the Long Reach, on Tuesday, 12th July.

Charlotte County.

2d Battalion at Magaguadavic, on Thursday, 11th August.

1st Batt. 1st Division, at Saint Andrews, on Saturday, 13th August; 2d Division at Saint Stephen, on Monday, 15th ditto.

3d Batt. 1st Division, at Indian Island, on Wednesday, 17th August; 2d Division at Grand Manan, on Friday, 19th August.

Saint John City Militia.

1st Batt. on the Sands, on Monday, the twelfth of September.

2d Batt. on the Sands, on Tuesday, the thirteenth September.

Saint John County Regiment.

1st Division at Manawagonish, on Thursday, the fifteenth September.

2d ditto, on the Sands, on Friday, the six-

teenth ditto.

3d ditto, at Loch Lomond, on Thursday, the nineteenth ditto.

4th ditto, at Quaco, on Tuesday, the twentieth ditto.

Corps to be Inspected by Lieut. Col. Allen.

2d Batt. Northumberland.

1st Division at N. Moore's, (Ludlow) on Saturday, 2d July.

2d ditto at McKenzie's field, (S. W. Branch) on Monday, the 4th July.

1st Batt. Northumberland.

First Division at Saint Andrews Point, on Tuesday, the 5th July.

Second ditto, at Glenalg, at Captain McDonald's farm, on Wednesday, 6th July.

Third ditto, at the Burn Church, (Alawick) on Thursday, the 7th ditto.

1st Batt. Gloucester.

First Division at Dalhousie, on Wednesday, the thirteenth July.

Second ditto, at Bathurst, on Saturday, the sixteenth ditto.

2d Batt. Gloucester.

At Caracquet, on Tuesday, the nineteenth July.

1st Batt. Queens County.

At Gagetown, on Monday, the twelfth September.

2d Batt. Queens.

First Division at White's Point, Grand Lake, on Wednesday, the fourteenth September.

Second ditto, at Capt. Yeaman's farm, on Friday, the sixteenth September.

Third ditto, at New Canaan, on Saturday, the seventeenth ditto.

Sunbury.

At Mr. Solomon Perley's, (Maugerville) on Monday, the nineteenth September.

1st Battalion York.

At Fredericton, on Thursday, the 22d Sept.

5th Battalion York.

At the Nashuaak, on Friday, 23d September.

3d Battalion York.

1st division at the upper French Village, on Thursday, the 29th September.

2d do at Nackawick, on Friday, the 30th do.

2d Battalion York.

1st Division at Major Ketchum's, on Saturday 1st October.

2d do at Munquut, on Monday, 3d October.

5th Battalion York.

At Green River, Madawaska, on Thursday the 6th October.

PROMOTIONS, &c.

2d Battalion King's County.

Lieut. Oliver B. Congie, to be Captain, vice McArthur, who retires with his rank.

Ensign Isaac Parlee to be Lieut., vice Congie.

William Teakles, Gent. to be Ensign, vice Parlee.

2d Battalion Westmorland.

To be Captains—Lieut. Wm. Burnham of the Artillery Company, vice Kinneer, (deceased) dated 30th May.

Lieut. Thomas Lowerston, vice Chapman promoted to 4th Battalion, 31st May.

Lieut. Charles Botsford, vice E. Botsford promoted.

Ensign John Bulmer, 1st June.

To be 1st Lieutenant—George Hay, vice Burnham promoted.

To be Lieuts.—Ensign Henry Chapman, Junr. vice Lowerston dated 30th May.

Ensign Joseph Bowser, vice Charles Botsford 31st May.

Ensign Chipman Botsford, 1st June.

To be Ensigns—Thomas Treuholm, Gent. 30th May.

William Evans, do 31st do

William Carter, do 1st June.

4th Battalion Westmorland.

To be Captains—Philip Chapman, Gent. dated 30th May, 1881.

John Anderson, do do 31st do

Joseph Aard, do do 1st June.

John Treuholm, do do 2d do

To be Lieutenants—Wm. Hewson, Gent. 30th May.

William Anderson, do 31st do

Lilly Allan, do 1st June.

Ensign John Downing, do 2d do

George Allan, Gent. to be Quarter Master, with the rank of Lieut.

BY COMMAND.

GEO. SHORE, Adj't General.

COMMISSIONERS FOR BYE ROADS.

GLoucester County.

Benjamin Dawson to expend 30l from Carron point to the great road.

Richard McLaughlan to expend 15l from John Lavine's to Little River.

Richard McLaughlan to expend 25l for erecting a bridge over Little River.

Richard McLaughlan to expend 10l from Little River to Middle River.

Frederick and Samuel Sutherland to expend 20l from James Sutherland's to Bass River.

Thomas M. Debois and Bela Packard to expend 30l from the Shire town of Bathurst to the Papineau River.

William Carman to expend 20l from the great road to the Tettagouche settlement.

James White to expend 20l from Teague's Brook to Bass River.

John and Mathew Parrot to expend 20l from Teague's brook to Pokeshaw.

Gavin Kerr to expend 20l from Richard Dawson's to the Mill Settlement in the rear.

John Young and Richard Dawson to expend 10l to improve the road down the bank at Pokeshaw.

John Young and Richard Dawson to expend 10l for improving passages down the Capes.

William End, Esq. to expend 40l for a bridge over the Northwest branch of Carraquet river.

Joseph Reed to expend 15l from McDonald's cove to the Tettagouche River.

John Young and Richard Dawson to expend 80l from Pokeshaw to the intended Bridge over the northwest branch of Carraquet river, through the Grand Auxence settlement.

George Sevvett to expend 15l on the road from the Northwest branch of Carraquet River to the Southwest branch.

John Gionet and Peter Robicheau to expend 80l for the portage between Pokemouche and Carraquet according to the exploration of James Blackhall.

R. H. Peters to expend 30l from Dalhousie to Robert Ferguson's mill stream.

Edward Bontiller to expend 20l from the lower part of the Carraquet settlement towards Shipigan.

John Gionet and Peter Robicheau to expend 20l for a bridge over the river Wough, to be erected where the Carraquet portage strikes the said river.

Nicholas Robicheau to expend 20l from the bridge to be erected on the river Wough to Joseph Sewell's.

Charles Commeau and Augustin Landry to expend 50l to explore and open a road from Pokemouche to Tracaday.

James Fleming to expend 40l to finish the bridge over Benjamin river.

Jacob Nash to expend 20l to erect a bridge over Nash's brook.

Wm. Flemming to expend 50l for a bridge over the Louisong river near Archibald McNair's.

Douglas Stewart to expend 20l for improving the road from the Town of Dalhousie to the Charlevoix farm.

Daniel Hadley to expend 35l for a bridge over little Nepisquit river to aid subscription

James Lee to expend 10l for a bridge for foot passengers over Beldown River.

YORK COUNTY.

Benjamin Tibbets to expend 20l from Salmon River to Henry Bowman's.

Benjamin Tibbets to expend 15l from Bowman's to Tobique.

William Hallet to expend 15l from Tobique to Muineck.

John Fitzherbert to expend 10l from Muineck to Fitzherbert's.

John Giberson to expend 15l from Fitzherbert's to Munquat.

Jabesh C. Squiers to expend 10l from Munquat to lower line of Parish of Kent.

George Milberry to expend 10l to a new settlement rear of Fitzherbert's.

Benjamin Tibbets to expend 20l from Benjamin Tibbets to Benjamin Sloat's.

Simon Giberson to expend 10l from the White Marsh to Green's.

Simon Giberson to expend 10l to a settlement on the Gusaguit in rear of Wright's farm.

Nathaniel Laskee to expend 15l from N. Laskee's to John Clarke's on the Peckagomick.

Thomas Burlock to expend 80l from Samuel Estabrooks's on the Peckagomick to the river.

Thomas Burlock to expend 15l from Thomas Burlock's to a back settlement.

James Lockhart to expend 10l from Thomas Carl's to a back settlement.

Adam B. Sharpe to expend 20l from William Gray's to Arden Dickenson's.

Adam B. Sharpe to expend 30l from Ben. Noble's to the Peckagomick.

John Shea to expend 30l from Andrew Scott's to lower line of Mr. Slason's farm.

Willard Chapman to expend 10l from James York's to Jesse Churchill's.

Willard Chapman to expend 10l for the road from the settlement on little Presqu' Isle to the river.

Willard Chapman to expend 10l for the road from Willard Chapman's to M'Grath's.

Andrew Kearney to expend 15l from M'Grath's to Kearney's.

William Lindsay to expend 15l from Wm. Lindsay's to Forks of Medusnekik.

John Kearney to expend 15l from the settlement on the Medusnekik to John Kearney's.

Moses Hannah to expend 15l from James Page's to Chas. Palmer's.

Henry Sharpe to expend 20l from John Marven's to Ben. Churchill's.

Alexander Lindsay to expend 20l from John Newcomb's to Andrew Lindsay's.

Beverly Estey to expend 15l from M'Grath's to Fletcher's.

Elijah Shaw to expend 30l from the river to James York's.

William Mallory to expend 30l from James York's to the road on fourth tier of lots.

William Lindsay to expend 15l from Rufus Payson's mill to Forks of the Medusnekik.

Ralph Beardsley to expend 15l from Ralph Beardsley's to the river.

Walter Hay to expend 10l from John Caner's to a back settlement.

John Dibble to expend 40l from the Church Lot in Woodstock through the new settlement south of Richmond.

Ralph Beardsley to expend 15l from John D. Beardsley's to a back settlement.

Andrew Blair to expend 15l from Andrew Blair's to R. Kent's farm.

Robert McCellan to expend 15l from Peabody's Grist Mill to the Scotch settlement.

Walter Hay to expend 20l from McLaughlan's to Eel River.

William McK. Hazen to expend 20l from Abm. Estey's to the Shugomock.

Edward Garden to expend 20l from Shugomock to Poquoik.

William McK. Hazen to expend 15l from Abm. Estey's to the Howard settlement.